



STAFF REPORT

SAUSALITO CITY COUNCIL

AGENDA TITLE:

Appeal to the City Council of Planning Commission Resolution No. 2007-38 approving Design Review and Non-Conformity Permit Application No. DR/NC 07-027 at 75 Cloud View Road.

RECOMMENDED MOTION:

Staff recommends the City Council adopt the resolution denying the appeal filed by Michael Rex, Architect, on behalf of the owner Matsuno Patrick, and upholding the Planning Commission's approval of Design Review and Non-Conformity Permit Application No. DR/NC 07-027 for the remodel of a single-family home at 75 Cloud View Road.

SUMMARY

Appellant Matsuno Patrick, represented by Michael Rex, Architect, is appealing Planning Commission Resolution No. 2007-38 adopted on November 28, 2007 approving the remodel of an existing single-family house located at 75 Cloud View Road. The approval would include 640 square-feet of additional floor area and the relocation and minor reduction of existing building coverage and impervious surfaces, which currently exceed development standards.

The attached letter from the appellant states that the appeal is based on a variety of issues including: insufficient neighborhood outreach was completed, Staff did not sufficiently address the appellant's concerns, Staff did not visit the inside of the home of the appellant, the Commissioners did not adequately consider the photos presented by the appellant, the applicant's architect submitted misleading photos of the proposed expansion, Staff did not adequately guide the appellant through the process, the revised story poles were constructed after completion of the Staff report, there were misstatements in the Staff report, the Heightened Review Findings were not properly made, the architectural gables are unnecessary, and other alternative design options are available.

BACKGROUND

The project architect, David Kalb, initiated the project in the beginning of 2007 through multiple pre-application meetings scheduled with Staff to discuss the proposed application. Prior to the submittal of the application, the architect and owners also held neighborhood outreach meetings.

On November 7, 2007 the Planning Commission held a public hearing on the subject application for an interior and exterior remodel for the property located at 75 Cloud View Road. One neighbor opposed the project, Matsuno Patrick, who was not able to attend the Planning Commission meeting and thus sent two of her employees to represent her concerns. The representatives expressed her concern for the height of the roof and the impact it may have on

views. The Planning Commission stated that, although they strongly supported the project, they wanted to ensure good neighborhood relations and thus requested the applicant drop the proposed main ridge to 50% of the proposed additional height. They also requested that new story poles be placed in order for Matsuno Patrick to view upon her return, which was the day before the next Planning Commission hearing.

The November 7, 2007 hearing concluded with the Planning Commission's request to place the item on the Consent Calendar with a resolution of approval for the November 28, 2007 meeting. During the November 28, 2007 meeting, Ms. Patrick requested to pull the item from the Consent Calendar, and expressed her concern with the gables and their potential impact. The Planning Commission considered her concerns, and reviewed her photographs submitted at the time of the hearing that illustrated her view concerns. Because the view impact was from a secondary view room and did not impact the home's primary views, the Planning Commission determined that the applicant had designed the project to minimize view obstructions to the extent feasible and unanimously approved the project. Ms. Patrick filed an appeal of the Planning Commission's approval on December 6, 2007.

The attached November 7, 2007 and November 28, 2007 Planning Commission Staff reports provide additional discussion of the project background prior to the Planning Commission hearings.

ISSUES

The issues raised by the appellant's architect are as follows:

1. Insufficient neighborhood outreach was completed.
2. Staff did not sufficiently address the appellant's concerns.
3. Staff did not visit the inside of the home of the appellant.
4. The Commissioners did not adequately consider the photos presented by the appellant.
5. The applicant's Architect submitted misleading photos of the proposed expansion.
6. Staff did not adequately guide the appellant through the process.
7. The revised story poles were constructed after the completion of the Staff report.
8. Misstatements in the Staff report.
9. Heightened Review Findings were not properly made.
10. The architectural gables are unnecessary.
11. Other design options are available.

Additional issues raised by the appellant's lawyer are as follows:

12. Inaccurate information was presented to Staff.
13. Staff failed to properly conduct the mandatory heightened review.
14. The decision does not conform to the evidence.
15. Staff failed to investigate and address the concerns of Ms. Patrick expressed to them about the project, telling her that she "could file an appeal".
16. The applicants never identified that there would be a significant increase in the building envelope.
17. The proposal would block a significant portion of the appellant's primary views.

1. Insufficient neighborhood outreach was completed.

Neighborhood outreach was conducted both by Staff, pursuant to State regulations, and by the applicant, pursuant to the Community Development Department's requirement for neighborhood outreach as part of the Design Review process.

Pursuant to California Planning and Zoning Law Section 65090(a), public notice is required for all public hearings and "shall be posted at least 10 days prior to the hearing in at least three public places within the jurisdiction of the local agency" and "shall be mailed or delivered at least 10 days prior to the hearing to all owners of the real property as shown on the latest equalized assessment roll within 300 feet of the real property that is subject to the hearing." On October 26, 2007 the required noticing was posted within a 300 foot radius of the home and in City Hall by Staff, as noted in Declaration of Noticing. Notices were also mailed on October 25, 2007 within the required 10 day noticing period, as documented in the attachments. The Brown Act requires that "at least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting." On October 26, 2007 the required noticing was posted on a public notice board within the Sausalito City Hall and in a locked notice board located on the exterior of the Sausalito City Hall, as noted in Declaration of Noticing.

In addition to the required public noticing completed by Staff, the applicant conducted neighborhood outreach, as included as an Exhibit in the attached November 7, 2008 Staff report. Neighbors from seven surrounding properties toured the house and reviewed the proposed plans and expressed general support for the project. The appellant's were invited to view the plans, but were out of town and could not attend.

2. Staff did not sufficiently address the appellant's concerns.

As no letter was submitted to Staff in opposition of the project, Staff was unable to formally address the appellant's concerns. When the appellant's representatives came to the Sausalito Community Development counter, Staff explained the Design Review process and how the forum of the project's public hearings were available to express their concerns. The appellant's representatives utilized the public hearings to express their concern to the Planning Commission regarding the potential view impact.

3. Staff did not visit the inside of the home of the appellant.

On Thursday, September 6, 2007 at 2pm, Staff met with the applicant and architect at 75 Cloud View for a walkthrough and to photograph the site and surrounding areas and views. On Friday, October 26, 2007, Staff met with the architect to review the story poles. Staff took photos of the story poles from the side of the appellant's home. Staff was unable to access the property as the appellant's property has a locked gate and no one was home. At this point, no public opposition had been expressed, and Staff was unaware of any view concerns. A few days prior to the November 7, 2007 Planning Commission hearing, the appellant's representatives discussed the appellant's concerns with Staff and stated that the appellant would return home on November 27, 2007. Although Staff did not view the story poles from within the appellant's home before the November 28, 2007 Planning Commission hearing, Staff has subsequently

viewed the story poles from inside the appellant's home and continues to recommend approval of the project.

4. The Commissioners did not adequately consider the photos presented by the appellant.

On November 28, 2007 the appellant and one of her representatives presented the Planning Commission with photos of the proposed story poles taken prior to the November 28, 2007 Planning Commission Hearing. Commissioner Kellman asked the appellant if the photos were zoomed in images of the roof and story poles. The appellant's representative nodded her head in affirmation of this question. The Commissioners expressed concern that the appellant's photos were exaggerated and did not accurately represent the actual view of concern.

5. The applicant's architect submitted misleading photos of the proposed expansion.

The photos of the proposed story poles were submitted as a part of the applicant's Design Review application. Staff visited the site to view the story poles and determined the photos submitted by the applicant adequately represented the proposed story poles.

6. Staff did not adequately guide the appellant through the process.

Prior to the November 7, 2007 and November 28, 2007 Planning Commission hearings, the appellant's representatives contacted Staff inquiring about the proposed application. Staff spent time with both representatives to identify the scope of work as well as to go over all information related to the project. In addition to the verbal information given to the appellant's representatives, Staff also provided staff reports for both hearings. Staff spent a significant amount of time with the appellant's representatives, and the representatives expressed to Staff that they thoroughly understood the process and the subject application.

7. The revised story poles were constructed after the completion of the staff report.

At the November 7, 2007 Planning Commission hearing, the Commission continued the item to a date certain of November 28, 2007 and requested the applicant construct revised story poles. The Commission requested the revised story poles be completed prior to November 27, 2007, in order to allow proper assessment by both the Commission and the appellant. In order for the Planning Commission to hear the item, the staff report was required to be completed and ready for distribution on November 22, 2007. However, the staff presentation provided an update on the story poles. The Planning Commission did not require the story poles to be constructed prior to the completion of the November 28, 2007 Staff report.

8. Misstatements in the staff report.

The appellant's representative, Michael Rex, states that the staff report only details the "roof forms will extend upward only one foot." The staff report clearly states "The revised plan set details that the increase in height of the new ridgeline located above the kitchen and dining room will be reduced by approximately half, measuring a total of one foot above the existing ridgeline." The new ridgeline will not increase above the existing tallest point of the ridgeline. The only increase of the structure, above the existing height, will be that of the gables. The staff report identifies the ridgeline, not "roof forms."

The appellant also states that "Staff points out in their report that the applicant had responded to input from the Commission when in fact, they had not fully complied." As further clarification of this statement is necessary, Staff is unaware of the intention of this statement and cannot respond.

9. Heightened Review Findings were not properly made, "The required finding states: "Particular care was taken to protect primary views." The fact is that such views are being seriously blocked.

Chapter 10.88 of the Sausalito Zoning ordinance defines a secondary view as a "view from bathrooms, accessory bedrooms, passageways, and utility areas." The view identified by the appellant as the view 'being seriously blocked' is a view from a lower level accessory bedroom, and as such is considered to be a secondary view, not a primary view.

10. The architectural gables are unnecessary.

The statement by Michael Rex, on behalf of the appellant, Matsuno Patrick, noted that the architectural gables were unnecessary. The gables are an architectural feature, integral to the design proposed by the applicant. They provide an attractive detail consistent with architectural design throughout Sausalito and in the neighboring community.

11. Other design options are available.

The approved design for the remodel to 75 Cloud View Road is that which was presented to the Planning Commission for their consideration. At the time the design was presented, no other design options were proposed by the applicant or the appellant.

12. Inaccurate information was presented to Staff.

The information submitted to Staff as part of the proposed Design Review and Non-Conformity Permit application was reviewed by Staff. Based on Staff's review of the application, Staff determined that the information submitted by the applicant was accurate and clearly representative for the proposed remodel.

13. Staff failed to properly conduct the mandatory heightened review.

Please see the response under issue number 9, which addresses this issue.

14. The decision does not conform to the evidence.

Based on Staff's analysis of the application, Staff believes that the information submitted is sufficient and adheres to all required Zoning Ordinances and Municipal Code requirements, and therefore can be recommended for approval. The Planning Commission considered the information in the staff report, project materials, and public testimony, and subsequently approved the project.

15. The applicants never identified that there would be a significant increase in the building envelope.

Please see the response under issue number 2.

16. The applicants never identified that there would be a significant increase in the building envelope.

As discussed in detail in the November 7, 2007 and November 28, 2007 staff reports, the habitable floor area of the structure was increased, but the total building coverage and impervious surface coverage was decreased. The proposed project would remove some impervious surface and reduce building coverage on the property, and would relocate a portion of the total removed impervious surface to another part of the parcel. The proposal would result in the removal of approximately 130 square-feet of impervious surface and building coverage, and would add 640 square feet of floor area, resulting in a 4,115 square-foot single-family home.

17. The proposal would block a significant portion of the appellant's primary views.

Refer to issue number 9.

PUBLIC COMMENT LETTERS

Staff has received public comment on January 22, 2007 from two neighbors concerned with the view impacts to the 73 and 89 Cloud View Road properties, after the Planning Commission's approval. These are included as attachments. Prior to the November 7, 2007 Planning Commission hearing, Staff received verbal support of the project from an adjacent neighbor.

STAFF RECOMMENDATIONS

Staff recommends that the City Council adopt the Resolution of the City Council of the City of Sausalito Denying the Appeal of Michael Rex and upholding the Planning Commission's Approval of Design Review and Non-Conformity Permit Application No. DR/NC 07-027 for the remodel to an existing single-family home at 75 Cloud View Road.

ATTACHMENTS

1. City Council Draft Resolution
2. Appeal letter from Michael Rex, December 6, 2007
3. Appeal Letter from Craig Miller, Esq., December 6, 2007
4. Letter from appellant, December 6, 2007
5. Letter from applicant, March 17, 2007
6. Declaration of Noticing, November 7, 2007
7. Planning Commission Notice, November 7, 2007
8. Planning Commission Staff Report Packet, November 7, 2007
9. Planning Commission Staff Report Packet, November 28, 2007
10. November 28, 2007 Planning Commission meeting minutes (Draft)
11. Staff rendering of views from 73 Cloud View Road, as presented to the Planning Commission no November 28, 2007, with and without the proposed 75 Cloud View Road project
12. Public Comment

Item #: 005A

Meeting Date: 01/29/08

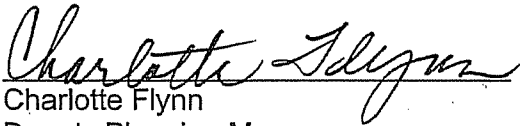
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PREPARED BY:



Diane Henderson
Interim Community Development Director

REVIEWED BY:

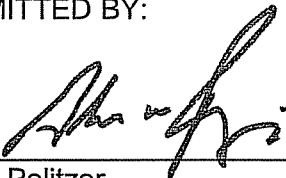


Charlotte Flynn
Deputy Planning Manager



Mary Wager
City Attorney

SUBMITTED BY:



Adam Politzer
City Manager

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RESOLUTION NO. 2008 -__

RESOLUTION OF THE SAUSALITO CITY COUNCIL DENYING THE APPEAL OF MICHAEL REX ON BEHALF OF MATSUNO PATRICK AND UPHOLDING THE PLANNING COMMISSION'S APPROVAL OF DESIGN REVIEW AND NON-CONFORMITY PERMIT APPLICATION NO. DR/EP 07-027 FOR A REMODEL TO AN EXISTING SINGLE-FAMILY HOME AT 75 CLOUD VIEW ROAD

WHEREAS, an application was filed on December 6, 2007 by Michael Rex, on behalf of Matsuno Patrick, requesting Planning Commission approval of Design Review and Non-Conformity Permit for 75 Cloud View Road (DR/NC 07-027); and

WHEREAS, the Planning Commission conducted duly noticed public meetings on November 7, 2007 and November 28, 2007 in the manner prescribed by local ordinance, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the plans, maps, studies, and other documentation submitted for the project; and

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

WHEREAS, the Planning Commission reviewed and considered the information contained in the November 7, 2007 and November 28, 2007 staff reports for the proposed project; and

WHEREAS, the Planning Commission, as conditioned, determined that the proposed Design Review and Non-Conformity Permit comply with the requirements of the Zoning Code including applicable Design Review, Heightened Review and Non-Conformity Findings; and

WHEREAS, the Planning Commission found that the proposed project is a Class 1 categorical exemption in conformance with CEQA Section 15301(e)(2); and

WHEREAS, the Planning Commission found that, as conditioned herein, the proposed project complies with the General Plan as outlined in the staff report;

WHEREAS, an appeal of the Planning Commission's decision was filed with the City of Sausalito on December 6, 2007 by Michael Rex on behalf of Matsuno Patrick, and based on view obstruction and privacy impacts from the real property located at 73 Cloud View Road; and

WHEREAS, the City Council conducted a duly noticed public hearing on January 29, 2008; and

WHEREAS, the City Council on January 29, 2008 received and considered oral and written testimony, evidence obtained from site visits, staff reports, project plans and materials,

prior minutes of the Planning Commission and Planning Commission Resolution No. 2007-38; and

WHEREAS, the City Council considered all issues presented by the appeal subject to the provisions of the Sausalito General Plan and the Sausalito Municipal Code; and

WHEREAS, based on the record of this proceeding, including the testimony and materials received and described above, the City Council finds that the Planning Commission did not err in its decision to approve Design Review Permit and Non-Conformity Permit Application No. DR/NC 07-027.

NOW, THEREFORE, THE CITY COUNCIL HEREBY FINDS AND RESOLVES AS FOLLOWS:

The City Council hereby denies the appeal and upholds the decision of the Planning Commission. The City Council hereby affirms and incorporates the findings and conditions of approval outlined in the Planning Commission Resolution No. 2006-38.

PASSED AND ADOPTED at the regular meeting of the City Council of the City of Sausalito on the 29th day of January, 2008, by the following vote:

AYES: Councilmember:
NOES: Councilmember:
ABSENT: Councilmember:
ABSTAIN: Councilmember:

MAYOR OF THE CITY OF SAUSALITO

ATTEST:

DEPUTY CITY CLERK

MICHAEL REX ASSOCIATES

ARCHITECTURE & DESIGN
1750 BRIDGEWAY
SUITE B211
SAUSALITO
CALIFORNIA 94965
T 415 331-1400
F 415 331-5463

December 5, 2007
City Council
City of Sausalito
420 Litho Street
Sausalito, CA 94965

RECEIVED

DEC 05 2007

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT DEPT.

**RE: 75 CLOUD VIEW ROAD /DR NC 07-027 / APN 065-191-25
APPEAL OF PLANNING COMMISSION APPROVAL FOR 75 CLOUD VIEW ROAD**

Dear Members of the City Council;

On behalf of Ms. Matsuno Patrick, owner of 73 Cloud View Road, the home adjacent and behind the home owned by Pierre and Cecilia Vacherand at 75 Cloud View Road, we write to appeal the action of the Planning Commission on November 28, 2007 approving renovations to the Vacherand residence illustrated on plans prepared by Architect, David R. Kalb, dated November 19, 2007.

Planning Commission approval will allow renovations to the Vacherand home that included new and higher roof forms which will significantly block primary views of the San Francisco Bay and City skyline from one of Ms. Patrick's primary living spaces, thereby reducing her enjoyment and the value of her home. Errors have occurred in the City's processing of the Vacherands' Design Review application, including misstatements made in the Staff Report. Proper review of the facts associated with this application will demonstrate that the findings required for granting approval cannot be made.

The short noticing period, coupled with the fact that Ms. Patrick was abroad taking care of an ageing member of her family during critical events associated with the City's processing of this application, has resulted in Ms. Patrick retaining our services to represent her only two days ago. More time is needed to absorb all the pertinent data. We also wish to meet with the applicant, the outcome of which is unknown at this time. For these reasons, we expect to submit to the City, at a later date and in addition to this letter, more detailed information concerning this appeal.

The primary errors that occurred and the reasons for the appeal include, but are not limited to the following:

- Insufficient neighborhood outreach.
- Lack of adequate Staff response to concerns expressed by Ms. Patrick and her agents prior to the Commission's action.
- Lack of a visit to Ms. Patrick's home by Staff and Commissioners necessary to properly assess the impacts of the proposed renovations.
- Lack of adequate consideration by Commissioners during their hearing of exhibits presented and to concerns raised by the most impacted neighbor.
- Misleading photographs of the proposed expansion presented by the applicant.
- Lack of proper guidance by Staff associated with the plan approval process provided to the concerned neighbor.
- Revised story poles being installed after the final Staff Report is written and distributed, preventing a proper assessment of project revisions.

