

STAFF REPORT

SAUSALITO PLANNING COMMISSION/HISTORIC LANDMARKS BOARD

Project Sausalito Chamber of Commerce Information Kiosk/ El Portal/Tracy Way
30 Block
Design Review Permit
DR 12-180

Meeting Date October 3, 2012

Staff Heidi Burns, Associate Planner 

REQUEST

Approval of a **Design Review Permit** to install an automated teller machine (ATM) within the existing Chamber of Commerce Information Kiosk located within the Downtown Historic Overlay Zoning District at the intersection of El Portal and Tracy Way.

PROJECT INFORMATION

Applicant Sausalito Chamber of Commerce

Owner City of Sausalito

Location/Parcel Size Foot of El Portal/Tracy Way Intersection; Public Right-of-Way (see **Exhibit B** for vicinity map)

General Plan Public Institution

Zoning Public Institution (PI) Zoning District
Downtown Historic Overlay Zoning District

Authority Exterior renovation, modification, or remodeling of any structure located within a City designated historic district requires approval of a Design Review Permit by the HLB and the Planning Commission per Section 10.54.050.B.11.

CEQA: The project consists of a minor alteration to an existing commercial building, thus the project is categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines.

ROLE OF THE HISTORIC LANDMARKS BOARD AND PLANNING COMMISSION

The project consists of a Design Review Permit for the modifications of the Chamber of Commerce Information Kiosk structure within the Downtown Historic Overlay Zoning District. Since the project is located in the Downtown Historic Overlay 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 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.

PROJECT DESCRIPTION

BACKGROUND

In 1971, the Golden Gate Bridge, Highway, and Transportation District (GGBHTD) received approval from the City Council to operate the ferry terminal at the Foot of El Portal, with the purpose of providing commuter ferry service. The City entered into a lease agreement between the GGBHTD for the use of the existing ferry landing.

On November 7, 1979, the City Council approved Resolution No. 2865 approving a Conditional Use Permit No. 574 to allow Harbor Carriers, Inc., the parent company of Red and White fleet, to commence a passenger ferry service between Sausalito and San Francisco. At the time of the approval, the City was aware that the GGBHTD was planning to improve the ferry landing. Therefore, as a condition to allow Harbor Carriers, Inc. to provide ferry service, Condition of Approval No. 11(g) required improved public staging areas and designation of an area to provide information and/or display about Sausalito's history and other information that may project Sausalito's unique character.

On November 6, 1987, the City's Design Review Board approved a Design Review Permit to allow for the improvements to the ferry landing, including the reconstruction of the ferry landing, upgrade of the passenger staging area, arrival and departure ramps, and improvements to the public area located at the end of El Portal.

In spring of 1995, the City Council authorized the Chamber of Commerce to operate an information booth in a temporary tent consistent with Condition of Approval No. 11(g). On April 17, 1996, the Design Review Board and the Historic Landmarks Board approved Resolution No. 1996-10 to allow the construction of a new visitor serving information kiosk in conjunction with the ferry landing renovation project. The kiosk was constructed as approved.

On September 12, 2012, the HLB conducted a study session on the project. The HLB supported the preliminary supported the project as proposed and did not suggest any modifications.

In terms of use, the proposed ATM is considered to be accessory to the Chamber of Commerce's Information Kiosk and therefore permitted per Section 10.44.020.

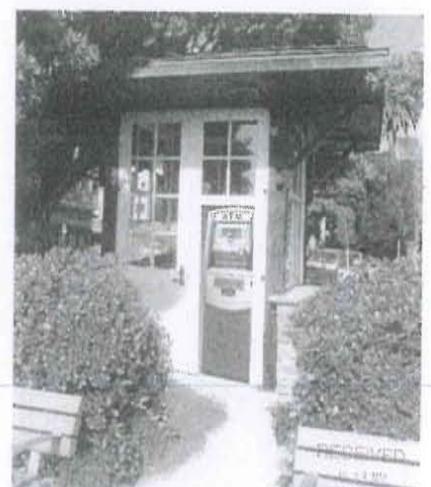
PROJECT DESCRIPTION

The project consists of the removal of an existing divided light door and the replacement of the door with an ATM as depicted in the photograph to the right:

No new exterior lighting or landscaping is proposed with the exception of the relocation of the existing trash receptacle. The trash receptacle will be relocated in the field upon completion of the project.



