

October 17, 2007
75 Cloud View Road, Sausalito
Project Number 2187-01-07

Page 14

LIMITATIONS

This report has been prepared for the exclusive use of Pierre and Cecilia Vacherand and their consultants for the proposed project described in this report. Our services consist of professional opinions and conclusions developed in accordance with generally-accepted geotechnical engineering principles and practices. We provide no other warranty, either expressed or implied. Our conclusions and recommendations are based on the information provided us regarding the proposed construction, the results of our field exploration and laboratory testing programs, and professional judgment. Verification of our conclusions and recommendations is subject to our review of the project plans and specifications, and our observation of construction.

The test boring logs represent subsurface conditions at the locations and on the dates indicated. It is not warranted that they are representative of such conditions elsewhere or at other times. Site conditions and cultural features described in the text of this report are those existing at the time of our field exploration and may not necessarily be the same or comparable at other times. The locations of the test borings were established in the field by reference to existing features, and should be considered approximate only.

Our work was limited to the proposed additions and renovations, and did not address other items/areas. Our investigation did not include an environmental assessment or an investigation of the presence or absence of hazardous, toxic or corrosive materials in the soil, surface water, ground water or air, on or below, or around the site, nor did it include an evaluation or investigation of the presence or absence of wetlands. Our work also did not address the evaluation or mitigation of mold hazard at the site.

We appreciate the opportunity to be of service to you. If you have any questions, please call us at (415) 388-8355.

Sincerely,
HERZOG GEOTECHNICAL

Craig Herzog, G.E.
Principal Engineer



Attachments: References
Plates 1 - 8

cc. David R. Kalb, AIA
51 Mono Street
Brisbane, California 94005

HERZOG
GEOTECHNICAL
CONSULTING ENGINEERS

5A
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REFERENCES

Abrahamson, N.A. and Silva, W.J., 1997, *Empirical Response Spectral Attenuation Relations for Shallow Crustal Earthquakes*, Seismological Research Letters, Volume 69, Number 1.

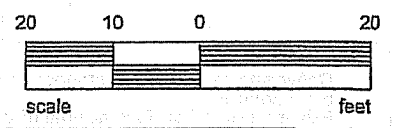
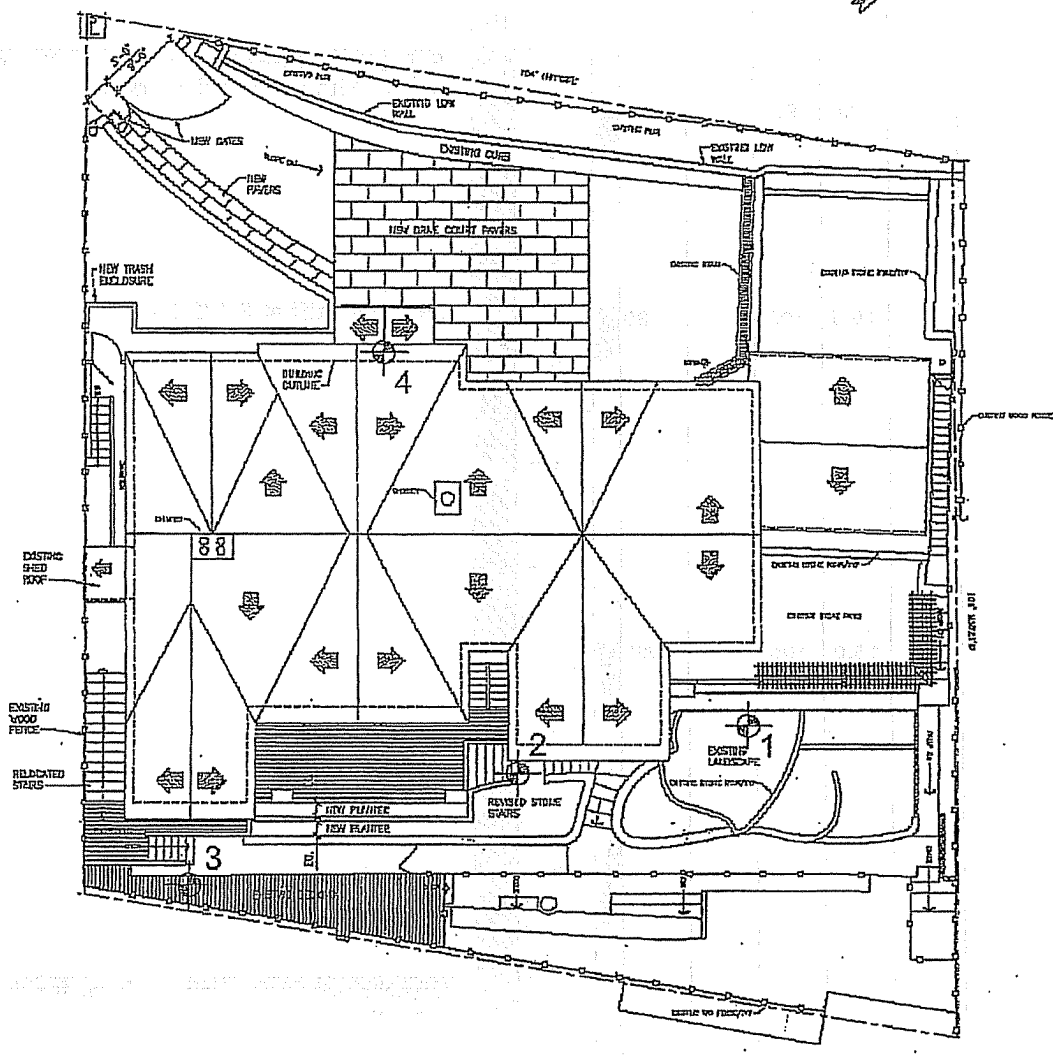
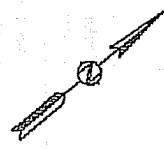
Davenport, C.W., 1984, *An Analysis of Slope Failures in Eastern Marin County, California, Resulting From the January 3 & 4, 1982 Storm*, California Department of Conservation, Division of Mines and Geology DMG Open-File Report 84-22.

Petersen, et. al., 1996, *Probabilistic Seismic Hazard Assessment for the State of California*, California Department of Conservation, Division of Mines and Geology, Open File Report 96-08.

Rice, S.J., Smith, T.C., and Strand, R.G., 1976, *Geology for Planning: Central and Southeastern Marin County, California*, California Division of Mines and Geology, OFR 76-2.

Seed, H. B., and Idriss, E., 1982, *Ground Motion and Soil Liquefaction During Earthquakes*, Earthquake Engineering Research Institute Monograph.

U.S. Geologic Survey, 2003, *Earthquake Probabilities: 2003 to 2033*, U.S. Geological Survey Fact Sheet 39-03.



Reference: Proposed Site Plan by, David Kalb, AIA, dated 8/15/07.

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Job. No: 2187-01-07
 Appr:
 Drwn: LPDD
 Date: OCT 2007

SITE PLAN
 75 Cloud View Road
 Sausalito, California

PLATE
 1

5A
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| Other Laboratory Tests | Pocket Penetrometer (ksf) | Moisture Content (%) | Dry Density (pcf) | % Passing #200 sieve | Blows/Foot * Sample | DEPTH (FEET) | EQUIPMENT: 4" Flight Auger LOGGED BY: G.M. | ELEVATION: ** START DATE: 10-11-07 FINISH DATE: 10-11-07 |
|------------------------|---------------------------|----------------------|-------------------|----------------------|---------------------|--------------|---|---|
| | | | | | | 0 | | BROWN SANDY SILT (ML), soft, dry to moist, with roots (Fill) |
| | | 23.0 | 97 | | 19 | 1 | | RED-BROWN GRAVELLY CLAY (CH), medium stiff, moist, with angular chert gravels |
| | | 15.5 | 105 | | 39 | 2 | | |
| | | | | | | 3 | | |
| | | 16.0 | 106 | | 21 5/8" | 4 | | becomes stiff at 3-1/2 feet |
| | | | | | | 5 | | |
| | | | | | | 6 | | |
| | | | | | | 7 | | |
| | | | | | | 8 | | |
| | | | | | | 9 | | |
| | | | | | | 10 | | ORANGE-BROWN CHERT, firm, friable, highly weathered |
| | | | | | | 11 | | |
| | | | | | | 12 | | |
| | | | | | | 13 | | |

* Converted to equivalent standard penetration blow counts.
 ** Existing ground surface at time of drilling.

BOTTOM OF BORING 1 @ 13 FEET
 No Free Water Encountered



Job No: 2187-01-07
 Appr: *[Signature]*
 Drwn: LPDD
 Date: OCT 2007

LOG OF BORING 1
 75 Cloud View Road
 Sausalito, California

PLATE
 2

*51
104*

| Other Laboratory Tests | Pocket Penetrometer (ksf) | Moisture Content (%) | Dry Density (pcf) | % Passing #200 sieve | Blows/Foot * Sample | DEPTH (FEET) | EQUIPMENT: 4" Flight Auger LOGGED BY: G.M. | ELEVATION: ** START DATE: 10-11-07 FINISH DATE: 10-11-07 |
|------------------------|---------------------------|----------------------|-------------------|----------------------|------------------------|--------------|---|--|
| | | | | | | 0 | | BROWN SANDY SILT (ML), dry to moist, with roots (Fill) |
| | | | | | | 1 | | ORANGE-LIGHT BROWN GRAVELLY CLAY (CH), stiff, dry (Fill) |
| | | 12.1 | 102 | | 29 | 2 | | |
| | | | | | | 3 | | |
| | | 14.6 | 91 | | 21/5" | 4 | | |
| | | | | | 47 | 5 | | becomes very stiff and moist at 5 feet |
| | | | | | | 6 | | |
| | | | | | | 7 | | |
| | | | | | | 8 | | |
| | | | | | | 9 | | RED-BROWN CHERT, firm, friable, highly weathered |
| | | | | | 42 | 10 | | |

BOTTOM OF BORING 2 @ 10.5 FEET
No Free Water Encountered

* Converted to equivalent standard penetration blow counts.
** Existing ground surface at time of drilling.



Job No: 2187-01-07
Appr: *[Signature]*
Drwn: LPDD
Date: OCT 2007

LOG OF BORING 2
75 Cloud View Road
Sausalito, California

PLATE 3

SA 105

| Other Laboratory Tests | Pocket Penetrometer (ksf) | Moisture Content (%) | Dry Density (pcf) | % Passing #200 sieve | Blows/Foot * Sample | DEPTH (FEET) | EQUIPMENT: 4" Flight Auger LOGGED BY: G.M. | ELEVATION: ** START DATE: 10-11-07 FINISH DATE: 10-11-07 |
|------------------------|---------------------------|----------------------|-------------------|----------------------|------------------------|--------------|---|--|
| | | | | | X | 0 | BROWN SANDY SILT (ML), soft, moist, with roots (Fill) | |
| | | | | | X | 1 | BROWN CLAYEY GRAVEL (GC), loose, moist | |
| | | | | | X | 2 | | |
| | | | | | X | 3 | RED-BROWN CHERT, firm, friable, highly weathered | |

BOTTOM OF BORING 3 @ 3 FEET
No Free Water Encountered

* Converted to equivalent standard penetration blow counts.
** Existing ground surface at time of drilling.

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Job No: 2187-01-07

Appr: *CH*

Drwn: LPDD

Date: OCT 2007

LOG OF BORING 3

75 Cloud View Road

Sausalito, California

PLATE

4

SA
106

| Other Laboratory Tests | Pocket Penetrometer (ksf) | Moisture Content (%) | Dry Density (pcf) | % Passing #200 sieve | Blows/Foot * Sample | DEPTH (FEET) | EQUIPMENT: 4" Flight Auger | | ELEVATION: ** |
|------------------------------|---------------------------|----------------------|-------------------|----------------------|------------------------|--------------|---|--|----------------------|
| | | | | | | | LOGGED BY: G.M. | | START DATE: 10-11-07 |
| LL=61, PI=34, see Plate 8 | | 26.2 | 93 | | | 0 | BROWN SANDY SILT (ML), soft, dry, with roots (Fill) | | |
| | | | | | | 2 | BROWN GRAVELLY CLAY (CH), stiff, moist | | |
| | | | | | | 3 | RED-BROWN CHERT, moderately hard, moderately strong, highly weathered | | |
| | | | | | | 4 | | | |

BOTTOM OF BORING 4 @ 4.5 FEET
No Free Water Encountered

* Converted to equivalent standard penetration blow counts.

** Existing ground surface at time of drilling.

| MAJOR DIVISIONS | | | TYPICAL NAMES | |
|---|--|---------------------------------------|---|---|
| COARSE GRAINED SOILS More than Half > #200 sieve | GRAVELS MORE THAN HALF COARSE FRACTION IS LARGER THAN NO. 4 SIEVE | CLEAN GRAVELS WITH LITTLE OR NO FINES | GW | WELL GRADED GRAVELS, GRAVEL-SAND |
| | | | GP | POORLY GRADED GRAVELS, GRAVEL-SAND MIXTURES |
| | | GRAVELS WITH OVER 12% FINES | GM | SILTY GRAVELS, POORLY GRADED GRAVEL-SAND-SILT MIXTURES |
| | | | GC | CLAYEY GRAVELS, POORLY GRADED GRAVEL-SAND-CLAY MIXTURES |
| | SANDS MORE THAN HALF COARSE FRACTION IS SMALLER THAN NO. 4 SIEVE | CLEAN SANDS WITH LITTLE OR NO FINES | SW | WELL GRADED SANDS, GRAVELLY SANDS |
| | | | SP | POORLY GRADED SANDS, GRAVELLY SANDS |
| | | SANDS WITH OVER 12% FINES | SM | SILTY SANDS, POORLY GRADED SAND-SILT MIXTURES |
| | | | SC | CLAYEY SANDS, POORLY GRADED SAND-CLAY MIXTURES |
| FINE GRAINED SOILS More than Half < #200 sieve | SILTS AND CLAYS LIQUID LIMIT LESS THAN 50 | ML | INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS, OR CLAYEY SILTS WITH SLIGHT PLASTICITY | |
| | | CL | INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS | |
| | | OL | ORGANIC CLAYS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY | |
| | SILTS AND CLAYS LIQUID LIMIT GREATER THAN 50 | MH | INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SANDY OR SILTY SOILS, ELASTIC SILTS | |
| | | CH | INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS | |
| | | OH | ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS | |
| HIGHLY ORGANIC SOILS | Pt | PEAT AND OTHER HIGHLY ORGANIC SOILS | | |

UNIFIED SOIL CLASSIFICATION SYSTEM

| | | | | |
|--------|----------------------------------|--------|-----------------|--|
| Consol | Consolidation | Tx | 2630 (240) | Unconsolidated Undrained Triaxial |
| LL | Liquid Limit (in %) | Tx sat | 2100 (575) | Unconsolidated Undrained Triaxial, saturated prior to test |
| PL | Plastic Limit (in %) | DS | 3740 (960) | Unconsolidated Undrained Direct Shear |
| PI | Plasticity Index | TV | 1320 | Torvane Shear |
| Gs | Specific Gravity | UC | 4200 | Unconfined Compression |
| SA | Sieve Analysis | LVS | 500 | Laboratory Vane Shear |
| | Undisturbed Sample (2.5-inch ID) | FS | Free Swell | |
| | 2-inch-ID Sample | EI | Expansion Index | |
| | Standard Penetration Test | Perm | Permeability | |
| | Bulk Sample | SE | Sand Equivalent | |

KEY TO TEST DATA

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CONSULTING ENGINEERS

Job No: 2187-01-07
Appr: *SW*
Drwn: LPDD
Date: OCT 2007

SOIL CLASSIFICATION CHART AND KEY TO TEST DATA
75 Cloud View Road
Sausalito, California

PLATE

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5A
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ROCK SYMBOLS



SHALE OR CLAYSTONE



CHERT



SERPENTINITE



SILTSTONE



PYROCLASTIC



METAMORPHIC ROCKS



SANDSTONE



VOLCANIC



DIATOMITE



CONGLOMERATE



PLUTONIC



SHEARED ROCKS

LAYERING

| | |
|------------------------|---------------------|
| MASSIVE | Greater than 6 feet |
| THICKLY BEDDED | 2 to 6 feet |
| MEDIUM BEDDED | 8 to 24 inches |
| THINLY BEDDED | 2-1/2 to 8 inches |
| VERY THINLY BEDDED | 3/4 to 2-1/2 inches |
| CLOSELY LAMINATED | 1/4 to 3/4 inches |
| VERY CLOSELY LAMINATED | Less than 1/4 inch |

JOINT, FRACTURE, OR SHEAR SPACING

| | |
|--------------------------|---------------------|
| VERY WIDELY SPACED | Greater than 6 feet |
| WIDELY SPACED | 2 to 6 feet |
| MODERATELY SPACED | 8 to 24 inches |
| CLOSELY SPACED | 2-1/2 to 8 inches |
| VERY CLOSELY SPACED | 3/4 to 2-1/2 inches |
| EXTREMELY CLOSELY SPACED | Less than 3/4 inch |

HARDNESS

SOFT - Pliable; can be dug by hand

FIRM - Can be gouged deeply or carved with a pocket knife

MODERATELY HARD - Can be readily scratched by a knife blade; scratch leaves heavy trace of dust and is readily visible after the powder has been blown away

HARD - Can be scratched with difficulty; scratch produces little powder and is often faintly visible

VERY HARD - Cannot be scratched with pocket knife; leaves a metallic streak

STRENGTH

PLASTIC - Capable of being molded by hand

FRIABLE - Crumbles by rubbing with fingers

WEAK - An unfractured specimen of such material will crumble under light hammer blows

MODERATELY STRONG - Specimen will withstand a few heavy hammer blows before breaking

STRONG - Specimen will withstand a few heavy ringing hammer blows and usually yields large fragments

VERY STRONG - Rock will resist heavy ringing hammer blows and will yield with difficulty only dust and small flying fragments

DEGREE OF WEATHERING

HIGHLY WEATHERED - Abundant fractures coated with oxides, carbonates, sulphates, mud, etc., thorough discoloration, rock disintegration, mineral decomposition

MODERATELY WEATHERED - Some fracture coating, moderate or localized discoloration, little to no effect on cementation, slight mineral decomposition

SLIGHTLY WEATHERED - A few stained fractures, slight discoloration, little or no effect on cementation, no mineral decomposition

FRESH - Unaffected by weathering agents, no appreciable change with depth



Job No: 2187-01-07

Appr:

Drwn: LPDD

Date: OCT 2007

**ENGINEERING GEOLOGY
ROCK TERMS**

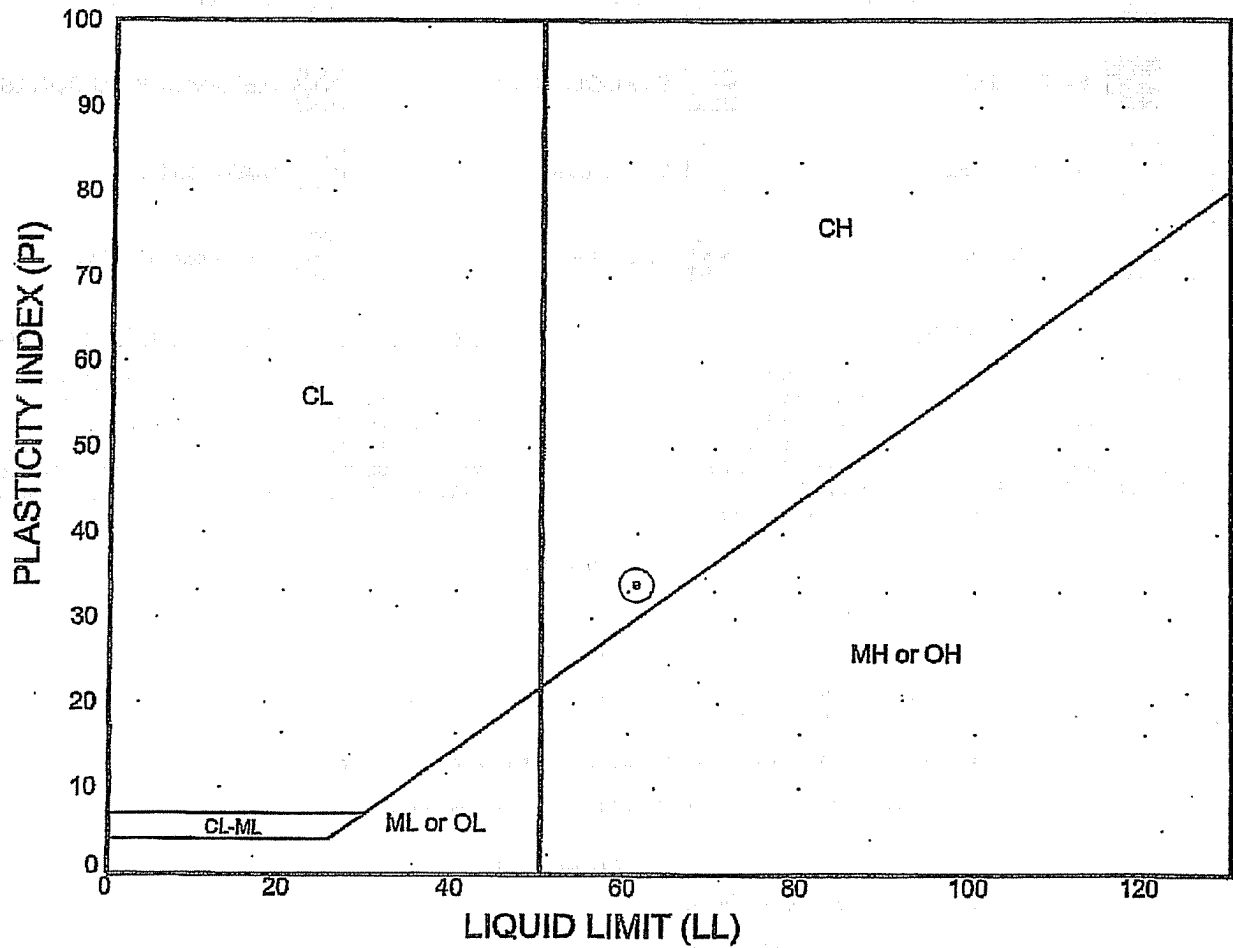
75 Cloud View Road

Sausalito, California

PLATE

7

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| SAMPLE SOURCE | CLASSIFICATION | LIQUID LIMIT (%) | PLASTIC LIMIT (%) | PLASTICITY INDEX (%) | % PASSING #200 SIEVE |
|-----------------|--------------------------|------------------|-------------------|----------------------|----------------------|
| ⊙ Bor. 4 @ 2.5' | Brown Gravelly Clay (CH) | 61 | 27 | 34 | |

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Job No: 2187-01-07
 Appr:
 Drwn: LPDD
 Date: OCT 2007

PLASTICITY CHART

75 Cloud View Road
 Sausalito, California

PLATE

8

519
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SOUTHERN MARIN FIRE PROTECTION DISTRICT
308 REED BLVD.
MILL VALLEY, CA 94941

Date: September 6, 2007

City of Sausalito
Community Development
Project Review Committee

Re: **75 Cloudview, Sausalito**

Dear Debra,

The proposed plans for the above-listed project have been reviewed. Based on the plans as submitted, the items checked below shall indicate the requirements that will be imposed by the Southern Marin Fire Protection District in accordance with current Southern Marin Fire Protection District Ordinances.