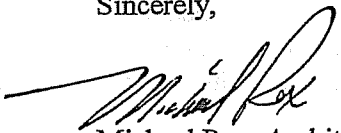
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- Numerous misstatements in the Staff Report, including an inaccurate project description. For example:
 1. The Staff Report states that roof forms will extend upward only one foot, when in fact, critical portions of the roof will rise six feet or more.
 2. Staff points out in their report that the applicant had responded to input from the Commission when in fact, they had not fully complied.
 3. Regarding the Design Review finding, "The proposed project has been designed to minimize obstruction of primary views from private property," Staff points out in their report that, "The home is situated in such an area that it is not significantly visible to the surrounding homes," Yet the Vacherand home is directly in front of Ms. Patrick's home and is the entire foreground of her only bay and city views.
- The Project was found to be consistent with the guidelines for heightened review when it is not. The required finding states: "Particular care was taken to protect primary views." The fact is that such views are being seriously blocked.
- The proposed encroachment into Ms. Patrick's beautiful primary views are for architectural features that are unnecessary and excessive.
- Numerous design options exist and are available to the applicant that would not diminish Ms. Patrick's enjoyment and value of her home, options that to our knowledge have not been explored by the applicant, Staff or the Commission.

In a later letter, we will explain these errors and others in more detail. In the interim, we are currently seeking a dialog with the applicant to explore options that will accommodate the needs of both neighbors.

We appreciate the Council's careful consideration of this appeal to right the Planning Commission's error in approving the Vacherands' renovation project as currently proposed. We trust you will protect Ms. Patrick's property rights and uphold our appeal.

Sincerely,



Michael Rex, Architect

c.c. Ms. Matsuno Patrick
Mr. Craig S. Miller, ESQ.

GENERAL APPLICATION FORM

CITY OF SAUSALITO - COMMUNITY DEVELOPMENT DEPARTMENT

420 LITHO STREET • SAUSALITO, CA 94965 • (415) 289-4100

APPLICATION NO. _____ DATE RECEIVED _____

- | | |
|--|---|
| <p>_____ Administrative Design Review</p> <p>_____ Administrative Sign Permit</p> <p>_____ Amended Final Map</p> <p>_____ Amended Parcel Map</p> <p><input checked="" type="checkbox"/> Appeals</p> <p>_____ Certificate of Compliance</p> <p>_____ Conditional Use Permit</p> <p>_____ Condominium Conversion CUP</p> <p>_____ Condominium Subdivision</p> <p>_____ Design Review</p> <p>_____ Design Review Modification</p> <p>_____ Determination of Use</p> <p>_____ Encroachment Agreement</p> <p>_____ General Plan Amendment</p> <p>_____ Lot Line Adjustment</p> <p>_____ Major Subdivision (5+ lots)</p> | <p>_____ Minor Subdivision (up to 4 lots)</p> <p>_____ Minor Use Permit</p> <p>_____ Nonconformity Permit</p> <p>_____ Parking Determination</p> <p>_____ Revised Parcel Map</p> <p>_____ Revised Tentative Map</p> <p>_____ Specific Plan Amendment</p> <p>_____ Subdivision Extension</p> <p>_____ Variance</p> <p>_____ Vesting Tentative Map</p> <p>_____ Zoning Administrator</p> <p>_____ Zoning Ordinance Amendment</p> <p>_____ Zoning Permit</p> <p>_____ Environmental Review _____</p> <p>_____ Other: _____</p> |
|--|---|

ADDRESS APPEAL OF 75 CLOUD VIEW ROAD DATE BUILDING CONSTRUCTED _____

ASSESSOR'S PARCEL # 065-191-25 ZONING DISTRICT: _____

1. Owner(s) Name: PIERRE & CECILIA VACHERAND

Address: _____ City: _____ State: _____
 Zip: _____ Phone: _____ Fax: _____
 E-mail: _____

2. Applicant(s) Name: MICHAEL REX ASSOCIATES ON BEHALF OF MATSUNO PATRIK

Address: 1750 BIRCHWAY BLVD #211 City: SAUSALITO State: CA
 Zip: 94965 Phone: (415) 331-1400 Fax: (415) 331-5463
 E-mail: REX@REXASSOC.COM

3. Applicant's interest in the property:
 Owner _____ Buyer _____ Representative _____ Architect

4. Existing Use(s): _____

5. Proposed Construction: SEE APPEAL LETTER DATED DEC. 5, 2007
APPEAL OF PROPOSED RENOVATIONS TO 75 CLOUD VIEW RD.

If new or additional construction is proposed, complete the following in addition to the attached Zoning Permit Application:

6. Will grading be required? Yes _____ Cubic Yards (cut/fill) _____ No _____
7. How will water be supplied? MMWD _____ Individual Well(s) _____ N/A _____
8. Will any trees be removed? Yes _____ No _____
 If yes, what types? _____

9. Other proposed improvements:
 Landscaping _____ Dredging _____ Parking _____ Exterior Lighting _____

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VARIANCES ONLY (ATTACH ADDITIONAL LETTER OF JUSTIFICATION)

Describe the proposed Variance:

Variance from Section(s): _____

SUBDIVISION INFORMATION ONLY

Number of Lots: _____ Condominium: Yes _____ No _____

LOT LINE ADJUSTMENT INFORMATION ONLY

Describe the Proposed Lot Line Adjustment:

Existing Parcel Size(s): Parcel 1: _____ Parcel 2: _____
Adjusted Parcel Size(s): Parcel 1: _____ Parcel 2: _____

PARCEL ONE

PARCEL TWO

Owner's Signature _____

Owner's Signature _____

Date _____

Date _____

Owner's Name (Please Print) _____

Owner's Name (Please Print) _____

Assessor's Parcel Number _____

Assessor's Parcel Number _____

* If there are more than two affected property owners, please attach separate letters of authorization

REZONING OR TEXT AMENDMENT ONLY

The applicant wishes to amend Section _____ of the Sausalito Municipal Code Title 10 (Zoning).

The applicant wishes to Rezone parcel _____ from the _____ Zoning District to _____

GENERAL OR SPECIFIC PLAN AMENDMENT ONLY

Please describe the proposed amendment:

CERTIFICATION AND SIGNATURES

I, the property owner, do hereby authorize the applicant designated herein to act as my representative during the review process by City staff and agencies.

Owner's Signature _____

Date _____

I, the applicant, do hereby declare under penalty of perjury that the facts and information contained in this application, including any supplemental forms and materials, are true and accurate to the best of my knowledge.

Michael C. Rex, ARCHITECT
Applicant's Signature

December 5, 2007
Date

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Craig Miller, Esq. (State Bar No. 139682)

WEISBERG & MILLER

654 Sacramento Street, 3rd Floor

San Francisco, CA 94111

Telephone: (415) 296-7070

Facsimile: (415) 296-7060

Attorneys for Appellant Matsuno Patrick

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DEC 06 2007

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT DEPT.

SAUSALITO PLANNING COMMISSION
COUNTY OF MARIN

In re: 75 Cloud View Road, Sausalito

Matsuno Patrick,

Affected Neighbor/Appellant,

v.

Pierre and Cecilia Vacherand,

Property Owners/Respondents.

NOTICE OF APPEAL AND APPEAL OF
DECISION ALLOWING PROJECT:

7DR NC 07-027 / APN 065-191-25

ISSUED ON NOVEMBER 28, 2007

Matsuno Patrick timely appeals the Sausalito Planning Commission's decision of November 28, 2007, which approved plans for extensive construction to 75 Cloud View Road; plans that if not reversed, would substantially block Ms. Patrick's preexisting primary views of San Francisco Bay.

This appeal is based on erroneous conclusions by the Planning Commission's staff, which were made because:

- inaccurate information was presented to the staff;
- the staff failed to properly conduct the mandatory heightened review the project must meet;
- the decision does not conform to the evidence; and
- the staff failed to investigate and address the concerns Ms. Patrick expressed to them about the project, telling her that she, "could file an appeal."

This appeal is brought pursuant to Sausalito Planning Code Chapter 10.84 *et seq.*, and is more particularly detailed in a letter contemporaneously filed on Ms. Patrick's behalf by Michael Rex, Sausalito architect.¹

I. Brief Statement of the Facts

Ms. Patrick is the owner and 23-year resident of 73 Cloud View Road. Her property has expansive views of San Francisco Bay extending to San Francisco from both the upper and lower floors of only one side of her home. It is this view that the approved project would substantially block.

Ms. Patrick's home is located up the slope directly behind the Vacherands' home, which they recently purchased. Shortly after they acquired their property, the Vacherands sent letters to their neighbors, including Ms. Patrick, stating that the Vacherands intended to begin construction of their new home.²

The Vacherands wrote to Ms. Patrick on March 17, 2007, representing to her that their construction was intended to correct "substandard architecture, questionable plumbing & electricity and the decking that is ready to collapse at anytime . . ." They never communicated to Ms. Patrick that they really intended to significantly increase the envelope of their existing home.

Despite writing to Ms. Patrick that they would "make sure your concerns are addressed in our plans," the Vacherands never provided their construction plans to Ms. Patrick.

After receiving the Vacherands' March 17, 2007 letter, an illness in Ms. Patrick's family necessitated her leaving the country. While she was absent, the Vacherands pursued their plans. When Ms. Patrick returned to her home and learned of the extensive work planned by the Vacherands, (work that would block a significant portion of her primary views), Ms. Patrick objected.

Ms. Patrick has tried to resolve the matter informally with the Vacherands, even going so far as to ask her architect to discuss the matter with the Vacherands architect. In response the Vacherands told her to never communicate with their architect and that if she did not like their plans to pursue this appeal.

¹ Attached as Exhibit A is a letter from Ms. Patrick confirming that she has retained Mr. Rex and Weisberg and Miller to assist her with this matter.

² Attached as Exhibit B is a copy of the March 17, 2007, letter

II. The Planning Commission Should Grant This Appeal and Deny Approval of Respondents' Project Because the Project Blocks Appellants' The Primary Views.

Recognizing how important views are to its residents, Sausalito, in Chapter 10.54.040 (B)(6)(c) and (d) of the Zoning Ordinance mandates that projects for existing single family homes require design review and special permits where the project, “[h]as the potential to impair views from other properties; or (d) increases the height of any building.”

In addition, Chapter 10.54.040 (E)(3) requires that any, “site will be developed in a manner that minimizes the obstruction of views from surrounding properties and public vantage points, **with particular care taken to protect primary views.**”

Considering this long-established, strong public policy of protecting views, it is almost unfathomable how the staff could state that no primary views would be blocked by the Vacherands' project. If the Vacherands had properly complied with the plan checker's November 7, 2007, directive to post new marker poles designating the roof line, even a cursory visit to the site would show how the view would be impaired.

Unfortunately, there is no evidence that staff investigated to see that marker poles were properly and timely posted, and inspected the site after the poles were belatedly posted to see how the view would be blocked. Therefore, there was no mention of the blocked views in the staff report, so the commissioners were kept in the dark about the true effect of this project.

III. This Appeal Should Be Granted Because the Decision Approving The Construction Plans Was Based on Insufficient Facts and Misrepresentations.

The letter submitted with this appeal by architect Michael Rex details multiple, significant, and substantial errors made in the staff report that approved this project. Had these errors not occurred, the staff could have only reached one recommendation to present to the commissioners—to deny the project as presently conceived for violating Chapter 10.54.040 (B)(6)(c) and (d) and (E)(3) of the Zoning Ordinance.

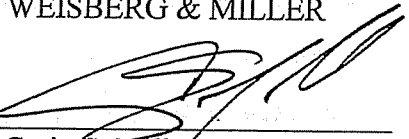
IV. Conclusion

Now that accurate information, which correctly reflects the scope of the Vacherands project is being presented in this appeal, the project's approval should be reversed. The Planning

Commission should grant Ms. Patrick's appeal to correct an aberrant decision that does not conform to the Sausalito Municipal Code. Without the Planning Commission's intervention to rectify this matter at an early stage before the Vacherands have expended any more time and money on an illegitimate project that should never have been approved in the first place, Ms. Patrick will be forced to pursue the matter further. It would be regrettable if this matter is not resolved at the administrative level and must proceed further.

Respectfully submitted,
WEISBERG & MILLER

December 6, 2007

By: 
Craig S. Miller,
Attorneys for Matsuno Patrick

December 6, 2007

City Council
City of Sausalito
420 Litho Street
Sausalito, CA 94965

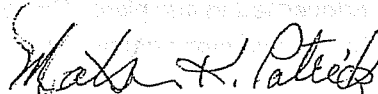
**RE: 75 CLOUD VIEW ROAD /DR NC 07-027 / APN 065-191-25
APPEAL OF PLANNING COMMISSION APPROVAL FOR 75 CLOUD VIEW
ROAD**

Dear Members of the City Council:

This will confirm that I have retained Mr. Michael Rex and Michael Rex Associates to represent my interests with regard to the above referenced matter. Further, this will also confirm that I have retained Mr. Craig Miller and the Law Firm of Weisberg & Miller to represent my interests with regard to the above referenced matter.

Thank you for your anticipated attention to and consideration of my appeal.

Very Truly Yours;



Matsuno Patrick

73 Cloud View Rd.
Sausalito, CA 94965
415-331-5049

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March 17, 2007

Hi Neighbors!

We just wanted to drop a note in your mailbox to introduce ourselves. We are your new neighbors, Cecilia and Pierre Vacherand, and we have just purchased 75 Cloudview Road. We moved here from France in May 2006 and its taken almost a year for us to find a home in our dream neighborhood. We have two children, Zachary (15) and Inès (15) who are both with us part-time (Zach is going to school in Auburn and Inès is going to school in Paris but both are with us during the holidays and for the summer.) We should be moving into the house within the next few weeks or so.

Our new-old home needs A LOT of work and we will be busy for the next 8 months or so trying to correct its flaws and update it. Between the substandard architecture, questionable plumbing & electricity and the decking that is ready to collapse at anytime, we are going to be really busy! We are currently working with an architect and as soon as we know exactly what we'd like to do, we'd be happy to share our plans with you. We really want to be careful that whatever improvements we make to the house does not negatively affect any of our neighbors so we welcome your input. We won't be able to do much about the noise of the construction so, of that, we ask of your patience.

The landscaping has also grown a bit wild and we are planning on asking an arborist to come in an trim back some of our trees. If our trees are in your view or you have a preference of what you DON'T want us to do, please let us know and we will definitely make sure your concerns are addressed in our plans. Our goal is to do our share to make the neighborhood a better place to live and more enjoyable for everyone.

We would love to meet you in person but we're hesitant to just "drop-in" unannounced. On the other hand, because it's kinda like camping here and it's definitely informal, we welcome anyone to stop by...especially if you want to just take a look at the house during its "This Old House" period. Cecilia usually has a pot of coffee on and we would love to hear the history of the area!

Warm regards,

Cecilia & Pierre Vacherand
415-694-0863 (cecilia's cell phone)

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**DECLARATION OF NOTICING
COMMUNITY DEVELOPMENT DEPARTMENT
PUBLIC HEARING NOTICE**

ADDRESS OF APPLICATION: 75 CLOUDBVIEW. ROAD APPLICATION NO.: APN 065-191-25

DATE OF PUBLIC HEARING: NOV 7 2007

PLANNING COMMISSION _____ ZONING ADMINISTRATOR _____ STAFF DESIGN REVIEW _____

DATE MAILING LIST PREPARED: 10/25/07 DATE NOTICE MAILED: 10/25/07

DATE NOTICE TO APPEAR IN PAPER: _____ DATE NOTICE POSTED: 10/26/07

NUMBER/COST OF NOTICES: _____ LETTER IN ENVELOPES @ \$.15 EACH = _____
_____ SINGLE SHEET/FOLDED @ \$.05 EACH = _____

MAILING COST: _____ POSTCARDS @ \$.23 EACH = _____
_____ LETTERS/SINGLE SHEETS @ \$.37 EACH = _____

TOTAL COST OF PRODUCING & MAILING NOTICES: _____

ADDITIONAL COSTS:

OUT OF SCOPE: _____ PUBLIC HEARING NOTICE _____ DISPLAY BOX AD _____

OTHER: _____

TOTAL COST OF NOTICING: AD + MAILING: _____

AMOUNT OF NOTICE FEE PAID: _____ \$100(100 ft) _____ \$175 (300 ft)

WITNESS:

ALBERTO VIANA ADMINISTRATIVE AIDE 10/26/07
NAME POSITION DATE

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CITY OF SAUSALITO
NOTICE OF PLANNING COMMISSION PUBLIC HEARING
FOR A DESIGN REVIEW APPLICATION

Application No. DR 07-027
75 Cloud View Road (APN 065-191-25)
R-1-6 (The Hill District)

You are invited to attend a Planning Commission hearing on the following project:

PROJECT: The applicant, David Kalb, on behalf of Pierre and Cecilia Vacherand, property owner, requests Planning Commission approval of a Design Review and Non-Conformity Permit for a remodel to the existing single-family house located at 75 Cloud View Road. The request is for 640 square-foot of addition floor area to the existing home and relocation and minor reduction of existing building coverage and impervious surface, which currently exceed development standards. The property is located in the R-1-6 (Single Family Residential) zoning district.

MEETING DAY/TIME: Wednesday, November 7, 2007, 6:30 P.M.

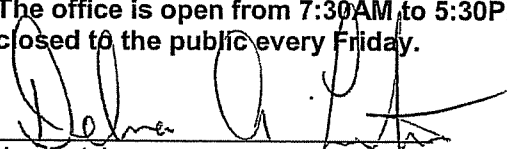
LOCATION: City Council Chambers, Sausalito City Hall, 420 Litho Street, Sausalito, CA 94965

WHAT WILL HAPPEN: You can comment on the project. The Planning Commission will consider all public testimony and decide whether to approve, deny, modify or continue the project. The Planning Commission may also decide whether further information and/or studies are required.

IF YOU CANNOT ATTEND: You can send a letter to Debra Lutske, Assistant Planner, City of Sausalito, City Hall, 420 Litho Street, Sausalito, CA 94965. You can also hand deliver a letter to the Community Development Department prior to the public hearing. **Letters received by noon on Wednesday, October 31st, 2007 will be included in the Planning Commission packet.** *The Planning Commission does not review written comments after the production of their agenda packet.*

FOR MORE INFORMATION: You can contact Debra Lutske at the Community Development Department at (415) 289-4134, (dlutske@ci.sausalito.ca.us). You can also come to the Community Development Department office located in City Hall, 420 Litho Street to review the application materials. **The office is open from 7:30AM to 5:30PM Monday through Thursday. The office is closed to the public every Friday.**

SIGNED


Debra Lutske
Assistant Planner

At the above time and place, all letters received will be noted and all interested parties will be heard. If you challenge in court the Planning Commission application, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing (Government Code Section 65009(b)(1&2)).

06/25/07 AV / mailed city hall
10/26/07 AV / posted
SA 22 AV

STAFF REPORT

SAUSALITO PLANNING COMMISSION

Agenda Item Number 6

PROJECT: 75 Cloud View Road / DR NC 07-027 / APN 065-191-25

MEETING DATE: November 7, 2007

STAFF: Debra Lutske, Assistant Planner

APPLICANT: David Kalb

PROPERTY OWNER: Pierre and Cecilia Vacherand

REQUEST

The applicant, David Kalb, on behalf of Pierre and Cecilia Vacherand, property owner, requests Planning Commission approval of a Design Review and Non-Conformity Permit for a remodel to the existing single-family house located at 75 Cloud View Road. The request is for 640 square-foot of additional floor area to the existing home and relocation and minor reduction of existing building coverage and impervious surface, which currently exceed development standards. The property is located in the R-1-6 (Single Family Residential) zoning district.

