#### **RESOLUTION NO. 2022-04**

RESOLUTION OF THE SAUSALITO PLANNING COMMISSION APPROVING CHANGES TO AN APPROVED PROJECT FOR A DESIGN REVIEW PERMIT FOR EXTERIOR RENOVATIONS AT 12 EL PORTAL STREET AND 690 BRIDGEWAY BOULEVARD (2022-00015)

WHEREAS, on January 27, 2022, an application was filed by the applicant, Michael Rex on behalf of property owner Loron Investments – Pete Petri, requesting Planning Commission approval of Changes to An Approved Project (Application No. 2022-00015) for alterations to Design Review Permit 2021-00131 for modifications to the approved plans located at 12 El Portal Street and 690 Bridgeway Boulevard (APN 065-133-17) (the "Project"); and

**WHEREAS**, the project site is located within the Downtown Historic Overlay District and per Section 10.46.060.B of the Sausalito Municipal Code, a Certificate of Appropriateness was required; and

WHEREAS, the Historic Preservation Commission conducted a duly-noticed public hearing on February 9, 2022 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, on February 9, 2022, the Historic Preservation Commission considered the information contained in the staff reports and the Certificate of Appropriateness Application and found that the required findings listed in Section 10.46.060.F of the Sausalito Municipal Code could be made regarding exterior renovations to an existing building, and approved a Certificate of Appropriateness for the Project located at 12 El Portal Street and 690 Bridgeway Boulevard as shown in Exhibit B; and

**WHEREAS**, the Project is consistent with the purpose and intent of the Downtown Historic Overlay District as described in the staff report and the findings contained herein; and

**WHEREAS**, the Project requires Planning Commission approval of a Design Review Permit for modifications to the exterior of the existing building storefronts; and

WHEREAS, the Planning Commission conducted duly-noticed public hearing on February 9, 2022, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, and the Planning Commission considered the information contained in the application materials, the staff report, and found that the required findings listed in Section 10.54.050.D of the Sausalito Municipal Code could be made; and

WHEREAS, the Planning Commission finds that the project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA 12 El Portal Street and 690 Bridgeway Boulevard Exterior

Modifications Resolution No. 2022-04

February 9, 2022

#### Guidelines; and

**WHEREAS**, the Planning Commission finds that, as conditions herein, the project is consistent with the General Plan and complies with the requirements of the Zoning Ordinance.

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

**Section 1.** A Design Review Permit for modifications to the exterior of the existing building storefronts is approved based upon the attached findings in Attachment 1 and Attachment 2, subject to the attached conditions of approval in Attachment 3, and as shown in the project plans" dated January 26, 2022 in Attachment 4.

**RESOLUTION PASSED AND ADOPTED,** at the regular meeting of the Sausalito Planning Commission on the 9 day of February, 2022, by the following vote:

AYES:

Commissioner: Luxenberg, Junius, Graef, Saad, Feller

NOES:

Commissioner:

ABSENT:

Commissioner:

ABSTAIN:

Commissioner:

Jim Moore

Secretary to the Planning Commission

#### **ATTACHMENTS**

- 1. Findings
- 2 Certificate of Appropriateness
- Conditions of Approval
- 4. Approved Project Plans and Elevations, dated January 26, 2022

#### SAUSALITO PLANNING COMMISSION NO. 2022-04 FEBRUARY 9, 2022 12 EI PORTAL STREET AND 690 BRIDGEWAY BOULEVARD

PROJECT ID: 2022-00015

**ATTACHMENT 1: FINDINGS** 

#### **DESIGN REVIEW PERMIT FINDINGS**

The Planning Commission must determine whether the project is in conformance with the following findings (SMC 10.54.050.D):

1. The proposed project is consistent with the general plan, any applicable specific plans, any applicable design guidelines, and this chapter.

#### **Staff Comment:**

#### 2021 General Plan Consistency:

 Commercial Policies and Programs Background for Downtown, LU-21 Pg. 52, calls for "evaluating experiential attractions, such as increased outdoor dining."

Modifications to the proposed outdoor dining area are not part of this request. The modifications to the proposed outdoor dining area will be analyzed in a subsequent application.

• Land Use and Growth Management Element: LU-40 Pg. 70, Policy LU-2.9 Downtown Historic Character, calls for: Protect the historic character of the downtown area.

With its proposed pilasters, larger windows, and corner entry, portions of the proposed storefronts will now reflect the original design of the building and, therefore, protect the architectural character of the building and the historic character of the downtown area.

 Community Design, Historic and Cultural Preservation Element, CD-3 Page 127, Design Guidelines and Objective Standards:

This proposed design of the new storefronts is compatible with Sausalito's 2011 Downtown Historic Guidelines regarding the following objectives and specific elements. See Chapter 2 – Treatment of Historic Structures, Page 13 for the "Character-Defining Features of a Commercial Façade with Storefront:

- o Transom windows are proposed at the top of the bi-fold doors.
- o The strong lintel above the transom windows is preserved.
- o The main entrance door is recessed.
- Community Design, Historic and Cultural Preservation Element: CD-11 Pg. 135, Policy CD-1.6 Public Realm: "Promote a positive relationship between the structure and the adjoining public realm."

Expanding the openings of the restaurant to a sidewalk and restoring the original open entryway and passageway for pedestrians at the northwest corner of the building, implements this Policy.

 Community Design, Historic and Cultural Preservation Element: CD-12 Pg.136, Program CD-1.6.2 Structure-Street Relationship: "If a public-facing structure, new development and substantial remodels should include safe access for pedestrians."

The proposed recessed entry door will comply with ADA standards, reduce conflicts between pedestrians and the swinging doors, and increase safety. The new bi-fold doors will provide extra wide points of entry and facilitate emergency access to the restaurant space.

 Community Design, Historic and Cultural Preservation Element: CD-16 Pg. 140, Program CD-4.3.1 c. Downtown: "Recognize the needs of retailers in making design decisions."

Allowing for open entrances and air circulation to the interior restaurant spaces that complies with ADA standards will enhance the economic viability of the restaurant use.

- 2. 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.

#### Staff Comment:

The proposed design maintains the prevailing design character of the Downtown Historic Character as confirmed by the approval of the Certificate of Appropriateness by the HPC as analyzed above.

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

#### **Staff Comment:**

No change is proposed to the building's scale and, therefore, this finding is inapplicable.

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

#### **Staff Comment:**

There is no work associated with the project that will impact private or public views by the proposed Project.

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

#### Staff Comment:

The building is not located on a ridgeline and, therefore, this finding is inapplicable.

6. 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.

#### **Staff Comment:**

The entryway into the outdoor dining area, and leading to the main entrance of the restaurant, is enhanced by four topiary plants in square freestanding concrete planters. Combined with the proposed wrought iron guardrail fronting the sidewalk dining area, these landscape elements visually enhance both the streetscape and the building's façade.

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

#### Staff Comment:

The Project will not impact light and air for the site, adjacent properties, or the general public.

8. 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.

#### Staff Comment:

The three wall-mounted light fixtures, shown on the project's exterior elevations, are designed in order to minimize visual impacts to adjacent commercial and residential properties. These features are subject to approval of a Certificate of Appropriateness by the HPC. If the Historic Preservation Commission does not approve, or approves a different version of the light fixtures, the applicant shall submit for a modification to their Design Review Permit, for Planning Commission review. No new mechanical equipment is included in this application.

9. 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.

#### Staff Comment:

The Project will not impact privacy to the site or adjacent properties. The landlord and the restaurant tenant will collaborate in managing operating hours and sound levels to ensure that hotel guests are not disturbed by the sidewalk dining use.

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

#### Staff Comment:

Personnel from Sausalito's Department of Public Works (the Department charged with regulating the use of public rights-of-way), and the Southern Marin Fire District, have reviewed the proposed Project and have offered Conditions of Approval to ensure public access and safety are maintained and not negatively impacted by the Project.

11. The proposed design preserves protected trees and significant natural features on the site to a reasonable extent and minimizes site degradation from construction activities and other potential impacts.

#### Staff Comment:

The Project involves no trees or natural features and, therefore, this finding is inapplicable.

12. The project site is consistent with the guidelines for heightened review for projects which exceed 80 percent of the maximum allowed floor area ratio and/or site coverage, as specified in subsection E of this section (Heightened Review Findings).

#### Staff Comment:

The Project does not require Heightened Review and, therefore, this finding is inapplicable.

13. The project has been designed to ensure on-site structures do not crowd or overwhelm structures on neighboring properties. Design techniques to achieve this may include but are not limited to stepping upper levels back from the first level, incorporating facade articulations and divisions (such as building wall offsets), and using varying rooflines.

#### Staff Comment:

The Project does not change the location, shape, or mass of the existing structure.

#### SAUSALITO PLANNING COMMISSION NO. 2022-04 FEBRUARY 9, 2022 12 EI PORTAL STREET AND 690 BRIDGEWAY BOULEVARD

PROJECT ID: 2022-00015

**EXHIBIT B: HPC RESOLUTION 2022-01 CERTIFICATE OF APPROPRIATENESS** 

### SAUSALITO PLANNING COMMISSION NO. 2022-04 FEBRUARY 9, 2022 12 EI PORTAL AND 690 BRIDGEWAY

PROJECT ID: 2022-00015

#### **ATTACHMENT 3: CONDITIONS OF APPROVAL**

These conditions apply to the project plans prepared by Michael Rex Architects, datestamped January 26, 2022.

# COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION CONDITIONS OF APPROVAL:

- 1. No Certificate of Occupancy shall be issued until all discretionary entitlements are submitted and approved by the Planning Commission.
- 2. The Department of Public Works and Southern Marin Fire Protection District review is required prior to Planning Commission review of any future submittals.
- 3. The proposed signage and lighting (Sheet A3.7 to A9.2) is not approved and is subject to review and action by (1) the Historic Preservation Commission through a Certificate of Appropriateness, and (2) the Planning Commission through a Sign Permit.
- 4. The extension of the enlarged sidewalk to the corner of Bridgeway Boulevard and El Portal Street shown on the plan set dated January 26, 2022, is not approved and is subject to review and action by the (1) the Historic Preservation Commission through a Certificate of Appropriateness, and (2) the Planning Commission through a modification to the Encroachment Agreement.
- 5. 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).
- 6. The <u>Design Review Permit</u> shall expire two years 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 Design Review Permit is determined to be implemented if the applicable conditions of approval prerequisite to construction have been satisfied and any required construction permits have been issued.
- 7. All conditions of approval shall be included on the first sheet after the cover sheet of the construction drawings submitted for a Building Permit.
- 8. As part of the Building Permit application, all final conditions of approval shall be restated on the construction drawings and applicant shall thoroughly and accurately document in writing compliance with each condition of approval at the time of Building

Permit application and any other subsequent submittals.

