RESOLUTION NO. 2022-13

RESOLUTION OF THE SAUSALITO PLANNING COMMISSION APPROVING A DESIGN REVIEW PERMIT, MINOR USE PERMIT, ENCROACHMENT AGREEMENT AND CONDITIONAL USE PERMIT FOR EXTERIOR RENOVATIONS TO THE STORE FRONTS OF THE CAFÉ AND SIDEWALK DINING AT 12 EL PORTAL AND 690 BRIDGEWAY (DR-MUP-EA-CUP 2022-00100)

WHEREAS, on May 25, 2022 an application was filed by the applicant, Michael Rex on behalf of property owner Loron Investments – Pete Petri, requesting Planning Commission approval of a Changes to an Approved Design Review Permit for modifications to the exterior of the existing building storefronts, a Minor Use Permit for expanded outdoor dining located within an expanded public sidewalk along El Portal; and recommendation to the City Council for Conditional Use Permit Amendment for alcohol sales to the expanded restaurant and approval of an Amendment to an Encroachment Agreement for outdoor sidewalk seating, metal stanchions with a swag of rope or chain, fixed projecting awnings, and freestanding planter boxes in the City's right-of-way, at 12 El Portal and 690 Bridgeway (APN 065-133-17); and

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

WHEREAS, the Historic Preservation Commission conducted a duly-noticed public hearing on June 15, 2022 at which time all interested persons were given an opportunity to be heard, and, the Historic Preservation Commission considered the information contained in staff reports and the Certificate of Appropriateness Application and found that the required findings listed in Sausalito Municipal Code Section 10.46.060.F could be made regarding exterior renovations to an existing building, and approved a Certificate of Appropriateness for the project located at 12 El Portal and 690 Bridgeway 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, a Minor Use Permit for Sidewalk Dining, and a recommendation to the City Council on the Amended Conditional Use permit for alcohol sales to the expanded restaurant and Encroachment Agreement for fences and dining tables to be placed in the public right-ofway; and

WHEREAS, the Planning Commission conducted duly noticed public hearing on

June 15, 2022, at which time all interested persons were given an opportunity to be heard and the Planning Commission considered the information contained in the application materials, the staff report, and found that the required findings listed in 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 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 and Subdivision Regulations.

NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES:

Section 1. A Design Review Permit for modifications to the exterior of the existing building storefronts, a Minor Use Permit for Sidewalk Dining, 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" date-stamped received on May 25, 2022 in Attachment 4.

Section 2. The Planning Commission recommends City Council approval of an Conditional Use Permit for alcohol sales to the expanded restaurant, an Encroachment Agreement for outdoor sidewalk seating, metal stanchions with a swag of rope or chain, fixed projecting awnings, and freestanding planter boxes in the City's right-of-way, based upon the attached findings in Attachment 1, subject to the attached conditions of approval in Attachment 3, and as shown in the project plans date-stamped received on May 25, 2022 in Attachment 4.

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Sausalito Planning Commission on the 15th day of June, 2022, by the following vote:

AYES:

Commissioner: Saad, Graef, Luxenberg, Junius, Chair Feller

NOES:

Commissioner:

ABSENT:

Commissioner:

ABSTAIN:

Commissioner:

Daniel Hortert, AICP Secretary to the Planning Commission

ATTACHMENTS

- 1. Findings
- 2 Certificate of Appropriateness, issued June 15, 2022
- 3. Conditions of Approval
- 4. Approved Project Plans and Elevations

SAUSALITO PLANNING COMMISSION NO. 2022-13 JUNE 15, 2022 12 EI PORTAL AND 690 BRIDGEWAY DR-MUP-EA-CUP 2022-00100

ATTACHMENT 1: FINDINGS

1. DESIGN REVIEW PERMIT FINDINGS

DESIGN REVIEW FINDINGS

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 as part of this request have been analyzed and comply with LU-21.

 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 storefront 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.
- The strong lintel above the transom windows is preserved.
- 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 outward swinging doors, and increase safety. The new bi-fold doors will provide extra wide points of building ingress/egress and facilitate emergency access to and from 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 space 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
 - 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 District 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 not applicable.

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 not applicable.

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 round tables and umbrellas, metal stanchions with a swag of rope or chain in between, which can be readily removed later if changes to the CA Alcoholic Beverage Control (ABC) requirements for an enclosure around outdoor dining areas occurs.

In addition, two street trees are proposed at the new sidewalk extension.

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 wall-mounted light fixtures, shown on the project's exterior elevations, are designed 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 proposes to add two trees at the sidewalk extension and does not impact existing trees or natural features and, therefore, this finding is not applicable.

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 not applicable.

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.

Amendment to Encroachment Agreement

Staff Comment

 The necessary sidewalk passage per Department of Public Works standards around the proposed Outdoor dining area will be maintained.

- Many restaurants Downtown are allowed Outdoor dining on the public sidewalks in areas that are more constricted in size.
- Dining outside on the sidewalk is encouraged in Sausalito to enliven the street, make it more visually active and appealing, enhance the economic vitality of the commercial district, and promote the success of local businesses.
- This proposed Outdoor dining area will visually enhance the appearance of the Sausalito Hotel & vicinity.
- The proposed use is consistent with the City's current intent to revitalize its Downtown business district and make it more pedestrian oriented and user friendly.
- B. The encroachment will not adversely affect the usability or enjoyment of adjoining parcels nor create or extend an undesirable land use precedent.

Staff Comment

- The adjoining parcel is about 50 ft. away from the proposed Outdoor dining area, which is unusual in the Downtown district.
- There already is a well-established precedent for allowing sidewalk dining.
- Many sidewalk dining areas in downtown look somewhat temporary in nature, or are in congested, or poorly defined or contained areas. This Outdoor dining area is a well-established and appropriate looking use for public right-of-way, in an area that is ample, well defined, and well contained, without compromising the public's use of the right-of-way, or their ability to pass by safely (See Sheet A2.2 Proposed First Floor Patio Plan).
- C. The encroachment is necessary to the reasonable use and enjoyment of the property and the extent of the encroachment is justifiable.

Staff Comment

- Adding additional seating outdoors fronting the restaurant that this encroachment allows, will add to the economic viability and health of the restaurant, helping to ensure it success and longevity, along with a greater and continual contribution to the City's sale tax dollars. Allowing this encroachment benefits all concerned the local business community, the City, the residents and visitors.
- D. The proposed encroachment will not adversely affect the public circulation nor create or constitute a hazard to public safety.

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.
- 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.

Staff Comment

The only significant cost of the improvements within the public right-of-way is the
wider sidewalk, and the additional tables, chairs, and planters; none of which is
so substantial that the cost would prejudice the revocation of the Encroachment
Permit in the future.

Amendment to Minor Use Permit

10.58.050 Findings

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

Staff Comment

The proposed Outdoor dining area is allowed under SMC Section 10.44.220 Restaurants – Outdoor dining area, because the use conforms to the following:

- Sub-section A. Purpose. All 6 specific purposes listed therein.
 - 1. To meet the desires of Sausalito residents to dine outdoors;
 - 2. To provide for the use of public sidewalks for outdoor dining consistent with the public's preeminent right to use the right-of-way for public passage and travel;
 - 3. To provide for improved business to restaurants and surrounding businesses;
 - 4. To allow Sausalito restaurants to be competitive with restaurants in neighboring communities that provide for outdoor dining;
 - 5. To protect the economic and social health and safety of Sausalito; and
 - 6. To provide a process for restaurant owners to request and obtain sidewalk dining encroachment permits.