I. ACCESS:

- 1. All access roads serving a dwelling(s) shall be a minimum of 16 feet in width and be paved.
- 2. Driveways off access roads serving dwelling units shall meet Marin County Standards related to dimensions, surfacing and slope (slope not to exceed 21 percent).
- 3. All new driveways shall be designed so that emergency vehicles can negotiate turns without having to make backing maneuvers (no switchbacks).
- 4. All access roads or driveways in excess of 150 feet in length shall be provided with an approved turn-around.
- 5. In addition to the turn-around described above, driveways or access roads shall have turnouts every _____ feet or as required by the fire district. A turnout shall be described as a shoulder or wide portion of the driving surface which has enough usable surface which has enough usable surface for vehicles to pass.
- 6. Provide a U.L. listed key box as required by the Southern Marin Fire Protection District. **(KNOX BOX GATE CONTROL)**

II. FIRE FLOW:

- 7. **PRIOR TO FRAMING**, provide 1 fire department approved fire hydrant(s) to be spaced at 350 feet intervals and capable of providing a flow at the site of 1000 gallons per minutes. Hydrant placement (including water main extension) shall be reviewed and approved by the S.M.F.P.D. and M.M.W.D.

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X 8. Fire sprinkler system required in:

- a. All new construction;
- b. All "substantial remodels"

Plans for fire sprinkler system design shall be reviewed and approved by the S.M.F.P.D. prior to installation.

III. ADDITIONAL:

X 9. The address shall be posted in accordance with requirements of the Uniform Fire Code.

X 10. Smoke detectors shall be installed in accordance with the Uniform Building Code.

 11. A remotely located, second means of egress shall be provided for each floor above the first.

X 12. Non-combustible roofing required on all new construction.

X 13. Provide for compliance with Public Resource Code 4291 relating to brush and weed clearance.

X 14. Prior to occupancy, a spark arrestor shall be installed on the chimney(s).

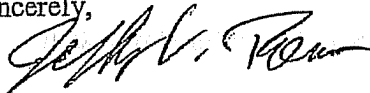
 15. Provide an approved fire detection system in accordance with standards as established by the National Fire Protection Association. Said system must be connected to the headquarters of the Southern Marin Fire Protection District through an approved U.L. central monitoring station.

 16. OTHER:

All on-site improvements, such as water main extensions, hydrants and access roads, must be serviceable prior to framing the structure.

Final occupancy approval shall not be granted/released until authorization to the Community Development Agency has been received from the Fire District.

Sincerely,



Jeff Powers
Deputy Chief

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STAFF REPORT

SAUSALITO PLANNING COMMISSION

Agenda Item Number 2

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

MEETING DATE: November 28, 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 an eastern direction.

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

ANALYSIS

Ridgeline Location

At the November 7, 2007 Planning Commission hearing the Commission requested that the applicant lower the proposed ridgeline located above the kitchen and dining room, to half of the proposed increase in ridgeline height over that which currently exists. The request is intended to preserve the San Francisco Bay view for the neighbor located at the rear of the property. Since that time the applicant had complied with the Commissions request.

The previous design proposed to increase the height of the ridgeline above the kitchen and dining room by two feet two inches. 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.

Neighborhood

At the November 7, 2007 Planning Commission hearing, the neighbor located at the rear of the subject property was not available to attend the hearing. Her concerns were represented by an employee. Her concerns related to the loss of her view of the San Francisco Bay. It was acknowledged that the neighbors' skyline view would not be impaired. At the time the applicant resubmitted, the neighbor was still out of town, and unavailable. The neighbor will be present to speak on the subject application at the November 28, 2007 Planning Commission hearing.

STORY POLES

- Installation:** The applicant will submit story pole installation information at the hearing on November 28, 2007.
- 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:** The item, continued to a date certain, did not require noticing.
- Neighborhood Feedback:** No neighborhood feedback has been received by staff at the time this staff report was completed.

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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 next 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

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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 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 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 November 19, 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 and November 28, 2007 staff reports 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:

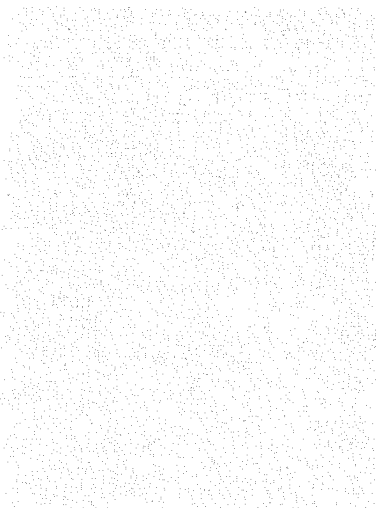
1. The Design Review Permit and Nonconformity Permit are approved as outlined in the attached findings (Attachment A).
2. The Design Review and Nonconformity Permits are approved, for project plans titled "75 Cloud View Road" stamped received by the City of Sausalito on November 19, 2007 (Attachment B), subject to the attached conditions of approval (Attachment C).

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RESOLUTION PASSED AND ADOPTED, at the regular meeting of the Sausalito Planning Commission on the 28th day of November, 2007, by the following vote:

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

SECRETARY TO THE PLANNING COMMISSION



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75 CLOUD VIEW ROAD

David R. Kalb, AIA
 Architecture
 31 Home Point
 Sausalito, CA 94965
 415-467-7779

75 Cloud View Road
 Sausalito, CA
 94965-2006

PROJECT DESCRIPTION:
 BUILDING TYPE:
 OWNERS:
 PROJECT ADDRESS:

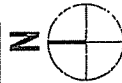
RESIDENTIAL REMODEL
 WOOD FRAME / TYPE 5
 PIERRE AND CECILIA VACHERAND
 75 CLOUD VIEW ROAD
 SAUSALITO, CA 94965

APN: 065-191-25
 ARCHITECT: DAVID R. KALB, AIA
 51 MOND STREET
 BRISBANE, CA 94005
 415-467-7400 (OFFICE)
 415-467-7779 (FAX)
 T.B.D.

CONTRACTOR: T.B.D.

STRUCTURAL ENGINEER: T.B.D.
 LAND SURVEYOR: LINDA A. CARRUTHERS & ASSOCIATES
 LAND SURVEYORS
 2015 BRIDGEWAY, SUITE 301D
 SAUSALITO, CA 94965
 415.332.3912

PROJECT



75 CLOUD VIEW ROAD

LOCATION MAP

- A1.0 COVER SHEET ²
- 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 ²
- A3.6 PROPOSED SOUTH AND WEST ELEVATIONS ²
- A4.1 PROPOSED CROSS SECTION
- A4.2 PROPOSED LONGITUDINAL SECTION ²
- A5.1 STORY POLE PLAN ²

DRAWING INDEX

RECEIVED

NOV 19 2007

CITY OF SAUSALITO
 COMMUNITY DEVELOPMENT DEPT.

ISSUED FOR: DATE:
 EXISTING CONDITIONS 03/2007
 SCHEMATIC DESIGN 05/2007
 DESIGN REVIEW 08/2007
 DESIGN REVIEW 09/2007
 DESIGN REVIEW 11/2007

PROJECT: 065-191-25
 CHECKED BY: JRM
 PROJECT: 75 CLOUD VIEW ROAD

COVER SHEET

A1.0

COVER SHEET 1-57

David R. Kallb, AIA
 Architecture
 60000
 101844777

75 Cloud View Rd
 Sausalito, CA
 94965-2006

THE SCOPE OF WORK DEFINED BY THIS SET OF DOCUMENTS DESCRIBES
 THE PLANS FOR THE RENOVATION / ADDITION TO AN EXISTING HOME LOCATED
 AT 75 CLOUD VIEW ROAD IN SAUSALITO, CA

CITY OF SAUSALITO

095-191-25

CONSTRUCTION TYPE

OCCUPANCY

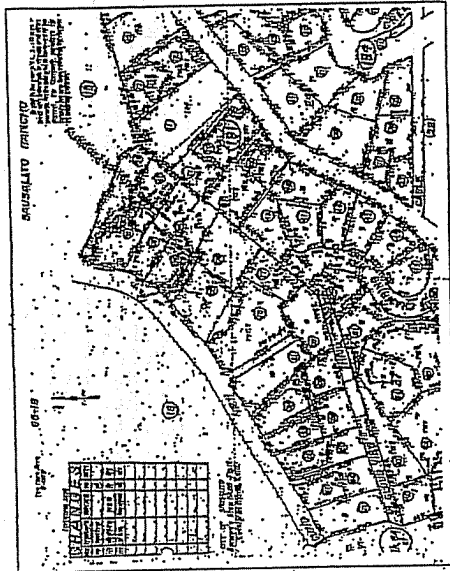
EXISTING MAXIMUM BUILDING HEIGHT
 PROPOSED MAXIMUM BUILDING HEIGHT

TYPE V
 R-1-6
 R-1. SINGLE FAMILY RESIDENCE
 MAXIMUM BUILDING HEIGHT 32'
 23'
 25' AT BASE OF UPHILL SLOPE
 (GREATER THAN 10%)

| | |
|------------------------------|--------------------|
| ALLOWABLE FLOOR AREA | 10,646 SQUARE FEET |
| EXISTING FLOOR AREA | 4,791 SQUARE FEET |
| PROPOSED FLOOR AREA | 4,115 SQUARE FEET |
| PROPOSED ADD | 676 SQUARE FEET |
| ALLOWABLE LOT COVERAGE | 3,726 SQUARE FEET |
| EXISTING LOT COVERAGE | 4,230 SQUARE FEET |
| PROPOSED LOT COVERAGE | 4,100 SQUARE FEET |
| ALLOWABLE IMPERVIOUS SURFACE | 7,186 SQUARE FEET |
| EXISTING IMPERVIOUS SURFACE | 6,101 SQUARE FEET |
| PROPOSED IMPERVIOUS SURFACE | 7,871 SQUARE FEET |

PROJECT DESCRIPTION

SCOPE:
 JURISDICTION:
 A.E. NUMBER:
 CODE SUMMARY:

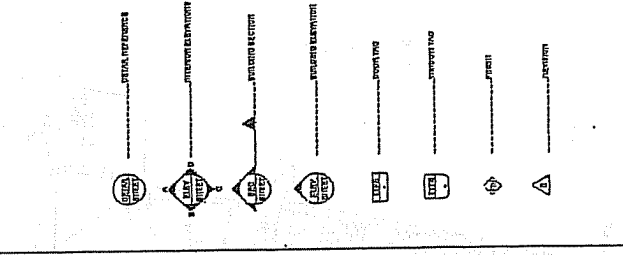


ASSESSOR'S MAP

1. The project is located on the east side of the lot shown on the Assessor's Map.
2. The project is a single-family residence with a maximum height of 32 feet.
3. The project is a single-family residence with a maximum height of 23 feet.
4. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
5. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
6. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
7. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
8. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
9. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
10. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
11. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
12. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
13. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
14. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
15. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
16. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
17. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
18. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
19. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.
20. The project is a single-family residence with a maximum height of 25 feet at the base of the uphill slope.

| NO. | DESCRIPTION | PLAN | SYMBOL |
|-----|------------------------------|--------|--------|
| 1 | EXISTING FLOOR AREA | 4,791 | 1 |
| 2 | PROPOSED FLOOR AREA | 4,115 | 2 |
| 3 | PROPOSED ADD | 676 | 3 |
| 4 | ALLOWABLE FLOOR AREA | 10,646 | 4 |
| 5 | EXISTING LOT COVERAGE | 4,230 | 5 |
| 6 | PROPOSED LOT COVERAGE | 4,100 | 6 |
| 7 | ALLOWABLE IMPERVIOUS SURFACE | 7,186 | 7 |
| 8 | EXISTING IMPERVIOUS SURFACE | 6,101 | 8 |
| 9 | PROPOSED IMPERVIOUS SURFACE | 7,871 | 9 |

ABBREVIATIONS



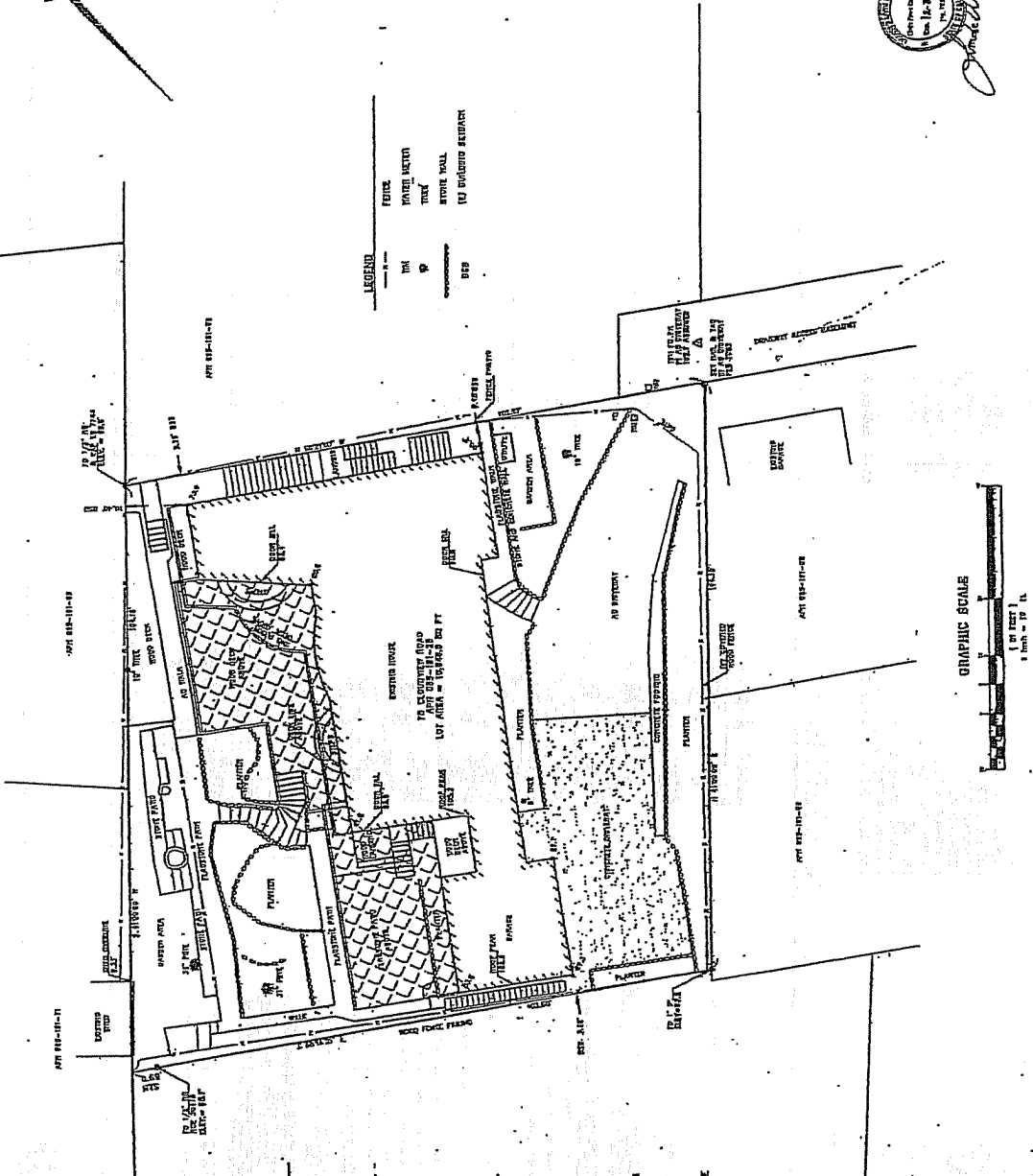
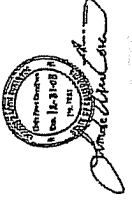
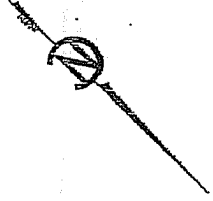
SYMBOLS

PROJECT INFORMATION

A 1.2

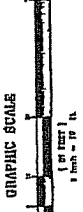
GENERAL NOTES

PROJECT INFORMATION



LEGEND

| | |
|-------|------------------|
| — | WOOD POLE FENCE |
| — | WOOD FENCE |
| - - - | CONCRETE FENCE |
| ⊗ | WOOD POLE CORNER |
| ⊙ | WOOD CORNER |
| ⊚ | CONCRETE CORNER |



- NOTES:**
1. ALL DISTANCES AND ELEVATIONS SHOWN ARE IN FEET AND DECIMAL THEREOF.
 2. THE BASIS OF MEASUREMENT FOR THIS SURVEY IS ACCORDING TO THAT ACTUALLY RECORDED IN THE PUBLIC RECORDS, COUNTY OF SANRAFAEL, CALIFORNIA.
 3. DATA FOR THIS SURVEY IS ASSUMED TEMPORARILY UNLESS OTHERWISE NOTED AS PER THE 2015 L.A.S. CONTRACT DRAWING FOR ELEVATIONS OF THIS PROPERTY.
 4. ONLY THOSE HAVING A DIRECT VERTICAL OF SIX INCHES OR LESS SHALL BE INDICATED. DATA POINTS INDICATED FOR ELEVATION PURPOSES.
 5. SPOT ELEVATIONS ARE GIVEN UNLESS NOTED OTHERWISE.
 6. FOR A COMPLETE LIST OF POINTS AND ELEVATIONS SEE ATTACHED FILE.
 7. ANY DISCREPANCY BETWEEN THE ELECTRONIC FILE AND THE SHEET AND SEALED HARD COPY, THE HARD COPY WILL PREVAIL.
 8. THE UTILITY SHOWN ON THIS PLAN ARE BASED UPON UTILITY COMPANIES' AND UTILITIES. THE PLAN MAKES NO WARRANTY, REPRESENTATION OR OPINION AS TO THE ACCURACY OF THE INFORMATION PROVIDED BY SUCH UTILITY COMPANIES AND UTILITIES. IT IS THE RESPONSIBILITY OF THE CLIENT TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES AND TO OBTAIN ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES. THE CLIENT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES TO ANY PUBLIC OR PRIVATE UTILITY WHICH SHOWS ON THIS SHEET.
 9. A RECORD OF SURVEY SHALL BE MADE FOR THIS BOUNDARY SURVEY.
 10. ALL NECESSARILY OBTAINED ARE ALIGNED TO THE PROPERTY LINE UNLESS OTHERWISE NOTED.

