

Pat Carapiet, Chair
Ashley Johnson, Vice Chair
Commissioner Lasky
Commissioner Hart
Commissioner Stoehr
Commissioner Slaymaker
Commissioner Burke



Acting Dir of Planning & Building Brad Evanson
Assistant City Attorney Ann Danforth
Associate Planner Samie Malakiman
Permit Technician Nancy Miller

Planning Commission Agenda
Tuesday May 16, 2023
6:30 PM

City Council Chambers City Hall· 450 San Rafael Avenue, Belvedere CA· Phone 415.435.3838
City of Belvedere Internet Address: <https://www.cityofbelvedere.org>

NOTICE: Members of the Public will be able to participate in-person or remotely via Zoom.

Please be advised that those participating in the meeting remotely via Zoom do so at their own risk. The Planning Commission meeting will not be cancelled if any technical problems occur during the meeting.

City Hall Council Chambers will be open to members of the public 30 minutes prior to the start of the meeting.

Members of the public may attend the meeting in-person at the Council Chambers 450 San Rafael Avenue, or by visiting:

<https://us02web.zoom.us/j/89294361832>

Or by phone 1-888-788-0099 (Toll Free) or 1-833-548-0276 (Toll Free)

Enter Webinar ID: 892 9436 1832

If you have called into the meeting and wish to speak, please press *9.

At each meeting, the public has the opportunity to address the Planning Commission on items appearing on the agenda and items not appearing on the agenda, but within the purview of the Planning Commission.

Public Comment may be made live during the meeting in-person, via Zoom or through written comment. The public may also submit comments in advance of the meeting by emailing the Acting Director of Planning & Building at: bevanson@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. Written public comment will not be verbally read out loud. The Planning Commission will not entertain comments made in the chat function.

A. CALL TO ORDER OF REGULAR MEETING OF THE PLANNING COMMISSION

B. OPEN FORUM

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

C. REPORTS

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

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. If you do not have access to the Zoom meeting platform, please email the Acting Director of Planning and Building, Brad Evanson at bevanson@cityofbelvedere.org and indicate that you would like to remove a consent calendar item and identify the item. After removing the item, the Planning Commission will call for comment at the appropriate time.

1. Draft [Minutes of the April 18, 2023](#), regular meeting of the Planning Commission.

D. PUBLIC HEARINGS

2. Design Review application for renovation, internal reconfiguration, and exterior improvements for the property located at **49 Peninsula Road** (APN: 060-051-28). The project proposes enclosure of the outdoor entry under the second level, extending second-floor footprint within the existing double-height space, and interior reconfiguration of the living spaces. Exterior improvements include new fenestration, removal and infill of existing chimney, installation of a new hot tub and grill, partial removal of trellis sections, and a new fence at the entry. The proposed enclosure and expansion of the structure are located in areas already calculated towards existing floor area; as such, no change will occur to the existing gross floor area or lot coverage. The project is categorically exempt from CEQA pursuant to *Section 15301(l)(1) Existing Facilities*. Project Applicant: Robert Tranter, Formed Architecture; Property Owners: Nathan Allen & Heidi Bioski.
 - [Staff Report](#)
 - [Plans](#)
3. Design Review application for the property located at **101 Golden Gate Avenue** (APN: 060-142-01). The project proposes to remove nine (9) Eucalyptus trees, and two (2) Monterey Pines. The project would plant three (3) Coast Live Oak trees, San Gabriel Flannel Bush, California Lilac, and seven (7) Toyon. The project is categorically exempt from CEQA pursuant to CEQA Guideline Section 15304 Minor Alterations to Land. Project Applicant: Geneva Michaelcheck; Property Owner: Hiba Hassan & Akmal Hashmi.
 - [Staff Report](#)
 - [Plans](#)
4. Demolition, Design Review, Exception to Total Floor Area, Use Permit, Revocable License, and Extension of Construction Time applications for the property located at **135 Belvedere Avenue** (APN 060-181-36). The project includes a 790 square-foot Accessory Dwelling Unit that would be approved ministerially. The project proposes to demolish an existing single-family home and detached garage, and Design Review to construct a new 9,936 square-foot residence that includes a 1,006 square-foot garage and 128 square-foot boat storage area. Other improvements include a motorcourt, swimming pool, retaining walls, landscaping, terraced patios, bioretention basin, and stairway access to a 668 square-foot deck, 875 square-foot pier, 12 square-foot boatlift, and 96 square-foot platform lift on the adjacent County of Marin tide lot. Total lot size is 52,965 square-feet (1.24 acres) based on an approved 2019 lot merger. An exception to total floor area is requested for exceeding the allowable floor area per Belvedere Municipal Code Section 19.52.115. A Use Permit is requested to allow private recreation use of the R- Recreation zoned tide lot. The project would require a Revocable License for curb, concrete apron, landscaping, and trash enclosure improvements in the public right of way. The applicant is requesting a 24-month Construction Time Limit. The project is categorically exempt from CEQA pursuant to *Section 15301(l)(1) Existing Facilities*, and *Section 15303(a) New Construction or Conversion of Small*

Structures. Project Applicant: Kurt Melander; Property Owner: LFB 135, LLC.(Commissioners Hart, Slaymaker and Burke, recused)

- [Staff Report](#)
- [Plans pages 1-25](#)
- [Plans pages 26-62](#)
- [Plans pages 63-100](#)
- [Plans pages 101-195](#)

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.

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 heard. For additional information, please contact City Hall, 450 San Rafael Ave, Belvedere CA 94920. (415) 435-3838.