

**SAUSALITO PLANNING COMMISSION  
RESOLUTION NO. 2021-05**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT  
TO ESTABLISH A YOGA STUDIO IN THE COMMERCIAL AND RESIDENTIAL (CR) ZONING  
DISTRICT AND A SIGN PERMIT FOR BUSINESS IDENTIFICATION SIGNAGE AT 1621  
BRIDGEWAY  
CUP-SP 2021-00040**

**WHEREAS**, an application was filed by Katherine Ibrahim, owner of Cloudbreak Yoga, requesting a Conditional Use Permit to establish a yoga studio at 1621 Bridgeway (APN 064-161-06), and a sign permit to allow two wall signs for the studio that are 10 square feet in area each with external illumination; and

**WHEREAS**, the project site is located in the Mixed Residential and Commercial General Plan land use designation and the Mixed Commercial and Residential (CR) Zoning District; and

**WHEREAS**, the Planning Commission conducted a duly-noticed public hearing on March 17, 2021 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 March 17, 2021 Staff Report for the project; and

**WHEREAS**, the Planning Commission 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; and

**WHEREAS**, the Planning Commission finds that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Existing Facilities of the CEQA guidelines; and

**NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES:**

A Conditional Use Permit to allow for the establishment a yoga studio and a Sign Permit to establish wall signs for the studio are approved based upon the findings provided in Attachment 1 and subject to the Conditions of Approval provided in Attachment 2.

**RESOLUTION PASSED AND ADOPTED**, at the regular meeting of the Planning Commission on the 17<sup>th</sup> day of March, 2021, by the following vote:

AYES: Graef, Luxenberg, Pierce, Saad, Chair Feller  
None  
NOES: None  
ABSENT: None  
ABSTAIN:



Lilly Whalen, Secretary to the Planning Commission

Attachments

1. Findings
2. Conditions of Approval
3. Project Plans
4. External illumination

**SAUSALITO PLANNING COMMISSION  
RESOLUTION NO. 2021-05  
MARCH 17, 2021  
CUP/SP 2021-00040  
1621 BRIDGEWAY**

**ATTACHMENT 1: FINDINGS**

**CONDITIONAL USE PERMIT FINDINGS**

The Planning Commission may approve a Conditional Use Permit if the project is in conformance with the following findings (SMC §10.60.050):

- A. *The proposed use is allowed with issuance of a Conditional Use Permit, pursuant to Chapters 10.20 through 10.28 SMC (Zoning Districts Regulations), or SMC 10.46.040 (Conditional uses), Chapter 10.44 SMC (Specific Use Requirements) or any other applicable section of this title.*

A yoga studio is a “recreation and fitness” land use that is allowed in the Commercial and Residential (CR) Zoning District with the issuance of a Conditional Use Permit per Table 10.24-1 as outlined in SMC §10.24.030.

- 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 establishment of a yoga studio is consistent with the General Plan goals and policies as a resident serving land use that will occupy an existing vacant commercial space in a mixed use building with residential units above. The yoga studio is consistent with the Zoning Ordinance in that it allows “fitness and recreation uses” with a conditional use permit.

- 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 establishment of a yoga studio in the CR Zoning District will not be detrimental to the City’s public health, safety, or general welfare as a recreation use that will serve the community and visitors; with low occupancy 3 employees on-site with 30 maximum students excessive traffic volumes or parking demand will not be generated by the proposed yoga studio; the proposed business hours from 6am to 9pm will be compatible with other residential and business tenants in the building and surrounding area and no major special events or after-hours operation are planned in connection with the proposed yoga studio.

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

The project includes no interior or exterior structural improvements so the development standards are not applicable. A yoga studio is a “recreation and fitness” land use that

is allowed in the Commercial and Residential (CR) Zoning District with the issuance of a Conditional Use Permit per Table 10.24-1 as outlined in SMC §10.24.030.

- 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 proposed yoga studio is in an existing mixed-use building. The building is located within close proximity to transportation facilities (e.g. bus, ferry, parking lots) and service facilities (e.g. restaurants, retail). It is near the northern end of Caledonia Street and fronts onto Bridgeway—the City’s primary transportation corridor.

- 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 project includes no interior or exterior structural improvements to the existing property—a mixed-use building with commercial use on the ground floor. The yoga studio will maintain existing parking conditions and the nature of the class size (max 30) and number of employees on site (3) during yoga classes is not expected to generate excessive traffic volume. The size and shape of the subject property is adequate to accommodate the yoga studio.