- Sub-section C. Sidewalks. 3. Conditions a.- k.
 - a. The construction of a new 5 ft. wide sidewalk around the proposed Outdoor dining area provides a safe passage for pedestrians that is one foot wider than the required 48" minimum width. The perimeter planter boxes and metal stanchions with a swag of rope or chain in between will prevent tables, chairs, and diners from spilling out and encroaching into the 5 ft. wide pedestrian passageway.
 - b. Sheet A2.2 of the plan set showing the Outdoor dining area has been provided to illustrate the location of the tables and chairs, which will be immediately adjacent to the restaurant that serves it.
 - c. The dining area will be kept clean and free of debris by the management of the restaurant adjacent to the Outdoor dining.
 - d. Food service will be provided at the Outdoor dining area. Beverages, including beer, wine, and spirits will also be served.
 - e. The applicant will obtain the required liability insurance that will name the City as an additional insured, which will remain in force during the period of the Minor Use Permit.
 - f. The applicant will enter into a sidewalk dining Encroachment Agreement with the City, which includes indemnifying the City and holding it harmless from liability arising out of the Outside dining use.
 - g. The management of the dining area will adhere to the orderliness defined in this Condition, including removing the tables and chairs from the outdoor area when the restaurant is closed.
 - h. The applicant acknowledges the preeminence of the sidewalk for the public's right to use the sidewalk for passage and travel, such that the dining use is revocable if it conflicts with any public use.
 - i. The applicant will pay the City's annual permit fee for the Outdoor dining use.
 - j. The applicant will comply with State Alcoholic Beverage Controls and Marin County Health standards.
 - k. The Minor Use Permit is subject to permanent revocation by the City at any time.
- Sub-section C. Sidewalks. 5. Alcoholic Beverages. The applicant requests City Council approval to serve beer, wine, and spirits at the Outdoor dining area through the approval of a Conditional Use Permit outlined below.
- Sub-section D. Capacity of Outdoor Eating Area. While the proposed Outdoor dining area has more than 5 tables and a capacity greater than 20 people, it is not located on private property where this section applies.
- Sub-section E. Parking. Because the proposed Outdoor dining area is located in the public right-of-way, it is exempt from additional parking requirements. For

reference, historic records indicate that the restaurant use is grandfathered for twenty-two (22) parking spaces however, demand based on seating capacity is only nineteen (19).

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

Staff Comment

- For consistency with the General Plan, see Finding 1. above for Design Review Permits. For compliance with the Sausalito Zoning Ordinance (SZO), see Finding A. above for Minor Use Permits.
- The proposed Outdoor dining area is consistent with SZO Section 10.24.020 (Additional Purposes) in the Central Commercial Zoning District, because it:
 - Serves both Sausalito residents and visitors.
 - b. Helps to maintain an inviting shopping environment for visitors and residents, utilizing the area's natural attributes.
 - c. Promotes ground-floor retail business with upper-floor residential (hotel) uses.
 - d. Maintains the continuity of a continuous retail frontage.

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

Staff Comment

- The widening of the sidewalk to accommodate the proposed Outdoor dining area and the new 5 ft. wide sidewalk and 6" wide curb, still allows at its narrowest point on El Portal, a 24 ft. wide street width, sufficient for two 12 ft. wide vehicular travel lanes, one in each direction. 12 ft. travel lanes are the ideal standard. 24 ft. is 4 ft. wider than the 20 ft. width preferred by the Fire Department.
- Personnel from Sausalito's Department of Public Works (the Department charged with regulating the use of public right-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.
- The proposed Outdoor dining area will include a new sidewalk that will replace
 the existing sidewalk that has too great a cross slope to comply with ADA
 standards. The new proposed sidewalk will conform to ADA standards, thus
 increasing public safety.

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

Staff Comment

• See the response to Findings A. & B. above for Minor Use Permits. Nothing in the proposed design conflicts with applicable provisions of the Zoning Ordinance.

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.

Staff Comment

El Portal in not a heavily traveled roadway for vehicles. It serves primarily as a loop road for vehicles south bound on Bridgeway to turn around and head back north. Its primary use is for vehicular access to the Inn Above Tide's parking court, and to serve as a loading zone for deliveries to the restaurant and two retail stores, and for hotel guests frequenting the Inn Above Tide and the Sausalito Hotel. Its width can adequately accommodate the wider sidewalk for the proposed Outdoor dining area, while preserving plenty of room for curb-side loading.

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.

Staff Comment

- The Sausalito Hotel's parcel along El Portal is approximately 150 ft. long. The length of the proposed Outdoor dining area is 51 ft., only one third of the building's total frontage. So, in terms of the subject property, it can easily accommodate the proposed dining area in a compatible manner.
- In addition to tables and chairs, the plan includes planter boxes and metal stanchions with a swag of rope or chain in between in an area that can readily accommodate such features, which will enhance the appearance of the use.
- The construction of a new 5 ft. wide sidewalk around the proposed dining area provides a safe passage for pedestrians that is one foot wider than the required 48" minimum width. The perimeter planter boxes and stanchions with a swag of rope or chain will prevent tables, chairs, and diners from spilling out and encroaching into the 5 ft. wide pedestrian passageway.

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.

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.
- The Department of Public Works has requested the project proponent direct overflow water from the proposed planter boxes to the curb in a pipe placed under the sidewalk, so water will not drain across the sidewalk and create a potential slipping hazard.
- A small drip irrigation line to the planter boxes will be provided, also placed under the new concrete sidewalk. 6" wide by 1½" thick electric heat strips will be installed on the exterior wall above the bi-fold doors to provide diners with some heat during cool weather. Low level LED tape lights will be installed on the underside of corner LED channels on the soffit to provide the Outdoor dining area with some additional illumination during evening dinner hours.
- H. The proposed use will not materially adversely affect nearby properties or their permitted uses.

Staff Comment

- The proposed Outdoor dining area only fronts the restaurant, so access will not be blocked to the entries to the previous art gallery space, Sausalito Hotel, or the Chamber's retail store. Nor will egress be blocked from the emergency exit doors along Bridgeway and the restaurant.
- I. Findings required by Chapter 10.44 SMC (Specific Use Requirements) for the approval of specific uses are made.

Staff Comment

See Finding A. for Minor Use Permit above.

Conditional Use Permit

The applicant is asking the Planning Commission to approve the transfer of a Type 47 liquor license to 12 El Portal for the Cultivar restaurant. A Type 47 license authorizes the sale of beer, wine and distilled spirits for consumption on the licensed premises. The

Planning Commission may approve or conditionally approve a conditional use permit for the sale of alcohol if the following findings can be made:

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 the Code.

Staff Comments

The proposed project complies with SMC Chapter 10.44.210(C) and Table 10.44-2.

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

Staff Comments

The proposed project is consistent with the General Plan as outlined above and complies with the requirements of SMC Chapter 10.44.210(C) and Table 10.44-2.

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

Staff Comments

The proposed use is in line with similar uses in the Downtown area of the City of Sausalito and will not affect the public health, safety, or general welfare of visitors and residents of the City.

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

Staff Comments

See answer to sub-section B. above.

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.

Staff Comments

The proposed use has historically been located at the project site. Although there have been clothing and art gallery uses, the original uses of the proposed space were a restaurant and lunch counter (part of the Rexall Drugs) that combined in 1962 to form a single restaurant and a small clothing store.

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.

Staff Comments

The mass and bulk of the building are not changing and will not have an adverse effect on the surrounding area. The lower façade of the existing structure will undergo minor alterations as part of this application. The project site is grandfathered for twenty-two (22) parking spaces however, demand based on seating capacity is only nineteen (19).

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.

Staff Comments

See response to comment G. under Amendment to Minor Use Permit above.

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

Staff Comments

The proposed use is similar to previous use of the site. The proposed project will enhance the surrounding opportunities for an upscale dining experience and the façade improvements will upgrade the historic nature of the district.

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

Staff Comments

See answer to sub-section B. above.

Sign Permit

In order to approve the Sign Permit, the Planning Commission must determine whether the project is in conformance with the following Sign Permit Findings (SMC 10.42.090.D) (Findings in italics, staff comments below each citation):

1. The proposed sign complies with all applicable provisions of the Zoning Ordinance.

Staff Comments

As analyzed above, the proposed sign complies with the applicable provisions of the Zoning Ordinance.

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

Staff Comments

As analyzed above, the sign is consistent with the applicable sign standards in SMC 10.42.060, including measurement of sign area and illumination.

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

Staff Comments

The sign will not adversely impact the public health, safety, or general welfare of the site or the surrounding neighborhood. The proposed sign has been reviewed by the HPC for conformity with the Historic Overlay District and found to be in compliance.

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

Staff Comments

The proposed wall signs will consist of 7 ½ inch black semi-gloss channel lettering, the hanging sign at the main entrance will consist of a copper panel with patinated finish and black raised restaurant logo (~2.5 s.f.), and the address signage will consist of black semi-gloss italicized numbers. Window signage will be white vinyl lettering. The color, design, and location are compatible with the mission-style architectural design of the building. Signage will be placed in the signband above the fixed awning along El Portal and in the signband along Bridgeway. The hanging sign will hang above the entrances and white vinyl lettering placed strategically on glass.

