

BELVEDERE PLANNING COMMISSION
REGULAR MEETING AGENDA
AUGUST 16, 2022, 6:30 PM

REMOTE MEETING
COVID-19 ADVISORY NOTICE

On March 3, 2020, Governor Newsom proclaimed a State of Emergency due to the COVID-19 pandemic that remains in effect. This meeting will be held remotely consistent with Executive Order N-29-20 and Assembly Bill 361, modifying provisions of the Brown Act to allow remote meetings at the current time. Members of the 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 Director of Planning and Building at: iborba@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 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 Planning Commission member after the meeting.

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

Topic: Belvedere Planning Commission Meeting

Time: August 16, 2022, 06:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/85897196668?pwd=SHV6dWtLWEo5N3M2WVc0OWxNakdyUT09>

Webinar ID: 858 9719 6668

Passcode: 255983

888 -788- 0099 (Toll Free)

877- 853- 5247 (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 Meeting Host 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 **Director of Planning and Building**, iborba@cityofbelvedere.org who will use her best efforts to provide assistance.

HEARING PROCEDURE:

The Planning Commission will follow the following procedure for all listed public hearing items:

- 1) The Chair will ask for presentation of the staff report;
- 2) The Commissioner will have the opportunity to question staff in order to clarify any specific points;
- 3) The applicant and project representative will be allowed to make a presentation, **not to exceed 10 minutes for large, or 5 minutes for small, projects, as total for the applicant's design team;**
- 4) The public hearing will be opened;
- 5) Members of the audience in favor or against the proposal will be allowed to speak, **for a maximum of 3 minutes per speaker;**
- 6) The applicant will be given an opportunity to respond to comments made by the audience, **for a maximum of 5 minutes total for the applicant's design team;**
- 7) The public hearing will be closed; and
- 8) Discussion of the proposal will return to the Commission with formal action taken to approve, conditionally approve, deny or continue review of the application.

A. CALL TO ORDER OF REGULAR MEETING

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, 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 agendaized for further discussion at a later meeting.

C. REPORTS

The Reports agenda item consists of any oral reports from standing Planning Commission committees (if any), an individual member of the Planning Commission, and staff.

D. CONSENT CALENDAR

The Consent Calendar consists of items that the Planning Commission considers to be non-controversial. Unless any item is specifically removed by any member of the Planning Commission, staff, or audience, the Consent Calendar will be adopted by one motion. Items removed will be considered in the sequence as they appear below. If any member of the audience wished to have an item removed, follow the remote meeting procedures referenced above, state your name in the “chat” section of the remote meeting platform, and indicate the item. If you do not have access to the Zoom meeting platform, please email the Director of Planning and Building, Irene Borba at iborba@cityofbelvedere.org and indicate that you would like to remove a consent calendar item and identify the item. After removing the item, the City will call for comment at the appropriate time.

1. Draft **Minutes of the July 19, 2022**, regular meeting of the Planning Commission.
2. 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.
3. Consideration of the property at **206 Bayview Avenue** for local historic landmark designation. Applicants and Property Owners Gian Solomon & Ariane Mahler. *Staff recommends that the Commission recommend to City Council to approve the request for local historic designation. No Recusals.*

E. PUBLIC HEARINGS

4. Design Review and Revocable License to construct a new tiered block retaining walls to repair a landslide upslope of **19 Eucalyptus Road** and to install landscaping and stairs. Portions of the proposed retaining walls and landscaping as well as some access stairs will be within the right-of-way and therefore a Revocable License is required. Applicant: Nathan Klemen (Miller Pacific Engineers). Property Owner: Gary Friedman. *Staff recommends approval of the proposed project. Recusals: Commissioners Hart and Slaymaker*

APPEALS: The Belvedere Municipal Code provides that the applicant or any interested person may appeal the action of the Planning Commission on any application. The appeal must be in writing and submitted with a fee of \$1026.00 (applicant) or \$776.00 (non-applicant) not later than ten (10) calendar days following the date of the Planning Commission action. Appeals received by City staff via mail after the tenth day will not be accepted. Please note that if you challenge in court any of the matters described above, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Planning Commission at, or prior to, the above-referenced public hearing. [Government Code Section 65009)b)(2)].

NOTICE: WHERE TO VIEW AGENDA MATERIALS

Staff reports and other writings distributed to the Planning Commission are available for public inspection at the following locations:

Online at www.cityofbelvedere.org

Belvedere City Hall, 450 San Rafael Ave, Belvedere (Writings distributed to the Planning Commission after the posting date of this agenda 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 Planning Department or by calling (415) 435-3838. Whenever possible, please make your request four working days in advance of the meeting.

Items will not necessarily be heard in the above order, not, because of possible changes or extenuating conditions, be hear. For additional information, please contact City Hall, 450 San Rafael Ave, Belvedere CA 94920. (415) 435-3838.

**City of Belvedere
Regular Planning Commission
Meeting**

August 16, 2022

Conflict of Interest Statement

Planning Commission Member:

If you live within 500-feet of any property involved in any matter coming before the Commission at this meeting, please immediately let staff know and be prepared to disqualify yourself from participating in any Planning Commission consideration regarding the matter(s). *After publicly announcing your disqualification, you should step down from the dais and retire to the City offices where you cannot be seen or heard from the Council Chambers. If you wish to say something as a private citizen, you may do so during the time public comments are solicited from the audience. Before leaving the Chambers, let staff know if this is your intention so they can summon you at the appropriate time to make your statement. When the matter is concluded, a staff member will let you know it's time to come back in and proceed on to the next agenda item.* Disqualification is automatic if you reside within 500 feet of the property that is the subject of the matter being considered by the Planning Commission.

206 Bayview Avenue

None

19 Eucalyptus Road

Hart, Slaymaker

BELVEDERE PLANNING COMMISSION

MINUTES

REGULAR MEETING

July 19, 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. in the Belvedere Council Chambers. Commissioners present: Pat Carapiet, Ashley Johnson, Marsha Lasky, and Nena Hart. Commissioners Absent: Larry Stoehr, Claire Slaymaker, Kevin Burke. Staff present: Director of Planning and Building Irene Borba, Substitute Assistant City Attorney Jenica Maldonado, and Associate Planner Samie Malakiman.

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 agendaized 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.

MOVED BY: Marsha Lasky, seconded by Nena Hart

VOTE: AYES: Pat Carapiet, Marsha Lasky, Nena Hart, Ashley Johnson (on Item 2)
 ABSTAIN: Ashley Johnson (on Item 1 due to absence from meeting)
 ABSENT: Larry Stoehr, Kevin Burke, Claire Slaymaker,

1. Draft **Minutes of the June 21 2022**, regular meeting of the Planning Commission.
2. 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.

E. PUBLIC HEARINGS

3. Design Review, ADU, Variance, and Revocable License applications for the property located at **310 Beach Road**. The project proposes a 795 sf ADU and retaining wall at the rear of the home. The proposal includes interior renovations and landscaping at the rear. The project would enclose 41 sf of area underneath the garage for storage. The project would convert 123 sf of floor space into a new rear deck on the upper level and extend two rear decks at the main and lower levels. New wooden stairs would be placed on public property to access the residences existing dock. A new 6' wood fence and gate would replace existing at the front of the home as well. Project Applicant: Steve Wisenbaker; Property Owner: Lovebird Family Trust. *Staff recommends that the Commission approve the proposed the proposed project.* **No Recusals.**

Associate Planner Sami Malakiman presented the staff report. A slide show accompanied his remarks.¹

Open public hearing.

The item was postponed to a later time in the meeting while the applicant was being contacted to arrange meeting access to the Zoom format.

Close public hearing.

4. Design Review application for the property located at **19 Windward Road**. The project proposes a new 701 square foot second floor addition with 11 associated windows, two exterior doors, and two exterior wall lights. The proposed second floor would lead to a new roof deck balcony above the existing garage. The project proposes new stone veneer siding along the front face of the garage as well. Project Applicant: Lindsay Massey; Property owners: Maggie and Christopher Jackson. *Staff recommends that the Commission approve the proposed the proposed project.* **No Recusals.**

Associate Planner Sami Malakiman presented the staff report. A slide show accompanied his remarks.²

Commissioners asked questions regarding complaints from neighbors about the history of constant recent construction and a need for a one year break between projects; the questions of the height of the building and triggers of both items on FEMA requirements; clarification of the existing Revocable License, and the nature of a 2018 8.5 SF addition in 2018.

Director Borba replied that research can be provided or perhaps the applicant can clarify these details. If the permits were properly issued and finalized then there would be no impact on the current application under FEMA. Heights of buildings are not relative to FEMA requirements either; rather, the elevation of the finish floor is the criteria for FEMA projects. This project is not deemed to be a substantial improvement and is not subject to FEMA.

Open public hearing.

Lindsay Massey, project architect, stated described the revised project. Recent conversations with the owners of 21 Windward Road regarding windows has been ongoing since the time of the

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

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

issuance of the staff report, but those have not been included in the current plans before the Commission tonight. Those can be reviewed after this consideration as revisions.

Maggie Jackson stated that the 8.5 SF addition was for a small half bath added under a covered porch in 2018 and the work also included a kitchen remodel also occurred. Later a pool repair and rebuild occurred that took approximately 8 weeks in 2020. There have not been continuous construction or permits for the past 4 years as has been suggested.

Commissioners asked for clarification of proposed new exterior lighting (in the balcony facing Windward Road), the upstairs loft purpose (TV and activity room for the kids) the stair location (structural reasons for it to remain as is) and proposed window modifications (removal of 2 loft windows facing the neighbor, reducing the size of the stairwell window, and reduce size of a window facing the Lagoon. The office window would remain as proposed.) Also asked was the rationale for the other side 'box' design with 2 very small windows (to appease that neighbor).

Ms. Jackson stated that the changes to the windows would be submitted for followup approval when the details are worked out.

Chair Carapiet stated that an approval can be conditioned to review and approve the window changes.

Elizabeth Brekhus, representing the owners of 17 Windward Road, has submitted a letter to the Commissioners.

Director Borba confirmed that the letter has been shared with the Commissioners.³

Ms. Brekhus went through the points in the letter, including Design Review considerations for harmonious and balanced development on the site and in the neighborhood, disagreement with the construction valuation provided for the project, discrepancies in the story pole heights, and requesting clarification on a 1974 Variance for the property.

The son of the owner of 17 Windward Road Raphine Lepine spoke to their objections as they are the most impacted neighbors to the proposed project. These include negative impacts on their privacy, views, and sunlight. The project does not meet the legal requirements for approval. The addition should be reoriented to be side to side and away from being weighted to their side of the lot.

Karina Halton, friend of the owner of 17 Windward Road, spoke to concerns of impacts of the proposed project on that neighbor. The environmental concerns over use of 'plastic grass' are an issue. The project is oversized, negatively impacts neighbors, and is not FEMA compliant.

Steve Broad, 21 Windward Road, looks forward to seeing the changes to the windows before the project is approved.

Rosalee Cornue, friend of the owner of 17 Windward Road, spoke to reconsideration of whether the project is FEMA compliant. She requested the denial of the application due to negative privacy impacts on 17 Windward Road.

Jeff Catinto, builder of the 17 Windward Road project, stated that the cost estimate for this proposal is understated. Rotation of the addition 90 degrees would be a better alternative and would reduce the impacts on 17 Windward Road.

³ Correspondence is archived with the record of the meeting.

Gabriel Lepine, son of the property owner of 17 Windward Road, requested denial of the project due to lack of FEMA compliance, privacy impacts on their home, and failure to meet Design Review requirements.

Michelle Lepine, owner, 17 Windward Road, requested that her concerns be addressed.

Erica Olsen Lepine, daughter in law of the owner of 17 Windward Road, stated that the proposal is too large, intrusive, and reduces a significant amount of light and privacy. The project is not compliant as prior projects should figure into FEMA valuation requirements and the spirit of the law.

Scott Hamilton, Windward Road resident, supports the proposed Jackson project. This is a family who actually lives in Belvedere so there needs to be consideration for them and their needs over others who do not live here but who only visit.

Ms. Jackson responded that they are not trying to overbuild, but just find space for their family. They hope to accommodate their neighbors' concerns as well as they can and look forward to discussing window revisions with the Broad family if the item is continued. They are sorry that the neighbors were upset by the pool project and did that work as quickly as possible.

Ms. Massey added that they believe the budget is accurate and beneath FEMA requirements. The story poles are correct. They will verify their accuracy.

Close public hearing.

Commissioners discussed the proposal, including consideration of reorienting the addition to be perpendicular to the first floor to reduce neighbor impacts and be more in line with other second floor development in the neighborhood. If the loft were eliminated possibly that would increase air and space. A street-facing balcony was not supported. Window changes are supported. A continuance for story pole verifications is desired.

Vice-Chair Johnson stated that she can support the changes that have been made since the prior hearing. The applicants have a reasonable need for their improvements and would have to be in compliance with any other Lagoon zone projects for approval. She can make the findings if the clarifications on windows and story poles are determined. FEMA estimated valuations are currently accepted so that would not be a consideration at this time.

Chair Carapiet commented that artificial turf is allowed per State law; it is no longer subject to Design Review. In regards to the current project she agrees with Vice Chair Johnson and the current FEMA worksheets were adopted to gain consistency and compliance with FEMA regulations. She agrees that there is some uncertainty on some important information so a continuance would be favored.

Open public hearing.

Ms. Jackson replied that moving the upstairs addition would require too much structural work and would trigger a FEMA project which is not the course they wish to pursue.

Close public hearing

Chair Carapiet commented that artificial turf is allowed per State law; it is no longer subject to Design Review. In regards to the current project she agrees with Vice Chair Johnson that FEMA requirements are in compliance; the current FEMA worksheets were adopted to gain consistency

with FEMA regulations. The City previously adopted the zoning rights to two story buildings in the Lagoon zone at the time of the implementation of FEMA regulations.

She agrees that there is some uncertainty on some important information regarding story poles and proposed windows so a continuance would be favored.

MOTION: To continue the proposed project for Design Review at **19 Windward Road** to a future meeting of the Planning Commission.

MOVED BY: Marsha Lasky seconded by Nena Hart

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

3. Design Review, ADU, Variance, and Revocable License applications for the property located at **310 Beach Road**. The project proposes a 795 sf ADU and retaining wall at the rear of the home. The proposal includes interior renovations and landscaping at the rear. The project would enclose 41 sf of area underneath the garage for storage. The project would convert 123 sf of floor space into a new rear deck on the upper level and extend two rear decks at the main and lower levels. New wooden stairs would be placed on public property to access the residences existing dock. A new 6' wood fence and gate would replace existing at the front of the home as well. Project Applicant: Steve Wisenbaker; Property Owner: Lovebird Family Trust. *Staff recommends that the Commission approve the proposed the proposed project.* **No Recusals.**

Director Borba stated that the property owner is now available to join the meeting. The staff report was already presented at the beginning of the meeting.

Open public meeting.

Mark Conroe, property owner, 310 Beach Road, stated that he agrees with the staff report. He is available for questions.

Vie-Chair Johnson asked if there are any new lights. She only sees 6 proposed new lights. Also she asked how much increase is there in new glazing on the north side.

Steve Wisenbaker, project architect confirmed that there are only the 6 lights as required by the building code. There is no new lighting on the patio. The increase in glazing (not including the ADU) is not a significant increase in area.

Commissioner Lasky asked requested clarification of the ends of the balconies, are those solid or open. Answer was they are open metal rails, same as existing. She suggested that the windows in the ADU might be made smaller. Is Jasmine being used to cover walls and piers?

Mr. Wisenbaker stated that they would remain as shown. They face the Bay and have not impacts on neighbors. The Jasmine is correctly going to cover walls and retaining walls. (Applicant agreed with this comment)

Chair Carapiet asked if the roof deck on the ADU could be reduced to have no impact on 300 Golden Gate. Avenue (Applicant wants to retain the proposed size) Would the applicant consider windowing the Oak tree to improve the view. (He would)

Commissioner Hart asked if the ADU windows can be considered during the ministerial review. She would encourage some reduction in the amount of glazing to reduce light emissions.

Director Borba stated staff will look at this concern.

There were no public comments.

Close public hearing.

Vice-Chair Johnson stated the plans are consistent with Design Review findings. The biggest issue is the proposed improvements on the City's land known as 'The Strip'. Currently the owners hold a legal dock lease but have no provision for access to it. It makes sense to provide the access and she believes this does not constitute a new structure nor to be in conflict with the land's intended use and in fact these steps will benefit both the owners and the public access for the intended use of the land. Signage might be posted. The City should take a perspective to make this area more accessible and walkable to the public.

Commissioner Hart can support the overall project. She asked whether the pier is available for public access. She stated that the stairs are defined as 'structures' in the Code. She agrees that this will improve hill stability and safety. The City needs to support the provision of access to property owners to their pier.

Commissioner Lasky stated that the Parks and Open Space and Lanes Committee has suggested that the owner provide for public access allowing for the public to be able to traverse the stairs when traveling along in the Strip. This has been added to the stair plan. The stairs will also assist structurally for the hill stability. She can make all the findings for the project.

Chair Carapiet can make the findings for Design Review for the home. She has difficulty with compliance with the 1896 Deed restrictions and 1996 update regarding the The Strip that state there can be no new structures built. She agrees that access to the shared dock should be pursued via the originally existing shared stairs on 312 Beach Road. There should be some coordination with that neighboring property owner to restore that access. The 1968 City document supported the shared dock with one stairway access. She understands the right to go down but not a separate access for each owner. This should be a consideration for the City Council to come up with better guidelines for this situation. Commissioner Johnson's suggesting of a public walkway along the strip would be a good plan. She cannot recommend the Revocable License.

Open public hearing.

Mr. Conroe understands the reasonable understanding of the provision of access to the dock. The City has promoted a solution to an historical problem of the sharing of the stairs. They seek to have access and to improve the stability of the hill.

Mr. Wisenbaker stated that City policy encourages separate and independent integrity of properties without conflicts of interest with neighbors. He would encourage the City Council to opine on the desirability of property independence. The Strip is frontage to the dock and should not be encumbered.

Chair Carapiet stated that the City property is a single continuous parcel so the situation is somewhat different.

Mr. Conroe stated that there is a public benefit to having the stairs to access the City property that abuts them for landscaping and stabilization, and independent access is a part of that.

Close public hearing.

MOTION: To approve the draft Resolution for Design Review at **310 Beach Road**.

MOVED BY: Marsha Lasky, seconded by Ashley Johnson

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

MOTION: To consider making a recommendation to City Council for approval of a Revocable License for **310 Beach Road**.

MOVED BY: Marsha Lasky, seconded by Ashley Johnson

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

4. Design Review and Use Permit for the property located at **71 Bellevue Avenue**. The project proposes to replace an existing 388 square foot U-shape dock with a 384 square foot rectangular shaped dock. The project would replace the existing 82 square foot gangway and five piles associated with the dock. The project is in the Recreation (R) Zoning District. Applicant and property owner: Noah Drever. *Staff recommends that the Commission approve the proposed the proposed project.* **No Recusals.**

Planner Sami Malakiman presented the staff report. A slide show accompanied his remarks⁴.

Open public hearing.

Commissioners requested clarifications of project details, including a need for a new or revised dock lease. The drawing attached to the original lease is different than what is proposed. The applicant can clarify.

Director Borba does not know why the Exhibit A on the original dock lease is different from what is existing. An updated dock lease exhibit might be required to bring it up to date.

Open public hearing.

Noah Drever, property owner, stated that in 1977 the family modified the orientation of the u-shaped dock. The current boat lift is still in good condition and will be retained. The rectangular design is what was recommended for better stability. BCDC and other agencies will provide permits for the dock. It will be attached to 3 pilings in the same exact locations. The result will be a smaller dock that does not flex like a u-shaped dock in the area currents.

Chair Carapiet asked if the missing pier footing still exists.

Mr. Drever says he does not think it is still there.

Open public hearing.

No one wished to speak.

⁴ The slide show presentation is archived with the record of the meeting.

Close public hearing.

Commissioner Hart stated she had noticed a change of location from the old pilings to the new ones. Whether this is considered 'new' or 'replacement' may not be of significance other than to verify this. She supports the new materials and design. She can make the findings for the Design and Use Permit.

Vice-Chair Johnson agrees with Commissioner Hart. She can support the requests.

Commissioner Lasky agrees with her fellow Commissioners and she can make the findings for the Use Permit and Design Review applications.

Chair Carapiet agrees with her fellow Commissioners and supports the findings for both applications. She would add a condition of approval as to whether a revised lease document may be required.

MOTION: To approve the application for Use Permit for a replacement gangway and floating dock at **71 Bellevue Avenue** as conditioned.

MOVED BY: Ashley Johnson, seconded by Nena Hart

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

MOTION: To approve the application for Design Review to replace a gangway and floating dock at **71 Bellevue Avenue** as conditioned.

MOVED BY: Ashley Johnson, seconded by Nena Hart

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

Meeting was adjourned at 9:45 PM.

PASSED AND APPROVED at a regular meeting of the Belvedere Planning Commission on August 16, 2022, by the following vote:

VOTE: AYES:
NOES:
ABSTAIN:
RECUSED:
ABSENT:

APPROVED: _____

Pat Carapiet, Planning Commission Chair

ATTEST: _____

Beth Haener, City Clerk



**CITY OF BELVEDERE PLANNING COMMISSION
STAFF REPORT**

REPORT DATE:	August 8, 2022	CONSENT CALENDAR
MEETING DATE:	August 16, 2022	AGENDA ITEM: 3
TO:	City of Belvedere Planning Commission	
FROM:	Irene Borba, Director of Planning & Building	
SUBJECT:	Consideration of a request to designate the residence at 206 Bayview Avenue as a City of Belvedere Historic Property, pursuant to Title 21 of the Belvedere Municipal Code.	