SHEET 1 OF 1
A1.3

EXISTING CONDITIONS

LANDS OF VACHERAND
D.N. 2007-014281

LINDA A. CARRUTHERS & ASSOC.
LAND SURVEYING AND PLANNING CONSULTING
5018 BRIDGEWAY, SUITE 301D
SAN RAFAEL, CALIFORNIA 94903
(415) 332-3912

| NO. | DATE |
|-----|------|
| | |

SITE PLAN
78 GARDENWAY ROAD
SAN RAFAEL, MARIN COUNTY, CALIFORNIA
APN 089-191-28

57A
120

David R. Kalb, AIA
 Architecture
 211 West Bond
 Sausalito, CA 94965
 Tel: 415/339-1100
 Fax: 415/339-1101

75 Cloud View Road
 Sausalito, CA
 94965-2006



EXISTING SITE INFORMATION

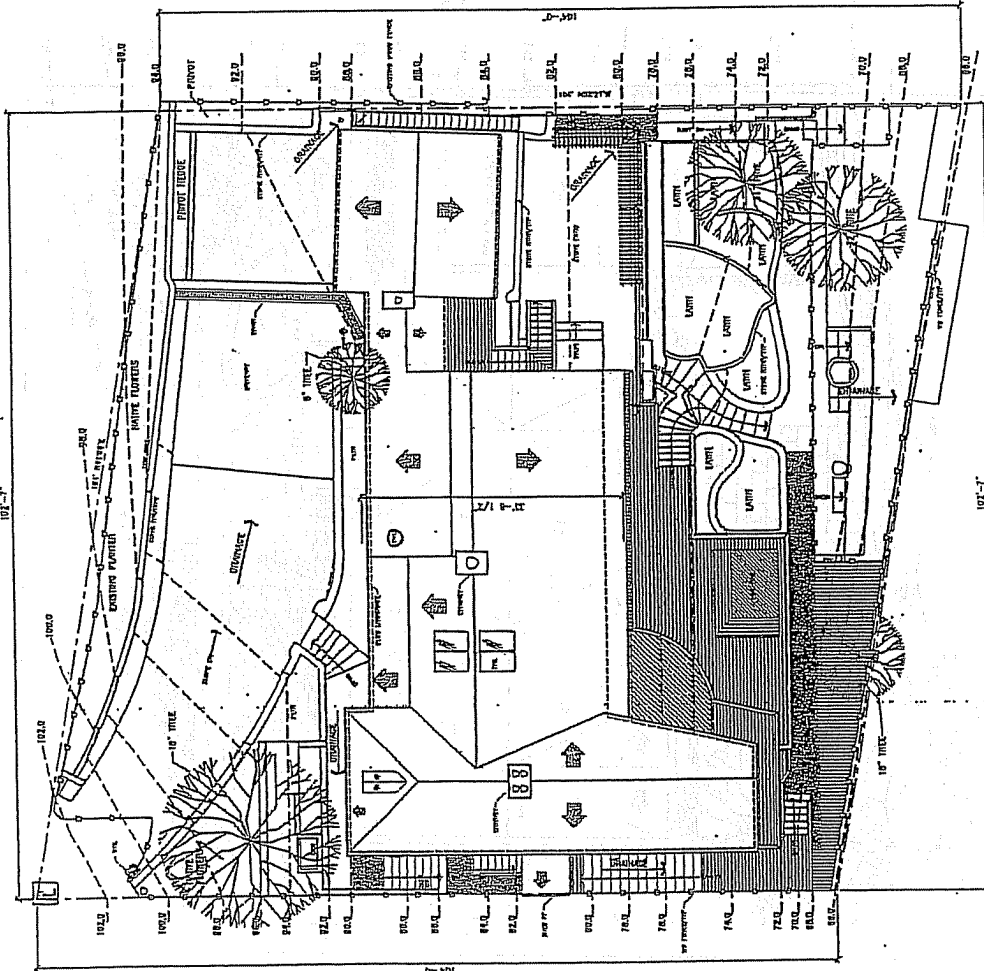
LOT SIZE: 10,646 SQ. FEET
 EXISTING LOT COVERAGE: 4,230 SQ. FEET
 EXISTING LOWER LEVEL AREA: 177 SQ. FEET
 EXISTING GROUND LEVEL AREA: 1,405 SQ. FEET
 EXISTING MAIN LEVEL AREA: 2,193 SQ. FEET
 TOTAL EXISTING FLOOR AREA: 3,475 SQ. FEET
 EXISTING IMPERVIOUS LOT COVERAGE: 8,101 SQ. FEET

| | |
|---------------------|----------|
| DESIGNED FOR: | DATE: |
| EXISTING CONDITIONS | 11/11/01 |
| SCHEMATIC DESIGN | 11/11/01 |
| DESIGN REVIEW | 11/11/01 |
| DESIGN REVIEW #1 | 11/11/01 |
| DESIGN REVIEW #2 | 11/11/01 |
| DESIGN REVIEW #3 | 11/11/01 |
| DESIGN REVIEW #4 | 11/11/01 |
| DESIGN REVIEW #5 | 11/11/01 |
| DESIGN REVIEW #6 | 11/11/01 |
| DESIGN REVIEW #7 | 11/11/01 |
| DESIGN REVIEW #8 | 11/11/01 |
| DESIGN REVIEW #9 | 11/11/01 |
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| DESIGN REVIEW #97 | 11/11/01 |
| DESIGN REVIEW #98 | 11/11/01 |
| DESIGN REVIEW #99 | 11/11/01 |
| DESIGN REVIEW #100 | 11/11/01 |

DRAWING BY: [Signature]
 CHECKED BY: [Signature]
 DATE: 11/11/01

EXISTING
 SITE PLAN

A1.4



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

KEY



EXISTING SITE PLAN

SCALE 1/8" = 1'-0"

121
 125
 TEM NO. 2 PAGE 9

David R. Kolb, AIA
 Architecture
 4815 Wilshire Blvd.
 Beverly Hills, CA 90210
 Tel: 310-274-1177
 Fax: 310-274-1178

75 Cloud View Road
 Sausalito, CA
 94965-2006

SITE INFORMATION

LOT SIZE: 10,816 SQ. FEET

EXISTING SITE

EXISTING LOT COVERAGE: 4,230 SQ. FEET

EXISTING LOWER LEVEL AREA: 177 SQ. FEET

EXISTING GROUND LEVEL AREA: 4,053 SQ. FEET

EXISTING MAIN LEVEL AREA: 2,493 SQ. FEET

TOTAL EXISTING FLOOR AREA: 3,476 SQ. FEET

EXISTING IMPERVIOUS LOT COVERAGE: 8,101 SQ. FEET

PROPOSED SITE

PROPOSED LOT COVERAGE: 4,100 SQ. FEET

PROPOSED LOWER LEVEL AREA: 220 SQ. FEET

PROPOSED GROUND LEVEL AREA: 1,278 SQ. FEET

PROPOSED MAIN LEVEL: 2,617 SQ. FEET

TOTAL PROPOSED FLOOR AREA: 4,115 SQ. FEET

ALLOWABLE FLOOR AREA: 4,791 SQ. FEET

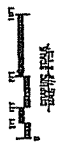
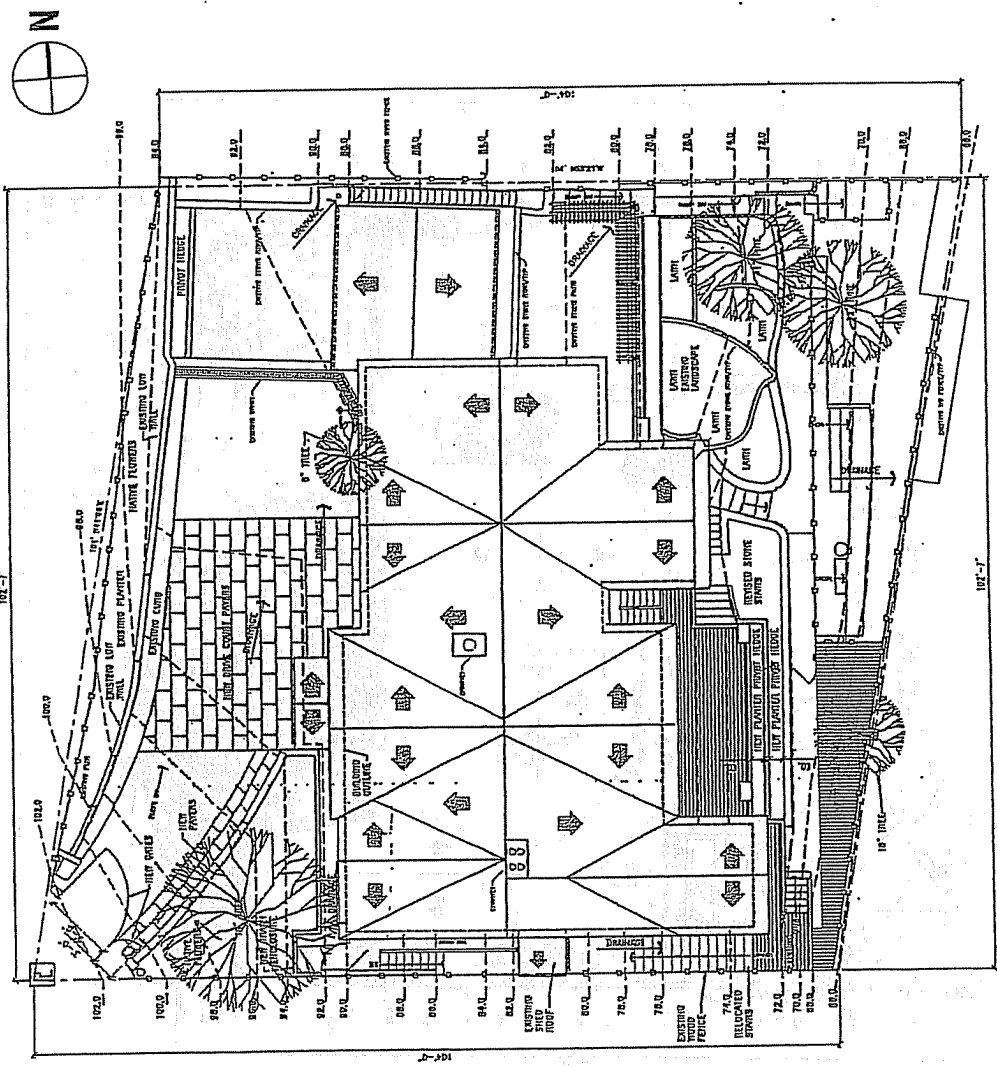
PROPOSED IMPERVIOUS LOT COVERAGE: 7,971 SQ. FEET

ALLOWABLE IMPERVIOUS LOT COVERAGE: 7,186 SQ. FEET

----- INDICATES BUILDING LINE

----- INDICATES EAVE LINE

KEY



A1.5

PROPOSED SITE PLAN

SCALE 1/8" = 1'-0"

ITEM NO. 22 PAGE 10

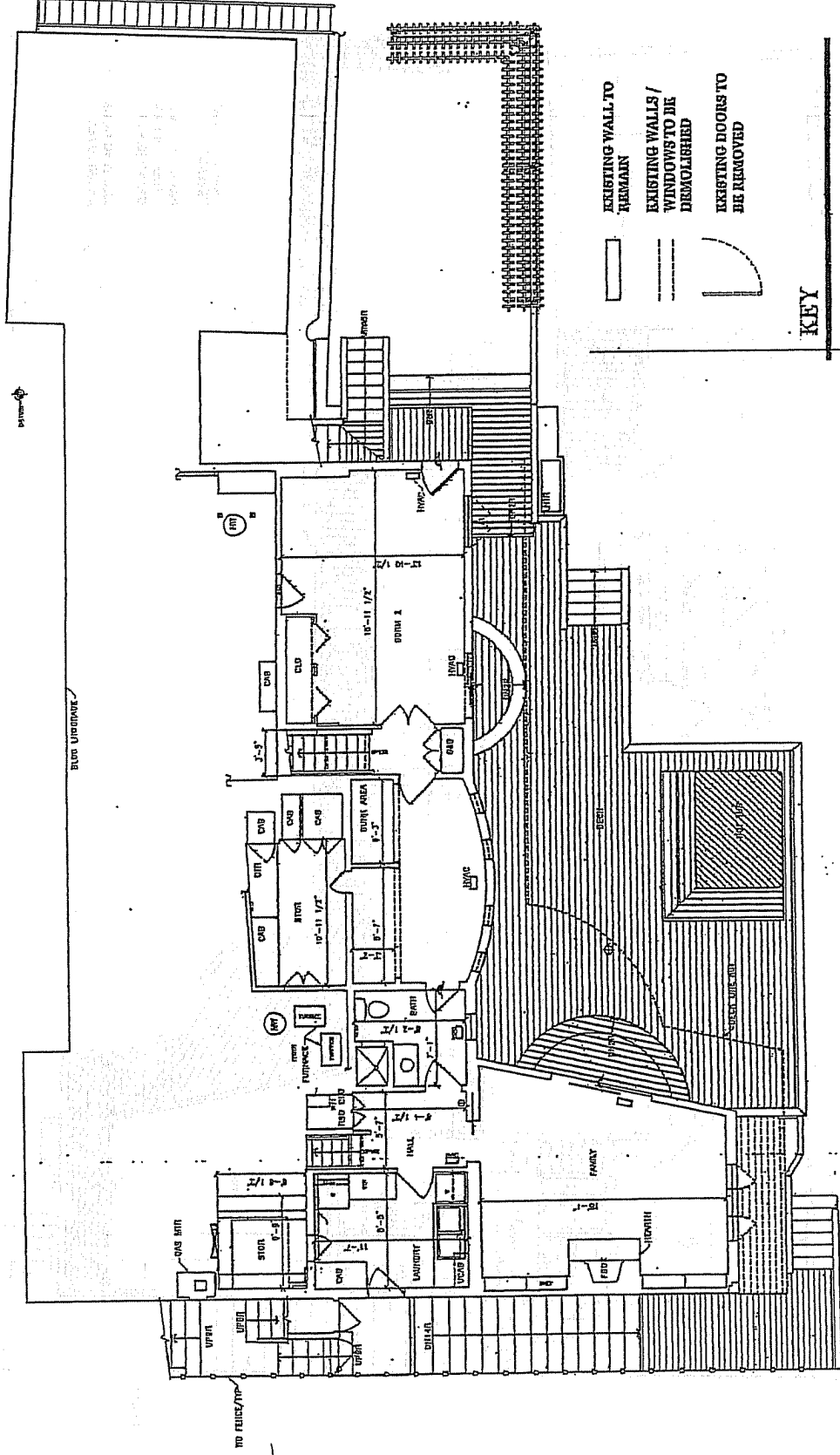
David R. Kalb, AIA
Architecture
10000 Wilshire Blvd
Suite 200
Los Angeles, CA 90024
Tel: 310.277.1177

75 Cloud View Road
Sausalito, CA
94965-2006

ISSUED FOR: DATE:
EXISTING CONDITIONS: 02/07
PURCHASE PERIOD: 02/07
DESIGN REVIEW: N/A
BOUNDARY: 50
EASEMENT: 200
OWNER: CLOUD UNIVERSITY

GROUND LEVEL DEMOLITION PLAN

A2.2
Sheet # 2



GROUND LEVEL DEMOLITION PLAN

David R. Kalb, AIA
 Architecture
 10000 Skyway
 San Francisco, CA 94132
 Tel: 415/778-1234

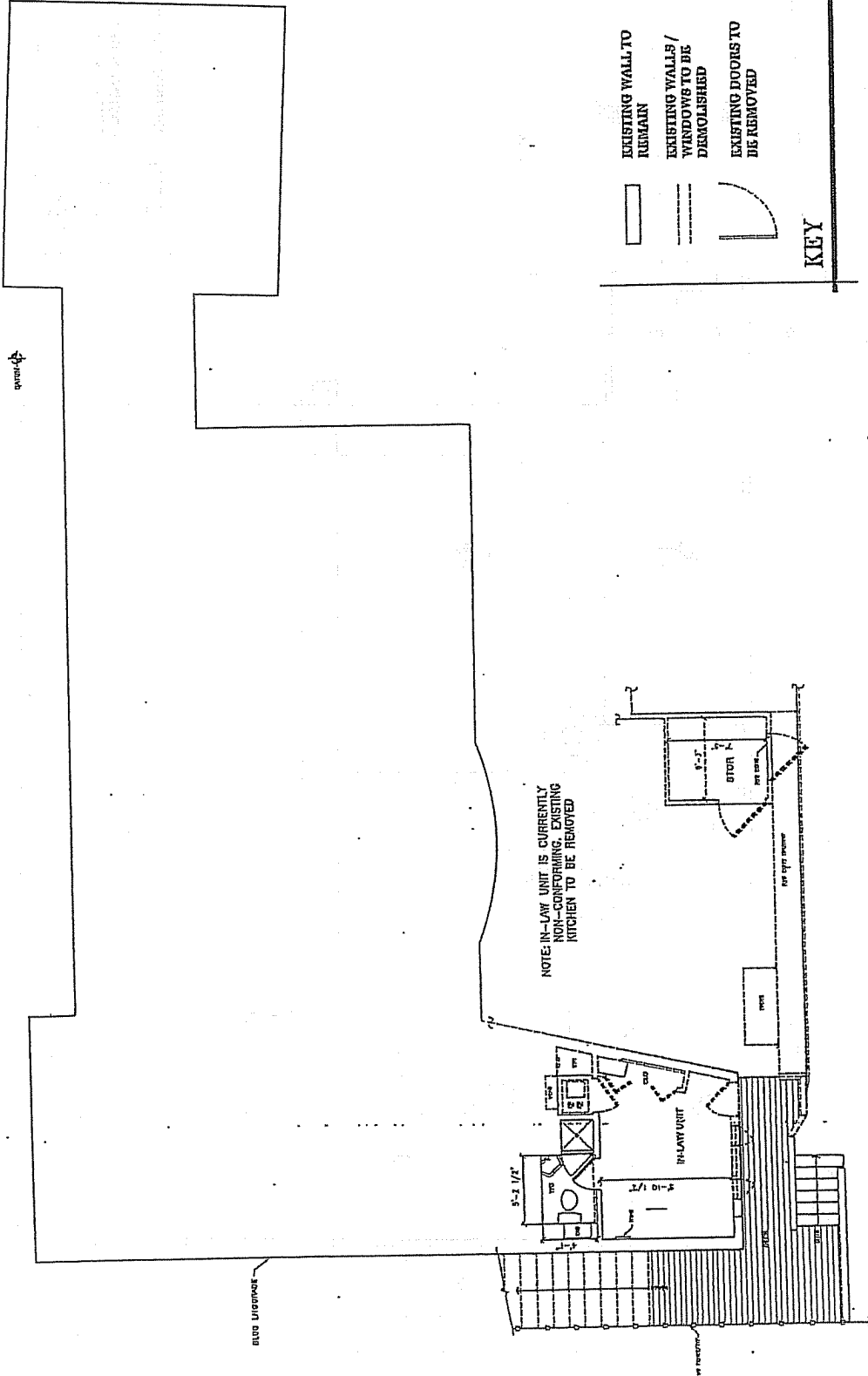
75 Cloud View Road
 Sausalito, CA
 94965-2006

DESIGNED BY: _____ DATE: _____
 EXISTING CONDITIONS DRAWN BY: _____
 CONSTRUCTION DESIGN DRAWN BY: _____
 DESIGN REVIEW DRAWN BY: _____
 DESIGN REVIEW DATE: _____

