



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

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March 15, 2024

Forest Linebarger  
785 Castro Street Suite A  
Mountain View, CA 94041

Emailed:

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[JBevan@inhabiture.com](mailto:JBevan@inhabiture.com)

**Re: Development Review Permit, Heritage Tree Removal Permit, and Vesting Tentative Map  
294-296 Tyrella Avenue (APN: 160-32-002 and 160-32-001)  
PL-2023-102 & PL-2023-103**

Dear Forest Linebarger:

The application for a **Development Review Permit, Heritage Tree Removal Permit, and Vesting Tentative Map at 294-296 Tyrella Avenue (APN: 160-32-002 and 160-32-001)** was deemed complete by the City on February 16, 2024. As described in the completeness letter (referenced above), the next step in the development review process for the City is to provide the applicant with written documentation identifying applicable standards with which the proposed housing development project is inconsistent and an explanation of the reason or reasons the City considers the housing development to be inconsistent with such standards. Therefore, as the Housing Accountability Act requires, this letter provides the City's analysis documenting inconsistencies within 30 days after the housing development application was determined to be complete.

*Compliance with the California Environmental Quality Act (CEQA)*

A formal CEQA determination has not been made at this time. Upon preliminary review, the project will require staff to evaluate the proposed project to ensure it is in line with Appendix G and Appendix N in the CEQA Guidelines through completion of a CEQA checklist prior to making a CEQA determination to ensure no potential environmental impacts. The following studies will be required: confirmation of a utility impact study and a historic resource assessment. Public Works Staff is currently working on the utility impact study to ensure there's sufficient utilities to accommodate the increased units and the applicant has confirmed they are preparing the

historic assessment. However, it may be determined that additional studies are required upon subsequent reviews of the project. The City's determination of steps necessary to comply with CEQA and the scope of any environmental study required to comply with CEQA will be provided to you separately when available.

### **Compliance Items**

Although the Housing Accountability Act limits the City's ability to deny a qualifying Builder's Remedy project or condition it in a manner that would render the project infeasible for affordable housing development, the Housing Accountability Act does not prohibit the City from requiring a proposed housing development project to comply with objective, quantifiable, written development standards, conditions, and policies, provided that these requirements accommodate development at the density permitted on the site.

The City has determined this project is inconsistent, not in compliance, or not in conformity with the applicable, objective plans, programs, policies, ordinances, standards, and requirements identified herein. These inconsistencies must be addressed during the entitlement stage, or, if the inconsistencies are not addressed but project is approved, the City will adopt conditions of approval to enforce compliance. The City has also identified potential inconsistencies with development standards that must be addressed prior to the issuance of building permits for the project that the applicant may wish to address through project modifications at the entitlement stage to avoid post-entitlement delays or plan set modifications. In addition, the application package does not provide sufficient information for the staff to evaluate the project's consistency with applicable, objective standards. Finally, there are a number of objective standards that the project conflicts with, but that do not apply to a Builder's Remedy project.

Therefore, the consistency analysis below is broken up into four sections:

- A. **Inconsistencies or non-compliant items that must be addressed during the entitlement stage.** These are applicable, objective standards that must be addressed in the next project submittal or that will become recommended conditions of project approval. The City believes that the project can be modified to comply with these standards without impacting the project's proposed density or the project's feasibility.
- B. **Applicable, objective standards that may affect the project's design.** These are applicable, objective standards that must be addressed before the project receives building permits, should the City approve the project. Although the applicant is not

required to address each of these comments during the entitlement phase, the City believes that further changes to the project may be required. For example, CBC Section 403.5.4 requires all stairs to be constructed as smokeproof enclosures, but the application does not provide sufficient detail to confirm compliance at this time. In an effort to streamline post-entitlement permitting and avoid future redesigns, City staff is raising these future compliance issues for the applicant's information and to provide the applicant with the opportunity to confirm that its plans conform with the Building Code and other applicable standards necessary to obtain building permits.

- C. **Potential inconsistencies/non-compliance.** These are applicable, objective standards that must be addressed, but where it is unclear to staff if the project complies. Additional, clarified and/or corrected information is needed in these areas to determine if the project complies with these applicable standards, and they are noted as potential inconsistencies for the applicant to address.
  
- D. **Other inconsistent or non-compliant items.** Because the housing development project as proposed would be eligible for the Builder's Remedy, objective standards that would otherwise be applicable but that do not provide a basis for the City to deny or condition the project. Although the City hopes the applicant will attempt to address some of these items, inconsistencies with these standards are not required, and the standards are provided for informational purposes only.

Each section provides an individual table containing City comments from all reviewing departments, as follows:

**A. Inconsistencies or non-compliant items that must be addressed during the entitlement stage.**

The project is inconsistent with the development standards and/or code requirements identified in the following table (below), which must be addressed in the next project submittal or, if not addressed, will become conditions of project approval. Where feasible, staff has identified potential options to improve project compliance.

<b>REVISE THE PROJECT TO ADDRESS THE FOLLOWING CODES AND REGULATIONS</b>				
<b>Sr. No.</b>	<b>Planning Division- R3-1 Zoning District Development Standard –</b>	<b>Requirements</b>	<b>Proposed</b>	<b>Compliance</b>
A.1.	Personal Storage	500 cubic feet of enclosed and secured storage area for bulky personal effects (such as recreational equipment) for each unit per Zoning Ordinance <a href="#">Section 36.10.70.</a>	15 storage units about 208 cubic feet in size; and 15 storage units includes 330 cubic feet.	Non-Compliant. Project does not comply with personal storage standards. Greater compliance may result from floor plan adjustments to create more personal storage.
<p><i>Personal Storage Comments:</i> The proposed project includes an oversized maintenance room, mini market, kitchen, additional bicycle parking above what is required and could be reduced in size and/or fully converted to provide personal storage area along with any other floor plan adjustments the applicant may identify. Such modifications would create the required storage space without decreasing the project density, thereby improving project compliance with these standards and livability for future residents. Personal storage rooms (containing multiple, secure lockers) are commonly placed in garages. Personal storage rooms may be placed as personal storage rooms on upper floors or provided individual storage closets (as currently proposed for some units).</p>				
A.2.	Bicycle Parking Clearance Requirements	Bicycle facilities shall provide at least a 24” clearance from the centerline of each adjacent bicycle and at least 18 inches from walls or obstructions per Zoning	14.4” clearance between adjacent bicycles, but no dimensions shown from walls.	Non-compliant. Project does not comply with bicycle parking standards. Greater compliance may result from adjustments to site and floor plans.

		Ordinance <a href="#">Section 36.32.85.d.</a>		
<p><i>Bicycle Parking Comments:</i> The proposed project includes long-term bicycle parking within three bicycle room on the ground floor with specifications showing 14.4” clearance between bicycles as shown on Sheet A4.5. Choose alternate bicycle parking facilities that meet the minimum clearance requirements. Provide more detailed specifications and dimensions to confirm the proposed clearance requirements are met. This may lead to a reduction in bicycle parking facilities to meet the additional clearance requirements between adjacent bicycles and from walls or obstructions, which may be feasible as the proposed long-term bicycle parking is above what is required.</p> <p>Additional bicycle parking standards and adopted guidelines information may be found in Zoning Ordinance <a href="#">Section. 36.32.85</a> and the City’s adopted <a href="#">Bicycle Parking Guidelines</a>.</p>				
A.3.	Parking – Dimensional Requirements	Minimum parking stall dimensions shall be 8.5’ x 18’ per Zoning Ordinance <a href="#">Section 36.32.80.c.</a>	Parking stall dimensioned proposed to be 8’ x 18’.	Non-compliant. Project does not comply with minimum dimensional requirements. Greater compliance may result from alternative puzzle lift specifications.
<p><i>Parking – Dimensional Requirement Comments:</i> The proposed project includes puzzle lifts with stalls that range from 8’0” to 8’2.5” width by 18’9” to 18’11.5” dimensions as shown on Sheet A4.5. The parking width as shown on Specification 4 on Sheet A4.5 is not consistent with the minimum parking stall width requirement of 8’6” and adjustment(s) to the parking layout is required to meet the minimum parking width. Additionally, if the project utilizes alternate puzzle lifts, please provide modified specifications. The current proposal does not include specifications of Puzzle Lift 60-96 and, if retained, specifications would be needed for these stalls.</p>				
Sr. No.	General Development Standards (Zoning)	Requirements	Proposed	Compliance
A.4.	Utilities	Utility facilities are screened from public view per <a href="#">Section 36.34.10(l) of the Zoning Ordinance</a> .	Shrubs are proposed.	Non-compliant. The pad-mounted transformers are visible from the public view.