RECOMMENDATION

Staff recommends that the Planning Commission adopt the draft resolution recommending that the City Council grant applicant's request for Historical Designation of the residence at 206 Bayview Avenue pursuant to Belvedere Municipal Code Chapter 21.20. The application and other associated information is included as **Attachment 2**.

Staff recommends that the Planning Commission conduct the required public hearing and take the following actions:

MOTION 1 That the Planning Commission adopt the draft Resolution recommending City Council designation of the residence at **206 Bayview Avenue** as a City of Belvedere Historic Property.

PROJECT DESCRIPTION/BACKGROUND

The homeowners request Historic Designation, pursuant to Title 21 of the Belvedere Municipal Code, Historic Preservation for the property at 206 Bayview Avenue.

The owners of 206 Bayview Avenue submitted a request for Historic Designation per Belvedere Municipal Code Chapter 21.20. On July 12, 2022, the Belvedere Historic Preservation Committee voted to recommend designation of the home at 206 Bayview Avenue as a City of Belvedere Historically Designated Property. The Historic Designation Survey Form prepared by the Committee for the property is included as **Attachment 2** and draft HPC minutes are included as **Attachment 4**.

PROJECT ANALYSIS

Under Chapter 21.20 of the Belvedere Municipal Code, a property owner may initiate the process to apply for the Historical Designation of his or her home. After a complete application is received, the Historical Preservation Committee holds a public hearing to consider the Historical Designation application and makes a recommendation to the Planning Commission. Subsequently, the Planning Commission reviews the application and makes its recommendation to the City Council. Only the City Council can designate a residence as a Belvedere Historically Designated Property.

PROJECT ANALYSIS

This single-family home built in 1892 is located at 206 Bayview Avenue. The home has four bedrooms, 3 bathrooms and is approximately 3,093 SF. The property has a lot size of 6,656 SF. The home is built into a steep terraced hillside, with large outdoor terraces and porches.

This Victorian house, built by D.A. McLean, was one of the first homes on Belvedere Island. The house has been restored with care and consideration over the years, maintaining its romantic character, with hardwood floors, crown molding, and period detailing throughout. The property includes a hillside elevator connecting Bayview Avenue to the entry level of the house. The property is also connected to Beach Road via the adjacent pagoda lane stairs.

The property is purchased directly above the San Francisco Yacht Club harbor. The home enjoys the views of the Belvedere Cove, Corinthian Island, the Tiburon Hills, Angel Island, the San Francisco Bay and the city skyline including the San Francisco Oakland Bay Bridge.

Pursuant to Title 21 of the Belvedere Municipal Code, the Landmarks Preservation Ordinance lists the following criteria for designation of a structure as a landmark.

1. *Architecture: It is an outstanding example of a particular style, construction method or material.*

The house is a modest example of American Queen Anne Style built on Belvedere Island in the 1890's. "Contrary to what might be expected, there were few houses built in the late Victorian (Queen Anne) style. The few Queen Anne's built here (in Belvedere) were stripped-down versions, having only the most characteristic elements, round towers with witch's cap roofs rather than the exuberant excesses of San Francisco's Victorians". This Queen Anne style of the house can be identified by its polygonal turret with a conical tower roof visible from both land and water.

Queen Ann houses like 206 Bayview were built in towns across America in the late nineteenth century. These house designs were often chosen from widely circulated pattern books where only a builder was required.

2. *Architecture: It is outstanding because of age.*

206 Bayview is outstanding because of age, being one of Belvedere's first homes constructed 11.15.1891 – 1892 soon after the Belvedere Land Company subdivided Belvedere Island.

3. *Architecture: It is outstanding because it is the work of a significant architect or builder.*

The builder of the house on 206 Bayview Avenue was D.A. McLean of Mclean Brothers. Daniel McLean and his brother Neil built many of the earliest houses on Belvedere Island. They also served in numerous official capacities for the town. Both Daniel and his brother Neil are included in the list of Town Trustees and Presidents 1890 – 1928. Daniel McLean is also listed as one of the Volunteer Fire Department Chiefs 1918 – 1980.

A Pictorial History of Belvedere 1890 – 1990 includes D. A. McLean as one of the early Belvedere merchants showing an advertisement for D. A. McLean Dealer in Lumber, Wood, Coal, Coal Oil and Kindling as well as being the agent for Consumer's Ice, Shasta and other Mineral Waters.

4. *Architecture: It is outstanding because it is the first, last, only or most significant architectural property of its type in the city.*

Built in 1892, soon after the Belvedere Land Company subdivided the Island, it is one of the first residences and one of the first houses built in the American Queen Anne style.

5. *Design: It has a unique or original design or demonstrates outstanding craftsmanship*

The American Queen Anne style of the original mass of the building of the house has been altered by the addition of 2 modern greenhouse glass bay windows that doubles as a source of additional daylighting. We don't know when this was added but, the addition of sunrooms was popular in the 1970's in modern residential design.

These architecture additions of the house are pleasing and do no harm; however, the original Queen Anne style has been compromised to some extent. However, there are a few original decorative architecture features such as the front door with wooden applique above the door and other locations as well as an original stained-glass window.

6. *History: It is associated with a person, group or event significant to the city, state or nation, or shows broad cultural, political, social or economic patterns, or embodies and expresses the history of the city.*

The house was built for Captain Robert B. Phillips and his wife. The original deed lists their names and also the Dunham, C. & H. Co. There are records from the Sausalito News (cited in "Life in Belvedere and Tiburon 1890 – 1900") "Among this week's arrivals are...Mr. and Mrs. Phillips and family. 6.22.1895.

In 1896, Mr. Phillips signs a petition seeking the Incorporation of Belvedere. Notice.

We the undersigned petitioners, herby give notice that we will present to the honorable the Board of Supervisors of the county of Marin in the State of California...a petition for the incorporation of the proposed town of Belvedere...That each of the undersigned is a qualified elector of said county of Marin and a resident within the hereinbefore bounded and described limits of the territory of proposed town of Belvedere...Robert B. Phillips State of California, City and County of San Francisco...Subscribed and sworn to me this 10th day of September, 1896. See Belvedere Incorporation. 9.19.1896.

Another citation in the Sausalito News states that The Phillips house is for rent.

3.11.1899. However, Mr. Phillips was recorded in the 1905 Marin County Directory as living in Belvedere but provides no further information.

7. *Environment: It contributes to the character of the street or neighborhood area or has significance as a visual landmark owing to its unique location.*

206 Bayview is in Belvedere's Historic Resource Sensitivity Map as a parcel of high historic sensitivity. Perched over Beach Road, near the middle of the Island, 206 Bayview Avenue is visible from Belvedere Cove as well as from Corinthian Island and the Bay. Although not highly visible from Bayview Avenue, the water side visibility of the house, perched directly above the San Francisco Yacht Club Marina, is a contributing piece of architecture in this historic neighborhood. The house the house with its typical Queen Anne polygonal turret with a conical roof contributes to the unity and diversity of the

island.

8. Integrity: *It retains most of its original materials and design features.*

As we noted in Item 5 Design: The American Queen Anne style of the original mass of the building of the house has been altered by the addition of two modern greenhouse glass Bay windows (sunrooms). we don't know when this was added but, the addition of sunrooms was popular in the 1970s and modern residential design.

As we also noted the architecture additions of the house are pleasing and do no harm but from a long distance are noticeable. Several of the terraces and handrails have been added and it appears all of the windows have been replaced. The original Queen Anne style has been compromised to some extent.

9. National Register of Historic Places: *It is a site or structure listed on the National Register of Historic Places.*

206 Bayview is not on the National Register of Historic Places in Marin County.

Recommendation:

A structure and site being proposed for historic designation must satisfy at least three of the above-listed criteria. As discussed by the committee and as detailed in the attached report form, it was concluded that the property at 206 Bayview Avenue satisfies criteria 2, 3, and 7. Once designated, modifications to an historic property are subject to the regulations of the Historic Preservation Ordinance. Pursuant to Section 21.20.090, the Historic Preservation Committee must review the application and make a recommendation to the Planning Commission on the merits of the application & then the Planning Commission makes a recommendation to the Council. Only the City Council can designate a residence as a Belvedere Historically Designated Property.

If designated, the property would become eligible for local and county tax reductions under the Mills Act program. Additionally, once designated, modifications to an historic property are subject to the local Belvedere regulations under the Historic Preservation Ordinance, and the State Secretary of Interior Standards for the Treatment of Historic Properties. Finally, a designated historic property will constitute an “historic resource” under CEQA and be subject to additional environmental review and potential developmental constraints.

ENVIRONMENTAL DETERMINATION

The project has been determined to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the Historical Designation of the property will not cause a significant adverse impact on the environment.

CORRESPONDENCE

A copy of the public hearing notice for this item was published in *The ARK* newspaper and mailed to all property owners within 300 feet of the subject property. As of writing this report, staff has not received any correspondence from the neighbors.

CONCLUSION

Staff supports the requested nomination based upon the evidence presented in the Survey form and the support of the Historic Preservation Committee.

RECOMMENDATION

MOTION 1 That the Planning Commission adopt the draft Resolution recommending City Council designation of the residence at **206 Bayview Avenue** as a City of Belvedere Historic Property.

ATTACHMENTS

1. Draft Resolution Recommending City Council Historic Designation of 206 Bayview Avenue.
2. Survey Form Prepared by Subcommittee of the Historic Preservation Committee
3. Application for Historic Designation
4. Draft Historic Preservation Committee Minutes of July 12, 2022

CITY OF BELVEDERE
RESOLUTION NO 2022
A RESOLUTION OF
THE PLANNING COMMISSION OF THE CITY OF BELVEDERE
RECOMMENDING THAT THE CITY COUNCIL
GRANT HISTORICAL STATUS FOR THE PROPERTY
LOCATED AT 206 BAYVIEW AVENUE

WHEREAS, a proper application for Historical Status Designation pursuant to Belvedere Municipal Code Chapter 21.20 for the property located at 206 Bayview Avenue has been submitted; and

WHEREAS, the project has been determined to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that the Historical Designation of the property will not cause a significant adverse impact on the environment; and

WHEREAS, a home may be designated as an Historic Belvedere Property if three or more of the following findings of facts per to Belvedere Municipal Code section 21.20.070(A) can be made; and

WHEREAS, the City of Belvedere Historic Preservation Committee made a favorable recommendation to the Planning Commission on the Historical Designation application on July 12, 2022; and

WHEREAS, the Planning Commission held duly a noticed public hearing on the Historical Designation application on August 16, 2022; and

WHEREAS, Section 21.20.070.A of the Belvedere Municipal Code sets forth the criteria for Historical Designation, requiring that a designated property meet at least three of said criteria; and

WHEREAS, at said meeting, the Planning Commission made the following findings of fact in applying Section 21.20.070.A's criteria to the subject application and further concludes that the application satisfies the requirements of Section 21.20.070.A:

1. *Architecture: It is an outstanding example of a particular style, construction method or material.*

The property does not meet this standard. The house is a modest example of American Queen Anne Style built on Belvedere Island in the 1890's. "Contrary to what might be expected, there were few houses built in the late Victorian (Queen Anne) style. The few Queen Anne's built here (in Belvedere) were stripped-down versions, having only the most characteristic elements, round towers with witch's cap roofs rather than the exuberant excesses of San Francisco's Victorians". This Queen Anne style of the house can be identified by its polygonal turret with a conical tower roof visible from both land and water.

Queen Anne houses like 206 Bayview were built in towns across America in the late nineteenth century. These house designs were often chosen from widely circulated pattern books where only a builder was required.

2. Architecture: *It is outstanding because of age.*

The property meets this standard. 206 Bayview is outstanding because of age, being one of Belvedere's first homes constructed 11.15.1891 – 1892 soon after the Belvedere Land Company subdivided Belvedere Island.

3. Architecture: *It is outstanding because it is the work of a significant architect or builder.*

The property meets this standard. The Builder of the house on 206 Bayview Avenue was D.A. McLean of Mclean Brothers. Daniel McLean and his brother Neil built many of the earliest houses on Belvedere Island. They also served in numerous official capacities for the town. Both Daniel and his brother Neil are included in the list of Town Trustees and Presidents 1890 – 1928. Daniel McLean is also listed as one of the Volunteer Fire Department Chiefs 1918 – 1980.

A Pictorial History of Belvedere 1890 – 1990 includes D. A. McLean as one of the early Belvedere merchants showing an advertisement for D. A. McLean Dealer in Lumber, Wood, Coal, Coal Oil and Kindling as well as being the agent for Consumer's Ice, Shasta and other Mineral Waters.

4. Architecture: *It is outstanding because it is the first, last, only or most significant architectural property of its type in the city.*

The property does not meet this standard. Although the home was built in 1892, soon after the Belvedere Land Company subdivided the Island, staff cannot verify that it was the first, last or most significant architectural property in the American Queen Ann style.

5. Design: *It has a unique or original design or demonstrates outstanding craftsmanship*

The property does not meet this standard. The American Queen Anne style of the original mass of the building of the house has been altered by the addition of 2 modern greenhouse glass bay windows that doubles as a source of additional daylighting. Staff does not know when this was added but, the addition of sunrooms was popular in the 1970's in modern residential design.

These architecture additions of the house are pleasing and do no harm; however, the original Queen Anne style has been compromised to some extent. However, there are a few original decorative architecture features such as the front door with wooden applique above the door and other locations as well as an original stained-glass window.

6. History: *It is associated with a person, group or event significant to the city, state or nation, or shows broad cultural, political, social or economic patterns, or embodies and expresses the history of the city.*

The property does not meet this standard. The house was built for Captain Robert B. Phillips and his wife. We have little information about the Phillips family. The original deed lists their names and also the Dunham, C. & H. Co. There are records from the Sausalito News (cited in “Life in Belvedere and Tiburon 1890 – 1900”) “Among this week’s arrivals are...Mr. and Mrs. Phillips and family. 6.22.1895.

In 1896, Mr. Phillips signs a petition seeking the Incorporation of Belvedere: Notice.

We the undersigned petitioners, herby give notice that we will present to the honorable the Board of Supervisors of the county of Marin in the State of California...a petition for the incorporation of the proposed town of Belvedere...That each of the undersigned is a qualified elector of said county of Marin and a resident within the hereinbefore bounded and described limits of the territory of proposed town of Belvedere...Robert B. Phillips State of California, City and County of San Francisco...Subscribed and sworn to me this 10th day of September, 1896. See Belvedere Incorporation. 9.19.1896.

Another citation in the Sausalito News states that The Phillips house is for rent. 3.11.1899. However, Mr. Phillips was recorded in the 1905 Marin County Directory as living in Belvedere but provides no further information.

7. Environment: *It contributes to the character of the street or neighborhood area or has significance as a visual landmark owing to its unique location.*

The property meets this standard. 206 Bayview is in Belvedere's Historic Resource Sensitivity Map as a parcel of high historic sensitivity. Perched over Beach Road, near the middle of the Island, 206 Bayview is visible from Belvedere Cove as well as from Corinthian Island and the Bay. Although not highly visible from Bayview Avenue, the water side visibility of the house, perched directly above the San Francisco Yacht Club Marina, is a contributing piece of architecture in this historic neighborhood. The house the house with its typical Queen Anne polygonal turret with a conical roof contributes to the unity and diversity of the island.

8. Integrity: *It retains most of its original materials and design features.*

The property does not meet this standard. As we noted in Item 5 Design: The American Queen Anne style of the original mass of the building of the house has been altered by the addition of two modern greenhouse glass Bay windows (sunrooms). we don't know when this was added but, the addition of sunrooms was popular in the 1970s and modern residential design. As we also noted the architecture additions of the house are pleasing and do no harm but from a long distance are noticeable. Several of the terraces and handrails have been added and it appears all of the windows have been replaced. The original Queen Anne style has been compromised to some extent.

Resolution 2022-
206 Bayview Avenue
August 16, 2022
Page 2

9. *National Register of Historic Places: It is a site or structure listed on the National Register of Historic Places.*

The property does not meet this standard. 206 Bayview is not on the National Register of Historic Places in Marin County.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Belvedere does hereby recommend that the City Council grant Historical Designation status to the residence located at 206 Bayview Avenue pursuant to the findings stated above and incorporated herein.

PASSED AND ADOPTED at a regular meeting of the Belvedere Planning Commission on August 16, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

RECUSED:

ABSENT:

APPROVED: _____
Pat Carapiet, Planning Commission Chair

ATTEST: _____
Beth Haener, City Clerk



CITY OF BELVEDERE

BELVEDERE HISTORIC DESIGNATION SURVEY FORM

The following criteria shall be used when considering structures or sites for historic designation:

1. Architecture It is an outstanding example of a particular style, construction method or material.
2. Architecture It is outstanding because of age.
3. Architecture It is outstanding because it is the work of a significant architect or builder.
4. Architecture It is outstanding because it is the first, last, only or most significant architectural property of its type in the city.
5. Design It has a unique or original design or demonstrates outstanding craftsmanship.
6. History It is associated with a person, group or event significant to the city, state or nation, or shows broad cultural, political, social or economic patterns, or embodies and expresses the history of the city
7. Environment It contributes to the character of the street or neighborhood area or has significance as a visual landmark owing to its unique location.
8. Integrity It retains most of its original materials and design features.
9. National Register of Historic Places It is a site or structure listed on the National Register of Historic Places.



Street Address: 206 Bayview Avenue Belvedere, CA 94920

Assessor's Parcel Number: 060-173-40 Block 7 Lot 25

Common Name of Property: 206 Bayview Avenue

Historic Name of Property: 206 Bayview Avenue

Owner: Gian Solomon & Ariane Mahler

Owner's Address: 206 Bayview Avenue, Belvedere California 94920

206 Bayview Avenue Belvedere, California 94920 TEL 646-872-8708

Description:



This single-family home built in 1892 is located at 206 Bayview Ave, Belvedere, CA. 206 Bayview Avenue in ZIP code 94920. The home has 4 bedrooms, 3 bathrooms and approximately 3,093 sq. ft. of floor space. This property has a lot size of 6,656 sq. ft. The home is built into a steep terraced hillside which takes advantage of it by large outdoor terraces and porches that make for outstanding out-of-doors and indoor living experiences.

This Victorian house, built by D. A. McLean, was one of the first homes on Belvedere Island. The house has been restored with care and consideration over the years, maintaining its romantic character, with hardwood floors, crown molding, and period detailing throughout. The property includes a hillside elevator connecting Bayview Avenue to the house entry level. The property is also connected to Beach Road via the adjacent Pagoda Lane stairs.

206 Bayview Avenue is perched directly above The San Francisco Yacht Club harbor. The home enjoys views of the Belvedere Cove, Corinthian Island, the Tiburon hills, Angel Island, the San Francisco Bay and the city skyline including the San Francisco Oakland Bay Bridge.

Property Chronology:

Assessor records indicate a residence had been built on the property in 1892.

206 Bayview Avenue Belvedere, California 94920

Block 7, Lot 25 Parcel number: 060-173-40 ZONE: RIL

Date:	Owner:	Notes
1892	Captain R.B. Philipps	Original House Built
1908	Captain R. B. Philipps	House Improvements
1972-1993	Sandra H. York	
1997	Alfred Vincelette & Sandra H. York	
1998	Sandra H. York	
2000	Sandra York Fisher	
2001	William W. Wheeler IV & Ingrid Wheeler Trust	
2018	Gian Solomon & Ariane Mahler	



SIGNIFICANCE AND EVALUATION

The Marin County Parcel 060-173-40 property at 206 Bayview Avenue is evaluated on the following criteria for Historic Designation:

- 1. Architecture:*** *It is an outstanding example of a particular style, construction method or material.*

The house is a modest example of American Queen Anne Style built on Belvedere Island in the 1890's. "Contrary to what might be expected, there were few houses built in the late Victorian (Queen Anne) style. The few Queen Anne's built here (in Belvedere) were stripped-down versions, having only the most characteristic elements, round towers with witch's cap roofs rather than the exuberant excesses of San Francisco's Victorians". This Queen Anne style of the house can be identified by its polygonal turret with a conical tower roof visible from both land and water.

Queen Ann houses like 206 Bayview were built in towns across America in the late nineteenth century. These house designs were often chosen from widely circulated pattern books where only a builder was required.

206 Bayview Avenue Belvedere, California 94920 TEL 646-872-8708

2. Architecture: It is outstanding because of age.

206 Bayview Avenue is outstanding because of age, being one of Belvedere's first homes constructed 11.15.1891- 1892 soon after the Belvedere Land Company subdivided Belvedere Island.

3. Architecture: It is outstanding because it is the work of a significant architect or builder.

The Builder of the house on 206 Bayview Avenue was D.A. McLean of Mclean Brothers. Daniel McLean and his brother Neil built many of the earliest houses on Belvedere Island. They also served in numerous official capacities for the town. Both Daniel and his brother Neil are included in the list of Town Trustees and Presidents 1890 – 1928. Daniel McLean is also listed as one of the Volunteer Fire Department Chiefs 1918 – 1980.

