

**SAUSALITO PLANNING COMMISSION
RESOLUTION NO. 2024-01**

**APPROVAL OF A DESIGN REVIEW PERMIT TO REMODEL THE EXISTING RESIDENCE AT
203 WOODWARD AVENUE
APN: 064-132-11
PROJECT ID: 2023-00068**

WHEREAS, an application has been filed by applicant, Geoffrey Butler, on behalf of Property Owner, Timothy Sanner, requesting a Design Review Permit to remodel the existing 1,823 square-foot residence, which includes the addition of a new 636 square-foot third story for a master suite, a new interior floor plan, new roofing, three new decks, new doors and windows, upgraded utilities, and seismic and structural upgrades at 203 Woodward Avenue (APN: 064-132-11) (“the Project”); and

WHEREAS, the project site is located within the General Plan Medium High Density Residential land use designation and the Multi-Family (R-2-2.5) zoning district; and

WHEREAS, the Planning Commission has reviewed a Design Review Permit for the proposed remodel of the existing residence and considered the information contained in the staff reports as well as any and all oral and written testimony on the proposed Project; and

WHEREAS, the Planning Commission has reviewed and considered the Project plans titled “New Upper Story Addition and Remodel for: Timothy Sanner”, received October 1, 2023; and

WHEREAS, the Planning Commission finds that the proposed project, as conditioned herein, is consistent with the General Plan and complies with the requirements of the Zoning Ordinance as described in the staff report; and

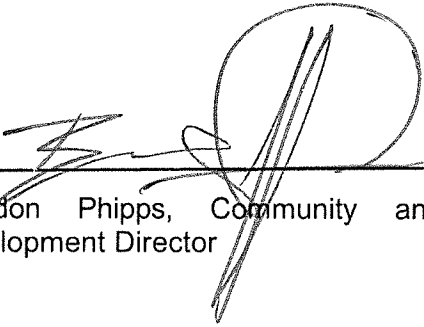
WHEREAS, approval of the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) and Section 15302 (Replacement or Reconstruction) under the California Environmental Quality Act (CEQA) Guidelines;

NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

1. The project is categorically exempt from the of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) and Section 15302 (Replacement or Reconstruction) under the California Environmental Quality Act (CEQA) Guidelines.
2. The Design Review Permit for the remodel of the existing 1,823 square-foot residence, which includes the addition of a new 636 square-foot third story for a master suite, a new interior floor plan, new roofing, three new decks, new doors and windows, upgraded utilities, and seismic and structural upgrades at 203 Woodward Avenue (APN: 064-132-11) is approved based upon the attached findings (Attachment 1), subject to the attached conditions of approval (Attachment 2), and as shown in the project plans titled “New Upper Story Addition and Remodel for: Timothy Sanner”, received October 1, 2023 (Attachment 3).

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Sausalito Planning Commission on the 10th day of January 2024, by the following vote:

AYES: Commissioner: Luxenberg, Junius, Graef, Feller, Saad
NOES: Commissioner:
ABSENT: Commissioner:
ABSTAIN: Commissioner:



Brandon Phipps, Community and Economic
Development Director

ATTACHMENTS

- 1 Findings
- 2 Conditions of Approval
- 3 Project Plans

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ATTACHMENT 1: FINDINGS

Design Review Permit

To approve or conditionally approve the Design Review Permit, the Planning Commission must determine whether the proposed project is in conformance with the required Design Review Findings in SMC Section 10.54.050 D. Staff has concluded that the required findings can be made as follows:

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

As proposed, the project complies with the development standards in the zoning ordinance and is consistent with the general plan that calls for medium high density residential land use in the R2-2.5 zoning district.

- 2. The proposed architecture and site design complements the surrounding neighborhood and/or district by either:***

- a. Maintaining the prevailing design character of the neighborhood and/or district; or***

- b. Introducing a distinctive and creative solution which takes advantage of the unique characteristics of the site and contributes to the design diversity of Sausalito.***

The proposed architecture largely matches the previous home with a smooth stucco finish and white/cream color that matches the hue of other homes on the block. The new design introduces a gabled roof, which matches neighboring structures and complements the surrounding neighborhood that features an eclectic mix of homes featuring diverse design styles, materials, and colors.

