

BELVEDERE PLANNING COMMISSION
SPECIAL MEETING AGENDA
DECEMBER 15, 2021, 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 – Special Meeting
Time: December 15, 2021, 06:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/81336657093?pwd=QVJUS3VIMFlrNzlwNkVJT0diT1d5QT09>

Webinar ID: 813 3665 7093

Passcode: 999809

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, 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.

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 November 16, 2021**, regular meeting of the Planning Commission.
2. Design Review and Revocable License applications for outdoor improvements located at **288 Beach Road**. The project consists of an outdoor kitchen, steps and fencing replacement and a new deck located on the City Tide Lot. Owner: Ellis Pate-Cornell Trust Et Al; Applicant: Integrated Design Studio. *Staff recommends that the Commission adopt the draft Resolution of approval.* No recusals.

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**

December 15, 2021

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.

288 Beach Road

None

BELVEDERE PLANNING COMMISSION

MINUTES

REGULAR MEETING

MEETING HELD VIA ZOOM

NOVEMBER 16, 2021, 6:30 P.M.

A. CALL TO ORDER OF THE REGULAR MEETING

Chair Peter Mark called the regular meeting to order at 6:30 p.m. The meeting was held via Zoom video conference. Commissioners present via Zoom: Peter Mark, Ashley Johnson, Nena Hart, Larry Stoehr, Marsha Lasky, Pat Carapiet and Claire Slaymaker. Commissioners Absent: None. Staff present: Director of Planning and Building Irene Borba, Senior Planner Rebecca Markwick, and Permit Technician Nancy Miller.

B. OPEN FORUM

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No one wished to speak.

C. REPORTS

There were no reports.

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 wishes 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.

MOTION: To approve the Consent Calendar for Items 1 and 2 as agendized below:

MOVED BY: Ashley Johnson, seconded by Larry Stoehr

VOTE: AYES: Peter Mark, Ashley Johnson, Larry Stoehr, Nena Hart, Marsha Lasky, Claire Slaymaker, Pat Carapiet.
 NOES: None
 ABSTAIN: Marsha Lasky, Pat Carapiet, Claire Slaymaker, (Item 1) due to absence from the October 19, 2021, meeting.
 RECUSED: None.
 ABSENT: None.

1. Draft **Minutes of the October 19, 2021**, regular meeting of the Planning Commission.
2. Consideration of a Conditional Use Permit application for Tiburon Fitness Club expansion located at **1550 Tiburon Boulevard**. Applicant: Tiburon Fitness Club; Property Owner: Belvedere Land Company. *Staff recommends that the Commission adopt the draft Resolution of approval. No recusals.*

D. PUBLIC HEARINGS

Vice-Chair Carapiet recused herself from Item 3 (**44 San Rafael Ave**) because she owns property within 500 feet of the subject property. She departed from the Zoom meeting.

3. Design Review for a dock extension located at **44 San Rafael Avenue**. Property owner and applicant Richard Laiderman and Jung-Wha Song. *Staff recommends that the Commission approve the proposed project.* Recused: Vice Chair Carapiet.

Senior Planner Rebecca Markwick presented the staff report. Revisions to the project application have been made since the October Planning Commission meeting. The size of the requested dock extension has been reduced to 13'2" x 7'. All correspondence received on the item has been provided to the Planning Commission.

Commissioner Lasky asked if there is any impact on the Lagoon outlet.

Planner Markwick replied that, based on the correspondence received from the BLPOA, there is no impact.

Chair Mark reported that at the October meeting there was some anecdotal information reported by neighbors relative to this subject but this has not been confirmed to be a problem and the BLPOA does not object to this dock.

Open public hearing.

Richard Laiderman, 44 San Rafael Avenue, owner and applicant, described his outreach after the October meeting to the objecting neighbors at 1 Hilarita Circle (Sprague Von Stroh), and 48 San Rafael Avenue (Lily Miller). As a result of conversations with Ms. Miller he agreed to move the dock to the north which he did, by 32 inches, and to move the paddleboard and fix the fence which he has also done. He also offered to support her in extending her own dock. When he put up the new story poles, (a 44% reduction in size), he then heard from Ms. Von Stroh, who wanted further reduction of size. He offered to reduce it to 6 feet, which is 1 foot less than seen in the current story poles. With that reduction, the size is now 52% less than the original application. He requested approval of the reduced dock.

Robert Miller, son of the owner of 48 San Rafael Avenue, stated that his mother's objection to the proposed dock extension is misunderstood. Her objection is that the extension of the dock extends into her view corridor and into the shared Lagoon, and does not meet the standards that the Planning Commission must consider. It is not in conformance with the surrounding site conditions; it intrudes into the privacy of his mom's property and that of her neighbor next door on Hilarita Circle. The relationship of structure to site is not cohesive with surrounding structures. It impacts the privacy of 48 San Rafael Avenue. The current view of the Lagoon from 48 San Rafael Avenue is from the small dock sitting area where his mom has enjoyed the solitude and viewing of wildlife for more than 40 years. Mr. Miller also indicated that at the last meeting the Commissioners spoke to the fact that the Lagoon is a shared benefit by all the residents and the more people take up part of that shared benefit that means less for everybody else. The Planning Commission needs to protect and preserve the shared commons. He mentioned that he can support a step-down that is needed for access by Mr. Laiderman.

Sprague Von Stroh, 1 Hilarita Circle understands that the dock extension is for boat storage, which puts those items directly into her view. She understands that a step down for launching the boats may be needed but the exact details were not agreed upon with the applicant. She believes the project needs more study; the easement needs more study; as well as the original reasons why a wide swath of Lagoon was left clear of docks. This seems to be for the purpose of the corner lots to be able to access the Lagoon. This expansion will decrease her privacy from bedroom, deck, living room and back yard.

Mr. Laiderman says there is nothing wrong with putting water vehicles on a dock. Everyone, including the Von Stroh's have them. This is consistent with overall Lagoon practice. The proposed dock sticks out less

than the 2 docks next to him and the docks across the way also stick out further. Mr. Laiderman also indicated that there is nothing inconsistent with the Lagoon area or the design review findings in his proposal.

Close public hearing.

Commissioner Slaymaker stated she has met with the applicant and the neighbors and studied the record of the last meeting and the staff reports and correspondence. She understands that having had nothing on the water in this location for a long time makes imagining something there seem difficult. She met with the applicant who suggested an additional one foot reduction and moving the ladder around to the other side. There are many other docks in the area and some stick out. She stated it would not be inappropriate for him to have an extension to his dock. With the modifications suggested she can make the findings for the application.

Commissioner Hart revisited the site and studied the reports and the October meeting minutes. She cannot support the application. She does not think the reduced size in any way helps the neighbors. The design of that shoreline was meant to allow the 2 corner lots to visually and physically enjoy the open water. She is sorry that the two neighboring large docks were ever approved. This little finger of the whole Lagoon is special; it is narrow and it is close-knit with all the houses very near each other. The beauty of the easement was to allow visual and physical access to the water. She does not see how this addition of more bulk and mass into the water improves anything for anybody. As a Lagoon resident, she would covet every inch of water that would be available for the homeowner and the neighbors. Whether the easement for the BLPOA cleanout is impacted or not does not really matter as it is known that is an area that area is a catch-all for debris during storms. Adding more structures to that corner may make it even harder to clean up. She cannot make the findings for more man-made objects in that part of the Lagoon and reducing the water surface for the residents around it.

Commissioner Johnson revisited the site to see the new story poles and also visited the dock area at 1 Hilarita Circle. She appreciates the reduced size but she is not able to see how this meets the Design Review criteria. The two reasons given for the dock extension, boat storage and access, are very reasonable. However the decision to build a large intrusive dock in a very tight corner does not make sense especially considering the neighbor's concerns. This is not a very thoughtful or clever design approach which does not take into account the unique features of this location in a tight corner. There are better options for boat storage and there might be a better straightforward and simple solution for better Lagoon access. A step-down was mentioned as a reasonable possibility. The specific location of this property in this corner makes any dock stick out and severely impact views and access for neighbors. For these reasons she cannot make the findings for Design Review.

Commissioner Lasky stated that it is true that this is a small lake-like area of the Lagoon. Every addition to every home will impact all the surrounding residents. Every resident has a direct line of sight to everything in that small area. When one looks around the area, almost every home has a dock with boats on their docks or lawns; they are everywhere. This is the reason people live on the Lagoon to be able to use the water. 48 San Rafael Avenue does have a small opening and the impact on the property is greater. Considering the applicant has decreased the dock 3-4 feet and is proposing to relocate the ladder out of sight, she can make the findings. Now this is a minimal dock the way it is pulled back. Every home there has a dock in the sightlines of everyone. She can make the findings for Design Review for the dock.

Commissioner Stoehr revisited the site and the neighbor property at 1 Hilarita Circle. It is normal to have docks and store boats on docks in the Lagoon. At 1 Hilarita Circle, at some time in the past, their yard was filled in, extending into the Lagoon even into the BLPOA property. This has resulted in an angled view towards Mt Tamalpais, but also there is a view towards 44 and 48 San Rafael Avenue. He does not see how one party can have access to the Lagoon but does not want another property to also have that Lagoon access.

It would be fair if Mr. Laiderman would allow the owner at 48 San Rafael Avenue to construct a dock of the same size in the easement. It does not have to happen, but granting that right could be a condition of approval of this application. Commissioner Stoehr stated that he agrees with Commissioners Slaymaker and Lasky that other people normally have docks and not approving this would be taking away a right that others enjoy, which would be unfair. He can make the findings for Design Review, adding the condition he described for a water level dock of the same size.

Chair Mark stated that he has visited all 3 properties again and reviewed the materials. He understands that the 1 Hilarita Circle yard extends out at an angle beyond their rear property line, and this is also true for many other properties on the Lagoon. He stated he continues to struggle with the fact that there is a big difference between a deck and a dock at the water. There are many more decks than docks that extend out beyond those decks. The existing docks are just that, existing. Everyone bought their property knowing those docks exist. He is concerned that this project is altering existing views and altering existing enjoyment of those properties. He is also concerned with an 'arms race' where you build a dock out and then the neighbor builds a dock out, and how this can be prevented from happening. In this little corner it's even more challenging. Picture this happening on other Lagoon properties on Peninsula Road or Lagoon Road where many of the property lines extend into the Lagoon. One builds a dock and then the neighbor wants one too, and so on, similar to this application. There should be a negative perspective on encroaching into the Lagoon both as docks and decks (and of course, fill). He understands the comments of his fellow Commissioners but he is tending to feel more on the negative side at this time.

Commissioner Stoehr stated that he does not believe there are not very many locations where docks have not already been built. Some people may fill in, but nothing can go beyond their property lines into the Lagoon.

Chair Mark said all along San Rafael Avenue going from City Hall down to Edgewater Road there are many such properties with their property lines out in the water. If one of these properties were to apply for a similar deck or dock extension like this application, based on this decision, there really would be no way to say no to the application. In fact there would be even less privacy impact when the properties are side by side. If they were approved then the neighbor might seek to do the same thing or even more.

Senior Planner Markwick stated that in every case, each application would have to go through Design Review and the Design Review findings would have to be made to approve the specific application. This project is to be reviewed under the Design Review findings.

Chair Mark stated that there is some precedent that this Commission does have a history of following. It seems to be a natural progression for this to happen. He believes there should be some resistance to allowing for pushing out beyond existing conditions. He called for a motion on the project.

Director Borba noted that a tie vote on the item would result in a denial if that is what occurs.

Commissioner Stoehr asked could the motion be conditioned that the owner of 44 San Rafael Avenue, would allow the current or future owner of 48 San Rafael Avenue the construction of a similar sized dock in his easement, subject to Design Review.

Chair Mark stated we have already have in writing the applicant's statement in support of such a dock.

Commissioner Stoehr stated all he would like to see is an agreement that if the current dock extension is approved there would be a granted right to apply for a dock of the same size in the easement for water access at 48 San Rafael Avenue.

Chair Mark stated that would be even more of a violation of the privacy of 1 Hilarita Circle.

Commissioner Johnson stated that such a condition would be going in the direction of 'dualing docks' which is about what we are having an issue.

Commissioner Stoehr asked for clarification as it seems the Chair is confusing decks and docks.

Chair Mark stated that the Commission has been generous with property side decks such as squaring up a deck to be similar to a neighbor's deck etc. Pushing out a dock further is where he sees a problem.

Senior Planner Markwick stated that such a condition is really a private matter and should not be included in the Resolution. If they wish to rewrite and record the easement agreement they can do that privately.

MOTION: To adopt the Resolution granting Design Review for the application for **44 San Rafael Avenue.**

MOVED BY: Peter Mark, seconded by Claire Slaymaker.

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

Vice-Chair Carapiet rejoined the Planning Commission.

4. Design Review for a fence and concrete stepping-stones located at **475 Belvedere Avenue** along the property boundary adjacent to the property known as Artist View. Applicant: Debbie Peterson. Property owner Michael Davis & Janet Johnstone. Staff recommends that the Commission deny the requested application for design review but has also provided the Commission with a Resolution of approval should the Commission be able to approve the project. No recusals.

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

Commissioners asked for clarifications of the location of the fence in question as to whether it is on the private property only and the location of the boundary at the waterfront. Also asked was whether the walkway and fence would be subject to a Building Permit.

Ms. Borba replied that steps of this type on grade and fences would not require a building permit, according to her discussions with the Building Official.

Open public hearing,

John Sharp, attorney for the applicants, stated that the fence is on the Davis property and that the mean high tide line is the boundary at the waterfront.

Michael Davis, property owner, stated that the fence was installed after an uptick in visitors on Artist View created a need to define the boundary of his private property. He agreed that the appearance of the fence could benefit from some redesign. He would be happy to work with staff on an acceptable design.

Jean Bordon, 49 Belvedere Avenue, who is a friend of the donor of Artist View to the City (Mason B. Wells) referenced the points in the letter she had submitted. She also cited several sections of the General Plan with which she believes the fence conflicts. She urged denial of the applications.

Mr. Davis responded that he agrees with Ms. Bordon in that the fence needs to be redesigned.

Mr. Sharp stated that the Sanitary District improvements in the vicinity of the fence. He was unable to find by what right those improvements exist there. Given Mr. Davis' offer he would request a continuance so the property owners and their architect can work with staff towards that end.

Close public hearing.

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

Commissioner Lasky stated that since the applicant agrees with the need for some redesign for the fence which does not fit with the site or the standards. She would support a continuance for that purpose. She does not see any issue with the stepping stones.

Chair Mark asked how the Commission should handle the action taken tonight. Neither of the 2 draft resolutions would exactly fit the current situation if the application were continued. These revisions sssssscould come back as a Design Review Exception.

Director Borba agreed that could be one possibility for action tonight. Final plans would be reviewed by the Chair, Planning Director and City Manager. Alternatively, the draft Resolution of Approval could be modified per the conditions of approval discussed tonight.

Commissioner Stoehr appreciates that the owners come back with a new fence design that is suitable for this site. He agrees that the steps are not an issue.

Commissioner Slaymaker agrees with her fellow Commissioners; the fence is not appropriate for the area and additional landscaping is needed. She appreciates the offer to redo the fence design.

Commissioner Johnson agrees with the other Commissioners and the applicant that the fence can be revisited with some additional landscaping.

Commissioner Hart studied he reports and exhibits. She is not clear of how the access to the beach is affected. She appreciates that the applicant will pursue a new design for review, hopefully soon.

Vice-Chair Carapiet studied the materials. She agrees with her fellow Commissioners and she thinks that the property owners deserve a fence, but one that will still allow to still see the view. She also is interested in this being done soon.

Chair Mark agrees there is an absolute need for a fence. At the lower end towards the water the public area narrows significantly. The ultimate use of this space would be higher up the hill. A path to the water would still be desired. He can make the findings as conditioned with a clarification of the property lines and with new plans submitted to the City for review and approval. We would encourage this to include the entire fence line including the preexisting fencing as well.

Director Borba stated that the timetable would be based on the 12 month entitlement of the Design Review approval.

MOTION: To adopt a Resolution of approval for Design Review at 475 Belvedere Avenue for a newly designed fence and stepping stones to be presented for review and approval by the Planning Chair and Planning staff as conditioned per the discussion tonight.

MOVED BY: Peter Mark, seconded by Nena Hart.

VOTE: AYES: Peter Mark, Pat Carapiet, Marsha Lasky, Larry Stoehr, Claire Slaymaker.
Nena Hart, Ashley Johnson.

NOES: None

ABSTAIN: None

RECUSED: None.

ABSENT: None.

5. Public Hearing to consider recommending City Council approval of Amendments to the Zoning Code and adding a new Title to the Zoning Code; Title 22 for the **Objective Design and Development Standards** (ODDS). Staff recommends that the Commission forward a favorable recommendation to the City Council recommending approval of the proposed Ordinance Amendments. No recusals.

Senior Planner Markwick presented the staff report, summarizing the processes and meetings that have been ongoing to develop the current draft ODDS document. The intent is to receive comments from the

Commission and the public towards the purpose of submitting a final document to the City Council for review and approval for an amendment to the Belvedere Municipal Code.

Chair Mark thanked Director Borba, Planner Markwick and City Attorney Longfellow, and the members of the Subcommittee with whom he worked, Vice Chair Carapiet and Commissioner Hart, for the extensive work to get to this point. The purpose of the ODDS are to address standards for applications under SB330 and SB35 that may be submitted in a way to maintain some consistency with current design in Belvedere.

Commissioners discussed various sections of the draft ODDS document for clarification and for potential revisions or amendments. A number of written comments have also been submitted for evaluation for the purpose of refining the final draft.

Commissioners expressed concerns about the reduced or elimination of CEQA review of considerations for impacts of noise, traffic and roads, water, infrastructure, parking, water supply, etc. In a community where there are so many more residents being mandated, and with more and more seniors there seems to be an emphasis on reducing the use of automobiles which seems contrary to what would be needed. There is emphasis on providing bicycle parking. The applicability of the concept of walkable communities to Belvedere seems problematic in this peninsula location - perhaps there needs to be consideration of providing more parking.

Director Borba stated that the trend in the state laws is towards less parking. Because Belvedere has transit and the ferry it is considered more of a walkable community with those as well as a market, drug store nearby. When the RHNA appeal was made, the City raised the issue that the ferry service is not to be relied upon, although that was not considered.

FEMA, Building Codes, fire/life access and emergency services will come up at the point of the Building Permits. The ODDS standards will precede this stage of applications.

Open public hearing.

Jim Allen, suggested a separate category of standards could be added for seniors to accommodate the provision of more parking.

Jill Barnet, asked is the concept of 'missing middle housing' being addressed, in that it implies the potential for some large buildings.

Senior Planner Markwick replied that it is being addressed, but not specifically as a category of housing; there will be additional clarification in the final document.

Close public hearing.

Vice-Chair Carapiet thanked the members of the public who have commented and assisted the subcommittee in this process.

Commissioners discussed the timetable for adoption of the ODDS document and Ordinance relevant to whether an application could be submitted before it is approved.

Director Borba replied that there is no way to know exactly when something might be submitted. The letter received from the Belvedere Land Company suggests possible development of housing in the Boardwalk Shopping Center property if and when the annexation of the Tiburon portion of the parcel were to be completed.

