

STAFF REPORT

SAUSALITO ZONING ADMINISTRATOR

Project Temporary Outdoor Events / 100 Spinnaker Drive
Retro-Active Minor Use Permit MUP 13-109

Meeting Date May 30, 2013

Staff Rafael Miranda, Contract Planner

REQUEST

Retro-active approval of a Minor Use Permit for a temporary outdoor event including amplified music for the Marin General Hospital Foundation at 100 Spinnaker Drive.

PROJECT INFORMATION

Applicant Deborah Mann Productions

Property Owner Madden and Lewis

Location/Size 100 Spinnaker Drive; APN 065-041-05;06;10
~1.80 acres; see **Exhibit C** for vicinity map

General Plan Waterfront

Zoning Waterfront (W) Zoning District

Authority Temporary Uses and Events are permitted via a Minor Use Permit pursuant to Section 10.44.310 of the Zoning Ordinance

CEQA The project consists of a temporary outdoor event and is categorically exempt pursuant to Section 15304(e) (Minor Alterations to Land) of the CEQA Guidelines.

PROJECT DESCRIPTION

SITE LOCATION

Neighborhood: The project site is located to the north of the Downtown Historic Overlay District. The neighborhood consists of public, commercial, and marine-related uses.

Subject Parcel: The subject parcel is a level lot with access from Spinnaker drive and Humboldt Avenue. The site has been developed with drive ways and parking lots.

PROJECT DESCRIPTION

The applicant is requesting retro-active approval of a minor use permit for an outdoor event benefiting the Marin General Hospital Foundation that occurred from 6:30pm to 11:00pm on Saturday May 18, 2013. The event began with a reception and cocktail hour at 6:30pm. Dinner was served at 7:30pm, after which live music and dancing ensued.

The outdoor event took place in a tent that was erected in the parking lot (**Exhibit B**). The expected turnout for the event was anticipated to be approximately 450 people. The event was staffed by 25 valet parking attendants to help control and expedite the flow of arriving guests and attendees. Valet

attendants utilized the parking lot adjacent to Dunphy Park at the corner of Locust and Bridgeway, 16 parking spaces were made available in the Madden parking lot adjacent to the event site and 25 parking spaces were made available in the Spinnakers parking lot (**Exhibit D**). Anticipating that additional parking might be needed, the applicants prepaid the Police Department for use of some parking spaces in City Lot 3 as well.

PROJECT ANALYSIS

GENERAL PLAN CONSISTENCY

The project site is located within the Waterfront General Plan Land Use Designation. The General Plan describes this land use designation as being an area whose primary use is recreational marinas and their supporting land uses.

To approve the project, the Zoning Administrator must determine that the project was consistent with all applicable General Plan policies. Staff has identified the following policy of the Land Use Element as most relevant to the proposed project:

- ✓ ***Policy LU-4-7: Downtown Waterfront.*** *Maintain and enhance the existing character of the Downtown waterfront with a mixture of open vistas and commercial uses.*

The temporary event was located in an existing asphalt parking lot and did not negatively obstruct designated view corridors. Additionally, the event was temporary in nature and did not create a permanent land use which would conflict with the purpose and intent of the General Plan. As such, staff suggests the proposed use was consistent with the intent of the General Plan's Land Use Element.

ZONING CONSISTENCY

Temporary uses and events are permitted in the Waterfront Zoning District. Pursuant to Section 10.44.310 (Temporary Uses and Events) of the Zoning Ordinance, any use, except mobile homes, may be authorized on a temporary basis for up to a maximum of one year in any Zoning District, unless a different expiration date is stipulated at the time of approval.

Staff suggests the findings to approve the minor use permit are able to be achieved on the basis of the following:

- ✓ The temporary event was able to utilize the existing parking associated with the project site. The project site, in conjunction with the prearranged off-site parking locations, had sufficient parking to accommodate the parking requirements to support both the existing uses on the site as well as the parking requirements associated with the temporary event.
- ✓ The temporary event had access to utility connections, sanitation services, and restroom facilities which are currently located on the project site.
- ✓ The temporary event did not negatively impede established view corridors identified in General Plan.

PUBLIC NOTICE AND CORRESPONDENCE

- May 16, 2013 – Notices were mailed to all residents and property owners within 300 feet of the project site.
- No written correspondence was received at the time of writing the staff report.