*Utilities Comments:* The project proposes shrubs to the north of pad-mounted transformers, but minimal shrubs at the backflow preventers, as shown on Sheet L-5. Proposed landscaping does not completely screen the pad-mounted transformers or backflow preventers. Additional right-of-way requirements discussed in the Public Works requirements below may further increase visibility of these utilities from the right-of-way. Additional fence screening around the transformers is required and alternative shrubs should also be considered to better screen the backflow preventers. Switch the location of the FDC and DCDA to allow for better screening opportunities for the DCDA as this would move the DCDA out of the corner visibility triangle and improved access to the FDC.

A.5.	Open Area & Private Open Space	<ul style="list-style-type: none"> <li>◦ <i>Open Area:</i> 55% (11,532 sq. ft.), which shall include a minimum of 40 sq. ft. of private open space per Zoning Ordinance <a href="#">Section 36.10.70</a>.</li> <li>◦ <i>Private Open Space:</i> 3,400 sq. ft. of private open space with a minimum 40 sq. ft. of private open space (e.g. yards, decks, balconies) per unit (85 units X 40 sq. ft. = 3,400 sq. ft. of private open space) per Zoning Ordinance <a href="#">Section 36.10.70</a>. 55% of which 40 square feet of private open space per unit.</li> </ul>	<ul style="list-style-type: none"> <li>◦ <i>Open Area:</i> 20,268 square feet</li> <li>◦ <i>Private Open Space:</i> 58 units will have 65 to 72 square feet of private open space</li> </ul>	Non-compliant for private open space. Total open space is compliant but private open space is not. Greater compliance may result from plan modifications to increase private open space
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*Private Open Space Comments:* The project does not provide private open space for all units. Consider alternative floor plans to incorporate balconies to the stacked units located on the southeast corner of the building, fronting Tyrella Avenue as this can result in greater conformity to the regulations. The provision of additional balconies would increase the amount of open area and private open

space in the project without decreasing project density, thereby improving project compliance with these standards and livability for future residents.				
A.6.	Vehicle Parking	<p>Studio unit – 1.5 spaces per unit, one space shall be covered. (50 stalls)</p> <p>1 bedroom greater than 650 sq. ft. or 2-bedroom of more - 2 spaces per unit 1 space shall be covered. (104 spaces required)</p> <p>Guest: 15% of total spaces.</p> <p><b>Total parking req.: 154 spaces plus 23 guest stalls for a total of 177 parking stalls</b></p>	<p>Parking Spaces (Unbundled): 93</p> <p>Car Share: 2</p> <p>Van Pool: 1</p> <p>Accessible (ADA): 3</p> <p>Total: 99 stalls</p>	<p>Non-compliant. The resident, residential guest and total proposed parking spaces are less than the minimum parking spaces required.</p> <p>Additionally, ADA spaces may be incorrectly included in guest parking data, but staff cannot determine extent of non-compliance without additional parking data, per Building Division compliance comments on ADA and EV parking.</p>
<p><i>Parking Comments:</i> Please provide an operational plan discussing gate access, guest/visitor parking and access, and loading/delivery to improve clarity on the parking operations. A loading space is not considered a parking stall. Please remove the loading space from the parking provided counts.</p> <p>Additionally, Sheet A0.0, the TDM Plan, and Attachment 5 indicates that the intersection of North Whisman Road and Middlefield Road is a major transit stop as there are multiple bus routes in this location, and therefore, there are no minimum parking requirements for the project. Public Resource Code defines a major transit stop as two or more major bus routes with a frequency of service interval of</p>				

15 minutes or less during the morning and afternoon peak commute periods. There are east-west bus routes that are slightly over 20 minute intervals, but no north-west bus routes, per the posted routes. Therefore, the intersection is not considered a major transit stop. Additionally, the nearest major transit stop, which is Whisman Station is over ½ mile away from this site. Therefore, parking is required. Update Sheet A0.0 to include the project’s parking requirement.

Sr. No.	Public Works Department – Code Requirements & Standard Details	Requirements	Proposed	Compliance
A.7.	Undergrounding Utilities	Existing utility overhead lines are required to be undergrounded with a parcel or tentative map per <a href="#">Section 28.9.15</a> of the City Code.	Required ROW improvements are not proposed.	Non-compliant. The utilities must be undergrounded.
<p><i>Utility undergrounding Comments:</i> The plans as propose maintaining the existing utility overhead, which is not consistent with the requirements of <a href="#">Section 28.9.15</a>. Update the plans to incorporate utility underground in the design plans and the map, along with the requested right-of-way improvements discussed further below.</p>				
A.8.	Public Utility Easement(s)	Public Utility Easements (PUEs) shall be provided along any front, side or rear lot or across lots as required by the Public Works Director per Municipal Code <a href="#">Section 28.9.05</a> and <a href="#">Section 28.9.15</a> , where needed for the installation, operation and maintenance of utilities and utility accessories.	No PUE is provided.	Non-Compliant. The project does not comply with required PUEs.



*Public Utility Easement Comments:* No public utility easement is proposed. Update the plans to show layout and dedication of a 10' PUE to accommodate the proposed and relocated utility boxes along project frontages, per Municipal [Section. 28.9.05](#) and [Section 28.9.15](#). All utility boxes, including but not limited to phone boxes and CATV boxes along Tyrella Avenue and Middlefield Road will need to be relocated to the 10' PUE.

