

**AGENDA - SPECIAL JOINT MEETING  
BELVEDERE CITY COUNCIL & PLANNING COMMISSION  
FEBRUARY 2, 2021, 4:00 P.M.  
REMOTE MEETING**

**COVID-19 ADVISORY NOTICE**

**Due to Covid concerns and consistent with State Executive Orders No. 25-20 and No. 29-20, the meeting will not be physically open to the public. Members of the City Council, Planning Commission, and staff will participate in this meeting remotely. Members of the public are encouraged to participate remotely via Zoom or telephone pursuant to the information and link below. Public comment will be accepted during the meeting. The public may also submit comments in advance of the meeting by emailing the City Clerk at: [clerk@cityofbelvedere.org](mailto:clerk@cityofbelvedere.org). Please write "Public Comment" in the subject line. Comments submitted one hour prior to the commencement of the meeting will be presented to the City Council and Planning Commission and included in the public record for the meeting. Those received after this time will be added to the record and shared with City Councilmembers and Planning Commissioners after the meeting.**

**City of Belvedere is inviting you to a scheduled Zoom meeting.**

**Topic: Belvedere City Council & Planning Commission  
Special Joint Meeting  
Time: February 2, 2021 4:00 PM  
Join Zoom Meeting:**

**<https://us02web.zoom.us/j/83548423723?pwd=cFIKYkI4ZFQ4U0xYaCtWaDlieGdMUT09>**

**Webinar ID: 835 4842 3723**

**Passcode: 498590**

**877 853 5247 US Toll-free**

**888 788 0099 US Toll-free**

**The City encourages that comments be submitted in advance of the meeting. However, for members of the public using the Zoom video conference function, those who wish to comment on an agenda item should write "I wish to make a public comment" in the chat section of the remote meeting platform. At the appropriate time, the city clerk will allow oral public comment through the remote meeting platform. Any member of the public who needs special accommodations to access the public meeting should email the city clerk at [clerk@cityofbelvedere.org](mailto:clerk@cityofbelvedere.org), who will use her best efforts to provide assistance.**

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**COMMENTS ON AGENDA ITEMS BY MEMBERS OF THE AUDIENCE**

*The audience will be given an opportunity to speak on each agenda item when it is called. Upon being recognized by the Mayor, please state your name and address, and limit your oral statement to no more than three minutes. The Council and Planning Commission welcomes comments and questions raised by interested citizens but typically does not respond during the comment period.*

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**4:00 PM      CALL TO ORDER**

<b>SCHEDULED ITEMS</b>
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1. Study Session – The City Council and Planning Commission will receive a presentation for a potential future residential project located at the **Mallard Pointe** properties located in the R-2 zoning district across the backside of City hall and the park. The City Council and Planning Commission will not take any formal action on the potential future project, but direction to staff may be given. This is a Study Session/Preliminary Review of a potential project.

**ADJOURN**

**NOTICE: WHERE TO VIEW AGENDA MATERIALS**

Staff reports and other materials distributed to the City Council are available for public inspection at the following locations:

- Online at [www.cityofbelvedere.org/archive.aspx](http://www.cityofbelvedere.org/archive.aspx)
- Belvedere City Hall, 450 San Rafael Avenue, Belvedere. *(Materials distributed to the City Council after the Thursday before the meeting are available for public inspection at this location only.)*
- Belvedere-Tiburon Library, 1501 Tiburon Boulevard, Tiburon.

To request automatic mailing of agenda materials, please contact the City Clerk at (415) 435-3838.

**NOTICE: AMERICANS WITH DISABILITIES ACT**

The following accommodations will be provided, upon request, to persons with a disability: agendas and/or agenda packet materials in alternate formats and special assistance needed to attend or participate in this meeting. Please make your request at the Office of the City Clerk or by calling 415/435-3838. Whenever possible, please make your request four working days in advance.