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

The proposed project is consistent with the general scale of structures on the west side of Woodward Avenue that are terraced up the hillside and composed of two to three stories. The existing home is one of the smallest homes on this side of Woodward Avenue and the adjacent house at 207 Woodward recently received Planning Commission approval for a third story addition in November 2023.

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

The proposed project will not impact public views or primary views from private property as it is terraced downslope from Rodeo Avenue and sits below the Sausalito Towers apartment building. The first-floor balconies of this apartment complex sit well above Rodeo Avenue as the building is situated on a terrace upslope from the Rodeo Avenue roadway. Public views towards Richardson Bay are also limited on Rodeo Avenue as they are largely obstructed by fences, vegetation, and parked cars. As such, the proposed project will not further obstruct public or private views in a significant manner.

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

Not applicable. The house is built on a slope and will not result in any silhouette above a ridgeline.

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.*

The current landscaping, which features lavender bushes, will largely be maintained.

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

The location of the existing building will remain unchanged as there is minimal additional building coverage being added to the site via this remodel. The third story addition will only raise the overall height of the home by 7.5 feet and will have minimal impacts on light and air for adjacent properties or the general public as the house is located upslope from the road on the west side of the street and underneath a large apartment complex.

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.*

The proposed project does not feature a chimney or any additional exterior mechanical equipment. The existing gas meter, electrical meter, and AC unit will all remain in the same location. The only additional exterior lighting will be around entrances and directed downward.

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.*

The project is situated between two larger two-story homes, and the neighbor to the north at 207 Woodward Avenue received Planning Commission approval for a third story addition in November 2023. The neighbor across the street is situated downslope from 203 Woodward and their property looks out towards Richardson Bay with only the garage/car deck on street level. This is also the case for all immediate neighbors on the east side of Woodward Avenue. All the proposed decks and new banks of windows face out to Richardson Bay to the east and will not have privacy

impacts on adjacent neighbors that are downslope and face east. Behind the subject property to the west, on Rodeo Avenue, is a large apartment complex (Sausalito Towers) that sits on a terrace well above Rodeo Avenue and the proposed project will have no privacy or view impacts on residents there. As such, the proposed project provides a reasonable level of privacy to the site and adjacent properties. No additional landscaping or fencing is proposed.

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

Entrances and exits will be in similar locations as the existing configuration and will not impact traffic safety or ease of movement. There will be no additional on-site parking and an appropriate level of traffic safety will be maintained.

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.

The proposed design will minimally impact the site as the building coverage will not be increased by more than 160 square feet. No protected trees or natural features will be altered. Site degradation should be minimal as the construction staging area is located adjacent to the street and the debris box will be located on Woodward Avenue. The applicant has also provided adequate drainage and erosion control plans.

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).

Not applicable. The proposed project does not trigger heightened review.

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.

The proposed project is consistent with the general scale of structures on the west side of Woodward Avenue that are terraced up the hillside and are composed of two to three stories. The existing home is currently one of the smallest homes on this side of Woodward Avenue and it sits between two larger two-story houses. The adjacent house to the north at 207 Woodward Avenue recently received Planning Commission approval for a third story addition in November 2023. As such, the addition of the upper story at 203 Woodward should not crowd or overwhelm neighboring properties.

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ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions apply to the project at 203 Woodward Avenue depicted on plans prepared by Geoffrey Butler titled "New Upper Story Addition and Remodel for: Timothy Sanner", received October 1, 2023 (Attachment 3).

COMMUNITY DEVELOPMENT DEPARTMENT:

General Items:

1. Pursuant to Sausalito Municipal Code Section 10.50.120 (Implementation of Permits), it shall be the Applicant's responsibility to diligently proceed to carry out the Conditions of Approval and implement any approved permit(s). This shall include establishing the approved use/implementing the permit(s) within the time limits set forth by the applicable code.
2. The project shall be designed and constructed as shown in the set of plans received October 1, 2023 (Attachment 3).
3. The Applicant/Property Owner(s) 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, or construction thereof.
4. In the event that any condition imposing a fee, exaction, dedication, or 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 subject to review by the City and substitute conditions may be imposed.
5. Any mechanical equipment installed in connection with this project shall be subject to Sausalito Municipal Code Section 12.16.130 - Machinery, equipment, fans and air conditioning.