Existing



Proposed

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 Public Institution by the General Plan. The following policies and objective relevant to the project are as follows:

- ✓ *Policy LU-2.9. Downtown Historic Character: Protect the historical character of the Downtown area.*

The project consists of exterior modifications to the existing architectural design elements of the previously approved Chamber of Commerce Information Kiosk. Staff suggests the project modifications are minor and will not negatively impact the aesthetics of the existing structure which is located within the Downtown Historic Overlay Zoning District.

Zoning Consistency

The project, as proposed, is consistent with the Site Development Standards for the Public Institution (PI) Zoning District. The project does not propose to expand or otherwise alter the existing structure beyond the replacement of an existing door with an ATM as discussed in the *Project Description* section of the Staff Report.

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 Overlay District regulations. The site is located in the Downtown Historic District Overlay Zone. 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 Resolution (see **Exhibit A**).

Design Review Permit

In order to approve or conditionally approve the Design Review Permit, the Planning Commission and HLB must determine that the project is in conformance with the findings listed in Sections 10.54.050 (Design Review Findings) of the Zoning Ordinance, which includes the Historic Design Guidelines. The Historic Design Guidelines provide guidance to ensure that the changes to the Downtown Historic Overlay Zoning District's built environment will be sensitive to the Community's historical legacy.

Pursuant to the Historic Design Guidelines, the project is considered to be a modification to a non-contributing building within the Downtown Historic Overlay Zoning District. A non-contributing building is a building that is less than 50-years old and lacks any historic significance. As discussed in the *Background* section of the staff report, the Chamber of Commerce Information Kiosk was approved in 1996. Additionally, the project is found to be generally consistent with Chapter 4, New and Infill Construction, of the Historic Design Guidelines as it relates to mass and scale, building form, and materials. Although the materials related to the ATM differs from the materials of the existing building, the design and location of the ATM is compatible with the architectural design of the building.

Upon review of the project, staff suggests the findings can be achieved to support the removal of an existing French door and the installation of an ATM as follows:

- ✓ The project is the minimum design modification necessary to accommodate the ATM;

- ✓ The project is designed to be consistent with the mass and scale of the existing building;
- ✓ The project is designed to not create any new light and air impacts based on the project being designed to be constructed within the existing footprint of the building;
- ✓ The project is designed to not create any new public and view impacts based on the project being designed to be constructed within the existing footprint of the building;
- ✓ The Project is designed to not create any new privacy impacts based on the project being designed to be constructed within the existing footprint of the building; and
- ✓ The project is designed to be consistent with the original design in order to maintain its original historic context as it relates to the Downtown Historic Overlay Zoning District.

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 (see Attachment 1 of **Exhibit A**, Resolution).

PUBLIC NOTICE AND CORRESPONDENCE

On September 20, 2012 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 Historic Landmarks Board and the Planning Commission approve the attached draft resolution (**Exhibit A**) which approves a Design Review Permit to install an ATM within the existing Chamber of Commerce Information Kiosk located within the Downtown Historic Overlay Zoning District at the foot of the EI Portal public right-of-way (DR 12-180).

Alternatively, the Planning Commission and Historic Landmarks Board may:

- Approve the Design Review Permit with modifications;
- Continue the hearing for additional information and/or project revisions; or
- Deny the project.

EXHIBITS

- A. DRAFT Resolution – Design Review Permit
- B. Vicinity Map
- C. Project Plans
- D. Project Description and Justification, date-stamp received July 12, 2012

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

**APPROVAL OF A DESIGN REVIEW PERMIT TO ALLOW THE EXTERIOR MODIFICATION
TO THE CHAMBER OF COMMERCE INFORMATION KIOSK LOCATED AT THE EL
PORTAL/TRACY WAY INTERSECTION TO ACCOMMODATE AN AUTOMATED TELLER
MACHINE (DR 12-180)**