- 9. Except as otherwise noted in these conditions of approval, the plans submitted to the Building Division for plan check shall be identical to those approved by the City Council, with plan date of January 26, 2022. If any changes are made to the approved plans, the applicant is responsible for clearly identifying all such changes and reviewing them with the Planning Department prior to submitting for a Building Permit or a revision to the Building Permit. All changes made to the Design Review Permit plans approved by the Planning Commission (or any subsequent grant of approval for minor modifications to the project pursuant to SMC Section 10.50.180 granted by the Community Development Director) and the Building Permit construction document submittal must be clearly highlighted with a "bubble" or "cloud" on plans and marked with a "Delta" at the time of initial Building Permit submittal. A list describing in detail all such changes shall be submitted and attached to the plans. Any changes that have not been clouded on the plans and noted in a transmittal memo and explicitly approved by the Director through the required approval process in the Sausalito Municipal Code are not approved. Construction, demolition, or grading that does not conform to the City Council/ Director approval is not valid and shall be subject to stop work orders and may require removal.
- 10. Pursuant to Table 10.44-2, a Conditional Use Permit is required for establishments serving any alcoholic beverage for consumption on the premises. This approval does not authorize any alcohol service at the subject site unless it is expressly authorized by the Planning Commission through the issuance of a Conditional Use Permit and a Type 41 Alcohol Beverage Control license.
- 11. Pursuant to SMC Section 10.44.220.C.5, consumption of alcoholic liquor or other alcoholic beverages on any public sidewalk shall require City Council approval. This approval does not authorize any alcohol service on the public sidewalk unless it is expressly authorized by the City Council.
- 12. This approval does not allow for the placement of outdoor tables and chairs on-site (i.e. outside of the right-of-way). Any seating provided on-site is subject to additional parking requirements of SMC 10.44.220.E.1.
- 13. The Community Development Director is authorized to approve minor modifications to the project, pursuant to the SMC Section 10.50.180 regarding changes to an approved project. Major Project modifications will require review and approval by the Planning Commission.
- **14.** Any mechanical equipment installed in connection with this Project shall be subject to SMC Section 12.16.130 Machinery, equipment, fans, and air conditioning.
- 15. No alternative or unrelated construction, site improvements, tree removal and/or alteration, exterior alterations and/or interior alterations and/or renovations not specified in the project plans, or alterations approved by the Community Development Director, shall be performed on the project site. In such cases, this

- approval shall be rendered null and void unless approved by the Community Development Director as a modification to this approval.
- 16. At the time of building permit application, the owner or designee shall file a reasonable estimate of the value of the project, and based thereon, a construction time limit shall be established for the project in accordance with the criteria set forth in SMC Section 10.54.100. The following conditions apply:
  - a) The owner or designee shall submit information reasonably requested by the Community Development Director to support the estimated value of the Project such documentation may include without limitation an executed construction contract.
  - b) The time for completion of the construction shall also be indicated on the construction permit.
  - c) For projects exceeding \$500,000 in project valuation, a detailed GANTT chart (or other graphic display acceptable to the Community Development Director) depicting the sequence of steps necessary for completion of the project, including detailed information on the critical path of the project, duration of critical tasks, and predicted inspection dates, shall be submitted prior to the issuance of any construction permit.
  - d) Once approved, the property owner shall provide the City with written quarterly job progress reports consistent with the approved chart.
- 17. Upon building permit submittal, the owner or designee shall provide electronic copies of the approved colors and materials board(s), including but not limited to all manufacturers' information related to materials, specifications, and cut sheets for all exterior lighting fixtures.
- 18. The owner or designee shall post signage on the project site in a location clearly visible to and readable by the public which lists the construction hours, contractor's name and cell phone number, and any special conditions of approval.
- 19. No alternative or unrelated construction, site improvements, tree removal and/or alteration, exterior alterations and/or interior alterations and/or renovations not specified in the Project plans, or alterations approved by the Community Development Director, shall be performed on the project site. In such cases, this approval shall be rendered null and void unless approved by the Community Development Director or the Planning Commission as a modification to this approval.
- 20. 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.

- 21. 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.
- 22. All applicable City fees as established by City Council resolutions and ordinances shall be paid. Third party review fees shall be paid as required. All outstanding development fees shall be paid.

#### DEPARTMENT OF PUBLIC WORKS CONDITIONS OF APPROVAL:

#### **General Items**

- 1. As part of the Building Permit application, all final conditions of approval shall be restated on the construction drawings and applicant shall thoroughly and accurately document in writing compliance with each condition of approval at the time of Building Permit application and any other subsequent submittals.
- 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.

#### **Stormwater Pollution Prevention**

During construction, the applicant's contractor shall adhere to a water pollution prevention plan that at a minimum follows guidelines in MCSTOPPP's "Pollution Prevention It's Part of the Plan" [http://www.marincounty.org/depts/pw/divisions/mcstoppp/~/media/Files/Departments/PW/mcstoppp/business/Pollution%20Prevention%20Part%20of%20the%20PlanOcto ber%202011.pdf]. The plan shall address construction related site management practices including demolition, general construction, concrete, paving, dewatering, contaminated soils, masonry, tile work, painting, litter control, motor vehicle washing and maintenance, and storage of hazardous materials.

#### Right of Way Items

4. Prior to issuance of a Certificate of Occupancy, applicant shall repair or replace, at no expense to the City, damage to public facilities that results from applicant's construction activities. Applicant is advised that applicant's contractor shall save

- and protect all existing facilities not designated for removal or modification within the public right of way.
- 5. Improvements within the public right-of-way shall conform to the Cities and County of Marin "Uniform Construction Standards," available online at: http://www.marincounty.org/depts/pw/divisions/land-use/ucs.

#### **Utility Items**

- 6. Prior to issuance of a Building Permit, applicant shall submit a video of the sanitary sewer lateral servicing 12 El Portal Street for review by the City Sewer Systems Coordinator (SSC). If sewer laterals servicing other properties require relocation, video of these laterals shall also be submitted for review. The video inspection(s) shall follow the requirements listed on the City's website, under "Sewer Video Guidelines, Mandatory Requirements & Video Submittal Form".
  - [http://www.ci.sausalito.ca.us/index.aspx?page=1015]
- 7. Prior to issuance of a Building Permit, any defects or updates required by the SSC, including but not limited to those cited in the SSC's April 5, 2013 memo shall be completed to his satisfaction.

#### **Engineering Items**

- 8. Applicant is advised that encroachment permit(s) shall be obtained from the City prior to using the public right-of-way for non-public purposes (e.g., private parking, material and debris box storage, curb, gutter or sidewalk construction, or demolition, driveway connection).
  - Applicant is advised that a condition of issuance of an Encroachment Permit, a traffic control plan conforming to the current edition of Caltrans publication "California Manual on Uniform Traffic Devices, Part 6 Temporary Traffic Control" shall be submitted for review and approval by the City. The traffic control plan shall show all temporary traffic, pedestrian and bicycle control measures and signage. El Portal Street shall remain open to traffic at all times throughout the duration of this Project which shall be documented on the traffic control plan. The traffic control plan shall be revised to coordinate with other projects in the vicinity which may be ongoing or commence during the duration of this work.

- 9. Emergency vehicle access and access to adjacent properties shall be maintained at all times throughout the duration of this Project.
- 10. Prior to issuance of an Encroachment Permit, the City shall be named as an additionally insured on a separate endorsement sheet that modifies the general liability policy.
- 11. Encroachment Permit issued by the Department of Public Works is only applicable to the City of Sausalito right-of-way, the applicant is responsible for ensuring that they have obtain permission from property owners prior to the use of their land.
- 12 Construction workers shall be prohibited from using on-street parking in the vicinity of the Project and the applicant shall lease, or otherwise provide, an adequate number of parking spaces in a City parking lot to provide parking for construction workers.
- 13. All exterior lighting shall be shielded and downward facing.

#### SOUTHERN MARIN FIRE DISTRICT CONDITIONS OF APPROVAL:

#### **Prior to Building Permit submittal:**

- 23. Fire Sprinkler Installation- A fire sprinkler system shall be provided for the following:
  - a) If the combination of the addition, alteration, or remodeling exceeds 50% of the floor area of the existing structure, the Project is considered a "substantial remodel" \*\* (see end for definition), list all deferred submittals on sheet A0.1.
  - b) Existing Buildings. In any building with an existing automatic sprinkler system, protection shall be extended to any all of alteration, repair, remodel or addition, regardless of job size so that 100% coverage is maintained.
  - c) In any building found to have OMEGA sprinkler heads identified as part of the U.S. Consumer Products Safety Commission recall and Viking VK457 sprinkler heads, all sprinkler heads subject to this recall shall be replaced with listed and approved heads.
  - d) Commercial fire sprinklers and alarm systems shall be monitored 24/7 for fire and trouble by an approved U.L. Central Station per 2019 CFC Section 903.4

Fire sprinkler coverage shall be provided through the entire structure according to Chapter 9 of the California Fire Code. Fire sprinkler system shall be installed according to NFPA standards and Southern Marin Fire Standard 401.

- **24.** The road width shall be maintained to have a clearance of a minimum of 20 feet from curb to curb, per CFC 503.2.1. Access shall not be obstructed during any phase of the project.
- **25.** An emergency egress plan is required for both occupancies and shall include the following:

- a) Occupant load per CBC 1004
- b) Exit door location per CBC 1007
- c) Exit signage and illumination per CBC 1008
- d) Fire protection equipment, such as fire extinguishers and fire alarm notification devices. Fire Extinguishers shall be required to comply with CFC Section 906.
- 26. Required exits and interior exit stairways are required to show compliance with CBC 1022 and 1023, respectively. Section cuts and wall details are required for the building permit submittal.
- 27. This Project shall comply with California Fire Code Chapter 33 Fire Safety During Construction and Demolition. These requirements include but are not limited to: Temporary Heating Equipment, Precautions Against Fire, Flammable and Combustible Liquids, Flammable Gases, Owners Responsibility for Fire Protection, Fire Reporting, Access for Fire Fighting, Means of Egress, Water Supply for Fire Protection, Standpipes, Automatic Fire Sprinkler Systems, Portable Fire Extinguishers, Motorized Construction Equipment, and Safeguarding Roofing Operations.
- 28. 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.

#### **Advisory Notes:**

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

- 1. An approval granted by the 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.
- This approve does not approve any uses. An Occupational Use Permit, Minor Use Permit, or Conditional Use Permit (pursuant to Table 10.24-1) is required whenever a business is established in a new location or tenant space, or when an existing business changes its location or changes the square footage of its floor area or land area.
- 3. Contact Building Division staff for information about the Building Permit process and for Building Permit requirements prior to submitting for a Building Permit.
- 4. Construction Impact Fees shall be paid in accordance with the Construction Impact Fee Ordinance. The fee is due prior to issuance of Building Permit.
- 5. All applicable City Fees as established by City Council resolutions and ordinances shall be paid.

- 6. Encroachment permit, grading permit, third party review fees (cost plus 10%) fees shall be paid.
- 7. An encroachment permit shall be obtained from the Department Public Works prior to using the public right of way for non-public purposes (e.g., material storage, construction, staging or demolition) including any and all construction and demolition activities.
- 8. Pursuant to SMC Chapter 8.54, applicants shall submit a Recycling Management Plan to the Community Development Department prior to the issuance of any Building Permits, unless the requirement is waived pursuant to Section 8.54.050.
- 9. Pursuant to SMC 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.
- 10. Pursuant to SMC 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.
- 11. Pursuant to SMC 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) – Prohibited

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.

- 12 Pursuant to SMC 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 sewer laterals shall be repaired prior to approval of the Building Permit.
- 13. Permits required by other agencies having jurisdiction within the construction area must be obtained in accordance with the respective agency's regulations.
  - a) Marin Municipal Water District (415-945-1400), including landscaping

and irrigation regulations;

- b) Southern Marin Fire Protection District (415-388-8182); and
- c) Bay Conservation and Development Commission (415-352-3600).
- 14. Pursuant to City of Sausalito Resolution No. 5116, roadway and subdivision improvements shall comply with the Uniform Construction Standards All Cities and County of Marin and as may be modified by the City Engineer.
- 15. Pursuant to City of Sausalito Resolution No. 5117, new private sewer construction shall comply with the City of Sausalito Standard Specification.

