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**SAUSALITO PLANNING COMMISSION**  
**Wednesday, June 26, 2013**  
**Approved Summary Minutes**

**Call to Order**

**Chair Cox called the special meeting to order at 5:00 p.m. in the Council Chambers of City Hall, 420 Litho Street, Sausalito.**

Present: Chair Joan Cox, Vice-Chair Bill Werner, Commissioner Stan Bair  
Commissioner Richard Graef

Absent: Commissioner Stafford Keegin

Staff: Community Development Director Jeremy Graves  
Associate Planner Heidi Scoble, Administrative Assistant Lilly Schinsing,  
City Attorney Mary Wagner

**Approval of Agenda**

**Commissioner Bair moved and Commissioner Graef seconded a motion to approve the agenda. The motion passed 4-0.**

**Approval of Minutes**

June 12, 2013

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

**Public Comments On Items Not on the Agenda**

None

**Public Hearings**

**Declarations of Planning Commissioner Public Contacts**

**Commissioner Graef disclosed that he had met with a representative of Item 2 (Woodman Residence) and toured the project site.**

**Chair Cox disclosed that she had met with a representative regarding Item 2 (Woodman Residence) and toured the project site on June 23, 2013 for 45 minutes.**

**1. ZOA 10-355, Zoning Ordinance Amendment, City of Sausalito, City-Wide.**

Amendment of Title 10 (Zoning) of the Municipal Code regarding the standards and regulations for residences in the Multi-Family (R-2-2.5 and R-3) Zoning Districts. The proposed regulations would be applicable to projects that provide fewer units than the maximum density allowed. The amendment would lessen the allowable floor area, building coverage and impervious surfaces of the largest unit on a parcel in the R-2-2.5 and R-3 Zoning Districts and mandate that floor area, building coverage and impervious surfaces be held in reserve for an additional unit(s).

1  
2 The public hearing was opened.

3  
4 Administrative Assistant Schinsing presented the Staff Report.

5  
6 The public testimony period was opened.

7  
8 Susan Samels indicated the following:

- 9
- 10 • Why does the ordinance require that the builder of a single-family home
  - 11 provide a schematic for another unit on the same property?
  - 12 • The schematic requirement is ill-defined, difficult, vague and open to
  - 13 interpretation.
  - 14 • If every new building is required to allow for the maximum number of units,
  - 15 then perhaps R-1 properties should also be required to show that an ADU
  - 16 could be built in the future for any proposed home.
  - 17 • She supports the fixed percentage approach to sizing because the sliding scale
  - 18 allows for a larger building footprint than allowed by current laws.
- 19

20 Kerry Headington, Third Street, indicated the following:

- 21
- 22 • Many of the incentives that encouraged maximum build-out have been
  - 23 removed from the amendment with the exception of small units, parking and
  - 24 tandem parking.
  - 25 • The requirement of the schematic architectural drawings discourages single-
  - 26 family homes and encourages maximum build-out.
  - 27 • Could a home on a next door property be built closer to the common property
  - 28 line to allow for a future home that may never be built? This would impact
  - 29 quality of life and space. Or would that neighbor be more inclined to build up?
  - 30 • Housing Element Program 20 can be met by simply limiting the size of single-
  - 31 family homes, which in theory leaves space for future units.
  - 32 • There is a trend towards high-density in Sausalito and Old Town in particular.
  - 33 The streets, sewage and drains in Old Town are overburdened and not meant
  - 34 to be maxed out.
- 35

36 Michael Rex indicated the following:

- 37
- 38 • The changes in the ordinance made in response to Commission and public
  - 39 comments are fine with the exception of the revised parking provisions. The
  - 40 revised parking standards are so important the Commission should reconsider
  - 41 and put them back in the ordinance.
  - 42 • He is against removing the proposal that provides relief from parking for a unit
  - 43 under 1,200 square feet because of fear it will encourage bigger units.
  - 44 ○ An ADU less than 700 square feet can be added and needs to park only
  - 45 one car. But a 700 square foot unit may not accommodate two bedrooms,
  - 46 which is needed by families and the public has stated in multiple hearings
  - 47 that it wants the City to encourage new, young families to live in Sausalito.
  - 48 ○ If an ADU over 800 square feet is added or if a third unit and a second
  - 49 bedroom is added, now they have to park two cars.
  - 50 ○ They are trying to provide some relief between the 700 and 1,200 square
  - feet.