A.9.	Public Right-of Way Improvements	<p>o No private project improvements may encroach into the public right-of-way, and public right-of-way improvements must be consistent with Municipal Code <a href="#">Section. 27.57</a>, City Standard Details and other State/Federal Regulations including:</p> <ul style="list-style-type: none"> <li>- <i>City Standard Curb, Gutter and Detached Sidewalks:</i> Required to be constructed per <a href="#">City Standard Details</a> A-1, A-6, A-8 and A-9, as detailed in the comments below.</li> <li>- <i>ADA Access Ramps-</i> All new curb ramps must comply with the Americans with</li> </ul>	<p><i>Public Right of Way Improvements:</i></p> <ul style="list-style-type: none"> <li>- <i>City Standard Curb Gutter and Detached Sidewalks:</i> The plans do not comply with <a href="#">City Standard Details</a> A-1, A-6, A-8 and A-9 as no changes to the existing monolithic sidewalk.</li> <li>- <i>ADA Access Ramps:</i> Plans do not show the required ramps and curb extension.</li> <li>- <i>Public Crosswalk(s):</i> Compliant details for the crosswalk are not provided.</li> <li>- <i>Construction Damages:</i> Plans do not show the</li> </ul>	<p>Non-Compliant. Proposed improvements do not comply with identified City standard improvement requirements, and State/Federal improvement requirements as no improvements are proposed.</p>
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		<p>Disabilities Act (ADA) requirements and City Improvement Plans, per comments below.</p> <p>– <i>Public Crosswalk(s):</i> Convert existing Tyrella Ave and Middlefield Road crosswalk to a high-visibility thermoplastic ladder crosswalk with advanced stop bars, or yield lines and applicable signs per Caltrans Standard and California Manual on Uniform Traffic Control Devices. See comment below.</p> <p><i>Construction Damage:</i> Half street grind and overlay are required to repair pavement damages. All striping damage from construction and pavement work shall be replaced with thermoplastic striping to</p>	<p>required street grind and overlay and new striping.</p>	
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		the satisfaction of the City Traffic Engineer.		
<p><i>Public Right-of-Way Improvement Comments:</i> No right-of-way improvements are proposed. Project plans/submittal materials must be updated or additional materials provided to the City to show compliance with:</p> <p><i>(City Standard Curb, Gutter and Detached Sidewalk Details)</i> Along Tyrella Ave and Middlefield Road frontage, no right-of-way improvements are currently proposed, but new improvements are required, such as a standard curb, gutter and detached sidewalk with:</p> <ul style="list-style-type: none"> <li>▪ 5' sidewalk and 5' landscape strips (4.5' landscape strip and 0.5' curb) on Tyrella Ave.</li> <li>▪ 5' sidewalk and 5' landscape strip (4.5' landscape strip and 0.5' curb) on Middlefield Road.</li> <li>▪ Existing and proposed utility boxes are not allowed to be in the sidewalk.</li> <li>▪ The landscape strips shall be sloped at 2% towards the street.</li> </ul> <p>No treatment planters are required in public landscape strips. Update plans per above comments, but note that treatment planters are not required; see <a href="#">City Standard Details</a> A-1, A-6, A-8 &amp; A-9 for further reference.  <a href="https://www.mountainview.gov/home/showpublisheddocument/2612/638315807162300000">https://www.mountainview.gov/home/showpublisheddocument/2612/638315807162300000</a></p> <p><i>(Public Crosswalks)</i> Consistent with Caltrans standard (A24F) and CA MUTCD, convert existing crosswalk at the Tyrella Ave and Middlefield Road crossing to a high-visibility thermoplastic ladder crosswalk with advanced stop bars and applicable signs to the satisfaction of the City Traffic Engineer. Design dimensions will need to be reviewed by the City.  <a href="https://dot.ca.gov/-/media/dot-media/programs/design/documents/locked-2023-std-plans-dor-a11y.pdf">https://dot.ca.gov/-/media/dot-media/programs/design/documents/locked-2023-std-plans-dor-a11y.pdf</a></p> <p>Lastly, an ADA curb ramp is shown on Sheet A1.4. This should be removed as it does not comply with the City Standard details.</p>				
A.10.	Driveway Sight Triangles	<i>Driveway Sight Triangles:</i> Structure encroachments are not allowed within the driveway sight triangles per <a href="#">City Standard Details</a> A-22.	<i>Driveway Sight Triangle:</i> Structure includes a column located south of the driveway entrance that encroaches into the triangle.	Non-compliant. Structure encroaches into sight triangle.

*Driveway Sight Triangles:* At all driveways, including driveways that are adjacent to the project site and not part of the project, the driveway shall be compliant with Pedestrian and Vehicular Triangles of Safety per the latest City Public Works Standard Detail A-22. The Project will be required to remove or modify all objects, including, but not limited to landscape, hardscape, poles, posts, bollards, signs, mailboxes, planters, retaining walls, seat walls, bicycle racks, partitions, structures (including columns), parking stalls, etc. that are not compliant with safety triangle height and clearance requirements. See [City Standard Details A-22](#) for further reference. Plans currently show structures within driveway sight distance triangles. Please revise the drawings so no structure encroaches into the driveway.

A.11.	Utilities and Grading	<p><i>Utilities &amp; Grading:</i> All water services, including irrigation service shall be TYPE K COPPER. Re-use of the existing ¾-inch steel service is NOT allowed. Plans shall indicate how storm drainage from the site to be treated. City of Mountain View Standard Design Criteria Section 4.9 and 5.5. <a href="#">Section. 36.34.10.(h) of the Zoning Ordinance.</a></p>	<p><i>Utilities:</i> Proposed utilities include reusing existing water service and a 6" PVC later for storm drain connection.</p>	<p>Non-Compliant. Proposed utilities do not comply with the City Standard detail.</p>
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*Utilities:* Update project plans to show compliant utility alignments with required public improvements including:

- All water services, including irrigation service shall be TYPE K COPPER. Re-use of the existing ¾-inch steel service is proposed, but NOT allowed. Only services 2" or smaller can be copper. The proposed 4" domestic and 6" fire service can use PVC.
- Plans shall indicate how storm drainage from the site will be treated. Runoff will not be allowed to sheet flow across driveways or sidewalks and thru-curb drains are not allowed. Proposed storm drain laterals shall be installed per City standard (12-inch RCP at 2% slope) with a property line inlet or manhole and shall discharge into an existing manhole or inlet if feasible. The storm drain main in

Tyrella Avenue is 42-inch RCP. A direct connection may be considered. The current plan shows a proposed 6" PVC lateral, which is not allowed.				
A.12.	<i>Trash Management Plan</i>	<i>Trash Management Plan - Service Levels:</i> Plans shall meet minimum trash service levels and container sizing.	The trash management plan labels 1 and 1-3 yard recycling bin.  The plans do not comply with Solid Waste service level requirements.	Non-compliant. Proposed trash management plan does not correctly reference staging area and bins.
<p><i>Trash Management:</i> Plans must be updated to show compliant Solid Waste improvements.</p> <ul style="list-style-type: none"> <li>- Sheets A2.1 &amp; A4.5: Bins in the Level 1 trash room are labeled incorrectly; there should be 2 – 3yd paper recycling bins instead of 1 and 1 – 3yd container recycling bin instead of 2. Please update on the next submittal.</li> <li>- Sheet A4.5: Update the Trash Notes #1-9 with the following verbiage as the proposed operations do not comply with solid waste level requirements: <ul style="list-style-type: none"> <li>▪ Update Trash Notes #6 on Sheet A4.5 to state the following only: "The trash staging area will accommodate up to (6) bins and these footprints are shown as dashed lines in the trash room."</li> <li>▪ Update Trash Note #8 on Sheet A4.5 to state the following, "Collection company shall transport the bins only to Tyrella Avenue by rolling out from trash room staging area the 8' wide roll-up doors to trash pick-up area on Tyrella Avenue. Once collection company staff has moved containers to street for pick up by collection vehicle, they shall promptly move back to trash room once serviced. The (2) compost carts shall be transported weekly by the property maintenance staff to Tyrella Avenue and removed promptly after service."</li> </ul> </li> </ul>				
A.13.	<i>Multimodal Transportation Analysis – Off-site Recommendations</i>	City Council adopted Senate Bill 743 for CEQA Transportation Analysis on 6/30/2020. The Multimodal Transportation Analysis	The project does not propose any right-of-way improvements or indicate that it will pay its fair-share contribution for certain improvements.	Non-compliant. The project does not propose any off-site improvements or indicate that it will pay its fair-share contribution for the construction of the pedestrian hybrid beacon (PHB).

