

# TENTATIVE MAP

## LEGEND

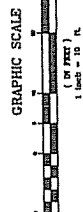
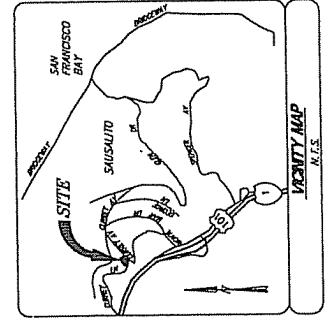
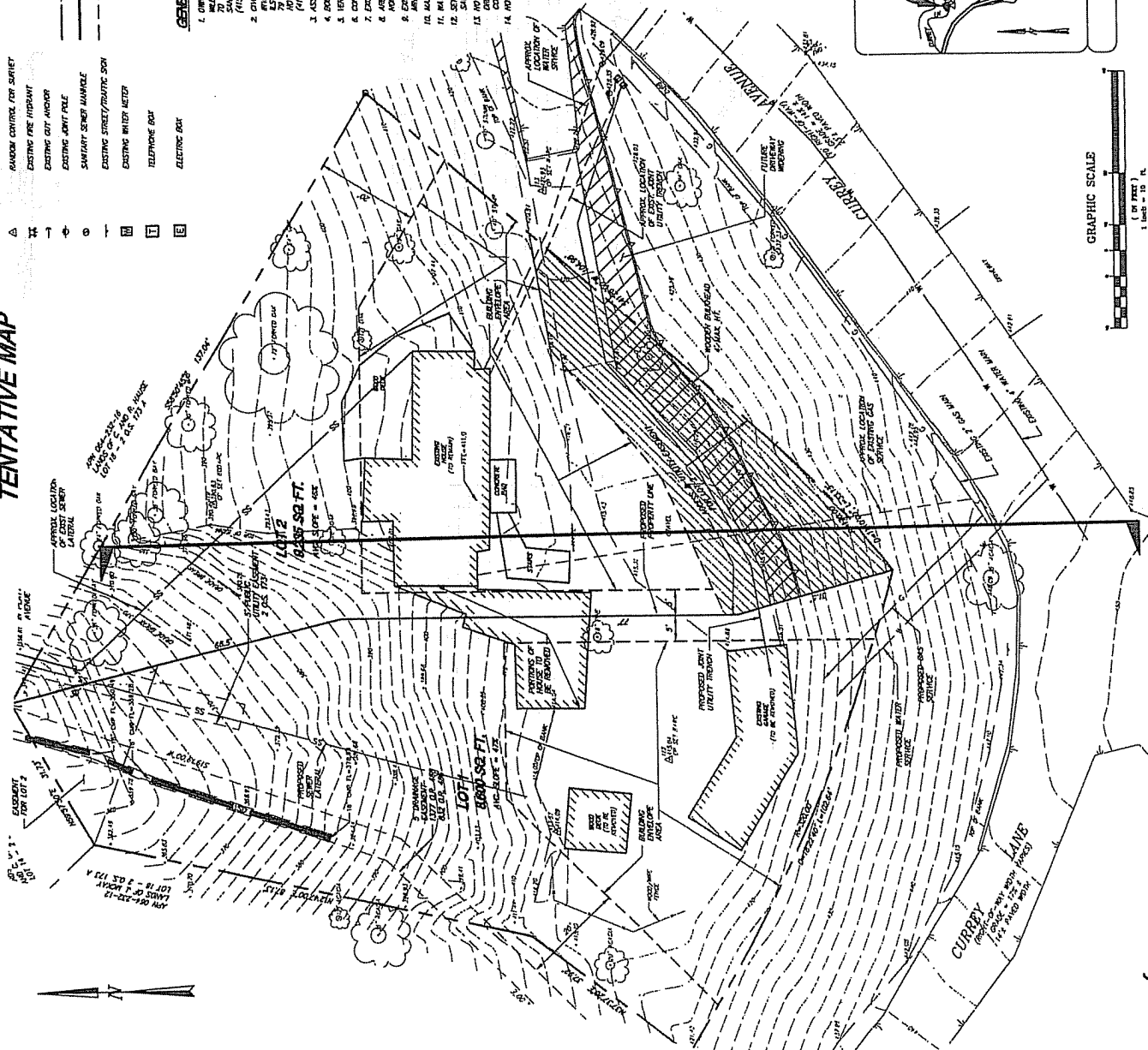
- ▲ GROUND CONTROL FOR SURVEY
- EXISTING FIRE HYDRANT
- EXISTING CURB ANCHOR
- EXISTING JOINT POLE
- SURVEY STATION MARKER
- EXISTING STREET/TRAFFIC SIGN
- EXISTING WATER METER
- TELEPHONE BOX
- TELEPHONE BOX
- EXISTING TREE
- EXISTING CONTIGUOUS
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- BUILDING ENVELOPE USE
- EXISTING SIDE OF HIGHWAY
- ASPHALT CONCRETE
- OFFICIAL SURVEY
- OFFICIAL RECORDS

## GENERAL NOTES

1. OWNER & SURVEYOR: M.E. AND LARRY REYNOLDS, SAN FRANCISCO, CA 94117 (415) 881-6524
2. CIVIL ENGINEER: ERIC L. SCHWARTZ, C.E., 74 CALIF DRIVE, SAN FRANCISCO, CA 94117 (415) 842-8200
3. ASSessor'S PARCEL NUMBER: 084-224-11
4. BOUNDARY BASED ON FIELD SURVEY.
5. VERTICAL CURVE IS CITY OF SAUSALITO, SAN J. D. 244.52 MILE
6. CONTIGUOUS INTERNAL ST.
7. EXISTING & PROPOSED USES: RESIDENTIAL
8. AREAS SUBJECT TO REGULATION OR STORM WATER OVERFLOW: NONE
9. EXISTING ZONING: R1-8 (1000 SQ. FT. MINIMUM BUILDING FLOOR: 30')
10. MINIMUM BUILDING FLOOR: 30'
11. INTERIOR WALLS: INTERIOR FINISH
12. SAUSALITO LAND USE CONTROL DISTRICT
13. NO TREE PLANTING OR IMPROVEMENTS ARE PROPOSED. OWNER TO BE NEEDY TO IF WHEN RESIDENCE ON LOT 1 CONSTRUCTED.
14. NO PUBLIC AREAS PROPOSED.

## CITY OF SAUSALITO REQUIREMENTS

1. That the applicant secure easement rights for storm drainage and sanitary sewer services from dominant property owners for both lots.
2. That necessary easement agreements be obtained by a registered professional engineer and subject to the review and approval of the City Engineer and the City Engineer's Department.
3. That the applicant secure easement rights for storm drainage and sanitary sewer services from dominant property owners for both lots.
4. All areas on the site (both Lot 1 and Lot 2) in excess of 21' to be retained by an existing or proposed utility structure. If the applicant desires to install a utility structure, the applicant shall be required to obtain a utility structure permit from the City Engineer. All utility structures shall be installed in accordance with the City Engineer's Department requirements.
5. The proposed building shall be subject to the review and approval of the City Engineer's Department, including underground utility structures. Staff suggests that this area be dedicated as a pump-out station.
6. A wetland area on the site (both Lot 1 and Lot 2) shall be retained by an existing or proposed utility structure. If the applicant desires to install a utility structure, the applicant shall be required to obtain a utility structure permit from the City Engineer. All utility structures shall be installed in accordance with the City Engineer's Department requirements.



**PRIOR TO ISSUANCE OF A BUILDING PERMIT**

1. All driveway paving and be designed to provide for a 10% slope of the driveway to the street. All driveway paving shall be no greater than 12% driveway on structures shall be no more than 6%.
2. Grading plans shall include placement of slope stakes and horizontal center points to provide for a 10% slope of the driveway to the street. All driveway paving shall be no greater than 12% driveway on structures shall be no more than 6%.
3. Grading shall be limited to between the months of April 1 and October 1.
4. All lots shall include erosion control and other storm water pollution prevention measures.
5. Grading, retaining walls, eroded drainage, contractor employee parking areas and other structures shall be subject to the review and approval of the City Engineer or design professional.
6. A grading board or other acceptable contractor shall be submitted to the City Engineer for review and approval. The grading board shall ensure that the contractor complies with all applicable codes and regulations. The grading board shall also ensure that the contractor complies with all applicable codes and regulations. The grading board shall also ensure that the contractor complies with all applicable codes and regulations.
7. A utility plan shall be prepared showing utility lines, including but not limited to, water, gas, electric, and sewer. The utility plan shall be subject to the review and approval of the City Engineer's Department.
8. A performance bond to ensure construction is completed in no more than 18 months from issuance of first building permits.
9. Property owners shall be set by a Professional Land Surveyor or qualified Professional Civil Engineer.

**PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY**

1. Easements and new sewer lines shall be inspected or tested subject to the review and approval of the City Engineer's Department.
2. Submittal of a Performance Bond to ensure construction is completed in no more than 18 months from issuance of first building permits.
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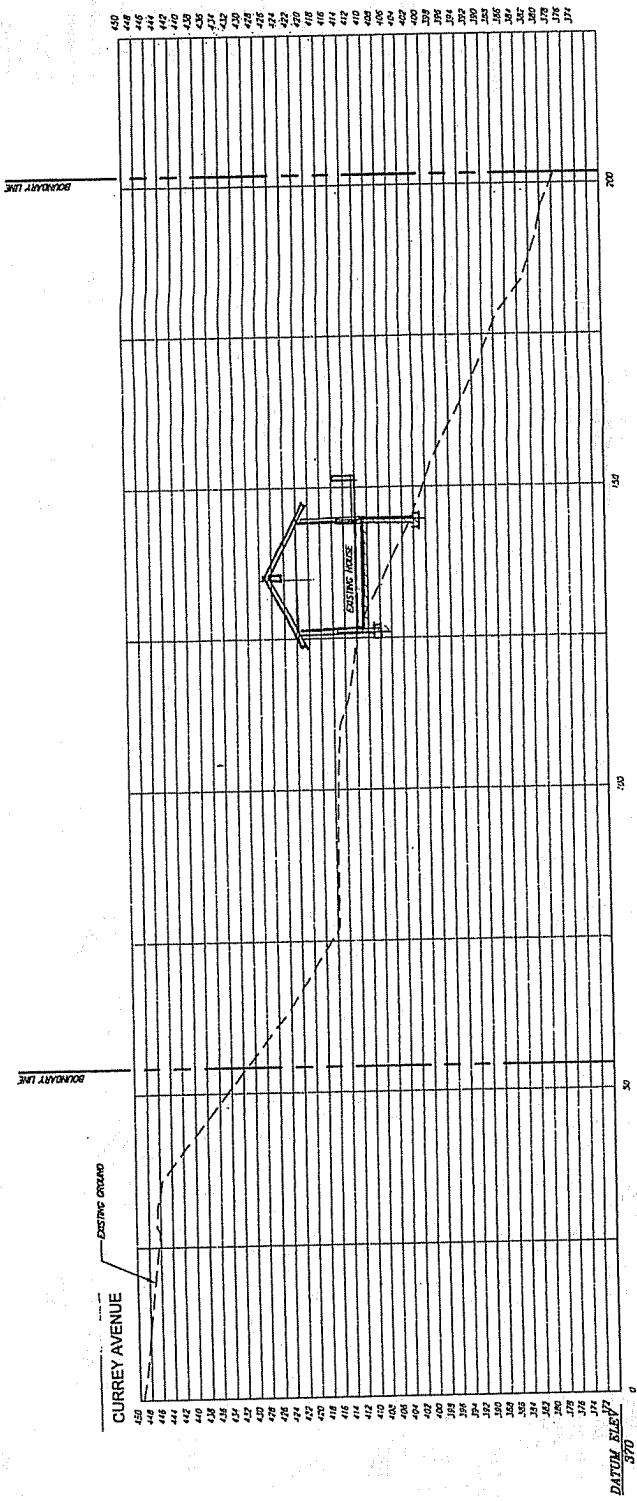
**ILS ASSOCIATES, INC.**  
 CIVIL ENGINEER AND LAND SURVEYOR  
 75 CALIF. DRIVE, SUITE 4, NOVATO, CA 94945-3111 (415) 892-1000 FAX (415) 892-1100

**REVILLOCK**  
 160 CORREY AVENUE  
 LOT 17 - 3.65 AC 1/4  
 SAUSALITO CALIFORNIA 94965

**TENTATIVE MAP SECTION**  
 SHEET NO. 1 OF 1

# EXHIBIT A

SA  
11



SECTION AT HOUSE

**IIS ASSOCIATES, INC.**  
 CIVIL ENGINEERING AND LAND SURVEYING  
 78 DUAL DRIVE, SUITE A, ROYALTE LA MER, CA 94027 (415) 983-2000 FAX (415) 983-2760

**REVILOCK**  
 160 CURREY AVENUE  
 LOT 17 - 2 65 173 4 CALIFORNIA

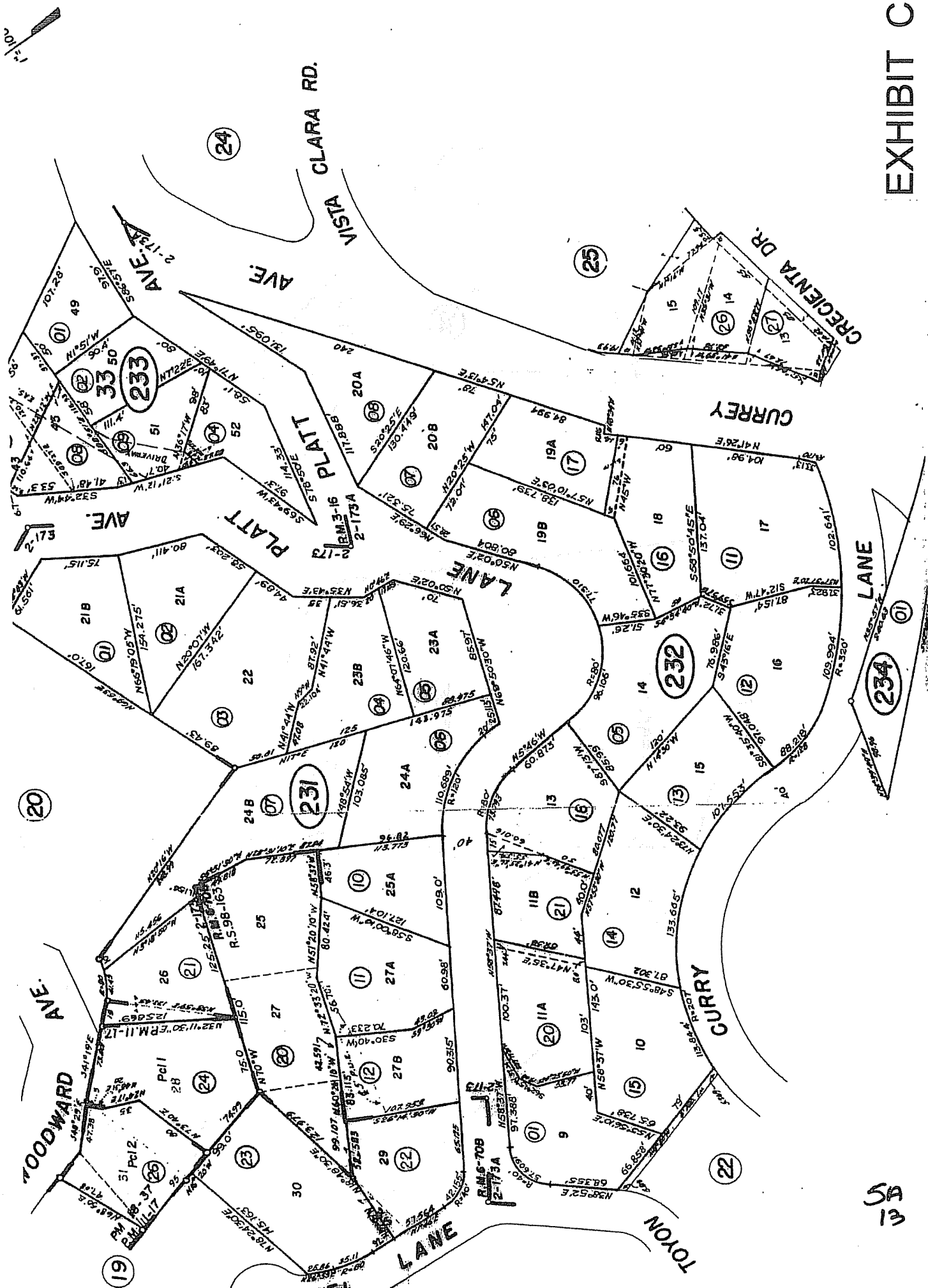
SAUSALITO EXISTING GROUND SECTION



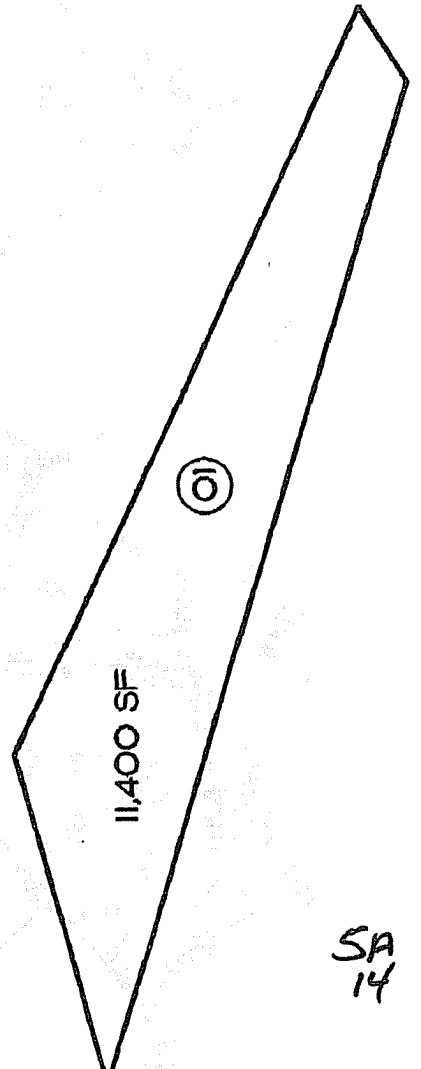
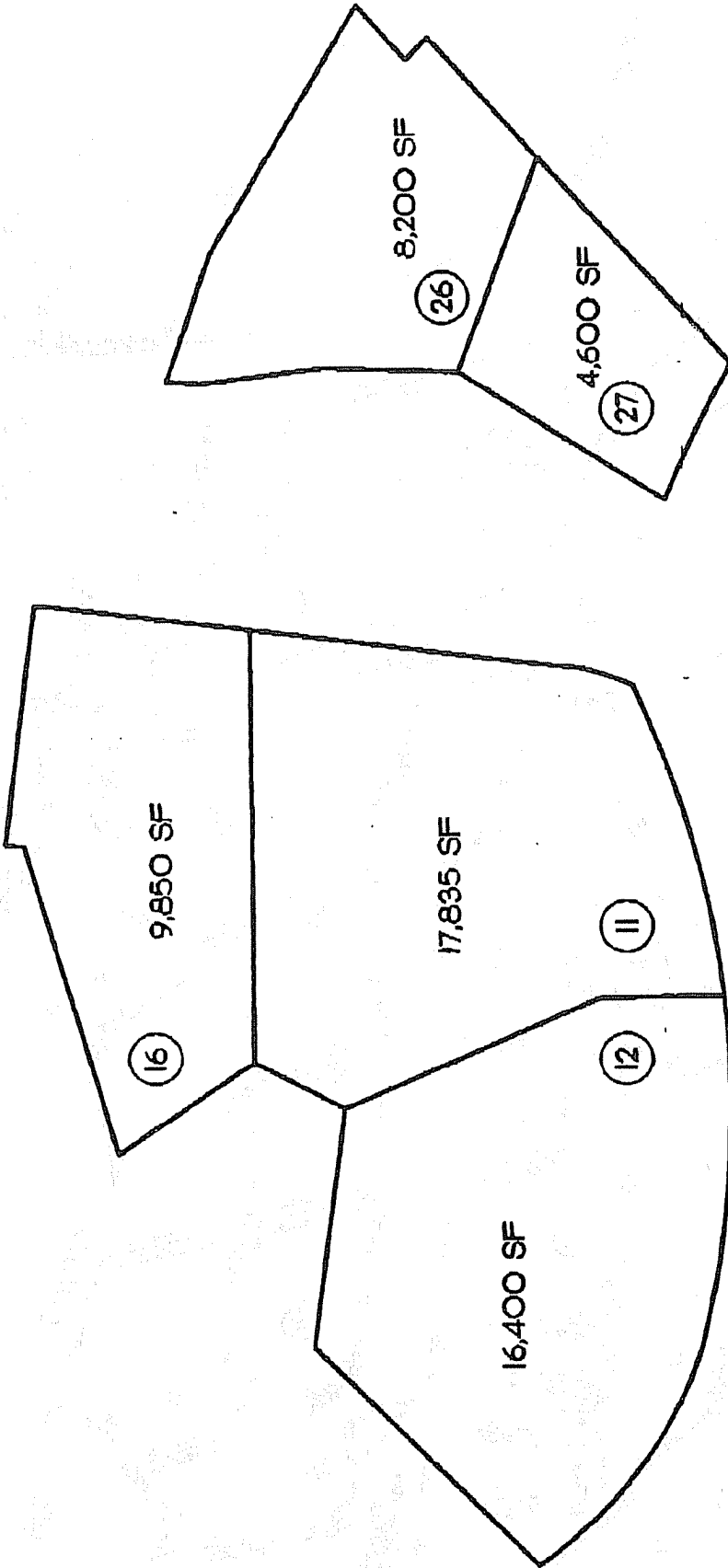
APR. 08-2011  
 FIELD BOOK NO. 214  
 2700000000

**EXHIBIT B**

5A  
 12



5A  
13



SA  
14

# TENTATIVE MAP

## LEGEND

- ▲ ALIQUOT CONTROL FOR SURVEY
- EXISTING FIRE HYDRANT
- EXISTING LOT ANCHOR
- EXISTING LOT PALE
- SANITARY SEWER MAINLINE
- EXISTING STREET/TRAFFIC SIGN
- EXISTING WATER METER
- TELEPHONE BOX
- ELECTRIC BOX