WHEREAS, an application has been filed by the Sausalito Chamber of Commerce, requesting Planning Commission approval of a Design Review Permit to allow the exterior modification to the Chamber of Commerce Information Kiosk located at the intersection of the El Portal and Tracy Way public right-of-ways within the Downtown Historic Overlay Zoning District, in order to accommodate an automated teller machine; and

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

WHEREAS, the Historic Landmarks Board and the Planning Commission conducted a duly-noticed public hearing on October 3, 2012 at which time all interested persons were given an opportunity to be heard; and

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

WHEREAS, the Historic Landmarks Board and the Planning Commission have reviewed and considered the project plans titled "Sausalito Ferry Landing Information Kiosk" and date-stamped July 12, 2012; and

WHEREAS, the Historic Landmarks Board and the Planning Commission 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. A Design Review Permit to allow the exterior modification to the Chamber of Commerce Information Kiosk 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 Historic Landmarks Board and the Planning Commission on the 3rd day of October, 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 "Sausalito Ferry Landing Information Kiosk" date stamped July 12, 2012

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HISTORIC LANDMARKS BOARD/PLANNING COMMISSION RESOLUTION
OCTOBER 3, 2012
DR 12-180
CHAMBER OF COMMERCE INFORMATION KIOSK

ATTACHMENT 1: FINDINGS

DESIGN REVIEW PERMIT FINDINGS

In accordance with Zoning Ordinance Section 10.54 (Design Review Procedures), the Design Review Permit is approved based on the following findings:

- A) The proposed project is consistent with the General Plan, any applicable specific plans and Historic Design Guidelines.

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.

- B) 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 design of the improvements is the minimum necessary to accommodate an automated teller machine located within the Chamber of Commerce Information Kiosk.

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

The project is designed to fit within the footprint of the existing Chamber of Commerce Information Kiosk, thus maintaining the general scale of the building and its relationship to the surrounding buildings located within the Downtown Historic Overlay Zoning District.

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

The project is designed to fit within the footprint of the existing Chamber of Commerce Information Kiosk therefore there will be no impacts to public views and primary views from private property.

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

The subject parcel is not located along a ridgeline.

- F) 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.

No new landscaping will be planted as a result of this project.

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

It is not anticipated the project will disrupt the existing light and air associated with the project site because the improvements are located within the footprint of the existing building and will not create any new mass and bulk associated with the project site.

- H) 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 project does not include the installation of new lighting, mechanical equipment, and/or chimneys. The project will create short-term impacts associated with construction. No long terms noise impacts will result from the project.

- I) 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 project is designed to fit within the footprint of the existing Chamber of Commerce Information Kiosk, therefore no new impacts related to privacy will result from the project.

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

The project consists of the removal of one of two French doors to accommodate the installation of an automated teller machine. As such, access to the interior of the building will remain the same, therefore, not resulting in any changes in the circulation related to the building.

- K) 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).

Heightened Review is not required.

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 consists of one of two French doors to accommodate the installation of an automated teller machine that will be architecturally compatible with the existing Chamber of Commerce Information Kiosk and its surrounding environs.

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

The design of the Chamber of Commerce Information Kiosk was approved by the Historic Landmarks Board and the Planning Commission in 1996. At that time, the Kiosk was found to be consistent with the historic context of the Downtown Historic Overlay Zoning District. The project is designed to fit within the footprint of the existing Chamber of Commerce Information Kiosk and therefore will maintain its context with the District.

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.

As previously stated the project will not negatively impact the Downtown Historic Overlay Zoning District as summarized in the aforementioned Fining No. 2.

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

The Historic Building code is not requested.

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 Chamber of Commerce Information Kiosk is not considered to be an eligible historic due to when the Kiosk was constructed (less than 50-years old), therefore the Secretary of the Interior Standards for the Treatment of Historic Properties is not applicable.

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

The purpose of the project was to work within the existing footprint of the existing Chamber of Commerce Information Kiosk. The location of the automated teller machine is the only viable location that would have minimal impacts on the architecture of the existing building, therefore no alternative configurations were considered.

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 Design Review Permit 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 project 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 Chamber of Commerce Information Kiosk was constructed in 1996 and is not a historic or architecturally significant building important to Sausalito's past.

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

As previously stated, the Commerce Information Kiosk was constructed in 1996 and is not a historic or architecturally significant building important to Sausalito's past.

