



# STAFF REPORT

## SAUSALITO CITY COUNCIL

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### AGENDA TITLE

Appeal of Akraboff Addition/600A Locust/DR 08-002

### RECOMMENDATION

Review and approve the attached draft resolution which denies the appeal and affirms the Planning Commission's approval of a 904 square-foot addition to the duplex unit at 600A Locust Street.

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### SUMMARY

On June 3, 2009 the Planning Commission approved a Design Review Permit for a 904 square foot addition to one of the duplex units located at 600 Locust Street. On June 15, 2009, Robert Beifuss, property owner of 85 Girard Avenue, appealed the Planning Commission's approval of the Design Review Permit (see **Attachment 2** for Appeal).

### BACKGROUND

The applicant submitted plans on January 20, 2008 for an addition to the southern unit of the duplex at 600 Locust Street. The project would expand the residential unit by extending the structure to the southeast toward the front property line, creating an additional 760 square feet of floor area, 1,065 square feet of building coverage, and 1,137 square feet of impervious surfaces. The Design Review Procedures of the Zoning Ordinance (Chapter 10.54) establish thresholds for Planning Commission Design Review. Pursuant to Section 10.54.050.B.4.a, projects for any duplex which add more than 10% of the total floor area of the structure or more than 300 square feet of floor area to the structure are subject to Planning Commission review and approval. In order to approve a Design Review Permit, the Planning Commission (or City Council on appeal) must make twelve findings listed in Section 10.54.050 (Design Review Permits) (see **Attachment 3** for a listing of the required findings).

On July 23, 2008 the Commission reviewed the Design Review Permit application. During the public comment period several neighbors expressed concern with the neighborhood compatibility of the new addition and primary view obstruction from 613 and 615 Locust Street. The Commission expressed concern with the project related to consistency with neighborhood compatibility policies in the General Plan, drainage, and landscaping. After discussion, the Planning Commission continued the public hearing to a date uncertain with instruction to the applicant and property owner to consider the Commission's direction and work with the neighborhood to reduce the view impacts.

The applicant resubmitted plans on April 27, 2009 which proposed to expand the unit by extending the structure to the east towards the front and side property lines, creating an additional 904 square feet of floor area, 1,090 square feet of building coverage, and 1,437 square feet of impervious surfaces. The addition would increase the structure size to 1,870 square feet of floor area (37% of the net site area) and 2,110 square feet of building coverage (32% of the total site area). The existing height of the structure will be maintained and the roof of the new addition will match the height of the existing roofline.

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On June 3, 2009, the Planning Commission continued their consideration of the Design Review Permit. To address the view obstruction issue, a view line from the living room window at 613 Locust to the existing roof eave of 600A Locust was established and the addition was redesigned to fit below the view line. During the public comment period John Boldes, property owner of 610/612 Locust, expressed concern about the proximity of the southern portion of the residence to the existing curb. The Commission considered requiring a reduction in the eave length to mitigate possible safety hazards.

After a discussion about the potential safety hazard of the addition, the Commission voted 4-0 (Bair – absent) to approve Resolution No. 2009-26 which approved the Design Review Permit for the addition with the added condition that the eave on the southwestern side of the addition be reduced by one foot.

See **Attachments 4 and 5** for the Planning Commission staff reports from July 23, 2008 and June 3, 2009; see **Attachment 6** for Planning Commission Resolution No. 2009-26; and **Attachment 7** for the Planning Commission Minutes from July 23, 2008 and **Attachment 8** for the Planning Commission Minutes from June 3, 2009.

#### **GROUND FOR APPEAL**

On June 15, 2009, Robert Beifuss, property owner of 85 Girard Avenue, filed an appeal of the Planning Commission's decision. The appeal lists two grounds which are summarized below in *italics*, followed by staff comments (see **Attachment 2** for the appeal).

**Ground 1.** *"The addition at 600 Locust which consists of but not limited to a living room and 8 foot wrap around deck will adversely affect the privacy of my property located directly in front of the project. The sliding glass door/window leading out to the deck will create a view into the south facing window at various angles which will expose most of the living area of that unit. The blinds or shade will have to remain closed at all times in order to feel any privacy. That window is a main provider of sunshine and light. See enclosed picture. Furthermore, the sliding glass door/window will be considerably lower than all existing windows which will intensify the issue."*

The subject parcel is located on the north side of Locust Street, near the intersection of Girard Avenue. A two-story residential duplex is located on the 6,589 gross square foot parcel. The lower level of the structure contains two single-space garages and the upper level contains the habitable space for each unit. Two eight-foot easements run over the entirety of the northeast and southwest sides of the property, allowing access from Locust Street to the duplex units at 85/87, 89/91 and 93/95 Girard Avenue; 501, 509 and 515 Litho Street; and 602, 604, 606, 608 and 612 Locust Street. The easements account for 1,554 square feet of the total site area and therefore the net parcel area is 5,035 square feet.

The duplex at 600 Locust is located southwest and uphill from the appellant's unit at 85 Girard Avenue. The two properties are separated by a private sixteen-foot driveway. The existing living room area of the subject residence contains a large window that has a view of Richardson's Bay over the roofline of the appellant's unit. From this window, individuals can see the living room window of the appellant's residence as well as an outdoor patio area and several other

windows along the southern façade of the appellant's residence (see photograph submitted by the applicant, **Attachment 16**).

The addition would expand the subject unit by extending the structure to the east towards the front and side property lines. The living area space would be relocated to a new octagonal room and a new circular deck would wrap around the living area. The addition involves a new two new windows that would be located around the circular deck and a sliding glass door that would provide access from the living room area to the new deck. The new deck area would be located approximately 28 feet away from the corner of the appellant's unit and 11 feet from the common property line in the middle of the driveway (see **Attachment 10** for approved site plan and east elevation).

The appellant contends that the placement of the new windows/glass door and circular deck on the southeastern portion of the subject residence will negatively affect the privacy of the appellant's unit. The appellant contends that the resident in the subject residence will be able to look into the appellant's living and dining room spaces. Privacy is addressed in *Chapter 10, Section 10.54.050.D* (Design Review Findings). To approve a Design Review permit the Planning Commission must find that:

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

Privacy was not an issue that was discussed at either of the two Planning Commission hearings on the Design Review Permit (see **Attachments 7** and **8** for the minutes from the July 23, 2008 and the June 3, 2009 Planning Commission hearings). The appellant was in attendance at the July 23, 2008 meeting and did not submit correspondence nor speak to the privacy issue (see **Attachment 4** for correspondence in the July 23, 2008 Staff Report and **Attachment 7** for the minutes from the July 23, 2008 hearing). At the direction of the Planning Commission, the addition was redesigned following the July 23, 2008 Planning Commission hearing. As described in the project background section above, the applicant redesigned the addition to protect the view corridor at 613 Locust Street by pulling the addition away from the southeastern corner of the subject lot by three feet. The previous design included a similar circular deck and living space arrangement (including the location of windows and doors) that was proposed approximately 25 feet away from the corner of the appellant's unit and eight feet from the property line (see **Attachment 11** for the superseded site plan and east elevation). Therefore, the addition proposed in 2008 was approximately three feet closer to the windows on the appellant's unit than the design approved by the Planning Commission on June 3, 2009.

Staff diligently visited the subject site prior to the June 3, 2009 Planning Commission meeting to evaluate the project before recommending approval of the Design Review Permit to the Planning Commission. Staff noted that the project proposed an extension of the unit to the southern corner of the lot, towards a public street and a private driveway. In addition, Staff noted that orientation of the new deck and location of new windows/doors were proposed to capture the view of Richardson's Bay and Belvedere, and were offset from the appellant's unit. Staff also observed that due to the topography, the subject lot is at a higher elevation than, and looks over, the appellant's property.

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The applicant and staff met with the property owners of 613 Locust Street on March 25, 2009 to discuss the project. Story poles representing the most eastern extent of the addition were placed prior to the meeting. The view from the residence of 613 Locust was considered in relationship to the proposed addition at the subject site and it appeared that the redesign lessened the impact on primary views from 613 Locust.

In an effort to elicit neighborhood concerns in advance of the June 3, 2009 Planning Commission meeting, Staff organized two neighborhood meetings at the project site and invited all property owners within 300 feet of the subject site to review the plans at the Community Development Department and attend the neighborhood meetings. The project architect and property owner were in attendance at the meetings. After reviewing the plans and viewing the story poles, the property owners of 89 Girard and 509/511 Litho stated that they were in support of the project.

As view concerns from 613 and 615 Locust were an issue at the July 23, 2008 public hearing, Staff contacted the property owners of 613 and 615 Locust Street on May 21, 2009. The property owner of 615 Locust Street was informed that the story poles had been put up and were certified and was invited to comment on the project. No comment was received. Additionally, Staff attempted to contact the property owner of 615 Locust Street on May 21, 2009. The property owner was informed that the story poles had been put up and were certified and was invited to comment on the project. No comment was received.

After the applicant-organized meeting at 613 Locust Street, Staff-organized meetings on the project site, the installation of the story poles by May 14, 2009, the posting and mailing of the notice of the proposal to all residents and property owners within 300 feet of the subject parcel and multiple site visits, Staff recommended to the Planning Commission that the privacy finding could be made for the Design Review Permit.

The appellant was not in attendance at the June 3, 2009 meeting and therefore privacy concerns were not raised at the public hearing. The finding that the Planning Commission made in approving the Design Review Permit was:

*The few new windows proposed along the west elevation where the new addition is proposed are small in size and take into consideration the privacy of the adjoining property. The new deck is appropriately placed in an area shielded from neighboring properties. In addition, the new landscaping proposed will provide additional privacy and visual buffering for the neighborhood.*

Staff revisited the site and met with the appellant on July 6, 2009 to discuss and view the privacy concerns. Staff noted that from the dining and living room areas of the appellant's residence individuals will be able to view the new deck and living room areas. In addition, from the subject property, standing in the approximate location of the new deck and living room area, the applicant will be able to view both windows on the southern corner of the appellant's residence (see **Attachment 17**). However, orientation of the deck, windows and glass door of the addition is angled towards Richardson's Bay, to capture the view. Future residents at the subject residence would need to look downwards, and at an angle, to view the windows in the southern corner of the appellant's residence (see **Attachment 19**).

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The subject site is located in the New Town area neighborhood where the General Plan and Zoning Ordinance provide for a medium high density residential (up to 17.4 dwelling units/acre) neighborhood. Due to the nature of a small lot in a dense urban neighborhood achieving full privacy among neighbors is not viable. Therefore, Staff concludes that the privacy impact is minimal, and very similar to the impact that the residence currently experiences with the orientation of the existing living room window at the subject residence.

Taking into account the density of the neighborhood, the proximity of the subject residence to neighboring structures and the proposed landscaping, the Planning Commission found that the project provides a reasonable level of privacy to the site and adjacent properties. In conclusion, Staff concludes that Finding 9 in Section 10.54.0505.D was appropriately made.

However, if the City Council is not able to make the finding to support the Design Review Permit, Staff suggests that the Council consider a condition to mitigate the appellant's privacy concerns. Since the filing of the appeal the appellant and the applicant have been in discussions regarding a screening structure to shield the appellant's southernmost windows from the proposed addition. A fence or an arbor with landscaping, placed three feet away from the appellant's southernmost corner windows would prevent a resident at the subject property from viewing the appellant's windows from the new deck and living room areas. Such a structure would be allowed with the issuance of a zoning permit and a building permit. Staff has prepared such a condition of approval below, for the Council's consideration. If the Council requires such a condition, Section 2 of the draft Resolution (**Attachment 1**) could be modified to read (additional language is underlined):

**Section 2.** The City Council hereby affirms the findings and conditions of approval listed in the attached Planning Commission Resolution No. 2009-26 with the following added as a general condition:

With the written permission of the property owner of 85 Girard Avenue, the applicant shall pay for the permitting and construction of a fence or arbor on 85 Girard Avenue to screen the southernmost corner windows of 85 Girard Avenue from the northeastern corner of the subject residence.

In addition, the applicant's representative, Don Olsen, has submitted an email stating that the applicant would like to modify the applicant's landscaping plan to add a 42-inch box oak located at the southeastern portion of the deck to screen the view from the deck area to the appellant's window (see **Attachment 1**). To mitigate the appellant's privacy concerns, the Council may consider this additional tree as a project condition of approval. Staff has prepared such a condition of approval below, for the Council's consideration. If the Council requires such a condition, Section 2 of the draft Resolution (**Attachment 1**) could be modified to read (additional language is underlined):

**Section 2.** The City Council hereby affirms the findings and conditions of approval listed in the attached Planning Commission Resolution No. 2009-26 with the following added as a general condition:

The landscape plans shall be amended add a 42-inch box oak located at the southeastern portion of the deck to screen the view from the deck to the southernmost

corner windows of 85 Girard Avenue. The amended landscaping plans shall be subject to the review and approval of the Community Development Director.

**Ground 2. "I also believe the design of the building is out of character in both style and mass. The bulk of the construction is on the southside which will be in all of its mass out of balance with the surrounding small cottages and narrow easements and streets—see pictures."**

In order to approve or conditionally approve a Design Review Permit, the Planning Commission must determine that a project is architecturally compatible with its neighborhood and adjacent properties. Neighborhood Compatibility is addressed in Municipal Code *Chapter 10, Section 10.54.050.D* (Design Review Findings) and the General Plan (specifically *Objective CD-1.0, Scale and Architectural Diversity and Policy CD-1.3, Neighborhood Compatibility*).