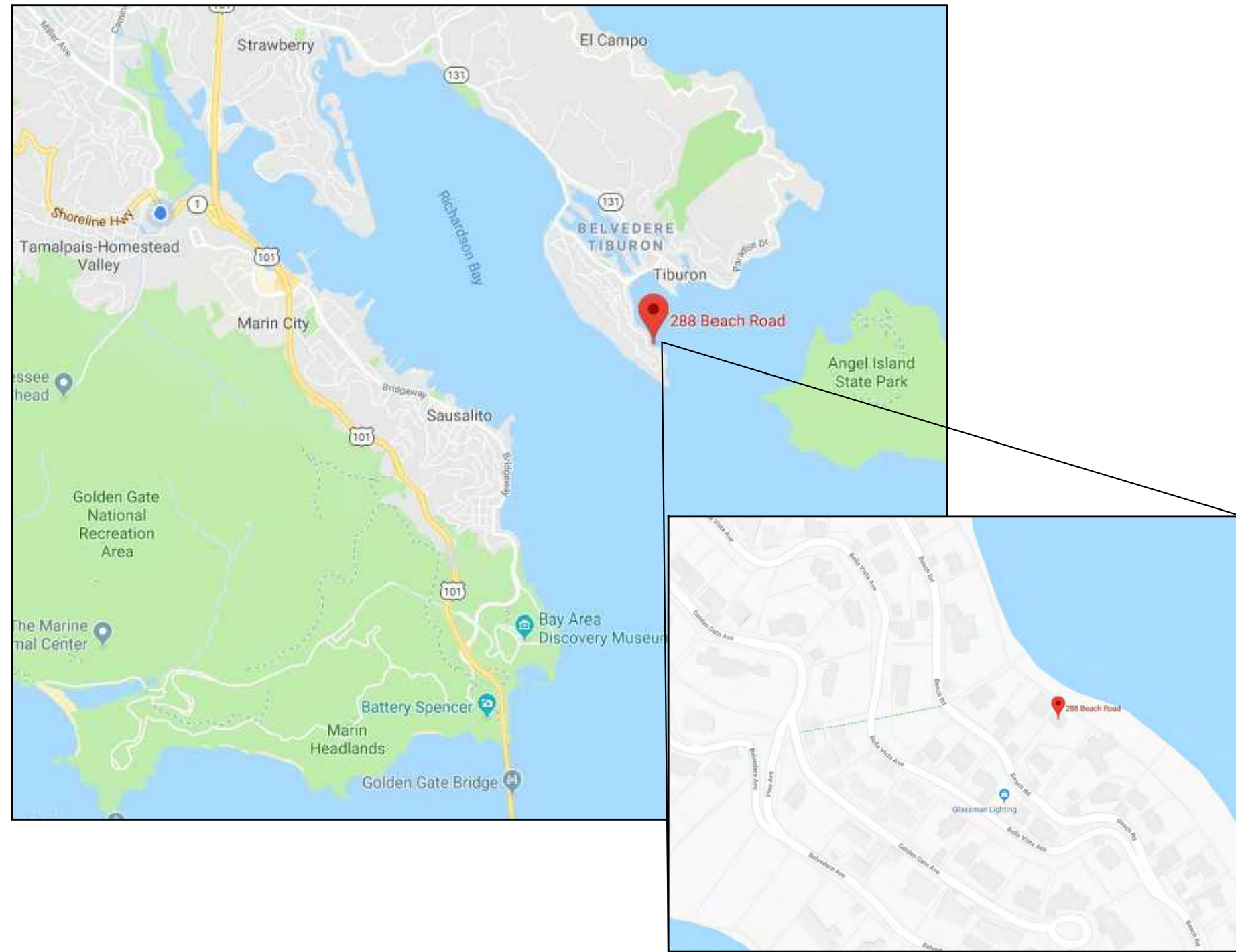
Chair Mark stated that for the protection of the City, the document can be adopted and then later amended.

MOTION: To continue the item for additional discussion of the item by the subcommittee and the Planning Commission for the consideration of recommending City Council approval of

ELLIS, PATE-CORNELL RESIDENCE

BELVEDERE, CALIFORNIA

VICINITY MAP/PROJECT LOCATION:



ABBREVIATIONS

ABBREVIATION	DESCRIPTION	ABBREVIATION	DESCRIPTION
BC	BOTTOM OF CURB	MAX	MAXIMUM
BW	BOTTOM OF WALL	MIN	MINIMUM
BS	BOTTOM OF STE	(N)	NEW
C	CONDUIT	NTC	NOT IN CONTRACT
CB	CATCH BASIN	NTS	NOT TO SCALE
CLR	CLEAR	OC	ON CENTER
DG	DECOMPOSED GRANITE	OD	OUTSIDE DIAMETER
DI	DRAIN INLET	PA	PLANTING AREA
DIA	DIAMETER	PSI	POUNDS PER SQUARE INCH
DWG	DRAWING	PVC	POLYVINYL CHLORIDE
EA	EACH	R	RADIUS
ELEC	ELECTRIC	RP	RADIUS POINT
(E)	EXISTING	RIM	RIM ELEVATION
EJ	EXPANSION JOINT	SAD	SEE ARCHITECT DRAWINGS
EQ	EQUAL	SCD	SEE CIVIL DRAWINGS
FT	FEET	SSD	SEE STRUCTURAL DRAWINGS
FG	FINISH GRADE	SCH	SCHEDULE
FH	FIRE HYDRANT	SD	STORM DRAIN
G	GAS	SJ	SCORE JOINT
GA	GAUGE	STL	STEEL
GALV	GALVANIZED	TC	TOP OF CURB
GPH	GALLONS PER HOUR	TR	TOP OF RAILING
GPM	GALLONS PER MINUTE	TP	TOP OF PAVEMENT
IN KIND	TO MATCH EXISTING	TS	TOP OF STEP
INV	INVERT	TW	TOP OF WALL
HD	HOT DIPPED	TYP	TYPICAL
HP	HIGH POINT	UON	UNLESS OTHERWISE
HT	HEIGHT	VIF	VERIFY IN FIELD
L.O.W.	LIMIT OF WORK	WI	WITH

SYMBOLS

	DETAIL CALLOUT NUMBER SHEET REFERENCE		ENLARGED		CENTER LINE
	SECTION ELEVATION SHEET REFERENCE		FLUSH		PROPERTY LINE
	REVISION		ALIGN		SETBACK LINE
			BREAKLINE		LIMIT OF WORK

PROJECT DESCRIPTION

THE PROJECT IS LOCATED IN BELVEDERE, CALIFORNIA.

ON AN APPROX 0.24-ACRE LOT IN CITY, STATE. PROPOSED IMPROVEMENTS INCLUDE PATIOS AND ASSOCIATED RETAINING WALLS, ON GRADE LANDSCAPE STAIRS, NEW FENCE AND GATE AND LANDSCAPING THROUGHOUT.

ASSESSOR PARCEL NUMBER	060-225-19
ADDRESS	288 BEACH RD.
JURISDICTION	BELVEDERE
ZIP CODE	94920
USE CODE	11
DESCRIPTION	Single-Resid. - Improved
AVERAGE SLOPE	42.30
ASSESSOR PARCEL SQUARE FOOTAGE	10,710
TAX RATE AREA	001-000
ZONING	R-15
BUILDING CODES	Structural: 2019 CRC Nonstructural: 2019 CRC Other: 2019 CMC, CPC 2019 CEC 2019, CFC 2019 CGBS 2019, 2019 CEES
LATITUDE, LONGITUDE	37.8661, -122.4599

GENERAL NOTES

- THESE GENERAL NOTES SHALL APPLY TO ALL SHEETS CONTAINED IN THIS SET OF CONTRACT DOCUMENTS, UNLESS OTHERWISE NOTED.
- ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF TITLE 24 OF THE CALIFORNIA ADMINISTRATIVE CODE, THE UNIFORM BUILDING CODE, AND ALL STATE AND LOCAL CODES.
- THE DRAWINGS AND SPECIFICATIONS DESCRIBE IN GENERAL THE QUALITY AND CHARACTER OF THE MATERIALS, SHAPE, AND CONFIGURATION OF IMPROVEMENTS AND THE DESIGN INTENT OF THE COMPLETED, INSTALLED WORK. MISCELLANEOUS ITEMS OF WORK, MATERIAL, EQUIPMENT, ETC., NECESSARY TO COMPLETE THE INSTALLATION SHALL BE PROVIDED BY THE CONTRACTOR WHETHER OR NOT MENTIONED IN THE SPECIFICATIONS OR SHOWN ON THE DRAWINGS. SPECIFIC NOTES AND DETAILS SHALL TAKE PRECEDENCE OVER GENERAL NOTES AND TYPICAL DETAILS.
- PROJECT SUBMITTAL LIST: IT IS THE RESPONSIBILITY OF EACH CONTRACTOR TO READ AND UNDERSTAND THE REQUIREMENTS LISTED IN THE PLANS AND SPECIFICATIONS AND PROVIDE SUBMITTALS TO OWNER'S REPRESENTATIVE PER THE PROJECT SUBMITTAL LIST.
- CONTRACTOR SHALL COORDINATE ALL WORK WITH SUBCONTRACTORS, INCLUDING THOSE UNDER SEPARATE CONTRACT WITH THE OWNER. CONTRACTOR SHALL COORDINATE ALL WORK TO PREVENT CONFLICTS BETWEEN TRADES, AND REPORT CONFLICTS OR INCONGRUITIES BETWEEN PROPOSED IMPROVEMENTS AND/OR EXISTING FACILITIES TO THE LANDSCAPE ARCHITECT, OR OWNER'S REPRESENTATIVE, AS NECESSARY.
- CONTRACTOR IS RESPONSIBLE FOR CHECKING ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS FOR ACCURACY AND CONFIRMING THAT THE WORK IS BUILDABLE AS SHOWN BEFORE PROCEEDING WITH CONSTRUCTION. IF THERE ARE ANY QUESTIONS, THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING A CLARIFICATION FROM THE LANDSCAPE ARCHITECT BEFORE PROCEEDING WITH THE WORK IN QUESTION OR RELATED WORK.
- CONTRACTOR SHALL NOT SCALE THE DRAWINGS. WRITTEN DIMENSIONS SHALL ALWAYS GOVERN. IF CONTRACTOR REQUIRES DIMENSIONS NOT NOTED, CONTRACTOR SHALL CONTACT THE LANDSCAPE ARCHITECT FOR SUCH INFORMATION PRIOR TO PROCEEDING WITH WORK RELATED TO THOSE DIMENSIONS.
- ALL DIMENSIONS ARE TO FACE OF FINISH UNLESS OTHERWISE INDICATED OR NOTED.
- "ALIGN" AS USED IN THESE DOCUMENTS SHALL MEAN TO ACCURATELY LOCATE FINISH FACES IN THE SAME PLANE, UNLESS OTHERWISE INDICATED OR NOTED.
- "TYPICAL" OR "TYP" MEANS FOR ALL SIMILAR CONDITIONS, UNLESS OTHERWISE INDICATED OR NOTED.
- THE LOCATION OF EXISTING UTILITIES IS SHOWN IN AN APPROXIMATE WAY ONLY. IT SHALL BE THE DUTY OF THE CONTRACTOR TO MAKE EXACT DETERMINATIONS AS TO THE LOCATION OF ALL EXISTING UTILITIES. THE CONTRACTOR SHALL NOT COMMENCE WORK UNTIL THOSE DETERMINATIONS HAVE BEEN MADE. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY FAILURE TO LOCATE AND PRESERVE ANY AND ALL UNDERGROUND FACILITIES. IF UTILITIES ARE DAMAGED DURING THE COURSE OF WORK, CONTRACTOR WILL RESTORE TO NEW CONDITION AT NO ADDITIONAL COST TO THE CLIENT. CALL UNDERGROUND SERVICE ALERT (USA) 1-800-227-2600, A MINIMUM OF 48 HOURS BEFORE ANY CONSTRUCTION OR EXCAVATION IN THIS AREA.
- ALL UTILITY CONNECTIONS AND/OR DISCONNECTIONS NECESSARY TO COMPLETE THE WORK SHALL BE PERFORMED IN SUCH MANNER AS TO MINIMIZE UTILITY SERVICE INTERRUPTIONS TO FACILITY OPERATIONS IN THE VICINITY OF CONSTRUCTION. COORDINATE ALL "DOWN TIME" WITH OWNER AND THE APPROPRIATE AGENCY. OBTAIN PRIOR APPROVAL FOR ANY INTERRUPTIONS OF BUILDING SERVICES, INCLUDING FIRE PROTECTION SYSTEMS, SECURITY SYSTEMS.

- CONTRACTOR SHALL PROVIDE ALL TOOLS, TRANSPORTATION, UTILITIES, TEMPORARY FACILITIES, AND OTHER SERVICES AS NECESSARY FOR PROPER EXECUTION OF THE WORK, AND ASSUME FULL RESPONSIBILITY FOR PROTECTION AND SAFEKEEPING OF THESE ELEMENTS DURING CONSTRUCTION. THE CONTRACTOR SHALL CONTACT THE OWNER'S REPRESENTATIVE FOR DESIGNATION OF THE MATERIAL STORAGE AREA AT THE JOB SITE.
- CONTRACTOR SHALL PROTECT EXISTING FACILITIES FROM DAMAGE. ANY DAMAGE CAUSED BY THE CONTRACTOR SHALL BE REPAIRED OR REPLACED AT NO ADDITIONAL COST TO THE OWNER. BARRICADES, SIGNS, LIGHTS, ETC., REQUIRED FOR THE PROTECTION OF PUBLIC AND PERSONAL PROPERTY AND MATERIAL SHALL BE PROVIDED FOR AND MAINTAINED DURING CONSTRUCTION BY THE CONTRACTOR, AND SHALL CONFORM TO ALL GOVERNING CODES, ORDINANCES AND REGULATIONS. THE CONTRACTOR SHALL EMPLOY ALL MEANS NECESSARY TO CONTROL DUST AT AND NEAR THE SITE OF WORK AND ALONG APPROACH ROUTES TO THE CONSTRUCTION SITE.
- CONTRACTOR SHALL PROTECT EXISTING TREES AND VEGETATION TO REMAIN. PROVIDE PROTECTIVE FENCING OF EXISTING PLANTED AREAS AS REQUIRED BY LOCAL CODES AND PROJECT CONSTRUCTION SPECIFICATIONS.
- CONTRACTOR SHALL MAINTAIN "GOOD HOUSEKEEPING" PRACTICES AT THE JOB SITE. REMOVE EXCESS BUILDING MATERIALS AND DEBRIS PROMPTLY FROM THE JOB SITE AND DISPOSE OF AT AN APPROVED DUMPSITE. LEAVE THE JOB SITE "BROOM CLEAN." ALL MATERIALS SHALL BE STACKED OR PILED IN AN ORDERLY MANNER AT THE END OF EACH WORK DAY.
- BEFORE ACCEPTANCE BY THE OWNER'S REPRESENTATIVE, THE COMPLETED CONSTRUCTION SHALL BE CLEARED, ANY APPLICABLE LABELS REMOVED, ALL MARKS, STAINS, FINGERPRINTS, DUST, DIRT, SPATTERED PAINT AND BLEMISHES REMOVED AND ALL OTHER TOUCHUP WORK COMPLETED. ALL FINISH MATERIALS SHALL BE PROTECTED AT ALL TIMES AGAINST SUBSEQUENT DAMAGE UNTIL FINAL ACCEPTANCE BY THE OWNER'S REPRESENTATIVE.
- WASTEWATER GENERATED DURING CONSTRUCTION SHALL NOT BE DISCHARGED TO THE STORM DRAIN SYSTEM. THIS INCLUDES WASTE FROM PAINTING, SAWCUTTING, CONCRETE WORK, ETC. THE CONTRACTOR SHALL MAKE ARRANGEMENTS TO ELIMINATE DISCHARGE TO THE STORM DRAIN SYSTEM AND, IF NECESSARY, PROVIDE AN AREA FOR ON SITE WASHING ACTIVITIES DURING CONSTRUCTION. MATERIALS THAT COULD CONTAMINATE STORM RUNOFF SHALL BE STORED IN AREAS WHICH ARE DESIGNATED TO PREVENT EXPOSURE TO RAINFALL AND NOT ALLOW STORM WATER TO RUN ONTO THE AREA.
- FLUSHING OF STREETS AND PARKING LOTS TO REMOVE DIRT AND CONSTRUCTION DEBRIS IS PROHIBITED UNLESS PROPER SEDIMENT CONTROLS ARE USED. PREFERABLY, AREAS REQUIRING CLEANING SHOULD BE SWEEPED.
- IF PAVING, STORM DRAIN, AND PLANTING IMPROVEMENTS ARE NOT COMPLETED BY 10/15, CONTRACTOR SHALL PROVIDE TEMPORARY SILT AND DRAINAGE CONTROLS. FACILITIES SHALL BE INSTALLED TO CONTROL AND OBTAIN EROSION-CAUSED SILT DEPOSITS AND TO PROVIDE FOR SAFE DISCHARGE OF STORM WATERS INTO EXISTING STORM WATER FACILITIES. DESIGN OF THESE FACILITIES MUST BE APPROVED IN ACCORDANCE WITH THE GOVERNING AUTHORITIES.
- CONTRACTOR SHALL SUBMIT SAMPLES OF ALL FINISHES, COLORS, AND PAVING MATERIALS TO THE LANDSCAPE ARCHITECT FOR WRITTEN APPROVAL BEFORE PROCEEDING WITH WORK. CONTRACTOR SHALL SUBMIT LEGIBLE SHOP DRAWINGS AND CUT SHEETS FOR ALL SITE FURNITURE AND ITEMS NOT SPECIFICALLY DETAILED.
- EQUIPMENT AND DEVICES SHALL BE NEW, UNLESS OTHERWISE NOTED.
- CONTRACTOR TO PROVIDE FIELD LAYOUT FOR REVIEW AND APPROVAL BY LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE, PRIOR TO INSTALLATION OF ALL HARDSCAPE AND PLANTING OR OTHER SOFTSCAPE. IN THE ABSENCE OF THIS APPROVAL, CONTRACTOR SHALL BEAR THE RESPONSIBILITY OF ALL COSTS FOR CHANGES.
- IN ADDITION TO THESE DRAWINGS, REFER TO STANDARD SPECIFICATIONS AND PLANS.

PROJECT CONTACTS

CLIENT: JIM ELLIS AND ELISABETH PATE-CORNELL 288 BEACH RD. BELVEDERE, CA 94920 TELEPHONE NUMBER	LANDSCAPE ARCHITECT: INTEGRATED DESIGN STUDIO, INC. 227 SHORELINE HWY MILL VALLEY, CA 94941 CONTACT: MICHAEL ERSKINE (415) 381-9500 x702	STRUCTURAL ENGINEER: TURBIN STRUCTURAL ENGINEERING 655 REDWOOD HWY #332, MILL VALLEY, CA 94941 (415) 373-9472 CONTACT: KELLY TURBIN
SURVEYOR & CIVIL ENGINEER: DVC GROUP, INC. 219 SHORELINE HIGHWAY MILL VALLEY, CA 94941 (707) 775-8986	CONTRACTOR: HERITAGE LANDSCAPES P.O. BOX 2834 SAN ANSELMO, CA 94979 (415) 458-8151 CONTACT: DAVID GROSS	

INDEX OF DRAWINGS

SHEET NO.	SHEET TITLE
L-0.0	COVER SHEET
L-0.1	CONDITIONS OF APPROVAL
1	SITE SURVEY
L-1.1	DEMOLITION PLAN
L-1.2	SITE PROTECTION PLAN
L-1.3	VEGETATION MANAGEMENT PLAN
L-2.0	SITE PLAN
L-2.1	SITE SECTION 1
L-2.2	SITE SECTION 2
L-2.5	PERVIOUS/IMPERVIOUS SURFACES
L-3.0	LAYOUT PLAN
L-3.1	PRELIMINARY GRADING PLAN
L-3.2	MATERIALS PLAN
L-4.0	PLANTING PLAN
L-4.1	PLANTING DETAILS
L-5.0	IRRIGATION PLAN
L-5.1	IRRIGATION DETAILS
L-6.0	LANDSCAPE LIGHTING PLAN
L-6.1	LANDSCAPE LIGHTING DETAILS
L-7.0	CONSTRUCTION DETAILS (1)
L-7.1	CONSTRUCTION DETAILS (2)
L-7.2	CONSTRUCTION DETAILS (3)
L-8.0	LANDSCAPE MATERIALS AND FINISHES

NOTE: SHEETS SHOWN IN GREY (ABOVE) ARE NOT INCLUDED

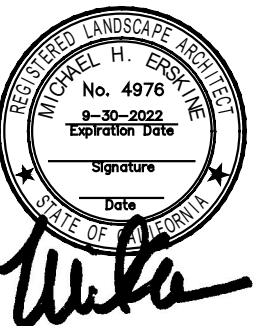


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APN #060-225-19



Michael H. Erskine, Landscape Architect

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DATE:	DESCRIPTION:
6/01/2021	DESIGN REVIEW

DRAWN	NL/ TR
REVIEWED	ME/AP
SCALE	NOTED

SHEET TITLE:

**COVER
SHEET**

SHEET NUMBER:

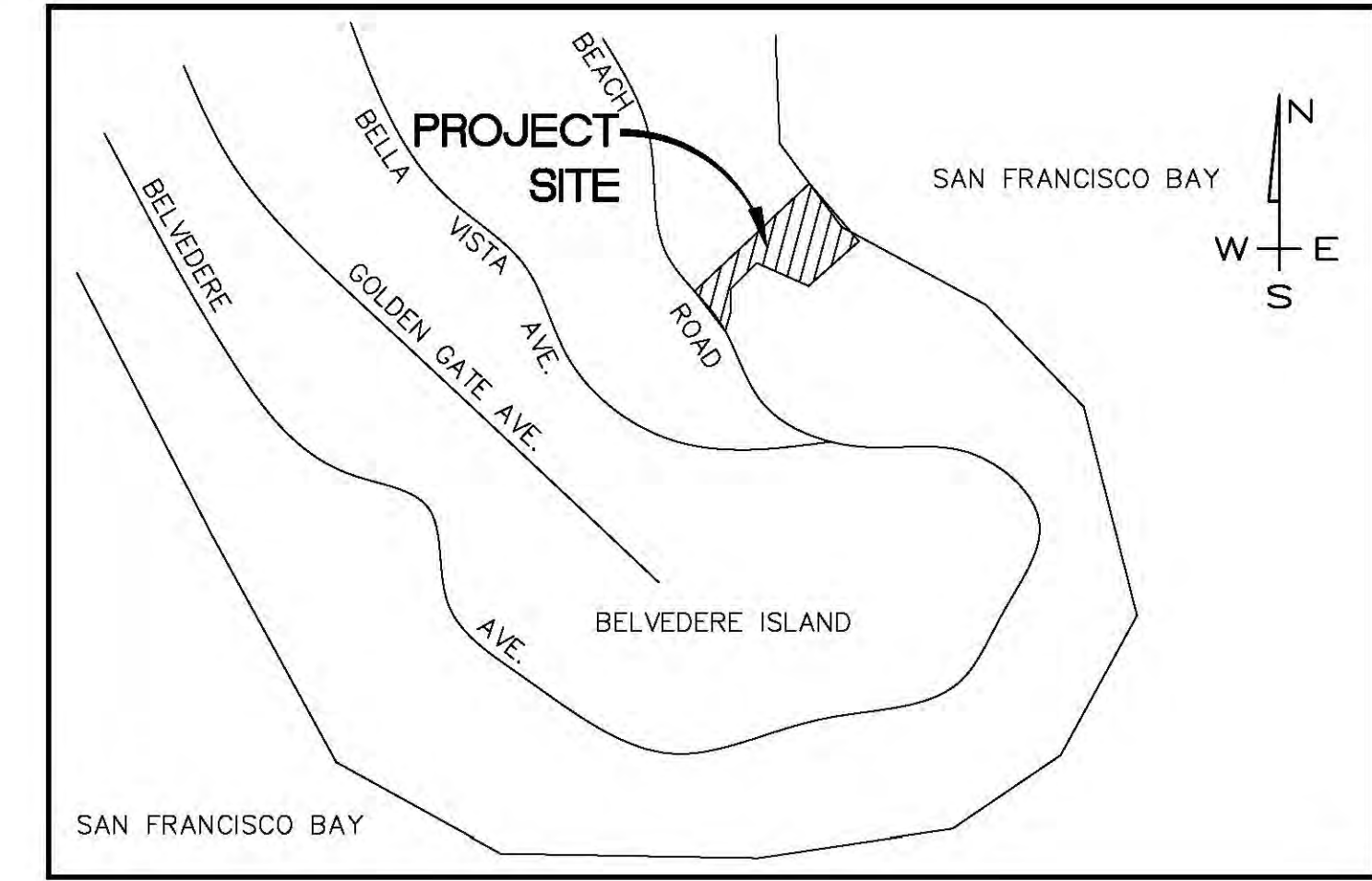
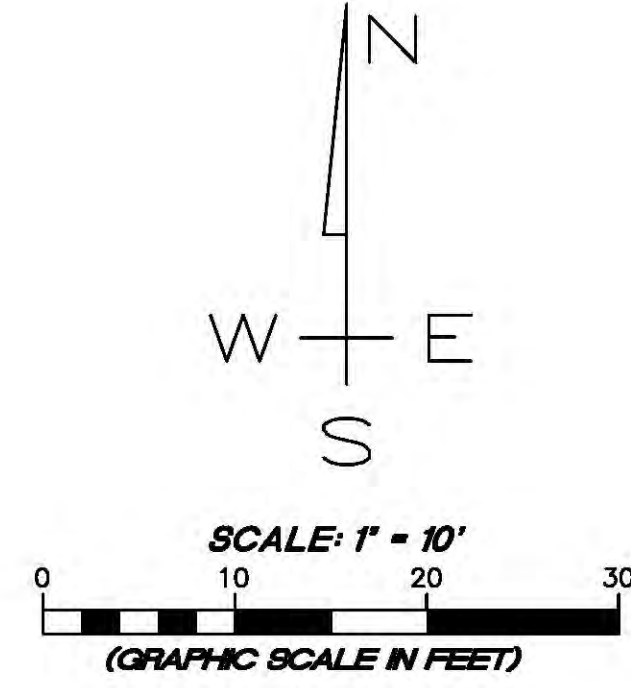
L-0.0

GENERAL NOTES

BOUNDARY LINES SHOWN HEREON WERE DETERMINED BY DVC GROUP AND WILL BE SHOWN ON A RECORD OF SURVEY TO BE FILED WITH THE MARIN COUNTY SURVEYOR.

TOPOGRAPHIC INFORMATION SHOWN HEREON IS FROM A SURVEY DONE BY LARRY DOYLE, PLS. DVC GROUP ONLY RELATED THIS TOPOGRAPHIC INFORMATION TO THE RESOLVED BOUNDARY LINES AND DID NOT VERIFY IF THE TOPOGRAPHIC INFORMATION IS ACCURATE.

BASIS OF BEARINGS: N81°25'51"E BETWEEN A FOUND 3/4" IRON PIPE, TAGGED "LS 6649", AND A 1/2" IRON PIN, NOT TAGGED, AS CALCULATED FROM THE RECORD OF SURVEY RECORDED IN BOOK 2009 OF RECORDS OF SURVEYS, AT PAGE 116, MARIN COUNTY RECORDS.



LOCATION MAP

NO SCALE

REVISION	DESCRIPTION	BY	DATE

DVC GROUP INC.
PLANNING • ENGINEERING • SURVEYING
219 SHORELINE HIGHWAY
MILL VALLEY, CA 94041
(707) 775-8866



STEVEN J. KLEIN
PLS 8155
DATE: 02/12/18

ELLIS RESIDENCE
BOUNDARY EXHIBIT
APN 080-225-19
288 BEACH ROAD
TIBURON, CA.
FEBRUARY, 2018

JOB NO.
66-17

SHEET NO.
1
OF 1 SHEETS

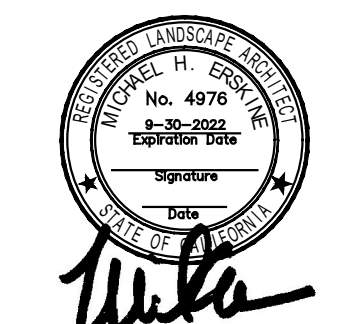


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SCALE	NOTED

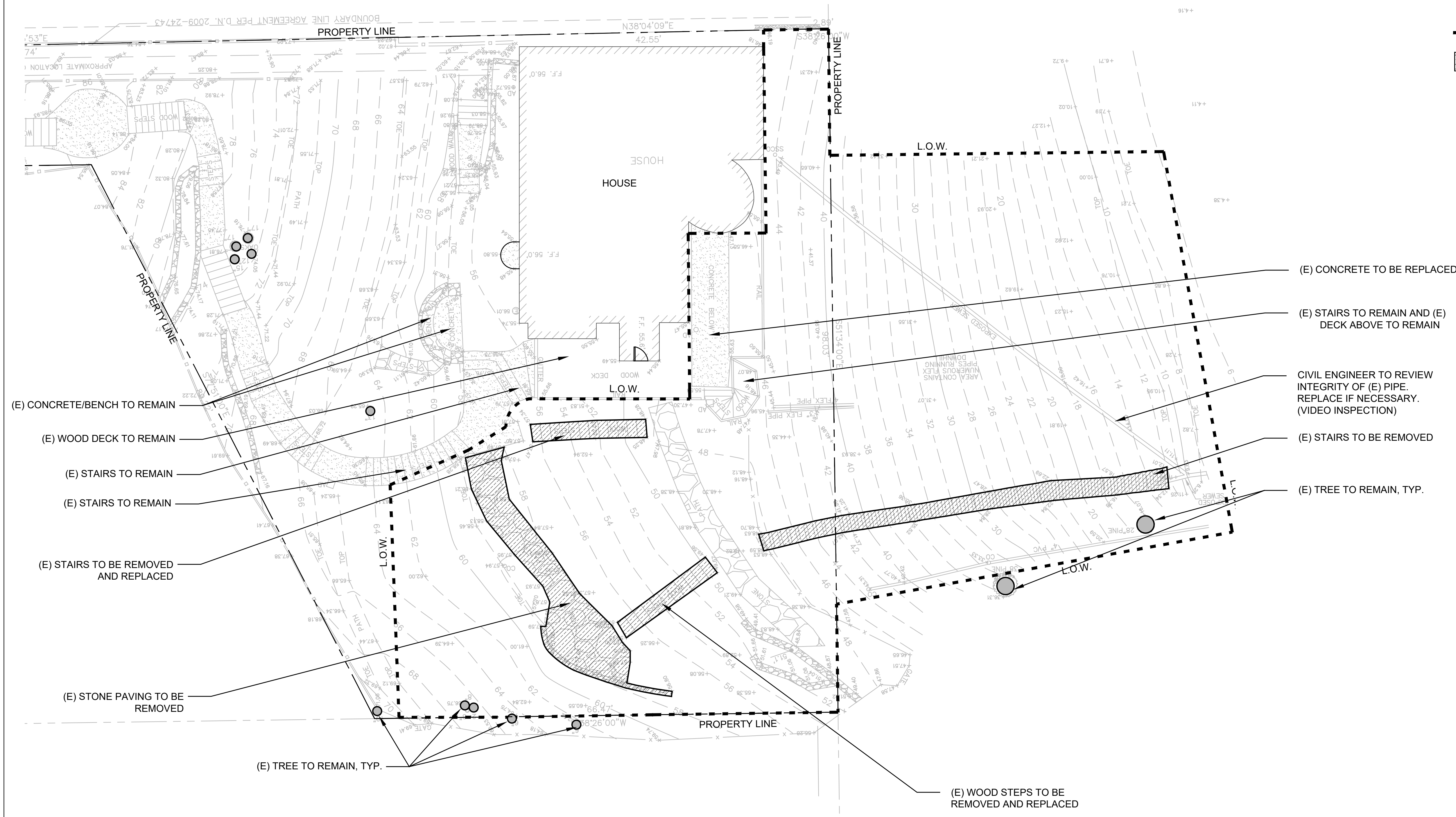
SHEET TITLE:
**DEMOLITION
PLAN**

SHEET NUMBER:
L-1.1

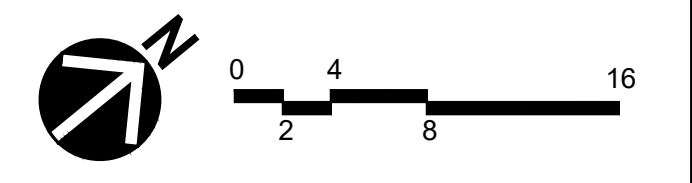
DEMOLITION LEGEND

- PROPERTY LINE
- - - SETBACK
- LIMIT OF WORK
- DEMOLITION AREA
- EXISTING TREE TO REMAIN

NOTE:
EXISTING TREES TO REMAIN IN WORK AREAS SHALL BE PROPERLY PROTECTED.



- (E) CONCRETE TO BE REPLACED
- (E) STAIRS TO REMAIN AND (E) DECK ABOVE TO REMAIN
- CIVIL ENGINEER TO REVIEW INTEGRITY OF (E) PIPE. REPLACE IF NECESSARY. (VIDEO INSPECTION)
- (E) STAIRS TO BE REMOVED
- (E) TREE TO REMAIN, TYP.
- (E) CONCRETE/BENCH TO REMAIN
- (E) WOOD DECK TO REMAIN
- (E) STAIRS TO REMAIN
- (E) STAIRS TO REMAIN
- (E) STAIRS TO BE REMOVED AND REPLACED
- (E) STONE PAVING TO BE REMOVED
- (E) TREE TO REMAIN, TYP.
- (E) WOOD STEPS TO BE REMOVED AND REPLACED



LEGEND

- PROPERTY LINE
- SETBACK
- LIMIT OF WORK
- GAS --- (N) GAS LINE
- SECTION
- (E) TREES TO REMAIN AND PROTECT
- EROSION CONTROL PLANTING AREA

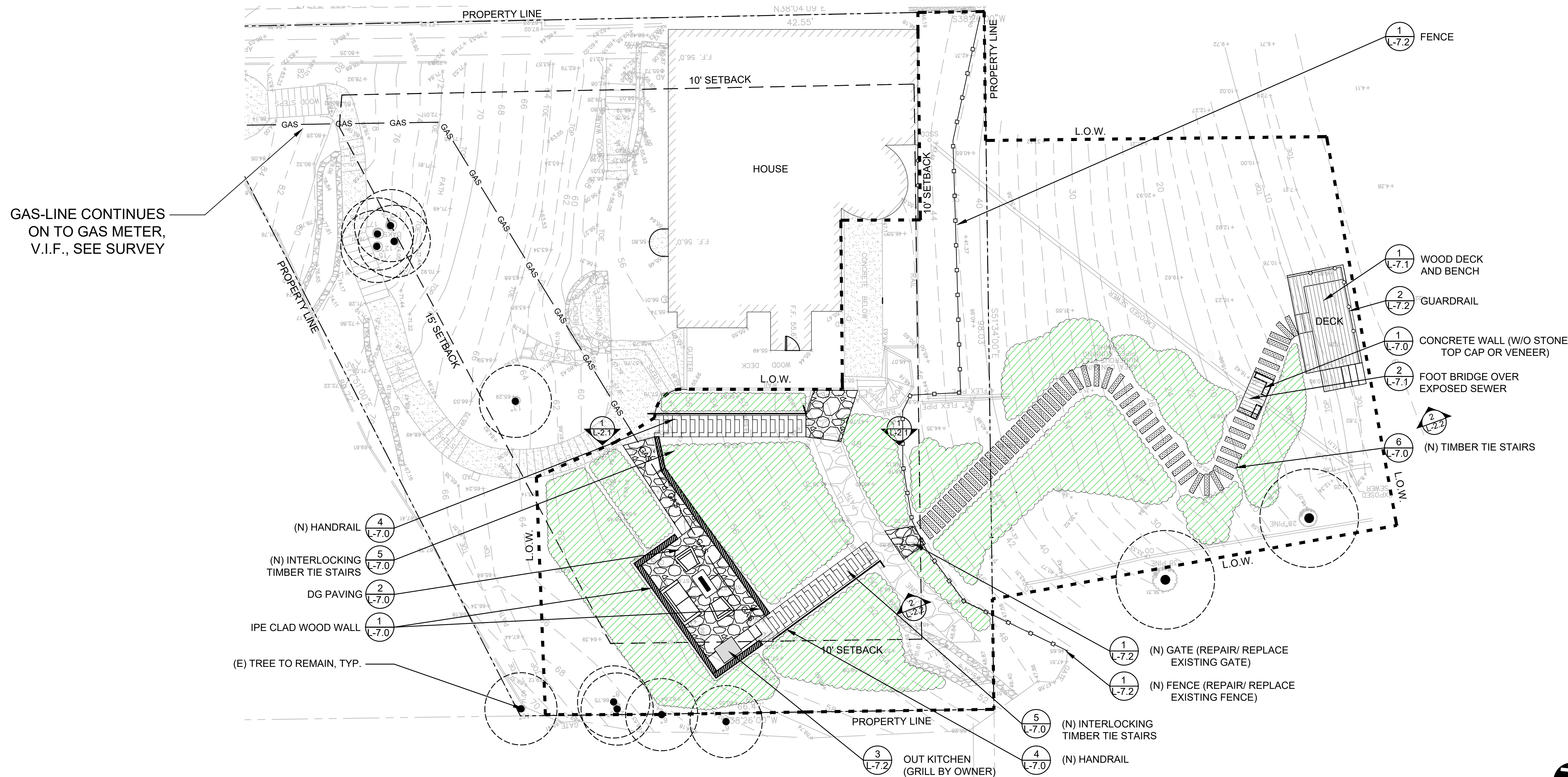
MATERIALS LEGEND

	NEW WALL COMPANY: TBD MATERIAL: PT WOOD STRUCTURE SPEC: IPE CLADDING	
	PAVING COMPANY: BAY AREA BLUESTONE MATERIAL: FLAGSTONE FINISH: LIGHT GRAY	
	GRAVEL COMPANY: T.B.D SIZE: 3/8" COLOR: BLUE GREY	
	HANDRAIL COMPANY: T.B.D MATERIAL: METAL FINISH: BLACK	
	INTERLOCKING TIMBER TIE STAIRS COMPANY: T.B.D	
	FENCE COMPANY: T.B.D MATERIAL: VINYL / WOOD FINISH: WHITE-BEIGE	
	DECK COMPANY: T.B.D. MATERIAL: IPE FINISH: T.B.D	
	GUARDRAIL COMPANY: T.B.D MATERIAL: METAL FINISH: BLACK	

GAS CALCULATIONS:
ITEMS REQUIRING GAS HOOK UP LISTED BELOW:
1. FIRE PIT= 40,000 BTU/ 36 CUBIC FEET PER HOUR
2. BBQ= 40,000 BTU/ 36 CUBIC FEET PER HOUR

LOCATION OF THE FIRE PIT IS LOCATED 195'-0" FROM THE GAS METER. THE BBQ IS AN ADDITIONAL 15'-0" FROM GAS METER AND THE ON THE SAME LINE.

BASED ON THE 210'-0" TOTAL LINEAR FEET OF GAS-LINE AND A DEMAND OF 72 CUBIC FEET PER HOUR DEMAND (BOTH ITEMS), THE PIPE SIZE SHOULD BE 3/4" NOMINAL SIZE.



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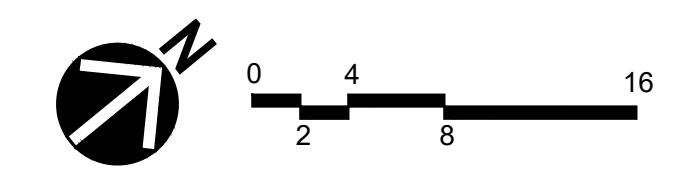
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DATE:	DESCRIPTION:
6/01/2021	DESIGN REVIEW

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REVIEWED	ME/AP
SCALE	NOTED

SHEET TITLE:
SITE PLAN

SHEET NUMBER:
L-2.0



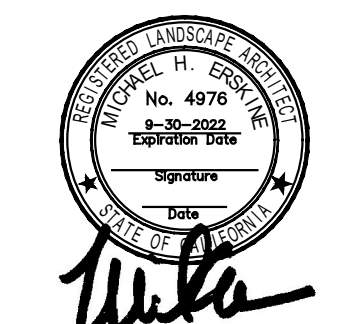


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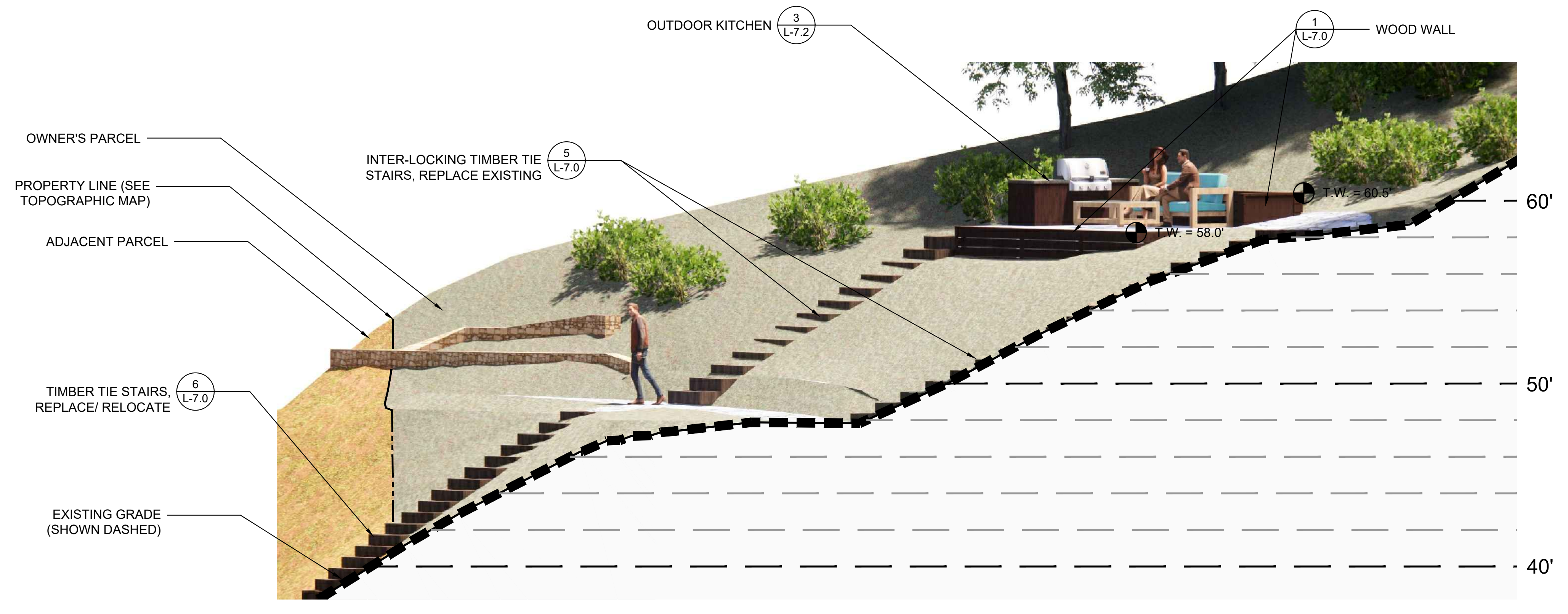
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REVIEWED	ME/AP
SCALE	NOTED

