

**CITY COUNCIL QUESTIONS
May 21, 2019 Council Meeting**

ITEM 4.4 CONTRIBUTION TO THE HOUSING TRUST SILICON VALLEY

1. The staff report indicates that “the funding has provided homeless prevention and assistance services for some of the City’s most vulnerable residents.”

a. How many households in Mountain View have avoided homelessness because of this funding?

The Homelessness Assistance program is a relatively new program for HTSV. HTSV’s Finally Home Security Deposit Program was established in 2013. Staff was not able to obtain this information by the submittal deadline. Staff will try to have that information at the meeting. The majority of the City’s contribution has been focused on the Homebuyer and Multifamily loan program where HTSV was able to assist 37 Mountain View homebuyers and extend over \$27 million in loans to affordable housing developments in Mountain View to create 600 current and future affordable units.

b. Could this funding be used to assist low/moderate-income homeowners who would like to construct ADUs?

Yes, when the program is implemented. HTSV is in the process of finalizing a construction and permanent loan program for ADU’s. It is anticipated that the ADU loan program will be implemented in the summer. Currently, HTSV is offering ADU workshops. Those persons who attend their ADU workshops, grants are available to prepare site plans and other project soft costs. The proposed loans would be available to all homeowners, regardless of income levels. Staff will continue to work with HTSV to explore how best to invest its contribution to meet the Council’s priorities and the City’s housing needs and goals.

c. Does staff believe that this funding is being used in the most effective and efficient manner?

Yes. As housing costs rise, the City’s \$150,000 contribution can be used to help leverage other public and private funds. These funds can be made available to Mountain View residents directly or for affordable housing developers who wish to build in Mountain View. In addition, it demonstrates that the City also supports affordable housing on a countywide basis by partnering with HTSV. To date, 37 Mountain View homebuyers have purchase homes using the HTSV program and provided loans to eight past and current Mountain View affordable housing developments that total approximately 600 units.

d. Does Council have the discretion to request that the funding be used different, if desired?

The Council does have the discretion that the funds be used differently. The Housing Trust has three active programs: Homebuyer Assistance, Multifamily lending, and Homelessness Prevention, and the soon to be ADU program. If the Council wishes to focus on one program specifically, it may.

ITEM 6.1 777 WEST MIDDLEFIELD ROAD RESIDENTIAL PROJECT

1. When did the model parking standard start applying to non-transit oriented developments? How was that decision made? Who made that decision?

The model parking study was conducted for higher density residential projects and not specifically just transit oriented developments. The model parking standards provides greater flexibility for projects

with larger unit counts and projects along major streets with access to transit services. A project specific parking study was also conducted to determine whether the proposed parking ratio is sufficient for the type and number of units being proposed.

2. What specifically does personalized assistance mean as it pertains to tenant relocation assistance?

It means that FortBay will help people find new housing. Alliance Property Management has the capability to meet individually with tenants to understand their needs and priorities and then use their network and resources to assist in the search.

3. What amount is Fortbay paying to tenants excluding security deposit returns?

Tenants who are eligible for relocation payments received our Notice of Intent on March 8, 2017 which detailed relocation payments based on income. The minimum payment is \$10,000 regardless of income and the maximum is \$20,000 for up to 80% AMI with special circumstances. Security deposit returns are on top of that. ARWS will facilitate application for relocation payments.

4. What is Fortbay's contribution to the affordable housing portion of this project? In other words, since MVWSD and the City are contributing funding, what is the value of Fortbay's contribution? What would be Fortbay's required contribution under the existing rental BMR ordinance?

The proposed 716 unit project will include 144 affordable units (5% Low income units and 15% moderate income units) in perpetuity. One hundred and four out of the 144 units are reserved for Mountain View Whisman School District (MVWSD) employees, 20 units are reserved for City Employees, and 20 units are reserved for qualifying existing tenants with first right to return.

The MVWSD is providing COP funding for the affordable unit construction, but the developer has absorbed a lot of the development cost for the affordable units under the market rate units. The developer is not asking for any City funding, but the City is making a one-time payment to reserve 20 units for City employee for perpetuity.