To approve a Design Review permit the Planning Commission must make two findings regarding neighborhood compatibility:

*The proposed architecture and site design complements the surrounding neighborhood and/or district by either: a) Maintaining the prevailing design character of the neighborhood and/or district; or b) Introducing a distinctive and creative solution, which takes advantage of the unique characteristics of the site and contributes to the design diversity of Sausalito (10.54.050.D.2)*

*The proposed project is consistent with the general scale of structures and buildings in the surrounding neighborhood and/or district (10.54.050.D.3)*

In addition, the Planning Commission must find that the project is consistent with the General Plan. Staff identified one objective and one policy in the Community Design and Historical Preservation Element as most relevant to the proposed project:

*Objective CD-1.0: Scale and Architectural Diversity. Strive to retain the village like quality of Sausalito by respecting the City's existing scale and promoting diverse architecture that is in harmony with neighboring structures.*

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

As discussed in the June 3, 2009 Planning Commission Staff Report (see **Attachment 5**), the General Plan designation and Zoning District for the property identify the site for medium to high residential development. The project features a total Floor Area Ratio of 0.37 or 1,870 square feet where the maximum Floor Area Ratio allowed is 0.65. A review of adjacent properties in terms of existing/approved residential square footage was provided in the staff report which shows that the proposed addition brings the total floor area on the site to the upper range of existing/approved floor area square footage in the immediate vicinity of the subject site. However, the proposed floor area will be within the range of existing residences and therefore will be compatible with the neighborhood in terms of the proposed bulk. Staff also

concluded that as the project was designed with a unique octagonal roof, it provides visual interest and contributes to the design diversity of Sausalito.

In addition, the proposed development is significantly less than the floor area and building coverage that is permitted for the site, and will maintain the existing height of the structure. The architectural design will also enhance the neighborhood by providing diversity by varying the exterior materials, while still maintaining harmony with neighboring structures. Even though the material will change from shingles to stucco, the form and massing of the house is representative of other homes in the neighborhood.

The Planning Commission reviewed the information presented in the staff reports and conducted site visits. Taking into account the architectural styles and massing of existing residences in the neighborhood, the Planning Commission found that the project complements its setting and the other buildings in the neighborhood, is consistent with the general scale of structures and buildings in the surrounding neighborhood and promoting diverse architecture that is in harmony with neighboring structures. In conclusion, Staff concludes that Findings 2 and 3 in Section 10.54.0505.D were appropriately made.

Since the filing of the appeal the applicant and John Boldes, 610/612 Locust, have been in discussions regarding modifications to the project which would reduce the massing of the addition and address Mr. Boldes' concerns. The applicant has agreed request an amendment of the plans approved by the Planning Commission to reduce the southwest dining room wall and eave by one foot to the northeast (see **Attachment 14** and **15**). These modifications would reduce the massing of the structure at the southern corner of the parcel and pull the addition further away from the existing private driveway. Staff recommends that the Council approve the attached draft resolution with the condition that such modifications are made to the project plans. Staff has added such a condition of approval, noted below, to Section 2 of the draft Resolution (**Attachment 1**).

*The plans shall be amended to reduce one foot of the southwest dining room wall and eave (10 feet in length) to the northeast. The amended plans shall be subject to the review and approval of the Community Development Director.*

In summary, Staff concludes that the two grounds for appeal analyzed above cannot be supported. Furthermore, the Design Review findings can be made as listed in Planning Commission Resolution No. 2009-26. However, if the City Council is not able to make the findings to support the Design Review Permit, then consideration should be given to upholding the appeal.

#### **PUBLIC CORRESPONDENCE**

- Applicant Vanya Akraboff submitted the following:
  - Neighborhood support forms (**Attachment 12**);
  - Letter to Robert Beifuss (**Attachment 13**);
  - Letter from John Boldes, 610/612 Locust (**Attachment 14**);
  - Statement from Vanya Akraboff (**Attachment 15**);
  - Photograph of view from the existing living room window looking toward the appellant's residence (**Attachment 16**);

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- Photographs of view from the area on the subject property where the proposed deck will be located looking toward the appellant's residence (**Attachment 17**); and
- Twenty-seven date-stamped photographs taken over a period of sixteen days showing drawn blinds in the southernmost windows of the appellant's residence (**Attachment 20**).
- Applicant Vanya Akraboff and John Boldes, 610/612 Locust submitted the following:
  - Letter from John Boldes, submitted by Akraboff and Boldes, date-stamped July 14, 2009 (**Attachment 14**); and
  - Statement from Vanya Akraboff submitted by Akraboff, date stamped July 14, 2009(**Attachment 15**).
- Letter from Betty Leaskou, 604 Locust (**Attachment 21**).
- Letter from John Boldes (also included in June 3, 2009 Planning Commission staff report (**Attachment 22**).
- Email from Don Olsen (**Attachment 1**).
- Letter from Robert Beifuss (**Attachment 24**).
- Correspondence submitted after the writing of this staff report will be posted on the City's website (<http://www.ci.sausalito.ca.us/>) and available at the City Council public hearing.

**STAFF RECOMMENDATIONS**

Staff recommends the City Council take the following actions:

- Review and make any appropriate modifications of the attached draft resolution which denies the appeal and affirms the Planning Commission's approval of a 904 square-foot addition to the duplex unit at 600A Locust Street with the added condition that the plans shall be amended to reduce one foot of the southwest dining room wall and eave to the northeast.
- Approve the resolution.

If the City Council concludes that an additional condition is necessary to ensure privacy between the subject residence at 600A Locust Street and the appellant's residence at 85 Girard Avenue, Staff recommends that the City Council take the following additional actions:

- Review and make any appropriate modifications to the suggested additional condition to Planning Commission Resolution No. 2009-26 regarding a fence or arbor at the appellant's residence; and
- Approve the resolution with the following modification:

**Section 2.** The City Council hereby affirms the findings and conditions of approval listed in the attached Planning Commission Resolution No. 2009-26 with the following added as a general condition:

*With the written permission of the property owner of 85 Girard Avenue, the applicant shall pay for the permitting and construction of a fence or arbor on 85 Girard Avenue to screen the southernmost corner windows of 85 Girard Avenue from the northeastern corner of the subject residence.*

If the City Council concludes that an additional condition is necessary to reduce the massing of the subject residence at 600A Locust Street, Staff recommends that the City Council take the following additional actions:

- Review and make any appropriate modifications to the suggested additional condition to Planning Commission Resolution No. 2009-26 regarding reducing massing of the residence at the southern corner of the parcel; and
- Approve the resolution with the following modification:

**Section 2.** The City Council hereby affirms the findings and conditions of approval listed in the attached Planning Commission Resolution No. 2009-26 with the following added as a general condition:

*The plans shall be amended to reduce one foot of the southwest dining room wall and eave (10 feet in length) to the northeast. The amended plans shall be subject to the review and approval of the Community Development Director.*

Alternatively, the City Council may:

- Uphold the appeal and direct staff to return with a resolution with appropriate findings to deny the project;
- Continue the public hearing for additional information and/or project revisions.

#### ATTACHMENTS

1. Resolution of Denial (Draft)
2. Appeal filed by Robert Beifuss, date-stamped June 15, 2009
3. Required Findings for a Design Review Permit
4. Planning Commission Staff Report dated July 23, 2008
5. Planning Commission Staff Report dated June 3, 2009
6. Planning Commission Resolution No. 2009-26
7. Planning Commission Minutes dated July 23, 2008
8. Planning Commission Minutes dated June 3, 2009
9. June 3, 2009 Planning Commission Notice and Distribution List
10. Approved site plan and east elevation
11. Superseded proposed site plan and east elevation (2008)
12. Neighborhood support forms, submitted by Akraboff, date-stamped July 14, 2009
13. Letter to Robert Beifuss, submitted by Akraboff, date-stamped July 7, 2009

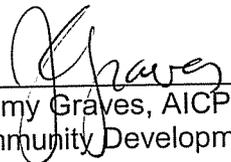
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14. Letter from John Boldes, submitted by Akraboff and Boldes, date-stamped July 14, 2009
15. Statement from Vanya Akraboff submitted by Akraboff and Boldes, date stamped July 14, 2009
16. Photograph taken from the living room window at 600A Locust, submitted by Akraboff, date-stamped July 7, 2009
17. Photograph taken from the proposed deck addition area at 600A Locust, submitted by Akraboff, date-stamped July 7, 2009
18. Staff photographs taken from the dining/living room area at 85 Girard
19. Staff photographs taken from the property at 600A Locust, from the deck addition area
20. Information from Akraboff, date-stamped July 7, 2009 and July 14, 2009
21. Letter from Leaskou, date-stamped July 6, 2009
22. Letter from John Boldes, date-stamped July 14, 2009
23. Email from Don Olsen, date-stamped July 15, 2009
24. Letter from Robert Beifuss, date-stamped July 15, 2009

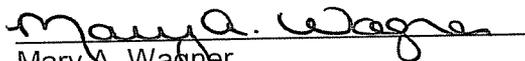
PREPARED BY:

  
Lilly Schinsing  
Associate Planner

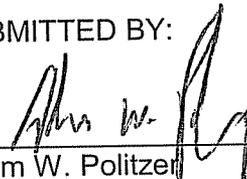
REVIEWED BY:

  
Jeremy Graves, AICP  
Community Development Director

REVIEWED BY:

  
Mary A. Wagner  
City Attorney

SUBMITTED BY:

  
Adam W. Politzer  
City Manager

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**RESOLUTION NO. XX**

**RESOLUTION OF THE SAUSALITO CITY COUNCIL DENYING AN  
APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF A  
DESIGN REVIEW PERMIT FOR CONSTRUCTION OF A RESIDENTIAL ADDITION  
AND REMODEL AT 600A LOCUST STREET  
(DR 08-002)**

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**WHEREAS**, on January 30, 2008, applicant John McCoy of Don Olsen and Associates Architects, on behalf of property owner Vanya Akrahoff, filed an application for a design review permit to construct a 904 square foot addition to the residential unit at 600A Locust Street (APN 064-211-27);

**WHEREAS**, on July 23, 2008 and June 3, 2009, the Planning Commission conducted duly-noticed public hearings, considered the information contained in the respective staff reports, and considered testimony by all interested persons regarding the proposed project; and

**WHEREAS**, on June 3, 2009, the Planning Commission adopted Resolution 2009-26 which approved Design Review Permit DR 08-002 to construct a 904 square foot addition to the unit at 600A Locust Street; and

**WHEREAS**, on June 15, 2009, Robert Beifuss filed a timely appeal of the Planning Commission's approval of DR 08-002; and

**WHEREAS**, on July 21, 2009, the City Council conducted a duly-noticed public hearing on the appeal, considered oral and written testimony, and considered information in the staff report; and

**WHEREAS**, the City Council confirms that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(I)(1) and 15303(a); and of the State CEQA Guidelines.

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

**SECTION 1.** The City Council hereby denies the appeal and upholds the decision of the Planning Commission.

**SECTION 2.** The City Council hereby affirms the findings and conditions of approval listed in the attached Planning Commission Resolution No. 2009-26 with the following added as an additional general condition:

*The plans shall be amended to reduce one foot of the southwest dining room wall and eave (10 feet in length) to the northeast. The amended plans shall be subject to the review and approval of the Community Development Director.*

**RESOLUTION PASSED AND ADOPTED** at the regular meeting of the City of Sausalito City Council on the \_\_\_ day of \_\_\_\_\_, 200\_\_, by the following vote:

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

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Jonathan Leone, Mayor  
City of Sausalito

**ATTEST:**

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Debbie Pagliaro  
City Clerk

Attachment: Planning Commission Resolution No. 2009-26

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**SAUSALITO PLANNING COMMISSION  
RESOLUTION NO. 2009-26**

**APPROVAL OF A DESIGN REVIEW PERMIT FOR A  
REMODEL AND ADDITION AT 600A LOCUST STREET  
(DR 08-002)**

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**WHEREAS**, an application has been filed by applicant, John McCoy of Don Olsen and Associates Architects, on behalf of property owner Vanya Akrahoff requesting Planning Commission approval of a Design Review Permit to construct a 904 square foot addition to the duplex at 600A Locust Street (APN 064-211-27); and

**WHEREAS**, the Planning Commission conducted a duly noticed public meeting on July 23, 2008 and June 3, 2009 at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, the Planning Commission finds that the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(l)(1) and 15303(a); and

**WHEREAS**, the Planning Commission has reviewed and considered the project plans titled "Remodel & Addition 600A Locust" date-stamped received on April 27, 2009; and

**WHEREAS**, the Planning Commission has received and considered oral and written testimony on the subject application; and

**WHEREAS**, the Planning Commission has reviewed and considered the information contained in the staff reports dated July 23, 2008 and June 3, 2009 for the proposed project; and

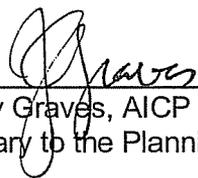
**WHEREAS**, the Planning Commission finds that, as conditioned herein, the proposed project complies with the requirements of the General Plan and Zoning Ordinance as described in the staff reports dated July 23, 2008 and June 3, 2009.

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

The Design Review Permit for the construction of a 904 square foot addition to the duplex at 600A Locust Street is approved based upon the attached findings (Attachment 1), subject to the attached conditions of approval (Attachment 2), and as shown in the project plans titled "Remodel & Addition 600A Locust" date-stamped received on April 27, 2009 (Attachment 3).