#### SAUSALITO PLANNING COMMISSION NO. 2022-04 FEBRUARY 9, 2022 12 EI PORTAL STREET AND 690 BRIDGEWAY BOULEVARD

PROJECT ID: 2022-00015

**ATTACHMENT 3: PROJECT PLANS** 

#### **RESOLUTION NO. 2021-04**

#### RESOLUTION OF THE SAUSALITO HISTORIC PRESERVATION COMMISSIONFOR A CERTIFICATE OF APPROPRIATENESS FOR EXTERIOR RENOVATIONS FOR THE STORE FRONTS OF THE CAFÉ AND ART GALLERY, SIDEWALK DINING AT THE CAFÉ, AND NEW SIGNAGE FOR THE ART GALLERY AT 12 EL PORTAL AND 690

BRIDGEWAY APN: 065-133-17 PROJECT ID: 2021-00131

**WHEREAS**, an application has been filed by the applicant, Michael Rex on behalf of property owner Loron Investments – Pete Petri, requesting Historic Preservation Commission approval of a Certificate of Appropriateness for exterior renovations for the store fronts of the café and art gallery, sidewalk dining at the café, and new signage for the art gallery at 12 El Portal and 690 Bridgeway (APN 065-133-17);and

**WHEREAS**, the project site is designated as a contributing property to the Sausalito Downtown Historic District; and

**WHEREAS**, a Certificate of Appropriateness is required per Sausalito Municipal Code Section 10.46.060.B because the subject property is within a historic overlay district; and

**WHEREAS**, the Historic Preservation Commission conducted a duly-noticed public hearing on July 22, 2021 at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, the Historic Preservation Commission considered the information contained in the staff reports, the Certificate of Appropriateness Application (**Exhibit C**); and

**WHEREAS**, the Historic Preservation Commission finds that the required findings listedin Sausalito Municipal Code Section 10.46.060.F (**Exhibit A**) can be made based on the information provided in the Certificate of Appropriateness Application and Historic Resource Summary Report.

# NOW, THEREFORE, THE HISTORIC PRESERVATION COMMISSION HEREBY RESOLVES:

**Section 1.** Approves a Certificate of Appropriateness for exterior renovations for the store fronts of the café and art gallery and sidewalk dining at the café, while excluding review of the proposed signage, exterior lighting, and planter boxes until a later date for 12 El Portal and 690 Bridgeway (APN 065-133-17) based on the information provided in the Certificate of Appropriateness Application (**Exhibit C**), the Project Plans (**Exhibit B**), and the Findings listed in Sausalito Municipal Code Section 10.46.060.F (**Exhibit A**).

**RESOLUTION PASSED AND ADOPTED,** at the special meeting of the Sausalito Historic Preservation Commission on the 22<sup>nd</sup> day of July 2021, by the following vote:

AYES: Commissioner: Berkowitz, Nichols, Wildman, Werner, Chair Neuman

NOES: Commissioner: None ABSENT: Commissioner: None ABSTAIN: Commissioner: None

Lilly Whalen
Lilly Whalen

Community Development

Director

#### **EXHIBITS**

- A. Sausalito Municipal Code Chapter 10.46.060.F Findings
- B. Project Plans
- C. Certificate of Appropriateness Application

#### EXHIBIT A: CERTIFICATE OF APPROPRIATENESS FINDINGS

In order to issue the advisory Certificate of Appropriateness, the Historic Preservation Commission must determine whether the project is in conformance with the required Findings (Section 10.46.060).

1. The Secretary of the Interior's Standards for the Treatment of Historic Properties and any applicable State or local ordinances and adopted guidelines or other policies have been used to review and consider the proposed work.

The Secretary of the Interior's Standards for the Treatment of Historic Properties, the 2011 Sausalito Historic Design Guidelines, and Chapter 10.46 of the Sausalito Municipal Code have been used to review and consider the proposed work.

- 2. Additional Findings for Local Historic Register Properties.
  - a. The proposed work shall preserve, enhance or restore, and shall not damage or destroy, the exterior architectural features of the structure and, where specified in the designating ordinance, its major interior architectural features; and

The proposed work retains any character-defining exterior forms and features, spaces and spatial relationships of the Hotel Sausalito building and its property. The proposed work will preserve the existing architectural features by replacing the storefronts at the ground floor to complement the overall building.

b. The proposed work shall not adversely affect the special character and/or special historic, architectural or aesthetic interest or value of the structureand its site, as viewed both in themselves and in their setting, nor of the historic overlay district, if located within one.

The proposed work is focused at replacement storefronts at the ground floor, where there are no character defining features. As no repair or replacement of historic features are proposed and will be preserved.

3. Additional Findings for Properties in Historic Overlay Districts.

This structure is within the Historic Overlay District and will not make major alterations or modifications to the historic façade on the second floor. The work of solely focused on the ground level, where there is are no character defining features.

- 4. Additional Findings for Sign Applications.
  - a. The proposed sign complies with all applicable provisions of Chapter 10.42 SMC (Sign and Awning Regulations);

- **b.** *Is consistent with the applicable sign standards and adopted guidelines, where applicable; and*
- **C.** The proposed color, design, material, and location of the proposed sign are compatible with the architectural design of the building and historic overlay district.

The gallery sign proposed to be installed on the fascia at both sides of the existing cornice will identify the gallery's name, "Ian Ely Gallery" and include the company's "E" logo. The lettering will be metal channels painted dark bronze with internal illumination to create a soft backlit silhouette. In addition, a metal see-through logo of the letter "E" (as depicted in the project architectural plans) will be suspended above the entry doors. The size of the signs conform to the size allowed for the length of the storefronts. The proposed location, design and dark bronze material appear to be compatible with the Mission-style architecture exemplified by the character-defining-features of the building at the second story, and the historic overlay district. However, the proposed gallery sign may not be in compliance with Chapter 10.42.070 SMC (Sign standards for designated historic structures and properties within a historic overlay district), as internally illuminated signs are listed under F. Sign Types Strongly Discouraged.

- 5. Additional Findings for Landscaping Applications.
  - a. The proposed removal or alterations will not affect the character of the property on the local, State or National Historic Register or in the historic overlay district; or

This is not a landscaping application and therefore this finding is not applicable.

b. The safety of persons or property requires the removal or alteration.

The proposed changes are not related to the safety of persons or property and therefore finding 5b is not applicable.

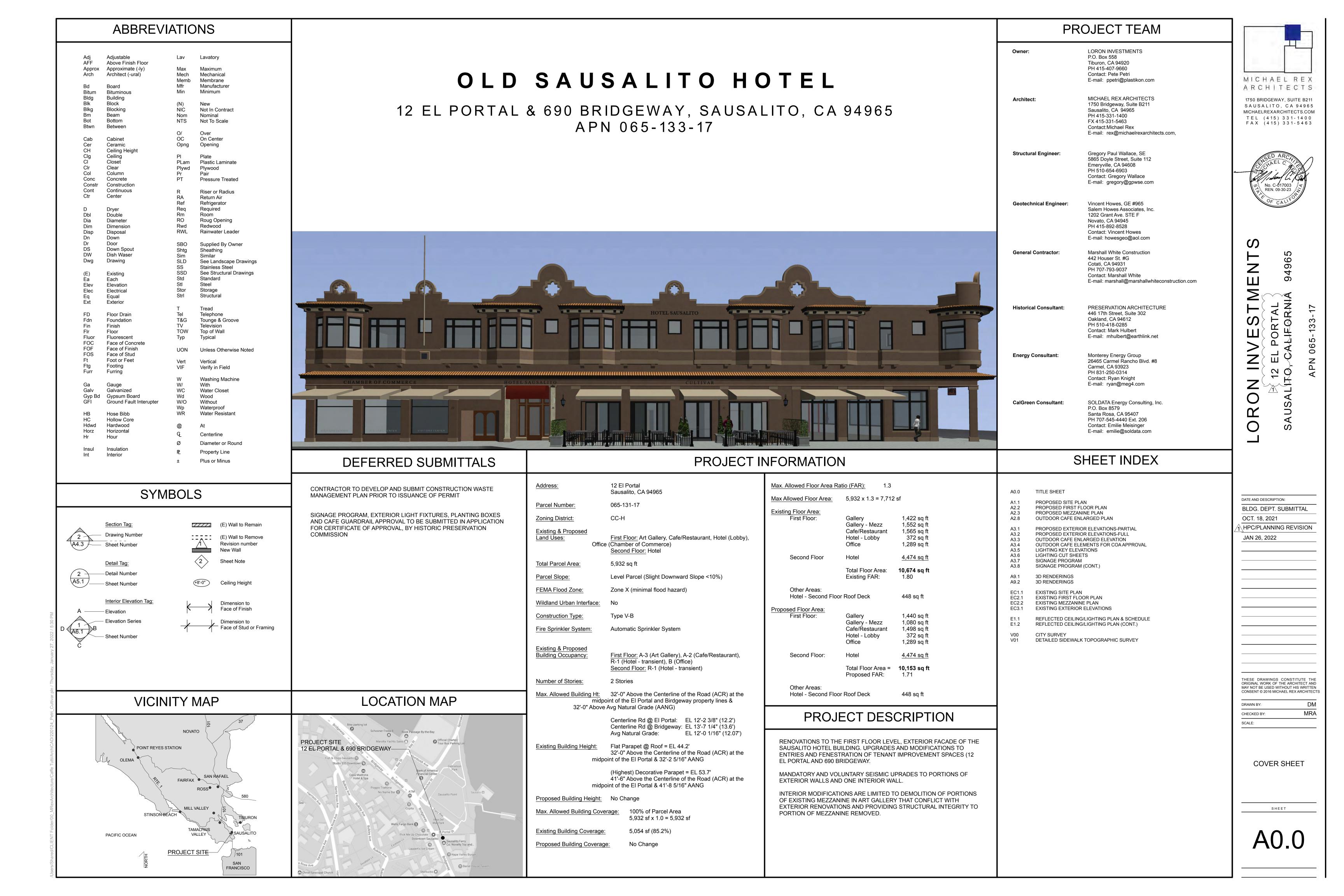
**6.** Additional Findings for Demolition Applications.

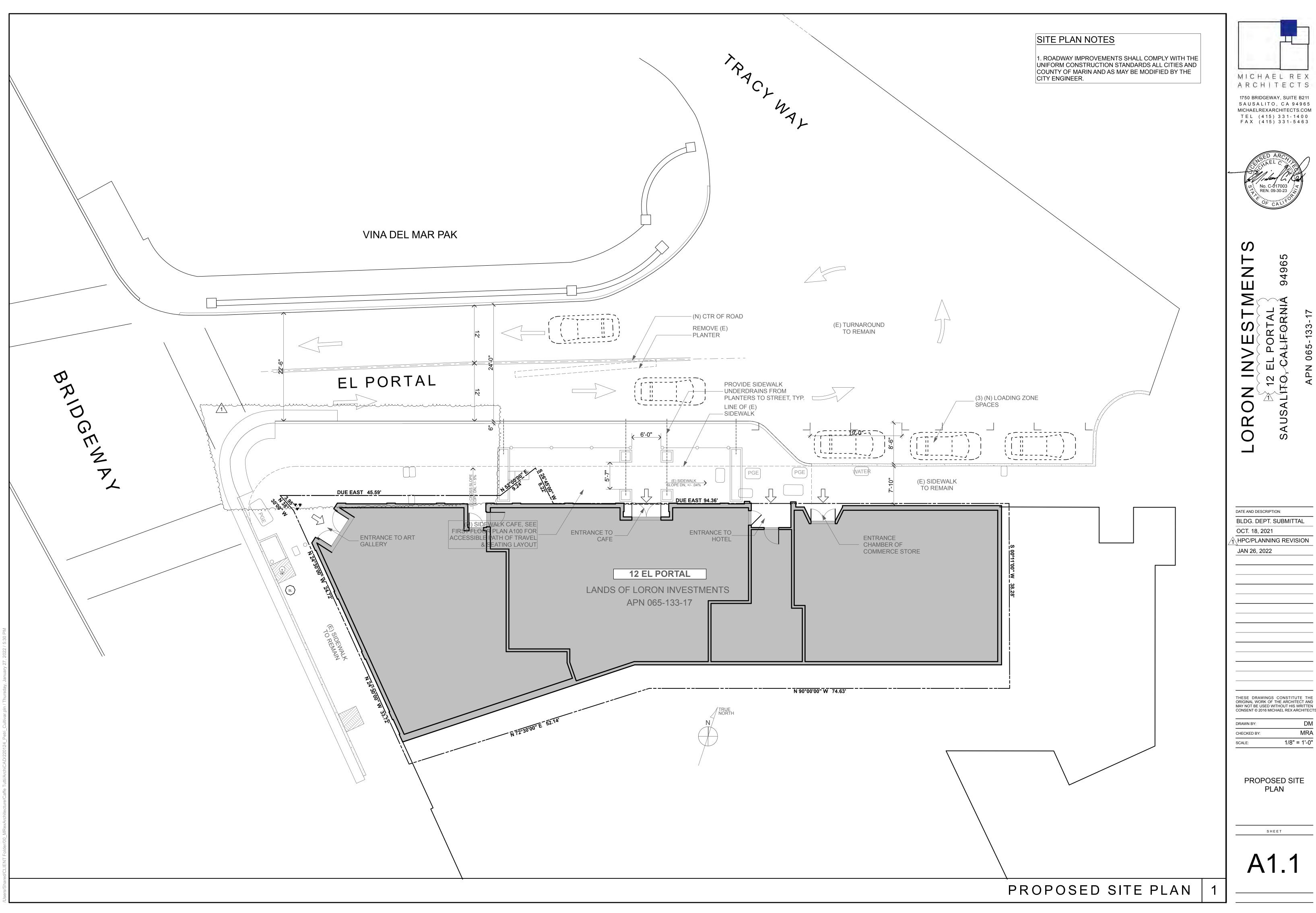
This is not a demolition application and therefore this finding is not applicable.

