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SAUSALITO PLANNING COMMISSION
Wednesday, April 28, 2010
Approved Minutes

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Call to Order

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

Present: Vice Chair Stan Bair, Commissioner Joan Cox,
Commissioner Stafford Keegin, Commissioner Bill Werner

Absent: Chair Bill Keller

Staff: Community Development Director Jeremy Graves
Associate Planner Heidi Burns, Associate Planner Lilly Schinsing,
Assistant Planner Alison Thornberry, City Attorney Mary Wagner

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Approval of Agenda

Vice-Chair Bair moved and Commissioner Cox seconded a motion to approve the agenda. The motion passed 4-0.

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Approval of Minutes

January 28, 2009

April 14, 2010

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Commissioner Cox moved and Commissioner Keegin seconded a motion to approve the minutes of January 28, 2009 as submitted. The motion passed 3-0-1 (Abstain-Werner).

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Commissioner Cox moved and Commissioner Keegin seconded a motion to approve the minutes of April 14, 2010 as amended. The motion passed 4-0.

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Public Comments

None.

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Public Hearings

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1. EA 10-066, Encroachment Agreement, Mark, 301 Bridgeway. Encroachment Agreement for decorative projections located along the south elevation of the residence at the corner of Bridgeway and Richardson Street at 301 Bridgeway (APN 065-241-34). A Design Review Permit and Variance (DR/VA 04-025) was previously approved for the residence remodel in 2006 and is currently under construction.

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Commissioner Werner recused himself and left the room because he lives within 500 feet of the subject property.

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The public hearing was opened. Assistant Planner Alison Thornberry presented the Staff Report.

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2 Commission questions of Staff:

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- 4 • Was it clear from the approved 2006 plans that the cornice encroached into the public right-of-way? *Staff responded yes.*
 - 5 • Why was no Encroachment Agreement applied for or required in 2006? *Staff responded it was an oversight that was not caught until staff's inspection this year.*
 - 6 • Regarding the 16-inch entry deck, how much square footage did that mistake add to the structure? *Staff responded it added approximately 4-5 square feet.*
 - 7 • Does the additional square footage on the entry deck bring this project into Heightened Design Review? *Staff responded Heightened Design Review was required with the original approval in 2006.*
 - 8 • Is Heightened Design Review required for an Encroachment Agreement? *Staff responded no, because the Heightened Review is done with the previous approvals of the residential remodel.*
 - 9 • Is this a substantial enough increase over what was approved that the Planning Commission ought to go back and look at the whole project with this addition? *Staff responded the original approval included all of the windowsills, trims, vents, and cornices, so there would only a minimal change to the original approval. Staff will be administratively reviewing the deck addition in a Heightened Design Review stance, since it is a minor modification to the approved plan.*
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25 Presentation was made by Ron Albert, the applicant's representative.

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27 The public comment period was opened.

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29 Steve Adams, 210 Richardson Street, indicated the following:

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- 31 • He lives directly behind the subject property.
 - 32 • He asked if anything was to be added to the roof that would impede his view. *Staff responded there is nothing being added to the roof.*
- 33

34 The public comment period was closed.

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36 Commission comments:

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- 38 • There is nothing in this project that significantly deviates from what was approved in 2006.
 - 39 • The areas that encroach are aesthetically pleasing and improve the appearance of the property.
 - 40 • The Commission would normally have difficulty making Finding C, "The encroachment is necessary to the reasonable use and enjoyment of the property," were it not for the fact that the project was built based on a prior approval by the Planning Commission.
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47 **Vice-Chair Bair moved and Commissioner Keegin seconded a motion to approve an Encroachment Agreement for 301 Bridgeway. The motion passed 3-0.**