**RESOLUTION PASSED AND ADOPTED**, at the regular meeting of the Sausalito Planning Commission on the 3<sup>rd</sup> day of June, 2009, by the following vote:

AYES:	Commissioner:	Stout, Cox, Keegin, Keller
NOES:	Commissioner:	
ABSENT:	Commissioner:	Bair
ABSTAIN:	Commissioner:	

  
\_\_\_\_\_  
Jeremy Graves, AICP  
Secretary to the Planning Commission

- ATTACHMENTS**
- 1- Findings
  - 2- Conditions of Approval
  - 3- Project Plans

**PLANNING COMMISSION RESOLUTION**  
**June 3, 2009**  
**DR 08-002**  
**600A Locust Street**

**ATTACHMENT 1:**  
**FINDINGS FOR APPROVAL OF A DESIGN REVIEW PERMIT**

**1. DESIGN REVIEW PERMIT FINDINGS**

In accordance with Zoning Ordinance Section 10.54 (Design Review Procedures), the Design Review Permit is approved based on the following findings:

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

*The proposed project is consistent with all applicable policies, standards, and regulations of the General Plan and Zoning Ordinance.*

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

*The architectural design will enhance the neighborhood by providing architectural diversity with a new style of architecture and changing the material from shingles to stucco, yet will still remain harmonious with neighboring structures. The form and massing of the structure will maintain the prevailing design character of the neighborhood through the low roof and a small-scale expansion that does not maximize potential site development to its fullest extent.*

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

*The proposed project will expand the scale of the existing structure, but in a nature that is compatible with the surrounding neighborhood. The proposed development is significantly smaller in floor area and building coverage than what is permitted for the site, and will maintain the existing height of the structure. The proposed floor area will be within the range of existing residences in the immediate vicinity and therefore will be compatible with the neighborhood in terms of the proposed bulk.*

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

*The proposed addition will not adversely impact public views from Locust Street as it will maintain the existing building height and will improve the façade with new windows, a deck, and other architectural features. The impact to private views of the neighboring property uphill to the west of the site has been minimized by establishing a view line from the living room window at 613 Locust to the existing roof eave of 600A Locust. The project has been designed with particular care to protect the existing views from 613 Locust.*

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

*The subject parcel is not located along a ridgeline.*

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

*The proposed landscaping will enhance the site and improve the existing landscaping on site with new trees, flowers, and other decorative plantings. The plantings along the western edge will buffer the new addition and provide visual relief, as well as create a more attractive aesthetic for neighboring properties.*

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

*The addition is located in the front yard and thus does not impact the spacing, light, and air of neighboring properties. The site is bordered by driveways on the north and south and a public street on the east, which will ensure the provision of adequate light and air for adjacent properties.*

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

*There is no new mechanical equipment or chimneys proposed. The proposed project is subject to the standard condition that all exterior lighting be shaded and downward facing, which will ensure lighting is appropriately placed to reduce impacts to neighbors.*

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

*The few new windows proposed along the west elevation where the new addition is proposed are small in size and take into consideration the privacy of the adjoining property. The new deck is appropriately placed in an area shielded from neighboring properties. In addition, the new landscaping proposed will provide additional privacy and visual buffering for the neighborhood.*

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

*There are no changes proposed to the parking or circulation of the site and so there will be no impacts to traffic safety and movement.*

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

*The project proposes minimal cut and fill that does not rise to the level of a grading permit. The natural terrain will be maintained, and new landscaping will be added to enhance the natural features of the site.*

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

*Heightened Review is not required for this project.*

**PLANNING COMMISSION RESOLUTION**  
**June 3, 2009**  
**DR 08-002**  
**600A Locust Street**

**ATTACHMENT 3: CONDITIONS OF APPROVAL**

These conditions apply to the project plans prepared by Don Olsen Associates Architects and titled "Remodel & Addition 600A Locust" date-stamped received on April 27, 2009.

**General**

1. Upon building permit submittal the Conditions of Approval shall be shown on all construction drawings.
2. Upon building permit submittal the applicant shall provide a written response demonstrating compliance with each Condition of Approval.
3. The eave on the southwestern side of the addition shall be reduced by one foot (1').
4. The landscaping plan shall be amended to provide low groundcover vegetation along the south and east portions of the parcel. The amended landscape plans shall be subject to the review and approval of the Community Development Director.
5. The southern corner of the parcel shall be cleared of vegetation and graded to improve the visibility at the intersection of Locust Street and the private driveway.
6. All exterior lighting shall be shielded and downward facing.
7. No alternative or unrelated construction, site improvements, tree removal and/or alteration, exterior alterations and/or interior alterations and/or renovations not specified in the project plans, or alterations approved by the Community Development Director, shall be performed on the project site. In such cases, this approval shall be rendered null and void unless approved by the Community Development Department as a modification to this approval.
8. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.
9. The applicant shall indemnify the City for any and all costs, including without limitation attorneys' fees, in defending this project or any portion of this project and shall reimburse the City for any costs incurred by the City's defense of the approval of the project.
10. The project shall adhere to all recommendations in the Report Geotechnical Investigation, prepared by Robert Settgest, Geoengineering, Inc., dated January 21, 2008.

11. A construction staging plan and construction schedule shall be submitted for review and approval of the City Engineer or designee.
12. The construction geotechnical report shall be reviewed and approved by City Engineering staff.
13. A stormwater control plan shall be prepared that conforms to "Guidance for Applicants: Stormwater Quality Manual for Development Projects in Marin County."
14. Efficient irrigation, appropriate landscape design, and proper maintenance shall be implemented to reduce excess irrigation runoff, promote surface filtration, and minimize use of fertilizers, herbicides, and pesticides.
15. To the maximum extent feasible, drainage from paved surfaces shall be routed through grassy swales, buffer strips or sand filter prior to discharge into the storm drainage system.
16. A Water Pollution Prevention Plan shall be developed and implemented that addresses construction related site management practices including litter control, motor vehicle washing and maintenance, storage of hazardous materials.
17. Storm water shall be discharged by gravity flow to an approved (city owned and maintained) storm drain system.

#### **Prior to Issuance of a Building Permit**

18. Prior to issuance of a building permit, a video inspection of the sewer lateral to the septic tank shall be prepared, copies of the video inspection and copies of approved septic plans and inspections be submitted to and verified by the City Sewer Systems Coordinator, prior to issuance of building permits. The inspection shall extend from an access location in or immediately adjacent to the house to the sewer main in the public right-of-way. Defects found shall be corrected as soon as possible after discovery.

#### **Advisory Notes**

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

1. This approval will expire in five (5) years from the date of adoption of this resolution if the property owner has not exercised the entitlements hereby granted.
2. All applicable City fees as established by City Council resolutions and ordinances shall be paid.
3. Construction Impact Fees shall be paid in accordance with the Construction Impact Fee Ordinance. The fee is due prior to issuance of Building Permit.
4. Encroachment permit, grading permit, third party review fees (cost plus 10%) fees shall be paid.

5. An encroachment permit shall be obtained from the Public Works Department prior to using the public right of way for non-public purposes (e.g., material storage, sidewalk construction or demolition) including any and all construction and demolition activities.
6. Grading/drainage permit(s) shall be obtained from the Public Works Department for any earthwork in excess of 50 cubic yards.
7. Grading on hillside land with of geologic formation known to slide will be limited to between April 15 and October 15 without written approval of the City Engineer.
8. Pursuant to Municipal Code Chapter 11.17, dumping of residues from washing of painting tools, concrete trucks and pumps, rock, sand, dirt, agricultural waste, or any other materials discharged into the City storm drain system that is not composed entirely of storm water is prohibited. Liability for any such discharge shall be the responsibility of person(s) causing or responsible for the discharge. Violations constitute a misdemeanor in accordance with Section 11.17.060.B.
9. Pursuant to Municipal Code Section 18.08.020, overhead electrical and communication service laterals shall be placed underground when the main electrical service equipment is relocated or replaced.
10. Pursuant to Municipal Code Section 12.16.140, the operation of construction, demolition, excavation, alteration, or repair devices and equipment within all residential zones and areas within a 500 foot radius of residential zones shall only take place during the following hours:  
  
Weekdays – Between 8:00 a.m. and 7:00 p.m.  
Saturdays – Between 9:00 a.m. and 5:00 p.m.  
Sundays – Prohibited  
Holidays recognized by the City – Between 9:00 a.m. and 7:00 p.m.  
  
Homeowners currently residing on the property and other legal residents may operate the equipment themselves on Sundays between 9:00 a.m. and 7:00 p.m.
11. Permits required by other agencies having jurisdiction within construction area shall be obtained in accordance with their respective agency's regulations.

**PLANNING COMMISSION RESOLUTION**  
**June 3, 2009**  
**DR 08-002**  
**600A Locust Street**

**ATTACHMENT 3: PROJECT PLANS**

**REMODEL & ADDITON**  
**600 A LOCUST**  
**SAUSALITO, 94965**  
 A.P.N. 064-211-27

**A0**  
 April 21, 2009

NO. \_\_\_\_\_  
 REVISIONS \_\_\_\_\_

**OWNER**  
 Verrill Associates  
 600 A Locust  
 Sausalito, CA 94965

**CONSULTANTS**  
 ARCHITECT:  
 Russell Stone, AIA, P.E., 24 Avenue Hill  
 600 Bayswater, Sausalito, CA 94965  
 415.333.8888  
 russ@stonearch.com  
 russ@stonearch.com

**ENGINEER**  
 Planning Department  
 415-333-2281

**PROJECT INFORMATION**  
 DESCRIPTION: Remodel and addition to the 600 A Locust.

**A.P.N.** 064-211-27

**ZONING** R23.2S

**CONSTRUCTION TYPE** 3K

**PARCEL SIZE** 664 sq. ft. (10' x 66' 4") (incl. easement)  
 525 sq. ft. (10' x 52' 5") (incl. easement)

**DWELLING UNITS** duplex

**SETBACKS** rear 10'-3"  
 right 1'-6"  
 left 15'-2"

**HEIGHT** 17'-4 1/2"

**IMPERVIOUS SURFACE**

Existing	1,145 sq. ft.
Addition	1,320 sq. ft.
<b>TOTAL</b>	<b>2,465 sq. ft. = 51.25 %</b>

**LOT COVERAGE**

Existing	1,000 sq. ft.
Addition	1,300 sq. ft.
<b>TOTAL</b>	<b>2,300 sq. ft. = 43 %</b>

**FLOOR AREA**

Existing	195 sq. ft.
Addition	804 sq. ft.
<b>TOTAL</b>	<b>1,070 sq. ft. = 37 %</b>

**SHEET INDEX**

- 43.0 Site Plan (see information sheet for more info)
- 1 Survey
- AS.1 Existing Plans & Existing Structures
- AS.2 Grading Plan
- A1.0 Floor Plans
- A2.0 Elevations
- A3.1 Sections
- A3.0 Details

**PLANTING LEGEND**

- AMELANCHIER ALNIFOLIA (DARKLEAF) - 60" x 8" galien
- MAHONIA AQUIFOLIUM (LONG LEAF HAZEL) - 5" x 6" galien
- HUSTIA PLANTAGINIFOLIA (FRAGRANT PLANTAIN LILLY) - Twelve 5" galien
- ACICIA BAILEYANA (PURPUREA) - 5" x 15" galien
- TIGER LILLY (LILYUM COLUMBIANUM) - Ten galien
- CELANOTHUS (WILD LILAC) - Ground cover, 10" x 12" OCEW

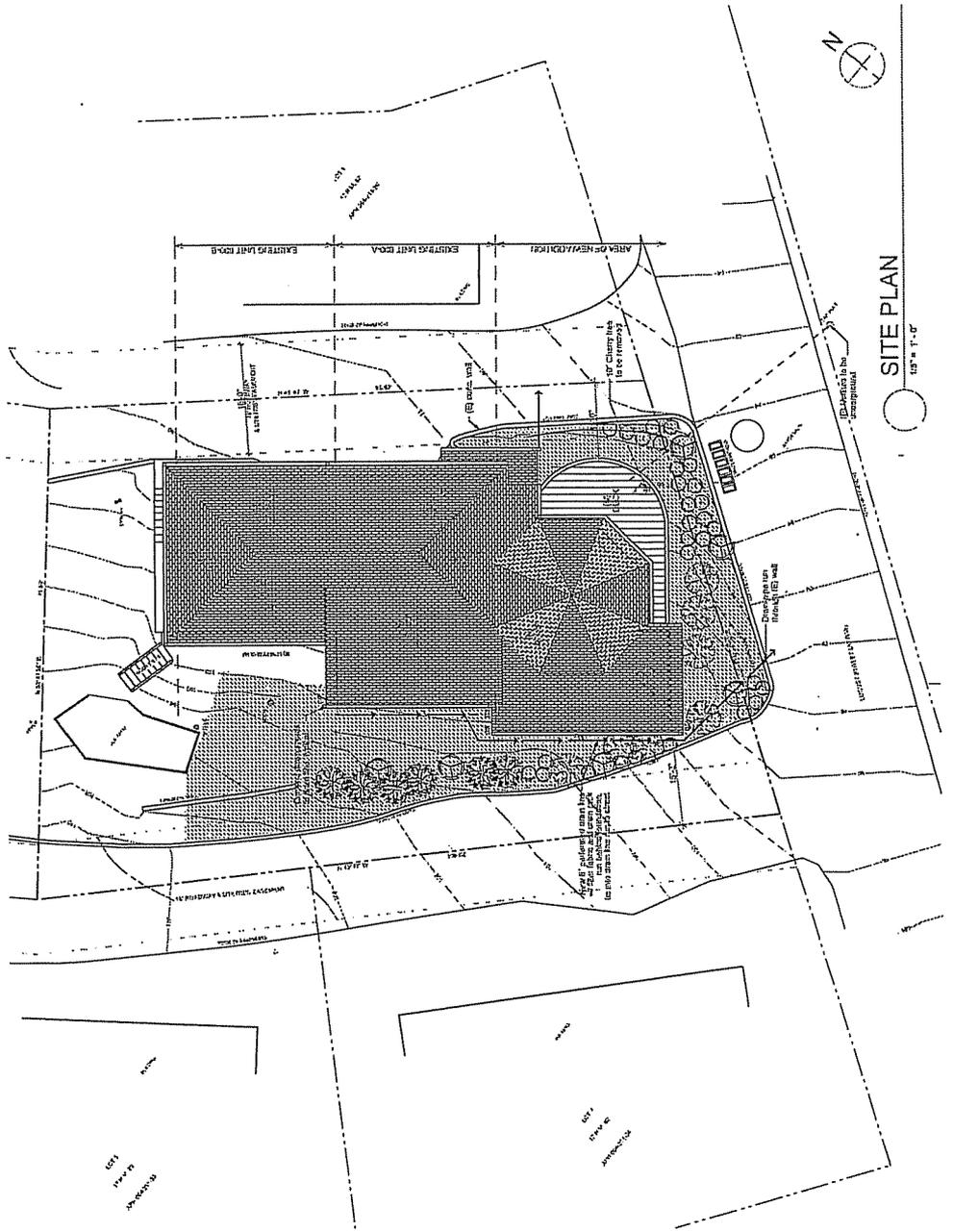
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**APR 27 2009**

