

STAFF REPORT

SAUSALITO PLANNING COMMISSION/HISTORIC LANDMARKS BOARD

Project Trident and Ondine Restaurants/558 Bridgeway
Design Review Permit/Variance/Minor Use Permit/Sign Permit
DR/VA/MUP /SP 11-330

Meeting Date January 4, 2012

Staff Lilly Schinsing, Associate Planner 

REQUESTS

Approval of modifications to a **Design Review Permit** to allow for the expansion of previously approved upper level dining deck, addition of a new circulation staircase, reconfiguration of the eastern façade fenestrations, and a new pergola system on the lower dining deck level.

Approval of a **Variance** to allow the encroachment of an upper level dining deck into the southern side yard setback.

Approval a **Minor Use Permit** allow for a 40-seat outdoor dining area on the proposed exterior deck and a **Minor Use Permit** for indoor live music and dancing.

Approval of a **Sign Permit** to allow new business identification signage for the Trident Restaurant to replace Horizon's Restaurant signage.

PROJECT INFORMATION

Applicant Eric Long, Don Olsen Associates

Owners View Restaurants, LLC and the City of Sausalito

Location/Parcel Size 558 Bridgeway; APNs 065-172-12,-13,-15
17,580 square feet total (see **Exhibit B** for vicinity map)

General Plan Open Area

Zoning Open Area (OA) Zoning District
Downtown Historic Overlay Zoning District

Authority Exterior renovation, modification, or remodeling of any structure located within a City-designated historic district requires a Design Review Permit per Section 10.54.050.B.11 and Historic Design Review per Section 10.46.060 of the Zoning Ordinance.

A Variance is required for projections into required side yard setbacks greater than those allowed by Table 10.12-2 of the Zoning Ordinance.

A Minor Use Permit is required to allow outdoor dining associated with a restaurant per Section 10.44.220 of the Zoning Ordinance.

A Sign Permit is required to allow a new sign and awning per Section 10.42.070 of the Zoning Ordinance.

CEQA: The project consists of a minor alteration to an existing commercial building, thus the project is determined to be categorically exempt pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines. Section 15301 specifically provides an exemption for the repair, maintenance, or minor alteration of existing private structures.

ROLE OF THE HISTORIC LANDMARKS BOARD AND PLANNING COMMISSION

The first step of the review involves a modification to a previously-approved Design Review Permit and a new Sign Permit for the exterior modifications proposed for the building. Since the project is located in the Downtown Historic Overlay Zoning District, the Design Review Permit is under the authority of both the Planning Commission and the Historic Landmarks Board (HLB), and a joint hearing is required to review and act upon the Design Review Permit. As stated in Section 10.46.060, both the Planning Commission and the HLB have the authority to review the Design Review Permit, and must favorably make the findings listed in Section 10.54.050.D to approve the Design Review Permit. As stated in Section 10.42.090.A, both the Planning Commission and the HLB have the authority to review the Sign Permit, and must favorably make the findings listed in Section 10.42.090.E to approve the Sign Permit.

The second step of the review involves review by the Planning Commission of a Minor Use Permit and a request for a Variance. The Planning Commission has the authority to review the Minor Use Permit, and must favorably make the findings listed in Sections 10.58.050 and 10.58.052 to approve the permit. As stated in Section 10.68.020, the Planning Commission has the authority to review Variance request, and must favorably make the findings listed in Section 10.68.050 to approve the Variance.

PROJECT DESCRIPTION

BACKGROUND

The structure at 558 Bridgeway was constructed in 1898 by the San Francisco Yacht Club after a fire destroyed the former Yacht Club clubhouse in 1897. There was originally an exterior, second floor deck when the building was utilized as the San Francisco Yacht Club (see photos provided by the applicant in **Exhibit C**). After the Yacht Club abandoned the location in 1927 the building was used as a boat and storage warehouse, a sport fishing center, a fish market and Juanita's first gallery throughout the 1930s, 40s and 50s. In 1957 the upper portions of the building were leased to Ondine. In 1960 the building was moved 70 feet east onto a new foundation, where it presently sits. In the same year the parking lot and lower level restaurant were constructed in addition to the lower level outdoor dining deck. In 1967 a Conditional Use Permit was granted for a restaurant (CUP 365). There have been multiple planning and building permits issued over the years for modifications to the structure, including the installation of an elevator for Americans with Disabilities (ADA) access. Although there have been different restaurant tenants over the years (including the Trident and Tops) the original tenant, Ondine (upper level), and Horizon's (lower level, established in 1981) are currently operating.

On January 14, 2009, the Planning Commission and the Historic Landmarks Board approved a Design Review Permit for the addition of an exterior second floor exterior deck on the eastern portion of the building (see **Exhibit A** for Planning Commission and Historic Landmarks Board **Resolution 2009-01**). A Building Permit application for the construction of the dining deck was submitted but the respective permits were not issued. On January 14, 2009 the Planning Commission also approved a Minor Use Permit for a 40-seat outdoor dining area on the proposed exterior deck and indoor live music. However, one year later, the Minor Use Permit expired un-used. Therefore, as the dining deck was not constructed and the Minor Use Permit lapsed, the applicant has requested a new Minor Use Permit for outdoor dining and indoor live music.

PROJECT DESCRIPTION

The proposed project consists of the following as shown in the project plans (see **Exhibit C**, note that the set includes the proposed, approved and existing plans):

- ✓ Expansion of previously approved upper level dining deck to the southern portion of the building to allow a 40-seat outdoor dining area.
- ✓ Addition of a new circulation staircase down from the upper level dining deck to the lower level dining deck.
- ✓ Reconfiguration of the eastern façade fenestrations on the lower dining deck level.
- ✓ Addition of a new pergola system on the lower dining deck level.
- ✓ Installation of a retractable canopy system which will allow for the re-use of existing canvas awnings during the operation of Horizon's in the mid to late 1980's (see **Exhibit D**).
- ✓ Reconfiguration of outdoor dining tables by modifying the lapsed Minor Use Permit approval from three 4-seat tables, two 6 seat-tables and two 8-seat tables into a flexible seating arrangement for no more than 40 seats.

Project Materials and Colors

The project has been designed with the following building materials and colors:

- ✓ Building trim/railing/pergola to be wood painted with Benjamin Moore "Pure White"
- ✓ Building façade color painted to match existing (Benjamin Moore "Stone Harbor")
- ✓ New exterior dining deck flooring to be dark grey slate ashlar floor tiles in an ashlar pattern
- ✓ Canvas awning to be re-used (see photographs in **Exhibit D**)

Signage

The existing "Horizon's Live Music" box wall signage located on the north and south of the building will be removed and replaced with two new "Trident" signage as referenced by the plans and as follows:

- Size: Each of the signs would be approximately 29.45 square feet.
- Color: The signs would be composed of individual painted steel letters painted matte black
- Letter Size: The individual letters for the curved word "Trident" would be 2' tall and encompass an area of 7'6" in length and 5'3" in height. The individual letters for the words "Restaurant Lunch & Dinner Deck Dining" would be approximately 7" tall and would encompass an area of 7'6" in length and 1'6" in height.
- Font: The font for the curved word "Trident" would be a custom text. The font for "Restaurant Lunch & Dinner Deck Dining" would be "Burton's Nightmare"
- Illumination: The signs would be lit by a new light down lit and shielded gooseneck light 2'3" tall painted to match the new trim color
- Material: The signs would be constructed out of 3/16" thick steel plate letters. The steel would be painted on exposed sides and extend 4" from the face of the wall with letter spacers.
- Support: The signs would be bolted to the building wall via black bolts with spacers

The existing "Horizons" signage located on the north and west sides of the building will be removed and replaced with two new "Trident" signage as referenced by the plans and as follows:

- Size: Each of the signs would be approximately 2 square feet.
- Color: The signs would be composed of individual painted steel letters painted matte black
- Letter Size: The letter size for the word "Trident" would be 3'4" in length and 8" tall.
- Font: The font would be "Burton's Nightmare"
- Illumination: To be lit using the existing delta sign lighting
- Material: The signs would be constructed out of 3/16" thick steel plate letters. The steel would be painted on exposed sides and extend 1" from the face of the wall with metal stand-offs.
- Support: The signs would be bolted to the building wall via threaded studs with spacers

The Historic Landmarks Board conducted a study session review of the proposed project on November 30, 2011 and recommended that the project be considered at a joint Planning Commission and Historic Landmarks Board meeting.

PROJECT ANALYSIS

General Plan Consistency

To approve the proposed project the Planning Commission and HLB must determine that the project is consistent with all applicable General Plan policies. The site is located in an area designated as Central Commercial by the General Plan. The following policies and objective relevant to the project are as follows:

- ✓ *Policy LU-2.0 Promote and Enhance Commercial Economic Diversity. Promote and enhance economic viability of all commercial areas throughout the City, while continuing to recognize residential needs, by establishing distinct commercial districts that preserve the variety of uses serving residents and visitors.*
- ✓ *Policy LU-2.9. Downtown Historic Character: Protect the historical character of the Downtown area.*

The project consists of design elements, such as the expansion of a previously-approved upper level dining deck, reconfiguration of the eastern façade fenestration, a new lower level dining pergola, and new signage which will not alter any significant design characteristics or character defining features associated with building located in the Downtown Historic District. Therefore, staff suggests the project will neither significantly alter the appearance on the building, nor have an adverse impact on the historical character of the downtown area. Additionally, the project is designed to enhance the existing uses of the site as two restaurant spaces. Therefore the enhancement of the building will attract customers and promote the establishment's economic viability as a local business that serves local residents, visitors, and workers in Sausalito.

Zoning Consistency

With the approval of a Variance, as discussed below, the project, as proposed, is consistent with the Site Development Standards for the Open Area (OA) Zoning District, as shown in the Project

Summary Table below. The project does not propose to expand or otherwise alter the existing structure beyond the proposed façade improvements as discussed in the *Project Description* section of the Staff Report.

Project Summary Table

	Existing	Code	Proposed	Compliance
Parcel Area:	17,580	6,000 sq. ft.	No change	Yes
Setbacks:				
Front:	n/a	n/a	No change	Yes
Side:				
Right	0'	10'	No change	Yes ¹
Left:	50' ¹	10'	No change	Yes ¹
Rear:	14.6' ¹	20'	No change	Yes ¹
Building Coverage:	6,711 (38.2%)	1,758 sq. ft. max (10%)	No change	Yes ¹
Floor Area:	12,958 (0.737)	1,758 sq. ft. max (0.10)	No change	Yes ¹
Maximum Building Height:	42.7	32'	No change	Yes ¹

Historic Overlay Zoning District Consistency

To approve the proposed project, the Planning Commission and HLB must determine that the project is consistent with all applicable Historic Overlay District regulations. The site is located in the Downtown Historic Overlay Zoning District. Staff concludes that the project is consistent with the purpose and intent of the Downtown Historic Overlay Zoning District (Section 10.28.040.A) as described in the findings listed in the draft Resolution (see **Exhibit A**).

Design Review Permit

As stated previously, the Planning Commission and Historic Landmarks Board have previously approved a Design Review Permit (Resolution No. 2009-01) allowing the construction of the upper level dining deck above the atrium on the eastern side of the building. The prior Design Review Permit continues to be valid provided the Conditions of Approval are met.

The project applicant is requesting the expansion of the dining deck to wrap around the southern side of the building, the construction of a new circulation staircase, the installation of a new pergola system on the lower dining level and the reconfiguration of the eastern façade fenestrations. In order to approve or conditionally approve the modified Design Review Permit, the Planning Commission and HLB must determine that the project is in conformance with the findings listed in Section 10.54.050 (Design Review Findings) of the Zoning Ordinance, which includes the Historic Design Guidelines.

¹ 1978 Variance legalized all non-conformities

The following policies of the Historic Design Guidelines are relevant to the project:

- ✓ Additions to Commercial Properties, Policies 2.11, 2.12 and 2.13 (Page 16)
- ✓ Paint, Policies 2.52 and 2.53 (Page 32)
- ✓ Awnings and Canopies, Policies 3.15 and 3.17 (Page 55)

The Historic Design Guidelines provides guidance to ensure that changes to the Downtown Historic Overlay Zoning District's built environment will be sensitive to the community's historical legacy. Upon review of the Historic Design Guidelines relative to the project, the project is consistent with the Additions to Commercial Properties and Paint policies, but not entirely consistent with the Awnings and Canopies policies. Specifically, Awnings and Canopies Policy 3.17 suggests to "use colors that are compatible with the overall color scheme of the façade. Solid colors are encouraged." Although the Historic Design Guidelines encourages a solid canopy color compatible with the overall color scheme, staff suggests the re-use of the same canopies used historically over time is appropriate for this building while maintaining its neighborhood compatibility.

In conversations with the applicant it was ascertained by staff that there is a possibility that the re-use of the canopies may not be feasible. In this event Staff has included a condition of approval which would require any request for modification of the fabric for the lower deck canvas awnings to be reviewed by the Historic Landmarks Board. The Historic Landmarks Board would provide a recommendation to the Community Development Director. The Community Development Director would then have the ability to review and approve the requested fabric modifications.

Staff concludes the project is generally consistent with the requisite findings for the Design Review Permit can be made to approve the permit, as summarized in the following and in the findings listed in the draft Resolution (**Exhibit A**).

Variance

The building at 558 Bridgeway was constructed in 1898 and is non-conforming in terms of its building coverage, floor area ratio, height, rear yard and south side yard. Numerous Variances granted over time for the building.

- 1968: Variance 219 was approved by the Planning Commission for relief from setbacks and building coverage for the covering of an exterior deck
- 1978: Variance 454 was approved by the City Council in order to provide relief from the structural nonconformities existing on the site in order for the property owner to rebuild the structure in the event that it is destroyed.
- 1980: Variance 484 was approved by the Planning Commission for relief from floor area, to enclose a portion of an existing outdoor dining deck.
- 1998: Variance 98-24 was approved by the Planning Commission for relief from floor area, building coverage and parking requirements in order to allow the installation of accessory storage and employee bathroom structures.

Side Yard Setbacks

The Zoning Ordinance requires a minimum setback of ten feet from side property lines in the O-A Zoning District (Table 10.12-2). The southern building wall is currently built at the southern side yard property line. Therefore, the building encroaches into the required 10-foot side yard setbacks. Since Variance 454 was approved which legalized all existing non-conformities, this encroachment is legal. However, the request to construct a dining deck above the existing roof of the lower level of the

restaurant which would be located 2-1/2 feet from the property line. This requires a Variance as the construction would occur in the side yard setback.

Variance Findings

To grant a Variance, Zoning Ordinance, Section 10.68.050 requires the Planning Commission to make the six findings below for each Variance request:

- ✓ *There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use of the property, that do not apply generally to other property or uses in the same district;*
- ✓ *Owing to such exceptional or extraordinary circumstances the literal enforcement of the provisions of the Title would result in practical difficulty or unnecessary hardship.*
- ✓ *Such Variance is necessary for the preservation of a substantial property right of the petitioner, possessed by other property in the same district;*
- ✓ *The granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity or in the district in which the subject property is located;*
- ✓ *The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district; and*
- ✓ *The granting of such Variance will be in harmony with the general purpose and intent of this Title and the General Plan.*

See **Exhibit J** for the applicant's Variance support findings. Staff has provided a summary of the justification for the approval of the Variance below.

Exceptional Circumstances. The building is located on an exceptional site in the City. Constructed on piers over the water and setback from Bridgeway at least 50 feet, the 558 Bridgeway site is the only site in the City with such conditions. With only one exception, the subject site is the only privately owned and improved property within the entire Open Area Downtown Historic Overlay District. All of these conditions combined are exceptional or extraordinary conditions that applying to the property involved that do not apply generally to other property or uses in the same district.

Hardship. Due to building's existing location in the southern side yard setback, in attempting to make small additions to improve the use and viability of the restaurant, the literal enforcement of the development standards may limit the applicant's ability to maintain a viable and efficient restaurant operation. This would result in an unnecessary hardship.

Property Right. The literal enforcement of the setback standards in the Open Area Zoning District would result in the property owner not being able to create a dining level above an existing encroaching dining area which was legalized via a Variance in 1978. The building existed prior to the establishment of zoning in the City. In addition, the building and site have provided services to the public and the site has functioned as part of the City's commercial district since the turn of the 20th century. Other properties in the Downtown Historic Overlay District zoned for central commercial uses do not have setback requirements. Therefore, the property owner maintains a right to expand the business in a manner similar to other properties in the adjacent central commercial district and the variance is necessary for the preservation of a substantial property right of the petitioner, possessed

by other property in the same district.

