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SAUSALITO PLANNING COMMISSION
Wednesday, February 6, 2013
Approved Summary Minutes

Call to Order

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

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

Absent: Commissioner Stafford Keegin

Staff: Community Development Director Jeremy Graves
Associate Planner Lilly Schinsing, City Attorney Mary Wagner

Approval of Agenda

Vice-Chair Werner moved and Commissioner Graef seconded a motion to approve the agenda. The motion passed 4-0.

Public Comments on Items Not on the Agenda

None.

Approval of Minutes

January 23, 2013

Commissioner Bair moved and Commissioner Graef seconded a motion to approve the minutes, as submitted. The motion passed 4-0.

Public Hearings

Declarations of Planning Commissioner Public Contacts

None.

- 1. DR/CUP 12-048, Design Review Permit, Conditional Use Permit, Dana Galante Trust, 30 Excelsior Lane.** Design Review Permit to demolish an existing 800 square foot carport and replace it with two apartments above a four-car garage for a total of 2,150 square feet of floor area. In addition, a single-story 2-car garage is proposed for the northeast corner of the property. The applicant requests a Conditional Use Permit for the proposed parking spaces to be located in tandem, one behind the other. There is an existing five-unit apartment building and parking structure to remain on site.

The public hearing was opened.

1 Community Development Director Graves presented the Staff Report.

2
3 The public testimony period was opened.

4
5 The public made no comments.

6
7 The public testimony period was closed.

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9 **Commissioner Bair moved and Commissioner Graef seconded a motion to adopt**
10 **a Draft Resolution of Denial Without Prejudice for the Design Review Permit and**
11 **Conditional Use Permit for 30 Excelsior Lane. The motion passed 4-0.**
12

13 The public hearing was closed.

- 14
15 **2. DR/CUP 12-127, Design Review Permit, Conditional Use Permit, Harbor**
16 **Drive Associates, 180 Harbor Drive.** Amendment of a Conditional Use Permit
17 and Design Review Permit for the replacement of six existing panel antennae
18 with six new panel antennae; the installation of three new panel antennae and
19 installation of other associated equipment at 180 Harbor Drive. RF exposure
20 levels due to the proposed operation are calculated to exceed the applicable
21 public exposure and occupational exposure limit as established by the Federal
22 Communications Commission.
23

24
25 The public hearing was opened.

26
27 Associate Planner Schinsing presented the Staff Report.

28
29 Commission questions to staff:

- 30 • What is the purpose of the striping and fence on the roof? *Staff responded it is to*
31 *alert maintenance workers that there are areas in which they need extra*
32 *protection.*
33 • How can it known that people on the ground are safe given that power density
34 readings would increase to 3,194% of the FCC's occupational maximum
35 permissible exposure and 638.8% of the FCC's maximum general public
36 maximum permissible exposure? *Staff responded that is the maximum in a*
37 *particular area. The reason for the controlled zones is to keep people out of the*
38 *areas where it exceeds the FCC guidelines. The EMF report written by Sitesafe,*
39 *AT&T's consultant, and the report prepared by the third party consultant have*
40 *concluded that with these controlled zones, the project complies with the FCC*
41 *guidelines.*
42

43 The public testimony period was opened.

44
45 Presentation was made by Tom Swarner of AT&T, the applicant.

46
47 Commission questions to Mr. Swarner:

- 48 • Can you address the safety zone and the fact that within the striped areas the
49 exposure is six times the FCC permissible limits but somehow in other areas
50

1 on the rooftop and on the ground 28 feet below there is no hazard? *Mr.*
2 *Swarner responded the report written by Sitesafe is confusing in that it is a*
3 *predictive report, a conceptual model where they determine that the facility is*
4 *running at full power all of the time. In this case the point is the difference*
5 *between occupational areas where the rooftop workers will be, and ground-*
6 *level public areas. A supplemental report written by Sitesafe states the ground*
7 *levels will be 30% of the 100% maximum permissible exposure. It is true that*
8 *directly in front of the antenna, and for a distance in front of the antenna to the*
9 *rooftop edge, and the airspace at the rooftop's edge there is the possibility at*
10 *full power that one could be exposed to six times that limit, which is the reason*
11 *for the FCC's signage requirements.*

- 12 • The electro-magnetic frequencies do not go down to the floors below or to the
13 inside of the building, correct? *Mr. Swarner responded that is correct.*
- 14 • Are these antennae emitting in a linear pattern outwards with a certain width up
15 and down that expands as one gets further away? *Mr. Swarner responded that*
16 *description is correct. It is not a straight out linear beam; it opens up just*
17 *slightly depending on the power level.*
- 18 • What assurance is there that the increased amplitude of the waves does not
19 affect occupants of the building? *Mr. Swarner responded although there is*
20 *penetration the energy level is very much reduced by the solid surface itself.*

