

**355 – 415 E. Middlefield Road**  
**Compliance Analysis and Request for Exceptions**

Community Development  
Department

The proposed project at 355 – 415 E. Middlefield Road is zoned P-41 and subject to the East Whisman Precise Plan. Approximately 4.0 acres of the project site are within the High Intensity subarea of the Precise Plan's Mixed Use Character Area, and approximately 2.0 acres of the project site are within the Medium Intensity subarea.

Attachment 1 to this memo outlines the Precise Plan's development standards, parking standards and open space requirements for the High Intensity and Medium Intensity subareas of the Mixed Use Character Area as they relate to the proposed project.

As explained below, the proposed project fully conforms to the intent of the Precise Plan and substantially conforms to the development standards, parking standards and open space requirements. Due to special circumstances of the site such as the slope and dimensions of the site, the City's preferred alignment for on-site pedestrian and vehicle connectivity and legacy environmental concerns related to past uses of the site, SummerHill respectfully requests that the City grant certain exceptions to the development standards for the site, pursuant to section 6.2.3 of the Precise Plan. The requested exceptions are shown graphically on Attachment 2.

As explained below, the requested exceptions are consistent with the intent of the Precise Plan and would result in a superior project.

**A. Service Street Curb-to-Curb Width**

Figure 36 of Section 5.5.2 requires service streets to have a minimum the curb-to-curb width of 26' to facilitate fire department access. In order to accommodate the City's desire for a public pedestrian and bike connection along the southern edge of the site and the associated setbacks and landscaping, SummerHill respectfully requests that the City allow the section of the service street at the south side of the podium condominium building to have a curb-to-curb width of 20', with an additional 10' width of pavement adjacent to the street (separated only by a rolled curb) in order to provide enough width for a fire truck while also maintaining a 10'-wide path for bikes and pedestrians. The proposed design has been reviewed and approved by the Fire, Public Works and Planning Departments.

**B. Building-to-Building Separation**

Table 28 of Section 5.5.2 calls for a minimum 65' building-to-building separation for buildings without "active priority frontage." SummerHill respectfully requests that the City allow a minimum building separation of 53' between the podium condominium building and the four-story townflat buildings.

The purpose of the building-to-building separation standard is to avoid the creation of tight corridors — the "canyon effect." However, the canyon effect decreases as the height of the buildings decreases. The proposed minimum building-to-building separation of 53' is consistent with the intent of the Precise Plan because it would provide sufficient width to avoid a canyon effect, given that the townflat buildings are only four stories tall and the "street wall" of the townflat buildings is broken up by a public park and an alley.

### **C. Side Setback**

Table 7 of Section 3.4 requires that side setbacks be a minimum of 15' wide. The proposed project complies with the 15' setback throughout the site, with the exception of the balconies and bays on the west side of Building 2, which encroach approximately 1' into the setback area. The balconies and bays are important to the architecture of the building because they break the plane of the façade and articulate the massing.

SummerHill respectfully requests that the City either allow the 1' encroachment pursuant to paragraph 4 of section 3.3.4 of the Precise Plan or grant an exception to allow the setback to be reduced to approximately 14' at the west side of Building 2, in order to accommodate the balconies and bays to break the plane of the façade and articulate the massing.

### **D. Ground Level Wall Plate Height**

Section 3.3.1.7 requires that ground level plate heights be at least 12' above primary frontage sidewalk grade. The 12' is measured from the top of curb to the top of the ground-floor wall plate. Buildings 4 and 5 (the podium condominiums and apartments) comply with the requirement, and the lobby entrances to the townflat buildings also comply with the requirement, but the remainder of the ground-floor wall plate of the townflat buildings would need to be raised approximately 2'-3" to achieve the minimum 12' plate requirement.

SummerHill respectfully requests an exception from the 12' requirement for the ground-floor wall plate, because the taller wall plate would be inconsistent with the residential character of the architecture and the affected area of the ground floor consists entirely of garages, powder rooms and laundry rooms, not primary living space. The proposed project would meet the intent of the design standard by providing at least 12' of ground floor wall-plate height in the podium condominiums, the apartments and the entry lobbies for the townflat buildings.

### **E. Ground Level Above Sidewalk Grade**

Section 3.3.1.8 requires that the floor at ground level be no more than 4' above the primary frontage sidewalk grade. Due to the slope of the site — with the north side of the site being approximately 6' – 7' lower than the south edge of the site — the ground-level floors of Buildings 4 and 5 are approximately 4.5' – 5.5' above the sidewalk grade along the Middlefield Road frontage. To reduce the elevation of the ground-level floors of Buildings 4 and 5, the buildings would need to be lowered 1' – 2', which would cause the ground-floor units along the east and west sides of the podium condominiums and the apartments to be 1' – 2' feet below the grade of the adjacent sidewalk.

