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SAUSALITO PLANNING COMMISSION
Wednesday, July 21, 2010
Approved Minutes

Call to Order

Chair Keller called the meeting to order at 6:48 p.m. in the Council Chamber of City Hall, 420 Litho Street, Sausalito.

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

Absent: Chair Bill Keller, Commissioner Stafford Keegin

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

Approval of Agenda

Vice Chair Bair moved and Commissioner Cox seconded a motion to consider Item 3 prior to Item 1 and approve the modified agenda. The motion passed 3-0.

Approval of Minutes

June 9, 2010 June 23, 2010

Vice Chair Bair moved and Commissioner Werner seconded a motion to approve the minutes of June 9, 2010 as submitted and the minutes of June 23, 2010 with revisions. The motion passed 3-0.

Public Comments

None.

Public Hearings

- 3. DR/EA 10-026, Whelden Parking Deck Repair, Whelden Trust, 148-150 Glen Drive.** Design Review Permit and recommendation of City Council approval of an Encroachment Agreement for the installation of six piers and grade beams in the public right-of-way to reinforce for existing car parking deck at 148-150 Glen Drive (APN 065-141-24).

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

Presentation was made by Richard Gordon, the applicant.

The public comment period was opened. There being none, the public comment period was closed.

1 Commission comments:

- 2 • This deck will clearly fall down the hill if not replaced.
- 3 • The project does not add or take away anything, but simply reinforces what is
- 4 currently there.

5
6 **Commissioner Werner moved and Vice Chair Bair seconded a motion to approve**
7 **a Design Review Permit and recommend to City Council the approval of an**
8 **Encroachment Agreement for installation of piers for the parking deck at 148-150**
9 **Glen Drive. The motion passed 3-0.**

- 10
11 **2. DR 10-505, Design Review Permit, City of Sausalito, 100 Block of Harrison**
12 **Avenue.** Design Review Permit for a local enhancement project involving the
13 renovation of the Harrison Park playground that includes the installation of new
14 playground equipment, landscaping, and handicap accessibility improvements
15 located on the 100 block of Harrison Avenue (APN 065-091-009).

16
17 The public hearing was opened. Associate Planner Burns presented the Staff Report.

18
19 Presentation was made by Mike Langford, Director of Parks and Recreation, the
20 applicant.

21
22 Commission questions to Don Olsen, the architect:

- 23 • What are all the concrete walls actually doing? *Mr. Olsen responded the walls*
24 *contain the play area and are also designed as a bench for parents and*
25 *caregivers.*
- 26 • Where is the railing that is shown attached to concrete walls on the right-hand
27 side? *Mr. Olsen responded there is no railing above the concrete. In a previous*
28 *design there was a rail on the back of the bench to prevent a person from*
29 *falling over it, but it should have been removed from the drawing. It is now a*
30 *low 1.5-foot retaining wall to keep the play material inside the play structure*
31 *and keep children from going into the plantings.*
- 32 • Is the grade 1.5 feet on either side of that wall? *Mr. Olsen responded yes,*
33 *although in some cases it might be less than that on the outside of the wall.*
- 34 • Is the wall on the left-hand side that shows a darker line at the back of it a
35 different kind of wall? *Mr. Olsen responded no, it is the same wall. The darker*
36 *line is probably a rail that should not be in the drawing.*
- 37 • Is the impervious paving with the boomerang bench at the same level as the
38 top of the wall? *Mr. Olsen responded the impervious surface would be the*
39 *same height as the top of the wall, or maybe down four inches or so.*

40
41
42 The public comment period was opened.

43
44 Julie Murphy indicated the following:

- 45 • She is speaking on behalf of Kate Sears, daughter of Mary Ann Sears, for
46 whom the park is being named.
- 47 • She supports the project, but has two changes and a philosophy Kate's mother
48 wanted incorporated into the park.

- She would like to see two wooden benches instead of a concrete bench, which would be more comfortable.
- She feels the large structure is inappropriate as it is not age appropriate as Kate's mother wanted and the park does not need a slide.
- Mary Ann Sears's philosophy was of two ideas: balance between old and young people, and balance between play and education. Ms. Sears would like to see the large structure replaced with an educational area for small children, such as an old fashioned garden with a globe with the possibility of school classes having history lessons in the park, which would encourage passive activity, such as older people coming to the park to eat lunch.