Public Welfare. The proposed setback encroachment for the creation of the dining deck is located above an existing side yard setback encroachment. The dining deck will not exacerbate this encroachment by impinging on the setback any further than what exists today. Setbacks are required in order to provide adequate light, air, open space and visual relief. As the parcel to the immediate south and east of the subject property is the open waters of the City of Sausalito, relaxation of the setback standards would not be injurious to the public welfare. Therefore the granting of the variance would not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity or in the district

Not a Special Privilege. The only two properties developed with uses in the Open Area Zoning District with the Downtown Historic Overlay are the 558 Bridgeway site and the 588 Bridgeway site (Scoma's). It has been established that the property at 558 Bridgeway has received approval for numerous variance requests in the past. The property at 588 Bridgeway has also received approval for variance requests:

- 1967: Variance 201 was approved for the relief from building coverage, floor area ratio and parking.
- 1971: Variance 299 was approved for relief from floor area ratio, building coverage and setbacks.

Therefore, the approval of a variance for the 558 Bridgeway would not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

Compliance with Regulations. The proposed setback encroachment for the creation of the dining deck is located above an existing side yard setback encroachment. The dining deck will not exacerbate this encroachment by impinging on the setback any further than what exists today. Setbacks are required in order to provide adequate light, air, open space and visual relief. As the parcel to the immediate south and east of the subject property is the open waters of the City, relaxation of the setback standards would not be injurious to the public welfare and would be in harmony with the general purpose and intent of the Zoning Ordinance and the General Plan.

Staff supports approval of the Variance request, based upon the justification statements listed above.

Minor Use Permit

As stated previously, the project site had received approval of a Minor Use Permit to allow an outdoor dining area with 40 seats and seven tables on private property. As the entitlements afforded by the Minor Use Permit were not enacted, the Minor use Permit has expired. Therefore, the applicant is requesting a new Minor Use Permit for the 40 outdoor seats and indoor music and dancing.

Outdoor Dining Regulations. Outdoor dining areas located on private property where an approved restaurant is located require a Minor Use Permit (Section 10.44.220.B). In order to approve or conditionally approve the Minor Use Permit for outdoor dining, the Planning Commission must determine that the project is in conformance with the requirements of Section 10.44.220 (Restaurants-Outdoor Dining Areas) and favorably make the findings listed in Section 10.58.050 (Minor Use Permit Findings) of the Zoning Ordinance.

- ✓ Capacity of Outdoor Eating Area. *An outdoor eating area on private property must not exceed the most restrictive of the following limits, unless otherwise authorized by the Zoning Administrator in the required Minor Use Permit* (Section 10.44.220.D, emphasis added):

1. 25 percent (25%) of the indoor dining area of the restaurant; or
2. 5 tables; or
3. Capacity of 20 people.

As shown in the table below, the two existing restaurants contain a 120 indoor seats each which, when calculating the allowed capacity of outdoor eating areas, would allow a maximum of 60 outdoor seats. Therefore, the most restrictive regulation in Section 10.44.220.D is the limit of 5 tables or a capacity of 20 people. However, the Planning Commission may authorize increased outdoor dining, as stated in Section 10.44.220.D. The proposal is for a total of 40 outdoor dining seats. Staff has found that as this number of seats was originally approved by the Planning Commission and is not to increase, the proposal is appropriate.

Restaurant	Number of Indoor Seats	Number of Outdoor Seats	Total
Horizon's	120 (existing)	85 (existing)	205
Ondine	120(existing)	40 (proposed)	160
Total	240	125	364

- ✓ *Parking. Eating establishments without public street frontage and located outside of public rights-of-way shall be exempt from additional parking requirements. The following requirements apply: 1. Additional outdoor eating areas (on-site) shall be subject to the same parking requirements as indoor eating areas (Section 10.44.220.E.1)*

Pursuant to Table 10.40-1 Restaurants and Bars are required to provide parking at the ratio of one parking space per four person occupancy. As 40 seats are proposed, ten additional parking spaces are required for the outdoor dining area. This increases the overall site parking requirements from 81 spaces to 91 spaces.

Restaurant	Number of Existing Seats	Parking Required for Existing Seats	Number of Proposed Seats	Parking Required for Proposed Seats	Parking Required for All Seats
Horizon's	205 seats	51 spaces	0 seats	0 spaces	51 spaces
Ondine	120 seats	30 spaces	40 seats	10 spaces	40 spaces
Total	325 seats	81 spaces	40 seats	10 spaces	91 spaces

The applicant has provided information indicating that there are 66 valet parking spaces on site. In addition, the two restaurants maintain a right to park an additional 62 cars on a private lot on the west side of Bridgeway (see **Exhibit I**). Therefore, the site parking capacity is 128 spaces (66 valet and 62 private lot). As 91 total parking spaces are required with the addition of the 40 outdoor dining seats, the site has an adequate amount of parking spaces to support the request.

As indicated above the proposed outdoor dining area is compliant with the requirements for outdoor dining on private property as defined in Section 10.44.240 (D) and (E).

Music and Dancing Regulations

Amplified music and/or dancing in associated with a restaurant require a Minor Use Permit (Section 10.58.052). In order to approve or conditionally approve the Minor Use Permit for music and dancing, the Planning Commission must determine that the project is in conformance with the requirements of

10.44.210 (Restaurants) and favorably make the findings listed in Sections 10.58.050 (Minor Use Permit Findings) and 10.58.052 (Required Findings for Minor Use Permits to Allow Music and/or Dancing) of the Zoning Ordinance.

- ✓ Music and Dancing. Music and/or dancing are only permitted as an accessory use to an approved eating or drinking establishment with the issuance of a Minor Use Permit and shall not be audible from any residential property or from within any residential unit (Section 10.44.210.B). A requirement of Section 10.44.210.B is that prior to commencement of the use the ambient noise levels must be established from specific residential properties with 300 feet of the restaurant premises. Following commencement of the use noise measurements must be taken to ensure that the noise source does not exceed audible levels.

A condition of approval has been added to the Resolution (see **Exhibit A**) that requires the applicant to establish the ambient noise levels before and during music and dancing to ensure that the noise source does not exceed audible levels. The definition of **audible** is as follows:

Noise shall be considered to be audible if it exceeds five decibels above the ambient noise level. The ambient noise level shall be established with a noise meter or as defined, by zoning classification, in Section 12.16.030 of the Sausalito Municipal Code, whichever is greater. Sound levels shall be measured with a sound level meter using the A weighting and slow response pursuant to Section 12.16.030 of the Sausalito Municipal Code.

Section 12.16.040 of the Municipal Code defines the ambient base noise level in the Open Area Zone as 60 decibels from 7 am to 10 pm.

- ✓ Minor Use Permit Findings. Staff concludes that the requisite findings for the Minor Use Permit for outdoor dining and live music can be made to approve the permit, Sections 10.58.050 (Minor Use Permit Findings) and 10.58.052 (Required Findings for Minor Use Permits to Allow Music and/or Dancing) as described in the findings listed in the Resolution (see **Exhibit A**).

Sign Permit

Upon review of the Sign Regulations, the proposed sign meets the definition of a "Wall Sign." Wall signs are "a single-faced sign painted on or attached to a building or wall, no part of which extends out from or above a wall more than twelve inches." In the Historic Overlay Zoning District, signs are also required to comply with Section 10.42.070 (Sign Standards in the Historic Overlay District and for Properties Listed on the Local Register."

General Regulations

- ✓ Total number of signs shall be at the discretion of the Planning Commission and Historic Landmarks Board.
- ✓ Commercial signage should be limited to 0.5 square feet of signage per lineal foot of street frontage. Exceptions may be granted for narrow buildings.
- ✓ Materials should be appropriate to historic nature of the district and may include carved wood signs and individual cast or cut metal letters.
- ✓ All signs should be of high quality workmanship, with clean and finished edges and materials.
- ✓ Colors should be appropriate to the historic district and relative to the location, size and context of the structure, business, or site.
- ✓ Lighting should be unobtrusive and controlled by dimmers
- ✓ The use of historical sign precedents that are generally within the parameters of these guidelines shall be encouraged where appropriate to the building and location

- ✓ Any sign shall be installed in a manner to minimize damage or degradation to historic buildings, consistent with the Secretary of the Interior Standards.

The building at 558 Bridgeway has a street frontage of 125 feet, allowing for a maximum signage allowance of 62.5 square feet. The total requested signage is 58.5 square feet plus the existing signage remaining of 4 square feet. This cumulative requested signage meets the allowed signage square footage. Additionally, the signage proposed is made of individual cut metal letters painted to be appropriate for the historic district. The new lighting is conditioned to be on dimmers. The four signs proposed meet the general regulations as identified above.

Additional Guidelines

Wall signs are also subject to the following guidelines (pursuant to Section 10.42.070.G):

1. Signs should identify building or major tenant's name only.
2. Wall signs should not be painted directly to wall surfaces unless the Historic Landmarks Board finds they are of historic significance.
3. Signs should consist of individual solid metal, wood, stone or glass letters, or flush-mounted carved, routed or sandblasted wood plaques.
4. Signable area (defined by Section 10.42.030, Sign Definitions) should not exceed 15% of the business façade.
5. Wall signs should be limited in size, as follows:
 - a. Individual letter size: 12". If all capital letters used: 8".
 - b. Total signage area: 40% of signable area.
 - c. Length of signage: 75% of signable area width. For single tenant in multitenant building: 2/3 of individual tenant storefront.
 - d. Projection: 4" maximum from face of wall surface.

Staff supports the proposed signs in terms of their size, location, and sign area. However, the proposed heights of the letters in the large "Trident" signs are approximately 2 feet tall. The sign regulations state that wall signs should be limited in letter size to a maximum of 8" for capital letters. It should be noted that the word "should" indicates a guideline, not a specific regulation. Staff asserts that due to the large size of the building and its location setback from the street by over 50 feet, the larger letters are appropriate for the building in order to provide adequate business identification. The plans indicate that the signs will not overwhelm the building and Staff supports the approval of the signs as proposed.

PUBLIC NOTICE AND CORRESPONDENCE

On December 15, 2011 public hearing notices were mailed to all property owners and occupants within 300 feet of the project site. As of the writing of the staff report, the City has not received any comments.

RECOMMENDATION

Staff recommends the following actions:

1. Planning Commission and Historic Landmarks Board approve Section 1 of the attached draft resolution (**Exhibit A**) approving:
 - Modifications to a Design Review Permit to allow for the expansion of the previously-approved upper level dining deck, addition of a new circulation staircase, reconfiguration of the eastern façade fenestrations, and a new pergola system on the lower dining deck level.

- A Sign Permit to allow new business identification signage for the Trident restaurant to replace Horizon's restaurant signage.
2. Planning Commission approve Section 2 of the attached draft resolution (**Exhibit A**) approving:
- A Minor Use Permit allow for a 40-seat outdoor dining area on the proposed exterior deck and a Minor Use Permit for indoor live music.
 - A Variance to allow the encroachment of an upper level dining deck into the southern side yard setback.

Alternatively, the Planning Commission and Historic Landmarks Board may:

- Continue the hearing for additional information and/or project revisions; or
- Direct staff to prepare a resolution for denial of the Design Review Permit, Minor Use Permit, Variance and/or Sign Permit.

EXHIBITS

- A. Draft Resolution
- B. Vicinity Map
- C. Project Plans, December 19, 2011
- D. Historic Photos, date stamped December 19, 2011
- E. Site Photos, date stamped December 19, 2011
- F. Photos of Canvas Awnings, December 19, 2011
- G. Planning Commission and Historic Landmarks Board Resolution 2009-01
- H. Applicant's Project Description Letter, date stamped December 19, 2011
- I. Parking Information, date stamped December 19, 2011
- J. Applicant's Variance support findings, date stamped December 19, 2011

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**SAUSALITO PLANNING COMMISSION AND HISTORIC LANDMARKS BOARD
RESOLUTION NO. 2012-XX**

**RESOLUTION APPROVING MODIFICATIONS TO A DESIGN REVIEW PERMIT; A
MINOR USE PERMIT FOR OUTDOOR SEATING AND INDOOR MUSIC AND
DANCING; A VARIANCE FOR A SIDE YARD SETBACK ENCROACHMENT; AND A
SIGN PERMIT FOR BUSINESS IDENTIFICATION SIGNAGE AT A COMMERCIAL
BUILDING LOCATED AT 558 BRIDGEWAY
DR/VA/ MUP/SP 11-340**

WHEREAS, the Planning Commission and the Historic Landmarks Board adopted Resolution No. 2009-01 on January 14, 2009 approving a Design Review Permit (DR 08-023) for an upper level outdoor dining deck located at 558 Bridgeway; and

WHEREAS, the Planning Commission adopted Resolution No. 2009-02 on January 14, 2009 approving a Minor Use Permit (MUP 08-023) for the use of an upper dining deck for an outdoor dining area with 40 seats on private property and music and dancing at 558 Bridgeway; and

WHEREAS, the approval for MUP 08-023 has expired since it was not exercised; and

WHEREAS, an application has been filed by applicant Eric Long, of Don Olsen and Associates, on behalf of the View Restaurants, LLC, requesting Planning Commission and Historic Landmarks Board approval of modifications to Design Review Permit DR 08-023 for façade modifications and an expanded outdoor upper level dining deck on a building located within the Downtown Historic Overlay Zoning District, a Minor Use Permit for flexible outdoor seating for a maximum of 40 upper-level seats, a Minor Use Permit for indoor music and dancing, a Variance for the encroachment of the upper level outdoor dining deck into the southern side yard and a Sign Permit for new business identification signage for the Trident restaurant at 739 Bridgeway (APNs 065-172-12,-13,-15);

WHEREAS, the project site is located within the General Plan Open Area General Plan Land Use Designation, Open Area Zoning District, and Downtown Historic Overlay Zoning District; and

WHEREAS, the Planning Commission and the Historic Landmarks Board conducted a duly-noticed public hearing on January 4, 2012 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission and the Historic Landmarks Board have reviewed and considered the information contained in the staff reports as well as any and all oral and written testimony on the proposed project; and

WHEREAS, the Planning Commission and the Historic Landmarks Board have reviewed and considered the project plans titled "Ondines Restaurant Ext Upgrades" and date-stamped December 19, 2011; and

EXHIBITA
(17 PAGES)

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

WHEREAS, approval of the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities, which allows for minor alterations to an existing building.

NOW, THEREFORE, THE PLANNING COMMISSION AND HISTORIC LANDMARKS BOARD HEREBY RESOLVE AS FOLLOWS:

1. The project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301, Existing Facilities.
2. Modifications to Design Review Permit DR 08-023 for façade modifications, an expanded outdoor upper level dining deck, a new exterior staircase and a new pergola system with retractable awning is approved based upon the findings provided in Attachment 1, and subject to the conditions of approval provided in Attachment 2. The project plans, "Ondines Restaurant Ext Upgrades" and date-stamped December 19, 2011, which supersede the plans titled "Ondine Restaurant" and date stamped January 5, 2009, are provided in Attachment 3.
3. A Sign Permit is approved for business identification signage is approved based upon the findings provided in Attachment 1, and subject to the conditions of approval provided in Attachment 2. The project plans are provided in Attachment 3.

FURTHERMORE, THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS:

4. A Minor Use Permit for outdoor seating and indoor music and dancing is approved based upon the findings provided in Attachment 1, and subject to the conditions of approval provided in Attachment 2. The project plans are provided in Attachment 3.
5. Variance for the encroachment of the upper level outdoor dining deck into the southern side yard is approved based upon the findings provided in Attachment 1, and subject to the conditions of approval provided in Attachment 2. The project plans are provided in Attachment 3.

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Planning Commission and Historic Landmarks Board on ____ day of _____, 2012, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jeremy Graves, AICP
Secretary to the Planning Commission

AYES:
NOES:
ABSENT:
ABSTAIN:

Vicki Nichols
Secretary to the Historic Landmarks Board

Attachments:

- 1- Findings
- 2- Conditions of Approval
- 3- Project plans entitled ""Ondines Restaurant Ext Upgrades"" and date-stamped December 19, 2011

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**PLANNING COMMISSION and HISTORIC LANDMARKS RESOLUTION
JANUARY 4, 2012
DR/VA/MUP/SP 11-340
558 BRIDGEWAY**

ATTACHMENT 1: FINDINGS

DESIGN REVIEW FINDINGS

Pursuant to Zoning Ordinance Section 10.54 (Design Review Procedures), the Planning Commission and Historic Landmarks Board find:

1. The proposed project is consistent with the General Plan, any applicable specific plans, any applicable design guidelines, and this chapter.

The project is consistent with General Plan policies, including those related to maintaining the historic character of the downtown, as well as the Historic Design Guidelines.

2. The proposed architecture and site design complements the surrounding neighborhood and/or district by either: a) Maintaining the prevailing design character of the neighborhood and/or district or b) Introducing a distinctive and creative solution which takes advantage of the unique characteristics of the site and contributes to the design diversity of Sausalito.