SummerHill respectfully requests an exception to allow the ground-level floors of Buildings 4 and 5 to be approximately 4.5' – 5.5' above the sidewalk grade along the Middlefield Road frontage, to accommodate the north-south slope of the site and allow the ground-floor units along the east and west sides of the podium condominiums and the apartments to even with or above the grade of the adjacent sidewalk.

### **F. Sidewalk Width**

Figure 36 of Section 5.2.2 lists a 5' minimum sidewalk width for service streets with fire lanes. The proposed sidewalks along the service streets are at least 5' wide, with the exception of the sidewalk at the south side of the podium condominium building. At the south side of the podium condominium building, the width of

the sidewalk is reduced to 4' in order to maximize the width of the pedestrian and bike route along the south edge of the site and provide more landscaping along the south side of the condominium building.

SummerHill respectfully requests an exception to allow a 4'-wide sidewalk along the south side of the podium condominium building in order to accommodate the pedestrian and bike route and the additional landscaping.

**G. Solar Photovoltaic Roof Area**

Effective January 1, 2020, sections 8.20.9 and 8.20.14 of the City Code require all new multi-family residential projects to install photovoltaic systems on at least 50% of the roof area of the project. The proposed project can accommodate the 50% requirement on all buildings except Building 1. Due to the orientation and limited effective solar array area, Building 1 is only able accommodate photovoltaic systems on approximately 38% of the roof area. SummerHill respectfully requests an exception from sections 8.20.9 and 8.20.14 of the City Code to allow Building 1 to provide photovoltaic systems on only approximately 38% of the roof area.

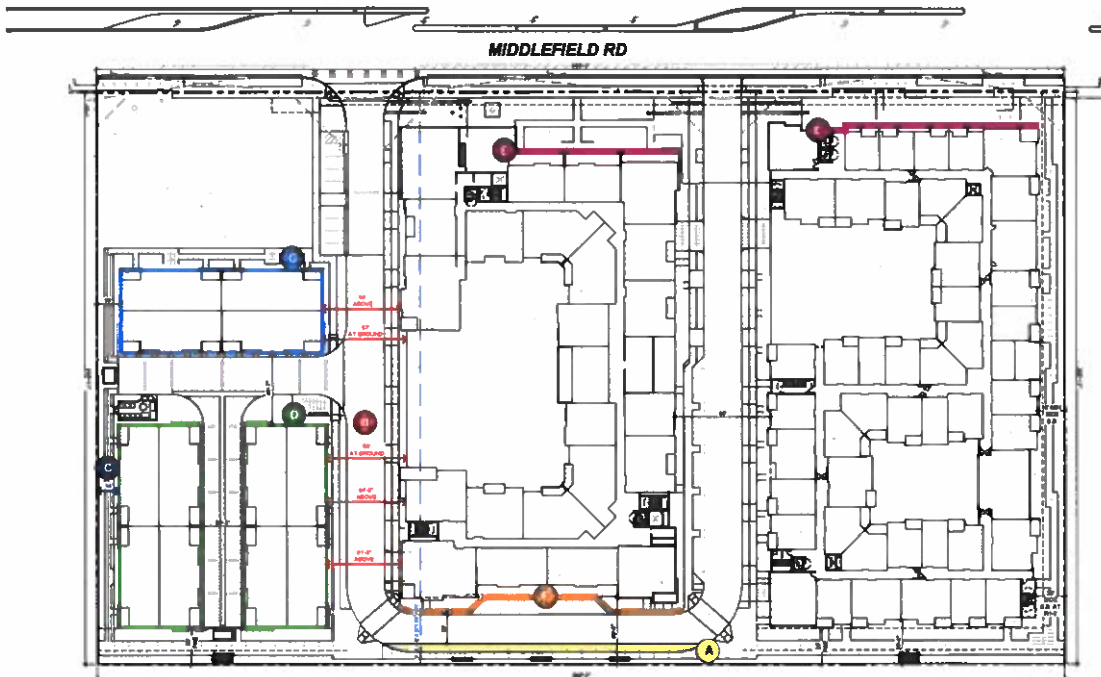
355-415 E. Middlefield  
 East Whisman Precise Plan Compliance  
 Attachment 1