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

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

Staff Comments

The restaurant is located in the Central Commercial zoning district and Historic Overlay District. The buildings in the area have a commercial and historic character and the proposed signs are harmonious with the overall character of the area which has many existing commercial signs.

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

Staff Comments

The sign is restrained in both color and design. The applicant is proposing signage that is less square footage then that permitted by SMC 10.42. The resultant signage program is designed with straightforward black lettering and is sized appropriately.

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

Staff Comments

The signs are made of metal channel lettering and are proposing a design compatible with the existing building and will be placed within the signband. Other signage will be white vinyl letters on the windows treatments.

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.

Staff Comments

The sign is not for an establishment within a commercial or industrial center and, therefore, this finding is not applicable.

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.

Staff Comments

The proposed signage is not oriented towards any residential district and will not have an adverse effect on any residential district; therefore, this finding is not applicable.

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 onsite.

Staff Comments

The building sign serves to identify the name of the business and the type of activity being conducted on the premises.

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).

Staff Comments

The property is located within a designated historic district though is not on the local Register. The HPC has reviewed the signage as part of their review for the Certificate of Appropriateness and found the signage program consistent with the historic district sign guidelines.

- 10.46.060 (Property and Review Requirements)
- 4. Additional Findings for Sign Applications.
 - a. The proposed sign complies with all applicable provisions of Chapter 10.42 SMC (Sign and Awning Regulations);
 - See findings above for consistency with Chapter 10.42 (Sign and Awning Regulations)
 - b. Is consistent with the applicable sign standards and adopted guidelines, where applicable; and
 - See findings above for consistency with Chapter 10.42 (Sign and Awning Regulations)
 - 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.

Staff Comments

The color of the wall signs and address numbers are black semi-gloss and signage mounted on glass surfaces (window and bi-fold doors) is white vinyl and is compatible with the Mission-style architecture of the building.

SAUSALITO PLANNING COMMISSION NO. 2022-13 JUNE 15, 2022 12 EI PORTAL AND 690 BRIDGEWAY DR-MUP-EA-CUP 2022-00100

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions apply to the project plans prepared by Michael Rex Architects, datestamped May 25, 2022.

COMMUNITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION CONDITIONS OF APPROVAL:

- 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 <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.
- 3. The Minor Use Permit 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 Minor Use 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 10.58.120)
- 4. The <u>Encroachment Agreement</u> shall expire two years following the effective date of the agreement 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 Encroachment Agreement 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 10.56.130).
- 5. The <u>Conditional Use Permit</u> approval shall run 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.
- 6. 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.

- 7. 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 Planning Commission, with plan date of May 25, 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 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.
- 8. The proposed planter boxes (Sheet A3.4) and exterior lighting (Sheet A3.5 and A3.6) are approved upon review and approval of a Certificate of Appropriateness by the Historic Preservation Commission. If the Historic Preservation Commission issues a Resolution denying the Certificate of Appropriateness for the planter boxes and exterior lighting or directs design, size or location changes to planter boxes and/or exterior lights from those shown on Sheet A3.4 through A3.6, these items shall be reviewed by the Planning Commission through a modification to the Design Review Permit. The proposed planter boxes, guardrail and exterior lighting shall be submitted with application for a Certificate of Appropriateness in tandem with the proposed signage plan for review and action by the Historic Preservation Commission.
- **9.** The proposed signage (Sheet A3.7 and A3.8) has been reviewed for a Certificate of Appropriateness from the Historic Preservation Commission and the Planning Commission. All signage at the project site shall be consistent with the approved sign program.
- **10.** Pursuant to Table 10.44-2, a revision to the Conditional Use Permit is required for to serve alcoholic beverages for consumption on the premises. This approval does not authorize any alcohol service at the subject site unless it is expressly authorized by the City Council through the issuance of an encroachment permit.
- 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.** Approval of this project shall maintain the Outdoor Seating in the public right of way per Department of Public Works conditions and any conditions applied to the Encroachment Agreement by the Planning Commission and/or City Council.
- **13.** Any changes to the approved project shall be heard by the granting authority.
- **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.** 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.
- 16. 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.
- 17. 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.
- 18. 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.

- **19.** 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.
- 20. 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.
- 21. Once an Encroachment Agreement is approved and prior to installation and use of the permanent sidewalk dining, the applicant shall obtain a Sidewalk Dining Encroachment Permit from the Community Development Department as outlined in SMC Title 17 and shall meet the requirements of SMC 10.44.220.C, including all standard conditions of SMC 10.44.220.C.3., including the following:
 - a. Safe Passage. The sidewalk immediately adjacent to the restaurant shall have adequate space to accommodate tables and chairs and shall provide adequate safe passage along the sidewalk for pedestrian and wheelchair users of the sidewalk. Safe and adequate passage of 60 inches in width shall be provided both along the sidewalk and from the curb to the sidewalk (to provide for two pedestrians walking side by side or by a single wheelchair). No tables or chairs shall be placed or allowed to remain on any sidewalk that inhibit passage.
 - b. Location. The sidewalk dining shall only be located as depicted on the approved site plan dated May 25, 2022.
 - c. Cleanliness. Debris, litter or food matter shall be removed from the sidewalk, streets or surrounding property at least once each day during operating hours and at the timetables and chairs are removed from the sidewalk.
 - d. Food Service. The establishment obtaining the permit shall be engaged in food service and shall provide such service at the tables subject to the permit.
 - e. Insurance. The applicant shall obtain liability insurance with policy limits of at least \$500,000 per incident. The City shall be named an additional insured and the policy shall remain in force at all times that the permit is in effect.
 - f. Hold Harmless. The applicant shall enter into a sidewalk dining encroachment permit agreement prepared by and satisfactory to the City Attorney. The applicant shall agree to conform to these conditions and all applicable City ordinances. The applicant shall also agree to indemnify the City and hold the City harmless from and against all liability arising out of the applicant's activities under the permit or otherwise arising out of the

- applicant's placement of tables and chairs in the City sidewalk and/or from permitting the use of such tables and chairs by patrons or otherwise.
- a. Orderliness. All tables and chairs shall be removed from the sidewalk whenever the restaurant is closed or when the restaurant is not serving patrons on the sidewalk. The permit shall provide for the placement of tables and chairs for the use of diners only. The restaurant shall not be permitted to place any other structures or objects of any sort along or in the sidewalk. No entertainment shall be permitted along the sidewalk by the restaurant. No food preparation shall take place along the sidewalk, and no serving trays or bus stations shall be located along the sidewalk.
- h. Preeminence. The applicant shall acknowledge that its use of the sidewalk under the permit is subordinate to the public's right to use the sidewalk for passage and travel. The permit shall be revocable from time to time by order of the City to allow for a public event or other public use of the sidewalk subject to the permit or if the use of the sidewalk for dining purposes conflicts with any public use of the sidewalk. The applicant shall also acknowledge that the use of the sidewalk is subject to temporary suspension any time the City or any utility company or easement holder requires access to the sidewalk or any utility under the sidewalk or requires use of the sidewalk in conjunction with any construction project.
- i. Fee. The applicant shall be required to pay the City an annual permit fee, based on square footage of the permit area, as established by resolution of the City Council.
- j. Compliance with All Regulations. The applicant shall comply with all regulations of the City of Sausalito, the State Alcoholic Beverage Control and the County of Marin Department of Public Health, and any other agency that controls the operations of the restaurant.
- k. Revocable. All sidewalk dining minor use permits and sidewalk dining encroachment permits shall be subject to permanent revocation by the City at any time.
- Applicant shall work with the Planning commission Working Group to define lighter 22. colors for the metal canopies
- 23. The umbrella seating on the corner shall be reduced by eight (8) seats (2 tables) by removing the row closest to El Portal.
- 24. Provide a more permanent separation between the umbrella seating area and the sidewalk.
- Move the two proposed street trees adjacent to the umbrella seating along El Portal 25. closer to the structure and maintaining a minimum of five-foot (5') clear sidewalk space.

- 26. No vegetation is permitted to be grown on the metal canopies.
- 27. There shall consistently be a minimum of 5 feet clear at the sidewalk.
- 28. The existing lighting at the scalloped parapet area shall be put back to its originally intended lighting design.
- 29. An indoor seating plan shall be provided that shows adequate lavatory facilities for both the total number of seats both seating inside and outside.
- 30. Indoor hours of operations shall be 6am to 12am, Monday through Sunday, with outdoor dining area closing at 11pm.

