STAFF REPORT

SAUSALITO ZONING ADMINISTRATOR

Project

Woodman Residence

6 Josephine Street

Time Extension Request for Approved Design Review and

Conditional Use Permits and Encroachment Agreement

(DR/CUP/EA 13-037)

Meeting Date

December 30, 2015

Staff

Joshua Montemayor, Assistant Planner

This Staff Report supplements the Staff Report dated June 26, 2013 (see Exhibit G for prior Staff Report).

REQUEST

Approval of a one-year time extension for: 1) a Design Review Permit to demolish the existing single-family residence and construct a two-family residence; 2) a Conditional Use Permit to allow tandem parking; 3) an Encroachment Agreement to construct a portion of an elevated garage and parking deck, landscaping, and two new street lights at the North Street stairs within the public right-of-way.

PROJECT INFORMATION

Applicant

Michael Rex Architects

Property Owners

Jane and Dean Woodman

Location/Size

6 Josephine Street (APN 065-211-07)

8,851 square feet (see **Exhibit B** for vicinity map)

General Plan

High-Density Residential Land Use Designation

Zoning

Multiple Residential (R-3) Zoning District

Authority

Extension of Approved Permits (Zoning Ordinance Section 10.50.140)

CEQA:

The project consists of the demolition and new construction of a two-family residence. The project is exempt pursuant to Section 15303(b) (New Construction) of the CEQA Guidelines. Section 15303(b) provides an exemption for the construction of a duplex or similar multi-residential

structure.

BACKGROUND

The project application was originally filed on February 12, 2013 by Andrew Skurman, on behalf of the property owners Jane and Dean Woodman requesting Planning Commission approval of 1) a Design Review Permit to demolish the existing single-family residence and construct a two-family residence; 2) a Conditional Use Permit to allow tandem parking; 3) an Encroachment Agreement to construct a portion of an elevated garage and parking deck, landscaping, and two new street lights at the North Street stairs within the public right-of-way at 6 Josephine Avenue.

On June 12, 2013 and June 26, 2013 the Planning Commission held public hearings on the project and approved the project on June 26, 2013 via Resolution No. 2013-15 (see **Exhibit C** for Resolution No. 2013-15). Condition of Approval No. 30 states: "This approval will expire in two (2) years from the effective date of this resolution if the property owner has not exercised the entitlements hereby granted, or an extension has not been filed prior to the expiration date."

On June 19, 2015, the Community Development Department received a letter from the property owners requesting approval of a one-year time extension of the previously-approved Design Review and Conditional Use Permits and Encroachment Agreement (see **Exhibit E** for Applicant Request for Time Extension Letter). The extension request was timely filed before the expiration date, and suspends the permits' expiration date until a decision is made by the Zoning Administrator.

PROJECT ANALYSIS

EXTENSION OF PERMIT FINDINGS

In order to approve extension of the Design Review and Conditional Use Permits and Encroachment Agreement, the Zoning Administrator must determine that the proposed project is in conformance with the required findings listed in Sections 10.50.140.D of the Zoning Ordinance, as follows:

A) No change of conditions or circumstances has occurred that would have been grounds for denying the original application.

Based upon the homeowner's request for a one-year extension the site and area have not undergone any significant change of conditions or circumstances that would have been grounds for denying the original application. Since the approval of the Design Review Permit, Conditional Use Permit and Encroachment Agreement, there are no new adopted standards or ordinances that would affect the design and construction of the project as previously approved. Furthermore, the homeowners have expressed no changes from project's original approval.

B) The applicant has been diligent in pursuing implementation of the permit.

The property owners submitted a letter with reasons for the extension request on July 14, 2015 (see **Exhibit F** for letter). According to the letter, after the three-year design and entitlement approving phase of the project, the Woodmans moved out of 6 Josephine to a nearby home and went to bid for selecting a contractor for the project. Over the course of the time preceding the project's approval, concern over the amount of time required to complete the project was raised. The property owners are concerned over their growing age and in completing the project in a timely manner. The Woodmans decided to market the property with the approved plans and an extension of the approved project by one year would allow the Woodmans to complete the sale process with a potential buyer.

C) Modified conditions have been imposed which update the permit to reflect current adopted standards and ordinance requirements.

Since the approval of the Design Review, Conditional Use Permit, and Encroachment Agreement in 2013, there are no newly adopted standards or ordinances that would affect the design and construction of the project as previously approved.

CONCLUSION

Staff concludes that the requisite findings can be made to approve a one-year time extension (to expire on December 30, 2016) for the Design Review and Conditional Use Permits and Encroachment Agreement as described in the draft resolution of approval.

PUBLIC NOTICE AND CORRESPONDENCE

On December 17, 2015, a public hearing notice was mailed to all property owners within 300 feet of the project site, posted on the subject property, and in City Hall.

On June 19, 2015, a letter from the property owners requesting approval of a one-year time extension of the previously-approved Design Review and Conditional Use Permits and Encroachment Agreement was received (see **Exhibit E** for letter).

On July 14, 2015, a letter from the property owners with reasons for a time extension was received (see **Exhibit F** for letter).

No correspondence regarding the project has been received as of the writing of the staff report.

RECOMMENDATION

Staff recommends the Zoning Administrator approve the attached draft resolution (see **Exhibit A** for draft resolution) which approves a one-year time extension of the Design Review and Conditional Use Permits and Encroachment Agreement for the demolition of an existing single family residence and the new construction of a two-family residence on a 8,851 square foot parcel, and Encroachment Agreement to construct a portion of an elevated garage and parking deck with guardrails, minor landscape planting, and two new street lights at the North Street stairs within the public right-of-way at 6 Josephine Street (APN 056-211-07).

Alternatively, the Zoning Administrator may:

- Approve the permit time extension with modifications.
- Continue the hearing for additional information and/or project revisions.
- Deny the permit time extension, and direct Staff to return with a Resolution of Denial.

EXHIBITS

- A. Draft Resolution
- B. Vicinity Map
- C. Planning Commission Resolution No. 2013-15
- D. City Council Resolution No. 5422
- E. Applicant request for time extension letter, date-stamped received June 19, 2015
- F. Updated applicant request with reason for extension, date-stamped received July 14, 2015
- G. Staff report dated June 26, 2013

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SAUSALITO ZONING ADMINISTRATOR RESOLUTION NO. <u>2015-XX</u>

A RESOLUTION APPROVING A ONE-YEAR TIME EXTENSION OF A DESIGN REVIEW PERMIT, CONDITIONAL USE PERMIT, AND ENCROACHMENT AGREEMENT FOR THE NEW CONSTRUCTION OF A TWO-UNIT RESIDENCE RESIDENCE AT 6 JOSEPHINE STREET (DR/CUP/EA 13-037)

WHEREAS, an application has been filed by the applicant/homeowners, Jane and Dean Woodman, requesting Zoning Administrator approval of a one-year time extension of the Design Review Permit, Conditional Use Permit and Encroachment Agreement (DR/CUP/EA 13-037), at 6 Josephine Street (APN 065—211-07); and

WHEREAS, the Zoning Administrator conducted a duly-noticed public hearing on December 30, 2015 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Zoning Administrator finds that the proposed project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15303(b); and

WHEREAS, the Zoning Administrator has reviewed and considered the project plans prepared by Andrew Skurman Architects, entitled "Woodman Residence," and date-stamped received on July 17, 2013, and Planning Commission Resolution No. 2013-15, approved June 26, 2013 and City Council Resolution No. 5422, passed and adopted July 23, 2013; and

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

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

WHEREAS, the Zoning Administrator finds that, as conditioned herein, the proposed project complies with the requirements of the General Plan and Zoning Ordinance as described in the staff report dated December 30, 2015; and

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

A one-year time extension through December 30, 2016 of a Design Review Permit, Conditional Use Permit and Encroachment Agreement (DR/CUP/EA13-037) for 6 Josephine Street, is approved based upon the findings in **Attachment 1**, subject to the conditions of approval in **Attachment 2** and as shown in the project plans titled "Woodman Residence" date-stamped received on July 17, 2013 in **Attachment 3**

December 30, 2015 Date

Danny Castro
Zoning Administrator

ATTACHMENTS

- 1. Findings
- 2. Conditions of Approval
- 3. Project Plans

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ZONING ADMINISTRATOR RESOLUTION DECEMBER 30, 2015 DR/CUP/EA 13-037 6 JOSEPHINE STREET

ATTACHMENT 1: FINDINGS FOR AN EXTENSION OF APPROVED PERMITS

In accordance with Zoning Ordinance Section 10.50.140.D (Land Use Permit Procedures), an Extension of an Approved Permit can be approved based on the following findings:

A) No change of conditions or circumstances has occurred that would have been grounds for denying the original application.

Based upon the homeowner's request for a one-year extension the site and area have not undergone any significant change of conditions or circumstances that would have been grounds for denying the original application. Since the approval of the Design Review Permit, Conditional Use Permit and Encroachment Agreement, there are no new adopted standards or ordinances that would affect the design and construction of the project as previously approved. Furthermore, the homeowners have expressed no changes from project's original approval.

B) The applicant has been diligent in pursuing implementation of the permit.

The property owners submitted a letter with reasons for the extension request on July 14, 2015 (see **Exhibit F** for letter). According to the letter, after the three-year design and entitlement approving phase of the project, the Woodmans moved out of 6 Josephine to a nearby home and went to bid for selecting a contractor for the project. Over the course of the time preceding the project's approval, concern over the amount of time required to complete the project was raised. The property owners are concerned over their growing age and in completing the project in a timely manner. The Woodmans decided to market the property with the approved plans and an extension of the approved project by one year would allow the Woodmans to complete the sale process with a potential buyer.

C) Modified conditions have been imposed which update the permit to reflect current adopted standards and ordinance requirements.

Since the approval of the Design Review, Conditional Use Permit, and Encroachment Agreement in 2013, there are no newly adopted standards or ordinances that would affect the design and construction of the project as previously approved.

ZONING ADMINISTRATOR RESOLUTION DECEMBER 30, 2015 DR/CUP/EA 13-037 6 JOSEPHINE STREET

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions apply to the plans prepared by Andrew Skurman Architects, entitled "Woodman Residence," and date-stamped received on July 17, 2013:

- 1. This approval will expire ON December 30, 2016 if the property owner has not exercised the entitlements hereby granted.
- 2. All conditions of approval contained in Planning Commission Resolution No. 2013-15 and City Council Resolution No. 5422 remain in force.

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. All applicable City fees as established by City Council resolutions and ordinances shall be paid.
- 2. Construction Impact Fees shall be paid in accordance with the Construction Impact Fee Ordinance. The fee is due prior to issuance of Building Permit.
- 3. Encroachment permit, grading permit, third party review fees (cost plus 10%) fees shall be paid.
- 4. An encroachment permit shall be obtained from the Public Works Department prior to using the public right of way for non-public purposes (e.g., material storage, sidewalk construction or demolition) including any and all construction and demolition activities.
- 5. Grading/drainage permit(s) shall be obtained from the Public Works Department for any earthwork in excess of 50 cubic yards.
- 6. Grading on hillside land with of geologic formation known to slide will be limited to between April 15 and October 15 without written approval of the City Engineer.
- 7. Pursuant to Municipal Code Chapter 11.17, dumping of residues from washing of painting tools, concrete trucks and pumps, rock, sand, dirt, agricultural waste, or any other materials discharged into the City storm drain system that is not composed entirely of storm water is prohibited. Liability for any such discharge shall be the responsibility of person(s) causing or responsible for the discharge. Violations constitute a misdemeanor in accordance with Section 11.17.060.B.
- 8. Pursuant to Municipal Code Section 18.08.020, overhead electrical and communication service laterals shall be placed underground when the main electrical service equipment is relocated or replaced.
- 9. 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 7:00 p.m. Saturdays – Between 9:00 a.m. and 5:00 p.m. Sundays – Prohibited Holidays recognized by the City – Between 9:00 a.m. and 7:00 p.m.

Homeowners currently residing on the property and other legal residents may operate the equipment themselves on Sundays between 9:00 a.m. and 7:00 p.m.

10. Permits required by other agencies having jurisdiction within construction area shall be obtained in accordance with their respective agency's regulations.

