

## EPC Questions – February 3, 2021

### Item 5.1 - Google Middlefield Park Master Plan

1. Google is requesting extended entitlement for 20 years.
  - a. Who decides whether to grant the extension- city staff or Council?

City staff, the Zoning Administrator, and City Council review all Development Agreements (DAs), with final approval by the City Council.

- b. What are the consequences for not completing the masterplan in a development agreement for entitlement?

It depends on how the DA is set up as to what the “consequences” could be should a developer not perform according to the agreed upon terms and/or development milestones.

2. With a 20 year masterplan and DA:
  - a. How much flexibility does Google have in that time line?

Staff assumes this question relates to flexibility in the build-out of the Master Plan within the requested 20-year timeline. A DA can outline development milestones for when certain development must be constructed or improvements provided, which may effectively restrict flexibility as it establishes specific due dates or thresholds. Google has expressed a desire for flexibility in the construction phasing as needed to accommodate the build-out of the Master Plan.

- b. What actions can the city take if that time line is not met?

See answer to question 1b.

- c. At what point would the City be able to release the bonus office FAR if Phases 1-3 fall far behind?

The Bonus FAR can only be released in either of the following situations: (1) the DA allows for the square footage to be relinquished if not used under specific parameters; or (2) the DA expires.

- d. Will the DA prevent Phase 4 from starting before Phase 3?

The specific deal terms of the DA have not been drafted at this time as we are still in the early stages of the Master Plan and DA review process.

3. Do you know about how much bonus office FAR is assumed in the Masterplan? The Masterplan covers 20% of the Mixed-Use Zone but provides about 1/3 the residential target of the zone- is the bonus FAR the reason?

The total Bonus FAR currently proposed is 413,000 square feet of residential and 628,000 square feet of office. Bonus FAR is only one of the contributing variables which drive the project composition. Other contributing variables include things such as building heights, amount of park land, assumed unit sizes, amount of office square footage, etc.

4. If the EPC, then Council, decides to consider the alternative mitigation of land dedication versus moving forward with the BMR requirements,
  - a. who makes the final decision and

City Council would approve the Alternative Mitigation Compliance Plan.

- b. Will it come before the EPC again before the decision is made and more detail of the pros and cons are known?

Yes, the Alternative Mitigation Compliance Plan would come back to the EPC as part of the final public hearings on the project. At that point, City staff would have completed a review of the proposed Compliance Plan and confirmed its compliance with the BMR regulations.

5. What is typical time from land dedication to the city until BMR projects are actually constructed? (trying to understand if timing of an R6 and R4 dedication on when the buildings would actually be constructed.)

The City does not have an example of an Alternative Mitigation Compliance Plan with land dedication that has traveled through the entire process. However, based on the timelines for other sites that have gone through our development process and received funding from the City for affordable housing, we estimate it could take multiple years (approx. 3-4 years) once the land is transferred to the City for construction to be completed. This is because the affordable housing development would need to go through the City's RFP process for funding availability, the entitlement process for planning and building permits, and the construction process.

With this affordable housing approach, City staff has expressed to Google the desire for the proposed land dedications to be provided as soon as feasible within the construction of the Master Plan to allow as timely of a build-out of affordable

housing as possible. Google is evaluating the feasibility for when the land could be transferred.

6. The BMR ordinance passed last year included a provision on how to deal with offsite BMR housing. If applied to the Google Middlefield Master Plan, how would the proposed approach for R4 and R6 hold up.

Staff has not reviewed the Alternative Mitigation Plan proposal for compliance with the BMR regulations; as that work would begin after the Study Sessions. However, as part of the analysis, we would be looking at the capacity of the R4 and R6 parcels to evaluate the reasonable amount of units that could be configured on each of those sites. Ultimately, to be considered for approval, a requirement of the Alternative Mitigation Compliance Plan is that it must result in greater affordable housing outcomes than would otherwise be achieved with the standard BMR requirements (e.g. more units, deeper affordability, etc).

7. Are the residential units all rentals? Or is it undecided?

Currently, Google is proposing all rental units. However, they have shared with City staff that should market conditions change over time (in the later phases of residential development) they may consider ownership condominiums.

8. If the land above P1, in line with the Hetch-Hetchy Linear Park is proposed to be dedicated to the city as public parkland, why not show it in Fig. 4 as such instead of private open space?

The land above P1 is not proposed to be dedicated public parkland. This area is identified as a bike-pedestrian connection in the Precise Plan, which Google is proposing to provide with a public access easement.

9. What does the small box in Bldg 01 designated as Phase 1 represent in Fig. 6 (p.15 of staff report)?

This small box represents the proposed location of the Central Utility Plant for the private district utility system proposed by Google. Along with the phasing of the project, the district utility system is proposed to be installed in phases with the project; however, the central plant would need to be established early in the development construction, which is why it appears with a red box.