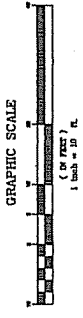
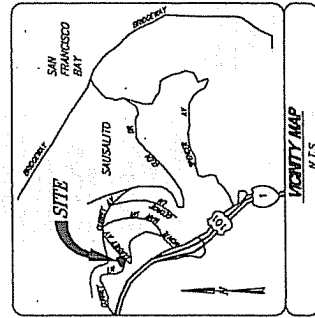
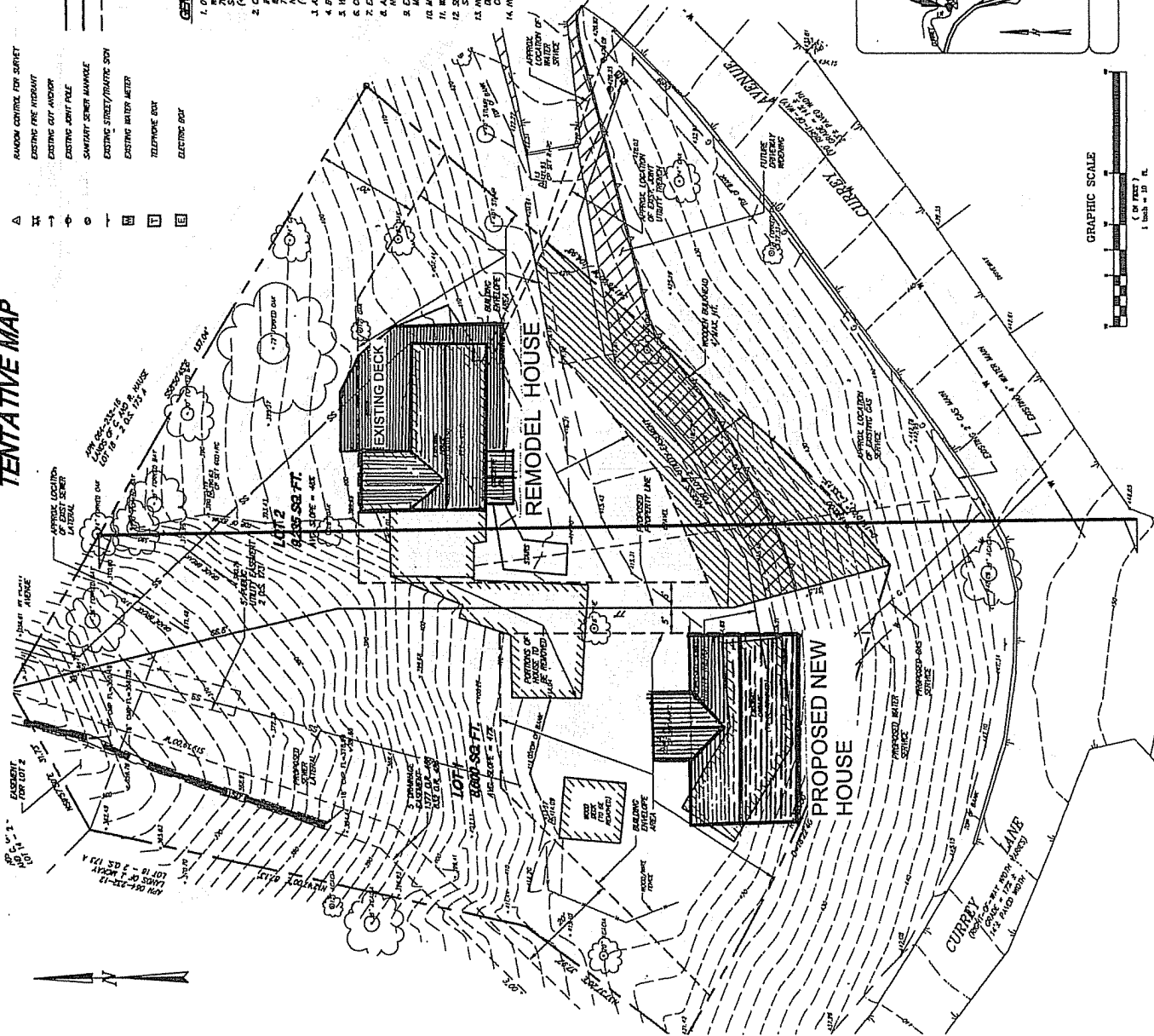
- EXISTING ROSE
- EXISTING CONTAINERS
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- BEADING ENVELOPE LINE
- EXISTING EDGE OF PAVEMENT
- ASPHALT CONCRETE
- OFFICIAL SURVEY
- OFFICIAL RECORDS

### GENERAL NOTES

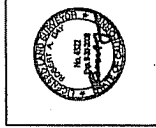
1. OWNER & SUBSEDER: MEL AND LAURA REBERSON, 160 CURRY AVENUE, SAN FRANCISCO, CA 94117 (415) 681-6554
2. CIVIL ENGINEER: ERIC S. STERNBERG, 75 CALLE DRIVE, SAN FRANCISCO, CA 94117 (415) 551-2000
3. ASSessor's PARCEL NUMBER: 064-232-11
4. PREVIOUSLY BASED ON FIELD SURVEY
5. VERTICAL CURVE ON ROAD: 24.53' V.C.
6. EXISTING & PROPOSED USE: RESIDENTIAL
7. EXISTING & PROPOSED ZONING: R-1
8. AREAS SUBJECT TO REGULATION OR STORM WATER OVERFLOW: NONE
9. EXISTING ZONING: R-1 (400 SQ. FT. MINIMUM LOT AREA)
10. MAXIMUM BEADING HEIGHT: 3'
11. WATER: MARY MANUEL WATER DIST.
12. SEWER: CALIFORNIA LOT SANITARY DIST.
13. NO TREE PLANTING OR IMPROVEMENTS ARE PROPOSED, EXCEPT TO BE NEAR TO 18" WET RESIDENCE ON LOT 1
14. NO PUBLIC AREAS PROPOSED.

### CITY OF SUSQUITO REQUIREMENTS

- PROPOSED TO RECORDING PARCEL MAP
1. That the applicant has obtained all the necessary permits for all the proposed improvements from the appropriate agencies for each lot.
  2. That the applicant has obtained all the necessary permits for all the proposed improvements from the appropriate agencies for each lot.
  3. That the applicant has obtained all the necessary permits for all the proposed improvements from the appropriate agencies for each lot.
  4. All maps on the site (both lot and lot 2) in excess of 2' shall be reviewed by an engineering geologist and geotechnical engineer and shall be reviewed and approved by the City Engineer. The City Engineer shall be notified in writing of the proposed improvements and shall be notified of any geotechnical or geologic hazards that may be present on the site.
  5. The Parcel Map shall identify the owner of the property, the proposed improvements, the proposed utility facilities, and the proposed easements. The proposed improvements shall be described as a complete set of drawings and shall be reviewed and approved by the City Engineer.
  6. A performance bond shall be established for each lot with the City Engineer. The performance bond shall be in the amount of the estimated cost of the proposed improvements and shall be payable to the City Engineer.



- FOR TO ASSURE OF A BUILDING PERMIT
1. All utility lines shall be located to provide at least 0.5 feet of clearance above the roadway surface and to the rear and side of the roadway. The utility lines shall be no more than 10 feet from the roadway surface and no more than 10 feet from the roadway surface.
  2. Utility lines shall be located to provide at least 0.5 feet of clearance above the roadway surface and to the rear and side of the roadway. The utility lines shall be no more than 10 feet from the roadway surface and no more than 10 feet from the roadway surface.
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  7. Utility lines shall be located to provide at least 0.5 feet of clearance above the roadway surface and to the rear and side of the roadway. The utility lines shall be no more than 10 feet from the roadway surface and no more than 10 feet from the roadway surface.
  8. Utility lines shall be located to provide at least 0.5 feet of clearance above the roadway surface and to the rear and side of the roadway. The utility lines shall be no more than 10 feet from the roadway surface and no more than 10 feet from the roadway surface.
  9. Utility lines shall be located to provide at least 0.5 feet of clearance above the roadway surface and to the rear and side of the roadway. The utility lines shall be no more than 10 feet from the roadway surface and no more than 10 feet from the roadway surface.



**ILS ASSOCIATES, INC.**  
 CIVIL ENGINEERING AND LAND SURVEYING  
 160 CURRY AVENUE  
 SAN FRANCISCO, CA 94117  
 (415) 681-6554

**REYLOCK**  
 160 CURRY AVENUE  
 SAN FRANCISCO, CA 94117  
 (415) 681-6554

**SUSQUITO TENTATIVE MAP SECTION**

DATE: 08-22-11  
 SHEET NO. 2 OF 2

SA 15

# EXHIBIT E

# TENTATIVE MAP

## LEGEND

- ▲ RANDOM CONTROL FOR SURVEY
- EXISTING FIRE HYDRANT
- EXISTING CUT ANCHOR
- EXISTING UTILITY POLE
- SANITARY SEWER MANHOLE
- EXISTING STREET/TRAFFIC SIGN
- EXISTING WATER METER
- TELEPHONE BOX
- EXISTING POLE

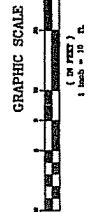
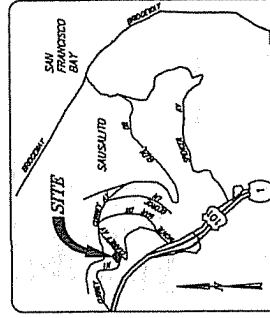
- EXISTING FENCE
- EXISTING CONTIGUOUS
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- BUILDING ENVELOPE LINE
- EXISTING EDGE OF PAVEMENT
- ASPHALT CONCRETE
- OFFICIAL SURVEY
- OFFICIAL RECORDS

### GENERAL NOTES

- OWNER & SUBMITTER: MEL AND LARA REYLOCK, 160 GARREY AVENUE, SUITE 100, SAN FRANCISCO, CA 94117, (415) 681-8550
- CITY ENGINEER: RICHARD L. SCHWARTZ, C.E., 75 CALIF. DRIVE, SUITE 100, SAN FRANCISCO, CA 94102
- EXISTING PARCEL MAP: 094-232-11
- APPROXIMATE ALIGNED OF RECORD SURVEY
- APPROXIMATE ALIGNED OF RECORD SURVEY
- CERTAIN FEDERAL ZONING
- APPROXIMATE PROPOSED USE: RESIDENTIAL
- APPROXIMATE SUBJECT TO REGULATION OF STATE WATER OVERFLOW
- EXISTING ZONING: R-1 (4400 SQ. FT. MINIMUM LOT AREA)
- APPROXIMATE MAXIMUM BUILDING HEIGHT: 32 FT.
- WATER: MARIN MUNICIPAL WATER DIST.
- SEWER: CITY OF Sausalito AND Sausalito-MARIN CITY SANITARY DIST.
- NO FIRE PLUMBING OR GAS PLUMBING IS PROPOSED TO BE CONSTRUCTED ON LOT 1
- NO PUBLIC AREAS PROPOSED

### CITY OF SAUSALITO REQUIREMENTS

- That the applicant secure necessary permits for other buildings and structures on the site.
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- That the applicant secure necessary permits for other buildings and structures on the site.



**IS ASSOCIATES, INC.**  
 CIVIL ENGINEERING AND LAND SURVEYING  
 79 CALIF. DRIVE, SUITE A, MARIN, CA 94901-0101 (415) 925-3222 FAX (415) 925-7025  
 SAUSALITO  
 160 GARREY AVENUE  
 LOT 17 - 2 & 13 & 14  
 CALIFORNIA  
 94968-0788  
**TENTATIVE MAP SECTION**

**EXHIBIT F**

SA 16

**DRAFT RESOLUTION NO. 2008 - 02**

**RESOLUTION OF THE SAUSALITO PLANNING COMMISSION DENYING WITHOUT PREJUDICE TENTATIVE MAP AND SUBDIVISION APPLICATION NO. TM 05-047 FOR THE SUBDIVISION OF THE PARCEL LOCATED AT 160 CURREY AVENUE (APN 064-232-11) INTO TWO LOTS**

---

**WHEREAS**, an application for a Minor Subdivision was filed on September 28, 2005 by property owner and applicant Will Revilock, requesting Planning Commission approval of Minor Subdivision to subdivide the existing parcel at 160 Currey Avenue (APN 064-232-11) into two lots; and

**WHEREAS**, the Planning Commission has conducted duly noticed public meetings on October 11, 2006, June 6, 2007, November 7, 2007, November 28, 2007, and January 9, 2008 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 has reviewed and considered project plans and tentative map titled "Revilock 160 Currey Avenue", date stamped received on September 27, 2007; and

**WHEREAS**, the Planning Commission has determined that the proposed subdivision is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315(k); 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 October 11, 2006, June 6, 2007, November 7, 2007, November 28, 2007, and January 9, 2008 staff reports for the proposed project; and

**WHEREAS** the Planning Commission finds that the proposed project does not comply with the requirements of the California Subdivision Map Act, Zoning Code and Subdivision Ordinance requirements as outlined in the staff report and the findings in this resolution; and

**WHEREAS**, the Planning Commission finds that the proposed project does not comply with the General Plan, as outlined in the findings in this resolution.

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

1. The Tentative Map for the proposed subdivision is denied as outlined in the attached findings (Attachment A).
2. The Tentative Map is denied, for project plans titled "Revilock 160 Currey Avenue", date stamped received on September 27, 2007 (Attachment B).

**RESOLUTION PASSED AND ADOPTED**, at the regular meeting of the Sausalito Planning

Commission on the 9th day of January 2008, by the following vote:

AYES:	Commissioner:	Keller, Kellman
NOES:	Commissioner:	Peterson, Bair
ABSENT:	Commissioner:	Bossio
ABSTAIN:	Commissioner:	

  
**SECRETARY TO THE PLANNING COMMISSION**



PLANNING COMMISSION HEARING  
January 9, 2008  
APPLICATION NO. TM 05-047  
160 CURREY AVENUE

ATTACHMENT A: FINDINGS

**SUBDIVISION ORDINANCE FINDINGS**

A) The size and shape of lots shall be such as is proper for the locality in which the subdivision is situated. All lots must be adequately drained.

*Though the subdivision would create two lots greater than 8,000 square feet in area, the findings cannot be made that new lots created will be consistent with the surrounding neighborhood. The applicant has not submitted evidence of drainage and sewer easements across 15 Toyon Lane or 19 Toyon Lane. The applicant must demonstrate the possession of property rights to discharge additional runoff and sewer across offsite private property before connection to a publicly maintained drainage system. The applicant however has not demonstrated how the lot split will provide adequate drainage in the future.*

B) In a subdivision in which the lots may be resubdivided at some future time, the location of lot lines and other details of layout shall be such that resubdivision may readily take place without violating the requirements of this Ordinance of the Zoning Ordinance and without interfering with the orderly extension of adjacent streets and highways.

*The minimum parcel size in the R-1-8 Zoning District where the subject parcel is located is 8,000 square feet. Both proposed parcels are larger than the minimum parcel standards for the R-8 Zoning District. After subdivision, the parcels could no longer be eligible to be re-subdivided.*

C) Lots with less than thirty feet of frontage on a street will not be permitted.

*The two new lots would provide more than thirty feet of frontage on the street.*

D) The side lines of lots will be required to run at right angles to the street upon which the lot faces, as far as practicable.

*The proposed parcel subdivision line does not run at a right angle to the street, as the proposed location of the subdivision line intersects the corner where two streets meet; therefore, the finding can not be made.*

E) All lots shall be suitable for the purposes for which they are intended to be sold, and no dangerous areas, or areas subject to inundation may be subdivided for residential purposes.

*Although the newly created parcel would be of a size that satisfies the City's minimum parcel size requirements, substantial information has not been submitted to identify the future purposes of the lot, and the Planning Commission is unable to determine if the subdivision will result in an additional buildable lot for future site development.*

## SUBDIVISION MAP ACT FINDINGS

Pursuant to California Government Code Section 66474 (Subdivision Map Act), it has been found that the requested minor subdivision may not be issued based on the following findings:

A) That the proposed map is consistent with applicable general and specific plans.

*The proposed subdivision is consistent with intended land use and density of the Sausalito General Plan and the Sausalito Municipal Code minimum lot and density standards. However, the project is not consistent with General Plan Objective LU-7.0 to assure sufficient infrastructure capacity for present and future needs, due to the absence of evidence demonstrating rights for off-site drainage and sewer easements.*

B) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*The design and improvements of the proposed subdivision is not consistent with the Sausalito General Plan Objective LU-7.0, as it does not demonstrate infrastructure capacity for drainage and sewer. All other aspects of the design and improvements are consistent with the applicable sections of the Sausalito Municipal Code and General Plan. The two parcels proposed would comply with minimum parcel standards as outlined in Zoning Ordinance Section 10.40.030.B.*

C) That the site is not physically suitable for the type of development.

*No new development is proposed as part of this subdivision. The size, topography and physical constraints of Lot 1 would allow for the use of the property for a single-family home envisioned by the General Plan. A code compliant driveway could be installed to serve a new home at Lot 1, and the lot could reasonably accommodate a new single-family home which would not require variances or undesirable encroachments into the public right-of-way. Due to the location of the parcel relative to adjacent properties and structures, development on the lot is also unlikely to result in unavoidable view, privacy and light/air impacts. As noted in the City Engineer's memoranda, due to the applicant deferring key land right issues of drainage and sewer, staff can not analyze the application to determine if the site is suitable for development. A lack of development plan created such a situation where potential upgrades to public improvements were marginalized. No consideration was possible for future sidewalks or other improvements without consideration of intensification of use.*

D) That the site is physically suitable for the proposed density of the development.

*The project site is identified in the General Plan as an area for low-density single-family development. The proposed subdivision would create two lots, each of which are greater than 8,000 square feet in parcel area. No new development is proposed as part of this subdivision. As explained in the response to Finding C above, Lot 1 would be suitable for the development of a single-family home should such development be proposed in the future.*

E) That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their

habitat.

*No new construction is proposed as part of the subdivision. There will be no construction-related environmental impacts.*

F) That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

*No element of the subdivision design or proposed improvements has been identified as a probable cause to public health problems. The proposed subdivision would create two lots within a residential neighborhood. Future development on Lot 1, which would be vacant, is not anticipated to result in a serious adverse public health impacts.*

G) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction.

*A five-foot public utility easement and five-foot drainage easement are located within proposed Lot 1 and Lot 2. These easements are located at the rear of the property in a steeply sloping portion of the parcels not suitable for development. The proposed subdivision will not conflict with these easements.*


PLANNING COMMISSION HEARING  
January 9, 2008  
APPLICATION NO. TM 05-047  
160 CURREY AVENUE

ATTACHMENT B: PLANS

RECEIVED

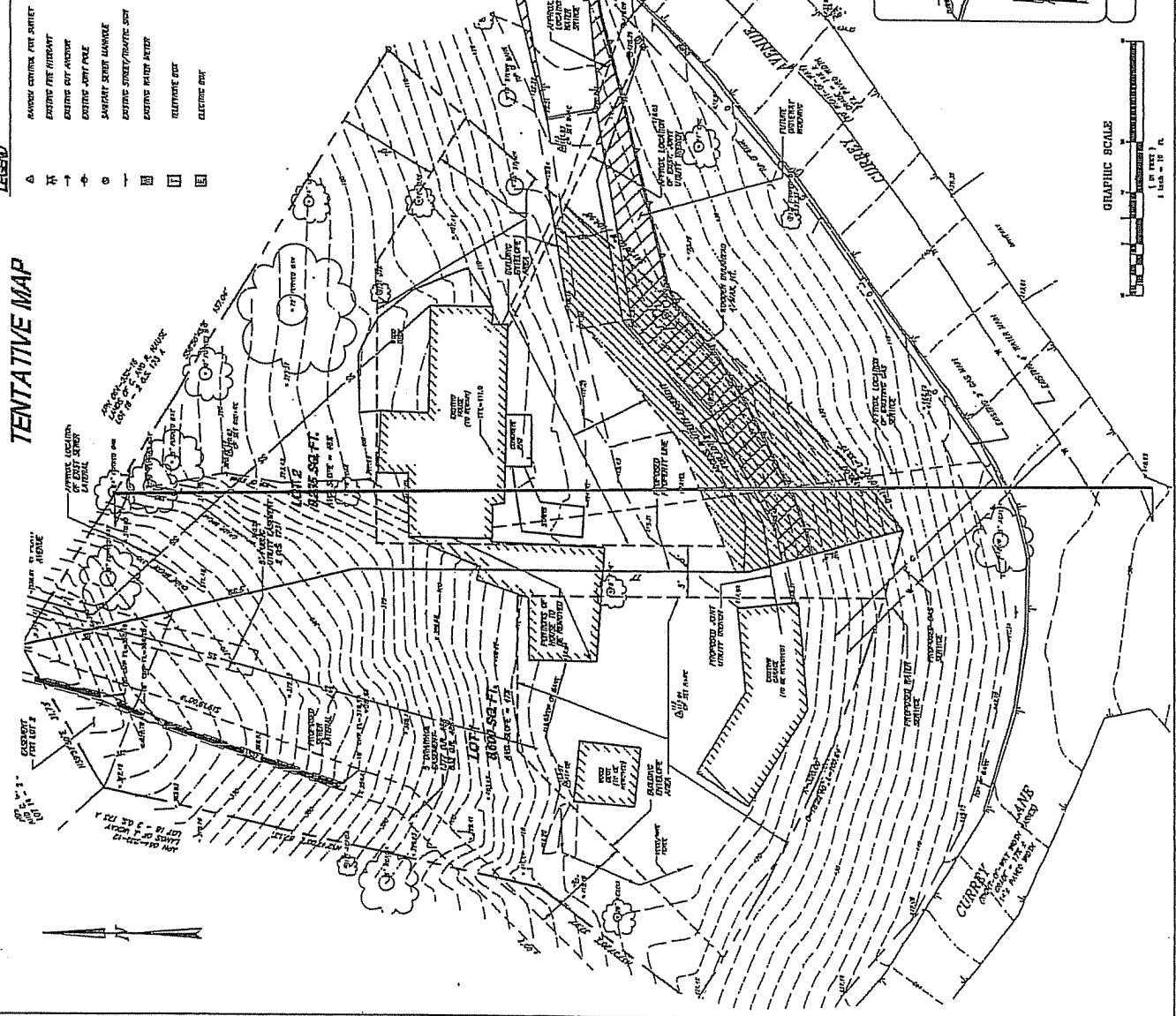
SEP 27 2007

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT DEPT

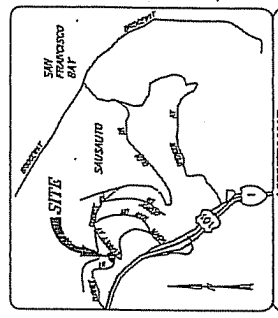

  
**ILS ASSOCIATES, INC.**  
 CIVIL ENGINEERS AND LAND SURVEYORS  
 160 CORNER AVENUE  
 SAUSALITO, CALIFORNIA 94965  
 TEL: 415-452-1200 FAX: 415-452-1201  
 WWW.ILS-ASSOCIATES.COM

**TENTATIVE MAP SECTION**  
 MAP NO. 21  
 PREPARED BY  
 ILS ASSOCIATES, INC.

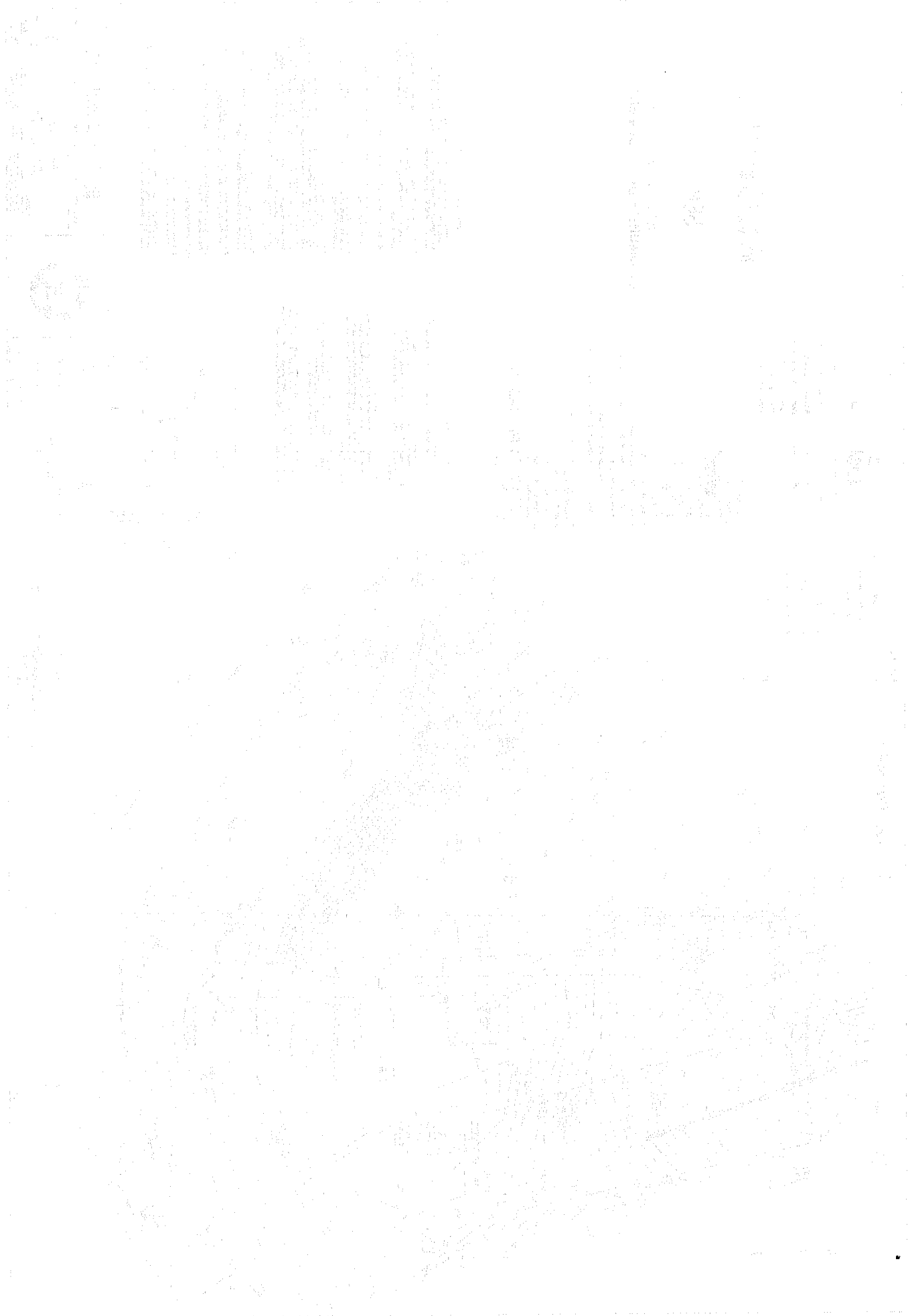
- LEGEND**
- ▲ ARROW CONTAINING PART SHARED
  - ▬ EXISTING FIRE ALARM CABINET
  - ▬ EXISTING CITY AVENUE
  - ▬ EXISTING CITY PAVE
  - ▬ EXISTING STREET LIGHTS
  - ▬ EXISTING STREET LIGHTS
  - ▬ EXISTING WATER METER
  - ▬ TELEPHONE POLE
  - ▬ ELECTRIC POLE
- EXISTING LINE**
- ▬ EXISTING CONTROLS
  - ▬ EXISTING PROPERTY LINE
  - ▬ PROPOSED PROPERTY LINE
  - ▬ EXISTING DRIVEWAY LINE
  - ▬ EXISTING SIDE OF HIGHWAY
  - ▬ ASPHALT DRIVEWAY
  - ▬ OTHER DRIVEWAY
- GENERAL NOTES**
1. OWNER & ENGINEER: ILS ASSOCIATES, INC. 160 CORNER AVENUE SAUSALITO, CA 94965 TEL: 415-452-1200 FAX: 415-452-1201 WWW.ILS-ASSOCIATES.COM
  2. CITY ENGINEER: CITY ENGINEER, CITY OF SAUSALITO, 100 CORNER AVENUE SAUSALITO, CA 94965 TEL: 415-452-1200 FAX: 415-452-1201
  3. ASSOCIATE ENGINEER: ASSOCIATE ENGINEER, ILS ASSOCIATES, INC. 160 CORNER AVENUE SAUSALITO, CA 94965 TEL: 415-452-1200 FAX: 415-452-1201
  4. PROPERTY BASED ON FIELD SURVEY.
  5. TYPICAL DATA IS CITY OF SAUSALITO DIV. 24, D. 24.12.12.12.12.
  6. CONTAINS & PROPOSED USE: RESIDENTIAL.
  7. ALL NEW SUBJECT TO APPROVAL BY CITY ENGINEER.
  8. EXISTING RECORDS: SEE 24.12.12.12.12.12.
  9. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY ENGINEER'S ORDINANCES.
  10. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY ENGINEER'S ORDINANCES.
  11. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY ENGINEER'S ORDINANCES.
  12. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY ENGINEER'S ORDINANCES.
  13. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY ENGINEER'S ORDINANCES.
  14. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CITY ENGINEER'S ORDINANCES.