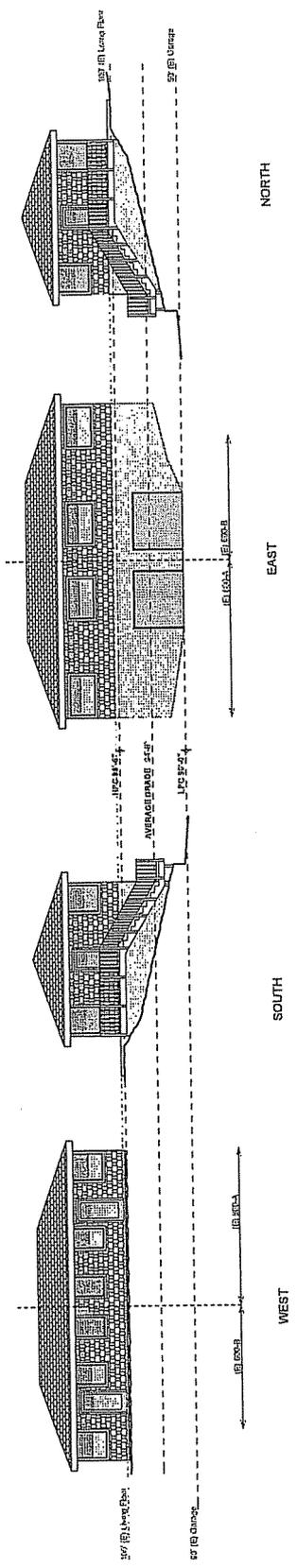
**CITY OF SAUSALITO**  
**COMMUNITY DEVELOPMENT DEPT**



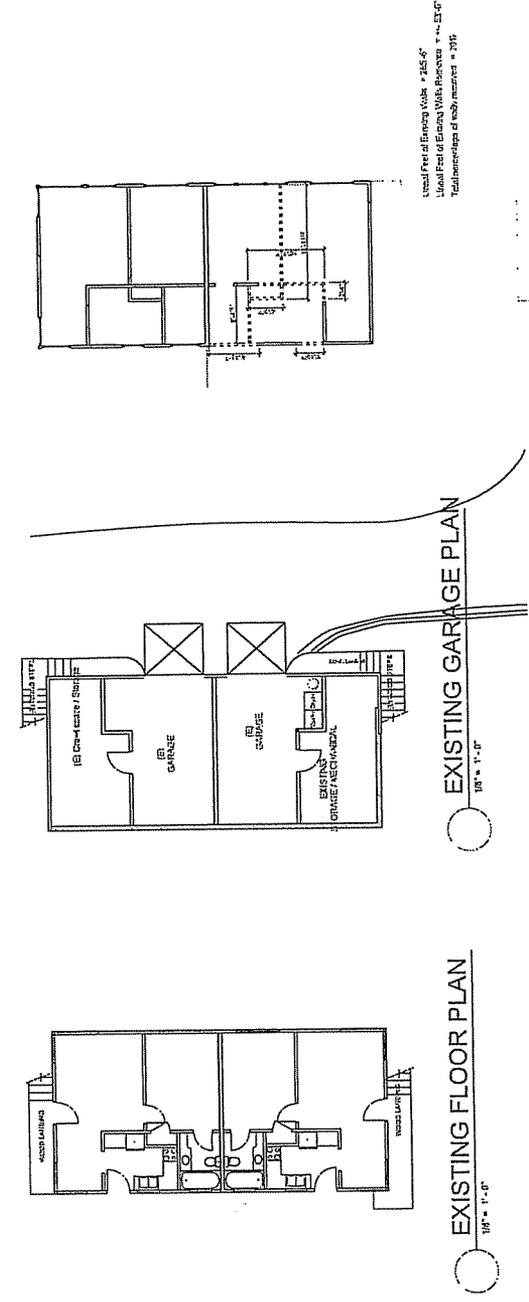
**SITE**



**SITE PLAN**  
 1/8" = 1'-0"



EXISTING ELEVATIONS  
 1/8" = 1'-0"



Local Feet of Existing Walls = 265'-6"  
 Local Feet of Existing Walls Plus Windows = 7'-6" x 23'-0"  
 Total Percentage of walls removed = 20%

WALL DEMOLITION CALCS  
 1/8" = 1'-0"  
**RECEIVED**

APR 27 2009

CITY OF SAUSALITO  
 COMMUNITY DEVELOPMENT DEPT







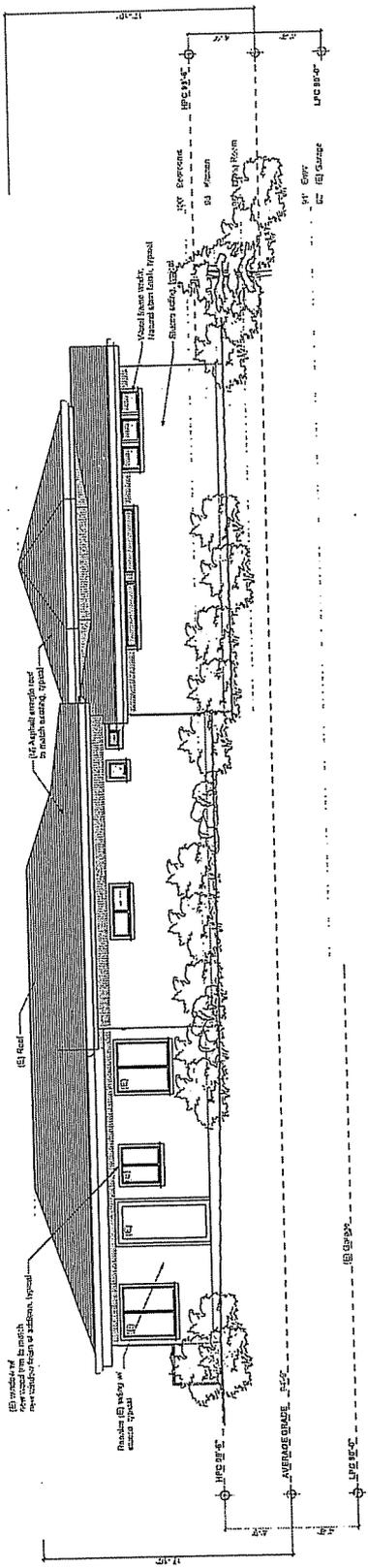
REMODEL & ADDITION  
 600 ALOCUST  
 SAUSALITO, 94965  
 A.P.N. 064-211-27

NO.	DATE	REVISIONS

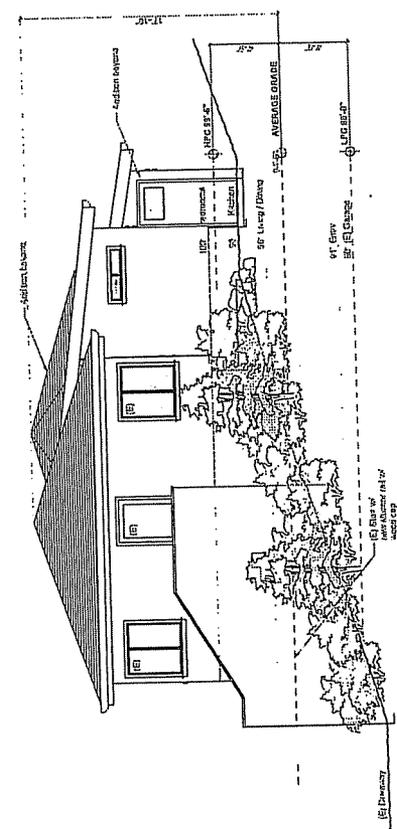
A2.1  
 APRIL 21, 2009

DONALD OLSEN ASSOCIATES ARCHITECTS  
 555 Ridgeway, Suite 100, CA 94925 Tel: (415) 333-0277 Fax: (415) 333-0077 email: don@donaldolsen.com

RECEIVED  
 APR 27 2009  
 CITY OF SAUSALITO  
 COMMUNITY DEVELOPMENT DEPT



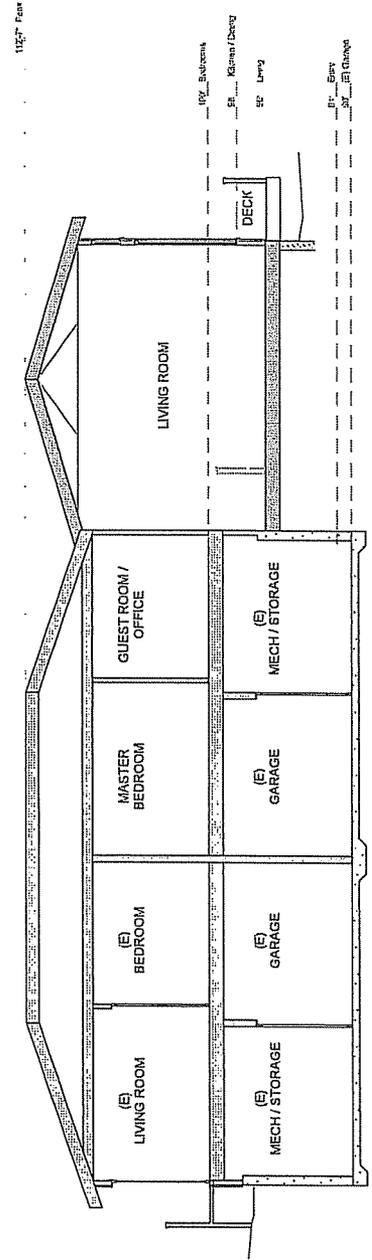
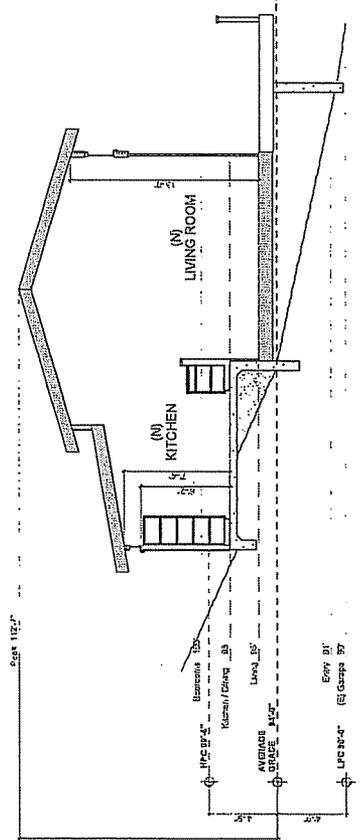
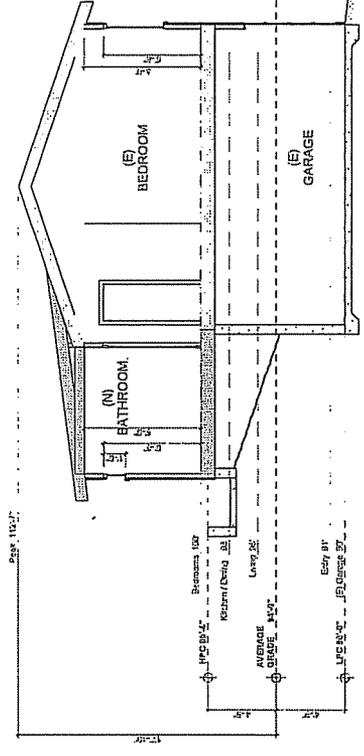
WEST ELEVATION  
 SCALE: 1/8" = 1'-0"



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

**RECEIVED**  
 APR 27 2005

CITY OF SAUSALITO  
 COMMUNITY DEVELOPMENT DEPT



\$ 2,587

CITY OF SAUSALITO  
APPEAL OF PLANNING COMMISSION DECISION  
OR HISTORIC LANDMARKS BOARD DECISION

Community Development Department  
420 Litho Street  
Sausalito, CA 94965  
415.289.4128 / 415.339.2256 (Fax)

Appellant's Name ROBERT BEIFUSS Day Phone 331-0740

Appellant's Address 66 Marion Ave. Sausalito, Ca. 94965

Appellant's Email Address byfus@hotmail.com

Appellant's interest in the project (e.g., applicant, neighbor, etc.) \_\_\_\_\_

Appellant's Signature Robert Beifuss

Project Name and No. DR 08-002

Project Address 600 Locust, Sausalito

Date of Decision (Appeal must be filed within 10 calendar days) 6-3-09

Specify the grounds of the appeal (Additional sheets may be attached, if necessary)

*see attached sheet.*

AP No. DR 08-002

Fee Paid \$ 2,791.48

Receipt Number 72917

Accepted By LS

Date Received Stamp

RECEIVED

JUN 15 2009

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT

\$ 29.48 postage

\$ 175.00 noticing

\$ 2,587.00 appeal fee

\$ 2,791.48 paid

ATTACHMENT 2  
(5 PAGES)

