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SAUSALITO PLANNING COMMISSION
Wednesday, May 26, 2010
Approved Minutes

Call to Order

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

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

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

Approval of Agenda

Chair Keller moved and Commissioner Keegin seconded a motion to approve the agenda. The motion passed 5-0.

Approval of Minutes

December 10, 2008

May 12, 2010

Vice Chair Bair moved and Commissioner Keegin seconded a motion to continue the Approval of Minutes to the meeting of June 9, 2010. The motion passed 5-0.

Public Comments

None.

Public Hearings

1. DR 10-068, Design Review Permit, Roller and Hoang, 23 Atwood Avenue.

Design Review Permit to construct a 319 square foot bedroom addition above an existing two-car garage, a new second level deck, a new upper level deck, a new roof over the existing elevator shaft, and an interior remodel at 23 Atwood Avenue (APN 065-202-53).

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

Commission questions to staff:

- Have there been any previous improvements or permits issued for a similar type of expansion for this property? *Staff responded in 2002 the Planning Commission approved a small addition in the same location, plus an addition at the back of the property, and the elevator. The addition was never constructed, but the elevator and the room at the back of the property were constructed.*

- 1 • Were there any minutes or information pertaining to concerns about view
2 obstruction? *Staff responded they did not find any.*

3
4 A presentation was made by John Clarke and Carol Hoang, the applicants.

5
6 Commission questions to Mr. Clarke:

- 7 • How did you conduct your community outreach program and what feedback did
8 you get from the neighbors? *Mr. Clarke responded they held a neighborhood*
9 *meeting in September 2009 and the design was well received. The neighbors*
10 *at 21 Atwood and 25 Atwood did not attend the meeting, but were contacted*
11 *directly by the owners to hear their concerns. The neighbor at 21 Atwood was*
12 *concerned that a deck would impede her view. The neighbor at 25 Atwood had*
13 *concerns regarding the mass and bulk of the addition. They then adjusted their*
14 *design by reducing the height of the addition by 20 inches to take the*
15 *neighbors' concerns of privacy and light and air into consideration.*
16 • Did you show the neighbors the revised design and get their feedback? *Mr.*
17 *Clarke responded no, they then entered into a zoning permit process, at which*
18 *point the project was brought before the Planning Commission because of the*
19 *stipulation of obscuring view.*

20
21
22 Commission question to staff:

- 23 • Is the small window on the east elevation a new part of the project? *Staff*
24 *responded yes, there are additional windows and doors involved in the project.*

25
26 The public comment period was opened.

27
28 Riley Hurd, indicated the following:

- 29 • He is an attorney representing Sharon Call, the owner of 25 Atwood Avenue,
30 directly next-door to the proposed project.
31 • Ms. Call requests three minor design changes that will bring the project into
32 better compliance with the applicable Heightened Design Review standards.
33 • The first issue is the new and much higher rooftop deck.
34 ○ Design Review Finding 9 requires the project to provide a reasonable level
35 of privacy and in doing so take into consideration decks and patios such
36 as this one. Under the current design, and because of the orientation of
37 the two properties, the most used portion of this new deck will look directly
38 into Ms. Call's primary living areas, including the master bedroom.
39 ○ The most effective solution to the rooftop deck issue would be to bring in
40 toward the home the usable area of the upper deck. A change as small as
41 a few feet would make a big difference. The railings of the deck should be
42 moved back a few feet with planters installed in the now unenclosed area.
43 ○ This change would not only benefit his client at 25 Atwood, but also the
44 residents of 21 Atwood on the other side of the proposed project, which
45 look directly at this area, as shown in Exhibit D of the Staff Report.
46 • The second issue is the lower deck off the master bedroom that has double
47 glass doors facing 25 Atwood. They ask that some type of screening be
48 required in a way that runs with the land.
49
50

- 1 • The third issue is the addition of the new window on the east elevation, which
2 is for a utility room. They ask that the window be made translucent, or make it a
3 transom window.
4

5 Mr. Clarke's rebuttal comments:

- 6 • He tried numerous times over ten days to gain access to 25 Atwood to
7 personally see the view impact from Ms. Call's bedroom, but was unsuccessful.
8 In lieu of personally assessing the view impact he and Mr. Roller mounted a
9 camera to a 14 foot tripod and took photographs from that location.
10 • The photographs he and Mr. Roller took show the corner of the upper deck. To
11 say that would be the most used portion of the deck is not accurate as there is
12 no need to go to the far end of the deck to experience the view.
13 • Mr. Hurd's proposed solution to the upper deck would compromise the design
14 intent for the deck, which is to create an outdoor dining room. Moving the
15 railing back 3-4 feet would leave the outdoor room constrained.
16 • Screening of the lower deck along the property line that would allow the entry
17 and garden of 23 Atwood to be incorporated would be acceptable, as opposed
18 to screening at the railing, so the applicants can incorporate the vegetation that
19 is currently in their front garden.
20 • They have no objection to changing the glazing in the window on the east
21 elevation utility room to obscured or translucent, as the window is only to
22 provide daylight, not a view.
23
24