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**TO:** City of Belvedere City Council and Planning Commission  
**FROM:** Irene T Borba, Director of Planning and Building  
**REVIEWED BY:** Emily Longfellow, City Attorney  
**SUBJECT:** **Project Presentation (Preliminary Review) for a Potential New Residential Project at Mallard Pointe**

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**RECOMMENDATION**

- That Councilmember Nancy Kemnitzer state for the record that her residence is within 500 feet of the subject property and therefore she must recuse herself from this item.
- That Commissioner Larry Stoehr state for the record that his residence is within 500 feet of the subject property and therefore he must recuse himself from this item.
- Staff recommends that the City Council and the Planning Commission:
  - 1) Receive staff and applicant’s presentation
  - 2) Receive public comment, and
  - 3) Provide general feedback to staff and the applicant regarding the project proposal

**Note:** This is a presentation only (preliminary review of a possible future project) and, as such, it does not constitute a public hearing for formal consideration of the project. Staff recommends that Council members and Commissioners refrain from making particularized comments regarding the future project. Rather, staff recommends that Council and Commission comment only on the general, broad aspects of the future project in their current form.

At this time, no formal application has been submitted, but the preliminary proposal as provided includes the demolition of the existing duplexes and site improvements at the Mallard Road Properties and the development of forty-four (44) new residential units, including a mix of single-family (4 units), duplexes (7 duplexes on Lagoon for a total of 14 units) and flats/apartments (26-units along Community Road). Entitlements of such a project *may* include but not be limited to: Rezoning of the subject properties, a Development Agreement, Demolition Permit, Design Review, and a Subdivision Map. Additionally, a future project would be reviewed accordingly under the California Environmental Quality Act (CEQA).

**PROPERTY SUMMARY/SITE CHARACTERISTICS**

The Mallard Road properties currently consist of three (3) separate parcels. The site is approximately 2.84 acres (123,710 square feet). The subject parcels are *currently* developed with a total of twenty-two (22) duplexes and other associated site improvements typical of a residential development. The larger of the three parcels *currently* contains seven (7) of the duplexes; the other two (2) parcels contain three (3) duplexes and one (1) duplex. A private road (Mallard Road) runs through the property for access. The lots are relatively flat and the subject properties are within a

floodzone and therefore subject to FEMA regulations if the property is developed beyond the substantial improvement threshold.

The existing duplex development has remained in essentially the same state since it was built in the 1950's. There have been building permits issued for maintenance type work, like re-roofs, new furnances, new shingles, new windows and doors and some of the units have had extensive interior remodels.



## GENERAL PLAN AND ZONING

### General Plan

The General Plan Designation for the subject properties is Medium Density Residential (MFR) – 5.0 to 20 units/net acre. Net acre is measured including only the size of an actual developable

parcel, while gross acreage typically includes all acreage across a land use designation, including rights-of-way such as street and sidewalks. As noted above, Mallard Road is currently a private road. A quote from the land use element of the General Plan: “Belvedere’s street system is fixed, and there are no large tracts of undeveloped land that are included in the total, the net acreage method of calculating density is more accurate for the purpose of the Land Use Element”.

Not knowing or having not been provided the net acreage, staff estimates given the General Plan density and the acreage (gross not net) for the subject properties to be somewhere between 15 units (at the low end) and 56 units (at the high end of the range) would be permitted.

The City of Belvedere General Plan can be found here:  
[https://www.cityofbelvedere.org/DocumentCenter/View/1776/Vol-1\\_--Goals-Policies-and-Actions?bidId=](https://www.cityofbelvedere.org/DocumentCenter/View/1776/Vol-1_--Goals-Policies-and-Actions?bidId=)

Zoning

The subject properties are zoned R-2. Section 19.28 can be found here:  
<https://www.cityofbelvedere.org/DocumentCenter/View/281/Title-19---Zoning?bidId=>

R-2 permits all uses permitted in the R-1 and R-15 Zones:

Two-family dwellings; accessory uses necessary to any of the above uses and accessory buildings located on the same lot; Structures, facilities and uses relating to or convenient or necessary for any function of municipal government; Transitional and supportive housing facilities. (Ord. 2014-3 § 8, 2014; Ord. 89-1 § 1 (part), 1989.)