	COMBINED 201,382 sf		MEDIUM INTENSITY SUB AREA 87,122 sf		HIGH INTENSITY SUB AREA STANDARDS 174,240 sf	
	REQUIRED	PROPOSED	REQUIRED	PROPOSED	REQUIRED	PROPOSED
<b>HEIGHT</b>						
Maximum Height <sup>1</sup>			90' (80' for 4 stories) (90' for 7 stories)	55' (Bldgs 1 - 3) 90' (Bldg 4)	95' (90' for 7 stories) 75'	90' (Bldgs 4 & 5) 75'
Maximum Average Streetwall Height			55'	N/A	75'	75'
<b>FLOOR AREA RATIO</b>						
Maximum FAR (with Bonus)	3.17	2.91	2.5	(see combined) <sup>2</sup>	3.5	(see combined) <sup>2</sup>
<b>OPEN AREA STANDARDS</b>						
Minimum Common Useable Open Area	87 sf per unit	90 sf per unit	100 sf per unit	(see combined)	80 sf per unit	(see combined)
Minimum Total Useable Open Area (Common + Private)	130 sf per unit	140 sf per unit	150 sf per unit	(see combined)	120 sf per unit	(see combined)
<b>BUILDING PLACEMENT STANDARDS</b>						
Residential: From Public Streets	15'	15'				
Residential: From Public Parks	15'	15'				
Residential: From Side & Rear	15'	14' min. <sup>3</sup> 15' - 20' typ.				
Surface Parking: From Avenues (Middlefield Road)	20'	20'				
Surface Parking: From Public Parks	5'	5'				
<b>GENERAL HEIGHT STANDARDS</b>						
Ground Level Wall Plate Height, Primary Frontage sw	12' min	15' min. Podiums, 9' min. TH Flats <sup>3</sup>				
Ground Floor Height Above Grade, Primary Frontage sw	4' max.	0' max.				
<b>PERSONAL STORAGE</b>						
Residential	164 cf per unit	190 cf per unit				
<b>OFF-STREET PARKING STANDARDS</b>						
Multi-Family Residential	870 spaces (max.)	588 spaces				
<b>CAR-SHARE PARKING STANDARDS</b>						
Multi-Family Residential (201+ parking space)	4 spaces	5 spaces				
<b>BICYCLE PARKING STANDARDS</b>						
Multi-Family Residential short-term parking	46 spaces (min.)	46 spaces				
Multi-Family Residential long-term parking	463 (min.)	468 spaces				
<b>SERVICE STREET - FIRE LANE STANDARDS</b>						
Curb-to-curb	20' min.	20' min. <sup>3</sup> 26' typ.				
Street Easement	46' min.	46' min.				
Sidewalk	5'	4' min. <sup>3</sup> 5' typ.				

<sup>1</sup>Buildings 1,2,3 and up to 13' of Building 4 are within the Medium Intensity sub-area; the remainder of Building 4 and Building 5 are within the High Intensity sub-area. Buildings 1,2, and 3 are below the maximum height of 75' for buildings in the Medium Intensity sub-area, as shown on Sheets A1.0 and A1.1. For the portion of Building 4 that is within the Medium Intensity sub-area, the maximum allowable height is 75' plus 15' for the dedicated public park (Section 3.3.1.4.6 of the EWPP). The height of the portion of the building that is within the Medium Intensity sub-area is 90' or less. The height of Building 4 that is within the High Intensity sub area, and the height of Building 5, meet the maximum height requirement of 95'.

<sup>2</sup>See Precise Plan para. 3.3.2.5.

<sup>3</sup>Refer to EWPP Compliance and Exceptions Memo and Attachment 2 for exception request details.



**PROPOSED EXCEPTIONS**

- A** SERVICE STREET CURB TO CURB WIDTH  
20' PROPOSED 1/4 ROLLED CURB vs 26' MIN  
(EWPP Sec. 3.2.2, Figure 36)
- B** BUILDING TO BUILDING SEPARATION  
51' - 57' PROPOSED vs 65' MIN  
(EWPP Sec. 3.2.2, Table 28)
- C** SIDE SETBACK  
14' PROPOSED vs 15' MIN  
(EWPP Sec. 3.4, Table 7)
- D** GROUND LEVEL WALL PLATE HEIGHT  
8'-4" PROPOSED ABOVE BW. vs 12' MIN  
(EWPP Sec. 3.3.1.7)
- E** GROUND LEVEL ABOVE SIDEWALK GRADE  
4.5' - 5.5' PROPOSED ABOVE SW. vs 4' MAX  
4.5' - 5' PROPOSED ABOVE ADJ. GRADE  
(EWPP Sec. 3.3.1.8)
- F** SIDEWALK WIDTH  
4' PROPOSED vs 5' MIN  
(EWPP Sec. 3.2.2, Figure 36)
- G** SOLAR PHOTOVOLTAIC ROOF AREA  
38.5% PROPOSED vs 50% REQUIRED  
(MVCC Sec. 8.20.14 and Sec. 8.20.9)