While you may want to ask this question of the developer, the value of Fortbay's contribution includes:

- Teacher and Staff Housing for School District
- 20% Affordable Units
- Moderate Income units
- Units will be available in perpetuity
- Limited City Funding

5. How can the intersection of Shoreline and Terra Bella be currently rated LOS B in the am and LOS B- in the pm when the intersection is frequently blocked during peak commute hours?

The field observations showed that although the northbound and southbound traffic is heavy during the peak hours and the vehicle queues sometimes extend between intersections, the vehicles queues often were able to clear within one signal cycle given the long green time for the northbound and southbound through movements on Shoreline Boulevard. The vehicle queues on Shoreline Boulevard occasionally spilled back from the downstream intersection to Terra Bella Avenue. However, the queuing conditions occurred only briefly until the downstream signal turned green and released the through traffic on Shoreline Boulevard. It should be noted that the calculated level of service represents the average delay for all vehicles for all intersection movements over an hour, which appears to be consistent with the field observations that showed the vehicle queues at the intersection often clear within one signal cycle without operational issues.

6. How can the intersection of Shoreline and Terra Bella have a shorter delay with the addition of this project?
Page 3.13-19 of the EIR.

The intersection delay is a weighted average of all intersection movements. When the project traffic is added to movements with delays lower than the average intersection delay, the average delay can be reduced for the entire intersection.

7. Can we, as we did during the BMR Program discussion, put future developers on notice at this meeting that any anti-displacement options that are adopted by Council before final approval of a project will be required of the developer?

The Council could let future developers be aware that the City is expected to study and develop options to address displacement issues. However, the specific option(s) and which development(s) they would apply to would need to be determined through the process of developing programs/policies that address displacement.

8. The staff report says, "Typical projects with affordable housing usually have lower parking demand and vehicle trip generation rates because there is a lower automobile ownership rate among residents in lower-income/affordable units." Does this vary by % AMI served or by location? Have more of our affordable developments been near mass transit, thus allowing reduced car use?

Staff has typically conducted parking studies for affordable housing developments during the entitlement process. These parking studies have shown that affordable housing developments usually have lower parking demand and vehicle trip generation rates than market rate developments. There are various reasons for affordable developments generating a lower parking demand, including that residents of affordable developments often rely on mass transit and not car ownership for their trips and that many affordable developments are located near major transit corridors and near services.

9. The TDM plan was written almost a year ago. It says that the development will include a business services room that "could include rentable work rooms." At this point in planning is that determined? Will it include rentable work rooms? Will it also include free work room for those who prefer that?

The business service room and rentable work rooms will be available to the residents of the development.

10. Unbundled parking should be paired with residential permit parking. Can we make that happen roughly on schedule with this development?

The process to establish a Residential Permit Parking (RPP) Zone can be initiated by either a neighborhood or the City Council, and neighborhood approval is required to establish a Zone. The neighborhoods where spillover parking might occur from this development are somewhat distant from the development and are separated from the development by major roadways (Shoreline Boulevard and Middlefield Road). While Council could initiate an RPP process roughly on schedule with this development, the neighbors who will decide on the establishment of a Zone will not know the extent to which a spillover parking issues exists. Additionally, there is a new Council Goal project to revisit the RPP.

11. This development is much farther from any significant mass transit system than all the other developments cited as examples in the TDM plan. In such cases, do developers usually set their parking charges lower than in transit rich areas? How can we ensure that the parking space charges are fair in this situation?

The City does not mandate or control the parking charges in a development.

12. The report says that all the signalized and unsignalized study intersections with the exception of one driveway will operate at an acceptable LOS during peak hours. Which driveway is that?

As proposed, the referenced driveway (easterly/southerly driveway on Middlefield Road) does operate at an acceptable LOS during peak hours. The staff report erroneously refers to a scenario which was analyzed but not proposed, wherein left turns are allowed in and out of that driveway without a traffic signal.

13. When is the Shoreline cycle track expected to be completed?

Design of the Stierlin Road bicycle improvements (from Central to Middlefield) is currently underway, and construction is expected to occur during FY 2021-22.

