



**City of Belvedere
Planning Commission Regular Meeting
Draft Minutes**

17 October 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>

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

Chair Pat Carapiet called the regular meeting to order at 6:30 p.m. in the Council Chambers. The meeting was also available via Zoom webinar. Commissioners present: Pat Carapiet, Ashley Johnson, Nena Hart, Marsha Lasky, Claire Slaymaker, Kevin Burke and Alex Seidel. Commissioners Absent: None. Staff present: Director of Planning and Building Rebecca Markwick, City Attorney Ann Danforth, Associate Planner Samie Malakiman, and Technician Nancy Miller.

B. OPEN FORUM

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

No one wished to speak.

C. REPORTS

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.

Chair Carapiet reported that at the request of Mayor Lynch there will be a new subcommittee for Floodplain guidelines which will include Pat Carapiet, Ashley Johnson and Building Official Brian VanSon. In addition, the City Council has requested a joint taskforce to discuss the Tree Ordinance to determine the goals of the Ordinance and to make changes Pat Carapiet, Marsha Lasky, and Mayor Jim Lynch and staff will participate. Last, she requested a meeting date change to December 12, 2023 for the regular December meeting.

There were no additional reports from the public, staff, the Planning Commission or on Zoom

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 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 Director of Planning and Building, Rebecca Markwick at rmarkwick@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.

MOTION: To adopt the Consent Calendar consisting of the following items:

1. Draft **Minutes of the September 19, 2023**, regular meeting of the Planning Commission.
2. Extension of Design Review approval application for the property located at **345 Golden Gate Avenue** (060-202-21). The project received Planning Commission approval on February 19, 2019, for a residential addition and remodel, pool house, and other associate site improvements. This application does not propose to modify the approved plans. The project is categorically exempt pursuant to Section 15301 (1)(1) Existing Facilities. Applicant: Carl Baker. Property Owner: 345 Golden Gate LLC.

MOVED BY: Ashley Johnson, seconded by Nena Hart.

VOTE: AYES: Pat Carapiet, Ashley Johnson, Nena Hart, Claire Slaymaker, Kevin Burke, Marsha Lasky, and Alex Seidel.
RECUSED: Ashley Johnson (Item 1 due to absence from the meeting)
NOES: None.

E. PUBLIC HEARINGS

Chair Carapiet stated that Item 4 (**43 Peninsula Road**) has been removed from the Agenda and is to be continued to a future meeting.

3. Design Review, and Revocable License applications for the property located at **43 Peninsula Road**. (APN: 060-051-31) to add 521 square-feet to the residence, consisting of a 508 square-foot first story addition and 13 square-foot living room expansion. The project would replace the 12-foot-tall roof above the living room to 14-feet. The project would replace exterior windows and doors, repaint exterior walls, and replace the swimming pool. A Revocable License is requested for improvements in the Peninsula Road right-of-way. The project is categorically exempt from CEQA pursuant to CEQA Guideline Section 15301(I)(1) Existing Facilities. Applicant: Marshall Schneider (architect). Property Owners: David Ross and Helen Werngren. (Item to be Continued).

MOTION: To continue Item 3 (43 Peninsula Road) to a future meeting of the Planning Commission.

MOVED BY: Nena Hart, seconded by Claire Slaymaker.

VOTE: AYES: Pat Carapiet, Ashley Johnson, Nena Hart, Claire Slaymaker, Kevin Burke, Marsha Lasky, and Alex Seidel.
RECUSED: None.
NOES: None.

4. Design Review and two Variance applications for the property located at **49-51 Alcatraz Avenue** (APN: 060-102-54) to construct a two-car parking area with metal and cable guardrails. The project proposes new concrete stairs, landscaping, and a 7-foot-tall retaining wall. A Variance is requested to allow the parking area to be less than 3 feet from the improved street line. A second Variance is requested to allow a retaining wall taller than 4-feet in height within the side yard setback. The project is categorically exempt from CEQA pursuant to CEQA Guideline Section 15303(a) New Construction or Conversion of Small Structures. Applicant: David Thompson (architect). Property Owner: Petra Hansen.

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

Commissioners discussed clarification of the Variance requested for the parking structure in the sideyard setback. The reference to the section of the Municipal Code will need to be amended to reference Section 19.48.190 for a structure greater than 4 feet in height in a setback.

David Thompson, project architect, presented the revised project. A slide show accompanied his report² He addressed concerns expressed in correspondence from the neighbors. Vines on the

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

² The applicants' presentation is archived with the record of the meeting.

guardrail should mitigate privacy concerns. Steel bollards and wheel stops will be installed for safety. The parking structure is similar to many such structures in the area. The design will protect the large Oak tree. The proposed guardrail design was chosen to minimize view blockages. Planter boxes between the wheel stop and the end of the parking area might fit in to provide for additional screening. The amount of cut and fill would be minimal. Adding lighting near the tree might be useful for access to the steps from the parking platform.

