

DRAFT RESOLUTION NO. _____
RESOLUTION OF THE SAUSALITO PLANNING COMMISSION
APPROVING DESIGN REVIEW PERMIT; VARIANCE FOR PARKING, SIDE YARD
SETBACK, AND REAR YARD SETBACK; A LOT LINE ADJUSTMENT; RECOMMENDING
APPROVAL OF AN ENCROACHMENT PERMIT; AND CERTIFYING A MITIGATED
NEGATIVE DECLARATION TO CONSTRUCT TWO PUBLIC SAFETY FACILITIES
BUILDINGS CONSISTING OF ONE 11,703 SQUARE FOOT FIRE STATION BUILDING
AND ONE 8,371 SQUARE FOOT POLICE STATION BUILDING LOCATED AT 333
JOHNSON STREET AND 29 CALEDONIA STREET RESPECTIVELY (A.P.N. 065-061-04,
065-061-05, 065-061-06, 065-062-17)

WHEREAS, an application for a Design Review Permit, Variance (parking, side yard setback, rear yard setback), Lot Line Adjustment, Encroachment Permit and Mitigated Negative Declaration was filed on October 17, 2005 by applicant David Ross, AIA, of BSA Architects on behalf of the property owner, the City of Sausalito, requesting Planning Commission approval of a proposal to construct a 11,703 square foot two-story Fire Station and a 8,371 square foot two-story Police Station located at 333 Johnson Street and 29 Caledonia Street respectively and more appropriately delineated on Assessor Parcel Numbers (APN) 065-061-04, 065-061-05, 065-061-06 and 065-062-17.

WHEREAS, the Planning Commission has conducted duly noticed public meetings on May 16, 2006 in the manner prescribed by local ordinance, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission has reviewed and considered the project plans titled "Sausalito Public Safety Facility", dated March 24, 2006 and the Lot Line Adjustment material dated May 3, 2006; and

WHEREAS, the Planning Commission has reviewed and considered the Initial Study, Mitigated Negative Declaration, and Mitigation Monitoring Program and finds that the mitigation measures included in those documents effectively mitigate the potential environmental impacts to a less than significant level; and

WHEREAS, the Planning Commission has received and considered oral and written testimony on the subject application and obtained evidence from site visits; and

WHEREAS, the Planning Commission has reviewed and considered the information contained in the May 16, 2006 staff report for the proposed project; and

WHEREAS the Planning Commission finds that, as conditioned herein, the proposed project complies with the requirements of the Zoning Code, including the required Design Review criteria, Variance findings, Lot Line Adjustment findings and Encroachment Permit findings as outlined in the staff report and this resolution; and

WHEREAS, the Planning Commission finds that, as conditioned herein, the proposed project complies with the General Plan as outlined in this resolution;

NOW, THEREFORE, THE PLANNING COMMISSION HEREBY RESOLVES AS FOLLOWS,

1. The Design Review Permit, Variance, and Lot Line Adjustment are approved, the Final Mitigated Negative Declaration is certified and the Encroachment Permit is recommended for approval as outlined in the attached findings (Attachment A).
2. The Design Review Permit, Variance, and Lot Line Adjustment are approved and the Encroachment Permit is recommended for approval for project plans titled "Sausalito Public Safety Facility" dated March 24, 2006 and the Lot Line Adjustment material dated May 3, 2006 (Attachment B), subject to the attached conditions of approval (Attachment C).
3. The Mitigated Negative Declaration and Mitigation Monitoring Program are certified in conformance with CEQA requirements and as detailed in the attached documentation (Attachment D, submitted in a bound volume of the report).

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Sausalito Planning Commission on the 16th day of May, 2006, by the following vote:

AYES:	Commissioner:
NOES:	Commissioner:
ABSENT:	Commissioner:
ABSTAIN:	Commissioner:

SECRETARY TO THE PLANNING COMMISSION

PLANNING COMMISSION HEARING
May 16, 2006
PUBLIC SAFETY FACILITIES APPLICATION
333 JOHNSON & 29 CALEDONIA STREETS

ATTACHMENT A: FINDINGS

1. MITIGATED NEGATIVE DECLARATION

In accordance with the California Environmental Quality Act (CEQA), the City of Sausalito has provided public notice of the intent of the City to adopt a Mitigated Negative Declaration (MND) and the Planning Commission has considered the proposed MND before making its recommendation. In relation to the MND, the Planning Commission finds as follows:

- A) On the basis of the whole record before the Planning Commission, there is no substantial evidence that the project will have a significant effect on the environment;
- B) The MND constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA, has been completed in compliance with CEQA, and reflects the Planning Commission's independent judgment and analysis; and
- C) The documents and other materials, which constitute the record of proceedings, are in the custody of the Secretary of the Planning Commission, located at City Hall, 420 Litho Street, Sausalito, California 94965. This information is provided in compliance with Public Resources Code Section 21081.6.