DEPARTMENT: _____
 CHECKED BY: _____
 DRAWN BY: _____
 DATE: _____

**LOWER LEVEL
 DEMOLITION
 PLAN**

A2.3



LOWER LEVEL DEMOLITION PLAN

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

578
 125
 PAGE 13

EM NO. _____

David R. Kolb, AIA
 Architecture
 1000 California
 San Francisco
 94109

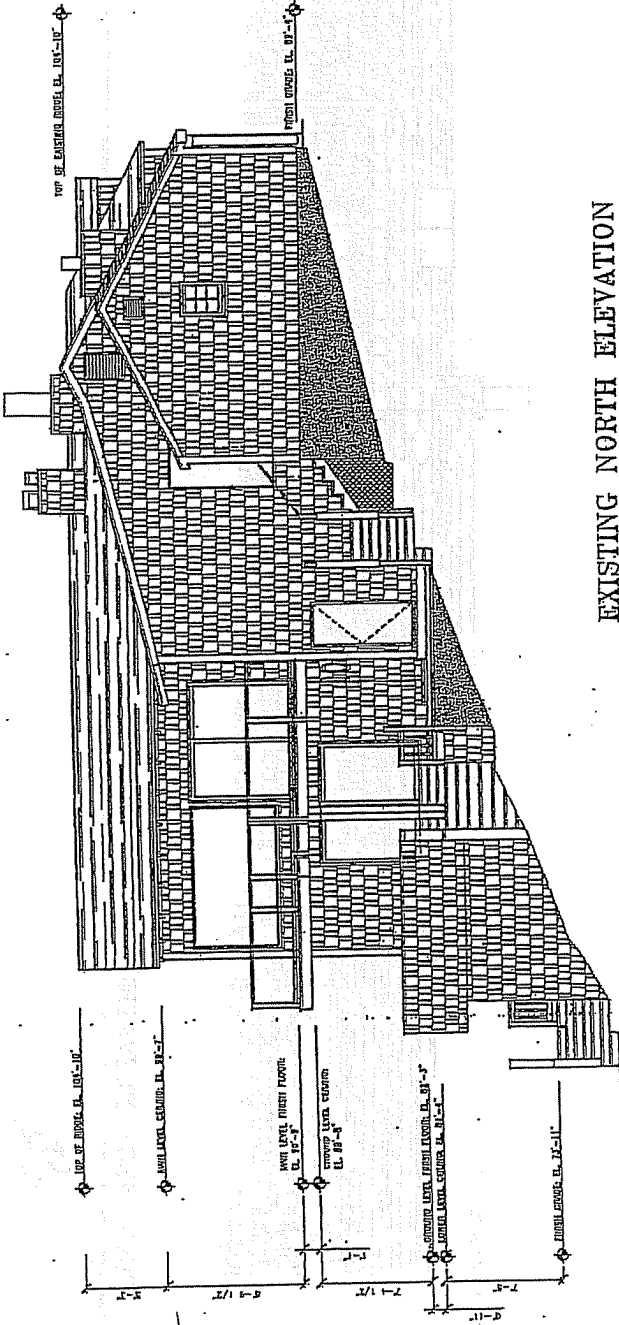
75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR: DATE:
 SUBMITTED FOR: NAME:
 ARCHITECT: FIRM:
 PROJECT: LOCATION:

DESIGNED BY:
 DRAWN BY:
 CHECKED BY:

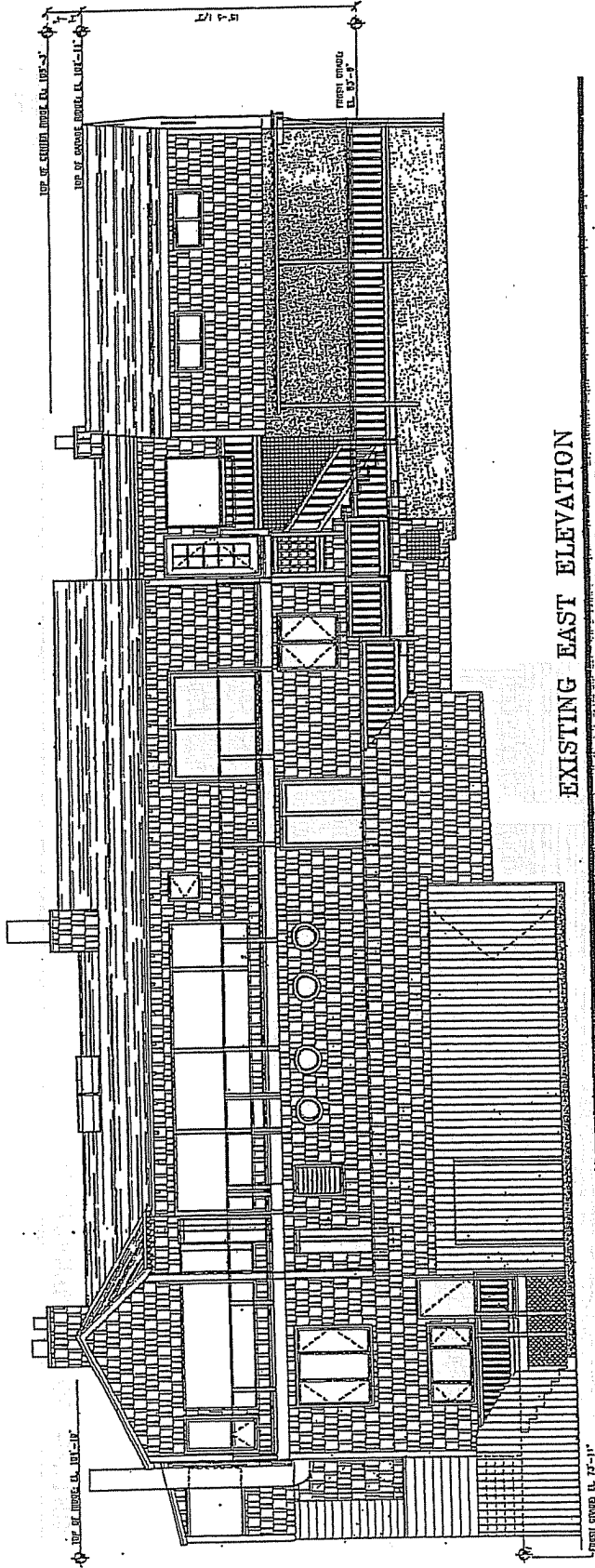
EXISTING
 NORTH &
 EAST
 ELEVATIONS

A2.5



EXISTING NORTH ELEVATION

SCALE 1/4" = 1'-0"



EXISTING EAST ELEVATION

SCALE 1/4" = 1'-0"

55A
 127
 2

David R. Kallb, AIA
 Architecture
 8715 Wood Street
 Sausalito, CA 94965
 415-459-7877

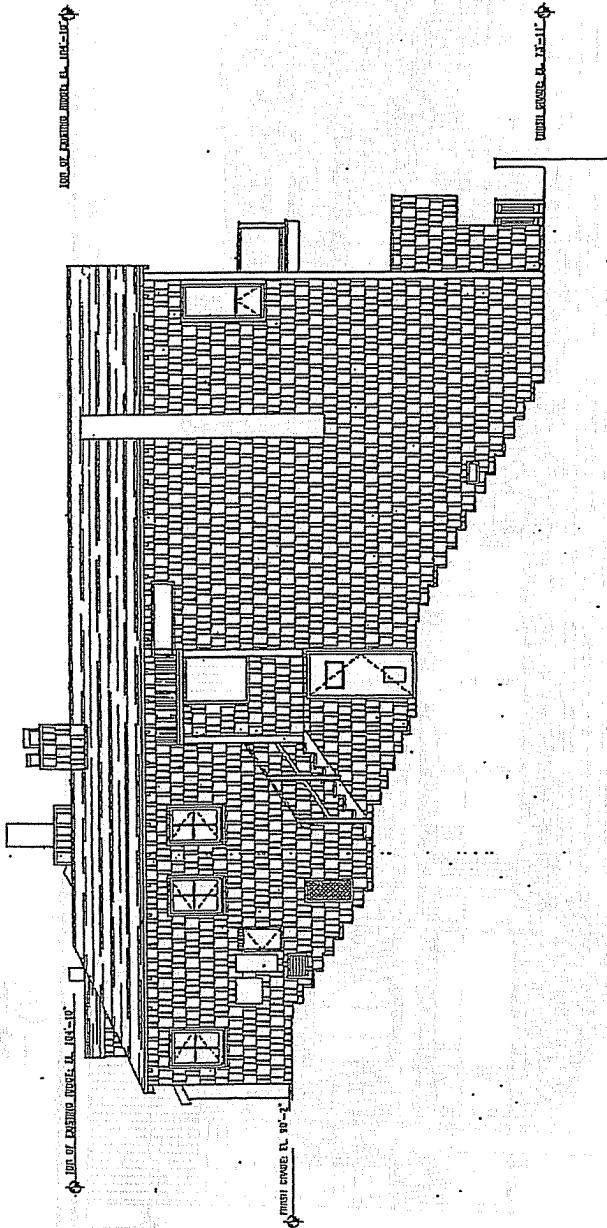
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 Sausalito, CA
 94965-2006

ISSUED FOR: DATE:
 EXISTING CONDITIONS: 02/01/17
 SCHEMATIC DESIGN: 02/01/17
 DESIGN REVIEW: 02/01/17

EXAMINER: SE
 ARCHITECT: DRK
 PROJECT: CLOUD VIEW 2007

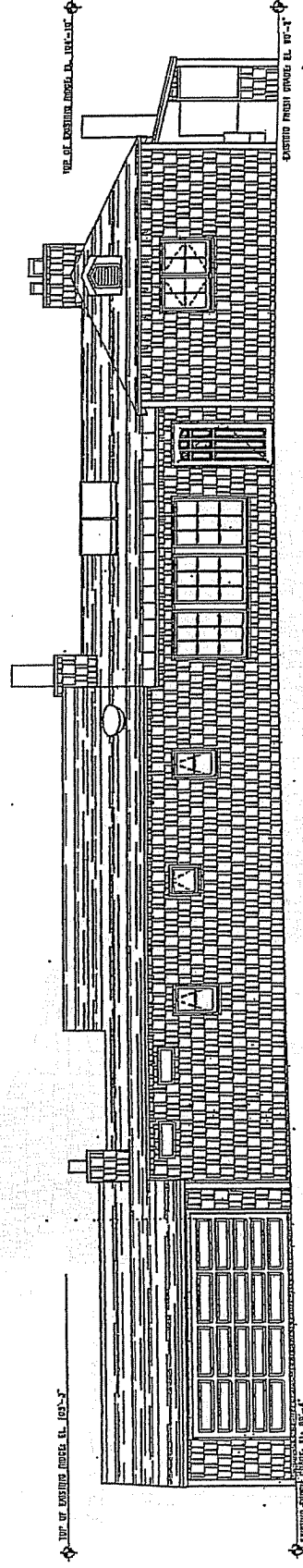
EXISTING
 SOUTH &
 WEST
 ELEVATIONS

A2.6



EXISTING SOUTH ELEVATION

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



EXISTING WEST ELEVATION

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

ITEM NO. 128 PAGE 16

David R. Kaub, AIA
 Architecture
 11 Home Road
 Hillsborough, CA
 94024
 415/947-7777

75 Cloud View Road
 Sausalito, CA
 94965-2006

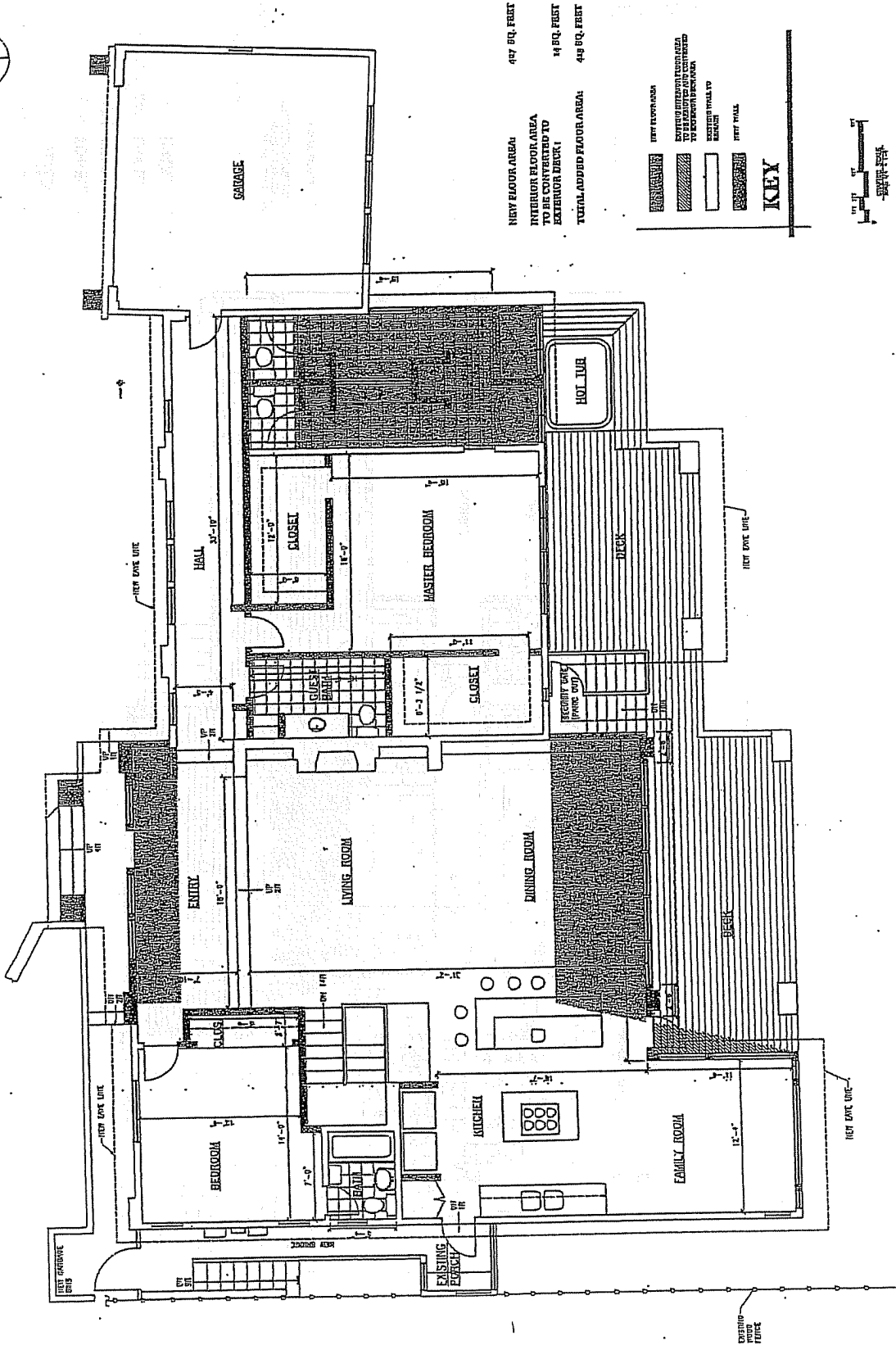


ISSUED FOR: DATE:
 EXISTING CONDITIONS: DATE:
 SCHEMATIC DESIGN: DATE:
 DESIGN REVIEW: DATE:
 DESIGN REVIEW: DATE:

OWNER: _____
 ARCHITECT: _____
 PROJECT: _____

**PROPOSED
 MAIN LEVEL
 FLOOR PLAN**

A3.1



PROPOSED MAIN LEVEL FLOOR PLAN

58
 129
 2

David R. Kolb, AIA
 Architecture
 11 Hill Street
 Sausalito, CA 94965
 415.338.1111

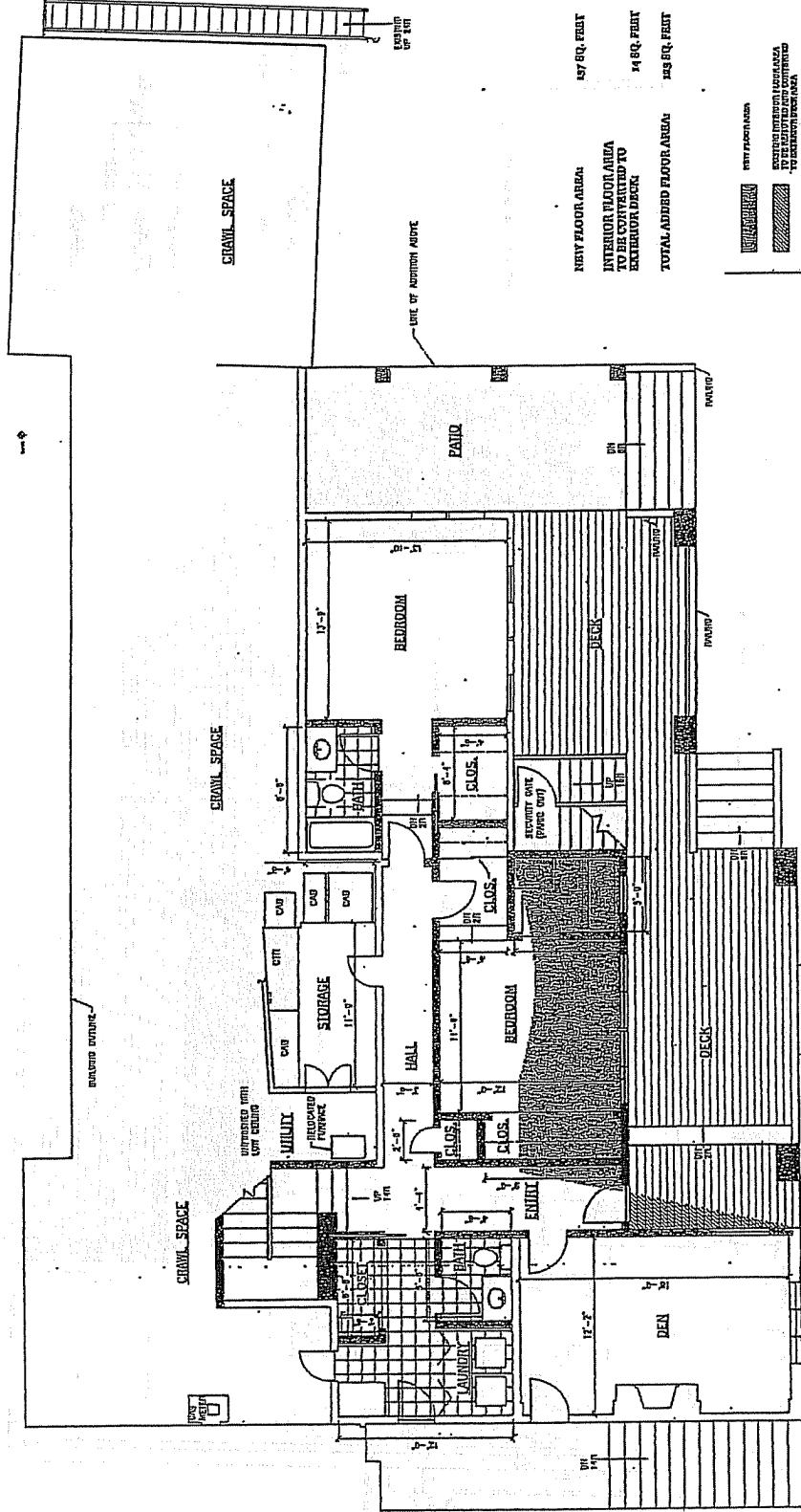
75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR: DATE:
 EXISTING CONDITIONS: MARK:
 SCHEMATIC DESIGN: MARK:
 DESIGN REVIEW: DATE:
 DESIGN REVIEW: AIA: 02/20/11

OWNER: SR:
 ARCHITECT: DRK:
 DESIGN: COURTESY/ADP

**PROPOSED
 GROUND LEVEL
 FLOOR PLAN**

A3.2



NEW FLOOR AREA: 157 SQ. FEET
 INTERIOR FLOOR AREA TO BE CONTRIBUTED TO EXTERIOR DECK: 14 SQ. FEET
 TOTAL ADDED FLOOR AREA: 171 SQ. FEET

- KEY**
- [Hatched Box] NEW FLOOR AREA
 - [Hatched Box] EXISTING INTERIOR AREA TO BE CONTRIBUTED TO EXTERIOR DECK
 - [Solid Box] EXTERIOR DECK
 - [Dotted Box] NEW WALL