14. How many special circumstances tenants have been identified, contacted and given the special benefits?

To date, 35 households have applied for and have been qualified for special circumstance payment. This includes 18 households that received a special circumstance payment for living in the unit for 5+ years.

15. How many existing tenants have indicated interest in the 124 affordable units?

To date, none of the tenants have indicated interest. The NOI mentioned this option, and the developer and AR/WS will continue to communicate with tenants regarding this option.

16. How many existing tenants have indicated interest in returning?

To date, none of the tenants have indicated interest. The NOI mentioned this option, and the developer and AR/WS will continue to communicate with tenants regarding this option.

17. We have asked for relocation assistance beyond that required by the TRAO in recent projects like those on Rock Street. Can you list what those were?

Listed below are the additional TRAO benefits required with 2310 Rock Street Project:

- **AMI eligibility increased by \$5000;**
- **Special circumstances households receive an additional \$5000 (disabled, over 62 years of age, dependent children <18 years);**
- **Landlords will waive tenants obligation to provide 30-day notice move out notice;**
- **Second 50% TRAO payment upon submittal of documentation securing a replacement rental (not after move out);**
- **Assistance by AutoTemp to assist in search for housing; and**
- **Developer will provide assistance for referral to LLs with rental housing options in MV and surrounding cities.**

Additional TRAO benefits condition for 2005 Rock Street Project:

- **Extend the date for tenants to vacate their rental units from June 26, 2019 to December 31, 2019;**
- **Provide one year (12 months) of rent subsidy for each qualifying tenant household in the amount of the difference between a tenant's current monthly rent and the comparable market rent as provided by the City (derived from Costar's average median rent statistics) for the month preceding the tenant's move out date, but no less than \$3,079; and**
- **No income qualification is required for the benefits listed in this condition.**

777 Middlefield has been informed of the recent City Council requests and has made the following considerations (their response can be seen in blue):

- Waive tenant obligation of giving 30-day notice - Yes
- Waive tenant obligation under long term lease - Yes
- Second payment upon documentation of securing replacement housing - We will work with residents who struggle with the upfront cash to move but documentation from a reliable source will be needed and the entire remaining amount will not be paid until we collect the keys. However, please note that eligible tenants have received no rent increases for two years (three years by the time of closure) and have received 50% of their relocation payment already. This adds up to thousands of dollars, and exceeds the TRA0. More than enough to cover moving and security deposit on a new place.
- Additional individual assistance by agency in finding replacement housing - Yes. This means real, true effort.
- Regular update letters to tenants regarding progress of project - Yes
- Extended time for tenants in case of delay of project - Yes, though each tenant will have to agree to that in writing or move out as of the date of the original notice.

18. Tenants will have the option to return, but they have told us that it is difficult to arrange and time a movement to a new property and back without significant expense. The project was originally planned to be completed in two phases. Can it be done in two phases now so that current tenants who want to rent the new units can live on site in old units while new ones are being constructed?

Phasing of the project is not considered at this time. Council discussed this at the November 2016 Study Session. It might require additional time to finish the project which in turn might require a development agreement.

19. Does rezoning to a P (Planned Community) Zoning District require more staff time/resources compared to rezoning to a conventional Zoning District (like R3, R4, MM, etc.)? Or is it roughly the same amount of work?

No, rezoning to a P district would not require more staff time/resources than the other rezoning.

20. Why don't the enhanced tenant relocation assistance benefits being offered appear in the conditions of approval? It looks like only the standard condition is included (Condition 63).

The enhanced tenant relocation benefits are described in the Notice of Intent served on residents in March 2017.

21. Should tenants choose to exercise their First Right of Return, would they be entitled to the same number of parking spaces they had with their original unit? (For example, would tenants in a 2-bedroom unit receive 2 parking spaces in the new complex?)

Parking will be available based on the proposed project and not the original development at this site.

22. What is the projected cost of an unbundled parking space?

Every unit would receive one space assigned to them with their lease. Additional spaces are typically being rented for \$150/month in today's market subject to market changes in the future.

23. Precisely when will tenants have the obligation to provide a 30-day move out notice waived? With the receipt of the one-year termination notice?

