

Dear Irene and Planning Commission,

I have spent some time reviewing the 1/26/22 Mallard Pt Project submittal and while I don't fully understand what is required for an application completeness determination, I wanted to send you my observations for your consideration on same. As this will be a public document, I would like to inform those who read it that while I am on the Planning Commission, I am recused from participation on the Committee with regard to this project because I was informed by the City Planning Department that I reside within 500 ft of the project. Never the less I am allowed to submit comments as any other Belvedere resident. My observations, comments and questions are;

- Our BMC does not require a 15 ft rear setback on the lagoon in the R2 zone. Actually, it says the rear setback for R2 is 10 ft from rear property line. Does our Policy change apply here – i.e. set backs are to be measured from high water line and the high water line cannot be moved outboard from existing?
- The ADU's are above garages and do not meet our requirements for by right approval since our code only allows ADU's up to 16 ft in height as measured from grade, therefore these will need DR approval.
- Answers to questions on DR application #20 – 33 are a joke, most should be answered Yes not No. #20 is a Yes because they will need to install bulkheads, #21 is a Yes because they will be greatly impacting the primary views of the folks that have homes across the lagoon from the project site, #23 is Yes because there will be a significant volume of debris from the demolition plus ~500 cu yd of cut material plus all the waste from construction activities, #25 is Yes because during construction there is the potential for significant changes lagoon water quality and alteration of existing drainage patterns, #26 is Yes, because there will be substantial change in existing noise and vibration levels in the vicinity but during demolition/construction and after completion, #29 is Yes as it seems obvious there will be a substantial change in demand for municipal services, #33 is a very probable Yes due to changes to a site with archeological or cultural value as summarized in the Cultural Field Survey report which says *"a good analysis of significant features is difficult without ground disturbance but would likely contain historic era material"*. Given these gross miss representations of the potential project impacts, these alone are ample evidence the Application is incomplete.
- Waivers for density bonus seem to way outweigh the benefits of the minimal number of low income housing units, does the City have full discretion on granting these requests or does it have to grant all the requested waivers?
- Is there a minimum % of Below Market Rate units required to be a valid "housing development"? see Hurd's memo
- The Lagoon facing homes have way too much glazing, and Inside light reflection onto the water.
- I think the Geotechnical and Acoustic Reports underestimate the negative impact vibrations though the fill material will inflict on neighboring property during demolition and construction. When the house next door to mine was demoed using a track mounted backhoe, the vibrations sent though my house knocked books of shelves and visibly cracked my slab in my garage.
- Archeological Report
  - Seems hard to conclude there are no resources in the project site when there have been no prior studies. A Pedestrian search seem a bit light especially when they state a high potential for buried resources.

- The Pedestrian report (Cultural Field survey report) comment says a good analysis of significant features is difficult without ground disturbance but would likely contain historic era material! Seems to be ignored in the conclusions of the Arch Report.
- Transportation Study
  - Does not seem to deal with traffic issues during construction
  - Seems like they are missing traffic trips generated by online and delivery activities.
  - Section 4.4 is totally gobble gook and unintelligible Vehicle Miles Traveled VMT
  - Last Paragraph of 4.4.2 says the project will have a less than significant impact, 160 additional round trips a day on Tiburon Blvd will have a significant impact
- Construction Management Plan
  - This is totally inadequate and lacking in detail