The project will enhance the existing structure by bringing the building in closer conformance with its historic character through the addition of an upper level exterior dining deck.

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

The project will restore the structure to be cohesive with the Downtown Historic District. The proposed improvements to the structure will not significantly alter the scale of the existing buildings, which are historically representative of the scale of Downtown structures.

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

A railing is proposed along the edge of the existing roof of the lower story (on the east and southern sides of the building). The railing will not impact views from public or private property.

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

The proposed project is not located on a ridgeline to create such impacts.

6. The proposed landscaping provides appropriate visual relief, complements the buildings and structures on the site, and provides an attractive environment for the enjoyment of the public.

The project does not propose any additional landscaping, and therefore this finding is not applicable.

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

The proposed project does not adversely affect the design and location of the existing building on the site, and thus will not affect light and air for adjacent properties.

8. Exterior lighting, mechanical equipment, and chimneys are appropriately designed and located to minimize visual, noise and air quality impacts to adjacent properties and the general public.

The proposed project does not include mechanical equipment or chimneys. Exterior lighting is subject to the standard condition that all exterior lighting be shaded and downward facing.

9. The project provides a reasonable level of privacy to the site and adjacent properties, taking into consideration the density of the neighborhood, by appropriate landscaping, fencing, and window, deck and patio configurations.

The northern and southern lots on either side of the subject lot are vacant and the proposed deck is located at the south and rear of the building and faces the water. Therefore, the proposed deck is configured appropriately to provide a reasonable level of privacy to the site and adjacent properties.

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

Vehicular entrances and exits will not be modified.

11. The proposed design preserves protected trees and significant natural features on the site to a reasonable extent and minimizes site degradation from construction activities and other potential impacts.

The proposed project does not impact existing natural features on the site.

12. The project site is consistent with the guidelines for heightened review for projects which exceed 80% of the maximum allowed Floor Area Ratio and/or site coverage, as specified in subsection E (Heightened [Design] Review Findings).

The project is not subject to Heightened [Design] Review Requirements as no addition of building coverage or floor area is proposed.

HISTORIC OVERLAY DISTRICT FINDINGS

Pursuant to Sausalito Zoning Ordinance Section 10.46 (Historic Overlay District), the Planning Commission and Historic Landmarks Board find:

1. The proposed new construction or alteration is compatible with the architectural and historical features of the structure and/or district.

The project proposes the addition to an existing historic structure. The proposed dining deck would be constructed similarly to an upper floor dining deck that existed on the structure in the early 20th century.

2. The historical context of the original structure or district has been considered during the development and review of the proposal.

The structure is included in the Downtown Historic District and is one of the older buildings in Sausalito. Due to its age and inclusion in the Downtown Historic District the structure is unique and an irreplaceable asset to the City and its neighborhoods. The historical context of the original structure has been considered as the proposal is for a dining deck would be constructed similarly to an upper floor dining deck that existed on the structure in the early 20th century.

3. The criteria for listing the structure or site on the local register does not apply, or the Historic overlay district will not be affected by the new construction or alterations.

The proposed alternation brings the structure closer in alignment with its original historic appearance.

4. The State Historic Building Code is being applied to minimize alterations to the original historic structure.

The State Historic Building Code was reviewed to consider the proposed addition of the dining deck and found to not apply to the project.

5. The Secretary of Interior Standards for Treatment of Historic Properties have been used to review and consider the new construction and proposed alterations.

The Secretary of Interior Standards for Treatment of Historic Properties were reviewed to consider the proposed addition of the dining deck and found to not apply to the project.

6. Alternative uses and configurations have been considered as part of the Design Review process.

The location of the upper level dining deck was dictated by the location of an upper level dining deck in the early 20th Century. The intent of the design is to replicate the design of this previous dining deck. An alternative configuration of the deck would be inconsistent with the historical context of the original structure. Therefore, this finding does not apply.

7. Findings specified by Chapter 10.54 (Design Review Procedures) can be made.

The Design Review Findings can be favorably made, as discussed in the findings above.

8. The proposed new construction or alteration will be compatible with and help achieve the purposes of the Historic Overlay District (Chapter 10.28.040.A).

The restoration will be compatible with the purposes of the Historic Overlay District, as described below.

- To promote the conservation, preservation, and enhancement of the historic or architecturally significant structures and sites that form an important link to Sausalito's past;

The proposed improvement will add on to a historical building to resemble the structure's early historical development. The addition of the dining deck will alter the building to more closely conform to its historic character.

- To deter demolition, destruction, alteration, misuse or neglect of historic or architecturally significant buildings;

The project proposes to add on to a historical building to resemble the structure's early historical development and is designed with historical integrity in mind.

- To stimulate the economic health and quality of the community and stabilize and enhance the value of property;

The proposed improvements will enhance the aesthetics of the structure thereby contributing to the value of the property.

- To encourage development tailored to the character and significance of the historic district through sign and design review standards;

This project requires a Design Review Permit, approved by the Planning Commission and Historic Landmarks Board. The requested signage requires a Sign Permit, approved by the Planning Commission and Historic Landmarks Board, which complies with the requirements for signs in the Historic Overlay District in accordance with Section 10.42.070 of the Zoning Ordinance.

- To provide review of projects located in the Historic overlay district by the Historic Landmarks Board;

This project was reviewed by the Historic Landmarks Board at a joint meeting with the Planning Commission.

- To encourage the protection and reuse of structures, sites and areas that provide significant examples of the past or that are landmarks in the history of architecture;

The structure is one of the older buildings in Sausalito and was once used as the San Francisco Yacht Club. As the proposal is to add a dining deck similar to an original dining deck, the project will provide for the continued use of the structure while bringing it into closer conformance to its historic character.

- To preserve structures that are unique and irreplaceable assets to the city and its neighborhoods; and

The structure is included in the Downtown Historic District and is one of the older buildings in Sausalito. Due to its age and inclusion in the Downtown Historic

District the structure is unique and an irreplaceable asset to the City and its neighborhoods.

- To provide appropriate settings and environments for historic structures.

The structure is located in the Downtown Historic District, which is an appropriate setting for the building.

VARIANCE FINDINGS

In accordance with Zoning Ordinance Section 10.68 (Variances), the variance from the setback requirements listed in Table 10.20-2 (Site Development Standards- Open Space and Public Districts) of the Zoning Ordinance is approved based on the following findings:

- A) There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same district.

The building is located on an exceptional site in the City. Constructed on piers over the water and setback from Bridgeway at least 50 feet, the 558 Bridgeway site is the only site in the City with such conditions. With only one exception, the subject site is the only privately owned and improved property within the entire Open Area Zoning District which is overlain by the Downtown Historic Overlay Zoning District. All of these conditions combined are exceptional or extraordinary conditions that applying to the property involved that do not apply generally to other property or uses in the same district.

- B) Owing to such exceptional or extraordinary circumstances the literal enforcement of the provisions of the Title would result in practical difficulty or unnecessary hardship.

Due to building's existing location in the southern side yard setback, in attempting to make small additions to improve the use and viability of the restaurant, the literal enforcement of the development standards may limit the applicant's ability to maintain a viable and efficient restaurant operation. This would result in an unnecessary hardship.

- C) Such Variance is necessary for the preservation of a substantial property right of the petitioner, possessed by other property in the same district.

The literal enforcement of the setback standards in the Open Area Zoning District would result in the property owner not being able to create a dining level above an existing encroaching dining area which was legalized via a Variance in 1978. The structure existed prior to the establishment of zoning in the City. In addition, the building and site have provided services to the public and the site has functioned as part of the City's commercial district since the turn of the 20th century. Other properties in the Downtown Historic Overlay District zoned for central commercial uses do not have setback requirements. Therefore, the property owner maintains a right to expand the business in a manner similar to other properties in the adjacent central commercial district and the variance is necessary for the preservation of a substantial property right of the petitioner, possessed by other property in the same district.

- D) The granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity or in the district in which the subject property is located.

The proposed setback encroachment for the creation of the dining deck is located above an existing side yard setback encroachment. The dining deck will not exacerbate this encroachment by impinging on the setback any further than what exists today. Setbacks are required in order to provide adequate light, air, open space and visual relief. As the parcel to the immediate south and east of the subject property is the open waters of the City of Sausalito, relaxation of the setback standards would not be injurious to the public welfare. Therefore the granting of the variance would not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity or in the district.

- E) The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

The only two properties developed with uses in the Open Area Zoning District with the Downtown Historic Overlay are the 558 Bridgeway site and the 588 Bridgeway site (Scoma's). It has been established that the property at 558 Bridgeway has received approval for numerous variance requests in the past. The property at 588 Bridgeway has also received approval for variance requests. Therefore, the approval of a variance for the 558 Bridgeway would not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

- F) The granting of such Variance will be in harmony with the general purpose and intent of this title and General Plan.

The proposed setback encroachment for the creation of the dining deck is located above an existing side yard setback encroachment. The dining deck will not exacerbate this encroachment by impinging on the setback any further than what exists today. Setbacks are required in order to provide adequate light, air, open space and visual relief. As the parcel to the immediate south and east of the subject property is the open waters of the City of Sausalito, relaxation of the setback standards would not be injurious to the public welfare and would be in harmony with the general purpose and intent of the Zoning Ordinance and the General Plan.

MINOR USE PERMIT FINDINGS

Pursuant to Sausalito Municipal Code Section 10.58 (Minor Use Permits), it has been found that the Minor Use Permits for outdoor dining and indoor music and dancing is approved based on the following findings:

- A. The proposed use is allowed with issuance of a Minor Use Permit, pursuant to Chapters 10.20 through 10.28 (Zoning District Regulations), Chapter 10.44 (Specific Use Requirements) or any other applicable section of this Title 10.

Outdoor dining areas located on private property where an approved restaurant is located are allowed with issuance of a Minor Use Permit, pursuant to Section 10.44.220 (Restaurants-Outdoor Dining Areas). In addition, music and/or dancing are permitted as an accessory use to an approved eating or drinking establishment with the issuance of a Minor Use Permit, pursuant to Section 10.44.210 (Restaurants). The restaurant use at 558 Bridgeway was approved with a Conditional Use Permit in 1967. Therefore, the proposed uses are allowed with the issuance of Minor Use Permit.

- B. The proposed use is consistent with the General Plan, the purposes of the Zoning Ordinance, and the purposes of the applicable zoning district.

The proposed outdoor dining area, music/dancing use are consistent with General Plan policies for promoting the economic viability for commercial neighborhood uses (General Plan Policy LU 2.13). The outdoor dining area is also consistent with all applicable Zoning Ordinance regulations for outdoor dining, as conditioned.

- C. The proposed use, together with the applicable conditions, will not be detrimental to the public health, safety, or general welfare of the City

The proposed outdoor dining area and music/dancing use are not anticipated to be detrimental to the public health, safety, or general welfare of the City.

- D. The proposed use or facility complies with all of the applicable provisions of the Zoning Ordinance.

The proposed uses comply with all applicable provisions of the Zoning Ordinance, including requirements set forth in Section 10.44.220 for seating capacity and additional parking, and, as conditioned, noise testing requirements and time restrictions for music and dancing as described in the staff report dated January 4, 2012.

- E. The proposed use or facility is properly located relative to the community as a whole and to land uses and transportation and service facilities in the vicinity.

The proposed outdoor dining area and indoor music/dancing use will enhance an existing eating establishment in a waterfront area that supports the commercial and residential uses located along Bridgeway and in the vicinity.

- F. The size and shape of the subject property is adequate to provide features needed to ensure reasonable compatibility with land uses normally permitted in the surrounding area. Features may include but not be limited to yards, open spaces, walls and fences, parking, loading, landscaping, and such features as may be required by this Title or the Commission.

The northern and southern lots on either side of the subject lot are vacant and the proposed deck is located at the rear of the building and faces the water. Therefore, the proposed deck is configured appropriately on the site to provide reasonable compatibility to adjacent properties. The music/dancing use has been conditioned to only occur indoors and not on the outdoor dining deck.

- G. Public utilities and facilities are or will be adequate to serve the proposed use, including streets and highways paved (and of adequate width) for the quantity and type of traffic it will generate.

All public utilities and facilities are adequate for the proposed use. The site has abundant parking to support 40 additional seats.

- H. The proposed use will not materially adversely affect nearby properties or their permitted uses.

The northern and southern lots on either side of the subject lot are vacant and the proposed deck is located at the south and rear of the building and faces the water. The music/dancing use has been conditioned to only occur indoors and not on the outdoor dining deck. The project has been conditioned to establish ambient noise levels prior to and after commencement of the music/dancing use from residential properties to ensure that the noise source does not exceed audible levels.

- I. Findings required by Chapter 10.44 (Specific Use Requirements) for the approval of specific uses are made.

Pursuant to Sausalito Municipal Code Section 10.58.052 (Required Findings for Minor Use Permits to Allow Music and/or Dancing), it has been found that the permit is approved based on the following findings:

- i. The proposed use is incidental to a primary restaurant use.

Two restaurants are located on the subject site. The music/dancing use has been conditioned to only occur indoors and is incidental to the primary use of the site as a restaurant.

- ii. The proposed use complies with Section 10.44.210 (Restaurants).

The restaurant use was approved with a Conditional Use Permit in 1967 and has been conditioned to comply with Section 10.44.210 with regards to audibility.

- iii. The proposed use will not adversely affect residential uses.

The northern and southern lots on either side of the subject lot are vacant and the music/dancing use has been conditioned to only occur indoors and not on the outdoor dining deck. The project has been conditioned to establish ambient noise levels prior to and after commencement of the music/dancing use from residential properties to ensure that the noise source does not exceed audible levels.

SIGN PERMIT FINDINGS

In accordance with Zoning Ordinance Section 10.42.090(E) (Sign Permit Findings), the Sign Permit for new business signage is approved based on the following findings:

1. The proposed sign complies with all applicable provisions of this Title.

As discussed in the Staff Report dated January 4, 2012, the Planning Commission and the Historic Landmarks Board find the signs comply with the requirements of Chapter 10.42.070 of the Zoning Ordinance.

2. The proposed sign is consistent with the applicable sign standards.

As discussed in the Staff Report dated January 4, 2012, the Planning Commission and the Historic Landmarks Board find the sign regulations allow for signs to be installed at the project site.

3. The proposed sign will not adversely impact the public health, safety, or general welfare.

The Planning Commission and the Historic Landmarks Board find the signs are designed to not adversely impact public health, safety, or general welfare. In addition, a building permit will be required prior to installation of the signs to ensure the signs will be installed to code.

4. The proposed color, design, material and location of the proposed sign are compatible with the architectural design of the building.

The Planning Commission and the Historic Landmarks Board find the color, design, materials, and location of the signs will be compatible with the façade modifications associated with a contributing building located in the Downtown Historic Overlay Zoning District.

5. If the property is located within or near a residential area, the sign is harmonious with the character of the residential neighborhood.

The Planning Commission and the Historic Landmarks Board find the subject site is not in a residential area. Therefore, this finding is not applicable.

6. The proposed sign is restrained in character and is no larger than necessary for adequate identification.

The Planning Commission and the Historic Landmarks Board find the signs will be complimentary to the aesthetic of the building, the site, and the Downtown Historic Overlay Zoning District and are adequate to identify the site.

7. The proposed sign is consistent with the highest graphic standards and composed of durable and appropriate materials.

The Planning Commission and the Historic Landmarks Board find the signs will be constructed out of high quality materials which are durable and compatible with the aesthetic of the project site.

8. If the proposed sign is for an establishment within a commercial or industrial center, the sign is harmonious with the entire center's signage and has been subject to the commercial or industrial center's Design Review.

The Planning Commission and the Historic Landmarks Board find the signs are designed to be compatible and harmonious with not only the aesthetic of the project site and the Downtown Historic Overlay District as a whole.

9. If the proposed sign is oriented toward a residential zoning district and is within 50 feet of said district, the signage is necessary for minimum business identification and will not have an adverse aesthetic effect on the residential character of the adjacent residential neighborhood.

The Planning Commission and the Historic Landmarks Board find the business identification signs will not be located within 50 feet of a residential zoning district. The signs will not have an adverse aesthetic effect on the residential neighborhood located above the commercial district on Bridgeway.

10. Proposed sign serves to primarily identify the business or type of activity being conducted on the same premises, or the product, service or interest being offered for sale or lease on-site.

The Planning Commission and the Historic Landmarks Board find the signs primarily identify the restaurant businesses being conducted on the premise and are necessary to serve the businesses at the project site.