DEPARTMENT OF PUBLIC WORKS CONDITIONS OF APPROVAL:

General Items

- 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.
- 2) 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.
- 3) Accessibility
 - a) Ensure 5' sidewalk width is still met with the inclusion of two new trees at new sidewalk extension and with additional planters.
 - b) Ensure umbrella (or any other protruding elements) be at least 80" min clear height.
 - c) Sheet A2.2 does not show western outside dining area with 5' wide accessible route. Please ensure accessible route is created and shown at building permit review.

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, storage of hazardous materials.

Right of Way Items

5) 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.
- 6) 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

- Prior to issuance of a Building Permit, applicant shall submit a video of the sanitary sewer lateral servicing 12 El Portal 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]
- 8) 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

- 9) 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 & 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 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.
- 10) Emergency vehicle access and access to adjacent properties shall be maintained at all times throughout the duration of this project.
- 11) 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.
- 12) 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.
- 13) 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.
- 14) All exterior lighting shall be shielded and downward facing.
- 15) Drainage from the planter boxes shall not drain onto the sidewalk.

SOUTHERN MARIN FIRE DISTRICT CONDITIONS OF APPROVAL:

Prior to Building Permit submittal:

- **1.** 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.

- 2. 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.
- **3.** An emergency egress plan is required for the proposed occupancy 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.
- **4.** 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.

- 5. 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.
- **6.** 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.
- With the exception of the Minor Use permit for outdoor dining, this approval does not approve any other 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 prior to or concurrent with building permit application.
- 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.

- Pursuant to Municipal Code Chapter 8.54, applicants shall submit a Recycling 8. 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 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.
- 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.
- Pursuant to SMC Section 12.16.140, the operation of construction, demolition, 11. 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.

- 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 sewer laterals shall be repaired prior to approval of the Building Permit.
- 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 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.
- Pursuant to City of Sausalito Resolution 5117, new private sewer construction shall

comply with the City of Sausalito Standard Specification.

SAUSALITO PLANNING COMMISSION NO. 2022-13 JUNE 15, 2022 12 EI PORTAL AND 690 BRIDGEWAY DR-MUP-EA-CUP 2022-00100

ATTACHMENT 3: PROJECT PLANS



Proposed Building Height: No Change

100% of Parcel Area

5,054 sf (85.2%)

No Change

5.932 sf x 1.0 = 5.932 sf

Max. Allowed Building Coverage:

Existing Building Coverage:

Proposed Building Coverage:

MILL VALLEY

TAMALPAIS

VALLEY \

PROJECT SITE

* SAUSALITC

SAN FRANCISCO

STINSON BEACH

PACIFIC OCEAN

PROJECT TEAM

LORON INVESTMENTS P.O. Box 558 Tiburon, CA 94920 PH 415-407-9660 Contact: Pete Petri E-mail: ppetri@plastikon.com MICHAEL REX ARCHITECTS Architect: 1750 Bridgeway, Suite B211

Sausalito, CA 94965 PH 415-331-1400 FX 415-331-5463

Contact: Michael Rex E-mail: rex@michaelrexarchitects.com,

Contact: Gregory Wallace

E-mail: gregory@gpwse.com

Gregory Paul Wallace, SE Structural Engineer: 5865 Doyle Street, Suite 112 Emeryville, CA 94608 PH 510-654-6903

Vincent Howes, GE #965 Salem Howes Associates, Inc.

General Contractor:

A9.3 RENDERINGS

1202 Grant Ave. STE F Novato, CA 94945 PH 415-892-8528 Contact: Vincent Howes E-mail: howesgeo@aol.com

Marshall White Construction

442 Houser St. #G Cotati, CA 94931 PH 707-793-9037 Contact: Marshall White

E-mail: marshall@marshallwhiteconstruction.com PRESERVATION ARCHITECTURE **Historical Consultant:**

> 446 17th Street, Suite 302 Oakland, CA 94612 PH 510-418-0285 Contact: Mark Hulbert E-mail: mhulbert@earthlink.net

Energy Consultant: Monterey Energy Group 26465 Carmel Rancho Blvd. #8 Carmel, CA 93923 PH 831-250-0314

E-mail: ryan@meg4.com CalGreen Consultant: SOLDATA Energy Consulting, Inc.

P.O. Box 8579 Santa Rosa, CA 95407 PH 707-545-4440 Ext. 206 Contact: Emilie Meisinger E-mail: emilie@soldata.com

Contact: Ryan Knight

SHEET INDEX

	ID	Name	
	A0.0	COVER SHEET	Ī
	A1.1	PROPOSED SITE PLAN	1
	A2.2	PROPOSED FIRST FLOOR PATIO PLAN	
	A3.1	PROPOSED EXTERIOR ELEVATIONS	Ī
	A3.2	PROPOSED FULL EXTERIOR ELEVATIONS	
$\sqrt{2}$	A3.3	OUTDOOR CAFE ENLARGED ELEVATION]
	A3.4	OUTDOOR CAFE ELEMENTS FOR COA APPROVAL	
{	A3.5	LIGHTING KEY ELEVATIONS] }
(A3.6	LIGHTING CUT SHEETS] }
5	A3.7	SIGNAGE PROGRAM] }
7	A3.8	SIGNAGE PROGRAM (CONT.)	$] \stackrel{\checkmark}{\downarrow}$
{	A9.1	RENDERINGS	_ }
(A9.2	RENDERINGS	}

MICHAEL REX ARCHITECTS

1750 BRIDGEWAY, SUITE B211 SAUSALITO, CA 94965 MICHAELREXARCHITECTS.COM TEL (415) 331-1400

FAX (415) 331-5463



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DATE AND DESCRIPTION: BLDG. DEPT. SUBMITTAL OCT. 18, 2021 HPC/PLANNING REVISION JAN 26, 2022 HPC/PLANNING REVISION

