

BELVEDERE PLANNING COMMISSION

MINUTES

REGULAR MEETING

October 18, 2022 6:30 P.M.

A. CALL TO ORDER OF THE REGULAR MEETING

Chair Pat Carapiet called the regular meeting to order at 6:30 p.m. The meeting was held by Zoom. Commissioners present: Pat Carapiet, Ashley Johnson, Marsha Lasky, Larry Stoehr, Kevin Burke, and Claire Slaymaker. Commissioners Absent: Nena Hart.. Staff present: Director of Planning and Building Irene Borba, City Attorney Ann Danforth, Contract Planner Isabelle Loh, Associate Planner Samie Malakiman and Technician Nancy Miller.

B. OPEN FORUM

This is an opportunity for any citizen to briefly address the Planning Commission on any matter that does not appear on this agenda. Upon being recognized by the Chair, please state your name, address, and limit your oral statement to no more than three minutes. Matters that appear to warrant a more-lengthy presentation or Commission consideration will be agendized for further discussion at a later meeting.

No one wished to speak.

C. REPORTS

There were no reports.

D. CONSENT CALENDAR

MOTION: To approve the Consent Calendar as agendized below.

MOVED BY: Marsha Lasky seconded by Claire Slaymaker

VOTE: AYES: Pat Carapiet, Marsha Lasky, Ashley Johnson, Kevin Burke,
Claire Slaymaker, Larry Stoehr

ABSENT: Nena Hart

RECUSED: None

1. Motion to Approve **Meeting by Remote Teleconference** and adopt the following findings:
 - a. On March 4, 2020, Governor Newsom proclaimed a State of Emergency declared by Governor Newsom under the California Emergency Services Act due to COVID-19, which is still in existence.
 - b. State or local officials continue to impose or recommend measures to promote social distancing; and
 - c. The State of Emergency declared by Governor Newsom on March 4, 2020, continues to directly impact the ability of Commission members, staff, and the public to meet safely indoors in person; and
 - d. The Belvedere City Council has directed all legislative bodies within the City to meet by Teleconference until further notice.
2. Draft **Minutes of the September 20, 2022**, regular meeting of the Planning Commission.
3. Planning Commission consideration for an Extension of Design Review & associated entitlements for the property located at **345 Golden Gate Avenue** for the modifications to approved plans for an addition/remodel including the demolition of the existing detached pool house, existing pool and pool terrace and alterations to approved site stairs & planting areas and the addition of a new greenhouse. A new pool house, pool terrace and new pergola are included as part of the proposal as well as modifications to the main residence.

Applicant: Carl Baker, Architect: Ike Kligerman Barkley. Property Owners: 345 Golden Gate LLC. *Staff recommends approval of the requested extension for design review. No Recusals.*

E. PUBLIC HEARINGS

4. Design Review (portions of which are Retroactive) for the property located at **312 Beach Road**. Revocable licenses are also required for improvements (existing & proposed) in the city right-of-way along Beach Road and on city property, commonly known as “The Strip”. The project includes landscaping and other site improvements. Applicant/Property Owner: Scott Robertson. Staff recommends approval of the proposed project. *Recusals: None*

Director Borba presented the staff report. A slide show accompanied her remarks.¹

Commissioner Stoehr asked what is required when the property line is in the roadway.

Chair Carapiet responded that she measured the 20-foot required roadway width and because this is located inside the property line; the wall cannot be built up to the property line.

Scott Robertson, 312 Beach Road, owner, and his team responded to questions from the Commission. There will be a small sitting area at the landing at the bottom of the stairs. Four laurel trees will be planted after the sewer line is replaced.

Open Public Hearing.

Steve Wisenbaker, 322 Beach Road, requested replacement for the removed Eugenia trees. They requested a different species from the Strawberry tree for the space such as a Magnolia, Pittosporum or Privet.

Mr. Robertson replied that he would agree to plant 4 Laurels in the area after the sewer line is replaced.

Close public hearing.

Commissioner Lasky can approve the complete landscaping plan for the property and The Strip. She like the Arbutus tree in Belvedere climate and soil, but she suggests that there be a condition that the final tree species be approved by the Chair and the Planning Director and add the condition for the 4 Laurels on the side after the sewer line goes in. She can make the findings for Design Review and Revocable Licenses.

