



## CITY OF SAUSALITO PLANNING DIVISION MEMORANDUM

Date: December 19, 2012  
To: Historic Landmarks Board (HLB)  
From: Alison Thornberry-Assef, Assistant Planner  
Subject: **HLB Study Session Review of a Design Review Permit for 589 Bridgeway (APN: 065-132-05)**

### Summary:

The applicant, Gordon Atkinson, on behalf of the property owner, Eva Delueze, is proposing to demolish the existing stairs and brick wall at the front of the property, and new stairs and an ADA-accessible ramp will be constructed. A portion of the lot adjacent to the sidewalk will have public seating and landscaping (see **Attachment 2** for Plans). The building is located in the C-C (Central Commercial) Zoning District and Historic Overlay District at 589 Bridgeway (see **Attachment 1** for a Vicinity Map).

### Background

On October 17, 2012 the HLB met to review and discuss the item noted above. The applicant has compiled all of the additional information requested by the HLB and is attached (see **Attachment**). In addition the applicant has reconfigured the ADA-accessible ramp to fit within the existing wall located along the front property line.

### History of the Site:

The property located at 589 Bridgeway was originally addressed as 753-755 Water Street, and constructed as an apartment house with six flats in 1904 by F.V. Pistolessi. Currently the structure stands as a three story shingled flat, and appears much the same as in a 1910 photo. The lower level of the structure is used for retail shops, and the upper levels are used as residential units.

The structure is located directly adjacent to a larger building with similar architecture, finish and trim. At first glance the two structures appear as one.

The larger structure is 595 Bridgeway and located on the same parcel as the 589 Bridgeway structure. The addresses were originally numbered 757-761 Water Street, and constructed as a 12 unit apartment house in 1906 by the Pistolessi family. The structure remains with little changes over the years, as seen in a 1910 photo.

589 Bridgeway building is listed in the California State Office of Historic Preservation (OHP)'s *National Register Status Codes* as 2D2, which states, "Determined eligible for listing as a contributor by consensus determination". 595 Bridgeway also has a status code of 2D2.

### HLB Study Session:

The HLB will hold a study session on October 17, 2012 to review the applicant's proposal. Pursuant to Section 10.54.050 of the Zoning Ordinance, a Design Review Permit to be jointly reviewed by the Historic Landmarks Board and the Planning Commission is required when a Design Review Permit for a business in the Historic Overlay District is proposed. The purpose of the HLB study session on October 17, 2012 is to review the proposed renovations prior to the joint HLB/PC hearing (date yet to be determined) and provide direction to the applicant if necessary.

### Attachment – Applicant Submittal, Including Plans

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Historic Landmarks Board  
420 Litho Street  
Sausalito, CA 94965  
Re: 589 Bridgeway Blvd.

Dear Madames & Mssrs,

In response to our meeting of October twenty-fourth of this year I submit the following:

- I. A copy of the settlement agreement between the property owner and the plaintiff seeking restitution for lack of accessibility to the subject facilities.
- II. A report on the Secretary of the Interior's Standards for Treatment of Historic Properties
- III. A report on National Park Service Preservation Brief #32
- IV. A summary of the 2010 California Historic Building Code's alternatives for accessibility requirements
- V. A report on the feasibility of using a wheelchair lift in lieu of a ramp.
- VI. Design Conclusions
- VII. A revised design proposal for an access ramp at the entrance of the subject property.

- I. *1.1. Defendant shall retain the services of an architect and general contractor for the purposes of designing and building a code compliant ramp with an accessible path of travel into Facility in compliance with the Americans with Disabilities Act Accessibility Guidelines and Title 24 of the California Code of Regulations. Defendant shall apply for permits and assess the feasibility of executing potential plan. If the permits are granted and the implementation of the ramp is readily achievable, defendants shall complete permitted plan. If the ramp proves to be not a readily achievable solution, defendant will provide curbside service.*

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San Francisco, CA 94146

- II. Secretary of the Interior's Standards for Treatment of Historic Properties
  - A. Relative importance in history
    - 1) Is the building nationally significant? No
    - 2) Is the building a work of a master craftsman or architect? No
    - 3) Is the property the site of an important event? No

4) Does the property contribute to the historic significance of the district? Yes

In this case the Standards indicate that rehabilitation is indicated.

B. Physical condition

1) What is the material integrity of the building? Excellent  
2) Is the building in its original form? Substantially, yes, with some minor alterations  
3) Are the alterations an important part of the building's history? No

Again, this would indicate rehabilitation as the appropriate treatment.