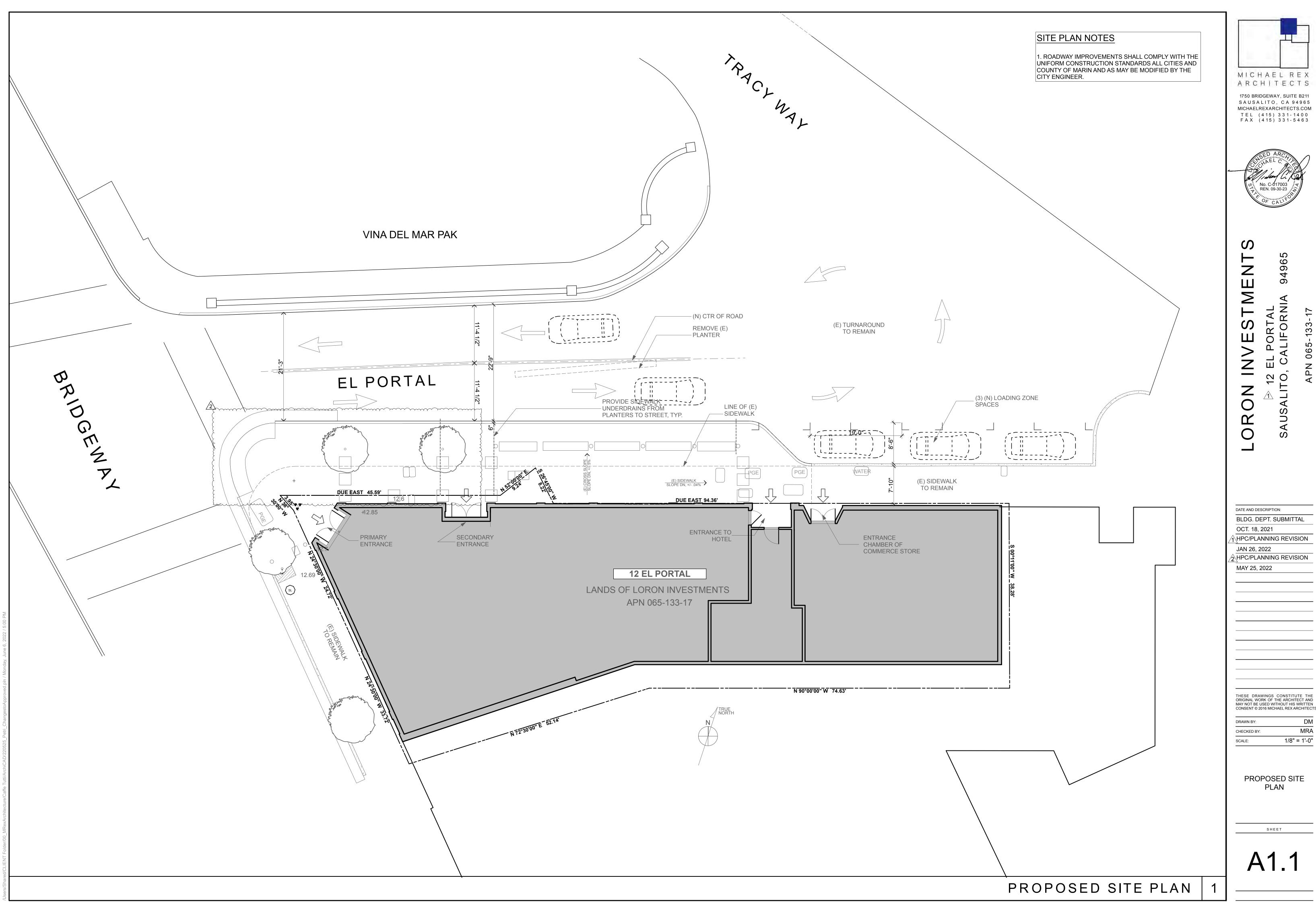
MAY 25, 2022

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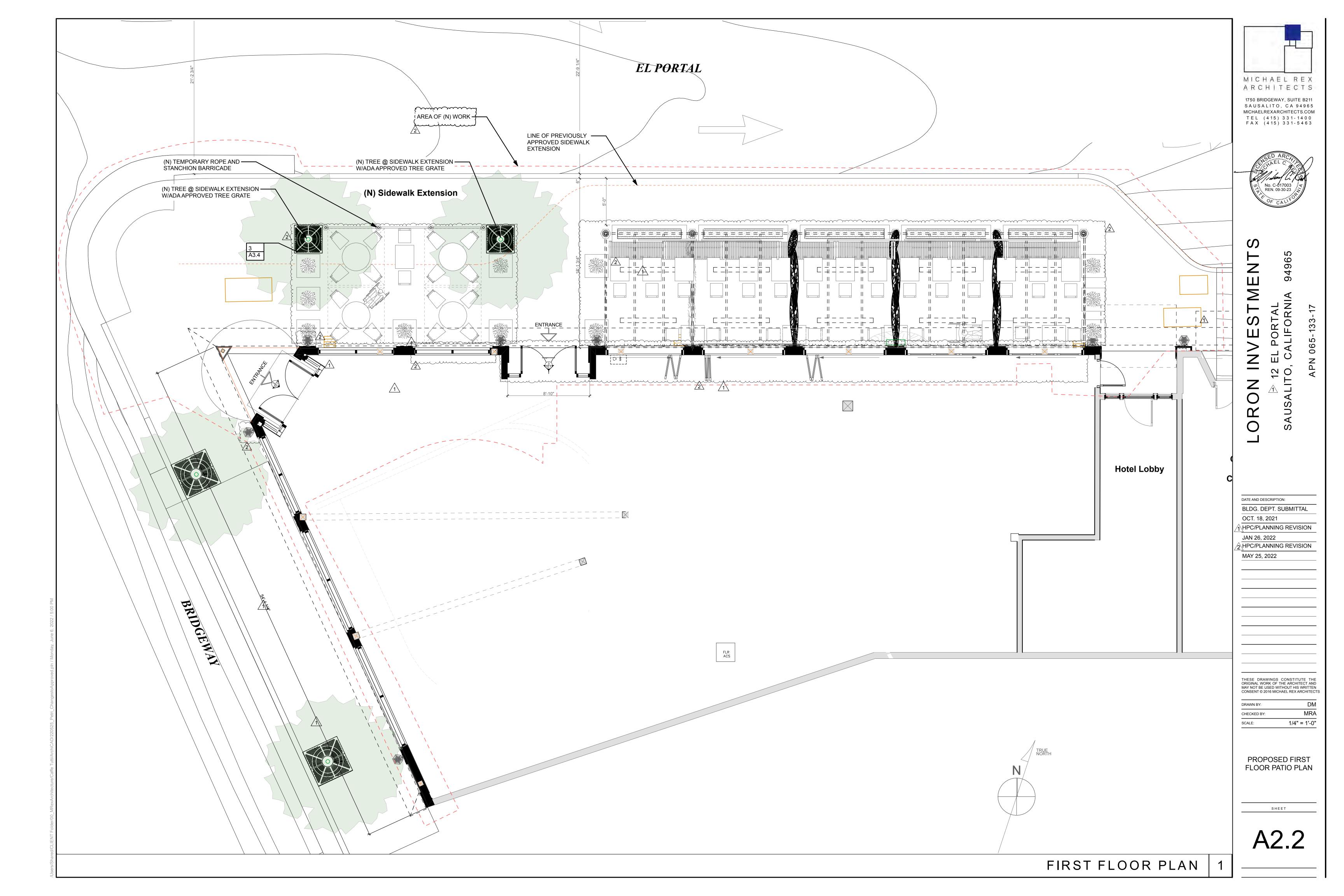
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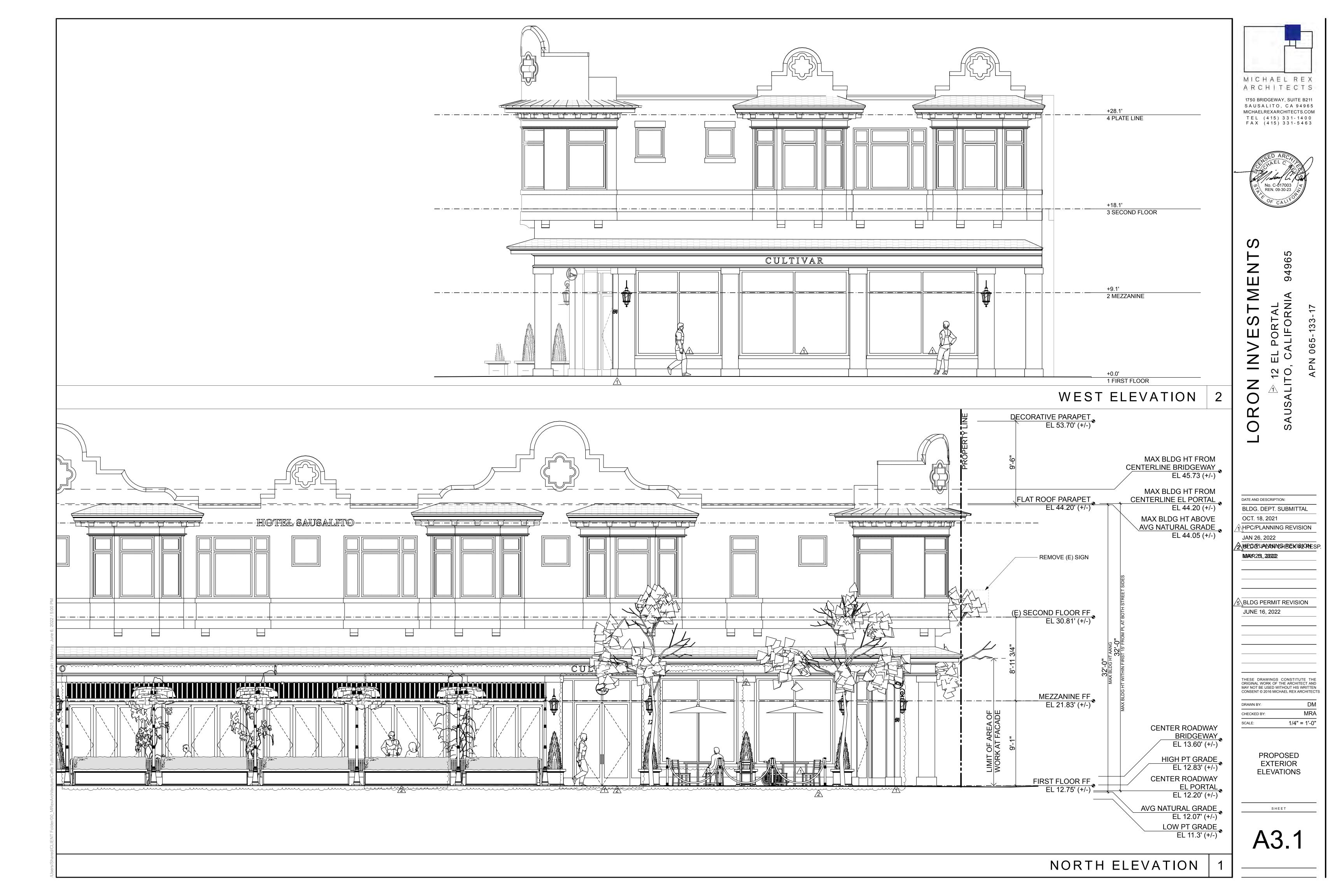