RECOMMENDATION

Staff recommends the Zoning Administrator approve the attached draft resolution (**Exhibit A**) which retro-actively approves a Minor Use Permit for a temporary event that occurred on Saturday May 18, 2013 at 100 Spinnaker Drive (MUP 13-109).

Alternatively, the Zoning Administrator may:

- Approve the Minor Use Permit with modifications;
- Continue the hearing for additional information and/or project revisions; or
- Deny the modification to the Minor Use Permit and direct Staff to return with a Resolution of Denial.

EXHIBITS

- A. Draft Resolution
- B. Project Plans, date-stamped May 14, 2013
- C. Vicinity Map
- D. Project Description and Event Schedule prepared by the applicant, date-stamped May 14, 2013

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**SAUSALITO ZONING ADMINISTRATOR
RESOLUTION NO. 2013-XX**

**RETRO-ACTIVE APPROVAL OF A MINOR USE PERMIT FOR A
TEMPORARY OUTDOOR EVENT AT 100 SPINNAKER DRIVE
(MUP 13-109)**

WHEREAS, on May 14, 2013 an application was filed by Deborah Mann Productions, on behalf of the property owner, Madden and Lewis, requesting retro-active Zoning Administrator approval of a Minor Use Permit for a temporary event that occurred on Saturday May 18, 2013 at 10 Spinnaker Drive. (APN 063-090-06); and

WHEREAS, the Zoning Administrator conducted a duly-noticed public hearing on May 30, 2013 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Zoning Administrator has reviewed and considered the project plans date-stamped received on May 14, 2013; and

WHEREAS, the Zoning Administrator has received and considered all oral and written testimony on the subject application; and

WHEREAS, the Zoning Administrator has reviewed and considered the information contained in the staff report for the project; and

WHEREAS, the Zoning Administrator finds that, as conditioned herein, the project was consistent with the General Plan and complied with the Zoning Ordinance requirements as described in the staff report; and

WHEREAS, retro-active approval of the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15304(e), Minor Alterations to Land.

NOW, THEREFORE, THE ZONING ADMINISTRATOR HEREBY RESOLVES AS FOLLOWS:

1. The project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15304(e), Minor Alterations to Land.
2. The Minor Use Permit for a temporary outdoor event including amplified music is retro-actively approved based upon the attached findings (Attachment 1), subject to the attached conditions of approval (Attachment 2), and as shown in the project plans date-stamped May 14, 2013 (Attachment 3).

Date

Jeremy Graves, AICP
Zoning Administrator

ATTACHMENTS

- 1- Findings
- 2- Conditions of Approval
- 3- Project Plans date-stamped received May 14, 2013

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ZONING ADMINISTRATOR RESOLUTION

MAY 30, 2013

MUP 13-109

100 SPINNAKER DRIVE

ATTACHMENT 1: FINDINGS

1. MINOR USE PERMIT FINDINGS

Pursuant to the Zoning Ordinance Section 10.58 (Minor Use Permits), the permit is approved based on the following findings:

- A) The proposed use is allowed with issuance of a Minor Use Permit, pursuant to Chapters 10.20 through 10.28 (Zoning District Regulations), Chapter 10.44 (Specific Use Requirements) or any other applicable section of this Title 10.

Pursuant to Section 10.44.310, Temporary Uses and Events, of the Zoning Ordinance, any use, except mobile homes, may be authorized on a temporary basis in any Zoning District.

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

The temporary event was consistent with the intent and purpose of the General Plan and Zoning District based on the temporary nature of the use. The temporary event was also located outside of any established view corridor identified by the Marinship Specific Plan.

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

The event was not detrimental to the public health, safety, or general welfare of the City because it was temporary in nature and did not conflict with neighboring businesses or residences.

- D) The proposed use complies with all of the applicable provisions of the Zoning Ordinance.

As stated in finding A, any use, except mobile homes, may be authorized on a temporary basis in any Zoning District provided such use complies with development standards related to access, fire protection, water supply and sanitation. The project site was designed to provide access to a road (Spinnaker Drive and Humboldt Avenue) and was able to provide on-site water and sanitation facilities.

- E) The proposed use or facility is properly located relative to the community as a whole and to land uses and transportation and service facilities in the vicinity.

The temporary event was located in a private area. The project site, in conjunction with the prearranged off-site parking locations, had sufficient parking to accommodate the parking requirements to support both the existing uses on the site as well as the parking requirements associated with the temporary event..