ZONING ADMINISTRATOR RESOLUTION DECEMBER 30, 2015 DR/CUP/EA 13-037 6 JOSEPHINE STREET

ATTACHMENT 3: PROJECT PLANS

WOODMAN RESIDENCE

6 Josephine Street Sausalito, Ca. 94965



Andrew Skurman Architects 3654 Sacramento Street

San Francisco, CA 94118

(415)440-4480/ FAX:(415)440-4488

PLANNING RE-SUBMITTAL

NOT FOR CONSTRUCTION

12 November 2012
Planning Comments 52 April 2013
Planning Re-Submirtal 23 May 2013
Revision 19 June 2013

PLANNING COMMISSION ACTION
RESO NO 7013-15
Date 6/26/13
Director of Planning

CITY COUNCIL ACTION
RESO NO. 542

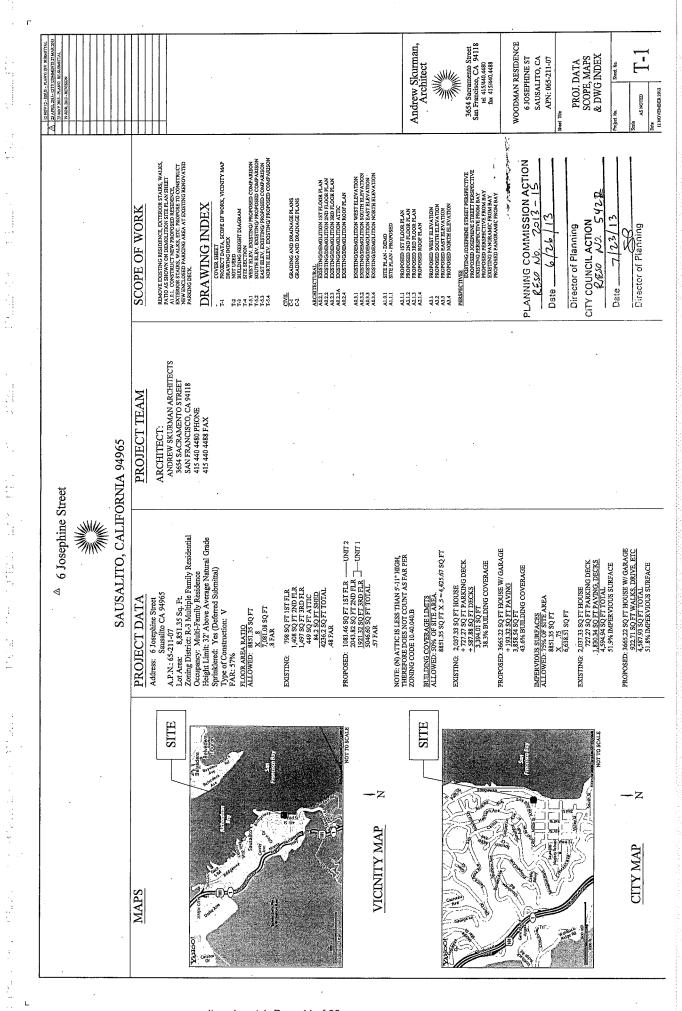
Director of Planning

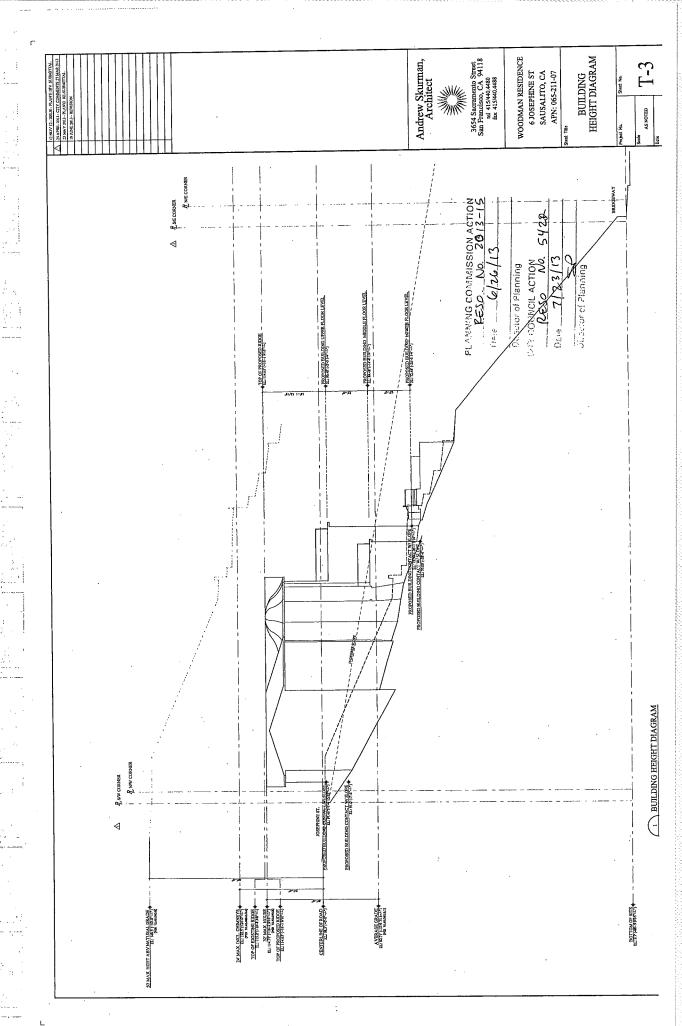
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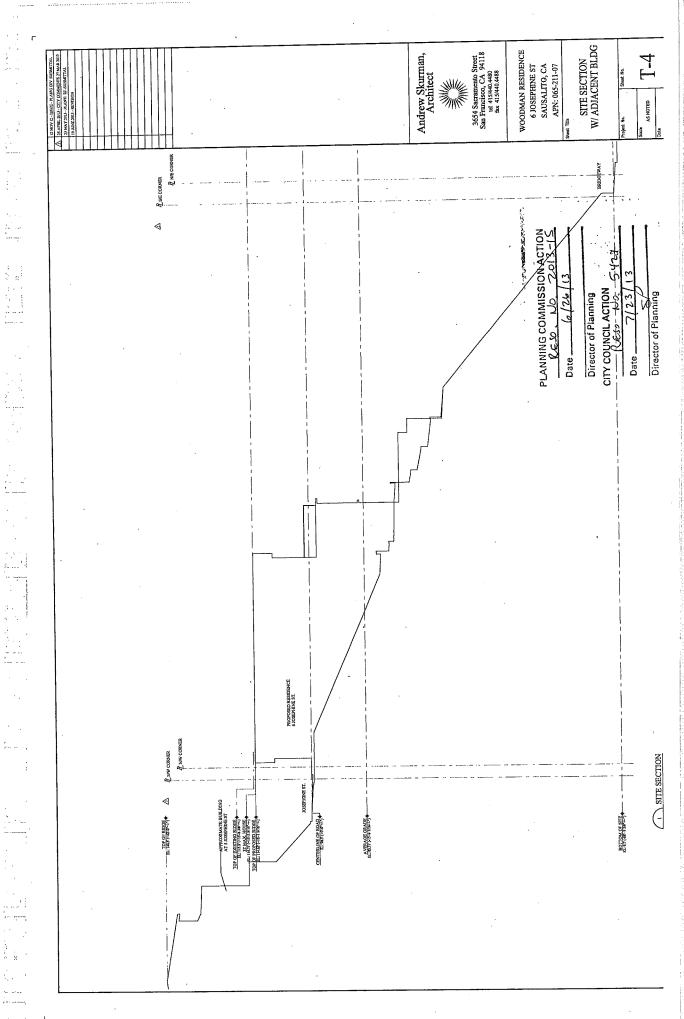
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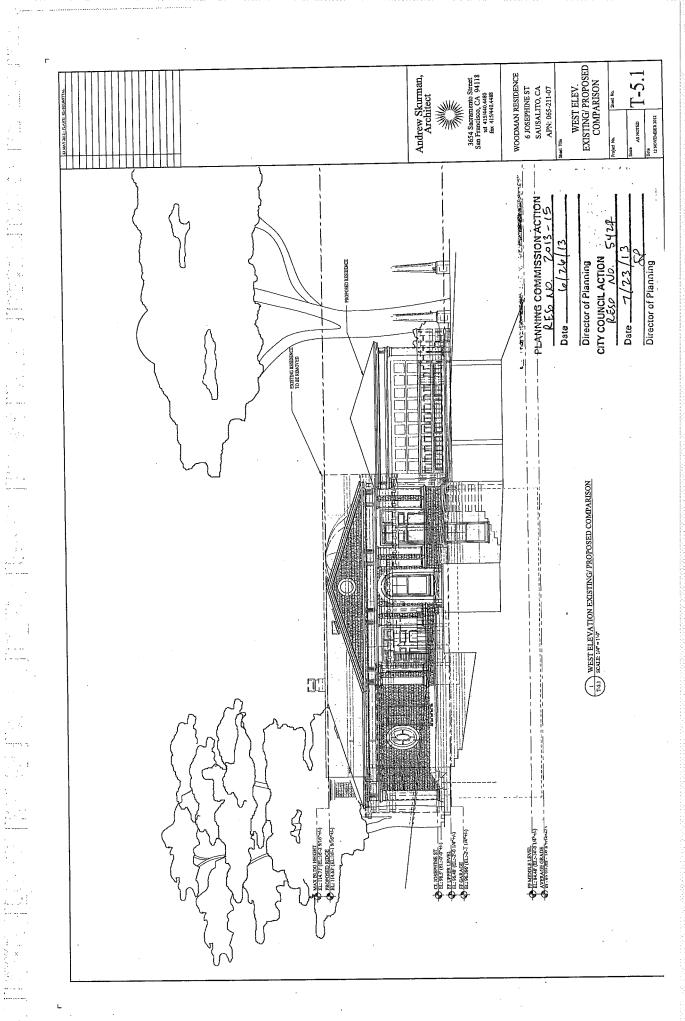
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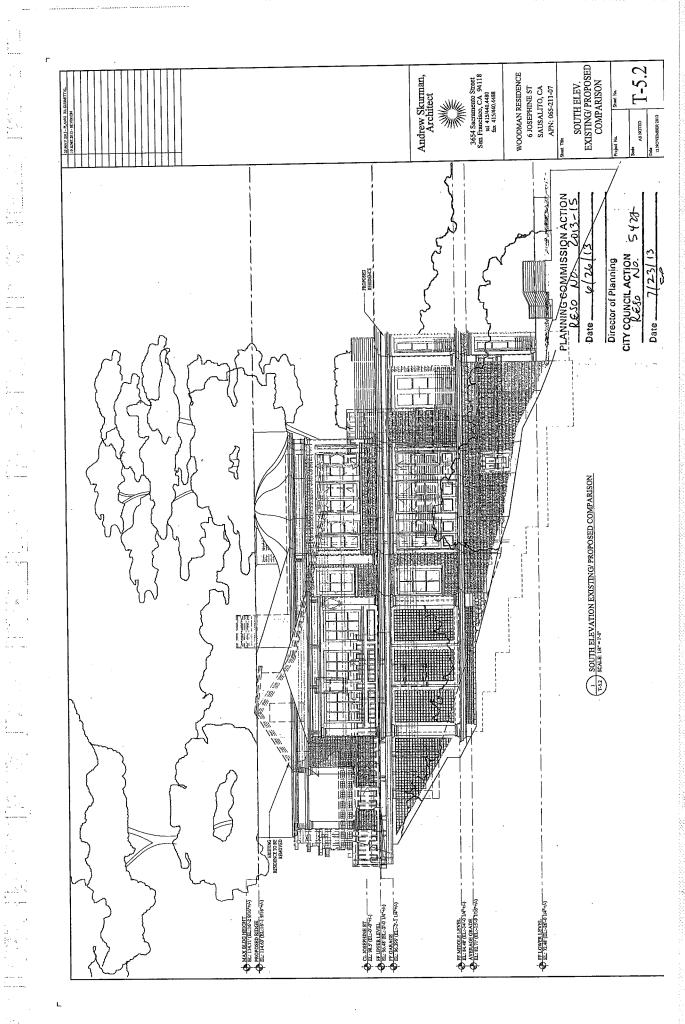


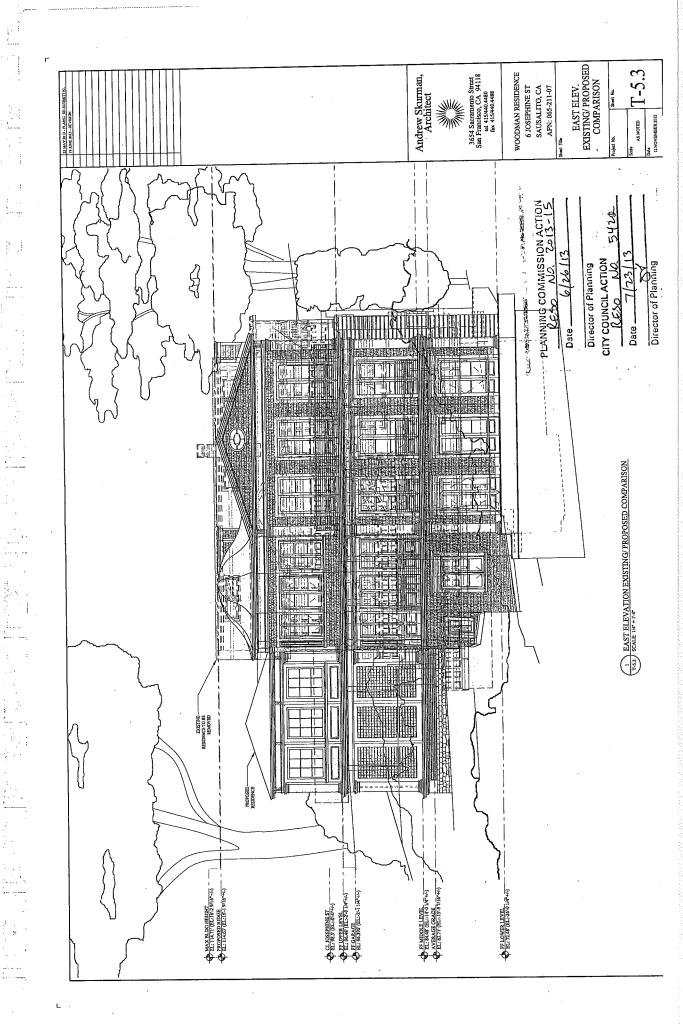


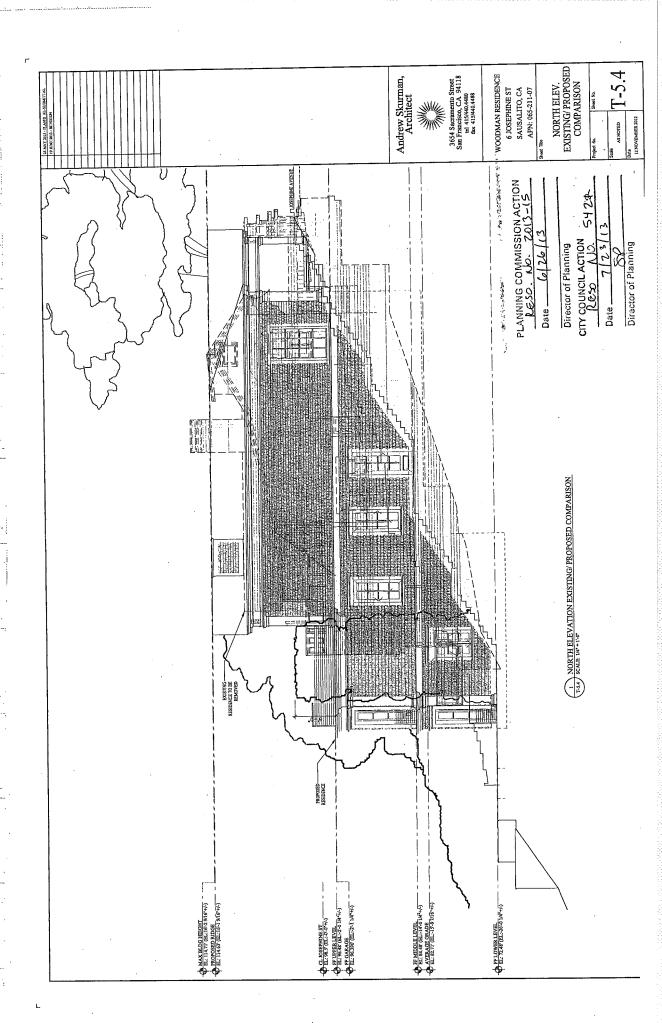


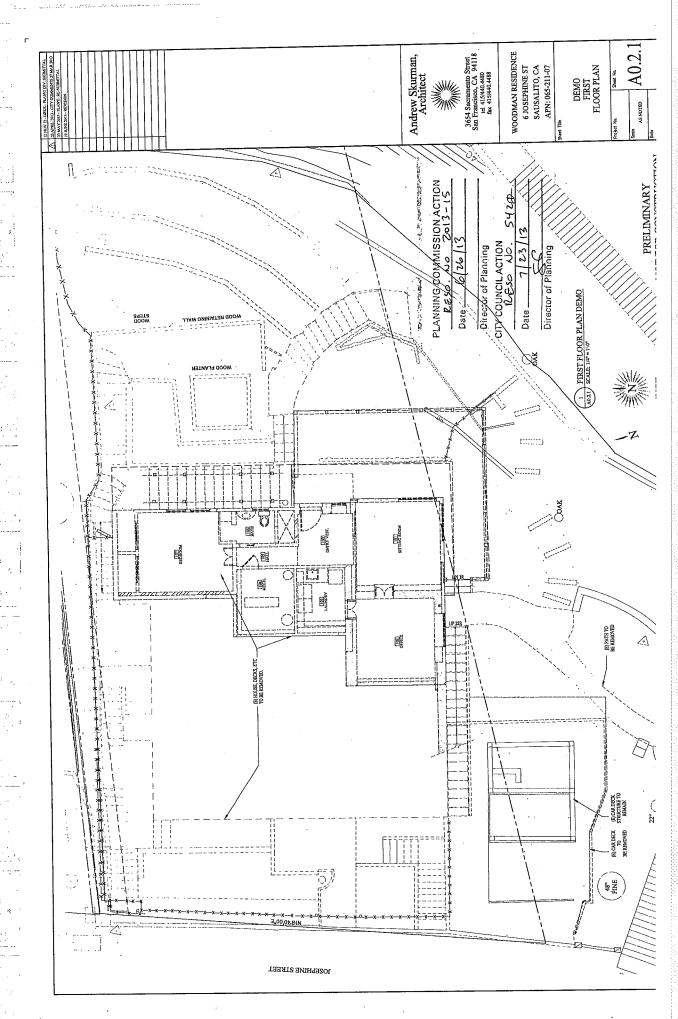
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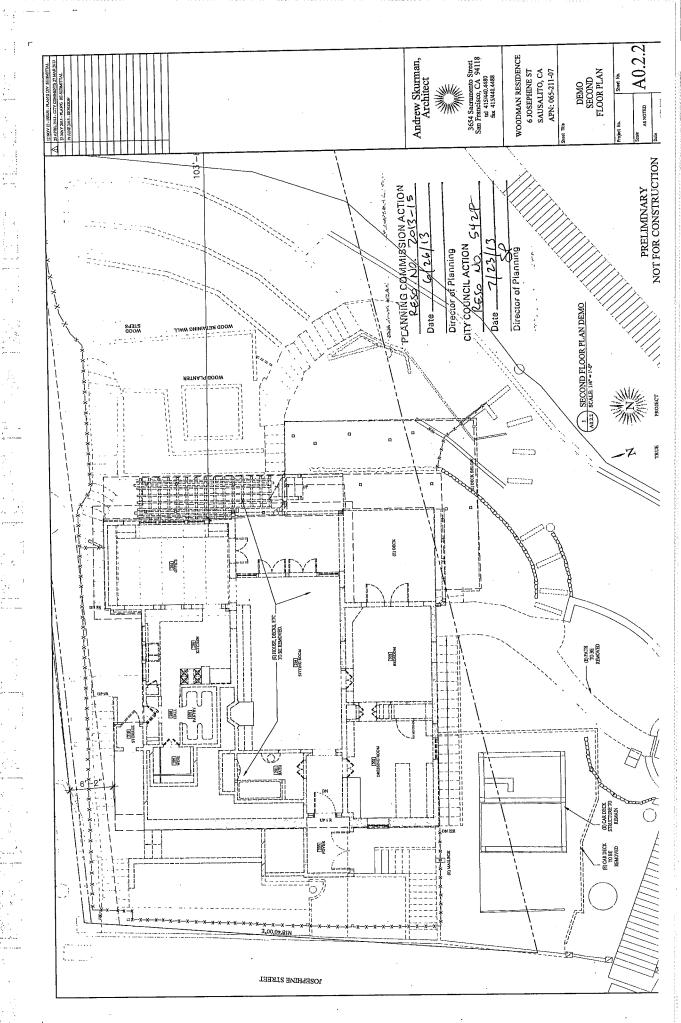