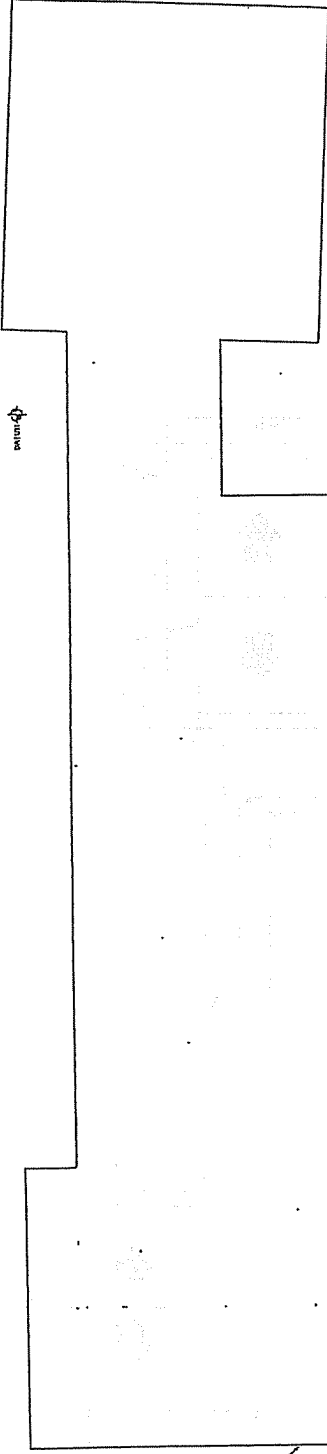


PROPOSED GROUND LEVEL FLOOR PLAN

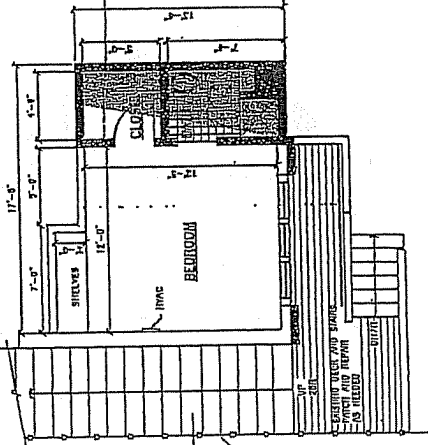
SCALE 1/8" = 1'-0"

David R. Keib, AIA
 Architecture
 215 Pine Street
 Sausalito, CA 94965
 415.339.1477

75 Cloud View Road
 Sausalito, CA
 94965-2006

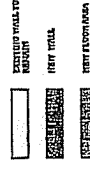


NOTE: EXISTING IN-LAW UNIT IS NON-CONFORMING
 PROPOSED RENOVATIONS DELETE EXISTING KITCHEN



LINE OF DECK ABOVE

LINE OF DECK ABOVE



KEY



NEW FLOOR AREA: 39 SQ. FEET

PROPOSED
 LOWER LEVEL
 FLOOR PLAN

A3.3

PROPOSED LOWER LEVEL FLOOR PLAN

SCALE 1/4" = 1'-0"

EM NO. 10572 PAGE 19

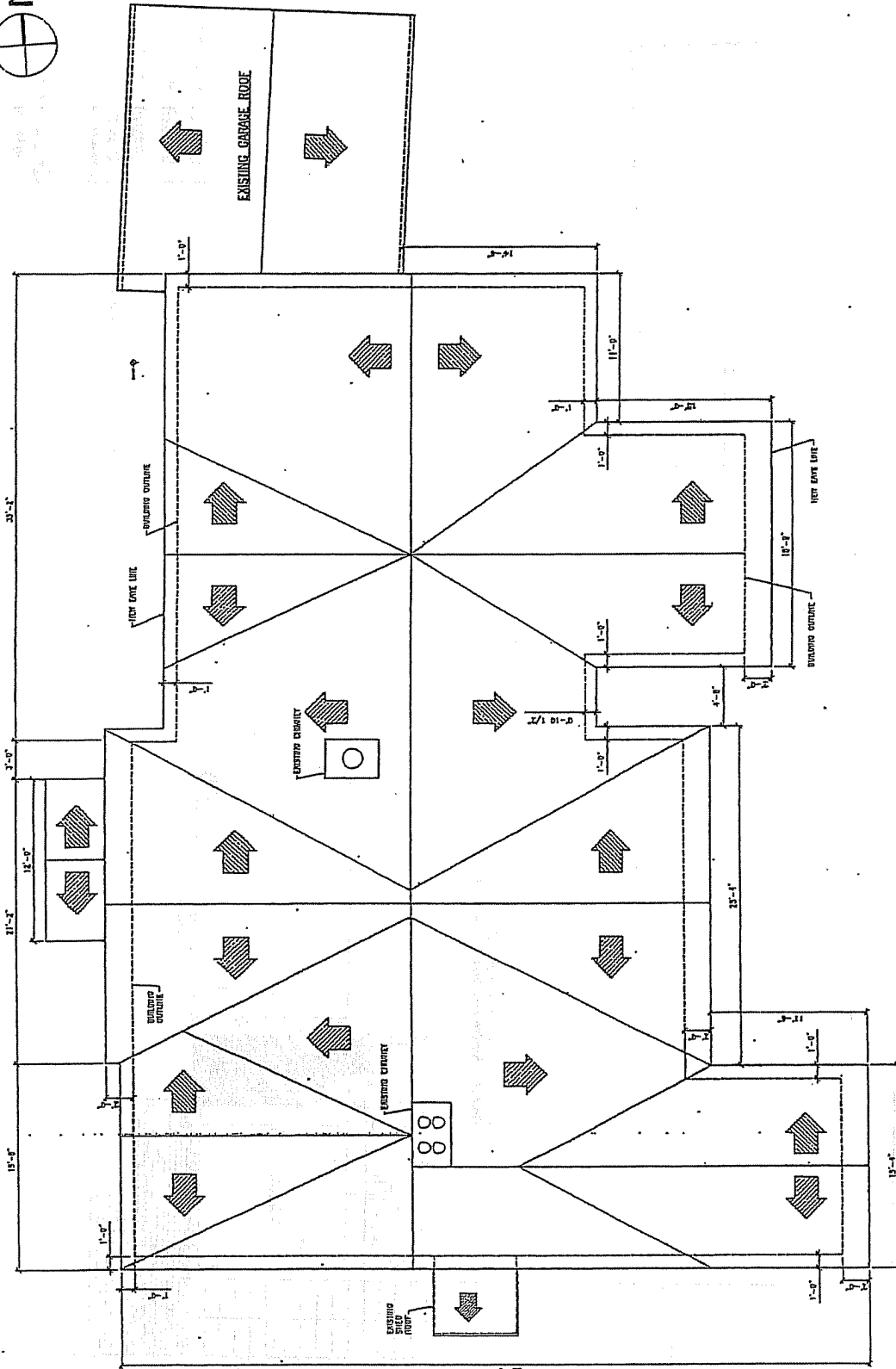
David R. Knibb, AIA
Architecture
10000 Redwood
Redwood City
CA 94061
Tel: 650-351-1400

75 Cloud View Road
Sausalito, CA
94965-2006

| | |
|---------------------------|---------------|
| ISSUED FOR: | DATE: |
| EXISTING CONDITIONS DRAWN | |
| REVISIONS | REVISIONS |
| DESIGN REVIEW | DESIGN REVIEW |
| PERMIT REVIEW | PERMIT REVIEW |
| | |
| PROJECT NO. | |
| DRAWING NO. | |
| OWNER | |
| PROJECT | |
| DATE | |

PROPOSED ROOF PLAN

A3.4



PROPOSED ROOF PLAN

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

David R. Kalb, AIA
 Architecture
 811 Main Street
 Berkeley, CA 94708
 415-841-9100
 415-841-9177

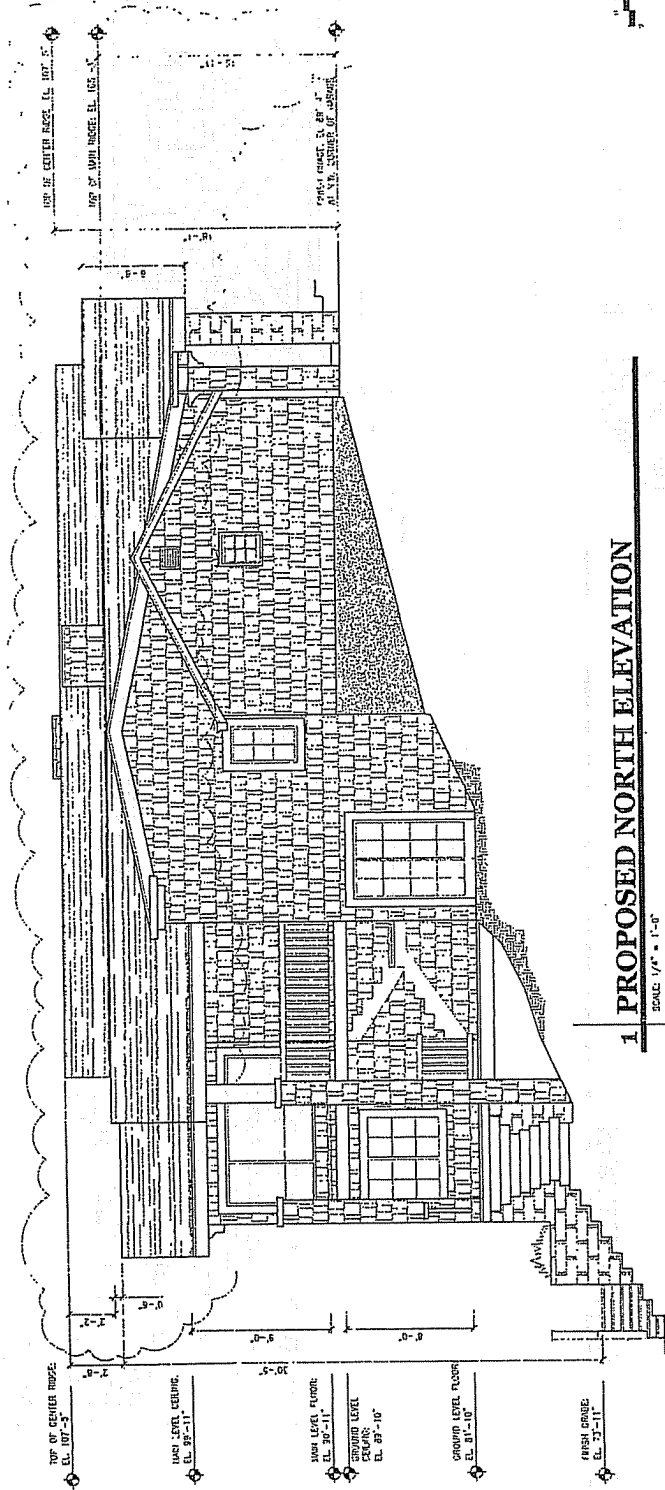
75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR: DATE:
 EXISTING CONDITIONS: EXIST:
 PRELIMINARY DESIGN: EXIST:
 DESIGN/REVISION: EXIST:
 DESIGN/REVISION: EXIST:

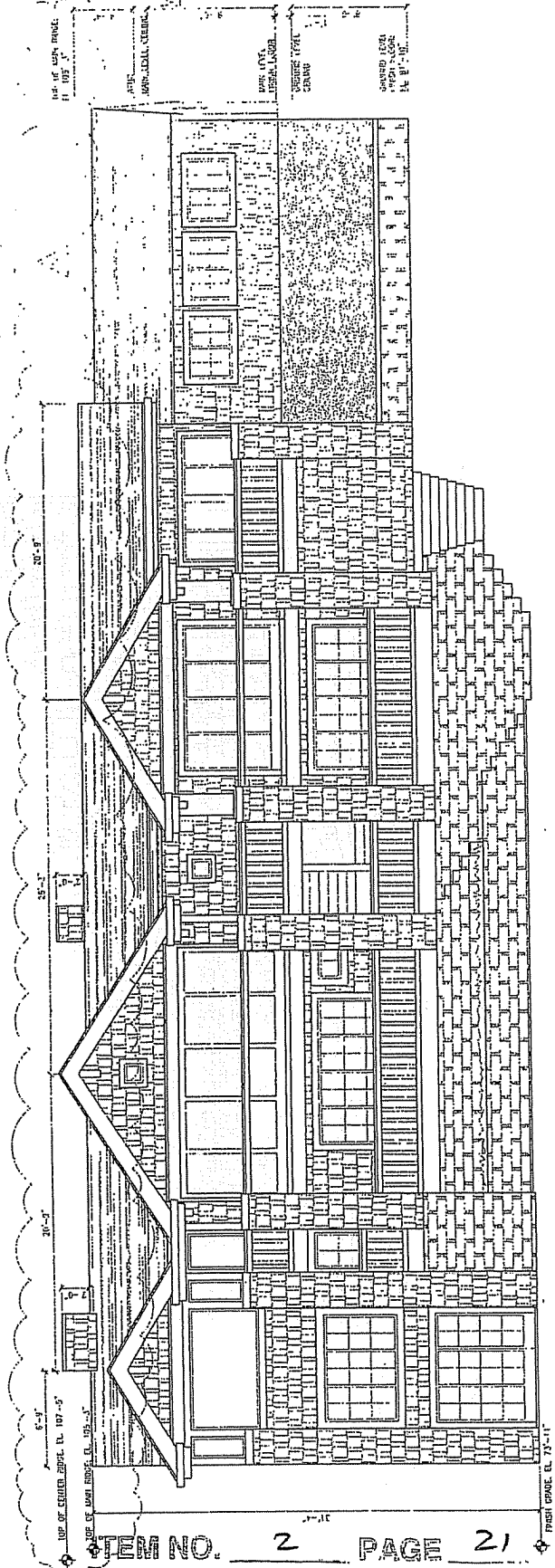
QUANTITY: ES:
 CHECKED BY: DRK:
 NUMBER: 1-CL-01-VIEW-2007

PROPOSED
 NORTH
 & EAST
 ELEVATIONS

A3.5



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



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

1327
 1327

David R. Kalb, AIA
 Architecture
 31 Howe Street
 Sausalito, CA 94965-2006
 Tel: 415.339.3100
 Fax: 415.339.3100

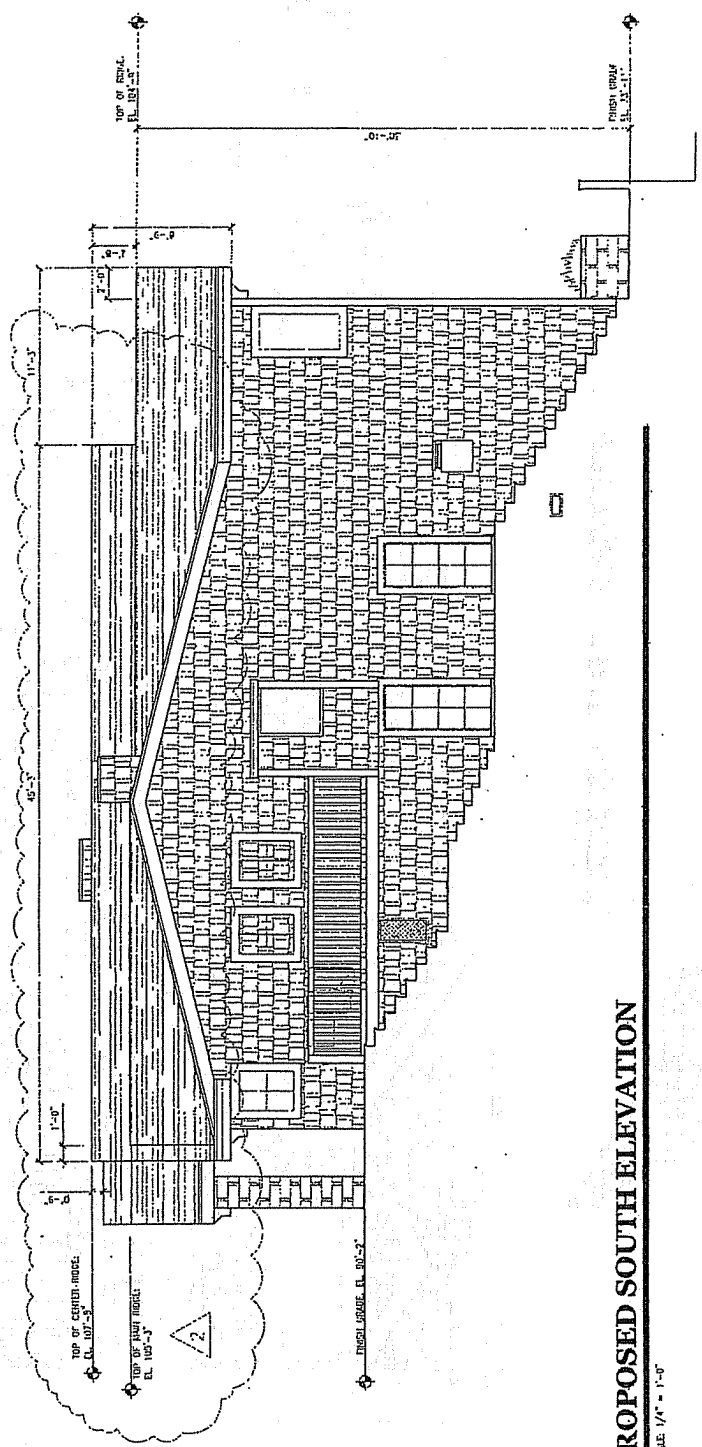
75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR: _____ DATE: _____
 EXISTING CONDITIONS: (EXISTING)
 ARCHITECTURAL DESIGN: (NEW)
 DESIGN REVIEW: (A, H, B, C)
 DESIGN REVIEW: (A, H, B, C)

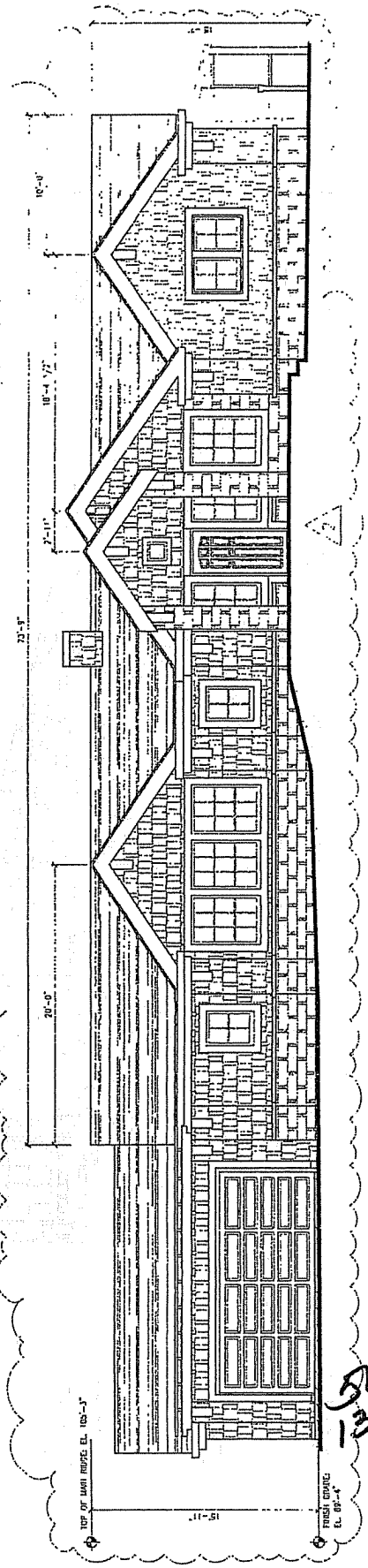
DRAWN BY: ES
 CHECKED BY: DRK
 PROJECT: CLOUD VIEW 2007

PROPOSED
 SOUTH
 & WEST
 ELEVATIONS

A3.6



PROPOSED SOUTH ELEVATION
 SCALE: 1/4" = 1'-0"