Based on the mitigation measures identified within the environmental document, the Planning Commission hereby adopts the Mitigated Negative Declaration.

2. DESIGN REVIEW PERMIT FINDINGS

Pursuant to the Sausalito Municipal Code Section 10.54 (Design Review), it has been found that the requested Design Review Permit may be issued based on the following findings:

A) The proposed project is consistent with the General Plan, any applicable specific plans and this chapter.

The project has been designed to achieve consistency with Objective CD 1.0 (Scale and Architectural Diversity) and Policy CD3.1 (Private Views) of the General Plan. The General Plan objective states the importance of retaining the village-like character of Sausalito by respecting the scale and architectural diversity of existing Sausalito neighborhoods. The proposed project incorporates many of the architectural elements of buildings in the neighborhood.

The project has been designed to minimize view blockage from the majority of surrounding properties. One property in particular could receive additional view blockage from a lower

level unit that is non-conforming in setback given the structure is built on a property line. However the majority of private views have been preserved by the minimizing building height and retaining the proposed structures in relatively the same footprint as the existing buildings.

B) The proposed architecture and site design complements the surrounding neighborhood and/or district.

Designing a project that complies with General Plan Objective CD 1.0 (Scale and Architectural Diversity), the designs for both buildings retains the many of the architectural features found in the Caledonia area while incorporating minor contemporary features to give the buildings a balance of old and new. This mixture helps complement the surrounding neighborhood.

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

Both buildings have been designed to respect the existing height and sizes of the two existing buildings. Because these buildings have existed on their respective sites for many years, maintaining the overall massing would help preserve the general scale of the structures in relation to structures in the area.

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

Policy CD 3.1 (Private Views) of the General Plan was followed when designing both buildings. In doing so, The project has been designed to minimize view blockage from the majority of surrounding properties. One property in particular could receive additional view blockage from a lower level unit that is non-conforming in setback given the structure is built on a property line. However the majority of private views have been preserved by the minimizing building height and retaining the proposed structures in relatively the same footprint as the existing buildings.

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

There are no ridgelines on the subject properties that would create this inconsistency with City policies and development standards.

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.

The proposed landscape plan preserves one large stone pine located at the southeast corner of the Fire Station property and introduces thirteen (13) new street trees to complement the streetscape and project designs. In addition to trees, various groundcover and bushes will be planted around the perimeter of both buildings.

G) The design and location of buildings provide adequate light and air for the project

site, adjacent properties, and the general public.

The proposed project retains much of the existing building footprint to preserve adequate light and air of adjacent properties. This is especially true for the Police Station site where the rear and interior side yard setbacks will be substantially increased from adjacent residential structures. The Fire Station building, however, will be located on a zero lot line as permitted by the zoning code that would block the windows of an adjacent property. Having open penetrations in the form of windows typically does not satisfy building codes, especially when the zoning code allows zero line setbacks. Because the adjacent building has other windows to satisfy their required light, air and egress requirements, there will not be a substantial impact to the property.

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.

A lighting plan has not been submitted as part of the application and a condition has been included in the attached resolution that will require all lighting to be low wattage fixtures directed towards the ground. Roof mounted equipment will be kept to a minimum and will be consistent with the type of equipment that currently exists on the Fire and former Police Station buildings.

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 has been designed to avoid windows facing into adjacent properties to minimize or avoid any privacy impacts.

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

The parking stalls for the proposed project will be roughly identical to what has existed at the site for many years. A traffic and parking study prepared by Abrams Associates confirms that no circulation conflicts or parking impacts will occur as a result of this project.

K) 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.

Two (2) undesirable coast redwoods would be removed as part of this project and one (1) stone pine tree would be preserved. Four (4) small multi-trunk trees of unknown species would be removed and would be replanted with thirteen (13) new trees.

L) 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 F (Heightened Review Findings).

The project does not trigger heightened review.

3. VARIANCE FINDINGS

Pursuant to the Sausalito Municipal Code Section 10.68.050 (Variance Findings), it has been found that the requested Variances (rear yard setback, interior side yard setback, and parking) may be issued based on the following findings:

A) That 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 parking standards of the zoning code do not specifically address parking for Police and Fire Stations and a parking standard that is intended for office uses is unfortunately applied to the project which inflates the parking demand for both uses, thus triggering the need for a parking Variance. The properties are relatively small corner parcels with configurations that make it difficult to place public safety facilities on the sites without triggering the need to depart from the City's parking or setback criteria. The subject properties are also exceptional given there are no comparable properties with Public Institution (PI) designations that have historically been almost entirely built-out. Therefore, any major modifications to the existing buildings would trigger the need to seek Variance permits.

