

SAUSALITO PLANNING COMMISSION
Wednesday, April 21, 2021
Approved Action Minutes

1. CALL TO ORDER

Chair Feller called the meeting to order at 6:30 p.m.

Planning Commission:

Present: Chair Kristina Feller, Vice Chair Richard Graef,
Commissioner Jeffery Luxenberg, Commissioner Morgan Pierce,
Commissioner Nastassya Saad

Absent: None.

Staff: Lilly Whalen, Community Development Director
Christy Usher, Senior Planner
Mike Janusek, Assistant Planner
Brad Evanson, Contract Planner
Mary Wagner, City Attorney

2. APPROVAL OF AGENDA

Commissioner Luxenberg moved and Commissioner Pierce seconded a motion to approve the Planning Commission agenda as presented. The motion passed 5-0.

3. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

4. PUBLIC HEARING¹

Declarations regarding Planning Commission Public Contacts

Commissioner Luxenberg disclosed with respect to Item 4.A, 181 Spencer Avenue, that he had visited the site but spoke to no one; with respect to Item 4.B., 99 Wolfback Ridge Road, that he had visited the site but spoke to no one; and with respect to Item 4.C., 3 Marion Avenue, that he had visited the site on April 18th but spoke to no one.

Chair Feller disclosed with respect to Item 4.B, 99 Wolfback Ridge Road, that she had visited the site on April 20th with the applicant's architect to review the changes to the story poles; and with respect to Item 4.C., 3 Marion Avenue, that she had visited the site and spoke with owner Dan Kaufman but did not discuss the merits of the project.

¹ All Adopted Resolutions of the Planning Commission can be found on the City's website:
<https://www.sausalito.gov/city-government/boards-and-commissions/planning-commission/document-archives/-folder-3195>

A. 181 SPENCER AVENUE / DESIGN REVIEW PERMIT WITH HEIGHTENED DESIGN REVIEW, ENCROACHMENT AGREEMENT, NONCONFORMITY PERMIT & TREE REMOVAL PERMIT / PROJECT ID: 2021-00193 / APN: 065-182-20 (6:45 PM: MIKE JANUSEK, ASSISTANT PLANNER)

SUMMARY: Design Review Permit with Heightened Design Review for the proposed reconfigured upper-story deck and enclosure of an existing carport to provide an attached two-car and 376 square feet of additional storage area for the residence at 181 Spencer Avenue; a Nonconformity Permit to shift the existing legal non-conforming height within 15 feet of the front property line, shift the existing legal non-conforming building coverage of the residence and garage structure, and eliminate the side yard setback encroachment of the deck; a Tree Removal Permit to remove a 10-inch Diameter at Breast Height (DBH) bay laurel tree; and an Encroachment Agreement for an approximately 1.5-foot retaining wall replacement, driveway regrading to reduce the slope, and driveway widening to accommodate a new car turntable at the project site.

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve the Design Review Permit with heightened Design Review, Nonconformity Permit, and Tree Removal Permit. Staff also supports a recommendation to the City Council for approval of an Encroachment Agreement.

The public hearing was opened.

Assistant Planner Janusek provided a PowerPoint presentation.

The public testimony period was opened.

The applicant, Marty Zwick of Zwick Architects, provided a PowerPoint presentation.

Planning Commission questions to the applicant followed.

Public Comments:

None.

The public testimony period was closed.

Planning Commission comments followed.

Commissioner Pierce moved and Commissioner Luxenberg seconded a motion to approve a Design Review Permit with Heightened Design Review, Nonconformity Permit, Tree Removal Permit, and recommend to City Council approval of an Encroachment Agreement for 181 Spencer Avenue subject to the following additional condition of approval:

- **An additional tree shall be planted within the property or within the right-of-way near the corner of the property line. Applicant shall work with staff to identify the appropriate species.**

The motion passed 5-0.²

The public hearing was closed.

B. 99 WOLFBACK RIDGE ROAD AKA LOT 5 OF WOLFBACK ESTATES / DESIGN REVIEW PERMIT / PROJECT ID: 2018-00276 / APNs: 200-310-07, 200-310-13 (7:30 PM: BRAD EVANSON, CONTRACT PLANNER)

SUMMARY: A request for a Design Review Permit to construct new single-family residence at Lot 5 of Wolfback Estates. The proposed project includes an approximately 5,120 square foot residence and 1,465 square foot subterranean garage. This item is continued from February 24, 2021.

STAFF RECOMMENDATION: Approve the draft resolution approving a Design Review Permit to construct a new single-family residence at Lot 5 of Wolfback Estates, subject to conditions.

The public hearing was opened.