		<p>(MTA) will analyze and address a project’s “effects” on local transportation users and infrastructure, and will require design modifications and operational improvements to address any adverse effects.</p> <p>Per the completed MTA, a set of off-site improvements and on-site improvements are required.</p>		
<p><i>Multimodal Transportation Analysis:</i> The City Capital Improvement Project 21-39 will upgrade the intersection safety of Tyrella Ave and Middlefield Road. The CIP project will install pedestrian hybrid beacon (PHB) with mast arms and streetlights.</p> <p>a) The development project will further increase the pedestrian, vehicle, and bicyclist volumes. Therefore, the project shall pay the fair share towards the proposed improvements listed above and ensure the project doesn’t conflict with the proposed City improvements. Coordinate with Public Works Department regarding these projects.</p> <p>Based on the MTA study, the fair share estimate has determined to be 35% of \$350,000, which is the cost estimate of a similar size PHB CIP project. The required fair share contribution is \$122,500.</p> <p>Additionally, based on the MTA, the project is fronting the intersection and expected to increase vehicle trips and pedestrian activity at the crosswalk , the project should construct the bulb out for the southwest corner as part of the project. The project does not propose off-site improvements.</p>				

A.14.	<i>Multi-Transportation Analysis – Additional Improvements</i>	<p>City Council adopted Senate Bill 743 for CEQA Transportation Analysis on 6/30/2020. The Multimodal Transportation Analysis (MTA) will analyze and address a project’s “effects” on local transportation users and infrastructure, and will require design modifications and operational improvements to address any adverse effects.</p> <p>Per the completed MTA, a set of off-site improvements and on-site improvements are required.</p>	<p>The on-site circulation does not include the recommended modifications as indicated in the MTA.</p>	<p>Non-compliant. The on-site improvements recommended by the MTA are not proposed.</p>
<p><i>MTA Comments:</i> Based on the completion of the MTA the following modifications are recommended below:</p> <ul style="list-style-type: none"> <li>• The project should prohibit on-street parking on Middlefield Road, so the segment of bike lane along the frontage would be a full-time bike lane.</li> <li>• The height of garage door and drive aisles should be designed for moving trucks to access the loading area in the lower parking level. A 9’ high garage door would not be high enough for typical moving trucks to access the loading area. Please make changes to increase the height of the garage door.</li> </ul>				

<ul style="list-style-type: none"> <li>The project should provide a turnaround space at the dead-end aisles in the upper level of the parking garage or assign parking spaces to residents.</li> </ul>				
A.15.	Construction Logistic Plan	No storage or staging may occur in the public right-of-way per <a href="#">Section 27.3 and 27.11</a> of the Municipal Code.	Construction staging currently shows storage containers and dumpsters encroaching in the right-of-way.	Non-compliant. All storage and staging are not allowed on the public right-of-way.
<p><i>Construction Logistic Plan (Sheet C-7):</i> All construction staging shall remain on-site. Public right-of-way shall not be used for storage or staging as currently shown on Sheet C-7. This includes storage and debris containers. Full site-specific Temporary Traffic Control Plan will be required. Please note, construction management plans are not shown on this set, but will be required. Complete, detailed, site-specific TTCP to be submitted for review during off-site improvement plan review.</p>				
A.16.	Park Land Dedication or Fees	Dedication of sites to meet the park land requirements is feasible if the park or recreational facility has been designated in the open space section of the environmental management chapter of the General Plan, a Precise Plan or the Parks and Open Space Plan of the City per <a href="#">Section 41.3</a> of the City Code.	Dedication of 268 square feet of park land proposed, but dedicated site not identified in the General Plan or Parks and Open Space Plan.	Non-compliant. Project does not comply with requirements for park land dedication.
<p><i>Park Land Dedication or Fees:</i> As the site does not qualify for park land dedication, the project must pay a park land in-lieu fee to meet the park land requirements. The Park Land Dedication Fee of \$70,800 for each net new market-rate residential unit, based on a land valuation of \$11.8 million per acre in accordance with <a href="#">Chapter 41</a> of the City Code. No credit against the Park Land Dedication Fee is allowed for private open space and recreational facilities.</p>				



Sr. No	Housing Department – Code Requirements	Requirements	Proposed	Compliance
A.17.	BMR Proportionality	The <a href="#">BMR Administrative guidelines</a> requires BMR units at the various income levels shall be proportionately distributed among and representative of the various unit types within the overall development.	All 17 low-income BMR units proposed are in the one-bedroom units	Non-compliant. Additional information is needed in the affordable housing compliance plan, such as the 2e for the proposed BMR unit information.
<p><i>BMR Proportionality:</i> Based on the information provided from the first submittal, all proposed BMR units are one-bedroom units, 22% market-rate units are 2-bedroom units and 78% are one-bedroom. Proposed BMR units must be proportional to the market-rate units and therefore, adjustments are needed to the dispersion of the BMR units. A total of 4 units will need to be 2 bedrooms, and 13 units will need to be one bedrooms with the current dispersion of 22% market-rate units of 2-bedrooms and 78% of one-bedroom units.</p> <p>Consider alternative floor plans that allow increasing the size of existing one-bedroom units, such as floor plan modifications to Floor 2 that combines Unit 108 and 118 and utilizes the corner amenity area to create two two-bedroom units.</p>				
A.18.	Tenant Relocation Ordinance	Demolition of units required the process to begin with a Notice of Intent to be sent to existing tenants per <a href="#">Section 36.38.25</a> .	Applicant has not sent a Notice of Intent to existing tenants.	Non-compliant. The applicant has not begun the Notice of Intent.
<p><i>Tenant Relocation Ordinance:</i> Based on the tenant relocation ordinance, the applicant must provide a copy of the notice of intent to vacate to CSFRA staff. Additionally, more information is needed from the applicant, such as how long the tenant has been at the site.</p>				

Respond in writing to each comment by marking this comment list or by providing a separate letter. Indicate which detail, plan, specification, or calculation shows the required information by use of 1) corresponding revision numbers and 2) bubble or highlights for easy reference.

**B. Applicable, objective standards that may affect the project’s design.**

<b>POTENTIAL INCONSISTENCIES/NON-CONFORMITIES</b>				
<b>Sr. No.</b>	<b>Fire Department – Code Requirements</b>	<b>Requirements</b>	<b>Proposed</b>	<b>Compliance</b>
B.1.	Fire Hydrants	A public fire hydrant shall be located within 100 ft of the FDC, and on the same side of the street as the FDC per <a href="#">Section 8.10.26</a> of the City Code that requires compliance with <a href="#">City underground/Sprinkler</a> requirements.	Plans show a private hydrant within 100’ of the FDC.	Non-Compliant. Plans do not comply with fire hydrant location requirements to FDC.
<p><i>Fire Hydrant Comments:</i> Update the plans to show compliant location of fire hydrants as a private fire hydrant is located within 100 feet of the FDC. No public fire hydrants are within 100’ of the FDC. This may require a new public fire hydrant.</p>				
<b>Sr. No.</b>	<b>Building Division – Code Requirements</b>	<b>Requirements</b>	<b>Proposed</b>	<b>Compliance</b>
B.2.	Parking – EV Charging Spaces	<ul style="list-style-type: none"> <li>◦ <i>EV Charging Spaces (EVCS):</i> 15% of the total number of parking spaces shall be provided</li> </ul>	EVCS: The project plans indicate 28 EVCS and 1 Level 3 charger.	Non-compliant. The plans do not provide sufficient information to determine EV Charging Space and ADA compliance.

