

**SAUSALITO PLANNING COMMISSION**  
**Wednesday, September 22, 2021**  
**Approved Action Minutes<sup>1</sup>**

**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 Andrew Junius, Commissioner Jeffery Luxenberg,

Absent: Commissioner Nastassya Saad

Staff: Lilly Whalen, Community Development Director  
Mike Janusek, Assistant Planner  
Jeffrey Graham, Interim Associate Planner  
Mary Wagner, City Attorney

**A. Public Participation Guide for Zoom Meetings**

**Community Development Director Whalen stated that the meeting was being held pursuant to Section 3 of Executive Order N-29-20 and issued by Governor Newsom on March 17, 2020 and Executive Order N-08-21 issued by the Governor on June 11, 2021; all members had joined the meeting telephonically through Zoom; and the meeting was being broadcast live on the City of Sausalito website.**

**2. APPROVAL OF AGENDA**

**Commissioner Junius moved and Vice Chair Graef seconded a motion to approve the Planning Commission agenda as presented. The motion passed 4-0.**

**3. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None.

**4. APPROVAL OF PLANNING COMMISSION MINUTES**

**A. Draft 9/8/21 Planning Commission Minutes**

**The Commission decided by consensus to continue the draft 9/8/21 Planning Commission Minutes to the Planning Commission meeting of October 6, 2021.**

**5. PUBLIC HEARING<sup>2</sup>**

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<sup>1</sup> A video recording of this meeting is available at: [www.sausalito.gov](http://www.sausalito.gov).

<sup>2</sup> 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>

## **Declarations regarding Planning Commission Public Contacts**

**Commissioner Junius disclosed with respect to Item 5.B., 719-725 Bridgeway, that he had had a conversation with the applicant's attorney but they did not discuss the merits of the project.**

**Commissioner Luxenberg disclosed with respect to Item 5.B., 719-725 Bridgeway, that he had visited the site but did not meet with anyone; and with respect to Item 5.C., 424A Locust Street, that he had visited the site but did not meet with anyone.**

**Vice Chair Graef had no ex parte communications.**

**Chair Feller disclosed with respect to Item 5.B., 719-725 Bridgeway, that she had visited the site but did not meet with anyone; and with respect to Item 5.C., 424A Locust Street, that she had visited the site but did not meet with anyone.**

**A. 234 WOODWARD AVENUE / DESIGN REVIEW PERMIT,  
ENCROACHMENT AGREEMENT, NONCONFORMITY PERMIT, AND  
VARIANCE / PROJECT ID: 2018-00384 / APN: 064-134-06 / KEVIN LA,  
INTERIM ASSISTANT PLANNER**

**SUMMARY: Request for a Design Review Permit, Encroachment Agreement, Nonconformity Permit, and Variance for a 647 square foot addition at 234 Woodward Avenue.**

**STAFF RECOMMENDATION: Continue to the October 6, 2021 Planning Commission meeting.**

The public hearing was opened.

**Public Comments:**

None.

The public testimony period was closed.

**Commissioner Junius moved and Commissioner Luxenberg seconded a motion to continue the public hearing for 234 Woodward Avenue to the Planning Commission meeting of October 6, 2021. The motion passed 4-0.**

The public hearing was closed.

**B. 719-725 BRIDEWAY / CONDITIONAL USE PERMIT, MINOR USE PERMIT, SIGN PERMIT, TENTATIVE PARCEL MAP, ENCROACHMENT AGREEMENT, TREE REMOVAL PERMIT, VARIANCE AND DESIGN REVIEW WITH HEIGHTENED DESIGN REVIEW TO DEMOLISH THE EXISTING BUILDING AND CONSTRUCT A NEW TWO-STORY, MIXED-USE BUILDING OF SIMILAR SIZE / PROJECT ID: DR-CUP-EA-TM-TRP-SP 17-487 / APN: 065-071-21 / JEFFREY GRAHAM, CONTRACT PLANNER)**

**SUMMARY:** A request for a Design Review Permit with Heightened Design Review, Conditional Use Permits for a formula retail use (Napa Farms Market) and onsite consumption of alcohol, a Minor Use Permit for sidewalk dining, Sign Permit for a variety of signage, an Encroachment Permit for a projecting sign and bay windows and fencing within the sidewalk, a Tentative Parcel Map to create three residential condominiums and a retail condominium parcel, Variance to allow additional height for the façade containing the building name and a Tree Removal Permit to demolish the existing building and construct a new two-story, mixed-use building of similar size at 719-725 Bridgeway.

**STAFF RECOMMENDATION:** Adopt the attached draft resolution (Attachment 1), which makes findings to adopt a Mitigated Negative Declaration and Mitigation Monitoring Program for the project; and adopt the attached draft resolution (Attachment 2), to approve a Design Review Permit with Heightened Design Review, a Conditional Use Permit for Formula Retail, Conditional Use Permit for a Parking Waiver, a Minor Use Permit for outdoor dining, a Sign Permit for seven signs, a Tentative Parcel Map to create one commercial condominium and three residential units, a Variance to allow additional height to a portion of the front façade that includes the name of the building, and recommend approval of an Encroachment Agreement for two projecting business identification signs, bay windows and outdoor dining area to City Council.

The public hearing was opened.

Interim Associate Planner Graham provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicants, architect Michael Rex of Michael Rex Architecture and Attorney David Cincotta, provided a PowerPoint presentation.

Planning Commission questions to the applicant followed.

Planning Commission questions to staff followed.

**Public Comments:**

David Suto

Robert Kahn

Monica Finnegan, representing the Economic Development Advisory Committee

Applicant rebuttal comments followed.

