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SAUSALITO PLANNING COMMISSION
Wednesday, October 14, 2009
Approved Minutes

Call to Order—Joint Meeting with Historic Landmarks Board

Vice Chair Bair called the meeting to order at 6:30 p.m. in the Council Chamber of City Hall, 420 Litho Street, Sausalito.

Planning Commission:

Present: Vice Chair Stan Bair, Commissioner Joan Cox (after Item No.1),
Commissioner Stafford Keegin, Commissioner Eric Stout
Absent: Chair Bill Keller, Commissioner Joan Cox (during Item No.1)
Staff: Community Development Director Jeremy Graves
Associate Planner Heidi Burns, Associate Planner Lilly Schinsing,
Assistant Planner Alison Thornberry, City Attorney Mary Wagner

Historic Landmarks Board:

Present: Chair Thomas Theodores, Board Member Denina Frederickson,
Board Member Vicki Nichols, Board Member Morgan Pierce

Absent: Board Member Brad Paul

Vice Chair Bair moved and Commissioner Stout seconded a motion to approve the agenda with the order of Items 2 and 3 switched. The motion passed 3-0.

Approval of Minutes

Vice Chair Bair moved and Commissioner Stout seconded a motion to approve the minutes of April 1, April 15, May 6, May 20, June 3, June 17, July 1, and July 15, all for the year 2009. The motion passed 3-0.

Public Comments

None.

Public Hearings

- 1. DR 08-034, Design Review Permit Modification, DeSantis, 46 Santa Rosa Avenue.** A modification of a Design Review Permit to construct a 215 square foot addition to the northern side of a single-family house on an 18,586 square foot lot 46 Santa Rosa Avenue (APN 065-092-16). An approximately 117 square foot bath/laundry room on the northern side (rear) of the residence is proposed to be demolished and replaced with a breakfast conservatory room. The original Design Review Permit was approved by the Historic Landmarks Board on March 4, 2009 and the Planning Commission on March 18, 2009.

1 The public hearing was opened. Associate Planner Lilly Schinsing presented the Staff
2 Report.

3
4 Brad Hubbell, the applicant, was available for questions and did not make a
5 presentation.

6
7 The public comment period was opened. Being none, the public comment period was
8 closed.

9
10 Historic Landmarks Board comments:

- 11 • The improved design is beautiful and has no impact on the neighbor at 44
12 Santa Rosa Avenue.
- 13 • Originally the HLB had questions on the placement of the windows and doors
14 across the back and the use of stone. These concerns were addressed by the
15 project architect on the HLB's two sites.

16
17 **Historic Landmarks Board Chair Theodores moved and Board Member Pierce**
18 **seconded a motion to approve the resolution approving modifications to the**
19 **Design Review Permit as specified in the design plans dated October 7, 2009 with**
20 **the conditions specified in Exhibit P. The motion passed 4-0.**

21
22 **Vice Chair Bair moved and Commissioner Stout seconded a motion to approve**
23 **the resolution approving modifications of previously-approved design review**
24 **permit. The motion passed 3-0.**

25
26 **Historic Landmarks Board Chair Theodores moved and Board Member Nichols**
27 **seconded a motion to adjourn the meeting of the Historic Landmarks Board. The**
28 **motion passed 4-0.**

29
30
31 Commissioner Cox joined the meeting at 6:57p.m.

- 32
33 **3. ZOA 09-072, Zoning Ordinance Amendment, Restaurant Investors**
34 **Income Fund V, 1250 Bridgeway.** Amendment of *Zoning Ordinance* Table
35 10.24-1 and Section 10.44.240.C.1 regarding allowing Formula Retail uses
36 subject to a Conditional Use Permit in the Central Waterfront (CW) Zoning
37 District. These amendments are exempt from the California Environmental
38 Quality Act (CEQA) in accordance with Section 15305 of the CEQA
39 Guidelines.

40
41 The public hearing was opened. Associate Planner Burns presented the Staff Report.