Commissioner Slaymaker approves of the planting plan for the City property and the new hedge and low curb, and new Magnolias. She can agree to make the findings for Design Review and Revocable Licenses as amended tonight.

Commissioner Burke can make the findings for Design Review and Revocable Licenses. He would agree that the 3 tree choices offered by the applicant can be determined in discussion with the neighbors as a condition of the approvals.

Commissioner Stoehr stated that the pavers on the roadway create confusion and should be deleted and replaced with regular street paving to extend to at least the 20-foot width as a part of the Design Review approval. In addition, there is a condition to maintain the hedge at 6 feet in height. He would add language to clarify that the height is to be measured from the lower side. He is unsure as to how the delay in planting will affect the finaling of the permit.

¹ The presentation is archived with the record of the meeting.

Chair Carapiet stated that the applicant can apply for a 90-day landscaping extension to complete the landscaping after the permit is finalized.

Open public hearing.

Mr. Robertson offered to plant the 4 Laurels now, in advance of the sewer line work.

Close public hearing.

Vice Chair Johnson asked whether the pavers create an illusion of private parking. The design is great without that. She can support the revised applications, the additional trees, the hedge at the front instead of a wall.

Chair Carapiet can make the findings for Design Review and Revocable Licenses. She believes that the Resolution would be amended to add the 4 Laurels as replacements for the Eugenias. Additionally, a condition would be added to provide for the agreement between the two neighbors, to plant either Arbutus or Podocarpus as replacement trees between properties. If agreement cannot be reached the Planning Director and Chair of the Planning Commission will decide.

MOTION: To adopt the Resolution for Design Review (portions of which are retroactive) as conditioned per the meeting discussion tonight for landscaping and site improvements at **312 Beach Road**.

MOVED BY: Marsha Lasky, seconded by Claire Slaymaker

VOTE: AYES: Pat Carapiet, Marsha Lasky, Ashley Johnson, Claire Slaymaker, Kevin Burke
NOES: Larry Stoehr
RECUSED: None
ABSENT: Nena Hart

MOTION: To make a recommendation to City Council for approval of Revocable Licenses for the private improvements at the **312 Beach Road** right of way, and for the City Property commonly known as The Strip as conditioned.

MOVED BY: Marsha Lasky, seconded by Claire Slaymaker

VOTE: AYES: Pat Carapiet, Marsha Lasky, Ashley Johnson, Claire Slaymaker, Kevin Burke, Larry Stoehr
NOES: None
RECUSED: None
ABSENT: Nena Hart

5. Design Review application for a second-floor roof deck and exterior improvements for the property located at **30 Windward Road**. The project proposes an 86.17 square-foot lagoon-facing roof deck on the existing two-story residence. Other exterior improvements include installation of a new window and 12" tall retaining wall, and replacement of existing garage door, entry gate, and fence. Applicant: Albert DeLima at WA Associates, Inc.; Property Owner: Lisa Hook. Staff recommends approval of the proposed project. ***No Recusals***

Contract Planner Loh presented the staff report. A slide show presentation accompanied her remarks.²

Albert DiLima, project architect, described the project.

Vice Chair Johnson asked why the originally approved balcony built.

Mr. DiLima replied that was because of cost considerations. Now they are interested in doing this.

Close public hearing.

Commissioners discussed the project. Several felt that the proposed balcony would not have any significant impact on privacy and is consistent with many similar balconies in the neighborhood. Some felt that the size of the balcony might be smaller. Discussion was held as to whether the proposed balcony lights are necessary. Some Commissioners believed that the lighting may be required by the building department as they are next to a door. If not required, reduction in the lighting was requested as a condition of approval for the project.

Reopen public hearing.

Donna Motluk, 10 Maybridge Road, lives across the Lagoon from this property. She is concerned about the proposed lighting. She requested that the lighting would be as discrete as possible.

Close public hearing.

Chair Carapiet stated that the Commission can provide approval of the Design Review motion as conditioned that the exterior lighting be reviewed prior to issuance of the Building Permit.

MOTION: To adopt the Resolution for Design Review for **30 Windward Road** as conditioned.