		<p>with Level 2 chargers, with at least one Level 2 charger in the common area parking. Also, show that 85% of the parking spaces will be EV1 Ready charging. Lastly, provide one Level 3/DC Fast Charger for every 100 spaces, or fraction of 100 spaces. Mountain View Municipal Code Section 8.20.32.</p> <p>Once the number of EVCS are determined, provide accessible EVCS at a rate of 2% of the assigned EVCS provided and 5% of the unassigned EVCS provided. CBC 1109A.4, 1109A.5.</p>	<p>ADA: The project plans show 2 ADA assigned and 1 ADA guest/van.</p>	
<p><i>EVCS Parking:</i> No EVCS parking spaces are specified in the plans. Additionally it is not specified the number and type of accessible EV charging that is provided. The plans must be updated to show compliant EVCS parking spaces (including the location and type of each EVCS and associated equipment), which will also allow compliance review of other parking and layout requirements. Ensure the parking table is updated to reflect the requirements of the Municipal Code Section 8.20.32. It is unclear if there are any accessible EVCS.</p> <p><i>Accessible Parking:</i> Specify the total number of assigned parking spaces provided and the total number of unassigned parking spaces provided. Also, specify the required and provided number of accessible assigned parking spaces (2% of total assigned parking spaces) and the number of required and provided unassigned parking spaces (5% of the total unassigned parking spaces) per consistency with</p>				

CBC 1109A.4, 1109A.5. It is unclear why accessible parking is assigned when all regular parking is unassigned. Please clarify and update the site numbers.

**C. Potential inconsistencies/non-conformities.**

The project may be inconsistent with the following development standards and/or code requirements, which may need to be addressed by the project but require additional, clarified or corrected information to determine the degree of non-compliance.

<b>ADDITIONAL, CLARIFIED AND/OR CORRECTED PROJECT INFORMATION IS NEEDED TO DETERMINE PROJECT CONSISTENCY WITH THE FOLLOWING CODES AND REGULATIONS:</b>				
Sr. No.	Development Standard – Zoning Ordinance	Requirements	Proposed	Compliance
C.1.	Tree Removal Justification	Tree removal permits shall include a brief statement of the reason for requested removal and any other pertinent information as may be required by the city per <a href="#">Section 32.28</a> .	Six heritage trees are proposed for removal (three Monterey Pines and three oak trees are proposed).	Compliance not determined. Additional information is needed.
<p><i>Tree Removal Comments</i>– Additional clarification to the arborist report is needed justifying why relocation of the six heritage trees are infeasible. No justification is provided for the three Monterey Pines and is needed. Clarification on the three oak trees is needed, such as additional discussion why the structure and tree itself are not suitable species for relocation. Indicate if the justification applies to one tree or all trees.</p>				

Sr. No.	Public Works – Code Requirements & Standard Details	Requirements	Proposed	Compliance
C.2.	Street Dedication	Street dedication is required along Middlefield Rd to comply with Municipal Code <a href="#">Section 27.59</a> & <a href="#">Section 27.61</a> .	An additional 1’ ROW appears to be dedicated to create a 50’ ROW to the centerline of Middlefield Road.	Not yet determined. The project does not comply with required street ROW width.
<p><i>Street Dedication Comments:</i> Add callout to show the new ROW dedication on Middlefield Road to create a 50’ ROW to the centerline of Middlefield Road. It is unclear where the centerline is or how the measurement is calculated. Please label the centerline and the 50’ measurement so it is clear for Staff to understand the total dedication, including PUE, needed.</p> <p>Be advised, changes to the dedication of the required right-of-way may change lot area, requiring multiple categories of project data to be corrected and affecting compliance/ consistency determinations for setbacks, FAR and other development standards. Ensure all sheets are updated to reflect the changes/corrections.</p>				
Sr. No.	Housing Department – Code Requirements	Requirements	Proposed	Compliance
C.3.	HOA Reserve Fund	If the project with ownership units, an HOA Reserve Fund needs to be established.	The applicant indicates that the HOA Reserve Fund is not required.	Compliant. A rental project does not require an HOA Reserve Fund. If the project becomes ownership, then the project is no longer compliant.
<p><i>HOA Reserve Fund:</i> Previous letters have indicated that the project is not subject to the HOA Reserve Fund as the project is a builder’s remedy project. Please be aware that a condition of approval will be added noting that if the project becomes an ownership project, then an HOA Reserve Fund must be established.</p> <p>The City has designed an excel sheet to calculate the dollar amount needed to be deposited in the BMR HOA Reserve Fund (per unit). The per unit dollar amount will be multiplied by the total number of BMR units designated for very low or low income. To calculate the dollar amount needed per unit the City makes the following assumptions in its calculations:        Income increases for very low- and low-income households is calculated at 2.5% annually.</p>				

Homeowner will keep 30-year fixed rate mortgage and not refinance. The house may be sold, in which case, the reserve will be needed for the new homeowner.

- Starting HOA is \$500 and increases 6% annually.
- Household property taxes increase 1% annually.
- Household insurance costs increase 3.33% annually.
- Household utility costs increase 1.9% annually.

All costs calculated based on “affordable housing costs” calculation, with a household at the top of the income bracket paying 30% of their income on the above household costs.

Based on the assumption above we calculate the current housing costs of the household and project housing costs into the future. Housing costs should not exceed 30% of the monthly gross income and includes principal interest (30-year fixed rate mortgage), property taxes, insurance, HOA and utilities. Our calculation demonstrates when the housing costs will exceed 30% due to monthly HOA fees increasing. Based on the year in which the housing costs begin to exceed 30% we calculate the overage in housing costs above 30% per year, and sum that increase up to 55 years (or less depending on when the housing costs exceed 30%). This total represents the total amount per unit needed to be placed in the HOA reserve fund for each unit.

Sr. No.	Building Division – Code Requirements	Requirements	Proposed	Compliance
C.4.	Reach Codes – PV System	MV Municipal Code Section 8.20.9 requires Photovoltaic systems designed to provide 100% of the annual kwh consumption.	The project plans include some rooftop photovoltaic, but it is unclear the estimated annual kwh consumption.	Compliance could not be determined. The plans do not provide sufficient information to determine compliance with REACH code.

*Reach Codes – PV System:* Provide a photovoltaic system designed to provide 100% of the annual kwh consumption in accordance with the City of Mountain View Reach Codes. Provide calculations to show the estimated annual kwh consumption as well as a plan that show the proposed number, efficiency, and calculations to show the PV generation in compliance with Mountain View Municipal Code Section 8.20.9.

Sr. No.	Forestry Division – Code Requirements	Requirements	Proposed	Compliance
C.5.	Arborist Report	Include valuation of the tree to be remove.	No valuation included.	Not compliant. Arborist report does not include details of tree valuation.
<p><i>Arborist Report Comments:</i></p> <ul style="list-style-type: none"> <li>- Pursuant to <a href="#">Section 32.39</a> of the Zoning Ordinance. Include the overall valuation of the tree to be remove and highlight how the replacement trees are of equal value. This helps determine if the replacement trees are appropriate for the landscape design. Not enough information is provided at this time to make this determination.</li> <li>- <i>Tree Protection:</i> Update the Arborist to include specific requirements from the Mountain View Tree Technical Manual, Section 5.10 (Pre-Construction) and 5.10.1 (Tree Protection Installation), adding pertinent measures to project site/landscape plans. Specifically, TPZs must be added around off-site trees 72 -78 and all other trees within 10x DBH of impacts.  <a href="https://www.mountainview.gov/home/showpublisheddocument/3898/637974641051670000">https://www.mountainview.gov/home/showpublisheddocument/3898/637974641051670000</a></li> </ul>				
C.6.	Canopy Analysis	Must show existing and proposed tree canopy coverage at start of construction, five to 10 years’ of growth, and full growth, with canopy coverage identified for each stage as a percentage of onsite project area only.	Canopy calculations include non-project site (canopy) coverage and does not seem to use correct lot area.	Non-Compliant. The canopy analysis is not correctly calculated.
<p><i>Tree Canopy Comments:</i> The landscape plans (Sheet L-3) include tree canopy analysis that includes canopy area not located on the project site and does not use the lot area to calculate total area. Update the canopy analysis (i.e. canopy illustration and square feet/percentage calculations) to reflect onsite tree canopy only utilizing the percentage of the lot area, not just the open area not covered by the structure.</p>				

Consider modifications to tree species to maximize shading and canopy spread, while reducing conflicts. Consider more upright oaks (*Shumardii*, *coccinea*, *frainetto*, *rubra*) along Middlefield Road. The City Arborist also recommends replacing the eastern redbuds with a tree with a species that has larger canopy such as *Gingko*, *Ulmus*, *Tilia*, *Carpinus*, or others. When placing trees near sidewalks, particularly along Middlefield Road, maximize distance between tree installation from sidewalk to limit impacts on sidewalks.