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6-15-09

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JUN 15 2009

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT

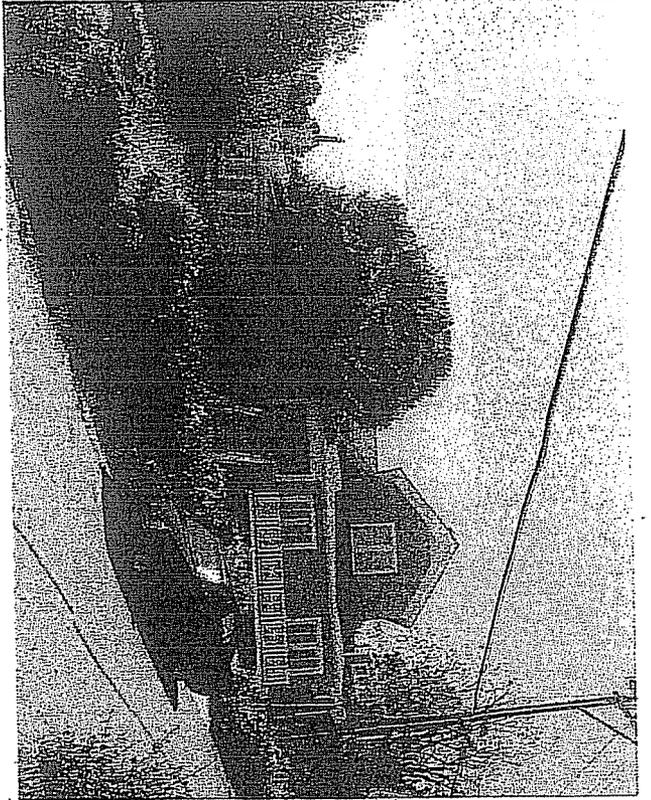
To Sausalito City Council:

The addition at 600 Locust which consists of but not limited to a living room and 8 foot wrap around deck will adversely affect the privacy of my property located directly in front of the project. The sliding glass door/window leading out to the deck will create a view into the south facing window at various angles which will expose most of the living area of that unit. The blinds or shade will have to remain closed at all times in order to feel any privacy. That window is a main provider of sunshine and light. See enclosed picture.

Furthermore, the sliding glass door/window will be considerably lower than all existing windows which will intensify the issue.

I also believe the design of the building is out of character in both style and mass. The bulk of the construction is on the southside which will be in all of its mass out of balance with the surrounding small cottages and narrow easements and streets - see pictures.

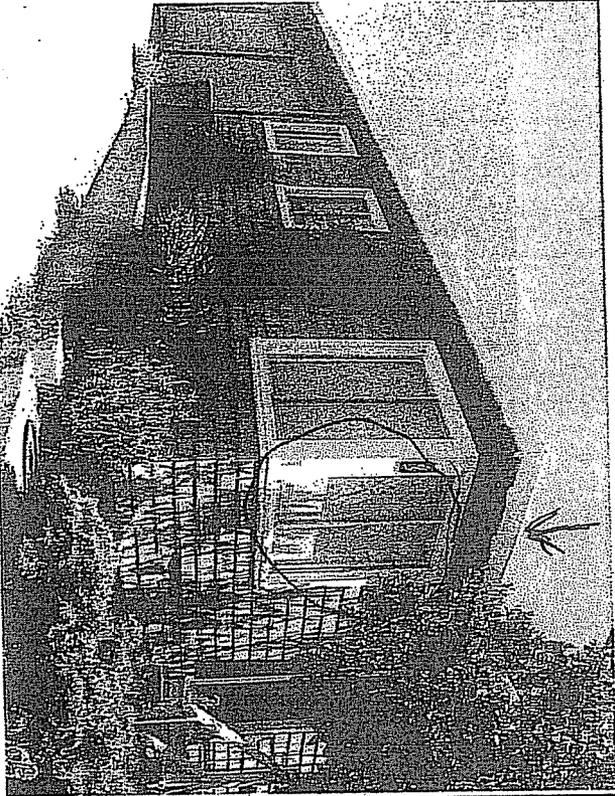
Sincerely, Robert B. Berman



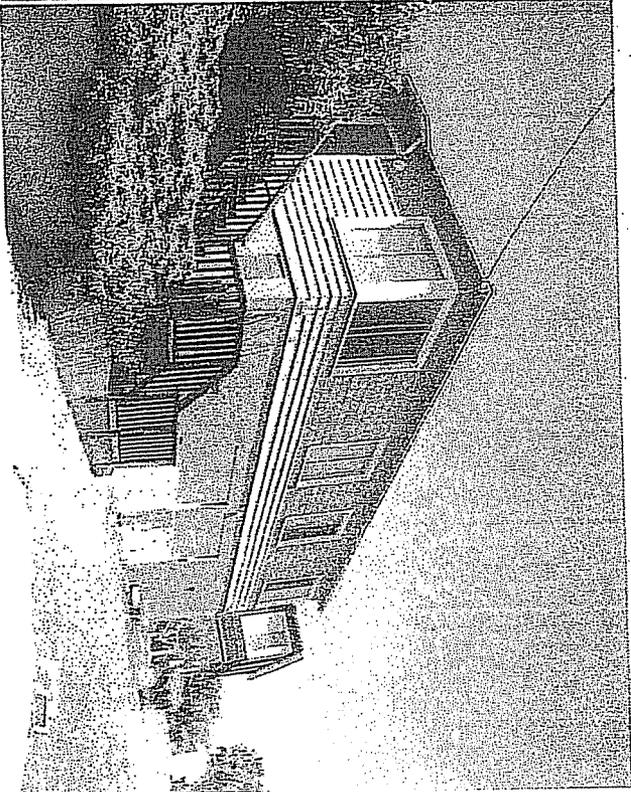
79 GIRARD



85 GIRARD AND 613 LOCUST

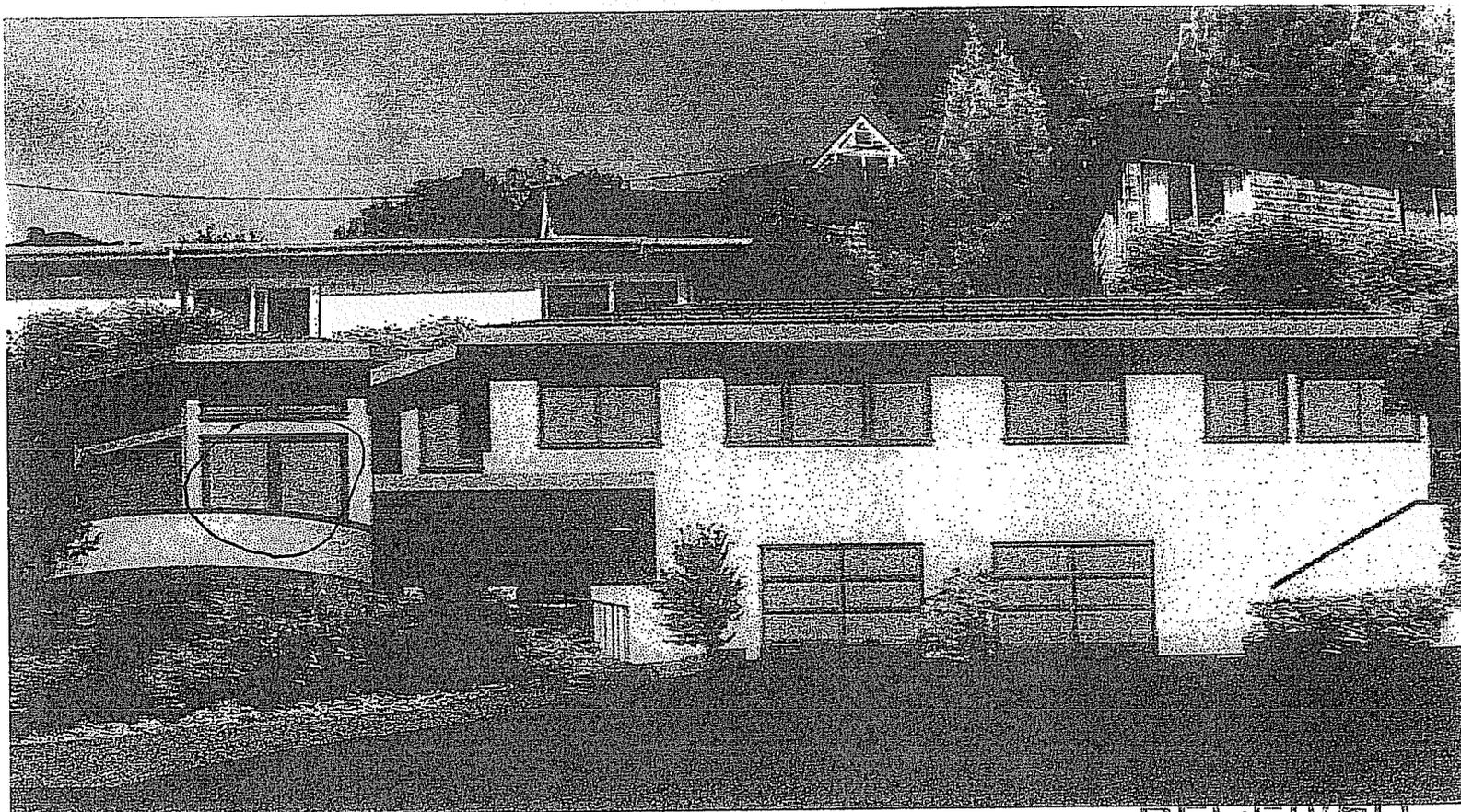


85 GIRARD



602 LOCUST

RECEIVED  
JUN 15 2009  
CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT



RECEIVED

JUN 15 2009

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT

# East Elevation

RECEIVED

MAY 19 2009

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT

5A  
32

EXHIBIT K  
(2 PAGES)



RECEIVED

JUN 15 2009

CITY OF SAUSALITO  
COMMUNITY DEVELOPMENT

# South Elevation

MAY 14 2009

2009 JUN 15 10:00 AM  
COMMUNITY DEVELOPMENT DEPARTMENT ONLY

666 Bridgeway, Sausalito, CA 94965

web: [www.dkoarchitects.com](http://www.dkoarchitects.com) tel: 415/332-0297 fax: 415/332-8869 email: [john@dkoarchitects.com](mailto:john@dkoarchitects.com)

A California Corporation

subject to the noticing requirement.

 D.

**Findings.** The Planning Commission shall approve Design Review Permit applications only if the following findings can be made:

1. The proposed project is consistent with the General Plan, any applicable specific plans and this chapter.
2. The proposed architecture and site design complements the surrounding neighborhood and/or district by either:
  - a. Maintaining the prevailing design character of the neighborhood and/or district; or
  - b. Introducing a distinctive and creative solution which takes advantage of the unique characteristics of the site and contributes to the design diversity of Sausalito.
3. The proposed project is consistent with the general scale of structures and buildings in the surrounding neighborhood and/or district.
4. The proposed project has been located and designed to minimize obstruction of public views and primary views from private property.
5. The proposed project will not result in a prominent building profile (silhouette) above a ridgeline.
6. The proposed landscaping provides appropriate visual relief, complements the buildings and structures on the site, and provides an attractive environment for the enjoyment of the public.
7. The design and location of buildings provide adequate light and air for the project site, adjacent properties, and the general public.
8. Exterior lighting, mechanical equipment, and chimneys are appropriately designed and located to minimize visual, noise, and air quality impacts to adjacent properties and the general public.
9. The project provides a reasonable level of privacy to the site and adjacent properties, taking into consideration the density of the neighborhood, by appropriate landscaping, fencing, and window, deck and patio configurations.
10. Proposed entrances, exits, internal circulation, and parking spaces are configured to provide an appropriate level of traffic safety and ease of movement.
11. The proposed design preserves protected trees and significant natural features on the site to a reasonable extent and minimizes site degradation from construction activities and other potential impacts.

**ATTACHMENT 3  
(2 PAGES)**

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

E.

**Heightened Review Findings.** The site development standards contained in Table 10.22-2 are not entitlements; the approved size, setbacks or other physical conditions of a proposed new home or expansion of an existing home subject to design review shall be at the discretion of the Planning Commission. In order to meet the findings of design review, including the following Heightened Review Findings, the Planning Commission may approve a home smaller, or with greater setbacks, or otherwise impose requirements that are more restrictive than those set forth in this chapter. For residential projects that require a discretionary design review (either Administrative Design Review or a Design Review Permit) and exceed 80% of the permitted Floor Area Ratio (FAR) and/or site coverage limitations, the decision-making body must determine whether or not the site can support maximum build-out, consistent with the following:

1. Proposed development of the site maximizes preservation of protected trees.
2. The site is configured with adequate width and depth to provide yard spaces and setbacks, proportional to the size of the structure.
3. The site will be developed in a manner that minimizes the obstruction of views from surrounding properties and public vantage points, with particular care taken to protect primary views.
4. The proposed development of the site presents no potential hazard to public safety in terms of vehicle traffic, pedestrian circulation, slope and tree stability, run-off, and public utilities.
5. The slope and topography of the site allows for limited excavation and minimal alteration to the site topography outside the footprint of structures.
6. The site will provide adequate guest parking either on-site or within the immediate street frontage.
7. The proposed plan provides adequate landscaping to maximize privacy and minimize the appearance of bulk.

Although these findings are only required for projects that would otherwise require a discretionary design review public hearing, all projects that result in or exacerbate floor area and/or building coverage of over 80 percent shall require the Community Development Department to give public notice of the application, pursuant to Section 10.82.020.A (Public Notice – Public Hearing.) If such notice is required for a project that does not require a public hearing, the notice shall be mailed to notify neighbors that a Zoning Permit has been issued, including a description of the project, and shall include information regarding the appeal period for the Zoning Permit.