- CITY OF SAUSALITO REQUIREMENTS**
1. That the applicant secure all necessary permits for the proposed project.
  2. That the applicant secure all necessary permits for the proposed project.
  3. That the applicant secure all necessary permits for the proposed project.
  4. That the applicant secure all necessary permits for the proposed project.
  5. That the applicant secure all necessary permits for the proposed project.
  6. That the applicant secure all necessary permits for the proposed project.
  7. That the applicant secure all necessary permits for the proposed project.
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  9. That the applicant secure all necessary permits for the proposed project.
  10. That the applicant secure all necessary permits for the proposed project.
  11. That the applicant secure all necessary permits for the proposed project.
  12. That the applicant secure all necessary permits for the proposed project.
  13. That the applicant secure all necessary permits for the proposed project.
  14. That the applicant secure all necessary permits for the proposed project.



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# STAFF REPORT

## SAUSALITO PLANNING COMMISSION

Agenda Item Number 2

**PROJECT:** TM 05-047; 160 Currey Avenue/ APN 064-232-11

**MEETING DATE:** January 9, 2008

**STAFF:** Debra Lutske, Assistant Planner

**OWNER/APPLICANT:** Will S. Revilock

### REQUEST

The applicant and property owner, Will Revilock, requests Planning Commission approval of a Tentative Map to subdivide the existing 17,835 square foot parcel at 160 Currey Avenue into two parcels. The project would also involve the demolition of portions of an existing house, a wood deck, and an existing garage.

### SUMMARY

On November 7, 2007, the Planning Commission voted to deny the application with comments that the applicant had not demonstrated drainage rights to discharge additional runoff and sewer along adjacent properties, the subdivision would create an irregular shape, and the subdivision would be outside of the neighborhood's character. Staff returned with a draft resolution on November 28, 2007, which was subsequently continued to the next meeting. Attached is the draft resolution of denial for consideration by the Planning Commission, (Exhibit 1).

### EXHIBITS

1. Draft Resolution of Denial
2. November 7, 2007 Staff Report

**DRAFT RESOLUTION NO. 2008**

**RESOLUTION OF THE SAUSALITO PLANNING COMMISSION DENYING WITHOUT PREJUDICE TENTATIVE MAP AND SUBDIVISION APPLICATION NO. TM 05-047 FOR THE SUBDIVISION OF THE PARCEL LOCATED AT 160 CURREY AVENUE (APN 064-232-11) INTO TWO LOTS**

---

**WHEREAS**, an application for a Minor Subdivision was filed on September 28, 2005 by property owner and applicant Will Revilock, requesting Planning Commission approval of Minor Subdivision to subdivide the existing parcel at 160 Currey Avenue (APN 064-232-11) into two lots; and

**WHEREAS**, the Planning Commission has conducted duly noticed public meetings on October 11, 2006, June 6, 2007, November 7, 2007, November 28, 2007, and January 9, 2008 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 has reviewed and considered project plans and tentative map titled "Revilock 160 Currey Avenue", date stamped received on September 27, 2007; and

**WHEREAS**, the Planning Commission has determined that the proposed subdivision is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315(k); 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 October 11, 2006, June 6, 2007, November 7, 2007, November 28, 2007, and January 9, 2008 staff reports for the proposed project; and

**WHEREAS** the Planning Commission finds that the proposed project does not comply with the requirements of the California Subdivision Map Act, Zoning Code and Subdivision Ordinance requirements as outlined in the staff report and the findings in this resolution; and

**WHEREAS**, the Planning Commission finds that the proposed project does not comply with the General Plan, as outlined in the findings in this resolution.

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

1. The Tentative Map for the proposed subdivision is denied as outlined in the attached findings (Attachment A).
2. The Tentative Map is denied, for project plans titled "Revilock 160 Currey Avenue", date stamped received on September 27, 2007 (Attachment B).

**RESOLUTION PASSED AND ADOPTED**, at the regular meeting of the Sausalito Planning



Commission on the 9th day of January 2008, by the following vote:

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

**SECRETARY TO THE PLANNING COMMISSION**

PLANNING COMMISSION HEARING

January 9, 2008

APPLICATION NO. TM 05-047

160 CURREY AVENUE

ATTACHMENT A: FINDINGS

**SUBDIVISION ORDINANCE FINDINGS**

A) The size and shape of lots shall be such as is proper for the locality in which the subdivision is situated. All lots must be adequately drained.

*Though the subdivision would create two lots greater than 8,000 square feet in area, the findings cannot be made that new lots created will be consistent with the surrounding neighborhood. The applicant has not submitted evidence of drainage and sewer easements across 15 Toyon Lane or 19 Toyon Lane. The applicant must demonstrate the possession of property rights to discharge additional runoff and sewer across offsite private property before connection to a publicly maintained drainage system. The applicant however has not demonstrated how the lot split will provide adequate drainage in the future.*

B) In a subdivision in which the lots may be resubdivided at some future time, the location of lot lines and other details of layout shall be such that resubdivision may readily take place without violating the requirements of this Ordinance of the Zoning Ordinance and without interfering with the orderly extension of adjacent streets and highways.

*The minimum parcel size in the R-1-8 Zoning District where the subject parcel is located is 8,000 square feet. Both proposed parcels are larger than the minimum parcel standards for the R-8 Zoning District. After subdivision, the parcels could no longer be eligible to be re-subdivided.*

C) Lots with less than thirty feet of frontage on a street will not be permitted.

*The two new lots would provide more than thirty feet of frontage on the street.*

D) The side lines of lots will be required to run at right angles to the street upon which the lot faces, as far as practicable.

*The proposed parcel subdivision line does not run at a right angle to the street, as the proposed location of the subdivision line intersects the corner where two streets meet; therefore, the finding can not be made.*

E) All lots shall be suitable for the purposes for which they are intended to be sold, and no dangerous areas, or areas subject to inundation may be subdivided for residential purposes.

*Although the newly created parcel would be of a size that satisfies the City's minimum parcel size requirements, substantial information has not been submitted to identify the future purposes of the lot, and the Planning Commission is unable to determine if the subdivision will result in an additional buildable lot for future site development.*

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## SUBDIVISION MAP ACT FINDINGS

Pursuant to California Government Code Section 66474 (Subdivision Map Act), it has been found that the requested minor subdivision may not be issued based on the following findings:

A) That the proposed map is consistent with applicable general and specific plans.

*The proposed subdivision is consistent with intended land use and density of the Sausalito General Plan and the Sausalito Municipal Code minimum lot and density standards. However, the project is not consistent with General Plan Objective LU-7.0 to assure sufficient infrastructure capacity for present and future needs, due to the absence of evidence demonstrating rights for off-site drainage and sewer easements.*

B) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*The design and improvements of the proposed subdivision is not consistent with the Sausalito General Plan Objective LU-7.0, as it does not demonstrate infrastructure capacity for drainage and sewer. All other aspects of the design and improvements are consistent with the applicable sections of the Sausalito Municipal Code and General Plan. The two parcels proposed would comply with minimum parcel standards as outlined in Zoning Ordinance Section 10.40.030.B.*

C) That the site is not physically suitable for the type of development.

*No new development is proposed as part of this subdivision. The size, topography and physical constraints of Lot 1 would allow for the use of the property for a single-family home envisioned by the General Plan. A code compliant driveway could be installed to serve a new home at Lot 1, and the lot could reasonably accommodate a new single-family home which would not require variances or undesirable encroachments into the public right-of-way. Due to the location of the parcel relative to adjacent properties and structures, development on the lot is also unlikely to result in unavoidable view, privacy and light/air impacts. As noted in the City Engineer's memoranda, due to the applicant deferring key land right issues of drainage and sewer, staff can not analyze the application to determine if the site is suitable for development. A lack of development plan created such a situation where potential upgrades to public improvements were marginalized. No consideration was possible for future sidewalks or other improvements without consideration of intensification of use.*

D) That the site is physically suitable for the proposed density of the development.

*The project site is identified in the General Plan as an area for low-density single-family development. The proposed subdivision would create two lots, each of which are greater than 8,000 square feet in parcel area. No new development is proposed as part of this subdivision. As explained in the response to Finding C above, Lot 1 would be suitable for the development of a single-family home should such development be proposed in the future.*

E) That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their

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habitat.

*No new construction is proposed as part of the subdivision. There will be no construction-related environmental impacts.*

F) That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

*No element of the subdivision design or proposed improvements has been identified as a probable cause to public health problems. The proposed subdivision would create two lots within a residential neighborhood. Future development on Lot 1, which would be vacant, is not anticipated to result in a serious adverse public health impacts.*

G) That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction.

*A five-foot public utility easement and five-foot drainage easement are located within proposed Lot 1 and Lot 2. These easements are located at the rear of the property in a steeply sloping portion of the parcels not suitable for development. The proposed subdivision will not conflict with these easements.*

PLANNING COMMISSION HEARING  
January 9, 2008  
APPLICATION NO. TM 05-047  
160 CURREY AVENUE

ATTACHMENT B: PLANS

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RECEIVED

SEP 27 2007

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT DEPT

**REVLICK**  
100 CURRIE AVENUE  
Sausalito, CA 94965

**ILS ASSOCIATES, INC.**  
12500 BAYVIEW DRIVE, SUITE 100, SAN DIEGO, CA 92126

**TENTATIVE MAP SECTION**

DATE: 09/27/07  
PROJECT: 07-000000-001



# TENTATIVE MAP

## LEGEND

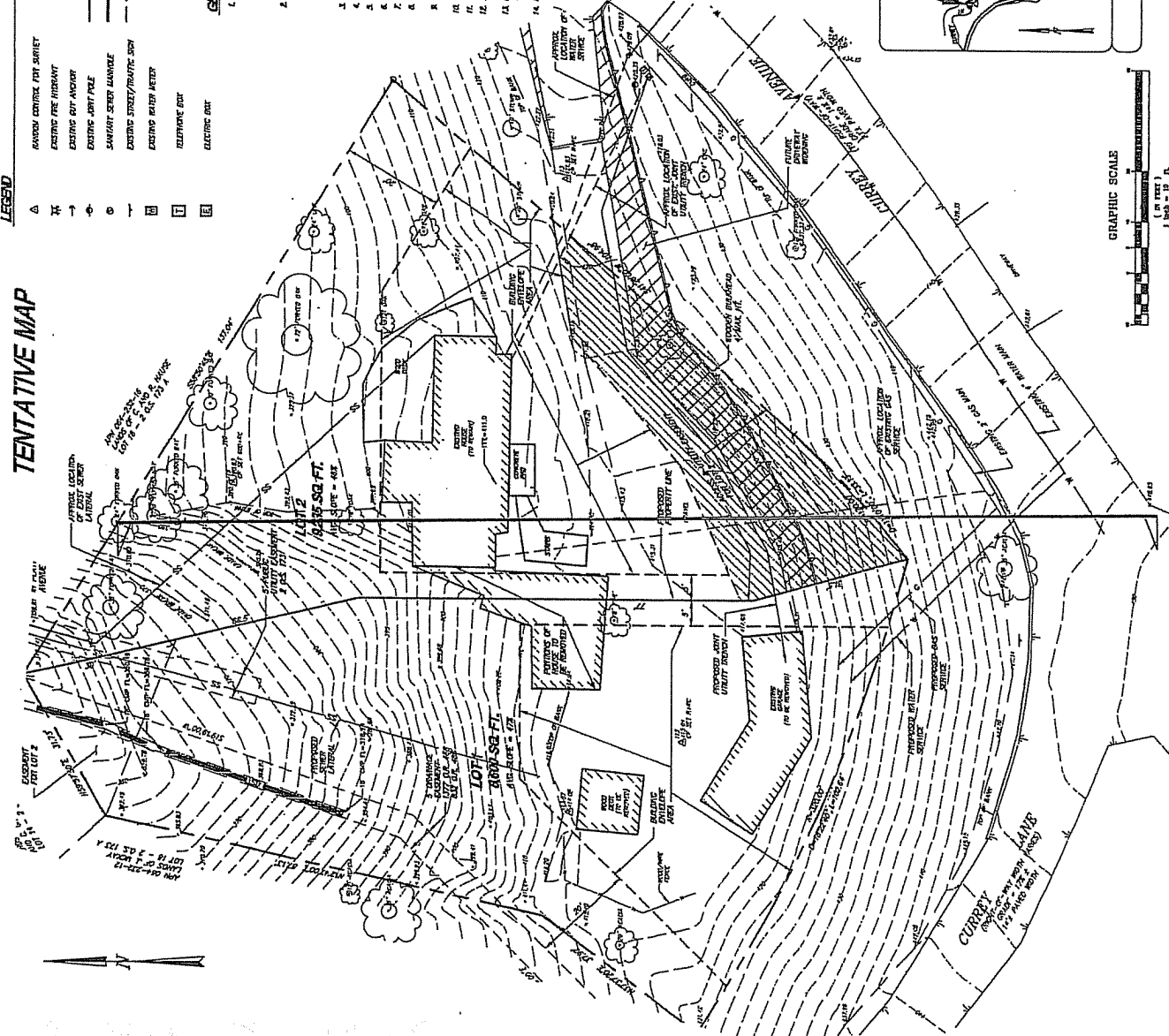
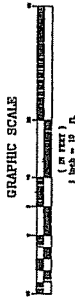
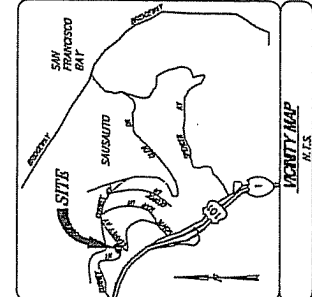
- EXISTING FIRE HYDRANT
- EXISTING FIRE ALARM
- EXISTING LOT PALE
- EXISTING STREET MARKING
- EXISTING DRIVE/PARKING SIGN
- EXISTING WATER METER
- TELEPHONE BOX
- ELECTRIC BOX
- EXISTING FIRE
- EXISTING CONTIGUOUS
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- BUILDING ENVELOPE LINE
- EXISTING EDGE OF PAVEMENT
- ASPHALT CONCRETE
- CURB STREET
- OPTICAL RECORDS

### GENERAL NOTES

- OWNER & SURVEYORS: HILL AND LAUREL REALTY CO., 2500 CALIFORNIA AVENUE, Sausalito, CA 94965 (415) 981-5838
- DATE: 09/27/07
- PROJECT: 07-000000-001
- ASSESSOR'S PARCEL NUMBER: 06A-22-11
- APPROVED BY: CITY OF SAUSALITO, 201 W. PALACE BLVD.
- CONTINGENT FUTURE USE: RESIDENTIAL
- EXISTING & PROPOSED USE: RESIDENTIAL
- AREAS SUBJECT TO REGULATION OR STATE WATER DIVISION
- EXISTING ZONING: R-1 (RESIDENTIAL)
- MINIMUM LOT AREA: 10,000 SQ. FT.
- MINIMUM LOT WIDTH: 100 FT.
- MINIMUM LOT DEPTH: 100 FT.
- MINIMUM LOT FRONT SETBACK: 10 FT.
- MINIMUM LOT SIDE SETBACK: 10 FT.
- MINIMUM LOT REAR SETBACK: 10 FT.
- NO NEW PLANTING OR IMPROVEMENTS ARE PROPOSED.
- NO NEW UTILITIES ARE PROPOSED.
- NO PUBLIC AREAS PROPOSED.

### CITY OF SAUSALITO REQUIREMENTS

1. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
2. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
3. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
4. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
5. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
6. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
7. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
8. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
9. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
10. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
11. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
12. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
13. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.
14. The applicant must provide a site plan showing the location of all proposed structures and other improvements on the site.



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# STAFF REPORT

## SAUSALITO PLANNING COMMISSION

Agenda Item Number 5

**PROJECT:** TM 05-047; 160 Currey Avenue/ APN 064-232-11

**MEETING DATE:** November 7, 2007

**STAFF:** Debra Lutske, Assistant Planner

**OWNER/APPLICANT:** Will S. Revilock

### REQUEST

The applicant and property owner, Will Revilock, requests Planning Commission approval of a Tentative Map to subdivide the existing 17,835 square foot parcel at 160 Currey Avenue into two parcels. The project would also involve the demolition of portions of an existing house, a wood deck, and an existing garage.

### REGULATORY FRAMEWORK

**Zoning:** R-1-8 Single-family Residential (Low Density Residential)

**General Plan:** "Toyon Terraces" Planning area

**CEQA:** Categorically Exempt pursuant to CEQA Guidelines Section 15315

**Required Permits:** Tentative Map and Design Review

### EXISTING SETTING

**Neighborhood:** The neighborhood consists of single-family homes on larger lots as allowed by zoning.

**Subject Parcels:** The existing parcel at 160 Currey is approximately 17,835 square feet in area. It is a corner parcel at the intersection of Currey Avenue, Currey Lane and Crescenta Drive. The parcel is currently occupied by an approximately 1,300 square-foot single-family home, detached garage, and detached wood deck. Vehicular access to the site is provided via a driveway from Currey Avenue. The rear of the parcel is steeply sloped with several precipitous grade breaks. A man-made culvert that encloses a natural watercourse is also located at the rear of the parcel.

### BACKGROUND

During the most recent Planning Commission hearing June 6, 2007, the Commission reviewed the subject application for the division of a 17,835 square foot parcel into two lots. (June 6, 2007 Staff Report attached). The Planning Commission expressed their continued concern that the proposed

subdivision lacked the submittal of a development application. Members of the public in attendance expressed concern with the project stating that the application had not identified the location of existing and proposed sanitary sewers, including side sewers storm sewers, gas, water, power, and telephone lines and other public utilities and the approximate width and location of all easements required for same.

Following the close of the public hearing, the Commission requested the following:

1. The Tentative Map identify "the location of existing and proposed sanitary sewers, including side sewers storm sewers, gas, water, power, and telephone lines and other public utilities and the approximate width and location of all easements required for same."<sup>1</sup>

Since that time, the applicant has provided the requested information.

## **ANALYSIS**

**Location of all existing and proposed public utilities** – For subdivision applications, applicants are not required to submit information with regards to the locations of all existing and proposed public utilities until the final map is submitted. However, due to the amount of public concern, the Commission has requested that the applicant submit utility information during the Tentative Map stage.

Since the last public hearing, the applicant has submitted the requested information to the Engineering Department for review. Staff has determined that submitted information satisfies the Planning Commission's request. Please refer to the October 4, 2007 Memorandum created by the City Engineer, Todd Teachout.

Staff also requested that the applicant submit a checklist identifying all Subdivision requirements and information identifying how the application complies with each. The submitted information includes Tentative Map requirements, Statement for the Tentative Map, a copy of the Tentative Map, and the existing ground section.

## **Neighborhood Concerns**

On June 18, 2007 a letter was submitted to staff by John Nunnelle and Pat Glagola. The letter identified concerns of the proposal regarding the driveway access, hillside stability, vegetation screening, protection of trees and view, and future development of the properties. The letter has been included for the Commission's review.

On June 19, 2007 Charles Donald also submitted a letter in opposition to the project. In his letter he addressed the issues of neighborhood preservation, vehicle parking, and internal circulation. A letter and drawing, submitted by Charles Donald, have been included for the Commission's review.

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<sup>1</sup> City of Sausalito: Subdivision Ordinance. Ordinance No. 430. Page 8 Section VII: Tentative Map (a)(7).

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**PUBLIC NOTICE AND FEEDBACK**

**Neighborhood Outreach:**

**Notice:** 10 days prior to the hearing date, notice of this proposal was posted and mailed to all residents and property owners within 300 feet of the subject parcel.

**Written feedback:** Staff has received two letters from the community. The letters are attached for the Commission's Review.

**STAFF CONCLUSION**

**Overall Staff Recommendation:** Staff recommends that the Commission approve the project as submitted subject to the attached draft resolution of approval. The Commission may:

- 1 Continue the application for additional information and/or project revisions.
- 2 Deny the application and direct Staff to return with a Resolution of denial at the Commission's November 28, 2007 meeting.

**EXHIBITS**

1. Resolution of Approval Approving Tentative Map and Design Review Permit No. TM DR 05-047 with Attachment A – Findings, Attachment B – Plans, and Attachment C – Conditions of Approval
2. Letter from applicant dated September 27, 2007
3. October 4, 2007 Engineering Memorandum
4. Letter of concern dated June 18, 2007
5. Letter of opposition dated June 19, 2007
6. June 6, 2007 Staff Report Packet

**DRAFT**  
**RESOLUTION NO. 2007-**

**RESOLUTION OF THE SAUSALITO PLANNING COMMISSION APPROVING A TENTATIVE  
MAP AND SUBDIVISION APPLICATION TM 05-047 FOR THE SUBDIVISION OF THE  
EXISTING PARCEL AT 160 CURREY AVENUE (APN 064-232-11) INTO TWO LOTS**

---

**WHEREAS**, an application for a Minor Subdivision was filed on September 28, 2005 by property owner and applicant Will Revilock, requesting Planning Commission approval of Minor Subdivision to subdivide the existing parcel at 160 Currey Avenue (APN 064-232-11) into two lots; and

**WHEREAS**, the Planning Commission has conducted duly noticed public meetings on October 11, 2006 and June 6, 2007, and November 7, 2007 in the manner prescribed by local ordinance, at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, the Planning Commission has reviewed and considered project plans and tentative map titled "Revilock 160 Currey Avenue", date stamped received on September 27, 2007; and

**WHEREAS**, the Planning Commission has determined that the proposed subdivision is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315(k); 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 October 11, 2006 and June 6, 2007, and November 7, 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 California Subdivision Map Act, Zoning Code and Subdivision Ordinance requirements as outlined in the staff report and this resolution; and

**WHEREAS**, the Planning Commission finds that, as conditioned herein, the proposed project complies with the General Plan as outlined in this resolution;

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

1. The Tentative Map for the proposed subdivision is approved as outlined in the attached findings (Attachment A).
2. The Tentative Map is approved, for project plans titled "Revilock 160 Currey Avenue", date stamped received on September 27, 2007 (Attachment B), subject to the attached conditions of approval (Attachment C).