If entitled, the developer plans to issue a one year Notice to Vacate to all tenants in June, after which tenants are able to move out without having to provide a 30-day Move Out Notice to the owner.

24. Can staff explain the concerns about the traffic analysis in the EIR that have been brought up during public comments over the past couple of weeks?

Please see staff response to comments received on the TIA and traffic concerns for this project (attached).

25. The developer told the Mayor the parking for the project is one space for each apartment and any additional spaces are unbundled and that is different than the staff report. Please confirm.

Every unit would receive one space assigned to them with their lease. Additional spaces will be available for renting. The applicant confirmed this at the EPC meeting.

26. Does all of the open space need to be publicly accessible to qualify for the 50% credit?

The credit being requested is for private open space. While they are not required by code to make the space publicly accessible, they are doing so for much of it through a public access easement.

27. Does Council have discretion in granting the credit if the provisions in the Code are met?

The project complies with the code requirements for private open space and staff is recommending, but the Council could find it is not in the public interest to grant the credit.

ITEM 7.1 FISCAL YEAR 2019-20 THROUGH FISCAL YEAR 2020-21 CITY COUNCIL MAJOR GOALS WORK PLAN

1. Page 3 of Attachment 1 - what is the definition of forum for item 1.13?

The "forum" is anticipated to include an invited panel that will be responsive to Council questions and will have opportunity for public comment as a part of the Study Session.

2. Page 4 of Attachment 1 - what contracts are needed to create and enforce an oversized vehicle ordinance for item 1.14? And, what might extend this project to June 2020?

Contract services may be required for the signage, communications, and/or legal assistance. The enforcement will be on-going with the June 2020 is a placeholder only as the timeline for implementation. This item is on the June 11, 2019 agenda with an effective date to be determined by the Council.

3. Page 5 of Attachment 1 - what coordination needs to be done with community colleges for item 1.12?

The anticipated coordination is limited. Staff has sent a letter and is monitoring the legislation for safe parking at community colleges. Staff will also ensure the local college is on the noticing list for the safe parking ordinance Council agenda item.

4. Page 5 of Attachment 1 – isn't 1.15 a continuing project, not a new project?

Staff completed the previous two-year direction on the project, and has now begun the focus on oversized ordinance, safe parking program and ordinance, and associated refinements to outreach. The Case Worker is a continued program for Permanent Supportive Housing.

5. Page 15 of Attachment 1 – does commercial parking include Caltrain parking?

Commercial parking could potentially include Caltrain Parking. This project will be conducted in two phases. The first phase will review the Residential Permit Parking (RPP) Program qualification requirements to better facilitate establishment of RPP Zones. The second phase will assess what other issues associated with spillover parking exist and what options exist to address them. Caltrain Parking will likely surface as an issue in the second phase.

6. Page 15 of Attachment 1 – is this limited to the first block of Castro?

Yes. The study will look at various concepts for a pedestrian mall for the 100 block of Castro (from Villa Street to the train tracks).

7. Page 16 of Attachment 1 – is conduct a shuttle study, the study to look at expansion of the free community shuttle? If so, isn't this already in process?

The shuttle study will explore possible modifications and expansion of the Mountain View Community Shuttle to better serve Mountain View residents and employees. A consultant has been selected and the shuttle study will begin in June, with a draft report expected by the end of 2019.

8. Page 20 of Attachment 1 – when did Council direct staff to develop alternative carbon offsets? A previous table indicated March 19, 2019, but I don't recall that being discussed on March 19.

On page 19 of the staff report for the March 19, 2019 meeting, staff proposed 3 recommended actions, which the Council supported. The third recommended action was related to evaluating our GHG emissions reduction targets, and as part of doing that, staff proposed "evaluating" the use of offsets as an option for years in which the City doesn't meet its GHG reduction targets. Here's the text from the report:

"Direct Staff to Evaluate the GHG Emissions Reduction Targets. The ESTF-2 report made several recommendations regarding how the City should set its GHG emissions reduction targets and create a system of accountability for meeting them, including: (a) purchasing carbon offsets each year the City does not achieve its reduction target (Recommendation M1); (b) changing from absolute to per-capita targets (Recommendation M2); and (c) adopting reduction targets that decline by a constant percentage rather than a linear reduction year-over-year (Recommendation M13). Staff can evaluate these options and any proposed revisions would be presented to Council for consideration."