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

The purpose of the project is to allow an additional revenue source for the Chamber of Commerce to facilitate the economic health of the Chamber. In turn, the Chamber of Commerce will be able to continue to provide services to help stimulate the economic health of other local businesses and improve the quality of the community.

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

As previously discussed the project is found to be consistent with the Design Review Permit Findings.

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

The project was reviewed and approved 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;

As previously stated, the of Commerce Information Kiosk was constructed in 1996 and is not a historic or architecturally significant building important to Sausalito's past.

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

As previously stated, the Commerce Information Kiosk was constructed in 1996 and is not a historic or architecturally significant building important to Sausalito's past.

- To provide appropriate settings and environments for historic structures.

The structure is located in the Downtown Historic Overlay Zoning District, which is an appropriate and necessary setting for the Chamber of Commerce Information Kiosk.

**HISTORIC LANDMARKS BOARD/PLANNING COMMISSION RESOLUTION
OCTOBER 3, 2012
DR 12-180
CHAMBER OF COMMERCE INFORMATION KIOSK**

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions of approval apply to the plans prepared by Don Olsen Architects & Associates, entitled "Sausalito Ferry Landing Information Kiosk" and the date-stamped received July 12, 2012.

General

1. Upon building permit submittal the Conditions of Approval shall be shown on all construction drawings.
2. Upon building permit submittal the applicant shall provide a written response demonstrating compliance with each Condition of Approval.
3. No exterior lighting is approved for the project.
4. No new landscaping is approved for the project.

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.

5. This approval 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.
6. 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.
7. 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.
8. Pursuant to Municipal Code Chapter 3.36, Construction Traffic Road Fees shall be paid prior to issuance of a building permit.
9. 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.

10. 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.
11. 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.
12. 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.
13. 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.
14. 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).
15. 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.
16. Projects involving commercial buildings and/or public accommodations must comply with the accessibility requirements of the California Building Code (Chapter 11B), including the following:
 - a. New buildings must be fully accessible.
 - b. Altered buildings must:
 - i. Provide access within the area of renovation, alteration, structural repair or addition;
 - ii. Provide an accessible primary entrance to the building or facility and an accessible primary path of travel to the specific area of renovation, alteration, structural repair or addition; and
 - iii. Provide accessible restrooms, drinking fountains, signs, and telephones, serving the area of alteration

No renovation, structural repair, alteration or addition shall be undertaken which decreases accessibility or usability of a building below the requirements for new construction.

In order to determine the full scope of accessibility work needed to be included in commercial buildings and public accommodation facilities, applicants are strongly recommended to conduct a detailed accessibility survey of the existing facilities, prepared by a California Certified Access Specialist (CAsp). The survey should be conducted early in the project's planning and budgeting process and should fully address the items listed above.

In addition, property owners and their registered design professionals should review the provisions of the Americans with Disabilities Act (ADA) to ensure their properties comply with the respective ADA provisions, including provisions applicable to public accommodations and commercial facilities (ADA Title III).

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HISTORIC LANDMARKS BOARD AND PLANNING COMMISSION RESOLUTION
OCTOBER 3, 2012
DR 12-180
CHAMBER OF COMMERCE INFORMATION KIOSK