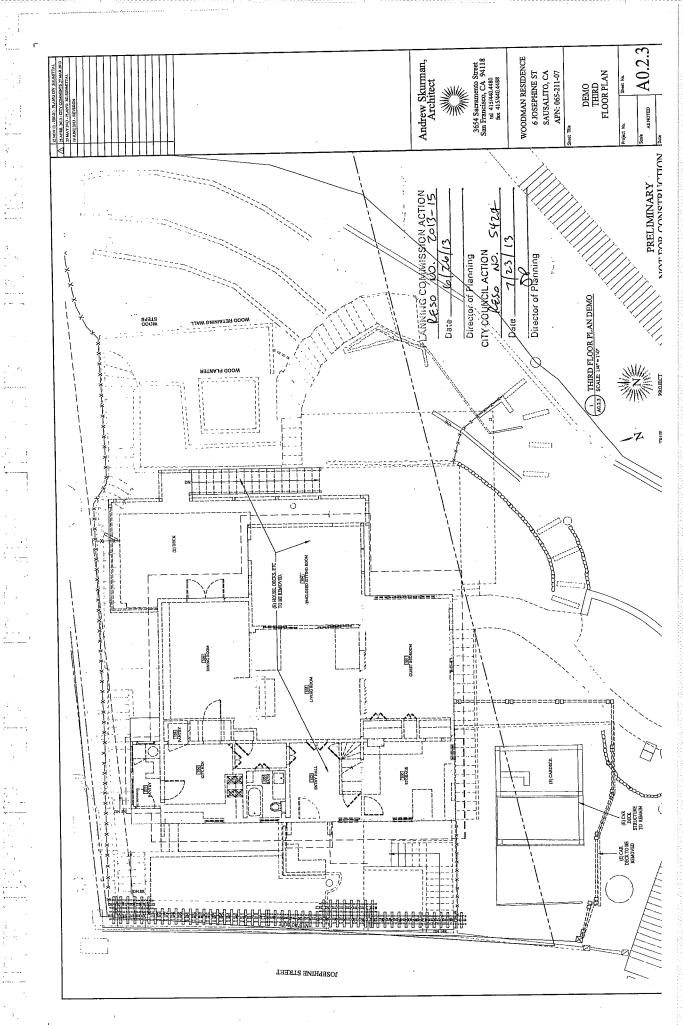




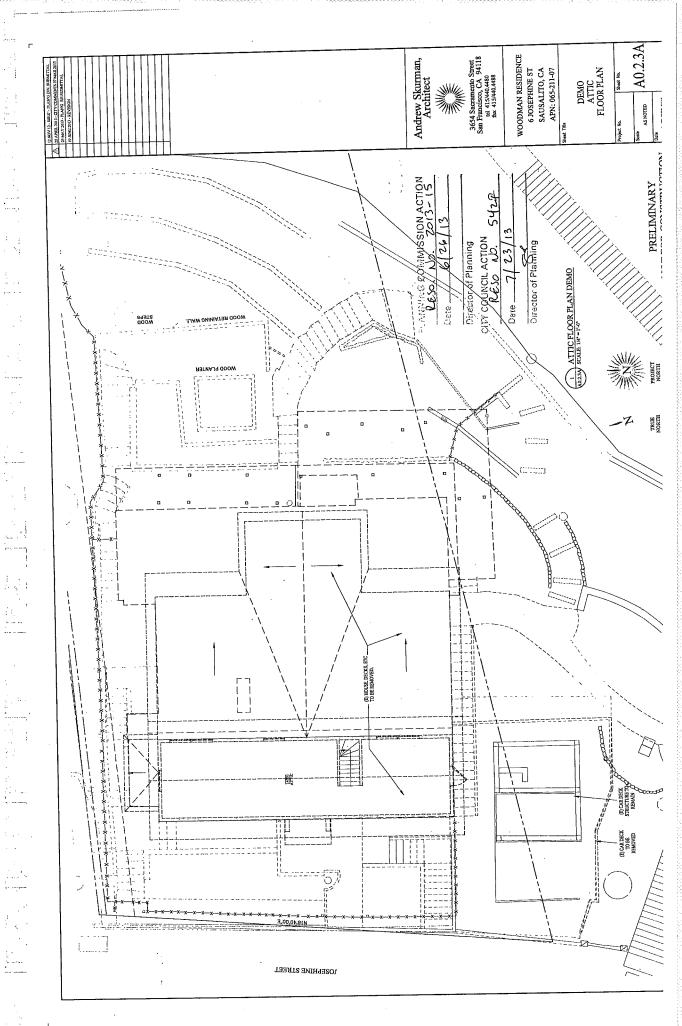
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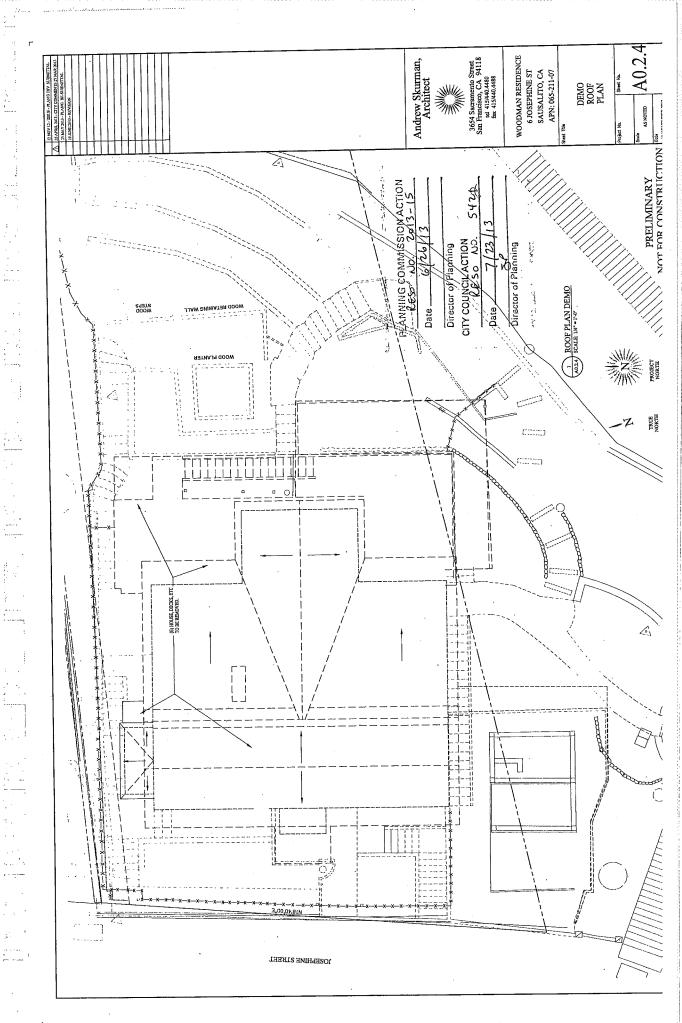
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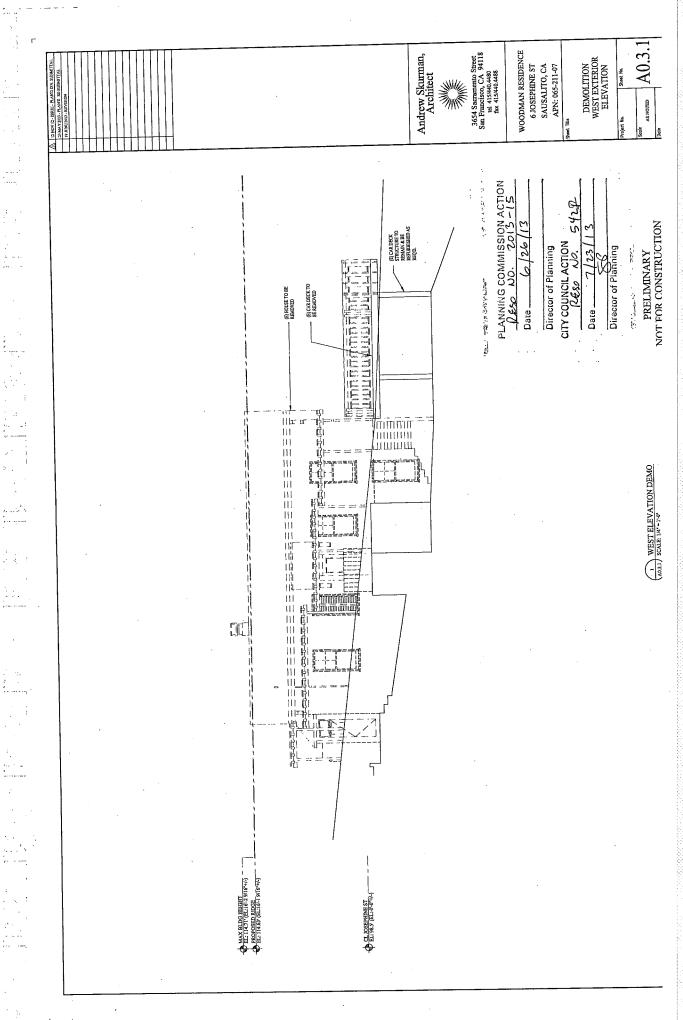
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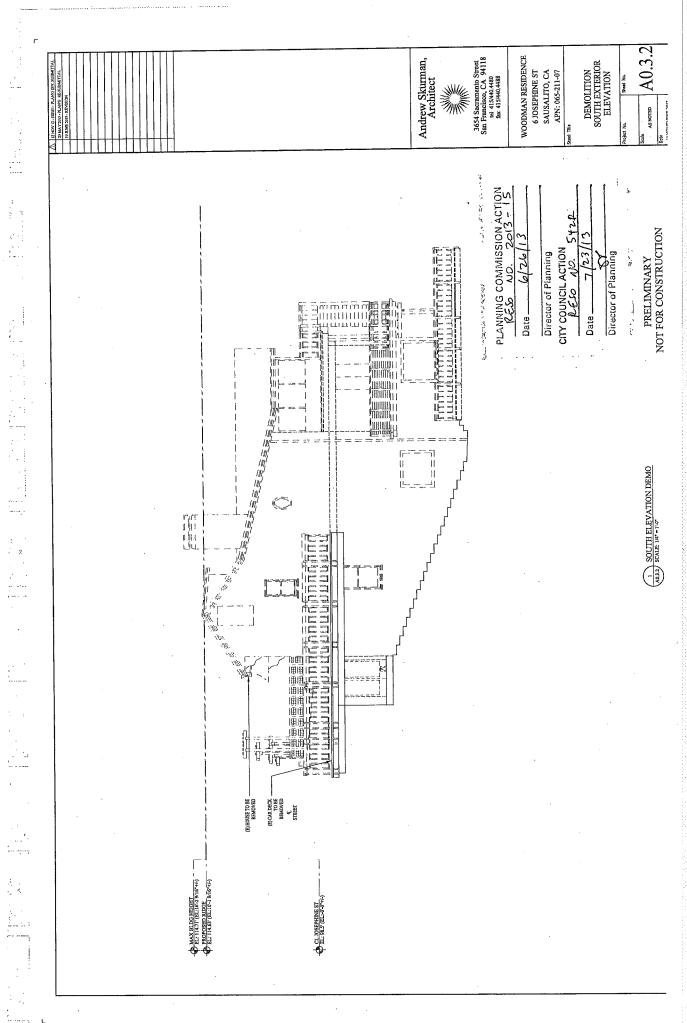