- F) The size and shape of the subject property is adequate to provide features needed to ensure reasonable compatibility with land uses normally permitted in the surrounding area. Features

may include but not be limited to yards, open spaces, walls and fences, parking, loading, landscaping, and such features as may be required by this Title or the Commission.

The temporary event was located in an existing parking lot. Together with the valet parking attendants and prearranged parking lots and off-site spaces, the site was made adequate to provide the features necessary to ensure reasonable compatibility with surrounding land uses.

- G) Public utilities and facilities are or will be adequate to serve the proposed use, including streets and highways paved (and of adequate width) for the quantity and type of traffic it will generate.

The events was held on private property. Temporary parking was prearranged and made adequate to accommodated the intended temporary event. There are no proposed changes to any existing public utilities or facilities.

- H) The proposed use will not materially adversely affect nearby properties or their permitted uses.

The use was consistent with the intended purpose of the project site and the surrounding properties. Temporary parking will be adequately accommodated in the prearranged parking lots for the intended temporary event. The use will be subject to the City's noise regulations to ensure that nearby properties are not negative affected.

- I) Findings required by Chapter 10.44 (Specific Use Requirements) for the approval of specific uses are made.

Not applicable, as there are no specific use requirement findings.

ZONING ADMINISTRATOR RESOLUTION
MAY 30, 2013
MUP 13-109
100 SPINNAKER

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions of approval apply to project plans date-stamped received on May 14, 2013:

General Conditions

1. This approval shall be effective for an event that took place on Saturday May 18, 2013.
2. This approval will expire in one (1) year from the date of adoption of this resolution if the property owner has not exercised the entitlements hereby granted.
3. A maximum of 450 persons were permitted to be in attendance at the temporary outdoor event.
4. The uses related to the temporary outdoor event shall adhere to the City's noise regulations (Municipal Code, Chapter 12.16, Noise Control).
5. Construction materials, equipment, vehicles, and debris boxes shall be placed to minimize obstruction of roads and gutters, shall be maintained in a clean and safe condition, and shall not be maintained in a manner that becomes a nuisance to the neighborhood.
6. No exterior security lighting may be installed on the subject site unless otherwise reviewed and approved by the Community Development Department and found by staff to be consistent with Chapter 10.45 of the Zoning Ordinance.
7. No alternative or unrelated construction, site improvements, tree removal and/or alteration, exterior alterations and/or renovations shall be performed on the project site prior to commencement of construction of the proposed project. In such cases, this approval shall be rendered null and void unless approved by the Community Development Department as a modification to this approval.
8. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.
9. The applicant shall indemnify the City for any and all costs, including without limitation attorneys' fees, in defending this project or any portion of this project and shall reimburse the City for any costs incurred by the City's defense of the approval of the project.

Advisory Notes

Advisory notes are provided to inform the applicant of Sausalito Municipal Code requirements, and requirements imposed by other agencies. These requirements include, but are not limited to, the items listed below.