A Pictorial History of Belvedere 1890 – 1990 includes D. A. McLean as one of the early Belvedere merchants showing an advertisement for D. A. McLean Dealer in Lumber, Wood, Coal, Coal Oil and Kindling as well as being the agent for Consumer's Ice, Shasta and other Mineral Waters.

4. Architecture: It is outstanding because it is the first, last, only or most significant architectural property of its type in the city.

Built in 1892, soon after the Belvedere Land Company subdivided the Island, it is one of the first residences and one of the first houses built in the American Queen Ann style.

5. Design: It has a unique or original design or demonstrates outstanding craftsmanship

The American Queen Ann style of the original mass of the building of the house has been altered by the addition of 2 modern greenhouse glass bay windows that doubles as a source of additional daylighting. We don't know when this was added but, the addition of sun rooms was popular in the 1970's in modern residential design.

These architecture additions of the house are pleasing and do no harm; however, the original Queen Ann style has been compromised to some extent. However, there are a few original decorative architecture features such as the front door with wooden applique above the door and other locations as well as an original stained-glass window.

6. *History: It is associated with a person, group or event significant to the city, state or nation, or shows broad cultural, political, social or economic patterns, or embodies and expresses the history of the city.*

The house was built for Captain Robert B. Phillips and his wife. The original deed lists their names and also the Dunham, C. & H. Co. There are records from the Sausalito News (cited in "Life in Belvedere and Tiburon 1890 – 1900") "Among this week's arrivals are...Mr. and Mrs. Phillips and family. 6.22.1895.

In 1896, Mr. Phillips signs a petition seeking the Incorporation of Belvedere.

Notice.

We the undersigned petitioners, hereby give notice that we will present to the honorable the Board of Supervisors of the county of Marin in the State of California...a petition for the incorporation of the proposed town of Belvedere...That each of the undersigned is a qualified elector of said county of Marin and a resident within the hereinbefore bounded and described limits of the territory of proposed town of Belvedere...Robert B. Phillips State of California, City and County of San Francisco...Subscribed and sworn to me this 10th day of September, 1896. See Belvedere Incorporation. 9.19.1896.

Another citation in the Sausalito News states that The Phillips house is for rent. 3.11.1899. However, Mr. Phillips was recorded in the 1905 Marin County Directory as living in Belvedere, but provides no further information.

7. *Environment: It contributes to the character of the street or neighborhood area or has significance as a visual landmark owing to its unique location.*

206 Bayview is located in Belvedere's Historic Resource Sensitivity Map as a parcel of High Historic Sensitivity. Perched over Beach Road, near the middle of the Island, 206 Bayview is visible from Belvedere Cove as well as from Corinthian Island and the Bay. Although not highly visible from Bayview Avenue, the waterside visibility of the house, perched directly above The San Francisco Yacht Club Marina, it is a contributing piece of architecture in this historic neighborhood. The house with its typical Queen Ann polygonal turret with a conical roof contributes to the unity and diversity of the Island.

8. Integrity: It retains most of its original materials and design features.

As we noted in Item 5 Design: The American Queen Ann style of the original mass of the building of the house has been altered by the addition of 2 modern greenhouse glass bay windows (sun rooms). We don't know when this was added but, the addition of sun rooms was popular in the 1970's in modern residential design.

As we also noted the architecture additions of the house are pleasing and do no harm but from a long distance are noticeable. Several of the terraces and handrails have been added and it appears all of the windows have been replaced. The original Queen Ann style has been compromised to some extent.

9. National Register of Historic Places: It is a site or structure listed on the National Register of Historic Places.

260 Bay View Avenue, Belvedere is not on the National Register of Historic Places in Marin County.





206 Bayview Avenue Belvedere, California 94920 TEL 646-872-8708



206 Bayview Avenue Belvedere, California 94920 TEL 646-872-8708



206 Bayview Avenue Belvedere, California 94920 TEL 646-872-8708



206 Bayview Avenue Belvedere, California 94920 TEL 646-872-8708



206 Bayview Avenue Belvedere, California 94920 TEL 646-872-8708



a



206 Bayview Avenue Belvedere, California 94920 TEL 646-872-8708

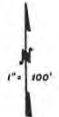


206 Bayview Avenue Belvedere, California 94920 TEL 646-872-8708

POR. RANCHO CORTE MADERA DEL PRESIDIO

Tax Rate Area
I-000

60 - 17



NOTE: DUE TO INSUFFICIENT INFORMATION MAP OF BELVEDERE PENINSULA MAP NO. 4 IS SHOWN IN LIKELY RELATION TO REAS. OF THE CITY OF BELVEDERE AND IS NOT NECESSARILY CORRECT.

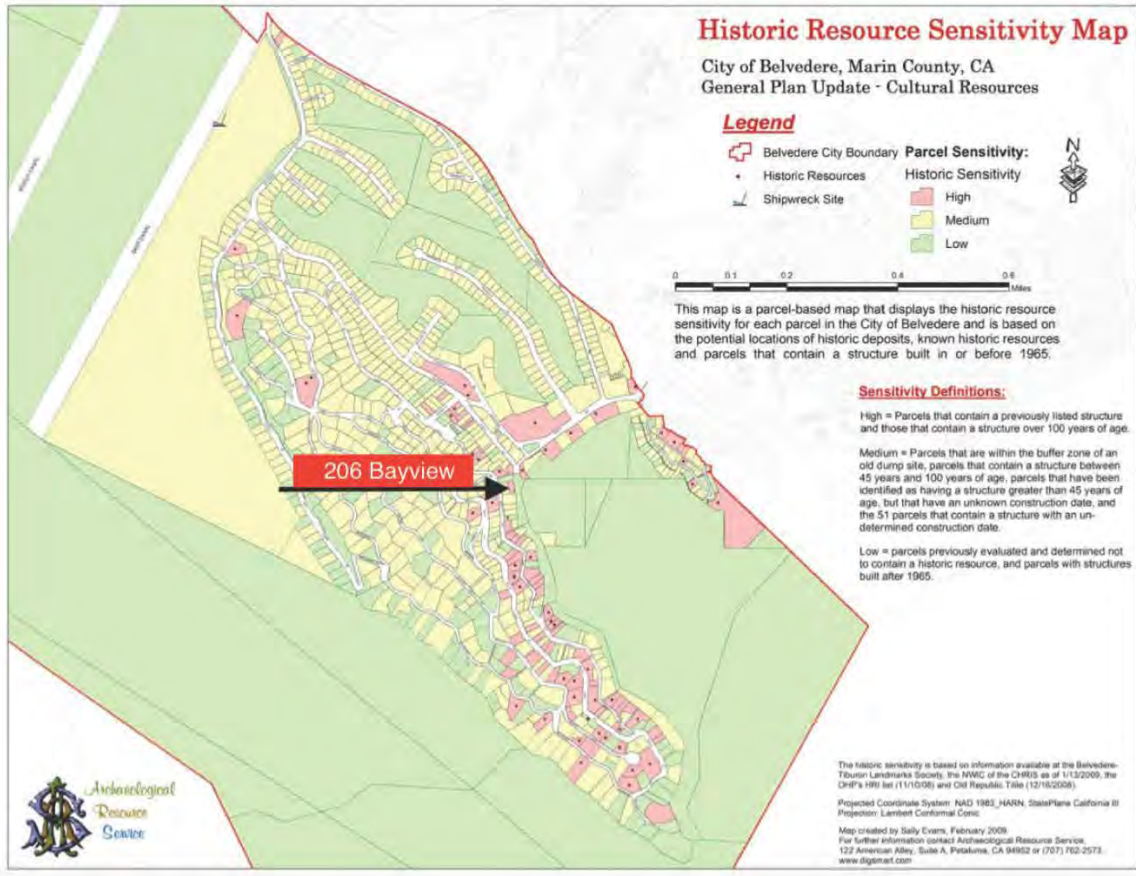
09/24/2020 JSB

BLP	PROR APN	NEW APN	YR	ALTH
173	Surveys		04	
173	11 & 31	41	05	508
173	41	42 & 43	07	016
171	SURVEYS		07	
171	SURVEYS		08	
173	13, 14, 36 & 40	NOTM	09	
174	03, 08, 14	NOTM	09	
174	Surveys		12	
173	Surveys		17	
173	080-173-38	44 & 45	21	014

Belvedere Peninsula, Map No. 4 Rack 1 - Pull 11.
Re-Sub of Part of the City of Belvedere R.M. Bk. 5 - Pg. 68

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

CITY OF BELVEDERE
Assessor's Map Bk. 60-Pg. 17
County of Marin, Calif.



Historic Resource Sensitivity Map

City of Belvedere, Marin County, CA
General Plan Update - Cultural Resources

Legend

- Belvedere City Boundary
 - Historic Resources
 - Shipwreck Site
- Parcel Sensitivity:**
- High
 - Medium
 - Low

This map is a parcel-based map that displays the historic resource sensitivity for each parcel in the City of Belvedere and is based on the potential locations of historic deposits, known historic resources and parcels that contain a structure built in or before 1965.

Sensitivity Definitions:

- High** = Parcels that contain a previously listed structure and those that contain a structure over 100 years of age.
- Medium** = Parcels that are within the buffer zone of an old dump site, parcels that contain a structure between 45 years and 100 years of age, parcels that have been identified as having a structure greater than 45 years of age, but that have an unknown construction date, and the 51 parcels that contain a structure with an undetermined construction date.
- Low** = parcels previously evaluated and determined not to contain a historic resource, and parcels with structures built after 1965.

The historic sensitivity is based on information available at the Belvedere-Tiburon Landmarks Society, the MWC of the CHREIS as of 1/13/2009, the CHP's 1991 list (1/1/2008) and Del Republic Table (12/16/2003).
Projected Coordinate System: NAD 1983, HARN, StatePlane California II Projection, Lambert Conformal Conic.
Map created by Sally Evans, February 2008.
For further information contact Archaeological Resource Service, 122 American Alley, Suite A, Petaluma, CA 94952 or (707) 762-2573. www.digplanet.com

HISTORIC RESOURCE SENSITIVITY MAP

An Evaluation of Cultural Resources and a Legislative Overview for the City of Belvedere General Plan Update, Marin County, California, April 30, 2009



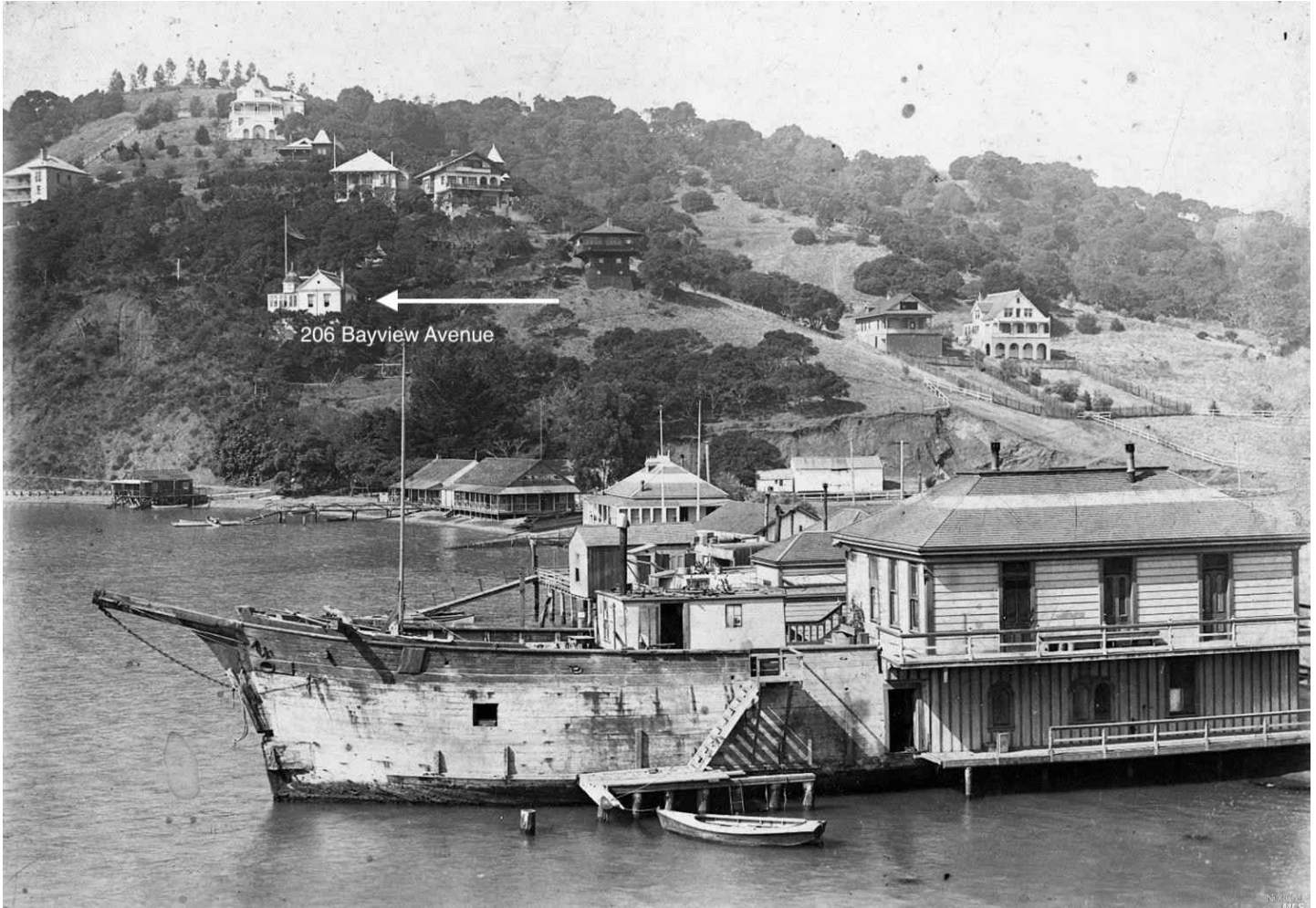
Historical Information:

Construction year: 1892

Significant Builder: Danial M. McLean



260 Bayview Avenue shows up in some of Belvedere's earliest photos, the house sits jutting out on the hill, one third of the way up on the island surrounded only by trees and a few other homes. It was built for Captain R. B. Philipps by Daniel McLean, (D.H McLean) who built many early homes on Belvedere Island. The Queen Anne style of the house can be identified by the polygonal turret with a conical tower roof.



Recommendation:

The House at 206 Bayview Avenue now the home of Gian Solomon & Ariane Mahler meets the criteria for categories 2, 3, and 7 as per this survey. However, The Historic Preservation Committee will consider and discuss each of the nine categories for historic designation.

Date of Survey: June 21, 2022

Prepared by: George Gnos, John P. Sheehy, FAIA, RIBA & Marshall J. Butler

Organization: Historic Preservation Committee, City of Belvedere

REFERENCES:

A Pictorial History of Belvedere 1890-1990. The Landmarks Society. Edited by Beverly W. Bastion & Barbara B. Gnos. The Landmarks Society, Belvedere -Tiburon Marin County, California.

A. Carlisle & Co. San Francisco: A. Carlisle & Co., 1953.

Hool & Lockett "Topography of Lot 7- Block 3, Map # 4 of Belvedere," May 1958 blueprint in owner's possession

Both Sides of the Track A Collection of Oral Histories from Belvedere and Tiburon. The Landmarks Society. Edited by James Heig and Shirley Mitchell. Scottwall Associates. San Francisco, 1985

American Homes An Illustrated Encyclopedia of Domestic Architecture. Lester Walker. Black Dog & Leventhal Publishers, New York, 2009. Cape Cod p. 88.

The Atlas of American Architecture. Tom Martinson. Rizzoli International, New York 2009. p 109.

Dave Gotz, Archivist of the Belvedere Landmarks History Collection.

Marin County Recorder Office.

SCANNED



Property/Structure Address: _____



APPLICATION FOR HISTORIC DESIGNATION

CITY OF BELVEDERE • HISTORIC PRESERVATION COMMITTEE
450 SAN RAFAEL AVE • BELVEDERE, CA 94920-2336
PH. 415-435-3838 • FAX 415-435-0430 • WWW.CITYOFBELVEDERE.ORG

RECEIVED

MAR 10 2008

FOR STAFF USE ONLY

Date: City of Belvedere Rec'd. by: _____
Amount: 853- Receipt No.: _____
Parcel No.: _____ Zone: RD

TO BE COMPLETED BY PROPERTY OWNER

Address of Property: 206 BAYVIEW AVE, BELVEDERE, CA 94920

Historical Name of Property, If Known: _____

Record Owner of Property: Grim Solomon & Ariane Mahler

Mailing 206 Bayview Ave Daytime Phone: 646 872 8708

Address: Belvedere, CA Fax: _____

94920 Email: grim.solomon@gmail.com

Owner's Representative: _____

Mailing _____ Daytime Phone: _____

Address: _____ Fax: _____

_____ Email: _____

Description and History of Property/Structure: _____

Property/Structure Address: _____

**STATEMENT OF PROPERTY OWNERSHIP,
CERTIFICATION OF APPLICATION, & DESIGNATION OF REPRESENTATIVE**

All property owners must complete this Section.

Street address of subject property: 206 BAYVIEW AVE, BELVEDERE, CA 94920

Assessor's Parcel No(s) of subject property: 060-173-40

➤ **Properties Owned by Individuals**

I, Gian Solomon, state under penalty of perjury under the laws of the State of California that I am the record owner of the above-described subject property.

I have read and understood the provisions of Title 21, "Historic Preservation," of the Belvedere Municipal Code and agree to the terms described therein.

I understand that the contents of this document are a Public Record.

Signed this 15 day of FEB, 2022 at Belvedere, California.

Signature 

➤ **Properties Owned by a Trust, LLC, Corporation, Partnership, or Other Entity**

For properties owned by a trust, please attach the trust document or a certificate of trust, including any attachments thereto. For an LLC, corporation, partnership, or other entity, please attach proof of ownership and certification of the signer's authorization to enter into contracts on behalf of the entity.

I, _____, state under penalty of perjury under the laws of the State of California that the above-described subject property is owned by a trust, LLC, corporation, partnership, or other entity and that my signature on this application has been authorized by all necessary action required by the LLC, corporation, partnership, or other entity.

I have read and understood the provisions of Title 21, "Historic Preservation," of the Belvedere Municipal Code and agree to the terms described therein.

I understand that the contents of this document are a Public Record.

Signed this _____ day of _____, 20____, at Belvedere, California

Signature _____ Signature _____

Title(s) _____ Title(s) _____

Trustee(s) Partners Limited or General Corporation Other _____

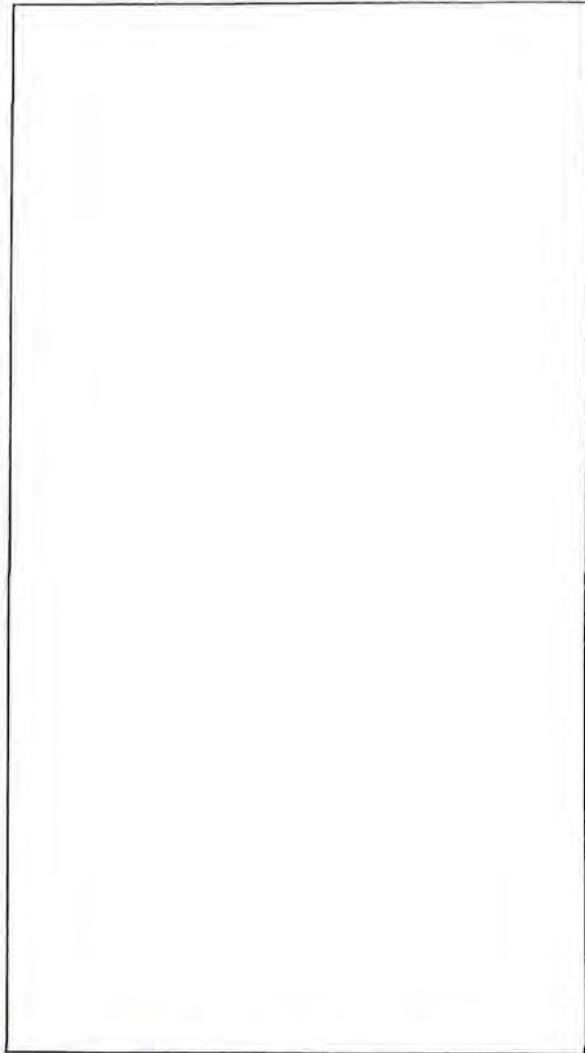
Name of trust, LLC, corporation, or other entity: _____

CITY OF BELVEDERE

BELVEDERE HISTORIC DESIGNATION SURVEY FORM

The following criteria shall be used when considering structures or sites for historic designation:

1. Architecture It is an outstanding example of a particular style, construction method or material.
2. Architecture It is outstanding because of age.
3. Architecture It is outstanding because it is the work of a significant architect or builder.
4. Architecture It is outstanding because it is the first, last, only or most significant architectural property of its type in the city.
5. Design It has a unique or original design or demonstrates outstanding craftsmanship.
6. History It is associated with a person, group or event significant to the city, state or nation, or shows broad cultural, political, social or economic patterns, or embodies and expresses the history of the city
7. Environment It contributes to the character of the street or neighborhood area or has significance as a visual landmark owing to its unique location.
8. Integrity It retains most of its original materials and design features.
9. National Register of Historic Places It is a site or structure listed on the National Register of Historic Places.