6. At the time of building permit application, the applicant 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 Sausalito Municipal Code Section 10.54.100. The applicant 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. The time for completion of the construction shall also be indicated on the construction permit.

Specific Items:

7. A landscape plan shall be provided to the Community Development Department when the building permit application is submitted.

DEPARTMENT OF PUBLIC WORKS:

General Items:

8. As part of the Building Permit application, all final Conditions of Approval shall be restated on the construction drawings and applicant shall thoroughly and accurately document in writing compliance with each Condition of Approval at the time of Building Permit application and any other subsequent submittals.
9. Applicant shall indemnify the City for 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.

Right of Way Items:

10. 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.
11. Emergency vehicle access and access to adjacent properties shall be maintained at all times throughout the duration of this project.
12. An encroachment permit shall be obtained from the DPW 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. Encroachment submittal information can be found here: <https://www.sausalito.gov/departments/public-works/engineering-division/encroachment-permits>

13. Applicant is advised that construction materials, equipment, vehicles, and properly-permitted debris boxes (Bay Cities Refuse Service is the sole authorized solid waste hauler permitted to provide debris box service in the City of Sausalito) may not be placed in a manner that poses a traffic hazard, shall be placed to minimize obstruction of roads and gutters, shall be equipped with reflectors or lighting to ensure visibility at night and in inclement weather (if placed in the public right of way), shall be maintained in a clean and safe condition, and shall not be maintained in a manner that becomes a nuisance to the neighborhood. Debris boxes shall be emptied on a regular basis, or as directed by the City. Material stockpiles & debris boxes shall be covered when not being accessed or filled to prevent dust or liquid from being released to the environment. Construction materials, equipment, vehicles, and debris boxes shall be placed in the public right of way only after securing an encroachment permit.
14. Ensure best management practices (BMPs) are used during construction activity. This includes erosion and sediment controls and pollution prevention practices. Erosion control BMPs may include, but are not limited to, scheduling and timing of grading activities, timely re-vegetation of graded areas, the use of hydroseed and hydraulic mulches, and installation of erosion control blankets. Sediment control may include properly sized detention basins, dams, or filters to reduce entry of suspended sediment into the storm drain system and watercourses, and installation of construction entrances to prevent tracking of sediment onto adjacent streets. Pollution prevention practices may include: designated washout areas or facilities, control of trash and recycled materials, covering of materials stored on-site, and proper location of and maintenance of temporary sanitary facilities. The combination of BMPs used, and their execution in the field, must be customized to the site using up-to-date standards and practices. You may refer to the Marin County Stormwater Pollution Prevention Program's website, https://www.marincounty.org/~media/files/departments/pw/mcstoppp/development/erosion_sediment_control_measures_for_small_construction_projects-2015.pdf?la=en

Advisory Notes

Advisory notes are provided to inform the applicant of Sausalito Municipal Code 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 Engineering Division of the Department of Public Works 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.
2. Pursuant to Municipal Code Chapter 8.54, applicants shall submit a Recycling Management Plan to the Community Development Department prior to the issuance of any Building Permits, unless the requirement is waived pursuant to Section 8.54.050
3. 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.

4. Pursuant to Municipal Code Section 12.16.140, the operation of construction, demolition, excavation, alteration, or repair devices and equipment within all residential zones and areas within a 500-foot radius of residential zones shall only take place during the following hours:

Weekdays – Between 8:00 a.m. and 6:00 p.m.

Saturdays – Between 9:00 a.m. and 5:00 p.m.

Sundays – Prohibited

City holidays (not including Sundays) – Prohibited

Homeowners currently residing on the property and other legal residents may operate the equipment themselves on Sundays and City holidays between 9:00 a.m. and 6:00 p.m.

5. 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.
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>.
7. All applicable City fees as established by City Council resolutions and ordinances shall be paid.

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ATTACHMENT 3: PROJECT PLANS