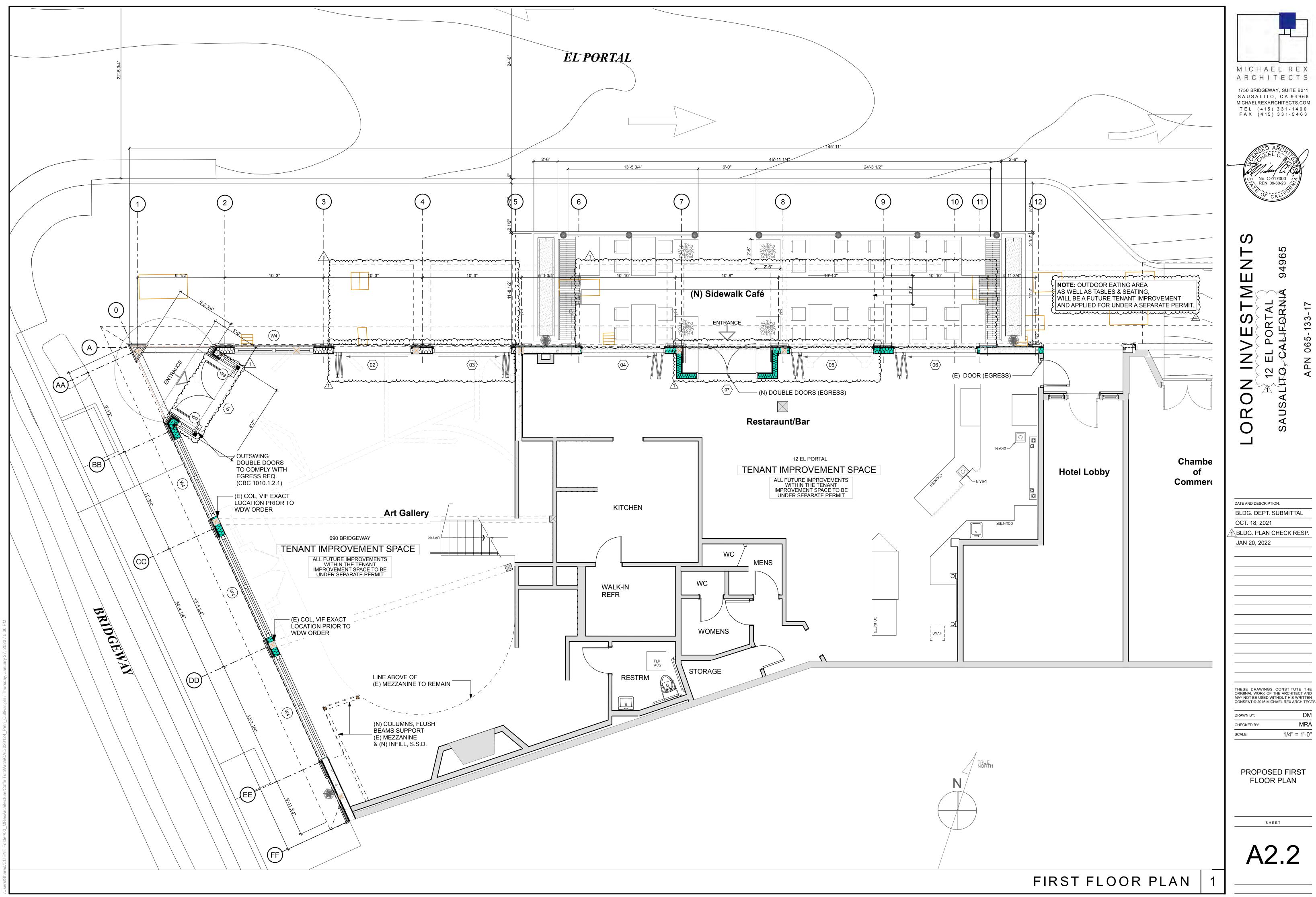
### ${\bf HISTORIC\ PRESERVATION\ COMMISSION\ RESOLUTION\ NO.\ 2021-04}$

July 22, 2021 12 El Portal and 690 Bridgeway APN: 065-133-17 PROJECT ID: 2021-00131