- Adding the proposal back is an exception, but not a huge exception and it is needed. It was there originally for a good reason.
- With the exception of parking relief, the ordinance is ready to adopt and he encourages the Commission to do so.

Jan Johnson, 301 Second Street, indicated the following:

- The parking Mr. Rex has suggested may work in other parts of the City but in Old town there is already 2-3 blocks of housing with well over 60 cars on the waterfront that have no parking at all. Those cars all park in Old Town. If the exception is reduced there will be no parking for residents who will then have to park 5-6 blocks from their homes.

Lee Daily, 115 Fourth Street, indicated the following:

- She disagrees with Mr. Rex.
- Old Town is parked-out already.
- Old Town's sewer, storm drains and roads are also maxed out.
- Infrastructure for these additional units has not been taken into consideration and needs to be before considering expanding and encouraging multi-use units. The past winter, which was mild, saw the storm drains unable to handle the storm water.

Michael Rex indicated the following:

- The reason for the schematic requirement, which should stay in the amendment, is to demonstrate the project did not spread out the main unit so much that there is no physical way to construct another unit if they are in a multi-unit zone.

The public testimony period was closed.

Commission comments:

- The schematic:
  - Mr. Rex is correct that the schematic is simply there so that wherever a house is built does not preclude building something in the future in R-2-2.5 and R-3 districts.
  - The schematic should be thought of more as a site diagram and does not need to be done by an architect. It could simply be a diagram showing how the site would be used, so it is very simple.
  - Perhaps the language could be changed be, "a conceptual site diagram," instead of, "a schematic design," which implies completeness in terms of plans that would require an architect.
- The parking concession for units between 700 and 1,200 square feet:
  - This concession should remain excluded from the ordinance in order to make this ordinance consistent with the ADU Ordinance.
  - The concession is an after-the-fact earmark being added to an ordinance whose objective got expanded inappropriately. It should not be included.
  - It is inappropriate to worsen an already difficult situation throughout the City with this concession.

- 1 • Sliding scale option or the fixed percentage option:
  - 2 ○ The fixed percentage system is preferred. The sliding scale option has too
  - 3 many problems. The fixed percentage carries through to building coverage
  - 4 and impervious surfaces, provides a clear nexus with the rest of the
  - 5 Zoning Ordinance and does not invent a new way to do it.
  - 6 ○ The fixed percentage system would make it easier on the applicant or
  - 7 landowner.
  - 8 ○ The subcommittee's concern was the constraints that would be placed on
  - 9 owners of smaller parcels. The facts that owners of smaller parcels can
  - 10 seek relief through the CUP process helps to ameliorate that issue.
  - 11 ○ Staff prefers the fixed percentage approach because it is much easier to
  - 12 administer.
- 13 • The purpose and intent; Conditional Use Permit findings; Design Review
  - 14 Permit findings:
    - 15 ○ The purpose and intent language modifications are what the Planning
    - 16 Commission had asked for.
    - 17 ○ The strengthening of the Design Review Permit findings are fine, although
    - 18 it is not so much being strengthened as some things are being clarified.
    - 19 ○ The proposed Conditional Use Permit findings are fine.
- 20 • The 200 square foot floor area bonus:
  - 21 ○ The one-time, 200 square foot bonus is still of concern. It is not known
  - 22 how it will be administered, how it works or why it is in the ordinance. This
  - 23 ordinance set out to deal with the specific problem of overbuilding single-
  - 24 family dwellings. Little changes such as this have confused and
  - 25 complicated it. This bonus should not be in the ordinance.
  - 26 ○ The 200 square foot bonus was unclear and did not make a lot of sense in
  - 27 the context of the rest of the proposed ordinance.
  - 28 ○ A site is only restricted in terms of the largest unit on the site. This 200
  - 29 square foot bonus does not do anything other than add potential square
  - 30 footage to a site. There are difficulties inherent in small lots. More impact
  - 31 on a neighborhood is generated by overbuilding or building to the limit on
  - 32 a small lot than is done on a larger lot. This bonus exacerbates a problem
  - 33 we already know about. Let this ordinance do what it set out to do as
  - 34 opposed to hanging other little things onto it. There is always the variance
  - 35 route.
  - 36 ○ The bonus is a major bonus to the small lots, which are the most difficult
  - 37 ones in the first place and the ones that are most adversely affected by
  - 38 this ordinance.
  - 39 ○ The small lots are the ones that most adversely affect the neighborhood
  - 40 by their development.
  - 41 ○ The 200 square foot bonus gives more opportunity to have onsite parking
  - 42 and not burden the neighborhood.
- 43 • Planning Commission review of ordinance:
  - 44 ○ Staff comment: As an alternative to public hearings annually for 3 years
  - 45 staff could bring forward a resolution directing staff to bring this matter
  - 46 back to the Commission annually for three years. This would be put on the
  - 47 Planning Commission's calendar.
  - 48
  - 49
  - 50