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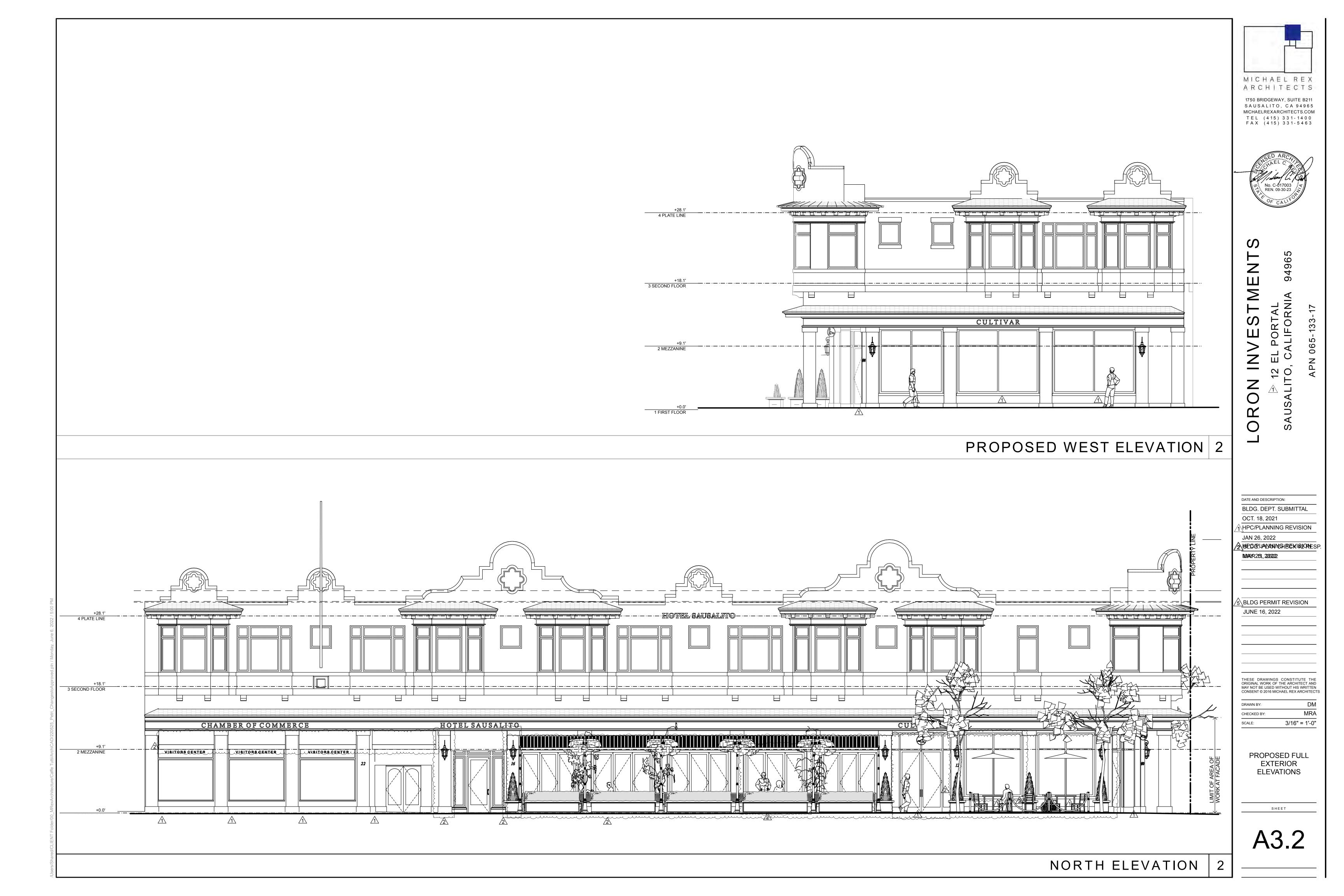
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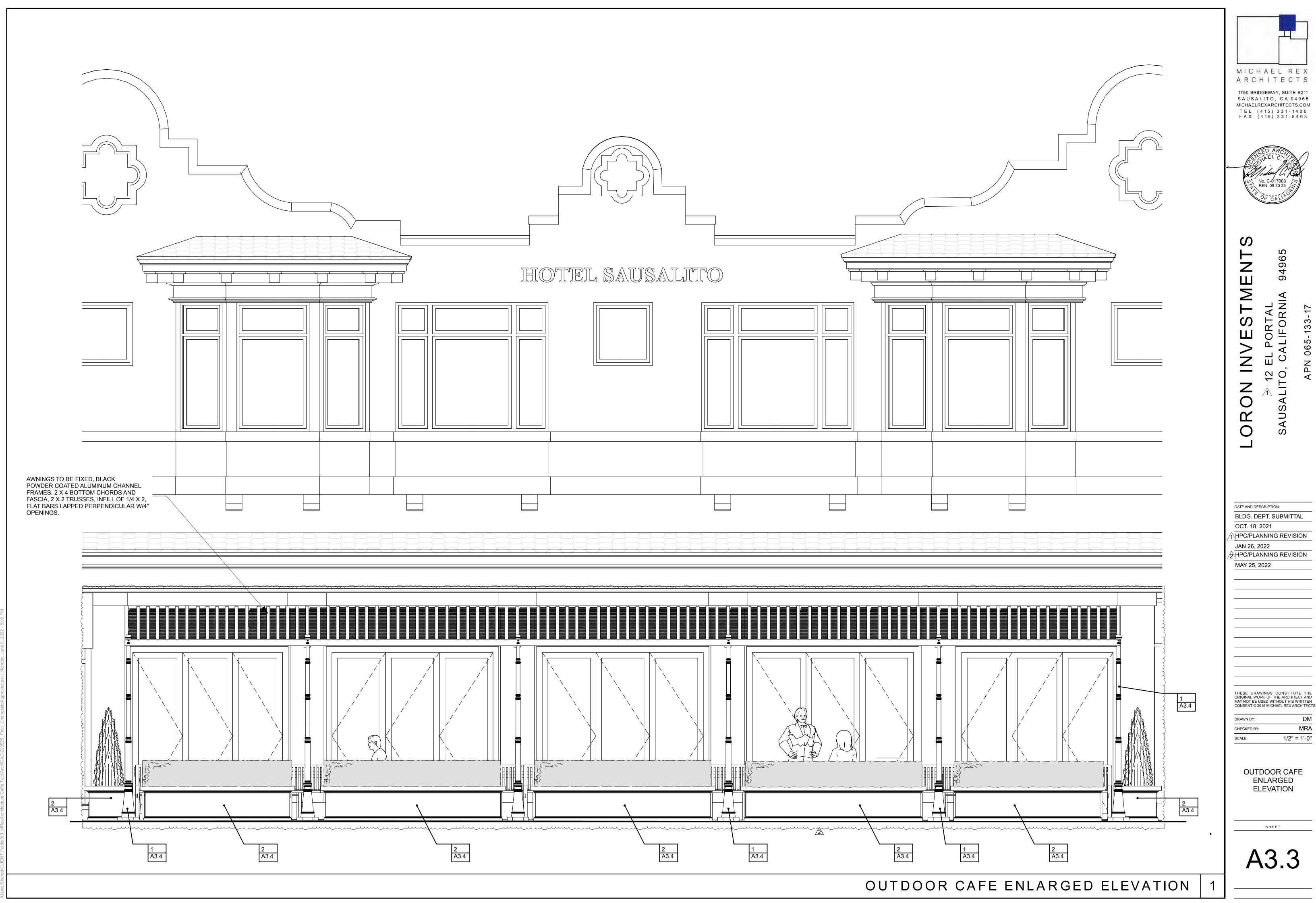