Dan Passini, 40 Santa Rosa Avenue, indicated the following:

- He knew Mary Ann Sears for 30 years and discussed the park with her.
- He supports the project, but also agrees with Ms. Sears that a wooden bench would be more comfortable.
- He also agrees with Ms. Sears that the slide structure is out of scale.

Vivian Wall, 190 Harrison Avenue, indicated the following:

- She asked if there is a sample available of the new surface area for viewing. *Staff responded that samples were received for the metal materials for the playground equipment. They have been told that the wood chips would be brown, the decomposed granite would be tan, the permeable pavers would be a muted brick color, and the retaining walls would be concrete gray.*
- A sculptural element would be a great addition to the park, but short of that a globe is a nice idea.
- A slide is not necessary in such a small-scale park.

Stan Deck, 174 Harrison Avenue, indicated the following:

- He and his wife support the project and would like to see the upgrades done as soon as possible.
- They support it being built as it was originally intended as a playground.
- He also speaks on behalf of several of his neighbors who wish to see the park approved, but with a shorter swing set and a smaller slide structure to bring both into proper scale for a pocket park, and for it to be age appropriate for small children in the age 2-7 range rather than the age 8-12 range.

The public comment period was closed.

Commission questions and comments to Mr. Langford:

- How does the equipment being proposed relate to the other playgrounds in Sausalito in terms of size and how it is to be used? *Mr. Langford responded because of this park's size it cannot contain large structures and will be geared toward children ages 2-7, who when surveyed said they want slides, a multi-structure, swings, and a teeter-totter. In the future the larger parks will have equipment for older children.*
- Barring children from the corners of the park is not the best way to give them an opportunity to use their imaginations. Has thought been given to making this playground a place where the children have more options for doing things that

1 are not controlled? *Mr. Langford responded they are limited in space and so*
2 *they want to create a park along the lines of what has traditionally been there*
3 *with swings, slide, teeter-totter, and using earth tone colors and keeping it*
4 *simple.*

- 5 • The concern is that the design of the park is not leaving very much of it natural.
6 *Mr. Langford responded it is necessary to have a retaining wall around the*
7 *surfacing material and a place for parents and caregivers to sit that is close by*
8 *so they can interact with the children. The 1.5-foot wall will not keep the*
9 *children from the plantings and shrubbery around the park. They plan to use*
10 *robust natural shrubs that will grow back if children step on them.*
- 11 • Are the poles in the play structure timber or metal? *Mr. Langford responded*
12 *they are aluminum poles as they require less maintenance and won't rust.*
- 13 • Did you consider faux wood material, which is a composite material made of
14 mostly resins? *Mr. Langford responded that material does not have the*
15 *structural integrity to build some of the structures, such as the swings and the*
16 *slide. However, he would suggest that material for the bench rather than wood*
17 *for its lack of splinters and easy maintenance.*

18
19
20 Commission questions to Mr. Olsen:

- 21 • Does the gate reflect the alignment that you show on the plan? *Mr. Olsen*
22 *responded the gate is not parallel to the fence.*
- 23 • What is the reason for jogging the fence back? *Mr. Olsen responded it is close*
24 *to the road and they felt it would be better to pull the gate back so when*
25 *children go in and out they would not be immediately on the street.*
- 26 • Would you consider replacing the concrete boomerang bench with wooden
27 benches? *Mr. Olsen responded he would not have a problem with that.*

28
29 Commission comments:

- 30 • This park is the jewel of the neighborhood as indicated by Ms. Wall, and this
31 should be a "pocket park" as suggested by Mr. Deck.
- 32 • There is a concern that the green ground covering will be eliminated in favor of
33 primarily brown materials.
- 34 • The mass, bulk, and height of the proposed play structure is a concern. A
35 smaller structure would be favored. In addition, the educational concept with a
36 globe is appealing.
- 37 • The park should be less controlled. A playground should give children the
38 opportunity to exercise their imaginations and escape the constraints of the
39 architecture.
- 40 • The plans do not actually depict what the Commission is being asked to
41 approve, making it difficult to vote in favor of this project even if other concerns
42 are alleviated. The Commission would like to see drawings that depict what is
43 really being proposed before making a decision.
- 44 • Whatever is designed for the park must be in scale with the size of the park.
- 45 • The neighbors should be surveyed to ascertain what uses the people who
46 actually live in that neighborhood would prefer for the park.
- 47 • Wooden benches should be used, as there is too much concrete for such a
48 small park.

