



March 16, 2022

To: Members of City Council, Members of Planning Commission, Mr. Craig Middleton, and Ms. Irene Borba

The Mallard Pointe applicant asserts that the General Plan's 20 units/net acre density specification cannot be achieved by building duplexes on the site (which the R-2 allows), and can **only** be achieved by building apartments (which the R-2 prohibits). The applicant's attorney claims, without any supporting analysis, that: "Assuming a reasonable mix of unit sizes and duplexes only, the R-2 lot would yield between approximately 28 and 32 units after considering the necessary minimum lot sizes." (Hurd memo, Jan. 20, 2022 at p. 4.)

In a letter to the City, dated February 22, 2022, Jean Borden documented several incomplete or missing items from the applicant's Final Application. Among these, she noted:

"The Application requests waivers or reduction of the City development standards for height, side setbacks, lot area unit, and lot coverage on a per lot basis. . . . The Application includes no information as to how the City standards will physically prevent the project from being built at the requested density. . . . There is no information that application of these standards would physically preclude including 4 affordable units in the project. . . . It would appear that the City standards would in no way affect the density requested for Lagoon Homes 1 and 2. The proposed subdivision would accommodate the same number of units regardless of the standards."

Although the City's February 24, 2022 Incompleteness Letter requests, with respect to requested waivers from development standards, "reasonable documentation to demonstrate that compliance with development standards would physically preclude the project" (letter, p. 9), the City has not specifically requested documentation to support the applicant's broader assertion that a density of 20 units/net acre cannot be achieved under the R-2 zoning.

BRIG has good reason to believe that a density of 20 units/net acre can in fact be achieved **with duplexes only** at the Mallard Pointe Project site, which would negate the applicant's assertion of a conflict between the General Plan and R-2 zoning.

The City should therefore require the applicant to provide documentation to support its claim that only 32 duplex units can be accommodated on the site, and to otherwise prove that 20 duplex units/net acre is not physically achievable.

Thank you for your consideration.

John Hansen, BRIG  
Jane Cooper, BRIG