- F. **Conditions.** The Planning Commission may impose conditions on Design Review Permits, to meet the purposes of this Title, the General Plan and any applicable specific

# STAFF REPORT

Agenda Item Number 3

## SAUSALITO PLANNING COMMISSION HEARING

**PROJECT:** 600 Locust Street (APN 064-211-27)  
Application No. DR 08-002

**MEETING DATE:** July 23, 2008

**STAFF:** Sierra Russell, Associate Planner *SR*

**APPLICANT:** John McCoy, Donald Olsen Associates Architects

**PROPERTY OWNER:** Vanya Akraboff

### REQUEST

The applicant, John McCoy, on behalf of property owner Vanya Akraboff requests Planning Commission approval of a Design Review Permit to construct a 760 square foot addition to one of the duplex units located at 600 Locust Street. The proposed addition consists of 760 square feet of new floor area and 1,065 square feet of new building coverage, increasing the floor area to 34.25% and the building coverage to 51.25%. The project is subject to Heightened Review for exceeding 80% of the permitted building coverage limitations.

### REGULATORY FRAMEWORK

**Zoning:** R-2-2.5 (Residential Two Family)

**General Plan:** Medium High Density Residential (up to 17.4 du/acre)

**Special Regulations:** Design Review Findings (Section 10.54.050.D)  
Heightened Review Findings (Section 10.54.050.E)

**CEQA:** Exempt in accordance with CEQA Guidelines Section 15301(l)(1) for demolition of a portion of the existing residential structure and Section 15303(a) for construction of a portion of a residential structure.

**Required Permits:** Design Review Permit

### EXISTING SETTING

**Subject Parcel:** The subject parcel is located on Locust Street, near the intersection of Girard Avenue. Currently a two-story residential duplex is located on the 6,589 gross square foot parcel. The lower level of the structure contains two single-space parking garages and the upper level contains the habitable space for each unit.

**Neighborhood:** The parcel is located in the New Town area and is part of a cluster of two-family residences located off of Locust Street. The surrounding homes consist of single-family and two-family structures.

5A  
37

EXHIBIT 4

ATTACHMENT 4 (19 PAGES)

**PROJECT SUMMARY TABLE**

	Existing	Required	Proposed	Compliance
<b>Net Parcel Area<sup>1</sup>:</b>	5,035 sq. ft.	<b>5,000 sq. ft.</b>	No change	Yes
<b>Land Use:</b>	Two-family Residential	<b>Two-family Residential</b>	No change	Yes
<b>Dwelling Units/Density:</b>	2 Dwelling Units	<b>2 du/parcel</b>	No change	Yes
<b>Off-street Parking:</b>	2 spaces	<b>2 spaces</b>	4 Spaces	<b>Legal Non-conforming<sup>2</sup></b>
<b>Setbacks</b> <b>North (right) side:</b>	11'	<b>5'</b>	No change	Yes
<b>South (left) side:</b>	20'	<b>5'</b>	No change	Yes
<b>Rear:</b>	17'	<b>15'</b>	No change	Yes
<b>Front:</b>	24'	<b>0'</b>	0'	Yes
<b>Building Height</b>	18' 3"	<b>32'</b>	No Change	Yes
<b>Floor Area:</b>	966 sq. ft. (19.1%)	<b>65% max. (3,272sq. ft)</b>	1,726 sq. ft. (34.2%)	Yes
<b>Building Coverage:</b>	1,010 sq. ft. (19.7%)	<b>50% max. (2,517 sq. ft)</b>	2,075 sq. ft. (41.2%)	Yes
<b>Impervious Surface:</b>	1,142 sq. ft. (22.7%)	<b>75% max. (3,776 sq. ft.)</b>	2,579 sq. ft. (51.2%)	Yes

- Notes:
1. Net parcel area does not include area for driveway easements per Zoning Ordinance Section 10.88.040.
  2. Per Zoning Ordinance Section 10.40.110.A.6.c, additional off-street parking does not need to be provided for legal non-conforming structures for remodels that are not considered substantial per the definition provided in Zoning Ordinance Section 10.88.040.

**Drainage and Grading**

The addition will connect into the existing drainage system which runs a drain line to Locust Street. The project proposes minimal grading, approximately 24 cubic yards of cut and fill, with 13 cubic yards of off-haul. The City Engineer reviewed the proposed grading and drainage with recommended the addition of several conditions of approval, which have been included in the attached draft resolution (see **Exhibit A**).

**Design Review and Heightened Review Findings**

In order to approve or conditionally approve the Design Review Permit, the Planning Commission must determine whether the proposed project is in conformance with the findings listed in Sections 10.54.050.D-E of the *Zoning Ordinance*. Staff concludes the findings for recommending approval of the Design Review Permit, Heightened Review, and Encroachment Agreement can be made, as listed in detail in the attached resolution.

In addition, staff met with the applicant, project site owner, and the owner of the uphill 606 Locust Street property to discuss concerns with the proposed design. The discussion included the use of shingled siding, monotonous massing along the west elevation, view obstructions due to the raised height of the roof, and lack of proposed landscaping. The applicant subsequently revised the plans to include a new dormer roof on the west elevation, provide depth on the west elevation by pulling in one portion of the wall, decrease the height of the new addition from 18 inches above the existing roof ridgeline to 6 inches below, and the addition of new landscaping along the proposed addition.

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

**Public feedback:** One letter opposed to the initial design of the project has been received and is included in **Exhibit D**.

### RECOMMENDATION

Staff concludes that the proposed application for a Design Review Permit meets the requirements of the Sausalito Municipal Code and is consistent with the goals and objectives of the General Plan. Staff believes that all required Design Review Permit and Heightened Review findings can be made and recommends that the Planning Commission adopt the attached draft resolution of approval. Alternatively, the Planning Commission may:

1. Approve the application with modifications;
2. Continue the public hearing to obtain additional information and/or project revisions; or
3. Deny the application and direct staff to return with a resolution for denial.

### EXHIBITS

- A. Draft Resolution approving Design Review Permit DR 08-002 with findings, conditions of approval, and project plans
- B. Vicinity Map
- C. Memorandum from the Historic Landmarks Board, dated June 16, 2008
- D. Public comment letter
- E. Existing and Proposed Views of Project Site
- F. Planting Materials (Available at Community Development Department)

CDD\Project-Address\600 Locust\PCSR 07-0-23-08

RESOLUTION NO. 2008-XX

A RESOLUTION OF THE SAUSALITO PLANNING COMMISSION  
APPROVING DESIGN REVIEW PERMIT DR 08-002 FOR A 760 SQUARE FOOT ADDITION TO  
AN EXISTING DUPLEX LOCATED AT 600 LOCUST STREET

---

**WHEREAS**, an application has been filed by applicant, John McCoy, on behalf of property owner Vanya Akaboff requesting Planning Commission approval of a Design Review Permit for a 760 square foot addition to an existing duplex located at 600 Locust Street (APN 064-211-27); and

**WHEREAS**, the Historic Landmarks Board has reviewed the application during a duly-noticed public meeting on June 18, 2008 and has found no historical significance for the existing structure; and

**WHEREAS**, the Planning Commission conducted a duly-noticed public meeting on July 23, 2008, at which time all interested persons were given an opportunity to be heard; and

**WHEREAS**, the Planning Commission has reviewed and considered the project plans titled "600-A Locust Remodel and Addition" date stamped received by the City of Sausalito on July 14, 2008; 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 July 23, 2008 staff report for the proposed project; and

**WHEREAS**, the Planning Commission finds that the proposed project will not have a significant effect on the environment and is categorically exempt in conformance with CEQA Sections 15301(l)(1) and 15303(a); and

**WHEREAS**, the Planning Commission finds that, as conditioned herein, the proposed project complies with the requirements of the *Zoning Ordinance*, including the required findings for approval of a Design Review Permit and Heightened Review; and

**WHEREAS**, the Planning Commission finds that, as conditioned herein, the proposed project complies with the General Plan as described in the staff report.

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

The Design Review Permit for Application DR 08-002 is approved based upon the findings in Attachment A, subject to the conditions of approval in Attachment B, and as shown in the plans titled "600-A Locust Remodel and Addition" and date stamped received July 14, 2008 in Attachment C.

**EXHIBIT A**  
( 19 PAGES )

PLANNING COMMISSION RESOLUTION  
JULY 23, 2008  
DR 08-002  
600 LOCUST STREET

ATTACHMENT A: FINDINGS

I. DESIGN REVIEW PERMIT FINDINGS

Pursuant to *Zoning Ordinance* Section 10.54 (Design Review Procedures), the permit requested may be approved based on the following findings:

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

*The proposed project, as conditioned, is consistent with all applicable policies, standards and regulations of the General Plan and Zoning Ordinance, particularly those related to architectural diversity and integrating structures into the natural environment.*

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

*The architectural design will enhance the neighborhood by providing architectural diversity with a new style of architecture and changing the material from shingles to stucco, yet will still remain harmonious with neighboring structures. The form and massing of the structure will maintain the prevailing design character of the neighborhood through the lowered roof and a small-scale expansion that does not maximize potential site development to its fullest extent.*

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

*The proposed project will expand the scale of the existing structure, but in a nature that is compatible with the surrounding neighborhood. The proposed development is significantly smaller in floor area and building coverage than what is permitted for the site, and will maintain the existing height of the structure.*

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

*The proposed addition will not adversely impact public views from Locust Street as it will maintain the existing building height and will improve the façade with new windows, a balcony, and other architectural features. The private views of the neighboring property uphill to the west of the site will be impacted, but the project has been designed to minimize these view obstructions to the extent feasible. In particular, the new addition will have a lower roof height than the existing structure, and the horizon and water views from the 606 Locust Street structure will not be obstructed with the new addition.*

*The project proposes minimal cut and fill that does not rise to the level of a grading permit. The natural terrain will be maintained, and new landscaping will be added to enhance the natural features of the site.*

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

*The project is subject to heightened review for exceeding 80% of the maximum permitted building coverage. The project is consistent with the Heightened Review findings, as listed below.*

## II. HEIGHTENED REVIEW FINDINGS

Pursuant to Zoning Ordinance Section 10.54.050(E) (Heightened Review), the permit requested can be approved based on the following findings:

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

*The single tree to be removed as a result of the project, a 10-inch diameter cherry tree, is not a "protected tree" under the City's Tree and View Preservation Ordinance.*

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

*The project maintains similar spacing for the side yard setbacks, with more depth than the required five foot minimum. The front yard setback will be reduced to zero, but is adjacent to the street and thus does not impact adjacent structures. Thus, with the proposed project, the site will be adequately configured to meet Zoning Ordinance requirements for setbacks.*

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

*There are no impacts to public views, other than to change the configuration of the street-facing façade visible to the public and project it closer to the street. Impacts to primary views have been reduced as much as possible, with no view obstructions of the horizon line or water, and minimal view obstructions of vegetation and residences in the foreground.*

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

*The development does not alter vehicle traffic, pedestrian circulation, or trees. Overhead utilities will be undergrounded and storm water will be managed pursuant to the Engineering conditions of approval included in Attachment B.*

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

PLANNING COMMISSION RESOLUTION  
JULY 23, 2008  
APPLICATION DR 08-002  
600 LOCUST STREET

**ATTACHMENT C: CONDITIONS OF APPROVAL**

1. Approval of this Application is limited to the project plans titled "600-A Locust Remodel and Addition" date stamped July 14, 2008.
2. This approval will expire in five (5) years from the date of adoption of this resolution if the property owner has not exercised the entitlements hereby granted.
3. Construction materials, equipment, vehicles, and debris boxes shall be placed to minimize obstruction of roads and gutters, shall be maintained in a clean and safe condition, and shall not be maintained in a manner that becomes a nuisance to the neighborhood.
4. Pursuant to Ordinance 1143, the operation of construction, demolition, excavation, alteration, or repair devices within all residential areas or within a 500 foot radius of residential zones shall be limited to the following hours:
  - a. Weekdays – Between 8 a.m. and 7 p.m.
  - b. Saturdays – Between 9 a.m. and 5 p.m.
  - c. Holidays – Between 9 a.m. and 7 p.m.

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

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

17. The Developer shall submit site improvement plans, grading plans, and public improvement plans, utility plans and landscape plans for review and approval by the Public Works Department prior to issuance of a grading permit. Grading, Drainage and utility plans shall be prepared by a Registered Civil Engineer. The plans shall include, but not be limited to: drainage, frontage improvements, utilities, and earthwork.
18. The Developer's Civil Engineer shall submit an erosion control plan, including cost estimate, for review and approval by the Public Works Department.
19. The Developer's contractor shall provide adequate dust control measures during grading.
20. The Developer's contractor shall implement erosion control measures as per the erosion control plan and incorporating guidelines and measures from the most current ABAG manual for erosion and sediment control if grading work is not completed by October 15.
21. The Developer's Soils Engineer shall inspect and certify the grading in conformance with the grading plan and geotechnical investigation report.
22. The Developer's Civil Engineer/or Land Surveyor shall certify the actual foundation corner elevation for the lot.
23. Grading on hillside land with of geologic formation known to slide will be limited to between April 15 and October 15.