- 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.*

Public utilities and facilities are adequate to serve the building and ground floor operation of a photography gallery.

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

Based on the proposed business operations of the yoga studio which will include class sizes typically less than 15 students, with few employees on-site at one time and business hours from 6am-9pm operations are not anticipated to affect nearby properties or their permitted uses. No interior or exterior structural improvements to the existing mixed-use building or tenant space are proposed. No noise, odor, traffic or parking nuisances are anticipated to be generated by the proposed business.

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

The findings required by SMC Chapter 10.44 for a yoga studio are made alongside the findings required for the Conditional Use Permit.

## **SIGN PERMIT FINDINGS**

The Planning Commission may approve a Sign Permit if the project is in conformance with the following findings (SMC §10.42.090.D):

1. *The proposed sign complies with all applicable provisions of SMC §10.42.090.*

The proposed yoga studio wall signage and signage illumination comply with the provisions of the sign code. The proposed signage complies with the maximum signage area allowed for a ground floor business. The proposed yoga studio is ground floor tenant space with 20' of lineal frontage along Bridgeway and 44' of lineal frontage along Napa Street. Per SMC §10.42.060.K, the maximum size of signage permitted is 0.5 square feet of signage per lineal foot the business frontage. A maximum of 10 square feet of signage area is permitted along Bridgeway and a maximum of 22 square feet of sign area is permitted along Napa Street. The proposed signage area along Bridgeway includes 12" tall letters by 10' in length for a total area of 10 square feet which is in compliance. The proposed signage along Napa Street is also 12" tall letters by 10' long for a total area of 10 square feet which is also in compliance and well below the maximum signage area permitted.

Each of the proposed wall signs is to be externally illuminated by one low wattage, down facing light fixture. One light fixture is proposed to be located above the wall sign and in the center and shall be directed down at the sign so that only the sign face is illuminated and it does not cast light or glare onto other properties or in the public right of way.

The location of the proposed sign is compliant with clearance standards. The proposed sign is manufactured, assembled and will be erected in compliance with all applicable State, Federal, and City regulations, and the Uniform Building Code. The proposed sign does not pose any safety, or aesthetic concerns. Therefore the proposed signage complies with all applicable provisions of SMC §10.42.090.

2. *The proposed sign is consistent with the applicable sign standards.*

The proposed sign is consistent with all applicable sign standards including maximum allowable signage area and illumination and the material, color, finish and typeface of the signage and lighting will be compatible with and complement the architecture of the building.

3. *The proposed sign will not adversely impact the public health, safety, or general welfare.*

The proposed signage and illumination identify the land use without creating distractions or confusion that may cause traffic or safety hazards. The proposed wall signs and illumination are in compliance with all City codes and will promote commerce and create a more attractive economic and business climate by utilizing an existing vacant commercial space. It does not adversely impact the public health, safety, or general welfare.

4. *The proposed color, design, material, and location of the proposed sign are compatible with the architectural design of the building.*

In compliance with the sign code, each sign is proposed to be 10 square feet in area with 12" tall letters. White, individually cut acrylic letters in sans-serif typeface are proposed that will match the existing address numbers on the building. The lettering and design of the sign is simple and will blend into the architectural design of the façade of the subject property.

5. *If the property is located within or near a residential area, the sign is harmonious with the character of the residential neighborhood.*

The property is a mixed use building and residential properties are located in the vicinity. The sign is of a simple and appropriate design, typeface, material and color that matches the existing address numbers on the building. The dimensions of the sign are well within the size permitted with the given business frontage. The illumination will be downcast on the signage only and will not cause unwanted glare. The sign will be installed on an existing vacant commercial space and is harmonious with the character of the residential neighborhood.

6. *The proposed sign is restrained in character and is no larger than necessary for adequate identification.*

The proposed signage identifies the land use without creating distractions or confusion that may cause traffic or safety hazards or being larger than necessary for adequate identification. The proposed wall signage is only 10 square feet in area with 12" letters in sans serif font which is less than the maximum allowed and no larger than necessary for a. Sans serif typeface can be described as a clean, minimal, modern font that is restrained in character and is no larger than necessary.

7. *The proposed sign is consistent with the highest graphic standards and composed of durable and appropriate materials.*

The proposed sign employs an attractive and simple graphic style and is composed of durable and appropriate materials.