**RESOLUTION PASSED AND ADOPTED**, at the regular meeting of the Sausalito Planning

Commission on the 7th day of November 2007, by the following vote:

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

SECRETARY TO THE PLANNING COMMISSION

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PLANNING COMMISSION HEARING  
November 7, 2007  
APPLICATION NO. TM 05-047  
160 CURREY AVENUE

ATTACHMENT A: FINDINGS

**1. SUBDIVISION ORDINANCE FINDINGS**

A) The size and shape of lots shall be such as is proper for the locality in which the subdivision is situated. All lots must be adequately drained.

*The subdivision creates two lots greater than 8,000 square feet in area that are regularly shaped to the extent feasible. The size and shape of these lots are consistent with the pattern of existing parcels in the immediate neighborhood. With the incorporation of the attached conditions of approval, storm water drainage from the parcels will be adequately addressed.*

B) In a subdivision in which the lots may be resubdivided at some future time, the location of lot lines and other details of layout shall be such that resubdivision may readily take place without violating the requirements of this Ordinance of the Zoning Ordinance and without interfering with the orderly extension of adjacent streets and highways.

*The minimum parcel size in the R-8 Zoning District where the subject parcel is located is 8,000 square feet. Both proposed parcels are larger than the minimum parcel standards for the R-8 Zoning District.*

C) Lots with less than thirty feet of frontage on a street will not be permitted.

*The two new lots provide more than thirty feet of frontage on the street.*

D) The side lines of lots will be required to run at right angles to the street upon which the lot faces, as far as practicable.

*The parcel lines intersect with one another and the street at right angles to the extent practicable. While all property lines do not intersect at a ninety-degree angle, staff believes the proposed configuration is optimal in regards to achieving the parcel standards as outlined above.*

E) All lots shall be suitable for the purposes for which they are intended to be sold, and no dangerous areas, or areas subject to inundation may be subdivided for residential purposes.

*The newly created parcel will be of a size that satisfies the City's minimum parcel size requirements and will result in a build-able envelope for future site development.*

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## 2. SUBDIVISION MAP ACT FINDINGS

Pursuant to California Government Code Section 66474 (Subdivision Map Act), it has been found that the requested minor subdivision may be issued based on the following findings:

A) That the proposed map is consistent with applicable general and specific plans.

*The proposed subdivision is consistent with applicable policies in the Sausalito General Plan and minimum lot and density standards as outlined in Title 10 of the Sausalito Municipal Code.*

B) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*The design and improvement of the proposed subdivision is consistent with the Sausalito General Plan and applicable sections of the Sausalito Municipal Code. The subdivision creates two parcels which comply with minimum parcel standards as outlined in Zoning Ordinance Section 10.40.030.B.*

C) That the site is physically suitable for the type of development.

*No new development is proposed as part of this subdivision. The size, topography and physical constraints of Lot 1 would allow for the use of the property for a single-family home envisioned by the General Plan. A code compliant driveway could be installed to serve a new home at Lot 1, and the lot could reasonably accommodate a new single-family home which would not require variances or undesirable encroachments into the public right-of-way. Development on the parcel is unlikely to result in significant environmental impacts that could not be mitigated. Due to the location of the parcel relative to adjacent properties and structures, development on the lot is also unlikely to result in unavoidable view, privacy and light/air impacts.*

D) That the site is not physically suitable for the proposed density of the development.

*The project site is identified in the General Plan as an area for low-density single-family development. The proposed subdivision would create two lots, each of which are greater than 8,000 square feet in parcel area. No new development is proposed as part of this subdivision. As explained in the response to Finding C above, Lot 1 would be suitable for the development of a single-family home should such development be proposed in the future.*

E) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

*No new construction is proposed as part of the subdivision. There will be no construction-related environmental impacts. Future development on the vacant Lot 1 is unlikely to result in significant environmental impacts that could not be mitigated.*

F) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

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No element of the subdivision design or proposed improvements has been identified as a probable cause to public health problems. The proposed subdivision would create two lots within a residential neighborhood. Future development on Lot 1, which would be vacant, is not anticipated to result in a serious adverse public health impacts.

G) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction.

A five-foot public utility easement and five-foot drainage easement are located within proposed Lot 1 and Lot 2. These easements are located at the rear of the property in a steeply sloping portion of the parcels not suitable for development. The proposed subdivision will not conflict with these easements.

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probable cause to public health problems. The proposed subdivision would create two lots within a residential neighborhood. Future development on Lot 1, which would be vacant, is not anticipated to result in a serious adverse public health impacts.

G) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction.

A five-foot public utility easement and five-foot drainage easement are located within proposed Lot 1 and Lot 2. These easements are located at the rear of the property in a steeply sloping portion of the parcels not suitable for development. The proposed subdivision will not conflict with these easements.

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PLANNING COMMISSION HEARING

November 7, 2007

APPLICATION NO. TM 05-047

160 CURREY AVENUE

ATTACHMENT C: CONDITIONS OF APPROVAL

1. Approval of this Application is limited to the project plans titled "Revilock 160 Currey Avenue", date stamped received on September 27, 2007.
2. Expiration of the Tentative Map approval shall be as set forth in the State of California Subdivision Map Act for Tentative Parcel Maps. A Final Map shall be recorded before expiration.
3. 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.

4. 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.
5. All exterior security lighting must be small fixtures that are shielded and downward facing, and subject to the review of the Community Development Department prior to final sign off of the building permit.
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 Planning 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

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measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.

8. In accordance with Ordinance No. 1160, the applicant shall pay any and all City costs arising out of or concerning the proposed project, including without limitation, permit fees, attorneys' fees, engineering fees, license fees and taxes, whether incurred prior to or subsequent to the date of this approval. Applicant acknowledges and agrees that City's costs shall be reimbursed prior to this approval becoming valid.
9. The applicant shall indemnify the City for any and all costs, including without limitation attorneys' fees, in defending this project or any portion of this project and shall reimburse the City for any costs incurred by the City's defense of the approval of the project.
10. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Building Division must be obtained prior to constructing, enlarging, moving, converting, or demolishing any building or structure within the City.
11. The Community Development Department is authorized to administratively approve minor modifications to the approved plans. Major design modifications to the approved project will require further review and approval by the Planning Commission.

Prior to recording of Parcel Map:

12. The applicant shall secure easement rights for storm drainage and sanitary sewer services from downhill property owners for both lots.
13. Roadway frontage improvements shall be designed by a registered professional engineer and subject to the review and approval of the City Engineer to be built prior to the approval of the parcel map or assured through the execution of a Subdivision Agreement with the City.
14. All slopes on the site in excess of 2:1 shall be evaluated by an engineering geologist and geotechnical engineer with regard to geological make-up and geotechnical stability (bore and soil testing and stability analysis). Detailed investigation may be subject to a third party peer reviewed if deemed warranted by the City Engineer.
15. The Parcel map shall identify the lateral extent on the property. Areas below the lateral extent shall be protected from further development, excepting underground utility facilities.
16. A watercourse setback shall be established that has a width that is 2 times the maximum depth of the Caltran's pipe plus 5 feet measured from the center of the

SA  
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existing culvert subject to the review and approval of the Community Development Department staff.

Prior to Issuance of Building Permit

17. All driveways profiles shall be designed to provide at least 0.5 feet of freeboard above the roadway flowline subject to the review and approval of the City Engineer. At grade driveways shall be no greater than 12%. Driveways on structures shall be no more 8%.
18. Grading plans shall include placement of slope tiebacks and horizontal drains pursuant to Geotechnical Engineers recommendations subject to the review and approval of the City Engineer or designee (including possible third party expert review).
19. Grading shall be limited to between the months of April 1 to October 1.
20. All plans shall include erosion control and other storm water pollution prevention measures.
21. Traffic control plan, material storage, contractor employee parking plans shall be submitted to the Community Development Department for review and approval of the City Engineer or designee.
22. A grading bond or other acceptable assurance shall be submitted to the City for grading, drainage. The amount shall be determined by the City Engineer based upon construction estimates. The amount will assure that the area remains safe to the general public. Release of Grading Bond or equivalent assurance will be contingent upon completion of approved plans and submittal of certification statements that the structure is in the position and elevation were built as approved as well as a geotechnical engineer's statement regarding conformance to recommendations including disclosure of substantial deviations subject to the review and approval of the Community Development Department staff.
23. A utility plan shall be prepared showing utility service information from the foundation to the public right-of-way subject to the review and approval of the Community Development Department staff.
24. Submittal of a Performance Bond to assure construction is completed in no more than 18 months time from issuance of first building permits.
25. Property corners shall be set by a Professional Land Surveyor or qualified Professional Civil Engineer.
26. An Encroachment Permit shall be required for all improvements to be constructed within the public right-of-way, including temporary debris boxes, tree trimming and traffic control. An Encroachment Permit application shall be submitted to the specifications of the City Engineer.
27. Prior to issuance of any building or grading permit the applicant's general contractor

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shall provide City with evidence of a standard comprehensive general liability insurance policy containing coverage for bodily injury, property damage, and completed operations and including liability resulting from earth movement. The policy shall provide limits of coverage not less than \$1,000,000 and the policy shall continue in force until a date five (5) years following completion of construction.

28. Prior to the issuance of a Building Permit, the applicant shall submit a dust and debris control plan for the review and approval of the City Engineer. The Dust and debris control plan shall include the following measures:
- a. Water all active construction areas at least twice daily;
  - b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;
  - c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
  - d. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites; and
  - e. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

#### Fire Department Conditions

The following conditions shall apply to the proposed project as specified by the Fire Chief:

29. All access roads serving a dwelling(s) shall be paved and a minimum width and as specified by the Fire Department.
30. Driveways off access roads serving dwelling units shall meet Marin County Standards related to dimensions, surfacing and slope (slope not to exceed 21 percent).
31. All new driveways shall be designed so that emergency vehicles can negotiate turns without having to make backing maneuvers (no switchbacks).
32. All access roads or driveways in excess of 150 feet in length shall be provided with an approved turn-around.
33. In addition to the turn-around described above, driveways or access roads shall have turnouts 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 for vehicles to pass.
34. Fire hydrant(s) as required by the Fire Department shall be installed and 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 Southern Marin Fire Protection District and Marin Municipal Water District.
35. The applicant shall provide a U.L. listed key box as required by the Southern Marin Fire

Protection District.

The following conditions shall apply to future development on the subdivided parcels as required by the Fire Chief:

36. Fire sprinkler system required in:
  - a. All new construction;
  - b. All "substantial remodels"
37. Plans for fire sprinkler system design shall be reviewed and approved by the Southern Marin Fire Protection District prior to installation.
38. The address shall be posted in accordance with requirements of the Uniform Fire Code.
39. Smoke detectors shall be installed in accordance with the Uniform Building Code.
40. A remotely located, second means of egress shall be provided for each floor above the first.
41. Non-combustible roofing shall be required for all new construction.
42. Provide for compliance with Public Resource Code 4291 relating to brush and weed clearance.
43. Prior to occupancy, a spark arrestor shall be installed on the chimney(s).
44. The applicant shall 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.
45. All on-site improvements, such as water main extensions, hydrants and access roads, must be serviceable prior to framing the structure.
46. Final occupancy approval shall not be granted/released until authorization to the Community Development Agency has been received from the Fire District.

Prior to issuance of Certificate of Occupancy

47. Existing and new sewer laterals shall be inspected or tested subject to the review and approval of the Sausalito Sewer Coordinator.
48. As-Built Public Improvement plans and As-Built Storm Drainage plans including specification of line and grades shall be subject to the review and approval of the City Engineer or designee.

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W . S . R  
A r c h i t e c t s

September 27, 2007

Debra Lutske, Assistant Planner  
City of Sausalito, Planning Department  
420 Litho Street  
Sausalito CA 94965

RECEIVED  
SEP 27 2007  
CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT

PROJECT: PROPOSED TWO LOTS  
160 Currey Avenue  
TWDR05-047

SUBJECT Action on Tentative Map

Dear Ms. Lutske:

In reply to your letter on August 31, 2007, we are pleased to present you with the following information and action items we have completed for the Tentative Map, Section VII, for the above project. Enclosed are (a) TENTATIVE MAPS and SECTIONS, (b) Statement of TENTATIVE MAP, (c) Assessor Map, and (d) Proposed Remodel of Existing House.

Section VII: TENTATIVE MAP

We have provide and completed to the following check list for: Section (a) Form of Tentative Map and for statement for Section (b) Statements to accompany Tentative Map. (enclosed)

(a) TENTATIVE MAP REQUIREMENTS

- |   |           |
|---|-----------|
| 1. The tract name, data, north point, scale and legal description to define the location and boundaries of the proposed tract.  | Completed |
| 2. Names and addresses of owner, name, address and registration of license number of surveyor.  | Completed |
| 3. Location, names and present width adjacent road, street, or ways.  | Completed |
| 4. Location of Official plan lines, projected streets, or highways.   | Completed |
| 5. The locations, names and width of all roads for the proposed new subdivision.  | Completed |
| 6. Contour lines for all ground slope shall show a minimum of five foot intervals.  | Completed |
| 7. The location of existing and proposed sanitary sewers, gas, water, power and telephone lines and approximate width and location of all easements.                    | Completed |
| 8. Approximate radii of all curves  |           |
| 9. Approximate dimensions of all lots   | Completed |
| 10. Approximate location of areas subject to storm water overflow, location, width and direction of flow of water courses and areas subject to overflow by tide waters. | Completed |
| 11. Public area proposed.   | None      |

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- 12. A blank space of 8 1/2" x 11" Provided
- 13. Profiles drawn to scale as to show clearly all details thereof shall accompany the tentative map and shall show center lines, ground and grade elevations, Or streets, highways, alleys, and sewers, gas and water lines. Completed
- 14. Typical cross section of all streets highways, alleys, and curb detail, of gutters, sidewalks, and other improvements, shall accompany the Tentative Map. Completed

(b) STATEMENTS to Accompany Tentative Map

SEE ENCLOSED STATEMENT

(c) Assessor's Map Bk 64, Page 23

Please schedule this project for a public hearing with the Planning Commission as soon as possible. I will be glad to work with you to update, revise, and/or add any other information as needed before the planning hearing. My wife and I look forward for the Planning Commission approval of the Tentative Map.

If you have any questions, please call.

Sincerely,

*Will Revilock*  
*Laura Revilock*

Will Revilock AIA  
Laura Revilock

- Enclosures:
- (7) TENTATIVE MAP
  - (7) PROFILE SECTION
  - STATEMENT FOR TENTATIVE MAP
  - ASSESSOR MAP
  - PROPOSED REMODEL TO EXISTING HOUSE

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# STATEMENT FOR TENTATIVE MAP FOR 160 CURREY AVENUE

Per Section VII: TENTATIVE MAP, part b

## **Existing use or uses of property, including the location of all existing structures to remain on the property.**

The existing property at 160 Currey Avenue is a R-1, Single Family Lot. Approximate 17,835 square feet. There are two structures on the property, (1) 1200, single family house, built around 1947. We would like to remove one bedroom, remodel existing house structure to a 3 bedrooms house structure to current building standards, zoning, and codes requirements. (2) 600 square garage structure. We would like to remove this garage structure.

## **Proposed uses of the property, with a statement of the representative portions of the total area of the subdivision represented by each, and an outline of the proposed deed restriction**

The total area of the sub division is 17,835. We propose to have two Single Family lots. (1) Lot 1 would be 8600 square feet, would have a building envelope area approximate 3500 square feet, deeded right-of-way frontage road, as noted on the tentative map, and per Sausalito zoning restrictions. (2) Lot 2 would be 9,235 square feet, would have a building envelope area approximate 3800 square feet, deeded right-of-way frontage road, as noted on the tentative map, and per Sausalito zoning restrictions.

## **Source, quality and approximate quantity of water supply and general outline of proposed system.**

There is a 4 inch city water main along Currey Avenue. Lot 1 would obtain a permit to tie into the existing street county water system. Lot 2 has existing 3/4" water line from the street to existing house structure. Currently water line is in use, and will remain..

## **Provision for sewage disposal, drainage, a flood control which are proposed.**

There are two existing street sewage systems available, (1) at Currey Avenue and at Toyon Avenue. Lot 1 can go through the right-of-way at the North end of the property to Toyon Avenue and tie into the existing street sewage system. Option 2, Lot 1 can provide a pumping sewage system and tie into the existing sewage system in Currey Avenue. Existing landscaping, trees, natural existing drainage will remain and will be maintained.

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**A statement from the City Engineer as to whether in his opinion the proposed sewage disposal system or method is adequate and will operate without creating a public or private nuisance.**

In the public Planning Commission meeting in November 2006, Todd Treachout, City Engineer, said the existing water and sewer system are adequate service to the proposed lots. Second, on lot 1, he suggestive we maintain a minimum distant of 10 feet from Cal-Trans drainage easement. We increased the proposed 10 feet to 20 fee minimum distant from the Cal-Tran easement.

**Proposal set back lines for building.**

We proposed 2 building envelopes, one for each site, per our requirements, Planning Commission recommendations, and neighbors recommendations and noted on the Tentative Map.

**Statement as to tree planting plan.**

The existing landscaping is to remain and will be maintained. No trees will be removed.

**Statement of the improvements proposed to be made or installed and the time at which such improvements are proposed to be completed. Preliminary plans and specifications showing in general the foregoing proposed improvements.**

We are planning to remodel the existing two bedroom house into a three bedroom house as soon as the tentative map is approved. We have and share proposed house improvements with the neighbors and Planning Commission.

**Statement as to whether the subdivider intends to file a final map of the subdivision or a parcel map thereof.**

We, the subdivides, plan to file for parcel map as soon as possible with the City of Sausalito and County of Marin.

Sincerely,

*Will Revilock*

*Laura Revilock*

Will Steven Revilock AIA  
Laura Revilock

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## MEMORANDUM

**DATE:** October 4, 2007  
**TO:** Debra Lutske, Assistant Planner  
**FROM:** Todd Teachout, City Engineer *TT*  
**SUBJECT:** 160 Currey Ave., TM/DR05-047, Tentative Map

I reviewed the following document for this submittal:

1. Tentative Map, Revilock, 160 Currey Ave. dated 9-25-07
2. Application Statement dated September 27, 2007

I previously reviewed the following documents for this application:

1. Title Report dated March 31, 2005.
2. Report Geotechnical Investigation, New Residence and Proposed Lot Split 160 Currey Avenue, dated 2/9/06 by Nersi Hemati, P.E., G.E.
3. Tentative Map, Revilock, 160 Currey Avenue., dated 6/28/06 by ILS Associates
4. Site Plan/Tentative Map, Revilock, 160 Currey Ave, dated 8/15/06, by ILS Associates
5. Topographic Map, 160 Currey Ave, dated 7/05/05, by ILS Associates
6. Tentative Map Application Statement –response to earlier review comments.
7. Tentative Map, Revilock, 160 Currey Ave. dated June 20, 2007

The applicant revised the map making the sheet size conform to ordinance requirements. The revision added draft conditions of approval presumably based upon previous draft resolutions of approval. Assuming these conditions are modified to conform with actual conditions of approval, staff is ok with the layout.

The applicant did not submit a revised Geotechnical report as suggested below. Staff remains concerned about the risks associated with overly steep slopes in the gully area.

Staff previously wrote that the Geotechnical report recommends that “new construction would be set back 25 feet from the lateral extent of the steep gully.” The Geotechnical report should be revised to include assessment of erosion potential (debris flows or landslides) for the gully area and include recommendations to mitigate the risks identified. The Geotechnical report or the tentative map shall also identify sloped areas in excess of 2 horizontal to 1 vertical. The lack of bore information in the steep gully area leaves little information about the conditions there. Recommendations to install horizontal drains can be supported from a geotechnical standpoint.

During an earlier review staff recommended that storm drain and sanitary sewer operate with gravity flow. For these systems to work they need to extend onto and through offsite private property. The applicant still has not submitted evidence of the drain/sewer easements across 15 Toyon and/or 19 Toyon. The applicant must demonstrate the possession of property rights to

discharge additional runoff and sewer that crosses offsite private property before connection to a publicly maintained drain system. The applicant proposal does indicate consideration of gravity or pumped sanitary sewer service. Pumped storm drainage is not a reasonable service.

The proposal to divide the land still is without a development plan. Ideally a subdivision application should be made when a development plan is conceived. The applicant has no firm development plan for the proposed lot. In the absence of a firm development plan the applicant has proposed to limit development to certain portions of the property. The applicant has demonstrated vehicle access to both lots. The lack of a development plan defers consideration of appropriate access to the site. The plan does conform to the ordinance requirement, though.

The lot has a culvert that encloses a natural watercourse. Over time, natural processes will destroy the facility and any man made facilities that are within its influence. The depth of the pipe varies from 14 feet to approximately 4 feet. Future development should be restricted from this area by creating a watercourse setback comparable to 2 times the maximum depth of the pipe plus 5 feet. This will assure that as nature reasserts itself the man made structures will be reasonably protected and the natural processes that feed off of a riparian conditions will allowed to reestablish themselves. The building envelope area appears to address this concern.

Staff continues to make no recommendation with regard to the approval of the Tentative Map due to the lack of a development plan for Lot 1. Should the Planning Commission be able to make findings with regard to the development proposal staff suggests the following development conditions apply:

Prior to recording of Parcel Map:

1. That the applicant secure easement rights for storm drainage and sanitary sewer services from downhill property owners for both lots.
2. That roadway frontage improvements be designed by a registered professional engineer and subject to the review and approval of the City Engineer to be built prior to the approval of the parcel map or assured through the execution of a Subdivision Agreement with the City.
3. All slopes on the site (both lot 1 and lot 2) in excess of 2:1 be evaluated by an engineering geologist and geotechnical engineer with regard to geological make-up and geotechnical stability (bore and soil testing and stability analysis). Detailed investigation may be subject to a third party peer reviewed if deemed warranted by the City Engineer.
4. The Parcel map shall identify the lateral extent on the property. Areas below the lateral extent shall be protected from further development, excepting underground utility facilities. Staff suggests that this area be described as a geologic risk zone.
5. A watercourse setback shall be established that has a width that is 2 times the maximum depth of the pipe plus 5 feet measured from the center of the existing culvert subject to the review and approval of the Community Development Department staff.

Prior to Issuance of Building Permit

1. All driveways profiles shall be designed to provide at least 0.5 feet of freeboard above the roadway flowline subject to the review and approval of the City Engineer or designee. At grade driveways shall be no greater than 12%. Driveways on structures shall be no more 8%.
2. Grading plans shall include placement of slope tiebacks and horizontal drains pursuant to Geotechnical Engineers recommendations subject to the review and approval of the City Engineer or designee (including possible third party expert review).
3. Grading shall be limited to between the months of April 1 to October 1.
4. All plans shall include erosion control and other storm water pollution prevention measures.
5. Traffic control plan, material storage, contractor employee parking plans shall be submitted to the Community Development Department for review and approval of the City Engineer or designee.
6. A grading bond or other acceptable assurance shall be submitted the City for grading, drainage. The amount shall be determined by the City Engineered based upon construction estimates. The amount will assure that the area remains safe to the general public. Release of Grading Bond or equivalent assurance will be contingent upon completion of approved plans and submittal of certification statements that the structure is in the position and elevation were built as approved as well as a geotechnical engineer's statement regarding conformance to recommendations including disclosure of substantial deviations subject to the review and approval of the Community Development Department staff.
7. A utility plan shall be prepared showing utility service information from the foundation to the public right-of-way subject to the review and approval of the Community Development Department staff.
- 8 Submittal of a Performance Bond to assure construction is completed in no more than 18 months time from issuance of first building permits.
9. Property corners shall be set by a Professional Land Surveyor or qualified Professional Civil Engineer.