- 1           ○ The Commission agrees with Staff's suggestion to leave the 3-year annual  
2           meetings out of the ordinance and remove Section 9.

3  
4 Commission direction to staff:

- 5           ● "A schematic design" shall be changed to, "A conceptual site diagram."  
6           ● The fixed percentage option of sizing shall be adopted, not the sliding scale  
7           option.  
8           ● Remove Section 9, since staff will bring forward a resolution directing staff to  
9           bring a review of the ordinance matter back to the Commission annually for  
10          three years.

11  
12 **Chair Cox moved and Commissioner Bair seconded a motion to approve the**  
13 **Amendment of Title 10 of the Municipal Code subject to Commission direction to**  
14 **staff.**

15  
16 Commission question to staff:

- 17           ● How often is the 200 square foot bonus for small properties brought into effect?  
18           *Staff responded for someone to request the 200 square foot floor area bonus*  
19           *they would need a Design Review Permit. Also, the bonus applies only to*  
20           *existing buildings.*

21  
22 **The motion passed 4-0.**

23  
24 **Chair Cox moved and Vice-Chair Werner seconded a motion to hear Item 3 before**  
25 **Item 2. The motion passed 4-0.**

26  
27 The public hearing was closed.

28  
29 **3. UP/DR 99-111, Amendment of a Conditional Use Permit and Design Review**  
30 **Permit, Westcore Marin, 441-475 Coloma Street.** Amendment of a Conditional  
31 Use Permit and Design Review Permit for the replacement of two existing panel  
32 antennas with two new panel antennas on the rooftop, screened within a faux  
33 chimney; installation of a new GPS reception antenna and two new Remote Radio  
34 Units on the rooftop and the addition of a battery cabinet in the equipment room at  
35 441-475 Coloma Street.

36  
37 The public hearing was opened.

38  
39 Administrative Assistant Schinsing indicated the applicant had requested the public  
40 hearing for 441-475 Coloma Street be continued to the meeting of July 24, 2013.

41  
42 The public testimony period was opened.

43  
44 The applicant was not present.

45  
46 The public did not make comments.

47  
48 The public testimony period was closed.

1 Vice-Chair Werner moved and Commissioner Bair seconded a motion to continue  
2 the public hearing for 441-475 Coloma Street to the meeting of July 24, 2013. The  
3 motion passed 4-0.  
4

- 5 **2. DR/CUP/EA 13-037, Design Review Permit, Conditional Use Permit,**  
6 **Encroachment Agreement, Woodman, 6 Josephine Street.** Design Review  
7 Permit and a Conditional Use Permit to construct a new duplex with an attached  
8 2-car garage and 2 parking spaces in a tandem configuration at 6 Josephine  
9 Street (APN 065-211-07); and an Encroachment Agreement to construct a  
10 portion of the garage and parking deck; and installation of two lights at the top of  
11 the North Street Stairs within the North Street public right-of-way.  
12

13 **Vice-Chair Werner indicated that he would recuse himself from participating in**  
14 **the hearing because he lives within 500 feet of the subject property.**  
15