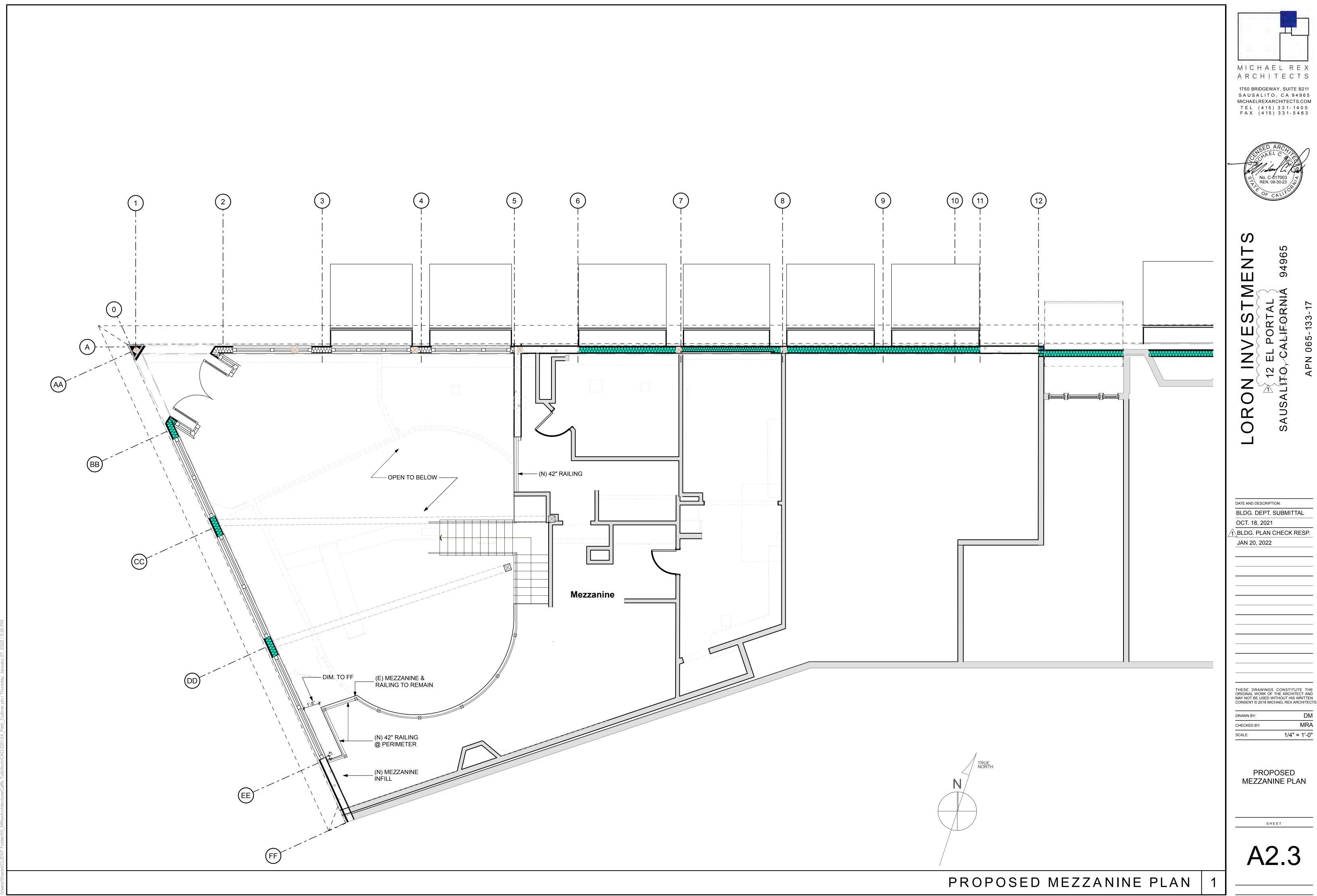
**EXHIBIT B: PROJECT PLANS** 

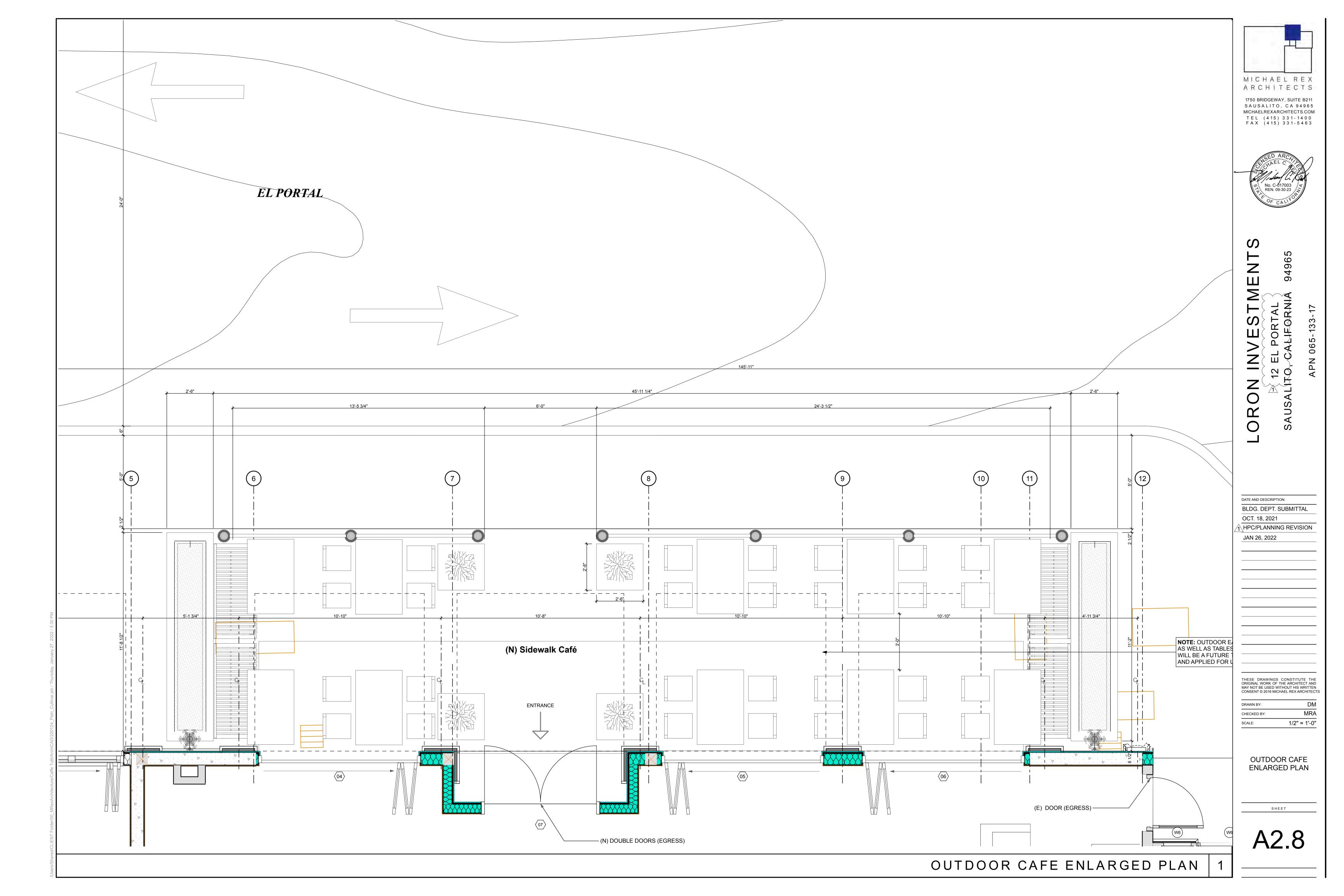


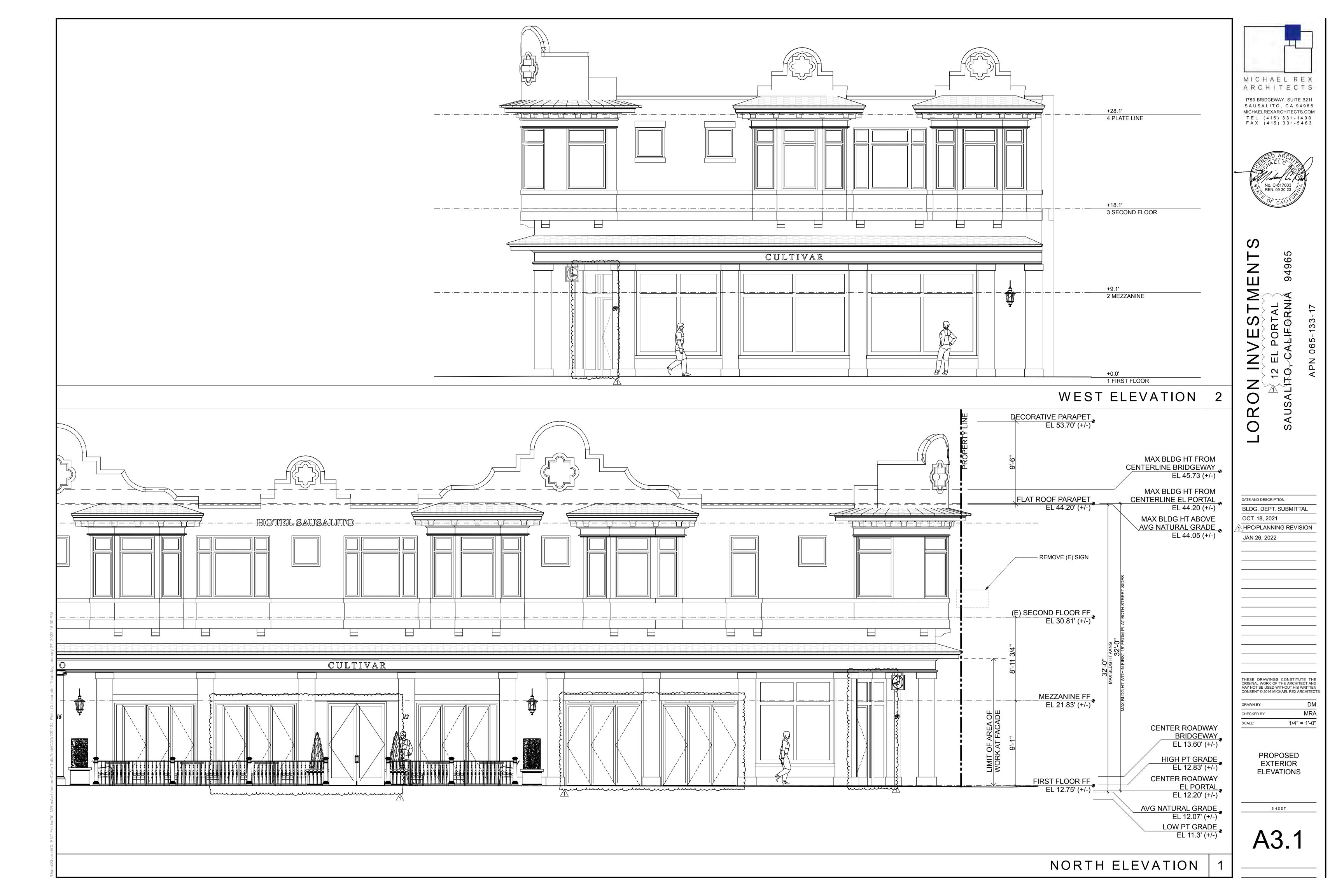


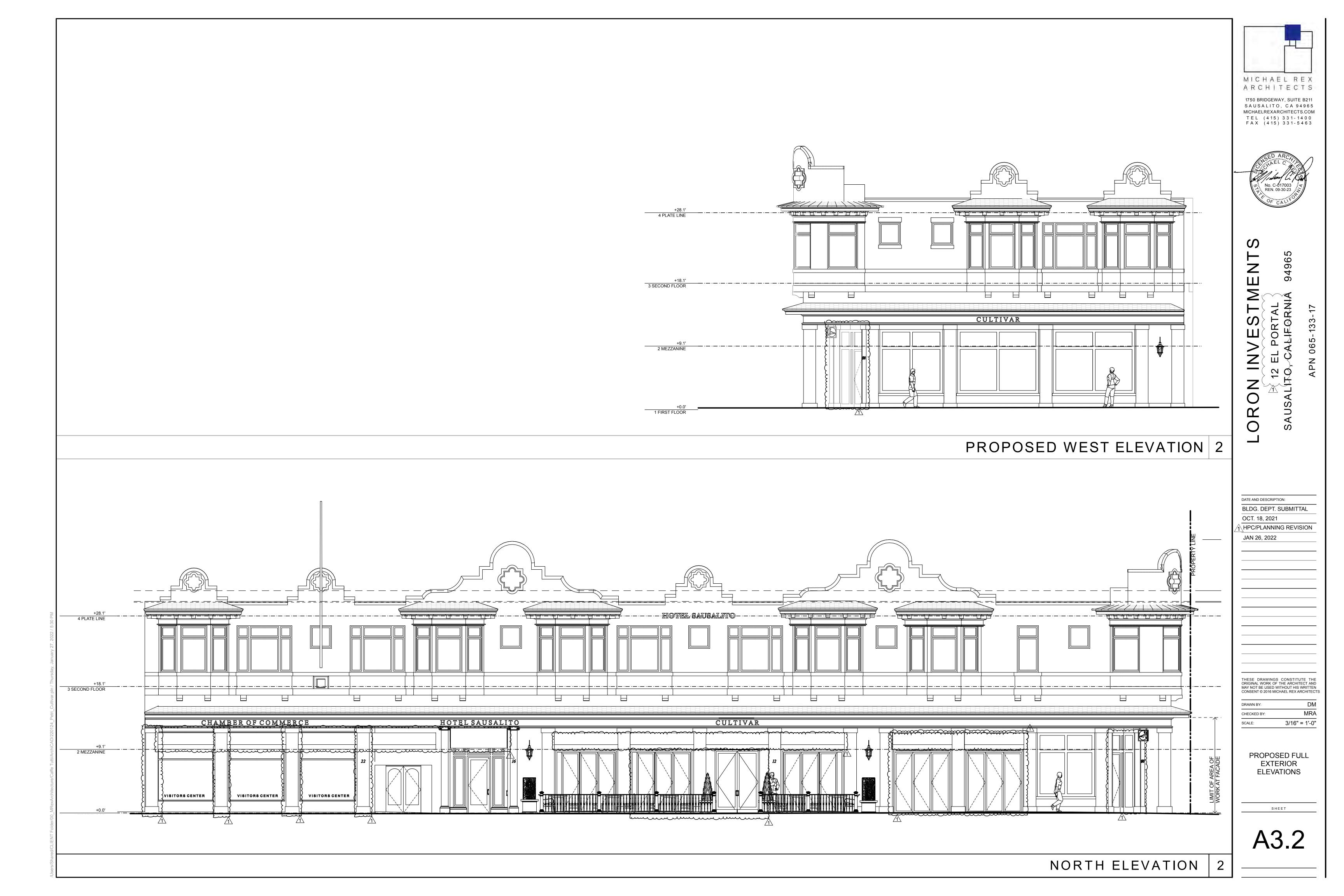


DM MRA











MODEL

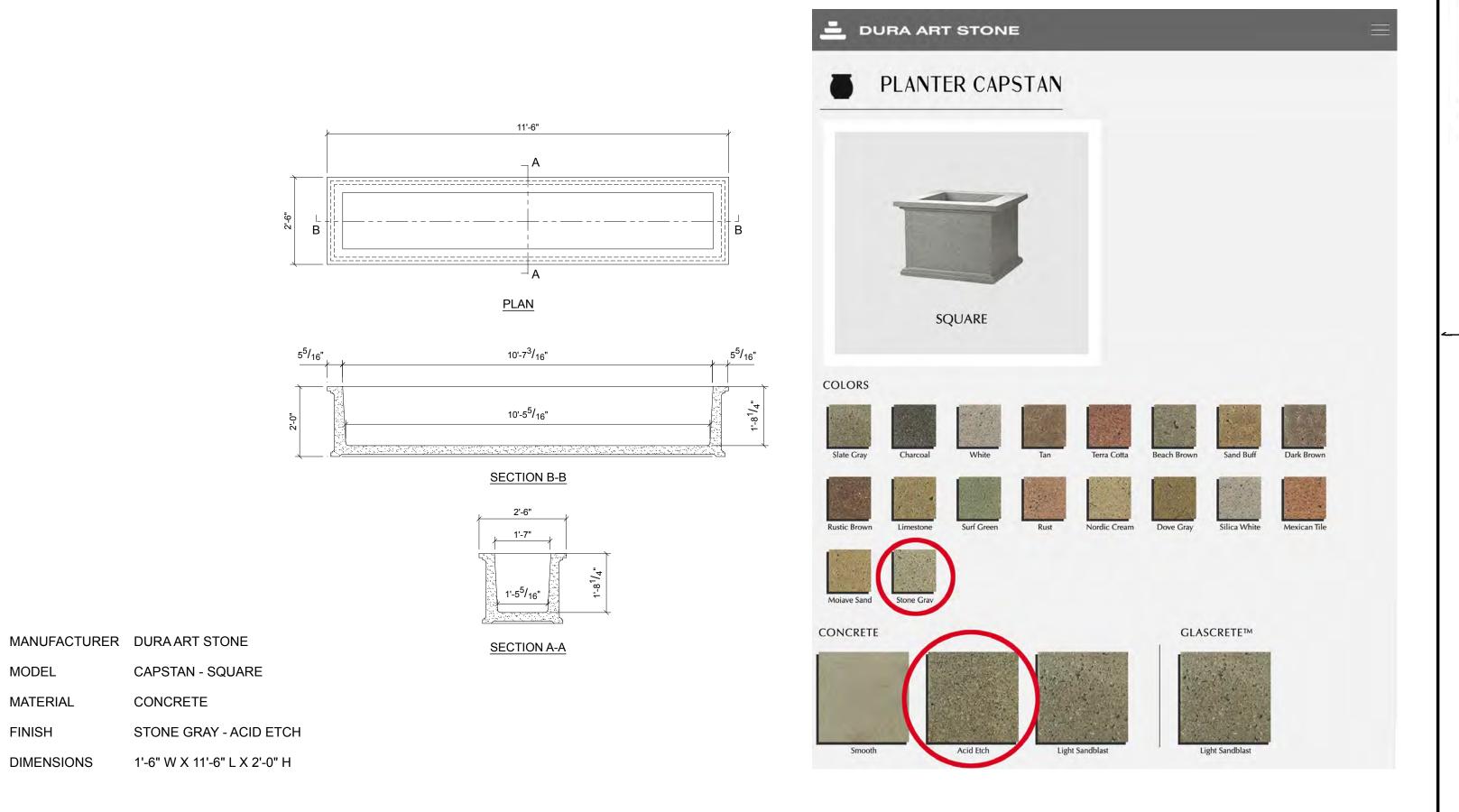
MATERIAL

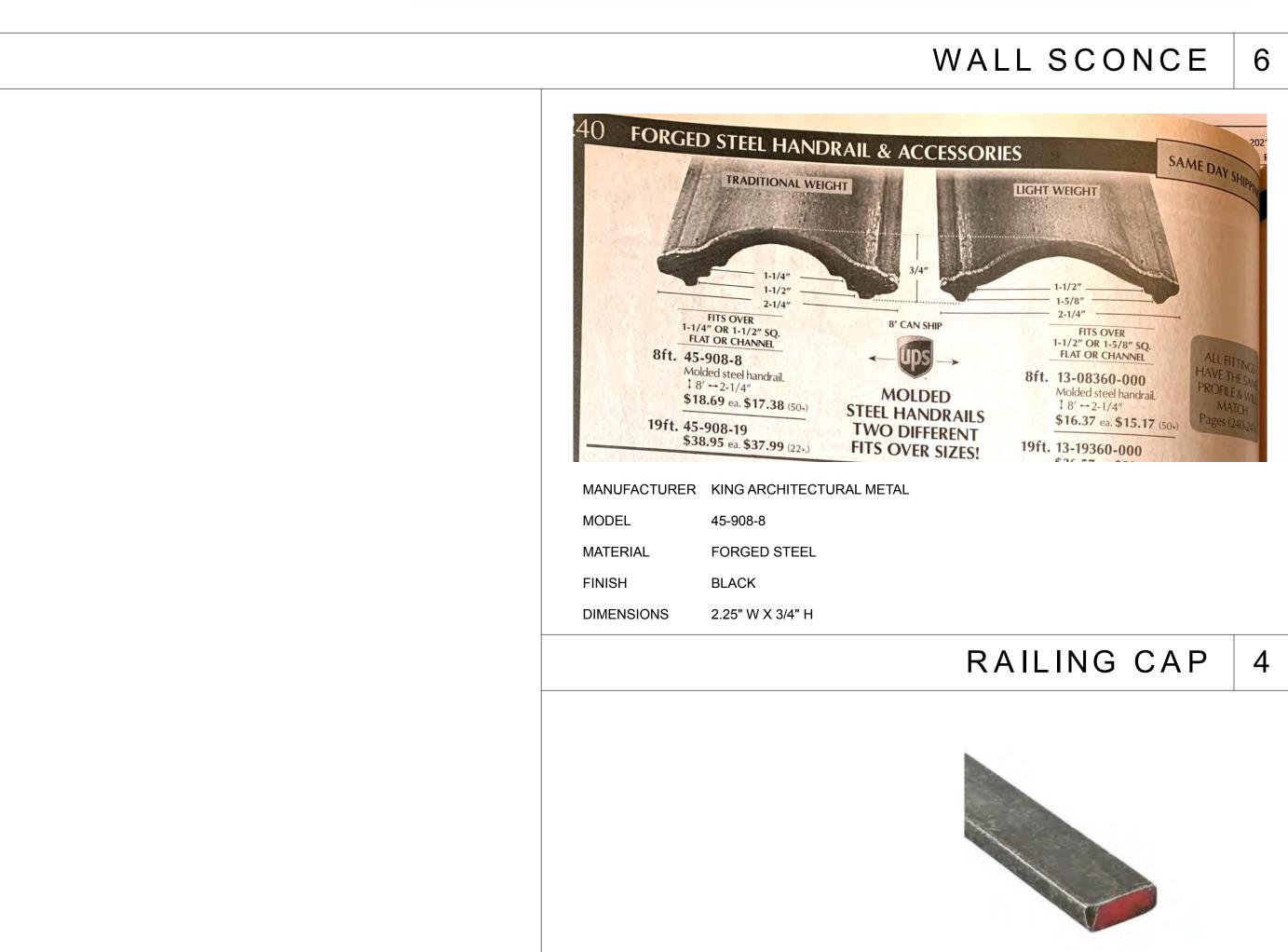
DIMENSIONS

MODEL

MATERIAL

FINISH





MANUFACTURER KING ARCHITECTURAL METAL

BLACK

67-12X112-20

FORGED STEEL

1.5" W X 1/2" H

TOP & BOTTOM RAILING 3

MODEL

**FINISH** 

MATERIAL

**DIMENSIONS** 

MANUFACTURER LIGHTING INNOVATIONS

BP1403

SOLID BRASS/GLASS

OILED BRONZE

14" W X 36" H

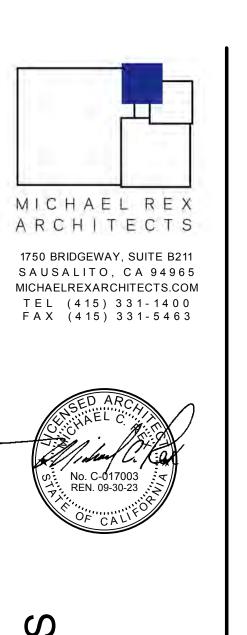
MODEL

**FINISH** 

MATERIAL

**DIMENSIONS** 





PLANTERS

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MRA CHECKED BY:

NTS

OUTDOOR CAFE **ELEMENTS FOR COA** APPROVAL

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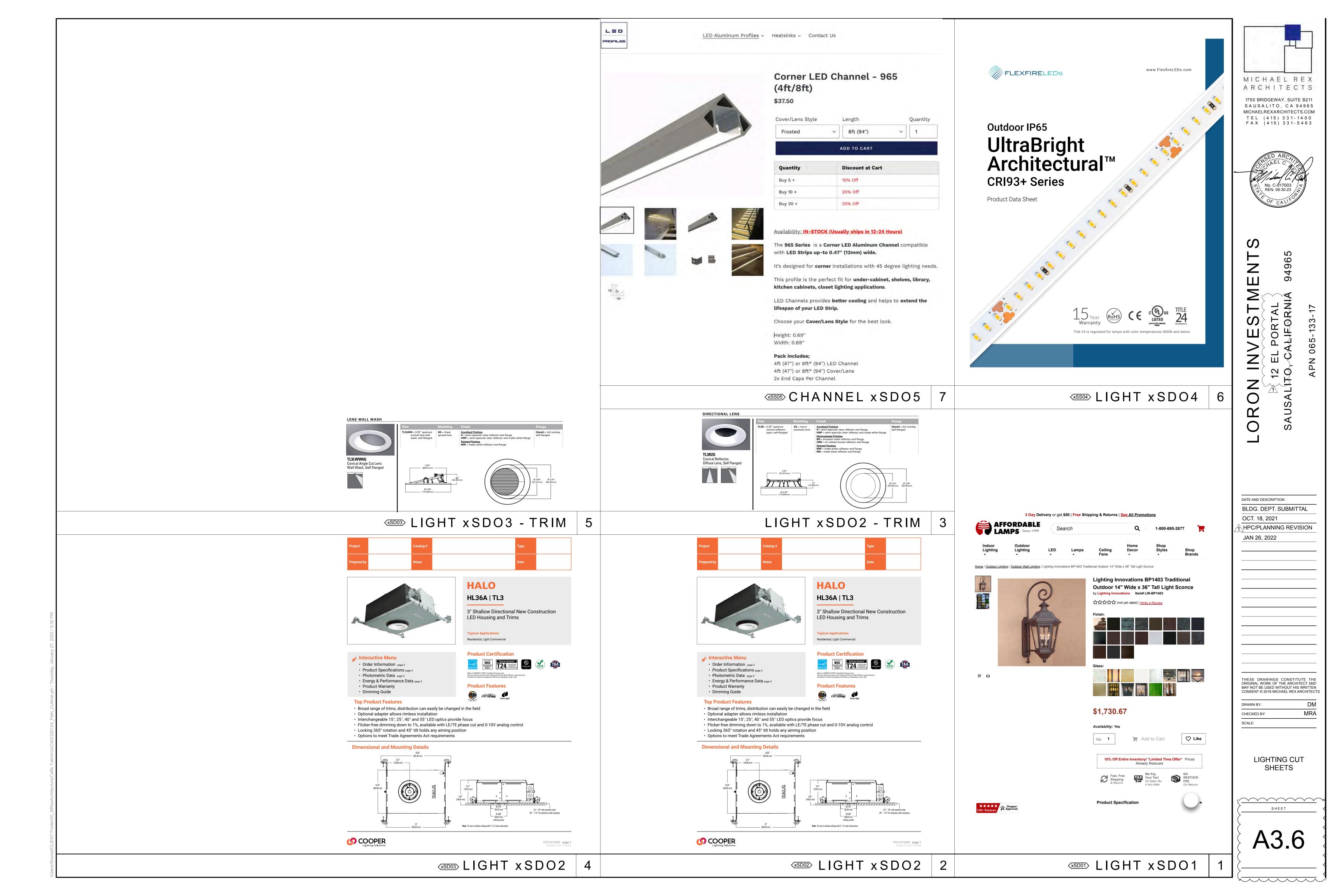
MRA

CHECKED BY: MRA
SCALE: AS NOTED

LIGHTING KEY ELEVATIONS

SHEET

A3.5