11. If the property is located within a designated historic district, or is listed on the local register, the proposed sign has been reviewed and approved by the Historic Landmarks Board and complies with the Historic District Sign Guidelines and Section 10.42.070 (Sign and Awning Standards in the Historic Overlay District for Properties Listed on the Local Register).

The Planning Commission and the Historic Landmarks Board find the signs will be compatible with the architecture of the project site and the Downtown Historic Overlay District as a whole based on the scale, materials, color, and design of the signage.

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**PLANNING COMMISSION and HISTORIC LANDMARKS RESOLUTION
JANUARY 4, 2012
DR/VA/MUP/SP 11-340
558 BRIDGEWAY**

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions of approval apply to the project plans and materials titled "Ondines Restaurant Ext Upgrades" and date-stamped December 19, 2011 which supersede the plans title "Ondine Restaurant" and date stamped January 5, 2009. All Conditions of Approval in Resolution 2009-01 remain in effect.

General

1. The approval for the Variance will expire in two (2) years from the effective date of this resolution if the property owner has not exercised the entitlements hereby granted, or an extension has not been filed prior to the expiration date.
2. Upon building permit submittal the Conditions of Approval in this Resolution and Planning Commission Resolution No. 2009-01 shall be shown on all construction drawings.
3. Upon building permit submittal the applicant shall provide a written response demonstrating compliance with each Condition of Approval in this Resolution and Planning Commission Resolution No. 2009-01.
4. Any request for modification of the fabric for the lower deck canvas awnings shall require review and recommendation by the Historic Landmarks Board and review and approval by the Community Development Director.
5. All exterior lighting shall be shielded and downward facing.
6. During construction the applicant's contractor shall implement a Water Pollution Prevention Plan that at a minimum follows guidelines in MCSTOPPP's "Pollution Prevention It's Part of the Plan" [http://www.mcstoppp.org/acrobat/Pollution%20Prevention_Jan-2009.pdf]. The Plan shall addresses construction related and post-construction related site management practices including demolition, general construction, concrete, paving, dewatering, contaminated soils masonry, tile work, painting litter control, motor vehicle washing and maintenance, storage of hazardous materials.

Minor Use Permit

7. A maximum of forty (40) outdoor dining seats may be located on the upper dining deck. The forty (40) outdoor dining seats may be provided in any configuration which is compliant with applicable codes and regulations regarding access and safety.
8. Music and dancing is only permitted indoors. No music or dancing is permitted in the outdoor dining area.
9. Music and dancing shall only be allowed between the hours of 9AM and midnight.
10. Under Planning Division supervision and at the cost of the applicant, prior to commencement of use the ambient noise levels shall be established from specific residential properties (established by the Community Development Director) within 300 feet of the restaurant premises. Under Planning Division supervision and at the cost of the applicant, noise measurement shall be taken after commencement of the use to ensure that the noise source does not exceed "audible" levels as defined by the Zoning Ordinance and Municipal Code.

Advisory Notes

Advisory notes are provided to inform the applicant of Sausalito Municipal Code requirements, and requirements imposed by other agencies. These requirements include, but are not limited to, the items listed below.

11. The approval for the Design Review Permit will expire in two (2) years from the effective date of this resolution if the property owner has not exercised the entitlements hereby granted, or an extension has not been filed prior to the expiration date.
12. The approval for the Minor Use Permit and the Sign Permit will expire in one (1) year from the effective date of this resolution if the property owner has not exercised the entitlements hereby granted, or an extension has not been filed prior to the expiration date.
13. An approval granted by the Planning Commission does not constitute a building permit or authorization for construction. Appropriate construction permit(s) issued by the Building Division must be obtained prior to construction.
14. All applicable City fees as established by City Council resolutions and ordinances shall be paid. Third party review fees (cost plus 10%) shall be paid.
15. Pursuant to Municipal Code Chapter 3.36, Construction Traffic Road Fees shall be paid prior to issuance of a building permit.
16. An encroachment permit shall be obtained from the Department of Public Works prior to use of the public right-of-way for non-public purposes (e.g., materials storage, debris box storage) including any and all construction and demolition activities.
17. Pursuant to Municipal Code Chapter 8.54, applicants shall submit a Recycling Management Plan to the Community Development Department prior to the issuance of

any construction permits, unless the requirement is waived pursuant to Section 8.54.050.

18. Pursuant to Municipal Code Chapter 11.17, dumping of residues from washing of painting tools, concrete trucks and pumps, rock, sand, dirt, agricultural waste, or any other materials discharged into the City storm drain system that is not composed entirely of storm water is prohibited. Liability for any such discharge shall be the responsibility of person(s) causing or responsible for the discharge. Violations constitute a misdemeanor in accordance with Section 11.17.060.B.
19. Pursuant to Municipal Code Section 12.16.140, the operation of construction, demolition, excavation, alteration, or repair devices and equipment within all residential zones and areas within a 500 foot radius of residential zones shall only take place during the following hours:
Weekdays – Between 8:00 a.m. and 6:00 p.m.
Saturdays – Between 9:00 a.m. and 5:00 p.m.
Sundays – Prohibited
City holidays (not including Sundays) – Between 9:00 a.m. and 7:00 p.m.
20. Pursuant to Municipal Code Section 18.12.100, existing sewer service laterals shall be inspected for surface water connections and leakage at the time of remodeling of any building. Deteriorated service laterals shall be repaired prior to approval of the building permit.
21. Permits required by other agencies having jurisdiction within the construction area must be obtained in accordance with the respective agency's regulations.
Marin Municipal Water District – (415-945-1400), including landscaping and irrigation regulations;
Southern Marin Fire Protection District -- (415-388-8182); and
Bay Conservation and Development Commission – (415-352-3600).
22. Pursuant to Municipal Code Section 10.54.100, construction activities undertaken in accordance with a design review permit shall comply with the construction time limit regulations based upon the project's valuation. Construction projects which are not completed within the time limits are subject to daily penalties.

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PLANNING COMMISSION and HISTORIC LANDMARKS RESOLUTION
JANUARY 4, 2012
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ATTACHMENT 3: PROJECT PLANS

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Vicinity Map

558
Bridgeway

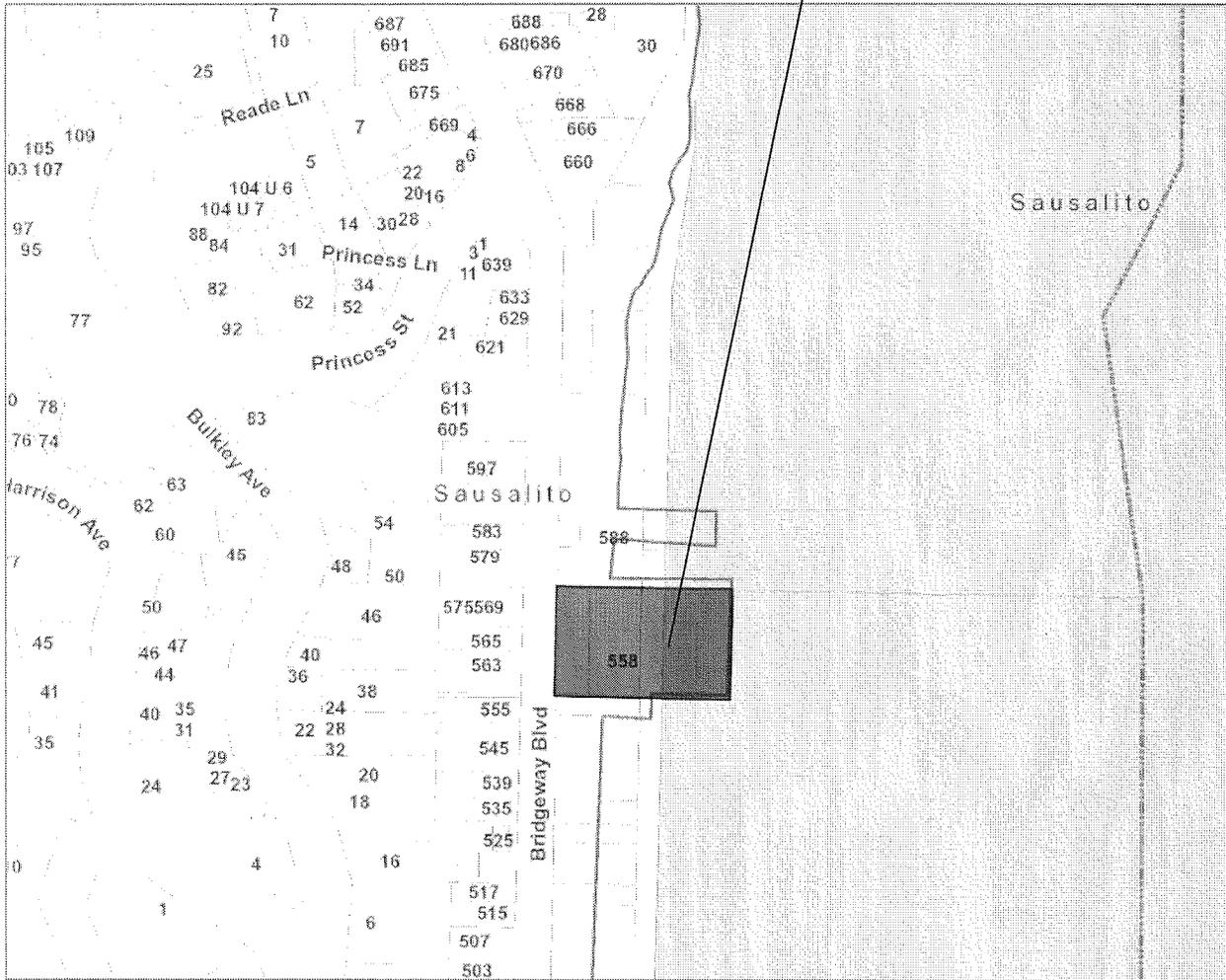
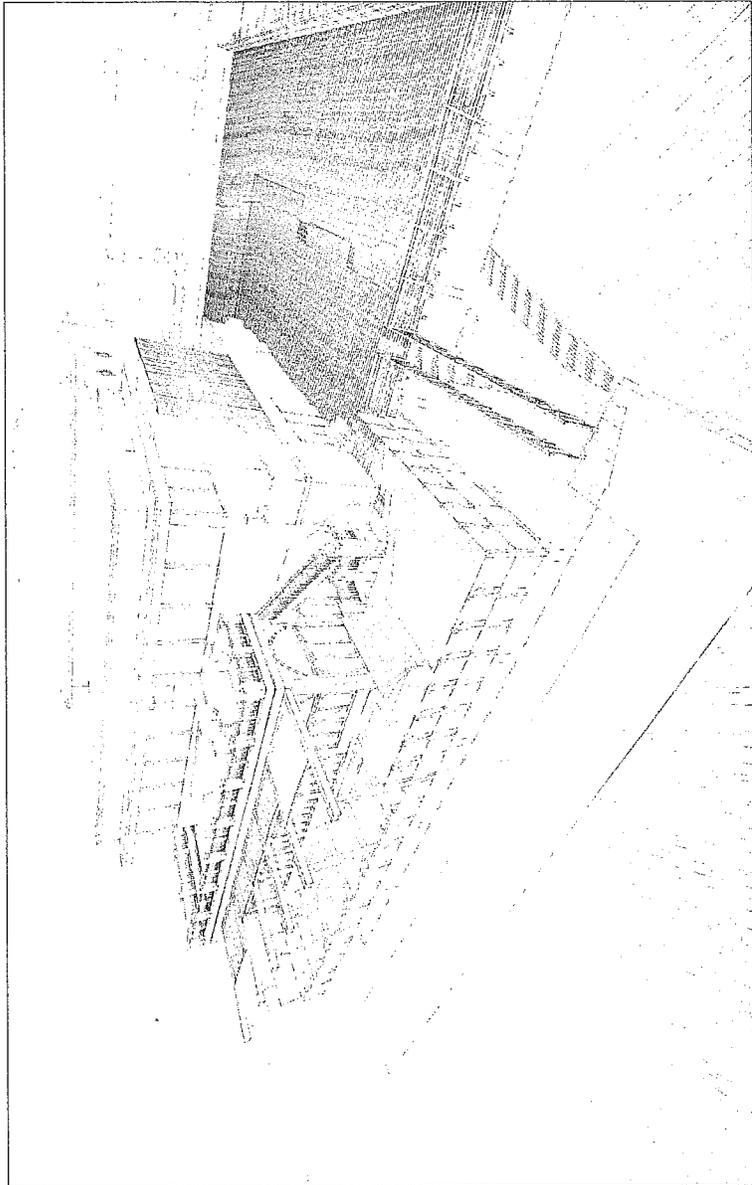


EXHIBIT B
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DINING DECK

- COVER PAGE
- A0.0 PROPOSED SITE PLAN, PROJECT DIRECTORY
- A1.0 PROPOSED FIRST FLOOR PLAN
- A1.1 PROPOSED SECOND FLOOR PLAN
- A1.2 SITE PLAN (JAN 2009 APPROVAL)
- A1.3 FIRST / SECOND FLOOR PLAN (JAN 2009 APPROVAL)
- A1.4 EXISTING SITE PLAN
- A1.5 EXISTING FIRST FLOOR PLAN
- A1.6 EXISTING SECOND FLOOR PLAN
- A2.0 PROPOSED ELEVATIONS
- A2.1 PROPOSED ELEVATIONS
- A2.2 APPROVED DECK ELEVATIONS (JAN 2009 APPROVAL)
- A2.3 APPROVED DECK ELEVATIONS (JAN 2009 APPROVAL)
- A2.4 EXISTING ELEVATIONS
- A2.5 EXISTING ELEVATIONS
- A4.0 DESIGN REVIEW DETAILS

EXHIBIT C
(16 PAGES)

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CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

ONDINES RESTAURANT EXT. UPGRADES
 558 BRIDGEWAY
 SAUSALITO, CA 94965
 A.P.N. 065-172-012, 13, 15

ARCHITECTS & ASSOCIATES
 558 BRIDGEWAY SAUSALITO, CA 94965
 TEL: 415.352.2277 FAX: 415.352.2277
 WWW.ANDARCHITECTS.COM

REVISIONS
 NO. 1
 PLANS 12-19-11
 PLANS 12-19-11

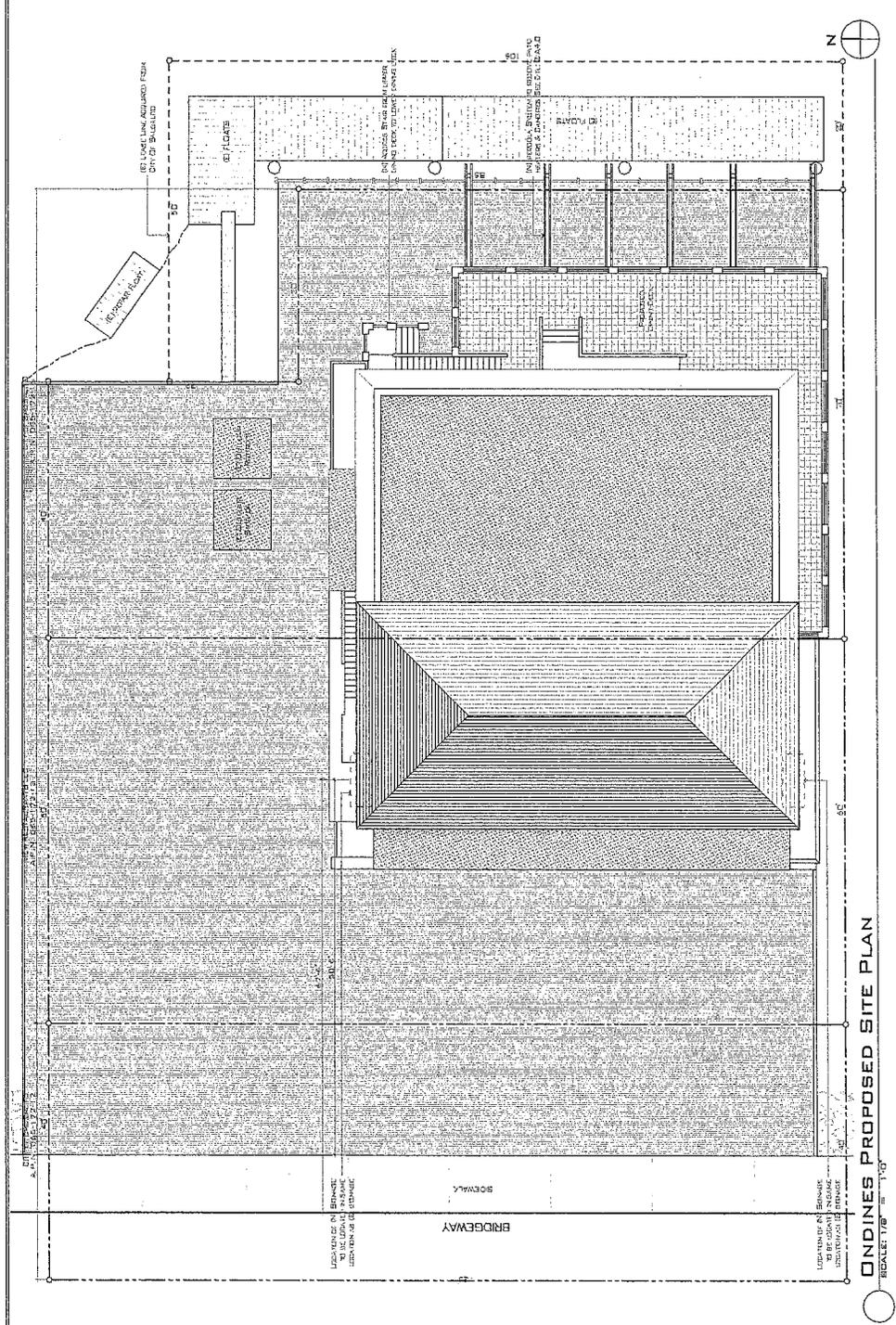
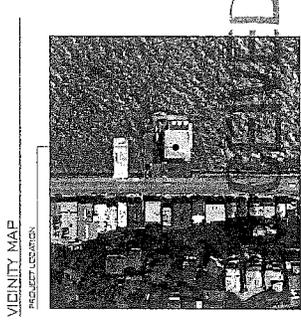
AD.D
 OCTOBER 20th, 2011

GENERAL NOTES:
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE (CBC) AND ALL APPLICABLE LOCAL ORDINANCES.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF SAUSALITO.
 3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 4. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE CITY ENGINEER.
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
 6. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
 7. THE CONTRACTOR SHALL MAINTAIN A RECORD OF ALL WORK DONE AND SUBMIT IT TO THE ARCHITECT UPON COMPLETION.