SHEET TITLE:
**SITE
SECTION 1**

SHEET NUMBER:
L-2.1



1 SECTION/ELEVATION 1
SCALE: 1/4" = 1'-0"
0 1 2 4 8

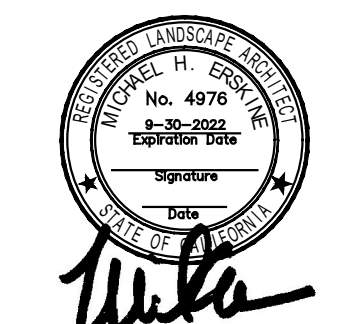


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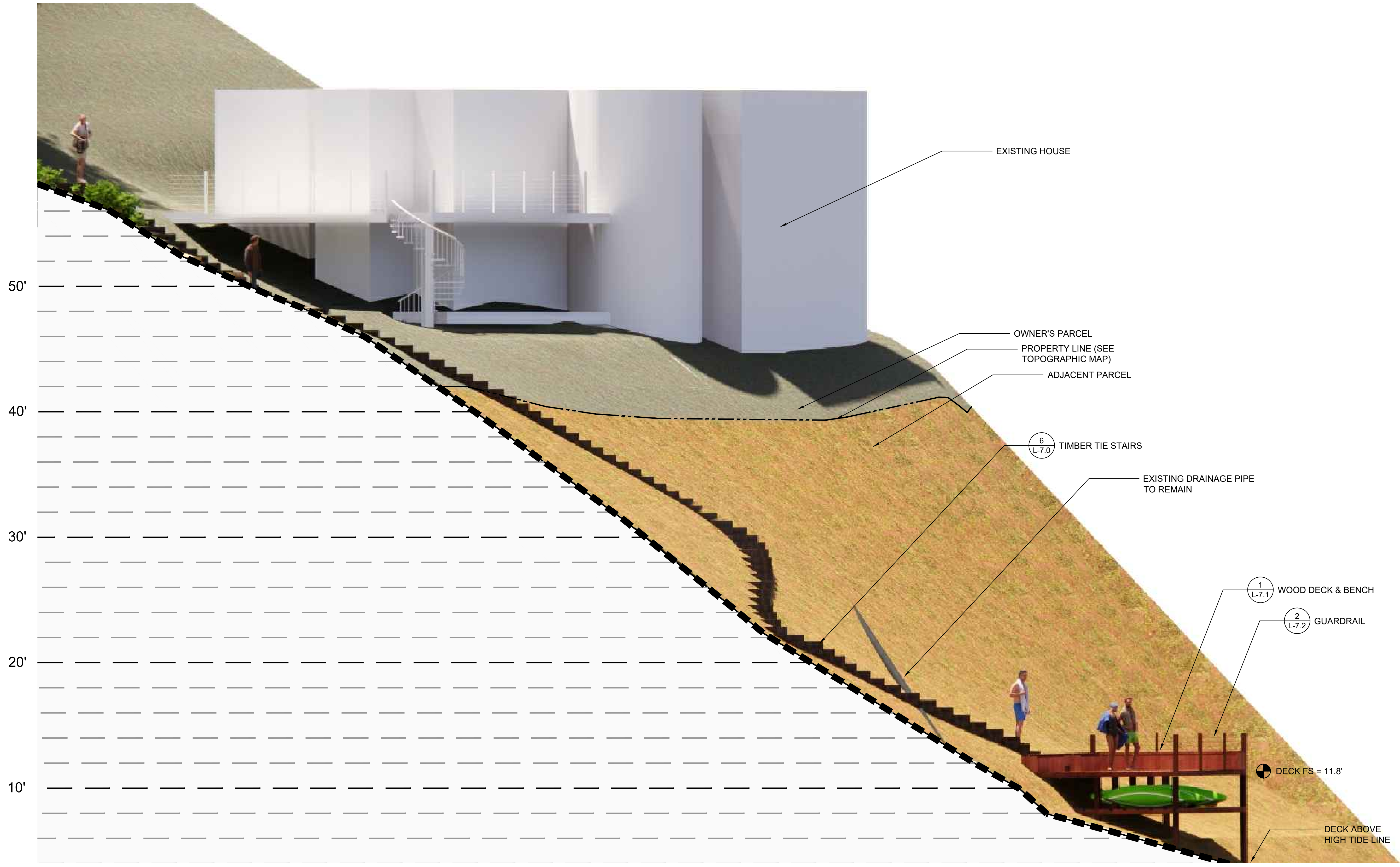
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DATE:	DESCRIPTION:
6/01/2021	DESIGN REVIEW

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REVIEWED	ME/AP
SCALE	NOTED

SHEET TITLE:
**SITE
SECTION 2**

SHEET NUMBER:
L-2.2



2 SECTION/ELEVATION 2
SCALE: 1/4" = 1'-0"



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GRADING & DRAINAGE LEGEND

SYMBOL DESCRIPTION

--- PROPERTY LINE

- - - SETBACK

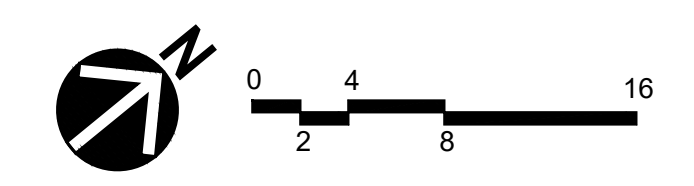
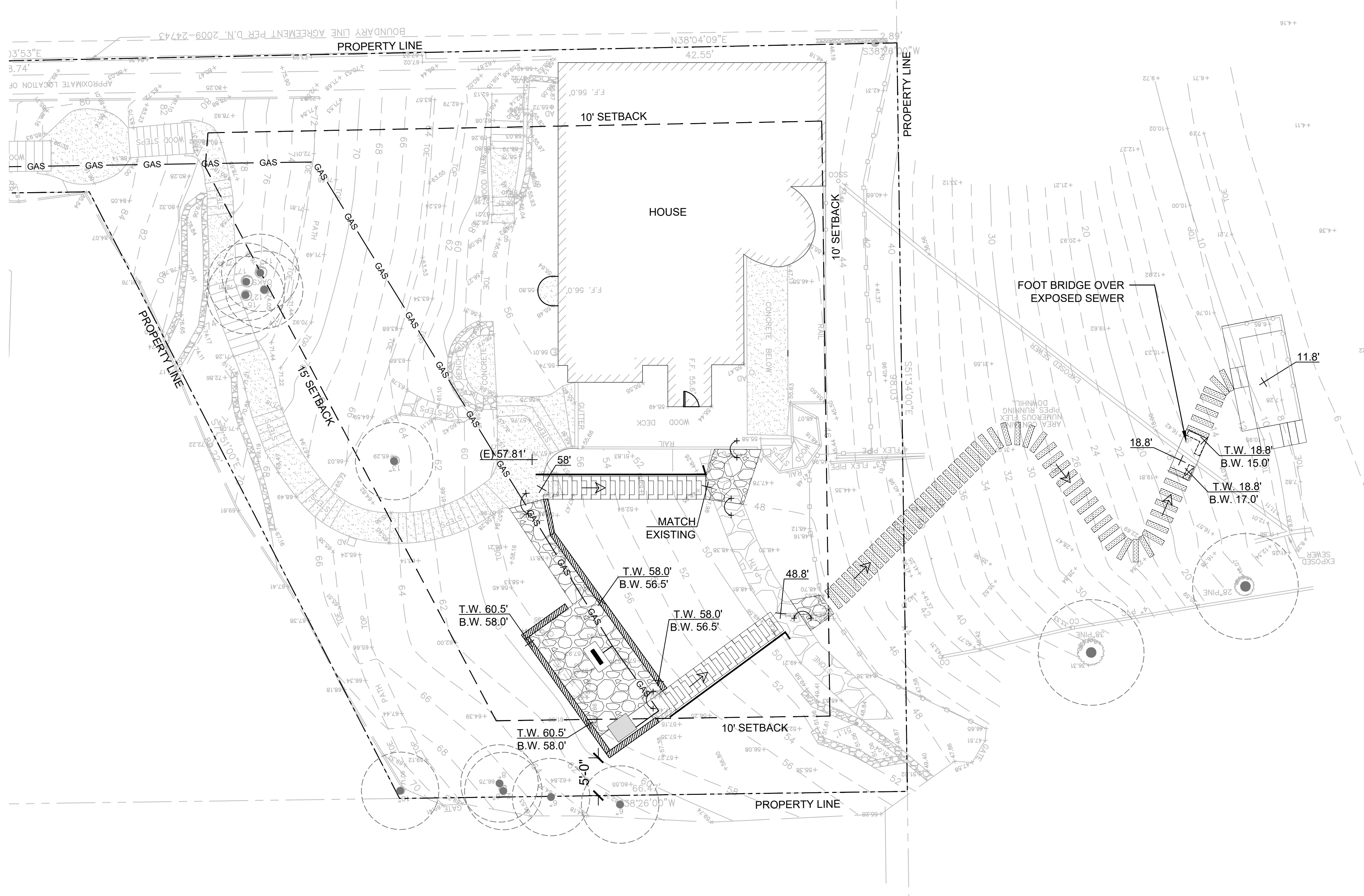
--- LIMIT OF WORK

+XX.X' SPOT ELEVATION

↻ FLUSH

NOTES:

- REFER TO ARCHITECTS AND CIVIL DRAWINGS FOR SITE WORK NOT SHOWN.
- ALL PATHWAYS SHALL SLOPE TO DRAIN AT A MINIMUM OF 1% UNLESS OTHERWISE NOTED.
- ALL FINISH GRADES SHALL PROVIDE FOR NATURAL RUNOFF OF WATER WITHOUT LOW SPOTS OR POCKETS. SET FLOW LINES ACCURATELY AND PROVIDE A MINIMUM 2% AND A MAXIMUM 50% GRADIENT UNLESS OTHERWISE NOTED.
- MAXIMUM SLOPE OF LAWN TO BE 3:1 WITHIN AREA DESIGNATED AS "MOWN LAWN".
- HOLD FINISH GRADES FOR ALL SEEDED OR SODDED LAWN IN AREAS BELOW TOP OF ADJACENT PAVEMENTS, CURBS OR HEADERS, AS FOLLOWS:
- SEEDED AREAS: 3/4"
- SODDED AREAS: 1"
- HOLD FINISH GRADES FOR SHRUB AND GROUND COVER AREAS 1-1/2 IN. BELOW TOP OF ADJACENT PAVEMENT, CURBS, OR HEADERS UNLESS OTHERWISE NOTED ON THE DRAWINGS.
- GRADUALLY ROUND OFF TOPS AND TOES OF ALL PLANTED SLOPES TO PRODUCE A SMOOTH AND NATURAL-APPEARING TRANSITION BETWEEN RELATIVELY LEVEL AREAS AND SLOPES.
- INSTALL EROSION CONTROL FABRIC ON ALL SLOPES 2:1 OR GREATER AS SHOWN ON THE DRAWINGS AFTER ACCEPTANCE BY LANDSCAPE ARCHITECT OF COMPLETED FINE GRADING.
- GENERAL CONTRACTOR TO COORDINATE SIZE AND LOCATION OF SLAB PENETRATIONS FOR DRAINAGE STRUCTURES WITH MECHANICAL CONTRACTOR.

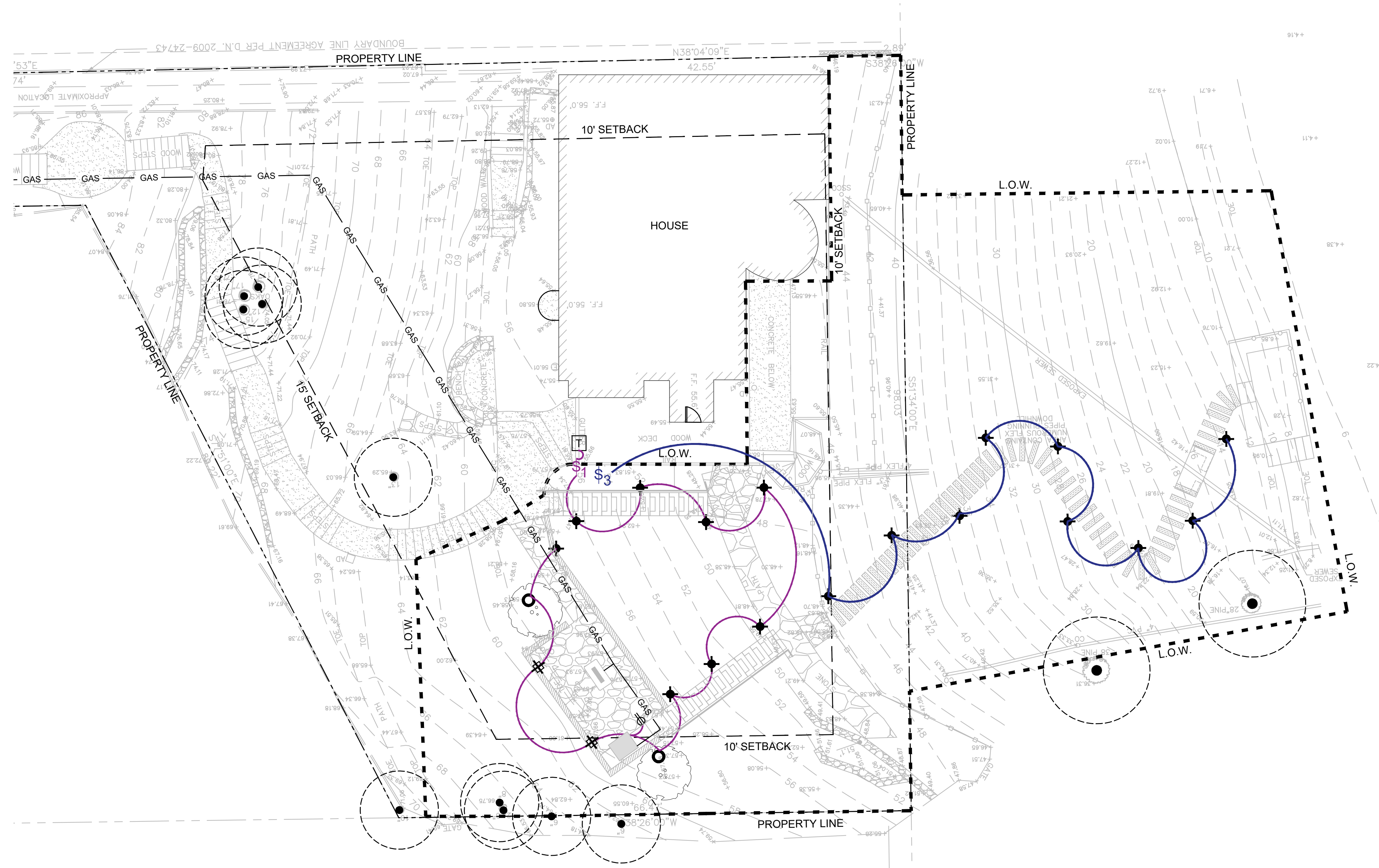


DATE:	DESCRIPTION:
6/01/2021	DESIGN REVIEW

DRAWN	NL/TR
REVIEWED	ME/AP
SCALE	NOTED

SHEET TITLE:
**PRELIMINARY
GRADING
PLAN**

SHEET NUMBER:
L-3.1

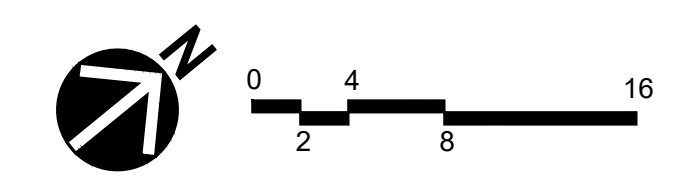


LIGHTING LEGEND:

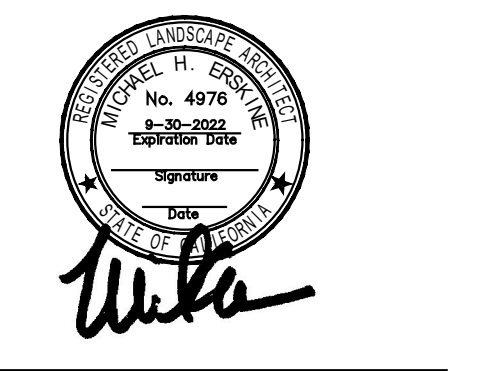
- | | | | |
|--|--|--|---|
| | LOW VOLTAGE LIGHTING TRANSFORMER
SIZE AS NECESSARY. TRANSFORMER & SWITCHING
VIF WITH LANDSCAPE ARCHITECT | | TREE DOWNLIGHT
COMPANY: FX LUMINAIRE
MODEL: VE DOWNLIGHT
COLOR/FINISH: BRONZE METALLIC |
| | PROPOSED SWITCH LOCATION FOR
LANDSCAPE LIGHTING (COORD W/ OWNER) | | PATH LIGHT
COMPANY: FX LUMINAIRE
MODEL: TM PATH LIGHT
COLOR/FINISH: BRONZE METALLIC |
| | DUPLEX OUTLET (SWITCHED) GFI W/ OUTDOOR
WATERPROOF COVER
(VIF WITH LANDSCAPE ARCHITECT) | | WALL LIGHT
COMPANY: FX LUMINAIRE
MODEL: SL-3LED-FT-BZ
COLOR/FINISH: BRONZE METALLIC |
- ZONE 1: PATIO & STEPS \$₁
- ZONE 2: DECK PATHWAY \$₂

LIGHTING NOTES:

- LIGHTING FIXTURE, SWITCH, TRANSFORMER AND GFI PLUG LOCATIONS ARE SHOWN DIAGRAMMATIC. CONTACT LANDSCAPE ARCHITECT FOR APPROVAL.
- LIGHTING LAYOUT SHOULD OCCUR IN CONJUNCTION WITH PLANTING LAYOUT FOR L.A. TO REVIEW AND APPROVE.
- LOW VOLTAGE LIGHTING WIRING SHALL BE DIRECT BURY 12 GAUGE OR LARGER, JUTE STAPLED IN PLACE. BURY TO A DEPTH OF 4" AND LOCATE WIRING ADJACENT TO HARDSCAPE ELEMENTS WHEREVER POSSIBLE.
- TRANSFORMER SHALL BE MOUNTED IN ACCORDANCE TO THE MFR'S SPECIFICATIONS BY A LICENSED ELECTRICIAN (IF HARDWIRED) OR MAY BE PLUGGED INTO A GFI OUTLET.
- SWITCHING SHOWN SHOULD BE REVIEWED AND APPROVED BY OWNER. SWITCHING & LINE VOLTAGE PROVISIONS BY OTHERS (ELECTRICIAN).
- ALL LIGHT FIXTURES TO BE SHIELDED AND DOWNWARD-DIRECTED.
- ALL OUTDOOR LIGHTING ATTACHED TO THE BUILDING TO BE HIGH EFFICIENCY, OR CONTROLLED BY BOTH A MOTION SENSOR AND PHOTOCONTROL.
- SEE ARCH DRAWINGS FOR INTERIOR SWITCHING AND CONNECTIONS TO EXTERIOR LIGHTING ZONES.



**ELLIS, PATE-CORNELL
 RESIDENCE
 288 BEACH RD.
 BELVEDERE, CA 94920
 APN #060-225-19**



Michael H. Erskine, Landscape Architect

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DATE:	DESCRIPTION:
6/01/2021	DESIGN REVIEW

DRAWN	NL/TR
REVIEWED	ME/AP
SCALE	NOTED

SHEET TITLE:
LANDSCAPE LIGHTING PLAN

SHEET NUMBER:
L-6.0

FXLuminaire

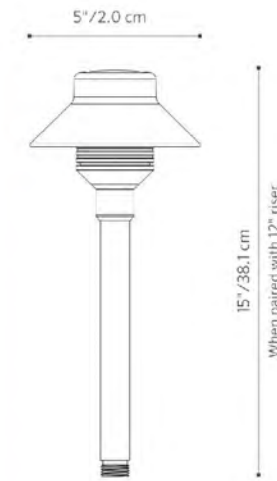
Path and Area Lights



Designed for mid-sized landscapes, the TM provides unmatched elegance and function in the aluminum-constructed category. Its small cap offers stylish path illumination without overwhelming the landscape features.