REGULATORY FRAMEWORK

Zoning: R-1-6 (Single-Family Residential)

General Plan: "The Hill" / Low Density Residential

CEQA: Class 1 categorical exemption pursuant to Section 15301 (see discussion below).

Required Permits: Design Review, Heightened Review, and Non-conformity Permits

EXISTING SETTING

Subject Parcel: 75 Cloud View Road is a 10,646 square foot lot and is currently developed with a 4,230 square foot three story single-family structure constructed in the 1930's with an attached 432 square foot two car garage. The lot at 75 Cloud View Road is a square shaped parcel which has a 29% slope. The land slopes in a western direction.

Neighborhood: The neighborhood consists of single-family residences. The project site is located on a private road at the west end of the cul-de-sac off of Cloud View Road. Single-family residences border the site on all sides.

HISTORY

Property Background

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Building records for the existing single-family residence do not show original building permits for when the residence was originally constructed. However, Marin County records indicate that a home was built in 1937, a portion of which still exists today.

The home originally constructed was a shingle style cottage, but over the years, and through extensive modifications, the property has changed into 4000 square foot shingle style home that it is today.

In May 1962, a variance was approved for a reduction in a side yard setback for the garage as well as for additional lot coverage to remodel the home. The additional lot coverage was to add a dining room, enclose a deck and passageway between the house and garage. A building permit was issued for the approved work on April 17th, 1963.

In 1977, a building permit was issued for a remodel to the home. The permit was to construct a new interior stairway, enlarge some windows, enclose the front patio, add a closet in rumpus room, and to install a prefabricated fireplace. Later that year another building permit was pulled to add a bedroom and bathroom to the home.

PROJECT DESCRIPTION

Structures

The proposed project includes an addition and remodel to the existing single-family home to create a clear pathway throughout the home. The renovation and additions to the home include: rebuilding the roof, decks, and entryway. Structural and cosmetic upgrades are also included in the proposed addition. The proposed addition to the main level would add approximately 147 square feet of floor area to the dining area, 70 square feet to the entryway, and 204 square feet to the master bath. The proposed addition to the ground floor would consist of 137 additional square feet of floor area, expanding an existing bedroom. In the lower level of the home, an in-law unit currently exists. The proposal for this area of the home would be to remove the kitchen while adding 39 square feet of floor area, in order to convert the room into a home office. The expansion would increase the building height from 23' to 25'. The house expansion and remodel would result in a four-bedroom and six-bathroom house, while removing the second unit.

75 Cloud View Road – Project Summary Table

	Existing	Code	Proposed	Compliance
Parcel Area:	10,646 sq. ft.	6,000 sq. ft. min.	No change	Yes
Land Use:	Single-family	Single-family	No change	Yes
Dwelling Units:	1	1	No change	Yes
Parcel Area/Unit:	10,646 sq. ft.	6,000 sq. ft. / d.u.	No change	Yes
Setbacks:				
Rear Yard:	10'-3"	15'ft	No change	No
Right Side Yard:	5'-4"	5'ft	No change	Yes
Left Side Yard:	3'-4"	5'ft	No change	Yes ⁽¹⁾

Height:				
House:	23'	32' max.	25'	Yes
Building Coverage:	4,230 sq. ft. (40%)	3,726 sq. ft. (35%)	4,100 sq. ft. (39%)	No
Floor Area:	3,475 sq. ft. (33%)	4,790.7 sq. ft. (45%)	4,115 sq. ft. (39%)	Yes
Impervious Surface:	8,101 sq. ft. (76%)	7,186.05 sq. ft. (67.5%)	7,971 sq. ft. (75%)	No
Parking Spaces:	4	2	No change	Yes

(1) Variance No.73, reduction in side yard setback for garage

CEQA

Staff has determined that the proposed project qualifies as a Class 1 categorical exemption pursuant to CEQA Guidelines Section 15301(e)(2), which states that additions to existing residential structures which are "less than 10,000 square feet and are located in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the area in which the project is located is not environmentally sensitive" are categorically exempt. The project is located in the R-1-6 zoning district and is consistent with the permitted residential uses as outlined in the Sausalito Municipal Code and the Sausalito General Plan. The project site is not considered more environmentally sensitive than other lots in Sausalito or in the surrounding neighborhood.

HISTORIC LANDMARKS BOARD

The proposed project involves exterior and interior modifications to a residential home built in 1937, which requires the approval of the Historic Landmarks Board (HLB) in conjunction with the request for a discretionary permit, based on the structure being over 50 years of age. The HLB considered the project at its September 19, 2007 hearing. At this hearing the HLB expressed its support for the proposed modifications as well as found there to be no historical significance of the building and voted to approve the project as submitted. The HLB memorandum dated Wednesday September 19, 2007 is attached.

ANALYSIS

Design Review Permit

Staff believes the proposed design greatly compliments the existing structure and both the architectural and site design will greatly improve the overall aesthetics and viability of the property.

The applicant and property owners have been working with the neighboring property owners surrounding the property to address any concerns with the overall design of the project. Staff believes view obstruction has been significantly minimized, as the structure is only being increased in height 2' 2". Since the house is set lower on the hill, than the other homes in the area, view issues will be minimal. No neighborhood concerns have been brought to staff's attention.

The architectural design of the proposed additions and renovations are intended to create a consistent design throughout the structure as well as with the surrounding neighborhood. Variation in exterior materials, roof elements, and building wall articulation result in a handsome renovation to the existing structure and minimizes negative impacts to surrounding structures. The materials proposed for the home are cedar shingle siding framed by painted white trim detailing as well as cultured stone wainscot. The decking material is called Ipe. Ipe is wood from South America which naturally resists rot, decay, insects, and mold without the use of toxic chemicals. It is also naturally fire resistant. The roofing will be a composition shingle material. Additionally, the benefits of changes in site design and landscaping lend greatly to the improvement and visual enjoyment of the site.

Modification to the front (west) of the existing structure will result in minimal changes to the façade. The most noticeable change is that of the main entrance. The front door is hidden below a stairway and mass of vegetation, making visibility to the entrance of the home difficult. The previous owners painted the front door red to identify the entrance of the home. The modifications will create a true entrance to the home. Other visual changes to the front of the home include multiple gables and a few additional, larger windows.

The proposed modifications to the back (east) of the existing structure are where the majority of the proposed changes are occurring. The applicant is proposing to alter the existing home to include gables, in order to frame the home. The applicant is proposing to create architectural consistency, as it does not currently exist. The gables will be visually supported by large stone wainscot pillars. Modifications to the windows are also proposed, enlarging most of the existing windows to capture the views. Also, additional decking is proposed below existing decking. This elevation of the home is minimally visible from the home above the subject structure and nearly invisible to the rest of the neighbors and is screened by a vast, existing amount of vegetation.

The applicant has proposed minor exterior changes to the south and north elevations. Minor changes are proposed to include windows, the addition of one door, reduction in deck size, minor modification of the size of exterior stairways, and the addition of stone pillars for decoration.

Staff believes that the applicant has designed the proposed project with particular attention to privacy. The proposed decks off the front of the structure have been also been situated to protect privacy of the living area and the neighboring structures.

Heightened Review Permit

The project requires Heightened Review to add new floor area exceeding eighty percent of the permitted Floor Area and/or site coverage limitations. The proposal will result in 85.8% of the total allowed floor area. The necessary findings that must be made to approve Heightened Review for the project include whether grading associated with the project would be necessary and safe, whether new units would be created, and whether parking demand would be increased and addressed. Staff finds that grading would be minimal as only 8 cubic yards of cut and fill are proposed. Staff further finds that the additional recreational space would not increase parking demand, as it would not add new living units. Staff can therefore recommend approval of Heightened Review for floor area for this project.

DR/NC 07-027
75 Cloud View Road

Agenda Item Number 6
November 7, 2007

Nonconformity Permit

The existing structure is considered a legal nonconforming structure due to it exceeding building coverage and impervious surface requirements. The proposed project would remove some impervious surface and reduce building coverage on the property, and would relocate a portion of the total removed impervious surface to another part of the parcel. The proposal would end up removing approximately 130 square-feet of impervious surface and building coverage. The proposed project would also add 640 square feet of floor area, resulting in a 4,115 square-foot single-family home.

To approve additions and alterations to a nonconforming structure the Planning Commission must approve a Nonconformity Permit and make specific findings as outlined in the attached draft Resolution of Approval. Because the proposed project reduces the building and impervious surface coverage nonconformity, Staff believes that the necessary findings can be made to approve the requested nonconformity permit.

GENERAL PLAN CONSISTENCY

To approve the proposed project the Planning Commission must determine that the project is consistent with all applicable General Plan policies. Staff has identified the following objective and policies as most relevant to the proposed project:

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.

Policy CD-1.3: Neighborhood Compatibility. Provide that all new residential structures, all residential structures that are to be removed and replaced, and those structures that are to be significantly remodeled, are designed to complement their setting and other 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.

Staff believes the proposed project is consistent with the General Plan as the design and massing of the additions would be compatible with the neighborhood, consistent with the design of the existing structure on the site and would complement the existing neighboring character. Significant design efforts have been undertaken to minimize view obstruction and design a building that is sensitive to the close proximity of the neighborhood. Staff believes that the proposed project would enhance the neighborhood and respects the scale and character of the district.

DESIGN REVIEW CRITERIA

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Prior to approving this application, the Planning Commission must determine whether the proposed project is in conformance with the Design Review Findings specified in Section 10.54.050(D) of the Sausalito Municipal Code. As described in greater detail in the attached draft resolution of approval, Staff believes that the Design Review Findings can be favorably recommended for the proposed project. Generally speaking, staff finds the proposed project to be compatible with the neighborhood with minimal negative impacts to adjacent properties or the neighborhood as a whole.

HEIGHTENED REVIEW CRITERIA

In addition to the Design Review criteria as discussed above, the Planning Commission must determine whether the proposed project is in conformance with the seven Heightened Review findings as outlined in Section 10.54.050(E) of the Sausalito Municipal Code. Each finding is discussed in greater detail in the attached draft resolution of approval. Staff believes that the findings for Heightened Review can be favorably recommended for the proposed project.

NONCONFORMITY PERMIT FINDINGS

As discussed in a previous section of this report, a Nonconformity Permit is also being requested to gain approval for the proposed additions to the existing nonconforming structure. Prior to approving the application the Planning Commission must determine that the required findings for a Nonconformity Permit, as outlined in Section 10.62.070(G) of the Sausalito Municipal Code, can be made. As individually discussed in the attached draft resolution of approval, Staff believes that the findings for a Nonconformity Permit can be favorably recommended for the proposed project.

STORY POLES

- Installation:** On October 26, 2007 the story pole installation was completed. The applicant will submit the story pole certification prior to the hearing.
- View and Light/Air Impacts:** No view or light/air impacts are expected, as the proposal is barely visible from any of the surrounding homes in the area.

PUBLIC NOTICE AND FEEDBACK

- Notice:** 10 days prior to the original hearing date, notice of this proposal was posted on site and was mailed to residents and property owners within 300 feet of the subject parcel.
- Neighborhood Outreach:** The applicant has submitted information pertaining to neighborhood outreach, as detailed in the Exhibits. Staff has not received any additional information, either in support or against this remodel.

STAFF CONCLUSIONS

**Overall Staff
Recommendation:**

Staff recommends approval of the project subject to the conditions outlined in the attached draft resolution of approval. Staff believes the project illustrates a well-designed architectural addition and site configuration that will improve the aesthetics of the existing conditions on the property. Additionally, Staff believes the Architect has extensively discussed the proposal with the surrounding neighbors, and staff believes the addition is designed to minimize impacts to existing views from neighboring properties.

The Commission may alternatively:

1. Approve the application subject to revised conditions and/or modifications;
2. Continue the application for additional information and/or project revisions; or
3. Deny the application on the basis that the project does not comply with Municipal Code Sections 10.54.050 or 10.62.070. In this case, Staff would need to return a Resolution of Denial at the Commission's November 21, 2007 meeting.

EXHIBITS

1. Draft Resolution of Approval Approving Design Review Permit No. DR NC 07-027 with Attachment A – Findings, Attachment B – Plans, and Attachment C – Conditions of Approval
2. Proposed Project Narrative
3. Elevation Renderings
4. Landscaped Elevation Renderings
5. Site Photos
6. CC&R's
7. September 19, 2007 Historic Landmark Board Memorandum
8. Neighborhood Outreach
9. Color and Materials Board
10. Geo-technical Report
11. Southern Marin Fire Protection District Comments

RESOLUTION NO. 2007-

**RESOLUTION OF THE SAUSALITO PLANNING COMMISSION
APPROVING DESIGN REVIEW AND NONCONFORMITY PERMIT
APPLICATION DR/NC 07-027 FOR ADDITIONS AND ALTERATIONS
TO THE EXISTING NONCONFORMING STRUCTURE AT 75 CLOUD VIEW ROAD**

WHEREAS, an application has been filed by the applicant, David Kalb Architects, on behalf of the property owners, Cecilia and Pierre Vacherand, requesting Planning Commission approval of a Design Review and Nonconformity Permit for additions and alterations to the existing nonconforming structure at 75 Cloud View Road (APN 065-191-25); and

WHEREAS, the Planning Commission conducted a duly noticed public meeting on November 7, 2007 in the manner prescribed by local ordinance, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission finds that the proposed project is a Class 1 categorical exemption pursuant to CEQA Guidelines Section 15301(e)(2); and

WHEREAS, the Planning Commission has reviewed and considered the project plans titled "75 Cloud View Road" stamped received by the City of Sausalito August 15, 2007 and September 30, 2007; and

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

WHEREAS, the Planning Commission has reviewed and considered the information contained in the November 7, 2007 staff report for the proposed project; and

WHEREAS, the Planning Commission finds that, as conditioned herein, the proposed project complies with the requirements of the Zoning Code as outlined in the staff report; and

WHEREAS, the Planning Commission finds that, as conditioned herein, the proposed project complies with the General Plan as outlined in the staff report; and

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

1. The Design Review Permit and Nonconformity Permit are approved as outlined in the attached findings (Attachment A).
2. The Design Review and Nonconformity Permits are approved, for project plans titled "75 Cloud View Road" stamped received by the City of Sausalito on August 15, 2007 and September 30, 2007 (Attachment B), subject to the attached conditions of approval (Attachment C).

RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Sausalito Planning Commission on the 7th day of November, 2007, by the following vote:

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

SECRETARY TO THE PLANNING COMMISSION

PLANNING COMMISSION HEARING
NOVEMBER 7, 2007
APPLICATION NO. DR/NC 07-027
75 Cloud View Road

ATTACHMENT A: FINDINGS

DESIGN REVIEW PERMIT FINDINGS

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

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

The project is consistent with the applicable objectives and policies of the General Plan. The proposed addition has been designed to enhance the character of the existing single-family structure and introduce changes in rooflines and materials to diversify the architectural elements of the home. The project conforms to applicable requirements of the Sausalito Municipal Code and does not request variance or exception from City requirements.

- B) 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 proposed additions and renovations to the existing single-family structure enhance the structure, the site, and the neighborhood by upgrading the structure and replacing existing hard surfacing with landscaping. The project maintains the general design, which is in character with many surrounding structures in the neighborhood.

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

Based on City records there appears to be a range in the size of existing structures in the surrounding neighborhood. Although the proposed addition will increase the floor area of the structure by about 640 square-feet, the resulting 4,100 square-foot single-family home does not appear to be out of scale with other homes in the area.

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

The project site is not visible from Cloud View Road because of its location down a shared driveway. Therefore, there is no impact to public views. The home is situated in such an area that it is not significantly visible to the surrounding homes.

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

ridgeline.

The proposed project would not result in a prominent building profile above a ridgeline. The addition will increase the height of the home approximately 2 feet, which will not cause a prominent building profile.

- F) The proposed landscaping provides appropriate visual relief, complements the buildings and structures on the site, and provides an attractive environment for the enjoyment of the public.

76% of the existing site is covered by impervious surface. Landscaping is proposed to replace some of the existing coverage, which will provide visual relief to the site and complement the character of the neighborhood. Privet Hedges and lawn areas are proposed along the east property line to buffer the structure and soften the environment. This planting in addition to the significant amount of existing landscaping will continue to provide an aesthetic vegetation shield at the rear of the existing site.

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

Due to the existing topography and layout of the neighborhood the additions and renovations to the existing structure will not impact light and air to surrounding structures.

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

No new exterior lighting is indicated on the submitted elevations. The City's standard condition regarding low wattage downward facing lighting has been included in the draft resolution of approval.

- I) The project provides a reasonable level of privacy to the site and adjacent properties, taking into consideration the density of the neighborhood, by appropriate landscaping, fencing, and window, deck, and patio configurations.

The proposed modification to the existing structure will not impact privacy in the surrounding area due to the location of the lot and steepness of the hillside. Additionally, the existing and proposed landscaping around the perimeter of the site will serve as an additional layer of buffer between the site and neighboring properties.

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

There are no changes proposed to the existing circulation or access patterns. Changes to the driveway would consist of driveway pavers, which will have no affect of the level of traffic safety or ease of movement.

- K) The proposed design preserves protected trees and significant natural features on the site to a reasonable extent and minimizes site degradation from construction activities and other potential impacts.

No tree removals are proposed. The project minimizes site degradation and necessary construction impacts measures have been added as conditions of approval to minimize impacts on the existing neighborhood during the construction process.

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

The project is subject to Heightened Review due to the relocation of building coverage that will continue to be in excess of 80% of the maximum allowed. Additionally, although the impervious surface coverage is being reduced, the resulting calculation remains in excess of 80% of the allowable impervious surface coverage for the property.

HEIGHTENED REVIEW FINDINGS

Pursuant to the Sausalito Municipal Code Section 10.54.050(E) (Heightened Review), it has been found that the permit requested can be approved based on the following findings:

- A) Proposed development of the site maximizes preservation of protected trees.

No tree removals are proposed for the project site.

- B) The site is configured with adequate width and depth to provide yard spaces and setbacks, proportional to the size of the structure.

The existing structure is considered nonconforming due to the existing building coverage and impervious surface. The proposed project would reduce the overall total amount of building coverage and impervious surface. Variance No.73 allows for a reduction on the north setback for the garage. All other setbacks requirements are met.

- C) The site will be developed in a manner that minimizes the obstruction of views from surrounding properties and public vantage points, with particular care taken to protect primary views.

The project minimizes obstruction of views from surrounding properties. The site is not visible from public vantage points and therefore does not create obstruction of a public view corridor.

- D) The proposed development of the site presents no potential hazard to public safety in terms of vehicle traffic, pedestrian circulation, slope and tree stability, run-off, and public utilities.

The proposed project would not create a hazard to public safety. No changes are proposed to the access to the parcel from Cloud View Road. No tree removals are proposed. No change is proposed to the existing utilities.

- E) The slope and topography of the site allows for limited excavation and minimal alteration to

the site topography outside the footprint of structures.

Approximately 8 cubic yards of fill are proposed. The fill will have minimal impact to the site topography outside of the footprint of the development.

- F) The site will provide adequate guest parking either on-site or within the immediate street frontage.

Two on-site parking spaces exist in the attached garage. Additional parking could be accommodated in the driveway, completely within the boundaries of the project site.

- G) The proposed plan provides adequate landscaping to maximize privacy and minimize the appearance of bulk.

The existing and proposed landscaping on the site will provide a significant benefit in providing a buffer between neighboring properties.

NONCONFORMITY FINDINGS

Pursuant to the Sausalito Municipal Code Section 10.62.070(G), it has been found that the permit requested can be approved based on the following findings:

- 1) Plans that document the nonconforming zoning entitlement being requested are on file with the City or an Evidentiary Public Hearing has been held to document the existence and extent of requested nonconforming zoning entitlement.

