

**DATE:** JULY 13, 2022  
**TO:** IRENE BORBA, CITY PLANNER  
**FROM:** JOHN MOE, ROBERT ZADNIK, CHRIS BARRY

**SUBJECT:** MALLARD POINTE DEVELOPMENT, 2<sup>ND</sup> PUBLIC WORKS REVIEW, REV 7-13-2022

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Public Works has received and reviewed the following documents for the subject development application:

- MP Plan Full Set (architectural) 05-23-2022
- MP Stormwater Control Plan 05-10-2022
- MP Preliminary Utility Memo 05-10-2022
- MP Preliminary Drainage Strategy Memo 05-10-2022
- Storm Water LID Determination Worksheet 2017  
(Submitted by not required for BASMAA LID)
- MP Preliminary Title Report 03-21-2022
- MP Landscape Plan 05-23-2022
- MP Tentative Map 05-23-2022 (sheets TM1-6)
- MP Apartments Submittal 05-23-2022 (architectural sheets MF1-MF14)
- Revocable License Exhibit A – Lot 1 (complete)
- Revocable License Exhibit A – Lot 12 (complete)
- MISC-5 Lighting analysis exhibit 05-20-2022

The Department of Public Works has deemed this Tentative Map application **incomplete for processing**. The following comments must be addressed prior to approval (new comments in red):

1. Please provide a **Preliminary Title Report**, current within the last three months, including the grant deed and title items and show all existing easements and other relevant title items on the Tentative Map and other plans as appropriate.  
Submittal accepted.
2. A preliminary **Stormwater Control Plan** in compliance with BASMAA requirements is required at this time. The City cannot confirm compliance with California's State Water Resources Control Board, Phase II Stormwater National Pollutant Discharge Elimination System (NPDES) Permit for small MS4s, Provision E.12, "Post-Construction Stormwater Management Program." This will require submittal of a Preliminary Stormwater Control Plan (SCP) that follows the appropriate template in the most recent version of the Bay Area Stormwater Management Agencies Association (BASMAA) Post Construction Manual. All water

treatment or storm water control feature shall be clearly identified on the plan.

Submittal accepted.

Please provide response(s) to the following questions/comments for clarification of the project submittal:

- a. Section IV.B Tabulation and Sizing Calculations should be broken down by surface type and runoff factor (see Table 4.1 of manual).
- b. Verify that each DMA drains to only 1 IMP (see DMA-11, it appears that the private street portion will drain to IMP 13).
- c. Why is pumping proposed for the treatment of the streets (DMA-13)? Please clarify need for pumping storm water. Alternatively, could DMA-13 be broken up and treated at each lot or included in a common area with maintenance by a single entity such as an HOA?
- d. IMP 13 is proposed as a series of 4 bioretention areas located separately on lots 3, 4, 6, and 7. Please clarify the maintenance responsibilities for IMPs 1 through 13. In addition, will IMP 13 be maintained by a single entity such as an HOA?
- e. Verify DMA-14 meets the requirements of a Self-Treating Area. In general, all surfaces within the self-treating area pervious, unless the impervious area is very small (5% or less) relative to the pervious area.
- f. Replace the Stormwater Control Plan Exhibit with the Mallard Pointe Tentative Map page TM-6, May 23, 2022 version, which better illustrates DAM boundaries.

3. **Preliminary Storm Drain Design** including Hydrology & Hydraulics required at this time. The Applicant shall reference the latest Stetson Engineering study for water volumes and existing pipe capacities flowing onto the site and incorporate this into the site drainage design.

Submittal accepted.

The City cannot confirm compliance with Belvedere Municipal Code, Chapter 18.20 Tentative Map, Section 18.20.020 Information to be shown, C. "Profiles drawn to scales so as to show clearly all details thereof shall accompany the tentative map and shall show centerline, ground and grade elevations of all streets, highways, ways, alleys, sanitary and storm sewers, gas and water lines, and other improvements in the subdivision. Profiles other than centerline shall be shown if requested by the Planning Commission. All elevations shall be referred to mean sea level datum, as established by the United States Coast and Geodetic Survey, or to elevations or bench marks as established by the City Engineer."

Please provide response(s) to the following questions/comments for clarification of the project submittal:

- a. The proposed drainage pipe slopes are relatively flat considering the existing soils conditions. Please provide clarification regarding the anticipated settlement of the drainage pipes and the adequacy of the proposed slopes.
- b. Please provide an exhibit of the 100-year overland release route for this development.