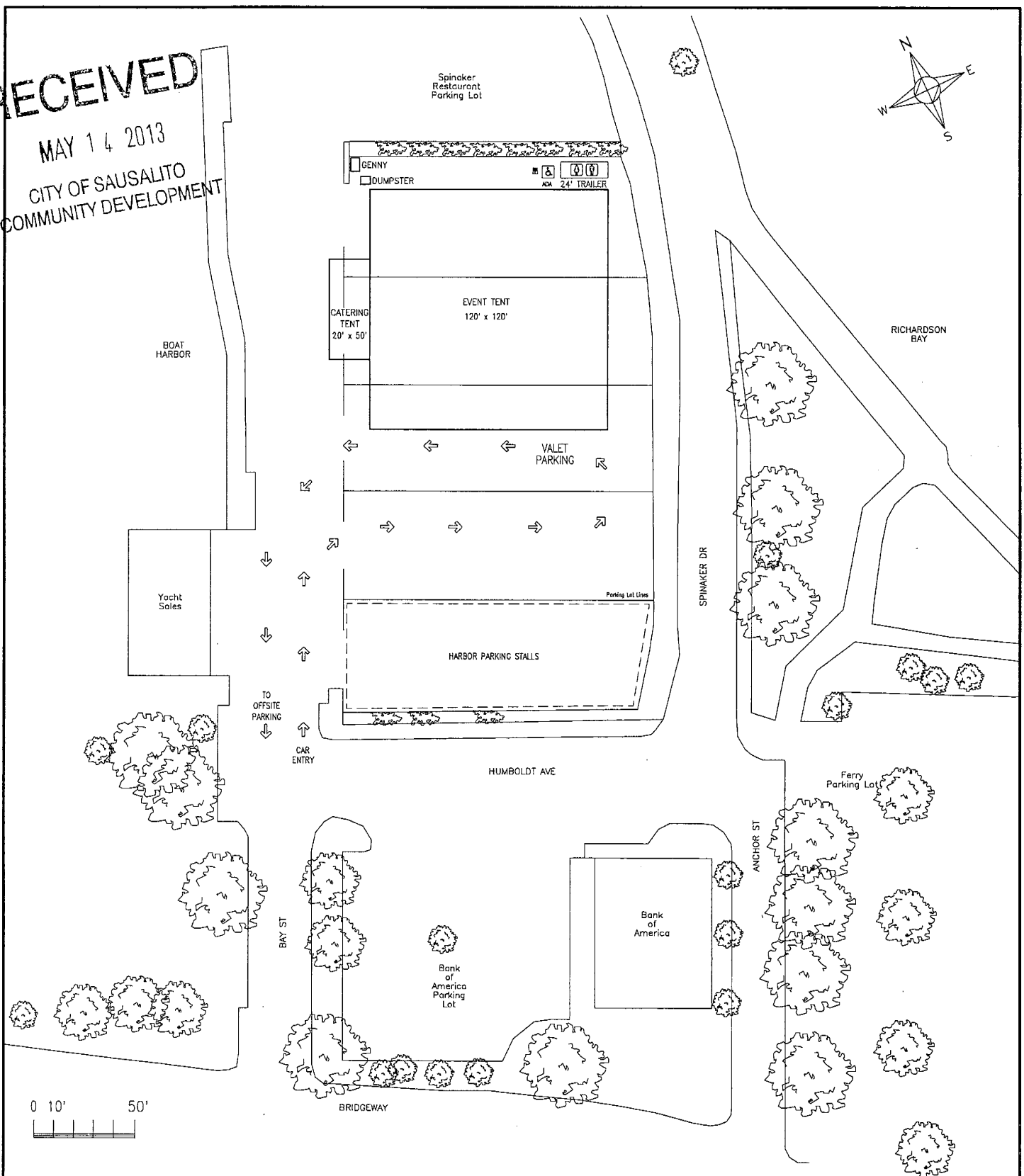
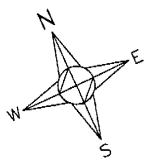
1. An approval granted by the Zoning Administrator does not constitute a building permit or authorization for construction. Appropriate construction permit(s) issued by the Building Division must be obtained prior to construction.
2. All applicable City fees as established by City Council resolutions and ordinances shall be paid. Third party review fees (cost plus 10%) shall be paid.
3. Pursuant to Municipal Code Section 12.16.140, the operation of construction, demolition, excavation, alteration, or repair devices and equipment within all residential zones and areas within a 500 foot radius of residential zones shall only take place during the following hours:
Weekdays – Between 8:00 a.m. and 6:00 p.m.
Saturdays – Between 9:00 a.m. and 5:00 p.m.
Sundays – Prohibited
City holidays (not including Sundays) – Between 9:00 a.m. and 7:00 p.m.
4. Permits required by other agencies having jurisdiction within the construction area must be obtained in accordance with the respective agency's regulations.
 - a. Marin Municipal Water District – (415-945-1400), including landscaping and irrigation regulations;
 - b. Southern Marin Fire Protection District -- (415-388-8182).

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**ZONING ADMINISTRATOR RESOLUTION
MAY 30, 2013
MUP 13-102
20 LIBERTY SHIP WAY**