MOVED BY: Marsha Lasky, seconded by Claire Slaymaker

VOTE: AYES: Pat Carapiet, Marsha Lasky, Ashley Johnson, Claire Slaymaker,
Kevin Burke, Larry Stoehr
NOES: None
RECUSED: None
ABSENT: Nena Hart

6. Design Review for modifications to approved plans for an addition/remodel of the existing residence which is currently under construction at **431 Golden Gate Avenue**. The modifications to approved plans includes some of the following: changes to the garage (shifting location and change in roofline), window and door modifications, the addition of trellises, a new elevator and landscape changes. Property Owners: Marshall Miller & Linda Applewhite. Applicant: Chuck Bond (Architect). Staff recommends approval of the proposed project. No Recusals.

Director Irene Borba presented the staff report. A slide show accompanied her remarks.³ She clarified there was an administrative approval for additional Demolition of the existing garage due to extensive dry-rot conditions. The applicant has stated that the final calculation of Demolition was 47.5%. When asked, the according to the architect there will be no off-haul of materials from the site. Excess materials will be used to support the new driveway.

² The slide show presentation is archived with the record of the meeting.

³ The slide show presentation is archived with the record of the meeting.

Commissioner Stoehr requested clarification of the Construction Time Limit for the project.

Director Borba stated that there is a current request for a 6 – month extension to the existing 18-month permit totaling 24 months.

Commissioner Stoehr asked whether the Demolition of the garage conflicts with the original approval of a Variance that was contingent on the garage to remain.

Director Borba stated that there is allowance in the Code for replacement of facilities when they cannot be retained. This garage was not able to be repaired.

Open public hearing.

Marshall Miller, and Linda Applewhite, owners, presented the requested modifications to the project.

Chair Carapiet asked whether, on Plan A4 there is a utility and laundry room being added. Was the square footage included in the total.

Mr. Bond replied those rooms at 6’8” height were approved but not included in the original square footage.

Director Borba replied that the Belvedere criteria is for areas 6 feet and greater to be included in the total floor area. This additional floor area would need to be approved as an increase to the currently approved Floor Area. Alternatively, the applicant could consider reducing the height to less than 6 feet.

Commissioners and the applicants discussed the locations of where cut came from and where fill is, and will be used, on the project.

Open public hearing.

No one wished to speak.

Close public hearing.

Commissioners discussed the project and most supported the requested garage and driveway modifications and added elevator. Design and architectural modifications were applauded including the new entry, roof tiles, and overhang at the ADU and the landscape and hardscape elements of the design.

Commissioner Stoehr does not support the project because the demolition of the garage creates a need to now move the garage out of the setback.

Chair Carapiet asked how to handle the additional 108 SF floor area for the laundry and mechanical room.

Director Borba replied that the applicant can either reduce the room height or come back to request an increase in the Exception to Floor Area.

Mr. Miller agreed.

Chair Carapiet cautioned the applicants about the remaining time in their Construction Time Limit.

Mr. Miller replied that they are very aware of this.

Ms. Applewhite responded that the requirements of the Fire Marshal to remove many trees on the downslope created a need to construct all the downslope retaining walls to prevent landslides. They will be diligently seeking to complete the project in time.

MOTION: To approve Design Review for the project modifications at **431 Golden Gate Avenue**, as conditioned per the discussion at the meeting..

MOVED BY: Marsha Lasky, seconded by Claire Slaymaker

VOTE: AYES: Pat Carapiet, Marsha Lasky, Ashley Johnson, Kevin Burke,
Claire Slaymaker
NOES: Larry Stoehr
ABSENT: Nena Hart

Meeting was adjourned at 8:45 PM.

PASSED AND APPROVED at a regular meeting of the Belvedere Planning Commission on November 15, 2022, by the following vote:

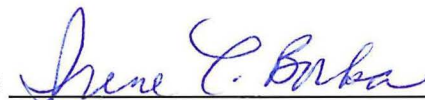
VOTE: AYES: Pat Carapiet, Ashley Johnson, Kevin Burke, Marsha Lasky
NOES: None
ABSTAIN: Larry Stoehr, Nena Hart
ABSENT: Claire Slaymaker

APPROVED:



Pat Carapiet, Planning Commission Chair

ATTEST:



Irene Borba, Director of Planning and Building