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

The size and configuration of the properties make it difficult to locate a code conforming development that would satisfy parking and setback development standards. The two properties have historically occupied the properties for many years and the use of the two properties would not change with the size of the Police Station actually decreasing from what currently exists. Requiring both properties to comply with off-street parking and setback requirements would severely decrease the existing size of both buildings well beyond what has historically existed on the sites to the point that a reasonable development could not be accommodated.

C) That such variance is necessary for the preservation of a substantial property right of the petitioner, possessed by other property in the same district.

Requiring both properties to comply with off-street parking and setback requirements would severely decrease the existing size of both buildings well beyond what has historically existed on the sites to the point that a reasonable development could not be accommodated.

It has also been established that many of the buildings within the immediate neighborhood do not satisfy the off-street parking requirements or setbacks. In terms of properties located within the same zone district, there are few to serve as equal comparisons due to the small size of the subject properties and the fact that they are developed with structures (i.e., most properties zoned PI in the immediate area are streets, parking lots or submerged lands).

The closest property zoned PI is the Civic Center/Library where the required number of off-

street parking is equally not met.

- D) That the granting of such Variances 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 property of the applicant is located.**

Granting of the Variances will avoid impacts to the public or property in that the project involves the reconstruction of buildings that currently and formerly accommodate public services uses that have historically existed on the subject properties.

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

It has been established that there are exceptional and extraordinary circumstances applicable to the two properties that do not apply to other properties in the same zone district. Because these situations exist, granting of the Variances would not result in a grant of special privilege. If anything, granting of the Variances would achieve consistency with non-conformities of uses that exist within the immediate area or developed properties within the PI zone district.

- F) That the granting of such variance will be in harmony with the general purpose and intent of this Title and the General Plan.**

The project has been designed to conform to the General Plan in many respects. Variance procedures exist within the City's Zoning Ordinance which implements the goals and policies of the General Plan. If the above findings can be made thereby achieving consistency with the Zoning Ordinance, granting of the Variances would equally achieve consistency with the General Plan.

4. LOT LINE ADJUSTMENT FINDINGS

Pursuant to the Sausalito Municipal Code Section 10.64.050 D (Lot Line Adjustment Findings) it has been found that the request may be approved based on the following findings:

- 1) No new lots will be created.**

The relocation of the lot lines would not create new lots and would result in the decrease in lots from three (3) to one (1).

- 2) Lot Line Adjustment will not increase the development potential of affected parcels.**

The relocation of the lot lines would merely serve to merge the lots so that the proposed building, that would relatively occupy the same footprint of the existing Fire Station building, is located on one parcel.

- 3) Resultant lots conform with all applicable requirements of this Title 10, including**

shape, orientation to public right-of-way, use, open space, setbacks and bulk requirements; or

The resultant lots would conform to all applicable requirements of this Title.

- 4) When existing lots do not conform with all applicable physical and use requirements of Title 10, the resultant lots will not increase pre-existing non-conformities.**

The Lot Line Adjustment is intended to diminish the existing non-conformities of a building straddling three separate parcels.

- 5) Resultant lots will not create new nonconformities with this Title 10.**

The resultant lot would conform to all applicable requirements of this Title and not create new nonconformities.

- 6) Resultant lots will be of adequate size and shape to accommodate the uses permitted in the applicable district and all yards, open spaces, walls and fences, vehicular access, parking, landscaping and other features required by this Title.**

The resultant lot would achieve a size that would allow the proposed or existing building to be located on one parcel. The overall shape of the newly configured lot will not substantially change.

- 7) Proposed lots will be compatible with the uses and structures normally permitted in the surrounding area.**

The proposed lots will be compatible with the uses and structures normally permitted in the area.

- 8) The proposed lot line configuration will not adversely affect the abutting property or its permitted use.**

The proposed lot line configuration will not adversely affect the abutting properties or its permitted use.

- 9) The proposed lot lines are properly located relative to the adjoining properties, other properties, vicinity and the public street right-of-way.**

The proposed lot line adjustment is intended to merge three (3) lots into one (1) lot. The end result will retain the perimeter lot lines relative to the adjoining properties.