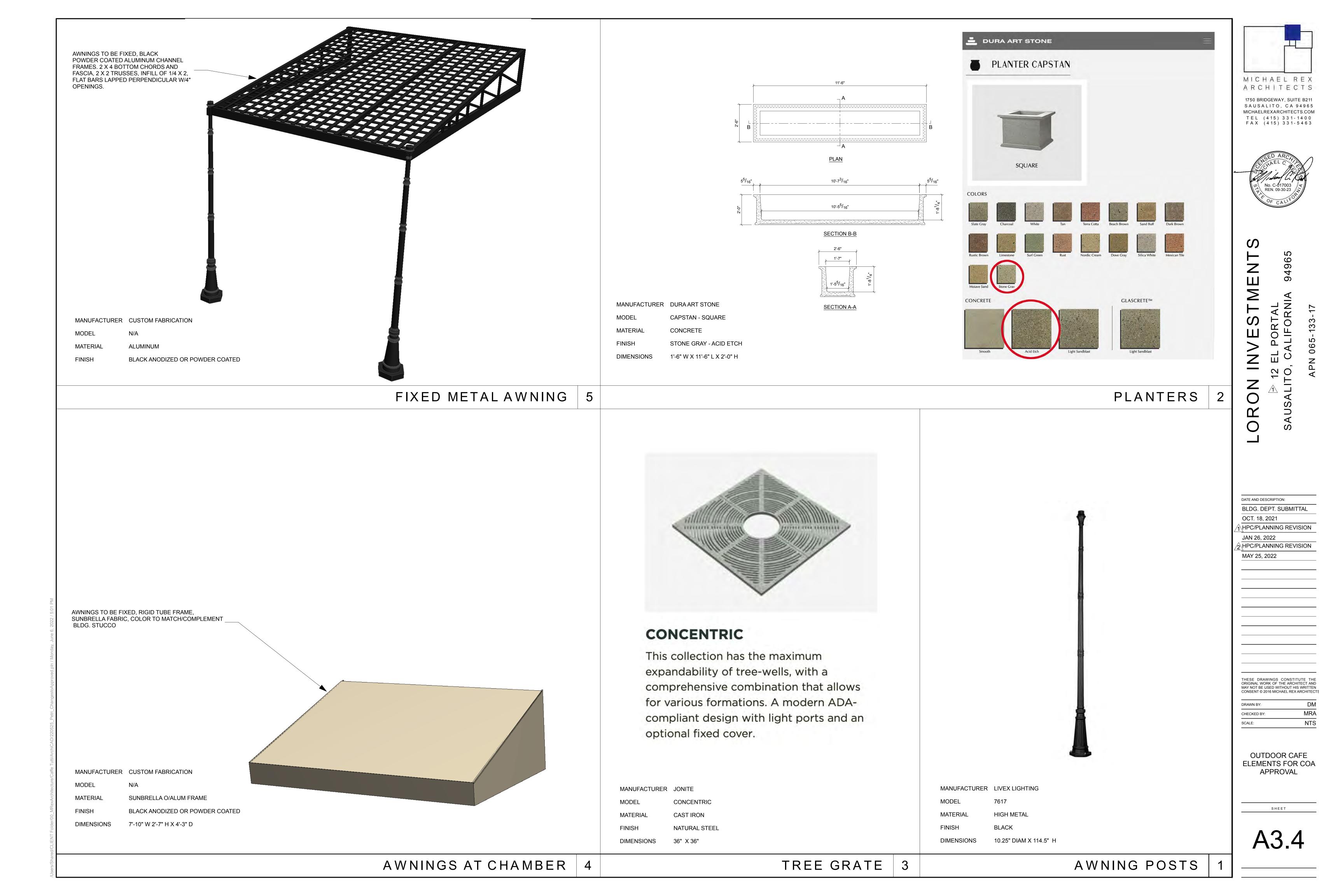
MRA 1/8" = 1'-0"













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APN 065-133-17

DATE AND DESCRIPTION: BLDG. DEPT. SUBMITTAL

HPC/PLANNING REVISION JAN 26, 2022 HPC/PLANNING REVISION

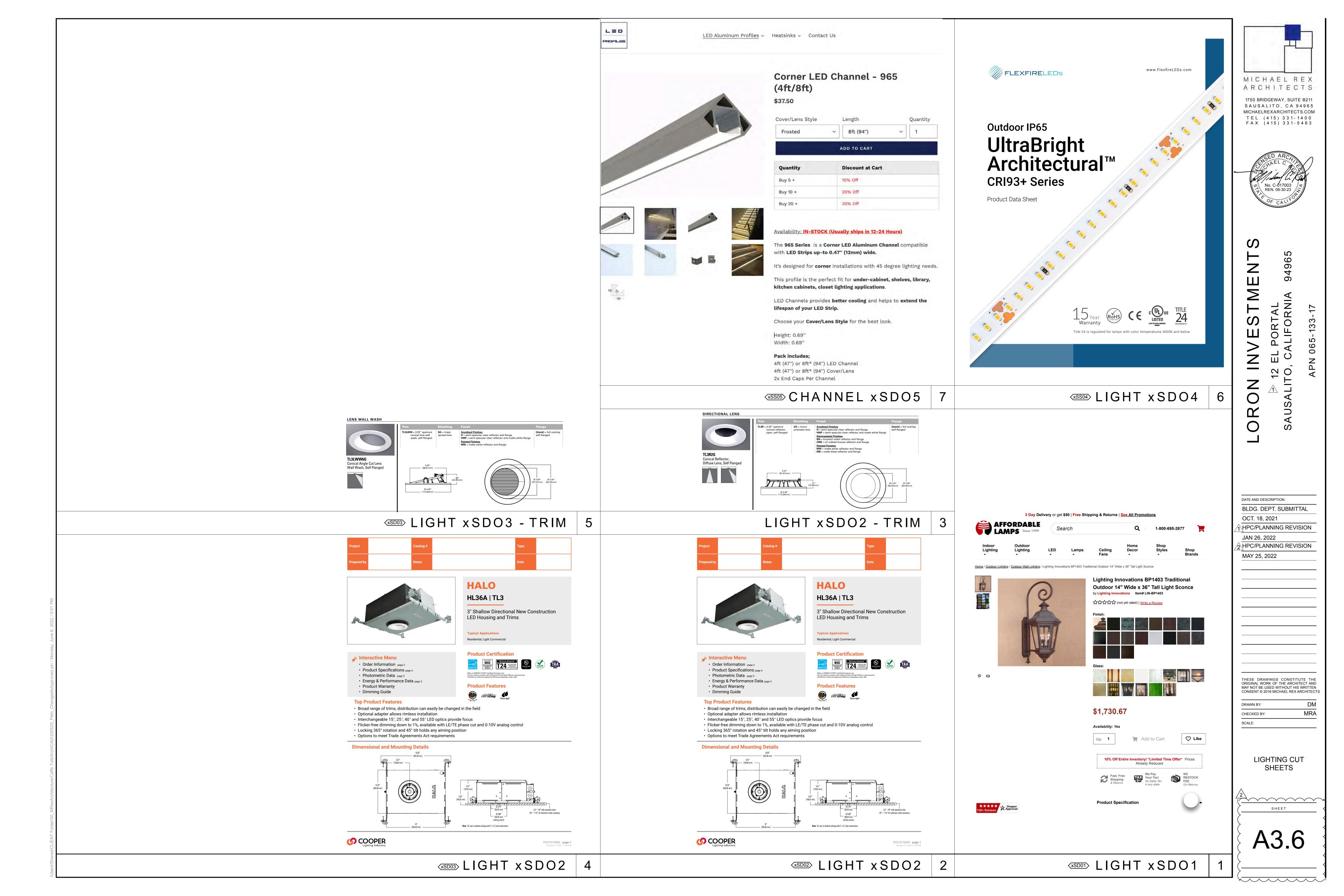
MAY 25, 2022

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MRA CHECKED BY: AS NOTED

> LIGHTING KEY **ELEVATIONS**

<u>/2</u>



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

0.30 sf

6.68 sf

SIGN #14 2.51 sf

SIGN #11

SIGN TYPE: WALL SIGN FOR BUSINESS IDENTIFICATION

TEXT: "CUI TIVAR"