42
43 Commission questions to staff:

- 44 • What is the extent of the Commercial Waterfront Zoning District? *Staff*
45 *responded the CW District generally extends from Johnson Street on the*
46 *south, to Locust Street on the north, and from the waterfront on the east to*
47 *Bridgeway on the west.*
- 48 • How many parcels are involved in the CW zone? *Staff responded there are*
49 *approximately 32 parcels; including the arks.*

- 1 • If the amendment to the Zoning Ordinance were approved would any other
2 Formula Retail that wanted to come into one of the sites be categorically
3 excluded? *Staff responded it would not be categorically excluded, however it*
4 *would be subject to a Conditional Use Permit.*
- 5 • Will the building's interior and exterior remain essentially the same with no
6 large-scale renovation? *Staff responded that is correct.*
- 7 • Are there any criteria applicable with respect to the size of the restaurant that
8 can go in this space? *Staff responded based on the proposed seating area*
9 *layout and the available parking spaces they are permitted 36 seats inside and*
10 *22 seats outside.*
- 11 • If the applicant wanted a larger building on this site, could they build one? *Staff*
12 *responded if a conditional use permit and zoning ordinance amendment were*
13 *approved for this Formula Retail project and if the applicant then proposed to*
14 *add a second story, a new Conditional Use Permit and Design Review Permit*
15 *would be required. Both triggers would bring the project back to the Planning*
16 *Commission. In addition, there would need to be adequate onsite parking.*
- 17 • Because it is Formula Retail with high name recognition and a coffee shop with
18 people coming and going, is there another way to direct traffic without reducing
19 the amount of available parking? *Staff responded staff could work with the City*
20 *Engineer and the applicant to create an alternative design. This item could be*
21 *continued to the next meeting or a Condition of Approval could be drafted.*
- 22 • Is this project consistent with the Fair Traffic Initiative? Given the potential for
23 heavy traffic has staff considered the impact on traffic, especially since that is
24 where the lanes narrow down to one lane? *Staff responded the project*
25 *complies with the general development standards of the Fair Traffic Initiative*
26 *and is within allowable floor area ratio and provides sufficient parking to*
27 *accommodate the proposed 36 seats.*
- 28 • We don't know whether the omission of Formula Retail from the Commercial
29 Waterfront Zoning District was inadvertent or purposeful, but if it was
30 inadvertent, were traffic impacts evaluated? *Staff responded their review of the*
31 *record shows no evidence that traffic considerations were taken into account*
32 *when the Formula Retail regulations were established.*

33
34
35 Staff distributed a detail from the Zoning Map displaying the extent of the Commercial
36 Waterfront Zoning District.

37
38 Presentation was made by Carol Mazzetti, the applicant.

39
40 Commission questions and comments to the Ms. Mazzetti and Chris Konecny, also
41 representing the applicant:

- 42 • Are all of your stores corporately owned? *Ms. Mazzetti responded yes.*
- 43 • How many locations are there? *Ms. Mazzetti responded 195 in six states.*
- 44 • How are you different from Northpoint Coffee Company/Cafe? *Ms. Mazzetti*
45 *responded Northpoint served food, as do all the other cafes in the area.*
- 46 • A 4'x4' sign seems large compared to the other signage in the area. *Mr.*
47 *Konecny responded the sign was sized in accordance with the sign*
48 *regulations. Staff responded the applicants designed their signage to the*
49 *maximum allowed for that building by the Zoning Ordinance.*

- 1 • In the rear patio area are the outdoor tables fastened to the ground or are they
2 movable? *Mr. Konecny responded it is loose seating.*
- 3 • What is the rear edge that separates you from the water? *Mr. Konecny*
4 *responded there is presently an untreated concrete ledge, but eventually there*
5 *will be a landscape strip along the back and a ramp that cuts down through the*
6 *ledge to allow access to the coastline.*
- 7 • How many bicycles will the proposed bike rack hold? *Mr. Konecny responded*
8 *four presently, but they realize they will be on a major bike corridor and will*
9 *need a larger capacity rack.*
- 10 • There is nothing in your plans regarding how you will deal with your trash. *Mr.*
11 *Konecny responded they would have receptacles in the rear area and one up*
12 *front.*
- 13 • If this were approved would you be willing to put that in your plans? *Mr.*
14 *Konecny responded yes, or the Commission could make it a Condition of*
15 *Approval.*
- 16 • Is the building at 1250 Bridgeway a manufactured building or one that was
17 built? *Mr. Konecny responded they do not know. Staff responded on the City*
18 *record it does not appear it was a manufactured building and was constructed*
19 *in the early 1960s as a small wood-framed building.*
20

21
22 The public comment period was opened.