- The height of the play structure is not a big concern, as the trees are taller and will preserve privacy for the neighbors. The height is also appropriate for children in the proposed age range, since they can climb that high by age two.
- Since the last delay lasted two years, this project should not be further delayed. The neighbors want to see this project done, and none of them are expressing anything at this point other than small concerns.
- Part of the reason for the last two-year delay was a substantial turnover in staff. The current staff has made tremendous improvements over the plan that was presented two years ago. The Commission should not ask them to make huge changes, so they should be able return to the Commission in short order with a plan that everyone could support and would allay the remaining concerns of the neighbors. There are factors now that will motivate getting this project completed, such as the appointment of Mr. Langford and the possible renaming of the park with accompanying money contributions.

Comment by Mr. Olsen:

- He would also be uncomfortable approving this project, as it still needs work done. He was not aware an approval was an option at this meeting, but thought they were there to get comments back. He sees things that should be clarified, and the drawings need to reflect exactly what will be built.

Commission comments:

- In order to give the Parks and Recreation Department and Don Olsen time to implement the suggested changes, the Commission recommends the project be continued to a date uncertain with a target of having the project heard by the Commission before Thanksgiving.

Comments by John Lerner, Chairman of the Parks and Recreation Commission and member of the board of directors of the Lions Club:

- A lot of the park improvements are being funded by private donations, and the longer the project is postponed the less participation and enthusiasm it will receive from the outside community, which means less funding and the greater possibly this project will not go through.
- The Planning Commission needs to go forward with this project and make decisions so it will happen. The Lions Club had set aside money that is now gone, because it sat for four years and it was determined it needed to be used for elsewhere. These are continuing, operating organizations that experience leadership changes and membership changes, so what was available four years ago may not be available in another year.
- The plans are not perfect, but it is not necessary to go back and decide to move plants around or move the walls a few inches. That does not accomplish the goal of providing a park for kids in a timely manner where they can get it funded by the community.

Vice Chair Bair moved and Commissioner Cox seconded a motion to continue the public hearing for the Harrison Park improvements to a date uncertain. The motion passed 3-0.

- 1 **1. DR/VA/CUP 10-043, Design Review Permit, Variance, Conditional Use**
2 **Permit, Ansari and Halawa, 317-319 Johnson Street.** Design Review Permit,
3 Variances, and Conditional Use Permit to construct an addition, construct a
4 second residential unit, and to allow a restaurant at an existing mixed-use
5 commercial building at 317-319 Johnson Street (APN 065-061-07). The Design
6 Review Permit is to allow the enclosure of an existing second floor deck. The
7 Variances are to allow relief from providing three on-site parking spaces and
8 complying with the minimum density standards to allow for a second residential
9 unit. The Conditional Use Permit is to allow a restaurant use within the
10 Commercial Residential (CR) Zoning District.

11
12 The public hearing was opened. Associate Planner Burns presented the Staff Report.

13
14 Commission questions to staff:

- 15 • Is this a nonconforming property? *Staff responded this property is considered*
16 *Legal Nonconforming as long as the floor area ratio would not be exacerbated.*
- 17 • Does enclosing the deck exacerbate the floor area ratio? *Staff responded no,*
18 *so long as it is demonstrated that they are not increasing the floor area.*
- 19 • Can the Commission approve the Conditional Use Permit if the applicant
20 demonstrates that the parking requirements for all uses are in compliance with
21 the six current grandfathered parking spaces allocated to the project site? *Staff*
22 *responded what could be allowed onsite would be a 16-seat restaurant and*
23 *one residential unit on the second floor. If the applicant can demonstrate that*
24 *there is sufficient parking onsite to allow for a 20-seat restaurant, the*
25 *Commission can approve a CUP for the restaurant with up to 20 seats.*
- 26 • So the Commission would have to make a finding that the applicant has
27 demonstrated that there is adequate parking for a 20-seat restaurant? *Staff*
28 *responded that would not be possible, as the only way to support that would be*
29 *if the applicant were able to show that two additional onsite parking spaces*
30 *could be provided, and that would require reducing the floor area over the*
31 *restaurant and enlarging the parking area.*
- 32 • Is this Variance for relief from the parking requirement on top of the Variance
33 that was granted in November 2004? *Staff responded no, this is a brand new*
34 *Variance.*
- 35 • Was the 2004 Variance granted specifically for the restaurant? *Staff responded*
36 *yes, but there was no mention regarding the existing uses on the upper level,*
37 *so when staff was reviewing this application they did not know what the*
38 *previous staff had done in terms of the calculations of the parking. The current*
39 *staff wanted the project to start fresh and be reviewed accordingly.*
- 40 • Is it normal that once a project is granted a Variance for parking spaces that
41 they do not run with the project? Although the five parking spaces Variance
42 was granted in 2004, now that it is under new ownership they do not get the
43 benefit of that Variance that was previously granted. *Staff responded they*
44 *assume it is because the use ceased or did not start for a specific period of*
45 *time and the Variance lapsed, but they would need to research the timeframes.*
46 *Typically if there is a use and it is granted a Variance, the Variance runs*
47 *whether the restaurant changes hands or not, but if the restaurant use is*
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1 *stopped and it is used for something else, the variance may lapse, It depends*
2 *on the timeframes.*