Contract Planner Evanson provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicants, attorney Riley Hurd of Ragghianti Freitas, Architect Scott Couture of Couture Architecture, and Owner Tsedendamba Tserenpuntsag provided a PowerPoint presentation.

Public Comments:

Laura Bowen
Elizabeth Brekhus
Bruce McMillan
Eric Ketchum
Linda Fairchild
Michael Rex
Mel Atkins
Jeffrey Keith
Christopher Patterson
Duncan Dashni (phonetic)
Lynn Augstein

² Resolution No. [2021-11](#)

Ellen Bergersen
Len Rifkind
Mickey Alison
Alan Patterson

The public testimony period was closed.

Planning Commission questions to the applicant followed.

Applicant rebuttal comments followed.

Planning Commission comments followed.

Planning Commission questions to staff followed.

The public testimony period was reopened.

Planning Commission questions to the applicant followed.

The public testimony period was closed.

Planning Commission questions to staff followed.

Commissioner Pierce moved and Chair Feller seconded a motion to approve a Design Review Permit for 99 Wolfback Ridge Aka Lot 5 Of Wolfback Estates, subject to the following additional conditions of approval:

- **Louvers shall be added to the stairwell window bay on the west façade at an equal percentage as the louvers on the adjacent window bays.**
- **The draft resolution shall be modified to remove the spa deletion portion of Condition 2 to add a condition requiring the spa shall be relocated outside of the 20-foot setback.**

The motion passed 3-2 with Commissioners Luxenberg and Graef dissenting.³

The public hearing was closed.

C. 3 MARION AVENUE / DESIGN REVIEW WITH HEIGHTENED DESIGN REVIEW AND TREE REMOVAL PERMIT / PROJECT ID 2020-00071 / APN 065-311-38 (9:00 PM: CHRISTY USHER, SENIOR PLANNER)

SUMMARY: A request for a Design Review Permit with Heightened Design Review to construct additions, remodel and convert an extension 2,068 single-family residence to a 4,215 single-family duplex that is 32 feet in height; and Tree Removal Permit to remove three (3) "protected" Oak trees that are 5.0, 6.1 and 7.6 inches in diameter.

³ Resolution No. [2021-10](#)

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve the Design Review Permit with Heightened Design Review and Tree Removal Permit by adopting the draft resolution of approval.

The public hearing was opened.

Senior Planner Usher provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant, Sean McArdle of Sean McArdle Inc., and Owner Dan Kaufman provided a PowerPoint presentation.

Planning Commission questions to the applicant followed.

Planning Commission questions to staff followed.

Public Comments:

None.

The public testimony period was closed.

Planning Commission comments followed.

Commissioner Luxenberg moved and Commissioner Pierce seconded a motion to approve a Design Review Permit with Heightened Design Review and a Tree Removal Permit for 3 Marion Avenue.

Chair Feller requested the motion be amended to include an additional condition of approval that the applicant work with staff and continue outreach to their direct neighbors at 1 Marion Avenue and 5 Marion Avenue regarding the final decision on garage specifications to ensure it is in line with the original request of 1 Marion Avenue.

The Maker of the Motion accepted the amendment to the motion.

The Secunder of the Motion accepted the amendment to the motion.

Planning Commission comments followed.

Applicant comments followed.

Chair Feller requested the motion be amended to include an additional condition of approval that if an emergency generator is placed on the site it be placed properly with respect to noise and fumes.

The Maker of the Motion accepted the addition to the motion.

Chair Feller requested the motion be amended to include an additional condition of approval that if an emergency generator is placed on the site it be placed properly with respect to noise and fumes.

The Maker of the Motion accepted the addition to the motion.

The Secunder of the Motion accepted the addition to the motion.

The motion passed 5-0.⁵

The public hearing was closed.

5. COMMUNICATIONS

- Staff: Items on the agenda for the upcoming May 5th Planning Commission meeting are: 6 Princess Street and 37-38 Crescent Avenue.
- Commission:
 - Commissioner Pierce announced that he would be unavailable for the May 19th Planning Commission meeting.
 - Commissioner Luxenberg requested that at the end of each Planning Commission meeting the Community Development Director provide addresses for projects on the agenda for the upcoming meeting. He will be out of state in the months of June and July but will be available to participate in meetings through Zoom.

6. ADJOURNMENT

Chair Feller moved and Commissioner Pierce seconded a motion to adjourn the meeting. The motion passed 5-0.

The meeting was adjourned at 11:52 p.m.



Submitted by
Lilly Whalen
Community Development Director



Approved by
Kristina Feller
Chair

⁵ Resolution No. 2021-12