Street Address: 206 BAYVIEW AVE, BELVEDERE, CA 94920

Assessor's Parcel Number: 060-173-40

Common Name of Property: _____

Historic Name of Property: _____

Owner: Gian Solomon & ARIANE MAHLER

Owner's Address: 206 BAYVIEW AVE, BELVEDERE, CA 94920

Description:

450 San Rafael Avenue Belvedere CA 94920 TEL 415/435-3838 FAX 415/435-0430

Property Chronology:

SIGNIFICANCE AND EVALUATION

The _____ property at 206 BAYVIEW AVE, known as
450 San Rafael Avenue Belvedere CA 94920 TEL 415/435-3838 FAX 415/435-0430

_____, meets the following criteria for Historic Designation:

1. Architecture: It is an outstanding example of a particular style, construction method or material.

AMERICAN QUEEN ANNE STYLE ARCHITECTURE

2. Architecture: It is outstanding because of age.

CONSTRUCTED ~ 1900

3. Architecture: It is outstanding because it is the work of a significant architect or builder.

D.A. McLean architect

4. Architecture: It is outstanding because it is the first, last, only or most significant architectural property of its type in the city.

5. Design: It has a unique or original design or demonstrates outstanding craftsmanship

6. History: It is associated with a person, group or event significant to the city, state or nation, or shows broad cultural, political, social or economic patterns, or embodies and expresses the history of the city.

7. Environment: It contributes to the character of the street or neighborhood area or has significance as a visual landmark owing to its unique location.

VISIBLE FROM BEACH ROAD, CORINTHIAN ISLAND, BELVEDERE COVE AND RACCOON STRAIT

8. Integrity: It retains most of its original materials and design features.

ORIGINAL FRONT/SIDE DOORS
WITCH'S CAP ROOF
INTERIOR MOULDING

9. National Register of Historic Places: It is a site or structure listed on the National Register of Historic Places.

Historical Information:

Construction year: ~ 1900

Significant Builder: D.A. McLean

Recommendation:

Date of Survey: _____

Prepared by: _____

Organization: Historic Preservation Committee, City of Belvedere

REFERENCES





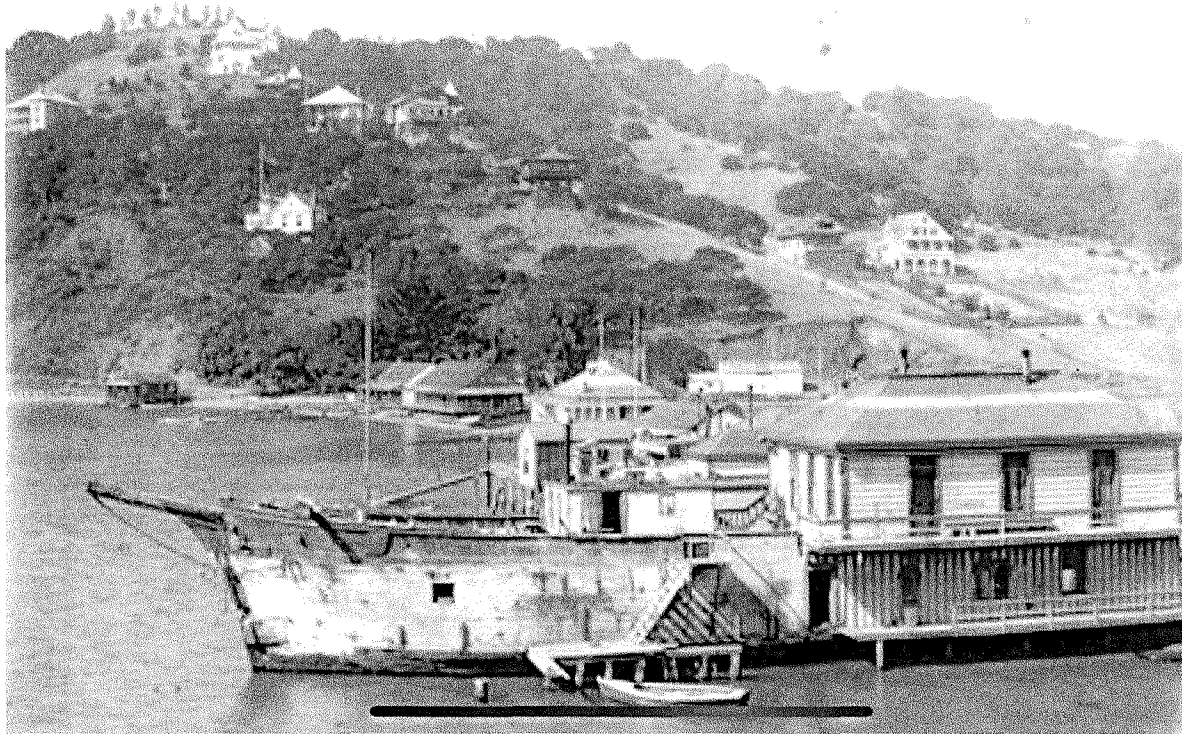


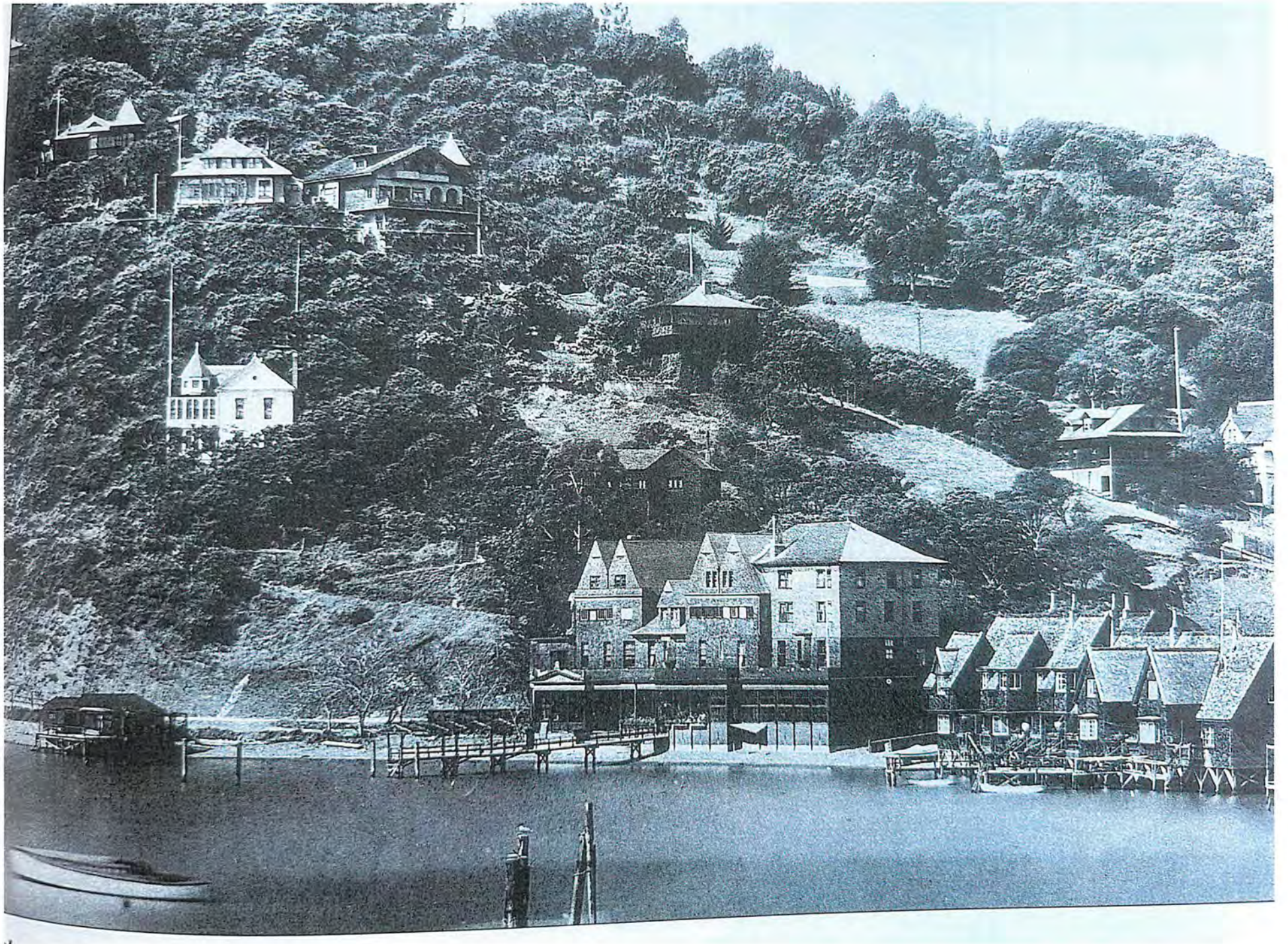


🔒 ap.rdcpix.com



29





**REGULAR MEETING
HISTORIC PRESERVATION COMMITTEE
TUESDAY July 12, 2022 5:30 P.M.
ZOOM MEETING
450 SAN RAFAEL AVENUE, BELVEDERE, CA**

MINUTES

COMMITTEE PRESENT: George Gness, Mel Owen, Robert Griffin, Marshall Butler, John Sheehy.

COMMITTEE ABSENT: None

OTHERS PRESENT: Director of Planning and Building Irene Borba, Permit Technician Nancy Miller, Council Member James Campbell, Andrew Allen

These minutes are intended to reflect the general content of the regular meeting. An audio file of the meeting is available on the City website at www.cityofbelvedere.org

CALL TO ORDER OF REGULAR MEETING

Chair Owen called the meeting to order at 5:30 P.M.

OPEN FORUM

No one wished to speak.

REPORTS

There were no reports.

SCHEDULED ITEMS

1. Approve Minutes of the April 12, 2022 Special meeting.

A Motion was made and seconded to approve the April 12, 2022 Minutes. The Minutes were approved unanimously.

2. Public Hearing for Consideration of Historical Designation of property at **206 Bayview Avenue** pursuant to Chapter 21.20 of the Belvedere Municipal Code. CEQA status: Categorically Exempt pursuant to Section 15301 of the CEQA Guidelines. Applicant & Property Owners: Gian Solomon & Ariane Mahler.

Member John Sheehy presented the survey report on the property. Based on the research of committee members, the report recommends that categories 2, 3, and 7 are satisfied as sufficient criteria that this property meets to qualify for designation.

Owner Gian Solomon was present to verify that they would like to receive the Committee's recommendation for designation.

Members discussed the report and agreed on the merits for recommendation as a Belvedere Historic Property.

MOTION: To recommend designation of 206 Bayview Avenue as a Belvedere Historic Property by the Belvedere Planning Commission.

MOVED BY: Mel Owen, seconded by Marshall Butler

APPROVED: George Gness, Mel Owen, Marshall Butler, Robert Griffin, John Sheehy.

3. Public Hearing for Consideration of a Mills Act application for the property at **428 Golden Gate Avenue** pursuant to Section 21.20.120 of the Belvedere Municipal Code. The Mills Act is a tax abatement program for the purposes of historic preservation. CEQA Status: categorically exempt pursuant to Section 15331. Applicant and Property Owners: Shawn & Debbie Bennett.

Chair Gness asked whether the financial information relative to the tax impacts has yet been determined.

Director Borba replied that this information was not yet available as the staff person at the County of Marin Assessor's office is away on vacation. The information will be obtained prior to the presentation of the application to the City Council.

Open public hearing.

Debbie Bennett, owner, 428 Golden Gate Avenue, stated that the new tile roof has been added since the time of the site visit last year, as well as a complete foundation retrofit. Also there has been attention given to the vegetation, light fixtures, and other features. She presented some photographs of both exterior and interior.

Committee discussed that the property is deserving and qualified for recommendation to the City Council for a Mills Act agreement.

MOTION: To recommend 428 Golden Gate Avenue be approved by the City Council for a Mills Act agreement to maintain this Belvedere Historically designated property.

MOVED BY: Mel Owen, seconded by John Sheehey

APPROVED: George Gness, Mel Owen, Marshall Butler, Robert Griffin, John Sheehey.

4. Discussion – Historic Resource Inventory Lists

Director Borba presented the staff report and background on this topic.

Open public hearing.

Andrew Allen, Belvedere resident, stated that he has submitted a letter that includes his ideas regarding the preservation of more historic properties and updating the current inventory list. The contextual area of homes is also important to consider for designation of properties.

Chair Gness recalls that in recent years the Historic Preservation Committee has discussed how to encourage voluntary applications for Landmark approvals. He agrees that the inventory of potential properties might need some update.

Member Owen suggested that a letter might be sent to the owners of potential properties including emphasis that designation does not preclude interior updates being allowed. In regards to creating historic areas -- it has been discussed that would be very difficult.

Council Member Campbell believes that Mr. Allen is looking at the City identifying potential resources and for updating current lists of those properties so that owners and the Planning Department can recognize the existence of such properties.

Mr. Allen suggested that citizens might want to assist the Committee with updating the lists. He would be willing in this capacity.

Director Borba agreed with the discussion. She suggested that perhaps a subcommittee could be formed that could work to improve the identification of possible historic resources and properties. Once an updated list is created a qualified historic expert might be able to review the information. This was the way the current inventory list was prepared.

Member Griffin commented that designation should remain for particular individual properties versus the concept of historic areas. Committee members agreed.

There was consensus that the three existing lists discussed in the staff report might be cross referenced and updated.

Director Borba stated that such an updated list would be helpful to guide Planning in review for demolition or major remodels. Additional historic review might be needed if applicant properties were on such a list.

A subcommittee with HP Committee members Butler and Owen with additional participation of Andrew Allen and James Campbell will pursue this task and report back to Committee at next meeting.

5. Discussion of Future Meeting Dates pursuant to the recently adopted Administrative Policy Manual.

Committee decided that Oct 4, 2022 would be the date of the next quarterly meeting.

6. Adjourn Meeting

THE FOREGOING MINUTES were approved at a regular meeting of the Historic Preservation Committee on October 4, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____

George Gness, Chairman

ATTEST: _____

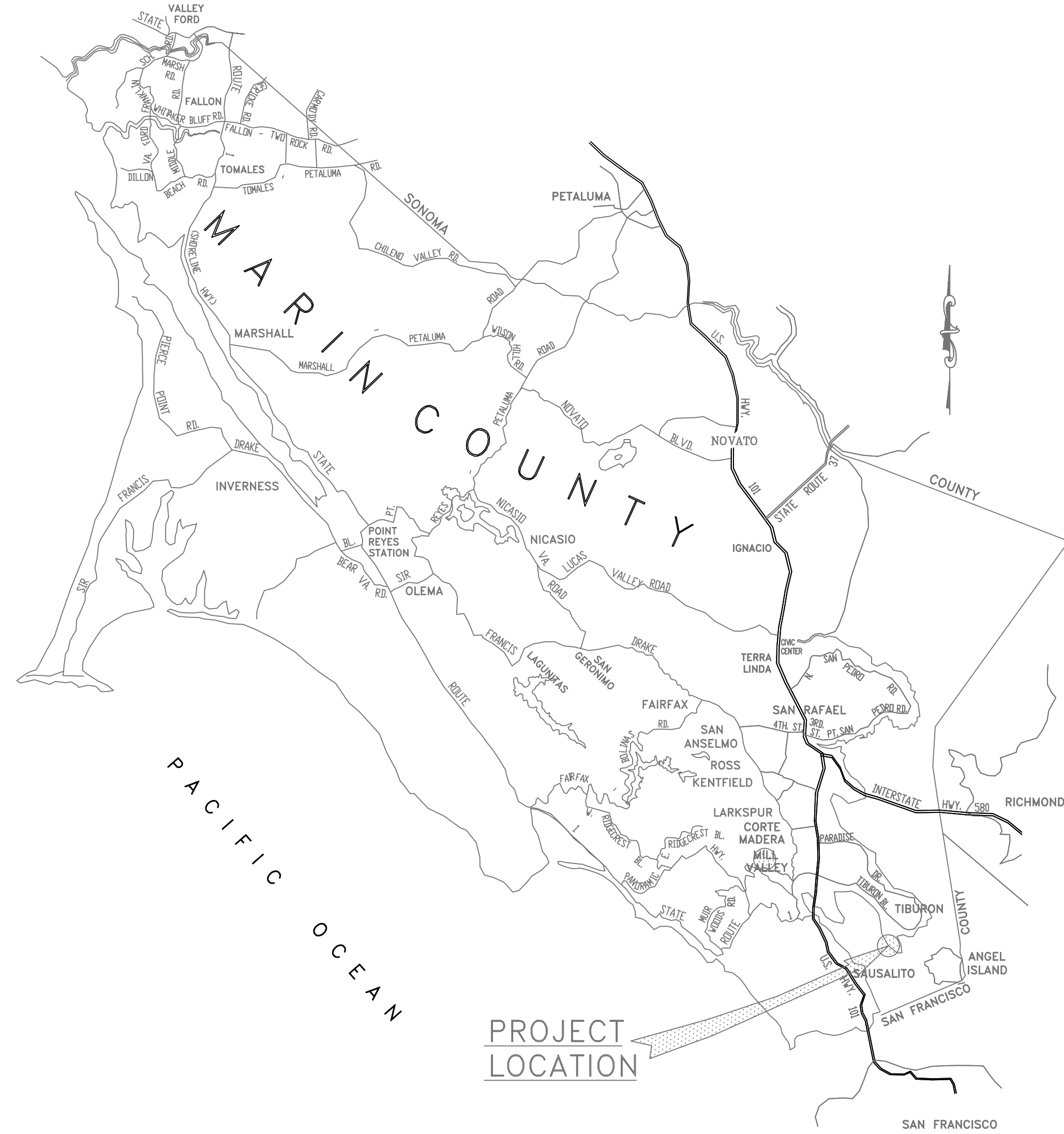
Irene Borba, Director Planning and Building

SLOPE STABILIZATION AND RETAINING WALL REPLACEMENT

19 EUCALYPTUS ROAD

APN: 060-162-30

BELVEDERE, CALIFORNIA



VICINITY MAP

NOT TO SCALE



SITE LOCATION MAP

NOT TO SCALE

INDEX OF SHEETS

19 EUCALYPTUS ROAD RETAINING WALL

SHEET NO.	SHEET TITLE
1	TITLE SHEET
2	EXISTING CONDITIONS
3	REPAIR PLAN
4	CROSS SECTION
5	DETAILS
6	EROSION CONTROL & WINTERIZATION PLAN
7	ELEVATION VIEW & PLANTING PLAN
8	CONSTRUCTION MANAGEMENT PLAN

SPECIFICATIONS

- 2100: SITE PREPARATION
- 2270: SLOPE PROTECTION & EROSION CONTROL
- 2295: REINFORCED EARTH RETAINING WALL

CALL USA (UNDERGROUND SERVICE ALERT) AT LEAST 48HRS IN ADVANCE OF WORK - 1-(800)-642-2444.