**Drainage Conditions:**

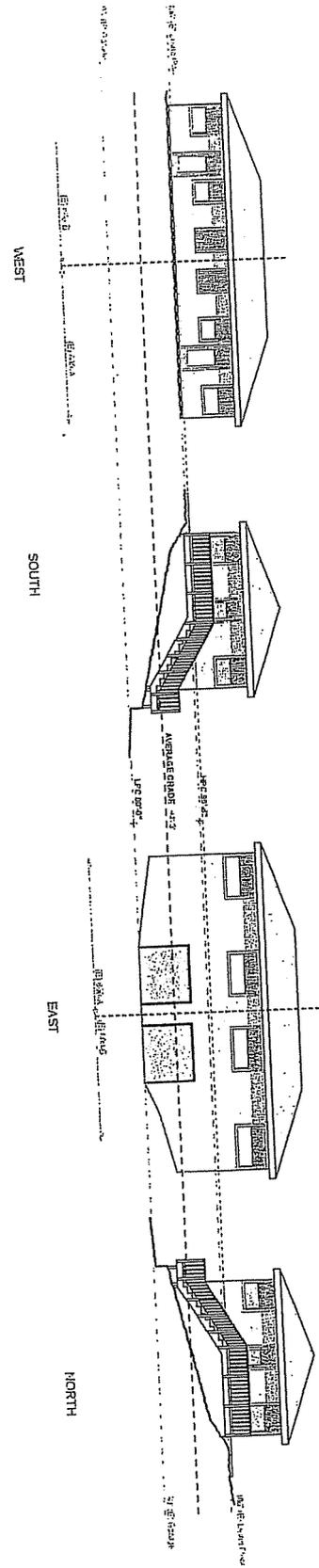
24. Prior to approval of final project design, the Developer shall prepare a detailed drainage study. The Study will determine runoff quantities of existing and proposed development. Study shall develop a plan to discharge runoff at historic rates.
25. Storm water shall be discharged by gravity flow to an approved (city owned and maintained) storm drain system.
26. Storm drains carrying public runoff shall be routed only in roadway right-of-way unless otherwise approved by the Director of Public Works and affected downstream property owner(s).
27. Runoff determined by Rational Method, 10 year 6 hour and 100 year 6 hour.

**Utility Conditions:**

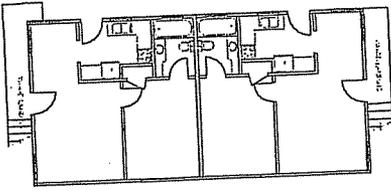
28. Developer shall provide proof of service agreements to the Public Works Department prior to approval of improvement plans. The Developer shall submit evidence of approval of new utility facility plans by the respective utility agencies.
29. All utilities shall be undergrounded.
30. Developer shall show proof of access and utility easements granted to 602 and 604 Locust prior to issuance of any permit.

PLANNING COMMISSION RESOLUTION  
JULY 23, 2008  
APPLICATION DR 08-002  
600 LOCUST STREET

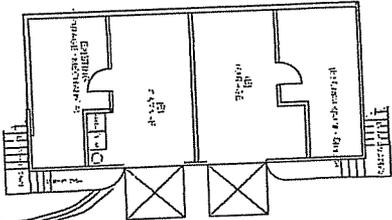
**ATTACHMENT C: PLANS AND ELEVATIONS**



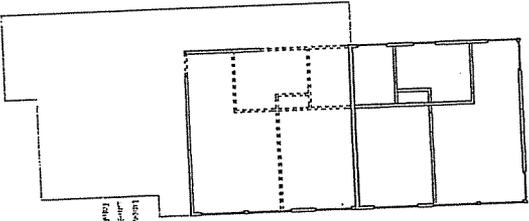
EXISTING ELEVATIONS



EXISTING FLOOR PLAN



EXISTING GARAGE PLAN

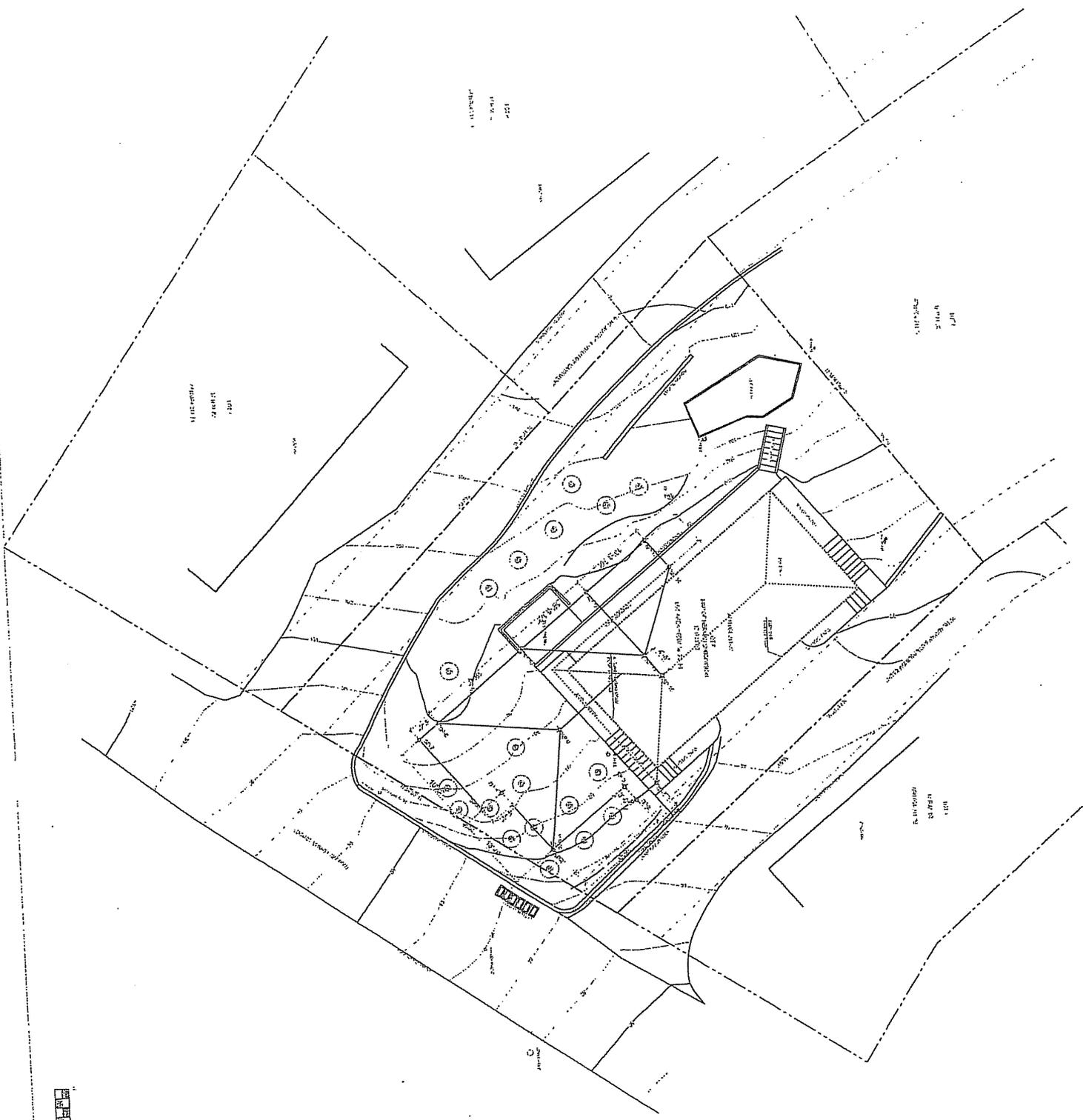


WALL DEMOLITION CALCS

LOADS PER AREA: 100 PSF  
 WALLS: 12\"/>





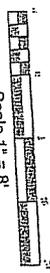


101.5  
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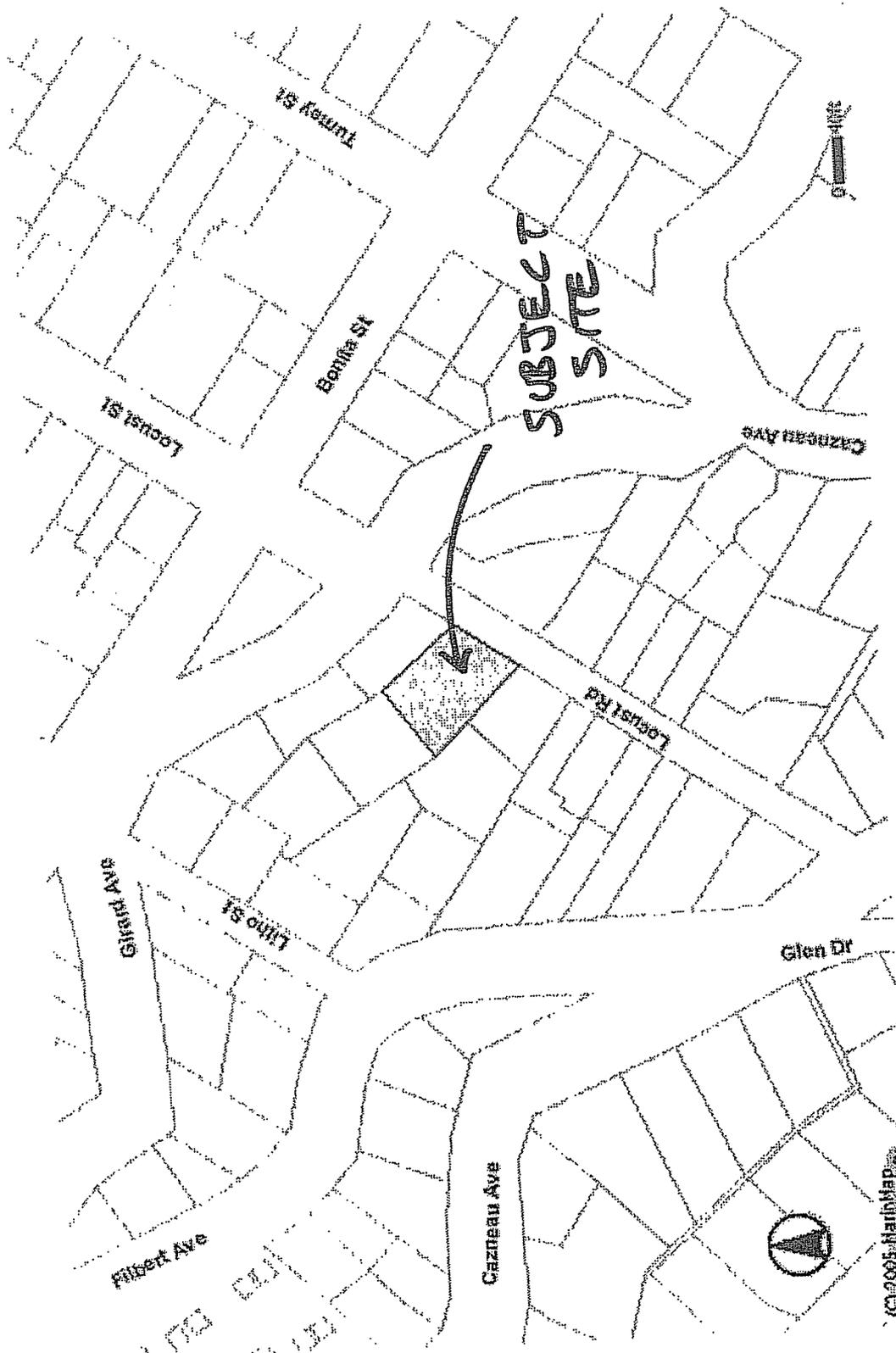


- LEGEND**
- ① Spot elevation
  - ② 1/4" contour interval
  - ③ 1/2" contour interval
  - ④ 3/4" contour interval
  - ⑤ 1" contour interval
  - ⑥ 1 1/2" contour interval
  - ⑦ 2" contour interval
  - ⑧ 3" contour interval
  - ⑨ 4" contour interval
  - ⑩ 6" contour interval
  - ⑪ 8" contour interval
  - ⑫ 10" contour interval
  - ⑬ 12" contour interval
  - ⑭ 15" contour interval
  - ⑮ 20" contour interval
  - ⑯ 30" contour interval
  - ⑰ 40" contour interval
  - ⑱ 60" contour interval
  - ⑲ 80" contour interval
  - ⑳ 100" contour interval

**STORY POLE SCHEDULE**

Part 1	107'-0"
Part 2	107'-0"
Part 3	106'-0"
Part 4	106'-0"
Part 5	105'-0"
Part 6	105'-0"
Part 7	104'-0"
Part 8	104'-0"
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Part 10	103'-0"
Part 11	102'-0"
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Part 249	0'-0"
Part 250	0'-0"





© 2005 MapInfo

MEMORANDUM

TO: Sausalito Planning Commission  
FROM: Sausalito Historic Landmarks Board  
RE: 600 Locust Street  
DATE: June 16, 2008

**Proposal**

A 760 square foot addition to one of the duplex units located at 600 Locust Street, increasing the increasing the floor area to 34.25% and the building coverage to 51.25%.

**Methodology**

Pursuant to City Council direction, it is the responsibility of the Sausalito Historic Landmarks Board to examine any remodel or demolition application in the City if the application involves a structure of fifty or more years of age. The Board assigns two members to review each project and to consider the gathered information and produce this report. Our report is not intended to replace or augment any technical reports pertaining to this project: any comments regarding structural integrity, engineering, etc., are purely observational.

**Architectural and Historical Research**

Based on our investigation through the files of the City Planning Department on the address above, this building was built on late 50s. There has been very little application for improvement of this property. Some of the improvements were requested by Peter Akraboff. Later on, the ownership was changed to Elizabeth Richards and then Peg Copple.

There is no recognition of Peter Akraboff anywhere in past telephone books (from 1948 – 1958) or mention of that name in the historical records on file with the Sausalito Historical Society.

**Findings**

1. **Is the structure associated with events that have made a significant contribution to the broad patterns of the history or cultural heritage of Sausalito, California, or the United States?**

The board finds no significance under this criterion.