23
24 Phil Lamoreux, 1505 Bridgeway, indicated the following:

- 25 • He has been a resident of Sausalito 23 years and has an investment
26 management business in town.
- 27 • This location has had difficulty maintaining a stable tenant and has been
28 vacant as much as occupied. Having a viable, financially strong tenant that
29 serves a local need is important.
- 30 • Peet's has a loyal base of supporters. His company sends someone to Mill
31 Valley or Corte Madera every day to buy Peet's coffee or lattes for the office
32 because it is better than comparable products in Sausalito.
- 33 • Peet's does not serve hot food and will not impact the other cafés, but those
34 other cafés may benefit from the customers Peet's will bring in.
35

36
37 Morgan Morgan, 1001 Bridgeway, indicated the following:

- 38 • Changing the Zoning Ordinance to allow Formula Retail in the Commercial
39 Waterfront Zoning District does not open the floodgates. The City has the
40 control to determine the appropriateness of the use of a site and the
41 surrounding area on a case-by-case basis.
- 42 • She buys Peet's coffee in other communities and, out of convenience, does
43 other business while in those communities. Her carbon footprint will be reduced
44 by having a Peet's in town, as will those of her neighbors she sees at the Mill
45 Valley and Corte Madera Peet's frequently.
- 46 • Regarding parking concerns, since 70% of Peet's business is before 11:00am
47 and 50% of their business is beans, people are in and out quickly.
48
49
50

1 Chuck Donald, indicated the following:

- 2 • He supports the project.
- 3 • He is in favor of the zoning text change, but with some apprehension due to the
- 4 precedent setting aspect.
- 5

6 Mike Madden, 509 Humboldt, indicated the following:

- 7 • Other supporters of Peet's are the owners and residents of Ark Row, the
- 8 owners and operators of Lighthouse Coffee Shop, and Sausalito Yacht
- 9 Harbor.
- 10

11 Scott Shecklin (phonetic), indicated the following:

- 12 • He does not support the project.
- 13 • The local and unique coffee shops in Sausalito should be protected from
- 14 Formula Retail.
- 15

16 Julie Warren, 1707 Bridgeway, indicated the following:

- 17 • She supports the application for a coffee shop at that site because the building
- 18 needs a stable tenant. It has frequently been vacant and used by the
- 19 homeless.
- 20 • Peet's has a good track record in providing for the communities it serves.
- 21 • Sausalito has always been a coffee society, so why not one more coffee shop?
- 22 • Peet's is going LEED and is working on ways to give back to the waterfront
- 23 environment.
- 24
- 25

26 Tara Ancona, indicated the following:

- 27 • Her family owns Angelino's Restaurant and has done business in Sausalito for
- 28 over 25 years.
- 29 • They have recently opened a second establishment, a breakfast, lunch, and
- 30 coffee café where they bake all their pastries and desserts in Sausalito and
- 31 their coffees are sources locally and organically.
- 32 • She speaks as one of 19 small, local café/coffee businesses in Sausalito.
- 33 • The needs of the locals and tourists are being met currently by Sausalito's
- 34 broad selection of breakfast/coffee venues, which includes a Starbucks; a
- 35 formulaic large-scale retail chain business that adheres to many of the same
- 36 business practices as Peet's and offers the same type of product.
- 37 • Peet's Coffee has 100 locations in the Bay Area. Is this the large retail chain
- 38 business model that Sausalito needs? Don't accept into an already saturated
- 39 local café/coffee market a large-scale formulaic chain entity.
- 40 • Peet's can afford to run this location at a loss of profit for years, something
- 41 none of the local merchants could afford to do.
- 42
- 43

44 Commission question to Ms. Ancona:

- 45 • Where do your coffee beans come from? *Ms. Ancona responded they are*
- 46 *obviously not grown here, but they are roasted in Emeryville.*
- 47
- 48
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1 Vicki Nichols, 117 Caledonia, indicated the following:

- 2 • She lives within 300' of the proposed project site.
- 3 • She has no objections to the project and believes most findings can be made.
- 4 • She is concerned once Formula Retail is allowed, this area will be where
- 5 Formula Retail will be put, because only one other site in central Sausalito
- 6 allows Formula Retail. This will lead to a concentration of Formula Retail in the
- 7 waterfront area. Future applicants not as beloved as Peet's will have the right
- 8 to apply in that location.
- 9 • This project should be considered separate from the zoning amendment. The
- 10 City will lose its ability to look at projects on a case-by-case basis if the City
- 11 does a blanket change on the zoning.
- 12 • The City needs to consider the parking if this area is zoned for Formula Retail.
- 13

14 Jim Madden, 511 Humboldt, indicated the following:

- 15 • He is a resident of one of the arks.
- 16 • Peet's would be a benefit to the locals. He and his family go to Greenbrae to
- 17 get Peet's coffee.
- 18 • Peet's is a Bay Area-based company with 200 stores as compared to Subway
- 19 with 31,000 and Starbucks with 10,000.
- 20
- 21

22 Kim Stoddard, 66 Marion Avenue, indicated the following:

- 23 • A local merchant would bring more character to this unique waterfront location.
- 24

25 Herb Newman, 1707 Bridgeway, indicated the following:

- 26 • Peet's is not a cookie cutter establishment. Each location is different.
- 27

28 Charlie Hamilton, 1200 Bridgeway, indicated the following:

- 29 • He is speaking as the General Manager of Paradise Bay, not the landlord.
- 30 • Peet's is exactly what they are looking for in a next-door business. Seventy
- 31 percent of their business is before 11:00am and Paradise Bay opens at 11:30.
- 32 • There are different ways to delineate that go-between parking that won't
- 33 reduce any more parking spaces.
- 34

35 Leon Portize (phonetic), 595 Bridgeway, indicated the following:

- 36 • He is a long time Peet's customer and in favor of the project.
- 37 • Peet's locations he frequents with his friends have a social club type
- 38 environment. Sausalito is missing out by not having one.
- 39
- 40

41 The public comment period was closed.

42 Carol Mazzetti's response to public comment:

- 43 • It is not true that this area is the only place Formula Retail would be allowed.
- 44 *Staff noted Formula Retail is allowed in the following districts, subject to a*
- 45 *CUP: Central Commercial Zoning District, Neighborhood Commercial Zoning*
- 46 *District, and Shopping Center Zoning District. Currently Formula Retail is not*
- 47 *allowed within Commercial Residential, Waterfront Zoning District, and the*
- 48 *Commercial Waterfront Zoning District.*
- 49
- 50

1 Commission comments:

- 2 • The City's definition of Formula Retail is troublesome. This store would be
3 operated by a single corporation and not required to maintain standardized
4 services, merchandise, logo, et cetera. If they choose to emulate operations
5 that have been successful in other of their locations, that is not Formula Retail.
6 The notion of a requirement must be found in a license agreement or some
7 obligation of owing to a third party, which is not seen here.
- 8 • Given the words and spirit of the Formula Retail definition there is no choice
9 but to find Peet's Coffee to be Formula Retail. The Commission received 92
10 letters supporting the project because of the name and brand recognition.
11 Peet's customers expect a particular brand of coffee that tastes a particular
12 way. That is formulaic.
- 13 • If we're going to add the amendment it should have a separate process.
- 14 • The City accomplishes its goal of preserving the unique village character of
15 Sausalito with the required findings for approval if Formula Retail businesses
16 are required to go through the Conditional Use Permit process.
- 17 • Formula Retail would be in keeping with the variety of other uses in that
18 district.

19
20
21 **Commissioner Keegin moved and Commissioner Stout seconded a motion that**
22 **the Planning Commission recommends the City Council approval of the Zoning**
23 **Ordinance Text Amendment to allow Formula Retail uses subject to a CUP in the**
24 **Commercial Waterfront Zoning District. The motion passed 3-1 (Bair – No).**
25

- 26 **2. DR/SP/MUP/CUP 09-072, Design Review Permit, Conditional Use Permit,**
27 **Minor Use Permit, Sign Permit. Restaurant Investors Income Fund V,**
28 **1250 Bridgeway.** Design Review Permit, Conditional Use Permit, Minor Use
29 Permit, and Sign Permit to locate a Formula Retail establishment at 1250
30 Bridgeway (APNs 065-034-01 and 065-034-09). This project is categorically
31 exempt from California Environmental Quality Act (CEQA) in accordance with
32 Sections 15305 and 15332 of the CEQA Guidelines.
33