Plan Check Comments	7/27/22	NGK	Date	Mark	By

504 Redwood Blvd.
Suite 220
Novato, CA 94947
T 415 / 382-3444
F 415 / 382-3450
www.millerpac.com

MILLER PACIFIC ENGINEERING GROUP

M P E G

A CALIFORNIA CORPORATION, © 2021, ALL RIGHTS RESERVED
FILE: 561.021 PLANS Rev1.0.dwg

Designed	Date	Drawn	Date	Checked	Date
SAS	6/1/21	YHS	6/1/21	SAS	6/1/21

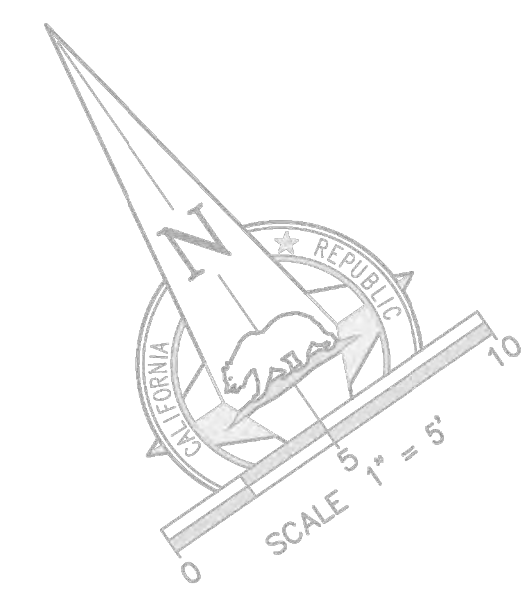
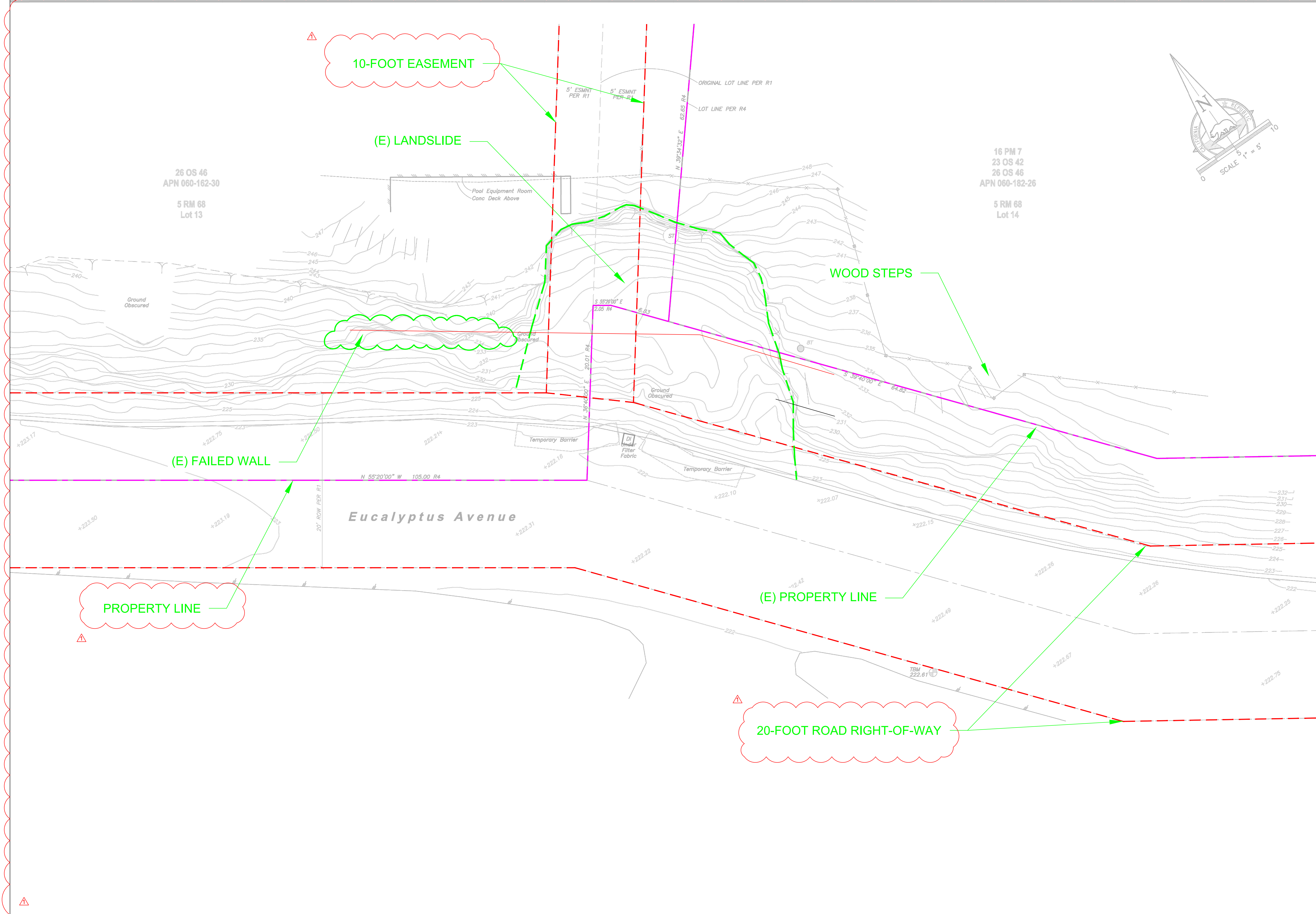
TITLE PAGE

Slope Stabilization and Retaining Wall
19 Eucalyptus Road
Belvedere, California

Date: 7/18/2021
Project No. 561.021

SHEET

1



26 OS 46
APN 060-162-30
5 RM 68
Lot 13

16 PM 7
23 OS 42
26 OS 46
APN 060-182-26
5 RM 68
Lot 14

10-FOOT EASEMENT

(E) LANDSLIDE

WOOD STEPS

(E) FAILED WALL

PROPERTY LINE

20-FOOT ROAD RIGHT-OF-WAY

Eucalyptus Avenue

Plan Check Comments	NGK
7/27/22	

Revisions	Mark	Date	By

504 Redwood Blvd.
Suite 220
Novato, CA 94947
T 415 / 382-3444
F 415 / 382-3450
www.millerpac.com

MILLER PACIFIC ENGINEERING GROUP

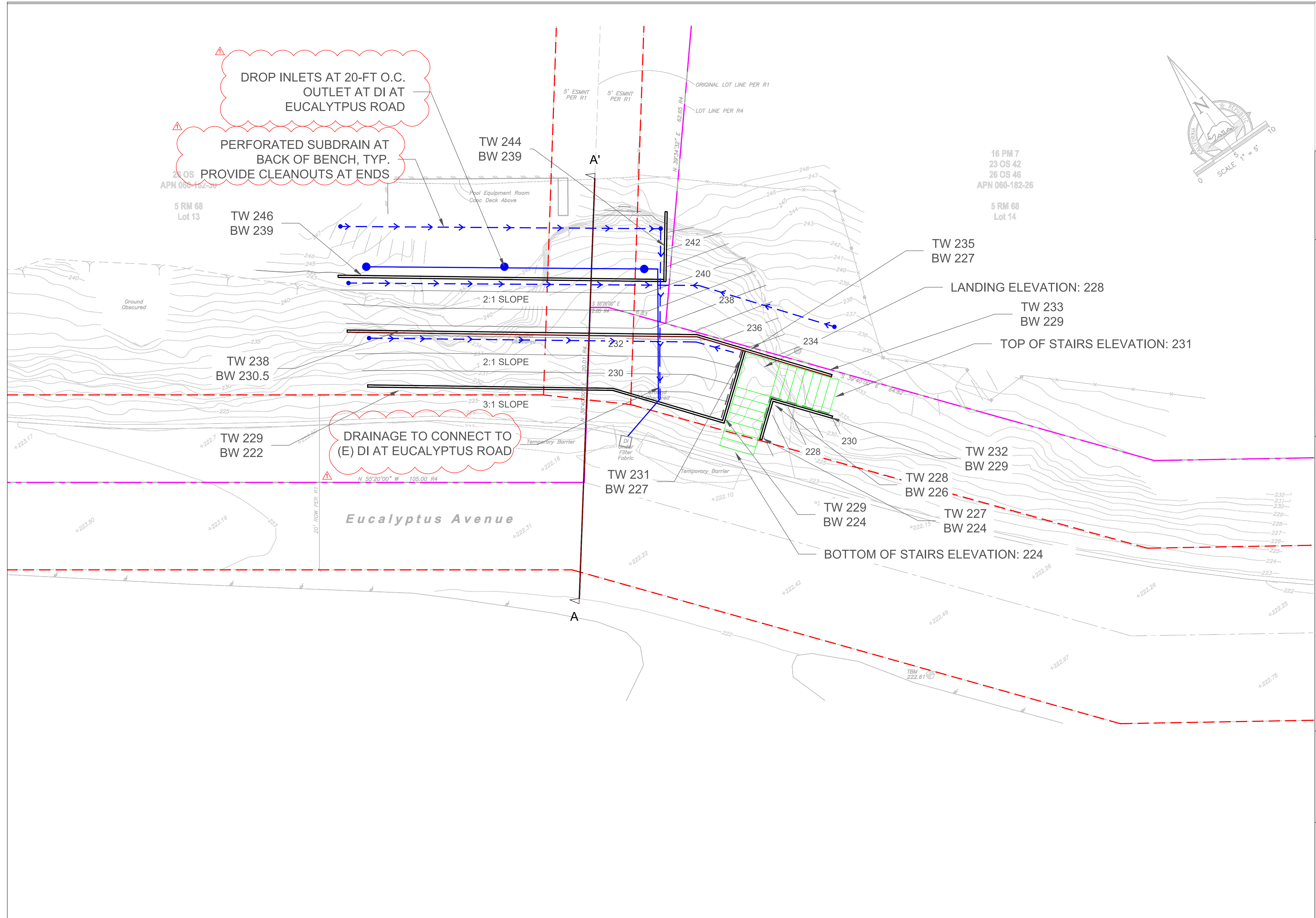
MPEEG

A CALIFORNIA CORPORATION © 2021. ALL RIGHTS RESERVED
FILE: 561.021 PLANS Rev1.0.dwg

Designed	Date	Drawn	Date	Checked	Date
SAS	6/1/21	YHS	6/1/21	SAS	6/1/21

EXISTING CONDITIONS
Slope Stabilization and Retaining Wall
19 Eucalyptus Road
Belvedere, California
Project No. 561.021
Date: 7/8/2021

SHEET
2



DROP INLETS AT 20-FT O.C.
OUTLET AT DI AT
EUCALYPTUS ROAD

PERFORATED SUBDRAIN AT
BACK OF BENCH, TYP.
PROVIDE CLEANOUTS AT ENDS

DRAINAGE TO CONNECT TO
(E) DI AT EUCALYPTUS ROAD

Plan Check Comments	Date	By
	7/27/22	NGK

504 Redwood Blvd.
Suite 220
Novato, CA 94947
T 415 / 382-3444
F 415 / 382-3450
www.millerpac.com

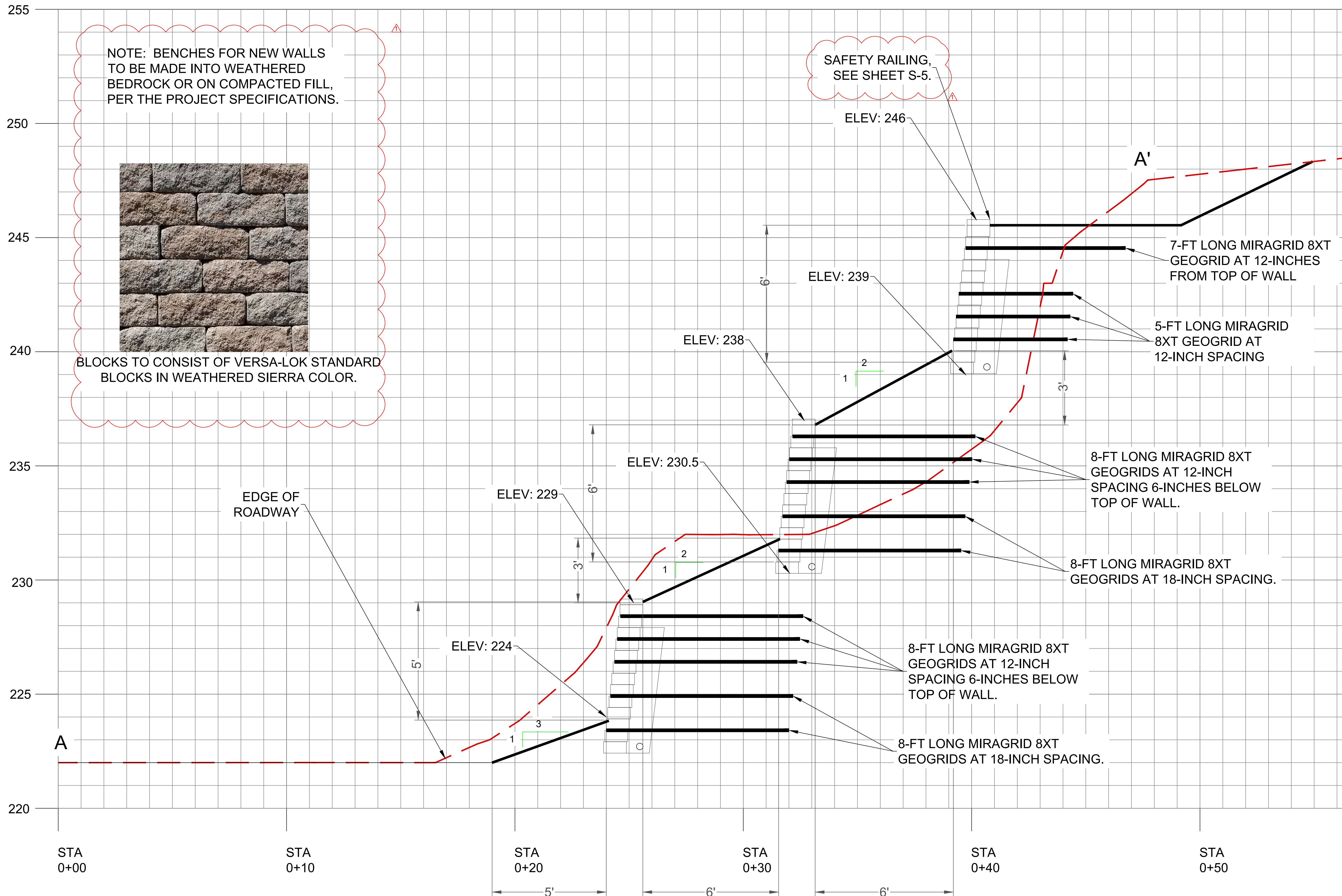
M P E G
MILLER PACIFIC
ENGINEERING GROUP

A CALIFORNIA CORPORATION, © 2021. ALL RIGHTS RESERVED
FILE: 561.021 PLANS Rev1.0.dwg


Designed	Date	Drawn	Date	Checked	Date
SAS	6/1/21	YHS	6/1/21	SAS	6/1/21

REPAIR PLAN
Slope Stabilization and Retaining Wall
19 Eucalyptus Road
Belvedere, California
Project No. 561.021 Date: 7/8/2021

SHEET
3



NOTE: BENCHES FOR NEW WALLS TO BE MADE INTO WEATHERED BEDROCK OR ON COMPACTED FILL, PER THE PROJECT SPECIFICATIONS.



BLOCKS TO CONSIST OF VERSA-LOK STANDARD BLOCKS IN WEATHERED SIERRA COLOR.

SAFETY RAILING, SEE SHEET S-5.

Plan Check Comments	Date	By
NGK	7/27/22	

504 Redwood Blvd.
 Suite 220
 Novato, CA 94947
 T 415 / 382-3444
 F 415 / 382-3450
 www.millerpac.com

MILLER PACIFIC ENGINEERING GROUP

A CALIFORNIA CORPORATION, © 2021. ALL RIGHTS RESERVED
 FILE: 561.021 PLANS Rev1.0.dwg

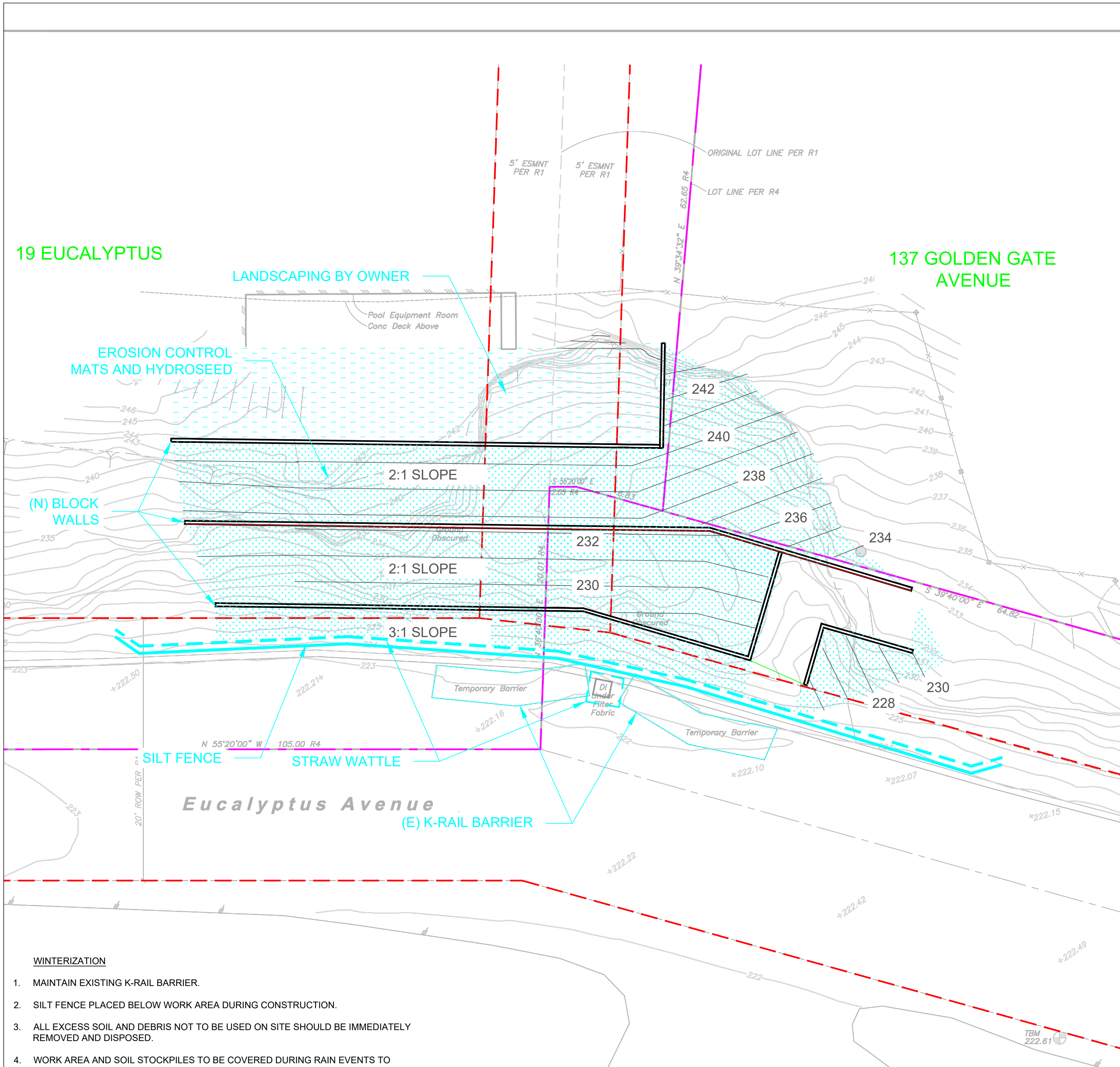
Designed	Date	Drawn	Date	Checked	Date
SAS	6/1/21	YHS	6/1/21	SAS	6/1/21