Respond in writing to each comment by marking this comment list or by providing a separate letter. Indicate which detail, plan, specification, or calculation shows the required information by use of 1) corresponding revision numbers and 2) bubble or highlights for easy reference.



**D. Other Inconsistencies.**

As required by statute, the City has also determined the project is inconsistent, non-compliant and other not in conformity with the following objectives standards, ordinances and policies which are not required to become compliant, but the City encourages the applicant to attempt to address some inconsistencies to bring the project into better compliance with objective development standards:

<b>THE PROJECT IS INCONSISTENT WITH THE FOLLOWING CODES AND REGULATIONS:</b>				
<b>Sr. No.</b>	<b>Development Standard – R3-2cd Zoning District</b>	<b>Requirements</b>	<b>Proposed</b>	<b>Compliance</b>
D.1.	Density	R3-1	177 DU/ac (85 units)	Non-compliant. The proposed density and unit count exceeds the maximum allowed per the R3-1 zoning district and General Plan.
D.2.	Max Floor Area Ratio (FAR)	1.05 FAR (R3-1 zoning)	5.24 FAR	Non-compliant. The proposed FAR exceeds allowed residential FAR. Additionally, FAR calculations should be corrected to accurately show the FAR.
<p><i>Floor Area Ratio Comments:</i> There are several corrections needed to correctly show FAR calculations.</p> <p><i>Lot Area:</i> Lot area used to calculate FAR should include the area of new public streets dedicated as part of a project. The gross area of the lot prior to the dedication is 27,340 square feet, but the project utilizes the net area to determine the 5.24 FAR. Update the lot area and FAR calculations to show the 27,340 square feet.</p> <p><i>High-Volume Areas Under Roof:</i> Lastly, any area enclosed by three walls and a roof is considered floor area for the purpose of calculation FAR. The glass enclosure above the interior courtyards (particularly Floors 4-7) constitutes as high-volume area and is</p>				

considered floor area. Sheet A4.0 does not correctly calculate this area as floor area. Modifications are needed to the plan set, such as removal of the glass roof, to ensure greater conformity with the FAR requirements while also preserving project density.				
D.3.	Front Setbacks <i>(Tyrella Ave. - East)</i>	15 ft. or the height of the adjacent building wall of the subject parcel as measured to the top of the wall plate, whichever is greater.	10'	Non-compliant. The proposed setback does not comply with the required setback.
D.4.	Side Setbacks <i>(Middlefield Rd.- North and interior side - South)</i>	15 ft. or the height of the adjacent building wall of the subject parcel as measured to the top of the wall plate, whichever is greater.	Street Side <i>(Middlefield Road)</i> : 6' Interior side: 10'	Non-compliant. The proposed setback does not comply with the required setback. Additional modifications may be needed on Middlefield Road, thus reducing the street side setback.
D.5.	Rear Setback <i>(West)</i>	15 ft. or the height of the adjacent building wall of the subject parcel as measured to the top of the wall plate, whichever is greater.	4'2" to 10'	Non-compliant. The proposed setback does not comply with the required setback.
D.6.	Max Height	45' Maximum Building Height 36' top of wall plate	96'3" building height 87'11" wall plate height	Non-compliant. The proposed building height exceeds the maximum height allowed on-site.
D.7.	Site Coverage	35% (maximum)	~76%	Non-Compliant. The proposed project exceeds the maximum allowed site coverage.

Respond in writing to each comment by marking this comment list or by providing a separate letter. Indicate which detail, plan, specification, or calculation shows the required information by use of 1) corresponding revision numbers and 2) bubble or highlights for easy reference.

### **Design Comments**

City staff has a long history of working effectively and efficiently with applicants to achieve exceptional site and architectural design in citywide development projects, without reducing project density. The goal is always to work collaboratively to achieve a design that meets a developer's objectives, while aligning with the City's design-related development standards, General Plan policies and community goals. Collaborative design work is especially important on projects that would introduce high-intensity development next to lower-intensity residential areas, where the new development will stand out by virtue of its scale and have potential impacts on adjacent development.

The enclosed design comments are not project requirements, but strongly suggested by staff in an effort to ensure the project design will result in development that will be attractive to and meet the needs of future residents and neighbors. Staff welcomes the opportunity to discuss these recommendations and collaborate on further improvements to the project design.

- **Neighborhood Compatibility:** The proposed seven-story building is significantly bigger and more dense than what is allowed on the property by the applicable General Plan and zoning district and in the surrounding neighborhood, which consists of predominantly of single-family residences and some medium-intensity residential apartments. Since the applicable zoning standards do not contemplate this density of development, staff recommends improvements to the building base, middle and top, as discussed on more detail below, and based in part on adopted development standards for comparable projects in the City.
- **Frontage and Building Base Design:** Particular attention is needed on the building base and landscape design to improve the pedestrian environment, create strong curb appeal and emphasize residential scale and character, as a result of the building's size, reduced setbacks and location at the intersection of a residential street and multimodal arterial, including:
  - **Landscape Design:** Review and update the landscape design along public street frontages and neighborhood-fronting setback areas to better meet the above noted goals, including items such as: layered understory plantings (particularly along public street frontages and to improve grade differentials); decomposed granite, pervious pavers and similar paving materials where feasible onsite to reduce hardscape and improve the appearance of narrow setback areas; and more robust landscape buffer around the roof deck, particularly at residential interfaces. Increased roof deck landscaping will also create a more attractive and hospitable environment for residents using open space amenities.
  - **Garage Facades and Entry:** Study an alternate façade treatment for the high-volume podium garage areas, in lieu of the small, limited metal grate "windows" and solid wall areas on the north and west facades, to reduce the extent of blank wall area and

create visual interest along those frontages. Additionally, add screening to the currently unscreened south facade. Improved design of these areas will enhance the pedestrian environment, increase soundproofing adjacent to the site's residential neighbors, and help the project's overall compatibility with the neighborhood. Additional detailing to the garage entrance, utility rooms and gate will help create a more visually interesting street frontage and improve compatibility with adjacent residential neighborhood.