34 Commission questions to staff:

- 35 • Is there a 15' zone that is within the leasehold property? *Staff responded there*
36 *is not, however this project is subject to the San Francisco Bay Conservation*
37 *and Development Commission's (BCDC) requirements for public access. The*
38 *applicant would need to get a permit for the plantings from BCDC as well as*
39 *the City.*
- 40 • If plantings were done would they be subject to other zoning regulations or fall
41 within CEQA reviews? *Staff responded that plantings within the public right-of-*
42 *way would not require an Encroachment Agreement unless they are over 36" in*
43 *height and CEQA would not apply because those elements would be*
44 *ministerial in nature.*
45

46 Commission comments:

- 47 • This property's frequent vacancies have given local establishments the
48 opportunity to come in and try to make a go of it. Since corporations hold their
49 property much longer than a local proprietor that benefit would be lost.
50

- The City has another Formula Retail coffee establishment downtown.

Amended and new Conditions of Approval:

- Condition 3: Add the three words "and in effect" to the end.
- Condition 6: Modify to state that prior to issuance of a Building Permit the applicant shall submit a parking management plan to the Community Development Director which maximizes existing onsite parking.
- Condition 7: Modify to include enhancement of landscaping within a 15' buffer in the Humboldt Avenue right-of-way along the waterfront shoreline.
- New Condition: A 25% reduction of the proposed wall sign size.
- New Condition: Prior to issuance of a Building Permit the applicant shall submit a trash management plan to be approved by the Community Development Director and work in concert with the adjacent tenant to demonstrate how the treatment of refuse will be handled and screened.
- New Condition: Bicycle racks will be expanded to provide space for 12 bicycles.
- New Condition: Kitchen ventilation hood are prohibited.

Commissioner Keegin moved and Commissioner Stout seconded a motion to approve a Design Review Permit, Conditional Use Permit, Minor Use Permit, and Sign Permit for 1250 Bridgeway referencing the four resolutions set forth in Exhibit A of the Staff Report and subject to the amended and new Conditions of Approval. The motion passed 3-1 (Bair – No).

- 4. DP, Design Review Permit, City of Sausalito, Bridgeway to Ferry Landing Improvement Project.** Design Review Permit to allow a local public enhancement project including construction of upgraded sidewalks, curbs, and landscaping within portions of the Humboldt Avenue public right-of-way as well as Bay Street (APN 065-073-01) and Anchor Street (APN 065-073-03).

The public hearing was opened. Associate Planner Burns presented the Staff Report.

Commission questions and comments to staff:

- The Chamber of Commerce asserts the project proposal did not take into account the recommendations of Imagine Sausalito's Harbor & Downtown Action Committee. *Staff responded the Harbor & Downtown Action Committee included an alternative improvement plan in their final Imagine Sausalito Action Committee report. The City Engineer forwarded this report to Royston Hanamoto Alley & Abey (RHAA) who determined the proposed design was the preferred approach in terms of cost and construction.*
- Which parking spaces would be removed? *Staff responded those on the east side of Humboldt Avenue and the south side of Anchor Street.*

Presentation was made by City Engineer Todd Teachout, and Jacob Millard of RHAA, the applicants.