CROSS SECTION

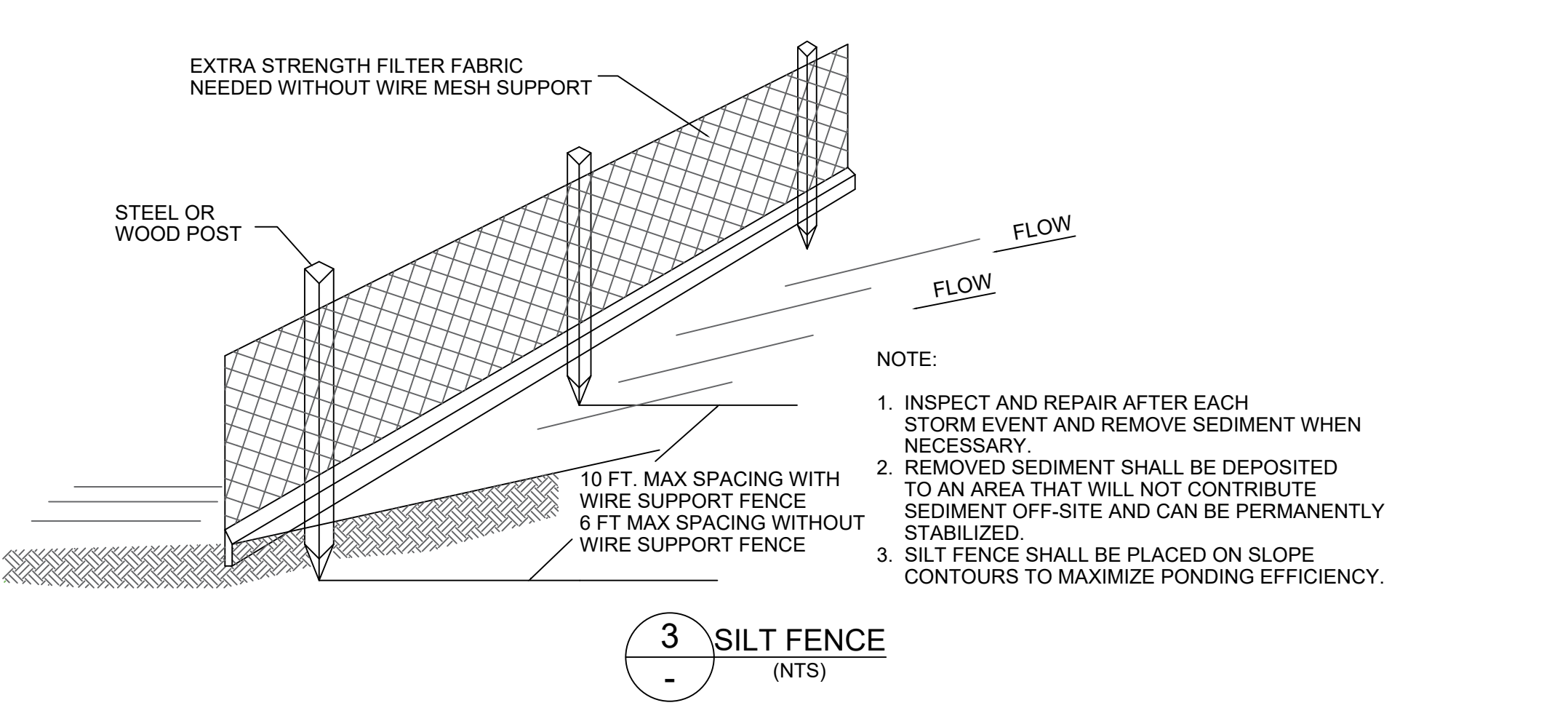
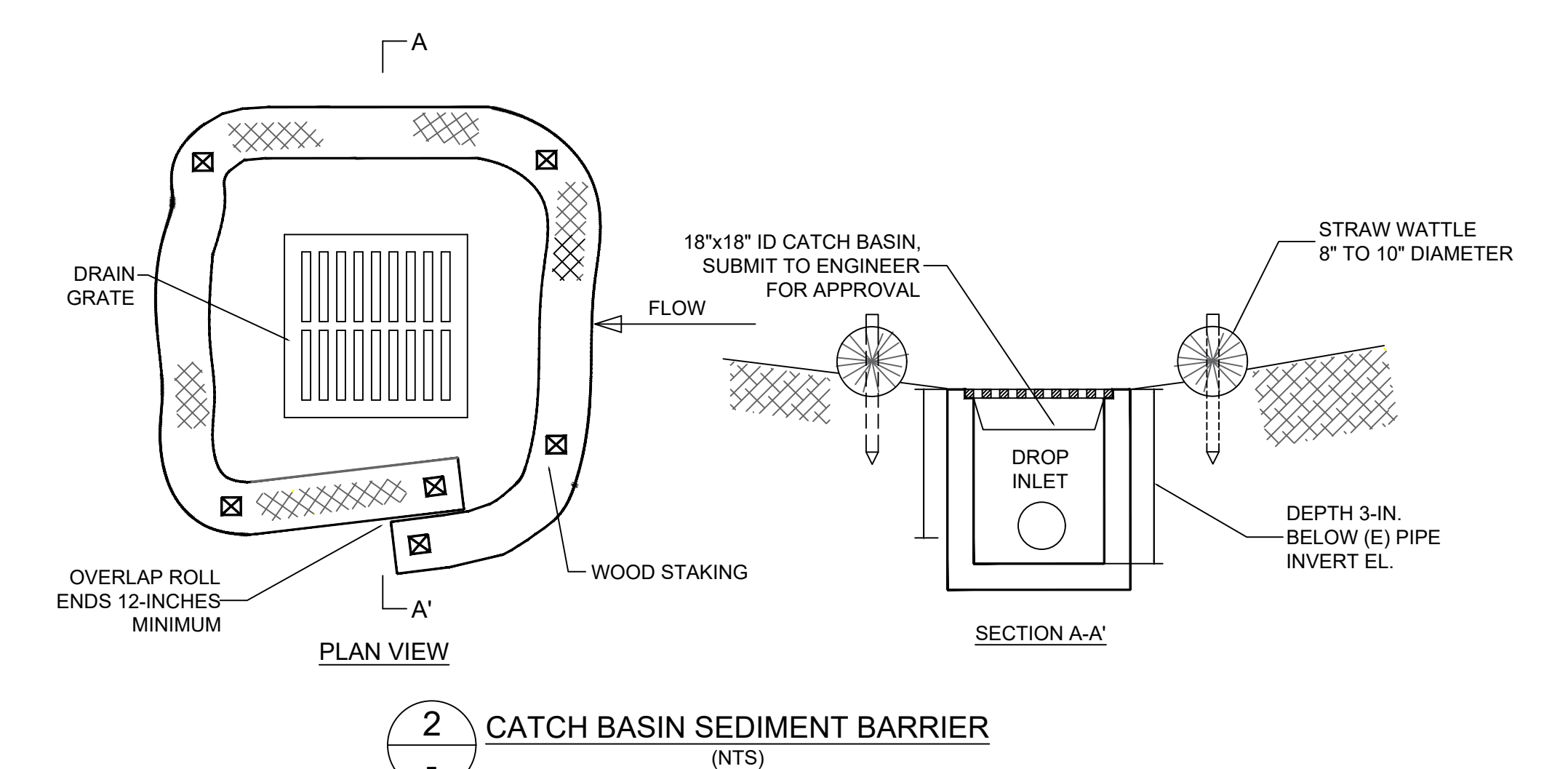
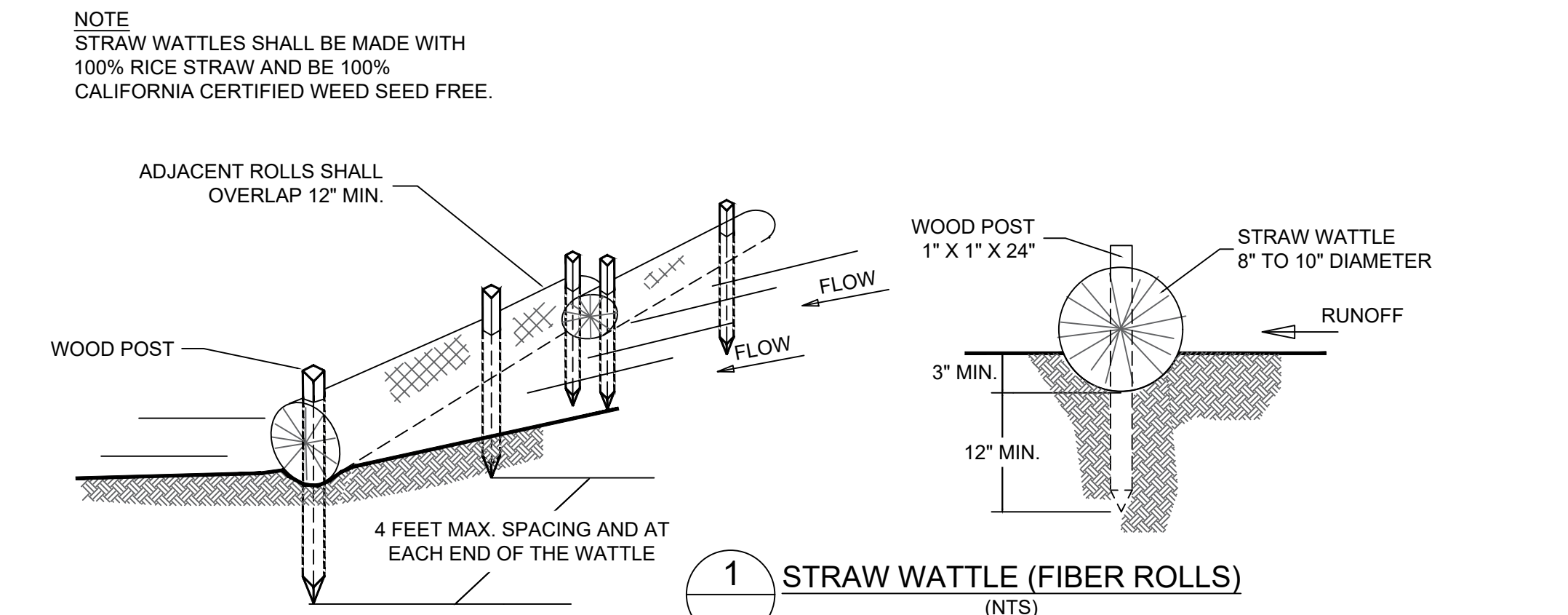
Slope Stabilization and Retaining Wall
 19 Eucalyptus Road
 Belvedere, California

Project No. 561.021 Date: 7/8/2021

SHEET
4



- WINTERIZATION**
1. MAINTAIN EXISTING K-RAIL BARRIER.
 2. SILT FENCE PLACED BELOW WORK AREA DURING CONSTRUCTION.
 3. ALL EXCESS SOIL AND DEBRIS NOT TO BE USED ON SITE SHOULD BE IMMEDIATELY REMOVED AND DISPOSED.
 4. WORK AREA AND SOIL STOCKPILES TO BE COVERED DURING RAIN EVENTS TO MAINTAIN DRY SOIL SITE CONDITION AND KEEP FILL SOILS DRY.
 5. SITE INSPECTIONS PRIOR TO AND IMMEDIATELY FOLLOWING STORM EVENTS SHALL BE PERFORMED BY THE SOILS ENGINEER.
- EROSION CONTROL & SEDIMENT CONTROL**
1. EROSION AND SEDIMENT CONTROL MEASURES SHALL COMPLY WITH ALL REQUIREMENTS OUTLINED IN THE MARIN COUNTY STORMWATER POLLUTION PREVENTION PROGRAM (MCSTOPPP) MINIMUM CONTROL MEASURES FOR SMALL CONSTRUCTION PROJECTS AS OUTLINED IN THE MCSTOPPP CONSTRUCTION EROSION AND SEDIMENT CONTROL PLAN APPLICANT PACKAGE.
 2. ANY AREAS IN WHICH GROUND SURFACE AND VEGETATIVE COVER HAS BEEN DISTURBED BY CONSTRUCTION ACTIVITIES SHALL BE COVERED WITH A PRE-APPROVED SEED MIX AND BIODEGRADABLE EROSION CONTROL MATS UPON COMPLETION OF CONSTRUCTION.
 3. COVER ANY DISTURBED SLOPES WITH A PRE-APPROVED HYDROSEED MIX AND BIODEGRADABLE EROSION CONTROL MATS UPON COMPLETION OF WALL.
 4. EROSION CONTROL MATS SHALL CONSIST OF NORTH AMERICAN GREEN S150 OR APPROVED EQUAL.
 5. STRAW WATTLES SHALL CONSIST OF NORTH AMERICAN GREEN SEDIMAX - SWB9 OR APPROVED EQUAL.



Plan Check Comments	Mark	Description	Date	By

504 Redwood Blvd.
Suite 220
Novato, CA 94947
T 415 / 382-3444
F 415 / 382-3450
www.millerpac.com

MILLER PACIFIC ENGINEERING GROUP

M P E G

A CALIFORNIA CORPORATION, © 2021. ALL RIGHTS RESERVED
FILE: 561.021 PLANS Rev1.0.dwg

EROSION CONTROL & WINTERIZATION PLAN

Slope Stabilization and Retaining Wall
19 Eucalyptus Road
Belvedere, California

Project No. 561.021

Date: 7/8/2021

Designed	Date	Drawn	Date	Checked	Date
SAS	6/1/21	YHS	6/1/21	SAS	6/1/21

SHEET

6



Notes:

1. **Job Site Rules:**
 - a. All debris from day's activities will be picked up and the area broom swept, and properly disposed of or stockpiled.
 - b. Smoking is prohibited within twenty-five feet of any building.
2. **Vehicle Parking:** Project vehicles shall park along Eucalyptus Road. Any project-related workers, contractors or subcontractors unable to park on-site will carpool in an acceptable vehicle or shuttle to the site and follow applicable COVID-19 safety guidelines.
3. **Road Impacts:** (Road or Lane Closures, Lane Shift, Parking or Traffic Delay) Road Impacts shall only be permitted with prior authorization from the Department of Public Works.
4. **Deliveries /Off Haul:** All deliveries will be made between 8:00 AM to 5:00 PM. All drivers shall be advised of the designated truck route, including approved turn around locations, prior to any deliveries or material removal. All open-bed trucks shall be tarped.
5. **Material Storage:** All construction materials, debris and equipment shall be stored on site.
6. **Expected Equipment:** A small to medium sized excavator will be used to excavate soils from the slope while a small bobcat will be used to remove soils and transport to a truck for offhaul. Small compaction equipment will be used to compact backfill materials.
7. **Truck Route:** From Tiburon Boulevard: Turn onto San Rafael Avenue, turn right onto Golden Gate Avenue, then right on to Eucalyptus Road. Turn around space available at the south end of Eucalyptus Road.
8. **Portable Toilets:** Portable toilets shall utilize a secondary containment system.

19 EUCALYPTUS ROAD ESTIMATED CONSTRUCTION SCHEDULE																									
TASK	DAY																								
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
MOBILIZATION	X																								
LOWER WALL EXCAVATION AND INSTALLATION		X	X	X	X	X	X	X																	
MIDDLE WALL EXCAVATION AND INSTALLATION									X	X	X	X	X	X											
UPPER WALL EXCAVATION AND INSTALLATION															X	X	X	X	X	X	X				
STAIR INSTALLATION																							X	X	
EROSION CONTROL MAT & HYDROSEED																									X

Plan Check Comments	NGK	Date	By
	1/16/22		

504 Redwood Blvd.
Suite 220
Novato, CA 94947
T 415 / 382-3444
F 415 / 382-3450
www.millerpac.com

MILLER PACIFIC ENGINEERING GROUP
A CALIFORNIA CORPORATION © 2019, ALL RIGHTS RESERVED
FILE: BR1.021 Construction Management Plan.dwg

CONSTRUCTION MANAGEMENT PLAN	Designed	Drawn	Checked	Date
	NGK	NGK	SAS	1/16/2022

Slope Stabilization and Retaining Wall
19 Eucalyptus Road
Belvedere, California
Date: 7/15/2019
Project No. 561.021

SHEET
7



**CITY OF BELVEDERE PLANNING COMMISSION
STAFF REPORT**

REPORT DATE: 8/8/2022 **AGENDA ITEM NO. 4**
MEETING DATE: 8/16/2022
TO: City of Belvedere Planning Commission
FROM: Irene Borba, Director of Planning and Building
REVIEWED BY: Ann Danforth, Assistant City Attorney
SUBJECT: Design Review for Retaining Walls and Landscaping and Stairs

RECOMMENDATION

The proposed project includes Design Review for three retaining walls and landscaping for the property at **19 Eucalyptus Road**. The walls are proposed to repair a slide that occurred on the property. Additionally, a set of stairs are proposed to replace a set of stairs on the neighboring property at 137 Golden Gate Avenue that were demolished due to the slide. Revocable Licenses are required for improvements in the right-of-way and described in more detail in the Revocable Licenses section of the staff report. The applications are included as **Attachment 2** and project plans are included as **Attachment 3**.

Staff recommends that the Planning Commission conduct the required public hearing and take the following actions:

MOTION 1 Adopt the Resolution as conditioned granting Design Review for the three retaining walls & landscaping for the property located at **19 Eucalyptus Road** and a set of stairs for the property at 137 Golden Gate Avenue (**Attachment 1**).

MOTION 2 Recommend to City Council approval of Revocable Licenses for improvements in the Eucalyptus Road right-of-way.

PROPERTY SUMMARY

Project Address: 19 Eucalyptus Road
APN: 060-162-30
Property Owner/Applicant: Gary Friedman
GP Designation: Low Density Residential SFD: 1.0 to 3.0 units/net acre
Zoning: R-15 Zoning District, Belvedere Island
Existing Use: Single Family Residential

Site Characteristics: The project is composed of retaining walls and landscaping and a set of stairs. The retaining wall & landscaping will be located at 19 Eucalyptus Road, which is within the R-15 Zoning District on Belvedere Island. That parcel is 35,458 square feet and is developed with an existing residence and garage and other site improvements such as a swimming pool. The stairs will be in the City right of way at the rear of the property of 137 Golden Gate Avenue along the Eucalyptus Road frontage.

PROJECT ANALYSIS/DESCRIPTION

The applicant requests Planning Commission approval for Design Review for a reinforced block retaining wall to repair a landslide upslope of Eucalyptus Road. The slide demolished several retaining walls; new walls are necessary to prevent further erosion or a larger slide from the property. As noted above, the proposed three retaining walls will be a reinforced block style wall, specifically a versa-lok standard wall in a weathered Sierra color. The wall will be tiered (stepped back) with landscaping in between each of the walls to provide screening and softening of the walls. One proposed wall would be 5 feet in height and the other two walls would be 6 feet in height. The top retaining wall will include a safety railing as required by the building code. Portions of the lower retaining wall is in the Eucalyptus Road right-of-way and therefore a Revocable License is required and discussed in more detail below. The railing would consist of a wood frame with a hogwire mesh in between the posts.

The proposal includes landscaping to help screen and soften the proposed retaining walls. The landscaping includes a combination of Ficus plants that will climb the walls and a mixture of grasses and shrubs to provide some additional screening and aesthetic interest to the area.

Additionally, the slide demolished a set of existing stairs in the city right-of-way behind the neighboring (adjacent) property at 137 Golden Gate Avenue. These stairs provided pedestrian access for the property owners at 137 Golden Gate Avenue to Eucalyptus Avenue. The project proposal includes replacing the stairs to continue to allow and provide pedestrian access for the property owners at 137 Golden Gate Avenue down to Eucalyptus Avenue. The project requires a Revocable License for the improvements in the Eucalyptus Road right-of-way and discussed in more detail below. Both 19 Eucalyptus and 137 Golden Gate are consider double frontage lots; they have frontage along Eucalyptus Avenue and Golden Gate Avenue.

DESIGN REVIEW

The Design Review findings, specified in Belvedere Municipal Code Title 20, state that all new structures and additions should be designed to avoid excessively large dwellings that are out of character with their setting or with other dwellings in the neighborhood. All buildings should be designed to relate to, and fit in, with others in the neighborhood and should not attract attention to themselves. To avoid monotony or an impression of bulk, large expanses of any one material on a single plane should be avoided. Vertical and horizontal elements should be used to add architectural variety, to break up building planes, and to avoid monotony. Landscaping will also soften and screen structures and maintain privacy.

As detailed in the draft Resolution (**Attachment 1**), staff recommends that all Design Review findings are satisfied as conditioned for the retaining walls, landscaping and stairs.

The retaining walls are designed to be unobtrusive and are keeping and in harmony with the area. The walls have been designed to minimize impacts by stepping the walls back and allowing for landscaping rather than designing one large/tall wall. The walls are necessary to prevent further slides from the property and has been engineered in such a manner to be appropriate for the slope of the property. The landscaping proposed will help to screen the walls and the landscaping will soften the walls along the Eucalyptus frontage. Lastly, the color of the walls is more of an earth tone color which would allow for the wall to blend into the hillside.

In summary, staff recommends Design Review approval for the site improvements can be made.

REVOCABLE LICENSE

In accordance with Section 11.7 the City's Administrative Procedures Manual, a Revocable License for private use of excess street right-of-way may be granted in the discretion of the City Council when there is some benefit to the public, provided any proposed encroachment into the right-of-way complies with the Design Review requirements of Title 20 of the Belvedere Municipal Code.

Public Works is requiring a Revocable Licenses for each property for improvements in the Eucalyptus Avenue right-of-way. 19 Eucalyptus requires a Revocable License for portions of the proposed retaining walls and landscaping in the right-of-way and 137 Golden Gate for the access stairs behind their property located in the Eucalyptus right-of-way.

In review of city records, it appears that 19 Eucalyptus Avenue has an existing revocable license (RL No. 00-21) for improvements in the city right-of-way along Golden Gate Avenue for stairs, landscaping and all private improvements. The property at 19 Eucalyptus is a double frontage lot and has frontage along Golden Gate Avenue and Eucalyptus Avenue. There appears to be no revocable license for the Eucalyptus Avenue.

The current request for a Revocable License includes the following improvements in the Eucalyptus Avenue right-of-way: portions of the new retaining walls, landscaping and the new stairs to replace the ones demolished behind the property at 137 Golden Gate which allowed for access from this property to the Eucalyptus Road right-of-way. It should be noted that in review of the records, the adjacent property at 137 Golden Gate Avenue has a Revocable License for improvements in the Golden Gate Avenue right-of-way. Additionally, the property at 137 Golden Gate Avenue has a Revocable License (RL No. 99-13) for a deer fence, gate and landscaping. This revocable license did not include any stairs. A new/updated revocable license is being required by Public Works to include the new stairs to replace the ones demolished by the slide.

For 19 Eucalyptus Road, Staff suggests that the portions of the wall encroachment are necessary to repair the slide in an appropriate manner and to design a series of walls which are stepped backed to provide for landscaping areas which will screen and soften the walls from public view. A series of lower walls as presented is preferred rather than constructing one large/tall wall which would be unattractive and detract from the area.

For the stairs at 137 Golden Gate Avenue, staff suggests that the new stairs as designed will help to provide stabilization of the hillside along Eucalyptus Avenue. The existing stairs were demolished from the slide that started on the adjacent property at 19 Eucalyptus Avenue. The slide damaged the hillside in the area behind the property at 137 Golden Gate and repair of this area is necessary. The stairs provided pedestrians public access for the owners of 137 Golden Gate to Eucalyptus Avenue.

The Exhibit as proposed for the Revocable License for 19 Eucalyptus includes: portions of the retaining wall and landscaping. Also included is the stair replacement behind the property at 137 Golden Gate. Public Works is requiring separate Revocable Licenses for each property. Staff has include a condition of approval as required from Public Works.

Factors the City Council considers when determining whether to grant a Revocable License for the private use of excess street right-of-way include, but are not limited to, the following listed below. Staff suggests the factors are satisfied, as explained in the italicized language, and that

Revocable Licenses are appropriate. ~~Staff suggests that the Revocable License is for the public benefit.~~

- a. Where necessary to provide pedestrian or vehicular access from private property to the adjacent public street;

The project proposes a stairway behind the property at 137 Golden Gate Avenue to allow for pedestrian access from private property to the adjacent street. The new stairway is to replace an existing stairway that was demolished from a slide that was started on the neighboring property at 19 Eucalyptus Avenue. The improvements are necessary to provide access that existed prior to the slide and as designed, the new stairs will help to stabilize the hillside.

- b. Where use of the public right-of-way will permit landscaping and/or related improvements to be installed that the City Council determines will enhance the aesthetic qualities of the streetscape. Any such landscaping and/or related improvements should not significantly impede public views or views from neighboring properties, or infringe on the privacy of neighboring properties;

The proposed new vegetation helps to soften and screen the three-tiered retaining walls along the street and improves the aesthetic qualities of the streetscape to harmonize with area. The retaining walls are necessary to prevent further erosion and slides from the property. Said landscaping will not significantly impede public views from what currently exists or infringe on the privacy of neighboring properties.

- c. Where use of the public right-of-way will permit the creation of an off-street parking area, and will thereby relieve parking or traffic congestion on the adjacent City street;

Not applicable to the project as no off-street parking area is proposed.

- d. Where the public right-of-way will be used to construct retaining walls, drainage structures or other facilities that the City considers necessary to protect or maintain the public infrastructure;

Portions of the retaining walls are proposed in the right-of-way and are necessary to protect the street below as well as other properties in the area. The walls are necessary to repair a slide that occurred on the property and to prevent further erosion and or another slide from occurring.