21
22
23 Commission question to staff:

- 24 • Has the issue of possible interference with emergency services by wireless
25 facilities, as happened recently in Oakland, been examined for this application?
26 *Staff responded they had not contacted the police and fire departments yet.*

27
28 Commission questions to Mr. Swarner:

- 29 • Can you address the concern of interference with emergency services? *Mr.*
30 *Swarner responded what he interpreted from the research and news regarding*
31 *Oakland was that it was their two-way radio system that interfered with the*
32 *existing wireless system. The FCC mandates that these two systems cannot*
33 *interfere with the other one. The wireless networks came in later than many*
34 *two-way developed infrastructures, so they were mandated from the beginning*
35 *not to be able to interfere. If there were any new technology that did interfere*
36 *they would be mandated to rectify that problem.*
- 37 • Can you provide us assurance today that the system that you propose to install
38 will not interfere with the wireless system utilized by the Sausalito and
39 surrounding area emergency wireless services? *Mr. Swarner responded yes.*
- 40 • But has that work been done for this application to ensure that there is no
41 conflict? *Mr. Swarner responded not that he knows of. He does not think they*
42 *tested anything with respect to local emergency services, but he has not heard*
43 *of any times when the existing facility has ever interfered with emergency*
44 *services in Sausalito.*

45
46
47 Raynett Alums of AT&T, indicated the following:

- 48 • She has been a director with AT&T for 35 years.
- 49 • It was not AT&T's wireless network that interfered with Oakland's two-way
50 radio operations.

- They have never had an issue of interference with public safety in the thousands of communities in which they operate.
- Sausalito's public safety department has requested that AT&T expand its network because they do not have needed services downtown on weekends in key locations on Bridgeway.

The public testimony period was closed.

Amended Condition of Approval:

- Condition of Approval 13 shall be modified to say that with the written request of the City major repairs between 10:00pm and 6:00am may be approved administratively.

Commissioner Bair moved and Commissioner Werner seconded a motion to approve an amendment to a Conditional Use Permit and a Design Review Permit for 180 Harbor Drive as amended. The motion passed 3-1 (No- Cox).

The public hearing was closed.

- 3. DR/VA/EA 12-265, Design Review Permit with Heightened Design Review, Variances, Encroachment Agreement, Kelly Armstrong, 63 Central Avenue.** Design Review Permit with Heightened Design Review and two Variances in addition to recommendation of approval of an Encroachment Agreement to demolish an existing garage and construct a new two-car garage partially located in the right-of-way at 63 Central Avenue (APN 065-201-011). The new garage will be in the same approximate location of the existing garage.

The public hearing was opened.

Associate Planner Schinsing presented the Staff Report.

The public testimony period was opened.

Presentation was made by Michael Barber, the architect and applicant.

The public made no comments.

The public testimony period was closed.

Commission comments:

- With the support of the neighbors, the fact that this is a replacement of something falling down and an improvement in the neighborhood the project should be approved.
- The Commission appreciates the outreach as well as the fact that this structure is placed in the only location possible given existing constraints, that this project reduces the burden of on-street parking and that this is not a special privilege but something that has been approved for many neighbors.

1 **Vice-Chair Werner moved and Commissioner Bair seconded a motion to approve**
2 **a Design Review Permit with Heightened Design Review and two Variances and**
3 **recommend City Council approval of an Encroachment Agreement for 63 Central**
4 **Avenue. The motion passed 4-0.**

5
6 The public hearing was closed.

7
8 **Old Business**

9 None.

10
11 **New Business**

12 None.

13
14 **Staff Communications**

- 15 • At its February 5, 2013 meeting the City Council upheld the appeal of the
- 16 applicant for the Harmonia facility in the Marinship and reversed the Planning
- 17 Commission's decision.
- 18 • Planning Commission subcommittee Standards for Single-family Residences in
- 19 Multi-family Districts will meet on February 11, 2013 at 6:00pm to reinstate those
- 20 meetings.
- 21

22
23 **Adjournment**

24
25 **Vice-Chair Werner moved and Commissioner Bair seconded a motion to adjourn**
26 **the meeting. The motion passed 4-0.**

27
28 The meeting was adjourned at 7:25 p.m.

29
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31 _____
32 Submitted by
33 Jeremy Graves, AICP
34 Community Development Director

31 _____
32 Approved by
33 Joan Cox
34 Chair

35
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