The following uses are permitted in the R-2 zone with a conditional use permit from the Planning Commission:

Public buildings, parks and playgrounds; Electric substations, and other public utility facilities; Large residential or community care facilities serving seven or more individuals; Large family day care. (Ord. 2011-4 § 17, 2011; Ord. 89-1 § 1 (part), 1989.)

The following uses are prohibited in the R-2 zone: All uses not specified in Sections 19.28.010 or 19.28.020 of this Chapter, specifically including, but not limited to, any business, boarding house, rooming house, apartment court, apartment house, church, club building, hotel, rental office or any other use. (Ord. 89-1 § 1 (part), 1989.)

The following standards apply to construction within the R-2 zone. The full text of the requirements summarized here are located in Chapters 19.44 through 19.68 of this Title. In addition, all applicable structures must receive Design Review approval pursuant to Chapter 20.04 of the Belvedere Municipal Code. In the event of a discrepancy between the following chart and the Code section, the Code section shall prevail.

<b>Minimum</b>	lot size	6,000 square feet
	lot width	60 foot average
	lot frontage	60 feet
<b>Lot area/unit</b>	3 or more bedrooms	4,000 square feet

	2 or fewer bedrooms	3,000square feet
<b>Front yard setback</b> <i>NOTE: For the full text of these requirements, please see Sections 19.48.010, 19.48.060, and Chapter 19.56 (Height Limits). Maximum Height is only allowed if there is no significant view blockage. See Chapter 19.56.</i>	Building less than 15 feet high within first 40 feet from front property line	5 feet
	Building less than 25 feet high within first 40 feet	10 feet
	Building over 25 feet high within first 40 feet	15 feet
<b>Side yard setback</b> <i>NOTE: See §19.48.145 and Chapter 19.56 (Height Limits). Maximum Heights are only allowed if there is no significant view blockage.</i>	For buildings 15 feet or less in height	5 feet
	For buildings 16-25 feet high	10 feet
	For buildings over 25 feet high	15 feet
<b>Rear yard setback</b> <i>NOTE: See §19.48.170 for additional comments</i>	Abutting another lot	20 feet
	Abutting a street	15 feet
	Abutting water, an alley or private way	10 feet
<b>Setbacks for conditional use</b>	10 feet, or minimum for that yard, whichever is greater	
<b>Maximum lot coverage</b>	Structures, excluding uncovered decks, etc.	40 percent (increases to 50 percent if adjacent to open water)
	Total coverage	60 percent
<b>Maximum height</b> <i>NOTE: See Chapter 19.56 for the full text of Height limitations requirements. Maximum Heights are only permitted if there is no significant view blockage.</i>	22 feet as measured from the highest point of the structure (excluding chimneys) to Base Flood Elevation plus one foot of freeboard. (See §19.56.040)	
	Up to 26 feet as measured from the highest point of the structure (excluding chimneys) to Base Flood Elevation plus one foot of freeboard may be allowed only as follows: A bonus of one foot of additional height may be allowed when an additional foot is added to the second story setbacks, to a maximum height of 26 BFE+1 and not structure may exceed a maximum height of 29 feet from Existing Grade as defined in §19.08.224. (See §19.56.090)	
<b>Usable open space</b>	300 square feet/unit/public	
	450 square feet/unit/private	
<b>Off-street parking</b>	2 spaces per unit, with a minimum of 4 units. Must be on the	

	same lot as main building.
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**PRELIMINARY PROPOSAL**

As noted above, at this time, no formal application has been submitted, but the preliminary proposal as provided includes the demolition of the existing duplexes and site improvements at the Mallard Road Properties and the development of forty-four (44) new residential units, including a mix of single-family, duplexes and flats/apartments.

**ENVIRONMENTAL DETERMINATION**

Staff will be required to review the project proposal under the provisions of the California Environmental Quality Act (CEQA) and the CEQA Guidelines. At this time, no CEQA determination has been made.

**CORRESPONDENCE**

This presentation of the preliminary project to the City Council and Planning Commission was mailed to all property owners within 500 feet of the subject property and was also noticed in the local newspaper, the *Ark*. Additionally, an e-mail notification was sent to subscribers of the City website. At this time, no written comments have been received.