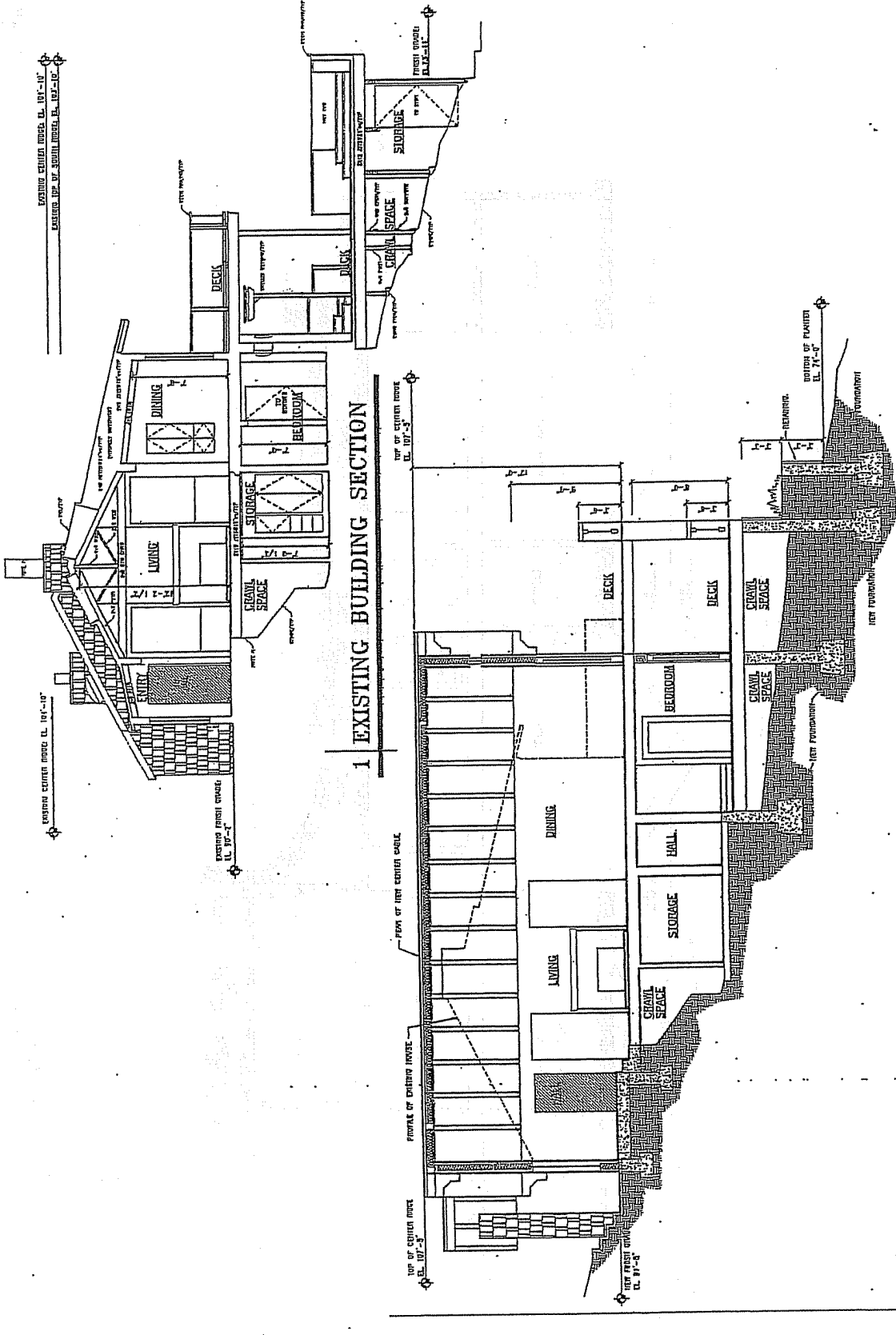


PROPOSED WEST ELEVATION
 SCALE: 1/4" = 1'-0"

| | |
|--------------------------|-------|
| ISSUED FOR: | DATE: |
| EXISTING CONDITIONS DRAW | |
| SCHEMATIC DESIGN PLAN | |
| PERMIT REVIEW PLAN | |
| PERMIT REVIEW A DRAW | |
| | |
| DESIGNED BY: | DATE: |
| CHECKED BY: | |
| DRAWN BY: | |

BUILDING CROSS SECTION

A4.1



2 PROPOSED BUILDING SECTION

BUILDING SECTIONS

SCALE 1/4" = 1'-0"

57A
 136

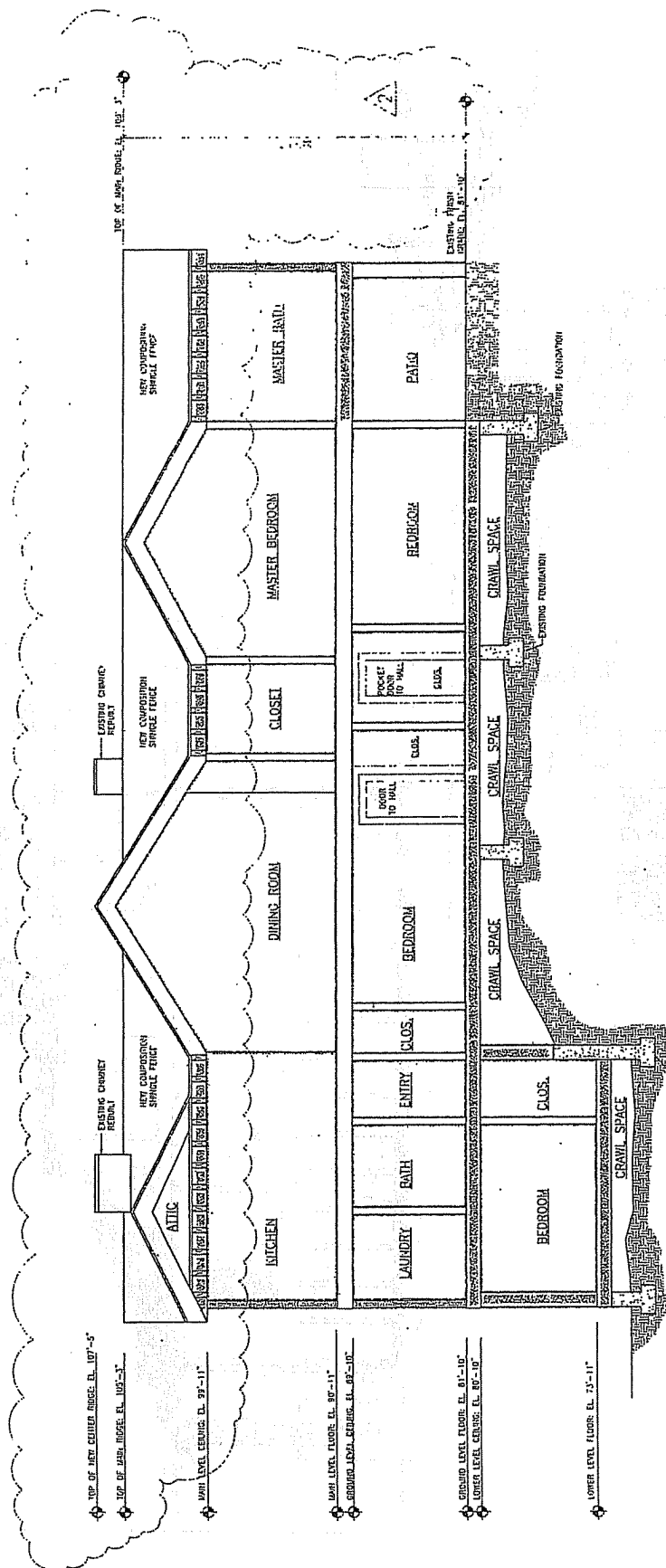
David R. Kalb, AIA
 Architecture
 21 Howe Street
 Sausalito, CA 94965
 Tel: 415.456.2000
 Fax: 415.456.2077

75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR: DATE:
 EXISTING CONDITIONS 02.21.07
 SCHEMATIC DESIGN 02.23.07
 DESIGN REVIEW 02.18.07
 DESIGN REVIEW 11.18.07
 DRAWN BY: RS
 CHECKED BY: DRK
 PROJECT: CLOUD VIEW 2007

BUILDING
 LONGITUDINAL
 SECTION

A4.2



TOP OF NEW CEILING BEGEE. EL. 107'-5"
 TOP OF NEW BEGEE. EL. 105'-3"
 MAIN LEVEL CEILING. EL. 97'-11"
 MAIN LEVEL FLOOR. EL. 97'-11"
 GROUND LEVEL BEGEE. EL. 92'-10"
 GROUND LEVEL FLOOR. EL. 87'-10"
 LOWER LEVEL CEILING. EL. 87'-10"
 LOWER LEVEL FLOOR. EL. 73'-11"

ITEM NO. 2 PAGE 24

LONGITUDINAL SECTION

SCALE 1/4" = 1'-0"

1859
 863

David R. Kalb, AIA
 Architecture

1100 14th Street
 Sausalito, CA 94965
 415-451-2794

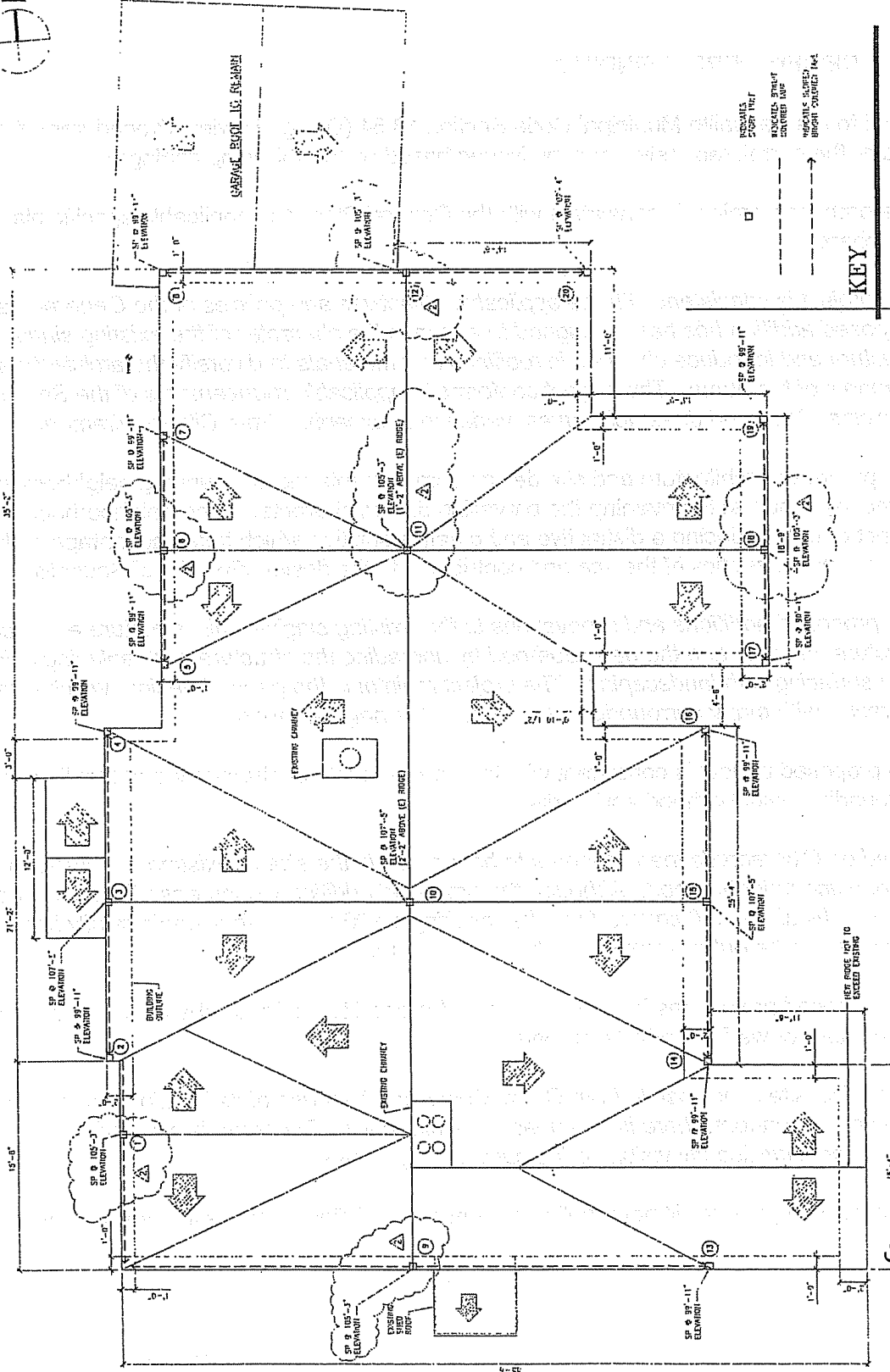
75 Cloud View Road
 Sausalito, CA
 94965-2006

ISSUED FOR: DATE: ..
 EXISTING CONDITIONS: ALLZAY
 SCHEMATIC DESIGN: .. ALLZAY
 DESIGN REVIEW: .. ALLZAY
 DESIGN REVIEW: .. ALLZAY

PREPARED BY: LER
 CHECKED BY: DRK
 DESIGNED BY: CLUMP, MCKAY, D'07

PROPOSED
 STORY POLE
 PLAN

A5.1



ITEM NO. 2 PAGE 25
 PROPOSED STORY POLE PLAN

SCALE 1/4" = 1'-0"

PLANNING COMMISSION HEARING
NOVEMBER 28, 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 1 foot, 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.

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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 removal is 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

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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.

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- 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.

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PLANNING COMMISSION HEARING
NOVEMBER 28, 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.

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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.

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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.

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1 tentative map which is no guarantee the project would be approved to begin with
2 and he doesn't think the applicant was given his due process.

3
4 Commissioner Petersen agreed, noting that a lot of other concerns the
5 Commission had were going to be met at other stages in the review process.

6
7 Chair Kellman said due process is actually the opportunity to be heard. Given
8 that the applicant had the opportunity to be heard and to voice his opinion, he
9 was entitled to due process and he received due process, so in fact the
10 Commissioners just disagree on how the application should be processed.

11
12 **2. 75 Cloudview Road (DR NC 07=-27/APN 065-191-25)**
13 **David Kalb (Applicant)/Pierra & Cecilia Vacherand (Property Owners)**
14

15 Assistant City Planner Debra Lutske noted that at the November 7, 2007,
16 Planning Commission hearing, the Commission indicated support for the project.
17 The neighbors at 73 Cloudview had some concerns about a view from a lower
18 bedroom. The view was not impeding the skyline; there was a portion of the
19 water view that was to be lost. The Commission requested that the main ridge
20 line of the home be dropped to 50 percent of what was proposed; the applicant
21 did so, actually reducing it 54 percent, back to where it is now. There is still some
22 concern about other portions of the view that the neighbor would like to discuss
23 that evening.

24
25 There was a Commission consensus to remove the item from the consent
26 calendar for discussion.

27
28 **Public Comment**
29

30 **Matsuno Patrick** (ph?) lives at 73 Cloudview Road. She just came from Japan
31 and she is really surprised to see how overpowering and destructive the project
32 is. Councilmember Weiner has seen the project and agreed. She needs some
33 time to study the situation carefully. She'd like to be reasonable but so far she's
34 not comfortable with the project and its impacts on her property. She has lived in
35 her house for 23 years and bought the house for the view. She would like to
36 enjoy the views for a long time in the future. Her neighbor has a big house and
37 views from many of the rooms. She only has views from one side of her house.
38 She has been advised to get legal advice and needs some time to conduct her
39 study.

40
41 Chair Kellman noted at the prior hearing the applicant indicated to the
42 Commission that he had spoken with Ms. Patrick about the design prior to her
43 trip.

44
45 Ms. Patrick said she wasn't clear on the impacts during those discussions before
46 her. She didn't see any plans and there weren't any story poles.

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1
2 Chair Kellman asked what room is the view from that would be impacted?

3
4 Ms. Patrick said some downstairs. And some upstairs. She has some photos she
5 can show the Commission.

6
7 (Passing photos to the Commissioners)

8
9 Ms. Lutske pointed to the photos and indicated Ms. Patrick is concerned about
10 views from a lower floor bedroom; Ms. Lutske showed slides comparing the
11 original and the modified story poles.

12
13 Ms. Patrick said you see the view sitting down, not standing up.

14
15 **Remarks by Applicant**

16
17 **Pierre Vacherand** said he is surprised at what he is hearing because he showed
18 some final plans to her when he went to Ms. Patrick's house. From the top floor
19 you have absolutely no view impacts at all. There is an impact of about one foot
20 from the lower room, but even from there you still have a view of the City.

21
22 **Applicant Architect David Kalb** said the plans were discussed between the
23 property owners and all of the neighbors. Six neighbors are directly affected
24 around the property and for Ms. Patrick, the concern was from the lower level.
25 They have worked together to make some adjustments. The Commission
26 requested at the last hearing that the applicant reduce the height of the roof ridge
27 by 50 percent; they have redesigned the project (showing photographs) and
28 reduced the ridge down to the green colored flags you see in the photos; that
29 reduction was actually a 54 percent reduction. There are some slope issues with
30 the roof and they are down to the absolute minimum and still be able to use
31 composition shingles, which is their plan. They've made every effort to fit into the
32 scale and context of the neighborhood. Mr. Kalb pointed to photos to show the
33 views from the various levels of the Patrick house. The applicant has done
34 everything he can to help with the impacts on the view. The proposal as now
35 designed will only block 10 percent of the view from what is actually a secondary
36 view room, leaving 90 percent of the view that is there now.

37
38 Chair Kellman said it might not have been clear to the neighbor that the yellow
39 was the new adjusted roof line. She asked that the architect provide Ms. Patrick
40 with a photo showing the reductions that have been made.

41
42 The architect showed Ms. Patrick the photos; he noted there are two gables that
43 pop up as well and when you use a zoom lens to zoom in on the gable, it will
44 block the view. But this photograph was taken from that room. This is the view.
45 He realizes that any change can be problematic, but the applicant has done what
46 the Commission asked, and beyond. Looking at the spirit of the planning code,

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1 the project is well below the height limit of 32 feet; the project is at 25 feet, 2
2 inches. At the front of the house they're actually at 17 feet, 3 inches, although he
3 understands it's cumulative across the ridge line. So they are altering this
4 secondary view by less than 10 percent. The property owner has a right to
5 develop his property, and the design is an attempt to balance the needs of both
6 the neighbors and the property owner.

7
8 **Public Comment Closed.**

9
10 **Commission Discussion**

11
12 Chair Kellman noted there s a draft resolution of approval. She asked Ms. Lutske
13 to lay out the conditions the approval is subject to.

14
15 Interim Community Development Director Diane Henderson said the conditions
16 themselves are pretty standard; the request last week was to have them lower
17 the roof, which they have done.

18
19 Ms. Lutske displayed photos of what is proposed to be built now and what was
20 proposed under former designs. This is from the lower bedroom (pointing). She
21 has been to the site but she has not been inside the house.

22
23 Commissioner Petersen said they don't have photos of the views from Ms.
24 Patrick's upstairs. The view being discussed is a secondary view and he feels the
25 applicant has done what the Commission has asked; the Patricks still have all
26 their primary views, this impact is pretty minor for a minor view on a lower level,
27 so he's ready to approve.

28
29 Chair Kellman agreed. She noted in response to Ms. Patrick's question that the
30 Commission has seen the photos submitted by Ms. Patrick. The Commission has
31 consistently interpreted the views mentioned in the code to be from primary
32 views, and this is a secondary view. The neighbor has stated that the view from
33 upstairs is not being impacted. Chair Kellman said she is also willing to adopt the
34 draft resolution of approval.

35
36 **Chair Kellman moved, seconded by Vice Chair Keller, to adopt the draft
37 resolution of approval.**

38
39 **ROLL CALL**

40
41 **AYES:** Chair Kellman; Vice Chair Keller
42 Commissioner Petersen

43 **NOES:** None.

44 **ABSENT:** Commissioners Bossio and Bair

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1 Chair Kellman noted that there is a 10-day period from that date to appeal the
2 Commission's decision to the City Council.

3
4 **3. 85 Libertyship Way (CUPM 07-006/APN 063-080-07)**
5 **Bruce Huff (Property Owner and Applicant)**
6

7 Chair Kellman asked when this item was heard?

8
9 Associate City Planner Sierra Russell said this is not a continued item, but due to
10 the minor scope of modifications, staff put it on the consent calendar.

11
12 Chair Kellman asked if anyone is present to speak to 85 Libertyship Way?

13
14 No response.

15
16 Chair Kellman noted the application is a minor use modification to modify the
17 conditional use permit to allow 20 seats for outdoor dining. She doesn't have any
18 questions.

19
20 Commissioner Petersen said he doesn't have any questions.

21
22 **Chair Kellman moved, seconded by Vice Chair Keller, to approve the draft**
23 **resolution of approval as submitted.**

24
25 **ROLL CALL**

26
27 **AYES:** Chair Kellman; Vice Chair Keller
28 Commissioner Petersen

29 **NOES:** None.