TM: Path Light

NUMBER OF LEDs:	1	3	ZDC
HALOGEN LUMEN EQUIVALENT:	10 Watt	20 Watt	10 Watt
USEFUL LED LIFE (L70):	50,000 hrs avg	50,000 hrs avg	50,000 hrs avg
INPUT VOLTAGE:	10 to 15V	10 to 15V	11 to 15V
VA TOTAL:	2.4	4.5	7.2
WATTS USED:	2.0	4.2	6.0
LUMENS PER WATT (EFFICACY):	16	24	16
TOTAL LUMENS:	27	79	53
CRI (Ra):	85	82	85
CCT:			
AMBER FILTER	2700K	2700K	N/A
FROSTED FILTER	3900K	3900K	N/A
GREEN FILTER	4500K	4500K	N/A
BLUE FILTER	5200K	5200K	N/A



* (Use this number to size the transformer)

LANDSCAPE LIGHTING

A Hunter Industries Company

FXLuminaire

LED Down Lights



The VE softly illuminates areas from above when hung from trees or architectural elements. Perfect for producing a moonlighting effect for seating areas, focal points, or landscaping features in 1 or 3 LED. An optional perforated sleeve can be used to create a special twilight ambience.

VE: Down Light

NUMBER OF LEDs:	1	3	ZDC
HALOGEN LUMEN EQUIVALENT:	10 Watt	20 Watt	10 Watt
USEFUL LED LIFE (L70):	50,000 hrs avg	50,000 hrs avg	50,000 hrs avg
INPUT VOLTAGE:	10 to 15V	10 to 15V	11 to 15V
VA TOTAL:	2.4	4.5	7.2
WATTS USED:	2.0	4.2	6.0
LUMENS PER WATT (EFFICACY):	45	50	39
TOTAL LUMENS:	90	209	130
CRI (Ra):	73	82	82
CBCP (CENTER BEAM CANDLE POWER):	152	414	128
CCT:			
AMBER FILTER	2700K	2700K	N/A
FROSTED FILTER	3900K	3900K	N/A
GREEN FILTER	4500K	4500K	N/A
BLUE FILTER	5200K	5200K	N/A



* (Use this number to size the transformer)

LANDSCAPE LIGHTING

A Hunter Industries Company

FXLuminaire



PROJECT _____

CATALOG # _____

TYPE _____

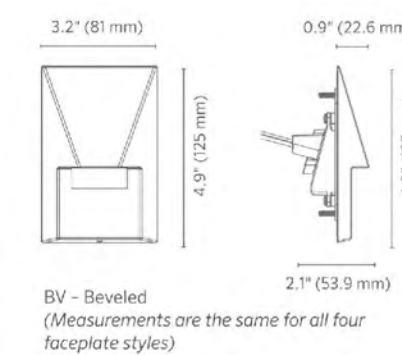
NOTES _____

SL Wall Light DESIGNER PLUS

The versatile SL wall light is available with four faceplate options to maximize design flexibility in a range of applications.

Quick Facts

- Tamper-resistant features
- Glare-free shielding
- Die-cast aluminum
- Two-layer marine-grade anodization and powder coat finish
- Cree® integrated LEDs
- Compatible with Luxon® technology
- Phase and PWM dimmable
- Input voltage: 10-15 V



BV - Beveled
(Measurements are the same for all four faceplate styles)

LANDSCAPE LIGHTING



ELLIS, PATE-CORNELL
RESIDENCE
288 BEACH RD.
BELVEDERE, CA 94920
APN #060-225-19



Michael H. Erskine, Landscape Architect

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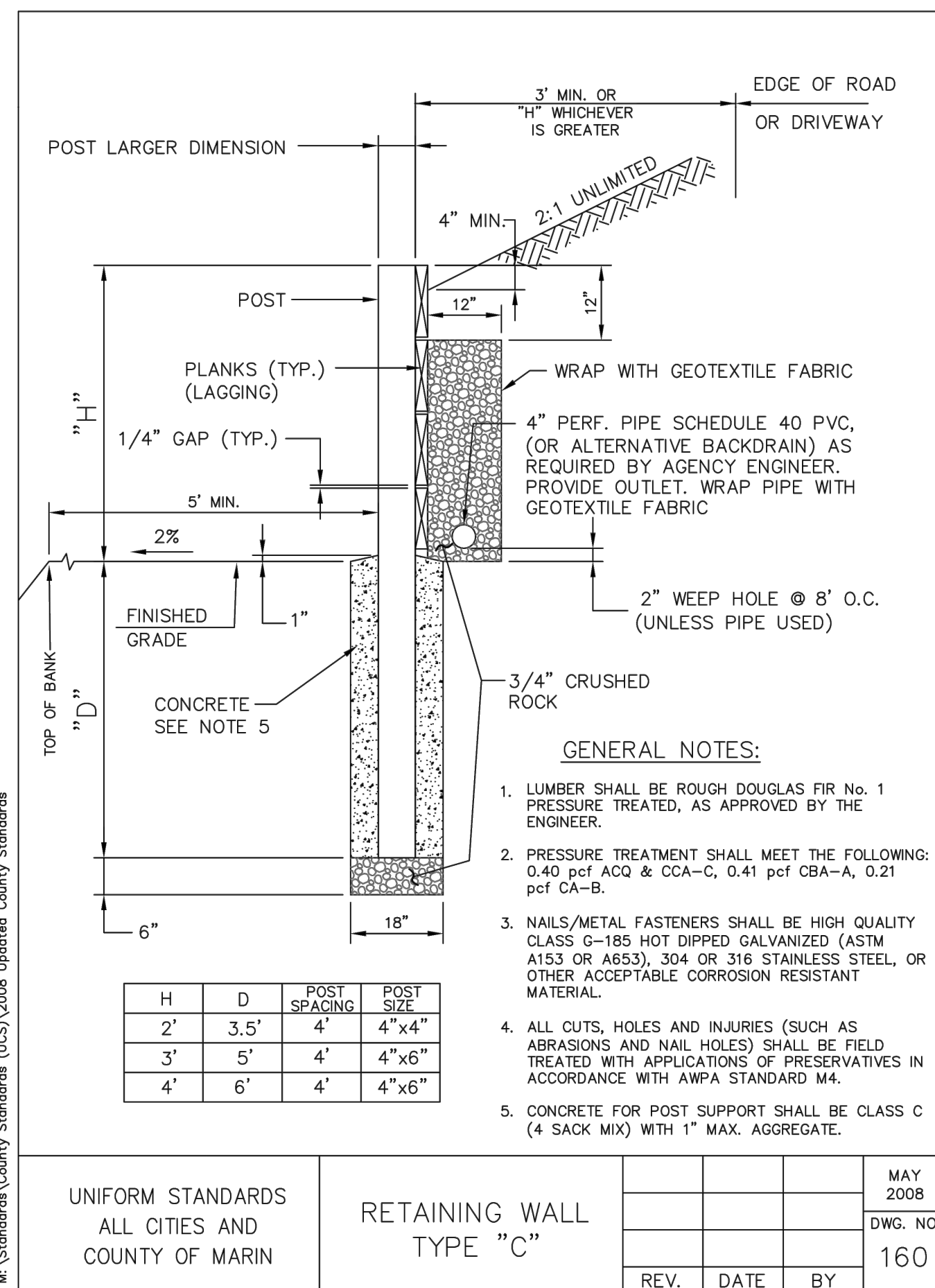
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DATE:	DESCRIPTION:
6/01/2021	DESIGN REVIEW

DRAWN	NL/TR
REVIEWED	ME/AP
SCALE	NOTED

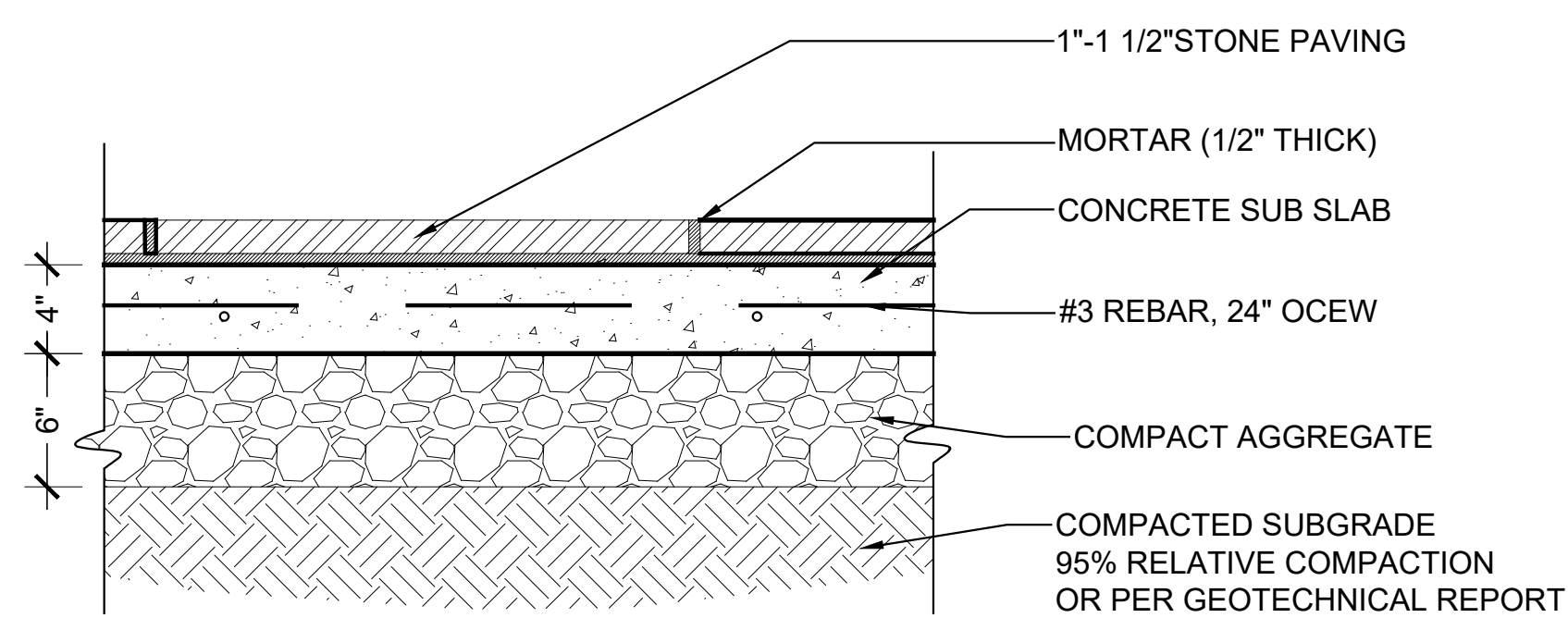
SHEET TITLE:
LANDSCAPE LIGHTING DETAILS

SHEET NUMBER:
L-6.1

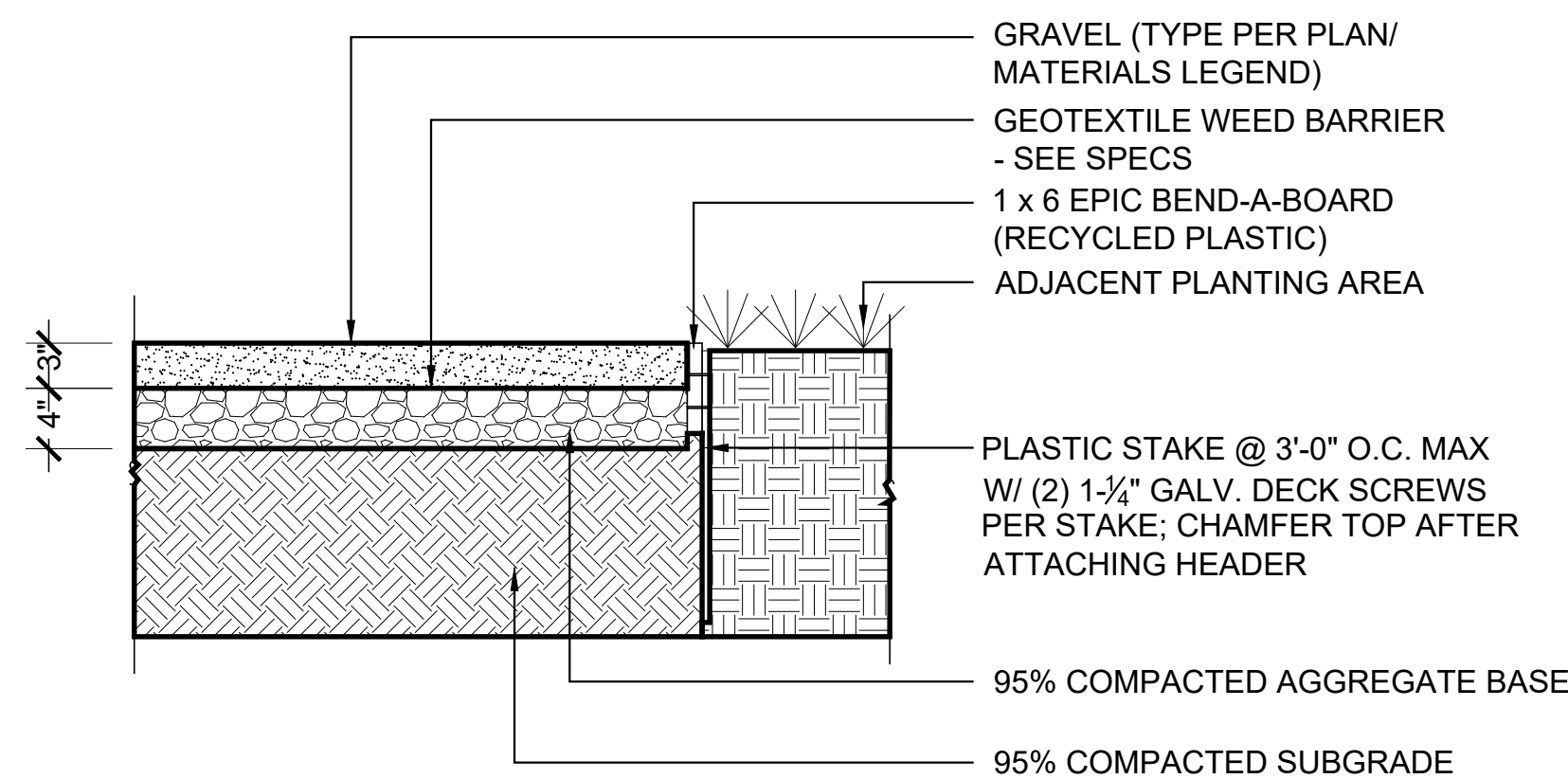


NOTE: EXPOSED SURFACE OF WALL TO BE CLADDING WITH 2X6 IPE BOARDS

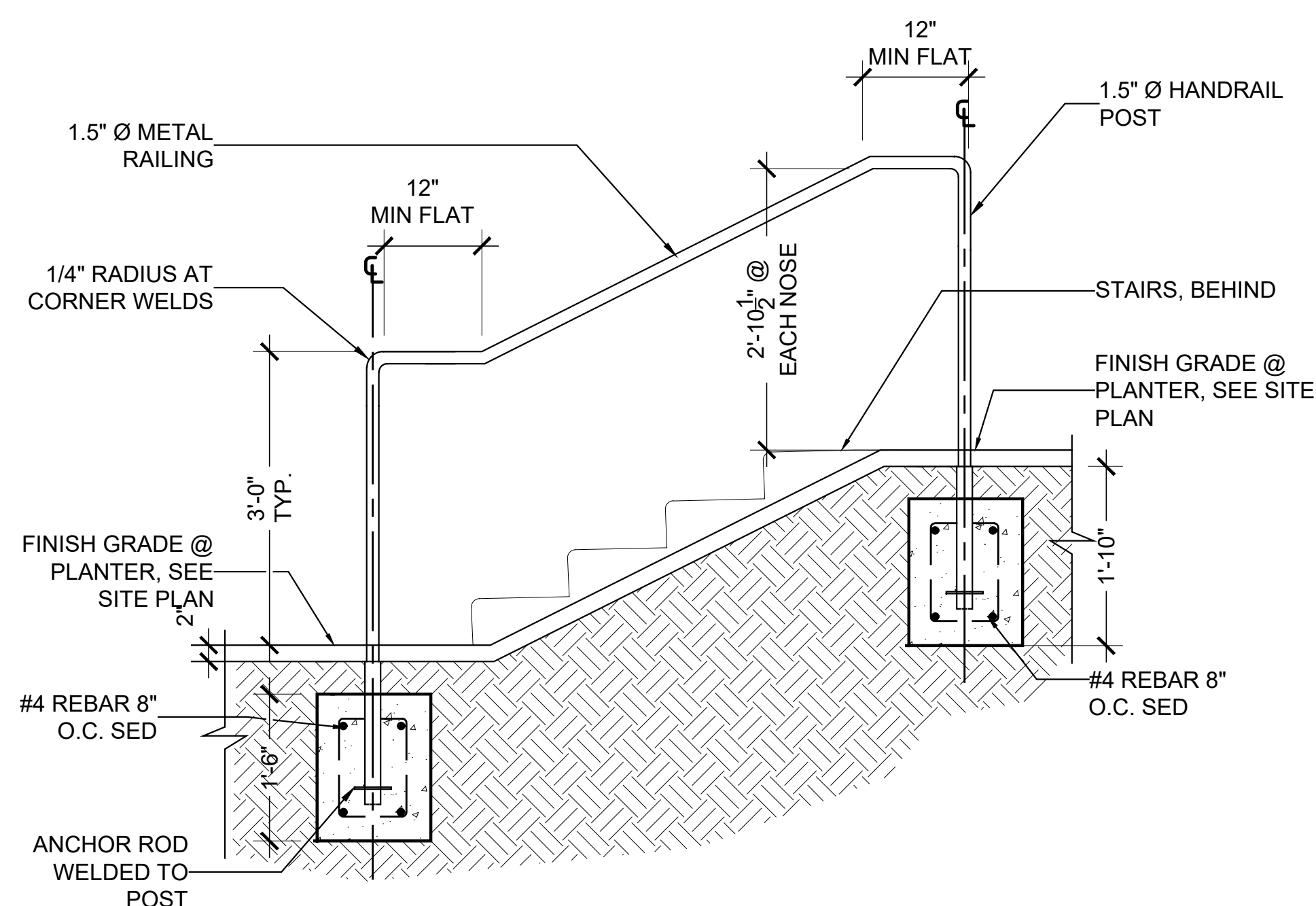
1 WOOD WALL
SCALE: N.T.S.