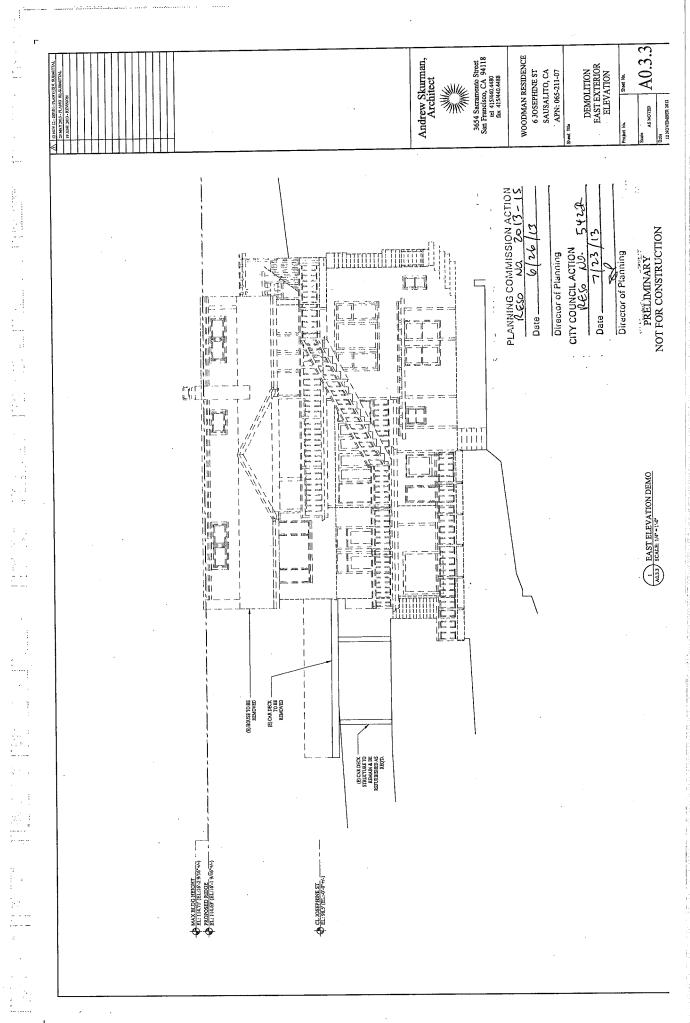
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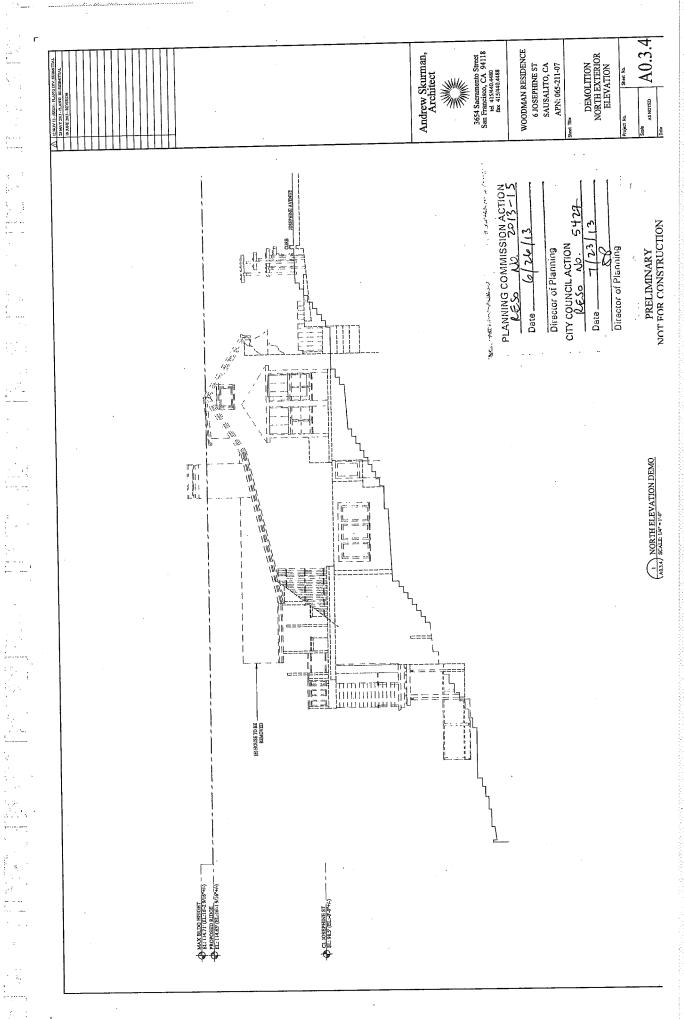


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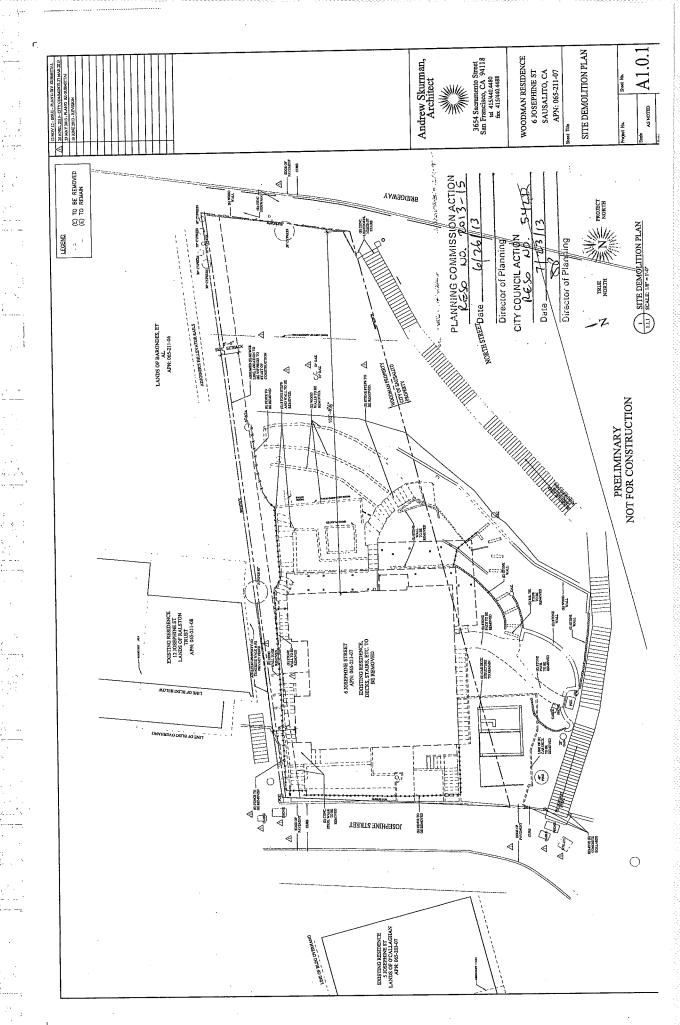


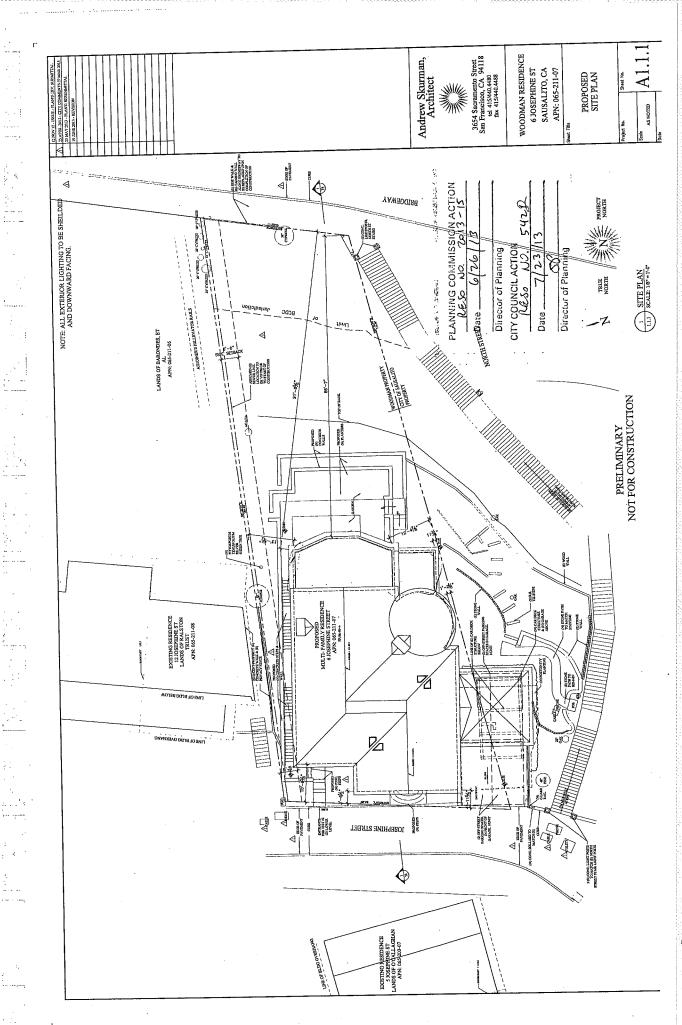




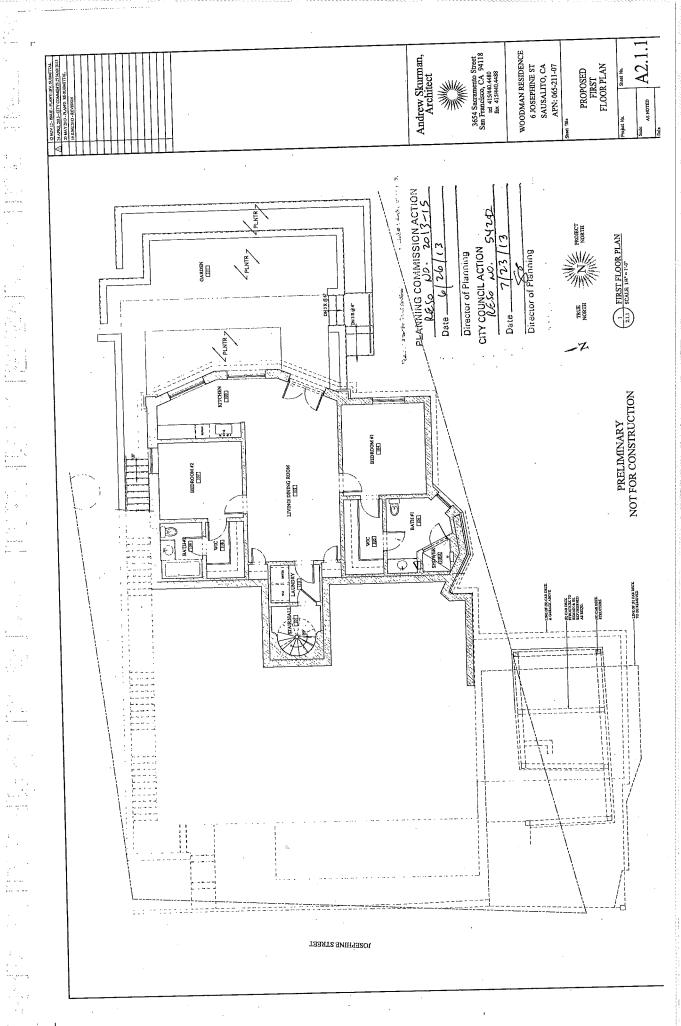


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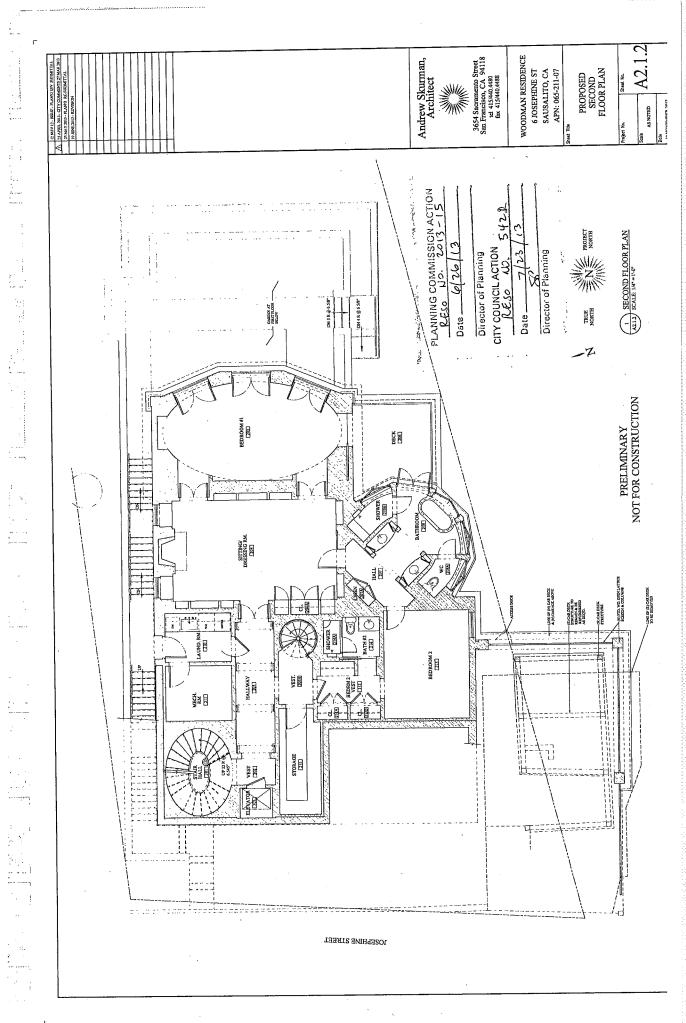




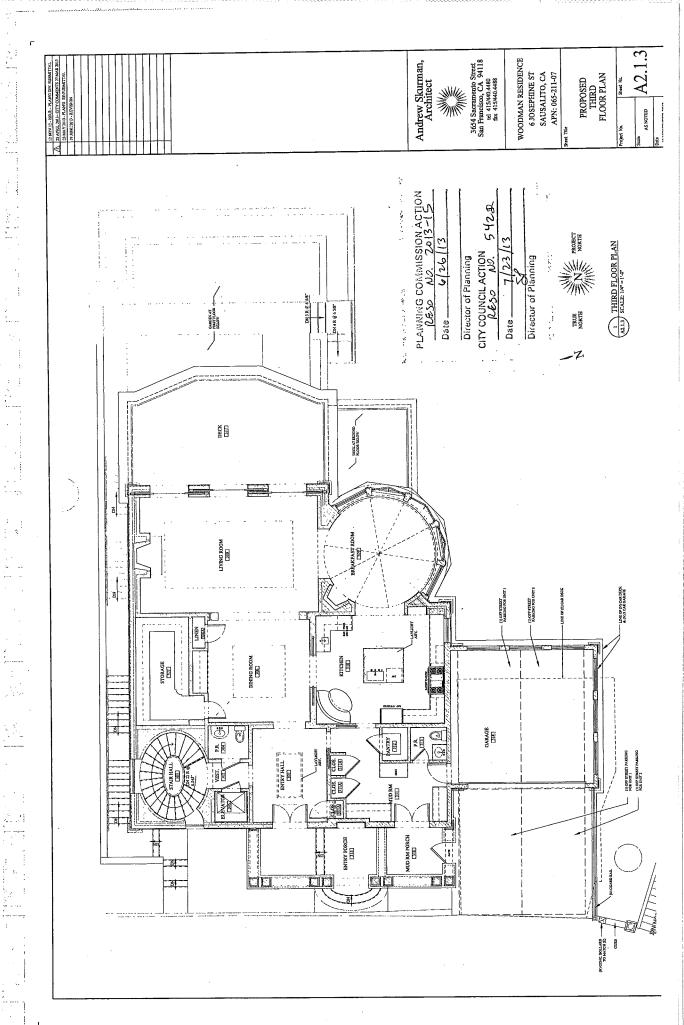
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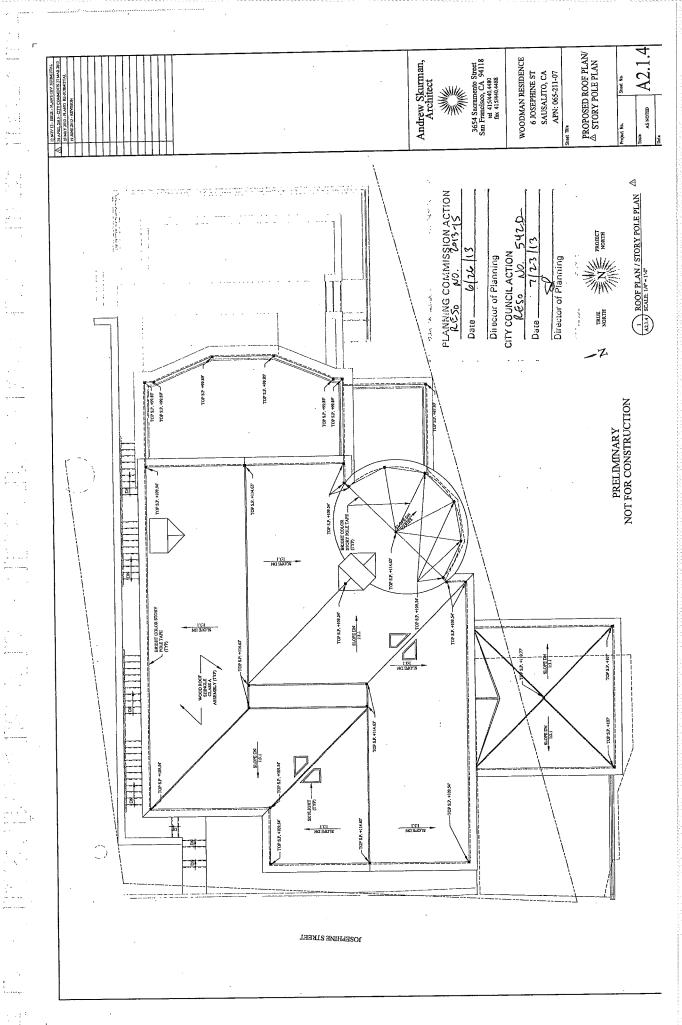