25 Riley Hurd, indicated the following:

- 26 • Mr. Clarke's photographs perfectly illustrate their point that the portion of the
27 deck seen from 25 Atwood would be unutilized and not necessary, and
28 demonstrate the view angle into Ms. Call's primary living space.
29 • Because this is Heightened Design Review all views are protected, not only
30 primary views. To suggest that because primary views are not protected
31 misunderstands the framework being applied here.
32 • Mr. Clarke's suggestion for screening the lower deck is acceptable to them.
33
34

35 The public comment period was closed.

36 Commission comments:

- 37 • This project will have a lot of bulk overhanging Atwood Avenue. When looking
38 up from the street the entire face of this house will be obscured. Even the
39 suggestion of pulling back the railing on the new deck would not result in a
40 pleasing design.
41 • There are many residences on Atwood that come forward onto the street as
42 this project proposes, including 25 Atwood.
43 • The notion of setting the upper portion of the deck back is moving an already
44 transparent wall back, which will do nothing.
45 • The objections from 25 Atwood do not seem to have anything to do with views
46 from their house, only views into their house, and it is unlikely the applicants
47 will be standing outside to look into 25 Atwood's windows. Neither of the
48 neighbor's living room nor bedroom suffers from a view issue, only a perceived
49 notion of being looked at.
50

- There are a number of things in the proposed design that improve the heavy-handed design approach to the front that was taken in the past.
- Massing is a concern. The windows on the upper portion present an image of less massing and by building an addition above the garage the windows would not be visible from the street. It would look like a box.
- The massing of the house is not a concern because it is pretty far off the street and it is a small addition.
- The applicant has addressed the primary and secondary view concerns and the primary views are not obstructed. The view impacts are minimal, with the three properties at 21, 23, and 25 Atwood all with expansive views out over the bay, which are the primary views.

Additional Conditions of Approval:

- The utility room window on the east elevation shall be made translucent or opaque.
- A vegetation screening shall be installed on the property line on east side of 23 Atwood to screen the lower deck.

Commissioner Werner moved and Chair Keller seconded a motion to approve a Design Review Permit for 23 Atwood Avenue with the additional Conditions of Approval. The motion passed 3-2 (No – Stafford and Cox).

- 2. DR/CUP 09-174, Design Review Permit, Conditional Use Permit, City of Sausalito, 300 Spencer Avenue.** Design Review Permit and Conditional Use Permit to establish a new wireless communication facility collocated with an existing wireless communications facility by installing a wall mounted equipment cabinet on the northeast side of the building and installing three new antennas, three remote radio units, one GPS device, and three microwave dishes behind a new RF fiberglass screen enclosure which will match the existing roof façade and will screen the existing antennas on the rooftop of the building at 300 Spencer Avenue (APN 065-181-44).

Chair Keller indicated the applicant had requested the public hearing for 300 Spencer Avenue be continued to the meeting of June 23, 2010.

Vice Chair Bair moved and Commissioner Keller seconded a motion to move the public hearing for 300 Spencer Avenue to the meeting of June 23, 2010. The motion passed 5-0.

- 3. DR/CUP 09-145, Design Review Permit, Conditional Use Permit, Harbor Drive Associates, 180 Harbor Drive.** Design Review Permit and Conditional Use Permit to establish a new wireless communication facility collocated with an existing wireless communications facility by installing three new antennas, three remote radio units, one GPS device, one microwave dish, and one equipment cabinet behind new sections of RF fiberglass screening wall, which will replace and match the existing screen wall on the rooftop of the building at 180 Harbor Drive (APNs 063-130-04 and 063-130-06).

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

3
4 Commission questions to staff:

- 5 • Would the Clearwire antennas be visible? *Staff responded they would be*
6 *located behind the screen wall and at the height of the screen wall or lower.*

7
8 Commission question to Don Klausung, the applicant:

- 9 • Will Clearwire be a separate carrier, or would it carry other services and
10 operate as a broker? *Mr. Klausung responded Clearwire is a wireless Internet*
11 *provider of high-speed Internet for home and mobile use. Clearwire are also*
12 *Sprint 4G through a partnership. Clearwire will be marketed locally as Clear, a*
13 *company that will compete with Internet received in the home from providers*
14 *such as Comcast and AT&T. They are building out their own network*
15 *throughout the Bay Area and California, with approximately 30 sites in Marin*
16 *County and 800 sites throughout the Bay Area.*

17
18 Commission questions to Rajat Mathur, electrical engineer, of Hammett & Edison:

- 19 • The exposure report from Hammett & Edison focuses on RF electromagnetic
20 fields. Has any analysis been performed about any environmental impact of the
21 other equipment accompanying the three antennas? *Mr. Mathur responded the*
22 *RF exposure levels in their report reflect the RF exposure from both the panel*
23 *antennas and the microwave dish antennas.*
- 24 • You say the maximum cumulative level for the simultaneous operation of all
25 three carriers is 6.8% of the applicable public limit. For what duration are you
26 speaking? *Mr. Mathur responded 24/7.*

27
28
29 The public comment period was opened.