**Review Comments: MP Tentative Map 01-17-2022**

The Tentative Map has been reviewed in accordance with Belvedere Municipal Code 18.20.20, "Information to be shown-Form" through 18.20.30, "Statements to accompany tentative map." This section of the review does not imply City approval of any or all of the items submitted.

Submittal accepted.

4. Please identify the engineer and/or surveyor of record and their license number on the map.

Please provide response(s) to the following questions/comments for clarification of the project submittal:

a. Please provide engineer of record license number, signed and stamped.

5. Include boundary information from boundary survey exhibit on map to ensure ability to retrace boundaries pursuant to Belvedere Municipal Code Section 18.20.020, Information to be shown (on Tentative Map).

Please provide response(s) to the following questions/comments for clarification of the project submittal:

The existing parcel boundaries identified on the plan do not match the existing parcel boundaries as identified on the record of survey prepared by CSW-ST2, dated 2020.

Please revise as appropriate.

6. Please identify the proposed name of the private drive and spur street.

Completed

7. Please provide profiles, drawn to scale, to show centerline, ground and grade elevations of all streets, sanitary and storm sewers, gas and waterlines, and other improvements in the subdivision.

Completed

8. Please provide a demolition plan identifying all facilities to be removed from the site, all items that will remain, and all items that will be abandoned in place. Please provide the project geotechnical engineer's recommendations for any utilities proposed to be abandoned in place.

Completed

9. The applicant shall provide a lighting plan together with a photometric study that identifies the minimum and maximum footcandles for proposed public and private roads. This plan shall utilize the City's standard light fixtures and house-side shields as

appropriate to minimize glare into residences. The plan shall demonstrate that lighting shall avoid “spilling” to off-site residential sites. The lighting plan and photometric study shall be reviewed and approved by Planning and Public Works.

**Advisory Comment:**

The lighting analysis does not consider the lighting of the existing public street, Community Road. Community Road along the project frontage, including the proposed crosswalk to the park, shall be included in the photometric study. This study will determine the need for additional street lights along Community Road.

This will be a condition of approval with compliance confirmed with building permits/grading plans.

10. Include pedestrian improvements recommended in Mallard Pointe Transportation Study, dated 12/13/21.

**Advisory comment:** Implementation of the pedestrian improvements recommended in the Mallard Point Transportation Study will be a project condition of approval.

11. **SHEET TM-1 – Title Sheet**

- Please modify mapping to note that Tiburon Blvd is Hwy CA-131 and not Hwy US-101

Submittal accepted.

12. **SHEET TM-2 – Existing Conditions**

- Existing boundary information as drawn is incorrect. Please revise to show the correct boundaries per record of survey prepared by CSW-ST2 (2020)

Submittal accepted.

Please provide response(s) to the following questions/comments for clarification of the project submittal:

- a. The existing parcel boundaries identified on the plan do not match the existing parcel boundaries as identified on the record of survey prepared by CSW-ST2, dated 2020. Please revise as appropriate.
- b. **Advisory comment:** The existing PG&E easements are required to be extinguished. This will be a project condition of approval.

13. **SHEET TM-3 – Lotting and Layout Plan**

- Please provide passenger car turning movements for entering/existing the driveways for lots 4, 5, 6.

Submittal accepted.

Please provide response(s) to the following questions/comments for clarification of the project submittal:

- a. Improvement on Lots 1, 2 and 3 appear to go beyond the rear property line into the BLPOA property. Please clarify scope of work beyond the project property line or

provide evidence of an existing easement or other right to perform work beyond the project property line.

b. The City cannot confirm compliance with Belvedere Municipal Code, Chapter 18.20 Tentative Map, Section 18.20.020 Information to be shown, D. "Typical cross-Sections of all streets, highways, ways and alleys and details of curbs, gutters, sidewalks and other improvements shall accompany the tentative map and shall be of such scale as to show clearly all details thereof."