The City's address file contains minimal records of the original construction of the structure and some building permits that have been issued for additions and alterations on the site. The Historic Landmarks Board did extensive research on the history of the home. Based on these records the existing structure has been categorized as a legal nonconforming structure with respect to building and impervious surface coverage.

- 2) The existing non-conforming use and/or structure has not resulted in a notable negative impact or nuisance to the surrounding properties and district (i.e. excessive parking demand, traffic, noise, view obstruction, etc.)

Due to the topography and siting of neighboring structure, the nonconforming setbacks have not created a significant negative impact or nuisance to surrounding properties. Similarly, the existing nonconformity related to impervious surface coverage has not created a notable negative impact to the neighborhood.

- 3) The non-conforming use or structure is not incompatible with the general character of the surrounding neighborhood or district.

The existing nonconformities do not create a situation incompatible with the general character of the surrounding neighborhood. The proposed project further reduces the existing nonconformities and will benefit the neighborhood from an aesthetic perspective because it will replace existing hardscape with landscaped areas.

- 4) If the application is for a nonconforming use, the nonconforming use will contribute to the social and economic vitality of the district or will otherwise benefit the public health, safety, and welfare.

The application does not involve a nonconforming use.

- 5) The requested action will not be inconsistent with the purpose and intent of the zoning district.

The requested action maintains the single-family use of the property which is in keeping with the R-1-6 zoning district. Additionally, the proposed architectural and site design are in keeping with the development standards for the R-1-6 zoning district and in character with the neighborhood.

- 6) If it is a nonconforming structure, the applicant has reduced the nonconformities to an extent reasonably practicable.

The proposed project would remove some impervious surface and building coverage from the home, and would relocate a portion of the total removed to another part of the parcel. The proposal would end up removing approximately 130 square-feet of impervious surface and building coverage. The proposed project would also add 640 square feet of floor area, resulting in a 4,115 square-foot single-family home, which would keep the project within the allowed FAR.

- 7) For Nonconformity Permits that trigger conformance with current parking requirements pursuant to Table 10.62-1, the Planning Commission may waive current parking requirement and allow the maintenance of the existing nonconforming parking entitlements through the grant of the Nonconformity Permit, if the Commission finds that (a) it is not practicable to provide parking onsite in a manner that preserves neighborhood character, and (b) for substantial replications, the provisions of the required parking would be in conflict with the replication of the structure, and (c) preserving the nonconforming parking entitlements is the best solution to be consistent with the goals, policies, and intent of the General Plan.

Two on-site parking spaces, in conformance with the requirements of the Sausalito Municipal Code for a single-family home, are currently accommodated on the site. No changes are proposed to reduce on-site parking.

5A
36

75 CLOUD VIEW ROAD

David R. Kalb, AIA
 Architecture
 11500 Street
 Sausalito, CA 94965
 415.467.7779

75 Cloud View Road
 Sausalito, CA
 94965-2006

PROJECT DESCRIPTION:
 BUILDING TYPE:
 OWNER:
 PROJECT ADDRESS:

APN: 065-191-25

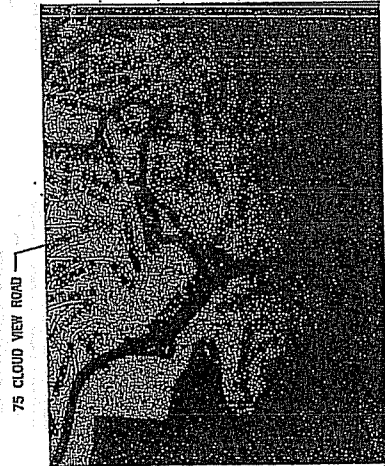
ARCHITECT:
 DAVID R. KALB, AIA
 11500 STREET
 BRISBANE, CA 94005
 415.467.7400 (OFFICE)
 415.467.7779 (FAX)

CONTRACTOR: T.B.D.

STRUCTURAL ENGINEER: T.B.D.

LAND SURVEYOR:
 LURIA A. CARROLLERS & ASSOCIATES
 LANE SURVEYORS
 2015 BRIDGEWAY, SUITE 3010
 SAUSALITO, CA 94965
 415.332.3912

PROJECT



LOCATION MAP

COVER SHEET

A1.0 COVER SHEET

A1.2 PROJECT INFORMATION

A1.3 SITE SURVEY

A1.4 EXISTING SITE PLAN

A1.5 PROPOSED SITE PLAN

A2.1 MAIN LEVEL DEMOLITION PLAN

A2.2 GROUND LEVEL DEMOLITION PLAN

A2.3 LOWER LEVEL DEMOLITION PLAN

A2.4 ROOF DEMOLITION PLAN

A2.5 EXISTING NORTH AND EAST ELEVATIONS

A2.6 EXISTING SOUTH AND WEST ELEVATIONS

A3.1 PROPOSED MAIN LEVEL FLOOR PLAN

A3.2 PROPOSED GROUND LEVEL FLOOR PLAN

A3.3 PROPOSED LOWER LEVEL FLOOR PLAN

A3.4 PROPOSED ROOF PLAN

A3.5 PROPOSED NORTH AND EAST ELEVATIONS

A3.6 PROPOSED SOUTH AND WEST ELEVATIONS

A4.1 PROPOSED CROSS SECTION

A4.2 PROPOSED LONGITUDINAL SECTION

A5.1 STORY POLE PLAN

DRAWING INDEX

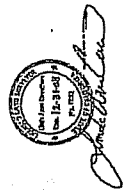
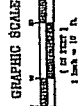
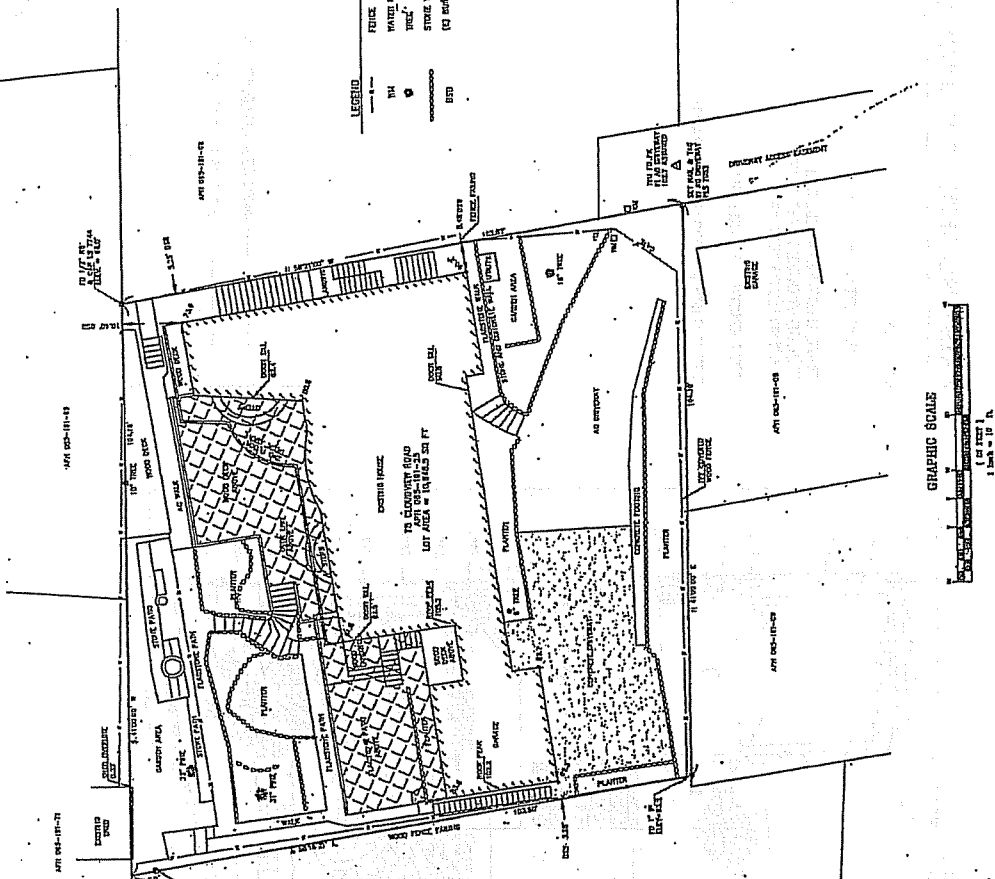
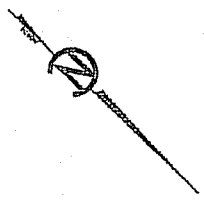
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STARTING CONDITIONS	8/20/07
DESIGN REVIEW	8/23/07
DESIGN REVIEW	8/23/07
DESIGN REVIEW	8/23/07

REVISION	DATE
1	8/20/07
2	8/23/07
3	8/23/07
4	8/23/07

COVER SHEET

A1.0

5A
37



SHEET 1 OF 1
A 1.3

EXISTING CONDITIONS

LANDS OF VACHERAND
D/N 2007-014251

LINDA A. GARRUTHERS & ASSOC.
LAND SURVEYING AND PLANNING CONSULTANTS
2016 BRIDGEWAY, SUITE 3010
SAUSALITO, CALIFORNIA 94965
(415) 332-3912



REVISIONS

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

SITE PLAN
75 GLOUDEVUE ROAD
SAUSALITO, MARYN COUNTY, CALIFORNIA
- APN 005-181-25

- NOTES:**
1. ALL DISTANCES AND ELEVATIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.
 2. THE DATE OF RECORDING FOR THIS INSTRUMENT IS ACCORDING TO THE PUBLIC RECORDS OF THE COUNTY OF MARYN, CALIFORNIA.
 3. DATA FOR THIS SURVEY IS ASSUMED. TEMPORARY BOUNDARY MARKERS AND ELEVATIONS OF POINTS ASSUMED.
 4. ONLY THOSE HAVING A DIRECT VIEW OF THE POINTS SURVEYED SHOULD BE CONTACTED FOR ELEVATION VERIFICATION.
 5. ALL ELEVATIONS ARE GROUND UNLESS NOTED.
 6. FOR A COMPLETE LIST OF POINTS AND ELEVATIONS SEE ATTACHED LIST.
 7. ANY DISCREPANCY BETWEEN THE RECORDING FILE AND THE ORIGINAL FIELD BOOK COPY, THE FIELD BOOK COPY SHALL PREVAIL.
 8. THE UNDESIGNED AREAS ARE SHOWN AS EXISTING UNLESS OTHERWISE NOTED AND ARE SUBJECT TO CHANGE BY THE CITY ENGINEER AND THE PUBLIC WORKS DEPARTMENT. THE CITY ENGINEER AND THE PUBLIC WORKS DEPARTMENT SHALL BE CONTACTED FOR ANY INFORMATION REGARDING THE UNDESIGNED AREAS. THE UNDESIGNED AREAS ARE SHOWN AS EXISTING UNLESS OTHERWISE NOTED.
 9. A METHOD OF SURVEY SHALL BE FILED FOR THIS INSTRUMENT.
 10. ALL DIMENSIONS, DISTANCES AND BEARING ANGLES TO THE PROPERTY LINE UNLESS OTHERWISE NOTED.

5A
39

David R. Kallb, AIA
 Architecture
 21150 Birch
 Redwood City, CA
 94061
 (415) 835-2277

75 Cloud View Road
 Sausalito, CA
 94965-2006



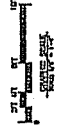
EXISTING SITE INFORMATION

LOT SIZE: 19,646 SQ. FEET
EXISTING LOT COVERAGE: 4,230 SQ. FEET
EXISTING LOWER LEVEL AREA: 177 SQ. FEET
EXISTING GROUND LEVEL AREA: 1,405 SQ. FEET
EXISTING MAIN LEVEL AREA: 2,593 SQ. FEET
TOTAL EXISTING FLOOR AREA: 3,475 SQ. FEET
EXISTING IMPERVIOUS LOT COVERAGE: 8,101 SQ. FEET

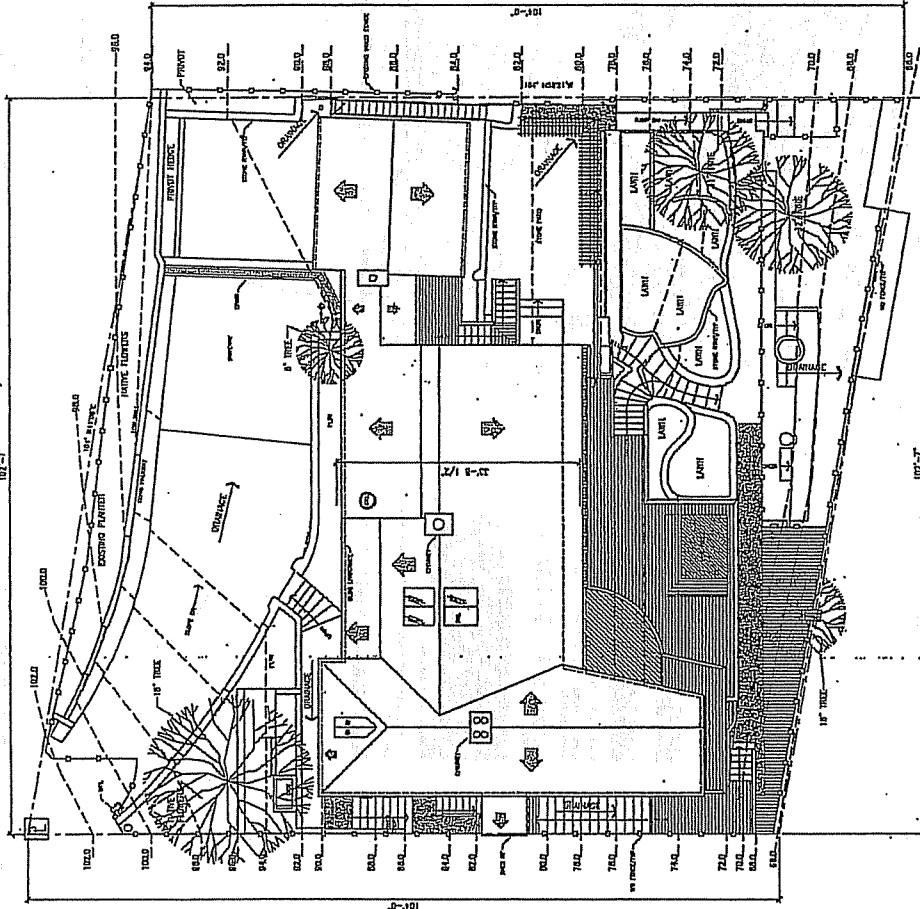
ISSUED FOR:	DATE:
EXISTING CONDITIONS ONLY	
SCHEMATIC DESIGN	08/20/20
DESIGN REVIEW	09/10/20
PERMITS	12/22/20

DRAWN BY:	EX:
CHECKED BY:	JMK
PROJECT:	CLOUDVIEW2007

EXISTING SITE PLAN



A1.4



----- INDICATES BUILDING LINE
 ----- INDICATES EAVE LINE

KEY

EXISTING SITE PLAN

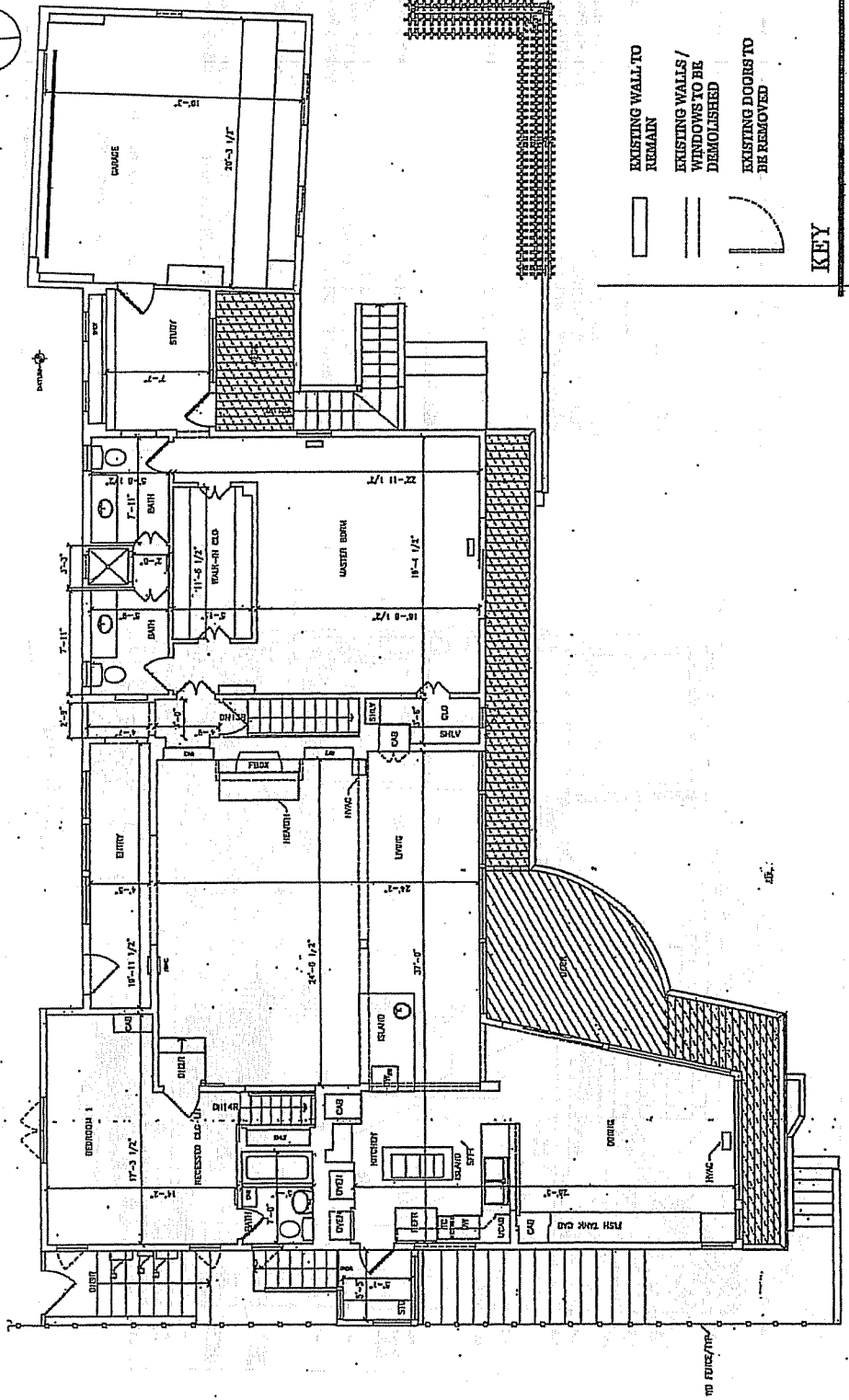
SCALE 1/8" = 1'-0"

GA
40

David R. Kolb, AIA
 Architecture
 11000 Wilshire Blvd, Suite 500
 Los Angeles, CA 90024
 (310) 205-1200

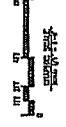
75 Cloud View Road
 Sausalito, CA
 94965-2006

DATE: 11-11-03
 DRAWN BY: GSK
 CHECKED BY: GSK
 PROJECT: 75 CLOUD VIEW RD



EXISTING WALL TO REMAIN
 EXISTING WALLS / WINDOWS TO BE DEMOLISHED
 EXISTING DOORS TO BE REMOVED

KEY



MAIN LEVEL DEMOLITION PLAN

SCALE 1/4" = 1'-0"