PROJECT INFORMATION:
 PROJECT NAME: 558 BRIDGEWAY RESTAURANT EXT. UPGRADES
 PROJECT NO.: 11-001
 PROJECT LOCATION: 558 BRIDGEWAY, SAUSALITO, CA 94965
 PROJECT OWNER: ONDINES RESTAURANT
 PROJECT ARCHITECT: ARCHITECTS & ASSOCIATES
 PROJECT ENGINEER: PHOT ENGINEERING, INC.
 PROJECT START DATE: 12/19/11
 PROJECT END DATE: 01/15/12

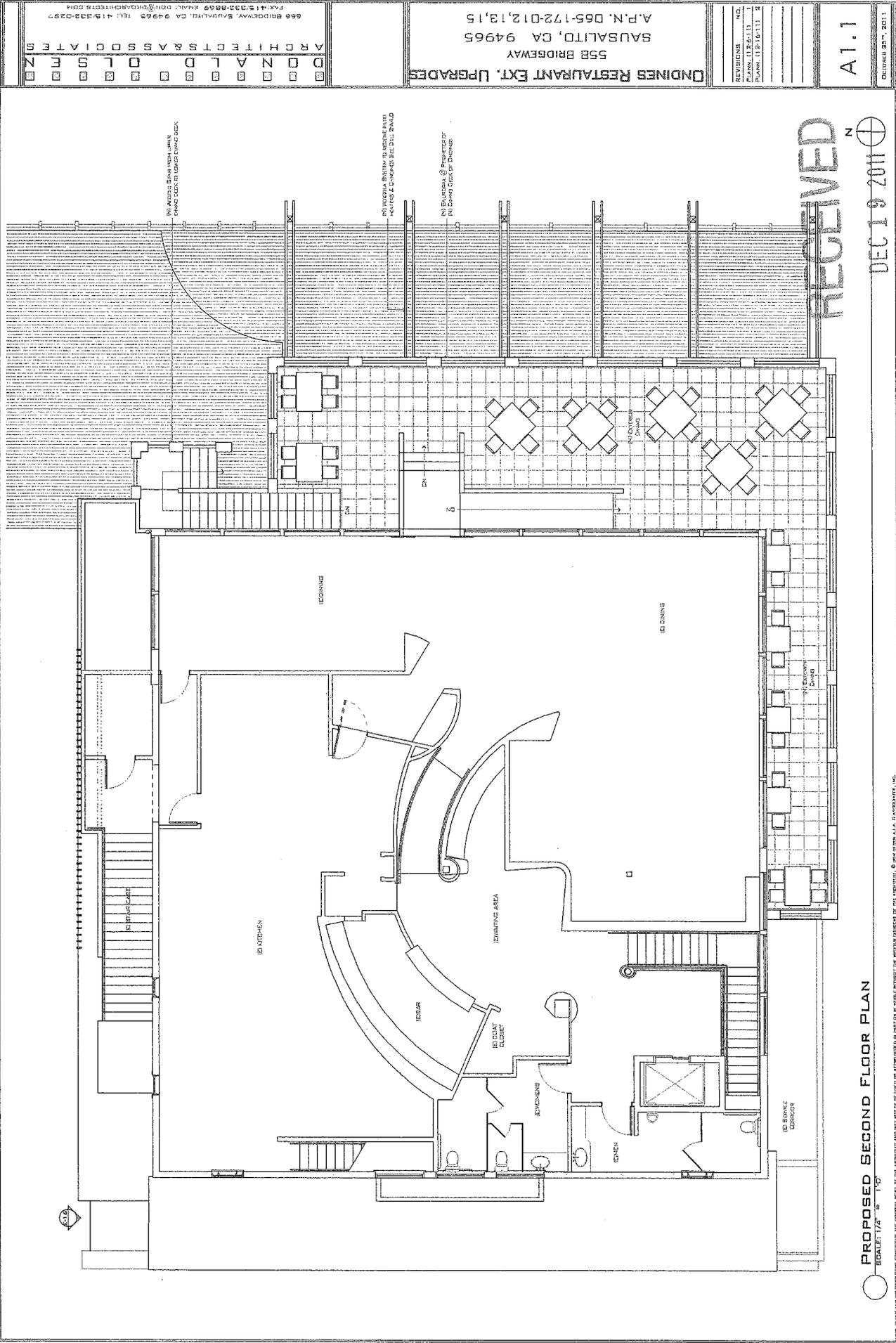
GENERAL CALCULATIONS:
 PERMITTED COVERAGE: 100%
 PERMITTED AREA: 10,000 SQ. FT.
 PERMITTED VOLUME: 100,000 CU. YD.
 PERMITTED HEIGHT: 35 FT.
 PERMITTED SETBACK: 5 FT.
 PERMITTED SIDEWALK: 5 FT.
 PERMITTED DRIVEWAY: 10 FT.
 PERMITTED PARKING: 10 SPACES

PERMITS:
 CITY OF SAUSALITO
 CITY ENGINEER: PHOT ENGINEERING, INC.
 CITY ENGINEER'S OFFICE: 1000 MARKET STREET, SUITE 100, SAUSALITO, CA 94965
 CITY ENGINEER'S PHONE: 415.352.2277
 CITY ENGINEER'S FAX: 415.352.2277
 CITY ENGINEER'S EMAIL: PHOT@PHOTOENGINEERING.COM



ONDINES PROPOSED SITE PLAN
 SCALE: 1/8" = 1'-0"

DEC 19 2011
 CITY OF SAUSALITO
 COMMUNITY DEVELOPMENT



558 BRIDGEWAY, SAUSALITO, CA 94965 TEL: 415-332-0297
 FAX: 415-332-8869 EMAIL: DUNN@DUNNARCHITECTS.COM
 DUNN ARCHITECTS & ASSOCIATES
 ARCHITECTS

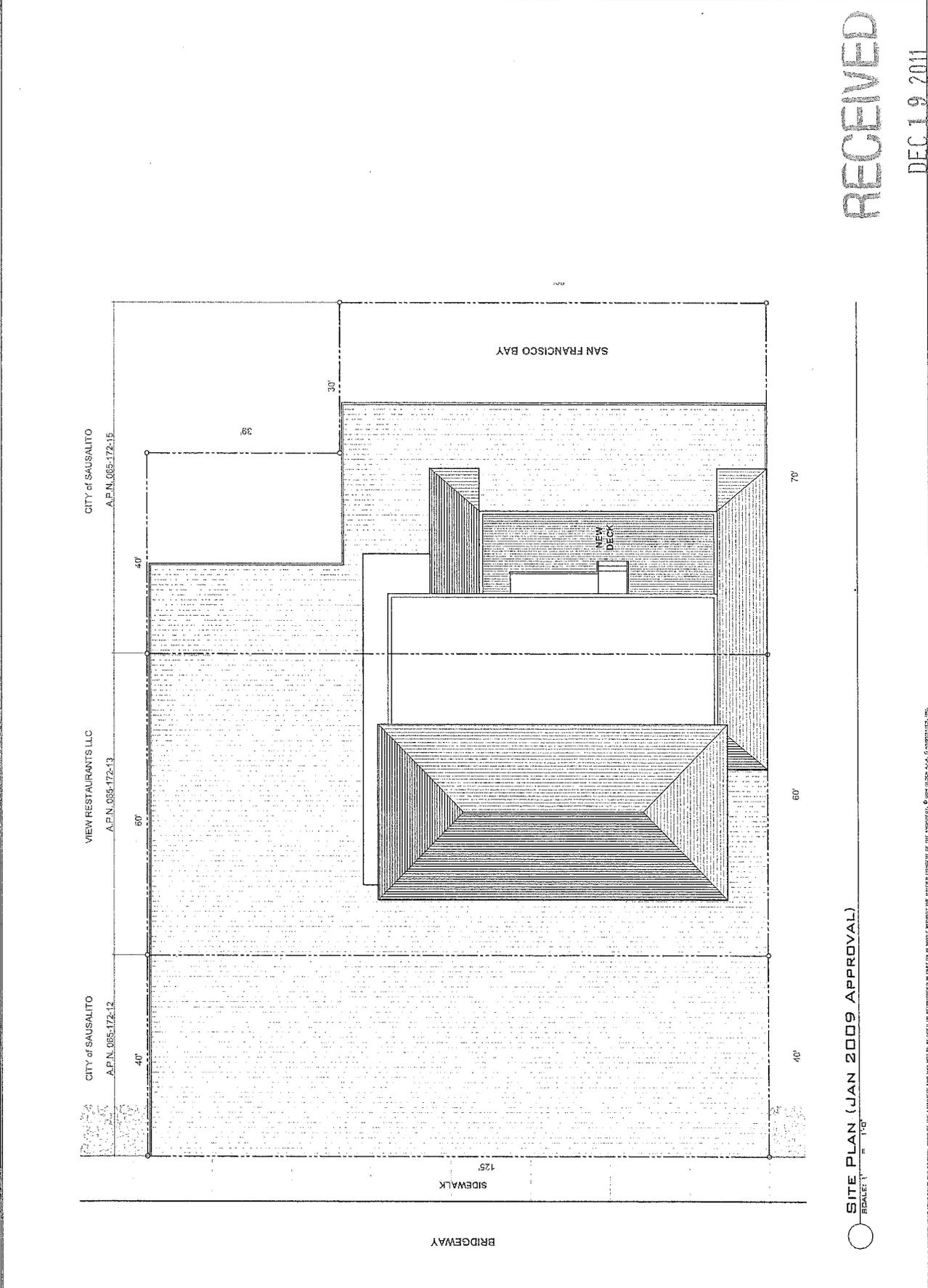
ONDINES RESTAURANT EXT. UPGRADES
 558 BRIDGEWAY
 SAUSALITO, CA 94965
 A.P.N. 065-172-012,13,15

NO.	REVISIONS
1	ISSUED FOR PERMITS
2	ISSUED FOR PERMITS
3	ISSUED FOR PERMITS

A1.1
 October 28th, 2011

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 COMMUNITY DEVELOPMENT

PROPOSED SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"

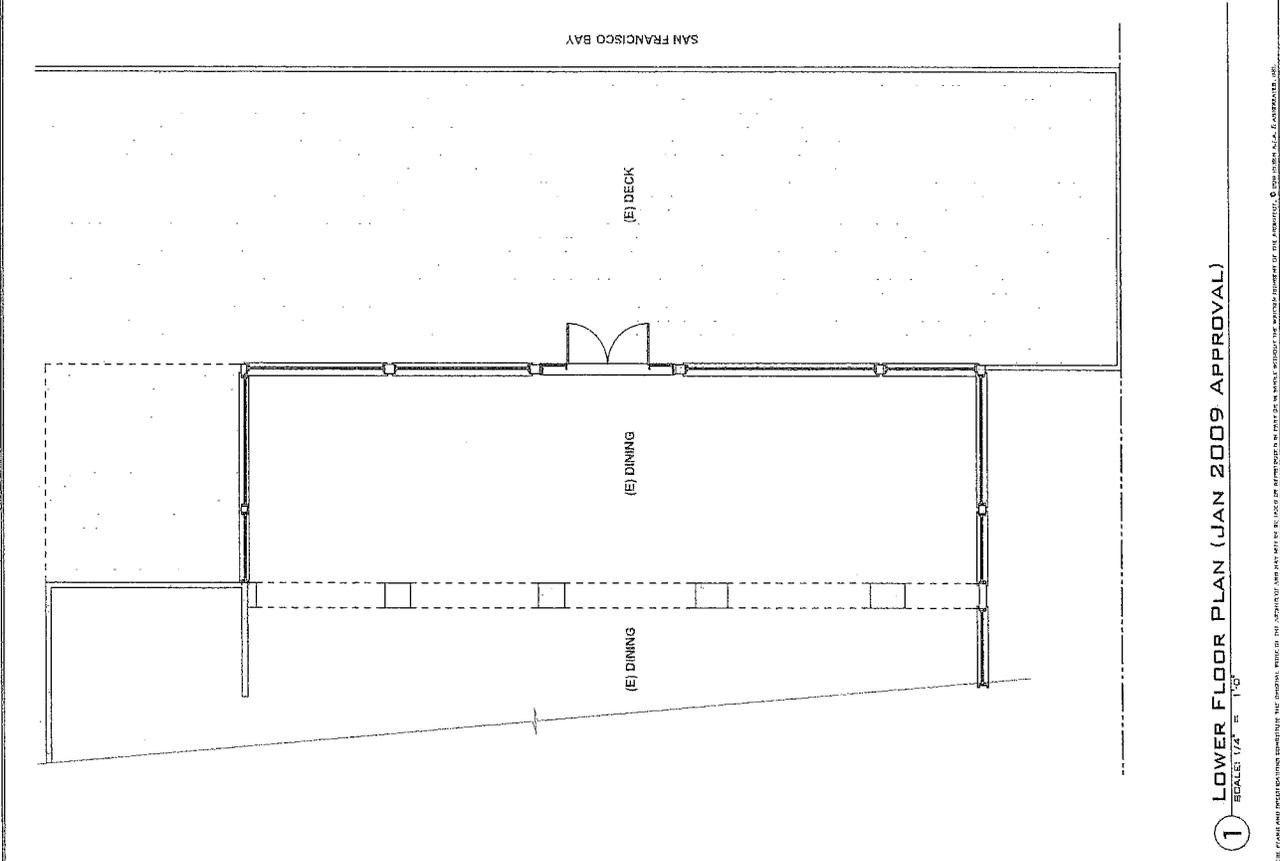
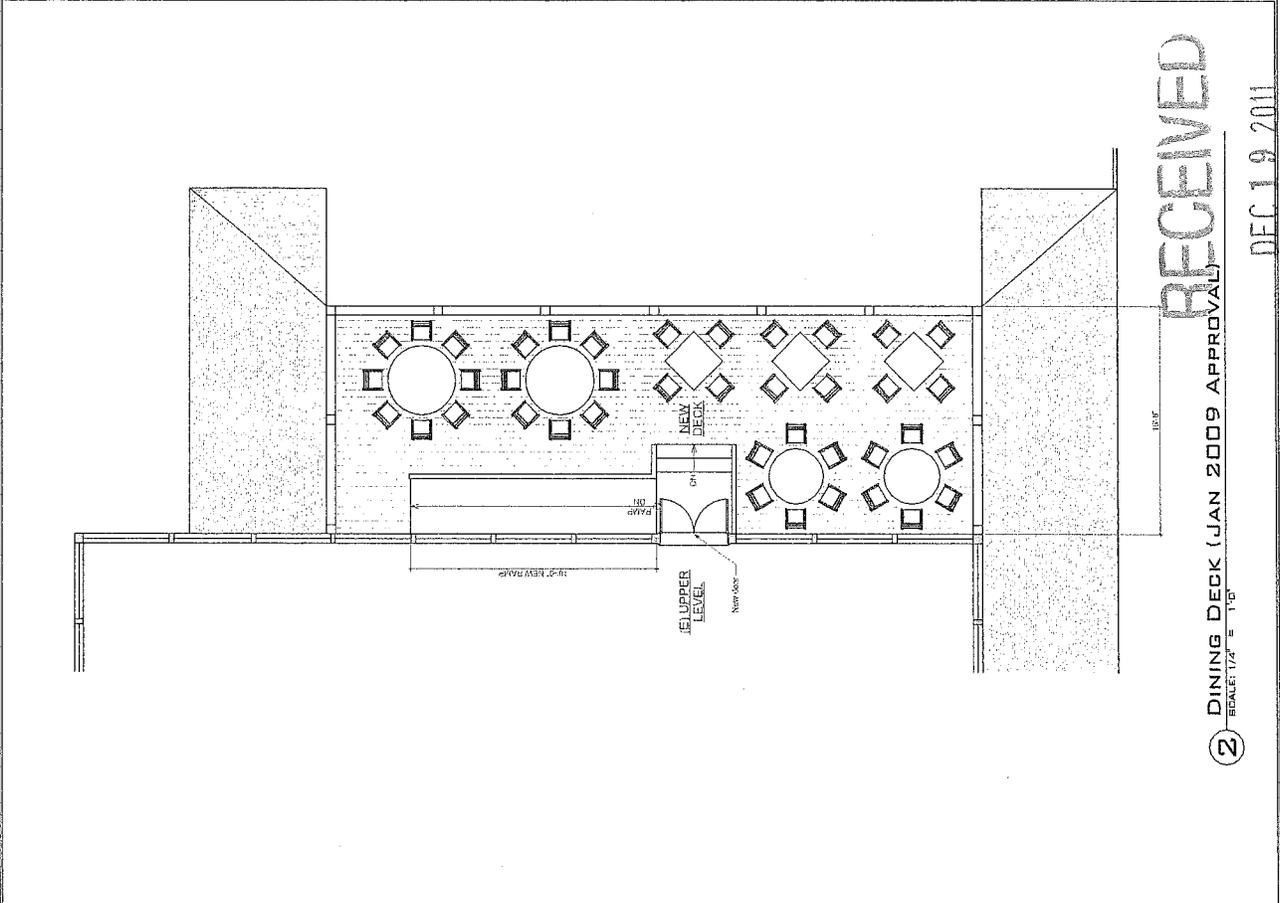