C. Proposed Use

1) Will the building be used as it was historically? Yes  
2) Will the building be given a new use? No

D. Mandated Code Requirements

1) Are seismic upgrades required? No  
2) Is hazardous materials abatement required? No  
3) Are ADA upgrades required? Yes

Accessibility to certain historic structures is required by the Americans with Disabilities Act of 1990. Accessibility considerations include the following:

- a) improvements "should be designed to minimize material loss and visual change."
- b) "Work must be carefully planned and undertaken so that it does not result in the loss of character defining spaces, features, and finishes."

The specific nature of these improvements is further addressed under the section entitled "Rehabilitation."

**Rehabilitation** is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

The Standards for Rehabilitation that apply to this property include:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
5. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
6. New additions, exterior alterations, or related new construction will not destroy historic materials, features,

and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

7. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

**Rehabilitation** begins with recommendations to identify the form and detailing of those architectural materials and features that are important in defining the building's historic character and which must be retained in order to preserve that character.

Therefore, guidance on *identifying, retaining, and preserving* character-defining features is always given first. The character of a historic building may be defined by the form and detailing of exterior material and exterior features.

If, after a thorough evaluation of interior solutions, an exterior addition is still judged to be the only viable alternative, it should be designed and constructed to be clearly differentiated from the historic building and so that the character-defining features are not radically changed, obscured, damaged, or destroyed.

Recommended accessibility considerations:

1. Identifying the historic building's character-defining spaces, features and finishes so that accessibility code-required work will not result in their damage or loss.
- 2) Complying with barrier-free access requirements in such a manner that character-defining spaces, features, and finishes are preserved.

Not recommended are:

1. Undertaking code-required alterations before identifying those spaces, features, or finishes which are character-defining and must therefore be preserved.
2. Altering, damaging, or destroying character-defining features in attempting to comply with accessibility requirements.
3. Making changes to buildings without first seeking expert advice from access specialists and historic preservationists, to determine solutions.
4. Making access modifications that do not provide a reasonable balance between independent, safe access and preservation of historic features.
5. Designing new or additional means of access without considering the impact on the historic building and its setting.

### III. NPS Preservation Brief 32

This brief outlines the process with which to pursue a solution to providing accessibility to Historic properties in compliance with the American Disabilities Act. The three steps in this process are as follows:

- A. Identify the character-defining features of the property
- B. Assess the existing and required level of accessibility
- C. Evaluate the options
  - 1). The character-defining features can be comprised of historic features, materials and spaces, either on the principal elevation or in the principal public spaces of the property.

A survey of the property reveals that the shingled façade and the large, bay windows should be considered character-defining features of the building's elevation. Although not unique or distinctive of any specific architectural style, they contribute to the historic character of the neighborhood. The low, rusticated, brick wall and the small courtyard it encloses should also be considered character-defining features of the property. They appear in photos as early as 1910 and are clearly original elements of the Pistolesi apartments at, what was then, 753 Water Street. The wall is constructed of brick and mortar, laid in an unusual pattern and contains many clinkers, which, along with the cedar shingles, were popular materials of the Arts & Crafts era.

2). The existing barriers to accessibility to the commercial spaces of this building consist of:

- a) two steps up to the entry landing
- b) a 21% slope at the transition from the sidewalk to the brick courtyard
- c) non-compliant doors, threshold and hardware at the store entrances
- d) striping missing on tread nosings at entry stairs
- e) signage missing
- f) restricted path of travel within stores
- g) no accessible sales counters within stores

3) In evaluating the options, the primary public spaces and store entrance should be given first priority. The NPS recommends that the modifications be:

- a) in scale with the property
- b) visually compatible with the existing features
- c) reversible, if possible
- d) differentiated in design from the existing features

They also allow that, in some circumstances, programmatic access may be the only solution.

Using these guidelines, possible solutions indicated are:

1. a separate entrance
2. a permanent ramp
3. a wheelchair lift
4. programmatic access

#### IV. The 2010 California Historic Building Code

##### A. Section 8-602.1

The regular Code applies unless strict compliance threatens or destroys historically significant or character-defining features.

##### B. Section 8-602.2 Alternative provisions

If the historical significance or character-defining features are threatened, alternative provisions for access may be applied pursuant to this chapter, provided the following conditions are met:

1. These provisions shall be applied only on an item-by-item or a case-by-case basis.
2. Documentation is provided, including meeting minutes or letters, stating the reasons for the application of the alternative provisions. Such documentation shall be retained in the permanent file of the enforcing agency.