A2.1

5A
42

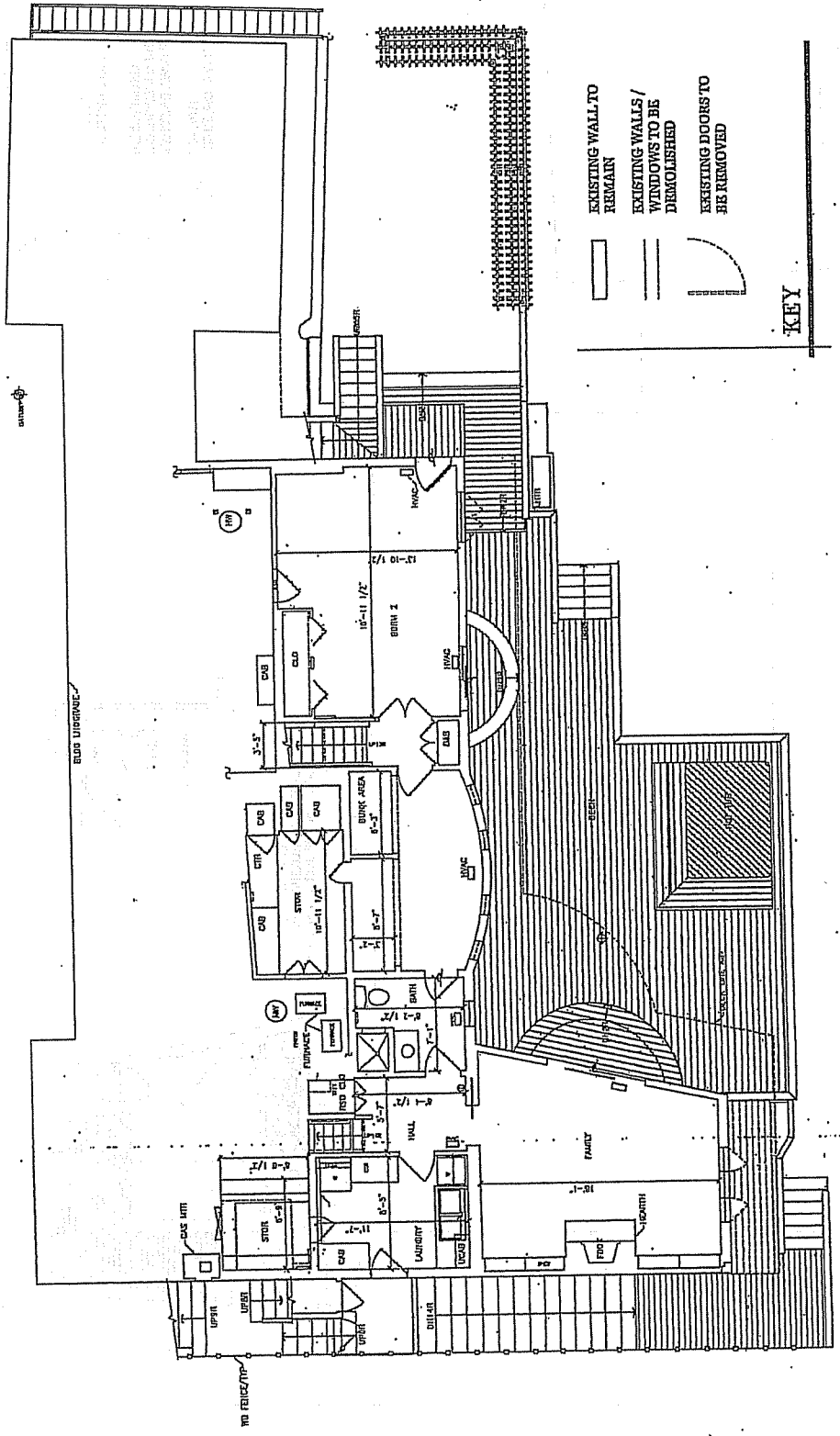
David R. Keith, AIA
 Architecture
 14300 4th St
 Berkeley CA 94704

75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR:	DATE:
EXISTING CONDITIONS DIAGRAM	02/01/07
SCHEMATIC DESIGN	02/02/07
DESIGN REVIEW	02/15/07
DESIGNED BY:	DATE:
DAVID R. KEITH	02/01/07
PROJECT:	02/01/07

GROUND LEVEL DEMOLITION PLAN

A2.2



KEY



GROUND LEVEL DEMOLITION PLAN

SCALE 1/4" = 1'-0"

SA 43

David R. Kalb, AIA
 Architecture
 201 Howe Street
 Sausalito, CA 94965-2006
 Tel: 415/456-1500
 Fax: 415/456-1501

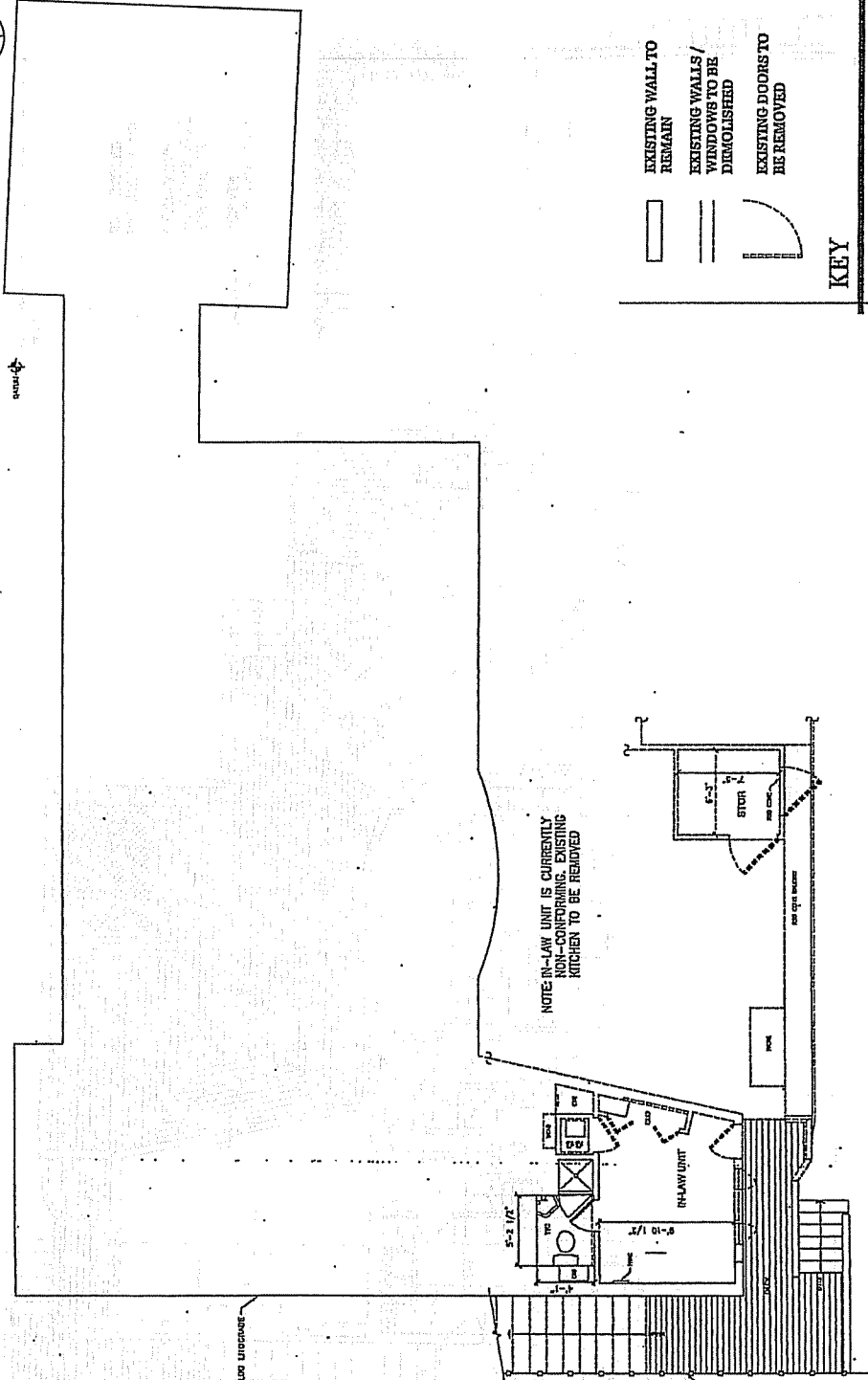
75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR: _____ DATE: _____
 EXISTING CONDITIONS DRAWN BY: _____
 ARCHITECTURE DESIGN BY: _____
 ARCHITECTURE CHECKED BY: _____
 DESIGN CHECKED BY: _____

REVISION: _____ BY: _____
 REVISION: _____ BY: _____
 REVISION: _____ BY: _____

LOWER LEVEL
 DEMOLITION
 PLAN

A2.3



LOWER LEVEL DEMOLITION PLAN

SCALE: 1/4" = 1'-0"

5A
 44

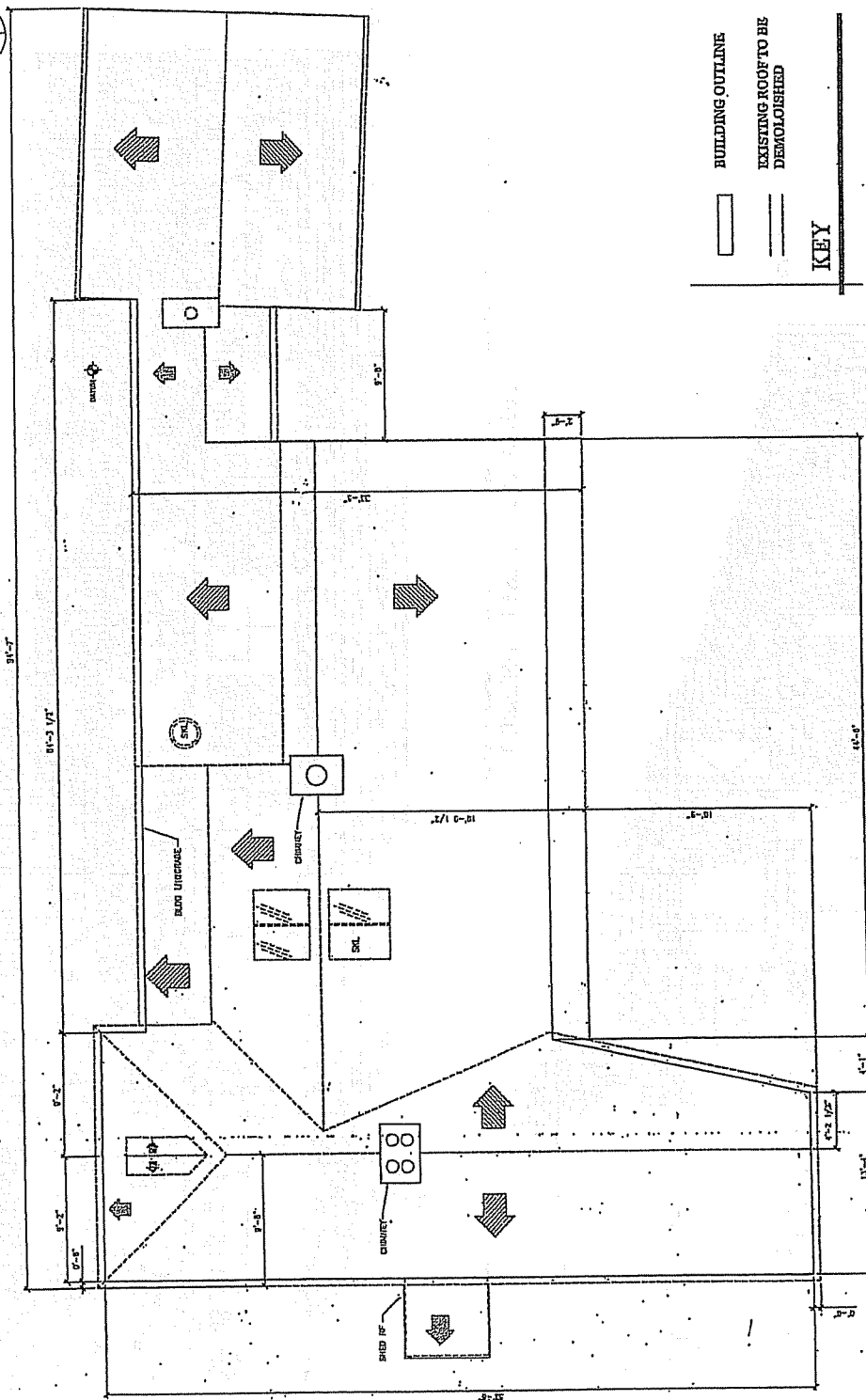
David R. Kalb, AIA
 Architecture
 3110 14th Street
 San Francisco, CA 94103
 415.774.2779

75 Cloud View Roac
 Sausalito, CA
 94965-2006

ISSUED FOR: _____ DATE: _____
 EXISTING CONDITIONS DRAWING _____
 PRELIMINARY DESIGN DRAWING _____
 DESIGN REVIEW DRAWING _____
 PROJECT NO. _____
 PROJECT NAME: CLOUD VIEW/2007

ROOF DEMOLITION PLAN

A2.4



BUILDING OUTLINE
 EXISTING ROOF TO BE DEMOLISHED
 KEY



ROOF DEMOLITION PLAN

SA 45

David R. Kalb, AIA
 Architecture
 1111 Broadway
 San Francisco, CA 94103
 Tel: 415.774.1111
 Fax: 415.774.1112
 www.davidrkalb.com

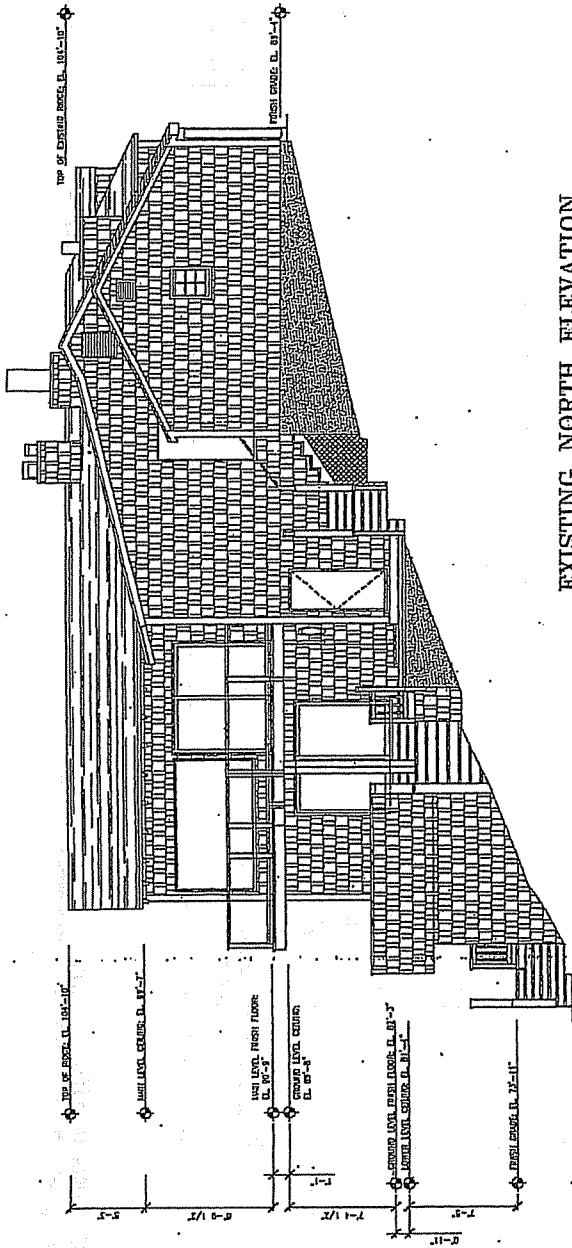
75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR: DATE:
 EXISTING CONDITIONS: DRAWN:
 SCHEMATIC DESIGN: DESIGNER:
 DESIGN REVIEW: CHECKER:

DRAWING NO.:
 SHEET NO.:
 PROJECT: CLOUD VIEW 2007
 DATE: 08/14/07

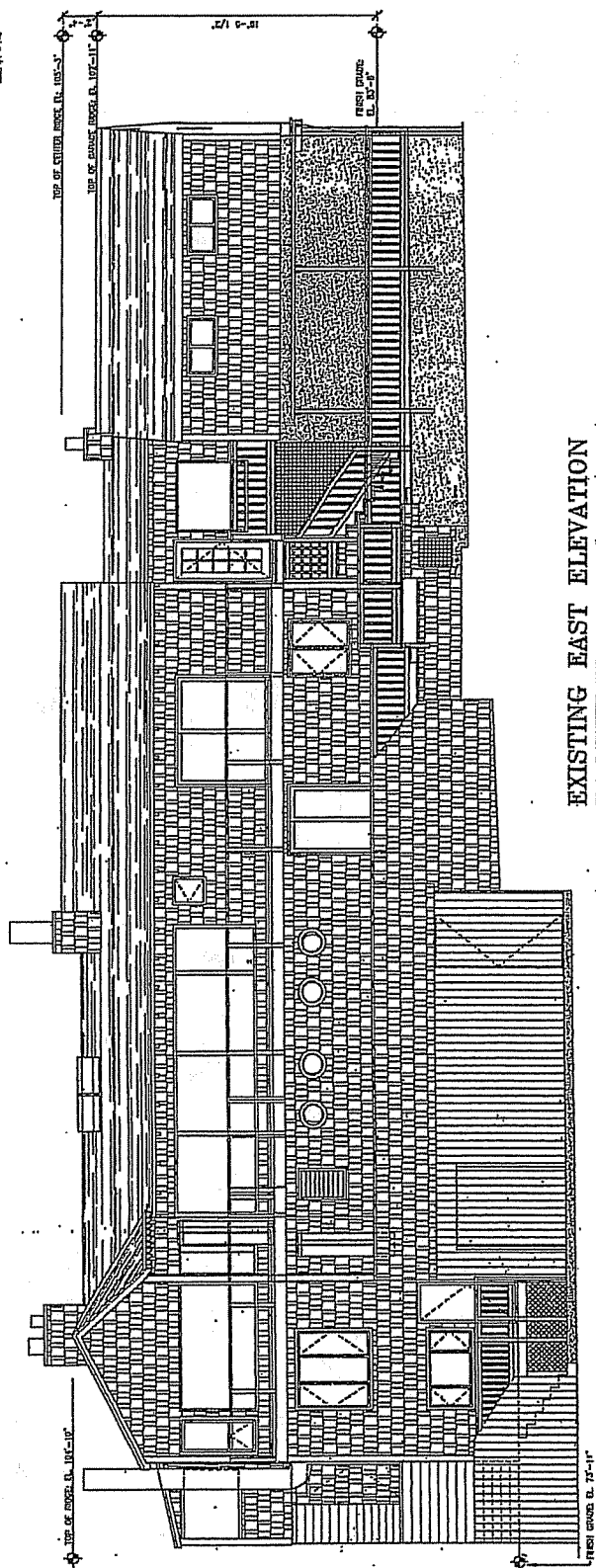
EXISTING
 NORTH &
 EAST
 ELEVATIONS

A2.5



EXISTING NORTH ELEVATION

SCALE: 1/4" = 1'-0"



EXISTING EAST ELEVATION

SCALE: 1/4" = 1'-0"