1 Commission questions and comments to the applicant:

- 2 • Was there City input on whether the RHAA plan indeed comports with the
3 Harbor & Downtown Action Committee's plan? *Mr. Teachout responded he*
4 *was not able to meet with the HDAC but has received guidance and*
5 *suggestions from them and believes the current plan honors that.*
- 6 • Is there a budgetary constraint that makes an alternative plan infeasible? *Mr.*
7 *Teachout responded they have not had lengthy discussions on that matter but*
8 *he believes the alternative proposal is more expensive than they can afford.*
9 *They have rough estimates but won't get final costs until they get an*
10 *engineering design and prioritize the work.*
- 11 • What route would a bicyclist take to get from the ferry terminal to the main bike
12 path? *Mr. Millard responded through Gabrielson Park or Parking Lot 1 to the*
13 *multi-use path. To continue north there is a class 2 bike lane out to Bridgeway.*
- 14 • How does this design fit within the rest of the corridors the City is trying to
15 establish? *Mr. Millard responded southbound traffic on Bridgeway could turn*
16 *onto Anchor onto the Class 2 path. The desire is to put directional signage on*
17 *Bridgeway and the ferry landing to get them to these facilities.*
- 18 • This is a central zone with no connections to other parts of the city. *Mr. Millard*
19 *responded the north/south corridor is primarily a bicycle facility and will be*
20 *dominated by pedestrians and transit users, so they tailored the design to*
21 *emphasize the multi-use path for the new facility.*
- 22 • Bike and pedestrian routes are confusing and not continuous.
- 23 • There are conflicts between the buses, cars, bikes, and pedestrians that
24 reduce safety.
- 25 • One bus-loading lane leaves room for only three buses, when originally there
26 were six. *Mr. Millard responded there is room for eight buses along Humboldt.*
27 *There are two lanes of bus loading and unloading.*
- 28 • What defines the Class 2 bikeway? *Mr. Millard responded a stripe on the road.*
- 29 • Is the boardwalk along Sausalito Yacht Harbor on private property? *Mr. Millard*
30 *responded the boardwalk is open to the public per BCDC's requirement as part*
31 *of the Yacht Harbor's permit.*
- 32 • Why didn't the scope of work include the actual ferry landing? *Mr. Millard*
33 *responded changes to Lot 1 and Gabrielson Park would need approval by a*
34 *City referendum. Due to grant time constraints they didn't have time to do the*
35 *necessary community outreach.*
- 36 • Where do people go from the ferry? This plan doesn't show how people are
37 connected or where to go from there. *Mr. Millard responded resources and*
38 *time are not available to fully address those issues with this project, but this is*
39 *a start.*

40
41
42
43 *The public comment period was opened.*

44
45 *Michael Rex indicated the following:*

- 46 • He chaired the Harbor Downtown Action Committee and they submitted their
47 report to RHAA in April.
- 48 • There was no discussion between the HDAC and the design team that put the
49 project together.

- 1 • The paths are not continuous and have no connection. The HDAC's alternative
2 plan suggests a continuous link aligned with the boardwalk all the way to the
3 ferry landing.
- 4 • The multi-use trail is only 10 feet wide, not wide enough for bicycles and
5 pedestrians.
- 6 • The turning radius of the double bus lanes would forever preclude a future
7 trolley. The HDAC's plan allows for a future trolley for mass transit with rail.
- 8 • The RHAA plan preserves the unsafe bus unloading area where the buses are
9 double stacked. People are dropped in the street between buses. The HDAC's
10 plan proposes moving the buses over to the BofA lot and implementing
11 diagonal bus parking to create a better loading and unloading area.
- 12 • The HDAC's plan separates pedestrians from bike paths and bus passengers
13 are separated from all traffic.
- 14 • The proposed plan needs to show where the 21 cars would be located and
15 where the Golden Gate bus stop would be relocated.
- 16 • The HDAC's plan demonstrates there are better solutions available and more
17 study is needed with more public dialogue. Approving the RHAA plan tonight
18 would be premature.
- 19
- 20

21 Commission questions to Mr. Rex:

- 22 • Does the HDAC's plan delete any existing parking? *Mr. Rex responded it is*
23 *similar to the RHAA plan, although there may be a few more cars lost in Lot 2*
24 *due to moving a driveway. The City Engineer believes half of those lost cars*
25 *could go into Lot 3.*
- 26 • Are you aware of the time constraints on the federal funding? *Mr. Rex*
27 *responded he is very aware of it, because staff's projected schedule has no*
28 *time appropriated to incorporate the public input.*
- 29 • It appears your plan has reduced to three the number of buses that will service
30 the area. *Mr. Rex responded there is room for five or six large buses and*
31 *shuttles.*
- 32