Prior to issuance of Certificate of Occupancy

1. Existing and new sewer laterals shall be inspected or tested subject to the review and approval of the Sausalito Sewer Coordinator.
2. Submittal of As-Built Public Improvement plans, As-Built Storm Drainage plans including specification of line and grades subject to the review and approval of the City Engineer or designee.

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CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT

JUN 20 2007

RECEIVED

June 18, 2007

Debra Lutske  
City of Sausalito  
420 Litho St.  
Sausalito, CA. 94965

Re: 160 Currey Ave.

Dear Debra,

At the last meeting on June 6<sup>th</sup>, 2007, it looked as though the planning commission was going to approve the subdivision at 160 Currey Avenue.

There was some discussion pertaining to restrictions the commission would place on the project on condition of approval.

At our informal meeting on April 26<sup>th</sup>, 2007, Mr. Revilock produced drawings showing two houses. The house located on the new proposed lot was approximately eighteen hundred sq ft with a maximum height of twenty-eight feet at its tallest point. The other house which is a renovation of the existing house was approximately twenty-four hundred square feet and also twenty-eight feet maximum height at its tallest point.

The latest drawing he produced, dated May 21, 2007, shows a sixteen foot wide driveway with the thirty-five foot hammerhead turn around. It also shows the same size houses of approximately eighteen hundred and twenty-four hundred square feet. No elevations were included on this drawing.

At the previous meetings, Mr. Revilock stated that he had "no problem" with restricting the houses and heights to these limitations. Given the set backs, city requirements and natural restrictions of the lot, larger homes are not very feasible. We would like the planning commission to restrict the square footage and height to this previously documented limit.

We know you are restricting the driveway access to be via one shared driveway off Currey Avenue only, as depicted on his May 21, 2007 drawing. This is greatly appreciated.

We would also like the trees on his property and the adjacent city property to be preserved and periodically trimmed so as not to obstruct the views of the surrounding neighbors.

There should also be additional vegetation planted to create screening on each lot and city property so that we cannot see the houses below, and maintain privacy to adjacent neighbors. This screening should not be allowed to grow tall enough to block any neighbors' view. A natural screen of vegetation previously existed. Mr. Revilock removed much of it when he purchased the property.

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There are numerous Oak trees on this property. We hope that the planning commission will preserve these trees and not allow any to be removed.

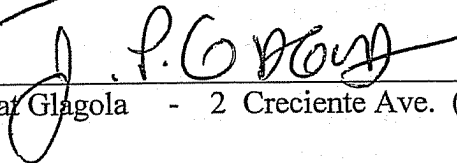
The drainage of this property is of major importance to the neighborhood. A large slide occurred within the last two years. Any additional removal of vegetation resulting from the construction process will further destabilize the hillside. The new houses and impervious driveway surface for firetrucks will increase the amount of run off on this property at least three to four hundred percent. We implore the planning commission to restrict the drainage process to a natural gravitational downward flow and not allow any mechanical means of removing this water. Machines breakdown, and this area, as you know has many existing drainage problems. It is our understanding that Mr. Revilock must obtain an easement from the downhill neighbors to accomplish this task.

There is not one neighborhood resident in favor of this subdivision. We feel that Mr. Revilock will sell these properties immediately after he has been granted approval. Please place the restrictions we have asked for as conditions of approval, so that the planning commission and the neighborhood residents do not have to revisit these issues when the future builders come up before design review.

Thank you for your time and please feel free to call on us if you have any questions.

Sincerely,

  
John Nunnelee - 145 Currey Ave. (415) 515-6235 6-20-07

  
Pat Glagola - 2 Creciente Ave. (415) 269-9900 6/20/07

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Charles I. Donald  
254 Spencer Ave.  
Sausalito, California 94965  
Tel: (415) 332-2503

June 19, 2007

Mr. Paul Kermoyan, Director of Community Development /  
Planning Commissioners  
City of Sausalito  
420 Litho St.  
Sausalito, CA 94965

Re: Proposed lot split at 160 Currey Ave. (TM 05-047)

Dear Commission Members:

I have reviewed the Planning Files pertaining to an application made by Mr. Will S. Revilock to divide his Currey Ave. property (APN 064-232-11) into two lots.

I wish to object to Mr. Ravilock's proposed action.

My objection is based primarily on the degradation of the neighborhood ambiance that would occur if the lot were to be split into two parcels -- each parcel much smaller than those that presently characterize the area.

It is evident to an experienced eye that the present lot configuration of the area (originally known as Toyon Terraces) was developed by someone sensitive to the topography, geology and visual prospect of the area. As homes have been built over the years, these natural advantages have been appreciated by the incoming residents and have resulted in a socially cohesive neighborhood. Indiscriminant resubdivision of the land could very well result in an over-intensive use of this very desirable area of Sausalito.

The Subdivision Map Act (California Government Code Section 66410, et seq.) unarguably gives Mr. Ravilock the right to propose a division of his property, but it also gives the Sausalito Planning Commission the authority to deny it. One basis for denial would be that one, or more, of the sub-parcels would then not have legal access to essential public utilities. The minutes of past Commission meetings show that these utility concerns are being addressed, so I won't discuss them further here.

There is, however, another matter that seems to have been given short shrift in previous hearings; that of vehicle parking and internal circulation. The applicant has submitted a topographic map showing, by implication, that by the imposing of reciprocal easements, and by requiring a 16-foot x 35-foot "hammerhead" turn area, an acceptable pattern of circulation can be developed. I submit for your consideration that the drawing presented to the Commission does not present a physically feasible solution.

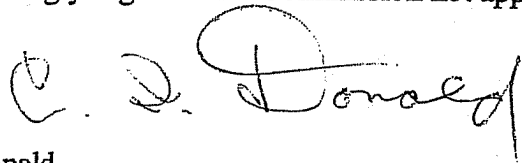
The requirement for a "hammerhead" driveway of certain minimum dimensions was imposed by the Southern Marin Fire District. The District's interest is to provide access for fire fighting equipment. The submitted driveway configuration serves that purpose, but it does not provide a means for private vehicles to enter or leave the proposed garage of the westerly lot.

Also, on the easterly lot, the submitted drawing also shows off-street parking for only one vehicle; two parking spaces are required in this zoning area.

Aside from the fact that the depicted driveway arrangement would necessitate undesirable access agreements, *the orientation of the hypothetically-proposed garage does not permit an average passenger vehicle to enter and exit the garage without encroaching into the adjacent property (Curry Lane)*, nor can the vehicle be driven to Curry Avenue without passing through the area of the "proposed addition" to the house on the easterly lot. The attached sketch shows one physically-possible garage entry/egress scheme. I do not intend to imply that this scheme is an acceptable alternative to the one proposed by the applicant; it came about only as an incidental result of a more detailed study -- this sketch is intended to depict only the problem at the westerly garage.

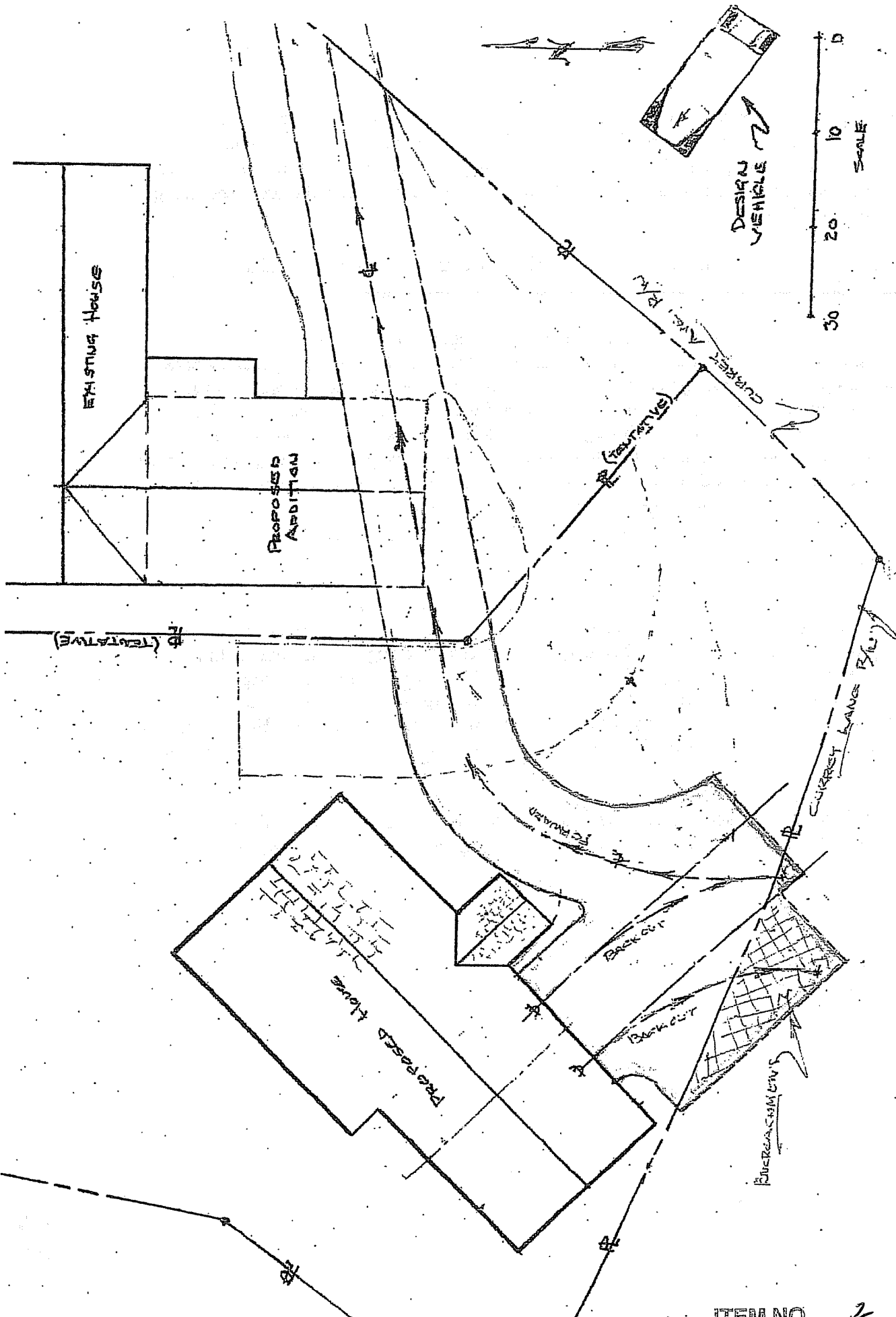
The vehicle turning radii for the study were taken from a widely-used and commonly-available publication of the American Institute of Architects (AIA) entitled *Architectural Graphic Standards*. There are, obviously, other possible configurations, but within my admittedly limited knowledge of the legal restraints on the depicted "building envelopment," no other driveway scheme was readily apparent. The Applicant is a member of AIA and presumably would have the AIA reference available. He would, I am sure, consider it unprofessional to predicate a lot split application on an infeasible plan of development.

On the basis of both societal concerns and highly undesirable internal circulation concerns, I strongly urge that the Commission not approve the proposed lot split.



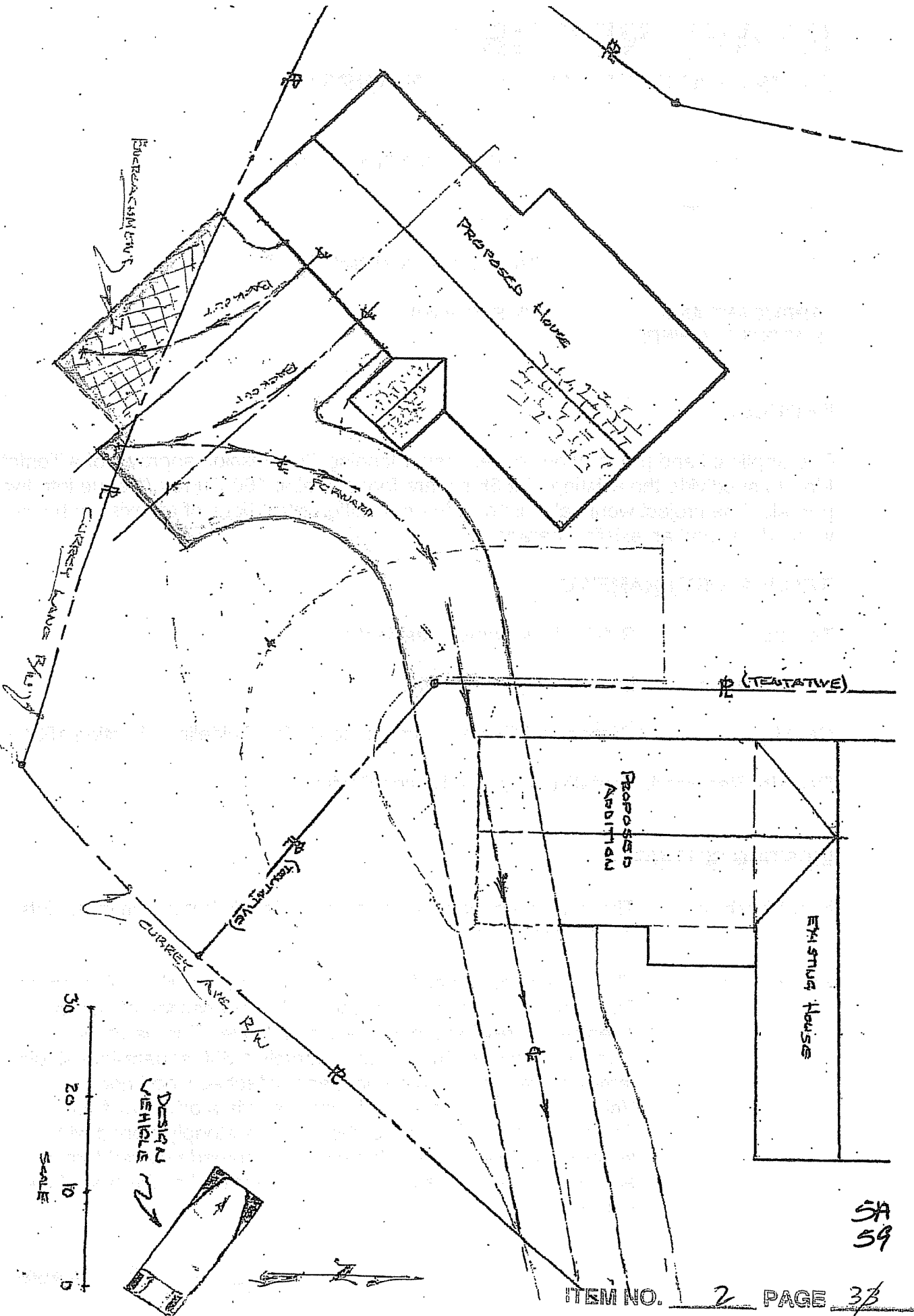
Charles I. Donald  
254 Spencer Ave.

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6/13/07  
 160 CURRY AVE -  
 TENTATIVE L & T SPLIT

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# STAFF REPORT

## SAUSASALITO PLANNING COMMISSION

**PROJECT:** TM 05-047; 160 Currey Avenue

**MEETING DATE:** June 6, 2007

**STAFF:** Debra Lutske, Assistant Planner

**APPLICANT AND PROPERTY OWNER:** Will S. Revilock

### REQUEST

The applicant and property owner requests Planning Commission approval of a Tentative Map to subdivide the existing 17,836 square foot parcel at 160 Currey Avenue into two parcels. The project would also involve the demolition of portions of an existing house, a wood deck, and an existing garage.

### REGULATORY FRAMEWORK

**Zoning:** R-1-8 Single-family Residential

**General Plan:** Low Density Residential

**CEQA:** Categorical Exempt pursuant to CEQA Guidelines Section 15315

**Permits Required:** Tentative Map and Design Review

### EXISTING SETTING

**Neighborhood:** The neighborhood consists of single-family homes on larger lots as allowed by zoning.

**Subject Parcel:** The existing parcel at 160 Currey is approximately 17,835 square feet in area. It is a corner parcel at the intersection of Currey Avenue, Currey Lane and Crescenta Drive. The parcel is currently occupied by an approximately 1,300 square-foot single-family home, detached garage, and detached wood deck. Vehicular access to the site is provided via a driveway from Currey Avenue. The rear of the parcel is steeply sloped with several precipitous grade breaks. A man-made culvert that encloses a natural watercourse is also located at the rear of the parcel.

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Subdivision Ordinance 430, Section VII requires that all Tentative Maps contain "the location, names and width of all roads, streets, highways, and ways in the proposed new subdivision."

The City of Sausalito in conjunction with Southern Marin Fire requires all developments to meet the 1998/2001 California Uniform Fire Code. Article 9 of the California Fire Code Section 902.2.1 Exception 3 states "When there are not more than two GROUP R, Division 3 or Group U Occupancies [per parcel] the requirements of Section 902.2.1 and 902.2.2 may be modified by the chief. This exception allows the Chief to modify the requirements of the dimensions and surface of the access driveway. The Battalion Chief has reduced the width of the road to require a 16' width and a 35' hammerhead turn-a-round for the second property.

The proposal for the subdivision now includes a Fire Code uniform road, to be recorded as an easement. The road, which current access comes off of Currey Avenue, will remain the same. The applicant is proposing to extend the road approximately an additional 75 feet. The road easement is approximately 60 feet long, beginning where Currey Avenue meets the property line for 160 Currey, and extends on a downward slope in a South Eastern direction. The additional 75 feet are completely contained on the second property and contain a 35-foot hammerhead facing due north, as shown on the Tentative Map.

Prior to issuance of a building permit, the Tentative Map along with the easement will be recorded with the County.

**Design Plan; size of the homes and basic design proposals for the façades.**

The Sausalito Subdivision Ordinance and the Subdivision Map Act does not require a submittal of a Conceptual Development Plan, but rather leaves that requirement option up to the local governing body. As such, the Planning Commission requested the applicant submit a Conceptual Plan. Planning Commission has requested information detailing the proposed square footage of each proposed home, as well as possible floor plans. Included in the design, Planning Commission has also requested prospective architectural designs of the proposed homes. As requested, the applicant has submitted information to visually identify his proposal for the future, which would require further Planning Commission approval.

The applicant is contemplating the construction of two homes, virtually identical in size. The home that currently exists at 160 Currey, has been proposed for a remodel. The path of entry travels up the main patio and stairs into the living room, which connects to the dining/kitchen area. The entry stairway also allows a path of travel into the first floor bedroom. The second floor has two bedrooms, one of which is the master. The second home, is proposed, as nothing currently exists at its site. Despite the comparatively different arrangements of the two homes, they are approximately the same size. The second home has a two-car garage,

**Comment:** Staff received multiple letters from neighbors around Currey Avenue requesting that the Planning Commission deny the proposed subdivision. One letter has been received in favor of the project.

**RECOMMENDATION**

**Overall Staff  
Recommendation:**

Staff recommends that the Planning Commission approve the proposed subdivision subject to the attached draft resolution of approval. Alternatively, the Commission may

1. Deny the application on the basis that the project does not comply with Zoning Ordinance Section 10.40.030.B, the California Subdivision Map Act, or the Sausalito Subdivision Ordinance. In this case, Staff would need to return a Resolution of Denial at the Commission's June 6, 2007 meeting;
2. Approve the application with modified conditions of approval; or
3. Continue the application to a future hearing to allow the application to make modifications to the proposed project.

**EXHIBITS**

1. Draft Resolution of Approval
2. Planning Commission Staff Report, October 11, 2006
3. Planning Commission Minutes, October 11, 2006
4. Planning Commission Staff Report, April 11, 2007
5. Planning Commission Minutes, April; 11, 2007

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Pursuant to California Government Code Section 66474 (Subdivision Map Act), it has been found that the requested minor subdivision may be issued based on the following findings:

A) That the proposed map is consistent with applicable general and specific plans.

*The proposed subdivision is consistent with applicable policies in the Sausalito General Plan and minimum lot and density standards as outlined in Title 10 of the Sausalito Municipal Code.*

B) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*The design and improvement of the proposed subdivision is consistent with the Sausalito General Plan and applicable sections of the Sausalito Municipal Code. The subdivision creates two parcels which comply with minimum parcel standards as outlined in Zoning Ordinance Section 10.40.030.B.*

C) That the site is physically suitable for the type of development.

*No new development is proposed as part of this subdivision. The size, topography and physical constraints of Lot 1 would allow for the use of the property for a single-family home envisioned by the General Plan. A code compliant driveway could be installed to serve a new home at Lot 1, and the lot could reasonably accommodate a new single-family home which would not require variances or undesirable encroachments into the public right-of-way. Development on the parcel is unlikely to result in significant environmental impacts that could not be mitigated. Due to the location of the parcel relative to adjacent properties and structures, development on the lot is also unlikely to result in unavoidable view, privacy and light/air impacts.*

D) That the site is not physically suitable for the proposed density of the development.

*The project site is identified in the General Plan as an area for low-density single-family development. The proposed subdivision would create two lots, each of which are greater than 8,000 square feet in parcel area. No new development is proposed as part of this subdivision. As explained in the response to Finding C above, Lot 1 would be suitable for the development of a single-family home should such development be proposed in the future.*

E) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

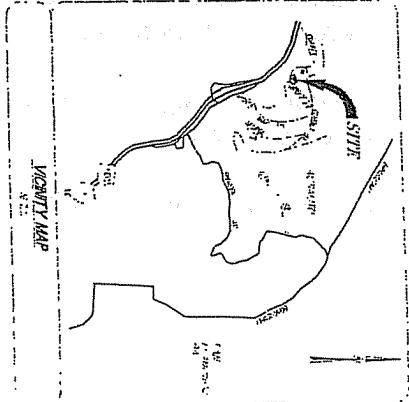
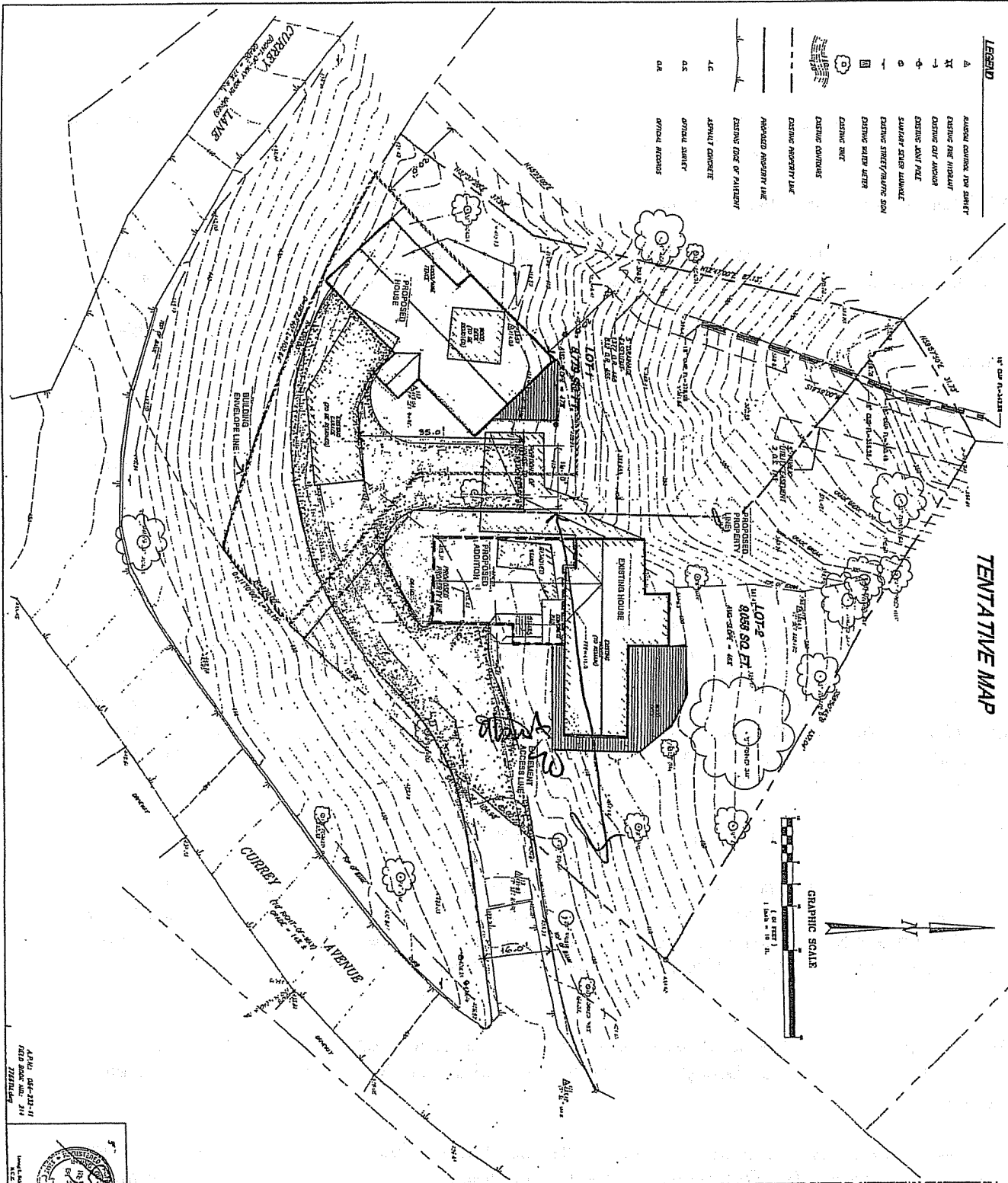
*No new construction is proposed as part of the subdivision. There will be no construction-related environmental impacts. Future development on the vacant Lot 1 is unlikely to result in significant environmental impacts that could not be mitigated.*

F) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

*No element of the subdivision design or proposed improvements has been identified as a*

TENTATIVE MAP

- LEGEND**
- ▲ ASSESSOR'S CORNER FOR SURVEY
  - EXISTING FIRE HYDRANT
  - EXISTING CURB MANHOLE
  - EXISTING JOINT PAULT
  - EXISTING SEWER MANHOLE
  - EXISTING STREET/TRAFFIC SIGN
  - EXISTING WATER UTILITY
  - EXISTING DRAIN
  - EXISTING CONTRACTS
  - EXISTING PROPERTY LINE
  - APPROVED PROPERTY LINE
  - EXISTING EDGE OF PAVEMENT
  - ASPHALT CONCRETE
  - OPTICAL SURVEY
  - OPTICAL RECORDS



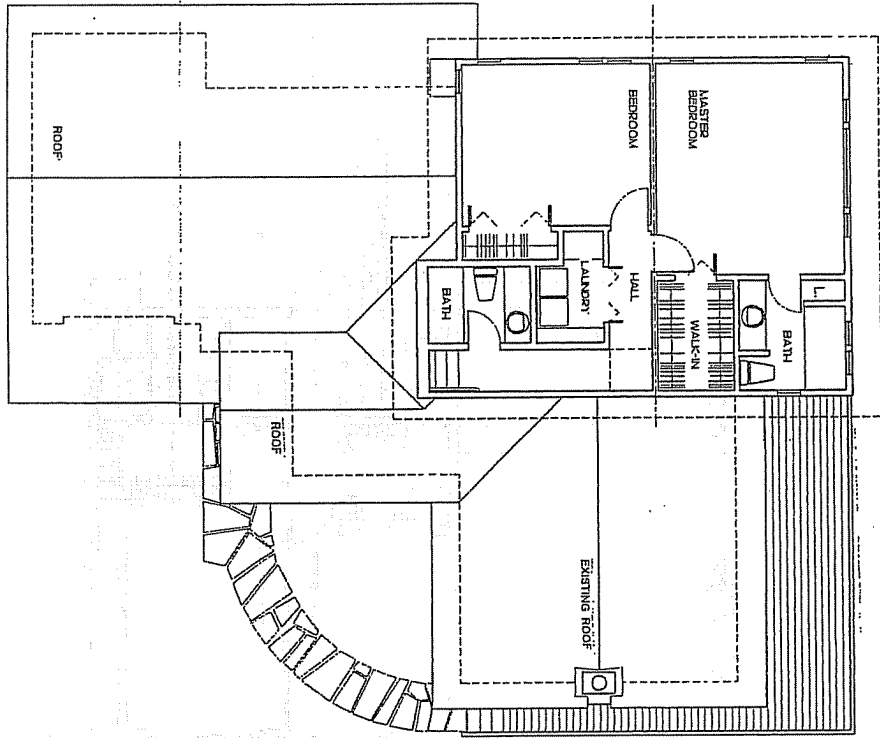
- GENERAL NOTES**
1. OWNER'S RECORDS
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RITA BROWN, INC. 310  
TENTATIVE

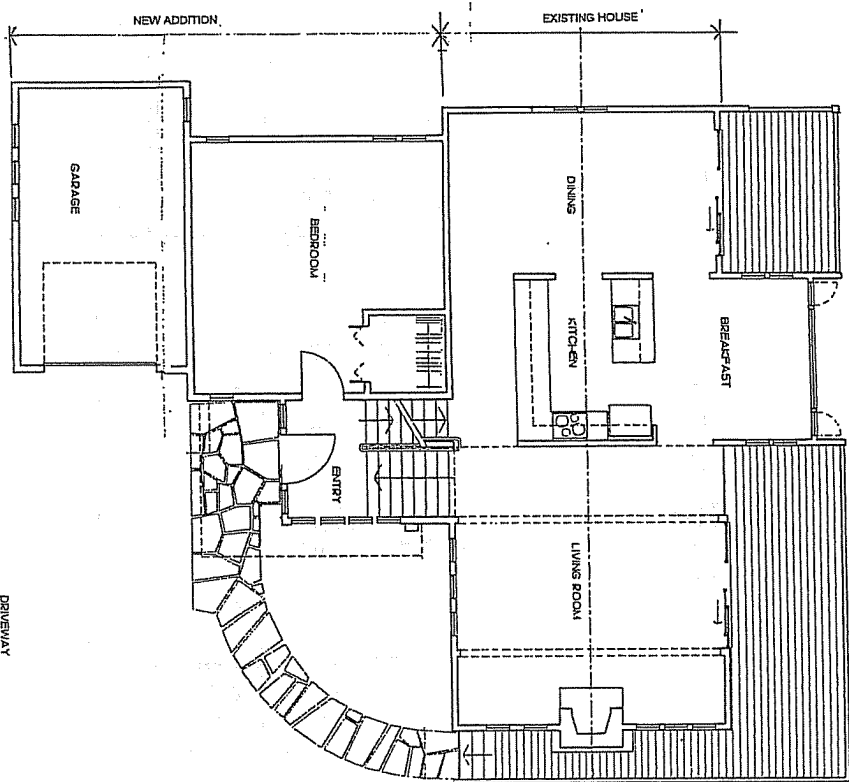
**I/S ASSOCIATES, INC.**  
ONE INTERNATIONAL LANE, SUITE 200  
CULVERVILLE, CALIFORNIA 95923  
(916) 382-1500

**REVILOCH**  
180 CHEROKEE AVENUE  
CULVERVILLE, CALIFORNIA 95923  
(916) 382-2000

**SUSKIND**  
TENTATIVE MAP

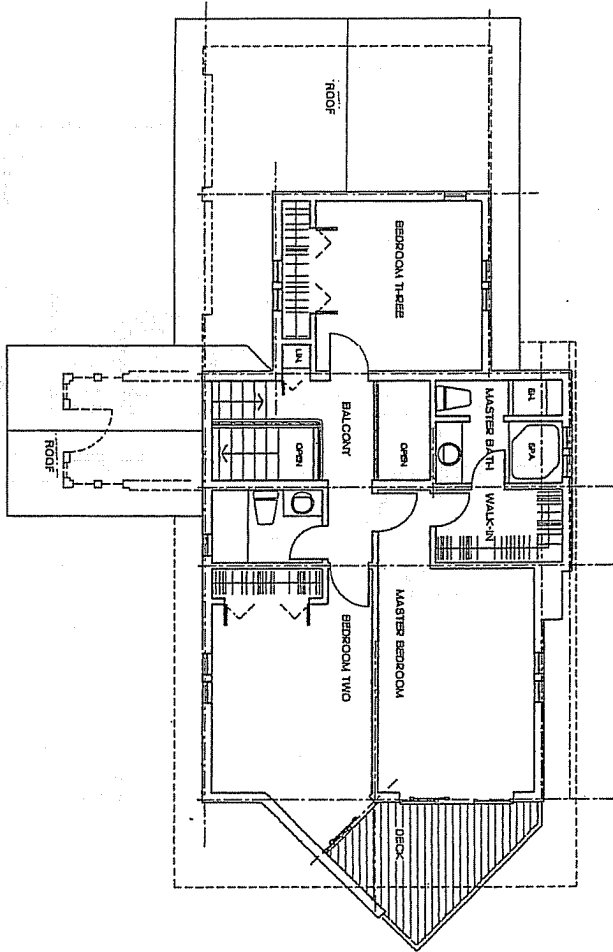


2023  
 SECOND FLOOR PLAN  
 SCALE 1/4" = 1'-0"

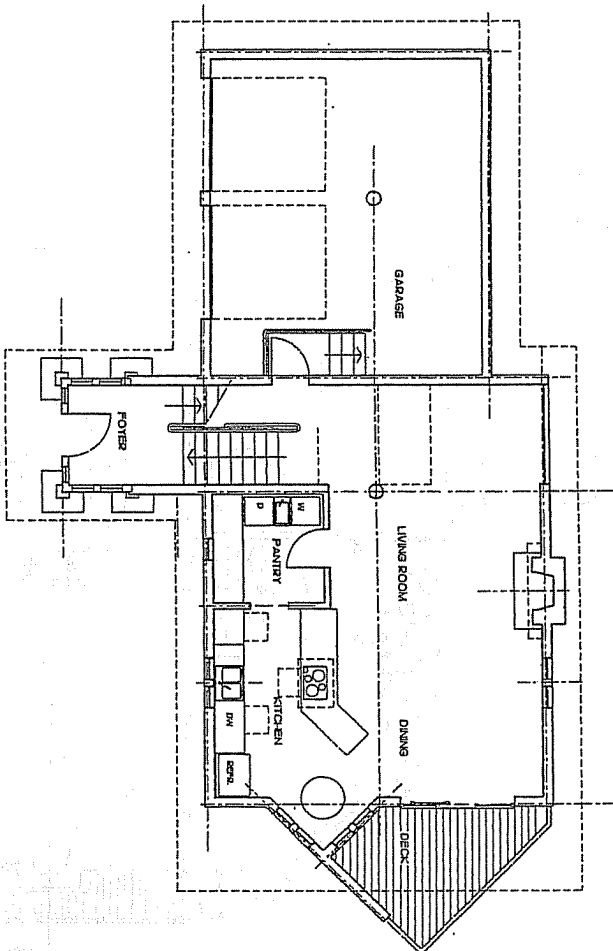


A-31  
 STAIR ARROWS POINT IN UP DIRECTION  
 REVISED FIRST FLOOR PLAN  
 SCALE 1/4" = 1'-0"

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SECOND FLOOR PLAN  
SCALE 1/4" = 1'-0"



FIRST FLOOR PLAN  
SCALE 1/4" = 1'-0"



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PLANNING COMMISSION HEARING  
June 6, 2007  
APPLICATION NO. TM 05-047  
160 CURREY AVENUE

ATTACHMENT C: CONDITIONS OF APPROVAL

1. Approval of this Application is limited to the project plans titled "Revilock 160 Currey Avenue", date stamped received on May 22, 2007.
2. Expiration of the Tentative Map approval shall be as set forth in the State of California Subdivision Map Act for Tentative Parcel Maps. A Final Map shall be recorded before expiration.
3. 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.
4. 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.
5. All exterior security lighting must be small fixtures that are shielded and downward facing, and subject to the review of the Community Development Department prior to final sign off of the building permit.
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 Planning 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

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17. A watercourse setback shall be established that has a width that is 2 times the maximum depth of the pipe plus 5 feet measured from the center of the existing culvert subject to the review and approval of the Community Development Department staff.

Prior to Issuance of Building Permit

18. All driveways profiles shall be designed to provide at least 0.5 feet of freeboard above the roadway flowline subject to the review and approval of the City Engineer. At grade driveways shall be no greater than 12%. Driveways on structures shall be no more 8%.
19. Grading plans shall include placement of slope tiebacks and horizontal drains pursuant to Geotechnical Engineers recommendations subject to the review and approval of the City Engineer or designee (including possible third party expert review).
20. Grading shall be limited to between the months of April 1 to October 1.
21. All plans shall include erosion control and other storm water pollution prevention measures.
22. Traffic control plan, material storage, contractor employee parking plans shall be submitted to the Community Development Department for review and approval of the City Engineer or designee.
23. A grading bond or other acceptable assurance shall be submitted the City for grading, drainage. The amount shall be determined by the City Engineered based upon construction estimates. The amount will assure that the area remains safe to the general public. Release of Grading Bond or equivalent assurance will be contingent upon completion of approved plans and submittal of certification statements that the structure is in the position and elevation were built as approved as well as a geotechnical engineer's statement regarding conformance to recommendations including disclosure of substantial deviations subject to the review and approval of the Community Development Department staff.
24. A utility plan shall be prepared showing utility service information from the foundation to the public right-of-way subject to the review and approval of the Community Development Department staff.
25. Submittal of a Performance Bond to assure construction is completed in no more than 18 months time from issuance of first building permits.
26. Property corners shall be set by a Professional Land Surveyor or qualified Professional Civil Engineer.
27. An Encroachment Permit shall be required for all improvements to be constructed within the public right-of-way, including temporary debris boxes, tree trimming and traffic control. An Encroachment Permit application shall be submitted to the specifications of the City Engineer.

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36. Provide a U.L. listed key box as required by the Southern Marin Fire Protection District.

The following conditions shall apply to future development on the subdivided parcels as required by the Fire Chief:

37. Fire sprinkler system required in:
- a. All new construction;
  - b. All "substantial remodels"
38. Plans for fire sprinkler system design shall be reviewed and approved by the S.M.F.P.D. prior to installation.
39. The address shall be posted in accordance with requirements of the Uniform Fire Code.
40. Smoke detectors shall be installed in accordance with the Uniform Building Code.
41. A remotely located, second means of egress shall be provided for each floor above the first.
42. Non-combustible roofing required shall be required for all new construction.
43. Provide for compliance with Public Resource Code 4291 relating to brush and weed clearance.
44. Prior to occupancy, a spark arrestor shall be installed on the chimney(s).
45. 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.
46. All on-site improvements, such as water main extensions, hydrants and access roads, must be serviceable prior to framing the structure.
47. Final occupancy approval shall not be granted/released until authorization to the Community Development Agency has been received from the Fire District.

Prior to issuance of Certificate of Occupancy

48. Existing and new sewer laterals shall be inspected or tested subject to the review and approval of the Sausalito Sewer Coordinator.
49. As-Built Public Improvement plans and As-Built Storm Drainage plans including specification of line and grades shall be subject to the review and approval of the City Engineer or designee.

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# STAFF REPORT

## SAUSALITO PLANNING COMMISSION

Agenda Item Number 5

**PROJECT:** TM 05-047; 160 Currey Avenue

**MEETING DATE:** October 11, 2006

**STAFF:** Ben Noble, Associate Planner

**APPLICANT AND  
PROPERTY OWNER:** Will Revilock

### REQUEST

The applicant and property owner requests Planning Commission approval of a Tentative Map to subdivide the existing 17,836 square-foot parcel at 160 Currey Avenue into two parcels. The project would also involve the demolition of portions of the existing house, a wood deck, and an existing garage.

### REGULATORY FRAMEWORK

**Zoning:** R-1-8 Single-family Residential

**General Plan:** Low Density Residential

**CEQA:** Categorically Exempt pursuant to CEQA Guidelines Section 15315(k)

**Required Approvals** Tentative Map

### EXISTING SETTING

**Neighborhood:** The neighborhood consists of single-family homes on larger lots as allowed by zoning.

**Subject Parcel:** The existing parcel at 160 Currey is approximately 17,835 square feet in area. It is a corner parcel at the intersection of Currey Avenue, Currey Lane and Crescenta Drive. The parcel is currently occupied by an approximately 1,300 square-foot single-family home, detached garage, and detached wood deck. Vehicular access to the site is provided via a driveway from Currey Avenue. The rear of the parcel is steeply sloped with several precipitous grade breaks. A man-made culvert that encloses a natural watercourse is also located at the rear of the parcel.

### PROJECT DESCRIPTION

**Lot Split** The applicant proposes to subdivide the existing 17,836 square-foot

**Lot 2 – Existing Single Family Home**

	Existing	Code	Proposed	Compliance
Parcel Area:	N/A	8,000 sq. ft.	9,056 sq. ft.	Yes
Land Use:	N/A	Single-family Residential	Single-family Residential	Yes
Dwelling Units:	N/A	1	1	Yes
Parcel Area/Unit:	N/A	8,000 sq. ft./1	9,056 sq. ft./1	Yes
Setbacks:				
Rear Yard:	N/A	15'	7.5'	Yes
Right Side Yard:	N/A	5'	2.5'	Yes
Left Side Yard:	N/A	5'	7.6'	Yes
Height:	N/A	32'	30'	Yes
Building Coverage:	N/A	2,633 sq. ft. (30%)	1,938 sq. ft. (21%)	Yes
Floor Area:	1,330	3,511 sq. ft. (.40)	950 sq. ft. (.10)	Yes
Impervious Surface:	N/A	5,706 sq. ft. (65%)	2,510 sq. ft. (27%)	Yes
Parking Spaces:	N/A	2	2	Yes

**CEQA**

The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315(k), which states that the division of property in urbanized areas into four or fewer parcels shall be categorically exempt from CEQA.

**ANALYSIS**

**Creation of Vacant Parcel** – The applicant proposes a subdivision that will create a new vacant parcel. The applicant does not propose any new development on Lot 1 as part of this subdivision application. It is staff's understanding that at some point in the future the applicant intends to develop Lot 1 or sell the parcel to be developed by another party. Upon initial review of this application staff indicated to the applicant that the City's preference is to combine a proposal to develop Lot 1 as part of this subdivision. The applicant responded that at this time he wishes only to subdivide the parcel and not seek approval to construct a new home on the vacant parcel.

An analysis of a proposal to create a vacant parcel must consider potential issues that could arise if the parcel is developed in the future. Issues and questions to consider include the following:

- Would the subdivision create a lot with an appropriately-sized developable area?
- Could a home be built on the parcel without the need for variances from standards such as setbacks, building coverage or height?
- Would the development of the parcel require undesirable encroachments into the public right-of-way?
- Could the parcel accommodate reasonable vehicular and pedestrian access to the site?
- Can utilities, including storm water drainage and sanitary sewer be provided to the site?

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**Subdivision Findings** – To approve the proposed subdivision, the Planning Commission must also make the required findings from the California Subdivision Map Act and the Sausalito Subdivision Ordinance. These findings are identified below.

Subdivision Map Act Findings:

1. The proposed map is consistent with applicable general and specific plans.
2. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
3. The site is physically suitable for the type of development.
4. The site is physically suitable for the proposed density of development.
5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. The design of the subdivision or type of improvement is not likely to cause serious public health problems.
7. The design of the subdivision or the type of improvement will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Subdivision Ordinance Findings:

1. The size and shape of lots shall be such as is proper for the locality in which the subdivision is situated. All lots must be adequately drained.
2. In a subdivision in which the lots may be resubdivided at some future time, the location of lot lines and other details of layout shall be such that resubdivision may readily take place without violating the requirements of this Ordinance of the Zoning Ordinance and without interfering with the orderly extension of adjacent streets and highways.
3. Lots with less than thirty feet of frontage on a street will not be permitted.
4. The side lines of lots will be required to run at right angles to the street upon which the lot faces, as far as practicable.
5. All lots shall be suitable for the purposes for which they are intended to be sold, and no dangerous areas, or areas subject to inundation may be subdivided for residential purposes.

As explained in greater detail in the attached draft resolution of approval, staff is able to favorably recommend the above findings for the proposed subdivision. The proposed lots are consistent with all applicable development standards, and do not create or intensify any nonconformities. Lot 1, which would be vacant, is appropriately sized and located to accommodate the development of a new single-family home if such improvements are proposed in the future. The City Engineer has verified that vehicular access from Currey Avenue can be provided to Lot 1 from Currey Avenue if this parcel is developed in the future. With the inclusions of conditions of approval as found in the attached draft resolution of approval, storm water drainage and sanitary sewer services will be adequate for the proposed lots, including Lot 1 if it is developed at a future date.

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**EXHIBITS**

1. Draft Resolution of Approval
2. Letter from neighbors at 139, 140 and 150 Currey
3. Vicinity Map
4. City Engineer Memorandum, September 19, 2006
5. Project Geotechnical Report, February 9, 2006

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5. 160 Currey Avenue (TM 05-047)  
Will Revlock (Applicant/Owner)

S

The applicant and property owner, Will Revlock, requests Planning Commission approval of Tentative Map to subdivide the existing 17,836 square-foot parcel at 160 Currey Avenue into two parcels. The project would also involve the demolition of portions the existing house, a wood deck, and an existing garage.

Staff Report by Associate City Planner Ben Noble

Mr. Noble reported via a PowerPoint presentation that this is an application for a lot split at 160 Currey for Planning Commission approval of a tentative map to subdivide an existing 17,836 square foot parcel into two parcels. The project would also involve the demolition of portions of an existing house, a wood deck and an existing garage. The new parcel line is proposed to intersect Currey Avenue here and would go through the parcel to the rear of the steep, sloping part of the parcel to intersect the existing property line here (pointing). There are some stairs that are currently located where the proposed property line is and those will be demolished. New stairs would be installed. This garage and deck area would be removed and new parking for the property would be provided here (pointing).

As outlined in the staff report this application proposes the creation of a vacant parcel. It is staff's preference to see a design review application accompany a lot split rather than just have the lot split proposed without any sort of improvement along with it. In this particular case the applicant chose to propose just the lot split and not move forward with the design review permit at this time, though it is staff's understanding that the applicant or some future developer/owner of this new parcel would be interested in its development in the future. When considering this application, it is important to consider potential, future development on the site and to consider if there are issues that could arise with future development on the site. For example, would the subdivision create a lot with an appropriately sized developable area? Would the newly created lot allow for reasonable development that wouldn't require variances or undesirable encroachments into the public right of way? Another issue would be would the subdivision lead to potential significant environmental impacts if developed? Would the creation of the lot likely result in a new development that would have the likely potential to impact public or private views or have light and air impacts on neighboring properties. The bottom line is that it is important to envision what future development could hold for this lot and to consider if this lot split is going to be setting up future problems. This lot split is creating an entitlement for development on this lot and the City doesn't want to create the possibility for future problems should this lot be developed in the future.

With that in mind, staff considered potential future development on the lot and concluded that the lot could reasonably accommodate future development without serious foreseeable problems. They looked at vehicular and pedestrian access with the steepness of the hillside fronting Currey Avenue. The City Engineer looked at that and concluded that the topography of the site would allow for a driveway approach from Currey Avenue that would comply with the City's requirements.



undesirable from the City's perspective. That is why staff would prefer to see a design review application with a lot split application. There's no requirement that would prevent an application for a lot split only from moving forward, but there are some disadvantages to it and it requires staff and the Commission to foresee unanticipated consequences should a development project come forward in the future.

Chair Kellman noted the City Engineer's memo talks about increased setbacks due to the water course. How do those setbacks impact the development potential of each new lot if the lot split application was granted as requested? What she means by that, is the Commission going to see somebody come in and say, "Oh my goodness, I'm constricted by these setbacks, it's a hardship, I need a variance." How much is it going to encroach into the actual development of those lots such that a subdivision might not be the most appropriate thing to do there? According to the City Engineer, "future development should be restricted from this area by creating a water course setback comparable to two times the maximum depth of the pipe plus five feet." Aas staff looked at that?

Mr. Noble said the lot is quite deep and that culverted area is here (pointing to site map) and the developable area of the lot is here. He doesn't think that establishing a setback requirement for this area, which would be perfectly appropriate to do as part of this subdivision, would create issues with future development on this parcel.

Chair Kellman asked if staff has a sense of what the size of the remaining developable lot would be if those setbacks are included in the analysis. She completely agrees they need to have setbacks from waterways, so to the extent that those are incorporated, is the Commission going to see somebody who says, "Now I need to push the project to the front of the site, and I'm going to need a variance because I can't go into the back section even though it's a deep lot." So she wants to know how much of each lot would be impacted?

Mr. Noble said he doesn't have that number right now. Staff would have to come back with that. One thing to keep in mind is that this is essentially a corner lot so both this property line and this property line (pointing) would function as a front property line with zero setbacks. So when you are looking at developable area, it would be something like this even with a 20-foot setback from that culvert.