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SITE PLAN (JAN 2009 APPROVAL)
 SCALE: 1" = 10'

CITY OF SAUSALITO
 COMMUNITY DEVELOPMENT



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 DINING DECK (JAN 2009 APPROVAL)
 SCALE: 1/4" = 1'-0"
 DEC 19 2011

1 LOWER FLOOR PLAN (JAN 2009 APPROVAL)
 SCALE: 1/4" = 1'-0"

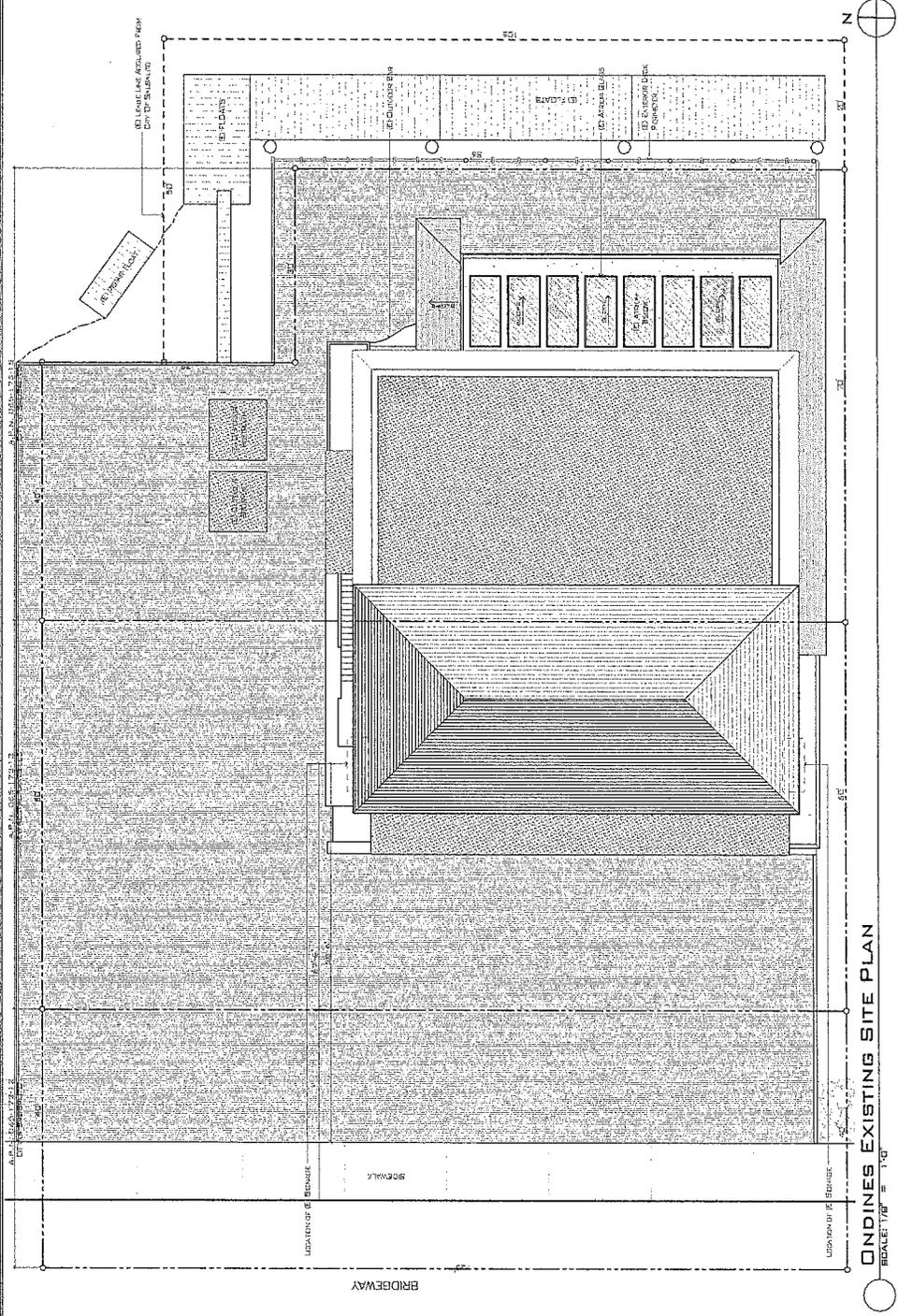
CITY OF SAUSALITO
 COMMUNITY DEVELOPMENT

D A L D S E N
 A R C H I T E C T S & A S S O C I A T E S
 666 BRIDGEWAY, SAUSALITO, CA 94965 TEL: 415.332-0377
 FAX: 415.332-8869 EMAIL: OTH@ARCHITECTS.COM

ONDINES RESTAURANT EXT. UPGRADES
 558 BRIDGEWAY
 SAUSALITO, CA 94965
 A.P.N. 065-172-012,13,15

REVISIONS	NO.

A1.4
 DECEMBER 2011



ONDINES EXISTING SITE PLAN
SCALE: 1/8" = 1'-0"

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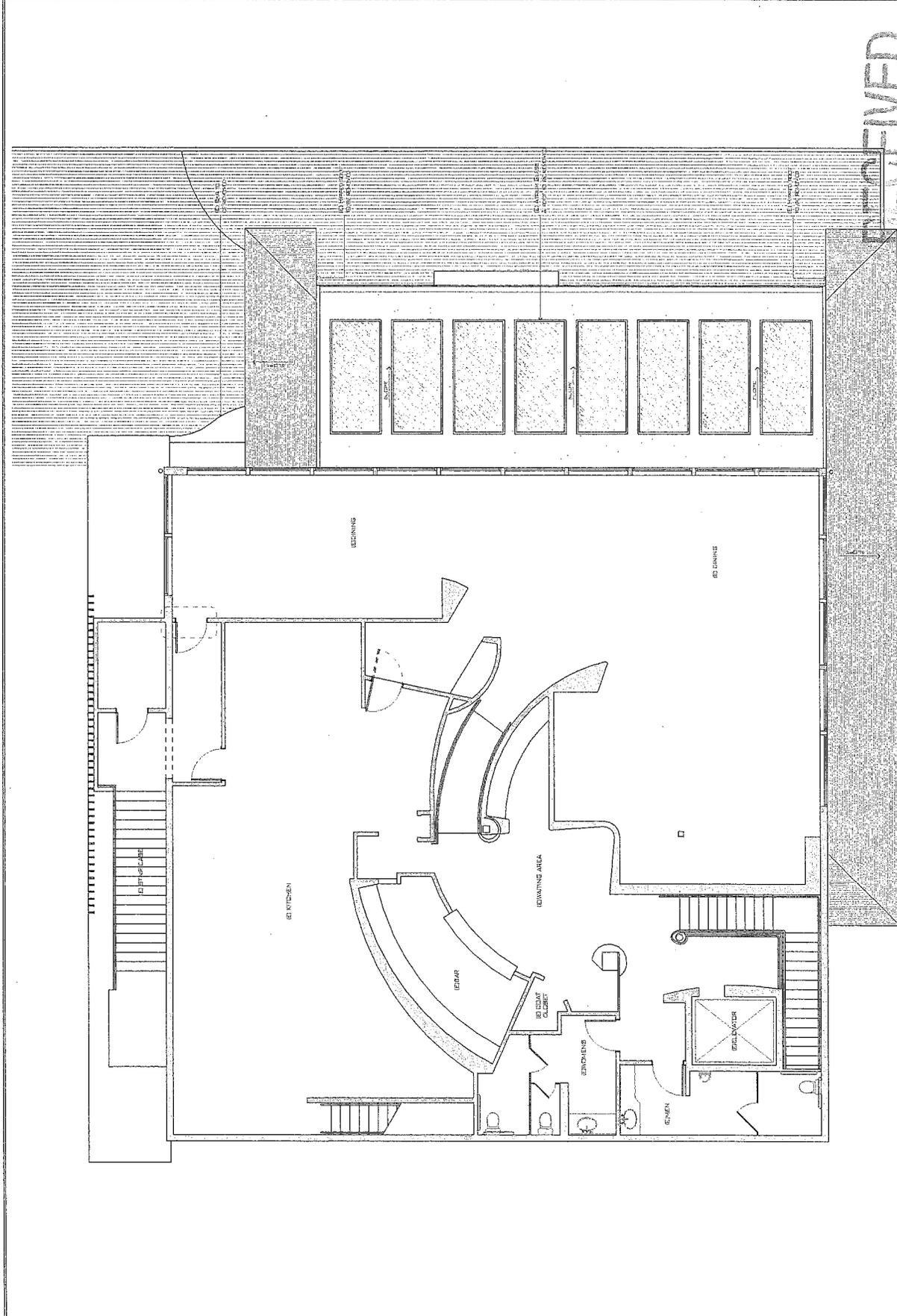
CITY OF SAUSALITO
 COMMUNITY DEVELOPMENT

666 BRIDGEWAY, SAUSALITO, CA 94965 TEL: 415-935-0297
 FAX: 415-932-8869 EMAIL: CDM@CALARCHITECTS.COM
 ARCHITECTS & ASSOCIATES
 RONALD SENEZ

ONDINES RESTAURANT EXT. UPGRADES
 558 BRIDGEWAY
 SAUSALITO, CA 94965
 A.P.N. 065-172-012,13,15

REVISIONS	NO.
PLANS (12-6-11)	1
PLANS (12-16-11)	2

A1.6
 OCTOBER 30th, 2011



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 CITY OF SAUSALITO
 COMMUNITY DEVELOPMENT DEPARTMENT

EXISTING SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"

558 BRIDGEWAY
SAUSALITO, CA 94965
A.P.N. 065-172-012,13,15

ONDINES RESTAURANT EXT. UPGRADES

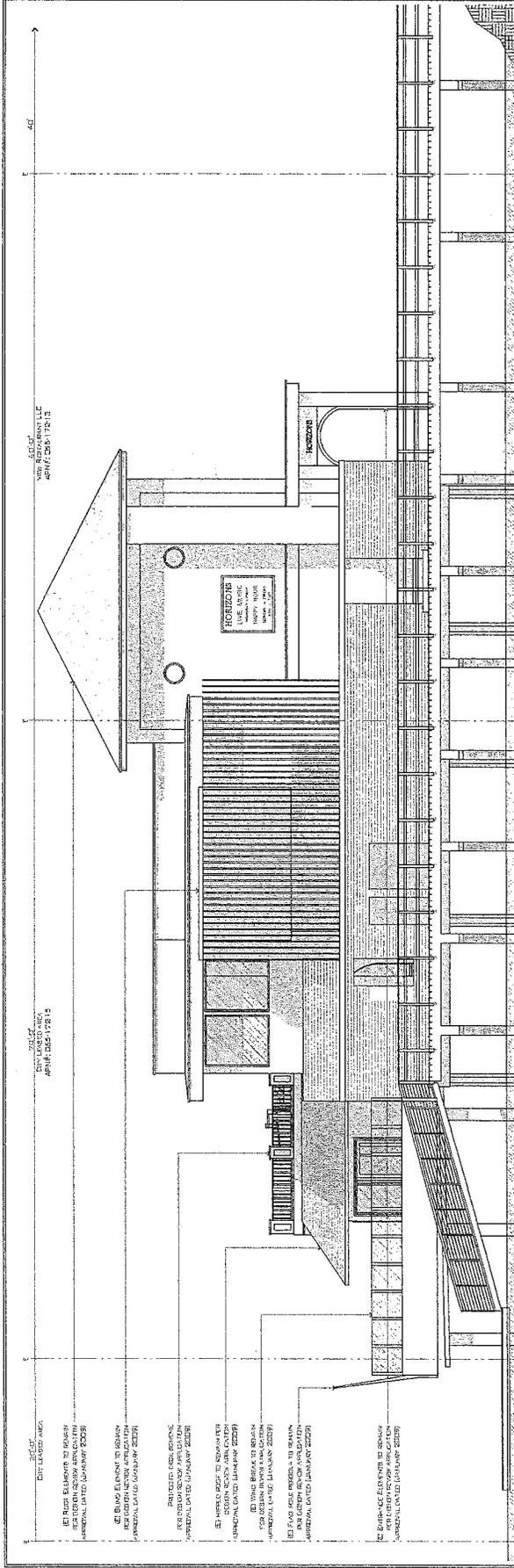
REVISIONS: INC.
PLANN: 11-26-11
PLAN: 11-26-11

ARCHITECTS & ASSOCIATES
DONALD OLSZE

656 BRIDGEWAY SAUSALITO, CA 94965 TEL: 415-322-0277
FAX: 415-322-9565 EMAIL: DON@DONOLSONARCHITECTS.COM

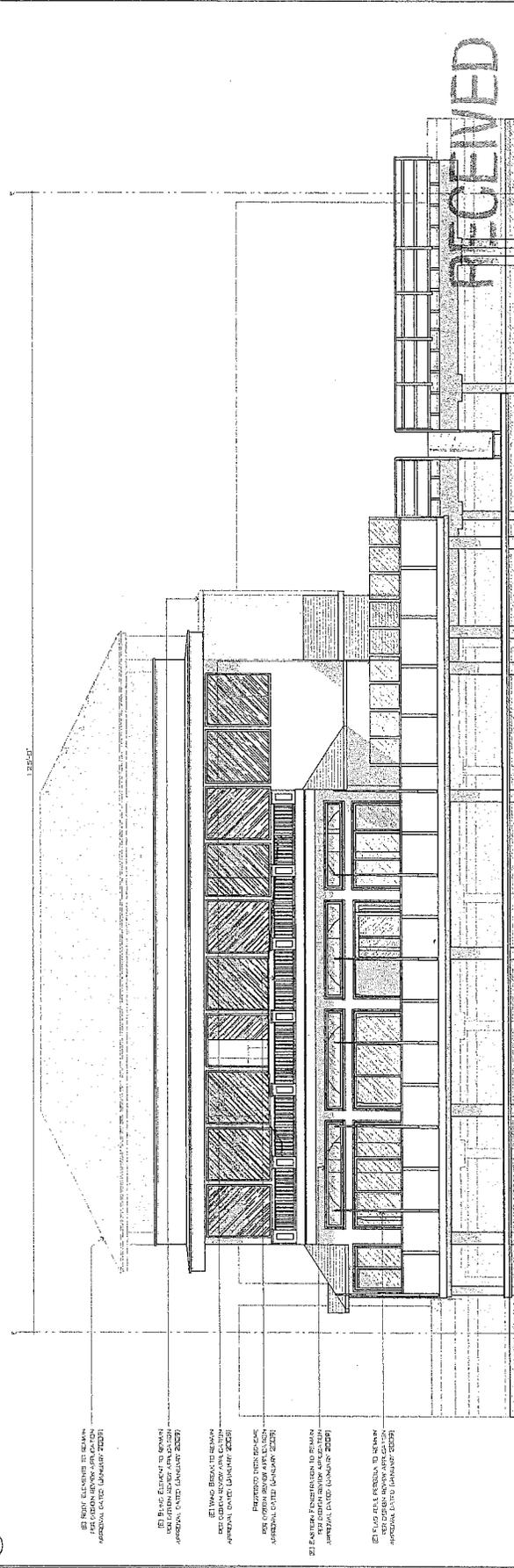
A2.2

DATE: 05/11/2011



NORTH ELEVATION (JAN 2009 APPROVAL)
SCALE: 3/16" = 1'-0"

- 1. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 2. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
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- 12. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
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- 15. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 16. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 17. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 18. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 19. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 20. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.