The public testimony period was closed.

Planning Commission comments followed.

Planning Commission questions to staff followed.

The public testimony period was reopened.

Staff and Planning Commission questions to the applicant followed.

Planning Commission comments followed.

The public testimony period was closed.

**Commissioner Junius moved and Vice Chair Graef seconded a motion to approve a Conditional Use Permit, Minor Use Permit, Tentative Parcel Map, Tree Removal Permit, Variance, Design Review with Heightened Design Review and recommend City Council approval of an Encroachment Agreement for 719-725 Bridgeway, subject to the following additional and amended Conditions of Approval.**

- *The demo and building permits shall be tied together. Interior-only soft demo /remediation work could be allowed prior to the combined building and demo permit. Temporary shoring shall be in place no longer than six months.*
- *Applicant shall provide and maintain appropriate and tasteful site screening throughout any execution of work to ensure the site does not detract from the charm and nature of the downtown.*
- *Condition of Approval 26 shall be amended to state that there shall be a fully ADA-compliant minimum of 5 feet of sidewalk clearance from any physical obstruction on the sidewalk and outdoor seating area. Tree grates shall also be fully ADA compliant.*
- *The applicant shall add articulation to the façade of the building, perhaps through exterior coloration of the paint for a less monochromatic look, to be more consistent with the neighboring buildings. Vice Chair Graef has been assigned to work with City staff and the applicant to finalize that solution.*
- *Language shall be changed from a minimal percentage margin of error no less than 25% to a 25% contingency.*

**The motion passed 4-0-1 with Commissioner Saad absent.<sup>3</sup>**

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<sup>3</sup> [Resolution Nos. 2021-24 and 25](#)

The public hearing was closed.

**C. 424A LOCUST STREET / DESIGN REVIEW PERMIT WITH HEIGHTENED DESIGN REVIEW, NONCONFORMITY PERMIT, ACCESSORY DWELLING UNIT PERMIT AND CONDITIONAL USE PERMIT / Project ID: 2021-00084 / APN: 064-167-11 / MIKE JANUSEK, ASSISTANT PLANNER**

**SUMMARY: A Design Review Permit with Heightened Design Review for the proposed excavation of the existing crawlspace, expansion of the existing entry porch and entry porch roof, window expansion and replacement, and skylight addition; the proposed development is subject to Heightened Design Review as the site exceeds 80-percent of the maximum allowed building coverage; and a Nonconformity Permit to maintain the existing legal non-conforming side and rear yard setback encroachments and shift a portion of the legal nonconforming side (west) yard setback encroachment area to the side (east) yard setback area; and a 719 square foot attached, lower-level Accessory Dwelling Unit (ADU); and a Conditional Use Permit (CUP) for an ADU design exception to the privacy standard for overlapping windows, Sausalito Municipal Code (SMC) 10.44.080.E11.**

**STAFF RECOMMENDATION: Staff recommends the Planning Commission approve the Design Review Permit with Heightened Design Review, Nonconformity Permit, Accessory Dwelling Unit Permit, and Conditional Use Permit.**

The public hearing was opened.

Assistant Planner Janusek provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant, architect/owner Jerome Christensen, provided a presentation.

Planning Commission questions to the applicant followed.

**Public Comments:**

Jacques Ullman

The public testimony period was closed.

Planning Commission comments followed.

**Commissioner Junius moved and Commissioner Luxenberg seconded a motion to approve a Design Review Permit with Heightened Design Review, Nonconformity Permit, Accessory Dwelling Unit Permit, and a Conditional Use Permit for 424A Locust Street.**

Planning Commission comments followed.

**The motion passed 4-0.<sup>4</sup>**

The public hearing was closed.

## **6. COMMUNICATIONS**

- Staff: Community Development Director Whalen:
  - Preview of Planning Commission meeting of October 6<sup>th</sup>:
    - 11 Bonita Street.
    - 310 Harbor Drive, Clipper Yacht Harbor.
    - 210 Bonita Street and 429 Locust Street project, study session.
    - 234 Woodward Avenue project.
  - Preview of City Council meeting of September 28<sup>th</sup>:
    - Temporary agreements the City issued during COVID and policy direction regarding a potential City parklet program.
- Commission:
  - Chair Feller:
    - She attended the Sausalito/Marin City Sanitation District ribbon cutting on 9/21/21.
    - The Housing Element Advisory Committee kickoff meeting will be held in late October.
    - She and Vice Chair Graef, as the Benchmarking Task Force, have benchmarked what similar jurisdictions have done regarding parklets. That information has been forwarded to the City Council and the task force is now disbanded.
    - Regarding ombudsman work, they have briefed the mayor and have to pay for a couple things; then the mayor will issue that to the City Manager.
  - Commissioner Junius:
    - The Objective Design and Development Standards Subcommittee will hold its first meeting on September 28<sup>th</sup>.
    - There has not been a lot of progress with respect to his liaison role to the Economic Development Advisory Committee's Enforcement Task Force. They have been collecting data and there are many issues to deal with.

## **7. ADJOURNMENT**

**Commissioner Luxenberg moved and Commissioner Junius seconded a motion to adjourn the meeting. The motion passed 4-0.**

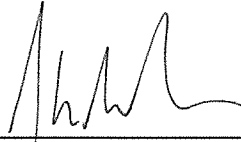
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<sup>4</sup> [Resolution No. 2021-22](#)

The meeting was adjourned at 10:54 p.m.



Submitted by  
Lilly Whalen  
Community Development Director



Approved by  
Kristina Feller  
Chair