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1 Commissioner Cox moved and Vice-Chair Bair seconded a motion to hear the
2 application for Item 3 before Item 2 on the agenda. The motion passed 3-0.
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4 Commissioner Werner returned to the meeting.
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- 6 **3. DR/VA 09-228, Design Review Permit, Variance, Nonconformity Permit,**
7 **Zweig, 535 Bridgeway.** Design Review Permit and Variance to allow for a
8 substantial remodel and third floor addition adding approximately 880 square
9 feet of new floor area to a single-family dwelling located at 535 Bridgeway (APN
10 065-171-07). A Variance is being requested to allow for structural and design
11 modifications to existing building walls that are located within the north and
12 south side yard setbacks. The project is subject to Heightened Design Review
13 standards since it exceeds 80-percent of the permitted building coverage and
14 floor area limitations.
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16 The public hearing was opened. Associate planner Burns presented the Staff Report.
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18 Commission questions to staff:
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- 20 • Would there be any lighting on the roof deck? *Staff responded there is a*
21 *standard condition that those lights be shielded and downward facing.*
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23 Presentation was made by Marty Zwick, the architect and applicant. Commission
24 questions to Mr. Zwick:

- 25 • Where will the zinc inserts be located? *Mr. Zwick responded that the zinc*
26 *inserts would in the surrounds. The zinc inserts are brushed and shiny when*
27 *new, but look like pewter very quickly. Sometimes samples will look white*
28 *because of a protective coating, but it is gray, not white.*
29 • Is the zinc inset in the surrounds? *Mr. Zwick responded no, it is actually flush.*
30 • Will zinc be used in the entire square around the window? *Mr. Zwick*
31 *responded yes, both side and front windows, but not lower at the garage door.*
32 • Can you address the lighting on the roof? *Mr. Zwick responded they do not*
33 *have a problem with the stipulation that the lights be shielded and downward*
34 *facing as they do not need very much lighting.*
35 • The roof deck, when erected, will face directly into the windows of the
36 residence next door. *Mr. Zwick responded they have spoken with both next-*
37 *door neighbors and neither has a problem with the roof deck facing them.*
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39 The public comment period was opened. Being none, the public comment period was
40 closed.
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42 Commission comments:
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- 44 • The proposed plan that moves away from the sharp cube shape is preferable
45 aesthetically, however the Historic Landmarks Board (HLB) would prefer to
46 maintain the cube shape, and that recommendation should be honored.
47 • The proposed plan is much preferred. The HLB feels their recommendation to
48 maintain the cube shape is reflective of the historic neighborhood; however
49 there is diversity in the facades of the neighborhood buildings and that is
50 reflected more in the proposed plan.

- The original design has more of a sense of stability, design, continuity, and consistency and did not need to be modified in the fashion that the HLB suggested.
- The stucco joints should be a half-inch rather than the proposed three-sixteenth of an inch. One of the more interesting elements of a jointed stucco façade is the scale and the slight shadow line resulting from a larger joint.
- What are your thoughts on the difference between the three-sixteenth stucco joint and a half-inch stucco joint? *Mr. Zwick responded he would prefer to go with the half-inch joint.*

Amended Condition of Approval:

- The stucco joints may be up to one-half inch in width.

Commissioner Werner moved and Commissioner Keegin seconded a motion to approve a Design Review Permit and Variance for 535 Bridgeway with the amended Condition of Approval. The motion passed 3-1 (No-Cox).

Commissioner Cox moved and Commissioner Werner seconded a motion to hear Staff Communications prior to Item 2, before Commissioner Werner leaves the meeting. The motion passed 4-0.

Staff Communications

- The Transportation Action Committee provided a PowerPoint presentation to the City Council at the April 27, 2010 meeting. Staff has provided copies of the final report by the Transportation Action Committee to the Planning Commission.
- Approved copies of Planning Commission minutes are now available on the City's website.
- The Planning Commission's joint meeting with the City Council is scheduled for May 17, 2010. A time has not yet been set. Any agenda topic suggestions by the Commission should be forwarded to the Community Development Director.
- There will be a presentation by the Waterfront Marinship Steering Committee at the May 18, 2010 City Council meeting.