10. How much office space is removed and replaced by the buildings in Phase 1 and 2 only?

The following are estimated square footage to be demolished:

Phase 1 – 340,000 SF of office to be demolished  
Phase 2 – 295,000 SF of office to be demolished

11. I don't understand the significance of the private utilities district. Please explain?

A private utility district can have a significant environmental impact on reducing water consumption, reducing power use, and overall reducing emissions from the operations of residential and commercial development. The smart utility system can balance out the use of resources across the buildings to ensure the needs are met when needed, share supplies more efficiently, and incorporate renewable elements into the operations of the new buildings in a more effective manner.

12. If Building R4 is separate, how would the city ensure that the building is consistent with the design of the other areas buildings in the master plan, in particular Buildings R3 and R5?

All of the future development phases (including any future buildings on R4 and R6) would be reviewed by the City's Development Review Committee (DRC) for architectural and site design as part of the development review process. That review takes into consideration the context of the surrounding buildings in the Master Plan. Additionally, as part of the Master Plan, staff and Google are working on a set of design objectives to help guide design compatibility across the entire Master Plan area.

13. The cut through to Sunnyvale Golf course (P2). Does the City of Sunnyvale support this?

Yes, City staff have spoken to the City of Sunnyvale about the project and shared information. At this point, the City of Sunnyvale does not have any definitive comments on the Master Plan and staff will continue to work with them throughout the process.

14. The parking ratio for the retail space seems quite low. Is this a realistically viable level? Do we have examples of where this is working today in MV or other cities?

A parking study will be prepared for the Master Plan that will look at parking needs for all of the uses proposed within the Master Plan, evaluating the proposed district parking, shared parking, and reduced parking. While there are efficiencies gained in mixed-used developments that can reduce parking needs, until the parking study is completed staff does not have a recommendation for the appropriate parking needs for the Master Plan.

15. Staff comment on the buffered bike lanes on page 13 is not clear to me. Can you explain the difference between Precise Plan and requested options?

The Precise Plan identifies buffered on-street bike lanes as shown in the photo below, which includes separation by striping on the pavement.



Google is requesting consideration of Class IV separated bike lanes, which has a physical barrier between vehicle traffic and bikes, like a curb or permanent cones.



16. Please elaborate on the change in the review process. Difference is not fully apparent to me.

In the Precise Plan, the standard review process for new development is that it is reviewed by the DRC, goes to a ZA public hearing for a recommendation to City Council who makes the final decision on the project. However, the Precise Plan identifies with a Master Plan, the City Council can consider streamlining the process for future development permits which fall under the Master Plan to allow the final decision be made at a Zoning Administrator public hearing, in lieu of the City Council.

Google's proposal is to allow development permits that are consistent with the Master Plan to be approved administratively by the ZA without a public hearing. Only if the development permit requested an exception from the standards set in the Master Plan would the permit go to a ZA public hearing. This approach would require a Precise Plan amendment to allow the ZA to approve permits administratively.

The difference between the Precise Plan streamlining and Google's proposal is whether an Administrative Zoning Public Hearing would occur.

17. P.11 of the Staff report states "staff anticipates adjustments to the size of the parkland spaces...such that the difference in acreage between the required parkland and Google's proposal will align". Does that mean that though Google's proposal for parkland and POPAs totaling 10.5 acres, currently over the required 8 to 9.1 acres, staff anticipates the total will come down to match the required once the range of residential units is established?

Staff anticipates the total parkland acreage to evolve as the project moves forward once more details are worked through – such as the subdivision of land and confirming the shape and configuration of the open spaces (e.g. Hetchy-Hetchy Linear Park and Ellis Park were identified in the Staff Report). These factors will likely adjust some of the size assumptions outlined in the report.

18. In general, do infrastructure and transportation-related improvements cost more than what a single project's community benefit contribution can cover? Correct me if I'm wrong, I recall that the costs related to infrastructure and transportation tend to be higher than what one project can contribute in community benefits, and a reason the city collects community benefit funds is so that it can pool funds together in order to accomplish those larger budget projects.

Whether community benefit contributions will cover a specific infrastructure or transportation-related improvement depends on the actual improvement, as well as the size of the project and amount associated with the community benefit which can vary widely. In general, many of the improvements identified within the Precise Plan areas are high-cost improvements that exceed a single project's required community benefits value. Contributions from multiple developments would provide a substantial portion or total amount of an improvement.