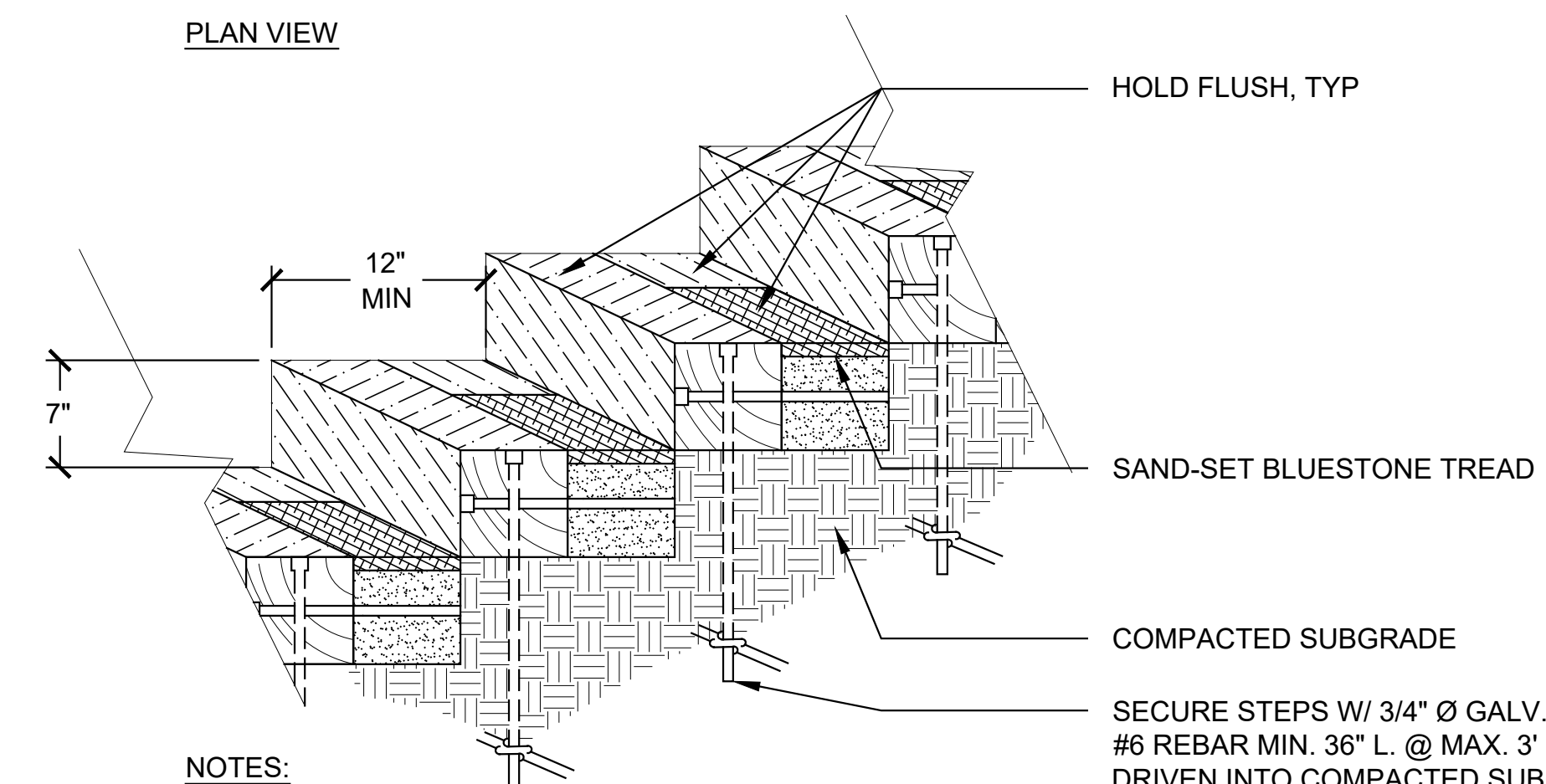
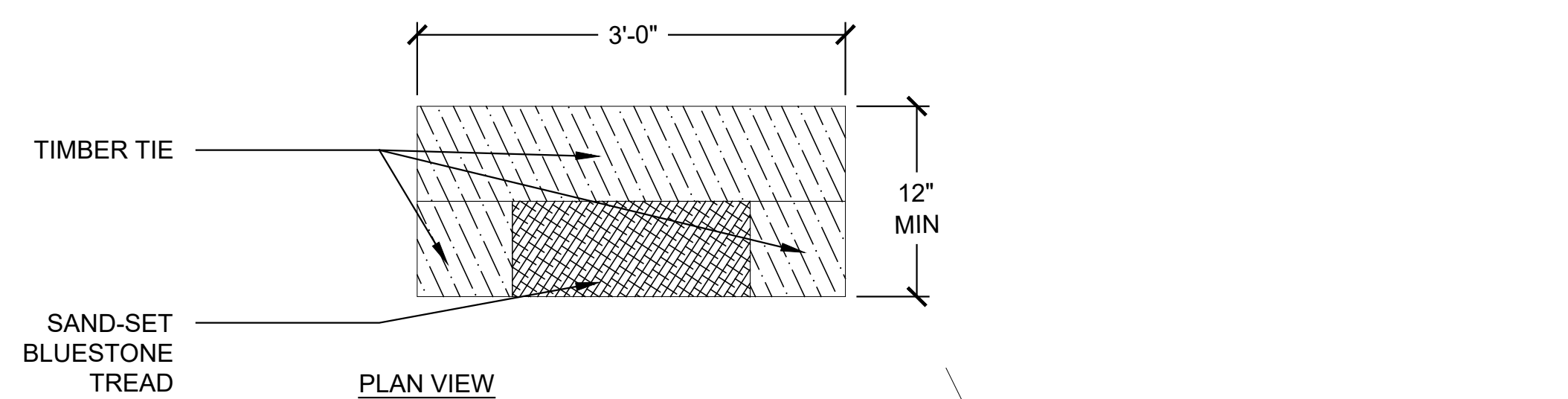
2 FLAGSTONE PAVING
SCALE: N.T.S.



3 GRAVEL
SCALE: N.T.S.



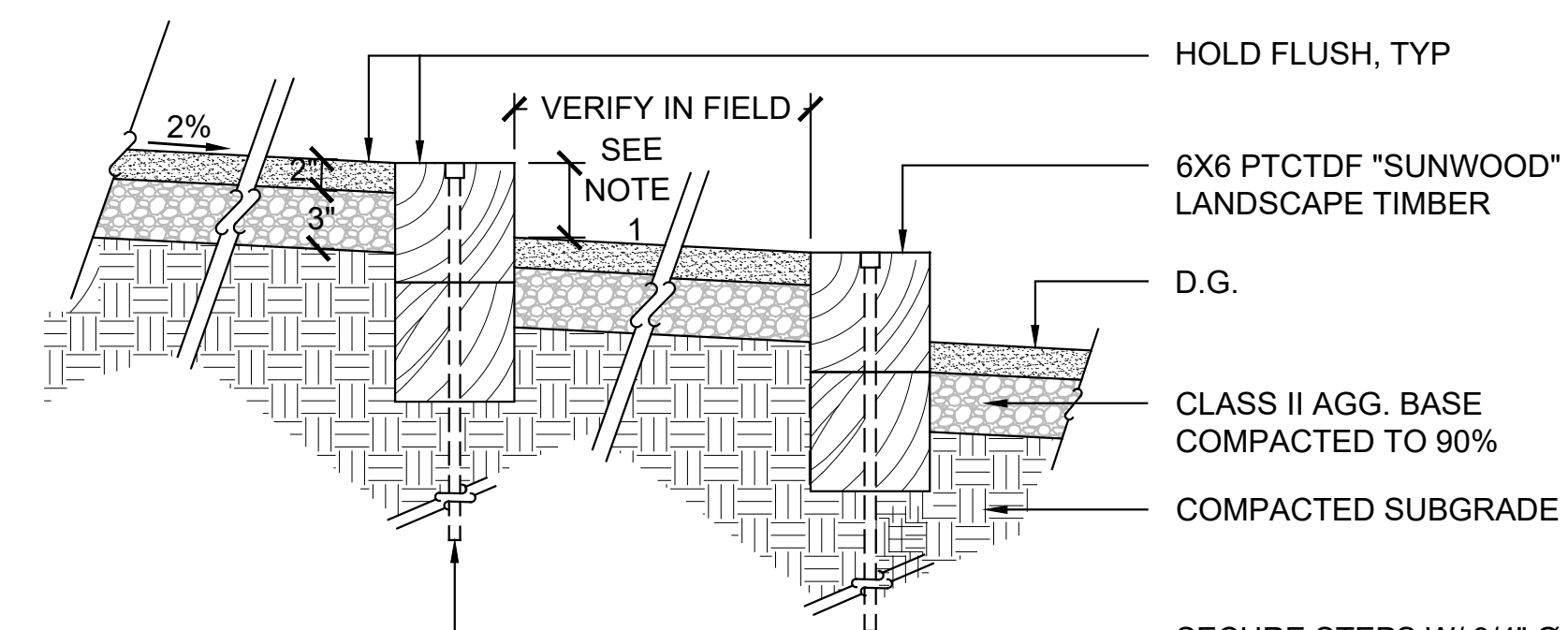
4 HANDRAIL
SCALE: N.T.S.



NOTES:

- SET RISER HEIGHTS EQUAL. BOTTOM RISER HEIGHT EQUAL TO UPPER RISERS AT STAIR CENTERLINE. SEE SHEET --- FOR ELEV. AT TOP AND BOTTOM OF STAIRS. TYP. RISER HEIGHT 7" ±.
- SECURE STEPS W/ 3/4" Ø GALV. PIPE OR #6 REBAR MIN. 36" L. @ MAX. 3' O.C. TYP. DRIVEN INTO COMPACTED SUBGRADE. PLUG TOP W/ 3/4" DIA. x 1" PIECE OF WOOD DOWEL TO MAKE SMOOTH SURFACE - SECURE DOWEL PLUG WITH WATERPROOF ADHESIVE COMPOUND

5 INTERLOCKING TIMBER TIE STAIRS
SCALE: N.T.S.

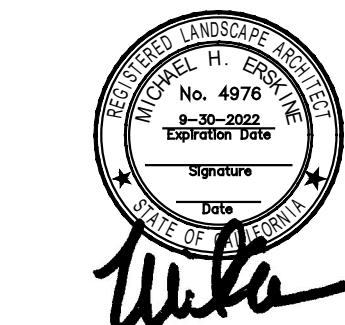


NOTES:

- SET RISER HEIGHTS EQUAL. BOTTOM RISER HEIGHT EQUAL TO UPPER RISERS AT STAIR CENTERLINE. SEE SHEET --- FOR ELEV. AT TOP AND BOTTOM OF STAIRS. TYP. RISER HEIGHT 6" ±.
- SECURE STEPS W/ 3/4" Ø GALV. PIPE OR #6 REBAR MIN. 36" L. @ MAX. 3' O.C. TYP. DRIVEN INTO COMPACTED SUBGRADE. PLUG TOP W/ 3/4" DIA. x 1" PIECE OF WOOD DOWEL TO MAKE SMOOTH SURFACE - SECURE DOWEL PLUG WITH WATERPROOF ADHESIVE COMPOUND

6 TIMBER TIE STAIRS
SCALE: N.T.S.

ELLIS, PATE-CORNELL
RESIDENCE
288 BEACH RD.
BELVEDERE, CA 94920
APN #060-225-19



Michael H. Erskine, Landscape Architect

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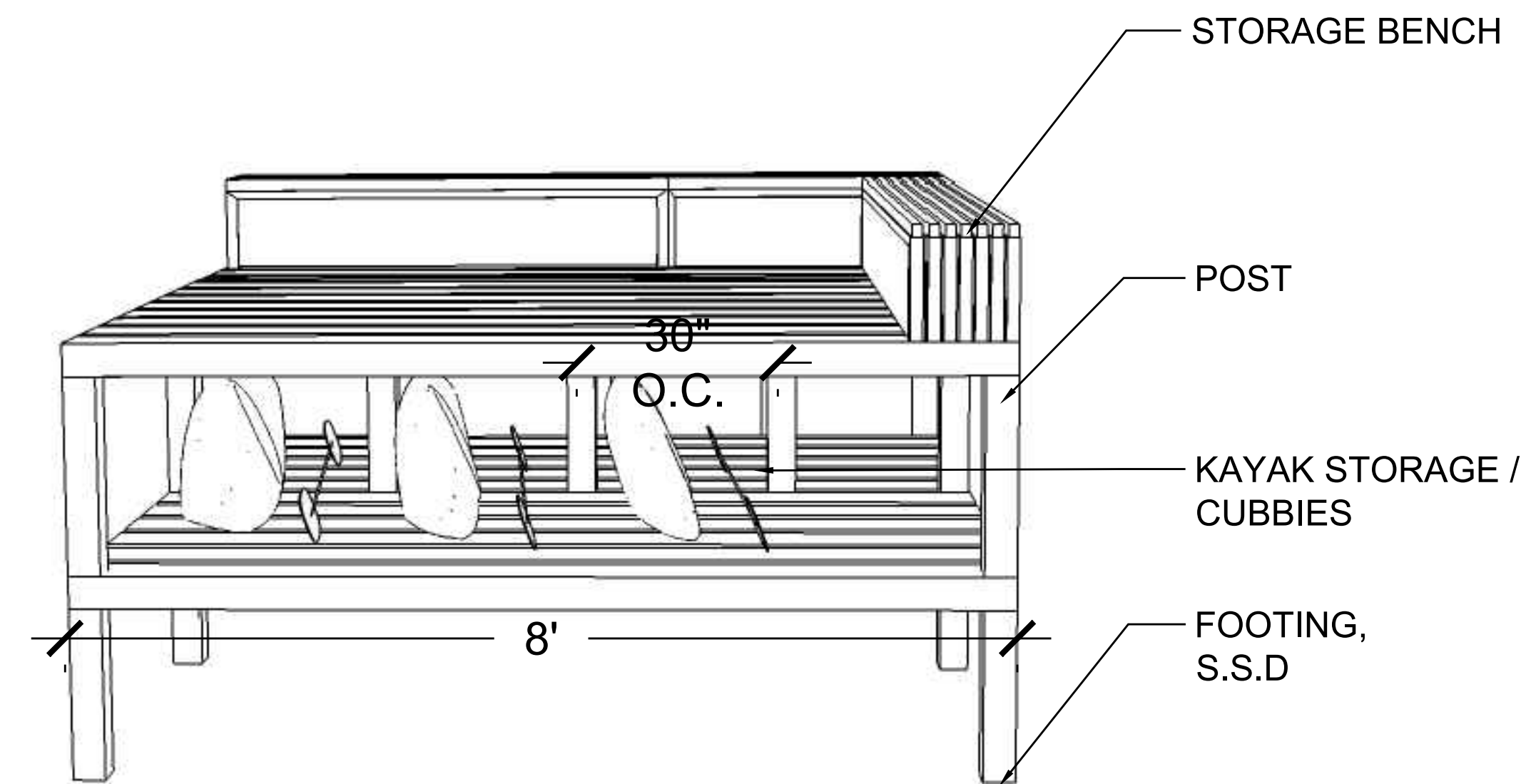
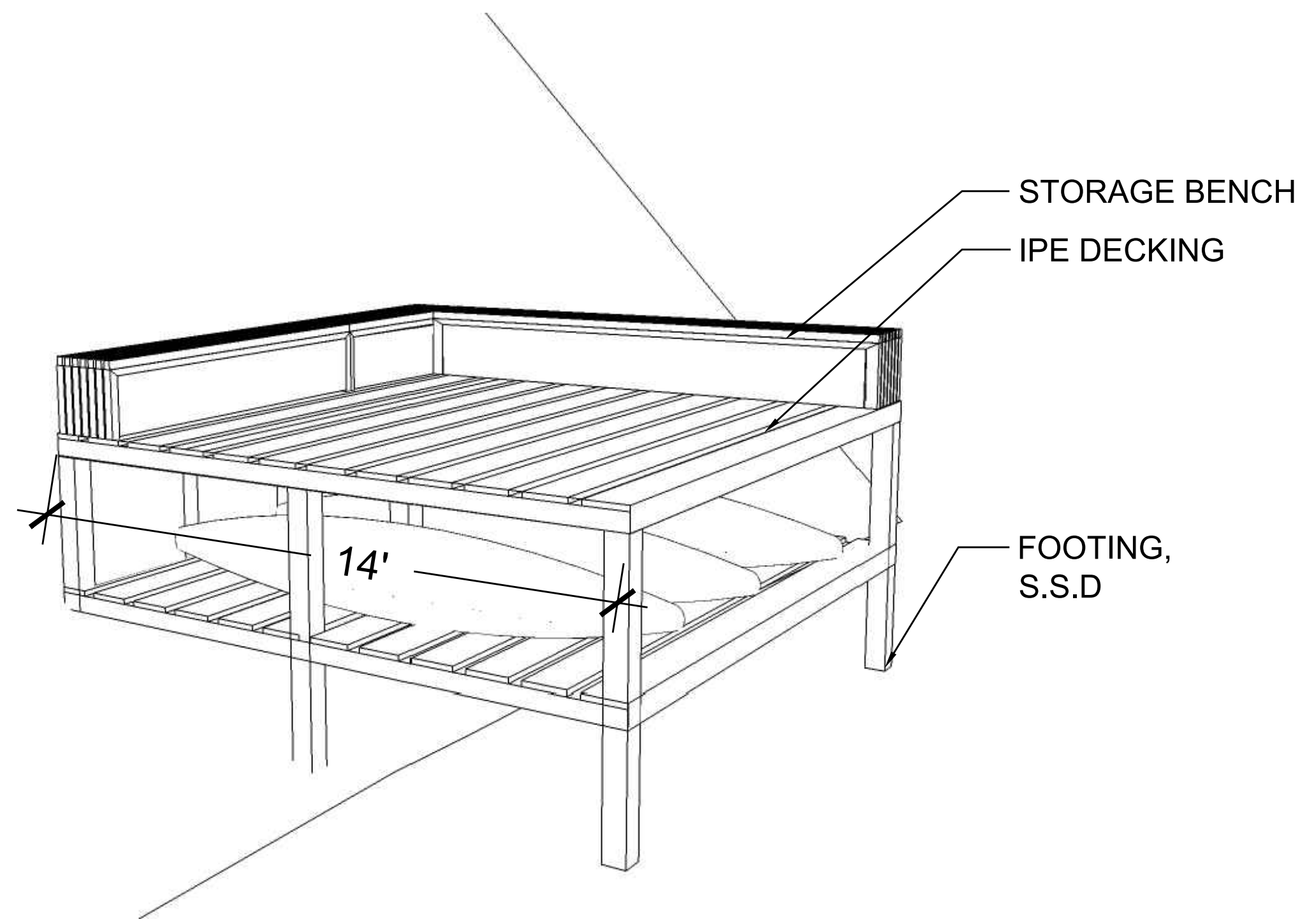
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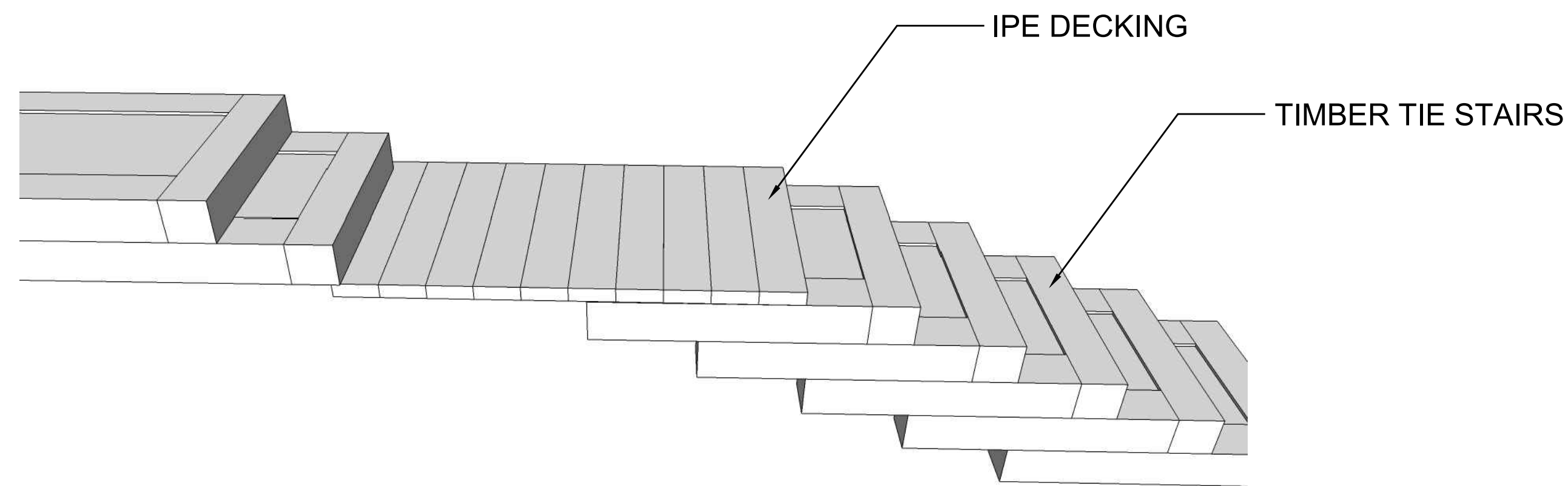
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REVIEWED:	ME/AP
SCALE:	NOTED

SHEET TITLE:
CONSTRUCTION DETAILS (1)

SHEET NUMBER:
L-7.0



1 DECK DESIGN DETAIL (SEE STRUCTURAL FOR FINAL)
SCALE: N.T.S.



2 WOOD BRIDGE DESIGN DETAIL (SEE STRUCTURAL FOR FINAL)
SCALE: N.T.S.

ELLIS, PATE-CORNELL
RESIDENCE
288 BEACH RD.
BELVEDERE, CA 94920
APN #060-225-19



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DATE:	DESCRIPTION:
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REVIEWED	ME/AP
SCALE	NOTED

SHEET TITLE:
CONSTRUCTION DETAILS (2)