To clarify, staff is distinguishing between "evaluating" offsets and "developing" offsets. "Evaluating" is what the above recommended action indicated, and is what we're planning to do. "Developing" would be identifying and contracting for a specific carbon offset project(s) for use by the City, which Council has not directed staff to do yet.

9. Our Advisory bodies including the Downtown Committee, the EPC and four other bodies, showed more interest focused protection of our historic retail district than in any of the other 70 some projects listed by council. This is our city's most vibrant streetscape yet is under threat due to proposed office and transit development. Given the demands on Community Development staff we can't do everything. Would a more effective and more efficient way to protect our historic retail district be (1) to create a system for

setting up historic DISTRICTS with overlays, incentives and tools like land swaps and TDRs, and (2) do a focused update of the historic retail district rather than review the whole Downtown Precise Plan and the whole Historic Preservation Ordinance?

There is existing language in the Downtown Precise Plan which pertains to the goal of preserving historic resources in the Downtown as well as ensuring that new buildings are sensitive to the scale and context of these historic structures. Staff believes that this language can be strengthened with the update to the precise plan; however, from a regulatory standpoint the City's existing historic ordinance and CEQA already provide the foundation for preservation. Staff does not believe that regulatory overlays like historic districts in the Downtown will provide any additional regulatory support for historic preservation which is more of a policy decision made by the Council when property owners propose to remove a historic resource and the EIR which supports this action. If the Council wishes to create a TDR program for historic properties, it would be best covered in the historic ordinance.

10. Don't projects 3.12 and 3.4 overlap? 3.12 Develop and implement a plan to prevent commercial parking from spilling into residential neighborhoods, including a review of the qualification requirements of the Residential Parking Permit Program to facilitate the establishment of Residential Parking Permit Zones. 3.14 Continue to implement Downtown Parking Long-Term Solutions – Shared Parking Agreements and Paid Parking Study. Could we develop plans to prevent commercial parking from spilling into residential neighborhoods with a menu of options that could be chosen, when appropriate in each mixed-use area around the City?

Yes, the two projects overlap. Based upon the direction City Council provided staff at the March 19 Paid Parking Study Session, CDD (ED) is currently working on a Downtown Parking Strategy to address downtown commercial parking demands and spillover into the residential neighborhoods. City Council will review and discuss the strategy before the end of 2019.

11. Is 4.11, the project to consolidate and update existing plans into a comprehensive wildlife and habitat management plan, meant to be city-wide or just for N Bayshore or has it not been defined yet? Can we make it city-wide if it has not already been planned that way?

Staff believes this goal is intended to expand upon the existing Burrowing Owl Preservation Plan for the area of Shoreline Park and adjacent areas in North Bayshore. This plan would provide general guidelines for managing maintenance activities and protecting/enhancing habitat for all wildlife, building upon the Burrowing Owl Preservation Plan. The cost estimate that was provided is for a Plan that mirrors the area covered by the Burrowing Owl Preservation Plan in North Bayshore. A citywide plan would require significant staff time from all departments and consultant(s).

12. Is 5.10, the project to hold a Study Session and develop a small business strategy, seen as a small business strategy just for the downtown or for mixed use streetscapes and Village Centers around the City as well? Can we make it citywide if it has not already been planned that way?

The small business strategy could be a citywide initiative for businesses located along El Camino and in neighborhood serving shopping centers. CDD (ED) is currently working through a Downtown Economic Vitality Program wherein some components of the program (i.e. business resources, permitting assistance) could be integrated into the strategy. If Council wishes to expand the study, staff can come back with a cost and schedule.

13. What is the likely timing for proposals to start coming to us in the Shenandoah Area?

The Army proposal is on hold and there are no other proposals pending, although the MVWSD has expressed interest in the site.

14. For Project Proposal 3.18 - A TDM Ordinance Citywide - Don't we require TDM measures through our Precise Plans and on Gatekeepers already? So what would a Citywide TDM ordinance cover?