33 Peter Van Meter, 4 Cloudview Circle, indicated the following:

- 34 • He was a member of the Harbor & Downtown Action Committee.
- 35 • There has been no public debate on this project. He became aware of the
36 proposal only ten days ago.
- 37 • The Commission should take no action that at this hearing, but should gather
38 additional public input and consider other sides of the project.
- 39 • Regarding the time constraints of the grant, he would like the City to get an
40 extension. If an extension is not granted it is better to lose the federal money
41 than do the project wrong.
- 42
- 43

44 Commission question to Mr. Van Meter:

- 45 • Given your desire for a flexible plan that is compatible with the overall concepts
46 and has the ability to interface with those plans later, wouldn't a simpler project
47 now make more sense than one that is more complex and more expensive?
48 *Mr. Van Meter responded he doesn't think the HDAC's plan is more complex or*
49 *difficult than the RHAA plan in terms of overall construction. His point is that is*
50 *not a decision the Planning Commission should make tonight.*

1 David Hoffman indicated the following:

- 2 • He is the Director of Planning for the Marin County Bicycle Coalition.
- 3 • The RHAA report framed the bike/pedestrian issue very well: This is the key
- 4 multimodal point in Sausalito. When bicyclists are going to/from the ferry or
- 5 stopping downtown, this is where they are.
- 6 • Staff and consultants have made a good start, but he agrees with the HDAC
- 7 that this particular section needs more study. There is tremendous potential to
- 8 get a good multimodal connection, the terminus of the north/south greenway.
- 9 • He believes it is possible for the City to get a grant deadline extension and
- 10 more money for the project's cost overruns from the County.
- 11 • His organization is working on a project that would go from this terminus out to
- 12 Gate 6 Road.
- 13

14 Chuck Donald indicated the following:

- 15 • He agrees with the HDAC that it is premature to approve this project. Issues
- 16 such as a future trolley line need to be decided upon before a plan can be
- 17 approved.
- 18 • The City should go with the plan that is the simplest and costs the least. The
- 19 proposed plan is rudimentary, but can be changed to meet whatever happens
- 20 in the future.
- 21

22 Don Olsen indicated the following:

- 23 • He is an architect with offices in downtown Sausalito and supports the HDAC's
- 24 plan.
- 25 • The six parking spaces on Anchor Street, three of which are loading zones, will
- 26 disappear under the RHAA plan. The suppliers of food and beverages and
- 27 postal delivery park there and there is no other place area to unload.
- 28 • More study needs to be done.
- 29

30 The public comment period was closed.

31 Todd Teachout's rebuttal to public comment.

- 32 • This project meets the Design Review Guidelines.
- 33 • Michael's Rex's letter is based on an earlier version of their plan. They have
- 34 since made changes to better accommodate bus parking.
- 35 • They have biased their plan towards pedestrians for now.
- 36 • It might be beneficial to have dialogue between RHAA and the HDAC to see if
- 37 common ground can be found in the similar plans.
- 38 • They are preserving eight spaces for buses.
- 39 • The HDAC plan has planting along Lot 2, which is outside the project limits and
- 40 cannot be planted in without the possibility of losing their right-of-way
- 41 certifications for the federal funding. RHAA's plan has tree plantings within the
- 42 Humboldt right-of-way.
- 43

44 Commission questions to the Mr. Teachout:

- 45 • What are the time constraints? Is there concern that the funding will go away?
- 46 *Mr. Teachout responded the County gave the City the money with the goal of*
- 47

1 *awarding a contract and getting the project physically underway by the end of*
2 *the year.*

- 3 • What is your projected turnaround on bid? *Mr. Teachout responded*
4 *approximately 21 days for bidding and award with the goal of getting an award*
5 *to Council in early February 2010.*
- 6 • To reserve those federal funds for this project can we still be in the conceptual
7 phase or do we have to be into design and development or construction
8 drawings? *Mr. Teachout responded they would need to be in the construction*
9 *documents phase.*
- 10 • What is the latest time constraint can you live with? *Mr. Teachout responded if*
11 *the project cannot get approved at this meeting he would seek feedback on*
12 *the major differences between RHAA's plan and the HDAC's plan. If that can't*
13 *be accomplished by the first meeting in November they would not be able to*
14 *deliver the project within the County's time constraints.*
- 15 • What is the process to seek an extension and from whom? *Mr. Teachout*
16 *responded the Board of Supervisors with whom the City has a contract.*

17
18
19 The public comment period was re-opened.