**RECOMMENDATION**

Staff recommends that the City Council and the Planning Commission:

- 1) Receive staff and applicant’s presentation
- 2) Receive public comment, and
- 3) Provide general feedback to staff and the applicant regarding the project proposal

Staff recommends that Council and Commissioners refrain from making particularized comments regarding the future project but rather, staff recommends that Council and Commission comment only on the general, broad aspects of the future project at this time.

**ATTACHMENTS**

- Attachment 1: Plans received January 25, 2021, by the City of Belvedere
- Attachment 2: Cottage Program Unit Count & Mallard Pointe Prelimn Unit Matrix
- Attachment 3: Correspondence (if applicable)

# Existing Conditions

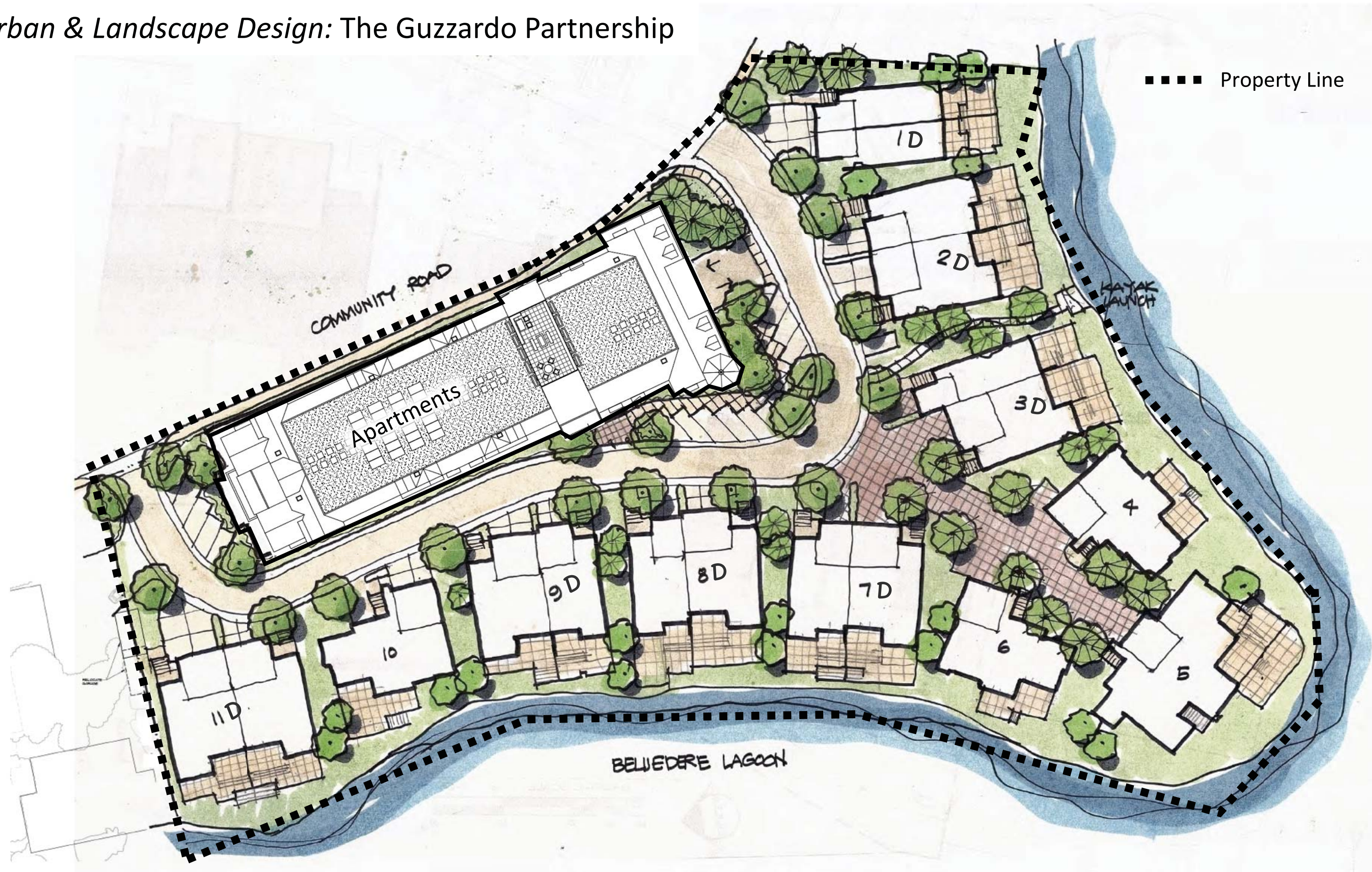




# Conceptual Site Plan

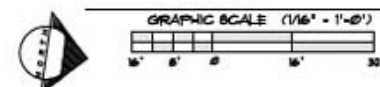


Urban & Landscape Design: The Guzzardo Partnership



Conceptual Site Plan for  
**MALLARD POINTE**  
Belvedere, California

December 4, 2020



# Cottage Elevations



Architect: Sutton Suzuki Architects



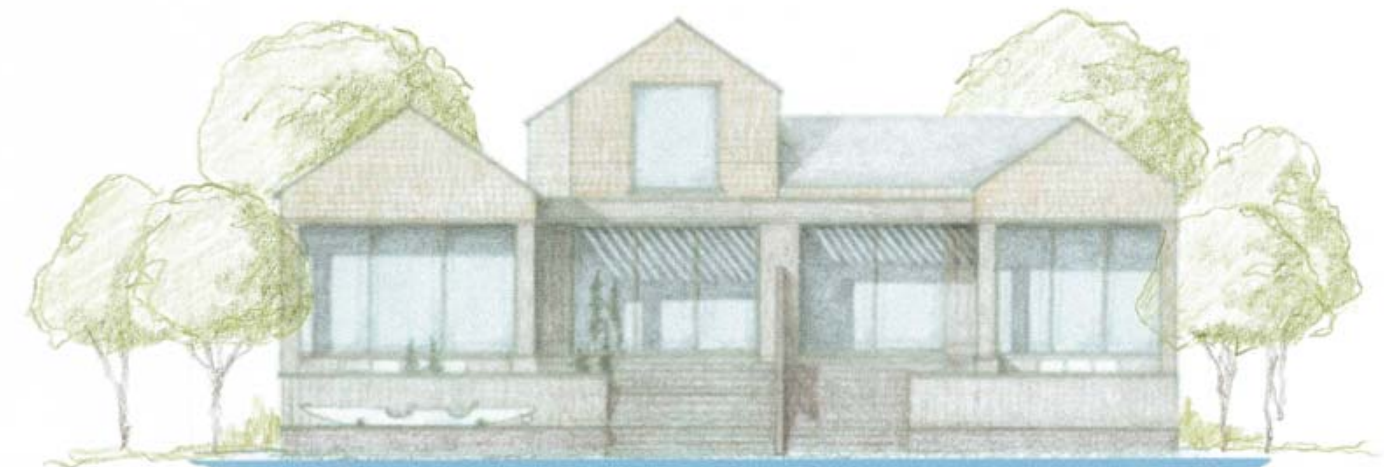