## Item 5.2 – 555 West Middlefield Road Residential Development

1. Why are these improvement projects infeasible? “trail connection from the project site to Stevens Creek Trail; tree planting along the existing Stevens Creek Trail in the project vicinity; and adding a sidewalk on Middlefield Road along the project frontage across State Route 85.”
2. Is there any feasibility for any improvements/expansion for peds/bikers to be done on the opposite side of Middlefield Rd across Rt. 85? Is it a no-go due to Caltrans?
3. Has staff looked at a way to make a connection along the west side of 85, between the dead end of Cypress Pt to the entrance to Stevens Creek Trail near the end of Central Ave? Any attempt to talk to the property owner to get an easement or buy a sliver of the land parallel to the 85 if CalTrans is unwilling to discuss options?

These projects have been found to be infeasible as conditions of approval for this project due to their scope of work, cost, and involvement with Caltrans. The existing bridge for Middlefield Road across State Route 85 is not wide enough to provide additional sidewalk. The existing vehicular or bike lane cannot be narrowed to provide a significantly wider sidewalk. However, staff has the following two planned CIPs that address the Stevens Creek trailhead and Highway 85 bridge topics:

- Middlefield Sidewalk Across SR-85, Feasibility Study – This project is planned for FY 2023-24 and proposes to study the feasibility of providing sidewalk on the south side of Middlefield Road over Highway 85 to close the sidewalk gap between Moffett Boulevard and Easy Street.
- Stevens Creek Trail – Northside Trail Access Point (to Middlefield) – This project is currently unscheduled and proposes to design and construct approximately 300’ of accessible pathway for bike/peds from the northside of Middlefield Road to the Stevens Creek Trail.

Currently the developer is proposing a monetary contribution as their community benefit which could be directed to help fund these planned CIPs.

Staff also surveyed the plantings along the Stevens’ Creek Trail in the project vicinity and found that dense planting was already in place so additional plantings was not explored further as part of the community benefits.

4. It is unclear to me why extending the sidewalk to the bridge is not feasible. Please explain.

Staff recommends that the continuation of the sidewalk along the southern side of Middlefield Road be constructed only once the bridge widening project occurs so that pedestrians do not reach the bridge and have no area to safely cross outside of the vehicle travel lanes.

5. Is the EIR or the City's additional assessment looking at the fact that for all intensive purposes, the impact of the new units is to add move all current vehicle traffic to a single outlet going to the east on Middlefield? (This is due to all current units now entering and exiting from the new garage in building A.) In particular the impact on: U-Turn traffic at Easy Street; and cut through neighborhood traffic going south on Easy Street to 85 North and north on Easy Street to Moffett.

Yes, the project transportation study will assess these topics.

6. What is the reason for switching from a P district to R4? Reason is not apparent.

For P-district sites that are not in a precise plan, the existing project characteristics become the development standards for the site so there are not specific development standards to apply to the new project. With a request to allow greater density on the site, a General Plan designation change from Medium-Density Residential to High-Density Residential is required to accommodate this density and the appropriate corresponding zoning designation is R4. The R4 district provides City-adopted development standards and design guidelines appropriate for high-density residential projects.

This change was discussed at the time of gatekeeper authorization in 2015 and subsequent EPC and Council study sessions. The current staff report is drafted with an intent on providing an update on the project changes from previous EPC and Council direction.

7. How does the proposed density compare to the maximum for an R3? For the current P district? For R4?

Under the R3 Zoning District Standards, density is determined by the minimum lot area required for each unit as shown in the table below:

Zone	Minimum Lot Area Required (square feet) by Number of Dwelling Units					
	2 units	3 units	4 units	5 units	Additional units	
R3-1	7,000	12,000	14,000	15,000	1,000	per unit

R3-1.25	7,000	12,000	14,000	15,250	1,250	"
R3-1.5	7,000	12,000	14,000	15,500	1,500	"
R3-2	7,000	12,000	14,000	16,000	2,000	"
R3-2.2	7,000	12,000	14,200	16,400	2,200	"
R3-2.5	7,000	12,000	14,500	17,000	2,500	"
R3-3	7,000	12,000	15,000	18,000	3,000	"
R3-4	7,000	12,000	16,000	20,000	4,000	"
R3-D	6,000	7,000	8,000	9,000	850 sq. ft. for each additional unit up to 30 units, and 800 sq. ft. for each additional unit for 31 or more units.	

Maximum density allowed under [High Density R4 Residential Zoning District](#) is 80 DU/ AC.

- When does the change in zoning actually occur? At entitlement? What would prevent the applicant from coming back after changed to R4 and requesting a State Density Bonus?

Zoning amendments come into effect 30 days after the second reading of the Ordinance by Council. The applicant can come back with a request for modification to the project under state density bonus law and this would be considered under the new General Plan and zoning designations.

- In the letter from Serge Bonte: "Given the age of the existing buildings, it's quite possible the existing units are covered by the CSFRA in which case there might need to be additional mitigation provided for the residents." Can staff please comment?

The existing 402 units on site are covered under the CSFRA and will remain under the CSFRA going forward. No additional mitigation measures are required under CSFRA because no existing units are proposed to be removed as part of the project.