16 The public hearing was opened.  
17

18 Associate Planner Scoble presented the Staff Report.  
19

- 20 • The City received late mail correspondence from Carol and Fred Hoerner, the  
21 property owners at 30 Atwood, voicing concern of a view impact. The Hoerners  
22 spoke with the applicant and the applicant has submitted a revised design, which  
23 will be presented to the Planning Commission at this meeting. The applicant  
24 proposes to reduce the maximum height of the garage by approximately 2.5 feet  
25 and modify the roof angle, which opens up enough view for the Hoerners to  
26 support the project.
- 27 • The applicant has been in discussion with a property owner on Bulkley Avenue  
28 who had a concern of the loss of a public view. In order to address that concern  
29 the applicant has modified the proposed garage door to include more windows to  
30 try to capture more water views than exist today.
- 31 • The City received late mail correspondence from Seth Hodgson of 30 Edwards  
32 Avenue regarding the historical significance of the building. Mr. Hodgson  
33 requests that a condition be imposed on the project requiring the applicant to take  
34 photographs of the residence to record its appearance before demolition.  
35

36 Commission questions to staff:  
37

- 38 • Have you received revised plans for the 2-car garage? *Staff responded the only*  
39 *revised plan it received is the revised rendering shown to the Commission during*  
40 *the Staff Report presentation as well as side view renderings. The applicant will*  
41 *present the renderings during the hearing.*
- 42 • Was staff able to speak to the applicant regarding Mr. Hodgson's request for  
43 photographs before the demolition, and if so is the applicant willing to do so?  
44 *Staff responded it has not been able to follow up with the applicants but did*  
45 *forward Mr. Hodgson's email to them.*
- 46 • Does the applicant intend to keep the existing retaining walls in place to prevent  
47 subsidence and the existing fencing in place to prevent people from falling down  
48 the very steep hill? *Staff responded that is correct.*  
49  
50

- 1 • Staff considers the carport to be in the public right-of-way, however it does not  
2 infringe on any street but is actually elevated and extends out over the public right  
3 or way, is that correct? *Staff responded that is correct.*
- 4 • The Department of Public Works has reviewed the new streetlights and will  
5 maintain them if installed. Has Public Works also reviewed the guardrail? *Staff*  
6 *responded it has reviewed the guardrail and has no issue with it. The guardrail is*  
7 *a component of the 6 Josephine project, therefore the applicant will be*  
8 *responsible for it.*
- 9 • It looks like the construction exceeds the property line considerably. How can that  
10 be? *Staff responded the portions of the structure that are outside the property line*  
11 *is a portion of the 2-car garage and the parking deck, both of which are elevated.*
- 12 • On the north side, where the stairs are, is there a setback requirement there?  
13 *Staff responded there is a 5-foot side yard setback requirement. Stairs on grade*  
14 *is an exception allowed to be located within the setback.*

15  
16  
17 The public testimony period was opened.

18  
19 Presentation was made by Michael Rex, the applicant's representative.

20  
21 Commission questions to Mr. Rex:

- 22 • What is in the area below the garage? *Mr. Rex responded it is open lattice that*  
23 *hides the superstructure. At the base will be planted a Boston ivy to grow up.*
- 24 • The street above is level with the second story of the garage, correct? *Mr. Rex*  
25 *responded that is correct.*
- 26 • What is the lattice made of? *Mr. Rex responded it would be 1.5-inch, wood,*  
27 *painted white; typical lattice.*

28  
29 Peter Bostock, 40 Bulkley, indicated the following:

- 30 • He is a neighbor of the Woodmans and walks Josephine Street regularly.
- 31 • The proposed home is a significant enhancement to the neighborhood and he  
32 supports it.
- 33 • His only reservation is with respect to the preservation of public views. Currently  
34 the view in front of the proposed garage and the view on the path that goes to  
35 Bridgeway is one of the best views in Sausalito. He asks the Commission to do  
36 all it can to mitigate any deterioration of the view. He asks the Planning  
37 Commission take into consideration that part of the garage will degrade the view  
38 and it is in the public right-of-way.