30 **ABSENT:** Commissioners Bossio and Bair
31

32
33 **4. 194 San Carlos (DR/EA 07-025/APN 065-092-26)**
34 **Stanford Hughes (Property Owner and Applicant)**
35

36 *This item was continued as part of Approval of Agenda. See above.*
37

38 **5. 599 B Bridgeway (SP/EA/DR 07-004/APN 065-132-04)**
39 **Paul Slavin (Applicant); Tim and Amy Cantor (Property Owners)**
40

41 Chair Kellman asked if there's any one who wants to speak to the application?

42
43 The applicant responded that he has no comments, but is available to answer
44 questions.

45
46 Commissioner Petersen said he doesn't have any questions.

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Fourteenth line of handwritten text.

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Sixteenth line of handwritten text.

Seventeenth line of handwritten text.

Eighteenth line of handwritten text.

Nineteenth line of handwritten text.

Twentieth line of handwritten text.

Twenty-first line of handwritten text.

Twenty-second line of handwritten text.

Small handwritten mark or signature on the left margin.

Handwritten initials "SA" and "150" with a circle next to "150".

Janice Farrar-Titus
120 Cloud View Road
Sausalito, CA 94965
simonrags@yahoo.com
415-331-3262

21 January 2008

Sausalito City Council
420 Litho Street
Sausalito, CA 94965

To Whom It May Concern:

I am writing regarding a proposed remodel of property at 75 Cloud View Road and its effect on the adjacent property at 73 Cloud View Road.

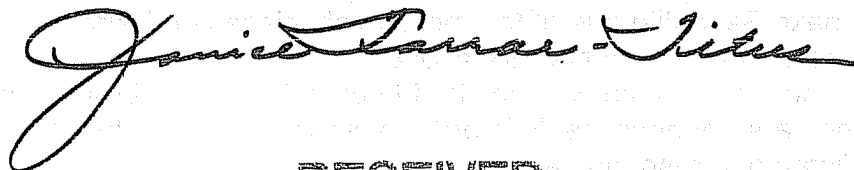
The Planning Commission has approved the renovation which includes raising the roof height. I have been in the home at 73 Cloud View Road and know that this will have an adverse effect on city views from that residence.

I have lived at the other end of Cloud View Road for 27 years and this proposal does not affect me. However, I am concerned because it is my understanding that there are long-standing ordinances protecting existing views of existing residences. It does not seem appropriate that the Planning Commission can simply overturn this policy. If this is the case, then none of us has any protection against future proposals up and down the road.

For this reason, I urge you to consider the appeal of Matsuno Patrick, the owner of the residence at 73 Cloud View Road.

Thank you very much.

Sincerely,



cc: M. Patrick

RECEIVED

JAN 22

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

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Sierra Russell

From: FrancescaFarley@aol.com
Sent: Tuesday, January 22, 2008 8:46 AM
To: Albert Viana
Subject: this is the correct copy of my email to you

89 Cloud View Road
Sausalito, CA 94965
January 20, 2008

The Planning Commission of Sausalito
Members of the City Council of Sausalito
420 Litho Street
Sausalito, CA 94965

Re: The matter of Application DR 07-027 and AP 065-191-25 and its appeal

Dear Members of the City Council of Sausalito and Members of the Planning Commission of Sausalito:

I received by mail a Notice of Public Hearing on January 19, 2008 titled, "Appeal of Planning Commission Approval of an Application Submitted by David Kalb on Behalf of Pierre and Cecilia Vacherand for a Design Review Application (DR 07-027)." I wish to respond.

My family and I first came to Sausalito forty years ago. We were drawn here because of its beauty. The delight and the inspiration that living here in Sausalito brings, daily, is something that anyone who lives here understands. To see the San Francisco Bay every day, and to marvel at the beauty of our fair City of San Francisco from here in fairest Sausalito, is a most wonderful thing, and is something that everyone who lives here appreciates. I am sure that every member of the Sausalito City Council and of the Sausalito Planning Commission knows exactly what I mean. The extraordinarily exquisite views of the San Francisco Bay, of San Francisco, Angel Island, the East Bay, the bridges --- > These things make Sausalito one of the most lovely places on Earth. As I've said, I have lived here for a long time.

There are so many things that I object to: Let me begin to address them. Please know they are not necessarily in order of importance, but they ALL are important, and I ask you to listen and respond carefully.

I do request that you respond to what I have to say. I request that you all, each of you, individually, respond to what I have said after I have spoken. It is neither acceptable nor is it right for the members of the City Council present here tonight to lend a deaf ear and say nothing to me or to other people who speak at these meetings.

OK. Here follow some of my concerns:

There is the matter of Notice. The notice you sent dated January 18, 2008 was not received by some of my neighbors. Mrs. Patrick, herself, did not receive it. Mrs. Margot Gimpel did not receive it. My neighbors are willing to attest to this fact and to sign affidavits

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stating so. Additionally, I did not receive the original notice, or any other notices except for the one dated January 18, 2008, regarding the application by the new owners of 75 Cloud View Road to remodel, renovate, or to make any improvements on the property. If I had known that the buyers of 75 Cloud View Road applied for approval to make the kinds of changes to the skyline for which they have been approved, I would most certainly have checked it out and not simply ignored such a notice.

Changes to the height of the house at 75 Cloud View Road would affect the view from my property, also. I object to the original application for such changes, and I decry not having heard of this matter prior to January 19, 2008.

The City of Sausalito needs to improve its ways of informing residents of proposed building changes, and of all important matters to Sausalito residents, in order to insure that everyone is made aware of such applications. It seems to me that to be allowed simply to claim that notices were sent out, and upon such claims that people's property rights as well as other rights that citizens may have, be denied and usurped on account of failure to insure that people receive Notice(s). Notices of such importance as this, and which have such potentially huge ramifications to Sausalito residents and homeowners should be sent in a way that will irrefutably show such notices were received.

The proposed changes to number 75 Cloud View Road will negatively affect the view from my home. I would like to state, again, that I would have objected to the changes to #75 Cloud View Road proposed by the new owners had I been aware of them. I object to the decision made in their favor and I ask that the decision to approve it be reconsidered and denied. Let them renovate on the plentiful land available on that site which extends several stories below the present roof line.

I live next door to Mrs. Matsuno Patrick's home. I have seen the "posts" that have been set to build upon #75 Cloud View Road, recently purchased by Mr. and Mrs. Vacherand, and there is no question that their proposed building upon that property will hugely, substantially, and deleteriously affect the view from Mrs. Patrick's home.

I wonder, did anyone on the planning commission consider the effects that would result from approving the Vacherand's building plans? What are the responsibilities of the Planning Commission for approving building plans that impinge on the neighbors' views? Did anyone go to see what would happen to the neighbor's views? Are there not laws that protect property owners from having their views obliterated?

Here is an example of something that has been a matter of contention among neighbors here in Sausalito, as well as in other cities in California, and it has to do with protecting the rights of property owners: If a tree on someone's property grows to an extent that it blocks the view of a neighbor's house, that neighbor has the right to demand that the tree be cut or trimmed so that the neighbor's view is not blocked. There has never been any question about that right. The lawsuits about this have had to do with who must pay for cutting or trimming the tree, but never about the rights of the homeowner to preserve his or her view. The law protects that right.

The approval for the proposed remodeling of the property at #75 Cloud View Road should be repealed and denied. If allowed to happen, the view from Mrs. Patrick's home at #73 Cloud View Road will be hugely diminished. This is not a matter of just a small part of the view being obstructed: The proposed building-up of the property below Mrs. Patrick's house will, effectively and literally, obliterate her view of the San Francisco Bay and of San Francisco, the Bay Bridge, and of the East Bay. Any diminishment of the view from Mrs. Matsuno Patrick's home will have a seriously deleterious effect upon the value of her property. I have photos which will demonstrate this and I wish to present them at the City Council hearing on the 22nd.

If the owners of the property below Ms. Patrick's home are allowed to build according

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to their proposed plans, which include raising the height of the top story of their existing home, it will result in a major loss of property value to Mrs. Patrick. The value of her property will plummet.

The Vacherand's, who recently bought the property to which they wish to renovate, should be allowed to renovate as long as their additions do not in any way affect their neighbors' view(s). They have a very large lot that stands on at least three levels/stories. They can certainly make substantial changes and improvements to their property without causing harm to their neighbors, which will inevitably happen if they are allowed to build "up" on their newly acquired property.

I would like to know if any of the members of the city council or of the planning commission, know the owners of the property at 75 Cloud View Road or their attorney, either socially or in any other way except as to this matter. I ask that this question be answered affirmatively and not simply left unanswered.

I wish to state that it is the duty of the Planning Commission and the City Council members, in their capacities of their office(s), as well as individually, to uphold and protect the rights, the property laws, and the inheritance laws of the State of California and of the United States of America.

Homeowners have the right to maintain a view that is unobstructed by its neighbors, whether it be from trees or plant growths, or from the building of structures. The various entities of the government of the City of Sausalito, California have a fiduciary obligation to maintain, enforce and protect such rights.

It is and has been the intention and the practice of the law to strictly construe the laws as to the rights of property ownership. I assert that Ms. Matsuno Patrick, who has lived in her home at #73 Cloud View Road, Sausalito, California for many years, has a right to protect her property's value and enjoyment, and that the value and enjoyment of is unequivocally and irrevocably connected to the presently unobstructed view from her property.

If Ms. Patrick's present appeal is denied or ignored; and if my, or other Sausalito residents' statements, requests, and pleas that the prior decision by the Sausalito Planning Commission in this matter be reversed is denied or ignored; or if the request for more time and that notice of the original application which was approved by the Planning Commission and/or the January 18th Notice of Public Hearing on this matter is not re-issued and/or re-scheduled for hearing; I request that Ms. Patrick's rights and/or the rights of any and all concerned citizens in this matter be heard and admitted as matters of law in any and all law suits that may result as a consequence of such denial, refusal, and/or failure to respond or take action in this matter. Furthermore, I wish to assert that the various commissions, councils, departments, and officers who are in any way responsible for refusing, denying, ignoring, preventing and/or disallowing the appeal of this matter, may be sued individually and as members of the City of Sausalito government, and held responsible, individually and as government entities, for damages incurred by the loss of value to the properties of the neighbors to #75 Cloud View Road, if the proposed renovations are upheld.

Finally, please know that I object to and refute the last paragraph in the Notice of January 18, 2008 in which it is stated, "...that if you challenge this application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in the notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing (CGC65009(b)(2))." I do not believe that such a statement is enforceable because this is not a court of law. I could be wrong, but I do not believe it is incumbent upon me or anyone here who wishes to protest, or speak out against, or appeal a decision such as is at issue here and now--- I do not believe it is incumbent on us to either prove or lay a legal basis for appeal. I could be wrong, though, which is why I have written

such a lengthy letter: I wanted to name everything I could think of that could help Matsuno Patrick's cause, in case the worst happens.

Did the Planning Commission approve the application because no one was there to object to it? If so, something is very wrong. I want to know if such a practice is the protocol of how things happen here. If the Sausalito Planning Commission or the Sausalito City Council or any department of our city government acts passively; in other words, if it does not actively examine, pursue, enforce, or uphold the law, then I challenge the Planning Commission; you, the City Council members; and everyone else who holds public office here, and who gets paid to, and has the ethical duty to, uphold the law.

I am so disappointed in the decision of the Planning Commission to approve the application that will result in the repudiation of the legal rights (in this instance) of Mrs. Matsuno Patrick; and if it is not reconsidered and withdrawn, will result in damages amounting to millions of dollars to her, to her heirs, and to other property owners who will be negatively affected by this decision.

I want to reiterate: The delight and the inspiration that living here in Sausalito brings, daily, is something that anyone who lives here understands. To see the San Francisco Bay every day, and to marvel at the beauty of living here in our fair Sausalito, is a most wonderful thing. Everyone who lives here appreciates the beauty that living here provides. I am sure that every member of the Sausalito City Council and of the Sausalito Planning Commission and everyone who is here, knows what I mean. The extraordinarily exquisite views of the San Francisco Bay, of San Francisco, Angel Island, the East Bay, the bridges --- > These things make Sausalito one of the most lovely places on Earth.

I urge you to do the right thing here. I speak for myself as well as for Matsuno Patrick and for others who are not here tonight.

Sincerely,

Frances Farley

Start the year off right. Easy ways to stay in shape in the new year.

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The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry should be supported by a valid receipt or invoice. This ensures transparency and allows for easy verification of the data. The second part of the document provides a detailed breakdown of the financial data for the quarter. It includes a table showing the revenue generated from various sources, as well as the associated costs and expenses. The final part of the document concludes with a summary of the overall financial performance and offers recommendations for future improvements.

The following table provides a detailed overview of the financial data for the quarter. It is organized into columns representing different categories of revenue, costs, and expenses. The data shows a steady increase in revenue over the period, which is a positive indicator for the company's growth. However, there is also a corresponding increase in costs, which has led to a slight decrease in profit margins. This suggests that while the company is expanding its market reach, it is also facing higher operational expenses. The recommendations for future improvements focus on optimizing the cost structure and exploring new revenue streams to further enhance profitability.

In conclusion, the financial performance of the company for the quarter has been mixed. While there has been significant growth in revenue, the increase in costs has had a negative impact on the bottom line. The recommendations for future improvements are aimed at addressing these challenges and ensuring long-term sustainability. It is crucial for the company to continue to monitor its financial health closely and make data-driven decisions to stay on track with its strategic goals. The overall outlook for the company remains positive, provided that the recommended changes are implemented effectively.

MICHAEL REX ASSOCIATES

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RECEIVED
JAN 22 2008
CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

January 16, 2008

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 letter follows from my previous letter to you dated December 5, 2007, and provides more detailed information supporting Ms. Patrick's appeal of the Planning Commission's approval on Nov. 28, 2007 of renovations to the residence owned by Pierre and Cecilia Vacherand at 75 Cloud View Road.

TIMELINE OF EVENTS:

The following is a timeline of significant events, starting with the Vacherands' filing of plans and their first communication to Ms. Patrick regarding their project, up to the date of this letter.

- | | |
|------------------|--|
| February 6, 2007 | Plans to remodel the dwelling at 75 Cloud View Road are submitted to the City. |
| March 17, 2007 | The date of a letter from the Vacherands to neighbors, which Ms. Patrick receives, wherein the Vacherands mention they are working with an Architect and will share plans with neighbors soon. They explain, "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." There is no description of the design, nor any mention of raising the height of the existing roof. |
| June 2, 2007 | Ms. Patrick, along with a few neighbors, is invited to dinner at the Vacherands' home. There is some discussion about the intent to remodel, but Ms. Patrick has no recollection of plans being presented, nor any mention of raising the roof. |
| June 14, 2007 | Ms. Patrick invites the Vacherands to view some special flowers in her garden. Cecilia Vacherand mentions for the first time the intent to raise the roof height, but indicates with her hand that the increase would be minimal, representing the height by showing a half inch gap between her thumb and index finger. |
| August 17, 2007 | Ms. Patrick is invited again to the Vacherand's home to see the final plan, but she is unable to attend, being in Japan caring for her sister who is seriously ill. |
| October 25, 2007 | The City sends a notice to neighbors of the Planning Commission's Nov. 7 th hearing. |
| October 28, 2007 | Toyomit Tanaka, who lives with Ms. Patrick, returns from Japan and finds the City's notice, plus sees the story poles for the first time and is alarmed by the amount of view that will be blocked from the lower level Study/Den. She calls Ms. Patrick in Japan to alert her of the problem. Ms. Patrick asks Ms. Tanaka to contact the Vacherands and invite them to visit her home so they can see for themselves the impact of the story poles. |

November 2, 2007 Pierre & Cecilia Vacherand arrive with their Architect, David Kalb, who is visiting the Patrick home for the first time, just five days before the Planning Commission hearing. They agreed that the view blockage is a problem. Mr. Kalb offers to see what could be done.

November 3, 2007 Ms. Patrick writes to the Planning Commission objecting to the proposed design.

November 6, 2007 Ms. Tanaka and Masayo Baillet meet with Project Planner, Debra Lutske, to explain how surprised they are by the story poles and worried about the view. Ms. Lutske shows them the submitted drawings and the photo taken by Applicant. She explains they would be, "losing only a little view." There is no discussion about the use of the space from where the view is blocked.

November 7, 2007 The Planning Commission holds its first hearing on the application. In spite of the earlier offer to amend the plans, there is no mention of changes when Mr. Kalb presents the submitted project to the Commission.

Because Ms. Patrick is still in Japan, Ms. Tanaka attends the hearing on her behalf and objects to the view blockage. The Planning Commission directs the Applicant to consider revisions to lower the proposed roof height and continues the hearing on the application to Nov. 28. Ms. Tanaka believes that the entire roof will be lowered.

November 19, 2007 The Applicant submits revised plans, showing the main roof ridge 12" lower, but the taller roofline over the Living and Dining area remaining at the same height.

November 22, 2007 The Staff Report for the Commission's Nov. 28 hearing is published.

November 26, 2007 The story poles and string lines are adjusted, just two days before the Commission's second hearing and after the Staff Report is published.

Ms. Patrick returns from Japan. Both she and Ms. Tanaka are surprised to see that the ridgeline of the roof over the Living and Dining area has not been lowered at all.

Mr. Vacherand and Mr. Kalb visit Ms. Patrick's home a second time. Mr. Kalb, who is taller than Ms. Patrick and Ms. Tanaka, takes pictures from the Study/Den from a standing position. Ms. Tanaka complains that portions of the proposed roof will still block the beautiful view of the Bay and City. Neither Mr. Vacherand, nor Mr. Kalb reply.

November 27, 2007 Ms. Patrick and Ms. Tanaka meet at City Hall with Ms. Lutske, informing her that the Living & Dining Room roof has not been lowered as they had expected from the direction the Commission provided to the Applicant, and that the view blockage is still a serious problem. Ms. Lutske tells Ms. Tanaka that the Applicant has done what was requested by the Commission and that based on the Applicant's new photo, there doesn't appear to be a view problem.

Ms. Patrick and Ms. Tanaka object to the Applicant's photo, explaining that it was taken from a standing position, when they enjoy the view most often from a seated position. Ms. Lutske advises that they take their own photo and present it to the Commission during their hearing the next evening. Knowing that Ms. Lutske has never been to her home, Ms. Patrick requests that she schedules a visit to see the view problem first hand. Ms. Lutske declines and takes no further action.

November 28, 2007 The Planning Commission holds their second hearing on the application. Ms. Patrick explains that the revisions are insufficient to protect her view. As Ms. Lutske advised, she presents her own photos, which show the view blockage from sitting at her desk. She

asks for a continuance to have time to understand her options and seek a resolution with the Vacherands. The Commission rejects her request and votes 3 to 0 to approve the revised project.

- November 30, 2007 Ms. Patrick calls Ms. Vacherand to inform her of the appeal and requests a meeting with her to seek an acceptable solution. Ms. Vacherand screams at her, accuses her of harassment, demands she "cease and desist," then hangs up. Ms. Patrick retains the services of attorney, Craig Miller.
- December 3, 2007 Ms. Patrick retains the services of Michael Rex Associates.
- December 6, 2007 Mr. Rex files the appeal. He calls Mr. Kalb to inform him of the appeal and requests a meeting to explore together a design solution that works for both parties.
- December 7, 2007 Mr. Rex receives an email from Mr. Kalb, explaining that he has been directed by his clients to reframe from any contact during the appeal process.
- December 13, 2007 Mr. Rex discusses the Vacherands' application with Ms. Lutske. He expresses concern when she informs him that she is currently writing the Staff Report for the City Council's appeal hearing before all the facts are submitted and before she views the story poles from Ms. Patrick's home. Mr. Rex sends an email to Interim Planning Director, Diane Henderson, requesting a meeting.
- December 16, 2007 Ms. Patrick writes to the Vacherands, again seeking a dialog in the hope of reaching a compromise. She requests that the Architects be allowed to meet. No reply is received.
- December 19, 2007 Mr. Miller and Mr. Rex meet with Ms. Henderson. They ask that she contact the Vacherands, or Mr. Kalb, to encourage a dialog with Ms. Patrick and/or her representative(s). Ms. Henderson agrees to defer completing the Staff Report until additional information is submitted and she has had the opportunity to visit Ms. Patrick's home to view the story poles through her windows.
- January 7, 2008 Ms. Henderson sends Mr. Rex an email informing him that she has spoken with Mr. Kalb, who indicated he would speak with his clients when they return from their holiday travels.
- January 16, 2008 Neither Ms. Patrick, nor Mr. Rex, has heard from the Vacherands, or their Architect, as of the date of this letter.