SA
 46

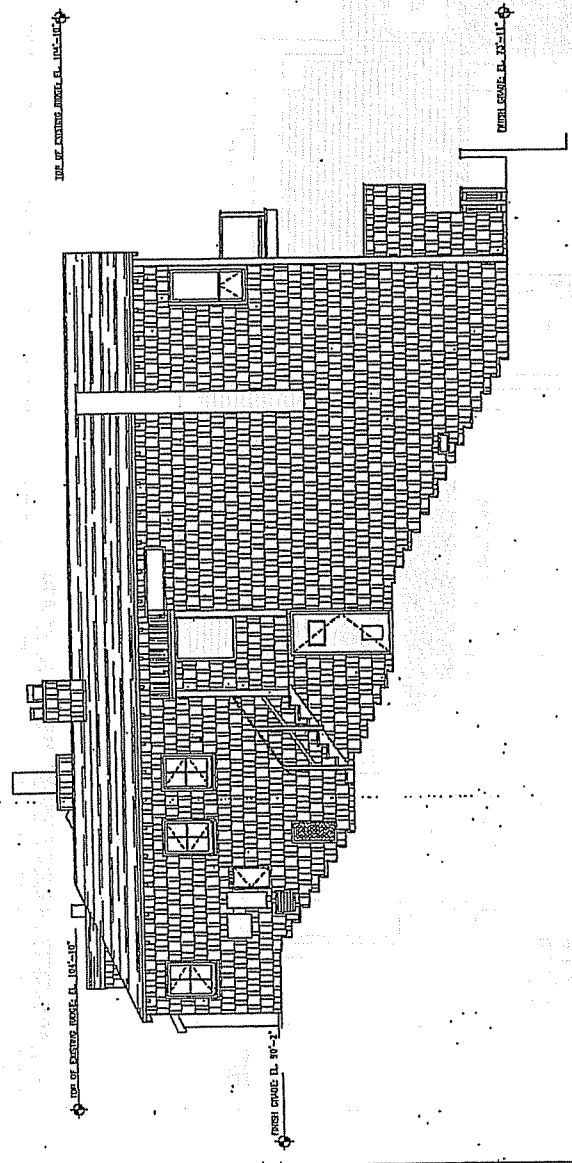
David R. Kalb, AIA
 Architecture
 1400 Broadway
 San Francisco, CA 94109
 Tel: 415.774.1111

75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR:	DATE:
EXISTING CONDITIONS ONLY	
SCHEMATIC DESIGN	DESIGN
DESIGN REVIEW	DATE
DRAWING BY:	DATE:
CHECKED BY:	DATE:
PROJECT:	CLOUD VIEW ROAD

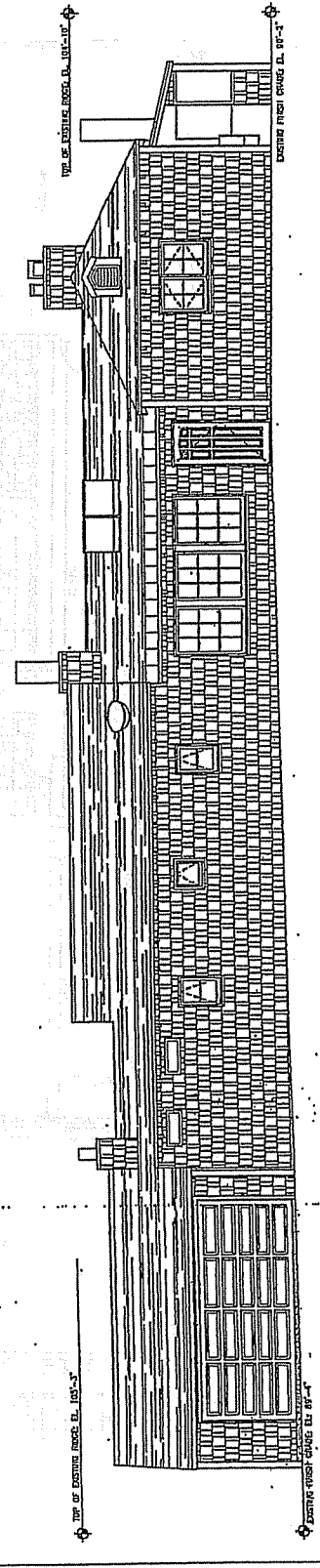
EXISTING
 SOUTH &
 WEST
 ELEVATIONS

A2.6



1 EXISTING SOUTH ELEVATION

Scale 1/4" = 1'-0"



2 EXISTING WEST ELEVATION

Scale 1/4" = 1'-0"

5A
 47

David R. Kelly, AIA
 Architecture
 1500 17th Street
 San Francisco, CA 94103
 Tel: 415.774.8000

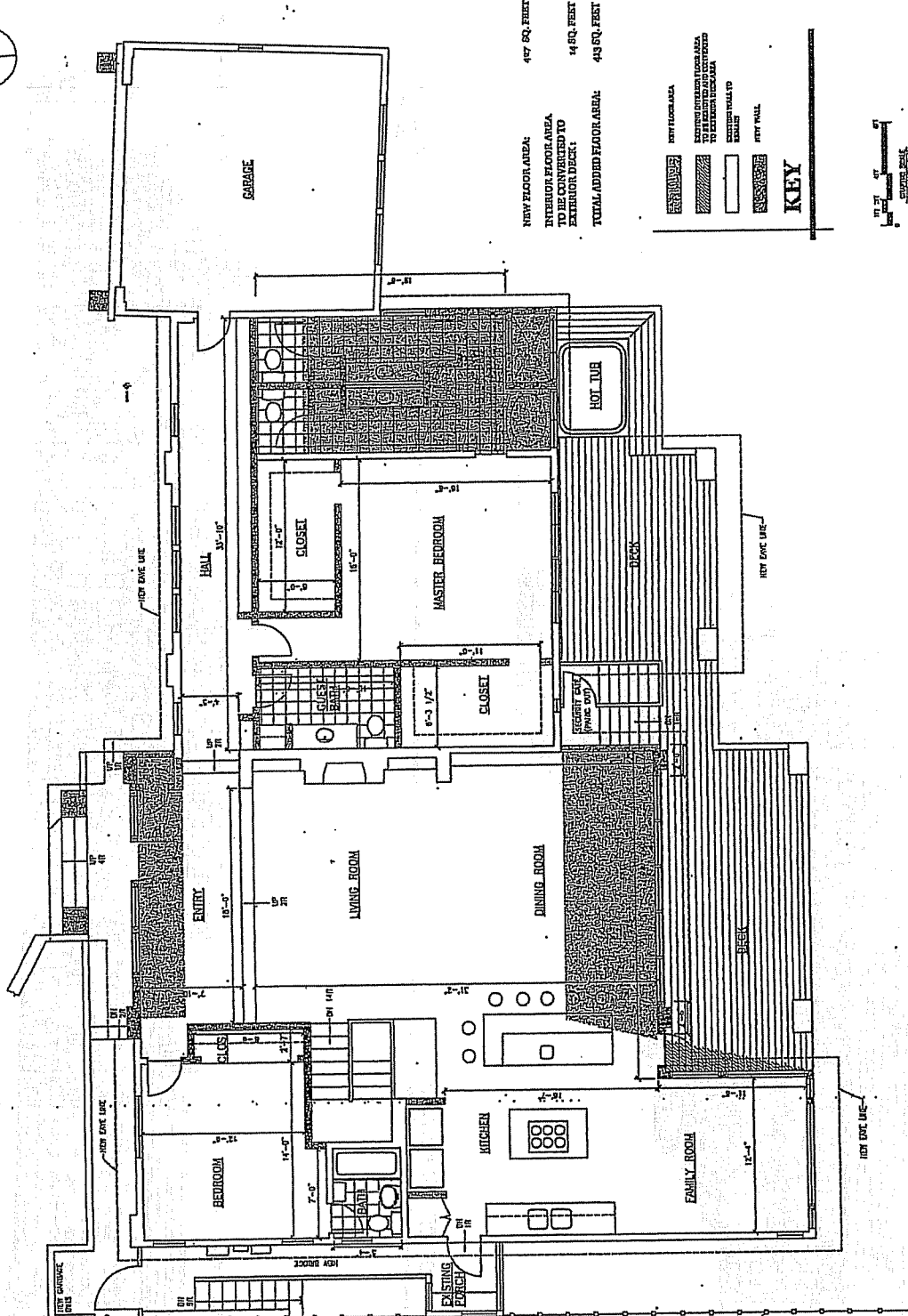
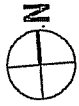
75 Cloud View Roac
 Sausalito, CA
 94965-2006

DESIGNED FOR: _____ DATE: _____
 EXISTING CONDITIONS: _____
 SCHEMATIC DESIGN: _____
 DESIGN REVIEW: _____
 DESIGN REVIEW: _____

REVISIONS:
 NO. DATE DESCRIPTION

**PROPOSED
 MAIN LEVEL
 FLOOR PLAN**

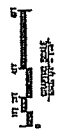
A.3.1



NEW FLOOR AREA: 427 SQ. FEET
 INTERIOR FLOOR AREA TO BE CONVERTED TO EXTERIOR DECK: 14 SQ. FEET
 TOTAL ADDED FLOOR AREA: 413 SQ. FEET

KEY

NEW FLOOR AREA
 EXISTING FLOOR AREA TO BE REMOVED AND RELOCATED TO EXTERIOR DECK
 EXISTING FLOOR AREA TO BE REMOVED
 HOT TUB
 DECK
 BREAK
 SECURITY ENTRY (W/OUT DOOR)



PROPOSED MAIN LEVEL FLOOR PLAN

SCALE 1/4" = 1'-0"

58

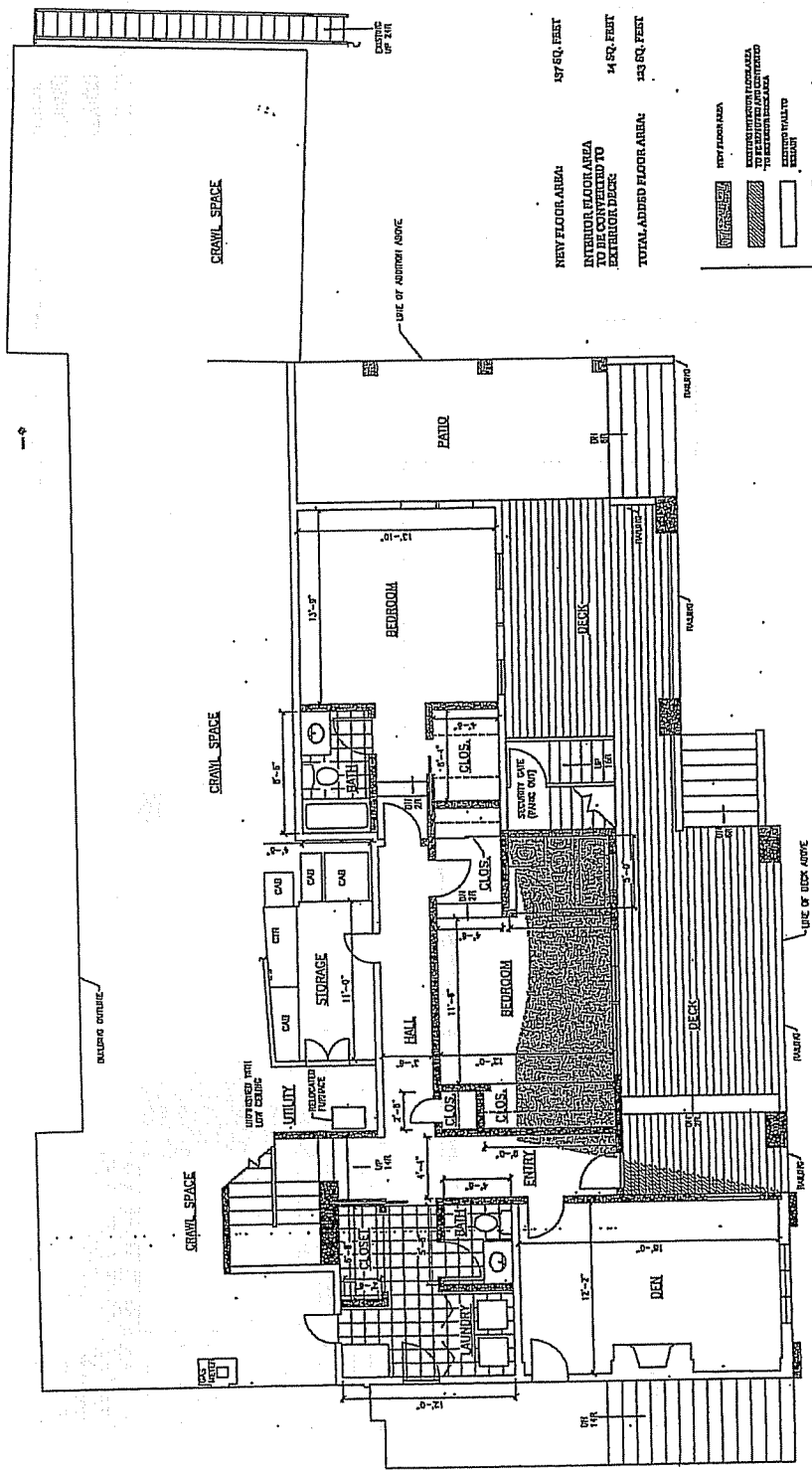
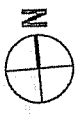
David R. Kalb, AIA
 Architecture
 25 Almond Street
 Berkeley, CA 94702
 415-841-7777

75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR:	DATE:
EXISTING CONDITIONS QUANT	
SCHEMATIC DESIGN	04/01/07
DESIGN REVIEW	04/01/07
DESIGN REVIEW	04/01/07
DATE:	
QUANTITY:	04/01/07
CHECKED BY:	04/01/07
DATE:	04/01/07

**PROPOSED
 GROUND LEVEL
 FLOOR PLAN**

A3.2



NEW FLOOR AREA: 137 SQ. FEET
 INTERIOR FLOOR AREA TO BE CONFINED TO PERMITTED DECK: 14 SQ. FEET
 TOTAL ADDED FLOOR AREA: 153 SQ. FEET

KEY

- NEW FLOOR AREA
- EXISTING INTERIOR FLOOR AREA TO BE CONFINED TO PERMITTED DECK AREA
- EXISTING WALL TO REMAIN
- NEW WALL



PROPOSED GROUND LEVEL FLOOR PLAN

SCALE 1/4" = 1'-0"

49

David R. Kalb, AIA
 Architecture
 1400 Broadway
 San Francisco, CA 94109
 Tel: 415 774 1277

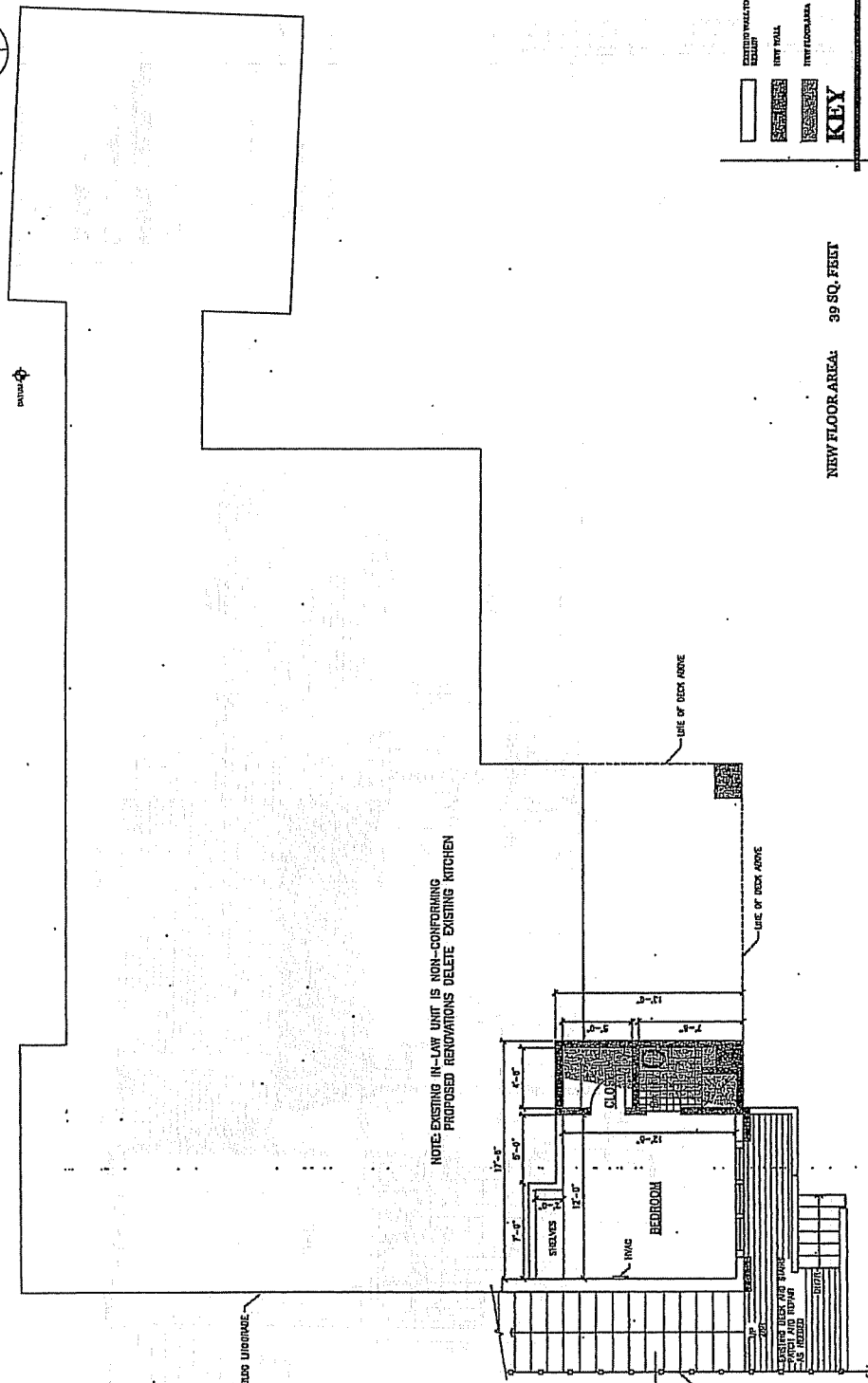
75 Cloud View Road
 Sausalito, CA
 94965-2006