- **Corner Element:** Devise strategies to improve the corner element, which currently features a “floating” element, to better integrate the cantilevered feature with the first-floor façade (i.e., brackets or similar architectural accent). Use landscaping/amenities with appropriate corresponding building elements to give purpose to the area underneath the hanging volume, without impairing required corner visibility. Additionally:
  - *Corner Windows (Floors 2-3):* Update the window design to include individual corner windows on the second and third floors, versus the proposed multi-story storefront system, to provide better residential proportion and scale on the corner feature and better relate the window design to the third floor unit layout.
  - *Corner Overhangs:* Once corner windows are updated per the above comment, consider if an alternate pattern or locations of overhangs/eyebrows would be appropriate to better emphasize the building base and lower floors, such by as placing these features above the Floors 2, 4 and 6 windows, instead of Floors 3, 5 and 7.
- **Main Entrance:** Consider opportunities to better define the main entry, while complementing the lower-density character of the Tyrella frontage. The currently proposed awning could be better differentiated from the upper floor balcony designs. Staff also recommends using common materials to the neighborhood area in the design of entry accents, to contribute to a warm pedestrian environment while complementing the building architecture. Additionally, the window openings immediately above the main entrance appear over-scaled.
- **Visitor Bicycle Racks:** Shift bicycle racks closer to the main entrance (from the Middlefield frontage) to improve orientation towards the public entry and security, per adopted bicycle design guidelines. This will also allow increased landscaping opportunities along Middlefield Rd., including additional installation of trees or other vertical landscaping to improve the pedestrian environment along this narrow, reduced setback area.
- **Upper Floor Design, including Massing and Articulation:** Find ways to continue to deemphasize the large massing of the building, while providing appropriately proportioned massing breaks (recesses and projections), including:
  - **Upper Floor Setbacks:** Consider opportunities to incorporate step backs at/above the sixth floor, to reduce the apparent scale of the building. Upper floor step backs are a common standard in other areas of the City, where taller development occurs next

to lower density neighborhoods. If upper floor step backs are infeasible, consider alternate means to further deemphasize the topmost floors of the building.

- **Massing Breaks (Southeast Corner):** Update unit floor plans to add and/or relocate balconies to create a massing break at the southeast corner of the building, at the project's neighborhood interface (above the garage entry). This will accomplish multiple objectives, including increased conformity to private open space requirements and open space for future residents, as well as reduced massing adjacent to single-story residences.
- **Additional Height:** To the extent feasible, avoid incorporating any unnecessary parapet height (beyond the minimum required for fall protection) and seek all possible opportunities to inset or otherwise reduce the height of taller stairs/elevators (extending above the roof), particularly when these locations occur along exterior building walls.
- **Projecting Bays:** Enhance how the project utilizes projecting bays to emphasize the middle floors of the building. Currently, there are areas around the building where there are very shallow projecting bays and/or similar changes to color and material without any plane changes. In addition to recommended enhancements to the building base, further articulation through projecting bays on Floors 3 to 5 would help emphasize lower building volumes and deemphasize upper floors. Specifically:
  - **West/South Elevations:** Color and material changes should generally occur at inside corner transitions between different wall planes (projecting/recessed walls). Consider incorporating projecting bays or other projects on Floors 3 to 5 on the West and South Elevations, where in-plane color and material changes are currently proposed.
  - **North/East Elevations:** Consider opportunities to enhance the proportion/depth and detailing of projecting bays on Floors 3 to 5.
  - **All Elevations:** Consider options to further emphasize articulating features on lower floors, including alternate building materials (e.g. siding on project bays vs. recesses) and/or enhanced detailing of the balcony fascia and wall caps, especially locations where balcony fascia and wall caps on projecting bays occur adjacent to each other (in roughly the same plane). This could include measures such as updated fascia materials, shaped detailing and/or extended color accents.
- **West Elevation (Stair Tower Volume):** Consider opportunities to simplify the facade treatment of stair tower, to create a quieter overall appearance, such as using a single wall material, such as the green siding from the main building corner. This may require further adjustment to other adjacent wall materials.
- **Architectural Detailing:** Architectural detailing can be used to help improve the scale and proportion of the taller building, introducing more shadow and depth into taller and flatter building walls, and to enhance the building character. The following items are commonly incorporated into residential development in Mountain View, including around the adjacent residential neighborhood.

- **Window Design:** Utilize window design to achieve the above noted goals by continuing to refine the window pattern and detailing, including opportunities to increase the proportions of window openings, provide greater window variety and add window treatments to provide shadow and character. Particular areas of improvement could include:
  - *Unit Layouts:* Evaluate floor plans and make adjustments to limit/avoid placement of bedrooms at building corners. This will provide more privacy to bedroom areas and create opportunities for larger (living area) windows at/near building corners, where tall building area is highly visible.
  - *Window Design for Bedrooms:* Study an alternate window pattern at bedrooms to increase resident privacy and enhance window pattern/variety, such as using a narrower (separated) double window design for bedrooms versus a larger “picture” window for living/common areas.
  - *Tyrella Avenue Façade:* In addition to the unit layout adjustments recommended above, modify the floor plan layout of the units with two adjacent bathrooms facing Tyrella Avenue (middle of the façade), so at least one of the units has a larger window in that façade area and the smaller “porthole” bathroom windows are separated, allowing for a better balance of solid wall to window area on the façade.
- **Window Detailing:** Recess building windows a minimum of 2” to provide scale and relief to long, flat wall planes and improve the articulation and appearance of the large building mass, consistent with a standard City condition of approval. Consider other window treatments (e.g. trim, etc.) or revisions to the design of existing window detailing to provide additional residential character, interest, shadow, etc. Additionally:
  - *Awnings/Overhangs:* Study an alternate awning color, material and/or design to create a stronger contrast to the upper-story wall color. Also evaluate if there are other locations on the south elevation or other building elevations where an awning or similar detail would be useful.
  - *Window Detailing Character:* In general, staff supports using awnings and overhangs to address solar exposure and provide architectural interest. In this case, staff recommends studying alternate designs of the window accents (including awnings, corner overhangs and other detailing) to provide a higher level of detailing. Of particular concern are the thick, dark overhangs on the main building corner. Overall, staff recommends revised design that meets the intended function of the detailing, provides residential character consistent with the project architecture and helps to break down the scale of the building versus contributing to a heavy or more massive appearance.
- **Tree Preservation and Replacement:** Evaluate opportunities to maximize tree preservation, particularly Heritage trees. If existing, healthy trees cannot be preserved (in situ or through transplantation), identify landscape plan opportunities for replacement of existing trees at a minimum ratio of 2:1 replacement of Heritage trees and 1:1 replacement of non-Heritage trees, with a priority for planting of California Native and drought-tolerant trees.

### Other Comments

The City has also provided an additional set of comments to emphasize existing requirements based on implementation of regulations and other policy-direction that have been important with improving the appearance and operations of a new residential development.

These additional comments are not project requirements, but strongly suggested by staff in an effort to ensure the development and operations will be attractive to and meet the needs of future residents and neighbors.

1. **Solid Waste:** Sheet A4.5 show doors to access the Level 1 trash room. There are operational concerns that the hauler may roll-out the bins through the driveway and this may be a safety issue. Consider reducing the door size to lessen confusion for the haulers, and modifying to a roll-up door.
2. **Native Landscaping:** City Council has voiced interest in 75% native landscaping in landscaping plans. The landscaping plan utilizes mostly native plantings. Consider incorporating additional information that the project meets the 75% native landscaping, and if it currently does not meet 75% surface area of landscaping, adjustments would support Council goals of native plantings.
3. **Tree Removal:** City Council and community concerns have surrounded preservation of heritage trees, particularly oak trees. Six heritage trees (three Monterey Pines and three oak trees) are proposed for removal with this development application. Given these concerns, provide additional clarification to the submitted arborist report justifying why relocation of these heritage trees is infeasible. No justification has been provided for the three Monterey Pines and additional clarification on the three oak trees would help justify why relocation is not feasible. Examples of clarification include discussion on why the structure and trees are not suitable species for relocation, rather than an reasoning based on financial burden.
4. **TDM Program:** As the project proposes less parking than required, the TDM Program will help ensure alternative modes of transportation are available and to reduce off-site parking impacts on neighborhood streets. The project TDM program targets 8% trip reduction with a possibility of achieving up to an 11% trip reduction. Although a citywide TDM ordinance is currently underway, it is important for the measures in the TDM program to reduce on-site trips.