Staff is recommending a TDM Ordinance for the following reasons:

- We do not have TDM requirements for Gatekeepers. They are done on a case by case basis with a lot of negotiation with applicants on what should be included, with varying degrees of success. This has led to very different requirements for different projects.
 - The TDM requirements in the precise plans differ from each other. They were done before the concept of TDM (especially for residential projects) was a hot topic/concern.
 - A TDM Ordinance would review best practices and standardize requirements for those parts of the City that aren't covered by those Precise Plans. It might be good for a future TDM ordinance to supersede the precise plan requirements where they exist and have consistent targets/requirements for residential and commercial developments Citywide that can be applied evenly to all new developments.
 - May help us have a citywide strategy for the TMA or TMAs if we required all projects (or those above a certain size or impacts) to join/contribute.
 - A TDM ordinance would allow developers to be able to anticipate the costs associated with TDM up front and include it in their project costs.
15. On 2.19, we said no vote needed, but it is one of the "options" for Council to decide between. Does Council really have discretion, or do we have to do it? And given the delay on some housing legislation, would it be pushed out another year?

Yes, the City does have discretion as to whether they want to revise the ordinance. However, whether the City revises their ordinance or not, state law will continue to apply. In some cases, there is a window of opportunity where the law will allow cities to customize some requirements as long as they are in substantial compliance with state law. Finally, if there is a discrepancy with City ordinances and state law, it does lead to confusion as to how projects are to be handled and requires additional administrative procedures to review where city ordinances apply and where state laws apply instead. Additionally, applicants are not clear about what the differences are. Both these require additional staff time to administer.

16. What are the various ways development of the Shenandoah property play out, and what are the implications for a Precise Plan? For example, if the city does a Precise Plan, and the property is sold to a developer, are they really obligated to follow the Precise Plan? What if the Precise Plan is not done before they submit plans? Or, what if the city doesn't do a Precise Plan and a developer submits plans? What rights does the city have to modify the plans? I'm sure there are other scenarios as well.

The approximately 17-acre Shenandoah Square site is currently occupied by 126 two-bedroom townhouses constructed in 1989 leased to military personnel and federal civilian employees. The property is currently unincorporated County land and prezoned PF and has a GP designation Medium-Low Density Residential (7 - 12 du/acre) and is consistent with the existing residential density of the site. The GP designation would be amended as part of the Gatekeeper project, based on the permitted density/intensity to be determined through the Precise Plan process. The new General Plan land use designation could be High Density Residential (36 - 80 du/acre), based on the Gatekeeper.

The current pre-zoning is PRE-PF (Public Facility) and does not apply to current onsite uses, but would principally allow a range of open space, public service and educational uses. A new Precise Plan would become the pre-zoning for the site and go into effect once the annexation process is complete. Once a property is annexed into the City Limits, it generally cannot be rezoned for two years, which is why staff is planning for a Precise Plan before completing the annexation process.

In December 2015, the City Council authorized staff resources to begin work (starting in summer 2016) on a Gatekeeper request submitted by California Military Communities, LLC. The request included a General Plan amendment, a new Precise Plan to guide multi-family residential development and an annexation. In November 2016, Council held a study session on the Shenandoah Square Precise Plan gatekeeper project. At the study session, Council provided preliminary direction on key Precise Plan topics such as parkland dedication, affordable housing, tenant relocation, building heights and mobility improvements. Staff used this Council input to refine the urban design consultant scope of work, and anticipated starting work on the existing conditions, opportunities and constraints analysis in early-2017.

The project has been on hold since and staff has not heard back from the U.S. Army. Any development would need to be consistent with the adopted Precise Plan.

17. What departments would be involved in developing bird-safe design requirements for new and refurbished buildings? How much effort is involved? Can this be fit into the work plan?

This would involve the Building Division. If the scope is limited to modifying existing bird safe codes, and the majority of Council supports adding this item, we can include it in the work plan for the Building Code update. However, if it includes significant research or outreach, staff would not be able to take on with other pending projects such as the Reach Code and Soft Story Ordinance.