ATTACHMENT 3: PROJECT PLANS

RECEIVED
 MAY 14 2013
 CITY OF SAUSALITO
 COMMUNITY DEVELOPMENT



Producer:
Deborah Mann Productions
 San Francisco, CA
 415.563.6451

Event:
Marin General Gala
 Site Plan
 Spinaker Drive Parking Lot, Sausalito, CA

Drawn by:
 BayCAD Services
 San Rafael, CA
 415.453.3828

Date: 5-10-13

Marin General

Saturday, May 18, 2013



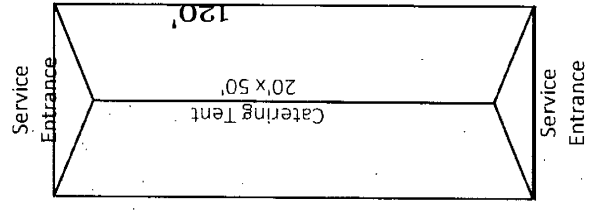
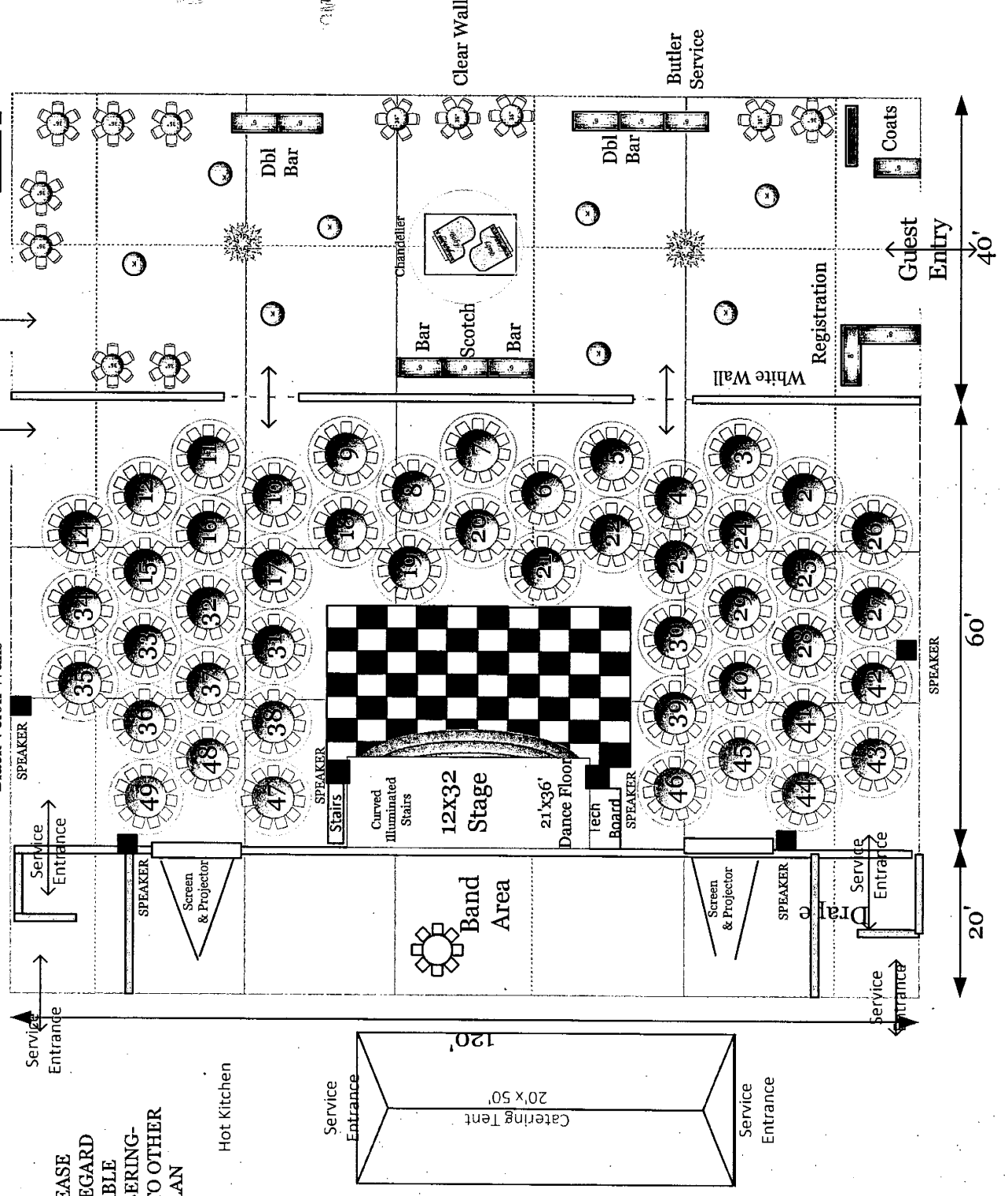
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MAY 14 2013

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT DEPT.

