

Stephen A. Finn
Principal and Founder
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City Council
City of Mountain View
500 Castro Street
Mountain View, CA 94041

Re: Draft East Whisman Precise Plan - Support for Suggested Modifications and Additional Requests

Dear Mayor Matichak and City Councilmembers:

My name is Stephen Finn and I own the two contiguous properties located at 325 E. Middlefield Road and 265 and 275 N. Whisman Road on the southeast corner of E. Middlefield Road and N. Whisman Road that are currently occupied by IGM Biosciences. While these properties are currently subject to long-term leases, I have been following the City's progress on the East Whisman Precise Plan and am excited about the Plan's potential to facilitate the creation of a new sustainable transit-oriented neighborhood and employment center. I would like to thank you and City staff for your vision and commitment to moving the Plan forward.

The purpose of this letter is to express my support for previously recommended improvements to the Plan provided by the development community, and to briefly touch on three specific topics that I believe would benefit from your further consideration and guidance as you continue to review the Plan: (i) development of design guidelines that would allow flexible solutions to address planning goals (and specifically more flexibility with respect to height limits along the "Whisman Road Transition Area"), (ii) an FAR exemption for residential parking, and (iii) clarification as to whether prevailing wages would be a standard requirement as opposed to a goal that is encouraged, but not mandatory.

1. **Request for Flexibility to Achieve Planning Goals in the Whisman Road Transition Area**

My property is located in the mixed-use character area and is subject to the medium intensity and "Whisman Road Transition Area" standards, which as currently drafted applies a 55' height limit within the area that extends 50' from the "planned inside edge of the public sidewalk." While I understand the planning rationale for limiting heights along Whisman Road to provide for buildings that are "stepped down" relative to the adjacent residential neighborhoods, I am concerned about this height limit, in part, because my corner parcel is not located across from residential uses and is already buffered from the nearest residential neighborhood. For that reason, I would request that the City exempt that corner location from the 55' height limit, or alternatively consider allowing for more flexibility in the planning process in lieu of a specific height limit.

Specifically, I would encourage the City to consider an alternative approach that relies less on rigid height limits and instead provides a framework for project sponsors to work directly with City staff to achieve the same policy goals using greater architectural variation. One-size-fits-all standards run the risk of precluding superior design, and I am confident that a policy oriented to respecting the neighborhood transition with appropriate design and articulation could achieve even better design outcomes than reliance on a strict 55' height limit.

2. Request for FAR Exemption for Residential Parking

Under the general floor area and floor area ratio standards section of the Plan, above-grade parking is not included in the calculation of non-residential FAR; however, above-grade parking is factored into the calculation of hotel and residential FAR. As you know, parking can take up a significant amount of area on a property, which, if included in FAR calculations, could severely limit a project's size or render a project economically infeasible. This is particularly problematic for smaller properties and especially for properties that are contemplated to be subject to lower height limits, such as mine.

I acknowledge that a lot of work and analysis has already gone into developing the Plan and that changing certain assumptions would require additional expenditures and time. But I respectfully think the Plan would be more effective if all parking were treated as exempt from FAR limits.

3. Request for Clarification Regarding Wage Requirements

It is my understanding that Bonus FAR projects are "encouraged" to use the local workforce and local businesses for sourcing, as well as provide "area standard wages." The Plan does not appear to provide a definition of "area standard wages," so it's unclear whether the City intends to require that new development provide something akin to prevailing wage or a different standard. While I absolutely support compensating workers appropriately, especially in a region with a high cost of living, I believe that prevailing wage requirements may not make sense for every project and would therefore appreciate clarification as to whether this is a policy objective as opposed to a plan requirement.

Finally, with respect to the broader policy issues that have been raised by other developers and interested parties throughout the process, I support the positions and recommendations outlined in the letter signed by Google, Miramar Capital, Prometheus, Sand Hill Property Company, The Sobrato Organization, and SummerHill Housing Group, dated June 5, 2019, concerning the local school strategy/community benefits, character areas and unit mix, development standards, parks and open space, and the jobs/housing linkage, among other topics.

The City has an incredible opportunity to spur much-needed redevelopment in the East Whisman area. I applaud the City's vision for East Whisman and its genuine attempt to address the many challenges facing Bay area cities when it comes to housing, traffic, and the jobs/housing imbalance. While the Plan will not solve all of the region's problems, it is a good step forward and I believe staff has done an outstanding job. With a few additional tweaks, I believe the Plan will allow property owners like myself to invest in the improvements the City is anticipating.

Thank you for your time and consideration. I look forward to your approval of the Plan.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Finn". The signature is fluid and cursive, with a large initial "S" and "F".

Stephen Finn



June 27, 2019

Eric Anderson
Project Planner
City of Mountain View
500 Castro Street,
Mountain View, CA 94043

Re: Draft East Whisman Precise Plan

Dear Eric,

We write in reference to the City's draft East Whisman Precise Plan that was released in April 2019. Firstly, we would like to acknowledge the City's engagement with both Google and the broader East Whisman developer group in working with us collectively to listen to our feedback and suggestions on the draft Plan over the past several months. We appreciate that many of our collective concerns have been addressed in the latest version of the draft Plan that was released on September 20, 2019. Secondly, as discussed in our recent conversations, we have some outstanding concerns regarding the draft Plan's master planning requirements.

The draft Plan requires an applicant to submit a master plan prior to submitting a Planned Community Permit application if the land subject to the application is within the Village Center or the Neighborhood Park Master Plan Area. The draft Plan also outlines five scenarios in which the City could encourage an applicant to submit a master plan, but the master plan is not mandatory. The submittal and review process is the same for both mandatory and optional master plans - refer to section 6.3.2(3-7) of the draft Plan.

We understand that the master planning process affords the City the opportunity to review such projects at scale, consider holistic urban design, planning and transportation solutions, and secure community benefits. However, our concern is regarding section 6.3.2(7) of the draft Plan, which states that "*approved master plans do not confer rights to square footage in the Development Reserve*".

As the City is aware, the timeframe to prepare, submit, review, and have a master plan considered by the City Council can be in the order of 18+ months, and requires significant resources (both by the applicant and City staff) and financial investment. However, if an approved master plan does not secure square footage from the Development Reserve, there is no "entitlement". Accordingly, it does not provide an applicant with the certainty they need to progress with detailed design and entitlements.

In light of the above, we would welcome the opportunity to work with staff on alternate language to address the City's concern that if an approved master plan is not acted upon it doesn't lock down square footage indefinitely, while also providing certainty to the applicant in being able to deliver on their plan long-term.

While not identical, we would propose as a starting point using the language in the North Bayshore Precise Plan in the Bonus FAR context, whereby an approved master plan is in effect allotted development reserve square footage for a limited period of time. If the development does not proceed, that allotment would expire and the square footage would return to the development reserve. That said, as projects of this scale can take many years to be ultimately delivered, we would also request that such language allow for an applicant to request extensions that account for factors such as, but not limited to, force majeure and market cycles.

As always, we welcome the opportunity to further discuss with the City opportunities to revise the draft Plan to ensure it provides feasible mechanisms that facilitate the City's vision becoming a reality.

Sincerely,

Michael Tymoff

Michael Tymoff
Real Estate District Development Director - Mountain View
Google

Cc: Aarti Shrivastava, Assistant City Manager/Community Development Director
Martin Alkire, Principal Planner, Community Development