Please provide site "Section A" to scale and include the proposed elevations of the following: lagoon water surface (higher elevation), bulkhead, lot pads (Lot 9 and Lot 12), streets (Mallard Road and Community Road), apartment parking elevation (Lot 12), finished floor elevations (first floor, Lot 9 and Lot 12)

#### 14. SHEET TM-4 – Grading, Drainage, & Utilities

- The existing Storm Drain between Lots 6 and 7 needs the easement shown; and cannot run under a house.
- The existing Storm Drain between Lots 7 and 8 needs the easement shown; and cannot run behind house.
- The existing Storm Drain adjoining Lot 11 needs to have an easement. No housing can encroach on the storm drain easements.
- Locations of some utilities have been identified, but are missing Gas, Power, Telephone and Television locations and necessary easements.
- Identify all drainage pipes to remain or to be installed.
- Provide a cross section for the project extending from Community Road into the Lagoon, showing the multi-family building and typical residential house with foundations, foundation type, utilities, and other structures.

Submittal accepted.

#### **Review Comments: MP Preliminary Utility Design Memo 01-17-2022**

15. Preliminary Storm Drain Design including Hydrology & Hydraulics required at this point. A preliminary Stormwater Control Plan in compliance with BASMAA requirements is required at this time.
- o This will require submittal of a Preliminary Stormwater Control Plan (SCP) that follows the appropriate template in the most recent version of the Bay Area Stormwater Management Agencies Association (BASMAA) Post Construction Manual. All water treatment or storm water control feature shall be clearly identified on the plan.

- The Applicant shall reference the latest Stetson Engineering study for water volumes and existing pipe capacities flowing onto the site and incorporate this into the site drainage design.

Submittal accepted

The City cannot confirm compliance with Belvedere Municipal Code, Chapter 18.20 Tentative Map, Section 18.20.020 Information to be shown, C. "Profiles drawn to scales so as to show clearly all details thereof shall accompany the tentative map and shall show centerline, ground and grade elevations of all streets, highways, ways, alleys, sanitary and storm sewers, gas and water lines, and other improvements in the subdivision. Profiles other than centerline shall be shown if requested by the Planning Commission. All elevations shall be referred to mean sea level datum, as established by the United States Coast and Geodetic Survey, or to elevations or bench marks as established by the City Engineer."

Please provide responses to the following questions/comments for clarification of the project submittal:

- a. Hydrology & Hydraulics:
  - Please provide a hydrology map including all tributary areas for the project drainage system.
  - Please clarify the source for the rainfall intensity used in the hydrologic/hydraulic calculations.
  - Please provide the supplemental BKF study as referenced in the Mallard Pointe Preliminary Drainage Strategy dated May 10, 2022.

16. Sanitary Sewer – A letter from Sanitary District 5 is required confirming description provided in report

Pending – written confirmation from SD-5 has not yet been received.

17. Water – A letter from MMWD is required confirming description provided in report regarding domestic and fire water availability and capacity.

Submittal accepted. – Water Availability letter received from MMWD dated June 20, 2022.

**Review Comments: MP Landscape Plan 05-23-2022**

18. Trees are not allowed in easements due to tree root and maintenance issues with the utilities.

Submittal accepted.

**Advisory Comment:**

There is an existing SD pipe and proposed easement along the southerly property line of Lot 11. Landscape Plan L-1.0 identifies trees along this alignment. Please revise to eliminate trees within this easement area.

This will be a condition of approval with compliance confirmed with building permits/grading plans.

19. Revise Landscape plans as appropriate to incorporate Storm Water LID features.

Submittal accepted.

END OF COMMENTS

No changes to the following draft COAs:

The following are Public Works Tentative Map **draft Conditions of Approval:**

1. All work shall be subject to recommendations of the Archeological Resources Technical Report.
2. Any work off Applicant's property in the Lagoon requires the approval of the Lagoon Homeowner Association.
3. A **Construction General Permit** will be required if construction activity resulting in a land disturbance of one acre or more.
4. An **Encroachment Permit** is required from the contractor for temporary and permanent improvements, work activities, and staging or storage of equipment and materials within the public right of way, subject to approval of the Public Works Manager.
5. The project will be subject to the City of Belvedere Regulations for Road Closure Applicants, see the following link:  
<http://www.cityofbelvedere.org/documentcenter/view/68>
6. The applicant will be required to upgrade relevant frontage improvements to meet current standards for curb/gutter, curb ramp, driveway approach and ADA compliant sidewalks, in conformance with the Marin County Uniform Construction Standards – Latest Edition. Any non-compliant relevant frontage improvements must be removed and replaced subject to the approval of the Public Works Manager.