ITEM 7.2 APPROVE THE ACQUISITION OF REAL PROPERTY AT 996 WEST DANA STREET (APN 158-13-029)

1. What is the Capital Improvement Project for this acquisition?

Capital Improvement Projects are created for land acquisition projects simply as a funding mechanism. Any future change of use of this property involving capital improvements (lower case) would require creating and funding a separate Capital Improvement Project (upper case).

2. Should the Council provide direction now regarding the use of this property?

Staff recommends deferring any Council discussion and direction on the future use of this property until staff has had an opportunity to further assess the condition of the property and evaluate different alternatives to be presented to Council at a Council meeting in the fall. Because this property is a historic resource, there may be a desire to have some community outreach to stakeholders prior to Council providing direction on future uses of the property.

3. Would it be appropriate to reach out to organizations like [Destination Home](#) or [Nextdoor Solutions to Domestic Violence](#) to do safe temporary housing on the site?

See answer to Question #2 above.

ITEM 7.3 ORDINANCE AMENDING CHAPTER 15, ARTICLE II OF THE MOUNTAIN VIEW CITY CODE RELATED TO MOBILE VENDORS

1. Why is the rationale for an exclusion from stating whether a prior vending permit has been issued on the permit application?

Currently, all mobile vendors must include whether a prior vending permit has been issued on a mobile vending application. Consistent with State law requirements, only non-sidewalk vendors will be required to include this information as this is not something cities can require on an application for sidewalk vendors under SB 946.

ITEM 6.1 #24 - Staff response to comments received on the TIA and traffic concerns for this project:

1. Comment from Albert Jeans (dated May 9, 2019):

“Thanks again for the Traffic Impact Report for 777 W. Middlefield. I examined it carefully, and I found what appears to be a fundamental error in how Hexagon did the analysis which resulted in the unrealistically high ratings for intersections on N. Shoreline Blvd. which are normally congested each weekday morning. The analyst apparently ignored a crucial limitation of the Highway Capacity Manual 2000 which dictates how intersections should be evaluated, that being the methodology cannot be applied if congestion at downstream intersections (in this case Shoreline and 101 NB off-ramp) interferes with the intersections being analyzed. HCM 2000 assumes that intersections are independent of each other and that there are no obstacles impeding traffic leaving the intersection. Based on the definition of Level of Service, which is the delay experienced by vehicles passing through an intersection, all the intersections on N. Shoreline from La Avenida to Middlefield would probably be rated "F" and further demand from 777 W. Middlefield could have a significant adverse effect. That the analyst really did not understand the traffic conditions is further evidenced by his picking the peak hour to be 7:45am to 8:45am when in fact, Shoreline Blvd. is most congested during the hour after that. That is because traffic counts do not measure delay and congested roads often have lower counts than free-flowing ones. Since the congested intersections were not accurately evaluated, we cannot believe the projected ratings with future demand either.

The EIR for 777 W. Middlefield has already been finished but may have to be revised in light of these findings. However, there are probably other EIR's in progress, and I urge you and your staff to make sure that the Traffic Impact Reports are properly done. If you have any questions, I'd be happy to talk with you about my findings in more detail.”

Staff Response:

The commenter states that all the intersections on N. Shoreline from La Avenida to Middlefield should be rated "F" and that traffic from the proposed 777 W. Middlefield project could have a significant adverse effect and traffic results should be re-evaluated.

A Transportation Impact Analysis (TIA) was prepared for the proposed project and was done using the 2000 Highway Capacity Manual (HCM) methodology, as required by the City of Mountain View and the Santa Clara Valley Transportation Authority (VTA) policy. Under this methodology, the average vehicle delay is calculated as the average delay for all vehicles for all intersection movements over the hour with the greatest volumes. The “average delay” is the weighted average of all intersection movements. For example, some movements may operate at LOS E or F, while those in the opposite direction may operate at A or B. Overall, this averages to LOS C or D. Because the level of service is an average for an entire hour for all movements, stating a general statement that “the traffic is normally congested each weekday morning” does not provide information on an accurate picture of the calculated level of service over the peak hour and the average condition of all movements as required by the methodologies/policies referenced above.