### **GROUND LEVEL BUSINESS: CULTIVAR RESTAURANT**

PER SMC SECTION 10.42.070.H.2 GENERAL REGULATIONS, THE MAXIMUM COMMERCIAL SIGNAGE ALLOWED FOR GROUND LEVEL BUSINESS ALONG EL PORTAL: 93'-4 1/2" = 93.38 ft street frontage x 1/2 sf = 46.69 sf

TOTAL PROPOSED SIGN AREA: SIGN #3 3.87 sf

> SIGN #11 0.30 sf

### SIGN TYPE: WALL SIGN FOR BUSINESS IDENTIFICATION

TEXT: "CULTIVAR" SIGN MATERIAL: PTD. SOLID ALUMINUM LETTERS INDIVIDUALLY APPLIED TO THE STUCCO WALL

COLOR: SEMI-GLOSS BLACK

FINISH

MAXIMUM ALLOWED LETTER HT: 12 in OR 8 in IF ALL CAPS PROPOSED LETTER HT: 7 1/2 in ALL CAPS MAXIMUM ALLOWED PROJECTION FROM WALL SURFACE: 4 in

PROPOSED PROJECTION FROM WALL SURFACE: 1 1/4 in

#### PER SMC SECTION 10.42.070.I FOR WALL SIGNS MAXIMUM SIGNABLE AREA ALLOWED: 15% OF THE BUSINESS FACADE

15% x 1421.94 sf = 213.29 sf MAXIMUM INDIV SIGN AREA ALLOWED FOR GRND LEVEL BUSINESS: 40% OF THE SIGNABLE AREA 40% x 85.98 sf = 34.39 sf

MAXIMUM ALLOWED LENGTH OF SIGNAGE IS 75% OF SIGNABLE AREA WIDTH >> 75% x 93.38 ft = 70.04 ft BUT FOR SINGLE TENANT MAXIMUM LENGTH OF SIGNAGE IS 2/3 OF THE TENANT STOREFRONT WIDTH:  $2/3 \times 93.38 \text{ ft} = 62.25 \text{ ft}$ 