2. **Is this structure associated with the life or lives of one or more people important to our past?**

John Stiggelbout  
480 Gate 5 Road Suite 210  
Sausalito, CA 94965

March 24, 2008

Vanya Akraboff  
600 A Locust Road  
Sausalito, CA 94965

FILE COPY

RECEIVED

APR 4 2008

Dear Vanya,

CITY OF SAUSALITO

Thank you for emailing the PDF files. I've had a chance to review them and consider your project.

In general, I do not object to the increase in living area. I like what you are proposing and appreciate the work and consideration which went into the plans, clearly, you conveyed a concept to Don Olsen who did a good job implementing that vision. I also like the modern, clean look of what you propose.

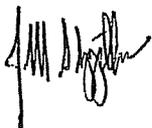
I do however have a couple of objections to the plans:

- First, the scale of the new addition is so large that it impacts the character of the neighborhood. The height and bulk visually dwarf both the other end (the unchanged portion) of your duplex and it may overwhelm the adjacent buildings.
- Second, your proposed addition is not integrated with the existing structure (either in design or materials), making the unchanged portion look dowdy.

Your architect can certainly advise you better, but the additional living space you seek could be achieved by excavation underneath, putting the second bedroom/office & bath next to the utility room, thereby decreasing the size of your proposed addition. Extending the existing roofline (using an open beam ceiling) would give you the expansive feeling you want in the living room & kitchen, while both lowering the visual size of the addition and better integrating it with the existing structure.

Thank you for giving me a chance to consider your plans before submitting them to the planning department for their review. I look forward to reviewing the plans after consideration by the planning department.

Sincerely  
John Stiggelbout

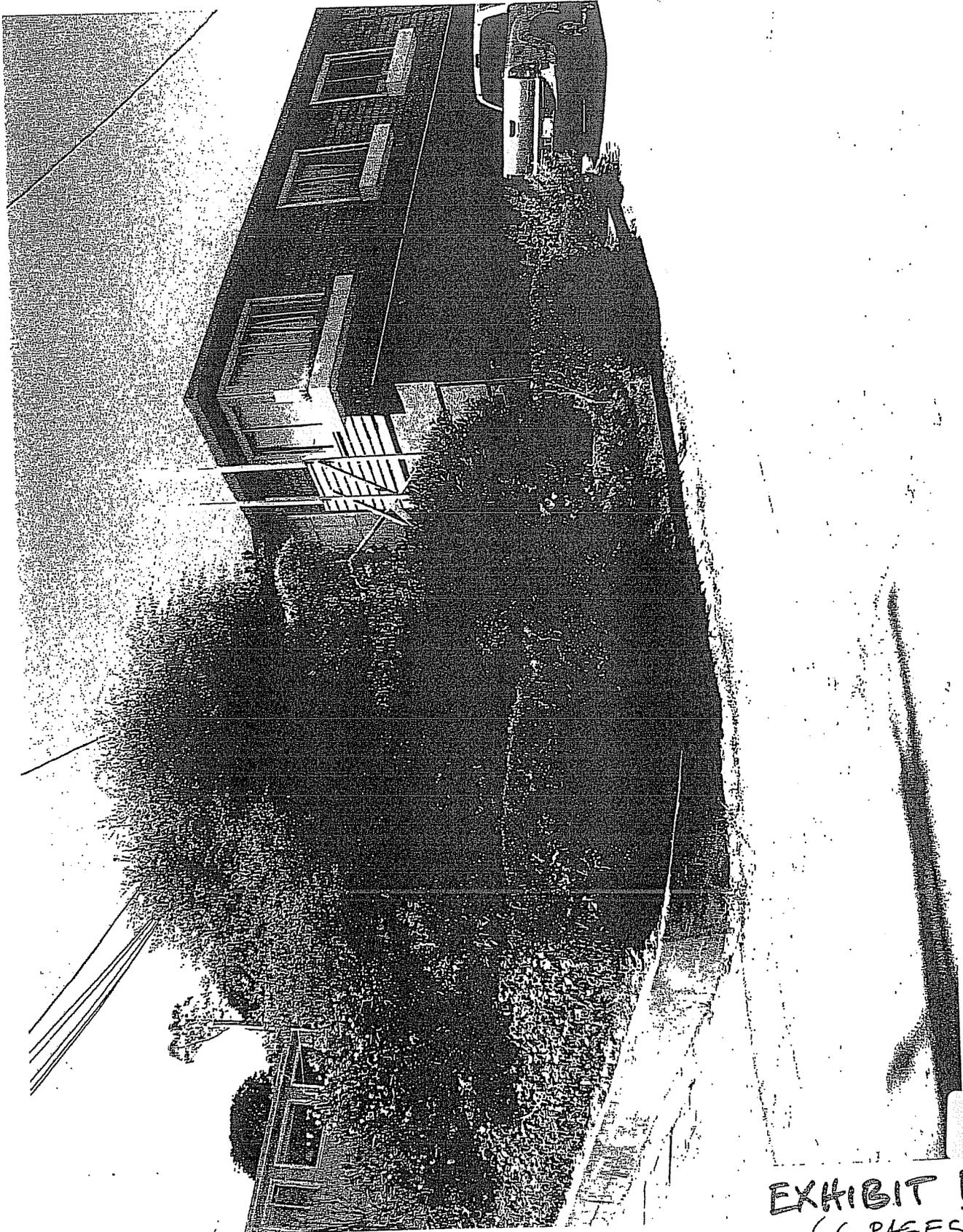


Cc: City of Sausalito Planning Department.  
Attn: Ms. Sierra Russell, Planner

5A  
52

EXHIBIT D

04.02.2008



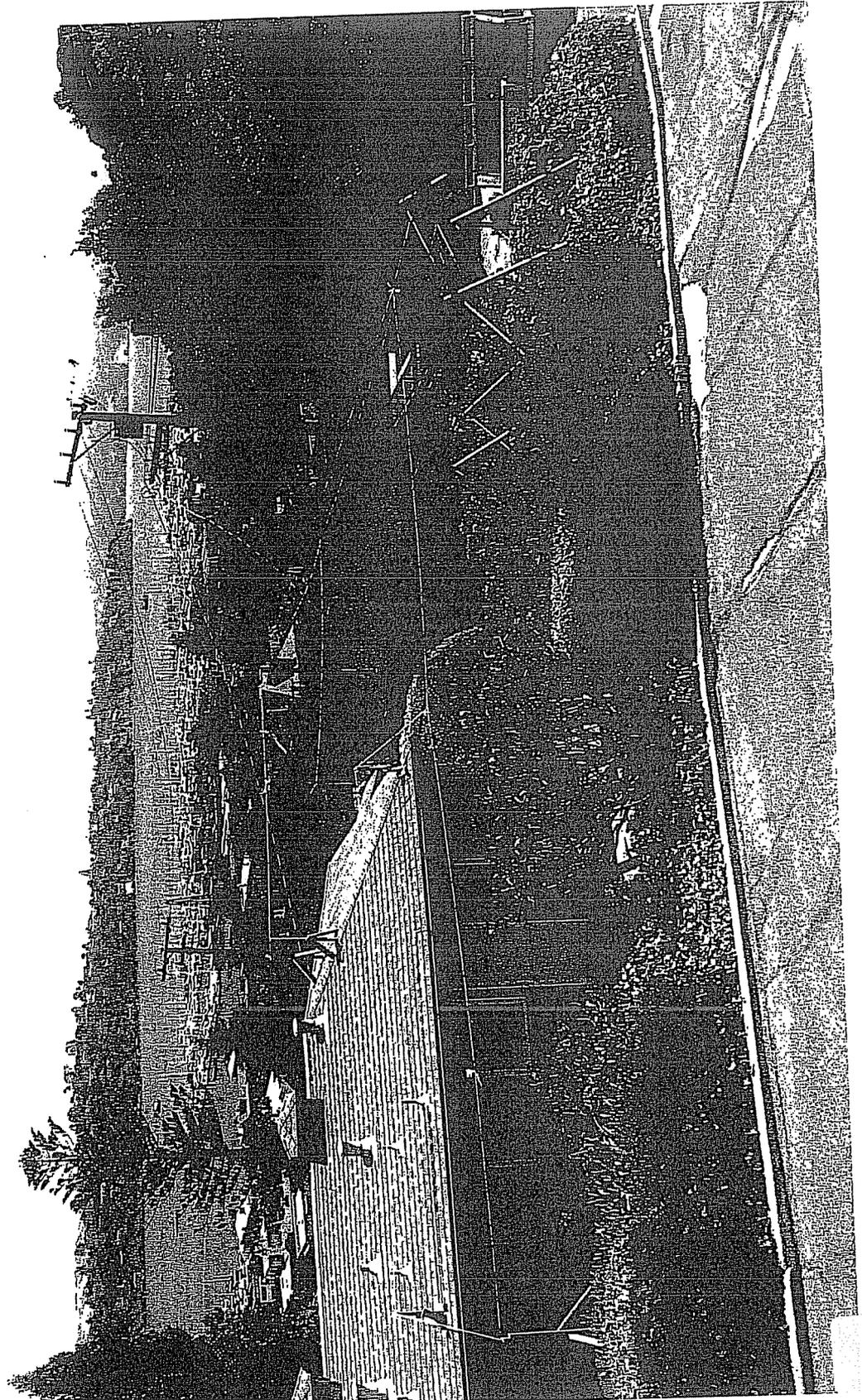
Existing Locust Street View

EXHIBIT E  
(6 PAGES)

04.02.2008

REMODEL & ADDITION  
600-A LOCUST  
SAUSALITO, CA 94956  
APN: 064-1-27

DONALD OLSER ASSOCIATES ARCHITECT  
667  
Sausalito, CA 94965 tel: 415/332-0297 fax: 415/332-8889 email: don@doarchitect.com

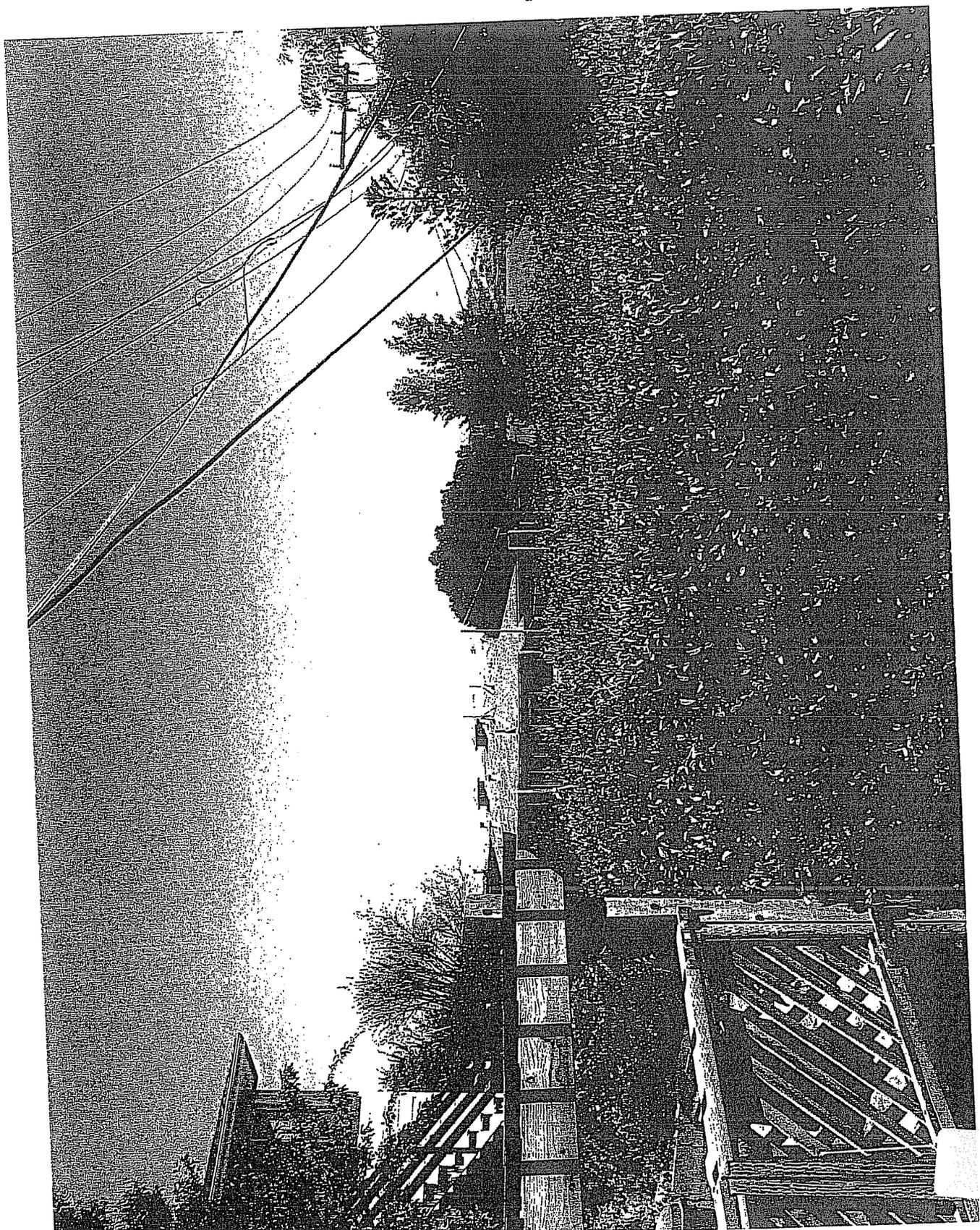


Existing Copley View

DONALD OLSER ASSOCIATES ARCHITECT  
697  
Neway, Sausalito, CA 94965 Tel: 415/332-0297 Fax: 415/332-0899 email: don@dkoarchitects.com

REMODEL & ADDITION  
600-A LOCUST  
SAUSALITO, CA 94956  
APN: 064-211-27

04.02.2008



Existing View from 615 Locust