Additionally, the results of the intersection level of service analysis were compared to field observations and to the level of service analysis prepared for the North Bayshore Precise Plan. Field observations indicated that the intersections at the US 101 southbound ramp, Terra Bella Avenue, and W. Middlefield Road operated acceptably, while the intersection at the US 101 northbound off-ramp operated unacceptably, which is consistent with the results of the level of service analysis. Field observations indicated that during the AM commute period, northbound vehicle queues on Shoreline Boulevard occasionally spilled back to Terra Bella Avenue. However, the queuing conditions occurred only momentarily until the downstream signal turned green and released the northbound traffic. The results of the level of service analysis are also consistent with the analysis prepared for the North Bayshore Precise Plan using Synchro software, which accounts for the effects of closely spaced signals.

The impact of the project was evaluated according to the adopted City and VTA policy. Project impacts are based on the incremental increase in intersection volume and delay due to the addition of project traffic. Based on the policy, even if these intersections were considered to operate at LOSF as claimed by the commenter, the added project traffic would not result in a significant adverse effect because the project would not add enough trips to trigger the impact thresholds.

The commenter also states that the analyst did not understand the traffic conditions because they picked the peak hour to be 7:45 am to 8:45 am when in fact, North Shoreline Blvd. is most congested during the hour after that. As described in the TIA, existing traffic volumes were obtained from turning movement counts collected between 7:00 and 10:00 AM. For each intersection, the highest one-hour volume within the three-hour period was used for the level of service analysis, which is consistent with VTA methodology. For some intersections, the peak hourly volumes occurred earlier in the three-hour period, while other intersections occurred later on the days the counts were collected. As discussed in previous paragraphs, standing queues (i.e., queues that never fully dissipate during the peak hour period) were not observed at the intersections south of US101, so the counts represent the actual traffic demand.

2. Comments from Albert Jeans (dated May 11, 2019) & John Keen (dated May 12, 2019):

Comment from Albert Jeans:

"First, the existing road system in the area is already overburdened during rush hour. Adding hundreds of additional vehicles will only make it much worse. As I wrote to you in a previous email, the traffic analysis in the EIR is seriously flawed and does not accurately portray present and future conditions. Direct observations would probably lead one to conclude that the Level of Service at all intersections on Shoreline Blvd. from Middlefield to Pear is actually "F" during the true Peak Hour from 9 am to 10 am, and additional vehicles from the project will have a significant impact. Before the project is approved, the EIR should be corrected so that the council's decision is made with all the facts at hand."

Comment from John Keen:

"Traffic on Shoreline Blvd during commute hours is already known to often be unacceptably bad. Between ~9 AM and ~10 AM on some days, a traffic jam can extend all the way from Pear Ave back beyond Middlefield Rd, sometimes as far as Montecito Ave. Such traffic jams occur remarkably often, but the EIR's traffic analysis (Section 3.13) seems to suggest that we currently have no serious problems, nor are any problems expected after construction.

Such patently inaccurate claims about current traffic conditions undermine the credibility of any predictions for future conditions. Common sense would suggest that the addition of hundreds of more vehicles to Shoreline Blvd will make the traffic jams much worse, perhaps to an extent that is intolerable. This wastes the valuable time of hundreds (thousands?) of drivers, generates large amounts of CO2 emissions, and impedes the rapid movement of first-responder vehicles. A much more careful traffic analysis should be conducted before you proceed to make a final decision about 777."

Staff Response:

Chapter 2 of the TIA describes the observed traffic conditions during the AM and PM peak periods which include the existing vehicle queuing issues at the study intersections along Shoreline Boulevard. See previous response for observed traffic conditions and level of service analysis at these intersections, which were done following the Mountain View and VTA policy with consistent approaches with the other traffic studies. The project would not add hundreds of more vehicles to Shoreline Boulevard. The traffic impact analysis report (Figure 10) shows that the project would add 39 northbound and 19 southbound trips to Shoreline Boulevard in the AM peak hour (not hundreds more as stated by the commenter). As described in the previous response, the added project traffic would not result in a significant adverse effect because the project would not add enough trips to trigger the impact thresholds.