- e. Where appropriate to validate already existing private improvements in the public right-of-way for the purpose of shifting the City's potential liability for injuries and damages to the private property owners using the right of-way for private purposes;

The proposed new improvements included: are portions of a retaining wall, landscaping and a stairway; the stairway would be on the adjacent property behind 137 Golden Gate. A new Revocable License and separate Revocable Licenses are required to shift potential liability for injury and damages to the private property owners for the new improvements in the right-of-way.

- f. Where necessary to protect or enhance public safety;

The retaining walls are necessary to protect the public from further erosion and or slides from the property and to repair the previous slide that occurred. Further erosion and or another slide could damage the roadway as well as other properties in the area. The proposed landscaping will enhance the walls are provide for screening and softening of the walls. The

stairs provided pedestrian access from private property to the street. The stairs also as designed help to provide stabilization of the hillside that was damaged from the slide that started on the neighboring property and damaged the hillside behind 137 Golden Gate.

- g. Where use of the public right-of-way will provide an area for street-level refuse and recycling containers on property that would otherwise not have an area for such improvements.

Not applicable as no street-level refuse area is proposed with this project.

Additionally, the Administrative Policy further states that “Where fencing is proposed on City property, with the exception of where said fencing would be located on a very steep slope and would serve as a safety measure for vehicles and pedestrians said fencing should normally be avoided as this effectively turns public property into private property and potentially creates the unwanted image of a “tunnel effect” along our city streets. Fences and other similar barriers, including landscaping, that enclose public property for private use should be avoided.”

No new fencing is proposed in the right-of-way. Portions of a retaining walls are proposed but are necessary to protect the public from further erosion and or slides from the property and to repair the previous slide that occurred. Further erosion and or another slide could damage the roadway as well as other properties in the area.

Public Benefit

The project benefits the public, as these proposed improvements will protect the public from further erosion and or slides from the property and repair the slide that occurred. Further erosion and or another slide could damage the roadway as well as other properties in the area. The landscaping will enhance the aesthetic appeal of the property frontage and will provide screening and softening of the necessary retaining walls to blend in with the exiting area. The stairs provide a safer pedestrian access from private property to the street and also as designed help to stabilize the hillside that was damaged from the slide.

Staff recommends that the Planning Commission review the Revocable License application for consistency with Administrative Policy section 11.7 and recommend approval to the City Council to allow for the Revocable Licenses as conditioned.

ENVIRONMENTAL DETERMINATION

The project has been reviewed under the provisions of the California Environmental Quality Act (CEQA) and the CEQA Guidelines, California Code of Regulations. On **August 8, 2022**, the **proposed** project was determined to be categorically exempt from CEQA pursuant to *Section 15301 Existing Facilities* because the proposed project involves no expansion of an existing use. It can be seen with certainty that there is no possibility that the activity in question may have an effect on the environment. City action is required by **October 8, 2022**, or the project may be deemed approved.

CEQA provides certain exceptions where categorical exemptions may not be used. Under one such exception, a CEQA categorical exemption may not be used if the project has the potential to cause a substantial adverse effect on a CEQA Tribal Cultural Resource. Here a categorical exemption is appropriate because there is no potential that the project would cause a substantial adverse effect on any potential Tribal Cultural Resources that may, or may not, exist on the site. Here, the project has been identified as “Medium” on the Prehistoric Resource Sensitivity Map. Here the project is proposed on previously disturbed soil, meaning there is no required integrity

for historical or Tribal Cultural Resource purposes, and the project involves the addition/remodel and other site improvements for an existing residence.

CORRESPONDENCE

A copy of the public hearing notice for this item was published in *The ARK* newspaper and mailed to all property owners within 300 feet of the subject property. Staff is aware that neighbors in the area have concerns about the project. The concerns relate to ensuring the slide is repaired quickly to prevent further erosion and or another slide and to ensure that the design of the walls fits in with the neighborhood and that appropriate landscaping is provide to screen and soften the walls to blend in with the surrounding areas.

CONCLUSION

Staff believes that the findings can be made for Design Review for the proposed site improvements, as indicated in the attached Draft Resolution.

Additionally, staff recommends approval of Revocable Licenses to allow for the improvements in the City right-of-way along Eucalyptus Avenue.

RECOMMENDATION

Staff recommends the Commission consider the following actions:

MOTION 1 Adopt the Resolution as conditioned granting Design Review for the three retaining walls & landscaping for the property located at **19 Eucalyptus Road** and a set of stairs for the property at 137 Golden Gate Avenue (**Attachment 1**).

MOTION 2 Recommend to City Council approval of Revocable Licenses for improvements in the Eucalyptus Road right-of-way.

ATTACHMENTS

Attachment 1: Draft Design Review Resolution
Attachment 2: Applications
Attachment 3: Project plans
Attachment 4: Correspondence

CITY OF BELVEDERE
RESOLUTION NO. 2022-

**A RESOLUTION OF THE CITY OF BELVEDERE GRANTING DESIGN
REVIEW APPROVAL FOR SITE IMPROVEMENTS AT 19 EUCALYPTUS
ROAD**

WHEREAS, a proper application has been submitted for Design Review pursuant to Title 20 of the Belvedere Municipal Code for improvements consisting of retaining walls, landscaping & stairs (stairs are located behind property at 137 Golden Gate Avenue) to repair a slide area at 19 Eucalyptus Road; and

WHEREAS, the project been determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines. There are no unusual circumstances applicable to the project under CEQA; and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 16, 2022; and

WHEREAS, the Planning Commission finds based upon the analysis set forth in Exhibit A attached hereto and incorporated herein, that with the conditions listed below, the proposed project is in substantial conformance with the Design Review criteria specified in Section 20.04.005 and 20.04.110 to 20.04.120 of the Belvedere Municipal Code.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Belvedere does hereby grant approval of the Design Review application pursuant to Title 20 of the Belvedere Municipal Code for an addition with the following conditions:

- a) The property owner shall hold the City of Belvedere and its officers harmless in the event of any legal action related to or arising from the granting of this Design Review approval, shall cooperate with the City in the defense of any such action, and shall indemnify the City for any and all awards of damages and/or attorneys' fees and all associated costs that may result; counsel in any such legal action shall be selected by the City in its sole reasonable discretion. This approval is conditioned upon the accuracy of all facts stated in the application [by the property owner] and supporting documents.
- b) Plans submitted to the Building Department for permit issuance shall be consistent with the approved Planning Commission plans and shall conform to the drawings prepared by Miller Pacific Engineering Group received by the City of Belvedere on August 3, 2022.
- c) Any new exterior lighting shall be shielded and directed downward and shall be reviewed and approved by planning. Any new lighting may require further planning review/approval.
- d) The final landscape and lighting plan shall be reviewed and approved by the Planning Commission Chair and Director of Planning and Building prior to issuance of building permit.
- e) All requirements of the Fire Marshal shall be met prior to issuance of a building permit.

ATTACHMENT 1

- f) All requirements of Public Works shall be met prior to issuance of a building permit including but limited to the following:
1. An **Encroachment Permit** is required from the contractor for temporary and permanent improvements, work activities, and staging or storage of equipment and materials within the public right of way, subject to approval of the Public Works Director.
 2. The project will be subject to the City of Belvedere Regulations for Road Closure Applicants, see the following link:
<http://www.cityofbelvedere.org/documentcenter/view/68>
 3. An new and or updated separate **Revocable License** will be required for the private improvements within the public Eucalyptus right-of-way and easements for the property at 19 Eucalyptus Avenue & 137 Golden Gate Avenue.
 4. This project will require a **video recording of the condition of the haul route** prior to start of construction. The applicant will be responsible for any damage, beyond normal wear and tear, to the roadway or other improvements along the haul route caused by the removal or delivery of materials by truck. To ensure any damage is repaired to the satisfaction of the City, a deposit may be required. The deposit amount (estimated range from \$10,000 to \$30,000) will be determined by the City Engineer at the time of the Building Permit review and is dependent upon the duration of the project and total project valuation. If it is determined that project construction caused damage, the amount to repair said damage shall be withheld from the deposit amount, with the remaining amount to be returned to the property owner.
 5. A **Geotechnical Investigation or geotechnical review letter** is required. The geotechnical investigation/letter should address site preparation, foundation, grading and drainage recommendations. The Geotechnical Engineer of record shall also provide a letter indicating their review the proposed Grading & Drainage Plans for conformance with their recommendation prior to Building Permit issuance.
 6. **Topographic Survey** information shall be included either on the site plan or on a separate plan. The basis for determining elevations (assumed, NGVD, or NAVD) should also be clearly indicated. The surveyor's name and license number shall be included.
 7. The project requires a **Site Plan** showing the property line locations (referencing the survey source and mapping information), any existing easements, building setbacks, encroachments etc.
 8. The project will require a detailed **Grading & Drainage Plan** showing cut and fill earth volumes, existing drainage system and any drainage improvements. Said plans shall incorporate, as appropriate, the [MCSTOPPP Guidance for Applicants: Stormwater Quality Manual for Development Project in Marin County.](#)

9. The project will include soil disturbance during construction and applicants therefore must submit an **Erosion and Sediment Control Plan (ESCP)** for approval by the City prior to the issuance of a Building Permit. Please also submit the Erosion and Sediment Control tracking documentation for the Marin County Stormwater Pollution Prevention Program (MCSTPPP) [Construction Erosion and Sediment Control Plan Applicant Package](#), revised November 2015. At a minimum, the ESCP must include the applicable MCSTPPP minimum erosion control, sediment control, and good housekeeping BMPs described in the [MCSTPPP Minimum Control Measures for Small Construction Projects](#). The ESCP must provide a rationale for the selected BMPs including, if needed, soil loss calculations.
10. The project will require a **Construction Management Plan** identifying the following:
 - estimated project duration
 - construction schedule of milestones (excavation, grading, and offhaul duration; foundation work; framing; flatwork/paving; punch list/final inspection)
 - excavation and disposal methods
 - equipment to be used
 - site access location
 - storage and staging location of materials and equipment/portable toilet/debris box and waste bins
 - truck loading area and temporary traffic control required as necessary
 - haul route
 - For construction requiring earthwork between October 15th and April 15th, an action plan for storm water pollution prevention and erosion and sediment control prior to an anticipated rain event
 - Best management practices (BMPs) to be implemented to minimize pollutant exposure, protect exposed pollutants, and remove any pollutants that may accidentally enter stormwater runoff. Please see the [MCSTPPP Minimum Control Measures for Small Construction Projects](#) for list of effective BMPs.
- g) These Conditions of Approval shall be printed on the Building Permit Construction Plan set of drawings.
- h) There are no known paleontological or unique archeological resources on the project site. In the event unanticipated unique archaeological or paleontological resources are uncovered during construction, all work must be immediately halted and an evaluation must be undertaken by a qualified archaeologist or paleontologist to identify the appropriate mitigation measures to avoid any significant environmental impact.
- i) This Design Review approval does not include any changes to existing exterior features other than those specifically listed herein and or shown on the approved plans. Other changes not listed or shown may require separate Design Review approval.

- j) Design Review approvals expire twelve (12) months from the date of this approval.
- k) A ten (10) day appeal period is applicable and shall be observed prior to work commencing. Construction activities shall not take place until the appeal period has ended and provided that no appeal has been filed

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

APPROVED: _____
Patricia Carapiet, Planning Commission Chair

ATTEST: _____
Beth Haener, City Clerk

Exhibit A
Consistency with Design Review Criteria

Preservation of existing site conditions. To preserve the landscape in its natural state, the removal of trees, vegetation, rock, and soil should be kept to a minimum. Projects should be designed to minimize cut and fill areas, and grade changes should be minimized and kept in harmony with the general appearance of the neighboring landscape.

Cut and fill is necessary to repair the slide area and to construct the new retaining walls & stairs to protect the area from additional erosion or another slide. Some of the existing vegetation was removed by the slide that occurred. Additional vegetation removal may be required to install the retaining walls that are necessary to prevent further slides and erosion. New landscaping will be provided.

Relationship between structures and the site. There should be a balance and harmonious relationship among the structures on the site, between the structures and the site itself, and between the structures and those on adjoining properties. All new buildings or additions constructed on sloping land should be designed to relate to the natural land-forms and step with the slope in order to minimize the building mass and bulk and to integrate the structure with the site.

The proposed retaining walls will be a series (3 walls) stepped back with the topography and are proposed at varying heights to minimize the mass and bulk from the street. A series of stepped walls is preferred to one large/tall wall. The stepping of the walls allows for vegetation to screen and soften the walls. The proposed stairs are designed to conform to the topography of the site.

Minimizing bulk and mass.

All new structures and additions should be designed to avoid monumental or excessively large dwellings that are out of character with their setting or with other dwellings in the neighborhood. All buildings should be designed to relate to and fit in with others in the neighborhood and not designed to draw attention to themselves.

The proposed retaining walls will be a series (3 walls) stepped back with the topography and are proposed at varying heights to minimize the mass and bulk from the street. A series of stepped walls is preferred to one large/tall wall. The stepping of the walls allows for vegetation to screen and soften the walls. As designed, the walls & stairs are appropriate for the slope of the property and relate to and fit in with the neighborhood and will not draw attention to itself.

To avoid monotony or an impression of bulk, large expanses of any one material on a single plane should be avoided, and large single plane retaining walls should be avoided. Vertical and horizontal elements should be used to add architectural variety, to break up building planes, and to avoid monotony.

The proposed retaining walls will be a series (3 walls) stepped back with the topography and are proposed at varying heights to minimize the mass and bulk from the street. A series of stepped walls is preferred to one large/tall wall. The stepping of the walls allows for vegetation to screen and soften the walls. The proposed

material for the walls are more earth tones (tan/beige) rather than a grey concrete color. The color along with the vegetation will allow the walls to blend in with the area.

Materials and colors used. Building designs should incorporate materials and colors that minimize the structures visual impacts that blends with the existing landforms and vegetative cover, that relate to and fit in with structures in the neighborhood, and that do no attract attention to the structures themselves. Soft and muted colors in the earthtone and woodtone ranges are preferred and generally should predominate. Trim and window colors should be compatible with and complementary to the other building colors.

The materials and colors are earth tone which minimizes the visual impact.

Fences and screening.

- A. Fences and physical screening should be located so as to be compatible with the design of the site and structures as a whole, should conceal and screen garbage areas, mechanical equipment, and structural elements from public view, should preserve privacy between adjoining dwellings, where practical, and should not significantly block views.

No fencing is proposed.

Privacy. Building placement, and window size and placement should be selected to give consideration to the privacy of adjacent buildings.

Not applicable as the proposed project is for a retaining wall to repair a slide, new landscaping to screening walls and a new stairway to provide access to the street and to replace a stairway that preexisted before the slide.

Drives, parking and circulation. Walkways, driveways, curb cuts and off-street parking should be planned and designed so as to minimize interference with smooth traffic flow, to encourage separation of pedestrian from vehicular traffic, and to be as safe and convenient as is practical. They should not be out of relationship with the design of the proposed buildings and structures on the site, and should not intrude on the privacy of, or conflict with the appearance or use of neighboring properties.

Not applicable to the proposed project.

Exterior lighting, skylights, and reflectivity. Exterior lighting should not create glare, hazard, or annoyance to neighboring property owners or to passersby. Lighting should be shielded and directed downward, with location of lights coordinated with the approved landscape plan. Skylights should not have white or light opaque exterior lenses.

Not applicable as no new lighting is proposed.

Consideration of nonconformities. The proposed work shall be viewed in relationship to any nonconformities, as defined in Title 19, and where it is determined to be feasible and reasonable, consideration should be given to conditioning the approval upon the mitigation or elimination of such nonconformities.

Not applicable as the proposed project does not create any new nonconformities or affect any existing nonconformities that may exist on the property.

Landscape plans -- Purpose.

A. Landscape plans should be compatible with the character of the site and surrounding developed properties. Native or natural appearing vegetation, with generally rounded, natural forms, should be placed to appear as loose, informal clusters. B. Landscape plans shall include appropriate planting to soften or screen the appearance of structures as seen from off-site locations and shall include appropriate screening for architectural elements, such as building foundations, deck supports, and retaining walls, that cannot be mitigated through architectural design. C. Landscape plans should provide privacy between properties. Choice of landscape materials should take into consideration the future impact which new planting may have in significantly obstructing views from nearby dwellings.

Landscape Plans – Materials. A. Plant materials native to northern California and Marin County, and those that are drought-tolerant are encouraged. Evergreen species are encouraged for use in screen planting situations. Because of high water usage, turf areas should be minimized and narrow turn areas, such as in parking strips, should be avoided. B. Landscape plans should include a mix of fast and slow growing plant materials. Fast growing trees that have a short life span should be used only when planted with others which reach maturity at a later age. C. Landscape plans should include water conserving irrigation systems. Plant materials should be selected so that once established, much of the major site landscaping would survive solely on rainfall. Plant materials native to northern California and Marin County, and those that are drought tolerant, are encouraged. Because of high water usage, turf areas should be minimized and narrow turf areas, such as in parking strips, should be avoided.

The project will provide for landscaping, such as creeping fig to climb the wall and other grasses and shrubs to help soften and screen the wall from public view and enhance the aesthetics of the walls that are necessary to repair a slide area.

Project Address: 19 EUCALYPTUS RD



APPLICATION FOR DESIGN REVIEW

CITY OF BELVEDERE • PLANNING DEPARTMENT
450 SAN RAFAEL AVE • BELVEDERE, CA 94920-2336
PH. 415-435-3838 • FAX 415-435-0430 • WWW.CITYOFBELVEDERE.ORG

FOR STAFF USE ONLY

Date: _____ Rec'd. by: _____ Planning Comm. Approval
Design Review Exception
Amount: _____ Receipt No.: _____ Staff Approval
Parcel No.: _____ Zone: _____
Located in Flood Zone AE VE N/A

SECTION 1 • PROJECT SUMMARY

Does this project have an active building permit? No Yes Permit No.: 20210876

Is this property adjacent to a City Owned Lane? No Yes

Is there an Existing Revocable License for this property? No Yes Lic # _____

Does this project have Planning Commission approval? No Yes

Address of Property: 19 EUCALYPTUS ROAD

Record Owner of Property: GARY FRIEDMAN

Mailing 19 EUCALYPTUS ROAD Daytime Phone: _____

Address: BELVEDERE CA 94920 Fax: _____

Email: gfriedman@restorationhardware.com
gfriedman@restoration

Owner's Representative: SCOTT STEPHENS (MILLER PACIFIC ENG GROUP)

Mailing PO BOX 2802 Daytime Phone: (415) 382 3444

Address: NOVATO CA 94949-2802 Fax: _____

Email: SSTEPHENS@MILLERPAC.COM

Project Description: CONSTRUCTION OF TIERED MECHANICALLY
REINFORCED BLOCK RETAINING WALL TO REPAIR
A LANDSLIDE ALONG EUCALYPTUS ROAD

Project Address: 19 EUCALYPTUS RD

ZONING PARAMETERS:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area	<u>35,458</u>	_____	<u>35,458</u>
Lot Coverage	<u>N/A</u>	_____	<u>N/A</u>
Total Floor Area	<u>N/A</u>	_____	<u>N/A</u>
Front Yard Setback	<u>N/A</u>	_____	<u>N/A</u>
Left Sideyard Setback	<u>N/A</u>	_____	<u>N/A</u>
Right Sideyard Setback	<u>N/A</u>	_____	<u>N/A</u>
Rear Yard Setback	<u>N/A</u>	_____	<u>N/A</u>
Building Height Maximum...	<u>N/A</u>	_____	<u>N/A</u>
Building Height Average...	<u>N/A</u>	_____	<u>N/A</u>
Parking Spaces	<u>N/A</u>	_____	<u>N/A</u>

SECTION 2 • ENVIRONMENTAL INFORMATION REQUIRED BY CEQA

(To Be Completed by Applicant)

Date Filed: N/A

General Information

- Name and address of developer or project sponsor: GARY FRIEDMAN
- Address of project: 19 EUCALYPTUS RD. BELVEDERE
- Name, address, and telephone number of person to be contacted concerning this project:
SUSAN CRANNA (530) 218-3791 SCRANNA@YAHOO.COM
- Indicate number of the permit application for the project to which this form pertains: 1
- List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies: REVOKABLE LICENSE + SEWER PERMIT
- Existing zoning district: RESIDENTIAL R-15
- Proposed use of site (Project for which this form is filed): RESIDENTIAL
- Year built: _____ Original architect: _____

Project Description

- Site size. 35,458
- Square footage. N/A
- Number of floors of construction. N/A
- Amount of off-street parking provided. N/A
- Plans attached? YES
- Proposed scheduling. ASAP

Project Address: 19 EUCALYPTUS RD

15. Associated projects, such as required grading or staging. GRADING FOR NEW WALLS.
16. Anticipated incremental development. NO
17. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. N/A NEW RETAINING WALLS
18. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities. N/A
19. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required. N/A

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

- | | Yes | No |
|--|--------------------------|-------------------------------------|
| 20. Change in existing features of any bays, tidelands, beaches, or hills, or substantial alteration of ground contours. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 21. Change in scenic views or vistas from existing residential areas or public lands or roads. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 22. Change in pattern, scale or character of general area of project. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 23. Significant amounts of solid waste or litter. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 24. Change in dust, ash, smoke, fumes or odors in vicinity. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 25. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 26. Substantial change in existing noise or vibration levels in the vicinity. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 27. Site on filled land or on slope of 10 percent or more. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 28. Use of, or disposal of potentially hazardous materials, such as toxic substances, flammables or explosives. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 29. Substantial change in demand for municipal services (police, fire, water, sewage, etc.). | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 30. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.). | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 31. Relationship to a larger project or series of projects. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 32. Changes to a structure or landscape with architectural or historical value. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 33. Changes to a site with archeological or cultural value such as midden soil. | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Environmental Setting

34. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted. THE PROJECT LOCATION CONSISTS OF AN GOITING SLIDE MASS UPLAND OF EUCALYPTUS RD. VEGETATION, RETAINING WALL & SOIL DISTURBED.
35. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, setback, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted. SURROUNDING PROPERTIES TYPICAL OF BELVEDERE

SECTION 3 • ESTIMATE OF TIME FOR CONSTRUCTION

For Design Review applications not requiring a building permit this section does not apply. Design Review approvals expire twelve (12) months from the date of approval unless granted a longer duration by the Planning Commission.