PROPOSED LENGTH = 6.21 ft PROPOSED AREA = 3.87 sf

SIGN TYPE: ADDRESS SIGN

# TEXT: "12"

SIGN MATERIAL: PTD. SOLID ALUMINUM LETTERS INDIVIDUALLY APPLIED TO THE STUCCO WALL FINISH COLOR: SEMI-GLOSS BLACK

PROPOSED LETTER HT: 5 in PROPOSED AREA: .30 sf

PROPOSED LENGTH = 6.21 ft PROPOSED AREA = 3.87 sf

## SIGN TYPE: HANGING SIGN FOR BUSINESS IDENTIFICATION

SEE SIGN ELEVATION DRAWING FOR SIGN GRAPHIC

MAXIMUM ALLOWED AREA OF SIGN: 4.0 sf

PROPOSED AREA = 2.51 sf

SIGN TYPE: ADDRESS SIGN

SIGN MATERIAL: PTD. SOLID ALUMINUM LETTERS INDIVIDUALLY APPLIED TO THE STUCCO WALL FINISH

PER SMC SECTION 10.42.070.H.2 GENERAL REGULATIONS, THE MAXIMUM COMMERCIAL SIGNAGE

SIGN MATERIAL: PTD. SOLID ALUMINUM LETTERS INDIVIDUALLY APPLIED TO THE STUCCO WALL

MAXIMUM INDIV SIGN AREA ALLOWED FOR GRND LEVEL BUSINESS: 40% OF THE SIGNABLE AREA

MAXIMUM ALLOWED LENGTH OF SIGNAGE IS 75% OF SIGNABLE AREA WIDTH >> 75% x 54.35 ft =

40.76 ft BUT FOR SINGLE TENANT MAXIMUM LENGTH OF SIGNAGE IS 2/3 OF THE TENANT

ALLOWED FOR GROUND LEVEL BUSINESS ALONG BRIDGEWAY:

 $54'-4 \frac{1}{4}'' = 54.35 \text{ ft street frontage x } \frac{1}{2} \text{ sf} = 27.18 \text{ sf}$ 

SIGN TYPE: WALL SIGN FOR BUSINESS IDENTIFICATION

MAXIMUM ALLOWED LETTER HT: 12 in OR 8 in IF ALL CAPS

PROPOSED PROJECTION FROM WALL SURFACE: 1 1/4 in

PER SMC SECTION 10.42.070.I FOR WALL SIGNS

MAXIMUM ALLOWED PROJECTION FROM WALL SURFACE: 4 in

MAXIMUM SIGNABLE AREA ALLOWED: 15% OF THE BUSINESS FACADE

TOTAL PROPOSED SIGN AREA:

COLOR: SEMI-GLOSS BLACK

 $15\% \times 827.80 \text{ sf} = 124.17 \text{ sf}$ 

40% x 124.17 sf = 49.67 sf

STOREFRONT WIDTH:

2/3 x 54.35 ft = 36.23 ft

PROPOSED LETTER HT: 7 1/2 in ALL CAPS

3.87 sf

2.51 sf

0.50 sf

6.88 st

SIGN #1

SIGN #2

SIGN #10

COLOR: SEMI-GLOSS BLACK

PROPOSED LETTER HT: 5 in PROPOSED AREA: .50 sf

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SIGNAGE PROGRAM

**~~~~~** 

MRA

HPC/PLANNING REVISION JAN 26, 2022

DRAWN BY: CHECKED BY: SCALE: A3.8 A3.8 SIGN #1 SIGN #2--∕SIGN #10-54'-4 1/4"

SIGN #11-SIGN #3 93'-4 1/2"

SIGN #12

A3.8

XHAMZEEXXOF COMMERCZ

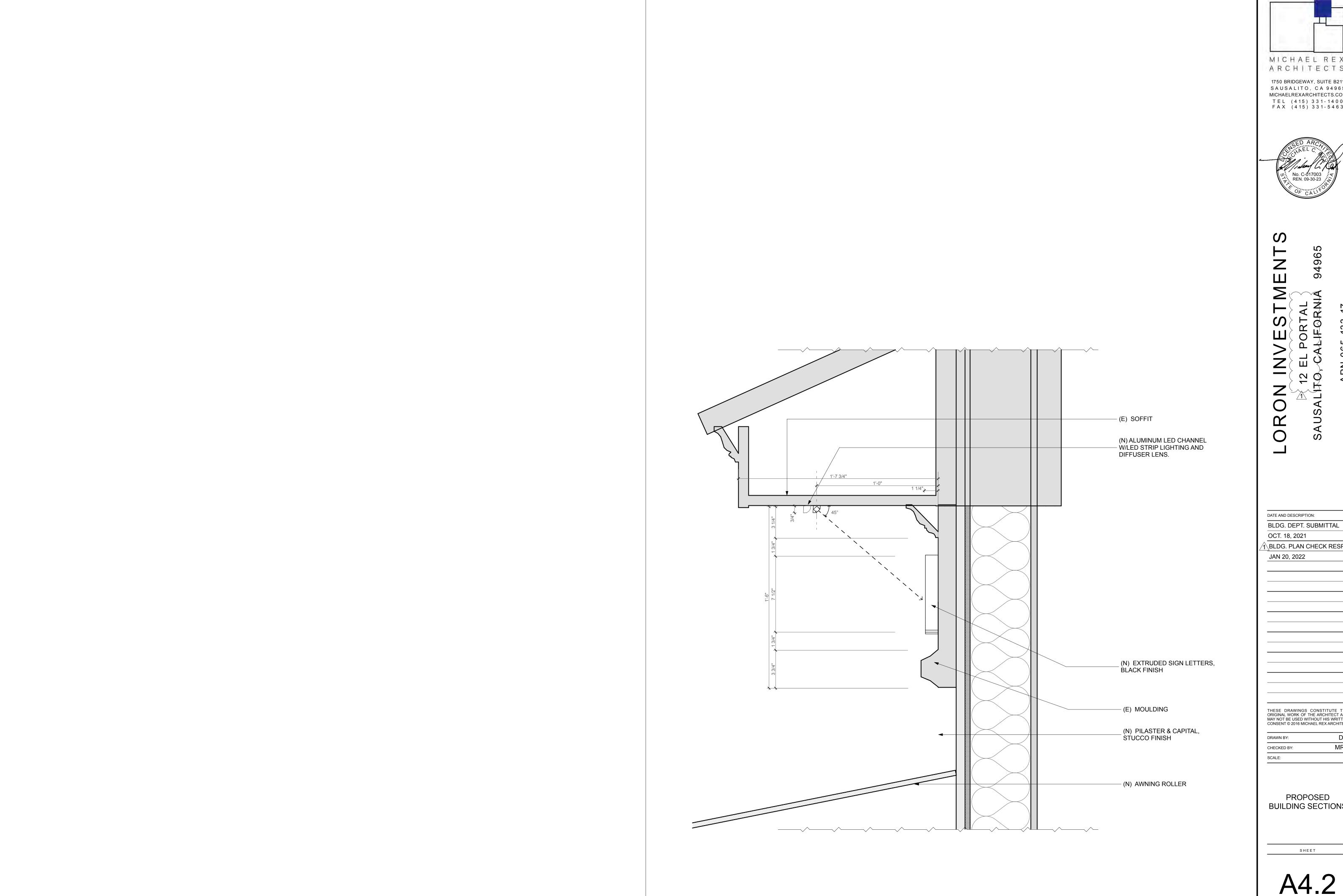
SIGN #8 SIGN #7 SIGN #13 SIGN #5-

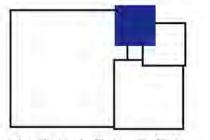
SIGN #6

A3.8

HOTEL SAUSALITO

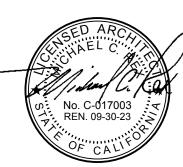






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PROPOSED BUILDING SECTIONS

SHEET







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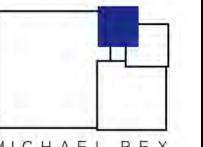
RENDERINGS

A9.1



3D PROPOSED RENDERING - CORNER 2





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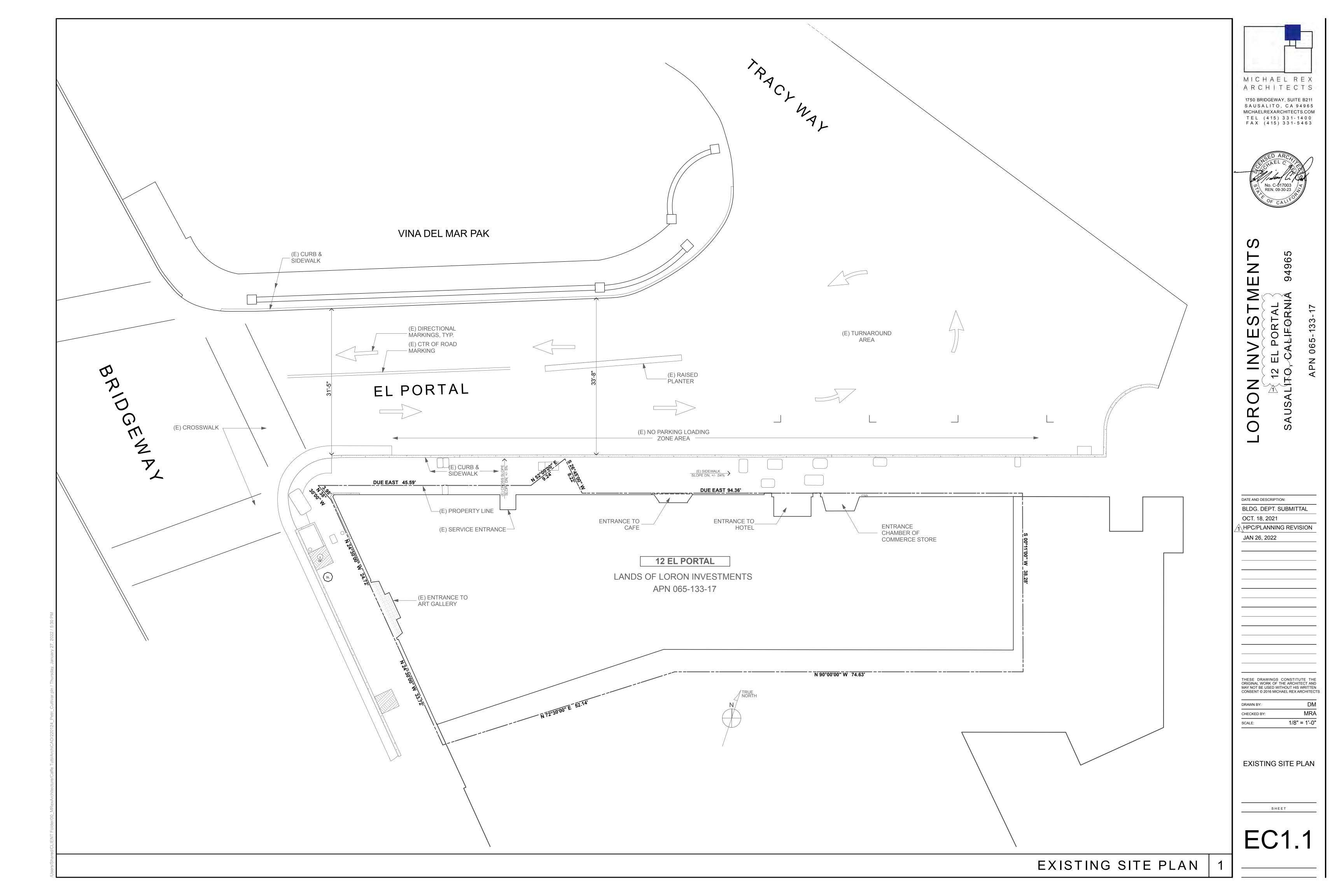
LORON

