

# STAFF REPORT

## SAUSALITO PLANNING COMMISSION

Agenda Item Number 1

**PROJECT:** DR/VA/EP/LLA/MND 05-0545  
333 Johnson Street (Fire Station)  
29 Caledonia Street (Police Station)  
APN 065-061-04, -05, -06 and 065-062-17

**MEETING DATE:** May 16, 2006

**STAFF:** Paul Kermoyan, Community Development Director

**APPLICANT:** David Ross, AIA, of BSA Architects

**PROPERTY OWNER:** City of Sausalito

### REQUEST

The applicant requests Planning Commission consideration of a proposal for a Design Review Permit; a Variance permit for parking, side yard setback, and rear yard setback; an Encroachment Permit; a Lot Line Adjustment; and a Mitigated Negative Declaration to construct public safety facilities consisting of an 11,703 square foot two-story Fire Station building and a 8,371 square foot two-story Police Station building.

### REGULATORY FRAMEWORK

**Zoning:** PI (Public Institution)

**General Plan:** Public Institutional

**Special Regulations:** N/A

**CEQA:** The project is subject to the provisions of the California Environmental Quality Act (CEQA) in accordance with CEQA Sections 15070 – 15075 (Negative Declaration Process) and a Mitigated Negative Declaration has been prepared

**Required Permits:** Design Review, Variance Permits, Encroachment Permit, Lot Line Adjustment

## **EXISTING SETTING**

### **Subject Parcels**

The subject parcels are corner lots where the Fire Station property (333 Johnson Street) is located at the southeast corner of the Johnson and Caledonia Street intersection and the Police Station property (29 Caledonia Street) is located at the southwest corner of the Johnson and Caledonia Street intersection. The Fire and Police Station parcel sizes are approximately 11,519 square feet and 6,007 square feet respectively.

The Fire Station property actually consists of three individual parcels that are proposed to be merged through a Lot Line Adjustment request. Once merged, the proposed Station would be located on one parcel rather than straddle three separate parcels. Presently existing on the Fire Station site is a 9,027 square foot two-story building. This building fronts Johnson Street and currently incorporates a covered porch with a defined entrance to an office component of the Station. Two bay doors provide emergency vehicle access for four vehicles onto Johnson Street with one bay door fronting the diagonal portion of Caledonia Street to allow emergency vehicles access from this side of the Station. There are an additional two bay doors fronting the diagonal portion of Caledonia that lead into two single bays of the Station's shop. Although personal vehicles appear to be parked on the driveway leading into the two bays, the area was not designed or intended for on-site parking.

The property provides approximately three diagonal on-site parking stalls located on the north side of the property, adjacent to 317 and 319 Johnson Street which is occupied by the Cork and Patrick Le Peleh Architecture. These stalls would be removed as part of the proposed project.

There are seven trees on the Fire Station property of which four have relatively small Circumference at Breast Height (CBH) dimensions and three are relatively large. The large trees consist of two coast redwoods located at the corner of Johnson and Caledonia Streets, next to the office component of the station and one stone pine located at the far southeast corner of the property. The stone pine will be preserved and the two coast redwood trees would be removed as part of this project. The remaining four smaller trees would also be removed and will be processed under the Design Review portion of this request. Therefore, no formal tree removal permit application is required.

The Police Station property is located on one parcel. Presently existing on site is an 8,612 square foot two-story building that has been modified several times with different architecturally designed building components. Brick walls, wood, smooth finished concrete, flat and metal roofs all contribute to its eclectic choice of building materials and style. The main entrance to the building is located on the corner of Johnson and

Caledonia Streets with relatively large floor to ceiling windows which could be viewed as the building's storefront. A sally port (i.e., a gated and secure area where patrol cars deliver suspects for questioning) is located at the far southwest corner of the building, on Johnson Street. The proposal will retain the location of the sally port. The city currently allows Radio Sausalito the ability to use a small portion of the building. No rent is collected and there is an understanding that should the project move forward, they would need to relocate.

No trees are located on the Police Station site.

### **Neighborhood**

The subject properties are located in the New Town area of the City, within the Caledonia neighborhood. Besides the Civic Center/Library Building located at 420 Litho and Caledonia Streets, the Fire and Police Station properties are the only other Public Institutionally zoned properties in the immediate neighborhood and on the mountain side of Bridgeway Boulevard. Surrounding the Fire Station, properties are developed with commercial uses to the east, commercial and residential uses to the north, Caledonia Street and San Carlos Avenue to the south and the former Police Station building to the west. Surrounding the former Police Station, properties are developed with residential uses to the south and west, commercial uses to the north and the Fire Station property to the east.

The location of the proposed Fire and Police Station buildings, being located on the far south end of Caledonia Street, and the Civic Center/Library building with Sweeny Park located on the far north end of Caledonia Street appear to frame the Caledonia commercial core with public service uses.

### **BACKGROUND**

In Year 2001, the City reviewed an application for a similar project involving a combined two-story Fire and Police Station building that was approximately 22,500 square feet. The 32-foot tall building would have been placed over Caledonia Street blocking the street and altering the area's vehicular and pedestrian circulation. In addition to the structure's large size and street altering design, there was public concern over the building's architectural design theme with opinions that the structure lacked proper integration into the Caledonia area. The Planning Commission's decision to approve the project was appealed to the City Council at which time concerned citizens created Measure B to halt the project's progression. In the end, the project did not proceed forward and the City Council recognized the need to more appropriately involve the citizens in the decision-making process.

Four Committees were formed that consisted of the Finance Committee, the Needs Assessment Committee, the Design Committee and the Site Selection Committee. These Committees, consisting of all volunteers, worked countless hours to complete their assigned tasks. The Site Selection Committee recommended two alternative sites for the Police Station building (29 Caledonia Street and MLK) and one alternative site for the Fire Station (the current site). The Needs Assessment Committee validated that the Fire Station building could be located at its current site as long as it did not exceed 11,780 square feet with no more than two stories. They also validated that the Police Station could be located at the former Police Station site as long as it did not exceed 8,768 square feet with no more than two stories.

On November 8, 2003, a public workshop was conducted to help clarify criteria for site selection. The following table reflects the outcome of that meeting.

<b>Potential Site (Fire and Police)</b>	<b>Participants Opposed</b>
<u>Fire Station:</u> SE corner of Caledonia and Johnson Street	0
<u>Fire Station:</u> SE corner of Locust and Humbolt Streets	20
<u>Police Station:</u> SE corner of Locust and Humbolt Streets	32
<u>Police Station:</u> MLK "Bus Barn" on the North Line of Coloma Street, West of Bridgeway Boulevard	31
<u>Police Station:</u> SW corner of Caledonia and Johnson Streets (former location)	10
<u>Police Station:</u> East line of Humbolt Street between Anchor and Bay Streets	55
<u>Police Station:</u> City Hall block (platform above existing parking lot)	38
<u>Police Station:</u> Army Corps' South Pacific Laboratory, Liberty Ship Way	31
<u>Police Station:</u> Caledonia and Litho Streets	33

On November 18, 2003, the City Council held a hearing to gather further public input on selecting the site for the Police and Fire Station buildings. After receiving public input, the Council made separate motions to endorse the Johnson Street site for the Fire Station and the Caledonia Street site for the Police Station.

The selection of an architect to prepare the plans was held in a similar manner as the November 8, 2003 workshop where members of the public received presentations from various architects and had the opportunity to comment on each. The City Council

approved an agreement with BSA Architects on December 1, 2004. David Ross, AIA is the lead architect on the project.

On May 21, 2005, BSA Architects held a public workshop at the Fire Station to discuss development options for the project. Four scenarios were discussed that included 1) two sites two buildings, 2) one site, two buildings with basement garage, 3) one site, two buildings without a garage, and 4) remodel existing buildings. The following table reflects the public's opinions:

<b>Development Scenarios</b>	<b>Participants In Favor</b>
Two buildings on one site	6
Two buildings on two sites	25
Remodel both buildings	7

On June 7, 2005, the City Council conducted a hearing and received public testimony from numerous individuals on development scenarios. After receiving public comment, the Council decided to pursue a project with two buildings on two sites, meaning the Fire Station building would be located at 333 Johnson Street (its current location) and the Police Station building would be located at 29 Caledonia Street (its former location and existing building).

The next step in the public outreach process was to hold a second public workshop to discuss key design issues. David Ross, AIA, from BSA Architects held a public workshop on August 22, 2005 and presented various design concepts that incorporated traditional and modern design elements. Concept 2 appeared to be the more favored of the concepts presented because, as members of the public stated, "Concept 2 (plaza) gives a good strong face to the fire station from Caledonia and offsets/complements the police station opposite it" and "I like the traditional Sausalito look as best exhibited in Concept 2 with the plaza." At the City Council's September 6, 2005 meeting, the Council also expressed positive comments on Concept 2. On October 18, 2005, the City Council directed David Ross, AIA to submit an application for Design Review that incorporated Design Concept 2.

## **PROJECT DESCRIPTION**

### **Structures**

Fire Station – This portion of the project involves the demolition of an existing 9,027 square foot, two-story Fire Station located on a corner parcel (consisting of three individual lots) totaling approximately 11, 519 square feet (APN 065-061-04, -05, -06). The size of the proposed Fire Station is approximately 11,703 square feet and would have a 6,141 square foot first floor and a 5,562 square foot second floor. The proposed project results in an increased floor area from the existing building of approximately 2,676 square feet. Setbacks of the building would consist of a zero

lot line on the north and east elevations, 31 to 39 feet on the northwest elevation, and 6 to 64 feet on the south/southeast elevation. The proposed building height is predominantly 31 to 32 feet with a maximum height of 32 feet. Although sheet T1.0 of the plan set reveals the building's maximum height is 37 to 39 feet, the architect took into account the roof-mounted mechanical equipment which is typically not counted towards a building's height. Therefore, staff does not count these structures in the measurement of height.

The rear paved driveway apron, on the southeast elevation, is proposed to be used for a truck wash area. Two mechanical units would be located approximately one (1) foot from the property line and three (3) feet to the Fire Station building. In addition, an emergency generator and trash enclosure would be located towards the southeast corner of the parcel, with the trash enclosure serving as screening for the generator. No fencing is proposed along the east property line.

Police Station – This portion of the project involves the demolition of an existing 8,612 square foot, two-story former Police Station building located on a corner parcel of approximately 6,000 square feet (APN 065-061-17). The size of the proposed Police Station is approximately 8,371 square feet and would have a 4,220 square foot first floor and a 4,151 square foot second floor. The proposed project results in a decreased floor area from the existing building of approximately 250 square feet. Setbacks of the building would consist of a zero lot line on the north and east elevations, 7 feet on the west elevation and 14 feet on the south elevation. The proposed building height is predominantly 24 to 29 feet with a maximum height of 32 feet.

**Code Compliance** The project has been designed to comply with the following development standards:

**333 Johnson Street**

	<b>Existing</b>	<b>Code</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Parcel Area:</b>	11,519 sq. ft.	<b>N/A</b>	11,519 sq. ft.	<b>Yes</b>
<b>Land Use:</b>	Public Institution	<b>Public Institution</b>	Public Institution	<b>Yes</b>
<b>Setbacks:</b>				
<b>Front Yard:</b>	29 ft.	<b>N/A</b>	33 ft. (1)	<b>Yes</b>
<b>Rear Yard:</b>	12 ft.	<b>N/A</b>	0 ft.	<b>Yes</b>
<b>North Side Yard:</b>	0 ft.	<b>N/A</b>	0 ft.	<b>Yes</b>
<b>South Side Yard:</b>	0 ft.	<b>N/A</b>	8 ft.	<b>Yes</b>

<b>Height:</b>	30 ft.	<b>32 ft. max</b>	32 ft.	<b>Yes</b>
<b>Building Coverage:</b>	5,460 sq. ft. (47%)	<b>N/A</b>	6,203 sq. ft. (54%)	<b>Yes</b>
<b>Floor Area:</b>	9,027 sq. ft. (78%)	<b>N/A</b>	11,703 (102%)	<b>Yes</b>
<b>Parking Spaces:</b>	3 parking stalls	<b>29 stalls (2)</b>	0 parking stalls	<b>No (3)</b>

(1) The small frontage on Caledonia Street is viewed as the parcel's frontage once the three lots are merged.

(2) There is no parking standard for "Fire Station." Applied parking standard for Government Offices and Facilities.

(3) Parking will require a Variance Permit which is discussed in the Variance portion of the project.

### 29 Caledonia Street

	<b>Existing</b>	<b>Code</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Parcel Area:</b>	6,007 sq. ft.	<b>N/A</b>	6,007 sq. ft.	<b>Yes</b>
<b>Land Use:</b>	Public Institution	<b>Public Institution</b>	Public Institution	<b>Yes</b>
<b>Setbacks:</b>				
<b>Front Yard:</b>	0 ft.	<b>N/A</b>	0 ft.	<b>Yes</b>
<b>Rear Yard:</b>	2 ft.	<b>20 ft. (1)</b>	7 ft.	<b>No (3)</b>
<b>North Side Yard:</b>	0 ft.	<b>N/A</b>	0 ft.	<b>Yes</b>
<b>South Side Yard:</b>	9 ft.	<b>20 ft. (2)</b>	14 ft.	<b>No (3)</b>
<b>Height:</b>	27 ft.	<b>32 ft. max</b>	32 ft.	<b>Yes</b>
<b>Building Coverage:</b>	5,048 sq. ft. (84%)	<b>N/A</b>	4,140 sq. ft. (69%)	<b>Yes</b>
<b>Floor Area:</b>	8,612 sq. ft. (143%)	<b>N/A</b>	8,371 sq. ft. (139%)	<b>Yes</b>
<b>Parking Spaces:</b>	0 parking stalls	<b>21 stalls (4)</b>	0 parking stalls	<b>No (5)</b>

(1) A rear yard setback is required when the yard abuts a property zoned for residential.

(2) The required side yard setback is 10 feet when the yard abuts a property zoned for residential use plus an additional 10 feet for 50 feet of building length over 40 feet.

(3) Requires a Variance Permit which is discussed in the Variance portion of the project.

(4) There is no parking standard for "Police Station." Applied parking standard for Government Offices and Facilities.

(5) Parking will require a Variance Permit which is discussed in the Variance portion of the report.

### **Landscaping**

A landscape plan has been submitted as part of this application and is located on sheets L1.0 and L2.0 of the plan set. The landscape plan identifies the location of 13 new street trees and various shrubs and ground cover. Five (5) trees would be located on Johnson Street, five (5) trees would be located on Caledonia Street, one (1) tree would be located next to the Police Station building, and two (2) palm trees would be located at the intersection of Johnson and Caledonia Streets, one tree in each of the two proposed small plaza areas.

### **Story Poles**

Story poles demonstrating the outline of the building envelope, including the building footprint, were installed approximately 10 days prior to the hearing date. The story poles have been verified by a licensed surveyor to which a certification letter is included as Exhibit B.

## **ANALYSIS**

### **Design**

The proposed design of the two structures can be credited to extensive public involvement in the process to date. As discussed within the Background section of this report, four citizen committees were formed to provide input on the development of public safety facilities (Needs Assessment, Finance, Design and Site Selection), the public was involved in the selection of the project architect in Year 2003, the public expressed a preference of locating the buildings on their respective sites, the public confirmed the location of the buildings at a May 2005 workshop, and the public expressed a design preference for the proposed project designs at an October 2005 public workshop. Based on this guidance, the project architect provided additional detailing, façade treatments, mechanical equipment locations, building placement in relation to property lines, and landscape and hardscape improvements to finalize the plans that are now subject to Planning Commission consideration.

It is important to recognize that design goals expressed by the majority of the public pertained to the need to blend the two buildings into the built environment of the Caledonia neighborhood and to minimize the buildings' design as architectural statements. The majority of individuals who reviewed the various design concepts at the October 2005 workshop appreciated the diversity of contemporary and traditional design approaches and favored Concept 2, a blend of contemporary and traditional elements which is before the Commission as the formal design approach proposal.

The two buildings' design incorporates a mixture of traditional and contemporary features that help blend the structures into the older fabric of the Caledonia area thereby minimizing an overpowering architectural presence. Utilizing exterior brick, colored precast concrete bulkheads, thick metal doors and windows, decorative metal cornices, long rectangular windows, and metal and glass front entrance canopies provides a unique balance of contemporary and traditional architectural styles. The choice of materials was also deliberately selected due to their durability and ease of maintenance.

The Planning Commission's review of the design review portion of this project is guided by Sausalito Municipal Code (SMC) § 10.54.010 (Design Review Procedures Purpose) whereby the specific purpose of the Design Review Ordinance is to establish procedures and criteria for design review as follows:

- 1) To promote the preservation of Sausalito's unique visual character;
- 2) To preserve land values and investment through thoughtful architectural and site design;
- 3) To prevent the erection of unsightly or obnoxious structures, additions, alterations or signage;



- 4) To incorporate site considerations, adjacent uses, and area traffic circulation into the review of new construction or alterations to existing structures;
- 5) To minimize obstruction of public views and primary views from private property;
- 6) To minimize obstruction of light, air and privacy;
- 7) To minimize property clearing, excessive grading and destruction of trees and shrubbery; and
- 8) To provide for street and alley dedication and adequate maintenance and improvements to public rights-of-way.

This project aims at not only responding to the public's wishes of integrating two buildings into a neighborhood that wishes to retain a desired appearance, but of responding to the purpose of the City's Design Review ordinance by 1) designing a project that promotes the preservation of Sausalito's unique visual character of the Caledonia neighborhood, 2) it has been thoughtfully designed through the use of durable materials that will minimize maintenance costs over the lifespan of the buildings, 3) responds to the majority of the public's request to avoid designing structures that are obnoxious architectural statements, 4) maintains the existing development layout of the Fire and Police Station buildings while preserving existing vehicular circulation, 5) minimizes obstruction of public views by respecting the existing heights of the two buildings in designing the proposed buildings; 6) minimizes light, air and privacy impacts by maintaining significant setbacks at the police station property to the residential uses to the south and west, 7) minimizes excessive grading and proposes new street trees within the public right-of-way; and 8) proposes two small plazas or gathering areas at the corners of Johnson and Caledonia Streets.

The Design Review findings are specified in SMC § 10.54.050 D and located within the attached resolution of approval.

### **Mechanical Equipment**

Both buildings will require the placement of roof and ground-mounted mechanical equipment units. The Fire Station will have approximately 12 roof-mounted mechanical equipment units consisting of air handling units, an elevator over-run, condensers and water heater units. In addition to the roof-mounted units, the Fire Station property would accommodate two ground-mounted mechanical units and/or transformers near the truck wash area and one emergency generator adjacent to the proposed trash enclosure.

The Police Station will have approximately six roof-mounted mechanical equipment units consisting of two air handling units, one elevator over-run, and three mechanical units consisting of condensers and water heaters. In addition, four condenser units would be located in the interior setback, next to the residentially zoned properties.

In assessing the maximum height of the structures, the architect incorrectly took into consideration the height of the roof appurtenances. The code compliance tables of the staff report illustrates the correct building height, minus these appurtenances, consistent

with manner in which the City determines “standard building height” pursuant to SMC § 10.40.060 B1.

**Variances**

Chapter 10.68 (Variances) of the SMC provides guidance in the review of a project’s consistency with the City’s General Plan and Zoning Ordinance. The specific purpose of this Title is to establish procedures that:

- A) Provide relief from the strict application of the zoning ordinance when special circumstances apply to the property, including size, shape, topography, location or surroundings and the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning district; and
- B) To ensure conditions are applied so that the adjustment authorized does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zoning district in which such property is situated.

Four Variance Permits are proposed as illustrated in the “code compliance” tables of this staff report and more specifically illustrated below:

**333 Johnson Street (Fire Station)**

	<b>Existing</b>	<b>Code</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Parking Spaces:</b>	3 parking stalls	<b>29 stalls</b>	0 parking stalls	<b>No</b>

**29 Caledonia Street (Police Station)**

	<b>Existing</b>	<b>Code</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Setbacks:</b>				
<b>Rear Yard:</b>	2 ft.	<b>20 ft.</b>	7 ft.	<b>No</b>
<b>South Side Yard:</b>	9 ft.	<b>20 ft.</b>	14 ft.	<b>No</b>
<b>Parking Spaces:</b>	0 parking stalls	<b>21 stalls</b>	0 parking stalls	<b>No</b>

The Planning Commission may approve or conditionally approve a Variance only if the following findings can be made pursuant to SMC § 10.68.050:

- A. There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use of the property, that do not apply generally to other property or uses in the same district;
- B. Owing to such exceptional or extraordinary circumstances the literal enforcement of the provisions of the Title would result in practical difficulty or unnecessary hardship;

- C. Such Variance is necessary for the preservation of a substantial property right of the petitioner, possessed by other property in the same district;
- D. The granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity or in the district in which the subject property is located;
- E. The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district;
- F. The granting of such Variance will be in harmony with the general purpose and intent of this Title and the General Plan.

Staff has reviewed the above mentioned findings in the review of the proposed Variance Permit requests which are discussed in greater detail below.

*Parking* – The minimum number of off-street parking spaces required for new uses shall be based upon the type of land use, as specified in Table 10.40-1 (Parking Requirements) of the SMC. Although this section identifies many types of uses, it does not specifically identify Fire and Police Station uses. In determining the “Code” required parking for the proposed project, staff applied the parking standard for Government Office and Facilities that equals one parking stall per 400 square feet of building area. The application of this parking standard as it pertains to the proposed project is inappropriate in several respects because 1) it is intended to address “office” type of uses rather than employee based uses, 2) it does not take into account the design constraints of public safety facilities such as the number of Fire Station bedrooms or the number of Police Station desks, 3) it does not take into account the location of the existing facilities in the Caledonia neighborhood where the majority of uses do not provide code conforming off-street parking, and 4) it ignores the fact that the uses have existed on their respective sites, absent of off-street parking, for many years. The strict application of the zoning ordinance would therefore deprive the properties of privileges shared by other properties in the neighborhood.

In terms of other properties with land use classifications of Public Institution (PI), there are few to no properties to use as comparisons especially those that have experienced total reconstruction. The Civic Center/Library is the only other comparable public building in the immediate vicinity that equally does not satisfy its off-street parking obligation. The Civic Center/Library provides 50 off-street parking stalls within its west parking lot. Using the City’s off-street parking requirements of one parking stall per 400 square feet, the building should be no larger than 20,000 square feet. The City’s records reveal that the Civic Center/Library building is approximately 30,128 square feet which would require more than 75 stalls. Understanding that there are existing buildings within the same zone district that do not comply with the City’s parking standards, it is fair to find that the strict application of the zoning ordinance would deprive the Police and Fire Station properties of privileges shared by other properties in the same zone district.

Although staff is able to recommend the necessary findings to support the parking Variance Permit requests, the project does propose to satisfy its parking obligation at off site locations and within the public right-of-way in the following manner:

#### POLICE

- 12 stalls – Personal parking stalls at peak hours that will allow for shift changes.
- 10 stalls – Spaces dedicated at the Police Building Site for 5 patrol vehicles, 3 unmarked vehicles for 2 PEOs broken down as follows:
  - 7 spaces on Caledonia (2 @ 24 hours and 5 @ 7 a.m. to 7 p.m.)
  - 3 spaces on Johnson (3 @ 24 hours)
- 8 stalls – Storage of vehicles when not in use broken down as follows:
  - 3 PEO vehicles
  - 1 VIPs vehicle
  - 1 Jeep
  - 1 Trailer
  - 1 unmarked vehicle
  - 1 patrol car

Personal parking would require 12 stalls located in Parking Lot 4 that will be marked and dedicated for City Employee parking. This location is approximately two blocks (or 450 feet) from the proposed Police Station. Ten (10) stalls would be located on the public streets (seven on Caledonia and three on Johnson Streets) of which five (5) of the stalls would be occupied only between the hours of 7:00 a.m. to 7:00 p.m. and would be appropriately signed to allow public parking at off hours. These stalls would accommodate parking for patrol vehicles, unmarked vehicles and Parking Enforcement Officer (PEO) vehicles. Eight stalls would also be needed for storage of vehicles when not in use with locations at the Sausalito Civic Center and on Humbolt Avenue that is currently used for boat storage.

#### FIRE

- 5 stalls – Personal parking stalls at peak hours
- 1 stalls – Fire Chief parking stall, in front of Fire Station building

Personal parking would require five (5) stalls located in Parking Lot 4 that will be marked and dedicated for City Employee parking. This location is approximately one block (or 250 feet) from the proposed Fire Station. It should be noted that the truck wash area could accommodate the parking of three (3) or more personal vehicles but has not been counted as such since they are unmarked stalls consistent with the existing parking arrangement fronting Caledonia Street. One (1) new parking stall would be provided on Johnson Street, in front of the station where the curb is currently painted red. Although not currently marked, this is the area where the Fire Chief's vehicle typically parks.

## VISITOR

2 stalls – Parking stalls for visitors of the Police and Fire Station buildings as follows:

- 1 handicap stall
- 1 convertible stall to be used for handicap or non-handicap purposes

The above mentioned parking stalls are more appropriately described in an April 2006 parking study prepared by Abrams Associates and is located in Appendix I of the Final Mitigated Negative Declaration.

*Police Station Rear and Side Yard Setbacks* – The Police Station would be rebuilt approximately seven (7) feet from the rear property line where 20 feet is required. A setback of 20 feet is required because the property to the west is zoned Multiple Family (R-3). If the westerly property was zoned for any other use, no setback requirement would apply. The existing former Police Station structure currently maintains a two (2) foot rear yard setback. Although the proposed Police Station building would increase this setback more than threefold, a variance will still be required.

The Police Station would also be rebuilt approximately 14 feet from the interior side yard setback where 20 feet is required. A setback of 20 feet is required because the minimum required setback is 10 feet one the property abuts a property zoned for residential uses plus an additional 10 feet due to the proposed building length of approximately 90 feet. According to SMC § 10.40.070 D, where the length of a building exceeds 40 feet measured parallel to the adjoining side lot line, the minimum setback shall be increased at the rate of one (1) foot for each five (5) feet such length exceeds 40 feet. Because the building is approximately 90 feet long, an extra 10 feet of setback is required along this interior side (90 ft. – 40 ft. = 50 ft./5 ft. = 10 ft.). The existing former Police Station structure currently maintains a nine (9) foot interior side yard setback. Although the proposed Police Station building would increase this setback by approximately five (5) feet, a variance will still be required.

In reviewing the findings identified in SMC § 10.68.050, staff identified the **lot size** and **historical property use** as extraordinary circumstances that apply to this property than to any other properties in the same district. In terms of the **lot size**, there are no properties in the same zone district that are in the 6,000 square foot range. The closest comparison would be the Fire Station building at almost twice the size at 11,519 square feet with the remaining parcel sizes (with PI designations) in the “acres” category. Not only is the parcel small, its rectangular configuration is long and narrow which forces any future development to follow the parcel’s dimensions, resulting in a long and narrow building. Therefore, a reasonably developed structure will ultimately need to incorporate an increased setback due to the parcel’s size and configuration. If the setback was increased to that as prescribed in the SMC, the building’s footprint would be reduced to 3,200 square feet and would create unusable space to the rear and side of the building. In this urban

environment, the resulting building configuration would be uncommon where it is more common to build from property line to property line.

In terms of the **historical use** of the property, a building has existed on the subject property for many years at two (2) feet from the westerly property line and nine (9) feet from the southerly property line. There are several reasons why setbacks exist and the most common reason is that certain uses have the potential to impact other uses so specified distances from property lines are established to minimize perceived impacts from potentially competing land uses. The City has no recorded impacts or land use inconsistencies between the existing development and adjacent residential properties. Because the proposed project would increase the existing rear and interior side yard setbacks and the proposed use would be consistent with the property's historical use, the existing relationship between a public building and the adjacent residential properties would dramatically improve.

### **Compliance with City Codes**

The project architect has attempted to design both structures in full compliance with the Sausalito Municipal Code. The City Council recognizes the importance of setting an example of developing public buildings that comply with the same development standards that the City requires its citizens to incorporate in their projects. It should also be noted, however, that the development of public buildings is different than private developments in that public improvements are intended for the entire public to enjoy while private developments are limited for private uses. Therefore, it is common to allow greater flexibility in the application of Municipal Code standards because the resulting project is intended for the betterment of the public good. This distinction is probably why a City is not legally bound to comply with the requirement of its own Zoning Code. *See Sunny Slope Water Co. v. City of Pasadena, 1 Cal. 2d 87, 98 (1934)*. The exception also flows from the application of Government Code Sections 53090 and 53091. Government Code Section 53091 (a) provides that "each **local agency** shall comply with all applicable building and zoning ordinances of the county or city in which the territory of the local agency is situated." The term "local agency" is defined in Section 53090 and specifically does not include a city. As stated before and as the Commission is aware, the City Council has determined that it wishes to follow the normal process by having the Planning Commission process this project as it would any other project.

### **LOT LINE ADJUSTMENT**

The Subdivision Map Act of the State of California provides the legal framework for the subdivision of land. California Government Code Section 66412 (Map Act Exclusions) provides exemptions from the provisions of the Map Act which include Lot Line Adjustments. The Map Act defines a "Lot Line Adjustment" as an:

“...adjustment between four or fewer existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created, if the lot line adjustment is approved by the local agency, or advisory agency. A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable coastal plan, and zoning and building ordinances. An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, any applicable coastal plan, and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements. No tentative map, parcel map, or final map shall be required as a condition to the approval of a lot line adjustment.”

The Sausalito Municipal Code provides procedures for processing Lot Line Adjustments consistent with State Law and pursuant to SMC Chapter 10.64. SMC § 10.64.020 (Authority) requires the Planning Commission to approve, conditionally approve or deny a Lot Line Adjustment application for any proposal that requires Planning Commission approval for an additional application for the same project. Because the proposal involves a Design Review Permit, Variance, Encroachment Permit and MND approval, the Lot Line Adjustment under the discretion of the Planning Commission.

The project involves the adjustment of lot lines of three parcels on the Fire Station property. Parcel One is approximately 4,452 square feet, Parcel Two is approximately 3,531 square feet and Parcel Three is approximately 3,536 square feet. The proposal would relocate two property lines so that one 11,519 square foot parcel remains. By merging the parcels, the proposed Fire Station building would be located on one parcel instead of the existing situation where the Station straddles three parcels.

Staff is able to recommend approval of the Lot Line Adjustment consistent with findings located in SMC § 10.64.050.

### **ENCROACHMENT PERMIT**

The Police and Fire Station front entrance canopies, metal cornice features, window sills, exterior light fixtures and other minor appurtenances slightly encroach within the public right-of-way. The front entrance canopies have the greatest encroachment at approximately four (4) feet while the metal cornice features, window sills, light fixtures and other similar types of encroachments at six (6) inches or less.

Chapter 10.56 of the Sausalito Municipal Code (Encroachment Review and Agreements) establishes a process to review permanent and/or semi-permanent encroachments onto public lands, easements and rights-of-way. According to SMC § 10.56.030 C, encroachments requiring Planning Commission review and recommendation shall also be subject to Design Review. Because the project has a Design Review component as it pertains to the building developments, no other Design Review Permit application is necessary.

Staff determined that the proposed encroachments are very common within the City where many businesses on Caledonia Street have canopies and other similar types of encroachments within the public right-of-way. Although the proposed front entrance canopies to the Fire and Police Station buildings are more contemporarily designed metal canopies and not fabric awnings, they are relatively similar in design intent and would be consistent with encroachments found in commercial districts. Therefore, staff is able to recommend the findings identified within SMC § 10.56.060.

Curb, gutters, sidewalks, and trees would also be installed within the public right-of-way to which an Encroachment Permit would be required. Staff is also able to support these encroachment and they are more specifically described in the following section.

## **LANDSCAPING AND HARDSCAPING**

Proposed landscape and hardscape surfaces are located on Sheets L1.0 and L2.0 of the submitted plan set. These plans identify the drainage plan (Sheet L1.0) and the site landscape plan (Sheet L2.0). According to the plans, the project would require the complete reconstruction of curbs, gutters and sidewalks fronting each property. Staff has placed a condition in the recommended resolution of approval that will require the sidewalks to incorporate aggregate or similar material consistent with the majority of sidewalks found in City commercial zones.

Various improvements would be incorporated into the sidewalks which include 10 new tree wells with trees, five (5) to be located on Caledonia Street on the Fire Station side and five (5) to be located on the Johnson Street side. Out of these five trees on the Johnson Street side, two (2) would front the Police Station and three (3) would front the Fire Station. An additional tree would be located next to the Police Station building, within a planter bed area and outside the public sidewalk.

The plans anticipate that two (2) street lights, currently located within the existing sidewalks, will be preserved and relocated to two new locations. A condition has been added to the recommended resolution of approval to require the street light standards and lanterns to be preserved to achieve consistency with the existing street lights in the area.



Two (2) palm trees are also proposed within the small plaza areas immediately in front of each building. The palm trees would be located in their respective circular seat wall planters. The palm tree in front of the Fire Station would be located within a plaza of colored concrete pavers. These same pavers will delineate the front entrances to both buildings.

In addition to the proposed landscaping for both properties, the project would require the removal of two (2) mature coast redwood trees and four (4) smaller multi-trunk trees that are of unknown species. The coast redwood trees are located towards the Caledonia side of the Fire Station building and the unknown tree species are located along the Fire Station's most easterly property line. Sausalito Municipal Code § 11.12.030 outlines the procedures for removal of protected trees. Although the coast redwood trees appear healthy and vibrant specimens, they are not considered "protected trees" and are considered "undesirable trees" under SMC § 11.12.020 (O)(5). Therefore, the removal of the trees would be consistent with the City's policies and Municipal Code standards.

The small multi-trunk trees are considered protected trees and will require Planning Commission approval for removal. No arborist report was submitted for the trees due to their small size and location. Should the Planning Commission request the trees be preserved, they probably could without jeopardizing the location of the proposed improvements. However, the amount of proposed landscaping surrounding both buildings and the planting of 13 new trees would far outweigh the significance of removing these four (4) small trees.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The City hired an environmental consulting firm, Pacific Municipal Consultants (PMC), at the City Council's October 18, 2005 meeting. The purpose of PMC's involvement is to facilitate the preparation of the necessary environmental documents to analyze the potential environmental impacts associated with the project. The completed draft Mitigated Negative Declaration (MND) was circulated for public comment on January 30, 2006. The public comment period extended 30 days and ended March 1, 2006. Within the public noticing period, the Planning Commission conducted two (2) public meetings to solicit input on the draft MND which were heard on February 13 and February 22, 2006. The City received approximately nine (9) comment letters to which responses have been provided within the Final MND.

Modifications to the Final MND are explained within the response to comments section of the document and are included within the document itself in strikeout and underline format. The most noticeable change to the document is the inclusion of General Plan discussion.

Phases in the Environmental Review Process – The implementation of the California Environmental Quality Act (CEQA) entails three separate phases:

1. The first phase consists of preliminary review of a project to determine whether it is subject to CEQA.
2. If the project is subject to CEQA, the second phase involves the preparation of an Initial Study to determine whether the project may have a significant environmental effect.
3. The third phase involves the preparation of an Environmental Impact Report (EIR) if the project may have a significant environmental effect or of a Negative Declaration or Mitigated Negative Declaration if no significant effects will occur.

Phase 1 – The first phase is to determine if the proposed project is subject to CEQA. CEQA applies to an activity that a) involves the exercise of an agency’s discretionary powers, b) has the potential to result in a direct or reasonably foreseeable indirect physical change in the environment, and c) falls within the definition of a “project” as defined in CEQA Guidelines § 15060. **City staff and PMC reviewed the proposal and determined that the project is subject to CEQA.**

Phase 2 – The second phase involves the preparation of an Initial Study. An Initial Study is a preliminary analysis to determine whether an Environmental Impact Report or a Negative Declaration (or Mitigated Negative Declaration) is needed. If the Initial Study concludes that the proposed project may have a significant effect on the environment that cannot be mitigated, an Environmental Impact Report should be prepared. If potentially significant impacts are identified that can be mitigated, then a Negative Declaration can be prepared, with mitigation measures built into the project, or a Mitigated Negative Declaration can be prepared with additional mitigation measures conditioned as part of the project’s approval to reduce the potentially significant impacts to levels of insignificance. CEQA Guidelines § 15063(b)(1).

To facilitate the Commission’s determination whether “effects” are potentially significant, the Commission should focus on scientific and factual data. Unfortunately, CEQA does not provide a definitive definition of what constitutes a “significant effect.” However, CEQA Guidelines § 15358 generally defines a “significant effect” as a substantial or potentially substantial adverse change in the physical environment. **City staff and PMC determined, through the preparation of the Initial Study, that there were no potentially significant effects that could not be mitigated to a level of insignificance. Therefore, a Mitigated Negative Declaration should be prepared.**

Phase 3 – A Mitigated Negative Declaration is a written statement, briefly explaining why a proposed project will not have a significant environmental effect and includes

a copy of the Initial Study justifying this finding. Also included within the document are mitigation measures to avoid potentially significant effects. **City staff and PMC determined that all potentially significant effects can be reduced to levels of insignificance and, therefore, prepared a Mitigated Negative Declaration for the project.**

Draft MND Review – According to the California Environmental Quality Act (CEQA) Guidelines § 15201, the public's participation is an essential part of the CEQA process. Public agencies are encouraged to adopt provisions in its CEQA process for wide public involvement, formal and informal, consistent with its existing activities and procedures, in order to receive and evaluate public reactions to environmental issues related to the City's activities. Although the City does not have formalized CEQA procedures, the Community Development Department suggested, with City Council support, to hold two (2) public meetings before the Planning Commission that would provide opportunity for the public to comment on the draft environmental document prior to reviewing the overall project. These public meetings occurred on February 13 and 22, 2006.

When the Planning Commission reviewed the draft MND, they focused their review on the project's potential environmental effects. Although members of the public were free to comment on any aspect of the project when reviewing the draft MND, the public appeared to focus on the proposed finding that the project would or would not have a significant effect on the environment. CEQA Guidelines § 15204 (b). If persons believe that the project may have a significant effect, they should:

1. Identify the specific effect;
2. Explain why they believe the effect would occur, and;
3. Explain why they believe the effect would be significant.

Pursuant to CEQA Guidelines § 15064, an effect shall not be considered significant in the absence of substantial evidence. Individuals expressed a variety of opinions on the draft document and these comments are included within the Final MND and will be briefly discussed later in this section of the staff report.

#### Potentially Affected Environmentally Factors

The Final MND has identified several factors that may be potentially affected by the subject project which include aesthetics, air quality, biological resources, cultural resources, geology/soils, hazards and hazardous materials, hydrology/water quality and noise. These factors and their respective pertinent issues are discussed and analyzed within the environmental document. The staff report briefly discusses these factors and identifies recommended mitigation measures for ease of reading. The more specific language can be found in the MND document and the attached

Mitigation Monitoring and Reporting Program (MMRP) immediately following the Response to Comments section.

*Aesthetics* – The aesthetics section focuses on the projects' ability to create substantial adverse effects on a scenic vista, damage scenic resources, degrade the existing visual character of the site and its surroundings, and create new sources of substantial light or glare. The draft MND concluded that the project could potentially involve significant effects unless mitigation was incorporated. Recommended mitigation measures include MM BIO – 1 (Tree Removal Permit), MM BIO – 2 (an arborist to review the landscape plan), MM CR – 1 (photo documentation of the Police Station brick façade for historical purposes), MM AST -1 (submittal of a detailed lighting plan) and MM AST -2 (lighting design to be sensitive to neighboring properties).

*Air Quality* – The air quality section focuses on the projects' ability to violate any air quality standard, result in a net increase of any criteria pollutant, result in significant construction-related air quality impacts, expose sensitive receptors to substantial pollutant concentrations and create objectionable odors affecting a substantial number of people. The draft MND concluded that the project could potentially involve significant effects unless mitigation was incorporated. Recommended mitigation measures include MM AQ – 1 (short-term construction/demolition measures aimed at minimize particulates out of the air) and MM HAZ – 4 (air monitoring during construction/demolition).

*Biological Resources* – The biological resources section focuses on the projects' ability to have a substantial adverse effect on species identified by Fish and Game and the Wildlife service, effect any riparian habitat, effect a federally protected wetland, effect the movement of migratory fish or wildlife, conflict with tree preservation policies, and conflict with a habitat conservation plan. The draft MND concluded that the project could potentially involve significant effects unless mitigation was incorporated. Recommended mitigation measures include MM BIO – 1 (Tree Removal Permit), MM BIO – 2 (an arborist to review the landscape plan)

*Cultural Resources* – The cultural resources section focuses on the projects' ability to have a substantial adverse change in the significance of a historical resource, cause substantial adverse change in the significance of an archaeological resource, destroy a unique paleontological resource, or disturb human remains. The draft MND concluded that the project could potentially involve significant effects unless mitigation was incorporated. Recommended mitigation measures include MM CR – 1 (photo documentation of the Police Station brick façade), MM CR – 2 (cultural resource monitor to be present during excavation/grading operations), and MM CR – 3 (cease of all construction if archaeological or paleontological are discovered with further analysis as related to the find).

*Geology and Soils* – The geology and soils section focuses on the projects' ability to expose people or structures to known earthquake faults, strong seismic ground shaking, seismic-related ground failure, landslides, result in soil erosion, locate a project on unstable soils, be located on expansive soils, and have soils incapable of supporting septic tanks or wastewater disposal systems. The draft MND concluded that the project could potentially involve significant effects unless mitigation was incorporated. Recommended mitigation measures include MM GEO – 1 (design of foundation footings), MM GEO – 2 (temporary buttressing portions of the existing retaining walls during construction and demolition), and MM GEO – 3 (monitoring of the privately owned retaining walls during construction and demolition).

*Hazards and Hazardous Materials* – The hazards and hazardous materials section focuses on the projects' ability to create public hazards due to transport of hazardous materials, potential release of hazardous materials, project location on a hazardous materials site, projects located within an airport land use plan, projects located in the vicinity of an airstrip, impair or physically interfere with an adopted emergency response plan, and expose individuals to dangers pertaining to wildlife fires. The draft MND concluded that the project could potentially involve significant effects unless mitigation was incorporated. Recommended mitigation measures include MM HAZ – 1 (disposal of all asbestos materials), MM HAZ – 2 (disposal of all PCB-containing light fixtures), MM HAZ – 3 (disposal of all mercury containing thermostats), MM HAZ – 4 (area air monitoring), MM HAZ – 5 (continue soil sampling to determine if soils contain contaminants and appropriately dispose of contaminated soils if found), MM HAZ – 6 (applicant/contractor to obtain environmental insurance policies), MM HAZ – 7 (contractor to have foundation excavation training if hazardous soil materials are found).

*Hydrology and Water Quality* – The hydrology and water quality section focuses on the projects' ability to violate water quality standards or waste discharge requirements, substantially deplete ground water supplies, substantially alter existing drainage patterns that result in erosion, substantially alter existing drainage patterns that result in increased water runoff and flooding, result in water runoff that exceeds capacities, degrade water quality, place housing within a 100-year flood zone, place within a 100-year flood hazard zone or redirect flood flows, expose people or structures to risk as a result of levee or dam failures, cause risks due to inundation by seiche, tsunami or mudflows. The draft MND concluded that the project could potentially involve significant effects unless mitigation was incorporated. Recommended mitigation measures include MM HYD – 1 (submittal of final grading plans for compliance with City drainage standards) and MM HYD – 2 (preparation of a storm water pollution prevention plan).

*Noise* – The noise section focuses on the projects' ability to expose persons to noise levels in excess of local standards, expose persons to ground borne vibration or noise levels, substantially increase ambient noise levels, cause substantial

temporary noise above levels existing without the project, expose persons to noise levels within an airport land use plan area, and expose persons residing in the project or working on the project next to a private airstrip. The draft MND concluded that the project could potentially involve significant effects unless mitigation was incorporated. The recommended mitigation measure includes MM NO – 1 (limit construction hours consistent with City standards).

### **GENERAL PLAN CONSISTENCY**

The Planning Commission must examine the proposal for consistency with the General Plan. The following General Plan objectives and policies that are most relevant to this request are provided below. Staff has responded to the policies within the Final MND and more appropriately within the attached Findings of approval:

***Objective CD 1.0: Scale and Architectural Diversity*** – *Strive to retain the village like quality of Sausalito by respecting the City's existing scale and promoting diverse architecture that is in harmony with neighboring structures.*

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.

***Policy CD 3.1: Private Views*** – *Locate and design new and significantly remodeled structures and landscape improvements so as to minimize the interference with primary views from structures on neighboring properties. Some minor loss of view may be consistent with this policy if necessary to protect a property right.*

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.

***Policy EQ – 3.11: Air Quality.*** *Strive to achieve Federal and State air quality standards by managing locally generated pollutants.*

The proposed project would be consistent with the General Plan policies as no Federal or State air quality standards would be violated. Mitigation measures have been included to address short-term construction related impacts.

***Policy EQ – 3.11.2: Circulation and Parking Element Programs.*** Implement those programs identified in the Circulation and Parking Element which could reduce vehicular emissions.

The project would incorporate program policies to reduce vehicular emissions where feasible.

***Program 3.2.3: Tree Ordinance Modification.*** Review and modify the Tree Ordinance to assure continued review and protection of appropriate vegetation.

Trees and shrubs on city-owned properties are considered protected trees pursuant to SMC § 11.12.020, with the exception of certain trees such as coast redwoods that are considered undesirable. These trees are proposed for removal, one large stone pine would be preserved and the project would introduce 13 new trees on the site. Four (4) smaller multi-trunk trees that are considered protected are proposed for removal but could be preserved should the Planning Commission desire. Because the project proposed 13 new trees for the site, their removal would not be considered significant.

***Policy CD – 1.4: Construction near Historic Districts or Landmarks.*** Enhance the historic quality of established districts and landmark structures by encouraging new construction or alterations to existing structures in the general vicinity to demonstrate compatibility with them.

The City's Historical Landmarks Board determined the historical status of both the Fire and Police Stations in 2001. The Board determined that both Stations had been modified several times, removing the historical value of the Fire Station building and a majority of the historical value of the Police Station building. Therefore, they found the demolition of both buildings as insignificant.

***Policy CD – 7.1: Landscape Plans.*** Continue to require landscape plans for new construction and major modifications of existing structures and site improvements.

The proposed project incorporates a comprehensive landscape and hardscape plan consisting of various public improvements within the public right-of-way and 13 street trees to complement the project and surroundings.

***Policy HS – 1.2: Other Geologic Hazards.*** Require that all geologic hazards be adequately addressed and mitigated through project development.

The project incorporates mitigation measures to address potential seismic and structural issues. Temporary shoring of a retaining wall adjacent to the Police Station property is one measure that will be incorporated to address geologic hazards.

**Policy LU – 1.1.2: Community Design Policies.** *Review all proposed development in accordance with City design policies and background discussed in the Community Design Element.*

The City's design review policies located within the Community Design Element as implemented through the Design Review section of the Sausalito Municipal Code have been followed.

**Policy LU – 2.10.4: Street Level Uses.** *Amend the zoning ordinance to require that commercial parcels locate local/resident serving retail and service/office outlets at the street level with preference being given to retail uses.*

The Police and Fire Station uses provide a service use to the City and especially the Caledonia area and are located at ground level.

**Policy LU – 7.3: Adequacy of Services.** *Strive to achieve and maintain a high level of service for police, fire, the library, and parks.*

The existing facilities are in disrepair and have outlived their life expectancy. The proposed project addresses this issue and the need to create new public safety facilities for the next 50 to 100 years.

**Policy HS – 3.1: Noise Guidelines.** *Establish noise level guidelines to direct the siting, design and insulation of new residential, commercial and industrial development.*

Short-term noise levels will be addressed through the mitigation measures of the Final MND.

**Program HS – 3.1.4: Environmental and Design Review Assessment of Noise.** *Identify conditions which should be mitigated to achieve desired noise levels specified in the Background section of this element through environmental and development review.*

Short-term noise levels will be addressed through the mitigation measures of the Final MND.

**Policy LU – 1.8: Traffic Impacts.** *Consider the impact of traffic on the City street system in locating development in all residential zoning districts.*

The City retained Abrams Associates to prepare a Parking Impact Study for the proposed project. That study concluded that the project would not result in significant traffic or parking impacts.



***Policy LU – 2.11: Caledonia Street Parking.*** *Develop new parking approaches and other infrastructure modification to support the residential and commercial activities in the Caledonia Street area without excessive impairment to the quality of life of New Town residents.*

The City retained Abrams Associates to prepare a Parking Impact Study for the proposed project. That study concluded that the project would not result in significant traffic or parking impacts.

### **PUBLIC NOTICE AND FEEDBACK**

**Notice:** Ten (10) days prior to the hearing date, notice of this proposal was posted on site, colored rendering drawings with a date and time of the project was posted on the Fire Station building fourteen (14) days prior to the hearing date, a display advertisement/notice was included in a newspaper of general circulation (the Independent Journal), a small article was included in the May 2<sup>nd</sup> issue of the Marin Scope, a legal notice was included in the May 9<sup>th</sup> issue of the Marin Scope, the notice was mailed to residents and property owners within 300 feet of the subject parcel and the notice was mailed to the various citizen committees and interested persons requesting such notice.

**Written Feedback:** As of this writing of the staff report, one letter was received by the Design Committee expressing concern with the project's design. This letter is attached as Exhibit C.

### **STAFF CONCLUSIONS**

**General Plan:** The project appears to conform to the goals, policies and programs established in the General Plan.

**Recommendation:** Staff recommends adoption of the attached Resolution, thereby approving Project No. DR/VA/EP/LLA/MND 05-054 subject to the attached conditions.

### **ACTION OPTIONS**

1. Approve the project as presented, with modification to recommended conditions of approval.

2. Continue the matter to allow staff to return to address outstanding issues raised by the Planning Commission.
3. Continue the matter to allow staff to return with a Resolution to deny the project as directed.

### **ATTACHMENTS**

1. Exhibit A – Resolution No.
2. Exhibit B – Story pole certification
3. Exhibit C – May 8, 2006 letter from the Design Committee
4. Exhibit D – Final MND, previously distributed