ASSUED FOR:	DATE:
EXISTING CONDITIONS	02/12/07
SCHEMATIC DESIGN	02/27/07
DESIGN REVIEW	03/14/07
DESIGN REVIEW	A 03/21/07

DRAWN BY: EK
 CHECKED BY: JAK
 PROJECT: CLOUD VIEW 2007

**PROPOSED
 LOWER LEVEL
 FLOOR PLAN**

A3.3



NEW FLOOR AREA: 39 SQ. FEET

KEY

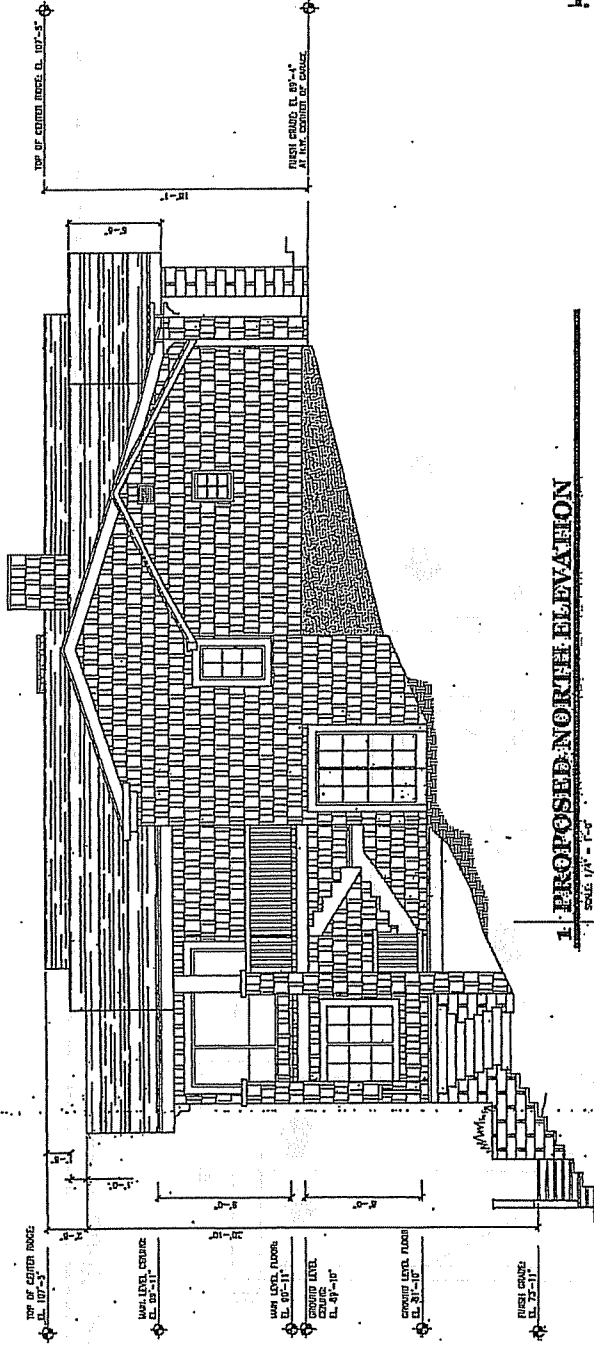
PROPOSED LOWER LEVEL FLOOR PLAN

SCALE: 1/4" = 1'-0"

5A
 50

David R. Kolb, AIA
 Architecture
 15000 Wilshire Blvd.
 Suite 1000
 Beverly Hills, CA 90210
 310-477-1000

75 Cloud View Road
 Sausalito, CA
 94965-2006



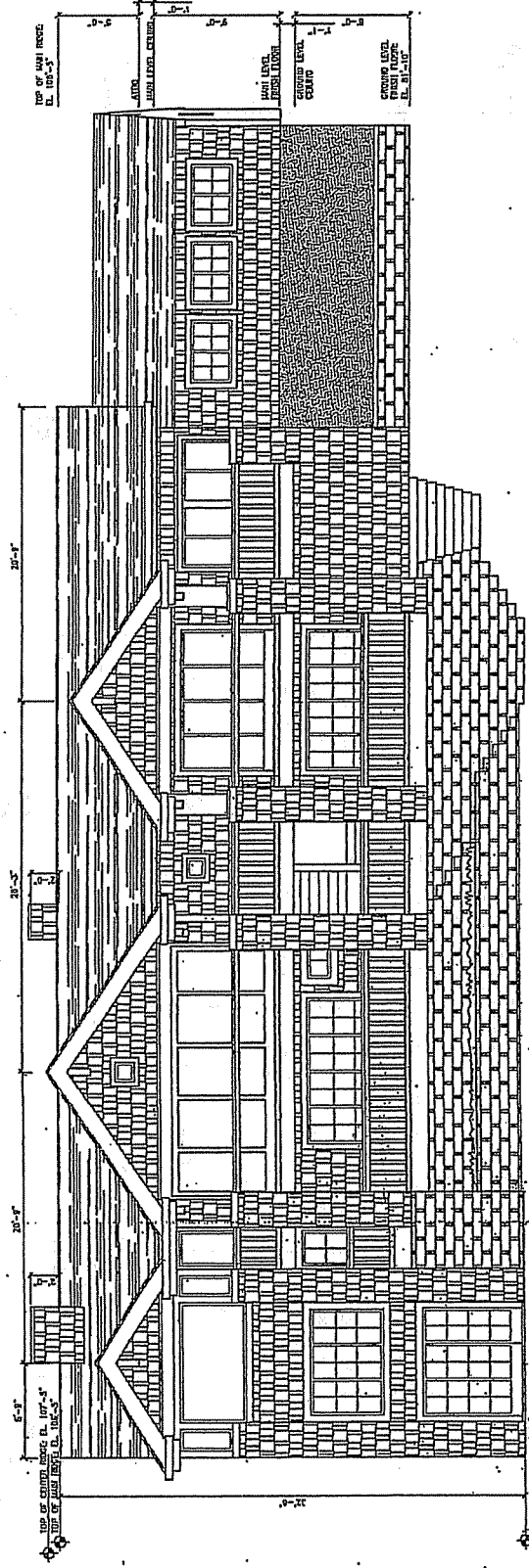
1. PROPOSED NORTH ELEVATION
 SCALE 1/8" = 1'-0"

ISSUED FOR: DATE:
 EXISTING CONDITIONS: 02/21/07
 SCHEMATIC DESIGN: 02/21/07
 DESIGN REVIEW: 03/15/07

DESIGNED BY: DKK
 CHECKED BY: DKK
 DRAWN BY: CLOUD VIEW ARCH

PROPOSED
 NORTH
 & EAST
 ELEVATIONS

A3.5



2. PROPOSED EAST ELEVATION
 SCALE 1/8" = 1'-0"

SA
 SP

David R. Kalb, AIA
 Architecture
 21 West Park
 Sausalito, CA 94965
 415-456-1977

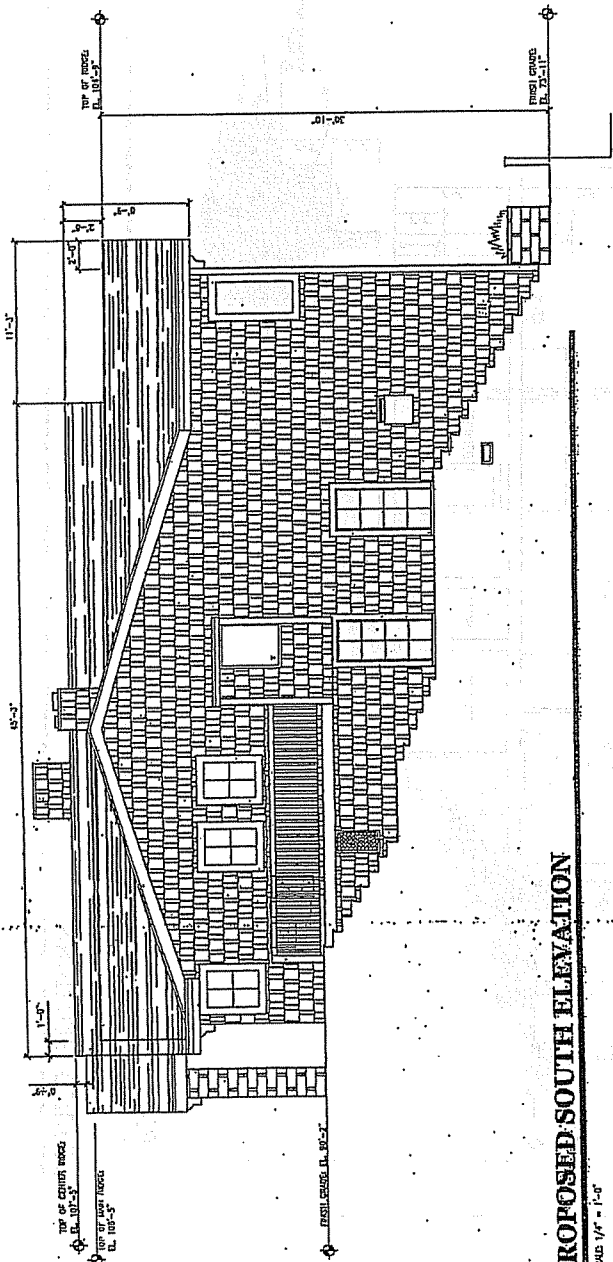
75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR: DATE:
 EXISTING CONDITIONS: 02/01/07
 SCHEMATIC DESIGN: 02/01/07
 DESIGN REVIEW: 02/01/07

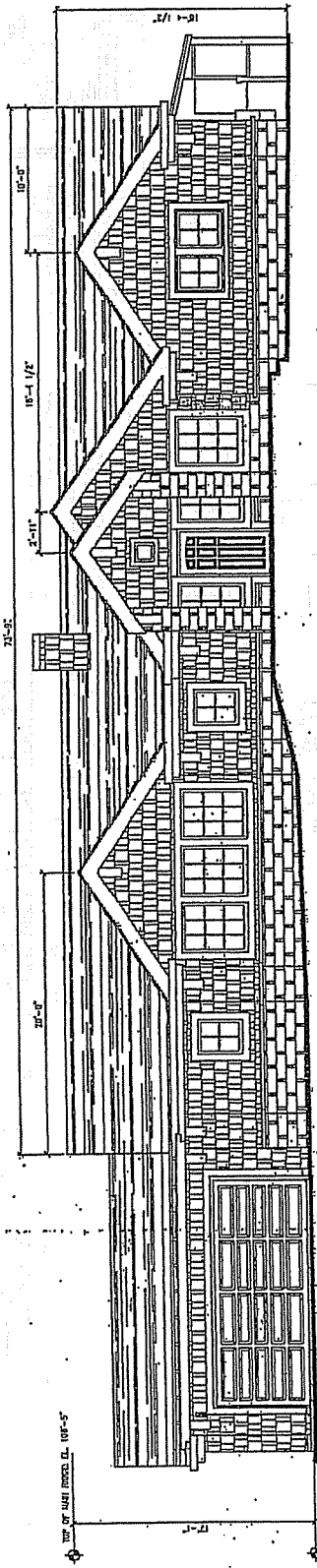
DRAWN BY: ES
 CHECKED BY: DRK
 PROJECT: CLOUD VIEW ROAD

**PROPOSED
 SOUTH
 & WEST
 ELEVATIONS**

A3.6



1 PROPOSED SOUTH ELEVATION



2 PROPOSED WEST ELEVATION

5A
 5B

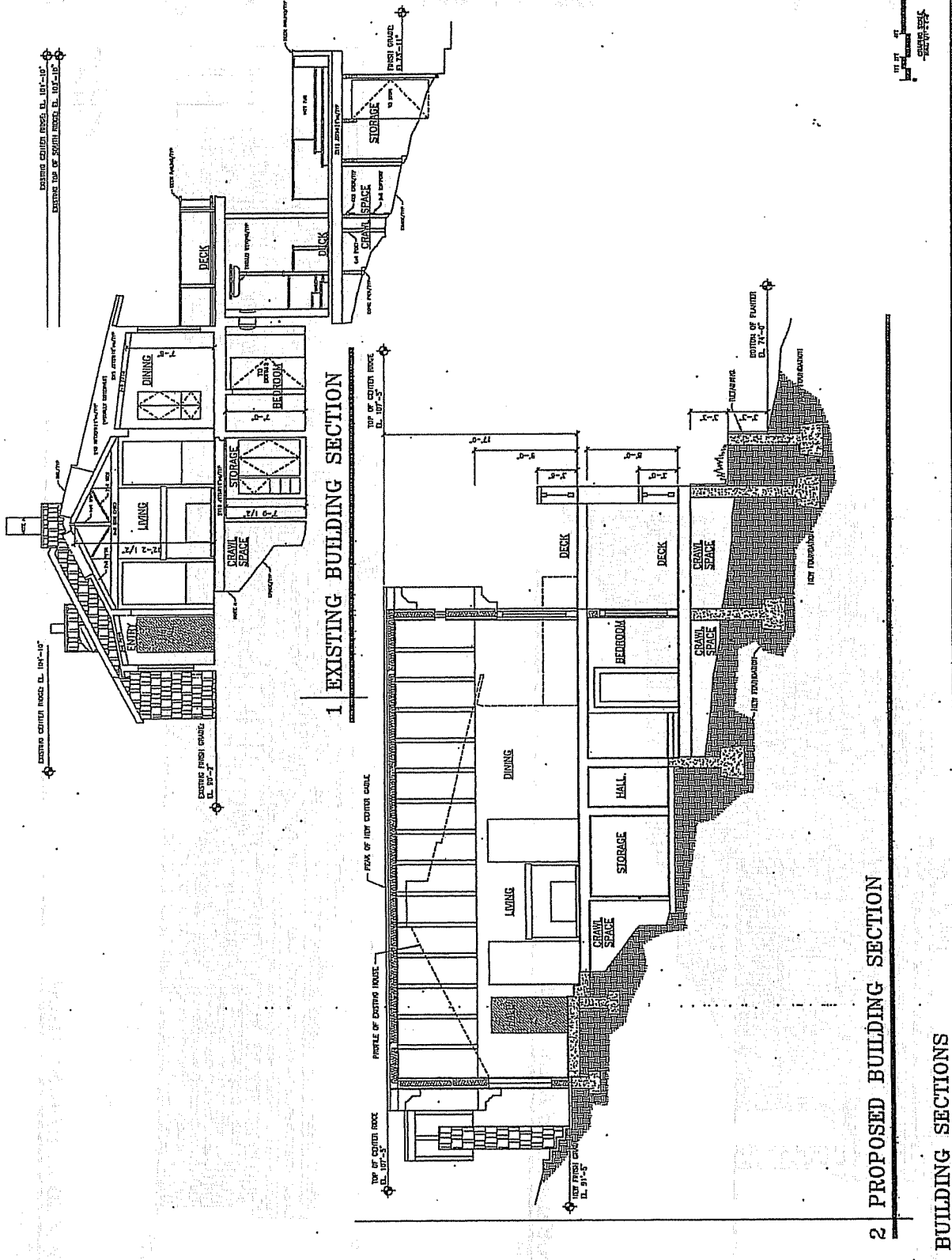
David R. Kaulb, AIA
 Architecture
 1150 San Francisco Ave
 San Francisco, CA 94133
 Tel: 415.774.1234
 Fax: 415.774.1235

75 Cloud View Rd
 Sausalito, CA
 94965-2006

ISSUED FOR:	DATE:
CONTRACTOR	11/10/06
SCHEMATIC DESIGN	08/01/06
DESIGN REVIEW	08/01/06
DESIGN REVIEW	09/01/06
PERMITS	09/01/06
COLOR VIEW/OUT	09/01/06

BUILDING
 CROSS
 SECTION

AJI



54

David R. Kalb, AIA
 Architecture
 25 Newmont
 Sausalito, CA 94965
 (415) 435-7377

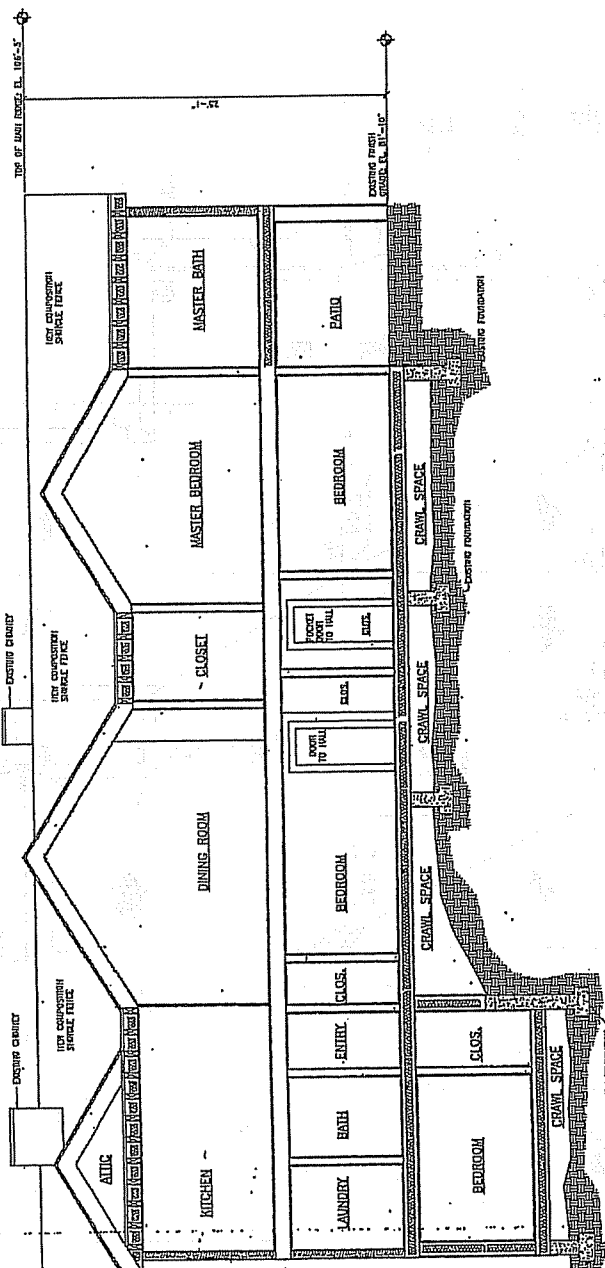
75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR	DATE
EXISTING CONDITIONS ONLY	
SCHEMATIC DESIGN ONLY	
DESIGN REVIEW ONLY	

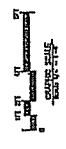
DESIGNED BY	
CHECKED BY	
DRAWN BY	
DATE	

BUILDING
 LONGITUDINAL
 SECTION

A4.2



- TOP OF MAIN ROOF, E. 105'-5"
- TOP OF 1ST FLOOR FINISH, E. 107'-9"
- TOP OF MAIN ROOF, E. 103'-5"
- MAIN LEVEL FINISH, E. 87'-11"
- GROUND LEVEL FINISH, E. 87'-10"
- MAIN LEVEL FINISH, E. 87'-10"
- GROUND LEVEL FINISH, E. 87'-10"
- GROUND LEVEL FINISH, E. 87'-10"
- LOWER LEVEL FINISH, E. 87'-10"
- LOWER LEVEL FINISH, E. 87'-11"



LONGITUDINAL SECTION

SCALE: 1/8" = 1'-0"

