



## MALLARD POINTE – PROJECT NARRATIVE

### Project Description

The proposed project (“Project”) is a residential infill development on a previously developed 2.8-acre site located on a private road in Belvedere (1-22 Mallard Rd). The Project would replace 22 dated market-rate residential units with 42 new residential units (including 3 ADUs). The Project site is a half mile from shopping, neighborhood services and transit, including the Tiburon ferry terminal.

Originally built in 1951, the existing 22 units are spread through nine (9) duplex buildings and one (1) fourplex building; eight (8) of the duplex buildings are adjacent to the Belvedere Lagoon, and one (1) duplex building and the fourplex building are adjacent to Community Road. The existing unit mix includes eighteen (18) two bedroom, one bath units and four (4) two bedroom, two bath units. The new residential units would consist of: five (5) lagoon-fronting duplexes (10 units); six (6) lagoon-fronting single-family homes; three (3) accessory dwelling units (ADUs); and 23 apartment units in a single apartment building. The ADUs are proposed as one-bedroom units to be located above three of the single-family-home attached garages. The apartment building would be adjacent to Community Road and include two residential stories above a semi-subterranean parking structure. The apartment unit mix would include one-, two-, and three-bedroom units. The lagoon-fronting single-family homes and duplexes would be a mix of one- and two-story homes containing two, three, or four bedrooms. Four (4) of the apartment units would be below-market rate, with two (2) very-low income units and two (2) moderate income units. In addition, the three (3) ADUs and remaining five (5) one-bedroom apartment units would be affordable by design to moderate-income households.

On-site parking for 102 cars is incorporated with 29 garage spaces in single-family homes and duplexes, 46 garage spaces in the apartment parking structure, and 27 unassigned or apron parking spaces. The proposed project also includes 114 bicycle parking stalls.

The Project site plan follows the existing development pattern of the surrounding area. Single-family and duplex homes are situated along the Lagoon and the apartment building is situated on the inland portion of the site. The site plan improves on the existing conditions at the property and provides separation between units, providing more porosity from the Lagoon edge, more privacy for

the residents, and view corridors for residents surrounding the property and from the apartment building. The apartment building's location near Community Park and City Hall helps frame the public realm. Pedestrian enhancements include wider sidewalks, new sidewalks, traffic calming features on Community Road, and crosswalks to further improve the connection from Mallard Pointe and the neighboring properties to Community Park.

The proposed architecture is designed to be contextual with Belvedere and the property's neighboring uses. The traditional architectural style of the apartment building is complementary to City Hall and is heavily influenced by well-regarded buildings in Belvedere designed by Albert Farr. The lagoon homes include a mix of traditional and contemporary design as seen among other lagoon homes. The apartment building materials include shingle and textured siding with a shingled roof. The proposed materials for the single-family and duplex homes include a mix of vertical board, smooth panel, and shingle siding, with weathered teak decks, concrete walls, and shingled roofs. An earth-tone color palette would be used throughout the Project with variations in colors between buildings.

The apartment building is proposed to be Type VA 1-hour rated construction over a Type I concrete parking structure; the single-family and duplexes are proposed to be Type V. The proposed construction methods include deepened conventional foundations. Some single family residences and duplexes may incorporate augured piles. The current width of Mallard Road does not comply with Fire Department requirements so it would be reconfigured and moved to accommodate the proposed site plan as well as widened to conform with City standards and provide emergency vehicle access. Mallard Road would remain private.

The Project will be designed to LEED standards and sustainability features would include drought-tolerant landscaping, permeable pavers, energy-efficient appliances, increased insulation, low-flow fixtures, solar panels, and electric vehicle (EV) charging stations. The Project is also designed to be FEMA compliant, with the first residential floor in each building raised to Base Flood Elevation plus one foot (11' above sea level). All parking on the site including the semi-subterranean garage is designed to meet FEMA standards.

**Affordable Housing Data/Density Bonus**

Pursuant to the MFR General Plan Designation, the Project site has a maximum density of 56 units. However, only 39 units are proposed (which excludes the proposed ADUs). Of the 39 units, 2 are proposed to be restricted to very low-income households, and 2 are proposed to be restricted to moderate income households.