SHEET NUMBER:
L-7.1

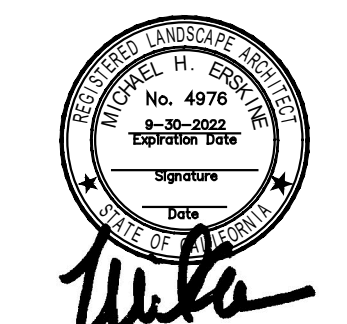


**INTEGRATED
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www.integrateddesignstudio.com

**ELLIS, PATE-CORNELL
RESIDENCE**
288 BEACH RD.
BELVEDERE, CA 94920
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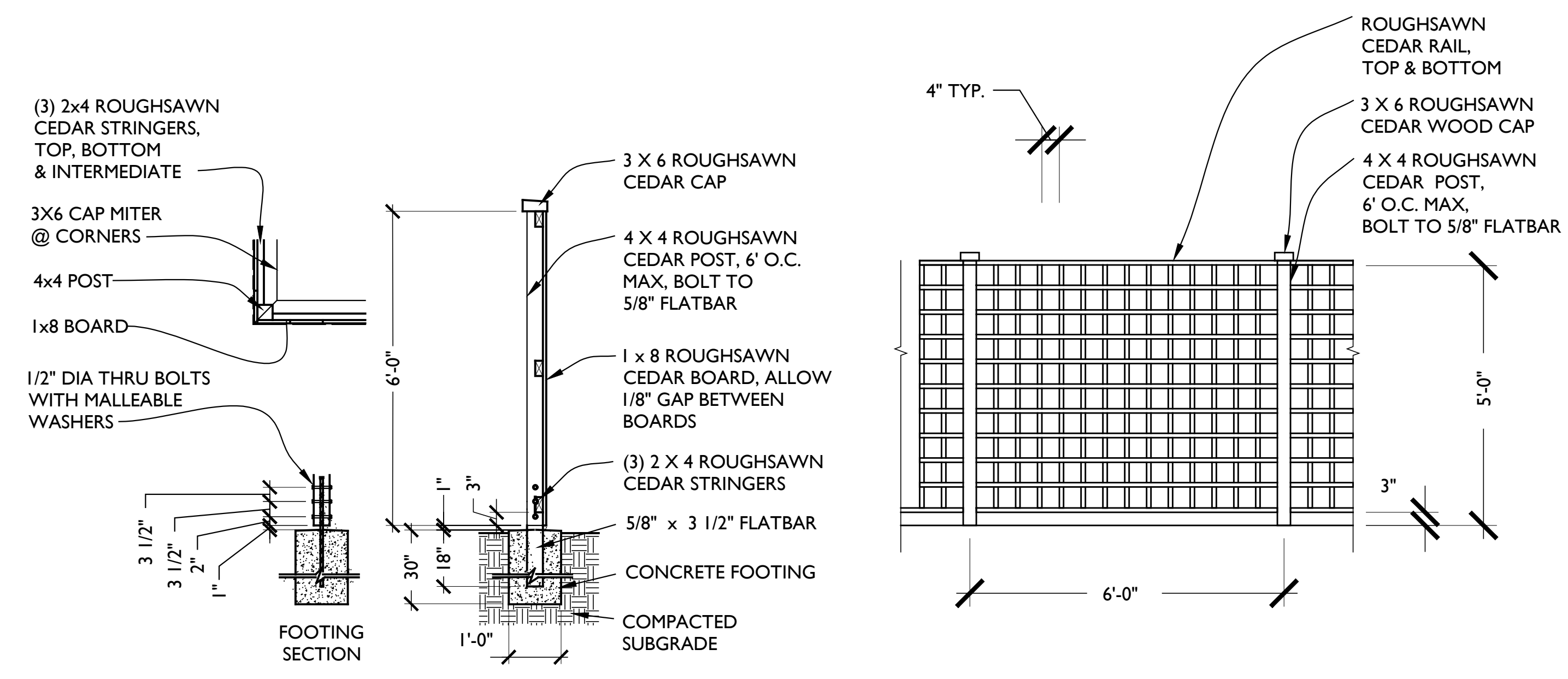
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DATE:	DESCRIPTION:
6/01/2021	DESIGN REVIEW

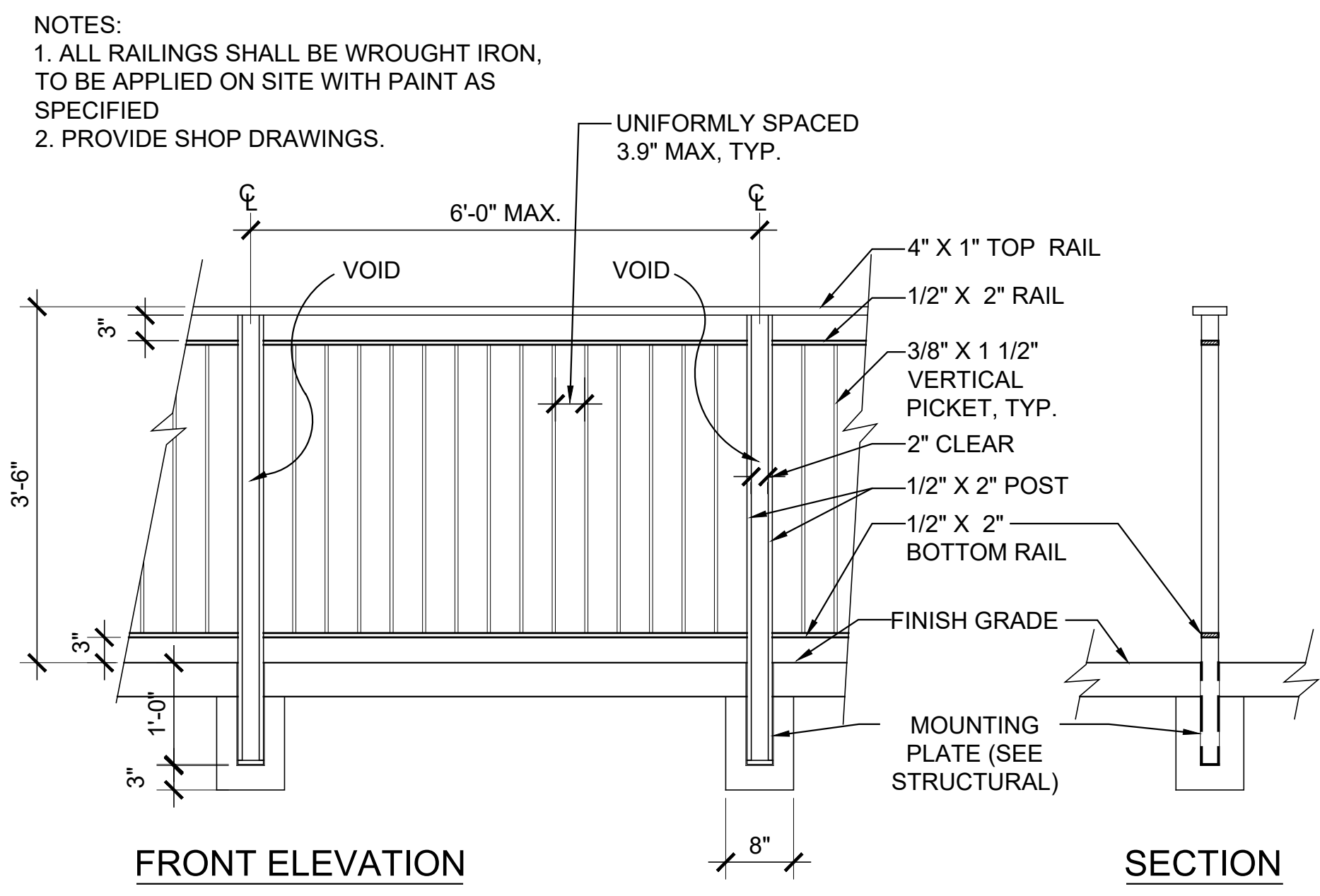
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REVIEWED	ME/AP
SCALE	NOTED

SHEET TITLE:
**CONSTRUCTION
DETAILS (3)**

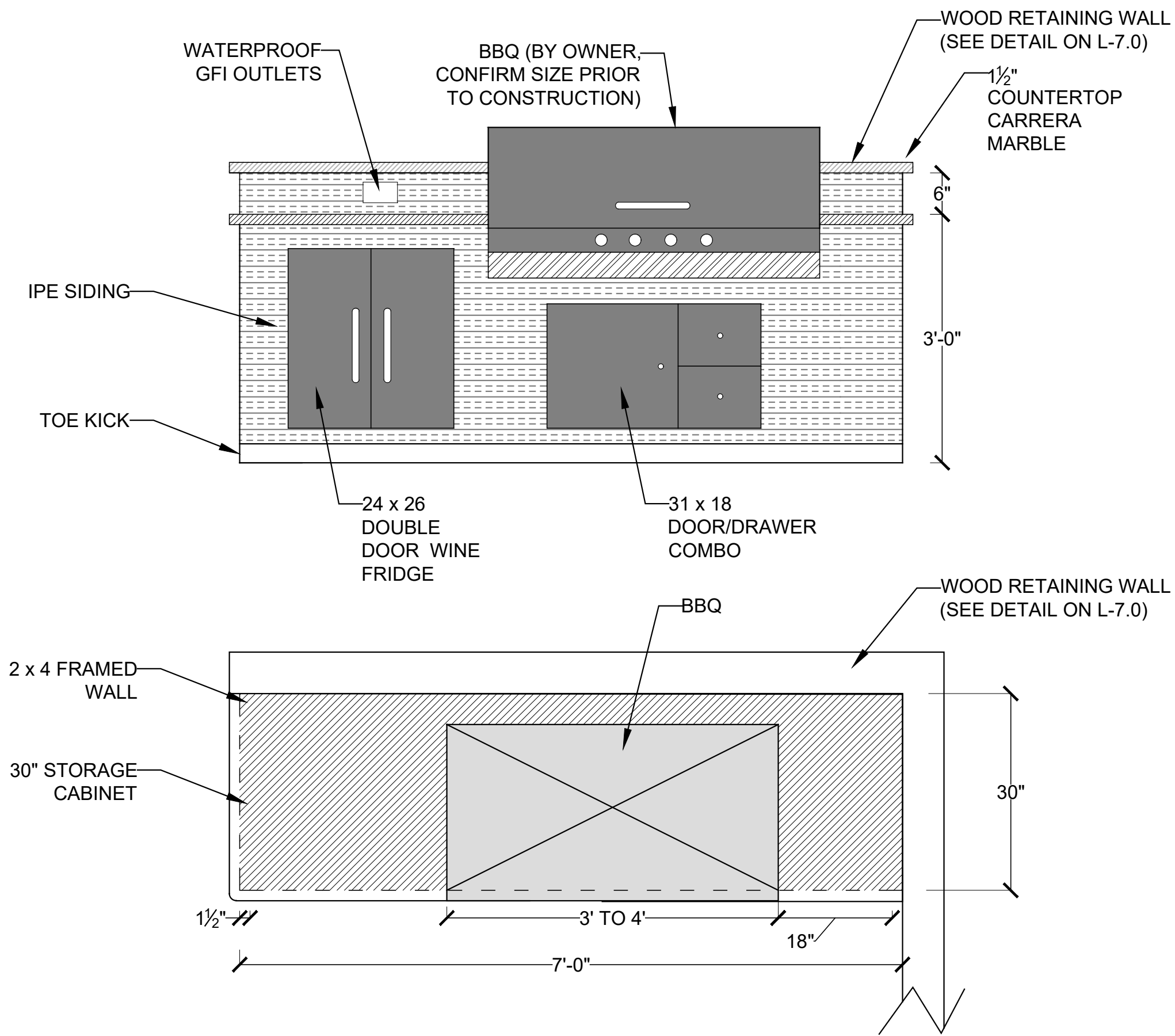
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L-7.2



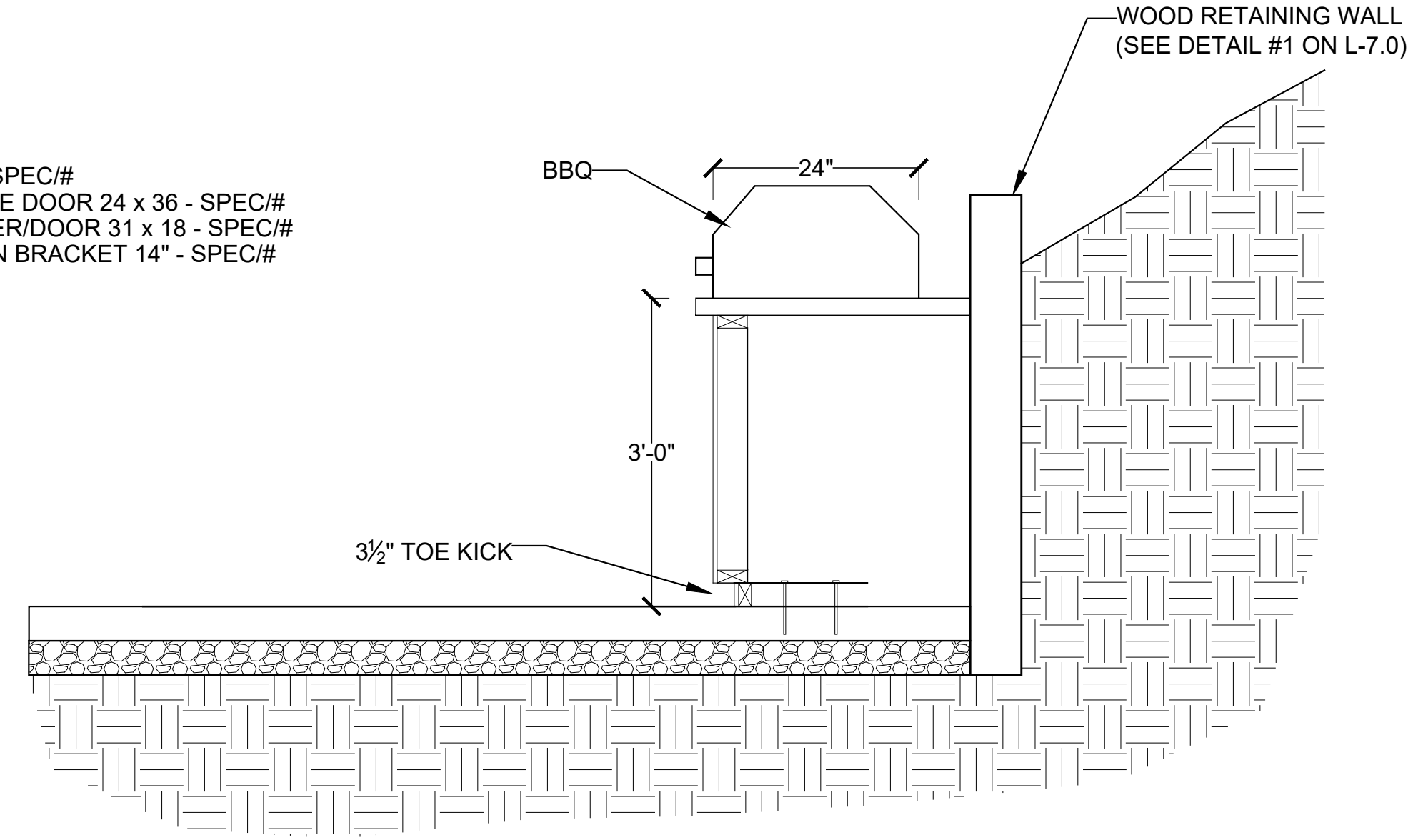
1 WOOD FENCE
SCALE: N.T.S.



2 GUARDRAIL
SCALE: N.T.S.



3 OUTDOOR KITCHEN (GRILL BY OWNER)
SCALE: N.T.S.



NOTES:
-CABINET TO BE CONSTRUCTED OF STEEL FRAMING
-IPE CLADDING



**CITY OF BELVEDERE PLANNING COMMISSION
STAFF REPORT**

REPORT DATE: 12/2/2021

**CONSENT CALENDAR
AGENDA ITEM: 2**

MEETING DATE: 12/15/2021

TO: City of Belvedere Planning Commission

FROM: Rebecca Markwick, Senior Planner

REVIEWED BY: Irene Borba, Director of Planning and Building

SUBJECT: Design Review and Revocable License for landscape modifications to the existing property located at **288 Beach Road**

RECOMMENDATION

The applicant is requesting Design Review and Revocable License applications for landscape modifications. The applications are included as **Attachment 2** and the 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 granting Design Review for outdoor improvements for the property located at **288 Beach Road**, (**Attachment 1**);

MOTION 2 Recommend to the City Council approval of two Revocable Licenses for improvements located in the Beach Road right-of-way and for improvements on the City tide lot “The Strip” for the property located at **288 Beach Road**

PROPERTY SUMMARY

Project Address:	288 Beach Road
APN:	060-225-19
Project Applicant:	Integrated Design Studio
/Property Owner:	Ellis –Pate –Cornell Trust et al
GP Designation:	Low Density Residential SFD -1.0 to 3.0 units/net acre
Zoning:	R-15 Belvedere Island
Existing Use:	Single Family Residential

BACKGROUND/HISTORY

288 Beach Road is located on the east side of Belvedere Island on very steep lot. The site is characterized by landscaping with mature vegetation and a series of stone retaining walls, walkways, and a car deck. A City owned tide lot, known as “The Strip” is located below the property.



History

1971 - Use Permit approval for a deck.

1978 - Design Review approval for an enclosed outside staircase.

2012 - Revocable License approval for improvements on Beach Road and the City owned waterfront parcel “The Strip.”

2013 - Planning Commission Design Review approval for a new hill elevator, fence and landscaping.

ZONING PARAMETERS

The table is not included because this is a landscape and hardscape project that will not affect the zoning setbacks.

PROJECT ANALYSIS/ DESIGN REVIEW

As noted above, the applicant is requesting Design Review for outdoor improvements.

Landscaping

The project consists of a new outdoor kitchen and deck, new Ipe retaining walls, bluestone patio to replace the existing and new stairs to replace the existing. Portions of the landscaping will be replaced to create a more modern, updated look.

Additionally, the project consists of improvements proposed on the City Tide Lot known as “The Strip.” The existing site does not have a dock like many of the surrounding properties on Beach Road. The property owner is proposing the deck so that they can store kayaks, etc. close to the water. The proposed project consists of replacing and altering the existing wood stairs with timber tie stairs that cascade down the steep hillside. The new stairs are proposed to end at a new deck. The deck will have a black, metal guardrail and a bench that will act as storage as well as a place to enjoy the view. There is a storage area for kayaks etc., proposed under the deck.

General

Much of the existing landscaping is proposed to remain intact. New retaining walls, guardrails, Ipe deck and bluestone terrace are proposed in the center for the property to create a new outdoor

dining area. Path, wall and step lights are proposed in the areas that are being renovated. Sheet L-6.0 shows 2 down lights in the trees. Those down lights have been conditioned to be removed as they do not conform to the Belvedere Municipal Code. The existing stairs on the City tide lot are in disrepair and not useable. The project proposes to replace the stairs in a curved pattern down to the proposed deck. The project proposes wood retaining walls to accommodate the stairs.

Currently there is one Revocable License for Beach and the City tide lot. Revocable License policy states that where there is one Revocable License for two locations, the Revocable Licenses should be separated to reflect the different locations. Therefore here, Council approval of two Revocable Licenses is required.

DESIGN REVIEW FINDINGS

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.

The proposed landscape changes are designed to be balanced and harmonious with the site and the surrounding areas. The decks, outdoor kitchen, low retaining walls, and lighting are aesthetically compatible with the site and with the surrounding properties. The proposed project is not excessively large and would blend into the existing architecture of the historic home. The existing home is on a very steep hillside and the decks and patio creates a more useable, functional home that is compatible with the homes in the neighborhood. Staff can make all the Design Review findings as attached in the draft Resolution (**Attachment 1**).

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 **December 8, 2021** 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 and allows for minor alteration of existing private structures. Additionally, the project is exempt from CEQA by the Common Sense Exemption, CEQA Guideline section 15061(b)(3), as it can be seen with certainty that there is no possibility that the project would have a significant effect on the environment. City action is required by **February 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 “Low” on the Prehistoric Resource Sensitivity Map.

REVOCABLE LICENSE

In accordance with Section 272.05 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.

A review of city records indicates Revocable License No. 2012.18 was issued on October 8, 2021 for the subject property. Here, two Revocable Licenses are required for existing and new improvements proposed on Beach Road and the City tide lot “The Strip.”

Revocable License No. 2012.18 covers the following improvements:

Beach Road (Existing)

- Parking Deck
- Fence
- Gate
- Entry Stairs
- Retaining Walls
- Landscaping

City Tide Lot “The Strip”

Existing:

- Sewer Lines
- Landscaping
- Stairs

Proposed

- Stairs
- Deck
- Retaining Walls

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 a Revocable License is 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 existing stairs and gate provide pedestrian access to the home. The parking deck provides access from the property to the street.

- 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;

Existing vegetation is located within Beach Road right of way and the City tide lot “The Strip.” The existing vegetation helps to soften and screen the property along the property line and improves the aesthetic qualities of the lot. 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;

An existing portion of the parking deck is in the Beach Road right of way. The parking deck provides off street parking for the site.

- 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;

There are new and existing retaining walls on Beach Road and proposed in the City tide lot “The Strip”. The walls are necessary to maintain the hillside from sliding due to the steepness of the lot.