ATTACHMENT 3: PROJECT PLANS

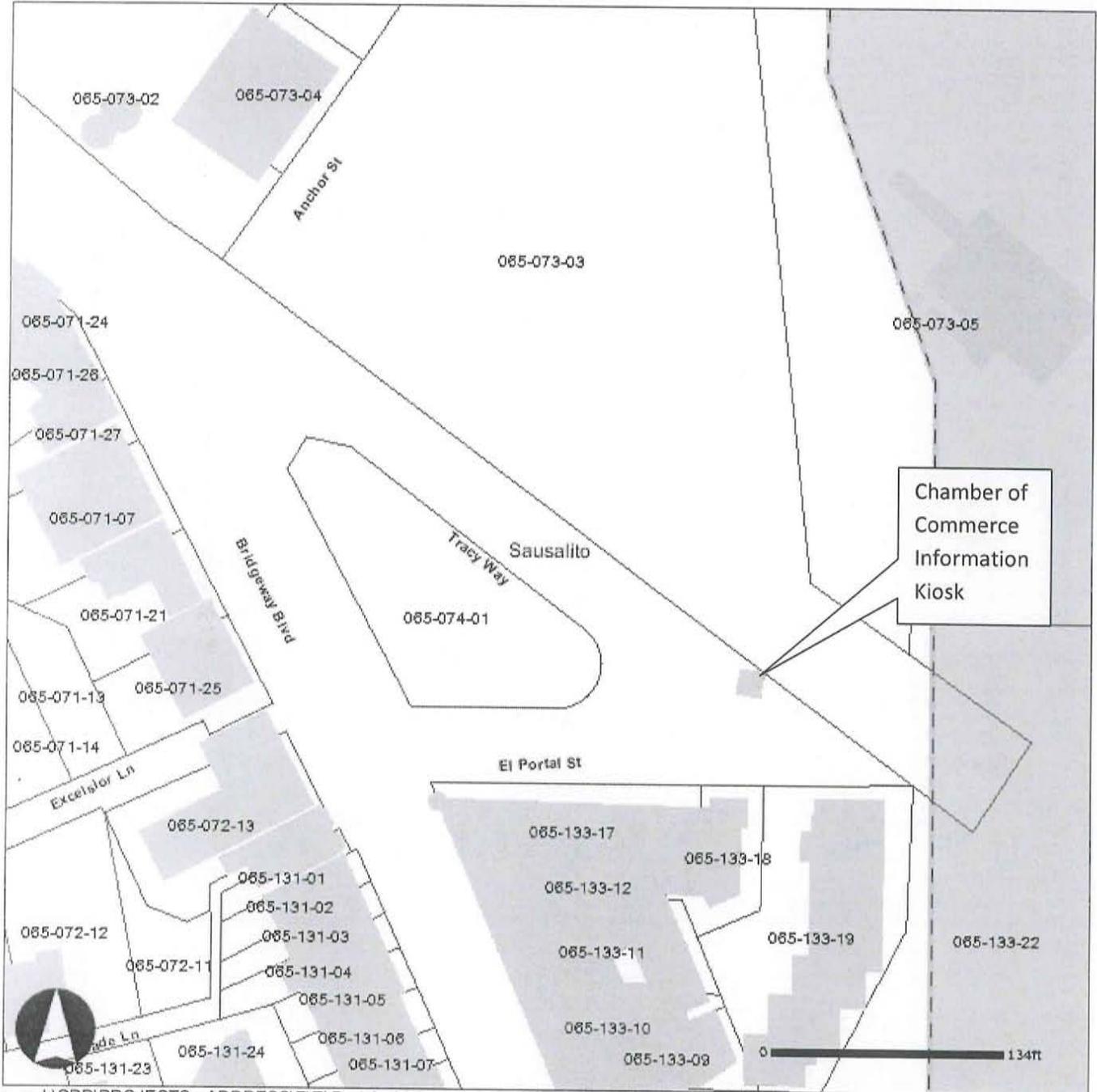
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VICINITY MAP