8. *If the proposed sign is for an establishment within a commercial or industrial center, the sign is harmonious with the entire center's signage and has been subject to the commercial or industrial center's design review.*

The proposed sign is not within an establishment within a commercial or industrial center.

9. *If the proposed sign is oriented toward a residential zoning district and is within 50 feet of the district, the signage is necessary for minimum business identification and will not have an adverse aesthetic effect on the residential character of the adjacent residential neighborhood.*

The proposed sign is not oriented toward a residential zoning district nor is it within 50 feet of a residential district.

10. *Proposed sign serves to primarily identify the business or type of activity being conducted on the same premises, or the product, service or interest being offered for sale or lease on-site.*

The proposed sign contains only the business name is therefore serves to primarily identify the business.

11. *If the property is located within a designated historic district or is listed on the local register, the proposed sign has been reviewed and approved by the Historical Landmarks Board and complies with the historic district sign guidelines and SMC 10.42.070 (Sign standards in the historic overlay district and for properties listed on the local register).*

The property is not located within a designated historic district nor is it listed on a historic register.

**SAUSALITO PLANNING COMMISSION  
RESOLUTION NO. 2021-05  
MARCH 17, 2021  
CUP-SP 2021-00040  
1621 BRIDGEWAY**

**ATTACHMENT 2: CONDITIONS OF APPROVAL**

**General Conditions**

1. It shall be the applicant's/property owner's responsibility to diligently proceed to carry out the conditions of approval and implement any approved permit/entitlement. This shall include establishing the approved use within the time limits set forth by the applicable chapter (reference Sausalito Municipal Code (SMC) Section 10.50.120).
2. The Conditional Use Permit shall expire two years following the effective date of approval if the project entitlement has not been implemented, provided no extension has been filed prior to the expiration date. The project entitlement pursuant to the Conditional Use Permit is determined to be implemented if that the use has been established on the site and is in operation as approved, and all conditions of approval prerequisite to establishment of the use have been satisfied (SMC Section 10.50.120.B). Requests for Permit Extensions may be made pursuant to SCM Section 10.50.140 and prior to the expiration of the permit.
3. The Sign Permit shall expire one year following the effective date of the permit if the project entitlement has not been implemented, provided no extension has been filed prior to the expiration date. The project entitlement pursuant to the Sign Permit is determined implemented if the applicable conditions of approval prerequisite to construction have been satisfied and any required construction permits have been issued. (SMC Section 10.42.090I)
4. Pursuant to SMC Section 10.60.100, this Conditional Use Permit Approval runs with the land and shall continue to be valid for the time period specified whether or not there is a change of ownership of the site or structure to which it applies. Conditional use permit approval cannot be transferred to another site. Applicant is advised that SMC Section 10.44.240 regulates formula retail establishments and SMC Section 10.44.230 regulates visitor serving establishments. This Conditional Use Permit does not authorize a formula retail nor a visitor service establishment.
5. The Applicant/Property Owners shall defend, indemnify (including reimbursement of all fees and costs reasonably incurred by separate counsel retained by the City) and hold harmless the City and its elected and appointed officials, officers, agents and employees, from and against any and all liability, loss, damage, or expense, including without limitation reasonable attorney's fees which City may suffer or incur as a result of any claims relating to or arising from the City's approval of the project or any portion of the project.
6. 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.