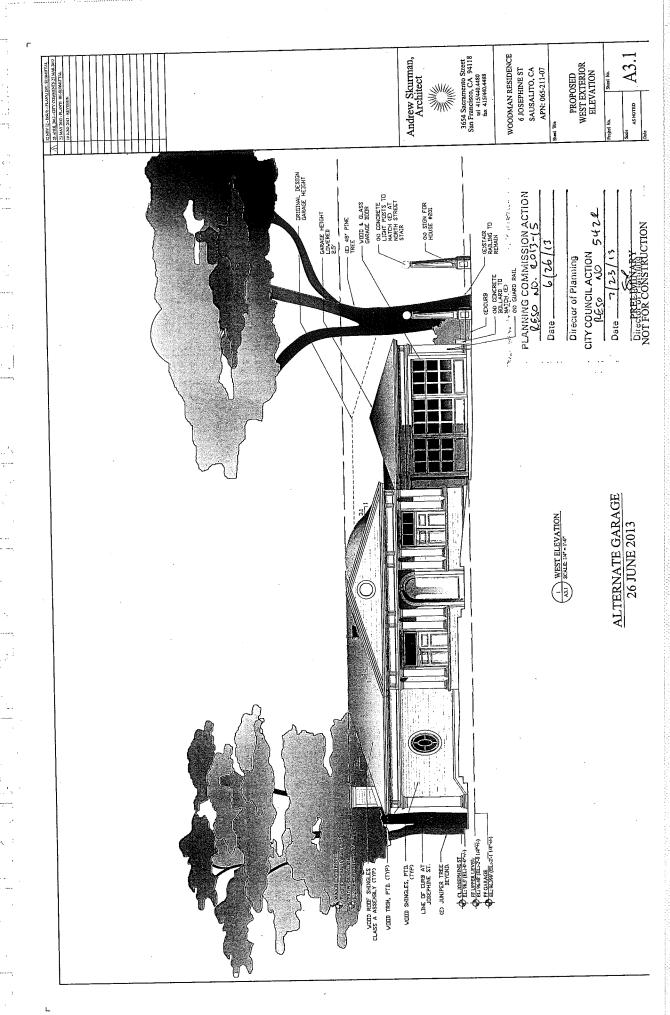
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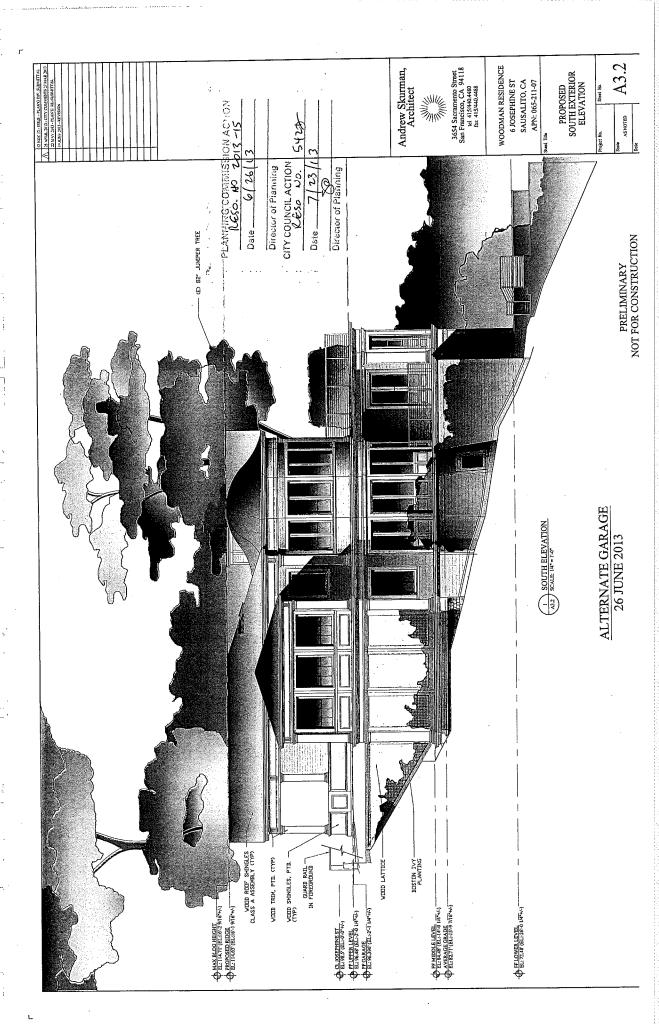


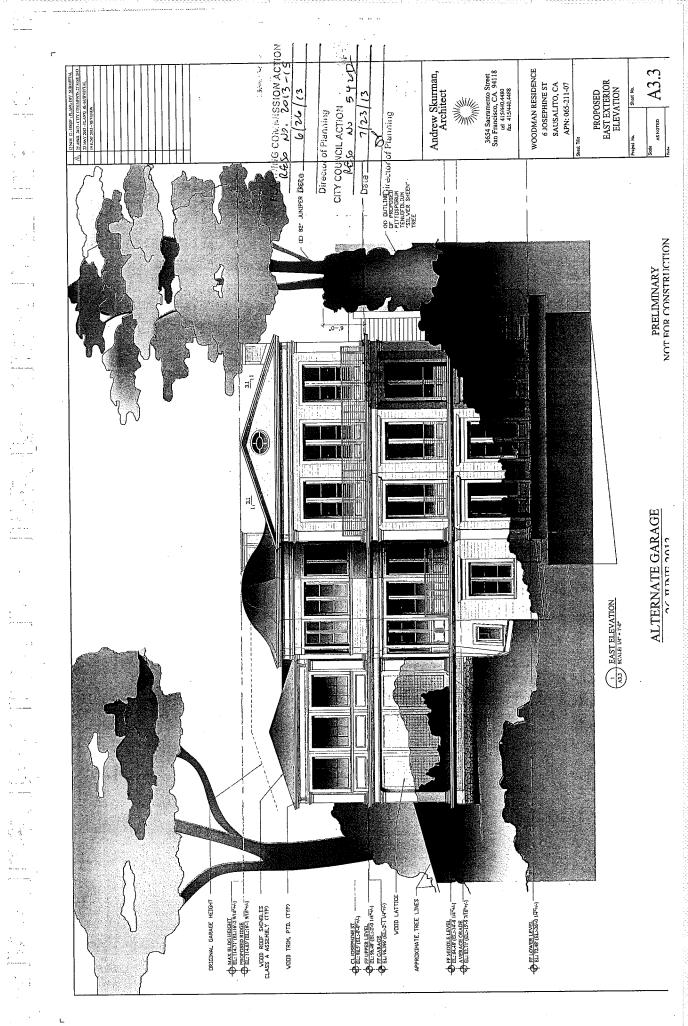
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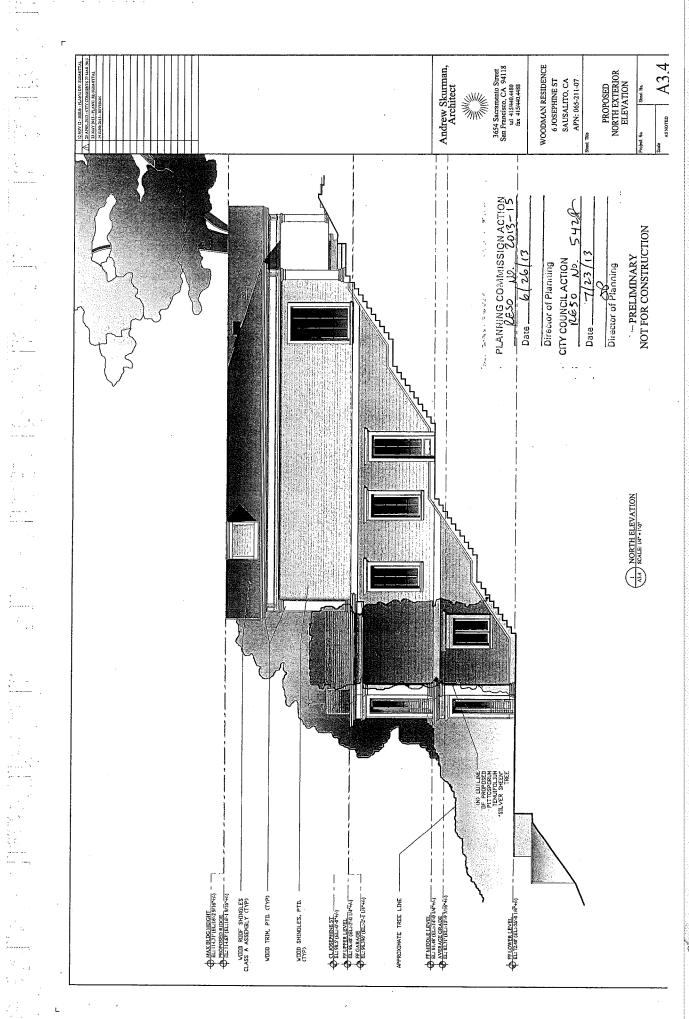


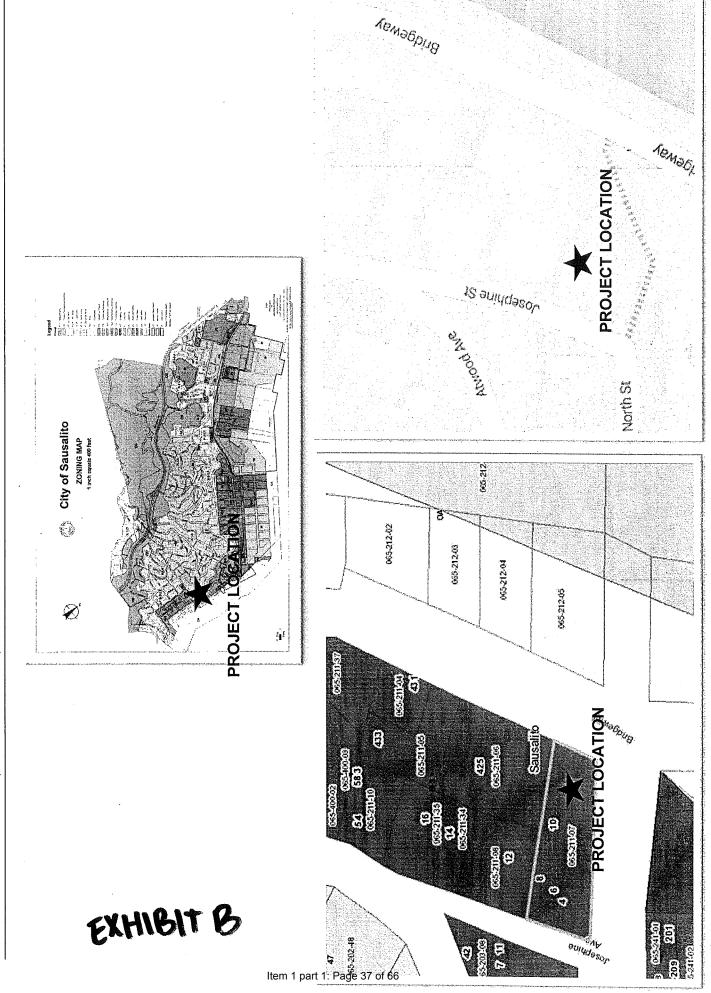






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SAUSALITO PLANNING COMMISSION RESOLUTION NO. 2013-15

APPROVAL OF A DESIGN REVIEW PERMIT
FOR THE CONSTRUCTION OF A NEW TWO-FAMILY RESIDENCE, A CONDITIONAL
USE PERMIT TO ALLOW TANDEM PARKING,
AND RECOMMENDING CITY COUNCIL APPROVAL OF AN ENCROACHMENT
AGREEMENT FOR CONSTRUTION OF A GARAGE, PARKING DECK WITH
GUARDRAILS, LANDSCAPING AND INSTALLATION OF TWO STREET LIGHTS IN
THE PUBLIC RIGHT-OF-WAY AT 6 JOSEPHINE AVENUE
(DR/CUP/EA 13-037)

WHEREAS, on February 12, 2013 an application was filed by the applicant, Andrew Skurman Architects on behalf of the property owners, Jane and Dean Woodman, requesting Planning Commission approval of a Design Review Permit to demolish the existing residence on the site and construct a new two-family residence with a two-car garage and parking deck, Conditional Use Permit to allow tandem parking, and a recommendation of City Council approval of an Encroachment Agreement to construct a portion of the garage, parking deck with guardrails, landscaping, and installation of two street lights in the North Street public right-of-way at 6 Josephine Street (APN 065-211-07); and

WHEREAS, the project site is located within the High Density Residential Land Use Designation, and the Multi-Family Residential (R-3) Zoning District; and

WHEREAS, the Planning Commission conducted a duly-noticed public hearing on June 12, 2013 and June 26, 2013 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission has reviewed and considered the information contained in the staff reports as well as any and all oral and written testimony on the proposed project; and

WHEREAS, the Planning Commission has reviewed and considered the project plans titled "Woodman Residence", date-stamped received June 19, 2013 and the revised garage design as depicted on Sheets A.3.1, A.3.2. and A.3.3 received June 26, 2013; and

WHEREAS, the Planning Commission finds that the proposed project, as conditioned herein, is consistent with the General Plan and complies with the requirements of the Zoning Ordinance as described in the staff report; and

WHEREAS, approval of the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(b) (New Construction) as the new residence will be replacing an existing residence in an established neighborhood.

NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

1. The project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Sections 15303(b).



- 2. The Design Review Permit for construction of a new two-family residence is approved based upon the attached findings (Attachment 1), subject to the attached conditions of approval (Attachment 2), and as shown in the project plans titled "Woodman Residence", date-stamped received June 19, 2013 (Attachment 3).
- 3. The Conditional Use Permit to allow tandem parking is approved based upon the attached findings (Attachment 1), subject to the attached conditions of approval (Attachment 2), and as shown in the project plans titled "Woodman Residence", date-stamped received June 19, 2013 (Attachment 3).
- 4. The Planning Commission recommends City Council approval of an encroachment agreement for the construction a portion of the garage, parking deck with guardrails, and installation of two street lights in the North Street public right-of-way at 6 Josephine Street, based upon the attached findings (Attachment 1), subject to the attached conditions of approval (Attachment 2), and as shown in the project plans titled "Woodman Residence", date-stamped received June 19, 2013 (Attachment 3).

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Sausalito Planning Commission on the 26th day of June, 2013, by the following vote:

AYES:

Commissioner:

Graef, Bair, and Cox

NOES:

Commissioner:

None

ABSENT:

Commissioner:

Werner and Keegin

ABSTAIN:

Commissioner:

None

Jeremy Graves, AICP

Secretary to the Planning Commission

Attachments

- 1 Findings
- 2 Conditions of Approval
- 3 Project Plans

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JUNE 26, 2013 6 JOSEPHINE STREET DR/CUP/EA 13-037

ATTACHMENT 1: FINDINGS

1. DESIGN REVIEW PERMIT FINDINGS

In accordance with Zoning Ordinance Section 10.54 (Design Review Procedures), the Design Review Permit is approved based on the following findings:

A) The proposed project is consistent with the General Plan, any applicable specific plans and this chapter.