Because the Project includes 5% Very Low-income units, the Project is entitled to a density bonus of 20% beyond the maximum allowable density. The Project does not seek the additional density bonus units. However, waivers, concessions, reduced parking standards, and all other provisions of

the State Density Bonus Law are all still available because of the inclusion of the Below Market Rate units.

The Project seeks waivers for height, certain side setbacks, the lot area/unit requirements, lot coverage on a per lot basis, and the prohibition on apartment courts and/or apartment houses in the R-2 zone. Each of these requirements physically precludes the construction of the Project at the density permitted for the property. The Project seeks a concession for the full amount of usable open space.

Currently, as of the time of this application, 19 of the 22 existing units are occupied. The Project sponsor has prepared a Relocation Program and will meet or exceed all State relocation requirements for residents in the 22 existing units that will be demolished to accommodate the Project.

**Project Timing**

Belvedere’s zoning code, and the initial time limits therein, is primarily designed to address the review and development of individual single family homes. Given the increased scope of this Project, the following timelines are requested to be increased as a part of this application:

1. **Design Review** – BMC Section 20.04.060(A) states that design review applications shall be valid for one year, but that, “the Planning Commission may designate a later expiration date if it determines that the criteria of this Chapter would still be served.” It is hereby requested that any design review approval for this project be valid for **2 years**. The complexity of developing the construction drawings for a project of this scope necessitates such a timeframe and there is no detriment if the existing housing remains slightly longer.
  
2. **Demolition** – BMC Section 20.04.060(C) states, “when demolition or removal of any existing structure is a part of design review approval, said demolition or removal shall be completed, and all debris removed from the site, within ninety days of design review approval **or such other date as the Planning Commission or the Director of Planning and Building determines to be in furtherance of the criteria of this Chapter.**” Here, there are multiple reasons why the demolition of the existing buildings on the property should not occur within 90 days of design review approval, including tenant occupancy, erosion control, and aesthetics. Demolition is best accomplished as part of the building project, therefore this application seeks a demolition requirement **within 6 months of the issuance of the building permit for the project.**
  
3. **Construction time limit** - BMC Section 20.04.035(C)(1) sets an initial construction time limit for a project of this value of 18 months. BMC Section 20.04.035(D)(2) states that “the Planning Commission has the authority to grant, conditionally grant, or deny a time limit

extension request made at the time of a design review hearing based on the reasonable anticipation of one or more of the factors in this Subsection.” Per BMC Section 20.04.035(D)(5), the maximum extension length is 6 months, for a total time limit of 24 months. Accordingly, it is hereby requested that the construction time limit for this project be 24 months.<sup>1</sup>

### **Replacement Housing Data**

As previously disclosed, there are twenty-two existing residential units which are proposed to be demolished. Because the existing units are covered by the rent limitations of California Civil Code Section 1947.12, they may be considered “protected units” under the Housing Crisis Act of 2019, as amended (“HCA”). Accordingly, all of the existing residential units will be replaced in the new development as required by the HCA. The Project sponsor has solicited information from existing residents regarding current income levels and, from the information available, the Project sponsor anticipates the proposed below market rate units discussed earlier in this application will also satisfy the affordability requirements of the HCA. Further, if the application is approved, the Project sponsor will, at a minimum, provide relocation payments and other statutory benefits required by the HCA to eligible residents, if any.

### **Environmental Data**

No point sources of air or water pollutants are proposed. The property is not located in a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178. No known historic and cultural resources are on the property. The property does not contain a hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code. The property is not located within a delineated earthquake fault zone as determined by the State Geologist. The property does not include a stream or any other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code.

The property is located in Special Flood Hazard Area Zone AE and the Project would meet all applicable FEMA construction requirements. The Project is located on the Belvedere Lagoon, which has not traditionally been subject to State or Federal regulatory jurisdiction, but does appear as a “lake” on certain agency maps.

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<sup>1</sup> It should be noted that Belvedere’s CTL ordinance is clearly designed for individual single family home construction and not multifamily housing projects of this type.