STAFF REPORT
SAUSALITO PLANNING COMMISSION/HISTORIC LANDMARKS BOARD

Project	**Barcelino/755 Bridgeway** **Design Review Permit/Sign Permit/Encroachment Agreement** **DR/SP/EA 14-030**
Meeting Date	April 30, 2014 (Continued from February 26, 2014)
Staff	William Card, Contract Planner

REQUESTS

Approval of a **Design Review Permit** and **Sign Permit** to allow for a new awning with identification signage for the Barcelino store on the building located in the Downtown Historic Overlay Zoning District at 755 Bridgeway (APN 065-071-024); and a Planning Commission recommendation for City Council approval of an **Encroachment Agreement** to allow an awning and signage to encroach into the Bridgeway public right-of-way.

PROJECT INFORMATION

Applicant	Barcelino
Owner	Ken Nadjibi
Location/Parcel Size	755 Bridgeway; APN 065-071-024 4,048 square feet (see **Exhibit C** for vicinity map)
General Plan	Central Commercial
Zoning	Central Commercial (CC) Zoning District Downtown Historic Overlay Zoning District
Authority	Planning Commission and HLB review and approval of a Design Review Permit for signs and awnings in the Downtown Historic Overlay District is required per Sections 10.54.050.B.12 and 10.46.060.B. Planning Commission and HLB review and approval of a Sign Permit for signs and awnings in the Downtown Historic Overlay District is required per Section 10.42.090.A. Planning Commission review and recommendation for an Encroachment Agreement for an awning with signage encroaching into the public right-of-way is required per Section 10.56.030.B. Planning Commission review and approval of a Design Review Permit for an Encroachment Agreement is required per Section 10.54.050.B.14.
CEQA	The project consists of a minor alteration to an existing commercial building, thus the project is determined to be categorically exempt pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines. Section 15301 specifically provides an exemption for the repair, maintenance, or minor alteration of existing private structures.

HISTORIC LANDMARKS BOARD AND PLANNING COMMISSION

Since the project is located in the Downtown Historic Overlay Zoning District, the Design Review Permit and Sign Permit is under the authority of both the Planning Commission and the Historic Landmarks Board (HLB), and a joint hearing is required to review and act upon the Design Review Permit and Sign Permit. As stated in Section 10.46.060, both the Planning Commission and the HLB have authority to review the Design Review Permit and Sign Permit, and must favorably make the findings listed in Section 10.54.050.D to approve the Design Review Permit and Sign Permit. In addition, the Planning Commission is being requested to provide a recommendation to the City Council for an encroachment agreement to allow the sign and awning to encroach over the Bridgeway public right-of-way. The Historic Landmarks Board conducted a noticed on-site public hearing to review the proposed project on April 18, 2014. Three HLB members were present at the on-site hearing.

PROJECT DESCRIPTION

The project site is a 4,048 square foot lot located on the west side of Bridgeway within the Central Commercial Zoning District and the Downtown Historic Overlay Zoning District. The property contains two buildings, a three-story Victorian constructed in 1887 and the subject building, a two-story, 3,200 square foot structure built in 1899. The surrounding land uses consist of mixed-use commercial and visitor serving uses.

PROJECT DESCRIPTION

The proposed project consists of the following as shown in **Exhibit D**:

- ✓ Installation of a 5 foot deep by 22½ foot long, fixed, steel framed awning made of a teal-colored acrylic fabric. The awning will stretch across the entire store frontage and have the business name "Barcelino" painted in four locations on the awning with a maximum letter height of 7 inches and a sign area of 0.55 feet each, for a total sign area of 2.2 square feet.
- ✓ Installation of a new wall sign centered above the awning with a maximum letter height of 20 inches and a sign area of 4.2 square feet. The sign will be non-illuminated and constructed of metallic bronze colored acrylic plastic.
- ✓ Installation of two new window signs with a maximum letter height of 5.625 inches and a sign area of 0.4 square feet for a total sign area of 0.8 square feet.

Total sign area will be 7.2 square feet and no new exterior lighting or landscaping is proposed.

PROJECT ANALYSIS

General Plan Consistency

To approve the proposed project the Planning Commission and HLB must determine that the project is consistent with all applicable General Plan policies. The site is located in an area designated as Central Commercial by the General Plan. The following policies and objective relevant to the project are as follows:

- ✓ *Policy LU-2.0 Promote and Enhance Commercial Economic Diversity. Promote and enhance economic viability of all commercial areas throughout the City, while continuing to recognize residential needs, by establishing distinct commercial districts that preserve the variety of uses serving residents and visitors.*

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

The project consists of design elements, such as an awning and signage, which will not alter any important design characteristics or character defining features associated with building located in the

Downtown Historic District. Therefore, staff suggests the project will neither significantly alter the appearance on the building, nor have a permanent adverse impact on the historical character of the Central Commercial General Plan land use designated area. Additionally, the project is designed to support a new retail business and the enhancement of the building will attract customers and promote the establishment's economic viability as a local business that serves local residents, visitors, and employees in Sausalito.

Zoning Consistency
The project, as proposed, is consistent with the Site Development Standards for the Central Commercial (CC) Zoning District. The project does not propose to expand or otherwise alter the existing structure beyond the awning and signage as discussed in the *Project Description* section of the Staff Report.

Historic Overlay Zoning District Consistency
To approve the proposed project the Planning Commission and HLB must determine that the project is consistent with all applicable Overlay District regulations. The site is located in the Downtown Historic District Overlay Zone. Staff concludes that the project is consistent with the purpose and intent of the Downtown Historic Overlay Zoning District (Section 10.28.040.A) as described in the findings listed in the Resolution (see **Exhibit A**).

Design Review Permit
In order to approve or conditionally approve the Design Review Permit, the Planning Commission and HLB must determine that the project is in conformance with the findings listed in Sections 10.54.050 (Design Review Findings) of the Zoning Ordinance, which includes the Historic Design Guidelines.

The Awnings and Canopies, Chapter 3, Section G, pg. 55 (Policies 3.15 and 3.17) of the Historic Design Guidelines is relevant to the project.

The Historic Design Guidelines provide guidance to ensure that the changes to the Downtown Historic Overlay Zoning District's built environment will be sensitive to the area's historical legacy. Upon review of the Historic Design Guidelines as it relates to the project, the project appears to be consistent with the Awnings/Canopies guidelines.

Sign and Awning Permit
Signs and Awnings located within the Downtown Historic Overlay Zoning District are subject to the regulations as specified in Chapter 10.42 of the Zoning Ordinance. Awnings shall comply with the following:

1. The bottom of the awning shall be a minimum of 8 feet above the ground surface when projecting over a public walkway.
2. Awnings shall project no more than five feet into the public right-of-way and no closer than 2 feet to the face of curb.

The proposed awning complies with these two standards and does not encroach onto the adjacent properties.

The proposed signage includes a wall sign, four awning signs and two window signs on either side of the door (see **Exhibit D**). Based on the 25 foot width of the storefront and a maximum sign area of 0.5 square feet for every linear foot of frontage, the total sign area permitted is 12.5 square feet. In addition, the new signage *should* adhere to the following general design regulations:

1. Wall Sign – Identify tenant name only; Maximum projection from building face – 4 inches; Materials consisting of wood, metal, stone, glass; Maximum letter height – 12 inches.
2. Awning Sign – Maximum letter height – 8 inches; Signage allowed on each end the of awning.

3. Window Sign – Maximum lettering height of eight (8) inches; Limited to name of business, address, phone number; Sign area not to exceed 10% of ground floor window.

Based on staff's review of the sign plans, the total sign area proposed is less than 50% of the maximum permitted and the lettering size and sign area on the window and awning signs is below the maximum permitted. However, the 20-inch high lettering on the wall sign exceeds the 12-inch maximum letter height and the total number of signs appears excessive and redundant. As for the acrylic plastic, although it is not one of the recommended materials for historic district signs, the material is durable and is designed to look similar to a metal sign.

Therefore, in order to approve the signage, staff recommends the following:

- ✓ Allow one sign at each end of the awning;
- ✓ Remove the two signs on the street face of the awning;
- ✓ Reduce the wall sign lettering to the 12 inch maximum permitted; and
- ✓ Allow the two new window signs.

Staff concludes that as conditioned, the project is consistent with development in the Downtown Historic Overlay District and that findings can be made to approve the Design Review Permit and Sign Permit, as summarized in the following and in the findings listed in the draft Resolution (see Attachment 1 of **Exhibit A,** Resolution).

Encroachment Agreement

Pursuant to Section 10.56.010, the purpose of the Encroachment Agreement is to provide "an opportunity to review permanent and/or semi-permanent encroachments onto public lands, easements, and rights-of-way of the City." In order to recommend City Council approval of the encroachment agreement, the Planning Commission must determine that the proposed project is in conformance with the encroachment agreement findings listed in Section 10.56.060 of the Zoning Ordinance.

The Planning Commission's past practice has been to recommend approval of Encroachment Agreements for projects which will provide a benefit to the project site and the community as a whole. In reviewing the project, the Planning Commission must determine whether the following findings can be achieved:

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.

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

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

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

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.

Based on similar Encroachment Agreements which have been approved to allow awnings and projecting signs to encroach into the Bridgeway public right-of-way within the Downtown Historic Overlay Zoning District, staff suggests the findings can be favorably made as listed in **Exhibit B**.

PUBLIC NOTICE AND CORRESPONDENCE

On February 14, 2014, public hearing notices were mailed to all property owners and occupants within 300 feet of the project site. As of the writing of the staff report, the City has not received any public comments.

RECOMMENDATIONS

Staff recommends the Planning Commission and HLB take the following actions:

- Planning Commission and Historic Landmarks Board approve the attached draft resolution (**Exhibit A**) which approves a Design Review Permit and the Sign Permit to allow for a new fixed awning and identification signage
- Planning Commission approve the attached draft resolution (**Exhibit B**) which recommends City Council approval of an Encroachment Agreement to allow the wall sign and awning to encroach into the Bridgeway public right-of-way.

Alternatively, the Planning Commission and Historic Landmarks Board may:

- Continue the hearing for additional information and/or project revisions; or
- Direct staff to prepare resolutions for denial of the Design Review Permit and a Sign and Awning Permit, and/or the Encroachment Agreement.

EXHIBITS

A. DRAFT Resolution – Design Review Permit and Sign Permit
B. DRAFT Resolution – Encroachment Agreement
C. Vicinity Map
D. Awning and Signage Plans date stamped Received February 10, 2014 City of Sausalito Community Development

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PLANNING COMMISSION AND HISTORIC LANDMARKS BOARD
RESOLUTION NO. 2014- _____

A RESOLUTION APPROVING A DESIGN REVIEW PERMIT AND SIGN PERMIT FOR AN AWNING AND IDENTIFICATION SIGNAGE FOR THE BARCELINO STORE AT 755 BRIDGEWAY
DR-SP-EA 14-030

WHEREAS, an application has been filed by applicant, Barcelino, requesting Planning Commission and Historic Landmarks Board approval of a Design Review Permit and Sign Permit for a new awning with identification signage, two window signs, and one, non-illuminated "Barcelino" wall sign above the awning for the Barcelino store at located at 755 Bridgeway (APN 065-071-024); and

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

WHEREAS, the Planning Commission and the Historic Landmarks Board conducted a duly-noticed public hearing on February 26, 2014 at which time all interested persons were given an opportunity to be heard; and

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

WHEREAS, the Planning Commission and the Historic Landmarks Board public hearing on February 26, 2014 was continued for further review of the project; and

WHEREAS, the historic Landmarks Board held a duly noticed on-site public hearing on April 18, 2014 to consider the project plan at the project location; and

WHEREAS, the Planning Commission and the Historic Landmarks Board have reviewed and considered the project plans date-stamped February 10, 2014; and

WHEREAS, the Planning Commission and the Historic Landmarks Board find that the proposed project, as conditioned herein, is consistent with the General Plan and complies with the requirements of the Zoning Ordinance as described in the staff report; and

WHEREAS, approval of the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities, which allows for minor alterations to an existing building.

NOW, THEREFORE, THE PLANNING COMMISSION AND HISTORIC LANDMARKS BOARD HEREBY RESOLVE AS FOLLOWS:

1. The project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301, Existing Facilities.

2. The Design Review Permit and Sign Permit for a new awning and identification signage for the Barcelino store is approved based upon the findings provided in Attachment 1, and subject to the conditions of approval provided in Attachment 2. The project plans are provided in Attachment 3.

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Planning Commission and Historic Landmarks Board on the ___ day of April 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Jeremy Graves, AICP
Secretary to the Planning Commission

AYES:
NOES:
ABSENT:
ABSTAIN:

John McCoy
Secretary to the Historic Landmarks Board

Attachments:
1- Findings
2- Conditions of Approval
3- Project plans date stamped February 10, 2014

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PLANNING COMMISSION and HISTORIC LANDMARKS BOARD RESOLUTION
APRIL 30, 2014
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ATTACHMENT 1: FINDINGS

DESIGN REVIEW FINDINGS

Pursuant to Zoning Ordinance Section 10.54 (Design Review Procedures), the Planning Commission and Historic Landmarks Board find:

1. The proposed project is consistent with the General Plan, any applicable specific plans, any applicable design guidelines, and this chapter.

   The project is consistent with General Plan policies, including those related to maintaining the historic character of the downtown, as well as the Historic Design Guidelines.

2. The proposed architecture and site design complements the surrounding neighborhood and/or district by either: a) Maintaining the prevailing design character of the neighborhood and/or district or b) Introducing a distinctive and creative solution which takes advantage of the unique characteristics of the site and contributes to the design diversity of Sausalito.

   The project will positively contribute to the Downtown Historic Overlay Zoning District by enhancing the existing building by introducing a distinctive design elements to the façade of the building while maintaining and complementing the prevailing design theme of the neighborhood. The project as conditioned will further complement the Downtown Historic Overlay Zoning District by maintaining and complementing the prevailing design theme of muted and limited signage.

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

   The project consists of installing an awning and signage that are of a similar projection as those on surrounding businesses and the new awning is compatible with the general scale of the existing commercial building.

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

   The project, which includes the replacement of an awning with signage, will not obstruct public or private views.

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

   The proposed project is not located on a ridgeline to create such impacts.

6. 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 project does not include landscaping, therefore this finding is non-applicable.

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

   The project will not adversely affect the design and location of the existing building on the site, and thus will not affect light and air for adjacent properties.

8. Exterior lighting, mechanical equipment, and chimneys are appropriately designed and located to minimize visual, noise and air quality impacts to adjacent properties and the general public.

   The project does not include the installation of new lighting, mechanical equipment or roof projections therefore this finding is non-applicable.

9. 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.

   Based on the existing location and orientation of the building and design elements, the project will not impact privacy to the site or the adjacent properties.

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

    The project is designed to provide adequate access and circulation throughout the site. Furthermore, the project site does not provide any on-site parking, therefore, parking will not be impacted.

11. 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.

    The project consists of the installation of a new awning and signage that will have no impacts on trees or other natural features. In addition, the impacts from construction activities will be minimal due to the scope and scale of the project.

12. The project site is consistent with the guidelines for heightened review for projects which exceed 80% of the maximum allowed Floor Area Ratio and/or site coverage, as specified in subsection E (Heightened [Design] Review Findings).

    The project is not subject to Heightened [Design] Review Requirements as no addition of building coverage or floor area is proposed.

HISTORIC OVERLAY DISTRICT FINDINGS

Pursuant to Sausalito Zoning Ordinance Section 10.46 (Historic Overlay District), the Planning Commission and Historic Landmarks Board find:

1. The proposed new construction or alteration is compatible with the architectural and historical features of the structure and/or district.

   The awning with signage is consistent with other previously approved awnings and signage in the Downtown Historic District and the design is compatible with the structure.

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

   The proposed exterior changes and signage were reviewed using the Historical Design Guidelines and the improvements maintain the existing character of the building and the surrounding district.

3. The criteria for listing the structure or site on the local register does not apply, or the Historic overlay district will not be affected by the new construction or alterations.

   The impacts from construction will be minimal based on the scale and scope of the project.

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

   The State Historic Building code does not apply.

5. The Secretary of Interior Standards for Treatment of Historic Properties have been used to review and consider the new construction and proposed alterations.

   The awning and signage will not impact any character defining architectural features associated a building located in the Downtown Historic Overlay Zoning District, therefore the Secretary of the Interior Standards for the Treatment of Historic Properties in not applicable.

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

   The awning and signage will better compliment the project site and building by exposing significant character defining architectural features associated with a building located in the Downtown Historic Overlay Zoning District.

7. Findings specified by Chapter 10.54 (Design Review Procedures) can be made.

   The Design Review Findings can be favorably made, as discussed in the findings above.

8. The proposed new construction or alteration will be compatible with and help achieve the purposes of the Historic Overlay District (Chapter 10.28.040.A).

The project will be compatible with the purposes of the Historic Overlay District, as described below.

- To promote the conservation, preservation, and enhancement of the historic or architecturally significant structures and sites that form an important link to Sausalito's past;

  The awning and signage will not impact any character defining features associated with the project site. Specifically, the proposed awning will not substantially cover any significant building features.

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

  The awning and signage does not include the demolition, destruction, alteration, misuse or neglect of any character defining features associated with the project site and building.

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

  The awning and signage will enhance the aesthetics of the structure thereby contributing to the value of the property and the historic district.

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

  As discussed in the Staff Report, the project is found to comply with the regulations and standards outlined in the Zoning Ordinance.

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

  The awning and signage was reviewed and approved by the Historic Landmarks Board at a joint meeting with the Planning Commission.

- To encourage the protection and reuse of structures, sites and areas that provide significant examples of the past or that are landmarks in the history of architecture;

  As discussed previously, the awning and signage will not impact any character defining features associated with the building located within the Downtown Historic Overlay Zoning District.

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

  As discussed previously, the awning and signage will not impact any character defining features associated with the building located within the Downtown Historic Overlay Zoning District. Therefore, no negative or detrimental impacts to the property are anticipated.

- To provide appropriate settings and environments for historic structures.

  The structure is located in the Downtown Historic Overlay Zoning District, which is an appropriate setting for the building.

SIGN PERMIT FINDINGS

In accordance with Zoning Ordinance Section 10.42.090(E) (Sign Permit Findings), the Sign Permit is approved based on the following findings:

1. The proposed sign complies with all applicable provisions of this Title.

   As discussed in the Staff Report dated February 26, 2014, the Planning Commission and the Historic Landmarks Board find the awning and signage as conditioned complies with the requirements of Chapter 10.42.070 of the Zoning Ordinance.

2. The proposed sign is consistent with the applicable sign standards.

   As discussed in the Staff Report, the Planning Commission and the Historic Landmarks Board find that the sign regulations allow for an awning with signage to be installed at the project site.

3. The proposed sign will not adversely impact the public health, safety, or general welfare.

   The Planning Commission and the Historic Landmarks Board find the awning and signage is designed to not adversely impact public health, safety, or general welfare. The awning and signage is also designed to meet minimum clearance height and a building permit will be required prior to installation of the awning to ensure the awning will be installed to code.

4. The proposed color, design, material and location of the proposed sign are compatible with the architectural design of the building.

   The Planning Commission and the Historic Landmarks Board find the color, design, materials, and location of the awning with signage will be compatible with the building located in the Downtown Historic Overlay Zoning District.

5. If the property is located within or near a residential area, the sign is harmonious with the character of the residential neighborhood.

   The subject site is not in a residential area and the sign faces the street and commercial/harbor areas to the east. Therefore, this finding is not applicable.

6. The proposed sign is restrained in character and is no larger than necessary for adequate identification.

   The Planning Commission and the Historic Landmarks Board find that the awning and signage will be complimentary to the aesthetic of the building, the site, and the Downtown Historic Overlay Zoning District and is adequate to identify the site.

7. The proposed sign is consistent with the highest graphic standards and composed of durable and appropriate materials.

The Planning Commission and the Historic Landmarks Board find the awning and signage will be constructed out of high quality materials which are durable and compatible with the aesthetic of the project site.

8. If the proposed sign is for an establishment within a commercial or industrial center, the sign is harmonious with the entire center's signage and has been subject to the commercial or industrial center's Design Review.

   The Planning Commission and the Historic Landmarks Board find the awning and signage is designed to be compatible and harmonious with not only the aesthetic of the project site and the Downtown Historic Overlay District as a whole.

9. If the proposed sign is oriented toward a residential zoning district and is within 50 feet of said district, the signage is necessary for minimum business identification and will not have an adverse aesthetic effect on the residential character of the adjacent residential neighborhood.

   The Planning Commission and the Historic Landmarks Board find the awning and signage is not oriented towards a residential zoning district, in addition to findings that the sign is necessary to serve the project site.

10. Proposed sign serves to primarily identify the business or type of activity being conducted on the same premises, or the product, service or interest being offered for sale or lease on-site.

    The Planning Commission and the Historic Landmarks Board find the awning and signage is necessary to serve the business at the project site.

11. If the property is located within a designated historic district, or is listed on the local register, the proposed sign has been reviewed and approved by the Historic Landmarks Board and complies with the Historic District Sign Guidelines and Section 10.42.070 (Sign and Awning Standards in the Historic Overlay District for Properties Listed on the Local Register).

    The Planning Commission and the Historic Landmarks Board find the awning and signage will be compatible with the architecture of the project site and the Downtown Historic Overlay District as a whole based on the scale, materials, color, and design of the signage.

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ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions of approval apply to the project plans and materials titled date stamped February 10, 2014:

General

1. The following signage is allowed: Awning signage shall be limited to one sign at each end of the awning (the two signs on the street face of the awning shall be removed). The wall sign lettering shall be reduced to a maximum of 12 inches; The two window signs as shown on the plans are allowed. The sign Plan approved is date stamped February 10, 2014.

2. Upon building permit submittal, the Conditions of Approval shall be shown on all construction drawings.

3. Upon building permit submittal, the applicant shall provide a written response demonstrating compliance with each Condition of Approval.

4. Upon building permit submittal, the applicant shall provide electronic copies and paper copies of the approved colors and materials board(s), including but not limited to all manufacturers' information related to materials, specifications, and cut sheets for all exterior lighting fixtures.

5. 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.

6. The applicant shall indemnify the City for any and all costs, including without limitation attorneys' fees, in defending this project or any portion of this project and shall reimburse the City for any costs incurred by the City's defense of the approval of the project.

7. Prior to issuance of a construction permit, a construction staging plan and construction schedule shall be submitted for review and approval of the City Engineer or designee.

8. The placement of the construction materials, debris boxes, equipment, and vehicles shall be subject to review and approval by the City Engineer, 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.

9. For any damage to existing public improvements due to construction activities, Developer shall repair, at their expense, damage prior to issuance of a Certificate of Occupancy. Contractor must protect all existing and new improvements.

10. 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 Director as a modification to this approval.

11. Prior to installation of the awning, an Encroachment Agreement shall be obtained from the City Council.

Advisory Notes

Advisory notes are provided to inform the applicant of Sausalito Municipal Code requirements, and requirements imposed by other agencies. These requirements include, but are not limited to, the items listed below.

1. This approval will expire in two (2) years from the effective date of this resolution if the property owner has not exercised the entitlements hereby granted, or an extension has not been filed prior to the expiration date.

2. An approval granted by the Planning Commission does not constitute a building permit or authorization for construction. Appropriate construction permit(s) issued by the Building Division must be obtained prior to construction.

3. All applicable City fees as established by City Council resolutions and ordinances shall be paid. Third party review fees (cost plus 10%) shall be paid.

4. An encroachment permit shall be obtained from the Department of Public Works prior to use of the public right-of-way for non-public purposes (e.g., materials storage, debris box storage) including any and all construction and demolition activities.

5. Pursuant to Municipal Code Chapter 8.54, applicants shall submit a Recycling Management Plan to the Community Development Department prior to the issuance of any construction permits, unless the requirement is waived pursuant to Section 8.54.050.

6. Pursuant to Municipal Code Chapter 11.17, dumping of residues from washing of painting tools, concrete trucks and pumps, rock, sand, dirt, agricultural waste, or any other materials discharged into the City storm drain system that is not composed entirely of storm water is prohibited. Liability for any such discharge shall be the responsibility of person(s) causing or responsible for the discharge. Violations constitute a misdemeanor in accordance with Section 11.17.060.B.

7. Pursuant to Municipal Code Section 12.16.140, the operation of construction, demolition, excavation, alteration, or repair devices and equipment within all residential zones and areas within a 500 foot radius of residential zones shall only take place during the following hours:
   Weekdays – Between 8:00 a.m. and 6:00 p.m.
   Saturdays – Between 9:00 a.m. and 5:00 p.m.
   Sundays – Prohibited
   City holidays (not including Sundays) – Between 9:00 a.m. and 7:00 p.m.

8. Pursuant to Municipal Code Section 18.12.100, existing sewer service laterals shall be inspected for surface water connections and leakage at the time of remodeling of any building. Deteriorated service laterals shall be repaired prior to approval of the building permit.

9. Permits required by other agencies having jurisdiction within the construction area must be obtained in accordance with the respective agency's regulations.

10. Marin Municipal Water District – (415-945-1400), including landscaping and irrigation regulations;
    Southern Marin Fire Protection District -- (415-388-8182); and
    Bay Conservation and Development Commission – (415-352-3600).

11. Pursuant to Municipal Code Section 10.54.100, construction activities undertaken in accordance with a design review permit shall comply with the construction time limit regulations based upon the project's valuation. Construction projects which are not completed within the time limits are subject to daily penalties.

PLANNING COMMISSION and HISTORIC LANDMARKS BOARD RESOLUTION
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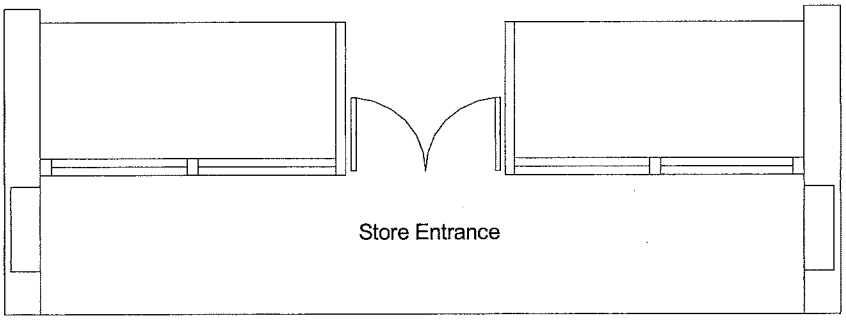
ATTACHMENT 3: PROJECT PLANS

2nd Floor

10' 10-3/4"

Ground Floor

Elevation



Plan

24' 8"

9' 11"

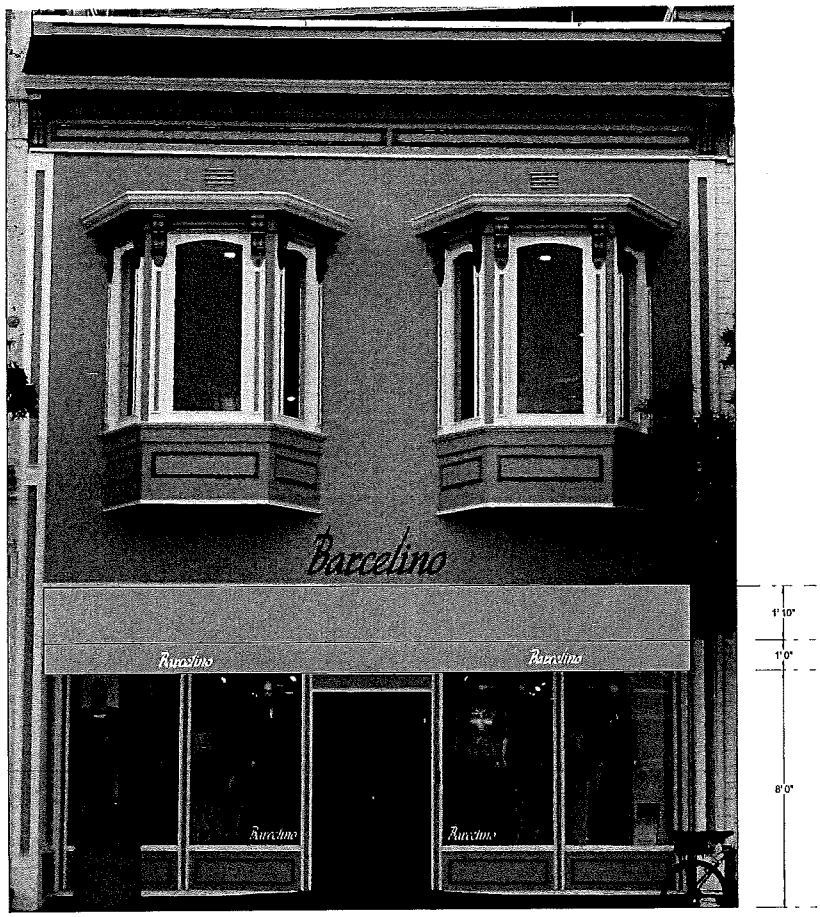
Street curb line

Plan Preparer: Bahram Nazarian, Signature _____
Phone: 415-710-9900, Fax: 415-927-1081
Project Address: 755 Bridgeway, Sausalito, CA 94965

Bridgeway

RECEIVED
FEB 1 0 2014
CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

2nd Floor



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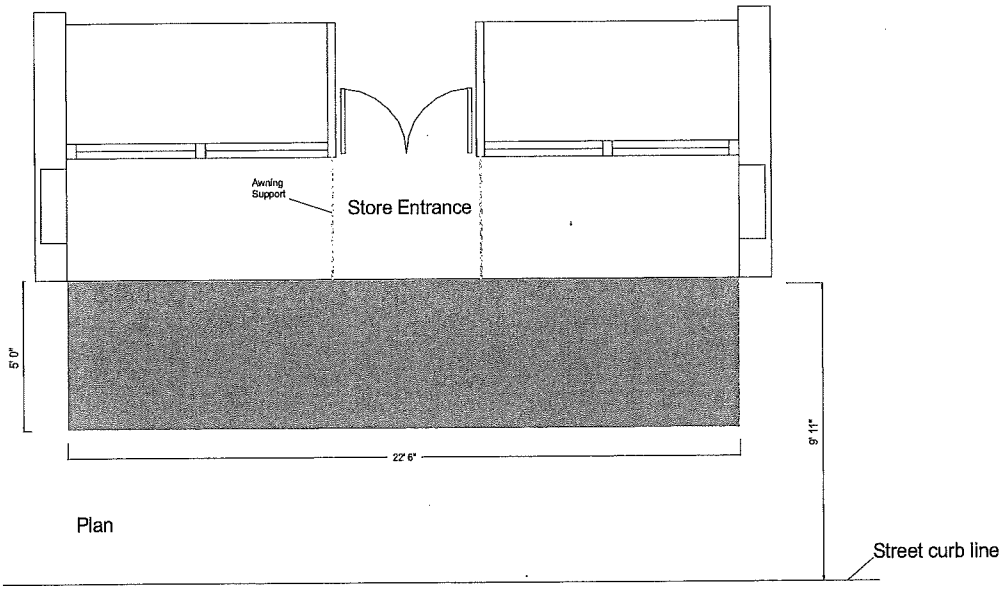

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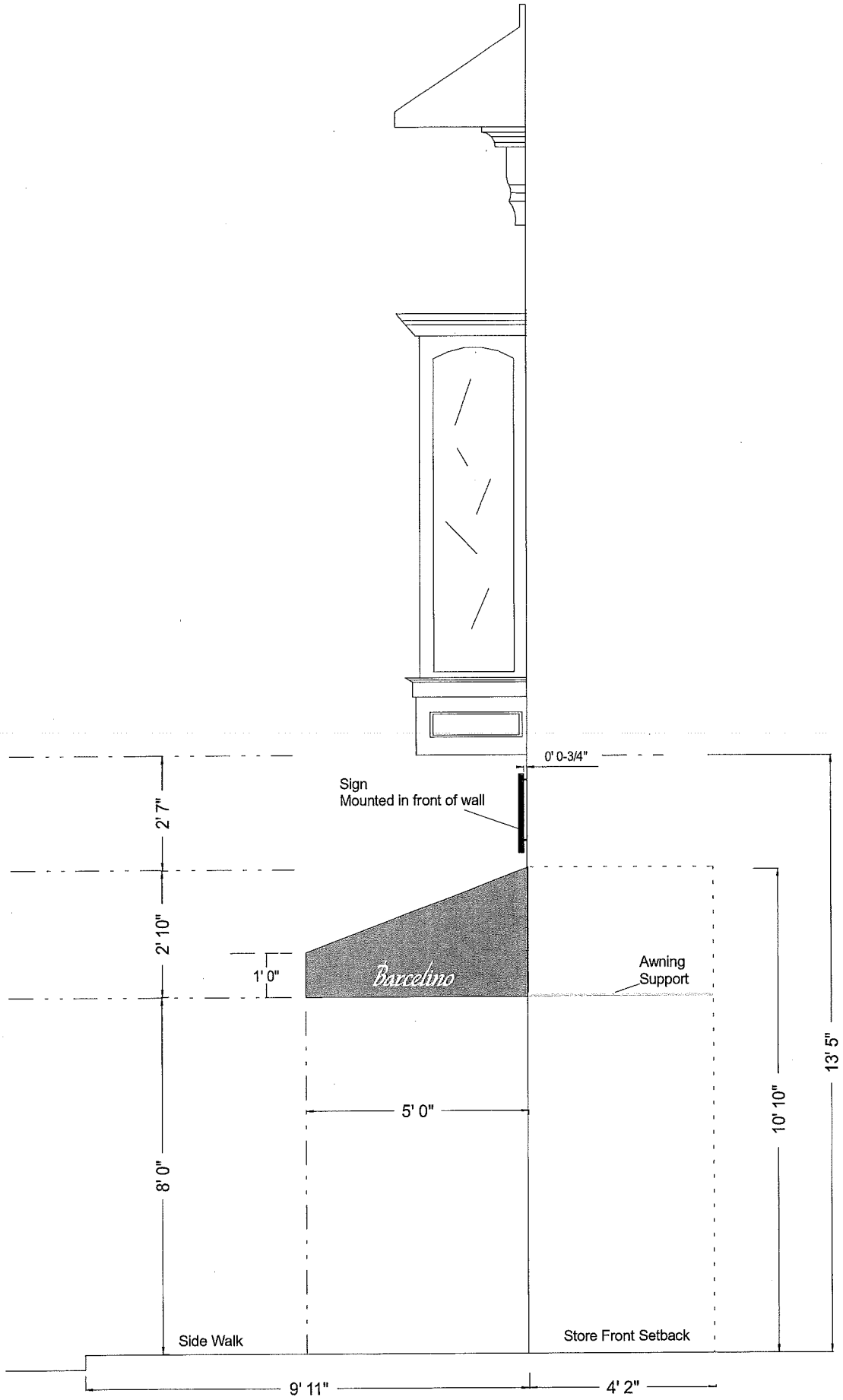

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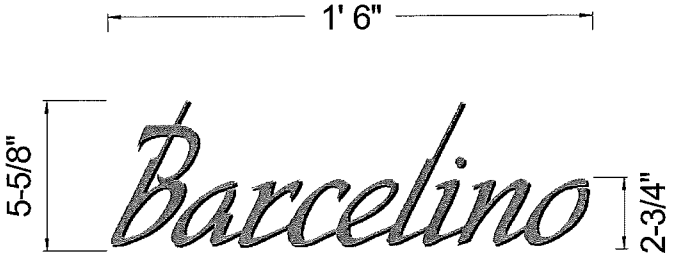
Mounted to the wall
3/4" space from back of sign to the wall
Color Metallic Bronze
Vacuum formed Acrylic
4.21 Sq. Ft.

Awning Sign
Painted on awning
Color white
Sign Area = .55 Sq. Ft.



Window Decal Sign
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Color Gold with Black drop shadow
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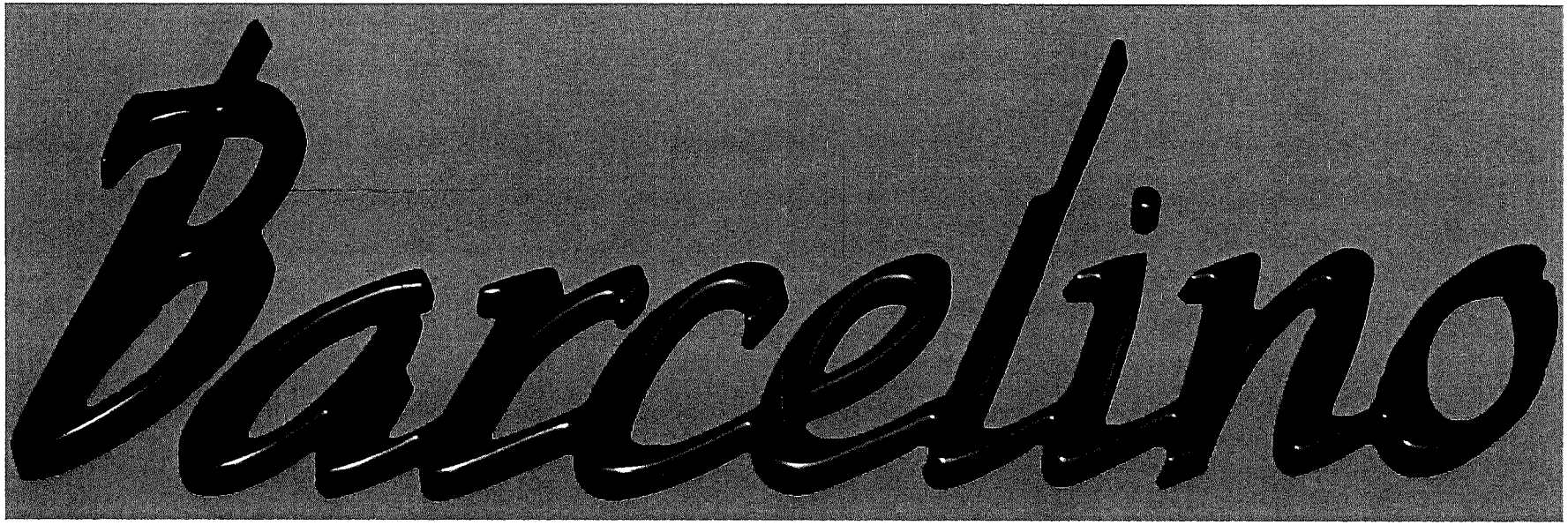
Barcelino Signs Details

Plan Preparer: Bahram Nazarian, Signature _____
Phone: 415-710-9900, Fax: 415-927-1081
Project Address: 755 Bridgeway, Sausalito, CA 94965

Actual Barcelino sign photograph super imposed over the building background color.



Barcelino

Awning Color & Fabric
Sunbrella, Color: 4612, Aruba (aquamarine)
Made with 100% Sunbrella® acrylic

PLANNING COMMISSION RESOLUTION NO. 2014- _____

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN ENCROACHMENT AGREEMENT FOR CONSTRUCTION OF AN AWNING AND SIGNAGE IN THE PUBLIC RIGHT-OF-WAY AT 755 BRIDGEWAY DR-SP-EA 14-030

WHEREAS, an application has been filed by applicant, Barcelino, requesting Planning Commission recommendation of City Council approval of an Encroachment Agreement to construct an awning and wall sign in the public right-of-way at the existing commercial building located at 755 Bridgeway (APN 065-071-024); and

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

WHEREAS, the Planning Commission conducted a duly-noticed public hearing on February 26, 2014 and April 30, 2014 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission has reviewed and considered the information contained in the staff reports as well as any and all oral and written testimony on the proposed project; and

WHEREAS, the Planning Commission has reviewed and considered the project plans date-stamped Received February 10, 2014 City of Sausalito Community Development; and

WHEREAS, the Planning Commission finds that the proposed project, as conditioned herein, is consistent with the General Plan and complies with the requirements of the Zoning Ordinance as described in the staff report; and

WHEREAS, approval of the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities, which allows for minor alterations to an existing building.

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

1. The project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301, Existing Facilities.

2. The Planning Commission recommends City Council approval of an encroachment agreement for the construction of an awning and wall sign in the public right-of-way at 755 Bridgeway, based upon the attached findings (Attachment 1), subject to the attached conditions of approval (Attachment 2), and as shown in the project plans date-stamped received February 10, 2014 (Attachment 3).

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Planning Commission on the ___ day of April, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Jeremy Graves, AICP
Secretary to the Planning Commission

Attachments:
1- Findings
2- Conditions of Approval
3- Project plans date stamped February 10, 2014

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PLANNING COMMISSION RESOLUTION
APRIL 30, 2014
DR-SP-EA 14-030
755 BRIDGEWAY

ATTACHMENT 1: FINDINGS

ENCROACHMENT AGREEMENT FINDINGS
In accordance with Zoning Ordinance Section 10.56.060, An Encroachment Agreement is favorably recommended based on the following finding:

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.

As stated in the February 26, 2014 and April 30, 2014 Staff Report, based on the street orientation, site topography, the mass, scale, and location of the awning within the public right-of-way, the encroachments do not significantly diminish the visual or public enjoyment of the streetscape. Although the project creates a new aesthetic along the streetscape for passers-by, the physical use and enjoyment of the streetscape is not altered beyond its existing conditions.

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

The encroachment does not impact access to adjoining parcels nor set a new land use precedent as it is solely to provide shading of the storefront and provide sign area.

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

The encroachment allows for an awning that provides shading for the storefront which directly abuts the property line. The installation of the awning in the public right-of-way is therefore necessary to allow for the shading of the storefront which is reasonable use of the property.

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

The project encroachments are not anticipated to adversely affect public circulation nor create or constitute a hazard to public safety in that the awning meets the minimum height and extension requirements.

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 awning and signage do not constitute a significant value of the proposed improvements and the awning and sign are easily removed in case work needs to be done in the right-of-way.

PLANNING COMMISSION RESOLUTION
APRIL 30, 2014
DR-SP-EA 14-030
755 BRIDGEWAY

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions of approval apply to the project plans and materials titled date stamped Received February 10, 2014 City of Sausalito Community Development:

General

1. The following signage is allowed:
   - ✓ Awning signage shall be limited to one sign at each end of the awning (the two signs on the street face of the awning shall be removed); and
   - ✓ The wall sign lettering shall be reduced to a maximum of 12 inches.

2. Upon building permit submittal, the Conditions of Approval shall be shown on all construction drawings.

3. Upon building permit submittal, the applicant shall provide a written response demonstrating compliance with each Condition of Approval.

4. Upon building permit submittal, the applicant shall provide electronic copies and paper copies of the approved colors and materials board(s), including but not limited to all manufacturers' information related to materials, specifications, and cut sheets for all exterior lighting fixtures.

5. 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.

6. The applicant shall indemnify the City for any and all costs, including without limitation attorneys' fees, in defending this project or any portion of this project and shall reimburse the City for any costs incurred by the City's defense of the approval of the project.

7. Prior to issuance of a construction permit, a construction staging plan and construction schedule shall be submitted for review and approval of the City Engineer or designee.

8. The placement of the construction materials, debris boxes, equipment, and vehicles shall be subject to review and approval by the City Engineer, 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.

9. For any damage to existing public improvements due to construction activities, Developer shall repair, at their expense, damage prior to issuance of a Certificate of Occupancy. Contractor must protect all existing and new improvements.

10. 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 Director as a modification to this approval.

11. Prior to installation of the awning, an Encroachment Agreement shall be obtained from the City Council.

Advisory Notes

Advisory notes are provided to inform the applicant of Sausalito Municipal Code requirements, and requirements imposed by other agencies. These requirements include, but are not limited to, the items listed below.

12. This approval will expire in two (2) years from the effective date of this resolution if the property owner has not exercised the entitlements hereby granted, or an extension has not been filed prior to the expiration date.

13. An approval granted by the Planning Commission does not constitute a building permit or authorization for construction. Appropriate construction permit(s) issued by the Building Division must be obtained prior to construction.

14. All applicable City fees as established by City Council resolutions and ordinances shall be paid. Third party review fees (cost plus 10%) shall be paid.

15. An encroachment permit shall be obtained from the Department of Public Works prior to use of the public right-of-way for non-public purposes (e.g., materials storage, debris box storage) including any and all construction and demolition activities.

16. Pursuant to Municipal Code Chapter 8.54, applicants shall submit a Recycling Management Plan to the Community Development Department prior to the issuance of any construction permits, unless the requirement is waived pursuant to Section 8.54.050.

17. Pursuant to Municipal Code Chapter 11.17, dumping of residues from washing of painting tools, concrete trucks and pumps, rock, sand, dirt, agricultural waste, or any other materials discharged into the City storm drain system that is not composed entirely of storm water is prohibited. Liability for any such discharge shall be the responsibility of person(s) causing or responsible for the discharge. Violations constitute a misdemeanor in accordance with Section 11.17.060.B.

18. Pursuant to Municipal Code Section 12.16.140, the operation of construction, demolition, excavation, alteration, or repair devices and equipment within all residential zones and areas within a 500 foot radius of residential zones shall only take place during the following hours:
Weekdays – Between 8:00 a.m. and 6:00 p.m.
Saturdays – Between 9:00 a.m. and 5:00 p.m.
Sundays – Prohibited
City holidays (not including Sundays) – Between 9:00 a.m. and 7:00 p.m.

19. Pursuant to Municipal Code Section 18.12.100, existing sewer service laterals shall be inspected for surface water connections and leakage at the time of remodeling of any building. Deteriorated service laterals shall be repaired prior to approval of the building permit.

20. Permits required by other agencies having jurisdiction within the construction area must be obtained in accordance with the respective agency's regulations.
Marin Municipal Water District – (415-945-1400), including landscaping and irrigation regulations;
Southern Marin Fire Protection District -- (415-388-8182); and
Bay Conservation and Development Commission – (415-352-3600).

21. Pursuant to Municipal Code Section 10.54.100, construction activities undertaken in accordance with a design review permit shall comply with the construction time limit regulations based upon the project's valuation. Construction projects which are not completed within the time limits are subject to daily penalties.

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PLANNING COMMISSION RESOLUTION
APRIL 30, 2014
DR-SP-EA 14-030
755 BRIDGEWAY

ATTACHMENT 3: PROJECT PLANS

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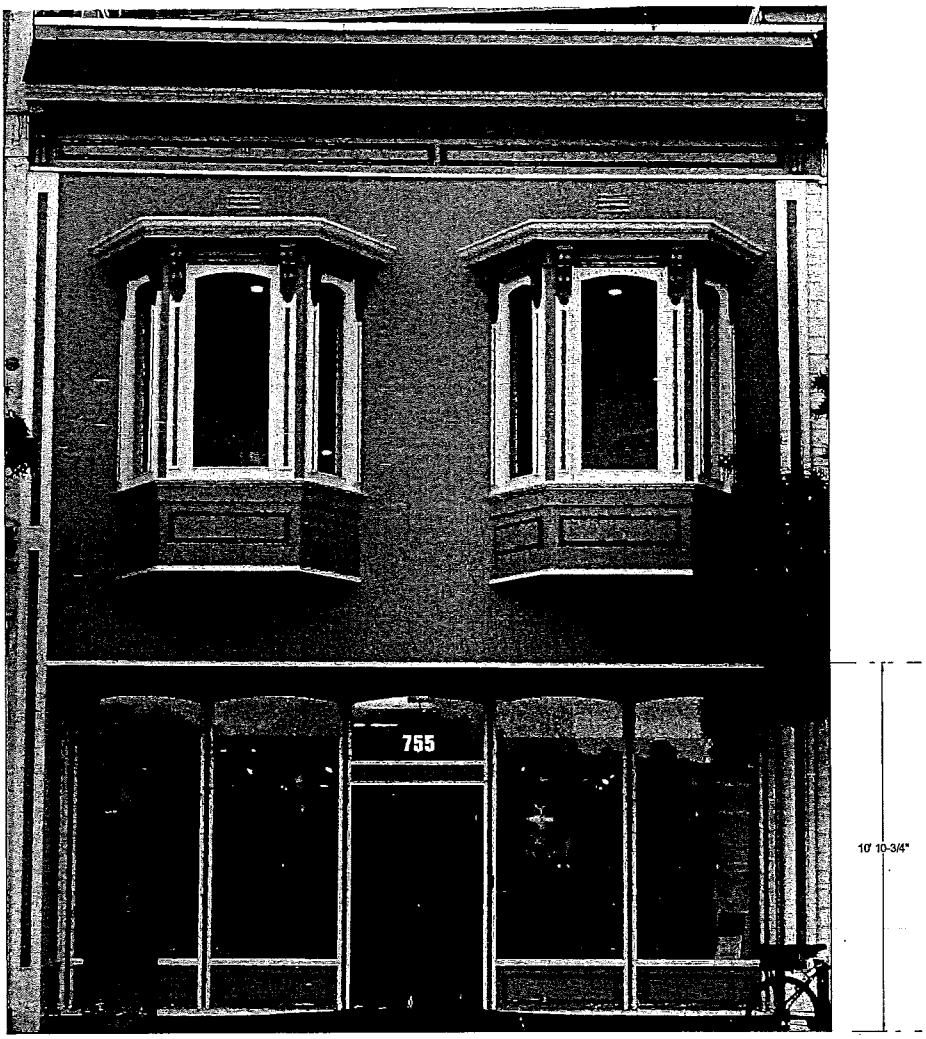
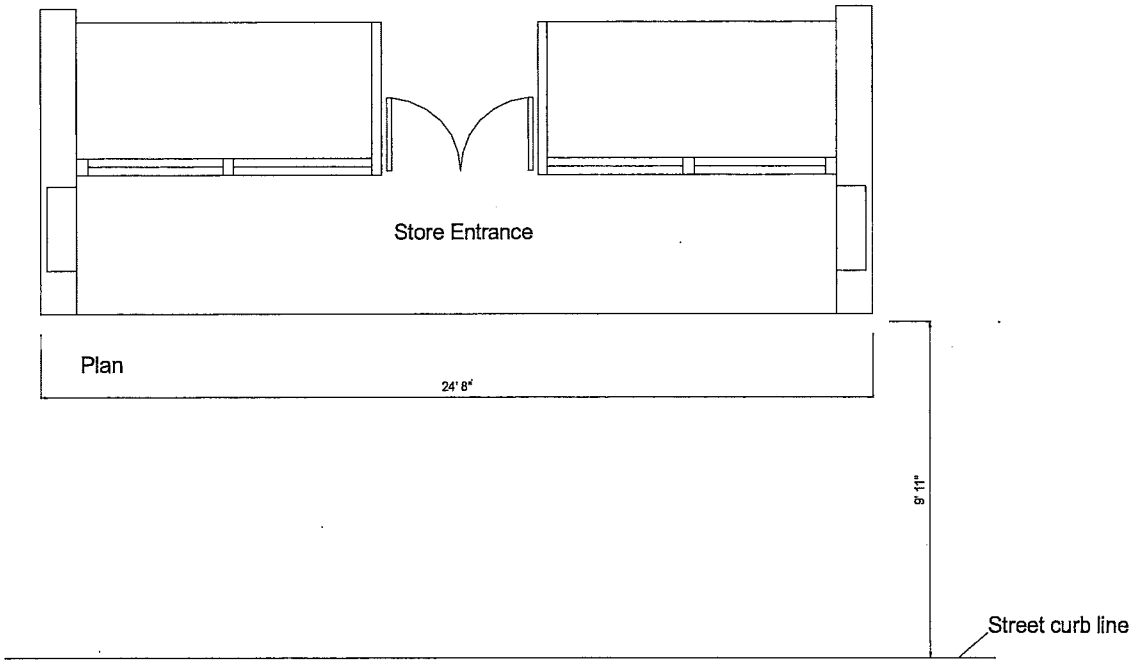
2nd Floor



Ground Floor

Elevation



Plan

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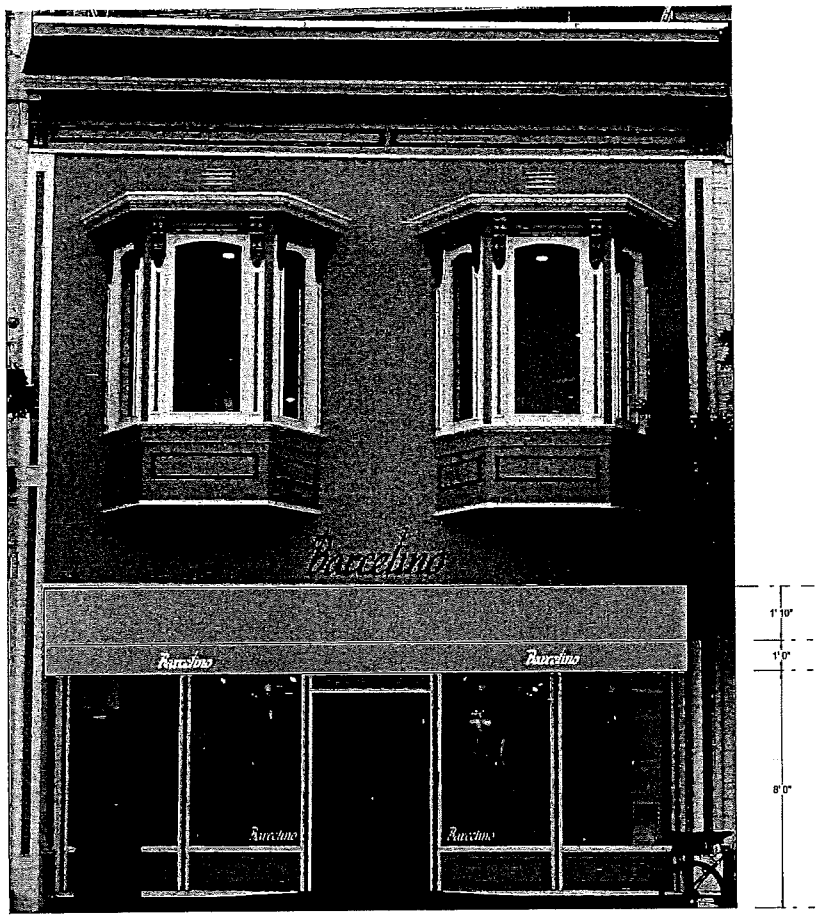

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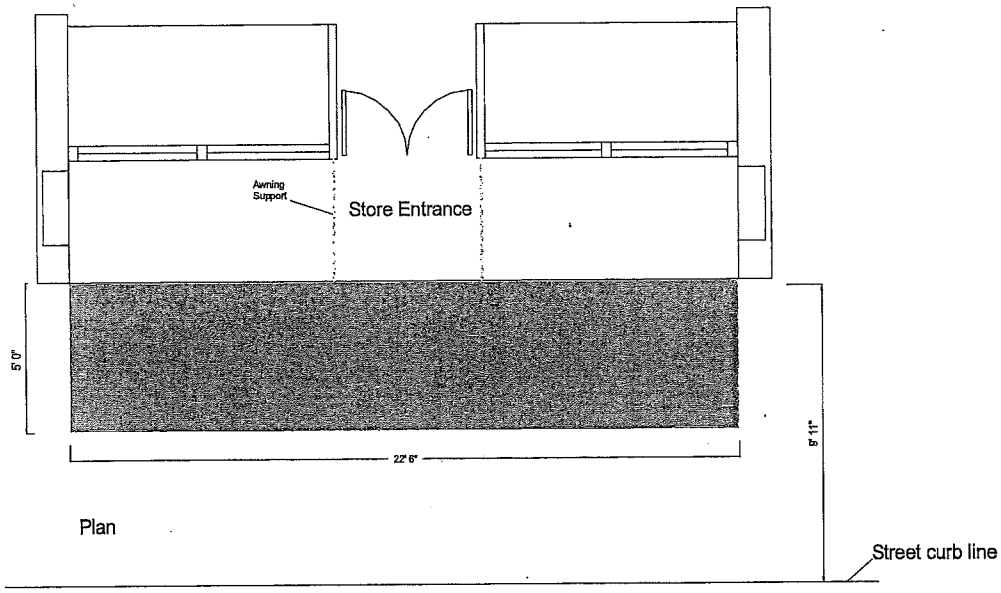

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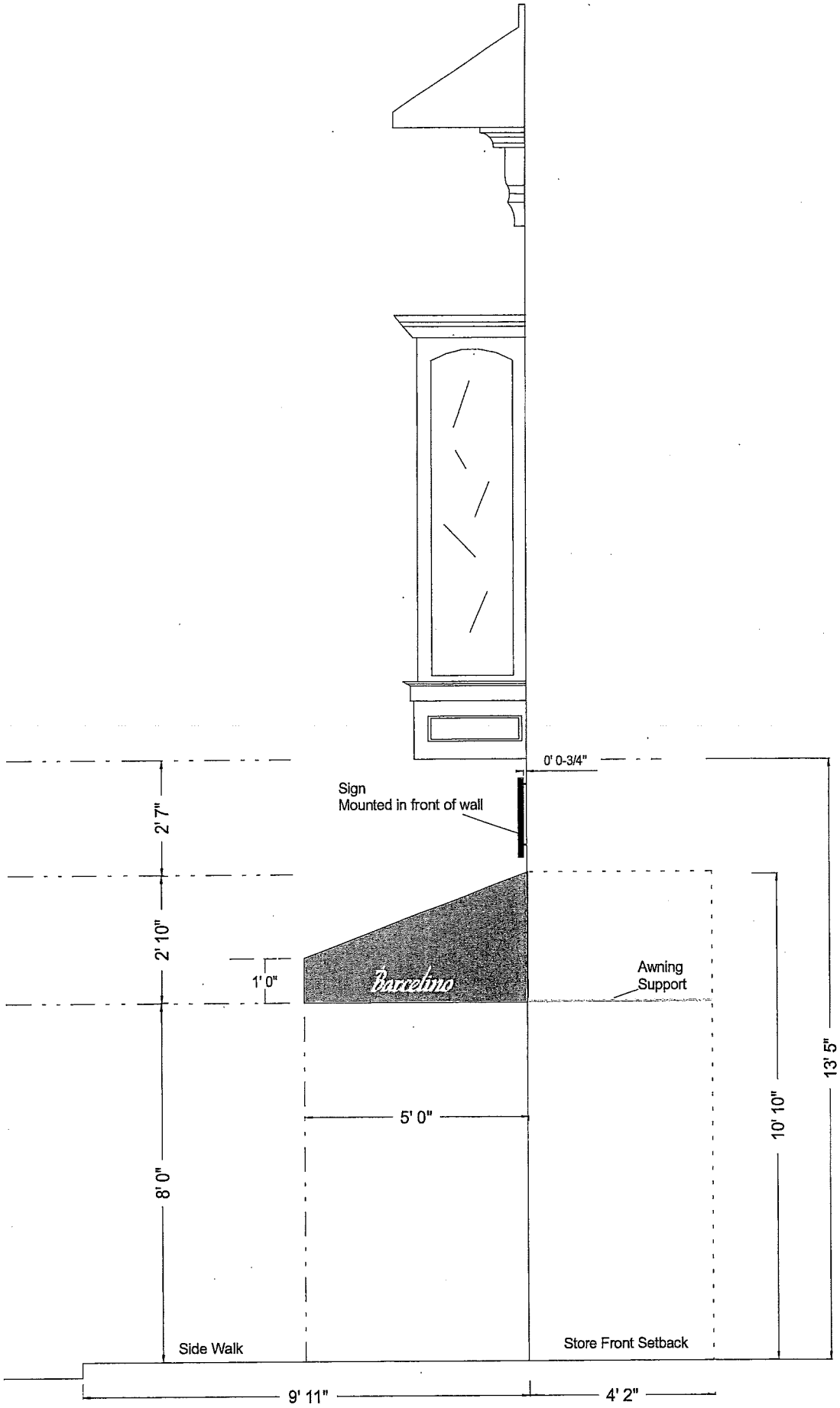

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Exterior Surface Wall Sign
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Awning Sign
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Sign Area = .55 Sq. Ft.

Window Decal Sign
Applied to glass from inside
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Barcelino Signs Details

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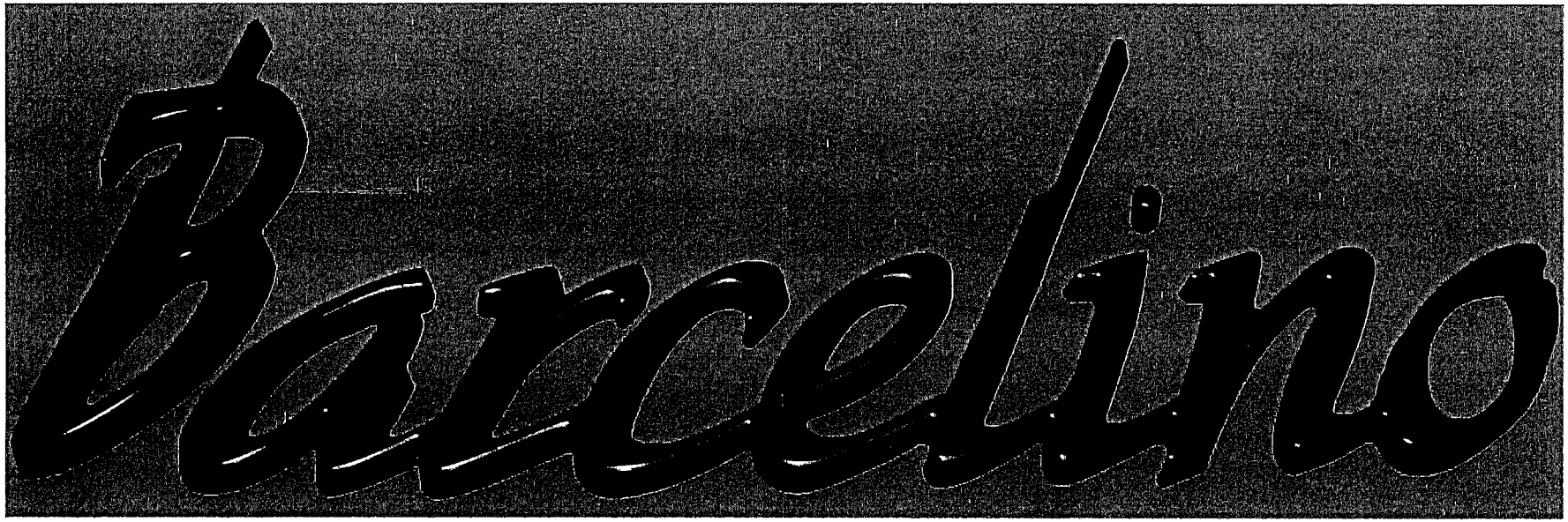

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Awning Color & Fabric
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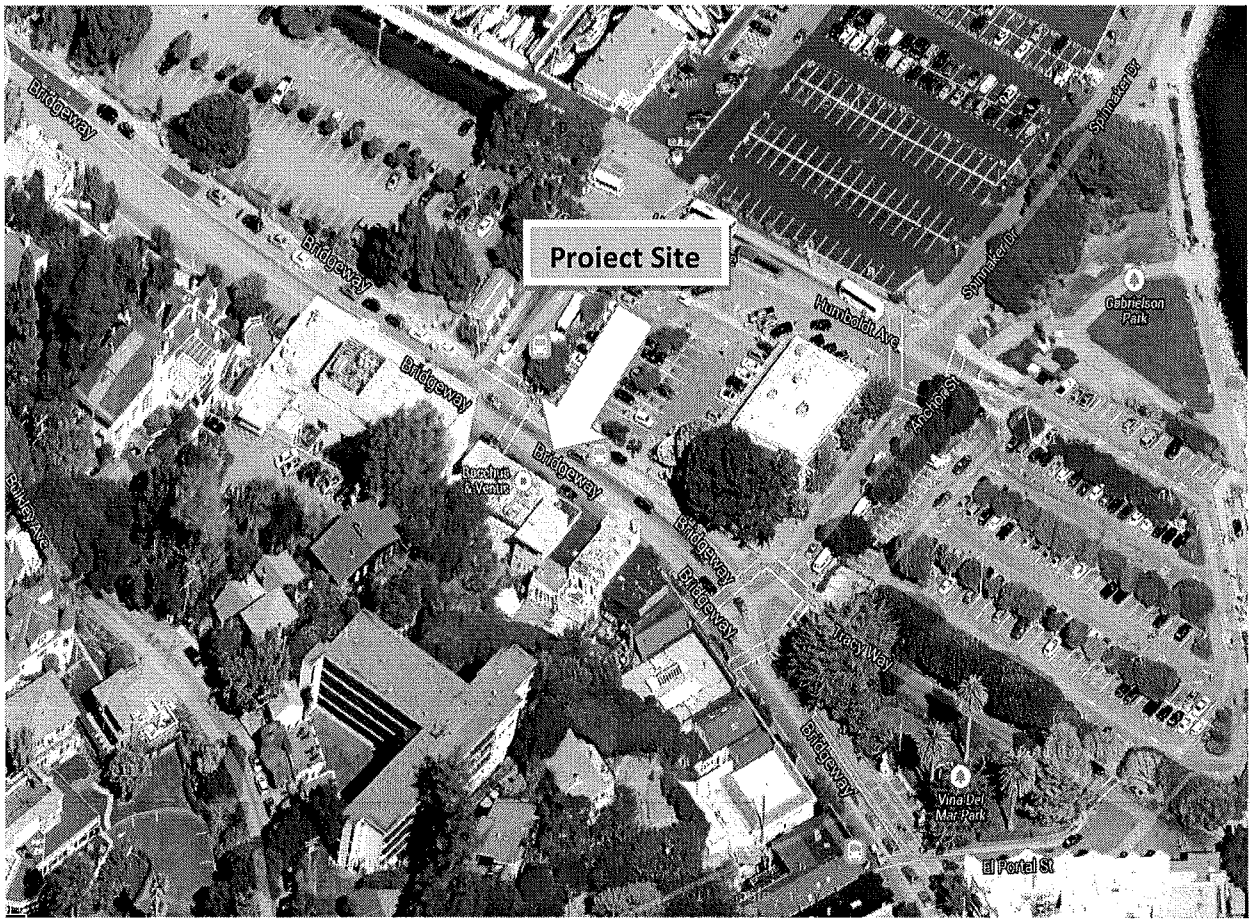
Proiect Site
Bridgeway
Bridgeway
Bridgeway
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Bridgeway
Bridgeway
Bridgeway
Bridgeway
Bridgeway
Humboldt Ave
Spinnaker Dr
Spinnaker Dr
Anchor St
Tracy Way
Gabrielson Park
Vina Del Mar Park
El Portal St
Bolkley Ave

Exhibit C

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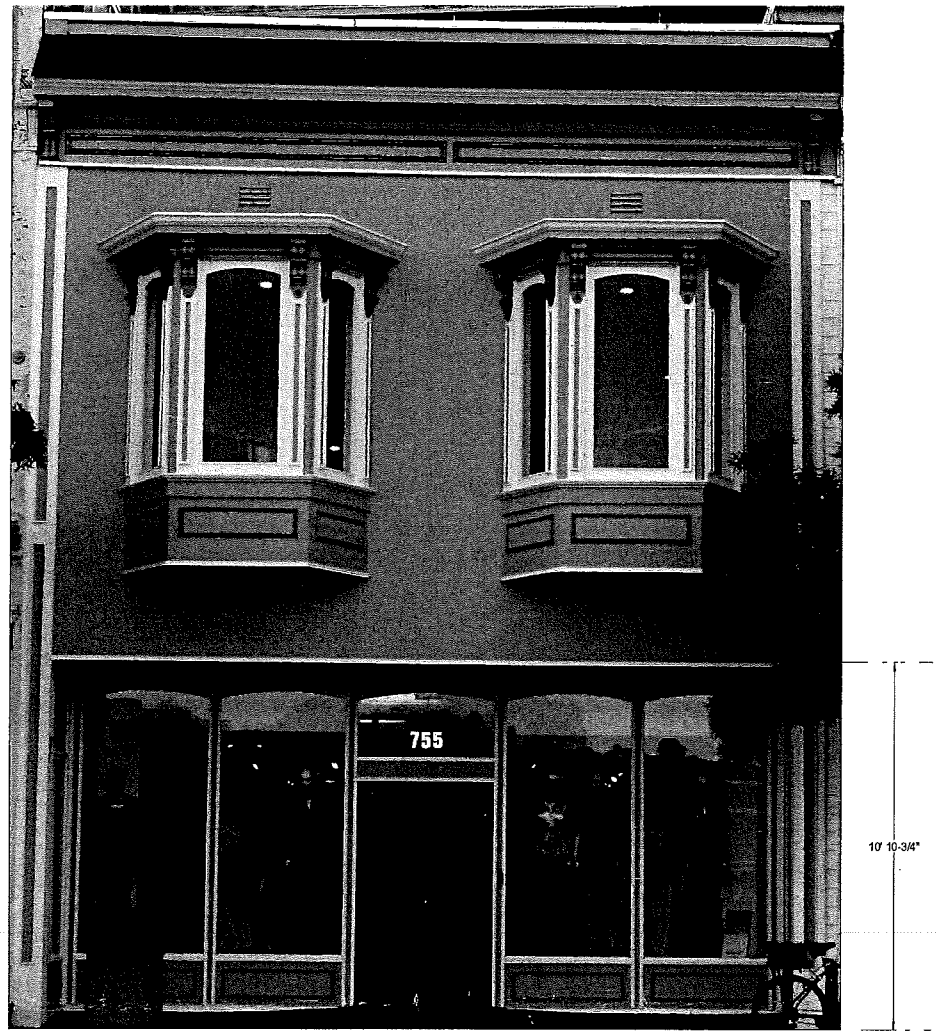
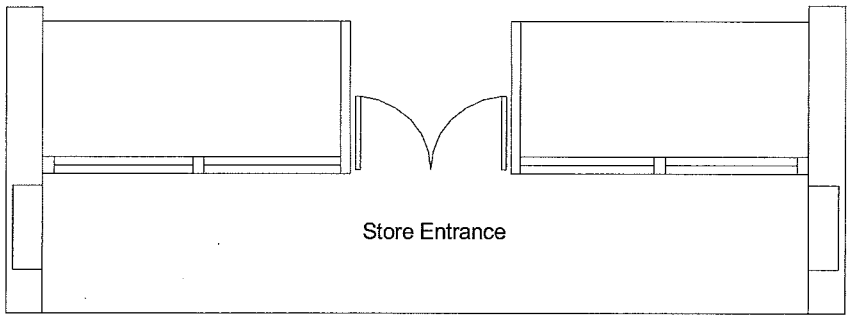


2nd Floor

Ground Floor

Elevation



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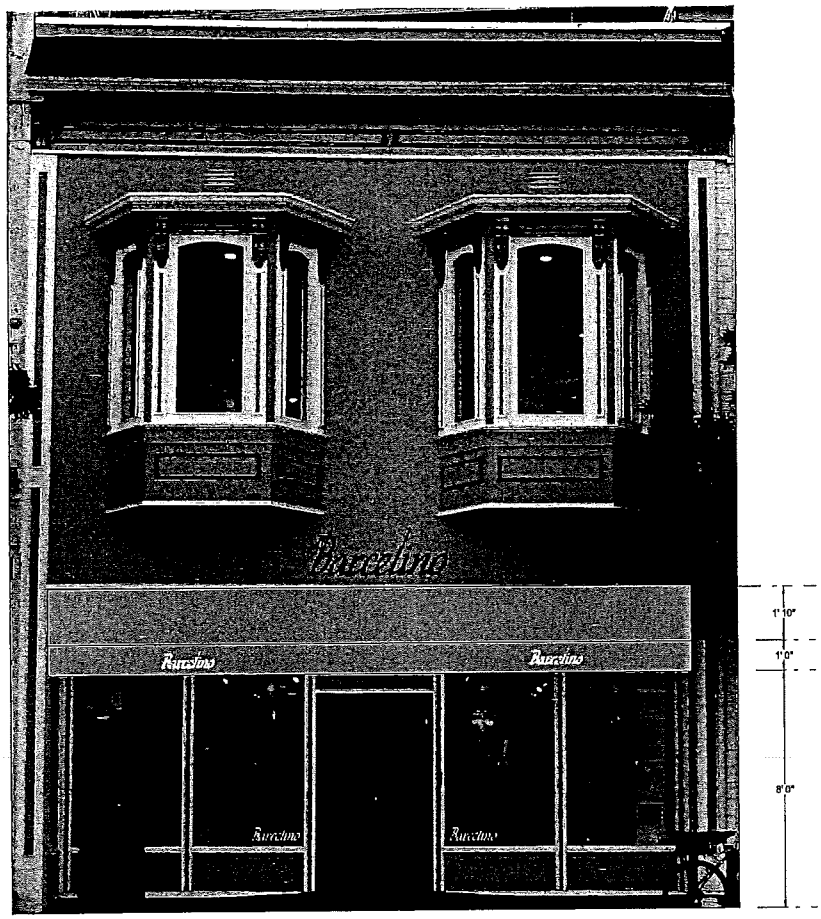
2nd Floor



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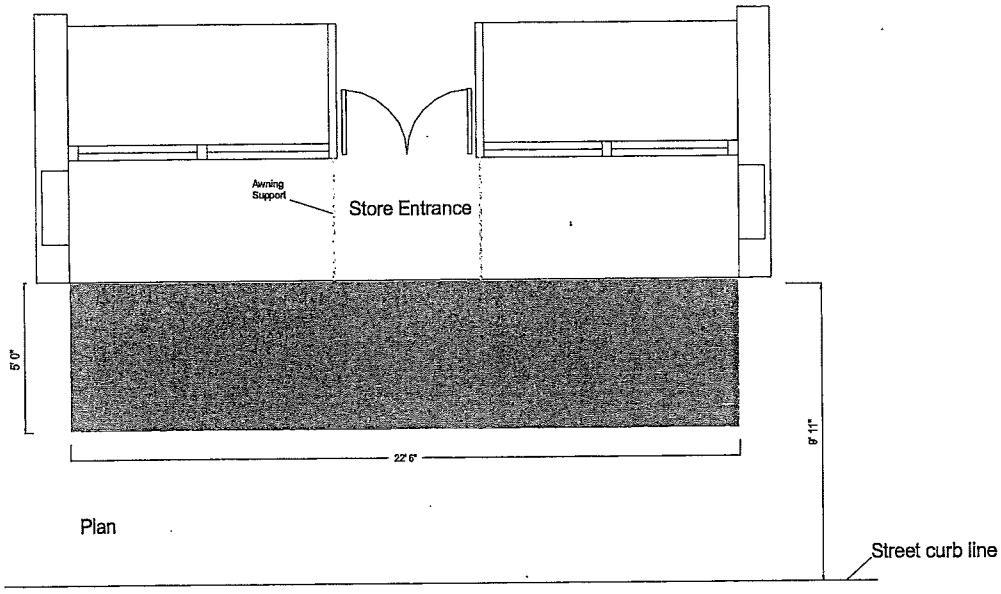

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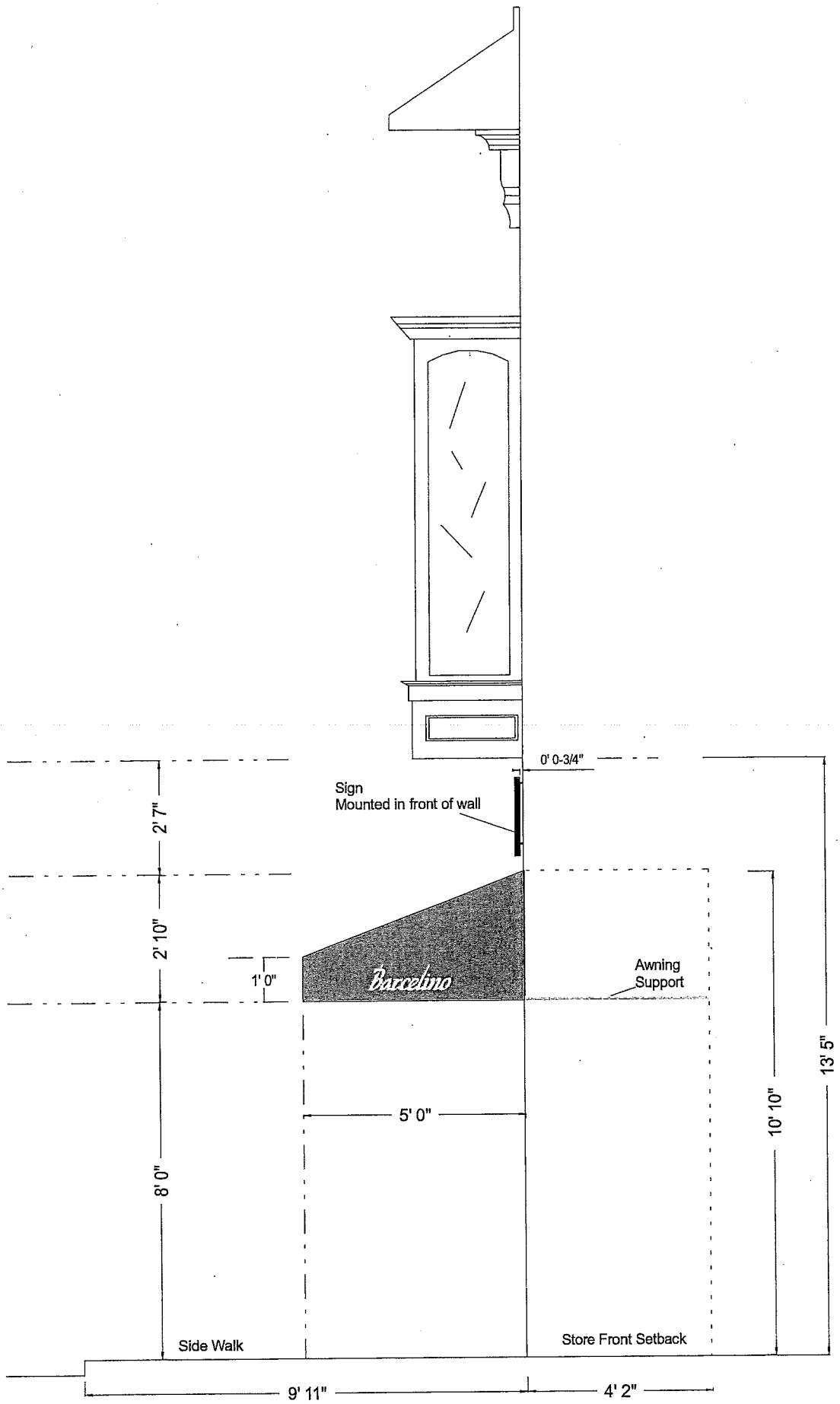

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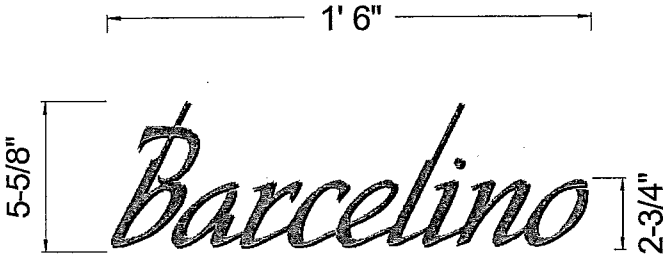

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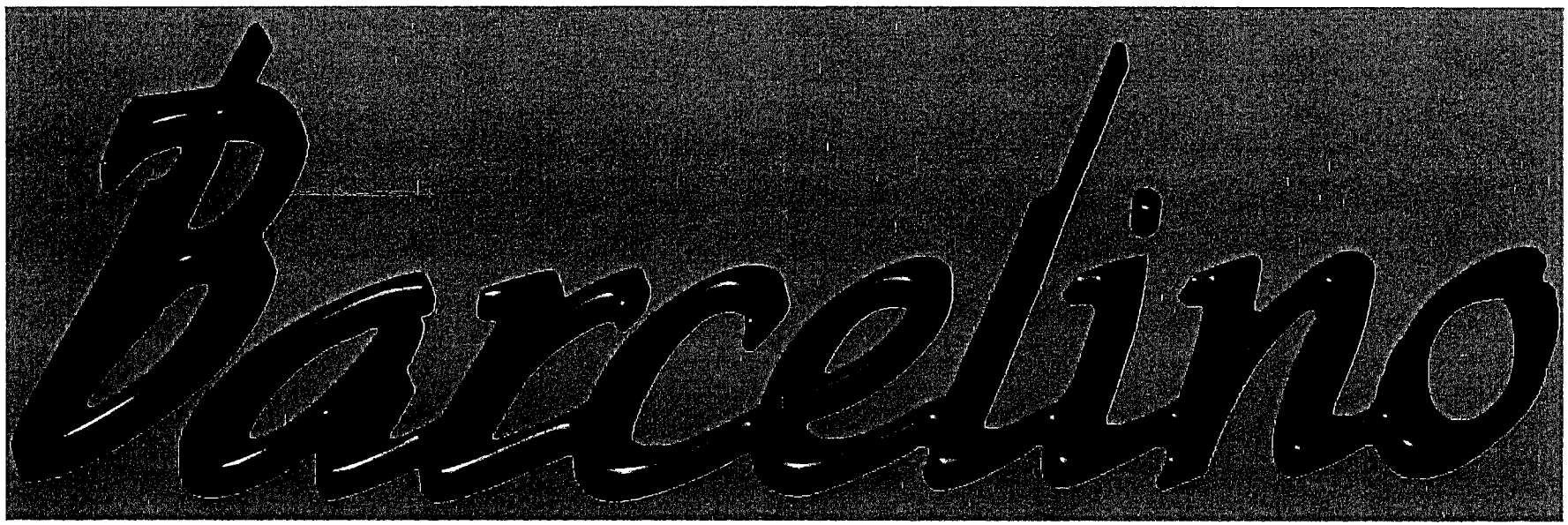

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