*Cottages 2 and 8*



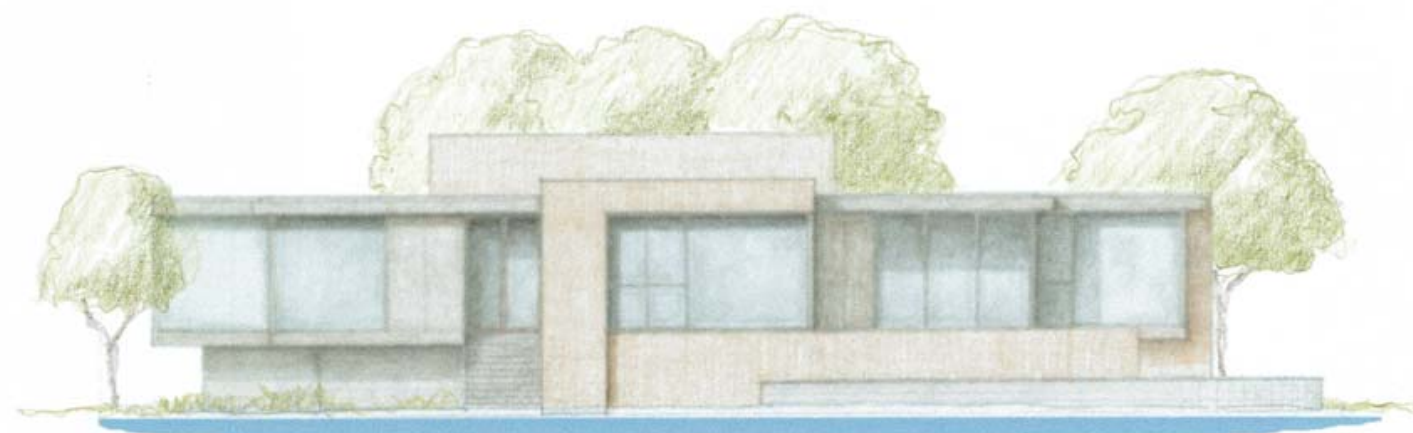
*Cottage 10*



*Cottages 4 and 6*



*Cottages 7 and 9*



*Cottage 5*



*Cottage 11*



West Elevation  
(Community Road)



South Elevation



North Elevation



East Elevation  
(Mallard Road)

Apartments  
GRAPHIC SCALE (1/8" = 1'-0")

# MALLARD POINTE

Belvedere, California

January 25, 2020



PROJECT ARCHITECT: JAMES R. HARRIS ARCHITECTS, INC.  
10000 S. HARRIS AVENUE, SUITE 200  
DUBLIN, CA 94568  
TEL: 925-835-1100

## Mallard Pointe Cottage Types

### Cottage 1

Unit B – 2 bedroom

Living 1423 SF

Garage 256 SF

Unit B – 2 bedroom

Living 1423 SF

Garage 256 SF

### Cottage 2

Unit A – 3 bedroom

Living 1736 SF

Garage 443 SF

Unit C – 2 bedroom

Living 1264 SF

Garage 287 SF

### Cottage 3

Unit A – 3 bedroom

Living 1736 SF

Garage 443 SF

Unit B – 2 bedroom

Living 1423 SF

Garage 256 SF

### Cottage 4

House 2 – 4 bedroom

Living 2928 SF

Garage 503 SF

### Cottage 5

House 1 – 4 bedroom

Living 3061 SF

Garage 427 SF

### Cottage 6

House 2 – 4 bedroom

Living 2928 SF

Garage 503 SF

Cottage 7