Chair Kellman asked if that would be an encroachment? There's the street - that's the property line. It doesn't seem like it leaves a very large lot. One of the findings the Commission has to make is that each lot is not substandard in size for that area and this happens to be an area of town that has very large lots, so all of a sudden it is being subdivided and then even more is being taken away by these setbacks and that should be included in the analysis.

Mr. Kermoyan noted that with a subdivision the City can exercise its right to actually define where the future development can be as compared to a parcel that's already vested, it already exists. Here there is an application where they want to divide one property into two and there are some issues with streams and topography. The Commission is perfectly able to define what type of design the house should be, how big a house can be, where it should be, all as part of the conditions of a subdivision. One of the advantages to the applicant of coming in with a design

Chair Kellman said when she asked Mr. Noble what happens when you take into account the setbacks for the water course; the response was that it's okay, because they are deep lots –

Mr. Revlock said if you went 30 or 40 feet from the end, you still have 50 feet to put the house here. You would never encroach on any of these parts that the City was concerned with. The water course is way here at the bottom and that's only draining his property and his neighbor's property. If there is a little run-off water, it is caught up here, goes into a culvert and goes down into a sewer at the other end of the road.

Chair Kellman asked if Mr. Revlock did any calculations to determine –

Mr. Revlock said he has his structural and civil engineer with him.

Chair Kellman said just to be clear, when the Commission is looking at approving a subdivision and they are creating two lots of x-size and the applicant has suggested that size is 9,000 square feet, she'd like to know how much of that would not be buildable because it would be in the setback.

Mr. Revlock said those are very adequate figures. There are 5,000 square feet buildable and 4,000 square feet back here in both the lots that you wouldn't touch because it's just too hard to touch. So there's plenty of useable space and that's what staff agreed upon, that you could easily build a modest home on either one of the lots.

So he respectfully proposes two lots in keeping with the General Plan and in keeping with the neighborhood and the nature of the village of Sausalito.

Chair Kellman said there is a letter from one of the neighbors in the packet that says that this is in fact not in keeping with the neighborhood, that this is an area that has very large lot sizes. How would he respond to that?

Mr. Revlock said when you look at those general ones; there are a lot of lots that are 8,000 and some that are even smaller. This is 9,000, so there are variations in Sausalito. There are some that are maybe 9,000 or 12,000 -- all different sizes. But this meets – he's not asking for any variances or any options. So it does resemble a number of lots along Currey Avenue all the way down on both ends. Across the street is a 6,000 square foot lot and they got a variance to build a home there.

Commissioner Keller said he's not clear as to why the applicant didn't come with a design for the lot?

Mr. Revlock said right now it's just going to sit there as a lot. He doesn't have any – it's just going to sit there.

Commissioner Keller asked if he understands the rationale that staff put forth as to why the Commission prefers to see someone come forward with a design if they are going to split a lot. There's a reason for it, you want to have another house there at some point?

1 invert elevation of the pipe, he's not sure why the City would do that, where that comes from. Is  
2 it because of surcharging the pipe?

3  
4 Chair Kellman asked Mr. Teachout to speak to the reasons for the restrictions he placed in his  
5 memo?

6  
7 Mr. Teachout said the condition is recommended – he wasn't aware of the setback that Vice  
8 Chair Leone referenced – the condition he recommended was based on past experience with  
9 regard to failure of metal culverts over time. You assume a building code standard for an  
10 acceptable slope of 2 to 1 and then gave a certain buffer for a setback beyond that.

11  
12 Chair Kellman asked if he has any idea what the maximum depth of the pipe might be?

13  
14 Mr. Teachout said no, there's been no information provided with regard to that.

15  
16 Chair Kellman said the Commission is going to need that information.

17  
18 Vice Chair Leone noted the only way to access that is either from the freeway or from Toyon,  
19 isn't it?

20  
21 Mr. Teachout said it may be accessible from other places, but staff would suggest the applicant  
22 provide that information, perhaps a video inspection of the narrowest inlet.

23  
24 Vice Chair Leone asked if Mr. Teachout's guess would be that if it's a circular pipe that it's  
25 could be assumed to be at least as wide as the easement – he's shaking his head – he's just trying  
26 to get an estimate of what is there.

27  
28 Mr. Teachout said typically the pipe is quite a bit less than the easement. The easement is  
29 generally 5 to 10 feet and the pipe in this case, he wouldn't be surprised if the pipe is between 18  
30 and 30 inches.

31  
32 Mr. Revlock said half of it is on his neighbor's property.

33  
34 **Public Comment**

35  
36 **Kevin Haus** lives at 150 Currey Avenue, which is the next door neighbor to this lot. He's heard  
37 a lot that evening about the uniqueness of Sausalito and maintaining that as part of the role of the  
38 Commission and this actually is really a unique area within Sausalito because many of the lots  
39 are larger. Through those larger lots, you have more space, more trees, more vegetation, even  
40 wildlife that reside, come through and are otherwise enjoyed by the neighborhood. It also  
41 provides a sense of privacy and seclusion. This is one of the view areas in Sausalito where the  
42 houses are not right on top of each other, you don't feel like you've got people looking in your  
43 windows, and you not only have nice views, but even when you aren't looking out at the water,  
44 you are seeing a lot of trees, space and vegetation and that is something that the neighborhood  
45 truly enjoys. He believes that sense of privacy and seclusion also helps property values in the  
46 area. He and his wife are against this proposal both for personal reasons as well as for the

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1 Ms. Hart said yes, the court did rule on the property owned by Mr. Glygola who is also present to  
2 speak that evening. And that was actually subdivided about 1950 and for the next half century  
3 posed the most extraordinary expense and turmoil in the neighborhood. The owner who  
4 subdivided it tried to build another home in what is Mr. Gyglola's front yard and it was turned  
5 down and decades went by and another owner had actually – the lots were subdivided but  
6 nothing had been built. So once again the new owner tried to build in the front yard in the  
7 subdivided lot. It went to court and the judge said no, you can't do it.

8  
9 **Pat Glygola** lives at 2 Crescenta Drive, which is the property Ms. Hart was referring to. He  
10 lives right across the street from this property that is being discussed. It's that uphill lot which is  
11 about half an acre there. He just found out about this proposal that day by luck from a neighbor.  
12 Evidently there was a notice on the Yield sign, which he didn't see and he made a copy of it and  
13 found out that the hearing was that evening. He didn't receive a notice and he hasn't had a  
14 chance to review what the applicant wants to do. He'd ask the matter to be continued, at the  
15 least, so he can review it. At this time, he does oppose it, mainly because it's not in keeping with  
16 the character of the neighborhood and it's changing the density. Most all the lots are big, there  
17 are occasional small lots but when the original developers subdivided this area, they made all  
18 these lots this size for a reason. They looked at the size and shapes of everything and that culvert  
19 that has been mentioned does drain a big portion of 101 and that goes right down through that  
20 lot. So CalTrans may have something to say about how that is dealt with as well. That lot was  
21 made that size for a reason and it's in keeping with the neighborhood. The subdivision would be  
22 going against the original intent for the neighborhood and it's not in keeping with the character  
23 of the neighborhood and that's why he opposes it. and Ms. Hart is correct, it did go through a  
24 lengthy court process and it was decided that on the lot he lives on now, they couldn't build  
25 another house there and all the neighborhoods banded together to keep that from happening. He  
26 would at least like the option of a continuance to further review the project, but at this point in  
27 time he would be against it.

28  
29 **Chris Haus** lives at 150 Currey. She concurs with what the neighbors have said. There is one  
30 important thing to note, there was a major landslide in the ravine this winter, the City is aware of  
31 that, they actually wound up having to replace quite a bit of the culvert. It took out trees; it  
32 actually took out the plumbing line that they share. Please consider that as well.

33  
34 Chair Kellman asked the City Engineer if he has any additional information on the slide?

35  
36 Mr. Teachout said not so much a slide, but there was some erosion and a tree on Toyon did  
37 topple. It was a large tree, parts of it still remain. And in the process of toppling over, it indeed  
38 lifted and ripped the sewer lateral that had to be repaired. It's right here (pointing).

39  
40 Chair Kellman asked if it impacted the culvert?

41  
42 Mr. Teachout said no, where the tree fell is open. The culvert pretty much goes along as depicted  
43 within the documents. At the end of the property line, it opens up. And back on Toyon it gets  
44 into a culvert, crosses under the street, opens up again and there was a project to terrace the water  
45 course from Toyon down to the next street. That same project included a culverting of the project  
46 above, and why that was built, he can't say, but they have had requests to implement that project

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1 that stuff, and that's what the courts made a decision upon. On this side, these are just individual  
2 lots and the 9,000 square foot lots meet the City's requirement of minimum by more than 1,000  
3 square feet. These roads all along here have side cutbacks. They were going to come in here, as  
4 you can see through the model. He has a lot of building space. 9,000 square feet is a big  
5 footprint. Even if you build a house, this is the garage that is going away, you can almost see or  
6 visualize a lot on that the same size as the house over there. He's not doing anything to either one  
7 of the houses or the lots, just proposing the subdivision into two 9,000 square foot lots.

8  
9 Vice Chair Leone asked Mr. Revlock to explain how when he was speaking with the City  
10 Engineer he envisioned the access for the lot 1.

11  
12 Mr. Revlock said they talked about it two ways: one they could build an elevated garage along  
13 here, and go along this strip and go into the garage or the house (pointing to model). And you  
14 can have a smaller house here and have it two or three stories here, whoever would do that  
15 design would meet all the criteria of the Planning Commission, setbacks, height requirements,  
16 vegetation and all this. You could only build something about 2,400 square feet.

### 17 Commission Discussion

18  
19  
20 Vice Chair Leone said the point was made that this is a lot on two intersecting streets and then  
21 the setbacks get waived in that scenario in Sausalito, so he's wondering if that is also going to  
22 affect the nature of how this could be developed and if that's something the Commission needs  
23 to think about there. There's no development proposed here but as far as the developable area  
24 and how it would impact the neighborhood, he doesn't know how that fits into this subdivision  
25 concept.

26  
27 Mr. Noble said with two intersecting streets there would be no setback from both of those  
28 frontages.

29  
30 Vice Chair Leone said in this neighborhood that's an uncharacteristic construction. He knows  
31 there's nothing proposed here so he doesn't know how the applicant would bring that into this  
32 analysis for the subdivision, but it's something to think about. The one point he'll make before  
33 he hears from the rest of the Commission, is that the Commission has had similar circumstances  
34 to this where the Commission has considered lot splits and attached conditions to those and then  
35 on subsequent review by the City Council those conditions have been largely overturned. So his  
36 concern is that whatever actions take place, this would be a good time to have the City Attorney  
37 weigh in on what the Commission's ability to attach conditions to a subdivision may be before  
38 they actually make a determination to approve or deny the subdivision, whether those conditions  
39 are location of the development, setbacks from site features, the Commission needs some  
40 guidance on that because of recent history of the City Council not upholding the Commission's  
41 ability to attach conditions to subdivisions or lot splits.

42  
43 Commissioner Bossio said she has some areas of discomfort with the proposed subdivision.  
44 Given the character of the neighborhood she can see that the next thing around is going to be that  
45 people want to put the largest homes possible on the two lots that will result from the lot division  
46 and then it's going to create a crowded condition amidst homes that have a lot of space. It's just

1 Chair Kellman said she understands that but –

2

3 Mr. Revlock said so when you –

4

5 Chair Kellman said they also know that the likely scenario is that one or both lots will be sold  
6 and will be developed.

7

8 Mr. Revlock said correct. And you would do that like any normal lot, you would do a plan, you  
9 would do the setbacks, you work with the heights and what not.

10

11 Chair Kellman said she does not disagree, but one of the questions on page 3 of the staff report is  
12 would this subdivision create a lot with an appropriately sized developable area, could a home be  
13 built on the parcel without the need for variances from standards such as setbacks, building  
14 coverage or height .... What she is getting at is not that a lot split or subdivision in its entirety is  
15 a bad idea, although she personally doesn't think it is appropriate for this portion of Sausalito –

16

17 Mr. Revlock asked if the Commission wants him to design a house for a proposed future home?

18

19 Chair Kellman said this is why public comment is closed. She's not going to debate the issue  
20 with the applicant. She is just trying to vet the issues with her fellow Commissioners, to talk  
21 about some of the issues that could arise so they can have a little bit of foresight. She  
22 understands the applicant's position.

23

24 Mr. Revlock said it is just a footprint on the lot.

25

26 Chair Kellman said if the Commission doesn't think about this with some foresight and then the  
27 Commission wants to condition the project, what happens if the City Council or another body  
28 goes ahead and says yeah, that's not going to fly, we're getting rid of the conditions. So she's  
29 just trying to vet all the issues, which is her job. She is concerned about having an application  
30 before the Commission that doesn't have a development plan. As the applicant has pointed out if  
31 he doesn't have a project in the works, what's he's supposed to do? Create one just so he can get  
32 the approval?

33

34 Vice Chair Leone said this gets back to his earlier point that given recent history, maybe the  
35 Commission needs some guidance on these issues from the City Attorney. The other question is  
36 what is the developable area of these two lots and is the Commission creating two lots with  
37 problems that will have to be sorted out in the future. He doesn't know if that is the case, but  
38 he'd like to have more information, so he does know what the realties are, i.e., of site stability,  
39 easements, and appropriate setbacks from those easements, the nature of the driveway and  
40 whether that will increase any necessary easements on either property and therefore decrease the  
41 developable land. Potentially. He just needs more information. He also needs more information  
42 on the concept of the intersecting streets and how that affects the potential developable area with  
43 no setbacks on those two corners. He's also concerned that the neighbors didn't get noticed  
44 adequately.

45

# STAFF REPORT

## SAUSASALITO PLANNING COMMISSION

**PROJECT:** TM 05-047; 160 Currey Avenue

**MEETING DATE:** April 11, 2007

**STAFF:** Debra Lutske, Assistant Planner

**APPLICANT AND  
PROPERTY OWNER** Will S. Revilock

### REQUEST

The applicant and property owner requests Planning Commission approval of a Tentative Map to subdivide the existing 17,836 square foot parcel at 160 Currey Avenue into two parcels. The project would also involve the demolition of portions of an existing house, a wood deck, and an existing garage.

### REGULATORY FRAMEWORK

**Zoning:** R-1-8 Single-family Residential

**General Plan:** Low Density Residential

**CEQA:** Categorical Exempt pursuant to CEQA Guidelines Section 15315

**Permits Required:** Tentative Map and Design Review

### EXISTING SETTING

**Neighborhood:** The neighborhood consists of single-family homes on larger lots as allowed by zoning.

**Subject Parcel:** The existing parcel at 160 Currey is approximately 17,835 square feet in area. It is a corner parcel at the intersection of Currey Avenue, Currey Lane and Crescenta Drive. The parcel is currently occupied by an approximately 1,300 square-foot single-family home, detached garage, and detached wood deck. Vehicular access to the site is provided via a driveway from Currey Avenue. The rear of the parcel is steeply sloped with several precipitous grade breaks. A man-made culvert that encloses a natural watercourse is also located at the rear of the parcel.

1. The subdivider shall be required to install a complete sewage system.
2. The subdivider shall provide an adequate water supply.
3. The subdivider shall improve all streets, public ways, alleys and easements which are a part of the subdivision.
4. The subdivider shall provide such structures and/or storm drains.
5. All subdivision improvements must be constructed according to the plans, profiles, cross-sections and specifications as approved by the Commission.

Although the above information states what the applicant is required to improve as part of a subdivision request, there are no standards that state the need for the applicant to improve the site with a residential, commercial or industrial structure. Therefore, the City has the ability to review a subdivision request absent a Development Plan application.

Section 66411 of the Subdivision Map Act supports this position that the City can process a subdivision absent a Development Plan because the regulation and control of the design and improvements of subdivisions are vested in the legislative bodies of local agencies. If the City desires to review development plans with subdivision applications, then the City has the ability to codify that requirement. Unfortunately, the City does not have such provisions.

### **City's Ability To Apply Development Standards To a Newly Created Parcel**

A Tentative Parcel Map is a discretionary permit application that is subject to Planning Commission review and approval. As with all discretionary permit applications, conditions can be attached to a Resolution of approval. The question the Planning Commission raised pertained to the City's ability to attach conditions that would regulate future development of the site such as the location of a future building envelope and setback requirements. This section will respond to those questions and the City Attorney will be available to answer questions at the meeting.

Title 9 of the Sausalito Municipal Code (SMC) is the City's Subdivision regulations that staff uses to verify a subdivision's compliance with City standards. Section VII (Tentative Map) of this Ordinance explains what the submitted Map should contain which Section VII (b) (6) requires proposed setback lines for buildings. Therefore, the SMC anticipates that a building envelope will be formed through the identification of minimum building setbacks. The goal here is to ensure that the parcel being formed will result in a parcel that can be built.

Pursuant to Section VII (b) (7), the applicant shall provide a statement as to tree planting. If the applicant intends to install trees as part of the subdivision, the Planning Commission would have the ability to impose a condition requiring the submittal of a tree planting plan as

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**RECOMMENDATION**

**Overall Staff  
Recommendation:**

Staff recommends that the Planning Commission approve the proposed subdivision subject to the attached draft resolution of approval. Alternatively, the Commission may

1. Deny the application on the basis that the project does not comply with Zoning Ordinance Section 10.40.030.B, the California Subdivision Map Act, or the Sausalito Subdivision Ordinance. In this case, Staff would need to return a Resolution of Denial at the Commission's October 25, 2006 meeting;
2. Approve the application with modified conditions of approval; or
3. Continue the application to a future hearing to allow the application to make modifications to the proposed project.

**EXHIBITS**

1. Draft Resolution of Approval
2. Letter from neighbors
3. Vicinity Map
4. City Engineer Memorandum, September 19, 2006
5. Project Geotechnical Report, February 9, 2006
6. Planning Commission Staff Report, October 11, 2006
7. Planning Commission Minutes, October 11, 2006

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**2. 160 Currey (TM 05-047)  
Will Revilock, Applicant & Property Owner**

The owner/applicant, Will Revilock, requests Planning Commission approval of a Tentative Map to subdivide the existing 17,836 square-foot parcel at 160 Currey Avenue into two parcels. The project would also involve the demolition of portions of the existing house, a wood deck, and an existing garage.

Staff Report by Assistant City Planner Debra Lutske

Ms. Lutske corrected a typographical error on page 4 of the staff report. It should say conditions of "approval" rather than "appeal."

The applicant requests planning commission approval of a tentative map to subdivide an existing 17,836 square foot parcel into two smaller parcels of 8,779 and 9,056 square feet at 160 Currey Avenue. The request includes demolition of a portion of the existing home wood deck and garage. The Planning Commission previously heard the project on October 11, 2006, at which time the public addressed concerns about privacy, views and open space impacts. The Commission also expressed concerns regarding future development standards. The Planning Commission continued the project and requested information addressing the public and Commission concerns. The applicant has since submitted information and plans addressing the development issues. Neighborhood outreach has also taken place. The main issues addressed by the applicant, staff and City Attorney are as follows:

- The city's ability to review subdivision absent a development plan;
- The city's ability to apply development standards to a newly created parcel;
- Condition of approval having long standing;
- Setback for drainage way
- Building envelope.

Title 9 of the Sausalito Municipal Code subdivision ordinance outlines the required improvements for the subdivision. A development plan is not required per those requirements. This allows the city to review a subdivision without a development plan. Also, the Subdivision Map Act does not require a development plan but rather leaves it up to the discretion of the legislative body of the local agency.

The proposal for this tentative parcel map is a discretionary permit application and is therefore subject to Planning Commission review and approval. Conditions of approval can be attached to such a permit. Sausalito Municipal Code section 7 B 6 requires that the application shall include proposed setback lines to ensure a buildable lot.

The conditions having longstanding shall be addressed by the City Attorney.

City Attorney Mary Wagner said she reviewed the minutes from the prior meeting

with the General Plan? It certainly is. So when you look at why staff is recommending approval, it is because staff is comparing the project to the city's policies and objectives and development standards. If there's a concern with the development standards, then they should be changed. If the Commission feels the city is creating lots out of scale with the area, that's a policy change. But at this point because that policy change hasn't occurred, staff has to rely on what's on the books. Hence, staff's recommendation to approve.

#### Presentation by Applicant

Will Revilock and his wife Laura, are the owners of 160 Currey Avenue. In lieu of building a building 5,351 square feet, he would like to ask the Planning Commission for approval to split this double lot into two typical parcels with a proposed limitation on lot one as it was described earlier. All this is within the city's ordinance and development regulations. He's asking for no variations whatsoever. He's been working with staff for a year and a half on this project. He wants to keep one of the parcels for himself and remodel the one existing house for himself, he's an architect, his wife and his daughter. Since the last planning meeting, he met with the planner and looked at the map and a list for the outreach program. He went to all the closest neighbors and provided each neighbor with a package. Four or five of his neighbors had no problems; four or five neighbors said they had concerns. The package included a letter to planning department; a copy of the map showing the size of lots and homes in the neighborhood; a table showing the zoning and permitted lot sizes. He also included a preliminary sketch of how he was going to remodel the one-story, 1,100 square foot house. His plan shows it as a two-story building of 24 feet, using wood shingles, gable roofs and he included floor plans and elevations. The letter to planning department addressed some of the concerns, including the drainage way. He's worked with the City Engineer to solve that problem. Regarding erosion, he's not going to touch any of the trees in the area. There's an existing building and he's trying to develop within that footprint. There was a concern by one of the neighbors about what would be built on the other property. He did a mock-up of that development, at 2,000 square feet, that would also not disturb any of the vegetation. He has spent over \$6,000 to hire Marin Arborists to maintain the trees. He understands it's important to keep the trees maintained so there's views and open space for himself as well as his neighbors. One thing that's unique about this site which is an advantage to him and his neighbors who were worried about the smallness of it, is there is a 40-foot right of way that comes through this area here. The road is 25 feet across. It is actually parallel to the property owners along this side (pointing to slide). What happens is these properties instead of being 9,000 square feet appear and look like 11,000 square feet on both of them, because he's going to pick up all this space. And he does maintain, rake the leaves and water the landscaping because he considers that all his property even though it is the city's right of way. In conclusion, this house was built in 1947 as a summer home at around 1,200 square feet. It remained in a state for about 60 years, they just had renters there on the one lot. For some reason, the estate decided to sell the property. He was very fortunate to have purchased this double lot with a small house and one

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beautiful, small homes with wonderful views. He would like to preserve this beautiful neighborhood, they've had many problems in the area and they've resolved those problems as a neighborhood. Developing this property, splitting this property and the one next to it at 220, which is a probability sometime in the future, would create four new homes in the area. He is opposed to this project.

Kevin Haus is the owner and resident at 150 Currey, next door to the property in question. He is absolutely in favor of improvements to this property. It needs a lot of work. It's a beautiful lot, it does have some great views especially from the center of it, which would be ruined by this lot split, but that aside it's a nice lot. One of the advantages of it, in keeping with the neighborhood, is that it does have some privacy, especially for being on a corner. That privacy was a little disrupted when some improvements were made, essentially clear cutting everything along the street. It is a wonderful lot. He has a number of issues with the proposed subdivision and is opposed it. It is not necessarily in keeping with the spirit of the master plan. To quote the master plan, much of the city has remained as it was 40 to 50 years ago due to a strong commitment to preserve existing character and assets as perceived by the residents. Subdividing this would absolutely go against the spirit of that and make it not just inconsistent with the rest of the neighborhood but really disrupt the character. He also agrees that there is a certain uniqueness of this part of the neighborhood, the Toyon Terrace. There's a lot of space. There's quiet, there's a lot of trees, even some wildlife. And this is really unique to this part of Sausalito. This is a lower density area and a lot of those living in the area love it for that reason alone and don't want to see increased density by adding a number of smaller houses on top of each other. As well, not only was it not in the original design of the neighborhood, but it wasn't even in the original bylaws. In those original bylaws, it was specifically said that subdivision was not to be allowed. Given the spirit of what was designed at the time, given that it was in the bylaws and given that this neighborhood has been down this path before with other proposed subdivisions that were denied in courts of law, the city really needs to think very carefully about what is done with these lots. It is also important to note that no one has seen any design plans. He's worried that the owner may not want to stay in the neighborhood and is instead looking to flip the property.

Vice Chair Keller asked if the speaker would prefer to see a structure there that is 7,000 to 8,000 square feet?

