

**BELVEDERE PLANNING COMMISSION**  
**REGULAR MEETING AGENDA**  
**SEPTEMBER 20, 2022, 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](mailto: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**

**Time: September 20, 2022, 06:30 PM**

**Join Zoom Meeting**

**<https://us02web.zoom.us/j/83021884024?pwd=Ri8rcVc4L3hNUEtPWTJjVFhldHRKZz09>**

Webinar ID: 830 2188 4024

Passcode: 605712

**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](mailto: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 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](mailto: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. Motion to Approve Meeting by Remote Teleconference and adopt the following findings:**

- a. On March 4, 2020, Governor Newsom proclaimed a State of Emergency declared by Governor Newsom under the California Emergency Services Act due to COVID-19, which is still in existence;
- b. State or local officials continue to impose or recommend measures to promote social distancing; and
- c. The State of Emergency declared by Governor Newsom on March 4, 2020, continues to directly impact the ability of Commission members, staff, and the public to meet safely indoors in person; and

d. The Belvedere City Council has directed all legislative bodies within the City to meet by Teleconference until further notice.

## **2. Draft Minutes of the August 16, 2022, regular meeting of the Planning Commission.**

Documents:

[Item 2 Draft Minutes of the August 16 2022 meeting.pdf](#)

## **3. 28 Eucalyptus Road**

Demolition and Design Review to demolish the existing garage at **28 Eucalyptus Road** to allow for construction of a new garage with storage below in the location as the existing structure. Applicant: David Holscher (Holscher Architecture). Property Owner: Denise Ellison. *Staff recommends approval of the proposed project. Recusals: Commissioners Burke, Hart and Slaymaker*

Documents:

[Item 3 28 Eucalyptus Road 2022 09 20.pdf](#)  
[Item 3 28 Eucalyptus Rd PLANS.pdf](#)

## **E. PUBLIC HEARINGS**

### **4. 25 Peninsula Road**

Design Review (portions of which are Retroactive) for the property located at **25 Peninsula Road**. Revocable license is required for improvement (existing & proposed) along the Peninsula Road frontage in the city right-of-way. The project includes landscaping and other site improvements. Applicant: Toni Kramer (landscape architect). Property Owner: Trygve Liljestrاند. *Staff recommends approval of the proposed project. Recusals: Commissioner Stoehr*

Documents:

[Item 4 25 Peninsula Rd.pdf](#)  
[Item 4 25 Peninsula Rd PLANS.pdf](#)

### **5. 312 Beach Road**

Design Review (portions of which are Retroactive) for the property located at **312 Beach Road**. Revocable licenses are also required for improvements (existing & proposed) in the city right-of-way along Beach Road and on city property, commonly known as "The Strip". The project includes landscaping and other site improvements. Applicant/Property Owner: Scott Robertson. *Staff recommends approval of the proposed project. Recusals: None*

Documents:

## **6. 68 Lagoon Road**

Demolition, Design Review, and Revocable License applications for the property located at **68 Lagoon Road** (APN 060-063-17). The project proposes demolition of an existing 2,414 square-foot home, and Design Review Permit to construct a new 2,976 square-foot residence and attached two-car garage. The project would include landscape and driveway improvements, as well as replacement of an existing bulkhead and dock along the lagoon. A Revocable License is required for driveway, sidewalk, and landscaping improvements within the Lagoon Road public right-of-way. Project Applicant: Max Taschek; Property Owner: Red Riding Hood Cabin, LLC. *Staff recommends approval of the proposed project. Recusals: None*

Documents:

## **7. 135 Belvedere Avenue**

Demolition, Design Review, Exception to Total Floor Area, Use Permits, Accessory Dwelling Unit, Revocable License, and Extension of Construction Time applications for the property located at **135 Belvedere Avenue** (APN 060-181-36). The project proposes demolition of an existing single-family home and detached garage to construct a new 12,449 square-foot four-story residence with attached 1,260 square foot garage and 485 square-foot accessory dwelling unit. Other improvements including a motor court, hillavator, 128 square-foot boat storage structure, and 714 square-foot deck. New retaining walls, landscaping, bioretention basins, terraces, a swimming pool, and stairway to shoreline are proposed as well. The project proposes an 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 log merger. An exception to total floor area is requested for exceeding the allowable floor area per Belvedere Municipal Code Section 19.52.115. Use Permits are requested to exceed the allowable ADU height per BMC Section 19.75.050 and to allow private recreation use of the R- Recreation zoned tide lot. The project would require a Revocable License for parking, sidewalk, landscaping, and trash enclosure improvements in the public right of way as well. The applicant is requesting a 24-month Construction Time Limit. Project Applicant: Kurt Melander; Property Owner: LFB 135, LLC. *Staff recommends approval of the proposed project. Recusals: Commissioners Burke, Hart and Slaymaker*

Documents:

## **F. OTHER SCHEDULED ITEMS**

**8. Appointment of Housing Element Subcommittee to review/comment on Administrative Draft Housing & Safety Elements.**

## ADJOURNMENT

**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 \$523.00 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. For purposes of filing an appeal, if the final day to appeal falls on a City Hall observed holiday or a day when City hall is closed, the final day to appeal shall be extended to the next day City Hall is open for public business. 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](http://www.cityofbelvedere.org)
- Belvedere City Hall, 450 San Rafael Avenue, 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) 435-8913.

### 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, nor, because of possible changes or extenuating conditions, be heard. For additional information, please contact City Hall, **450 San Rafael Avenue, Belvedere, CA 94920 (415) 435-3838**