Additional Information: Additional information is needed to understand the actual proposed trip reductions. Please include a project level a.m./p.m. peak-period vehicle trips, percent and total count of the required trip-reduction targets and actual trip reduction for each measure proposed.

TDM Coordinator Roles: Based on TDM programs of the recently entitled multi-family residential projects, additional TDM coordinator related tasks are recommended, such as:

- Providing trip-planning assistance and/or ride matching assistance to residents and employees who are considering an alternative commute mode;
- Managing annual driveway counts conducted by independent consultant;
- Supplying up-to-date transit schedules and route maps for nearby transit services;
- Participate in BAAQMD Spare the Air Program; and
- Monitor and enforce the TDM program.

Please consider adding these responsibilities to the TDM Coordinator's responsibilities as shown on page 10 of the Project TDM Plan.

TDM Measures: The following proposed measures need further clarification:

- VMT Reduction (page 13): Clarify how a transit subsidy will be used if provided by the owner or residents themselves. For example, how will residents be given a transit subsidy?
- Telecommute Program (page 13): Clarify the basis that an estimated 5% of residents would telecommute. What is the reasoning/evidence or assumptions based on?

Monitoring and Reporting (page 14): The TDM Plan notes that no annual monitoring is required. This is an essential way to assess the effectiveness of the TDM strategies; otherwise, there is no way to assess project accountability towards achieving trip targets. Therefore, monitoring and reporting should occur annually.



### *Staff Contact Information*

Project comments, and corrections in this letter are provided from the Planning Division. Please contact the appropriate point person listed below if you have questions regarding specific department/division comments.

- **Planning Division** – Krisha Penollar, Project Planner, (650)903-6306 or [Krisha.penollar@mountainview.gov](mailto:Krisha.penollar@mountainview.gov)
- **Building Division** – Diana Perkins, Consulting Plan Checker, (650) 903-6313 or [diana.perkins@shumscoda.com](mailto:diana.perkins@shumscoda.com)
- **Neighborhoods and Housing Division** – Anna Reynoso, (650) 903-6379 or [neighborhoods@mountainview.gov](mailto:neighborhoods@mountainview.gov)
- **Fire Department** – Brian Sackett, Fire Prevention Engineer, (650) 903-6313 or [brian.sackett@mountainview.gov](mailto:brian.sackett@mountainview.gov).
- **Public Works Department** – Chong Hong, Civil Engineer, (650) 903-6311 or [Chong.hong@mountainview.gov](mailto:Chong.hong@mountainview.gov)
- **Community Services Department, Forestry Division** – Scott Stringer, Consulting Arborist, (925) 484-0211 or [scott.stringer@bartlett.com](mailto:scott.stringer@bartlett.com)
- **Fire and Environmental Safety Division, Hazardous Materials** – Bryan Barrows, Hazardous Materials Specialist, (650) 903-6378 [bryan.barrows@mountainview.gov](mailto:bryan.barrows@mountainview.gov).
- **Fire and Environmental Safety Division, Stormwater Pollution Prevention Program** – Carrie Sandahl, Fire Marshal, (650) 903-6378 or [carrie.sandahl@mountainview.gov](mailto:carrie.sandahl@mountainview.gov)

### **Additional Fee Requirements**

**Cost-Recovery Expenses:** This project is classified as a cost-recovery project, as it requires staff time beyond the amount covered within the scope of the standard application fee. In addition to providing the standard application fees required for this project, your initial deposit will be charged for each hour of staff time spent on this project from entitlement review through construction completion, if approved. As funds run low, City staff will contact you for additional funds to be provided in order to continue the project review.

**Consultant Costs:** This project will require additional studies completed by an outside consultant(s) in connection with the California Environmental Quality Act, for which additional fees will be required from the applicant. The amount due to the City will be equal to the complete consultant contract cost plus a 15% City administrative fee, due in full prior to execution of consultant and applicant-funding contracts for the CEQA analysis. Once City staff has received a scope of work and cost amount from the consultant, we will speak with you about the cost, required contracts and timeline.

**Tenant Relocation Costs:** This project may require relocation assistance for existing tenants, with the cost of any required tenant relocation assistance to be paid by the applicant. Additionally, the cost of the City's tenant relocation services provider/consultant is borne by the applicant and subject to a funding agreement with the City.

### **Timeline, Process and Resubmittal**

As part of the development review process, you are encouraged to conduct a neighborhood meeting to gather public input; however, this is not a requirement and would be conducted solely by the applicant. Next steps for the project also include:

- *Project Compliance & CEQA Analysis:* As part of the development review process, the project must address identified inconsistencies and comply with CEQA. Staff is actively engaging consultants to develop a CEQA scope of work. Once the project is scoped and inconsistencies are addressed, staff will schedule a meeting with your team to discuss the CEQA review, which will commence when staff receives the fees for the work and applicable contracts are executed. Future environmental review may require public meetings pursuant to any applicable CEQA requirements.
- *Design Review:* Staff has provided initial design comments in this letter and welcomes the opportunity to work with the applicant to enhance the project design, including opportunities for design review with the staff and Development Review Committee (DRC).
- *Required Public Hearings:* As the development review process concludes, the project will require a project recommendation(s) at an Administrative Zoning/Subdivision Committee public hearing(s) and final action at a City Council public hearing.

With the exception of public meetings for design review with the DRC, required public hearings will be scheduled once the environmental (CEQA) review is complete. At minimum, notices for public hearings will be sent to property owners and tenants within 750' of the project site and neighborhood associations will be notified.

Additionally, a project sign must be posted along each street frontage of the project site identifying the application request, along with contact information for the applicant and City staff at least 10 days prior to the first public meeting for the project. The sign template, along with detailed specifications, will be provided to you under a separate email once the project scope has been confirmed.

Once you have gathered the missing information and completed the necessary revisions to the application materials, please submit all revised materials electronically in .pdf format to the Planning Division for review at [www.mountainview.gov/planning](http://www.mountainview.gov/planning). Please submit the following:

- **Revised plans** – Submit revised project plans addressing the incomplete items and comments enclosed. To expedite review when submitting revised plans, please “cloud” each revision on the plan set.
- **Response to Comments** – Provide a response to City Department comments included and enclosed with this letter. Your response must note where (or how) you have addressed each comment or explain how you have responded to each issue raised in this letter.
- **Site Visit** – Staff would like to arrange a visit to the project site to take photos of the existing site and building conditions, along with the surrounding area.

#### *Conclusion*

Please be advised that this summary does not constitute a final review. The proposed project may be subject to additional standard City conditions. Revisions to your plans may result in additional comments or requirements.

If the Planning Division does not receive a comprehensive response to this letter and any remaining fee payments within 90 calendar days (June 13, 2024), your application will be considered ‘withdrawn’ due to inactivity and the project file will be closed with no further review or notification. If you choose to move forward with your project after closure of the file, a new application form, fee, and submittal materials will be required to be submitted to the Planning Division.

Thank you for the opportunity to review this application. If you have any questions, please contact me by phone at (650) 903-6306 or by email at [Krisha.penollar@mountainview.gov](mailto:Krisha.penollar@mountainview.gov).

Respectfully,



Krishna Penollar  
Project Planner