Unit A – 3 bedroom

Living 1736 SF

Garage 443 SF

Unit C – 2 bedroom

Living 1264 SF

Garage 287 SF

Cottage 8

Unit A – 3 bedroom

Living 1736 SF

Garage 443 SF

Unit C – 2 bedroom

Living 1264 SF

Garage 287 SF

Cottage 9

Unit A – 3 bedroom

Living 1736 SF

Garage 443 SF

Unit C – 2 bedroom

Living 1264 SF

Garage 287 SF

Cottage 10

House 3 – 4 bedroom

Living 2428 SF

Garage 503 SF

Cottage 11

Unit A – 3 bedroom

Living 1736 SF

Garage 443 SF

Unit A – 3 bedroom

Living 1736 SF

Garage 443 SF

Total bedrooms all units - 51

**MALLARD POINTE BELVEDERE**

1/25/2021

## PRELIMINARY UNIT MATRIX

**APARTMENTS INNER CIRCLE**

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Level	1 BR	2BR	3BR	Total
L2	4	5	4	13
L3	7	5	1	13
Total	11	10	5	<b>26</b>

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Net Rentable	689	1092	1320	Total
Totals	7574	10920	6600	<b>25094</b>

**PARKING**

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Parking Required at 2 per Unit (City Code)	52
Parking Provided in Building	44
Parking Provided on Site	15
Total Parking Provided at Inner Circle	<b>59</b>