



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

12 December 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.

Director Markwick outlined the upcoming schedule for the Housing Element Update. The City's consultants Dyatt and Bhatia are still drafting the Initial Study and expect to have the documents ready in time for the special January 3, 2024 Planning Commission meeting. Zoning Amendments will also be considered at that meeting. The regular Planning Commission meeting will be rescheduled to January 17 to accommodate an added City Council meeting on Jan 16th.

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.

There were no requests to remove the item from the Consent Calendar.

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

1. Draft **Minutes of the November 21, 2023**, regular meeting of the Planning Commission.

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

2. Planning Commission review of 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 as well as responds to Planning Commissioners and the public comments.

Director Markwick presented the staff report. She presented an in-progress summary of the work on revisions in the document. The PUD overlay will be removed and replaced with an R-3 overlay on certain contiguous parcels on Beach Road. This will allow for increased incentives including parking reductions, and to reduce density in the R-2 zones. The Boardwalk area will have an increase in the allocation of lower income units to compensate and meet RHNA requirements. Changes to the inclusionary requirements will be made in Program 1-A to mirror the Tiburon plan.

Changes to the JADU Ordinance may be made for some properties where the owner agrees to an affordability agreement. Other revisions to the document will be presented as a red-lined version at the January 3, 2024 meeting. The reports should be issued on December 28 to the Commissioners and on-line on December 29.

Open public hearing.

Peter Mark thanked the Planning Commission for their help with the densely scheduled meetings at this time of the year.

No one on Zoom requested to speak.

Close public hearing.

There was no further discussion on this item.

Chair Carapiet announced that Item 2 (**15 Tamalpais Avenue**) would be heard as the last item tonight.

4. 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 addition and 13 square-foot living room expansion. The project would raise and replace the existing 12-foot-tall roof to 14-feet at the living room. The project would replace exterior windows and doors, repaint exterior walls, and replace the swimming pool. A Revocable License is required 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.

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

It was observed that the Revocable License request does not apply to the current project and can be continued to the future if needed.

The current review is for Design Review for the project as presented.

Marshall Schneider, architect, presented the project. A slide show accompanied his remarks.² There will be a few additional changes to the plans as seen tonight. They propose to add 3 potted Meyer Lemon trees in the patio area. The trellis on the side of the addition will be deleted to avoid an encroachment into the side setback. Proposed light fixtures in the trellis will be fixed and downward pointing; in addition to some lighting which is required by the Building Code at exterior doorways.

Open public hearing.

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

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

Claude Perrasso, 41 Peninsula Road, spoke in support of the project. He thanked the applicant for the outreach throughout the preparation of the design.

Andrew and Jill Barnett, also Peninsula Road neighbors, thanked the applicants for their outreach. They support the project.

Close public hearing.

Commissioners discussed the project. Each stated that they could make the findings for Design Review, conditioned on the deletion of the side trellis. A possible reduction in the number of light fixtures and the addition of several boxed trees can be addressed when the final landscape plan is reviewed by the Chair and Planning Director per the condition in the Resolution.

MOTION: To approve Design Review for the project at **43 Peninsula Road**.

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.

5. Design Review application for the property located at **46 Lagoon Road** (APN 060-063-03). The applicant proposes landscape improvements, including new paving, water feature, spa, entry walk and gate, plantings, and exterior lighting. Staff recommends that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 Existing Facilities. Applicant: Catherine Coy, Catherine Coy Design; Property Owner: Bart Stephens

Associate Planner Malakiman presented the staff report. A slide show presentation accompanied his remarks.³

There were no questions for staff.

Pete Pedersen, landscape architect, presented the project⁴. Stepping stones in the front water feature are to be deleted. He clarified the lighting design for the circular element. The circular metal shroud will have lighting on the underside which will emit a soft glow off the surface of the gate. Although not shown on the renderings, a planter will extend across in front of rear palm tree that will shield the spa from view from the Lagoon. Equipment for the water feature is submersed in the pool. The AC unit will be shielded to mitigate noise. He requested that the Commission consider the plan as submitted.