Chamber of Commerce Information Kiosk

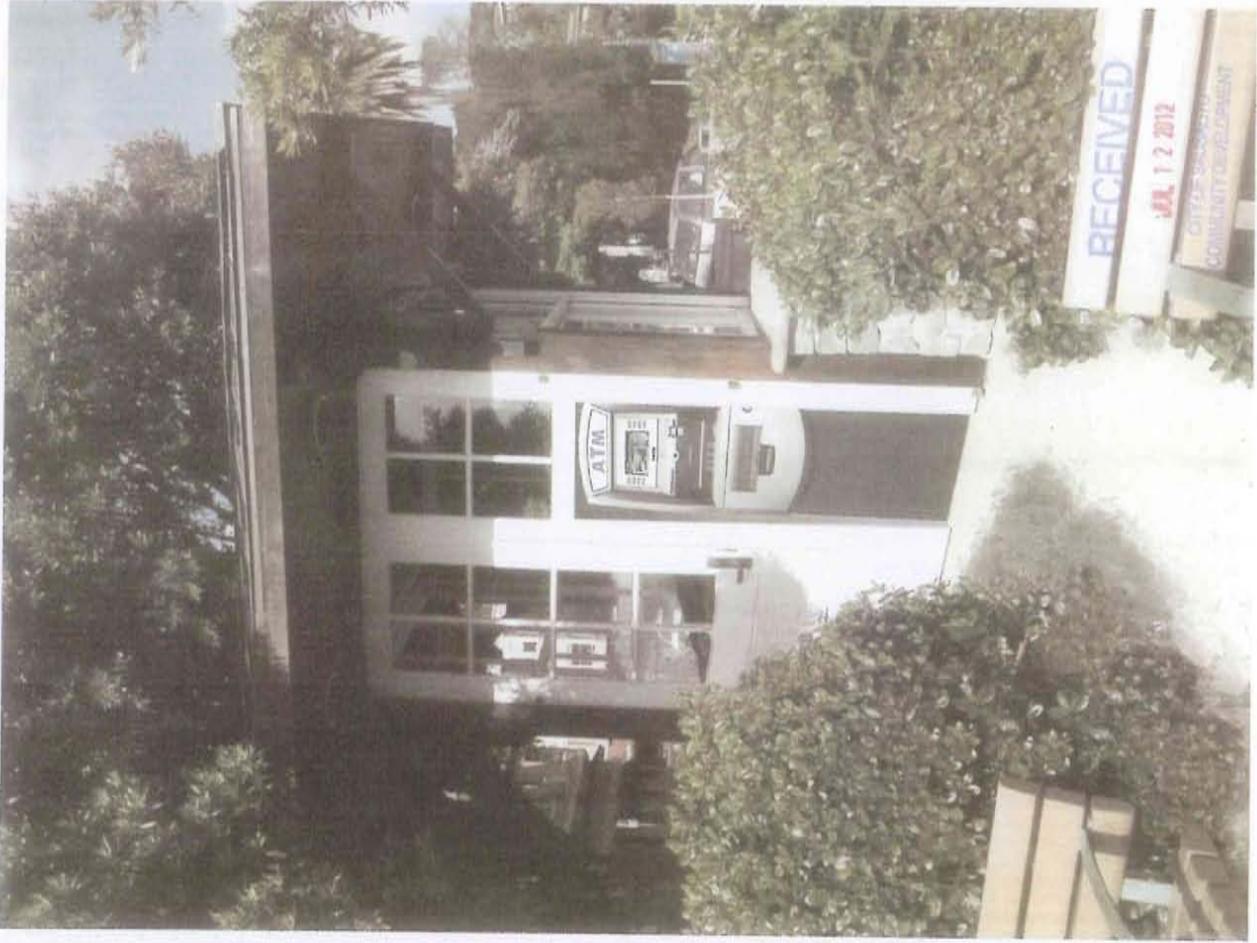
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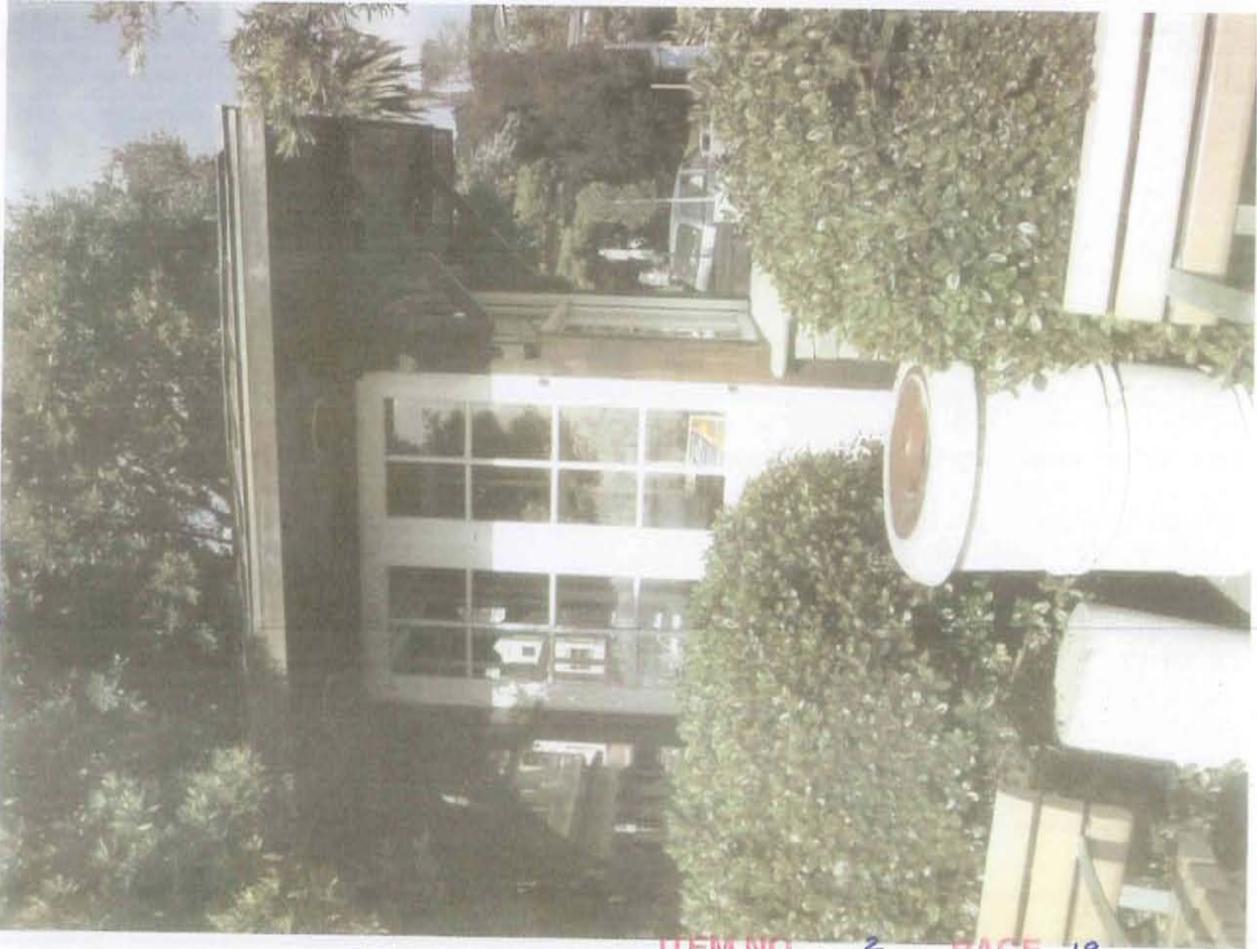
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*Exhibit B
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Proposed