Commissioner Werner recused himself from the meeting and left the room since he lives with 500 feet of the property which is the subject of Item 2.

Public Hearings (continued)

- 2. DR/NC 10-057, Design Review Permit, Nonconformity Permit, MacLaird, 22 Atwood Avenue.** Design Review Permit and Nonconformity Permit to allow for the new construction of the top two floors and a two-foot height increase within the existing footprint of an existing legal nonconforming single-family dwelling at 22 Atwood Avenue (APN 065-203-02). The project is subject to Heightened Design Review standards since it exceeds 80-percent of the permitted building coverage and floor area limitations.

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

1 Commission questions of staff:

- 2 • Is 21 Atwood Avenue uphill from the proposed project site? *Staff responded it*
3 *is an uphill neighbor. The proposed two-foot roof height increase would not*
4 *create a view impact at 21 Atwood due to the topographic contours of the uphill*
5 *property at 21 Atwood. If the foliage were removed at 21 Atwood, the project*
6 *site would be visible, but even then there could be no differentiation between*
7 *the existing height and the proposed two-foot roof height increase.*
- 8 • The ceiling elevations on the third floor are currently substandard. Does the
9 Building Code require the third floor ceiling heights be brought up to Code, or
10 could the existing ceiling heights be grandfathered in since it is an existing
11 building? *Staff responded because of the amount of demolition occurring, the*
12 *Building Inspector would not allow the use of the Historic Building Code to*
13 *retain the existing ceiling heights.*
- 14 • Are there any protrusions above the roof that will further increase this two-foot
15 roof height increase, such as a chimney? *Staff responded no.*
- 16 • Is it only the third floor that has substandard height? *Staff responded yes.*
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19 Presentation was made by David MacLaird and Peter Greenwood, the applicants.

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21 Commission questions to Mr. Greenwood:

- 22 • What is the current third floor ceiling height and what is the requirement? *Mr.*
23 *Greenwood responded it is now seven feet, four inches. The proposed new*
24 *height is eight feet, as is required.*
- 25 • That is a difference of six inches. Why is your proposed roof height increase
26 two feet. *Mr. Greenwood responded that is because the joisting situation within*
27 *the existing structure was shallow with four by six joists. Installing proper joists*
28 *to make the floor correct coupled with the increased ceiling height brought the*
29 *increase up to two feet.*

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31 The public comment period was opened.

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33 Comment by Aaron Roller, 23 Atwood:

- 34 • The project would not have an impact on his view and disagrees with the
35 opinion of the neighbors at 21 Atwood Avenue.

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37 Irv Gubman (phonetic), 73 Cazneau Avenue, indicated the following:

- 38 • Mr. MacLaird was dealt a harsh financial blow due to the HLB taking a year to
39 accomplish nothing. This project should be approved quickly.

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41 Emmet Yeazell, 21 Miller Avenue, indicated the following:

- 42 • He urges approval of the project, as there are no additions to the outside
43 footprint.

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45 Vicki Nichols, 117 Caledonia Street, indicated the following:

- 46 • As a member of the Historic Landmarks Board she has conducted extensive
47 visits to the project site.
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- Mr. MacLaird and Mr. Greenwood participated in many study sessions and were very helpful, but sometimes they did not deliver what the HLB asked for and thus contributed to the delays.
- She supports the project. The walls need to be taken down due to mildew and dry rot. The project is thoughtful in terms of keeping the historical footprint of the house and preserving the view.

The public comment period was closed.

Commissioner Cox moved and Vice-Chair Bair seconded a motion to approve a Design Review Permit and Nonconformity Permit for 22 Atwood Avenue. The motion passed 3-0.

Old Business

None.

New Business

None.

Adjournment

The meeting was adjourned at 8:11 p.m.

 /s/ JEREMY GRAVES

Submitted by
Jeremy Graves, AICP
Community Development Director

 /s/ STAN BAIR

Approved by
Stan Bair
Vice-Chair

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