SA
 55

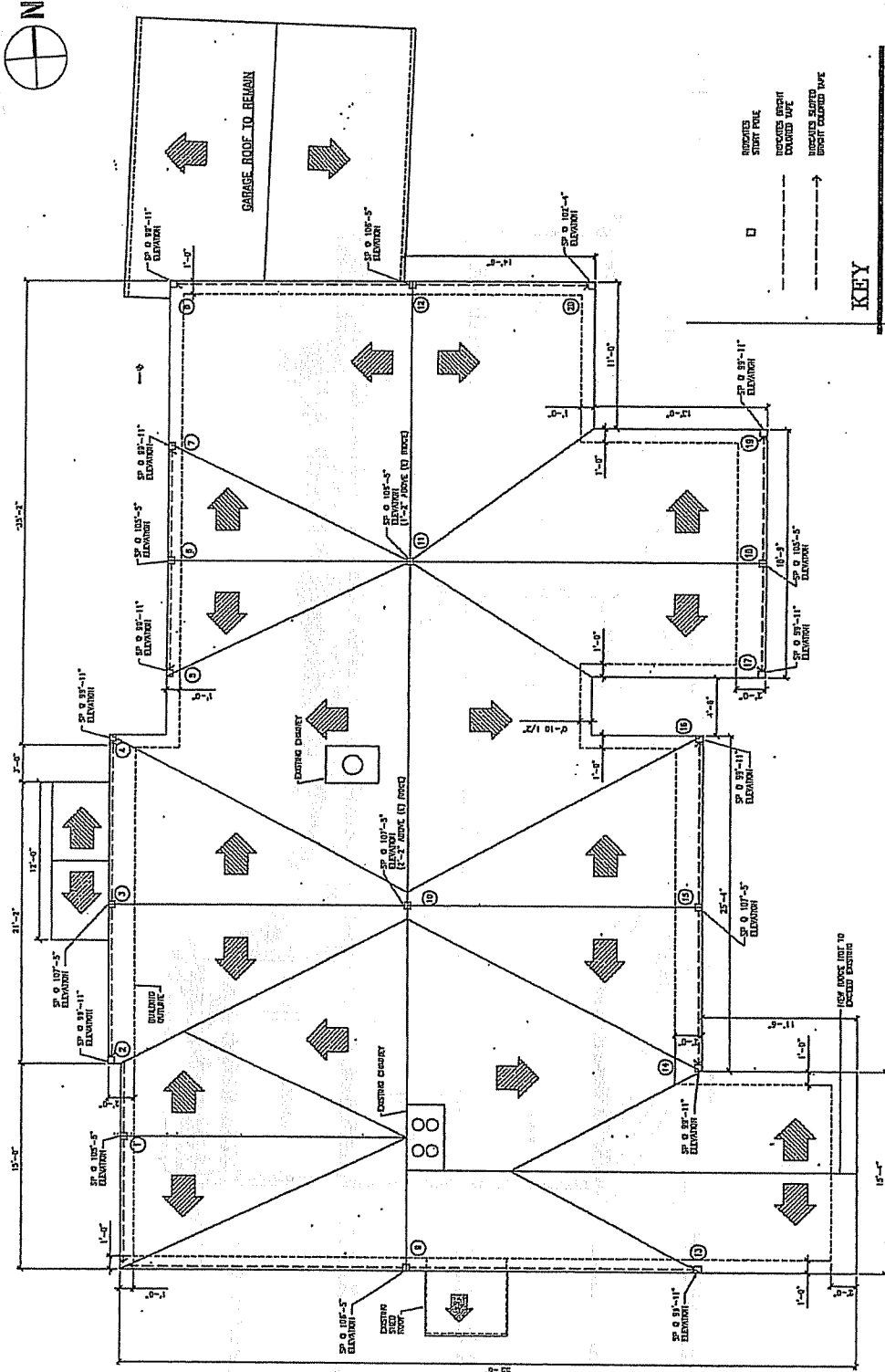
David R. Kelb, AIA
 Architecture
 1750 S. Main Street
 Sausalito, CA 94965-2006
 Tel: 415-456-1234
 Fax: 415-456-1234

75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR:	DATE:
SUBMITTAL NO. 1	01/15/07
SCHEMATIC DESIGN	02/15/07
DESIGN DEVELOPMENT	03/15/07
PRELIMINARY DESIGN	04/15/07
CONCEPT DESIGN	05/15/07
PERMITS	06/15/07
CONSTRUCTION	07/15/07

PREPARED BY: [Name]
 CHECKED BY: [Name]
 DESIGNED BY: [Name]
 DATE: 01/15/07

**PROPOSED
 STORY POLE
 PLAN**



PROPOSED STORY POLE PLAN

SCALE: 1/8" = 1'-0"

59
 56

1/2" = 1'-0"
 1/8" = 1'-0"

A5.1

PLANNING COMMISSION HEARING
NOVEMBER 7, 2007
APPLICATION NO. DR/NC 07-027
75 Cloud View Road

ATTACHMENT C: CONDITIONS OF APPROVAL

1. Approval of this Application is limited to the project plans titled "75 Cloud View Road" stamped received by the City of Sausalito on February 6, 2007; and
2. This approval will expire in five (5) years from the date of adoption of this resolution if the property owner has not exercised the entitlements hereby granted.
3. Construction materials, equipment, vehicles, and debris boxes shall be placed to minimize obstruction of roads and gutters, shall be maintained in a clean and safe condition, and shall not be maintained in a manner that becomes a nuisance to the neighborhood.
4. Pursuant to Ordinance 1143, the operation of construction, demolition, excavation, alteration, or repair devices within all residential areas or within a 500 foot radius of residential zones shall be limited to the following hours:
 - a. Weekdays – Between 8 a.m. and 7 p.m.
 - b. Saturdays – Between 9 a.m. and 5 p.m.
 - c. Holidays – Between 9 a.m. and 7 p.m.

Such operation is prohibited on Sundays except by a homeowner residing on the property. Such work shall be limited to 9 a.m. to 7 p.m.

5. Dumping of residues from washing of painting tools, concrete trucks and pumps, rock, sand, dirt, agricultural waste, or any other materials discharged into the City storm drain system that is not composed entirely of storm water is prohibited pursuant to Sausalito Municipal Code (SMC) Chapter 11.17. Liability for any such discharge shall be the responsibility of person(s) causing or responsible for the discharge. Violations constitute a misdemeanor in accordance with SMC Section 11.17.060.B.
6. As a condition of this approval, no alternative or unrelated construction, site improvements, tree removal and/or alteration, exterior alterations and/or interior alterations and/or renovations not specified in the project plans, or alterations approved by the Community Development Director, shall be performed on the project site. In such cases, this approval shall be rendered null and void unless approved by the Community Development Department as a modification to this approval.
7. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.

8. In accordance with Ordinance No. 1160, the applicant shall pay any and all City costs arising out of or concerning the proposed project, including without limitation, permit fees, attorneys' fees, engineering fees, license fees and taxes, whether incurred prior to or subsequent to the date of this approval. Applicant acknowledges and agrees that City's costs shall be reimbursed prior to this approval becoming valid.
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. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Building Division must be obtained prior to constructing, enlarging, moving, converting, or demolishing any building or structure within the City.
11. Prior to issuance of Building Permits, the applicant shall submit proof of any agreements or commitments to repair construction related damage to the access easement.
12. Prior to issuance of Certificate of Occupancy, the applicant shall submit documentation that neighbors have approved of any repairs made to the access easement.
13. The applicant shall perform an inspection of their sewer lateral and submit to the City for review (if not previously done in the past 3 years). Any deficiencies found shall be corrected prior to issuance of Certificate of Occupancy.
14. Assuming the project utility service will be modified with the proposed work, the applicant shall underground any existing overhead utilities prior to issuance of Certificate of Occupancy.
15. Excavations, except those within the existing building envelope, shall be limited to the period between April 1 and October 1 of any given year.
16. All proposed exterior lighting shall be downward facing.
17. Prior to framing, the applicant shall provide one fire department approved fire hydrant to be spaced at 350 feet intervals and capable of providing a flow at the site of 1000 gallons per minute. Hydrant placement (including water main extension) shall be reviewed and approved by the Southern Marin Fire Protection District and Marin Municipal Water District.
18. Prior to issuance of Occupancy Permit, Fire sprinkler systems shall be installed.
19. Prior to issuance of Occupancy Permit, the address shall be posted in accordance with requirements of the Uniform Fire Code.
20. Prior to issuance of occupancy permit, smoke detectors shall be installed in accordance with the Uniform Building Code.

21. Building plans shall reflect that non-combustible roofing material is proposed.

22. Prior to issuance of Occupancy Permit, a spark arrestor shall be installed on the chimneys.

23. Prior to framing of the structure, all on-site improvements, such as water main extensions, hydrants, and access roadways, shall be serviced.

David Robert Kalb, AIA
Architecture

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f 415-467-7779
kalb@pacbell.net

20 August 2007

City of Sausalito
Community Development Department
420 Litho Street
Sausalito, CA 94965

RE: General Application for Project Design Review – 75 Cloud View Road

Proposed Project Narrative

The Proposed Project for 75 Cloud View Road includes the renovation of and addition to the existing house with changes to the existing floor layouts and the redesign and construction of the roof, the decks, and the entry along with structural upgrades.

The redesign addresses the multiple rooflines, styles, and punctuation of the existing house which have resulted from numerous additions and design styles over the years. The design redefines the roofline and the exterior elevations into a more cohesive and coherent design that is more integrated in scale and design with the neighborhood and the City of Sausalito. The redesign is done in a way to be sensitive to the views of neighboring homes by staying very close to the height original ridgeline (within 2' -0"), by staying well within the required height limit and by refining the scale of the existing exterior elevations.

The redesign of the existing floor layouts includes addressing the existing garage access to the house which is currently through the master bedroom. It also includes addressing the existing ground floor circulation which currently requires circulation through the bathroom and bedroom to access the other rooms on the floor. The redesign also addresses the existing stair cases which are steep, narrow, and poorly positioned creating rather than solving circulation issues.

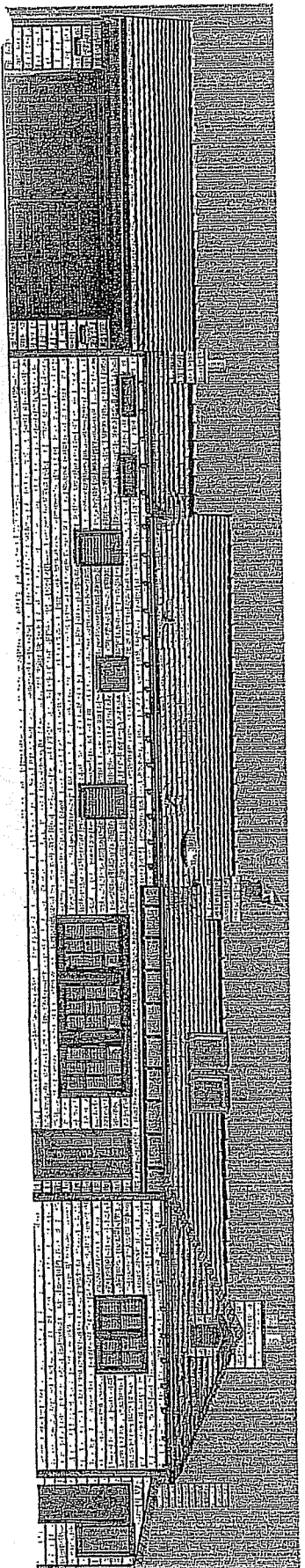
The redesign addresses the existing entry to the house which is currently sunken creating dampness much of the year and maintenance issues. The redesign also creates architectural clarity for finding the entrance to the home.

The redesign addresses the functionality of the existing decks and it addresses the lack of connection of the living spaces with the yard and other outdoor spaces.

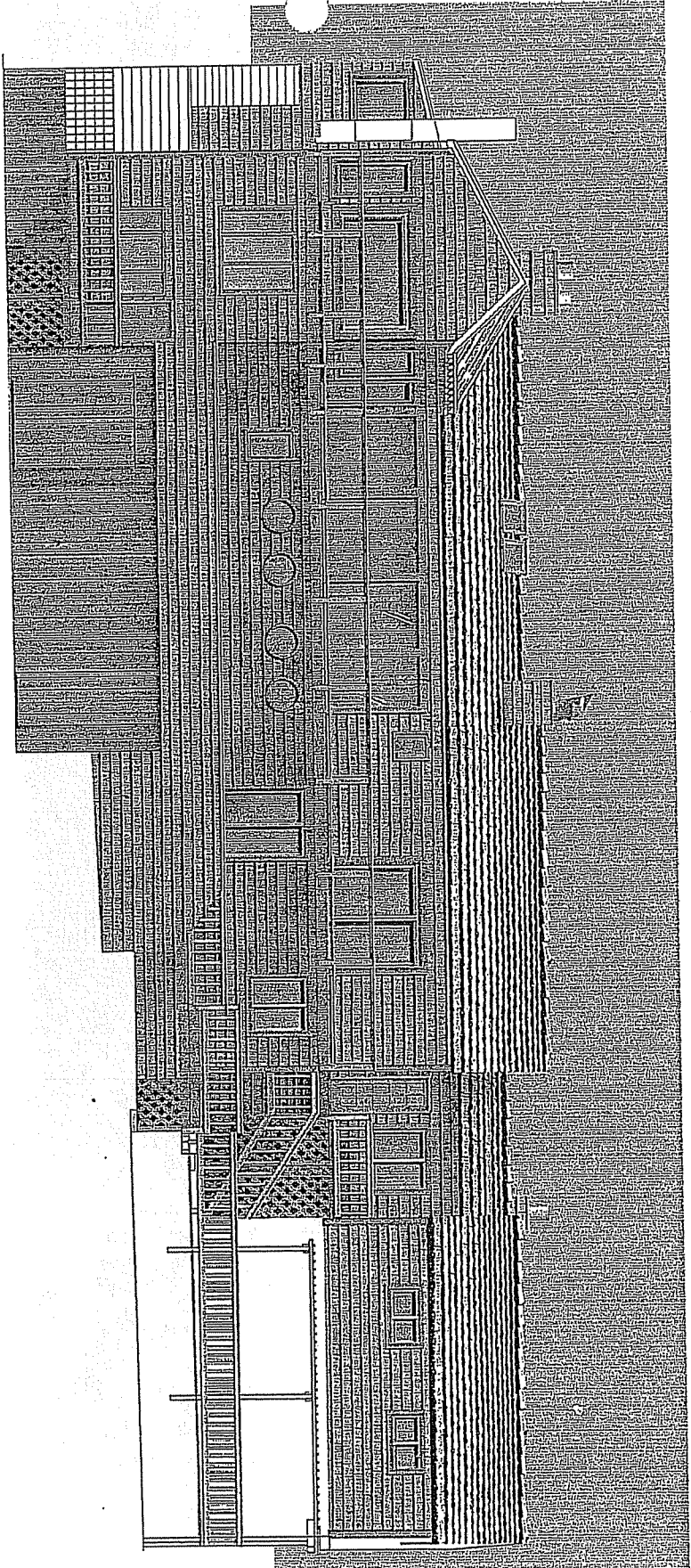
The renovations will also address structural upgrades and concerns from deferred maintenance.

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75 Cloud View Road



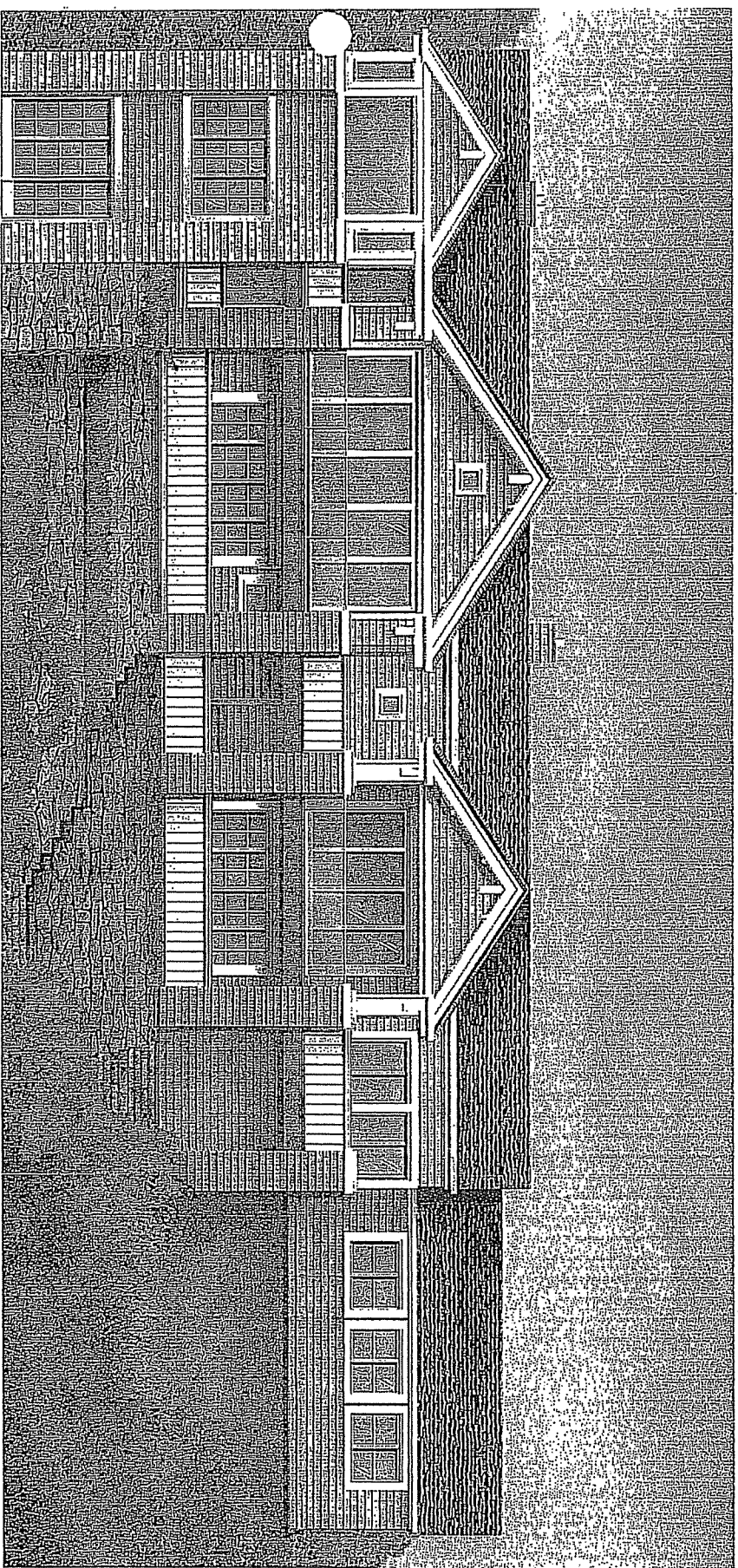
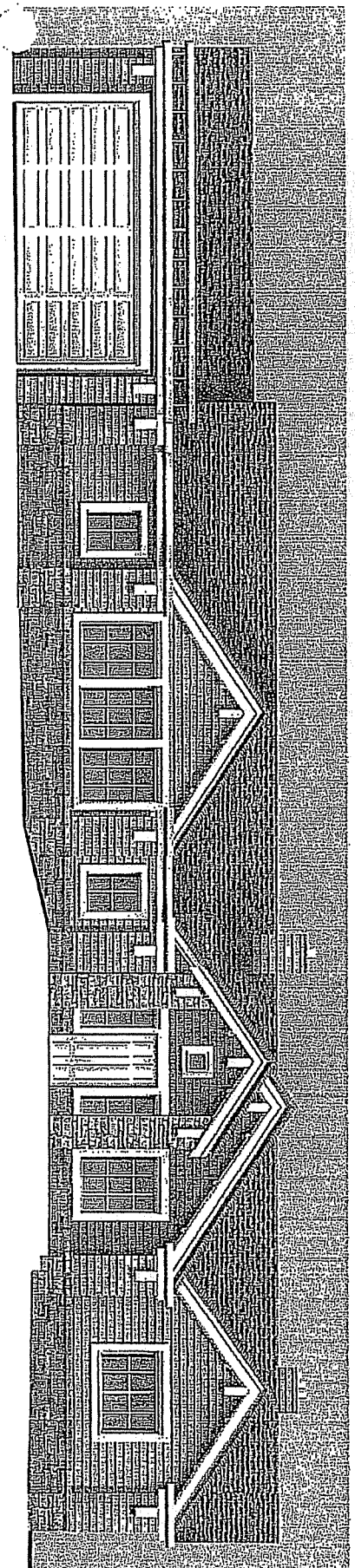
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Existing

03.15.07

75 Cloud View Road



Proposed

08.15.07

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