20
21 Jacob Millard indicated the following:

- 22 • It may be possible to phase this project if cost is a concern. They could work
23 out what will be done over time and as each section is built they can get more
24 money from the County to build the next section. If they can deliver something,
25 even a concept and the first \$50,000 underway, they can get funding later to
26 continue the project.

27
28 The public comment period was closed.

29
30 Commission comments:

- 31 • If the Commission votes yes it gives staff a window to continue this process to
32 see how the rest of the requirements are met. But if we vote no, that will be the
33 end of the project.
- 34 • The HDAC would like the Commission to vote no on this application because
35 the project can then be more finely planned and built in a way consistent with
36 the City's long-term plan for the Imagine Sausalito project, but that project is a
37 long way in the future.
- 38 • I'd like to see this project go forward, but this proposal is so bare bones that it
39 is hard to even respond to and we're being asked to design review on the fly.
40 I'm not prepared to vote for this particular project given the questions we've
41 been presented with.
- 42 • One of the General Plan issues is, "Assure that community design
43 considerations are carefully included in any decision involving public projects,"
44 but the HDAC's community design considerations, carefully crafted over years
45 with hundreds of volunteer hours, have not been taken into account in this
46 plan.
- 47 • There are questions if this current plan actually enhances bicycle and
48 pedestrian circulation.

1 **Vice Chair Bair moved and Commissioner Keegin seconded a motion to continue**
2 **the public hearing for the Bridgeway to Ferry Landing Improvement project to the**
3 **November 4th meeting. The motion passed 4-0.**

- 4
- 5 **5. AP 08-002, Review of Privacy Solution, Akraboff, 600A Locust Street.** A
6 review of a privacy solution for a project at 600A Locust Street (APN 064-211-
7 27). A Design Review Permit was approved by the Planning Commission on
8 June 3, 2009 and an appeal was filed on June 15, 2009. The City Council
9 heard the appeal on July 21, 2009 and remanded the application to the
10 Planning Commission for a recommendation to the City Council on the
11 privacy issue.
12

13 Presentation was made by Don Olsen, the applicant.
14

15 Commission questions to the applicant:

- 16
- 17 • Is the completion of your proposed fence and arbor by Friday of this week a
18 self-imposed deadline? *Mr. Olsen responded yes.*

19 Commission question to staff:

- 20
- 21 • Can the improvements that will create the privacy solution be approved by staff
22 without having to come back to the Planning Commission? *Staff responded*
23 *yes, the fence and the arbor would be able to be approved with a Building*
24 *Permit and a Zoning Permit.*

25 The public comment period was opened.
26

27 Robert Beifuss, 85 & 87 Girard, appellant, indicated the following:

- 28
- 29 • He will work with the applicant on a privacy solution.
 - 30 • If they cannot reach a solution he would like to bring it back to the Planning
31 Commission. *The Commission responded the public hearing will be continued*
32 *to a date certain and Mr. Byfuss would have an opportunity to present his*
33 *proposed options if he cannot reach a solution with the applicant.*

34 The public comment period was closed.
35

36 **Commissioner Cox moved and Vice Chair Bair seconded a motion to continue the**
37 **public hearing for 600A Locust Street to the meeting on November 4, 2009 to**
38 **enable the applicant and his neighbor to come to informal resolution. If the**
39 **parties are unable to come to a resolution the application will come back to the**
40 **Planning Commission for consideration of the Staff Report presented at this**
41 **public hearing. The motion passed 4-0.**
42

43 **Approval of Minutes**

44 **Commissioner Keegin moved and Commissioner Stout seconded a motion to**
45 **approve the minutes of September 2, 2009 and September 9, 2009. The motion**
46 **passed 4-0.**
47

48 **Old Business**

49 None.
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New Business

None.

Communications

- Staff—The city Council will be taking up the construction plan regulations for introduction at the October 20, 2009 meeting.

Adjournment

The meeting was adjourned at 11:25 p.m.

 /s/ JEREMY GRAVES
Submitted by
Jeremy Graves, AICP
Community Development Director

 /s/ BILL KELLER
Approved by
Bill Keller
Chair

CDD\Plan Comm\Minutes\2009\10-14-09-Approved