



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

21 November 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: City Manager Robert Zadnik, Director of Planning and Building Rebecca Markwick, City Attorney Ann Danforth, Associate Planner Samie Malakiman, and Public Works Director Tony Boyd.

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.

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 October 17, 2023**, regular meeting of the Planning Commission.
2. Planning Commission consideration of application requests for Design Review, Exception to Total Floor Area and Variance for an addition/remodel of the existing residence located at **107 Acacia Avenue**. The applicant proposes the conversion of an existing crawlspace to be conditioned living space. Proposed additions are contained within the footprint of the existing structure. An Exception to Total Floor Area is required as the project proposal exceeds the maximum floor area permitted and a Variance is required for encroachment into the rear yard setback. Applicant: Christie Tyreus (architect). Property Owners: Galina Mishnyakova & Michael Varshavsky.

MOVED BY: Marsha Lasky, seconded by Nena Hart.

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

E. PUBLIC HEARINGS

3. Design Review to replace a section of deteriorated wood stairs with concrete steps at the lower section of **Park Lane**, a City-owned Lane. The project would construct a new landing and concrete bench in the lower section of Park Lane as well. The project is categorically exempt from CEQA pursuant to CEQA Guideline Section 15301 Existing Facilities. Applicant: City of Belvedere.

Public Works Director Tony Boyd presented the staff report. A slide show presentation accompanied his remarks.¹

Commissioners asked for clarifications on the plan and the intent of the project. Mr. Boyd replied that the lanes are primarily evacuation routes, but the modifications will include a public bench such as is found on several other City lanes for user enjoyment of views and a rest point on a steep stairway. No trash receptacles are planned. Landscaping is intended to be low water and low maintenance as no irrigation is proposed.

Open public hearing.

Bryan Kemnitzer, Oak Avenue, spoke in support of the project. He stated that the Parks Open Space and Lanes Committee has reviewed the project and supports the requested design.

Klaus Johannesmeier, Blanding Lane, stated he represents several residents of Blanding Lane. They have sent in correspondence already in the record. They disagree with the determination of a Categorical Exemption from CEQA And have concerns with fire danger from increased lane use and increased trash accumulation. No fire study has been conducted and they are requesting this be done. He declined to disclose the list of people he was representing.

No one on Zoom requested to speak.

Mr. Boyd stated that a CEQA consultant was involved in the preparation of the plans. A tree protection report will be submitted as part of the project permit. The Fire Marshal was unavailable to comment on the project. Scotch Broom will be removed and the wooden steps will be replaced with concrete steps, both would be positive measures to improve fire safety.

Close public hearing.

Commissioners supported the project as an improvement for safety and the use of Park Lane. If a source of irrigation could be found from any of the neighbors, that might be a good resource to investigate. A more natural plant choice other than Privet might be favored.

MOTION: To approve Design Review for Park Lane step replacements, and new landing and bench.

MOVED BY: Masha Lasky, seconded by Claire Slaymaker.

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

4. Planning Commission **Study session on the Revised Housing Element**. The 2023-31 Housing Element was adopted by the City Council on January 24, 2023, and submitted to the California Department of Housing and Community Development (HCD) for a legally-mandated 90-day review. Subsequently, on May 1, 2023, HCD sent a letter requesting modifications for compliance with State law. Town staff and the consultant have been working to revise the Element to address HCD comments. The Revised Housing Element responds to comments from the California Department of Housing and Community Development (HCD) requesting revisions for compliance with State law.

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

Director Markwick introduced Andrew Hill, Dyett and Bhatia, consultants for the Housing Element update.

Mr. Hill presented a summary of the updated Housing Element. A slide show presentation accompanied his report.² He asked Commissioners to confirm that the revisions appropriately address the HCD comments and to make any refinements or modifications before this draft move to formal hearings in December and January.

Commissioners asked for clarifications as to how and where inclusionary programs apply in certain areas of the City.

Mr. Hill replied this applies to Citywide projects that would have more than 3 affordable units except for the Boardwalk area.

Possible revisions to the Nov 3 draft Housing Element Programs 1-A and 2-F were discussed. The percentages of inclusionary housing units could be modified however they could affect the buffer for lower income RHNA units.

Mr. Hill described the next steps in the sequence of reviewing this document.

Open Public Hearing

Bruce Dorfman Applicant for Mallard Pointe stated that the draft document is not responding to the direction received from HCD. There are discrepancies between the zoning code and the proposed densities in this draft would necessitate exceptions and variances.

Jill Barnett, Lagoon resident, asked whether increasing the heights of buildings on Beach Road might be adding more weight when in fact it has been determined that Beach Road is sinking. This is a safety issue. This might not be appropriate to include as a location for more housing.

Alexandra Deane, no address given, suggested that Belvedere could collaborate with other places in Marin County to provide affordable housing.

Close public hearing.

Commissioners made comments and suggestions for changes to the document. General comments from several Commissioners were that they want to submit a document that demonstrates the City's willingness to plan for and implement the programs and policies to be able to achieve the housing goals. Several Commissioners expressed support for a 15% inclusionary requirement especially for the Boardwalk site. One Commissioner suggested that lowering the parking requirements for some of the multifamily areas would demonstrate a willingness to work to encourage development in the higher density sites.

Some Commissioners do not favor rezoning in the 2 Cluster sites in favor of looking for alternatives to achieve the required units. Commissioners asked for a model of densities if the R2 was removed from the cluster. Changes in the PUD overlay combined with inclusionary and other incentives and State bonus density law may undo the positive benefits of current R3 and R2 zoning. More study may be needed to refine the specific allowances to an acceptable level.

Mr. Hill observed that State density bonuses cannot be included as part of the policies and programs for achieving the RHNA compliance. Also, he noted that not all R2 or R3 zones are included in the discussion on having any changes; these are only for the two cluster sites.

Chair Carapiet summarized that she believes this Commission has a goal to provide the best plan it can so that in the next 8 years as it is being implemented the people of Belvedere will appreciate that the best efforts are being made now for the best future results.

Since there was no action required to be taken by the Commission for this Study Session the meeting was adjourned at 9:30 PM

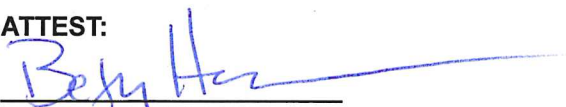
² The staff presentation is archived with the record of the meeting.

PASSED AND APPROVED at a regular meeting of the Belvedere Planning Commission on December 12, 2023 by the following vote:

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

APPROVED:

Pat Carapiet, Planning Commission Chair

ATTEST:

Beth Haener, City Clerk