APPROVAL PROCESS ERRORS:

In my December 5th letter, I listed a number of errors that have occurred in the plan approval process to date. A brief explanation of these errors is needed as follows:

1. Insufficient neighborhood outreach:

The Applicant never contacted Ms. Patrick prior to commencing plans for renovating their property. Plans were submitted to the City on Feb. 6, 2007, but neighbors weren't invited to view the drawings until May, 2007, three months later.

The potential to block views when raising the roof at 75 Cloud View Road is readily apparent to anyone looking back from the Vacherands' roof. Ms. Patrick's large picture window in her Study/Den is directly in line with the existing roof's ridge top. (See attached photo taken by the Applicant).

While the Vacherands wrote to Ms. Patrick about the remodel on March 17, and August 17, 2007, neither letter mentioned raising the roof. When Ms. Patrick accepted the Vacherands' invitation to dinner on June 2, again there was no mention of raising the roof, and no plans were presented to her. And yet, in the Staff Report for the Commission's Nov 7, 2007 hearing, on Page 65, there is a letter from the Vacherands to the City dated August 21, 2007, which notes on June 2, 2007, there was a "Presentation of the plans" in Ms. Patrick's presence, followed by the comment, "We like the gables, the house will look much better." Ms. Patrick never said this. It is possible this letter mislead Staff and the Commission to think that Ms. Patrick was informed of and approved the proposed renovation project, which is not the case.

The Vacherands' Architect, Mr. Kalb, visited Ms. Patrick's home on Nov. 2, well after the plans had been prepared and filed with the City and just five days before the Commission's first hearing on Nov. 7. During this visit, view blockage was identified as a problem and an offer was made to do something about it. Yet no revisions to the plans were proposed when the project was presented to the Commission on Nov. 7.

While the Applicant revised the plans at the direction of the Commission to lower the main roof line 12", the Applicant failed to lower the height of the highest roof line over the Living & Dining area, the one that blocks the view of the City the most.

Since the Commission's Nov. 28 hearing, the Applicant has rejected all offers by Ms. Patrick and Mr. Rex to meet and explore design options that could work for both parties. We requested a copy of the submittal drawings, since these plans are public record, but Applicant denied our request, causing us to trace their drawings on file at City Hall, resulting in additional and unnecessary expense to Ms. Patrick, on top of the significant expense she must incur funding this appeal. The purpose of neighborhood outreach is to not only fully inform neighbors of what is proposed, but also revolve identified design problems related to the project in advance of City hearings. Neither have been accomplished.

2. Lack of a visit to Ms. Patrick's home by Staff and Commissioners necessary to properly assess Project impacts:

Project Planner, Ms. Lutske, never visited Ms. Patrick's home to view the story poles. To our knowledge, no Commissioner who voted on the application visited Ms. Patrick's home prior to voting to approve the project. Ms. Lutske's evaluation of the story poles was solely based on a photographs provided by the Applicant, which were taken from a standing position, when the primary use of the Study/Den where Bay and City views are blocked is from a seated position.

It is common knowledge among those experienced in the plan approval process that it is essential to visit sites to properly understand a project's impact, particularly when views are the issue. The only way to appreciate a view impact is to look out the affected window from where the view is being blocked. Without personally visiting the site, neither Ms. Lutske, nor the Commissioners were sufficiently informed about the site conditions to properly evaluate the project's impact, or appreciate how the room affected is being used. Therefore, the decision the Commission reached is in question.

3. Lack of adequate Staff response to concerns expressed by Ms. Patrick and her agents prior to the Commission's action:

When Ms. Tanaka informed Ms. Lutske on Nov. 6 about the view blockage, Ms. Lutske didn't offer to come to Ms. Patrick's home to investigate the problem. She told Ms. Tanaka that they would be losing "only a little bit of view." Ms. Tanaka was handed a Staff Report, but not informed that Staff recommended approval and had provided the Commission with a draft Resolution of Approval, whereby the Commission could take final action the next evening.

When Ms. Patrick and Ms. Tanaka informed Ms. Lutske on Nov. 27 that the roof over the Living & Dining area had not been lowered as they thought the Commission had directed, Ms. Lutske rejected their request that she come and see the problem for herself. When Ms. Patrick informed Ms. Lutske that the Applicant's photo was misleading, she was told to take her own photos. Ms. Patrick was never informed that the Application had been placed on the

Commission's Consent Calendar, which are for matters considered routine and non-controversial, requiring no discussion, expected to have unanimous Commission support, and could be enacted by the Commission in a single motion. At no time was she advised that she consider retaining the assistance of a planning professional. Because Ms. Patrick is inexperienced in the City's plan approval process, she had no idea how far the process had progressed and the extent to which the value of her home was at risk.

4. Misinterpretation by Staff of the Zoning Ordinance section regulating view protection:

Sausalito Zoning Ordinance Section 10.54.050 D – Findings, require City approval only if certain findings can be made, including Finding #4, which reads, "The proposed project has been located and designed to minimize obstruction of public views and primary views from private property." Section 10.88.040 – Definitions, defines "View, primary" as "Any view distance from primary viewing areas of a dwelling such as the living room, dining room, kitchen, master bedroom and deck or patio spaces serving such living areas." The fact that the words "such as" are used means that the rooms listed are examples of living areas where primary views are to be protected, and not necessarily the only rooms.

Supporting this conclusion is the fact that the same Section of the Code states, "A secondary view shall be any views from bathrooms, accessory bedrooms, passageways and utility areas." In this latter definition, rather than use the words, "such as," the word "shall" is used, meaning the spaces listed are specifically excluded from those spaces where the City seeks to protect views.

I spoke with Ms. Lutske on December 13, 2007 when she told me the Staff has concluded that, because the lower level of Ms. Patrick's home has none of the living spaces listed in the Code as "primary viewing areas," i.e. are not the living or dining rooms, kitchen, master bedroom or deck, then there is no requirement to protect the view from the lower level. Though she told us she never visited Ms. Patrick's home, she somehow concluded the lower level where the view was being blocked is an "accessory bedroom," when in fact, the space from where Ms. Patrick seeks to preserve her Bay and City view is her Study and Den, where she spends a great deal of time. True, there are bunk beds located at the back of Ms. Patrick's Study /Den, but these are used by occasional guests as a secondary use, not the primary use of the room.

It seems Ms. Lutske failed to appreciate the difference in the Code's wording between "such as" and "shall", which demonstrates a degree of inexperience in reading a legal document. From her comments and actions, it is clear that once she determined from her point of view that the law didn't apply, protecting Ms. Patrick's view from her lower level was unimportant.

5. Revised story poles being installed after the final Staff Report is written and distributed, preventing a proper assessment of project revisions:

The staff report for the Commission's Nov. 28, 2007 hearing was published on Nov. 19. The story poles showing the adjustment in roof height following the Commission's first hearing were put in place on November 26, just two days prior to the Commission's second hearing. Section 10.82.020 A. 4. a. & C. require a minimum 10 day notice period to neighbors prior to a hearing. Section 10.82.010 requires that "Story poles shall act as an additional form of notice for applications requiring Design Review, and shall be installed in a timely manner."

Without the story poles being adjusted and seeing them in the field prior to writing her Staff Report, one wonders how Ms. Lutske evaluated the "View Impact" section under the heading "Story Poles" in her report, and concluded that, "No view impacts . . . are expected, as the proposal is barely visible from any of the surrounding homes in the area." The fact that the Vacherand residence is the entire foreground of the Bay and City view seen from Ms. Patrick's home, is proof that Staff had a poor understanding of the relationship between the Vacherand and Patrick properties.

6. Numerous misstatements in the Staff Report, including an inaccurate Project Description:

- a. The Staff Report states that roof forms will extend upward only one foot, when in fact, critical portions of the roof will extend outward to the south and rise over 8 feet in height. Compare the height of the existing roof overhang at the south end of the Living/Dining space to the height of the new roof overhang at this same point. Because the new gable roof over the Living/Dining space extends outward from the main roof ridge, when looking downward from Ms. Patrick's home, this new gabled roof will appear to be much higher than 12" and will block significantly more of the City view.
- b. Staff points out in their report that the applicant had responded to input from the Commission, when in fact, they had not fully complied. The Commission directed the Applicant to lower the proposed roof height. While they lowered the main roof ridge 12", they made no adjustments to the height of the new gabled roof over the Living/Dining space.
- c. 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.

7. Findings that the Project is 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. Given that Heighten Review is required, a process that has been put in place specifically to require extra caution and scrutiny when evaluating a proposed project, because such projects can more readily lead to impacts on neighbors, this project should have been given extra care and review, but it hasn't.

NEW & INEXPERIENCED PROJECT PLANNER WORKING WITH LITTLE SUPERVISION:

The little or no guidance given to Ms. Patrick and Ms. Tanaka when they expressed concern, plus Staff's unwillingness to visit Ms. Patrick's home, essential to evaluating those concerns, coupled with the misreading of the Code regulating views, all indicate a certain lack of experience associated with Staff's actions in administrating the approval process for 75 Cloud View Road. Inexperienced Staff not long out of school require extra supervision from senior staff. Yet at the time this application was being processed, the City's Planning Department was in disarray, burdened by a loss of people and the sudden August 9th departure of the head of the Department, Paul Kermoyan. A loss in the use, enjoyment and value of Ms. Patrick's home should not be the consequences of City staffing problems.

LESS THAN A FULL PLANNING COMMISSION REVIEW AND APPROVAL:

Ms. Patrick's was denied the benefit of a full Commission when this application was heard. Only three of the five Planning Commissioners were present when the vote of approval was taken. If the missing Commissioners on the evening of Nov. 28 thought or ruled differently, events may have unfolded in a different manner leading to a different conclusion. With only three Commissioners present and a 2 to 1 vote resulting in no action taken, who can say that the three remaining Commissioners weren't more compelled to reach a consensus than if a full Commission had been present?

UNNECESSARY AND EXCESSIVE CEILING AND ROOF HEIGHT:

The proposed encroachment into Ms. Patrick's beautiful primary views are for architectural features that are unnecessary and excessive. Please refer to Sheet A3 of our drawings where we provide a section through the proposed Living/Dining Room roof, titled, "Submitted Cross-section." This drawing shows an 8 in 12 roof pitch,

which is considered a steep roof and provides approximately a 16 ft. height at the center of the room, springing from a 9 ft. wall height. Ms. Patrick's Living and Dining Room has a tall gabled roof, but it's ceiling height at the center is 12'-9", 3'-3" lower than the Vacherand proposal. For comparison, the ceiling height in the City Council chambers is 11'-4". The Commission approved a ceiling height over the Vacherands' Living & Dining room that is 4'-8" higher! Why should the City allow an unnecessary and excessive ceiling height of 16 feet when doing so significantly blocks a neighbor's view? Particularly when it has been City policy and practice in the past to deny such applications.

ALTERNATIVE DESIGN NOT EXPLORED:

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.

Please refer to Sheet A3 of our drawings again and note the drawing in the bottom left corner titled, "Proposed Alternative Cross-section." Here we show revising the roof to a 6 in 12 roof pitch, resulting in lowering the roof approximately 1'-10". This would still provide a high ceiling in the Vacherands' Living & Dining room of about 14'-2", still 2'-10" higher than the ceiling in the City Council chambers. A 6 in 12 roof pitch is still considered a steep roof. Many roofs in Sausalito have a shallower pitch. 3 in 12, or 4 in 12 are common. Our suggestion of lowering the new gable roofs from an 8 in 12 to a 6 in 12 pitch is a compromise offered by Ms. Patrick. She will still be losing a sizable amount of Bay view in the foreground below her view of the San Francisco city skyline.

We have attached photos of Ms. Patrick's view when seated at the Study desk, where upon we have outlined the building form approved by the Planning Commission. Much of the view of the City is blocked. We have attached another photo that outlines the building form with our proposed 6 and 12 sloped gables. From this latter photo, the view of the City is preserved, even though a significant amount of Bay view is lost for good.

The Vacherands, or their Architect, could suggest other revisions. We are not attempting to redesign their home, but only demonstrating that an option exists that is reasonable, easily accomplished and results in a win/win such that the Vacherands still get high ceilings and Ms. Patrick preserves most of her view.

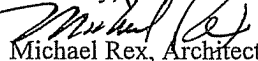
CONCLUSION:

When we met with Interim Planning Director, Diane Henderson, she informed us that Staff is compelled to uphold the Planning Commission's action of approval. Where is this written? It seems to us that the citizens of Sausalito would be better serviced when mistakes occur in the plan approval process, or when new information comes to light, that Staff should be able to address such mistakes or new information and be in the position to change their recommendations regarding a Design Review application.

Because the Applicant has been uncooperative, and because to date, Ms. Patrick has been unable to obtain sufficient support from Staff or the Commission in her effort to protect her views and the associated value of her home, she now seeks your help. We ask that you uphold this appeal and direct the Applicant to consider revisions that protect Ms. Patrick's view from her lower level Study and Den. Once a final design is approved, we ask that a condition be included in the City's Resolution of Approval requiring that the new roof framing be certified by a licensed surveyor as conforming to the approved building height, prior to additional construction occurring on the site.

Thank you for your consideration of this appeal.

Sincerely,


Michael Rex, Architect

c.c. Ms. Matsuno Patrick, Mr. Craig Miller, Esq.

Neighbor

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)

Planner

November 3rd, 2007

TO THE PLANNING COMMISSION OF THE CITY OF SAUSALITO:

I understand there is going to be a hearing about the redesign of property scheduled for November 7th, 2007. My new neighbors, Cecilia and Pierre Vacherand, live at 75 Cloud View Rd., Sausalito. This is the property in question. I wish I were able to attend the meeting but I am in Japan now. Therefore, I am writing this letter so that you would understand my situation.

I purchased my house some 20 years ago because of the fantastic view. This not only concerns the upper view of my house but also the view from the lower level. The proposed original routine is designed to be higher, covering my view from Alcatraz Island, San Francisco Bay and the City as we see it now. If this happens, my property will decrease in value and the enjoyment of my home will be adversely altered.

I asked my associates to invite my new neighbors to review how the proposed changes will affect my property. I received a report. In deed, they came and agreed to assist the original plan. I am very lucky to have wonderful neighbors like Cecilia and Pierre. In the past, I experienced a lot of disappointment with some of them. I would like to keep my relationship with The Vacherands as healthy and enjoyable as it is now.

Thank you for your attention.

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

1
file Patrick - Christ
Michael Rex

From: Matsuno Patrick [matsunop@gmail.com]
Sent: Saturday, December 01, 2007 9:50 PM
To: rex@rexassoc.com
Cc: cmiller@wmlawfirm.com
Subject: Hearing

Dear Mr. Rex

Thank you for calling today. I explain a little about our hearing on Nov. 28.

First, David Kalb talked. He said how he lowered their roofline according to our wish, therefore there is no problem. He said nothing about the gable. Then it was my turn to talk. I prepared my speech. I said, "Thank you very much for waiting for my return from Japan. I just came back 2 days ago. I was really surprized and unexpected to actually have seen how overpowering and distructive the scene in front of me. Herb Weiner, our Councilman who became a good friend of ours by working together, over Sausalito Sister City Program, has seen it and agreed completely. Since it's all new to me, I need some time to study this situation carefully. I, d like to be reasonable as possible, but so far I am not comfortable with this at all.

I lived in this house for 23 years. You know why I bought this house, The View! I take trips often, but I realy lookforward always very much to come back to this house to look at wonderfulview and I would love tocontinue to do so for a long time in the future.

I have a small house and it is rectangular. one side is short and one side is long. I can only see the Bay and the City view from the short (narrow) side. My neighbor has a big house and City view from the short (narrow) side. My neighbor has a big house and from many rooms they can seethe wide view of the bay and the city.

I also like to see the wonderful view, as I've been like to see the wonderful view, as I've been seeing for 23years.

My son came over to see the situation and suggested to consult with lawyer immediately ana to get good legal advice.

Therefore, I can not decide now in 2 days .I need some time to study.

After my speech, I presented 2 pictures each to 2 committioners. The pictures we took ourselves.

Then Pierre Vacherand stood and talked. He was excited so I could not understand clearly, but he said that he didn't know we have downstairs and he said that when he was invited to my house, we only sat upstairs.

write after that, quite abruptly, they decided to pass the issue. Everybody is saying Aie, Aie, Aie. I didn't know what i was supposed to do, so I stood up and said "Did you see the pictures I presented?" The commissioners said " we have them."

But I never saw them really looking at our pictures. My speech was completely ignored. I 'shouted. "I appeal!"

The vacharands has left. Outside of the room, Debra Lutske told us that if we want to appeal we have to prepare all the documents in 10 calender days. We then asked to her to

please come and have a look at our house. She said no, she cannot see the house until
after the appeal. Matsuno Patrick

Client

Michael Rex

From: Matsuno Patrick [matsunop@gmail.com]
Sent: Monday, December 03, 2007 11:43 AM
To: rex@rexassoc.com
Subject: One More Thing

Hello Michael,

I need to add one more incident at the public hearing on November 28th.

It was towards the end when one female commissioner asked me if I knew of their plan ahead of time. I said "NO!" because there was no detailed explanation from the Vacherand after their first letter dated March 17th. Pierre shouted from the audience, "Liar!".

Please get in touch with us or Craig Miller anytime.

Best,

Matsuno Patrick

Pat - Patrick - Neighbors

From: Matsuno Patrick [mailto:matsunop@gmail.com]
Sent: Sunday, December 16, 2007 11:16 AM
To: pierre@vacherand.com; Cecilia Vacherand
Cc: Craig Miller; Michael Rex; Steve Patrick
Subject: Request for Mediation

Dear Mr. and Mrs. Vacherand:

I send this letter to you in the hopes of opening up a productive line of communication between us that would allow us to reach a compromise with regard to your proposed building plan. I received your call informing me that your architect had called you and let you know that my architect had called him wishing to discuss your building project. I understand from your call to me that you absolutely do not want my architect discussing potential alternatives with your architect. I understand that you instead plan to go ahead with your project and do not wish to discuss this matter with me.

Please accept this letter in the spirit in which it is sent. I am saddened to think that after 23 years of living in my house, your plans now call for me to lose the views that I cherish so much. It saddens me even more that I have been unsuccessful in my attempts to speak to you in an effort to work out a compromise between neighbors. In a March letter you sent to all of us neighbors, you suggested that you would work with us should we have any issues with regard to your proposed building. You even referenced that you were concerned with trees and the views of your neighbors and welcomed communication on the subject of view blockage. I have raised this issue with you, yet you refuse to even speak with me about a potential compromise.

What saddens me more is that my architect has informed me that there are alternative ways that would allow you to accomplish your building goals in a manner far less obstructive than that currently planned. This is why I had asked my architect to speak to your architect – to explore a different way to accomplish your goals.

In your call to me, you told me to go ahead and appeal if I did not like the situation. While I have contacted a law firm in connection with this issue, it is not my desire or preference to pursue a lawsuit over the existing issues which I feel we could resolve on our own with reasonable cooperation and communication. In fact, I am informed that there is a much less costly way, from a stand point of time and expenses that will be incurred for all involved if we continue down this path. I suggest we attempt to mediate this matter so that we may both be heard. Perhaps through the use of mediation, we may be able to communicate better between us.

I would like nothing better than to work this matter out in a neighborly way. To do so I believe will require communication and cooperation from both of us. I sincerely hope you are open to speaking with me and perhaps mediating this matter, or at the very least, allowing our architects to meet and discuss a potentially less obstructive alternative to accomplishing your goals. Please let me know your thoughts by December 20, 2007 so that I may know if you are willing to try to work this matter out between us.

Sincerely,

Matsuno Patrick

1/28/78
Dear Mr. [Name],
I am writing to you regarding the [subject].
I hope this letter finds you well.

The first part of the document discusses the [topic].
It is important to note that [details].
The following section covers [topic].

In the next section, we explore the [topic].
This part of the report provides a detailed analysis of [topic].
The results of the study are as follows:

The data indicates that [topic].
These findings are consistent with previous research on [topic].
The implications of these results are significant.

It is concluded that [topic].
Further research is needed to [topic].
The author would like to thank [topic].

I am confident that this information will be helpful to you.
Please do not hesitate to contact me if you have any questions.
Sincerely,
[Name]

Yours faithfully,
[Name]
[Title]
[Address]
[City, State, Zip]