EAST ELEVATION (JAN 2009 APPROVAL)
SCALE: 3/16" = 1'-0"

- 1. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 2. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 3. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 4. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 5. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
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- 10. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
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- 16. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 17. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 18. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 19. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.
- 20. SEE LAYOUT AND PLAN FOR ELEMENTS TO BE MAINTAINED.

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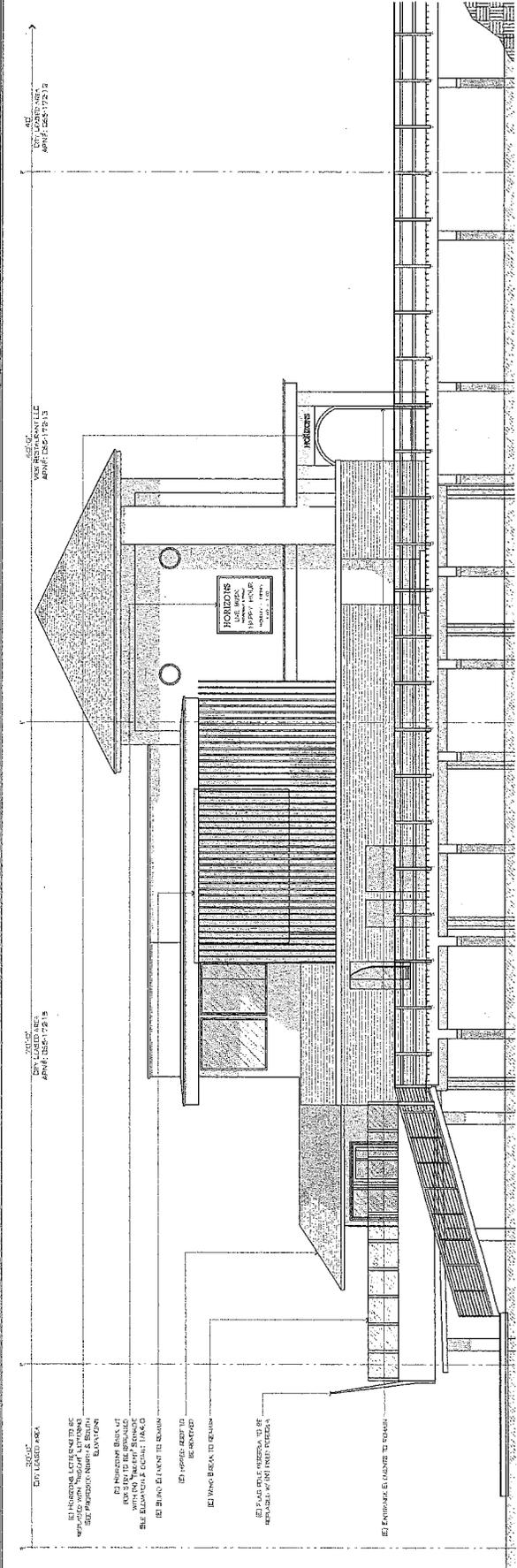
CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

D O N A L D A R C H I T E C T S & A S S O C I A T E
 558 BRIDGEWAY SAUSALITO, CA 94965 TEL: 415.332.0297
 FAX: 415.332.9569 EMAIL: CMH@OKARCHITECT.COM

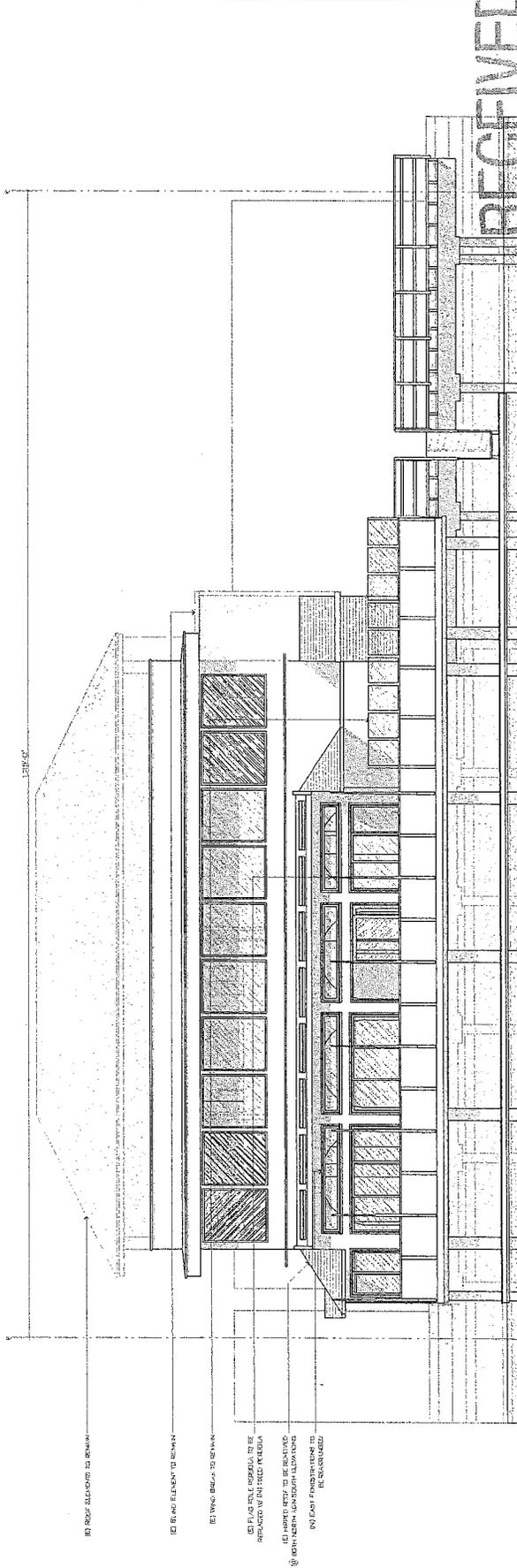
INDIAN RESTAURANT EXT. UPGRADES
 558 BRIDGEWAY
 SAUSALITO, CA 94965
 A.P.N. 065-172-012,13,15

NO.	DATE	DESCRIPTION
1	11.26.11	ISSUED FOR PERMITS
2	11.15.11	REVISED

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 A2.4
 OCTOBER 20th, 2011



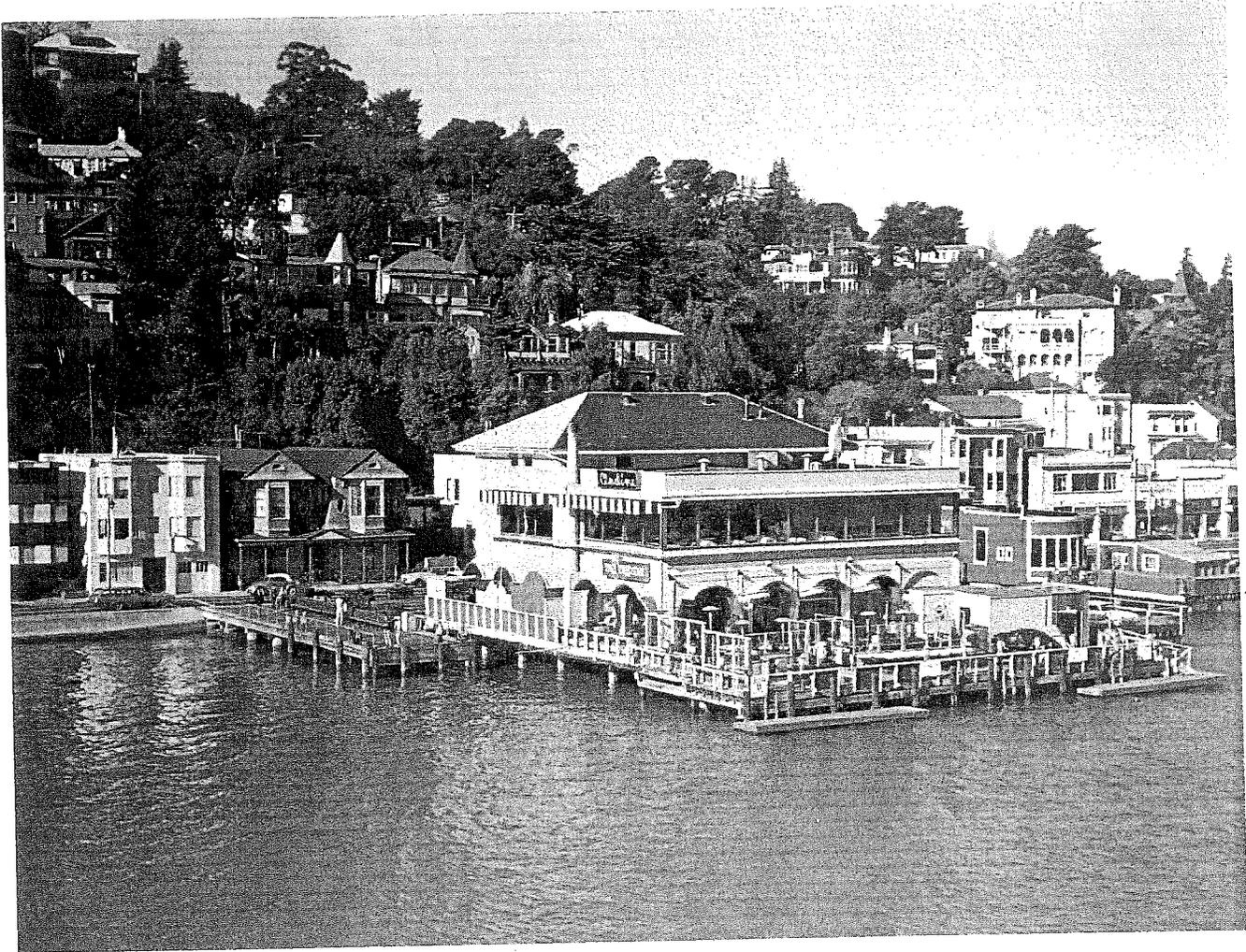
(E) NORTH ELEVATION
 SCALE: 3/16" = 1'-0"



(E) EAST ELEVATION
 SCALE: 3/16" = 1'-0"

- (1) UNLESS OTHERWISE SPECIFIED, ALL MATERIALS SHALL BE SUPPLIED BY THE MANUFACTURER OF THE PRODUCT.
- (2) FINISHES SHALL BE AS SHOWN ON THE SCHEDULE.
- (3) ALL MATERIALS SHALL BE SUPPLIED BY THE MANUFACTURER OF THE PRODUCT.
- (4) ALL MATERIALS SHALL BE SUPPLIED BY THE MANUFACTURER OF THE PRODUCT.
- (5) ALL MATERIALS SHALL BE SUPPLIED BY THE MANUFACTURER OF THE PRODUCT.
- (6) ALL MATERIALS SHALL BE SUPPLIED BY THE MANUFACTURER OF THE PRODUCT.
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- (10) ALL MATERIALS SHALL BE SUPPLIED BY THE MANUFACTURER OF THE PRODUCT.

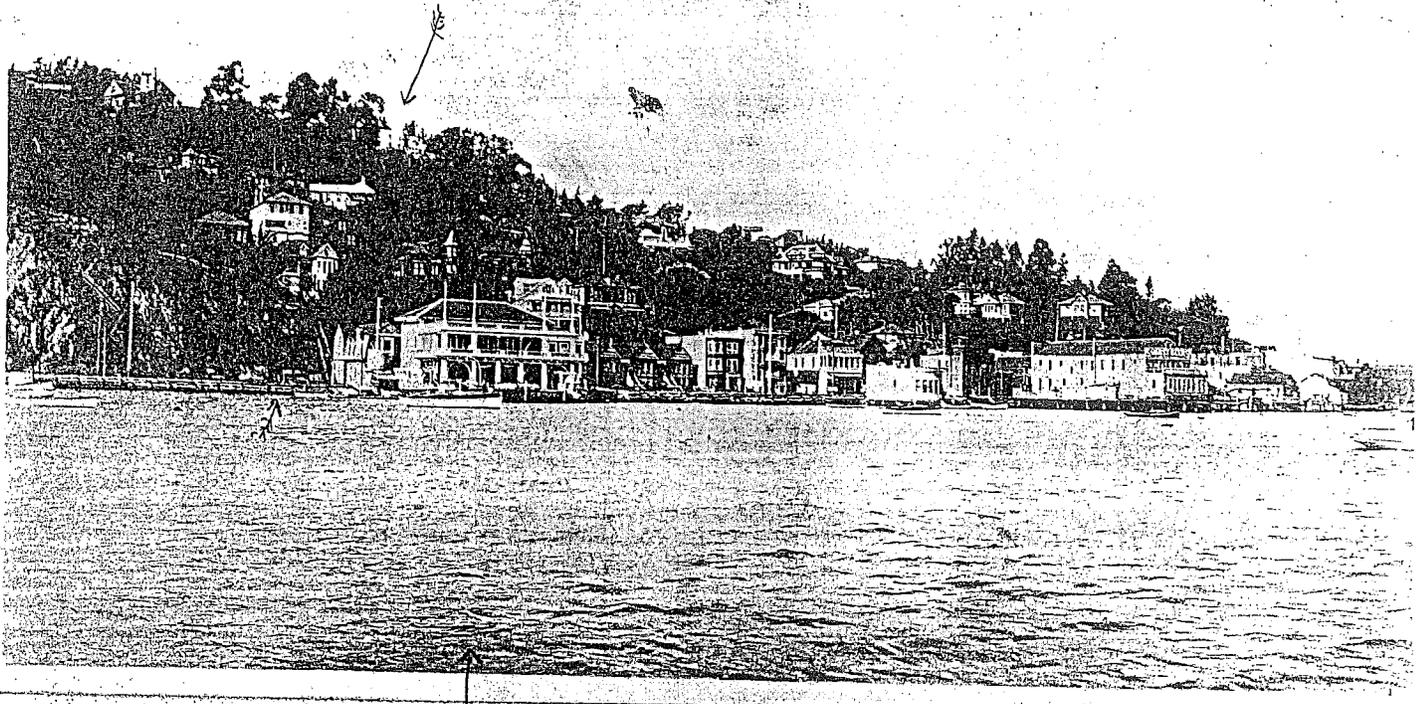


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CITY OF SAUSALITO EXHIBIT D
COMMUNITY DEVELOPMENT (8 PAGES)