7. All applicable City fees as established by City Council resolutions and ordinances shall be paid.

**Conditions Specific to the Conditional Use Permit**

8. This approval permits a yoga studio at 1621 Bridgeway, in a 1,100 square foot tenant space with the following conditions:
  - a. The yoga studio is permitted to operate seven (7) days a week, Sunday through Saturday.
  - b. Not more than one class is permitted at a time. The hours of operation of the yoga studio instruction shall be allowed from 6am-9pm with an allowance of an additional 30 minutes prior and post class for students arriving and departing.
  - c. Class sizes shall not exceed 30 students total.
  - d. The number of employees on-site at any one time shall not exceed three during class hours.
  - e. The class schedule shall be staggered to avoid overlapping students during arrival and departure to the greatest extent possible. As long as class staggering is maintained there may be up eight (8) classes a day.
  - f. An area of up to 10% of the tenant space is permitted for retail sales of non-visitor serving yoga products and merchandising. No food or drink shall be prepared on site; limited amounts of pre-packaged food and beverage provisions related to the fitness use may be sold on site for consumption off-site.
  - g. The studio shall encourage students to walk, bike and take public transportation to attend classes, and if they arrive by car, instructions on where public parking is available shall be clearly communicated to students.
9. Pursuant to SMC Section 10.80.040.3, the Zoning Administrator is authorized to approve amendments of Conditional Use Permits which do not alter the general intent of the original approval granted by the Planning Commission. Modifications to the daily and long term operations of the yoga studio, including but not limited to, studio hours, changes in class schedule and class offerings, number and size of classes and product mix and/or size of the retail space, may be considered by the Zoning Administrator as long as they are generally consistent with the original approval granted by the Planning Commission and the Zoning Administrator finds that the changes provide a benefit to the business and the community. Major use modifications will require further review and approval by the Planning Commission.
10. The Planning Commission shall review the conditions of approval at a noticed public hearing 18 months after commencement of yoga studio operations. Based on evidence provided at the public hearing, the Planning Commission may consider modifications to the approval such as hours of operation, class size, and class frequency. The Planning Commission shall have the ability to modify conditions of approval, remove conditions of approval or modify conditions of approval.

**Conditions Specific to the Sign Permit**

11. Each approved sign and all its components shall be manufactured, assembled, and erected in compliance with all applicable State, Federal, and City regulations, and the Uniform Building Code. Each sign shall be maintained in a safe, clean, and legible condition at all times.



12. Each approved sign shall not be changed or replaced, nor shall any design elements of any building or lot where a sign is located be changed or replaced if any such design element was a basis for the approval of a sign, without a new sign permit first being obtained as required by the Sausalito Municipal Code.
13. Modifications to signage fixture may be approved by staff.

#### **Building Division Conditions**

14. Any applicable Building Permits required for the project under this approval, including those required for conversion of use, tenant improvements and signage, shall be obtained by the applicant prior to receiving a certificate of occupancy/commencing use, and installation of any signage.
15. Pursuant to Municipal Code Section 10.54.100, construction activities under taken 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. 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.
16. Contact the Building Division for information about the building permit process and for building permit requirements prior to submitting for a building permit.

#### **Fire District Conditions**

17. If the structure is equipped with an automatic fire sprinkler system and/or a fire detection and/or notification system, the unit shall be tied into the existing systems.
18. If an automatic fire sprinkler system and/or a fire detection and/or notification system exist in the structure, applicant shall provide the Southern Marin Fire Protection District (District) a key to the unit to be added to the site's UL1037 listed key box as required by the District. Fire Extinguishers shall be required to be installed and comply with 2019 California Fire Code Section 906.
19. Verification of installation is required prior to final occupancy granted. Occupant load shall be posted in accordance with the California Fire Code Section 1004.9; Applicant shall post near the main door that the occupant load is 49 occupants.
20. Verification of posting is required prior to final occupancy granted. A readily visible durable sign shall be placed above or adjacent to the egress side of the main door reading "This Door To Remain Unlocked When This Space Is Occupied". Verification of posting is required prior to final occupancy granted.
21. The address shall be posted in accordance with requirements of the California Fire Code and SMFD standard 205 (Premises Identification). Verification of posting is required prior to final occupancy granted.
22. Properties located within the Wildland Urban Interface are required to have an approved address marker visible from across the street in contrasting colors per CA Public Resource Code 4291. An address placard can be ordered by visiting <https://www.southernmarinfire.org/prevention/public-safety-education/address-visibility>. Verification of posting is required prior to final occupancy granted.
23. Fire access to the project as well as the other surrounding properties shall be maintained at all times. Unapproved restrictions in roadway access shall result in citations and vehicles being towed at the owner's expense.

24. Final occupancy approval shall not be granted/released until authorization to the Community Development Department has been received from the District.

**SAUSALITO PLANNING COMMISSION  
RESOLUTION NO. 2021-05  
MARCH 17, 2021  
CUP-SP 2021-00040  
1621 BRIDGEWAY**

**ATTACHMENT 3: PROJECT PLANS PROPOSED SIGNAGE**

**SAUSALITO PLANNING COMMISSION  
RESOLUTION NO. 2021-05  
MARCH 17, 2021  
CUP-SP 2021-00040  
1621 BRIDGEWAY**

**ATTACHMENT 4: MANUFACTURE BROCHURE EXTERNAL ILLUMINATION FOR SIGNAGE**