Open Public Hearing

Toni Sutherland, 53 Alcatraz Avenue has submitted a letter outlining her concerns. She would prefer side-by-side parking near 49 Alcatraz Avenue that would remove potential safety risks to her property.

Petra Hansen, applicant and property owner, 49-51 Alcatraz Avenue outlined the prior efforts for development of alternative designs for a parking structure, including one that was denied by the Planning Commission twice, and another design studied for the north end of the property but which would also have negative impacts on the nearest neighbor at 47 Alcatraz Avenue. Other alternatives were not feasible without affecting the Oak tree.

Close public hearing.

Commissioners discussed the proposal. There was consensus that privacy plantings should be established early during the project construction period. Safety concerns were discussed. It was clarified that safety is in the purview of the Building and Engineering departments, and not a consideration for the Planning Commission. Findings for the Variances could be made due to the size and configuration of the lot, and preservation of the large Oak tree. A final landscape and lighting plan will address lighting and some of the plant selections, privacy screening on the guardrail, and adding planter boxes at the end of the platform. Consideration of additional plantings on the lower part of the lot should be made. All Commissioners expressed that they can make the findings for the project.

MOTION: To approve the application for Design Review at **49-51 Avenue** as conditioned per the discussion at the meeting.

MOVED BY: Ashley Johnson, seconded by Claire Slaymaker

VOTE: AYES: Ashley Johnson, Pat Carapiet, Nena Hart, Marsha Lasky, Claire Slaymaker, Alex Seidel, Kevin Burke.

NOES: None

MOTION: To approve the application for a Variance for a parking structure less than 3 feet from the improved street line, for **49-51 Alcatraz Avenue**

MOVED BY: Ashley Johnson, seconded by Claire Slaymaker

VOTE: AYES: Ashley Johnson, Pat Carapiet, Nena Hart, Marsha Lasky, Claire Slaymaker, Alex Seidel, Kevin Burke.

NOES: None

MOTION: To approve the application for a Variance for a structure greater than 4 feet high in the side yard setback for **49-51 Alcatraz Avenue.**

MOVED BY: Ashley Johnson, seconded by Claire Slaymaker

VOTE: AYES: Ashley Johnson, Pat Carapiet, Nena Hart, Marsha Lasky, Claire Slaymaker, Alex Seidel, Kevin Burke.

NOES: None

5. Design Review for the property located at **31 Cove Road** (APN: 060-082-21) to remove one Poplar tree and two tree stumps within the private alleyway adjacent to Cove Road. The project is categorically exempt from CEQA pursuant to CEQA Guideline Section 15304 Minor Alterations to Land. Applicant: Holscher Architecture. Property Owners: Peter and Jennifer Daly.

Associate Planner Malakiman presented the staff report. A slide show presentation accompanied his remarks.³ Correspondence received after the issuance of the staff report has been provided to the Commissioners on the dais. He confirmed that the City Arborist did not review the stumps, only the remaining tree.

Applicant and owner, Peter Daly presented his request to remove the remaining Poplar tree which is not in scale with the new 14 foot tall Podocarpus trees he has already been approved to plant. He stated that the removal of the other 2 Poplar trees was an action of the tree contractor, and was not done at his request. He confirmed that the Podocarpus would be planted in raised boxes so they will be about 2 feet taller.

Open public hearing.

No one wished to speak.

Close public hearing.

Commissioners discussed the project. Observation of the 2 tree stumps by some Commissioners indicates that they may regrow. The majority of the Commissioners were in favor of requiring that the removed trees be replaced with new Poplar trees if the stumps cannot regrow, and the remaining tree should remain. One Commissioner could make the findings for Design Review to support the removal of the remaining Poplar tree.

The applicant stated that he would not agree to planting any new Poplar trees even if the Commission required it.

Upon further discussion it was determined that a continuance of the entire application might be the best choice until an Arborist could assess the two remaining stumps as to whether they can regrow.

MOTION: To continue the applications for **31 Cove Road** to a future Planning Commission meeting.

MOVED BY: Nena Hart seconded by Claire Slaymaker

VOTE: AYES: Pat Carapiet, Ashley Johnson, Alex Seidel, Claire Slaymaker, Nena Hart, Marsha Lasky
NOES: Kevin Burke

Meeting was adjourned at 8:15 PM


PASSED AND APPROVED at a regular meeting of the Belvedere Planning Commission on November 21, 2023 by the following vote:

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

APPROVED:


Pat Carapiet, Planning Commission Chair

ATTEST:


Beth Haener, City Clerk

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