- 3 • If the applicant had kept the number of parking spaces at five he would not
4 have needed a Variance, but because he reduced it to three he needs a
5 Variance? *Staff responded the current policy is that when there was a use and*
6 *that use has ceased for more than six months, then the permit has lapsed and*
7 *any new permit would need to be started from the beginning.*
- 8 • Is that in the Zoning Ordinance, or is that just a policy? *Staff responded the*
9 *Zoning Ordinance is vague with regard to the specifics, however staff has*
10 *considered the permit expired when the use has voluntarily ceased for more*
11 *than six months and involuntarily ceased for more than a year.*
- 12 • Is there a difference between there being five grandfathered parking spaces on
13 this site and a Variance? Are those five grandfathered spaces the ones we're
14 talking about now? *Staff responded no, they are above and beyond. The five*
15 *grandfathered parking spaces are essentially paper parking spaces. Staff went*
16 *back to when the uses existed before the first Zoning Ordinance and it*
17 *generated a demand for five parking spaces.*
- 18 • So what the Commission is working with is how many spaces is it going to
19 grant on a Variance over and above the five grandfathered parking spaces and
20 the one that is in the building? *Staff responded that is correct.*
- 21 • How many parking spaces were granted to Cork restaurant? *Staff responded*
22 *there were five additional parking spaces.*

23
24
25 Presentation was made by Dana Ansari and Mustafa Halawa, the applicants.

26
27 Commission questions to Mr. Ansari and Mr. Halawa:

- 28 • Have you constantly and consistently sought restaurant tenants or sought to
29 maintain the restaurant use since the closing of Cork restaurant? *Mr. Halawa*
30 *responded absolutely.*
- 31 • Did the owner sell the building with some conditions that were not fulfilled? *Mr.*
32 *Ansari responded yes, so it was returned under a Deed of Trust.*
- 33 • You stated you would be willing to take the deck addition off the table because
34 of the Design Review Permit, but aren't you closing in the deck addition in
35 order to get space upstairs for two units? *Mr. Ansari responded no, the reason*
36 *they were enclosing the deck was because it wasn't being used and they*
37 *thought they could make it a usable space since the units are small, but they*
38 *are willing to remove the request if it will make the application simpler.*

39
40 Staff comment:

- 41 • Regarding question of a previously granted Variance lapsing, there is a global
42 section in the Zoning Ordinance, Section 10.50.150, entitled "Permit Lapse,"
43 that applies to all discretionary permits granted under the Zoning Ordinance
44 and states, "...shall remain valid and in force and shall run with the land. If one
45 of the following events occurs, the permit shall be deemed to have lapsed."
46 The events that might occur are one-year lapses after the expiration of the
47 applicable construction permit, or the use is discontinued for more than six
48 months.

1 The public comment period was closed.

2
3 Commission comments:

- 4
- 5 • The argument in favor of granting a Variance for the second residential unit on
6 the second floor can be found in two key cases: Board of Supervisors of Contra
7 Costa County, Friends of the Orinda Theater vs. County of Contra Costa, and
8 Topanga Association for a Scenic Community vs. County of Los Angeles. Both
9 cases deal with the circumstances in which variances can and should be
10 granted, and the factors that should not be considered in the consideration of a
11 Variance.
 - 12 ○ “Variances from the terms of the Zoning Ordinances shall be granted only
13 when because of special circumstances applicable to the property,
14 including size, shape, topography, location, or surroundings, the strict
15 application of the Zoning Ordinance deprives such property of privileges
16 enjoyed by other properties in the vicinity and under identical zoning
17 classification.”
 - 18 ○ “The facts set forth in the required findings must address the critical issue
19 whether a Variance was necessary to bring the owner of the subject
20 parcel into substantial parity with other parties holding property interests in
21 the zone.”
 - 22 • The concept of parity between other property owners in the zone is what is
23 important in evaluating this request for a Variance. Staff has raised the fact that
24 other buildings have residential units with square footages ranging between
25 786 and 910 square feet, and in fact this building used to have that same type
26 of use, had three units upstairs in a space in which they are now seeking two
27 units. The requirement now, instead of being between 786 and 910 square feet
28 is 1,500 square feet. The Commission can make the necessary findings to
29 grant this Variance because this square footage is so out of line with the rights
30 of the other property owners in the same zone, and because this zone initially
31 was intended to be a much more densely populated residential zone such that
32 right now the zone is nearly completely built out under current zoning
33 guidelines, but only accommodates 106 out of the originally planned 197
34 residential units.
 - 35 • Consideration has not been given to factors that the Orinda case stated should
36 not be considered, which has to do with the attractiveness of the design, the
37 desirability of the proposed development, et cetera, although if those were to
38 be considered on this project, as argued by Don Olsen at a prior hearing, those
39 requirements would be fulfilled as well because the project is now located right
40 next to a fire station and across from a gas station, the property owners have
41 suffered through the construction of the new public safety buildings, and
42 because of its location it is not likely to attract the highest and best residential
43 use as other property owners in the same zone could.
 - 44 • This applicant is seeking a Variance for three additional parking spaces, less
45 than the 2004 Variance that granted five additional spaces.
 - 46 • There is an argument to be made that there has been a continuing use. The
47 Commission made those findings in connection with Saylor’s Landing
48 restaurant when although the use had stopped for more than six months, the
49 owner testified that he had been actively seeking to continue the same use
50

1 throughout that period of time, as with the owner for this project. On that basis
2 the Commission determined that the initial grandfathered permitted
3 nonconforming use in the Marinship had continued and not lapsed.

- 4 • The list of parking Variances is all variances for commercial uses, not
5 residential.
- 6 • Items in Exhibit P are cited as showing that the square footage per residential
7 unit is substantially less than the 1,500 square feet, but the data is
8 questionable, because many of these buildings precede Zoning Ordinances.
9 Cow Hollow vs. The Board of Supervisors made it clear that previous zoning
10 cannot be used to justify new Variances. The data in Exhibit P does not make
11 an argument to grant a Variance on these grounds.
- 12 • A Variance for commercial use could be approved, because office and
13 commercial space are not the same as residential, which has cars there.
- 14 • A Condition of Approval stating the restaurant can only have 16 seats would
15 not work. The restaurant would have more seats than that, because they have
16 a back patio that can hold probably 20 people out, and room to hold 30 inside.
- 17 • The County Assessor's record identified this property as three upstairs
18 residential units, but they gave up those units in 1977 when they turned it into
19 office space. Having done that they no longer are grandfathered in with the
20 Legal Nonconforming use, which is what it became when the Zoning Ordinance
21 in place when this building was constructed was changed.
- 22 • A Variance for commercial use could be approved. These Variances are
23 difficult to grant, but at the same time there is property here that is languishing.
- 24 • The owner let his rights languish in terms of previous entitlements with respect
25 to the property. The Commission is uncomfortable bending very clear language
26 and granting Variances they might have had before because they decided to
27 go a certain way with the property and now someone new wants to go another
28 way.
- 29 • Even though the City needs new housing, in terms of this residential issue
30 we've got real people who will park their cars there. Restaurants are not as
31 much of a concern.
- 32 • The parking Variance and the Conditional Use Permit could be granted, but the
33 residential units aspect has not been resolved.
- 34
- 35

36
37 Staff comment:

- 38 • Another solution is that there are five grandfathered parking spaces, and
39 although they don't exist in the minds of the Commissioners, if they wanted to
40 apply those grandfathered parking spaces to the residential units, then that
41 would take out four parking spaces, and then the remainder could be the ones
42 considered for the Variance.