Open public hearing

No one wished to speak.

Close public hearing.

Commissioners were divided on the request for the proposed number and size of the palm trees. Concerns were expressed due to issues with their potential height of 30-50 feet, and some Commissioners felt that they do not seem to be a type of tree that would be harmonious with the native trees that are generally found in Belvedere. A discussion ensued as to whether a possible reduction of the number of palms, and/or a change the type of palm tree species might improve the project. There was mixed support for the lighted ring on the gate; this type of illumination is not found in the area.

Open public hearing.

Mr. Pedersen stated that the potential height of these trees will likely be less than the maximum listed potential height. He stated that the Kentia palm is a very beautiful tree that will have proper maintenance. He noted that there are many other tropical plantings in Belvedere. He agreed to accept a continuance of the application.

Close public hearing.

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

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

MOTION: To continue the item for Design Review for the project at **46 Lagoon Road**.

MOVED BY: Marsha Lasky, seconded by Nena Hart.

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

Commissioners Lasky and Johnson stated that they are recused from Item 2 (**15 Tamalpais Avenue**) because they own property within 500 feet of the subject property. They departed from the meeting.

2. Design Review application for the property located at **15 Tamalpais Avenue** (APN: 060-111-23) to remove one (1) mature Eucalyptus tree, 63-inches in diameter at breast height. The applicant would replace the Eucalyptus tree with a new tree (tree species and location yet to be determined). The project is categorically exempt from CEQA pursuant to CEQA Guideline Section 15304 Minor Alterations to Land. Project Applicant: Sarah Crump Collins; Property Owner: Todd Stanton. (Commissioners Lasky and Johnson recused)

Associate Planner Malakiman presented the staff report. A slide show presentation accompanied his remarks.⁵ There are two draft Resolutions provided in the staff report for consideration of the Commission.

Sarah Crump Collins, applicant, stated she is the daughter of the property owner of 11 Tamalpais Avenue. She requested removal of the tree for safety reasons. The tree overhangs her father's house as well as being a fire danger.. She has submitted several arborist reports as well as other documents relative to the poor condition of this tree and Eucalyptus trees in general. The Owner of the tree, Todd Stanton, has consented to the removal of this tree.

Robert Bovero, Marin County Arborists, spoke regarding their observations of the tree including a girdled root and a lean towards 11 Tamalpais Avenue. He was able to see the tree from both 11 and 15 Tamalpais Avenue properties.

Close public hearing.

Commissioner Burke stated he would like to see more detail in future reports from the City Arborist. Based upon the additional arborist information and the testimony tonight he can make the findings to approve the removal of this specific tree.

Commissioner Slaymaker can make the findings for the tree removal based on her observations of the lean of the tree.

Commissioner Hart reviewed this tree as well as studying the adjacent grove of Eucalyptus as seen from below at West Shore Road. These old groves lend a certain character to Belvedere. Thinning out such a grove can be helpful, especially in light of the other surrounding plants and trees that will remain and the addition of another tree. Pruning these trees is not always sufficient because of the type of regrowth that can occur. She can support the removal of this single tree.

Commissioner Seidel can support the removal of the tree in light of the information provided.

Chair Carapiet can make the findings for the removal of the Eucalyptus tree.

MOTION: To approve the Resolution to allow the removal of a Eucalyptus Tree at **15 Tamalpais Avenue**.

MOVED BY: Nena Hart, seconded by Claire Slaymaker

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

⁵ The slide show presentation is archived with the record of the meeting.

The meeting was adjourned at 9:00 PM

PASSED AND APPROVED at a regular meeting of the Belvedere Planning Commission on January 3, 2024 by the following vote:

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

APPROVED:


Pat Carapiet, Planning Commission Chair

ATTEST:


Beth Haener, City Clerk