7. A **Revocable License** will be required for private improvements within the public right-of-way and easements.
8. This project will require a **video recording of the condition of the haul route** prior to start of construction. The applicant will be responsible for any damage, beyond normal wear and tear, to the roadway or other improvements along the haul route caused by the removal or delivery of materials by truck. To ensure any damage is repaired to the satisfaction of the City, a deposit may be required. The deposit amount (estimated range from \$10,000 to \$30,000) will be determined by the City Engineer at the time of the Building Permit review and is dependent upon the duration of the project and total project valuation. If it is determined that project construction caused damage, the amount to repair said damage shall be withheld from the deposit amount, with the remaining amount to be returned to the property owner.
9. A **Geotechnical Investigation or geotechnical review letter** is required. The geotechnical investigation/letter should address site preparation, foundation, grading and drainage recommendations. The Geotechnical Engineer of record shall also provide a letter indicating their review the proposed Grading & Drainage Plans for conformance with their recommendation prior to Building Permit issuance.
10. An **Erosion and Sediment Control Plan (ESCP)** which indicates proposed measures to control erosion and sediment controls shall be required.
11. **Topographic Survey** information shall be included either on the site plan or on a separate plan. The basis for determining elevations (assumed, NGVD, or NAVD) should also be clearly indicated. The surveyor's name and license number shall be included.
12. The project requires a **Site Plan** showing the property line locations (referencing the survey source and mapping information), any existing easements, building setbacks, encroachments etc.
13. The project will require a detailed **Grading & Drainage Plan** showing cut and fill earth volumes. Said plans shall incorporate, as appropriate, the MCSTOPPP Guidance for Applicants: Stormwater Quality Manual for Development Project in Marin County. This can be found at the following website:  
[https://www.marincounty.org/-/media/files/departments/pw/mcstoppp/guidanceforapplicantstv\\_2508.pdf](https://www.marincounty.org/-/media/files/departments/pw/mcstoppp/guidanceforapplicantstv_2508.pdf)
14. The project will include soil disturbance during construction and applicants therefore must submit an **Erosion and Sediment Control Plan (ESCP)** for approval by the City prior to the issuance of a Building Permit. Please also submit the Erosion and Sediment Control tracking documentation (See the following link) for the Marin County



Stormwater Pollution Prevention Program (MCSTPPP) **Construction Erosion and Sediment Control Plan Applicant Package**, revised November 2015:

(<https://www.marincounty.org/-/media/files/departments/pw/mcstoppp/development/mcstoppp-erosion-and-sediment-control-plan-applicant-package.pdf?la=en>).

15. Prior to issuance of a building permit and where required by City of Belvedere municipal code Section 8.36.090 D., permanent stormwater controls for new and redevelopment projects, the applicant shall develop, submit, and implement an approved **Stormwater Control Plan (SCP)** that follows the appropriate template in the most recent version of the Bay Area Stormwater Management Agencies Association (BASMAA) Post Construction Manual. All water treatment or storm water control feature shall be clearly identified on the plan.
16. The project will require a **Utility Plan** (if not shown on the Site Plan) showing the existing site utilities and their current alignment and locations, along with any proposed new locations, alignments or connections for sewer, water, irrigation, gas, electrical, telephone, cable TV, etc.
17. Existing utilities to remain during and after construction shall be protected from construction damage. These protection measures shall be shown on the plans.
18. All utilities shall be placed underground per Municipal Code 13.08.040.
19. The applicant will be required to enter a Public Improvement Agreement for all public improvements (access and drainage.)
20. The project will require a **Landscape Plan** and **Irrigation Plan** subject to review and approval by Marin Municipal Water District.
21. The project will require a **Construction Management Plan** identifying the following:
  - estimated project duration
  - construction schedule of milestones (excavation, grading, and offhaul duration; foundation work; framing; flatwork/paving; punch list/final inspection)
  - excavation and disposal methods
  - equipment to be used
  - site access location
  - storage and staging location of materials and equipment/portable toilet/debris box and waste bins
  - truck loading area and temporary traffic control required as necessary
  - haul route
  - For construction requiring earthwork between October 15<sup>th</sup> and April 15<sup>th</sup>, an action plan for storm water pollution prevention and erosion and sediment control prior to an anticipated rain event