C. Section 9-603.6 Exterior and interior ramps and lifts.

Alternatives listed in order of priority are:

1. A lift or a ramp of greater than standard slope but no greater than 1:10, for horizontal distances not to exceed 5 feet (1525 mm). Signs shall be posted at upper and lower levels to indicate steepness of the slope.
2. Access by ramps of 1:6 slope for horizontal distance not to exceed 13 inches (330 mm). Signs shall be posted at upper and lower levels to indicate steepness of the slope.

D. SECTION 8-604 EQUIVALENT FACILITATION

Use of other designs and technologies, or deviation from particular technical and scoping requirements, are permitted if the application of the alternative provisions contained in Section 8-603 would threaten or destroy the historical significance or character-defining features of the historical building or property.

1. Such alternatives shall be applied only on an item-by-item or a case-by-case basis.
2. Access provided by experiences, services, functions, materials and resources through methods including, but not limited to, maps, plans, videos, virtual reality and related equipment, at accessible levels. The alternative design and/or technologies used will provide substantially equivalent or greater accessibility to, and usability of, the facility.
3. The official charged with the enforcement of the standards shall document the reasons for the application of the design and/or technologies and their effect on the historical significance or character-defining features. Such documentation shall be in accordance with Section 8-602.2, Item 2, and shall include the opinion and comments of state or local accessibility officials, and the opinion and comments of representative local groups of people with disabilities. Such documentation shall be retained in the permanent file of the enforcing agency. Copies of the required documentation should be available at the facility upon request.

**Note:** For commercial facilities and places of public accommodation (Title III entities).

Equivalent facilitation for an element of a building or property when applied as a waiver of an ADA accessibility requirement will not be entitled to the Federal Department of Justice certification of this code as rebuttable evidence of compliance for that element.

V. Feasibility of using a wheelchair lift vs. construction of a permanent ramp.

The use of a wheelchair lift to remove the barrier presented by the two steps at the building's entrance would, at first glance, appear to be the simplest and most direct solution. Upon closer investigation, however, three significant problems arise.

1. Durability. Very few manufacturers of lifts offer warranties against rust and corrosion. Due to the proximity of this property to the ocean and the fact that the lift would have to be installed outdoors without any protection from the weather, extensive corrosion will undoubtedly occur and advance at a rapid rate.

2. Maintenance. Wheelchair lifts are complex mechano-electric devices that require frequent inspections and maintenance routines. Many companies require that only dealer-authorized personnel perform these tasks. This could prove to be an unacceptable burden on the Owner.

3. Cost. The only manufacturer we have yet to find that is willing to warranty their lift for corrosion in that environment (Ascencion) sells the lift for about \$20,000. This does not include installation. Ancillary costs would comprise modification of the entry landing and the electrical work. Estimate: \$25,000 to \$30,000. This may not qualify as "readily achievable" as used in the ADA. Alternatively, the cost of installing a permanent ramp of concrete is estimated at approximately \$10,00 to \$15,000.

#### VI. Design Conclusions

Referring to the Secretary of the Interior's Standards, we conclude that Rehabilitation is indicated as the appropriate treatment for this property, rather than Preservation or Restoration. This allows us to make alterations and additions to the building while preserving the character defining features and spaces.

Following the guidelines presented in the Preservation Brief, we conclude that the character defining elements of the property consist of the building façade, the courtyard in front of the building and the brick wall surrounding the courtyard.

The building façade will not require modifications in order to comply with ADA's requirements. The courtyard and the brick wall will, unless we use a wheelchair lift which, as outlined in Section V above, is deemed unacceptable for other reasons.

After considerable effort, I present the design portrayed in the attached drawings, which preserves all but four feet of the brick wall and the continued, albeit somewhat truncated, use of the courtyard by the public. It does meet the California Title XXIV part 8 requirements (The Historic Building Code) and, along with the other miscellaneous elements, the Americans With Disabilities Act Accessibility Guidelines.

With the consent and approval of the Historic Landmarks Board and the City of Sausalito, we are prepared to realize the proposed design forthwith. If, however, this design does not meet with the approval of the Board or the City, we are equally prepared to provide curbside service to the retail stores, referenced in the settlement agreement (Sec. I) above as a form of "programmatically access," allowed for in the Preservation Brief (Section III) and "equivalent facilitation" under the Historic Building Code (Section IV). This would entail a call button to each store with trained sales personnel providing full catalogues of available items and the ability to transact purchases at accessible levels.

Sincerely,

A. Gordon Atkinson, AIA