30
31 Chuck Donald, 254 Spencer Avenue, indicated the following:

- 32 • One condition for these permits is there is to be a test made 90 days after the
33 installation is complete, and then another check made bi-annually. He requests
34 they be strictly enforced, that there be some reporting system, and penalties be
35 imposed for not reporting them.

36
37 Commission questions to staff:

- 38 • In terms of following up on compliance, how frequently will that happen in the
39 future? *Staff responded the carriers are required to submit their EMF reports*
40 *bi-annually from their anniversary date of approval.*

41
42 The public comment period was closed.

43
44 Commission comments:

- 45 • There is no reason to deny this application. Internet providers and wireless
46 services provide a needed and ever-expanding service. EMF output is a
47 concern, but it is reassuring that the incremental amount supplied by this
48 carrier is less than 0.1% of the level that is acceptable, that the cumulative
49 impact is 6.8% of what is acceptable, and that the level for what is acceptable
50

1 in terms of power density is a level for public exposure, which is far less than
2 for occupational exposure.
3

4 **Chair Keller moved and Commissioner Werner seconded a motion to approve a**
5 **Design Review Permit and Conditional Use Permit for 180 Harbor Drive. The**
6 **motion passed 5-0.**
7

- 8 **4. DR/CUP 09-175, Design Review Permit, Conditional Use Permit, Powell**
9 **Street Joint Venture, 1750 Bridgeway.** Design Review Permit and Conditional
10 Use Permit to establish a new wireless communication facility collocated with an
11 existing wireless communications facility by installing one microwave dish
12 mounted behind a new RF fiberglass façade box, one equipment cabinet in the
13 underground parking area, three new antennas, three remote radio units, and one
14 GPS device behind an existing RF fiberglass screen wall on the rooftop of the
15 building at 1750 Bridgeway (APN 064-082-02).
16

17 **Vice Chair Bair indicated he would recuse himself from Item 4 as he lives within**
18 **500 feet of the subject property.**
19

20 The public hearing was opened. Associate Planner Schinsing presented the Staff
21 Report.
22

23 Commission questions to staff:

- 24
- 25 • Does the analysis regarding EMF emissions factor into account the two-foot
26 fiberglass screening wall? *Staff responded the screening wall is to provide*
27 *visual screening for the equipment, but is RF transparent.*
28

29 The public comment period was opened.
30

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

- 32
- 33 • On the one-year needs map provided by the applicant she would like to see the
34 total number of antennas currently at each site, not just the total number of
35 carriers.
36

37 Staff comment:

- 38
- 39 • *Staff responded the Staff Report indicates that three antennas for Sprint were*
40 *installed in 2003, and three antennas for Metro PCS have been installed. The*
41 *AT&T installation was in 1991, but staff did not note the number of antennas in*
42 *the Staff Report and would have to look at the project file for that number.*
43

44 *Rajat Mathur of Hammett & Edison indicated the following:*

- 45
- 46 • *He was at the site taking measurements on the rooftop in March and there*
47 *were six AT&T antennas installed on the roof. He can also confirm Staff's*
48 *response that Sprint and Metro PCS each had three antennas installed there.*
49

50 The public comment period was closed.

1 Commission comments:

- 2 • The level of emissions here is higher than the other applications, 27% of the
3 public maximum. If it gets much higher then that would be cause for concern.
4 The Commission is reassured that at even a short distance away that level is
5 greatly reduced, but it is an area of concern.
6

7 **Chair Keller moved and Commissioner Werner seconded a motion to approve a**
8 **Design Review Permit and Conditional Use Permit for 1750 Bridgeway. The**
9 **motion passed 4-0.**
10

11 **Old Business**

12 None.

13 **New Business**

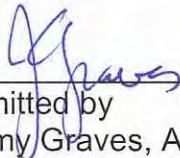
14 None.
15

16 **Staff Communications**

- 17
18 • Staff reviewed the Prioritized Project List approved by the City Council.
19 • The Plaza Vina del Mar project will be on the June 1st City Council agenda.
20

21 **Adjournment**

22 The meeting was adjourned at 8:22 p.m.
23

24
25 
26 _____
27 Submitted by
28 Jeremy Graves, AICP
29 Community Development Director
30

31 
32 _____
33 Approved by
34 Bill Keller
35 Chair
36

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