Mr. Haus said that's also out of character with the neighborhood, but putting a larger house in the part of the property that has the best view, provided it is also in the character and design of the neighborhood, he would have no problem with. It would enhance property values, provided the design was consistent with the character of the neighborhood, he would be in favor of it.

Vice Chair Keller asked if he is saying that a split of this would be detrimental to his property values?

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owners wish to change their common boundary line and then only upon approval of the property owners' committee." The CCNR's are very similar to the ones in Mar Vista which were upheld in perpetuity in 1997. He doesn't like this project because it increases the density of the subdivision, it sets a new precedent for new development in the area, it will lower property values and ruin the special quality and feel of the neighborhood. If you go up there and look he defies anybody except for that mistake lot of 6,000 square feet across the street from him, to show him any lots that are that small. The pictures are not a fair representation.

Vice Chair Keller asked if what the speaker would be agreeing to is if the Commission doesn't allow the applicant to subdivide this lot, he could put in a nice single family house that's 8,800 square feet.

Mr. Glegola said the applicant stated to him it would be about a 5,300 square foot house.

Vice Chair Keller said he would be legally allowed to put an almost 9,000 square foot house on this property. Would Mr. Glegola rather see that potential—

Mr. Glegola said he's rather see a large single family dwelling, yes.

Vice Chair Keller asked of 8,000 to 9,000 square feet?

Mr. Glegola said in Vice Chair Keller's words.

Vice Chair Keller said as opposed to two houses of 2,500?

Mr. Glegola said he'd like to see one nice single family dwelling on that lot that fits in with the neighborhood that everybody approves just in the normal process.

Vice Chair Keller explained again that the applicant could legally come to the Commission because of the size of the lot and the way it's set out, with a project that's upwards of 8,000 square feet.

Mr. Glegola said hopefully he would try to fit in with the character of the existing neighborhood and not propose something that large.

Commissioner Petersen noted the applicant may do that with two houses, though, too.

Bernie Fennie <phonetic) lives at 290 Currey. He has the list of the people that added to the objections, including the people that removed themselves from no-objection. He presented that to the Planning Commission. He would like it noted that he is opposed to the project and would prefer a one-family dwelling. He doesn't see that a 9,000 square foot could be put any where on the lot.

Vice Chair Keller noted he asked the applicant earlier about proposed ingress and egress, how would Mr. Nunnelee feel if the Commission conditioned this lot split in such a way that the building envelope, the size of the house, ingress and egress is conditioned to the point, where for example, there was a single driveway shared by both parcels with one ingress, one egress. This is a pretty large parcel and there is quite a bit of city property around the perimeter and it's in a bowl. If the Commission can get it to the point where the commissioners felt comfortable enough to condition this that the only place a person could put a second house would be in the flat area, that you wouldn't necessarily see and the only access would be off of the one driveway.

Mr. Nunnelee said he would see that as little different than one large house. To be honest, he would see little difference. His main concern is houses up against the street.

Vice Chair Keller said if the Commission did that, Mr. Nunnelee wouldn't see houses built up against the street. They'd be built down in the flat area because the only way to get there is off of the one driveway which is the flat area.

Mr. Nunnelee said from the beginning that was one thing he was trying to clarify. If so, would one parcel have to grant a driveway easement to the other parcel and if so would that reduce the size of that property, which he believes it would. But all of these issues have to be addressed. It's not reasonable to just grant a lot split without addressing these. The applicant needs to propose something and let the neighborhood see what's going on. He can see real inconsistencies in this corner lot. It is on a corner, it's got zero setback requirements from two streets, which is very inconsistent with what's there. So, yeah, maybe, he's a reasonable person. When these lots were created there was an intention of protecting the value, desirability, attractiveness of each and every part of every tract. Now, what that means today, he doesn't know, but it's there and it was said, and when this thing was created originally that was the intention. And most of the neighbors feel like splitting the lot in and of itself violates the intention of the neighborhood. But forgiving that for the time being, doing it and just expecting everyone to sign off on something, it's just not reasonable.

Susan Hart and her husband reside at 20 Crescenta Drive. Her property is uphill and within 100 yards of the proposed lot split. Mr. Revilock did not share his plans with her; she first learned of them when it came before the Commission. Developers who would not act in the best interest of Sausalito are forever lapping at our heels, looking to make a nice profit then move on and leave residents with the sad consequences. It was the city and planners who called for the CCNR's to protect Toyon Terrace and preserve the beauty and value of our neighborhood. The CCNR's for this subdivision are identical to those of the adjacent subdivision, Monte Mar Vistas. Both subdivisions were planned and developed during the same time frame. Ten years ago, precedent was set when Judge Peter Allen Smith ruled against the splitting of the original lots in Monte Mar Vistas for the purpose of

neighborhood; he's just trying to do what all his neighbors have done around him. To say this is a minute skinny piece of property is absurd because there is all this lush greenway. As to character, you go up and down Sausalito, you'll see houses of all different sizes.

Laura Revilock addressed the issue of her and her husband just being greedy developers. And why they have flip-flopped on what they're going to do with this property. Some of it is her resistance to moving here, frankly. The first house they bought was too small. They still think about a big house on the property, but they're not really interested in a huge house, so this seemed like a logical solution. If they do build a house here and if it is a smaller house, they will move into it. Has anyone actually measured what would become the lot next door? She would be concerned if somebody built four small houses there; she's not interested in living an area that is that dense either. Does anyone know that that can actually happen?

There was a discussion about the adjacent lot, it was estimated to be about 16,000 square feet.

#### Commission Discussion

Commissioner Bossio said her central concern is whether there are supporting CCNR's for the property. On the face of it, the applicant's request seems to fit within the city's General Plan and the zoning ordinance. However, when regulations are being interpreted, courts and regulatory bodies always look to the more specific rules as guidance. If there are CCNR's relative to this property, that would be important to know.

Ms. Wagner said there is a title report in the file that covers this property. It's dated March 31, 2005 and condition number 5 refers to covenants, conditions and restrictions and easements in a document recorded September 23, 1948 as Book 592, Page 492 of the records. She doesn't know what those records say but there are CCNR's that are recorded against this piece of property.

Commissioner Bossio said she could not rule on this that evening without knowing if there are CCNR's guiding this property. That needs to be determined. If no CCNR's apply to the property, then she would look to the general guidelines as the Commission is required to do, the zoning regulations, the General Plan, which the applicant seems to meet and exceed the requirements that regulate that property. The other aspect of her opinion would be based on the fact that she would need to see what's proposed for the property otherwise. It wouldn't be fair. She's not even sure if the property would end up being buildable, if the lot was subdivided against the wishes of all these neighbors. Because if there weren't CCNR's regulating and the Commission thought the subdivision fit within the zoning regulations and then the applicant sold the lot to someone outside of town who doesn't realize the texture of what goes on here, and they would be up against huge resistance from the neighborhood, unknowingly. That would almost be a disclosure issue for the

Ms. Wagner said yes.

Commissioner Bossio asked if she is saying it would be helpful as more information, but is not something the Commission should look to as its final authority?

Ms. Wagner said the city can't go out and prevent this lot split because of these CCNR's. The city doesn't have the authority to deny it solely on that basis. It can be a factor in the Commission's consideration.

Commissioner Bair said it would be a good thing to know for perhaps a community mediation if one were to have something like that, with respect to a subdivision like that.

Ms. Wagner said she would be happy to report back on the details; she can do an in depth legal analysis but the bottom line is that the Commission as a city entity can't enforce the CCNR's.

Commissioner Petersen said given that, he's in a slightly different place. He wants to pull way back out of the neighborhood and look at just population in general around here and the zoning. The things that were laid down in 1948 were certainly not in anticipation of the number of people in the world right now and the need to house them. You have to look at either eating up the open space to do that or subdividing urban areas to do that. If we don't do it, and we're the best ones to do it, the state or federal government will make us do it and they probably won't make us do it in a very sensitive way or in a way that the city can. The city is already seeing that happening. So that's his impetus to say, you know what, this is an extremely benign lot split given the bowl shape of it, he could support it but he has real concerns with the straight on driveway at street level and the 25-foot on stilts garage. Those things are really awful and the city has a lot of them. He can easily imagine a long contour approach that brings you down to the level so you're not up at street level, everything's taking place down below, or he likes even better the shared easement passage through. If there's a way to make that part of an approval, then he could be entirely for this. He understands absolutely the neighbors' concern for their neighborhood. It is an extremely beautiful neighborhood and some of the buildings down Currey Lane are just amazing old houses. But when there is an actual project before the commission is the time to -- they're going to put the applicant through the wringer anyway when it comes to something actually being developed down there. He trusts that all the neighbors will come out for that and have input when there's an actual real proposal before the Commission. But a theoretical proposal is a hard thing to fight against or for. So he's saying with certain conditions, he can support this and he really does want to separate it from the development possibility because that's not before the Commission at all.

Vice Chair Keller said there are two Commissioners who are not in favor of voting that evening. He would suggest a continuance. There have been some suggestions

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send it to Mr. Kermoyan?

Commissioner Petersen said it would be a good idea to try to build consensus with the neighbors in the meantime. It would make things a lot easier at the Commission.

Mr. Kermoyan said the soonest the project can be rescheduled is May 9.

Mr. Revilock agreed he could be ready for that date.

Vice Chair Keller said he's willing to volunteer to do a meeting with the applicant and three or four of the neighbors to meet.

Mr. Revilock said he'd appreciate that.

Vice Chair Keller said in the interim they need to get some light on the CCNR's.

Mr. Revilock agreed that would be the first step.

Ms. Wagner said for clarity she will give legal advice to the Planning Commission; the applicant and the neighbors need to get their own legal advice.

Vice Chair Keller proposed a continuance to a date certain of May 9, 2007. In the interim, if Mr. Revilock could get together a plan as they've discussed and at the same time he'd like the names of five neighbors who will represent the neighborhood and then he'll email a date and time, probably in 10 days, for that meeting to the participants.

Unidentified speaker from the audience asked that if they are two Commissioners they be two Commissioners that represent two different opinions.

Vice Chair Keller noted the neighborhood doesn't know what his opinion is. The neighbors representing the neighborhood should give Ms. Lutske their contact information.

Commissioner Bossio said she would be concerned that there be enough time for the City Attorney to provide an opinion on the CCNR's.

Ms. Wagner said she can provide an opinion, and they can also ask the applicant to ask his title company to pull the records.

It was agreed to take two weeks before the neighborhood meeting to give the city and Mr. Revilock time to research the CCNR records.

Vice Chair Keller moved, seconded by Commissioner Petersen, to continue the application to the May 9, 2007 Planning Commission meeting.

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# STAFF REPORT

## SAUSASALITO PLANNING COMMISSION

**PROJECT:** TM 05-047; 160 Currey Avenue  
**MEETING DATE:** June 6, 2007  
**STAFF:** Debra Lutske, Assistant Planner  
**APPLICANT AND PROPERTY OWNER:** Will S. Revilock

### REQUEST

The applicant and property owner requests Planning Commission approval of a Tentative Map to subdivide the existing 17,836 square foot parcel at 160 Currey Avenue into two parcels. The project would also involve the demolition of portions of an existing house, a wood deck, and an existing garage.

### REGULATORY FRAMEWORK

**Zoning:** R-1-8 Single-family Residential  
**General Plan:** Low Density Residential  
**CEQA:** Categorical Exempt pursuant to CEQA Guidelines Section 15315  
**Permits Required:** Tentative Map and Design Review

### EXISTING SETTING

**Neighborhood:** The neighborhood consists of single-family homes on larger lots as allowed by zoning.

**Subject Parcel:** The existing parcel at 160 Currey is approximately 17,835 square feet in area. It is a corner parcel at the intersection of Currey Avenue, Currey Lane and Crescenta Drive. The parcel is currently occupied by an approximately 1,300 square-foot single-family home, detached garage, and detached wood deck. Vehicular access to the site is provided via a driveway from Currey Avenue. The rear of the parcel is steeply sloped with several precipitous grade breaks. A man-made culvert that encloses a natural watercourse is also located at the rear of the parcel.

## **BACKGROUND**

On October 11<sup>th</sup>, 2006 the Planning Commission reviewed the subject application as the division of a 17,836 square foot parcel into two lots. (October 11, 2006 Staff Report attached). The Planning Commission expressed initial concerns that the proposed subdivision lacked the submittal of a development application. Members of the public in attendance expressed concern with the project stating privacy, views, and open space impacts. In terms of open space, the public appreciates the large size of the existing parcel and the division of the lot into two smaller parcels would create a future home site that would impact the environment and neighborhood. There were also concerns about the driveway approach and steepness of the site. Staff provided the Commission with information to address the concerns that arose at that meeting. Minutes of the October 11<sup>th</sup> hearing are attached.

On April 11<sup>th</sup>, 2007 the Planning Commission reconvened and re-reviewed the subject application. (April 11<sup>th</sup>, 2007 Staff Report Attached). The Planning Commission and Public both expressed concerns regarding the specifics of the subject development.

Following the close of the public hearing, the Commission requested the following:

1. Clarification of the proposal for future ingress and egress
2. A basic design plan, that includes the size of the homes and basic design proposals for the façades.
3. Effect of CC&R's recorded against the property.

Further questions arose due to the lack of specifics of the project and as such the item was consequently continued to a date certain, May 9, 2007, in order to allow the applicant and staff time to provide answers to the above questions. Although the hearing was rescheduled, the requested information was not submitted in time. The application was continued to a date uncertain at the May 9, 2007 hearing. Since that time, the applicant has been able to provide the requested information.

## **ANALYSIS**

The following analyses focuses on issues raised by the Planning Commission and as briefly restated in the background section of this report.

### **Clarification of the proposal for future ingress and egress**

Per the request of the Planning Commission, the applicant has submitted a means of egress and ingress for the subject parcel. The proposal requires a road easement to be recorded on the parcel to which access rights would be given to the second parcel. Per Sausalito

Subdivision Ordinance 430, Section VII requires that all Tentative Maps contain "the location, names and width of all roads, streets, highways, and ways in the proposed new subdivision."

The City of Sausalito in conjunction with Southern Marin Fire requires all developments to meet the 1998/2001 California Uniform Fire Code. Article 9 of the California Fire Code Section 902.2.1 Exception 3 states "When there are not more than two GROUP R, Division 3 or Group U Occupancies [per parcel] the requirements of Section 902.2.1 and 902.2.2 may be modified by the chief. This exception allows the Chief to modify the requirements of the dimensions and surface of the access driveway. The Battalion Chief has reduced the width of the road to require a 16' width and a 35' hammerhead turn-a-round for the second property.

The proposal for the subdivision now includes a Fire Code uniform road, to be recorded as an easement. The road, which current access comes off of Currey Avenue, will remain the same. The applicant is proposing to extend the road approximately an additional 75 feet. The road easement is approximately 60 feet long, beginning where Currey Avenue meets the property line for 160 Currey, and extends on a downward slope in a South Eastern direction. The additional 75 feet are completely contained on the second property and contain a 35-foot hammerhead facing due north, as shown on the Tentative Map.

Prior to issuance of a building permit, the Tentative Map along with the easement will be recorded with the County.

**Design Plan; size of the homes and basic design proposals for the façades.**

The Sausalito Subdivision Ordinance and the Subdivision Map Act does not require a submittal of a Conceptual Development Plan, but rather leaves that requirement option up to the local governing body. As such, the Planning Commission requested the applicant submit a Conceptual Plan. Planning Commission has requested information detailing the proposed square footage of each proposed home, as well as possible floor plans. Included in the design, Planning Commission has also requested prospective architectural designs of the proposed homes. As requested, the applicant has submitted information to visually identify his proposal for the future, which would require further Planning Commission approval.

The applicant is contemplating the construction of two homes, virtually identical in size. The home that currently exists at 160 Currey, has been proposed for a remodel. The path of entry travels up the main patio and stairs into the living room, which connects to the dining/kitchen area. The entry stairway also allows a path of travel into the first floor bedroom. The second floor has two bedrooms, one of which is the master. The second home, is proposed, as nothing currently exists at its site. Despite the comparatively different arrangements of the two homes, they are approximately the same size. The second home has a two-car garage,

rather than the other homes one-car garage. The second home's path of travel is again up the main entry way/foyer and directly into the living room, which open into the dining and kitchen. The second floor is situated with three bedrooms, one of which is the master and also a balcony opening up to the main hallway.

Architectural visuals will be presented to the Planning Commission on the night of the meeting. The homes are contemplated to be similar in style, with stone and wood façades creating a natural blend of nature and home.

#### **Effect of CC&R's Recorded Against the Property.**

The Title Report which was provided by the Project applicant indicates that there is a document recorded against the subject property which contains conditions, covenants and restrictions ("CC&Rs"). Planning staff obtained a copy of the recorded document which is entitled "Protective Covenants and Restrictions Applicable to the Property in Toyon Terraces Subdivision." A copy is attached for your information.

The City Attorney has reviewed this document and provides the following response. Generally, the Planning Commission is not obligated and in fact is not authorized to enforce CC&Rs recorded against private property. There may be instances where the City is benefited by CC&Rs and therefore entitled to enforce them; that is not, however, the case in connection with this project and the Planning Commission's decision should be made without reference to the recorded CC&Rs. Any enforcement of the CC&Rs would be a private matter between the affected property owners.

That being said, however, it should be noted that the CC&Rs recorded against the property do include a restriction requiring that affected lots be transferred as a whole unless adjoining property owners want to change the common boundary lines which would require approval from a "Property Owner's Committee." While this restriction appears to be applicable to the subdivision requested by the Project applicant the conditions and restrictions in the recorded CC&Rs terminated on January 1, 1980 absent an extension approved by a majority of the property owners. Staff was not able to locate any documents which indicated that the CC&Rs had been extended. Absent such an extension the prohibition against subdivision would no longer be applicable.

#### **PUBLIC NOTICE AND COMMENT**

**Notice:** More than ten days prior to the scheduled hearing, notices were mailed to property owners and residents within a 300-foot radius of the project site. Additionally, notices were posted on the site at least ten days prior to the scheduled hearing.

**Comment:** Staff received multiple letters from neighbors around Currey Avenue requesting that the Planning Commission deny the proposed subdivision. One letter has been received in favor of the project.

**RECOMMENDATION**

**Overall Staff Recommendation:** Staff recommends that the Planning Commission approve the proposed subdivision subject to the attached draft resolution of approval. Alternatively, the Commission may

1. Deny the application on the basis that the project does not comply with Zoning Ordinance Section 10.40.030.B, the California Subdivision Map Act, or the Sausalito Subdivision Ordinance. In this case, Staff would need to return a Resolution of Denial at the Commission's June 6, 2007 meeting;
2. Approve the application with modified conditions of approval; or
3. Continue the application to a future hearing to allow the application to make modifications to the proposed project.

**EXHIBITS**

1. Draft Resolution of Approval
2. Planning Commission Staff Report, October 11, 2006
3. Planning Commission Minutes, October 11, 2006
4. Planning Commission Staff Report, April 11, 2007
5. Planning Commission Minutes, April; 11, 2007

**DRAFT**  
**RESOLUTION NO. 2006-**

**RESOLUTION OF THE SAUSALITO PLANNING COMMISSION APPROVING A TENTATIVE  
MAP AND SUBDIVISION APPLICATION TM 05-047 FOR THE SUBDIVISION OF THE  
EXISTING PARCEL AT 160 CURREY AVENUE (APN 064-232-11) INTO TWO LOTS**

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**WHEREAS**, an application for a Minor Subdivision was filed on September 28, 2005 by property owner and applicant Will Revilock, requesting Planning Commission approval of Minor Subdivision to subdivide the existing parcel at 160 Currey Avenue (APN 064-232-11) into two lots; and

**WHEREAS**, the Planning Commission has conducted duly noticed public meetings on October 11, 2006 and June 6, 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 has reviewed and considered project plans and tentative map titled "Revilock 160 Currey Avenue", date stamped received on May 22, 2007; and

**WHEREAS**, the Planning Commission has determined that the proposed subdivision is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315(k); 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 October 11, 2006, April 11, 2007, and June 6, 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 California Subdivision Map Act, Zoning Code and Subdivision Ordinance requirements as outlined in the staff report and this resolution; and

**WHEREAS**, the Planning Commission finds that, as conditioned herein, the proposed project complies with the General Plan as outlined in this resolution;

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

1. The Tentative Map for the proposed subdivision is approved as outlined in the attached findings (Attachment A).
2. The Tentative Map is approved, for project plans titled "Revilock 160 Currey Avenue", date stamped received on May 22, 2007 (Attachment B), subject to the attached conditions of approval (Attachment C).

**RESOLUTION PASSED AND ADOPTED**, at the regular meeting of the Sausalito Planning Commission on the 6th day of June, 2007, by the following vote:

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

SECRETARY TO THE PLANNING COMMISSION

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PLANNING COMMISSION HEARING  
June 6, 2007  
APPLICATION NO. TM 05-047  
160 CURREY AVENUE

ATTACHMENT A: FINDINGS

**1. SUBDIVISION ORDINANCE FINDINGS**

A) The size and shape of lots shall be such as is proper for the locality in which the subdivision is situated. All lots must be adequately drained.

*The subdivision creates two lots greater than 8,000 square feet in area that are regularly shaped to the extent feasible. The size and shape of these lots are consistent with the pattern of existing parcels in the immediate neighborhood. With the incorporation of the attached conditions of approval, storm water drainage from the parcels will be adequately addressed.*

B) In a subdivision in which the lots may be resubdivided at some future time, the location of lot lines and other details of layout shall be such that resubdivision may readily take place without violating the requirements of this Ordinance of the Zoning Ordinance and without interfering with the orderly extension of adjacent streets and highways.

*The minimum parcel size in the R-8 Zoning District where the subject parcel is located is 8,000 square feet. Both proposed parcels are larger than the minimum parcel standards for the R-8 Zoning District.*

C) Lots with less than thirty feet of frontage on a street will not be permitted.

*The two new lots provide more than thirty feet of frontage on the street.*

D) The side lines of lots will be required to run at right angles to the street upon which the lot faces, as far as practicable.

*The parcel lines intersect with one another and the street at right angles to the extent practicable. While all property lines do not intersect at a ninety-degree angle, staff believes the proposed configuration is optimal in regards to achieving the parcel standards as outlined above.*

E) All lots shall be suitable for the purposes for which they are intended to be sold, and no dangerous areas, or areas subject to inundation may be subdivided for residential purposes.

*The newly created parcel will be of a size that satisfies the City's minimum parcel size requirements and will result in a build-able envelope for future site development.*

**2. SUBDIVISION MAP ACT FINDINGS**

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Pursuant to California Government Code Section 66474 (Subdivision Map Act), it has been found that the requested minor subdivision may be issued based on the following findings:

A) That the proposed map is consistent with applicable general and specific plans.

*The proposed subdivision is consistent with applicable policies in the Sausalito General Plan and minimum lot and density standards as outlined in Title 10 of the Sausalito Municipal Code.*

B) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*The design and improvement of the proposed subdivision is consistent with the Sausalito General Plan and applicable sections of the Sausalito Municipal Code. The subdivision creates two parcels which comply with minimum parcel standards as outlined in Zoning Ordinance Section 10.40.030.B.*

C) That the site is physically suitable for the type of development.

*No new development is proposed as part of this subdivision. The size, topography and physical constraints of Lot 1 would allow for the use of the property for a single-family home envisioned by the General Plan. A code compliant driveway could be installed to serve a new home at Lot 1, and the lot could reasonably accommodate a new single-family home which would not require variances or undesirable encroachments into the public right-of-way. Development on the parcel is unlikely to result in significant environmental impacts that could not be mitigated. Due to the location of the parcel relative to adjacent properties and structures, development on the lot is also unlikely to result in unavoidable view, privacy and light/air impacts.*

D) That the site is not physically suitable for the proposed density of the development.

*The project site is identified in the General Plan as an area for low-density single-family development. The proposed subdivision would create two lots, each of which are greater than 8,000 square feet in parcel area. No new development is proposed as part of this subdivision. As explained in the response to Finding C above, Lot 1 would be suitable for the development of a single-family home should such development be proposed in the future.*

E) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

*No new construction is proposed as part of the subdivision. There will be no construction-related environmental impacts. Future development on the vacant Lot 1 is unlikely to result in significant environmental impacts that could not be mitigated.*

F) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

*No element of the subdivision design or proposed improvements has been identified as a*