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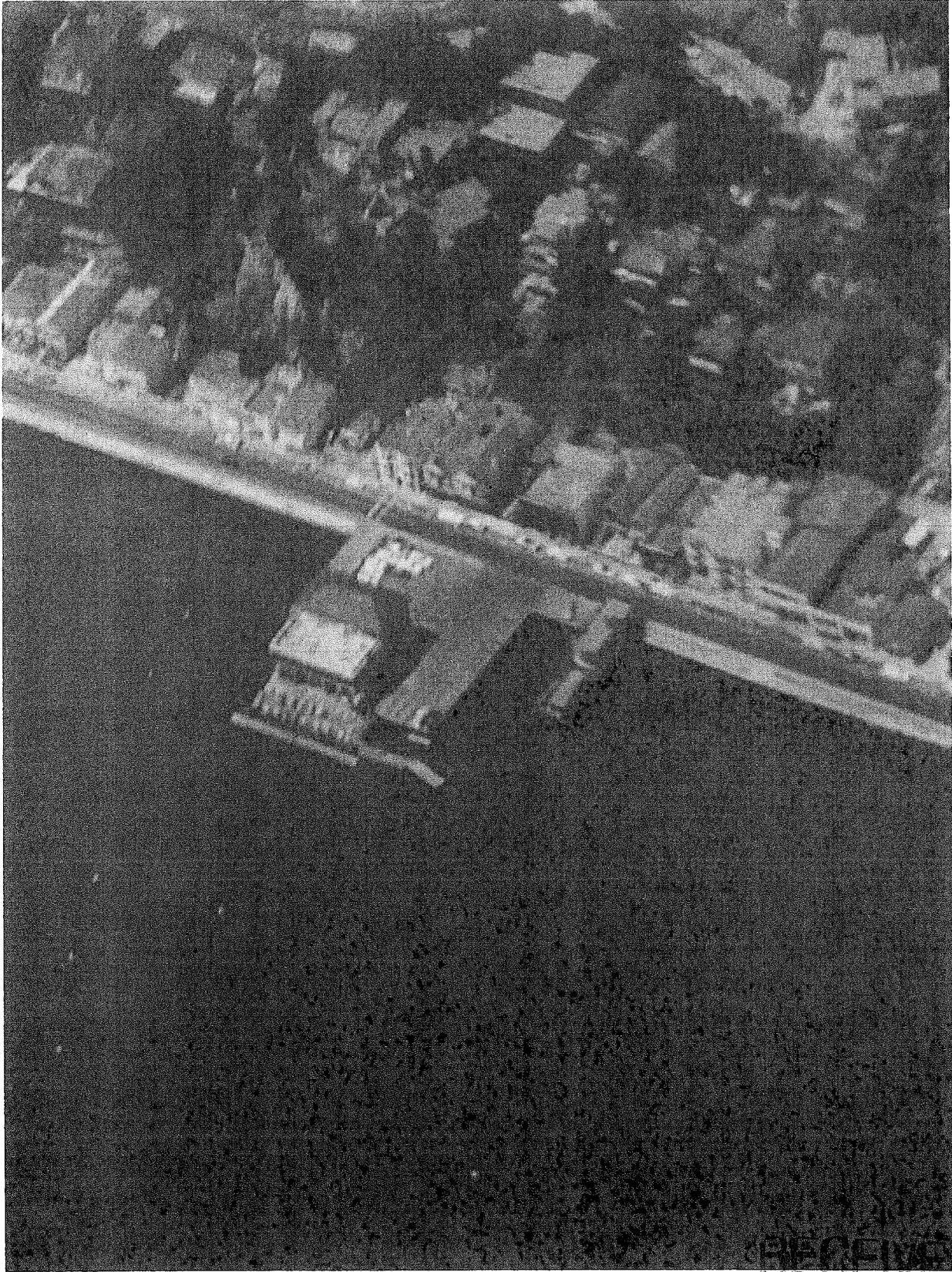


SF Yacht Club MARCH 1920

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COMMUNITY DEVELOPMENT



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COMMUNITY DEVELOPMENT

ITEM NO. 2 PAGE 52

75-1352

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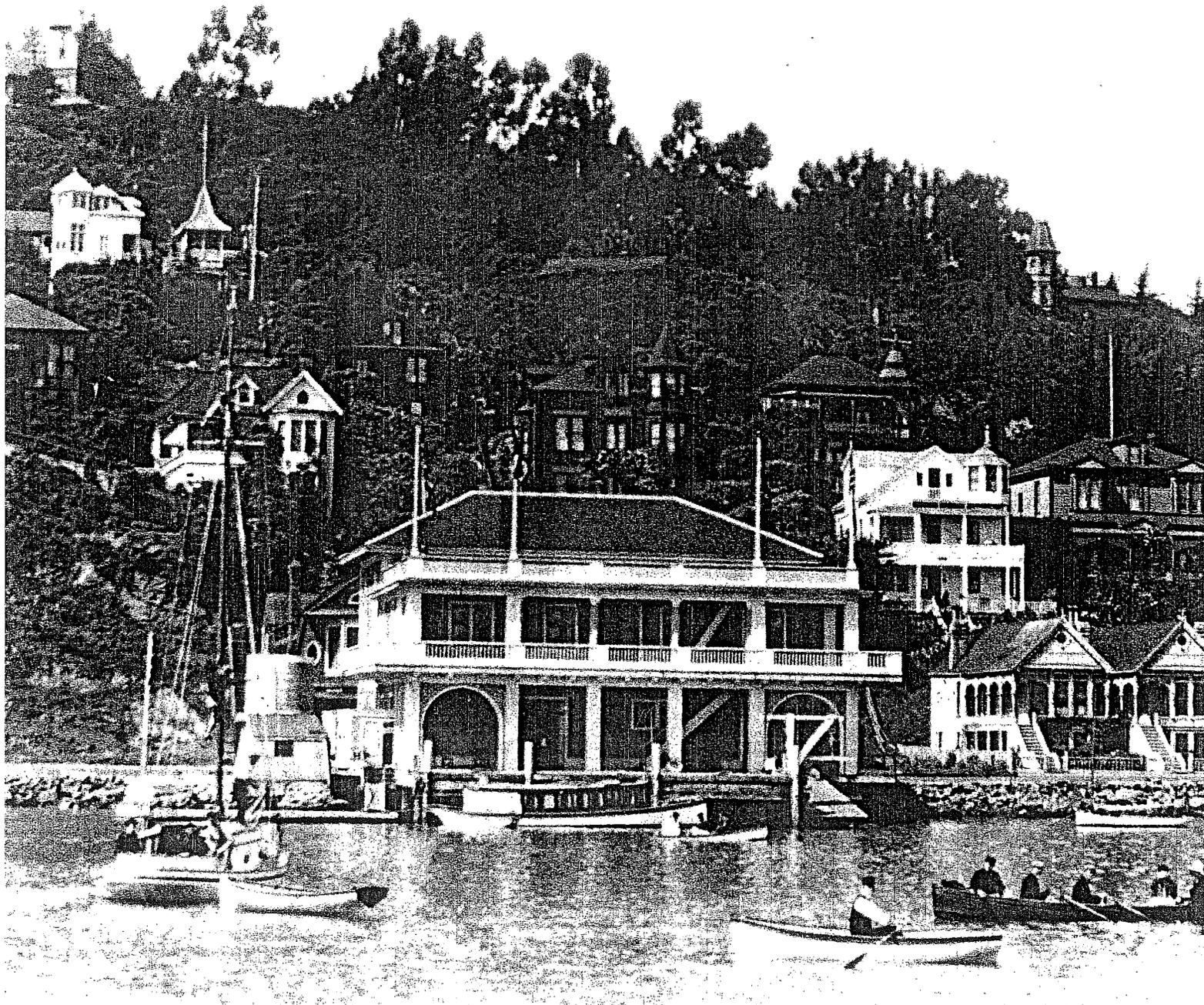
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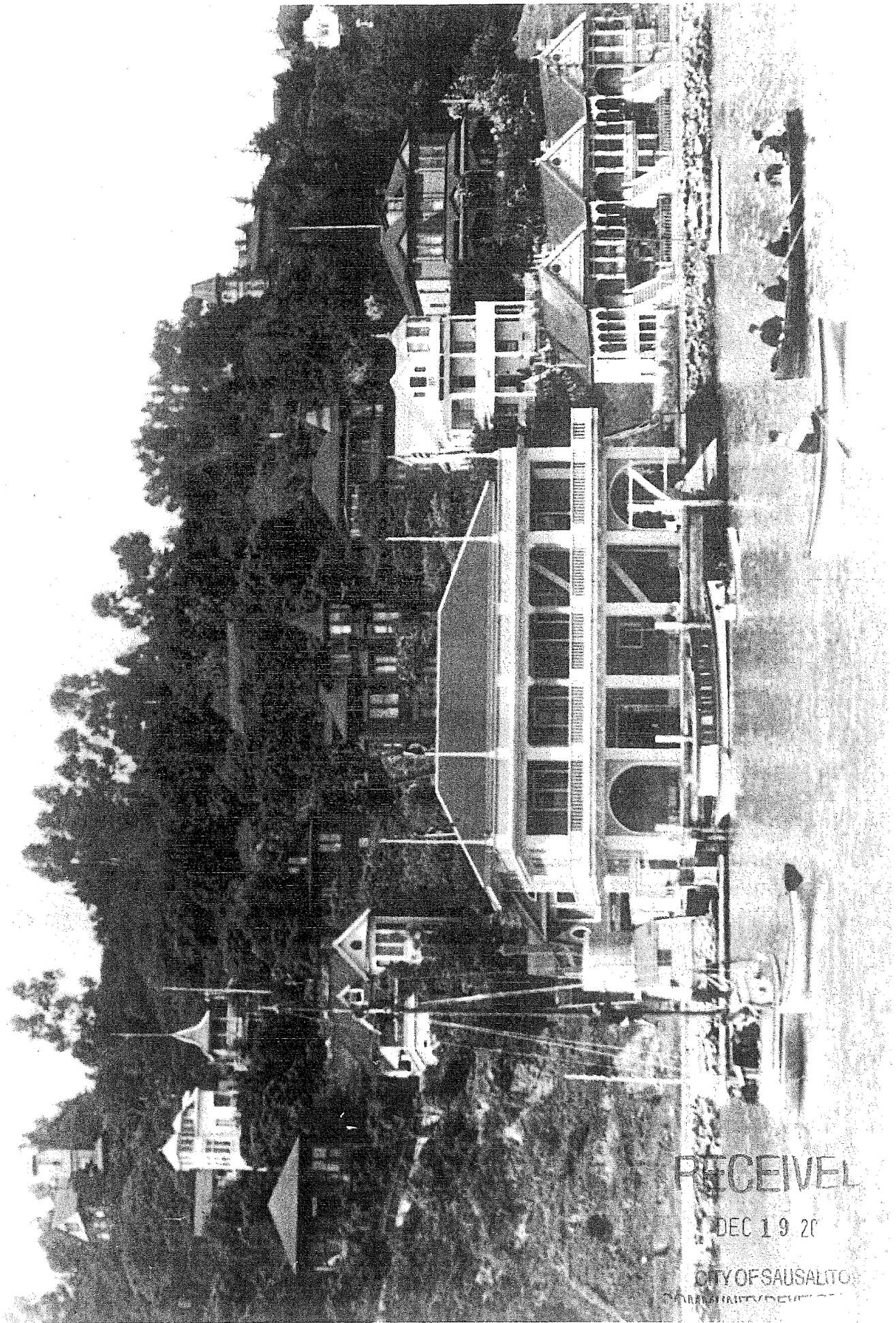




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CITY OF SAUSALITO



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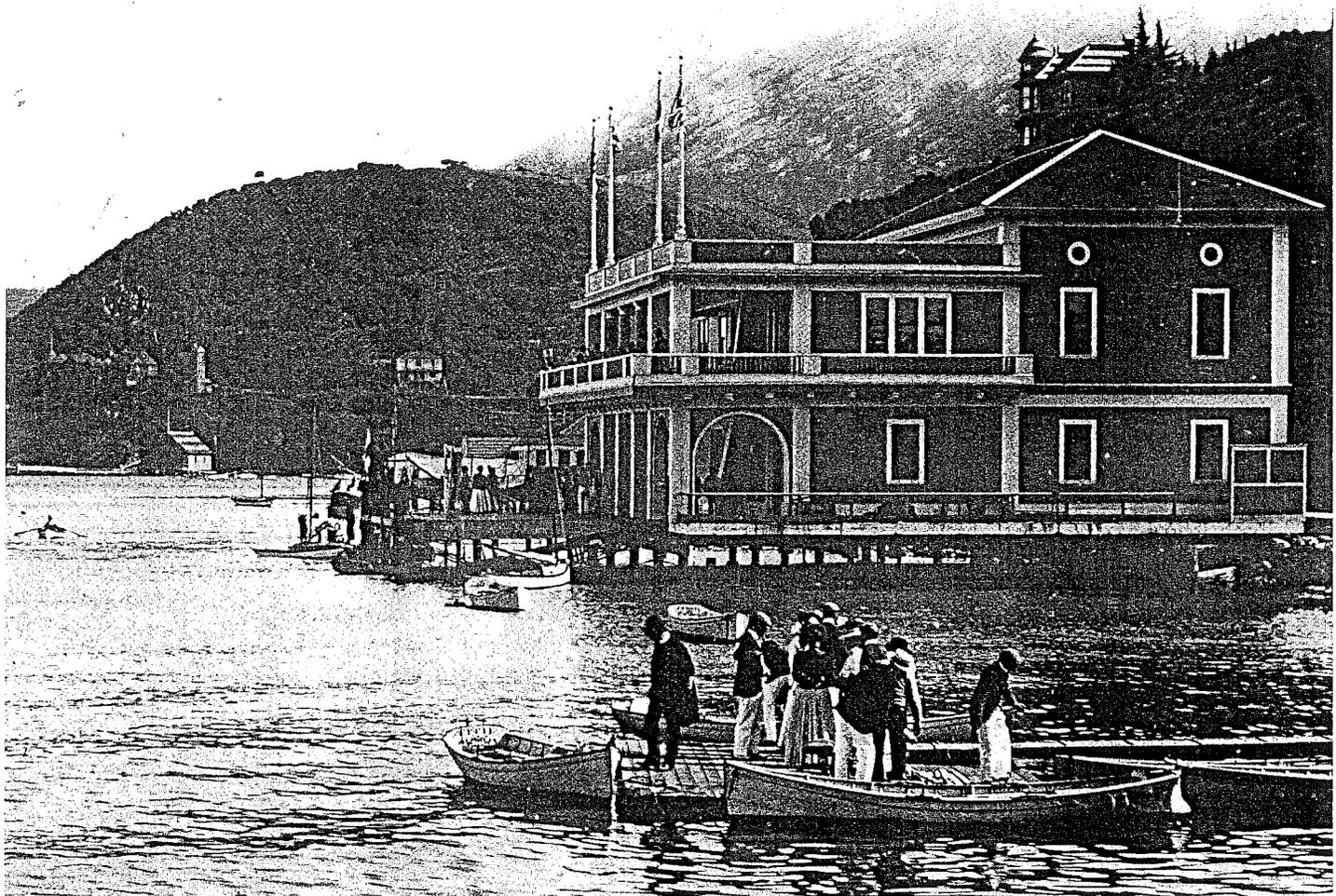
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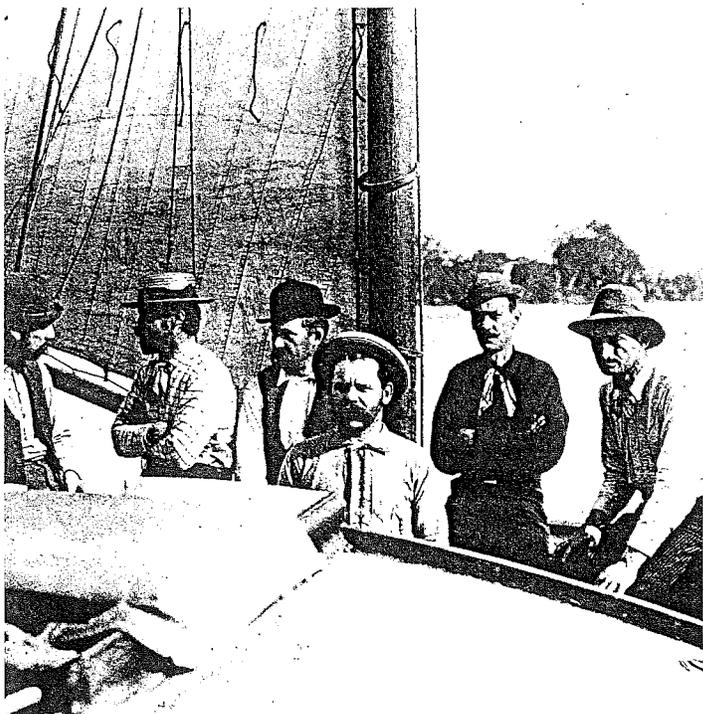
CITY OF SAUSALITO

COMMUNITY DEVELOPMENT

ITEM NO. 2 PAGE 55



San Francisco Yacht Club at the turn of the century. William Randolph Hearst's former home, on the Hill above the clubhouse. The new Spreckels boathouse is the large building at the edge in the background.



William Oliver photographed his crew aboard the Emerald in September, 1889, on the Sacramento Delta. Exhibiting something less than their usual jolly mood are, left to right: George Starry, Charles Yale, William Lowden, Bob Bailey, Captain Robert Fletcher, and Edward Hamilton.

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The wake of the large auto ferries passing close to the yacht club anchorage played havoc with mooring lines and boats as well, popping hatches and cabinet doors and all but swamping the smaller boats. A committee was appointed in 1926 to find a more protected location. The following year the San Francisco Yacht Club moved to Belvedere after first attempting to lease a site in San Francisco. In the early thirties the Sausalito clubhouse was sold to private interests. The old yacht club building, occupied today by restaurants, stands as a reminder of Sausalito's golden age of yachting.