Existing

*Exhibit C
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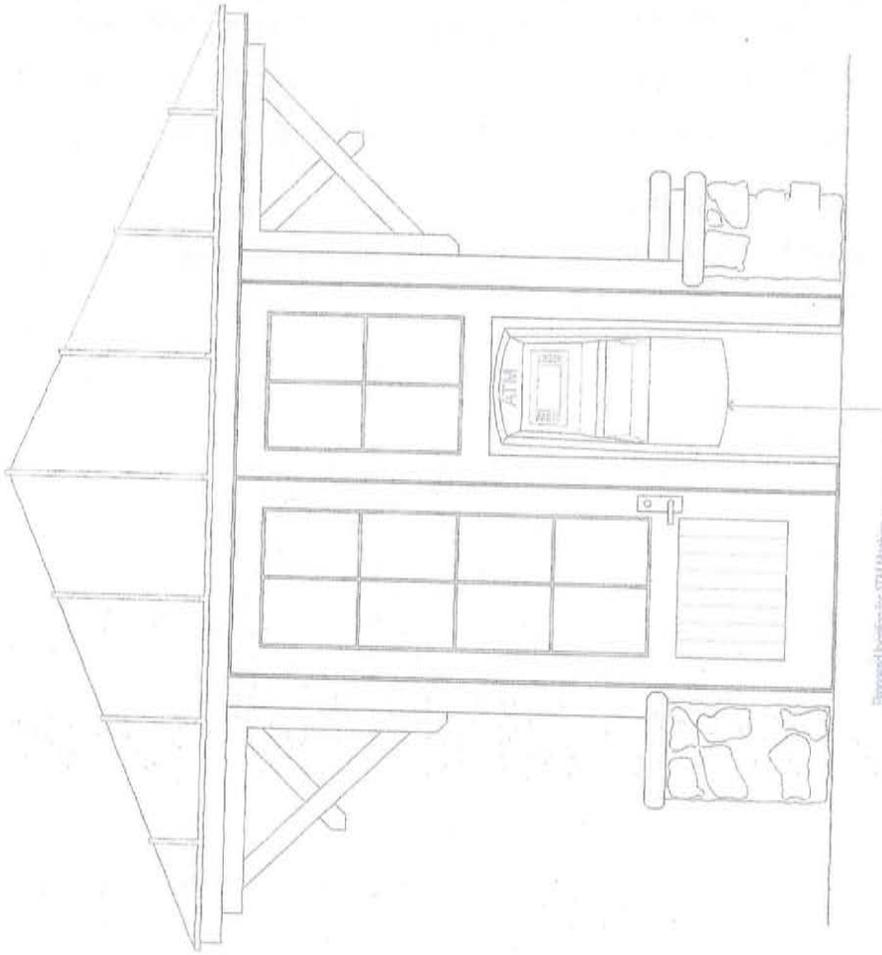
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CITY OF SAURMUTO
COMMUNITY DEVELOPMENT