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

COLOR: SEMI-GLOSS BLACK

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

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

PER SMC SECTION 10.42.070.H.2 GENERAL REGULATIONS, THE MAXIMUM COMMERCIAL SIGNAGE ALLOWED FOR GROUND LEVEL BUSINESS ALONG BRIDGEWAY: $54'-4 \frac{1}{4}'' = 54.35 \text{ ft street frontage x } \frac{1}{2} \text{ sf} = 27.18 \text{ sf}$

6.88 sf

TOTAL PROPOSED SIGN AREA: SIGN #1 3.87 sf SIGN #2 2.51 sf SIGN #10 0.50 sf

SIGN TYPE: WALL SIGN FOR BUSINESS IDENTIFICATION

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

COLOR: SEMI-GLOSS BLACK

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 827.80 sf = 124.17 sf MAXIMUM INDIV SIGN AREA ALLOWED FOR GRND LEVEL BUSINESS: 40% OF THE SIGNABLE AREA 40% x 124.17 sf = 49.67 sf

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 STOREFRONT WIDTH: $2/3 \times 54.35 \text{ ft} = 36.23 \text{ ft}$

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

COLOR: SEMI-GLOSS BLACK

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

MICHAEL REX ARCHITECTS

1750 BRIDGEWAY, SUITE B211 SAUSALITO, CA 94965 MICHAELREXARCHITECTS.COM TEL (415) 331-1400

FAX (415) 331-5463



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DATE AND DESCRIPTION: BLDG. DEPT. SUBMITTAL OCT. 18, 2021

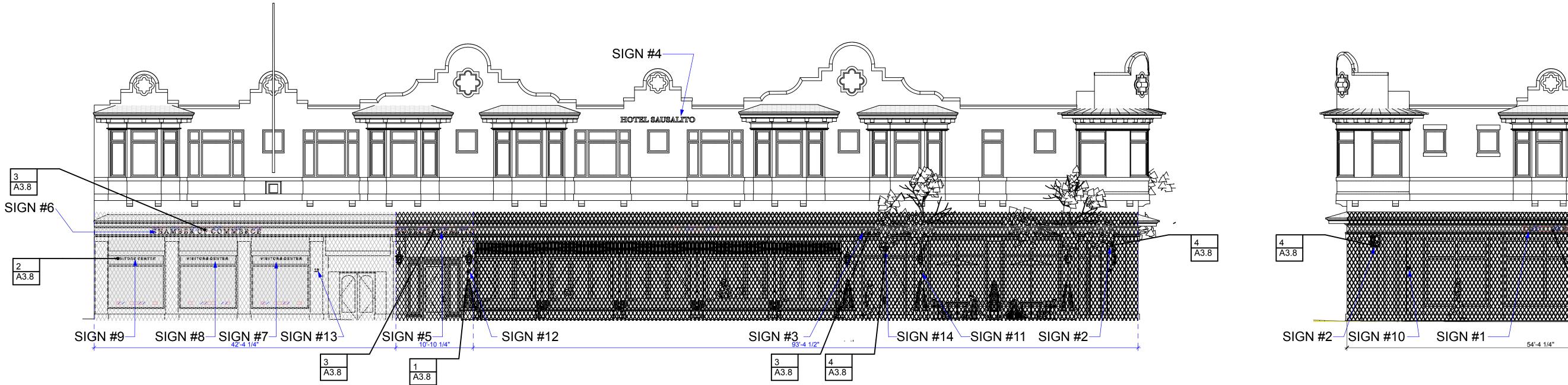
> JAN 26, 2022 HPC/PLANNING REVISION MAY 25, 2022

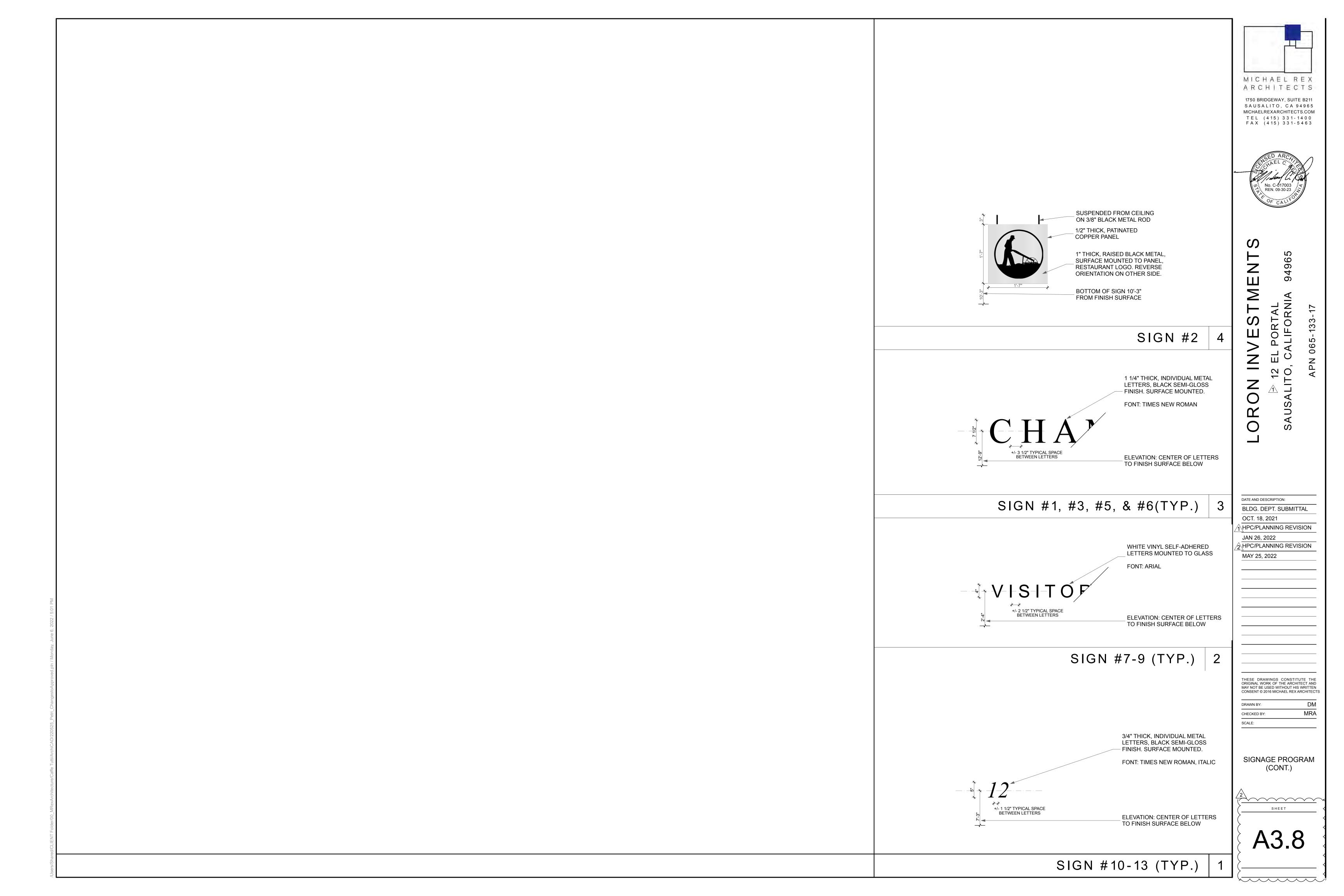
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DRAWN BY: MRA CHECKED BY SCALE:

SIGNAGE PROGRAM











3D PROPOSED RENDERING - EL PORTAL@ CORNER 2



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DRAWN BY:

CHECKED BY:

MRA

RENDERINGS

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A9.1



3D PROPOSED RENDERING - CORNER 2



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RTAL FORNIA 94965

⇒ 12 EL PORTAL SAUSALITO, CALIFORNI

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SCALE: NTS

RENDERINGS

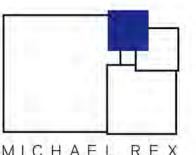
A9.2



3D PROPOSED RENDERING - UNDERSIDE AWNING 2



3D PROPOSED RENDERING - UNDERSIDE AWNING



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SCALE: NTS

RENDERINGS

SHEE

A9.3