The proposed project is consistent with all applicable policies, standards, and regulations of the General Plan and Zoning Ordinance.

B) The proposed architecture and site design complements the surrounding neighborhood and/or district by either: a) Maintaining the prevailing design character of the neighborhood and/or district or b) Introducing a distinctive and creative solution which takes advantage of the unique characteristics of the site and contributes to the design diversity of Sausalito.

The Hill neighborhood, as defined by the General Plan, is comprised of a variety of architectural styles, in addition to a range of building materials. The project's architectural style and high quality building materials are in keeping and representative of similar materials utilized in the Hill neighborhood. Additionally, the proposed mass and scale of the two-unit residence is generally consistent with that of the residence proposed to be demolished. As such, the combination of materials, mass, scale, and proposed architecture will be compatible with and complement the neighborhood.

C) The proposed project is consistent with the general scale of structures and buildings in the surrounding neighborhood and/or district.

The project is designed with a similar mass and scale and the existing single family residence. The Zoning District and General Plan designation for the property identify the site for High Density Residential Land Use Designation. The project two-family residence is designed below the maximum general development standards for a property located in the R-3 Zoning District.

D) The proposed project has been located and designed to minimize obstruction of public views and primary views from private property.

As described in the Staff Report dated June 26, 2013, the project will not negatively impact private and public views based on the doglegged orientation of the street, the elevation of the street relative to public vantage points, the downward sloping topography of the site, the mass, scale, and location of project, including the garage and parking deck within the North Street public right-of-way, and the existing mature vegetation. The only public view one sees is if a

pedestrian stops at the existing parking deck and looks over the cars parking on the street.

- E) The proposed project will not result in a prominent building profile (silhouette) above a ridgeline.

 The subject parcel is not located along a ridgeline.
- F) The proposed landscaping provides appropriate visual relief, complements the buildings and structures on the site, and provides an attractive environment for the enjoyment of the public.

The site currently has a large amount of existing and mature trees and vegetation, and the applicant will be maintaining a vast majority of the current on-site landscaping. Additionally, the applicant is proposing to install a garden area adjacent to the second unit of the first floor of the residence, as well as plant Blue Ivy within the North Street public right-of-way and one Pittosporum tenuifolium "Silver Sheen" along the northwest property line.

G) The design and location of buildings provide adequate light and air for the project site, adjacent properties, and the general public.

The project is designed to generally maintain a similar mass, scale and location of the existing residence, accordingly, the project will be able to maintain the similar light and air conditions relative to adjacent properties and the general public.

H) Exterior lighting, mechanical equipment, and chimneys are appropriately designed and located to minimize visual, noise and air quality impacts to adjacent properties and the general public.

The project is designed with faux chimneys related to the aesthetic of the design, therefore no air quality impacts are anticipated. Additionally, no exterior mechanical equipment is being proposed, therefore no impacts to noise is anticipated. Lastly, the project is subject to the standard condition that all exterior lighting be shaded and downward facing.

 The project provides a reasonable level of privacy to the site and adjacent properties, taking into consideration the density of the neighborhood, by appropriate landscaping, fencing, and window deck and patio configurations.

The project is designed to provide a reasonable level of privacy for the adjacent properties. Specifically, the north elevation is designed to locate windows and doors in such a way as to maintain the highest level of privacy as it relates to 12 Josephine Street which is located directly adjacent to the project site. Furthermore, due to the downward sloping nature of the project site, the North Street public right-of-way to the south and no developable properties to the east, therefore the project will not impact the surrounding properties.

J) Proposed entrances, exits, internal circulation, and parking spaces are configured to provide an appropriate level of traffic safety and ease of movement.

The project is designed to maintain the general special relationship of the existing residence as it relates to access and circulation on Josephine Street and North Street. Specifically, the project is designed to reconstruct the previously approved parking deck in order to provide parking. Although the project is requesting the use of tandem parking, there is adequate backout distancing to the Josephine Street and North Street roadways which facilitates an appropriate level of traffic safety and ease of movement.

K) The project site is consistent with the guidelines for heightened review for projects which exceed 80% of the maximum allowed Floor Area Ratio and/or site coverage, as specified in subsection E (Heightened [Design] Review Findings).

The project does not exceed 80 percent of the maximum allowed Floor Area Ratio and/or site coverage, therefore, the project does not require Heightened Design Review.

2. CONDITIONAL USE PERMIT FINDINGS

Pursuant to the Municipal Code Section 10.60.050 (Conditional Use Permit), the Planning Commission finds:

A. The proposed use is allowed with issuance of a Conditional Use Permit, pursuant to Chapters 10.20 through 10.28 (Zoning District Regulations), or Section 10.46.040 (Conditional Uses), Chapter 10.44 (Specific Use Requirements) or any other applicable section of the Title 10.

Tandem parking is permitted with the issuance of a Conditional Use Permit in the Multi-Family Zoning Designation, as long as the tandem parking spaces are dedicated to the same living unit.

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

As supported in the below findings, the project is consistent with all applicable policies, standards, and regulations of the General Plan and Zoning Ordinance.

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

As supported in Design Review Permit Finding J, the project is designed to maintain the general special relationship of the existing residence as it relates to access and circulation on Josephine Street and North Street. Although the project is requesting the use of tandem parking, there is adequate back-out distancing to the Josephine Street and North Street roadways which facilitates an appropriate level of traffic safety and ease of movement.

D. The proposed use complies with each of the applicable provisions of the Zoning Ordinance.

The Zoning Ordinance states that tandem parking is permitted with a Conditional Use Permit, as long as the two parking spaces are designated for the same living unit. A Condition of Approval has been written accordingly.

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 tandem parking spaces are located within the footprint of a previously permitted and used parking deck. The use of the parking deck has functioned well and is properly located to serve the project site and accommodate off-street parking.

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 size and shape of the subject property is adequate to provide features needed to ensure reasonable compatibility with the project and uses as supported by the Staff Report dated June 26, 2013.

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.

As previously stated, the project is proposing to construct a garage and parking deck with the footprint of a previously constructed and used parking deck. The location of the garage and parking deck is located in such a way to not impede traffic circulation, therefore the garage and parking deck is adequately situated for the traffic generated by the project units.

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

The use of two parking spaces in tandem will not materially adversely affect nearby properties of their permitted uses based on the dog-legged orientation of the street, the elevation of the street relative to public vantage points, the downward sloping topography of the site, the mass, scale, and location of project, including the garage and parking deck within the North Street public right-of-way, and the existing mature vegetation.

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

There are no Findings required by Chapter 10.44 with regards to tandem parking.

3. ENCROACHMENT AGREEMENT FINDINGS

In accordance with Zoning Ordinance Section 10.56.060, An Encroachment Agreement is favorably recommended based on the following finding:

A) The proposed encroachment is compatible with the surrounding area and will either improve or not significantly diminish visual or physical public enjoyment of the streetscape upon which the encroachment is proposed.

As stated in the June 26, 2013 Staff Report, based on the street orientation, site topography, the mass, scale, and location of the garage and parking deck within the North Street public right-of-way, and the existing mature vegetation, the encroachments do not significantly diminish the visual or public enjoyment of the streetscape. Although the project creates a new aesthetic along the streetscape for passers-by, the physical use and enjoyment of the streetscape is not altered beyond its existing conditions.

B) The encroachment will not adversely affect the usability or enjoyment of adjoining parcels nor create or extend an undesirable land use precedent.

The encroachment does not impact access to adjoining parcels nor set a new land use precedent as it is solely for the driveway, parking area and associated improvements as it relates to the site's access.

C) The encroachment is necessary to the reasonable use and enjoyment of the property and the extent of the encroachment is justifiable.

The encroachment allows for a two-car garage, parking deck with guardrails, and related improvements within the North Street public right-of-way are all necessary to provide access

parking for the site due to the steep topography and orientation of the property. The installation of the two-car garage and parking deck with guardrails in the public right-of-way is necessary to the reasonable use and enjoyment of the property.

D) The proposed encroachment will not adversely affect the public circulation nor create or constitute a hazard to public safety.

The project encroachments are not anticipated to adversely affect public circulation nor create or constitute a hazard to public safety in that the project generally maintains the confines of the previously approved Encroachment Agreement for the same parking purposes. The existing parking deck and use has not adversely affected public circulation or constituted a hazard to public safety. Furthermore, the two street lights are located off the paved road and adjacent to the existing North Street stairs.

E) The value of the proposed improvements will not prejudice a policy decision to terminate the encroachment nor preclude or make difficult the establishment or improvement of streets or pedestrian ways.

The value of the proposed improvements in the right-of-way do not preclude or make difficult the establishment or improvement of streets or pedestrian ways in the future.

SAUSALITO PLANNING COMMISSION JUNE 26, 2013 6 JOSEPHINE STREET DR/CUP/EA 13-037

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions of approval apply to the plans prepared by Andrew Skurman Architect, entitled "Woodman Residence" date-stamped received June 19, 2013 and the revised garage design as depicted on Sheets A.3.1, A.3.2, and A.3.3 dated June 26, 2013.

General Conditions

- 1. All exterior lighting shall be shielded and downward facing.
- 2. Improvements within the public right of way shall conform to the Cities and County of Marin "Uniform Construction Standards".
- 3. Upon Building Permit submittal the Conditions of Approval shall be shown on the construction drawings.
- 4. Upon Building Permit submittal the applicant shall provide a written response demonstrating compliance with each Condition of Approval.
- 5. 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.
- 6. Third party peer reviews shall be required as determined by the City Engineer or authorized designee. Such review shall be performed at the Developer's expense and may include the review of the final soils report, grading, hydrology, lot closure calculations, improvement plans, erosion control plans and post construction pollution prevention plans, field inspections of permitted work. Developer shall submit a deposit to the City prior to third party review.
- 7. Prior to issuance of a Construction Permit, the Director of Public Works or designee shall approve the design, location, and means of installation of the two lights to be located at the top of the North Street Stairs.
- 8. The owner(s) of the property shall allocate two parking spaces in tandem to each unit.
- 9. All exterior lighting shall be shielded and downward facing.
- 10. Prior to issuance of a Demolition Permit or Construction Permit, the applicant shall complete a photographic inventory of the interior and exterior of the existing structure and donate such inventory to the Sausalito Historical Society.

Stormwater Pollution Prevention

- 11. Prior to issuance of a Construction Permit the Developer's Civil Engineer shall submit a detailed erosion control plan for review and approval by the Department of Public Works. Erosion control plan shall incorporate guidelines and measures from the most current Marin County Stormwater Pollution Prevention Program (MCSTOPPP) Construction Guidance Documents for erosion and sediment control.
- 12. Grading work shall be limited to between April 1 and October 15 of any year. Between October 15 and April 15, all unvegetated ground surfaces shall be covered or otherwise protected against storm driven erosion.
- 13. The applicant's contractor shall implement and maintain erosion control measures per the approved erosion control plan if construction occurs between October 15th and May 1st. During the remainder of the construction project, erosion control materials shall be stock piled on site for use should rain be forecast.
- 14. Prior to issuance of a Construction Permit, an Erosion Control Plan shall be developed to demonstrate dust control measures during construction.

Street Conditions

- 15. Applicant shall repair or replace, at no expense to the City, damage to existing public facilities due to construction or in poor condition. Contractor shall save and protect all existing public facilities not designated for removal or modification within the project limits.
- 16. Prior to issuance of a Construction Permit, an encroachment permit shall be obtained from the Department of Public Works prior to using the public right of way for non-public purposes (e.g., private parking, material & debris box storage, sidewalk construction or demolition, driveway connection).
- 17. Emergency vehicle access and access to adjacent properties shall be maintained at all times throughout the duration of this project.

Utility Conditions

18. Provide a video of the existing sanitary sewer lateral for review by the City Sanitary Sewer Systems coordinator. Any damage to the existing sanitary sewer in the vicinity of the new wall shall be repaired to the satisfaction of the Sanitary Sewer System's Coordinator.

Engineering Conditions

- 19. Construction materials, equipment, vehicles, and debris boxes shall be placed on site exclusively 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. Debris box shall be emptied on a regular basis, else as directed by the City. Material stock piles & debris boxes shall be covered when not being accessed or filled to prevent material from blowing around the neighborhood. Construction materials, equipment, vehicles, and debris boxes shall be placed off-site only after securing an encroachment permit.
- 20. Prior to issuance of a Construction Permit, a Final geotechnical report shall be prepared by a licensed geotechnical engineer. The report shall also evaluate groundwater and develop recommendations for adequate structural foundations, on-site parking lot pavement structure, subdrainage to collect and convey groundwater discharges to public drain system. The report shall also evaluate and make recommendations as necessary to manage and control soil creep. The report shall be evaluated and approved by the Engineering staff prior to issuance of Building permits.
- 21. Prior to issuance of a Construction Permit, all shoring and foundation systems that utilize tie

backs shall be designed to not extend beyond property boundaries. Exception can be made if the property owner obtains a tie-back easement from affected private property owners. No exception will be granted for encroachments into public right-of-way.

- 22. Prior to issuance of a Construction Permit, the garage floor elevation shall be set at a level to be above street grade to limit rainfall runoff from entering the structure. The garage driveway shall be designed to not require pipe culvert across the frontage.
- 23. Prior to issuance of a Construction Permit, a construction staging plan and construction schedule shall be submitted for review and approval of the City Engineer or designee.
- 24. Prior to issuance of a Construction Permit, an offsite parking plan for the construction staging shall be submitted for approval. The transportation of workers to and from the site shall be discussed in the plan. Construction workers shall be prohibited from using more than one on-street parking space in the vicinity of the project.

Fire District Conditions

- 25. CFC Section 903.2 fire sprinkler systems are required in all new construction. Plans for fire sprinkler system design and hydraulic calculations shall be completed by a licensed C-16 sprinkler contractor and submitted to the Southern Marin Fire District for approval prior to installation. Fire sprinkler system design and installation shall conform to the provisions of the Southern Marin Fire District N.F.P.A Standard(s) 13, 13D or 13R.
- 26. The address shall be posted in accordance with requirements of the California Fire Code.
- 27. Non-combustible roofing is required (Note: A "non-combustible" roof is a Class A roof as defined in the California Building Code.
- 28. The applicant shall comply with California Fire Code and Public Resource Code 4291 requirements relating to the clearance of flammable brush and weeds. A minimum clearance of 30 feet from structures and 10 feet from roads and property lines shall be maintained.
- 29. Final occupancy approval shall not be granted until authorization to the Community Development Department has been received from the Fire District.

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.

- 30. This approval will expire in two (2) years from the effective date of this resolution if the property owner has not exercised the entitlements hereby granted, or an extension has not been filed prior to the expiration date.
- 31. An approval granted by the Planning Commission 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.
- 32. 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.
- 33. Pursuant to Municipal Code Chapter 3.36, Construction Traffic Road Fees shall be paid prior to issuance of a building permit.

- 34. Grading/drainage permit(s) shall be obtained from the Department of Public Works for any earthwork in excess of 50 cubic yards.
- 35. Grading on hillside lands composed of geologic formations known to slide will be limited to between April 15 and October 15 without written approval of the City Engineer.
- 36. Pursuant to Municipal Code Section 11.12.030.C, applicants shall provide protection for any protected trees (as defined by Section 11.12.020) which are to remain standing.
- 37. Pursuant to Municipal Code Chapter 8.54, applicants shall submit a Recycling Management Plan to the Community Development Department prior to the issuance of any construction permits, unless the requirement is waived pursuant to Section 8.54.050.
- 38. Pursuant to Municipal Code Chapter 11.17, dumping of residues from washing of painting tools, concrete trucks and pumps, rock, sand, dirt, agricultural waste, or any other materials discharged into the City storm drain system that is not composed entirely of storm water is prohibited. Liability for any such discharge shall be the responsibility of person(s) causing or responsible for the discharge. Violations constitute a misdemeanor in accordance with Section 11.17.060.B.
- 39. 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.