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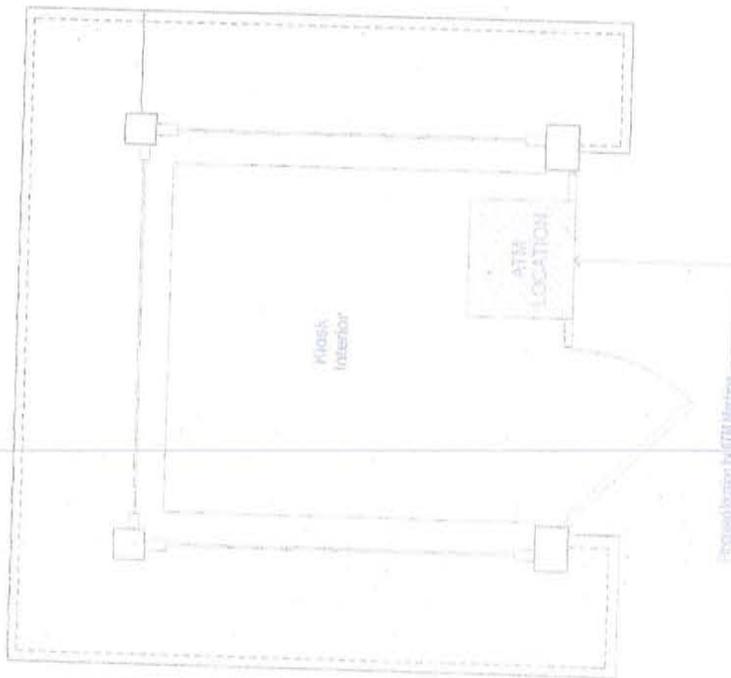
JUL 12 2012

1/2" CITY OF SAUSALITO

A.I.D.
 COMMUNITY DEVELOPMENT



KIOSK ELEVATION



KIOSK PLAN

1/2" = 1'-0"



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I think you would agree that we have a special and positive relationship with the City and that we have been successful in working together to help our community. For example, the City assisted us recently when the Planning Commission granted us a Conditional Use Permit (CUP) for 1913 Bridgeway Blvd. to your assistance and your recommendation to the Commission, we will soon be moving to that new location.

Another example of our collaboration is splitting the costs of the very important Sausalito Economic Development Study, which is nearing its final phase.

It is in the City's best interest that the Chamber of Commerce be financially sustainable and it is also in the City's, resident's and local business' best interest that we be a vibrant Chamber of Commerce. We hope that the City will grant us permission to include an ATM machine at the Visitor's Kiosk and work with us to secure whatever permits and/or zoning changes that may be required.

Please let me know if you have any questions.

Yours sincerely

Doug Eng,
President, Sausalito Chamber of Commerce

Donald K. Olsen, AIA
DONALD K. OLSEN, AIA & ASSOCIATES