39  
40  
41 Mike O'Callaghan, 5 Josephine Street, indicated the following:

- 42 • He and his wife have lived adjacent and to the north of the subject property for  
43 over 30 years.
- 44 • The Woodmans have done as well as anyone can in putting in a garage. He  
45 supports the project.

46  
47 Richard Johnson indicated the following:

- 48 • He has been a resident of Sausalito for 10 years.
- 49 • He supports the project.

1 Steve Buckley, 207 North Street, indicated the following:

- 2 • His home is level with the subject property and he has lived on his property for 42
- 3 years.
- 4 • He appreciates the concerns shown to the neighbors and the efforts to
- 5 accommodate them made by the Woodmans.
- 6 • Any view impact to his home would be minimal and he supports the project.

7  
8 Lonner Ralston, 12 Josephine Street, indicated the following:

- 9 • He lives next door and to the north of the subject property.
- 10 • The Woodmans accommodated his concern with the overall building design and
- 11 they have come to an agreement about the impacted view.
- 12 • He urges the Planning Commission to consider that the project will affect his
- 13 income to a large degree and do all it can to prevent any long-term delays.

14  
15 Jan Johnson indicated the following:

- 16 • She asks if the new proposed lights are dark-sky compliant.

17  
18 Mike Monsef indicated the following:

- 19 • He takes the North Street stairs often.
- 20 • The claim of a view impact from the street is the kind of thing that takes up the
- 21 time for the project and the Planning Commission.

22  
23 Nancy O'Callaghan, 5 Josephine Street, indicated the following:

- 24 • She supports the project.
- 25 • The proposed project will be an improvement.

26  
27 The public testimony period was closed.

28  
29 Commission question to staff:

- 30 • Is the proposed night lighting dark-sky compliant? *Staff responded there is a*
- 31 *Condition of Approval that requires all lighting to be shielded and downward*
- 32 *facing. Before the North Street stair lights can be installed the Public Works*
- 33 *Director must approve them to ensure they are dark-sky compliant.*

34  
35 The public testimony period was closed.

36  
37 Commission comments:

- 38 • This is a beautiful project and can be supported. The applicant has made all the
- 39 efforts the Commission likes to see from design to neighborhood outreach.
- 40 Although an enclosed garage does impact the view, the same view can be seen
- 41 from the stairs next to it.
- 42 • The garage was initially a concern but how it is being handled now is the best that
- 43 can be done.
- 44 • Having two units on this site is a positive move consistent with the City's infill
- 45 strategy, is exactly the type of thing the City wants to see, and has been
- 46 accomplished without over-massing.

- The materials used mitigate and diminish any over-massing, makes the structure blend into the neighborhood and makes it consistent with surrounding neighborhood structures.
- The applicant is to be commended for the level of neighborhood outreach in addressing the neighbors' concerns and ameliorating the impact on public views. The garage does a very good job of preserving what view can be preserved.

Additional Condition of Approval:

- Photographs shall be taken of the existing structure before demolition and with the addition to the revised plans that were delivered to the Commission at this meeting.

**Chair Cox moved and Commissioner Bair seconded a motion to approve a Design Review Permit and Conditional Use Permit for the revised garage design submitted by the architect at the meeting; and to recommend City Council approval of an Encroachment Agreement for 6 Josephine Street subject to the additional Condition of Approval. The motion passed 3-0.**

The public hearing was closed.

**Old Business**

None.

**New Business**

None.

**Staff Communications**

- The City Council will holding a public hearing on the Zoning Ordinance Amendment for the Standards in Multi-Family Zoning Districts at their July 9, 2013 meeting. The public hearing will not necessarily continue on to the next meeting of July 23, 2013. Any member of the public who wishes to speak to the Council on the Zoning Ordinance amendment should plan to attend the July 9<sup>th</sup> meeting.
- The Municipal Code update is available on the City's website.

**Planning Commission Communications – None.**

**Adjournment**

The meeting was adjourned at 7:08 p.m.

\_\_\_\_\_  
Submitted by  
Jeremy Graves, AICP  
Community Development Director

\_\_\_\_\_  
Approved by  
Joan Cox  
Chair

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