5. ENCROACHMENT PERMIT FINDINGS

Pursuant to the City of Sausalito Municipal Code Chapter 10.56 (Encroachment Agreements), it has been found that the Planning Commission can recommend approval of the requested

Encroachment Agreement be issued based on the following findings:

- A) The proposed encroachment is compatible with the surrounding area and will either improve or not significantly diminish visual or physical public enjoyment of the streetscape upon which the encroachment is proposed.**

The proposed encroachment permit would allow front entrance canopies and minor appurtenances to encroach into the public right-of-way consistent with encroachments of other businesses in the area.

- B) The encroachment will not adversely affect the usability or enjoyment of adjoining parcels nor create or extend an undesirable land use precedent.**

On a commercially zoned main street, where the subject properties are located immediately adjacent to with a PI zone district designation, it is common and encouraged to allow buildings to be built up against the front property line and sidewalk in order to engage the pedestrian in a friendly shopping experience. Front entrance awnings and canopies are also encouraged to define the buildings' front entrance and to provide shade into the store fronts. As long as the canopies are located above eight (8) feet in height, impacts to pedestrians should be greatly minimized.

- C) The encroachment is necessary to the reasonable use and enjoyment of the property and the extent of the encroachment is justifiable.**

The proposed encroachment is consistent with the encroachments of other businesses in the area which allows the subject properties reasonable use and enjoyment of property rights.

- D) The proposed encroachment will not adversely affect the public circulation nor create or constitute a hazard to public safety.**

As long as the canopies are located above eight (8) feet in height, impacts to pedestrians should be greatly minimized.

- E) The value of the proposed improvements will not prejudice a policy decision to terminate the encroachment nor preclude or make difficult the establishment or improvement of streets or pedestrian ways.**

The value of the proposed improvements will not prejudice a policy decision in that the encroachments could be easily removed should requested to do so.

PLANNING COMMISSION HEARING
May 16, 2006
PUBLIC SAFETY FACILITY APPLICATION
333 JOHNSON & 29 CALEDONIA STREETS

ATTACHMENT C: CONDITIONS OF APPROVAL

Standard Conditions

1. Approval of this Application is limited to the project plans titled "Sausalito Public Safety Facility", dated March 24, 2006 and stamped received on March 27, 2006; and
2. This approval will expire in five (5) years from the date of adoption of this Resolution if the property owner has not exercised the entitlements hereby granted.
3. Construction materials, equipment, vehicles, and debris boxes shall be placed to minimize obstruction of roads and gutters, shall be maintained in a clean and safe condition, and shall not be maintained in a manner that becomes a nuisance to the neighborhood.
4. Pursuant to Ordinance 1143, the operation of construction, demolition, excavation, alteration, or repair devices within all residential areas or within a 500 foot radius of residential zones shall be limited to the following hours:
 - a. Weekdays – Between 8 a.m. and 7 p.m.
 - b. Saturdays – Between 9 a.m. and 5 p.m.
 - c. Holidays – Between 9 a.m. and 7 p.m.
 - d. Sundays – Prohibited except for fire engines which must be checked daily. There shall be no construction grading or deliveries of materials or equipment except for work necessary for emergencies.
 - e. There shall be no start-up of machines or equipment, no delivery of materials or equipment and no cleaning of machines or equipment one half hour before or after the hours of operation.
5. 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 pursuant to Sausalito Municipal Code (SMC) Chapter 11.17. 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 SMC Section 11.17.060.B.
6. As a condition of this approval, no alternative or unrelated construction, site improvements, tree removal and/or alteration, exterior alterations and/or interior alterations and/or renovations not specified in the project plans, or alterations approved by the Community Development Director, shall be performed on the project site. In such cases, this approval shall be rendered null and void unless approved by the Community Development Department as a modification to this approval.

7. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.
8. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Building Division must be obtained prior to constructing, enlarging, moving, converting, or demolishing any building or structure within the City.

Community Development Conditions (Prior to Submittal of Plans for Plan Check)

9. An exterior lighting plan shall be submitted that illustrates the location, style and wattage of all exterior lights. All exterior lighting must be small fixtures that are shielded and downward facing, and subject to the review and approval of the Community Development Director. The lights shall be installed prior to final sign off of the building permit.
10. A final landscape plan shall be submitted that illustrates the location, size, species and quantity of plant material that will be installed. An irrigation plan shall also be provided to demonstrate that the landscaping will be appropriately watered and sustained. The landscaping and irrigation shall be installed prior to final sign off of the building permit.
11. The location of backflow prevent devices for sewer and irrigation shall be plotted on the plans so that they are out of public view and appropriately screened. They should be located next to the emergency generator on the Fire Station Property and within the seven (7) foot setback along Johnson Street on the Police Station property. If these locations prove infeasible, alternative locations shall be reviewed and approved by the Community Development Director.
12. Improvement plans for the required off-site parking stalls for employee and City vehicles shall be illustrated. The plans shall include the location and connection of electrical charges for the electric vehicles. The location of vehicle parking shall be at City Hall, the Humbolt Street storage area, and Lot 4.

Engineering Conditions (Prior to Submittal of Plans for Plan Check)

13. A construction street closure plan shall be prepared and presented to the City Engineer for review and approval. A Construction Impact Plan shall be submitted that addresses:
 - a. Control of traffic on Caledonia Street, Johnson Street and San Carlos Avenue during the construction process, including placement of temporary construction signage and pavement markings.
 - b. Construction staging plan and construction indicating construction equipment, material and vehicles storage areas and location of debris boxes.

- c. Offsite parking plan for the construction stage which include transportation of workers to and from the site.
14. The improvement plans shall include replacement of all curb, gutter and sidewalk fronting the parcel.
15. Project Grading and Improvement Plans shall be prepared and submitted that and comply with City requirements and as directed by the City Engineer. Plans and analysis shall address the structural adequacy of the existing retaining wall along eastern property boundary.
 - a. The limits of proposed grading (cut and fill) shall be clearly defined. The amount of grading shall be stated on the Site Plan. A grading plan and permit shall be required prior to the issuance of a Building Permit if the grading quantities exceed 50 cubic yards, fills over 1.0' thick are placed, cuts over 2.0' are made, grading is performed within 2' of a property line, or for any excavations or embankment (cut or fill) on a slope of over 20%. The grading plan shall be prepared by a registered civil engineer or the project architect in accordance with the State Code.
 - b. If a Grading Permit is required, applicant shall submit a Geotechnical (Soils) Report for review prepared by a State of California licensed civil engineer qualified in geotechnical engineering.
 - c. No grading and excavation operations shall occur between October 15 and April 1, unless approved by the City Engineer. The project excavation, construction of any retaining walls and associated appurtenant features shall commence no later than August 1 of the dry season. The project excavation, construction of the main retaining walls and associated appurtenant features shall commence and conclude within a single dry season.
16. A detailed site and project specific erosion and sedimentation control plan shall be submitted as part of the project improvement plans. The plan shall be in accordance with the NPDES and MCSTOPPP requirements.
17. The sanitary sewer lateral shall be videoed and submitted for City Engineer and Sewer Coordinator review.
18. An evaluation of the existing sewer laterals proposed to serve the new buildings shall be submitted to the Sewer Coordinator for review and approval. Discovered defects will be corrected prior to occupancy. Alternatively and, prior to occupancy, new sewer laterals shall be video inspected and pressure tested subject to the approval of the Sewer Coordinator.
19. A hydrology study based upon a 10-year design storm shall be performed for the site to determine appropriate storm drain facility design and submitted to the City for review and approval.
20. To ease periodic maintenance of exterior and mechanical equipment, plans shall be prepared illustrating that the police building rooftop shall be equipped with a crane or other rigging equipment subject to the review and approval of the Public Works Director

and Building Official to facilitate handling of building mechanical equipment and window washing. Window washing apparatus shall be designed into the fire building.

21. Plans illustrating that sidewalk flags that are in excess of ½ inch difference in grade shall be removed and replaced. These shall be reviewed and approved by the City Engineer prior to the issuance of any permits.
22. Plans illustrating that the sidewalk corner at third and north is replaced with ramps and landings to accommodate disabled persons. These shall be reviewed and approved by the City Engineer prior to the issuance of any permits.

Engineering Conditions (Prior to Issuance of a Grading or Building Permit)

23. An encroachment permit shall be required for all improvements to be constructed within the public right-of-way, including temporary debris boxes.
24. Prior to issuance of any building or grading permit applicant's general contractor shall provide City with evidence of a standard comprehensive general liability insurance policy containing coverage for bodily injury, property damage, and completed operations and including liability resulting from earth movement. The policy shall provide limits of coverage not less than \$1,000,000 and the policy shall continue in force until a date five (5) years following completion of construction.
25. Construction perimeter fencing shall be installed around the dripline of the Stone Pine located at the southeast corner of the Fire Station property. Once installed, the applicant shall notify the project planner for an on-site inspection.
26. A drainage study will be prepared subject to the review and approval of the City Engineer, to determine runoff quantities from the project site and offsite areas tributary to drain inlets being used to discharge runoff. Gutter grades on Caledonia Street shall be revised, subject to the approval of the City Engineer, to eliminate storm drains being routed under foundations.
27. Prior to issuance of foundation permits project engineers shall certify that the foundation pads conform to approved plans with regard to compliance with geotechnical recommendations, design vertical elevations and horizontal position. These certification letters shall be reviewed and approved by the City Engineer
28. Design review approved frontage improvement plans shown are conceptual with regard to scoring and tree well positions. Prior to issuance of building permits or encroachment permits detailed civil engineer prepared improvement and/or landscape architect prepared landscape plans shall be created showing precise scoring patterns, mix design and finish treatment of the sidewalk, curb and gutter taking into account locations of utility service vaults. Acceptable concrete finishes are fine aggregate (3/8 inch max sieve size) subject to the approval of the City Engineer. Deep root planters shall be installed in tree wells. Tree wells shall be sized and spaced in a manner that is consistent with City approved streetscape plans. Absent such plans tree well sizes and positions shall be

approved by the City Engineer. Tree wells shall be covered by decorative casting such as Neenah R-8718-A or equivalent subject to the approval of the City Engineer.

29. Required work in the public right of way shall regulated by an encroachment permit issued by the engineering department. All work permitted by encroachment permit shall be completed prior to issuance of a Certificate of Occupancy.

Engineering Conditions (During Construction)

30. All overhead utility facilities serving the parcel shall be placed underground during the construction process.
31. Any required sewer lateral rehabilitation work shall be performed under the authority of the building permit.
32. All construction perimeter fencing shall be maintained throughout construction until the issuance of a final inspection.
33. Construction materials, equipment, vehicles and debris boxes shall be placed per approved plan and monitored to avoid obstruction of roads, paths and gutters.
34. The applicant shall provide reasonable advance notice of the proposed excavation or retaining wall repair to be given to the owners of adjoining lands. The adjoining owners must be given at least 30 days within which to take steps to protect their improvements.
35. The applicant, subject to the satisfaction of the City Engineer, shall install and maintain appropriate temporary construction signage and pavement markings.
36. Prior to completion of construction work existing streetlights along the project frontage shall be refurbished subject to the approval of the City Engineer. Before Building permits are issued exact specifications of replaced street light subsystems shall be specified on utility or joint trench plans subject to approval of the City Engineer. Existing streetlight standards (poles) shall be to relocate to accommodate approved streetscape themes. Damaged standards shall be replaced with exact replacements subject to the approval of the City Engineer.
37. Prior to completion of construction, Caledonia, from Bridgeway to Johnson Street shall be resurfaced and restriped, subject to the approval of the City Engineer.
38. Concurrent with the submittal of building permit plans, a photo or video log of street signs, and other facilities in the public right-of-way shall be submitted to document existing conditions along the project frontages. This log shall be reviewed by the Engineering Division concurrent with plan check. All existing regulatory devices (signs, curb markings, parking meters) shall be noted on improvement plans. Worn or damaged existing facilities shall be replaced with new facilities prior to completion of construction.

Environmental Mitigation Measures

All mitigation measures identified in the Initial Study, Mitigated Negative Declaration shall be implemented.

39. Prior to issuance of the building permit the project applicant/contractor shall submit a detailed lighting plan to the Planning Department for Final Design Review. A lighting plan shall be prepared by a qualified lighting engineer and shall clearly demonstrate that adverse light and glare would not be cast from the project onto adjoining properties. (MM AST – 1)
40. Prior to issuance of the building permit the project applicant/contractor shall design lighting to be sensitive to neighboring land uses according to standard City lighting guidelines. Final building plans for the project shall show that all exterior light fixtures are equipped with cut-off lenses to ensure that light is directed downward and away from adjacent properties. (MM AST – 2)
41. To the extent feasible, the project contractor shall use the following equipment and methods to reduce construction emissions of PM₁₀:
 - Water all active construction areas at least twice daily.
 - Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
 - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
 - Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
 - Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
 - Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site.
 - Provide windbreaks, at windward side(s) of construction areas.Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph. (MM AQ – 1)
42. Prior to issuance of the building permit the project applicant/contractor shall obtain a tree removal permit according to the policies and procedures outlined in the City's View and Tree Preservation Ordinance. The permit application shall be subject to approval by the City Arborist or a designated representative. (MM BIO – 1)
43. Prior to issuance of the building permit the project applicant/contractor shall submit proposed landscape plans subject to review and approval by the City Arborist or a designated representative. The number and species of trees included in the landscape plan shall be determined to be appropriate replacement for the trees to be removed for development of the project. A diagram of the proposed landscape plan is located in **Figure BIO.1**. (MM BIO -2)

44. Prior to issuance of a demolition permit, the project applicant/contractor shall prepare a photo documentation of the brick façade of the police station determined historically valuable. Prior to demolition activities, the project applicant shall coordinate with the Sausalito Historical Landmarks Board to determine the acceptable number of photographs and standards to be used in photo documentation to accurately document the historical nature of the brick façade of the police building. (MM CR – 1)
45. Given that buried cultural resources may be present beneath the ground surface, an Approved Cultural Resource Monitor shall be present during ground disturbing activities (e. g. clearing & grubbing; excavation; grading; pad preparation; installation of utilities). Should buried cultural deposits be encountered, the Monitor shall have the authority to halt construction and shall notify a qualified (Secretary of the Interior's Standards) archaeologist to investigate, and, if necessary, to prepare a treatment plan for submission to the State Historic Preservation Office and/or the Local Tribal Historic Preservation Office for approval. (MM CR – 2)
46. If potential historical or unique archaeological or paleontological resources are discovered during construction, all work in the immediate vicinity shall be suspended and alteration of the materials and their context shall be avoided pending site investigation by qualified archaeological or cultural resources consultant retained by the project applicant. The immediate vicinity wherein work shall be suspended shall be approximately 50 feet from the discovery or within an appropriate distance to be determined by the retained archaeologist or consultant. Construction work shall not commence again until the archaeological or cultural resources consultant has been given an opportunity to examine the findings, assess their significance, and offer proposals for any additional exploratory measures deemed necessary for the further evaluation of and/or mitigation of adverse impacts to any potential historical resources or unique archaeological resources that have been encountered. (MM CR – 3)
47. The police station shall have shallow footings founded in bedrock and the fire station shall be supported on deep foundations embedded into the underlying bedrock. Hence, both buildings will be supported on bedrock, and not impacted by colluvium, artificial fill, or Bay Mud under one or both building sites. The existing retaining walls to remain for the police station are mostly likely founded in bedrock, as will the new retaining wall to be constructed in front of the existing retaining walls. Therefore, the existing and new retaining walls founded in bedrock will provide a firm foundation for these walls.

The deep foundations for the fire station will be Tubex piles. Hence, driven piles that could cause excessive vibrations will not be utilized. Tubex piles are steel casings that are screwed slowly into the ground, with minimal vibration. (MM GEO -1)
48. Prior to construction activities the project applicant/contractor shall be required to provide final project plans. Portions of the existing, privately owned retaining walls shall be buttressed during demolition and construction. (MM GEO – 2)
49. The existing privately owned retaining walls will be monitored during demolition and construction under the supervision of a registered engineer. A post-construction survey of the existing privately owned retaining wall shall be performed. If required, a post

construction survey shall be performed on nearby structures. (MM GEO – 3)

50. Prior to demolition activities the contractor is required to be in accordance with EPA, Cal-OSHA, and BAAQMD standards, and shall be required to determine actual quantities of asbestos- containing building materials to be removed and properly disposed of at an appropriate off-site disposal facility. Requirements may include preparation of an asbestos mitigation plan to control fugitive dust emissions that may contain asbestos fibers or lead particulates. (MM HAZ – 1)
51. Prior to demolition activities the contractor shall be required to remove and inspect each light fixture ballast prior to fluorescent light fixture removal and disposal. Non PCB-containing ballasts will contain a label indicating that the ballast is non PCB-containing. Non-labeled fixture ballasts must be assumed to be PCB-containing and transported and disposal of in accordance with state and federal regulations. California regulates PCBs as a hazardous waste in liquid format concentrations equal to or above 5 ppm and non-liquids at concentrations equal to or above 50 ppm. The state does not specifically regulate PCB containing waste disposal, but if wastes contain the threshold levels stated above, they must be disposed of as a hazardous waste. Fluorescent light ballasts containing PCBs are considered hazardous waste and must be transported and disposed of as hazardous waste. Transportation of these ballasts for consolidation prior to disposal is exempted from manifesting and use of a registered hauler up to two 55-gallon drums per vehicle. (MM HAZ – 2)
52. Prior to demolition activities the contractor shall be required to recycle or dispose of mercury containing thermostats as hazardous waste at an approved facility. Based on the limited quantity of mercury containing thermostats identified within the structures, they may be disposed of through the Marin County Business Hazardous Waste Collection Program. (MM HAZ – 3)
53. Area air monitoring shall be conducted during and upon completion of renovation/demolition activities. The results shall be provided to the renovation/demolition contractor in order to facilitate changes in renovation demolition practices if airborne lead levels exceed the federal Permissible Exposure Limit (PEL) concentrations. Air monitoring shall also provide documentation that the airborne lead concentrations are below federal PEL during renovation activities and minimize possible airborne lead exposure to renovation workers and to building occupants. Upon completion of renovation/demolition activities, the work area shall be thoroughly cleaned by damp wiping both vertical and horizontal surfaces. Surface swipe samples shall be collected upon completion of damp wiping to verify that decontamination activities were successful in removing possible lead containing dust. (MM HAZ – 4)
54. The project applicant/contractor shall conduct either soil sampling before construction or soil screening during construction with an organic vapor meter to further characterize site soil and to safeguard human health and minimize potential risks during construction. The project applicant shall submit a report documenting the results of the soil survey to the City of Sausalito Planning Department for review.

If contaminated soil and/or ground water are encountered the applicant/contractor shall

- prepare and submit a detailed remediation plan that complies with all federal, State, and local laws to the City of Sausalito Community Development Department and other appropriate Federal, State, or local agencies. Soil remediation methods should include the following:
- a. All excavated foundation soils in the vicinity of the former tank excavations should be stock piled separately. A four-point composite stockpile soil sample should be collected and submitted for laboratory analysis for gasoline/diesel range and aromatic hydrocarbons. If the stockpile soils are determined to be non-detectable for petroleum and aromatic hydrocarbons, the stockpiled excavation soil may be disposed of in the normal fashion.
 - b. If stock piles soils are found with slightly elevated concentrations (generally up to 100 ppm of petroleum hydrocarbons and 1 ppm of aromatic hydrocarbons), the stockpiled soil may be disposed of as non-hazardous material to a Class III landfill (i.e., Redwood Landfill) that accepts petroleum hydrocarbon contaminated soils. If soil concentrations are in excess of 100 ppm, the contaminated soil must be disposed of at a Class II landfill.
 - c. The contractor shall modify or postpone construction plans to ensure construction will not inhibit remediation activities and will not expose the public or construction workers to hazardous conditions. (MM HAZ – 5)
55. Prior to demolition the project applicant/contractor shall obtain environmental insurance policies for potential environmental liabilities associated with the project site. Two very common policies are Pollution Legal Liability insurance, which generally covers for unknown future environmental liabilities, and remediation cost cap insurance, which covers cleanup costs above a specified amount. (MM HAZ – 6)
56. If contaminated soil and/or ground water are encountered, the foundation excavation contractor shall have hazardous material handling training and/or a Hazardous Materials contractor license. Typically the hazardous material handling training involves workers undergoing an OSHA 40-hr training course. With this approach, hazardous or potentially hazardous materials such as soil and groundwater can be managed and removed with minimal delay. Alternatively, subsurface soil testing can be performed prior to construction activities or upon encountering potentially hazardous materials during construction. (MM HAZ – 7)
57. Prior to issuance of the building permit the project applicant/contractor shall submit final grading and drainage plans to the City Engineering Department for their review and approval. The grading plan and drainage plan for the project shall be prepared by a licensed professional engineer. The plans shall include drainage components that are designed in compliance with City of Sausalito Standards. (MM GEO – 1)
58. Prior to issuance of the building permit the project applicant/contractor shall prepare a Stormwater Pollution Prevention Plan (SWPPP) with specific and detailed Best Management Practices (BMPs) designed to mitigate construction and post-construction related pollutants to a level of insignificance. The City shall review and approve the final design for operational period BMPs. (MM GEO – 2)
59. The City shall incorporate a stormwater filter in the building plans at the Fire Station

facility that would capture wastewater specifically from washing fire engines, prior to drainage to the bay. (MM GEO – 3)

60. During construction activities the project applicant/contractor shall comply with Ordinance number 1143 amending §12.16.140 of the Sausalito Municipal Code. These limits are as follows:

Weekdays: Between 8:00am and 7:00pm

Saturdays: Between 9:00am and 5:00pm

Sundays: Prohibited except for fire engines, which must be checked daily

Holidays officially recognized by the City of Sausalito not including Sundays:

Between 9:00am and 7:00pm.

There shall be no construction grading or deliveries of materials or equipment on Sundays or City recognized holidays, except for the work necessary for emergency work, which must be performed immediately to preserve the public safety, health and welfare. With reasonable construction practices (muffling and properly maintaining construction equipment used at the project site, construction of temporary sound walls, etc.). There shall be no start-up of machines or equipment, no delivery of materials or equipment and no cleaning of machines or equipment one-half hour before or after the hours of operation. (MM NO -1)