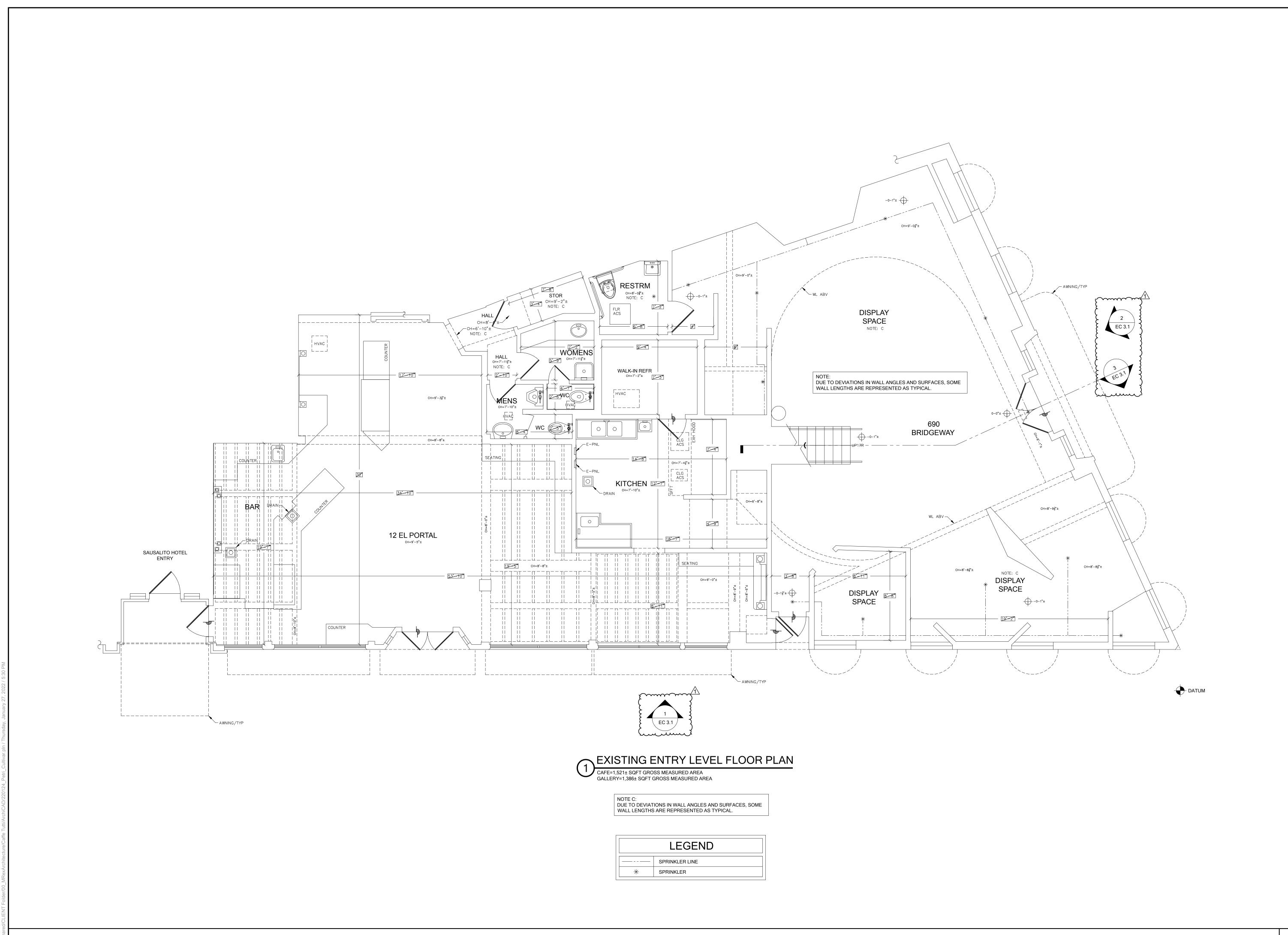
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RENDERINGS

A9.2





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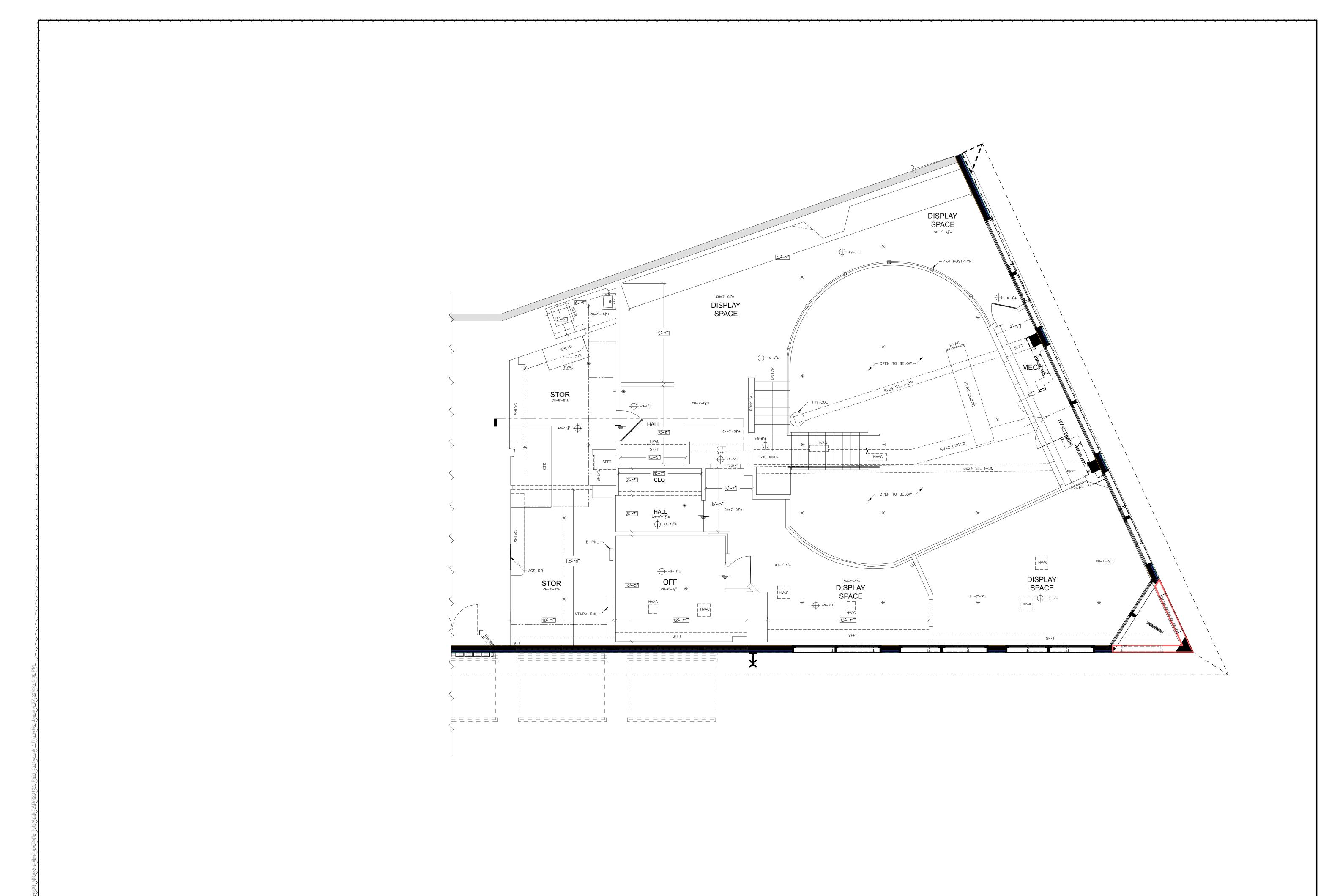
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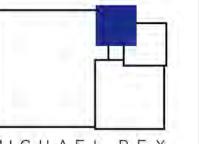
1/4" = 1'-0"

EXISTING FIRST FLOOR PLAN

SHEET

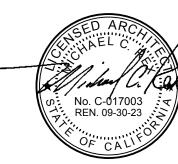
EC2.1





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 DM

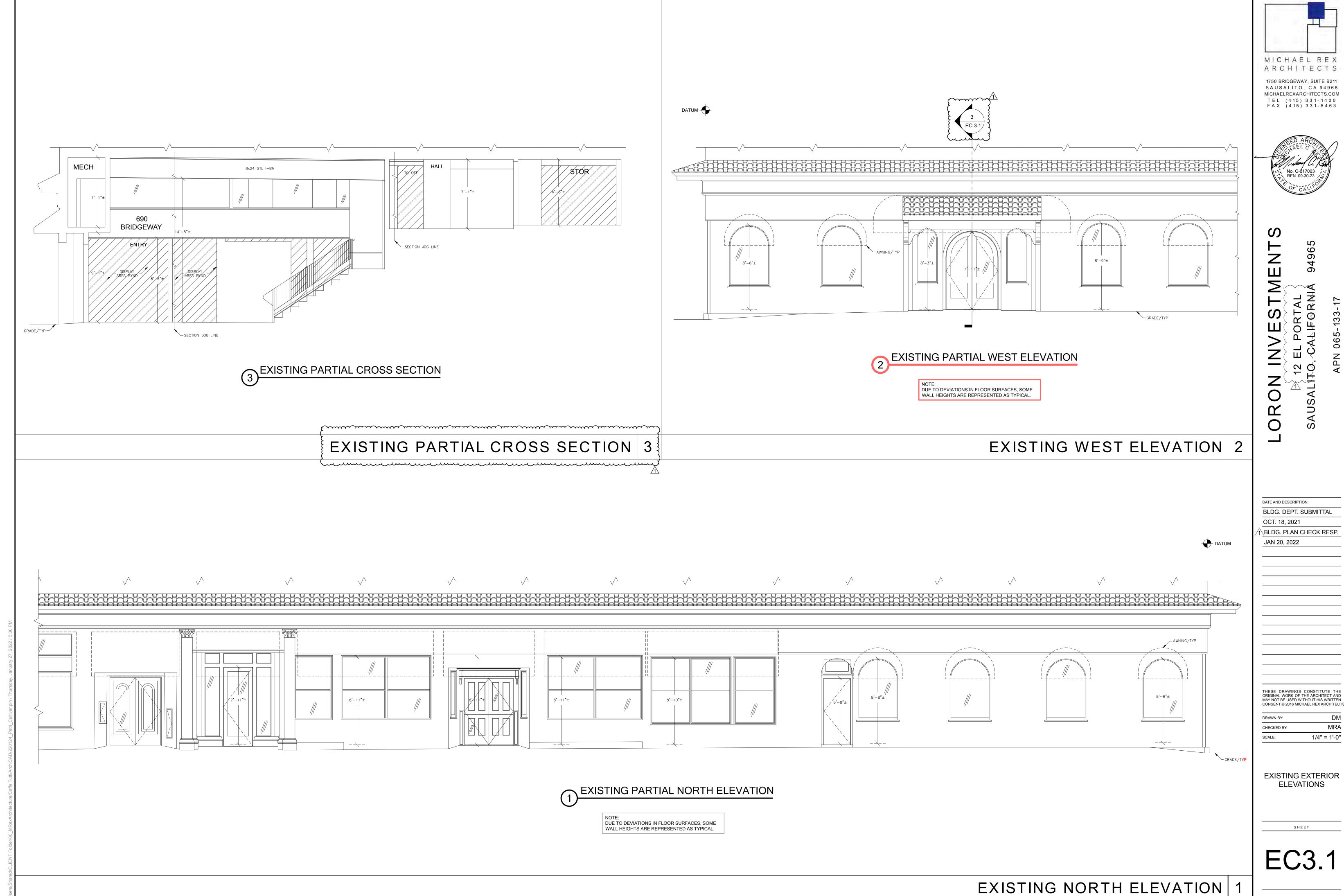
 CHECKED BY:
 MRA

 SCALE:
 1/4" = 1'-0"

EXISTING MEZZANINE PLAN

SHEET

EC2.2



BLDG. PLAN CHECK RESP.

MRA 1/4" = 1'-0"