Homeowners currently residing on the property and other legal residents may operate the equipment themselves on Sundays and City holidays between 9:00 a.m. and 6:00 p.m.

- 40. Pursuant to Municipal Code Section 18.08.020, overhead electrical and communication service drops shall be placed underground when the main electrical service equipment (including the panel) is relocated, replaced, and/or modified.
- 41. Pursuant to Municipal Code Section 18.12.100, existing sewer service laterals shall be inspected for surface water connections and leakage at the time of remodeling of any building. Deteriorated service laterals shall be repaired prior to approval of the building permit.
- 42. 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. Marin County Environmental Health Services (415-499-6907), including spas and septic systems, as well as facilities for preparation or sale of food;
 - c. Southern Marin Fire Protection District (415-388-8182).

43. Pursuant to Municipal Code Section 10.54.100, construction activities undertaken in accordance with a design review permit shall comply with the construction time limit regulations based upon the project's valuation. Construction projects which are not completed within the time limits are subject to daily penalties.

SAUSALITO PLANNING COMMISSION JUNE 26, 2013 6 JOSEPHINE STREET DR/CUP/EA 13-037

ATTACHMENT 3: PROJECT PLANS

"Woodman Residence" date-stamped received June 19, 2013 and the revised garage design as depicted on Sheets A.3.1, A.3.2, and A.3.3 dated June 26, 2013.

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WOODMAN RESIDENCE

Sausalito, Ca. 94965 6 Josephine Street



(415)440-4480/ FAX:(415)440-4488 Andrew Skurman Architects San Francisco, CA 94118 3654 Sacramento Street

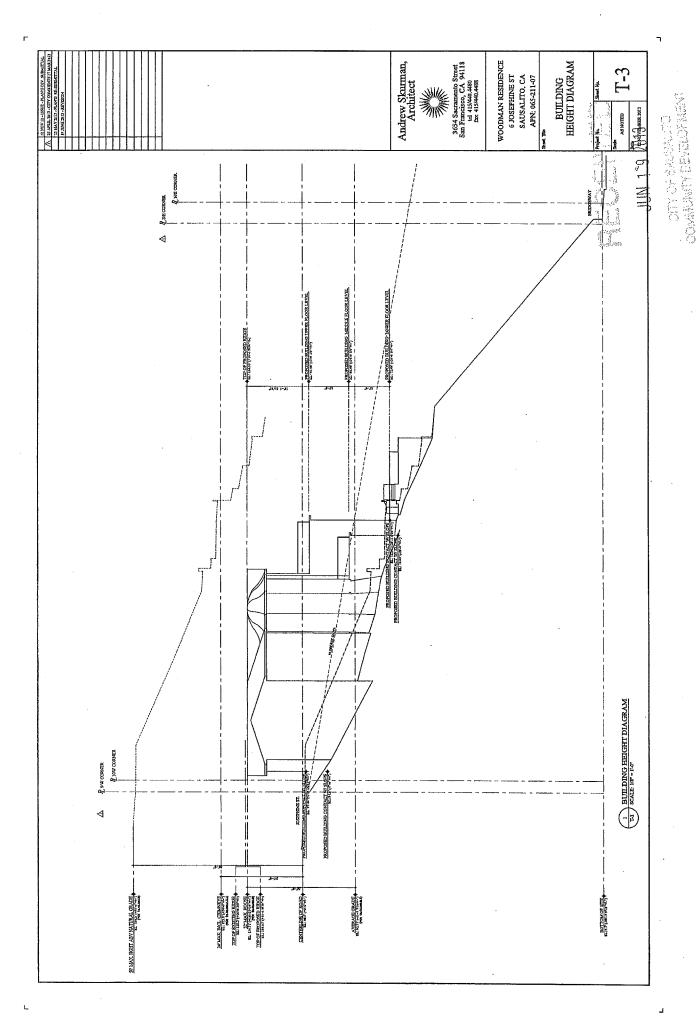
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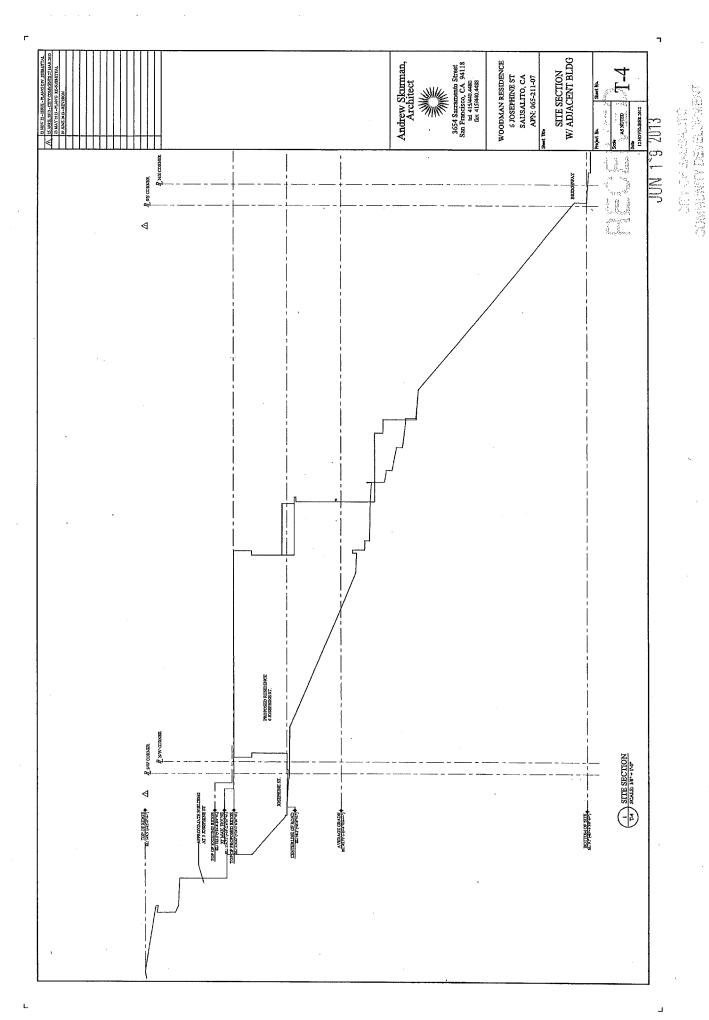
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Planning Re-Submittal 23 May 2013
Revision 19 June 2013

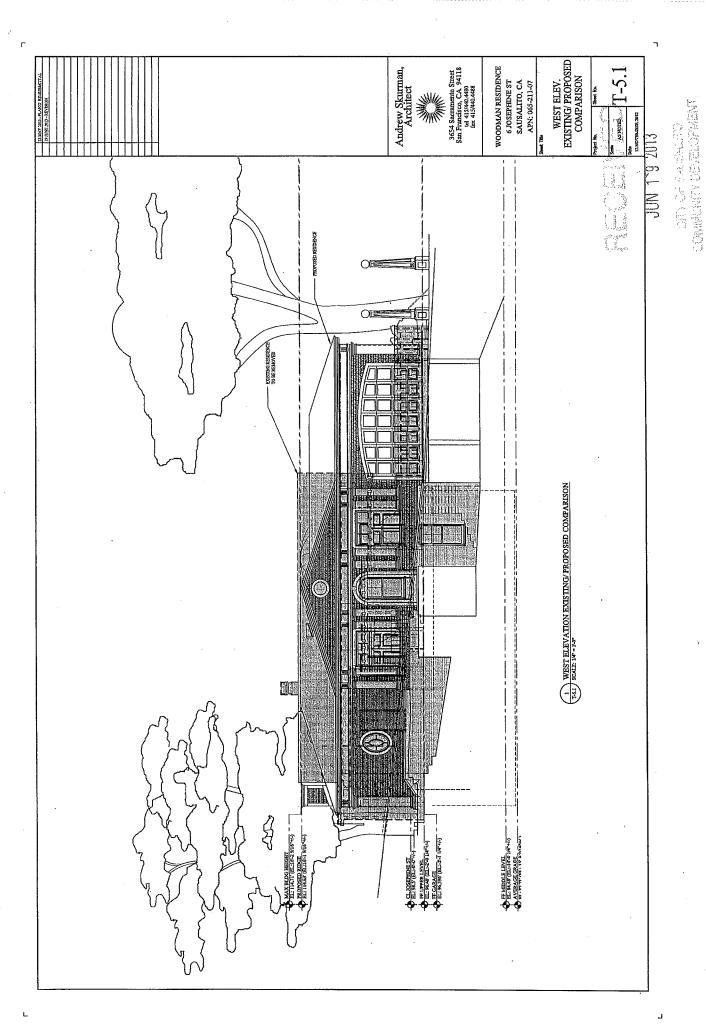
Item 1 part 1: Page 52 of 66

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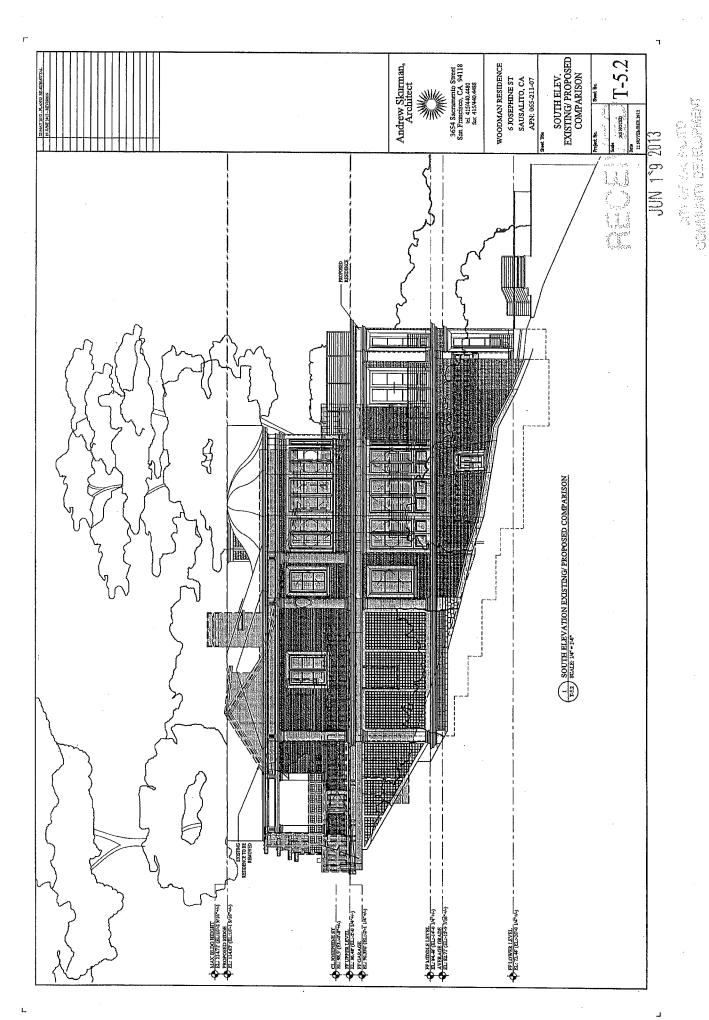
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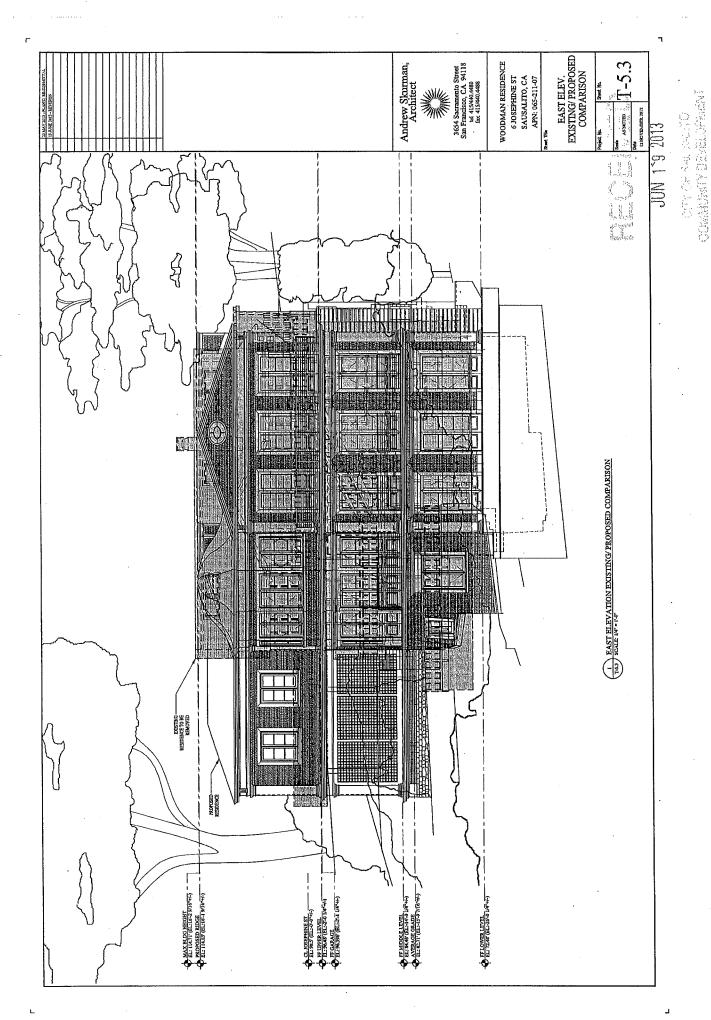