PLEASE
DISREGARD
TABLE
NUMBERING-
REFER TO OTHER
PLAN

Hot Kitchen



KG/05/13/13

Vicinity Map – 100 Spinnaker Drive – MUP 13-109



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MAY 14 2013

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

Marin General Hospital Foundation

An Affair to Remember

Saturday, May 18, 2013

GALA COMMITTEE

Mike and Sharon Stone, *Chairs*
Wayne Kaleck Tucky Pogue Marcia Spurling
Maria Pitcairn Andrea Schultz Radha Stern



Our mission is to inspire philanthropy for the benefit of Marin General Hospital

MARIN GENERAL HOSPITAL FOUNDATION BOARD

Officers of the Board
Andrea Schultz, *Chair*
The Honorable Roy Wonder, *Treasurer*
Patty Garbarino, *Secretary*

Board of Directors

Bruce Braden
Lydia Cameron
Jeffrey "Jim" Dietz, MD
Lee Dominico*
Diane Doodha
Robert Dureault,*
Executive Director
Sharon A. Early
Jon Friedenber,* *President*
Susan Gilard
Francine Halberg, MD
Michael Kadel
Geoffrey Koblick
Harry Newirth, MD
Karen Pell
Maria Pitcairn
Lucky Pogue
Helen Principe, RN
David Spurling, MD
Mike Stone
Cathie Bennett Warner
Cecilia Zamora
Ann Otter, *Chair Emerita*
(of blessed memory)
*Ex-Officio

MARIN GENERAL HOSPITAL

Marin General Hospital, located in Greenbrae, CA, is the only full-service, acute care hospital in Marin County. The 235-bed facility was established in 1952, and is owned by the Marin Healthcare District. The hospital is committed to providing quality health programs and services to the citizens of this community. In fact, the hospital is the ONLY source for many important services and programs including the only designated trauma center, labor and delivery services, full-service cancer care program, comprehensive heart and vascular care, accredited chest pain center, inpatient pediatric program, spine and brain institute, certified primary stroke center that can treat all types of stroke on site, and acute inpatient psychiatric services.

TRAUMA CENTER & EMERGENCY SERVICES

As the only designated Trauma Center in Marin County, Marin General Hospital's Emergency Department treats approximately 35,000 patients annually. Our Emergency Department offers a comprehensive range of services, including many that are simply unavailable at other local hospitals. The community counts on us for emergency care of all kinds, from minor injuries and illnesses to lifesaving intervention for major injuries, heart attack, and stroke.

EVENT INFORMATION

415.925.7770 • foundation@maringeneral.org • www.maringeneral.org/events

EVENT PLANNER
Deborah Mann Productions

Dear Friends,

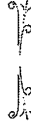
As longtime community members of Marin County, we feel strongly that we deserve the very best healthcare services possible. Each and every one of us, and our family and friends, depend on Marin General Hospital in a time of need. The ripple effect of these services is tremendous.

This year's gala, *An Affair to Remember*, is an opportunity to recognize our physicians, nurses and staff members for their remarkable dedication. Together we salute our beneficiary project, Marin General Hospital's Emergency Department & Trauma Services.

The outpouring of individual and sponsorship commitments to date underscores the collective strength behind the mission of Marin General Hospital: to provide quality health programs and services to the citizens of our community. We welcome your support. Please join us on Saturday, May 18th and help us make the evening *An Affair to Remember!*

With enthusiasm,

Mike and Sharon Stone
Event Chairs



MARIN GENERAL PRODUCTION SCHEDULE

STUART RENTAL COMPANY

LIGHTING COMPANY

5/13- MONDAY	120X FRAME / TOP	
5/14 -TUESDAY	LINER & GABLES	/ 2PM INSTALL
5/15 - WED.	KITCHEN, RESTROOM TENT &WALL, HEAT, SAFETY GUEST AND STAFF RESTROOMS LOAD-IN	/ INSTALL
5/16 - THUR.	SUBFLOOR & ASTRO TURF	/ CLEAR
5/17 - FRIDAY	MOP UP	/ FOCUS
5/18 - SAT.	STAND BY	/ STAND BY
5/19 - SUNDAY	6AM TAKEDOWN FLOOR	/ 12NOON TAKEDOWN
5/20 - MONDAY	TAKEDOWN TENTING	
5/21 - TUESDAY	LOAD BLOCKS RESTROOM LOAD-OUT	

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MAY 14 2013

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT