STAFF REPORT
PLANNING COMMISSION/HISTORIC LANDMARKS BOARD

Project: **Bridgeway Parklet**
CDD 13-117 (621, 625, 629 and 633 Bridgeway)

Meeting Date: April 30, 2014

Staff: William Card, Contract Planner

This staff report supplements the Planning Commission report dated February 26, 2014.

REQUEST

The Community Development Director requests the Planning Commission and Historic Landmarks Board review and provide recommendations for the design of the Parklet. The Parklet project will convert approximately 105 linear feet of on-street public parking spaces into a Parklet. This proposal for the Parklet envisions moving the dining tables and chairs (which are currently located in front of the four food establishments) out to the Parklet.

BACKGROUND

At the February 26, 2014 joint Planning Commission/Historic Landmarks Board meeting, the following issues were identified regarding the Parklet design.[1]

- Design of enclosure and barrier fencing;
- Type of planters;
- Wall articulation;
- Public seating;
- Types or colors of tables and chairs to distinguish between seating areas for the food establishments; and
- Signage to differentiate public seating areas from food service areas.

DISCUSSION

Design

The applicant has submitted three site plan options for Parklet as described below.

- Option 1 – 18 tables with 2 seats each for a total of 36 seats with 3 public seating areas (**Exhibit N**).
- Option 2 – 18 tables with 2 seats each for a total of 36 seats and 1 public seating area (**Exhibit O**).
- Option 3 – 10 tables with 2 seats each for a total of 20 seats and 2 public seating areas (**Exhibit P**). This option reflects the number of tables and seats allowed by the existing or proposed sidewalk dining encroachment permits.

In addition, the Commission and HLB should determine whether trees or planters should be used. The applicant has submitted plans (**Exhibit L)** that illustrate the Parklet enclosure with planter boxes and a design for the public benches along with example photographs of Parklet amenities such as benches and planter boxes (**Exhibit M**).

Public Use of the Parklet

The City Council indicated that the food establishments may use the parklet in place of the sidewalk dining tables that were previously allowed under the Minor Use Permit and other permit procedures. Since the February 26, 2014 meeting the applicant has submitted alternative as Options proposals for the use the Parklet as previously noted in this report. Since this is a pilot project, staff has

[1] A video of the meeting is available at: http://sausalito.granicus.com/MediaPlayer.php?view_id=2&clip_id=128.

conducted research of the use of Parklet in other cities and their management. It was noted during the research phase that the Parklet is generally for use by the public and the use of the dining tables would be considered ancillary to the public use. In addition, Staff has also developed draft conditions (**Exhibit J**) of approval that will be part of the Community Development Director's action on the project which include signage stipulating which tables or seating areas are for the public at large.

PUBLIC NOTICE AND CORRESPONDENCE

- April 18, 2014 – A public hearing notice was posted at the project site and mailed to all property owners.
- One letter regarding the project has been submitted (see **Exhibit K**).

RECOMMENDATION

Staff recommends that the Planning Commission and Historic Landmarks Board review the proposed Parklet design options and provide the Community Development Director with comments and recommendations regarding its design.

EXHIBITS

The lettering of exhibits continues the lettering sequence of the February 26, 2014 staff report.

J Draft Conditions of Approval (Revised 4-30-2014)
K Correspondence (Received April 23, 2014)
L Site Plan with Bench and Parklet Enclosure Details, Date Stamped April 23, 2014
M Photos, Date stamped April 23, 2014
N Option1 Plan, Date stamped March 21, 2014
O Option 2 Plan, Date Stamped March 21, 2014
P Option 3 Plan, Date Stamped March 26, 2014

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BRIDGEWAY PARKLET
DRAFT CONDITIONS OF APPROVAL
621-633 BRIDGEWAY
CDD 13-117

These conditions of approval apply to the project plans and materials titled "Parklet" and date stamped _____:

General

1. Public seating areas shall have permanent signage indicating "Public Seating Area".

2. The street side edge of the Parklet shall be a continuous planter or of a design that utilizes planters with some other barriers (such as cables) between planters instead of a railing. The design shall not allow for the passage of pedestrians onto the street from the Parklet.

3. Tables, chairs, public seating benches, planters and all other Parklet amenities shall be restricted to the Parklet area and not moved onto the sidewalk. Food establishments shall provide weighted tables and chairs and ensure they are not removed from the Parklet. Any portable tables and chairs shall be removed at the close of business and stored within the food establishments

4. All businesses fronting the Parklet shall obtain a Minor Use Permit and Sidewalk Dining Encroachment Permit for sidewalk dining prior to utilization of the Parklet for dedicated table use.

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

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

7. 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. Any changes to the type and materials of the street furniture prior to installation of the Parklet shall be approved by the Community Development Director

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. Fire personal must have access to the main entry doors of the structures from the street. Gates and barriers that restrict access shall be prohibited.

Public Works Conditions

15. Proposed Parklet shall be accessible per the California Building Code and the Americans with Disabilities Act.

16. No additional features shall be placed on the public sidewalk.

17. Proposed trees shall be maintained such that the bottom of the canopy is either 42" above the grade where a vehicle pulls out of the parking area behind Angelino's or 80 inches above the adjacent Bridgeway grade to prevent bicyclists from hitting branches, whichever is greater.

18. Surface runoff shall not drain onto the Bridgeway sidewalk from the Parklet.

19. At no cost to the City, the Parklet shall be partially or fully removed to facilitate public construction projects, repair of private sewer laterals or emergencies as determined by the City.

20. Prior to issuance of a building permit applicant shall provide to the Department of Public Works certification from a registered engineer that the Parklet's eastern edge provides at least as much protection for pedestrians from vehicular traffic as does a six inch high curb.

21. Prior to issuance of a Building Permit the City shall be named as an Additional Insured.

22. Prior to issuance of a Building Permit applicant shall provide a bond to ensure there are funds to maintain and remove the Parklet. Removal shall include restoring the public right of way to pre-Parklet installation conditions. This will include and not be limited to:

reinstallation of adjacent parking meters and poles, pavement patching, pavement marking repair.

23. Prior to issuance of a Building Permit a maintenance agreement will be required to ensure the area below the Parklet is kept clean, drains, that the upper surfaces are maintained so that no debris leaves the Parklet and that the proposed landscaping is maintained as required.

24. An encroachment permit shall be obtained from the Department of Public Works prior to construction of the Parklet.

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.

25. 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..

26. 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.

27. 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.

28. 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.

29. 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.

30. 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.

31. 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.

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DAVID C. PHILLIPS
52 Bulkley Avenue
Sausalito, California 94965

APR 2 3 2014

April 22, 2014

William Card, Contract Planner
City of Sausalito
420 Litho Street
Sausalito, CA 94965

Re: REVIEW OF PLANS FOR A "PARKLETS" IN THE PUBLIC RIGHT-OF-WAY

Dear Mr. Card:

As long time residents and homeowners in Sausalito close to the area that is the subject of this application, we write in response and opposition to the application of Mike Monsef for notice for a Planning Commission hearing set for April 30, 2014. It is without justification. The conversion of multiple public parking spaces to what are characterized as "parklets" amounts to a gift of public land to commercial interests that can only increase the growing congestion in the heart of town. Recently all of the vehicle parking on Janet Tracy Way has evaporated in favor of bicycle parking further reducing available public parking in this neighborhood.

As it is, even without acceptance of the current proposal, the sidewalk passing the Bridgeway addresses that are the subject of the proposal are frequently highly congested. This proposal will substantially add to the congestion.

We question the legality of this ill-conceived proposal, which should have, at the least, environmental review.

Yours truly,

David & Lore Phillips

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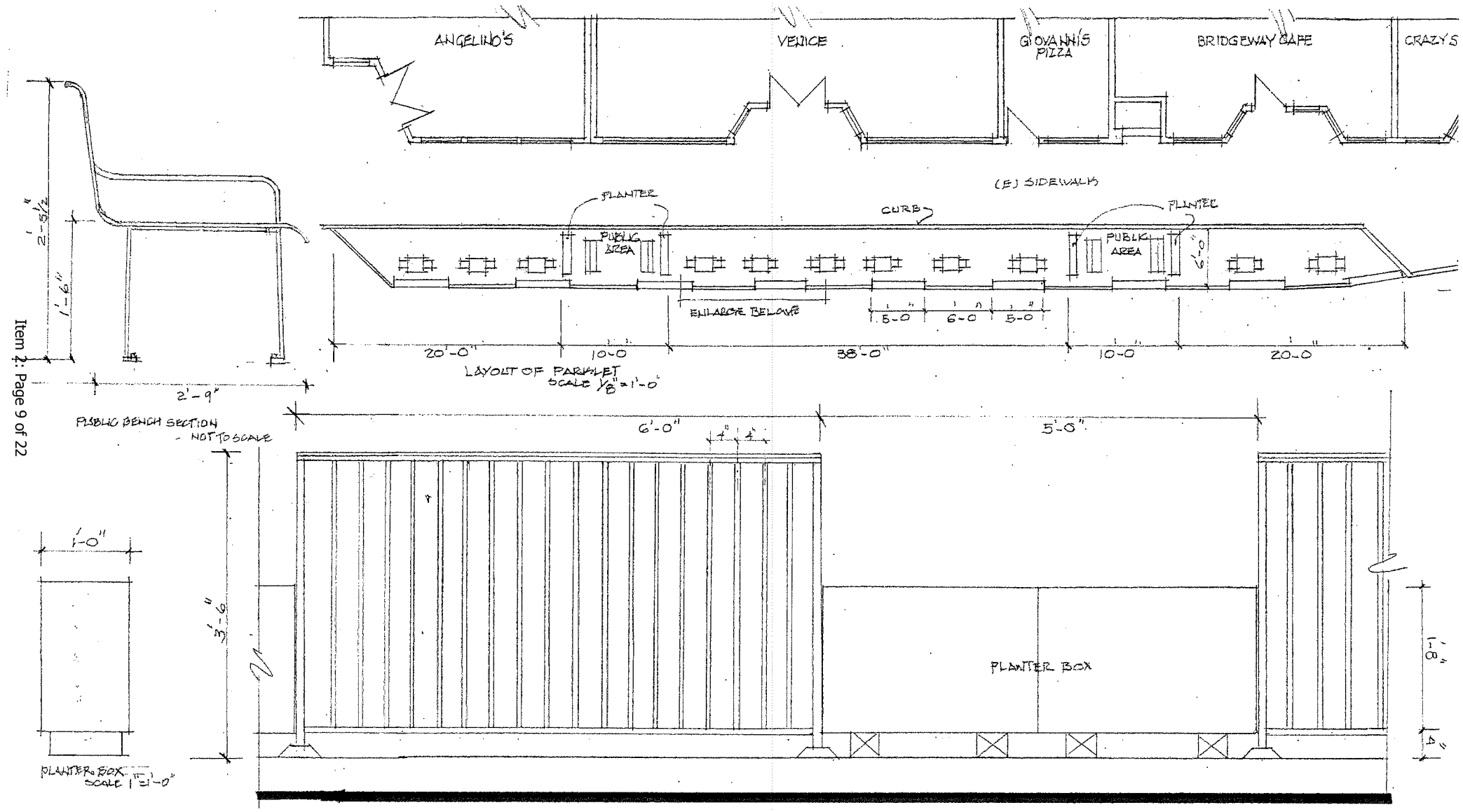

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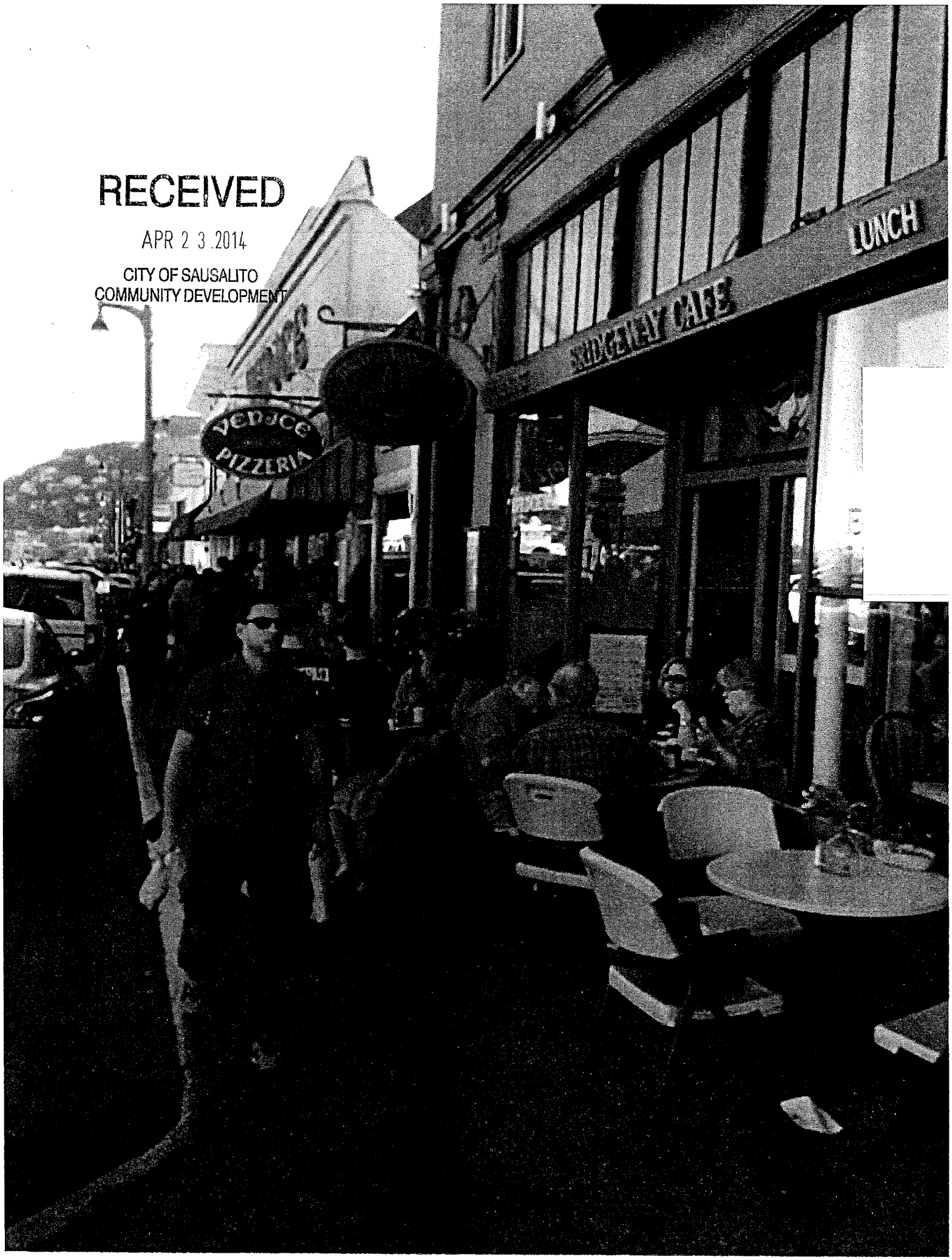

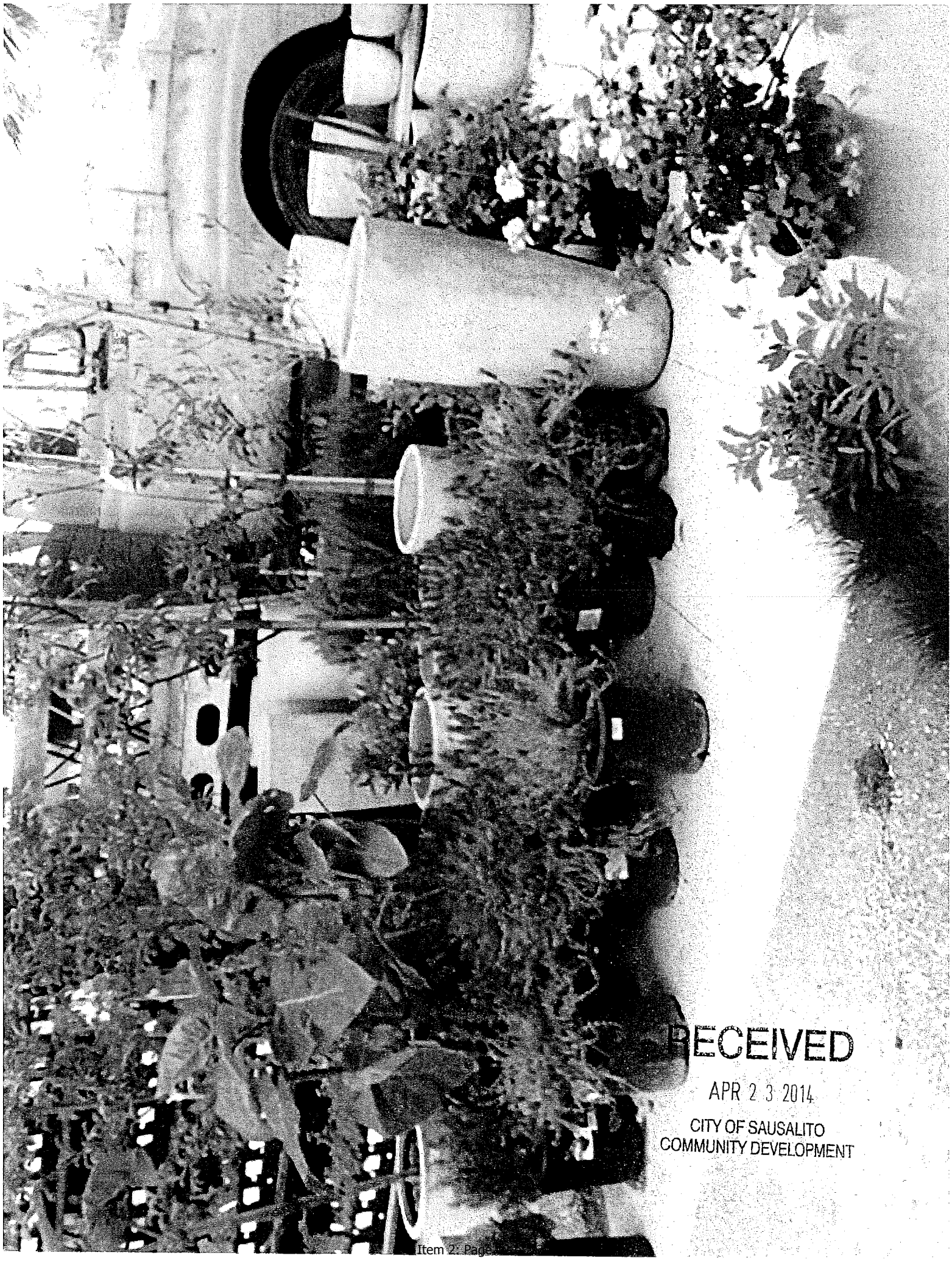

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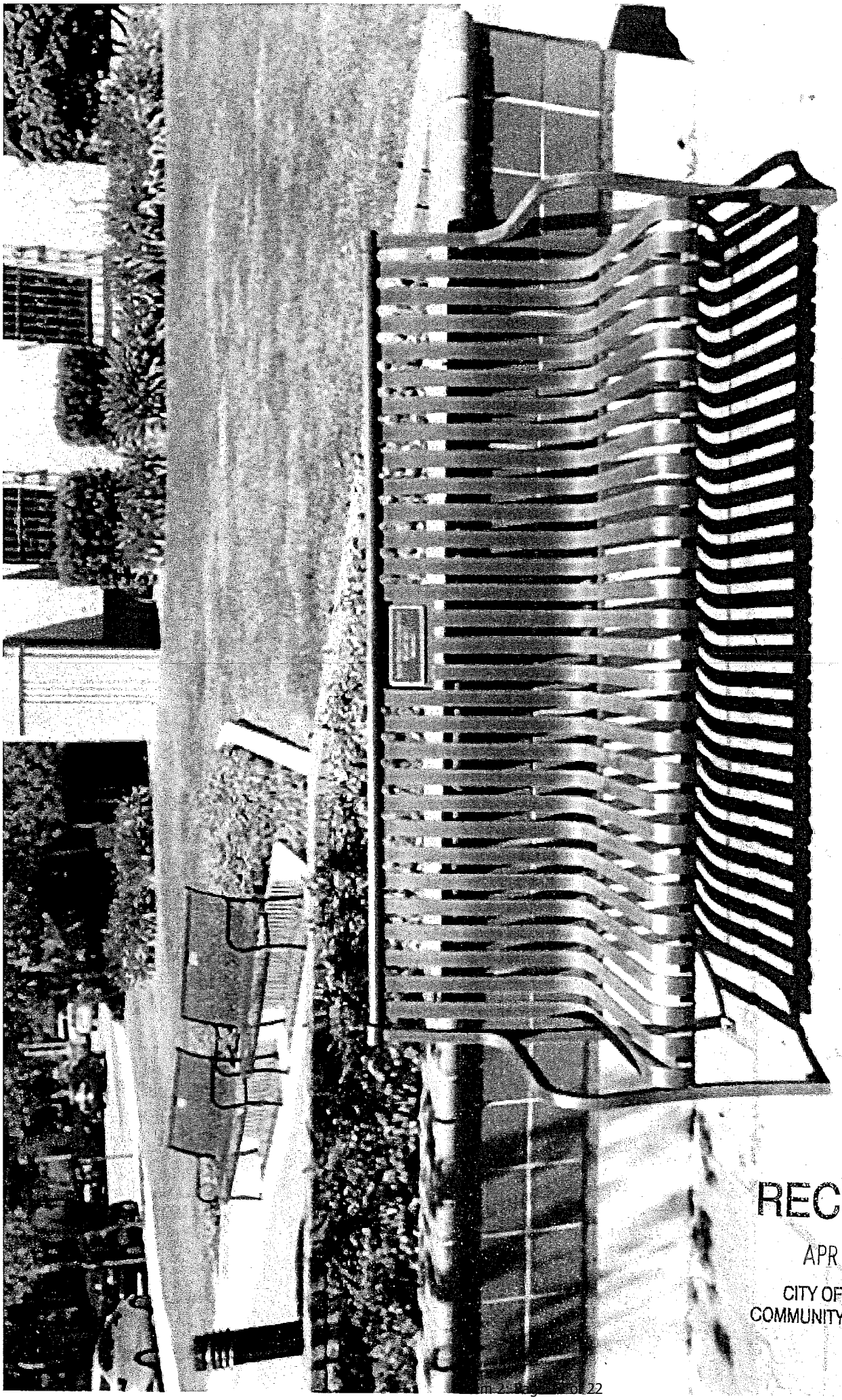

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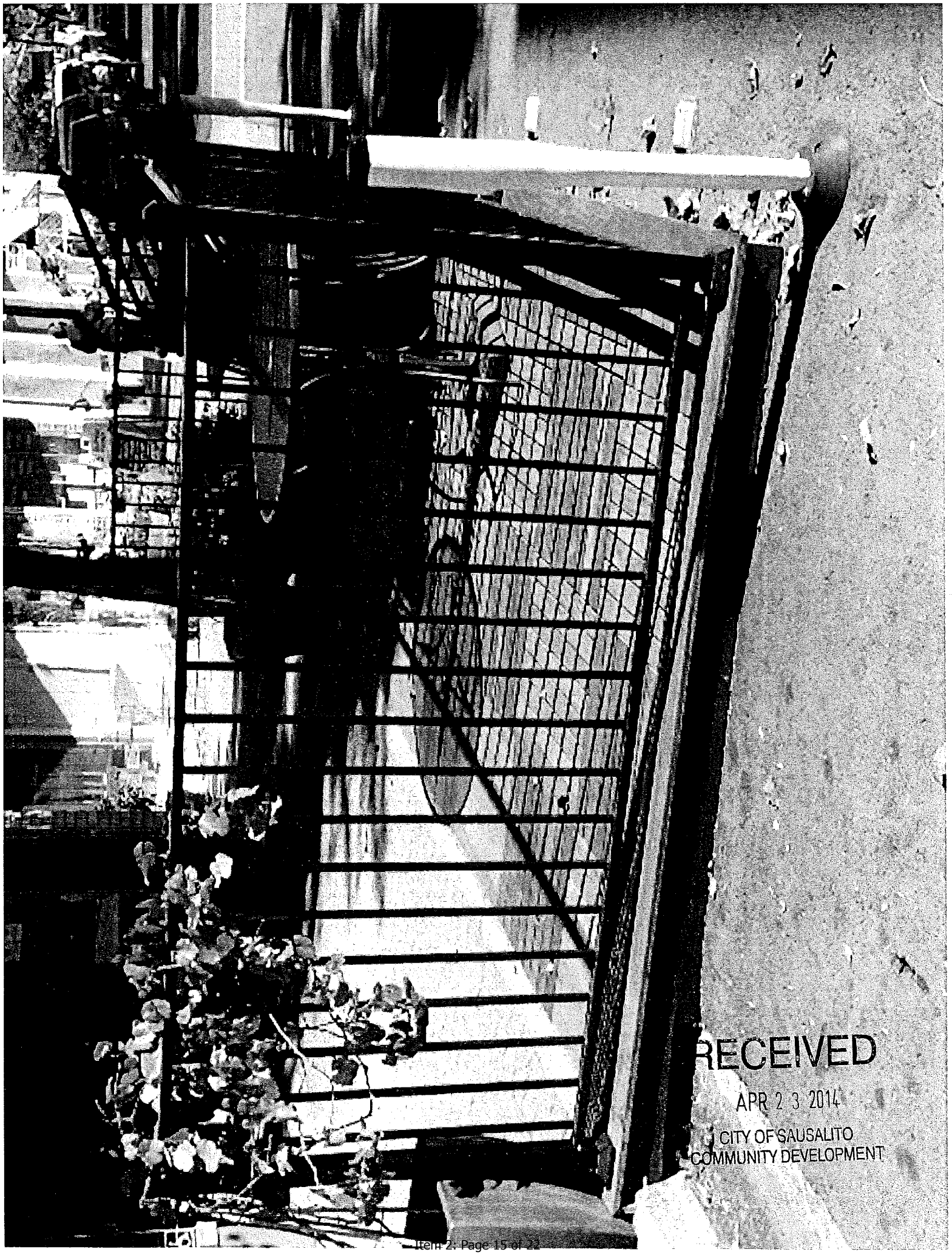

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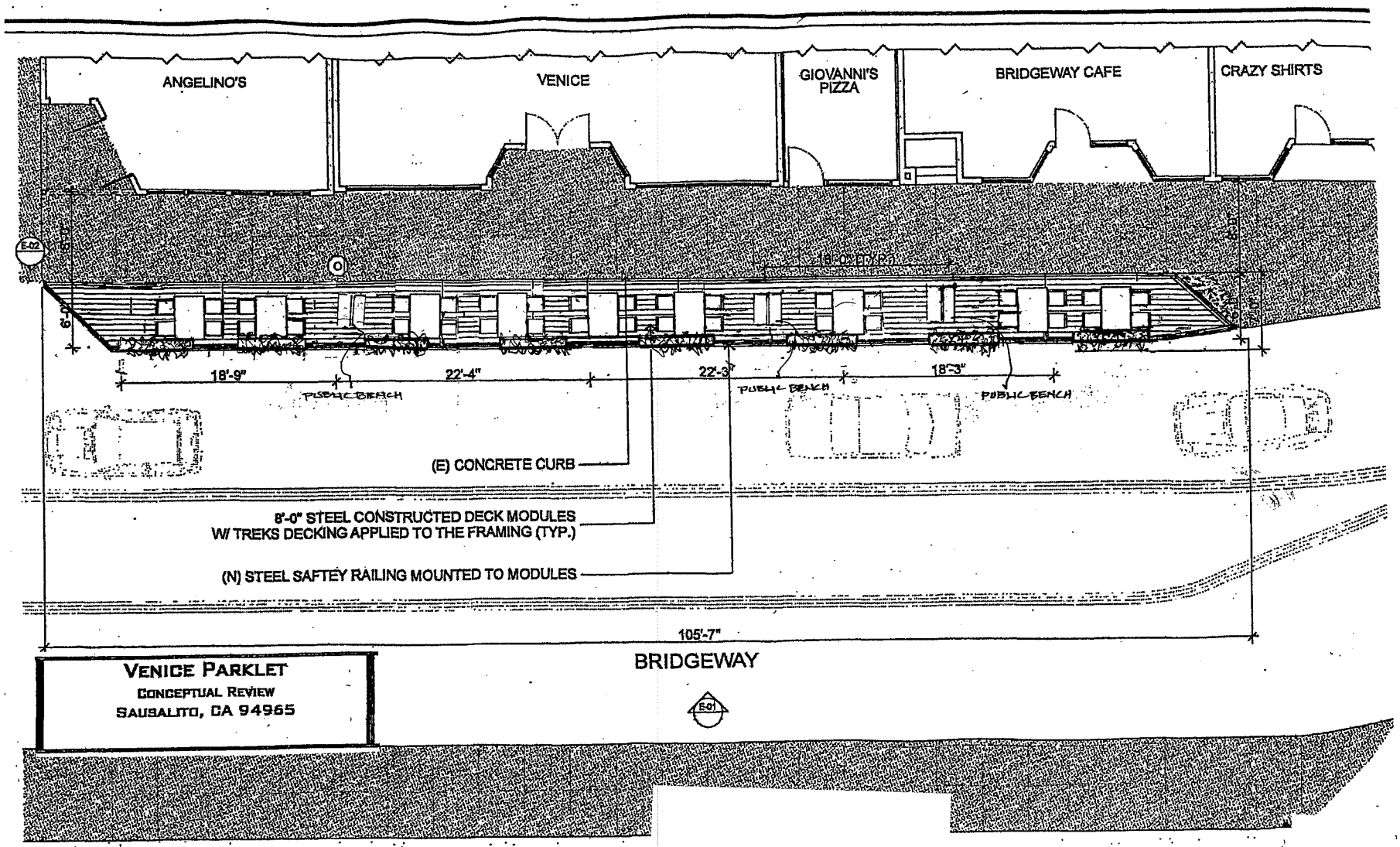

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MIKE MONSEF
3001 BRIDGEWAY
SAUSALITO, CA 94965

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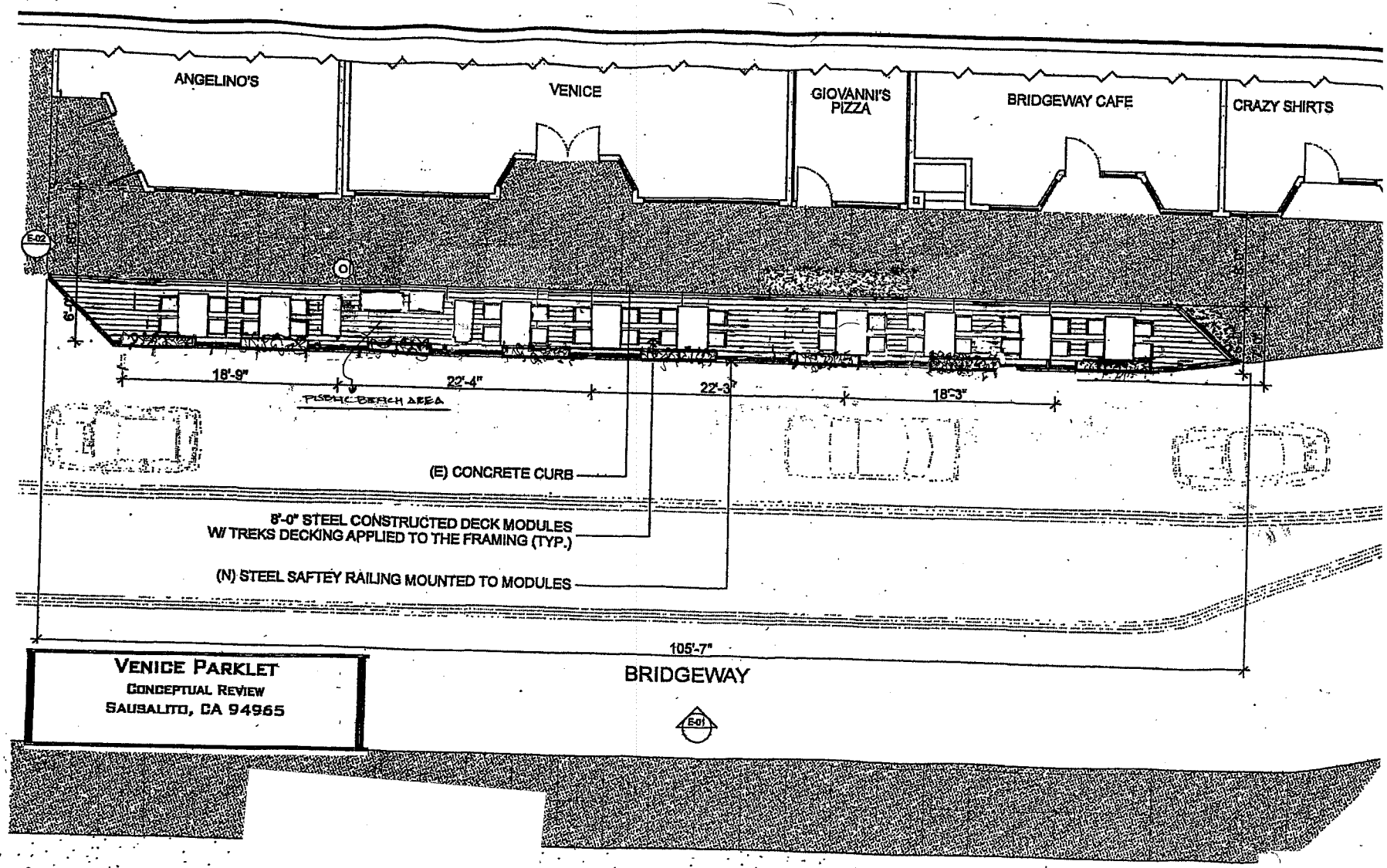

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3001 BRIDGEWAY
SAUSALITO, CA 94965
OPTION TWO

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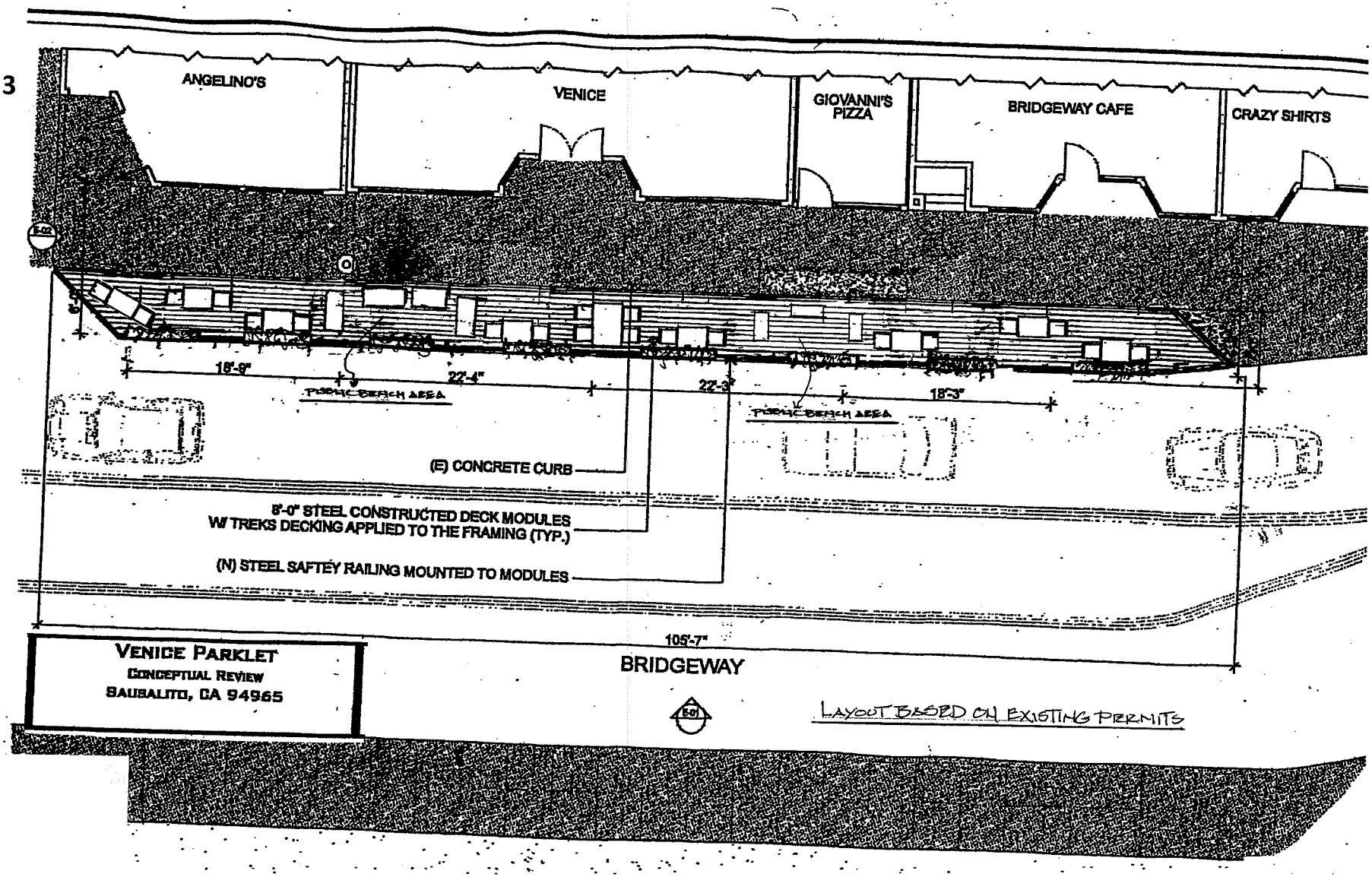

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