43
44 Commission questions to staff:

- 45 • Why did staff bring this project to the Commission in this fashion? *Staff*
46 *responded because the applicant was seeking the residence and the business*
47 *together. Whether the grandfathered parking spaces are applied to the*
48 *residential units, or to the commercial, or to the project, it can be interpreted*
49 *and applied many different ways, although it is more difficult to grant the*
50 *Variances to parking for the residential units than for the commercial use.*

- Four parking spaces are needed for upstairs, and there are five, so that leaves one, and then three paper grandfathered spaces, and a Variance is needed for how many more? *Staff responded if the grandfathered parking spaces are applied to the residential units the site has adequate parking to support the residential units with two remaining parking spaces, and then the restaurant would be the use that is seeking three parking spaces.*

Commission comments:

- The logical way to do it would be to say the one existing parking garage in the building is part of the residential, then take three of the grandfathered parking spaces for the rest of the residential. That leaves two grandfathered parking spaces, and three more are needed in order to get 20 seats for the restaurant.
- The applicant is willing to commit one of the two units the Commission approves to be allocated towards the moderate level of affordable housing stock in Sausalito.

Staff question to Mr. Ansari:

- How do you propose to guarantee that that unit would continue to be a moderate income unit moving forward? *Mr. Ansari responded we would do a deed restriction that would add one unit to the affordable housing stock of Sausalito for moderate income, with the income level to be adjusted on a yearly basis.*
- Would a 20-year time period for that affordable unit to be in affect be agreeable to you? *Mr. Ansari responded yes.*

Commission comment:

- While this is a great approach from the City's perspective, it is not a legal basis for granting the Variance. The Commission has to make the finding that is in the code, which is based on the parity argument made earlier. Section 10.68.050 of the Zoning Ordinance is consistent with the Topanga and the Orinda cases and states, "Such Variance is necessary for the preservation of a substantial property right of the petitioner possessed by other property in the same district."
- A condition should acknowledge that the affordable unit was offered by the applicant and the Planning Commission has accepted the applicant's offer documented by a Condition of Approval, that this was not a requirement of approval imposed by the Planning Commission, but rather an offer made by the applicant in light of the fact that he was requesting two Variances for his property.

Commissioner Cox moved and Vice Chair Bair seconded a motion to approve a Conditional Use Permit for the proposed use of a 20-seat restaurant, approval of the parking Variance for three parking spaces with the Condition of Approval that requires one of the two units be established by deed restriction as part of the moderate affordable housing stock of the City of Sausalito for a period of 20 years, and to deny the Design Review Permit. The motion passed 3-0.

1 **Old Business**

2 None.

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4 **New Business**

5 None.

6
7 **Communications**

8 • **Staff**

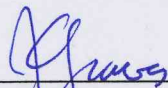
- 9 ○ Staff will present a status report on the Plaza Vina del Mar ADA
- 10 improvement project, an information only presentation, at next week's City
- 11 Council meeting. Status reports on community development activities for
- 12 the past quarter and on the activities of the Housing Element Committee
- 13 will also be presented.
- 14 ○ Paula Bruce, 109-111 Marion Avenue, has filed a lawsuit against the City
- 15 of Sausalito with respect to the imposition of the condition of the stairway
- 16 improvement. The City is in the process of evaluating it.

17
18 • **Planning Commissioners**

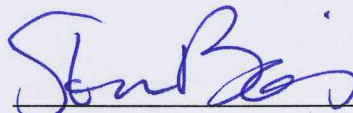
- 19 ○ Residents on Edwards Avenue have expressed concern about two pieces
- 20 of property, 147 Edwards and 118-120 Edwards. One resident has
- 21 proposed that the City adopt an ordinance that when there is a
- 22 longstanding, egregious violation such as is present on Edwards that there
- 23 be a Notice of Violation recorded against the property. The Community
- 24 Development Department should be aware of this issue and present the
- 25 Planning Commission with a status report at a future meeting. *Staff*
- 26 *responded they could provide a status report at a future meeting. In terms*
- 27 *of the suggested ordinance update, Staff may suggest this issue be*
- 28 *integrated into the Prioritized Project List. Staff is aware of several alleged*
- 29 *violations of additional accessory dwelling units in the Edwards Avenue*
- 30 *area and the Code Enforcement Officer has been working on those. The*
- 31 *147 Edwards property is a project that came before the Commission 1.5*
- 32 *years ago where the applicant received authorization from the*
- 33 *Commission for a Design Review Permit for an additional single-family*
- 34 *dwelling and then last fall cleared the property of vegetation and covered it*
- 35 *with a layer of plastic. The applicant has submitted plans for a Building*
- 36 *Permit for the new residence and those plans are undergoing review. The*
- 37 *applicant is actively engaged in the process.*

38
39 **Adjournment**

40 The meeting was adjourned at 9:20 p.m.

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44 _____
45 Submitted by
46 Jeremy Graves, AICP
47 Community Development Director

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50 _____
Approved by
Stan Bair
Vice Chair

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