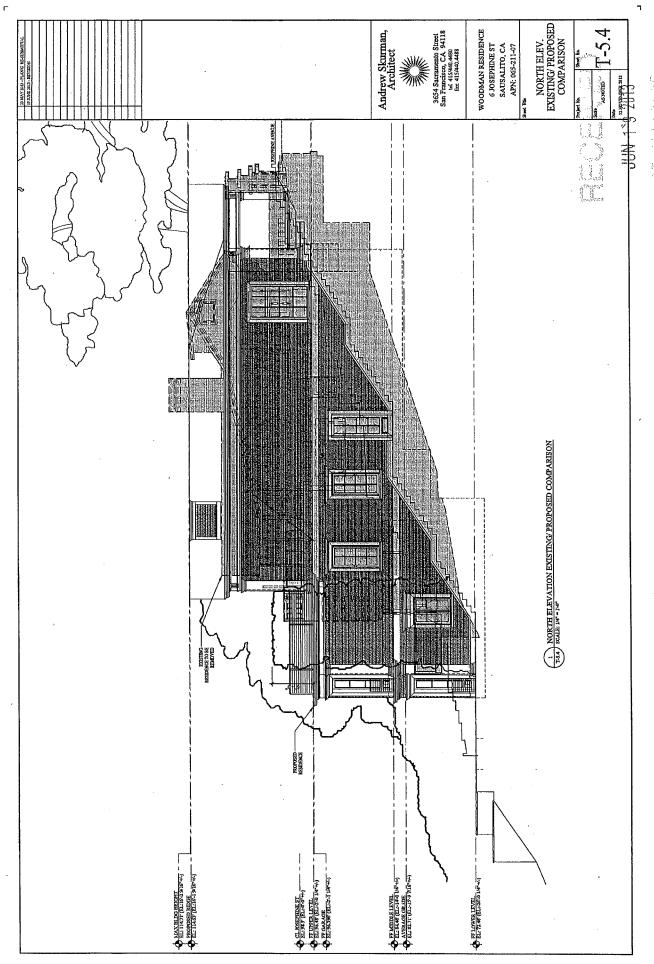


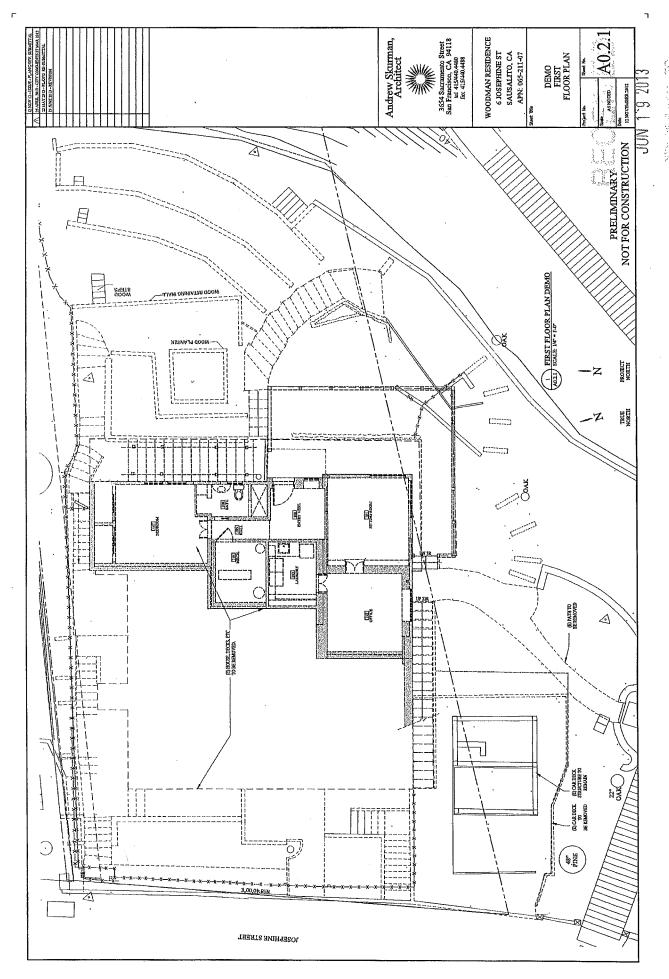


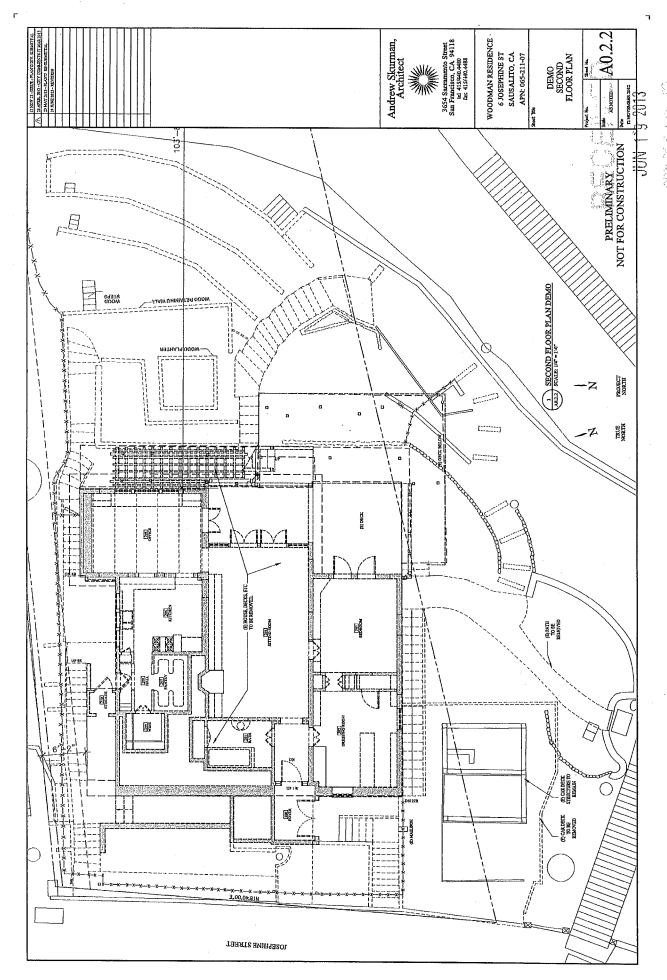
Item 1 part 1: Page 56 of 66

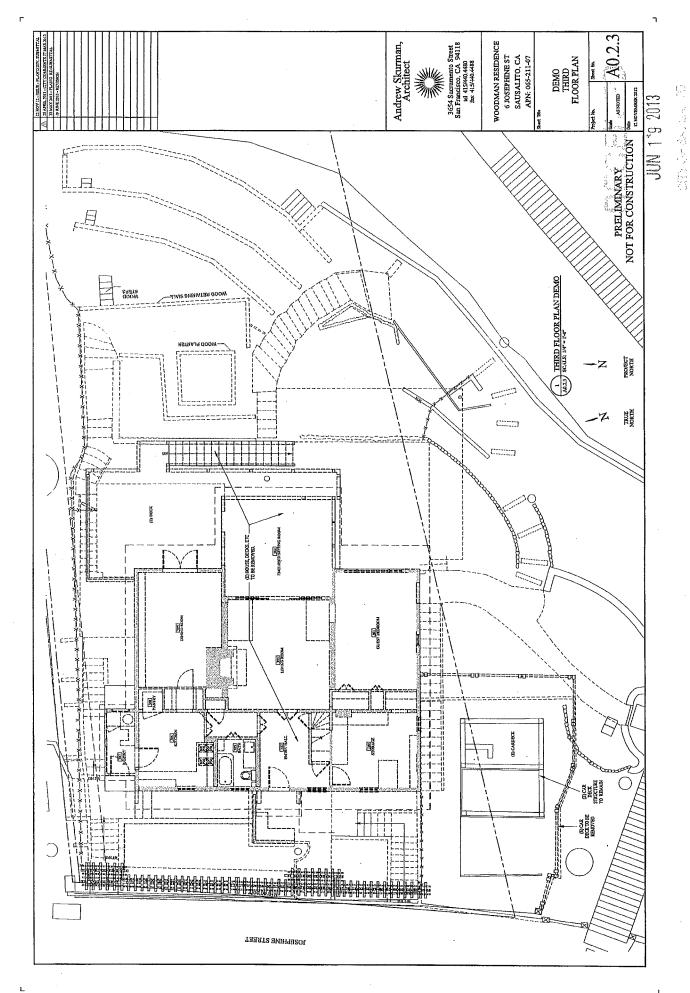


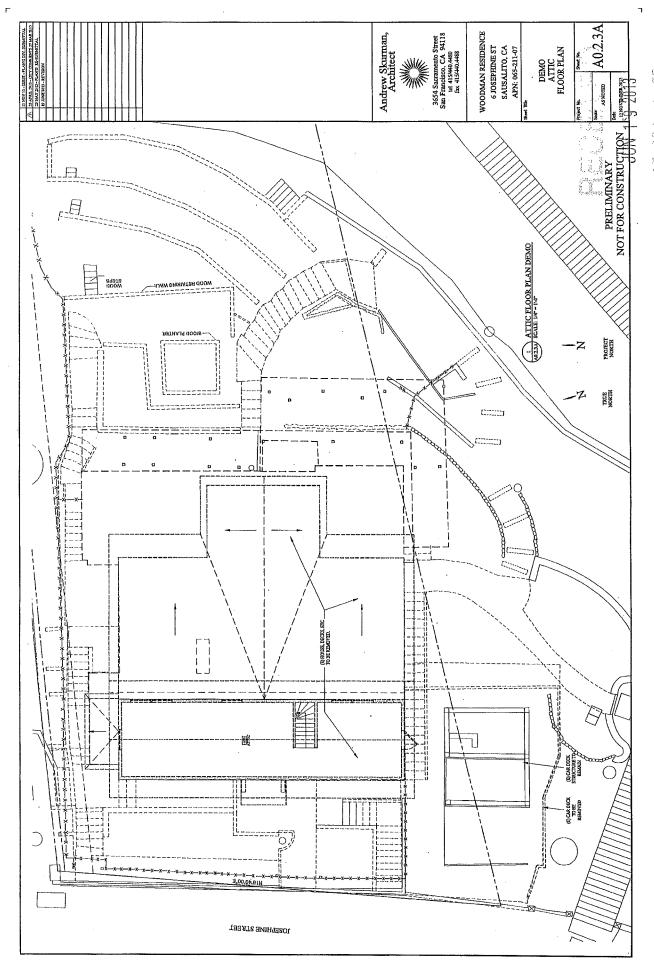




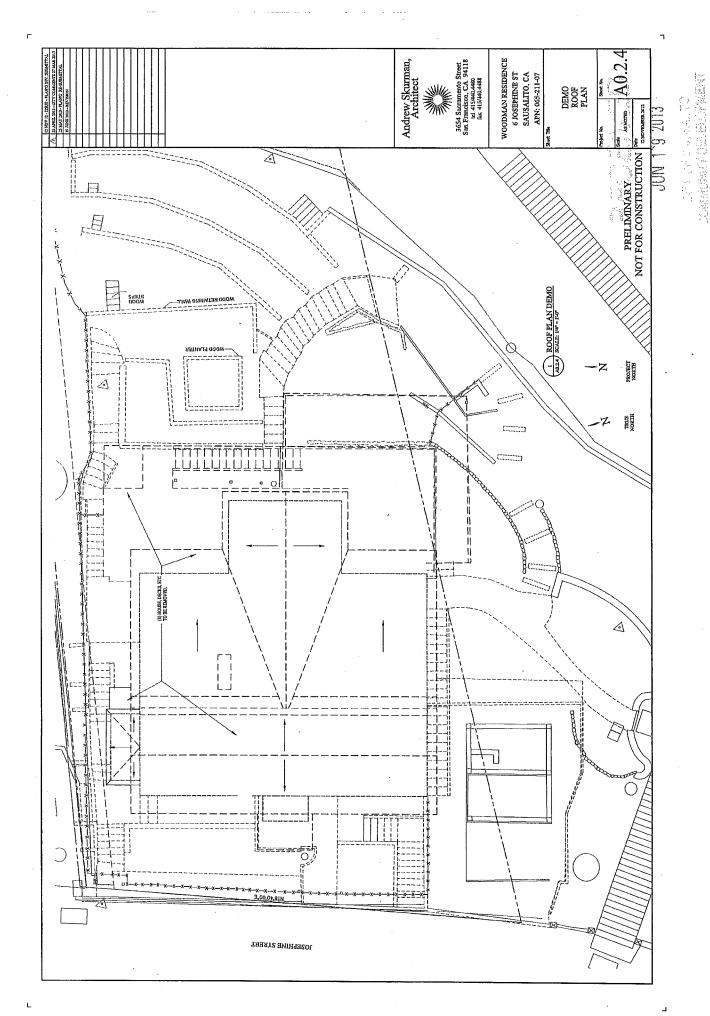




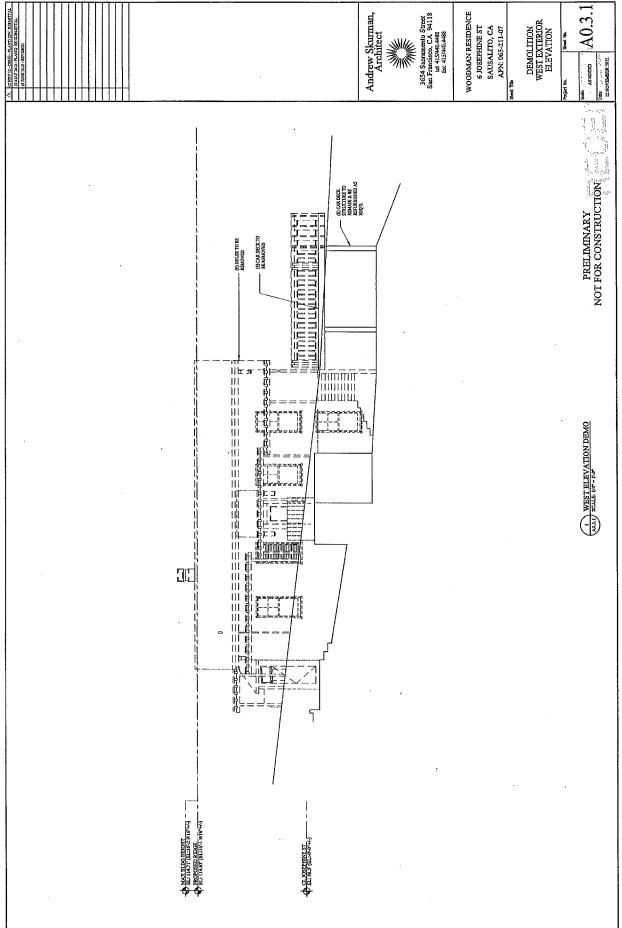




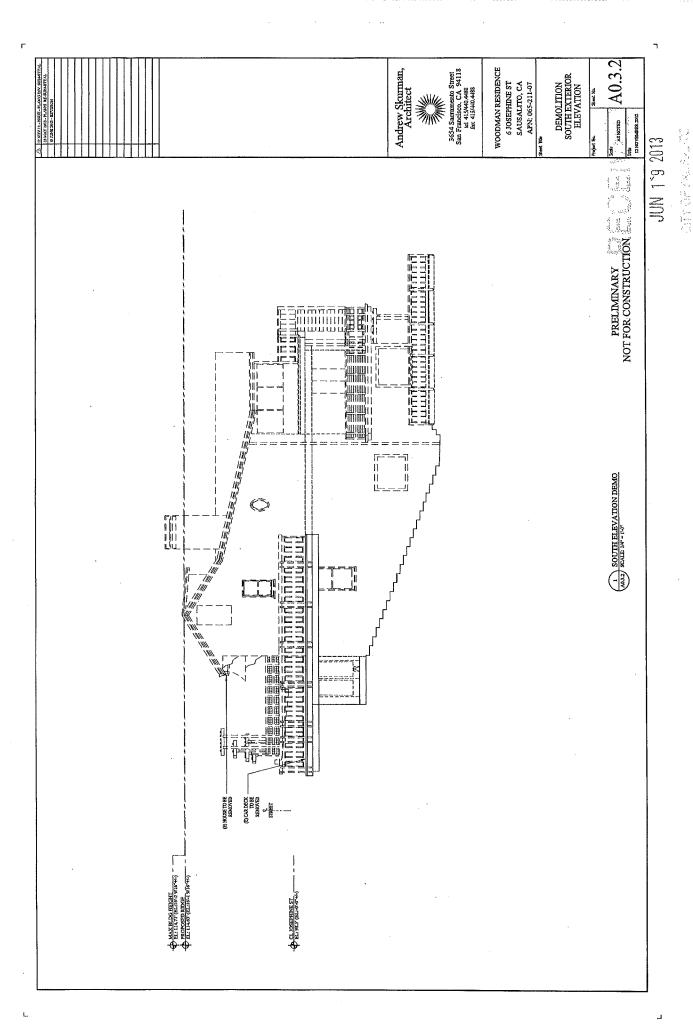
Item 1 part 1: Page 63 of 66



Item 1 part 1: Page 64 of 66



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Item 1 part 1: Page 66 of 66