This Section advises you of the Time Limit Guidelines that are applied to all Design Review applications that require a building permit as prescribed by Section 20.04.035 of the Belvedere Municipal Code.

B. Construction Time Limit Required. This Chapter shall apply to any project for which a design review approval is required, any project requiring a building permit with an estimated construction value of \$50,000 or greater, and/or any landscaping project with an estimated construction value of \$50,000 or greater that is associated with a building permit. As part of any application for design review, the applicant shall file a reasonable estimate of the cost of the proposed project, and based thereon, a construction time limit shall be established for the project in accordance with the guidelines set forth in Subsection C of this Section. The maximum time for completion of project shall not exceed six months for additions and remodeling up to \$100,000 in value; 12 months for construction up to \$500,000 in value; and 18 months for construction valued at more than \$500,000. Failure to complete construction in the agreed upon time will result in fines ranging from \$600 per day to \$1200 per day with a \$300,000 maximum penalty. Application for an extension of the prescribed time limit can be made providing certain conditions are met. The maximum extension is 6 months. The time for completion of the construction shall also be indicated on the building permit.

In the space provided below please indicate the estimated project valuation.

Estimated cost of construction: \$ 188,000

Based on the above estimated project valuation, check one of the following Time Limit Guidelines that shall apply to your project:

- 1. For new construction, the demonstrable value of which is estimated to be less than \$500,000.
Construction shall be completed twelve (12) months from the commencement of work following the issuance of the building permit.
- 2. For new construction, the demonstrable value of which is estimated to be more than \$500,000.
Construction shall be completed eighteen (18) months from the commencement of work following the issuance of the building permit.
- 3. For additions, alterations, modifications and repairs, the demonstrable value of which is estimated at less than \$100,000.
Construction shall be completed six (6) months from the commencement of work following the issuance of the building permit.
- 4. For additions, alterations, modifications and repairs, the demonstrable value of which is estimated at less than \$500,000.
Construction shall be completed twelve (12) months from the commencement of work following the issuance of the building permit.
- 5. For additions, alterations, modifications and repairs, the demonstrable value of which is estimated at more than \$500,000.
Construction shall be completed eighteen (18) months from the commencement of work following the issuance of the building permit.

For those projects that do not fall under any of the above Time Limit Guidelines or that wish to exceed the time limit that was approved by the Planning Commission, the following is the "Extension of Construction Time Limit" process (BMC Section 20.04.035(D)):

D. Extension of Construction Time Limit.

1. An applicant may request a construction time limit extension at the time of the design review hearing or after the issuance of a building permit. An applicant is limited to one construction time limit extension per project.

2. The Planning Commission has the authority to grant, conditionally grant, or deny a time limit extension request made at the time of a design review hearing based on the reasonable anticipation of one or more of the factors in this Subsection. The Planning Commission's decision may be appealed in writing to the City Council.

3. The extension committee has the authority to administratively grant, conditionally grant, or deny a time limit extension request made after the issuance of a building permit based on one or more of the factors in this Subsection. The extension committee shall consist of the City Building Official, the Director of Planning and Building, and the Public Works Manager, who shall meet with the project contractor, architect and, at the applicant's option, a representative or the applicant. The extension committee shall review the extension request within 10 working days of receiving a complete application. Within 10 working days of receiving the decision, the applicant may appeal the extension committee's decision to the Planning Commission and the Planning Commission's decision to the City Council. All appeals shall be scheduled within a reasonable time of the receipt of the appeal.

4. An application for a construction time limit extension shall be accompanied by complete working drawings for the construction, a written explanation of the reasons for the requested extension, any other information requested by Planning staff, and a fee as established by City Council resolution.

5. Projects with an initial 18-month construction time limit may receive a maximum 6-month extension for a total time limit of 24 months. Projects with an initial 6 or 12-month construction time limit may receive an extension, provided that such extensions do not result in a total construction time limit exceeding 18 months.

6. Landscaping Extension. When landscaping work, which was approved as part of a larger construction project, is delayed because of inclement weather, the applicant may file with the City Manager for an extension to complete the landscaping work. The request must be filed prior to, and may not exceed 30 days beyond, the final building inspection approval, issuance of an occupancy permit, or expiration of the 90-day landscaping time limit granted per Subsection C2 above, whichever occurs later. The City Manager shall grant said extension only if, in his or her opinion, such extension is warranted because of delays caused by inclement weather.

7. Construction Time Limit Extension Factors. Requests for construction time limit extensions shall be determined based on one or more of the following factors:

- a. Site topography
- b. Site access
- c. Geological issues
- d. Neighborhood considerations
- e. Other unusual factors
- f. Extreme weather events
- g. Unanticipated discovery of archeological resources
- h. Other conditions that could not have been reasonably anticipated at the time of project application

SECTION 4 • ACKNOWLEDGEMENT OF HOURLY BILLING COSTS

This Section advises you of the costs that may be involved in processing Planning-related applications and/or appeals. You are hereby requested to acknowledge this information and agree to be responsible for all expenses incurred in the processing of your application(s)/appeal(s).

As the property owner/appellant, you agree to be responsible for the payment of all costs, both direct and indirect, associated with the processing of the applications(s)/appeals(s) referenced below. Such costs may be incurred from the following source:

Hourly billing costs as of July 1, 2018, (subject to change without notice):

Director of Planning & Building	\$ 85.00
Associate Planner	\$ 59.00
City Attorney	\$ 240.00
Specialized Planning Consultant	Actual costs + 25% overhead

For all applications and appeals, an initial deposit is required at the time of submittal, with the amounts determined by City Council resolution. In addition to the initial deposit, the property owner/appellant may be required to make further deposits for anticipated work. Invoices are due and payable within 15 days. Application(s) /or appeal(s) will not be placed on an agenda until these deposits are received.

SECTION 5 • ACKNOWLEDGEMENT OF RESPONSIBILITY

This Section applies to all projects that receive design review. To avoid misunderstandings regarding changes to building plans that have received Design Review, please read and acknowledge the below information. To help your project proceed in an expeditious and harmonious manner, the City of Belvedere wishes to inform you of several basic understandings regarding your project and its approval. By you and your representative signing this document, you are acknowledging that you have read, understand, and will comply with each of the points listed.

1. Once Design Review approval has been granted, construction plans may be submitted to the City. The construction plans shall be **identical** to the plans approved for design review. (BMC §20.04.010). Deviations from the plans approved for Design Review cannot be approved except by an amendment to the Design Review approval. It is the applicants' responsibility to assure conformance, and the failure of staff to bring nonconformities to the applicants' attention shall not excuse the applicant from such compliance.
2. Comments from City staff regarding the project shall neither be deemed official nor relied upon unless they are in writing and signed by the City Manager or his designee.
3. Without the prior written approval of the City, construction on the project shall not deviate in any manner, including but not limited to form, size or color, from approved construction plans. If at any time during construction, and without such written approval, construction on the project is found by a member of City staff to deviate from the approved construction plans in any manner, an official STOP WORK ORDER will be issued by the City, and there shall be a total cessation of all work on the project.
4. If such a STOP WORK ORDER is issued, the City may initiate proceedings to impose administrative penalties or nuisance abatement proceedings and issue an order to show cause, which will compel the undersigned property owner to appear before the City Council and show cause why the work performed does not deviate from the approved plans and why such work should not be condemned as a public nuisance and abated. (Authority: Belvedere Municipal Code Chapters 1.14 and 8.12)

SECTION 6 • ADDITIONAL INFORMATION FOR APPLICANTS

Story Pole Requirement

Preliminary Story Poles sufficient to indicate the height and shape of the proposed structure or additions shall be placed on the site **at least twenty (20) days** prior to the first meeting date at which this application will be heard. **Final Story Poles** must be placed at the site **at least ten (10) days** prior to the first meeting date and removed no later than ten (10) days following the final city action on the project application. Story poles shall be connected at their tops with colored tape or ribbon to clearly indicate ridges, eaves, and other major elements of the structure.

Limit on the Number of Administrative and Planning Commission Design Review Approvals

Pursuant to Belvedere Municipal Code Section 20.04.020(B)(1)(a), for a site or structure with no existing active Design Review approval, during any twelve-month period, an applicant may obtain up to four administrative approvals, which may be in the form of either Staff Approval, Design Review Exception, or a combination of the two. However, there is no limit to the number of times an applicant may apply for Planning Commission Design Review. **Any such administrative or Planning Commission Design Review approval(s) shall be valid for a period of twelve (12) months from the date of approval, unless a building permit has been issued for the project within said twelve (12) month period, in which case the Design Review approval shall be valid as long as there is an active building permit for the project.**

Once a project has been approved by Planning Staff or the Planning Commission, administrative approvals to amend the existing active Design Review approval for that project shall be limited to three such approvals at any time during the lifetime of the underlying Design Review approval, plus one such approval during the process of obtaining final inspection approval of the project. **Any such administrative approval(s) granted shall NOT extend the twelve (12) month term, of the underlying Design Review approval, or the building permit construction time limit if a building permit has been issued for the project.**

**STATEMENT OF PROPERTY OWNERSHIP,
CERTIFICATION OF APPLICATION, & DESIGNATION OF REPRESENTATIVE**

All property owners must complete and sign the section below which is applicable to your property.

Street address of subject property: 19 Eucalyptus Rd. Belvedere, CA

Assessor's Parcel No(s). of subject property: 060-162-30

➤ Properties Owned by a Trust, LLC, Corporation, Partnership, or Other Entity

Please provide proof of ownership and of the signer's authority to enter into contracts regarding this property. One or more of the following documents *may* contain the necessary information.

- **For Trusts:** the **Trust Document** or a **Certificate of Trust**, including any attachments thereto; Property Deed; Certificate of Title Insurance.
- **For other entities:** **Articles of Incorporation; Partnership Agreement; Property Deed; Certificate of Title Insurance;** written **certification of facts** by an attorney.

Photocopies are acceptable. To ensure privacy, documentation will be shredded in a timely manner, or, upon request, returned to the applicant.

I, _____, state under penalty of perjury under the laws of the State of California that the above-described subject property is owned by a Trust, LLC, Corporation,

Project Address: 19 Eucalyptus Rd

Partnership, or other entity and that my signature on this application has been authorized by all necessary action required by the LLC, Corporation, Partnership, or other entity.

I hereby make application for approval of the design review requested. I have read this application and hereby certify that the statements furnished above and in the attached exhibits present the data and information required for the design review and initial environmental evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief

I agree to be responsible for all costs incurred in connection with the processing of my application and appeals, if any. And I agree to be bound by Section 5, "Acknowledgement of Responsibilities," above and representations one through four contained therein.

In the case of an application for revocable license, I agree that, upon approval by the City Council of the revocable license requested, I will promptly execute a license drafted by the City, have it notarized, and return it to the City so that it may be recorded.

I understand that the contents of this document are a Public Record. If more than one signature is required by the owner entity to make this application, please have all signers sign below.

Signed this _____ day of _____, 20____, at Belvedere, California.

Signature _____ Signature _____

Title(s) _____ Title(s) _____

Trustee(s) Partners: Limited or General Corporation Other _____

Name of trust, LLC, corporation, or other entity: _____

➤ **Properties Owned by Individuals**

I, GARY FRIEDMAN, state under penalty of perjury under the laws of the State of California that I am the record owner of the above-described subject property.

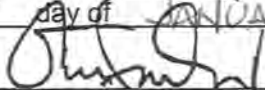
I hereby make application for approval of the design review requested. I have read this application and hereby certify that the statements furnished above and in the attached exhibits present the data and information required for the design review and initial environmental evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

I agree to be responsible for all costs incurred in connection with the processing of my application and appeals, if any. And I agree to be bound by Section 5, "Acknowledgement of Responsibilities," above and representations one through four contained therein.

In the case of an application for revocable license, I agree that, upon approval by the City Council of the revocable license requested, I will promptly execute a license drafted by the City, have it notarized, and return it to the City so that it may be recorded.

I understand that the contents of this document are a Public Record.

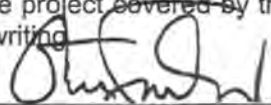
Signed this 10TH day of JANUARY, 2022, at Belvedere, California.

Signature 

Project Address: 19 Eucalyptus Rd.

➤ **Designation of Owner's Representative (Optional)**

I hereby authorize _____ to file on my behalf any applications, plans, papers, data, or documents necessary to obtain approvals required to complete my project and further authorize said person to appear on my behalf before the Planning Commission and/or City Council. This designation is valid until the project covered by the application(s) is completed and finalized or until the designation is rescinded in writing.

Signature of Owner:  Date: JANUARY 10, 2022

Signature of Representative: _____ Date: _____

Project Address: 19 EUCALYPTUS RD.



APPLICATION FOR REVOCABLE LICENSE

CITY OF BELVEDERE
450 SAN RAFAEL AVE • BELVEDERE, CA 94920-2336
PH. 415-435-3838 • FAX 415-435-0430 • WWW.CITYOFBELVEDERE.ORG

FOR STAFF USE ONLY

Date: _____ Rec'd. by: _____ Amount: _____ Receipt No.: _____
Parcel No.: _____ Zone: _____
City property to be encroached upon: _____

TO BE COMPLETED BY APPLICANT

Address of Property: 19 EUCALYPTUS RD. BELVEDERE, CA 94920

Type of City Property to Be Encroached Upon (e.g., street right-of-way, view easement, tide lot):
EASEMENT AND ROADWAY R.O.W.

Record Owner of Property: GARY FRIEDMAN

Mailing 19 EUCALYPTUS RD Daytime Phone: _____

Address: BELVEDERE CA 94920 Fax: _____

Email: gfriedman@restorationhardware.com

Owner's Representative: SUSAN CRANNA

Mailing 19 EUCALYPTUS RD Daytime Phone: (USD) 218-3791

Address: BELVEDERE CA 94920 Fax: _____

Email: SCRANNON@YAHOO.COM

Description of Encroachment Requested and Its Purpose (include list of private improvements, both existing and proposed, that will encroach onto public property): PURPOSE OF ENCROACHMENT IS TO CONSTRUCT A NEW TIERED BLOCK RETAINMENT WALL TO REPAIR A SMALL LANDSLIDE UPSLOPE OF EUCALYPTUS ROAD. THE SLIDE TOOK OUT EXISTING WALLS AND THREATENS THE PROPERTY.

- Applicants, please attach a scale diagram showing your property line and the encroachments. FOLLOW INSTRUCTIONS ON PAGE 3

Project Address: 19 EUCALYPTUS RD.

IMPORTANT! This application will first be reviewed by the City Staff and/or Planning Commission. If the application successfully passes this review, a revocable license agreement will be drawn up by City Staff and a formal recommendation will be made to the City Council to approve it. *The property owner(s) will need to sign the agreement document and have the signature(s) acknowledged by a notary public or the Deputy City Clerk before the agreement can be ratified by the City Council.* A specimen copy of the revocable license agreement is attached for your information. **THE OWNER'S FAILURE TO EXECUTE THE AGREEMENT WILL PREVENT THE ISSUANCE OF ANY BUILDING PERMIT ASSOCIATED WITH THE LICENSE.**

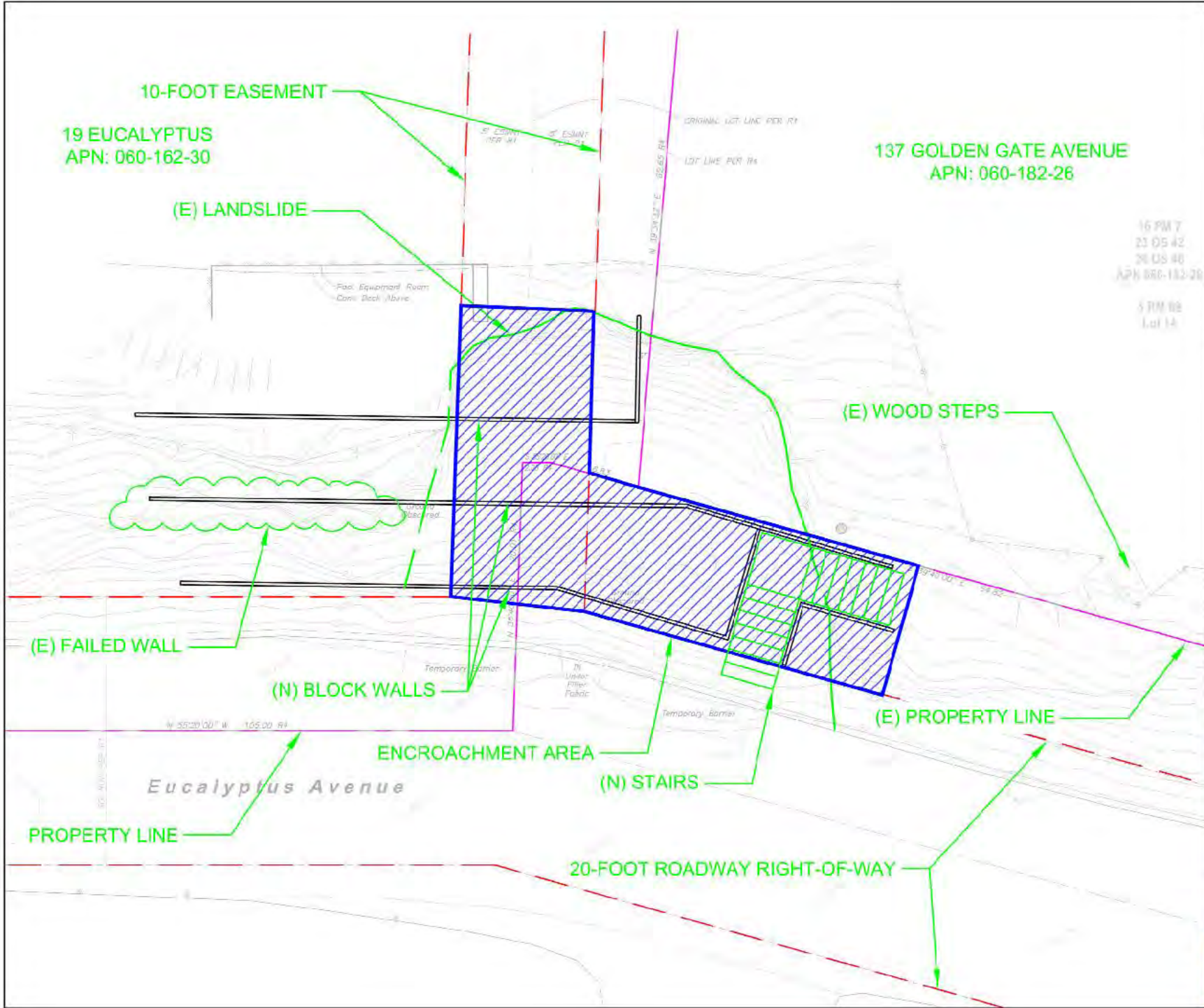
I, the undersigned owner of the property herein described (or owner representative, as authorized by completion of a Statement of Ownership and Designation of Representative), hereby make application for the revocable license requested, and I hereby certify that the facts, statements and information presented herein and in the attached exhibit(s) are true and correct to the best of my knowledge and belief

I understand that the contents of this document are a Public Record.

Signature: 

Name: GARY FRIEDMAN

Date: JANUARY 10, 2022



REVOCALLABLE LICENSE EXHIBIT "A"	
Proposed Retaining Wall 19 Eucalyptus Road Belvedere, California	
Project No. 561.021	Date: 1/6/2022
 MILLER PACIFIC ENGINEERING GROUP <small>A CALIFORNIA CORPORATION, © 2021. ALL RIGHTS RESERVED</small> <small>FILENAME: 561.021_Revocable License Exhibit Figure.dwg</small>	
504 Redwood Blvd. Suite 220 Novato, CA 94347 T 415 / 382-3444 F 415 / 382-3450 www.millerpac.com	
16 PM 7 23 05 42 28 05 40 APN 060-182-26 5 RM 06 Lot 1A	
Drawn NGK	Checked _____
A	
FIGURE	

Hello Irene -

In case I am unable to join the Zoom mtg on 8/16 I wanted to voice my opinion. I would like to avoid another eyesore like the one pictured below in front of 8 Eucalyptus Road if possible. Nena Hart showed me the Versa-Lok choices and the mosaic pattern in color Sierra would blend nicely in the space. I hope you will consider this alternative.

Thank you.

Best,

Denise Ellison

28 Eucalyptus Road