- 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;

- *As noted above, a review of City records indicates Revocable License No. 2012.18 currently exists for the subject property for the existing improvements located on Beach Road and the City tide lot “The Strip.” The existing improvements on Beach Road include: Parking Deck, Fence, Gate, Entry Stairs, Retaining Walls, and Landscaping. The existing improvements in the City tide lot “The Strip” include: Sewer Lines, Landscaping and Stairs. A Revocable License is necessary to validate the existing improvements and shift potential liability for injury and damages to the private property owner.*

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

There are no improvements proposed that will enhance public safety.

- 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.”

There are no new fences proposed in the right-of-way.

Public Benefit

The project benefits the public, as these proposed improvements will enhance the aesthetic appeal of the property and will provide access to the proposed residence and garage. The proposed landscaping will provide screening of the property, as well as creating visual interest on the property.

Staff recommends that the Planning Commission review the Revocable License application for consistency with Administrative Policy section 272.05 and recommend approval to the City Council to allow for the Revocable License.

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 written comments regarding this project.

CONCLUSION

Staff determines that all of the findings can be made for the Design Review and recommends approval of the Revocable Licenses. Accordingly, staff has prepared Resolutions recommending approval.

RECOMMENDATION

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

MOTION 1 Adopt the Resolution granting Design Review for landscape modifications to the existing residence for the property located at **288 Beach Road (Attachment 1)**;

MOTION 2 Recommend to the City Council approval of two Revocable Licenses for improvements located in the Beach Road right-of-way and in the City tide lot “The Strip” for the property located at **288 Beach Road**

ATTACHMENTS

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

**CITY OF BELVEDERE
RESOLUTION NO. 2021 -**

**A RESOLUTION OF THE CITY OF BELVEDERE GRANTING DESIGN REVIEW
APPROVAL FOR LANDSCAPE MODIFICATIONS
LOCATED AT 288 BEACH ROAD**

WHEREAS, a proper application has been submitted for Design Review pursuant to Title 20 of the Belvedere Municipal Code for landscape modifications at 288 Beach Road; and

WHEREAS, the project been determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities; and

WHEREAS, CEQA categorical exemption Section 15301 is appropriate because the proposed project involves no expansion of an existing use and allows for minor alteration of existing private structures and there is no potential that the project would cause a substantial adverse effect on any Tribal Cultural Resources that may, or may not, exist on the site because proposed project will be constructed on previous disturbed soil; and

WHEREAS, the Planning Commission held a properly noticed hearing on December 15, 2021; and

WHEREAS, the Planning Commission finds based upon the findings 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 landscape modifications, 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, with counsel acceptable to the City in its discretion, and shall indemnify the City for any award of damages and/or attorneys' fees and associated costs that may result. This approval is conditioned upon the accuracy of all facts stated in the application 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 Integrated Design Studio stamped received by the City of Belvedere on December 1, 2021. The two Tree down lights on sheet L-6.0 shall be removed from the plans at the time of building permit submittal.

ATTACHMENT 1

- c) Prior to issuance of a building permit, an application for a landscape extension shall be submitted and approved by Planning staff. Said landscape extension is due to the water shortage emergency as declared by M.M.W.D. Ordinance No. 452 which prohibits all new service water connections (as of July 21, 2021) and includes the use of potable water for the installation of any new landscaping until after the termination of the current Water Shortage Emergency. A bond/deposit shall be submitted in the amount of 1% total project valuation not to exceed \$200,000 to ensure completion of the landscaping project when allowed. Said landscaping shall be required to be installed upon the termination of the current Water Shortage Emergency is lifted and or amended. Additional building permits may be required to complete the landscaping work and the deposit/bond shall not be returned until said landscaping project has been completed and finalized by planning staff.
- d) Within five (5) days of approval a Notice of Exemption shall be filed with the County of Marin County Clerk by the City of Belvedere Planning Department. A \$50.00 filing fee is required. A check shall be provided to the City of Belvedere Planning Department and made payable to the County of Marin
- e) Construction shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except in special circumstances after obtaining written permission from the City Manager.
- f) All requirements of the City Engineer shall be met.
- g) 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 Manager.
- h) Updated Revocable Licenses will be required for private improvements within the public right-of-way, City-owned parcels and lanes.
- i) The project will require a video recording of the condition of the haul route pavement. The applicant will be responsible for any damage to the roadway or other improvements along the haul route caused by the removal or delivery of materials by truck. A deposit will be required should the roadway not be repaired to the satisfaction of the City. The deposit amount (estimated range from \$10,000 to \$30,000) will be determined at the time of the Building Permit review.
- j) 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 review the proposed Grading & Drainage Plans for conformance with their recommendation prior to Building Permit issuance.

- k) 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.
- l) 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.
- m) The project will require a detailed Grading Plan & Drainage Plan showing cut and fill earth volumes. Said plans shall incorporate, as appropriate, the MCSTOPPP Guidance for Applicants: Stormwater Quality Manual for Development Project in Marin County. This can be found at the following website:
http://www.marincounty.org/depts/pw/divisions/mcstoppp/development/~//media/Files/Departments/PW/mcstoppp/GuidanceforApplicantsv_2508.pdf
- n) Prior to issuance of a building permit and where required by City of Belvedere Municipal Code Section 8.36.090 D., permanent stormwater controls for new and redevelopment projects, the applicant shall develop, submit and implement an approved Stormwater Control Plan (SCP) that follows the appropriate template in the most recent version of the Bay Area Stormwater Management Agencies Association (BASMAA) Post Construction Manual.
- o) The project will require a Utility Plan (if not shown on the Site Plan) showing the existing site utilities and their alignment and locations, along with any proposed new locations or alignments for sewer, water, irrigation, gas, electrical, telephone, cable TV, etc.
- p) The project will require an Erosion Control Plan incorporating, as appropriate, the MCSTOPPP Minimum Erosion/Sediment Control Measures for Small Construction Projects:
http://www.marincounty.org/depts/pw/divisions/mcstoppp/development/~//media/Files/Departments/PW/mcstoppp/development/MECM_final_2009.pdf
- q) All requirements of the Fire Marshal shall be met including but not limited to the following:
- r) The vegetation on this parcel shall comply with the requirements of TFPD. CFC 304.1.2
- s) Any additional lighting from that approved here requires Design Review approval.
- t) The general contractor shall submit a proposal to the City Manager, for review and approval, addressing the schedule for construction and parking locations for construction vehicles. Prior to the issuance of a building permit, the applicant shall update the Construction Management Plan to the satisfaction of the Building Official.
- u) Plans submitted to the Building Department for permit issuance shall be consistent with the approved Planning Commission plans.
- v) Design Review approvals expire twelve (12) months from the date of approval.

- w) Construction shall be completed within the Construction Time Limit established for this project.
- x) In the event unanticipated archaeological or paleontological resources are uncovered during construction, all work must be halted and an evaluation must be undertaken by a qualified archaeologist or paleontologist to identify the appropriate actions that shall be undertaken.
- y) These Conditions of Approval shall be printed on the Building Permit Construction Plan set of drawings.
- z) These restrictions shall be binding upon any successor in interest of the property.
- aa) Prior to the issuance of a building permit the property owner shall demonstrate compliance with State/BAAQMD air quality requirements related to the dust generated by grading and construction.
- bb) Prior to approval of the framing inspection, the applicant shall provide an elevation survey prepared by a licensed surveyor to the Building Department indicating the height of the new residence.

PASSED AND ADOPTED at a special meeting of the Belvedere Planning Commission on December 15, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSED:

APPROVED: _____
Peter Mark, Planning Commission Chair

ATTEST: _____
Beth Haener, City Clerk

EXHIBIT A

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.

Landscaping will be preserved in its natural state and the project does not propose to remove any trees. The majority of the landscaping will remain. As designed, the decks, retaining walls and stairs propose minimal cut and fill areas, grade changes, and is kept in harmony with the general appearance of the neighboring landscape.

Relationship between structures and the site. There should be a balanced 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 project proposal maintains a balanced and harmonious relationship between the structure and its site and adjoining properties because the proposed decks have been designed to relate to and fit in with the existing house and topography of the site. The decks are designed to minimize the bulk and mass. The decks are designed to fit into the natural land forms and the existing landscaping will provide screening to help minimize the mass and bulk.

Minimizing bulk and mass.

A. 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 decks are designed to avoid appearing monumental or excessively large in size. The decks are relatively small, and will be built into the hillside. The landscape changes, the decks, stairs, patios and retaining walls are designed in such a manner as to blend in with the architectural style of the home and the site. The house is located away from the street and will not increase the impression of bulk due to its location on the sloped lot.

B. 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 improvements are designed so that they do not include a large expanse of any one material. The deck additions will blend into the home and the metal railings will provide architectural variety.

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 not 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 proposed materials; metal railings, Ipe deck, and bluestone terrace are appropriate for the residence in that they are quality materials that blend in well with the surrounding properties and match the existing dwelling.

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.

There are no new fences proposed with this project.

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

There are no new windows or doors proposed with this application.

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.

There are no changes proposed to the garage, parking or circulation on the property.

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.

There are 19 new path and wall lights proposed with this project. The lighting will not create glare, hazard or annoyance to the neighboring property. This is a very large, steep lot that has extensive landscaping which all aid in shielding lights. All new lights will be down lit and have covered bulbs.

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.

There are no known nonconformities that would be feasible or reasonable to mitigate with this project.

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.**

The majority of the existing landscaping will remain the same. There are changes proposed to the hardscape to create a more useable outdoor area for the homeowner. Additionally, the decks, walkways and stairs are in disrepair and the hardscape changes will create a safer environment for the homeowner. The remainder of the extensive landscaping on the lot will remain.



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 I • PROJECT SUMMARY

Does this project have an active building permit? No Yes Permit No.: _____
 Is this property adjacent to a City Owned Lane? No Yes
 Is there an Existing Revocable License for this property? No Yes Lic # 2012.18
 Does this project have Planning Commission approval? No Yes
 Address of Property: 288 Beach Rd.
 Record Owner of Property: ELLIS PATE-CORNELL TRUST ETAL
 Mailing 288 Beach Rd. Daytime Phone: _____
 Address: BELVEDERE, CA 94920 Fax: _____
 Email: _____
 Owner's Representative: Integrated Design Studio
 Mailing 227 FLAMINGO RD Daytime Phone: (415) 381-9500 ex 706
 Address: MILL VALLEY, CA 94941 Fax: _____
 Email: tim@integraddesignstudio.com

Project Description: _____
The scope of this project includes an enlargement of existing patio with outdoor kitchen placed on to the hillside using several low walls, the replacement of the existing fence and timber tie steps within the property boundary. Additionally, located on the adjacent property, a run of timber tie steps which lead down the hill toward the bay are to be realigned & replaced. The timber tie steps will end at a new deck located above the high waterline.

ZONING PARAMETERS:

	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area	<u>15,000</u>	<u>10,710</u>	<u>10,710</u>
Lot Coverage	<u>30/50</u>	<u>4,269</u>	<u>4,299</u>
Total Floor Area	<u>3138</u>	<u>3,138</u>	<u>3,138</u>
Front Yard Setback	<u>15'-0"</u>		
Left Sideyard Setback	<u>10'-0"</u>		
Right Sideyard Setback	<u>10'-0"</u>		
Rear Yard Setback	<u>10'-0"</u>		
Building Height Maximum	<u>28'-0"</u>		<u>NO CHANGES</u>
Building Height Average	<u>28'-0"</u>		<u>NO CHANGES</u>
Parking Spaces	<u>2</u>	<u>2</u>	<u>0</u>

SECTION 2 • ENVIRONMENTAL INFORMATION REQUIRED BY CEQA

(To Be Completed by Applicant)

Date Filed: _____

General Information

1. Name and address of developer or project sponsor: Integrated Design Studio- Project Designer
2. Address of project: 288 BEACH RD BELVEDERE, CA
3. Name, address, and telephone number of person to be contacted concerning this project: _____
Tim Ryan Project Manager, Integrated Design Studio 227 Flamingo rd Mill Valley, CA 94941 tim@integrateddesignstudio.com 415-381-9500 ex 706
4. Indicate number of the permit application for the project to which this form pertains: _____
5. 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: Revocable License from the city, and Approval from BCDC currently working with BCDC on the process
6. Existing zoning district: R-15
7. Proposed use of site (Project for which this form is filed): Private residential entertaining and recreation
8. Year built: 1896 Original architect: Unknown

Project Description

9. Site size. 10,710
10. Square footage. 3,138
11. Number of floors of construction. No proposed architectural changes/ additions
12. Amount of off-street parking provided. 2 existing space to remain unchanged
13. Plans attached? Yes
14. Proposed scheduling. Construction proposed for spring/ summer 2022

- 15. Associated projects, such as required grading or staging. Minor grading near expanded patio

- 16. Anticipated incremental development. _____
- 17. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents, and type of household size expected. Existing single family home
- 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. Revocable License required, existing step to be replaced are on adjacent city parcel

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 checked="" type="checkbox"/>	<input 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. No major changes to topography are specified, there are no trees specified for removal and there is no evidence of cultural or historic significance

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. The adjacent parcel where the existing timber tie stairs are to be replaced is zoned as OS, land-use code 80, APN-060-225-06

SECTION 3 • ESTIMATE OF TIME FOR CONSTRUCTION
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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: \$ 300,000

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: 288 Beach rd. Belvedere, CA

Assessor's Parcel No(s). of subject property: 060-225-19

> 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, James D. Ellul Jr and Elisabeth Pate-Cornell, 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: 288 Beach Rd. Belvedere, CA

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 12th day of June, 2021, at Belvedere, California.
Signature James O. Ellis, Jr Signature [Handwritten Signature]
Title(s) Trustee Title(s) Trustee

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

Name of trust, LLC, corporation, or other entity: Ellis Pate'-Connell Trust et al

> Properties Owned by Individuals

I, _____, 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 _____ day of _____, 20____, at Belvedere, California.
Signature _____

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

I hereby authorize Tim Ryan of Integrated Design Studio 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: *James D. Ellis, Jr.* Date: 6/30/2021

Signature of Representative: *T Ryan* Date: 6/2/2021



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: 288 Beach Rd. Belvedere, CA

Type of City Property to Be Encroached Upon (e.g., street right-of-way, view easement, tide lot):

Tide lot, parcel between client's property and the Bay

Record Owner of Property: ELLIS PATE-CORNELL TRUST ETAL

Mailing 288 Beach Rd. Belvedere, CA Daytime Phone: _____

Address: _____ Fax: _____

Email: _____

Owner's Representative: Tim Ryan of Integrated Design Studio, Inc.

Mailing 227 Flamingo Rd. Daytime Phone: 415-381-9500 ex706

Address: Mill Valley, CA 94941 Fax: _____

Email: tim@integrateddesignstudio.com

Description of Encroachment Requested and Its Purpose (include list of private improvements, both existing and proposed, that will encroach onto public property): _____

Existing timber-tie steps will be replaced and re-aligned to allow better access to the lower hillside.

Also, a deck will be installed above the high water-line of the bay

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

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.**

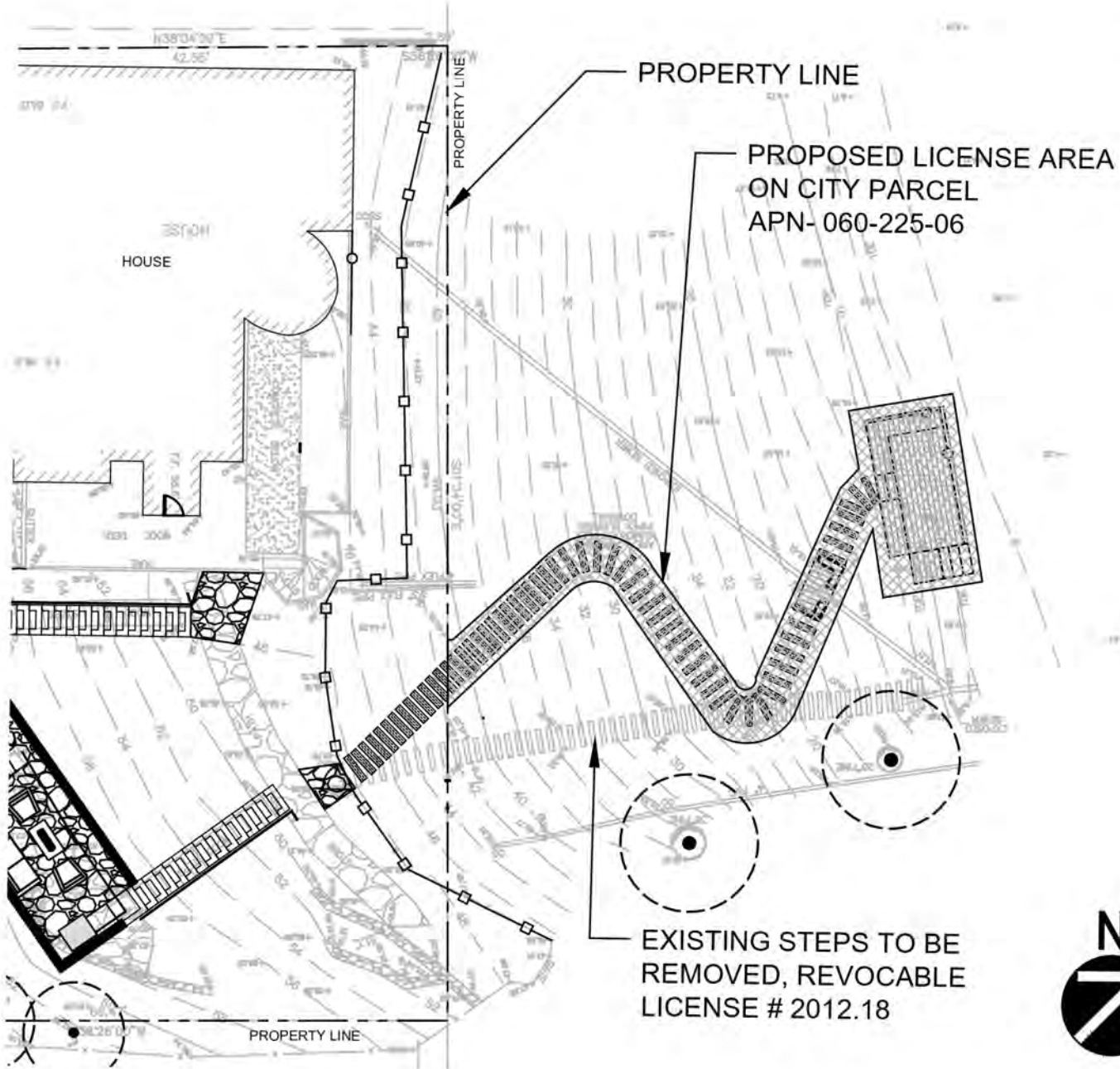
I, the undersigned owner of the property herein described (or owner representative, as authorized by completion of a Statement of Ownership and Designation of Representative), hereby make application for the revocable license requested, and I hereby certify that the facts, statements and information 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: TRyan

Name: Tim Ryan of Integrated Design Studio

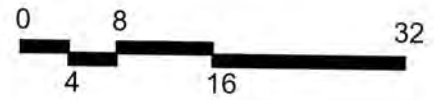
Date: 6/8/2021



REVOCABLE LICENSE EXHIBIT "A"
LICENSE AREA SHOWN SHADED



288 BEACH RD
BELVEDERE, CA
APN- 060-225-19





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: 288 Beach Rd. Belvedere, CA

Type of City Property to Be Encroached Upon (e.g., street right-of-way, view easement, tide lot):
Street Right-of-Way

Record Owner of Property: ELLIS PATE-CORNELL TRUST ETAL

Mailing 288 BEACH RD. Belvedere, CA Daytime Phone: _____

Address: _____ Fax: _____

_____ Email: _____

Owner's Representative: Tim Ryan of Integrated Design Studio, Inc.

Mailing 277 Flamingo Rd Daytime Phone: 415-381-9500 ex706

Address: Mill Valley, CA 94941 Fax: _____

_____ Email: tim@integrateddesignstudio.com

Description of Encroachment Requested and Its Purpose (include list of private improvements, both existing and proposed, that will encroach onto public property): _____

Existing parking deck and associated stairs are to remain unchanged from previously allowed/ permitted by city of Belvedere

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

Project Address: _____

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: TRyan

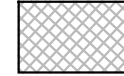
Name: Tim Ryan of Integrated Design Studio

Date: 12/8/2021

PROPOSED LICENSE AREA
WITHIN CITY RIGHT OF WAY
ON BEACH ROAD

PROPERTY LINE

REVOCABLE LICENSE EXHIBIT "A"
LICENSE AREA SHOWN SHADED



288 BEACH RD
BELVEDERE, CA
APN- 060-225-19

EXISTING PARKING DECK &
STEPS TO REMAIN AS
PREVIOUSLY PERMITTED BY
LICENSE # 2012.18

