

## CITY OF MOUNTAIN VIEW DESIGN EXCEPTIONS ANALYSIS

- 1. Street Wall Locations.** Along E. Middlefield Road and Ferguson Drive, the applicable standard requires primary building facades, or "Street Walls," to be positioned within 20 feet of the nearest edge of the planned public sidewalk. The EWPP allows exceptions for increased setbacks as appropriate for building breaks, parks and high-quality open spaces, articulation, and other design considerations. The project includes a limited number of locations where street-facing portions of the project buildings are beyond the 20-foot Street Wall line, including increased street wall setbacks ranging from approximately 2- to 52-feet beyond the maximum street wall setback. Staff finds these exceptions meet the intent of the established criteria because the majority of the project complies with street wall location requirements and, in the limited areas where exceptions are proposed, greater street wall setbacks allow for:

  - Enhanced, high-quality open space elements at the office building key corner.
  - A simpler, more efficient MRN layout to address irregular property line conditions, including the curved segment of the site along Ferguson Dr. and the unusual public sidewalk configuration at the bulbed-out corner of E. Middlefield Rd./Ferguson Dr.
  - Building articulation to ensure access to daylight.
  - Building articulation at the building edges, which also broadens sightlines/light into the linear park and open areas at the building corners.
- 2. Ground Level Wall Plate Height (Residential).** Residential ground level (wall) plate heights are required to be at least 12 feet above the primary frontage sidewalk grade. The MRN and BMR buildings comply with this standard, but the MRS building does not meet the requirement by 1-foot (with 11-foot plate heights). This exception is needed so the eight-story MRS building remains under the threshold for high-rise Fire Code requirements. The building is currently one-inch under the threshold and providing compliant ground-level plate heights would require the building to lose a story or be designed to meet high-rise code requirements, which the applicant has indicated would make the project financially infeasible. Staff finds the project design meets the intent of the standard because the majority of the affected units (20 of 30 MRS units) feature double-height ceilings which provides a similar or greater effect as the standard.
- 3. Residential Patio Heights.** Residential patios must not exceed a maximum 3-foot patio-to-sidewalk grade height. The existing topography across the 10.58-acre project site has a 10-foot grade differential that slopes downward from the southeast corner to the northwest corner of the property. The applicant minimized patio heights, as feasible. However, the length of the building and site topography result in 11 of the MRN building's 23 ground-floor patios having heights of 3-feet 6-inches to 5-feet 3-inches. Staff finds the patios provide important, ground-level design character and that the project has unique site conditions affecting the ability to comply with this standard. Further, the project

substantially complies with the standard, with at least 50 percent of the MRN patios and 77 percent (37 of 48 units) of the project's total ground-floor units meeting the Residential Patio Height requirement.

- 4. Setbacks (Building-to-Building Clearance).** The EWPP requires a minimum 65-foot building-to-building clearance (separation) along service streets with a fire lane. The clearance between the office parking garage and BMR building requires a minor exception, with a 63-foot 2-inch building-to-building clearance at the narrowest point. This non-compliance is due in part to the office garage shifting towards the BMR building due to staff direction to shift the office loading/utility access road to run behind the parking garage from the onsite street, in lieu of direct access from E. Middlefield Road immediately next to the VTA light rail tracks. Staff finds the exception meets the intent of the established criteria in that it facilitates an improved E. Middlefield Rd. pedestrian environment, and the project meets the intent of the building-to-building clearance standard, providing for required fire lane dimensions and landscaped sidewalks.
- 5. Parcel Size (Lot 3).** New subdivided lots are required to be a minimum of one-acre in size, but the EWPP allows affordable housing projects proposed on dedicated land to have a reduced minimum lot size of 0.75 acres. Lot 3 is a 0.8-acre parcel, on which the applicant proposes to partner to construct a standalone BMR building per their Alternative Mitigation proposal under the City's Below Market Rate Program requirements. Staff finds the exception meets the intent of the established criteria in that although Lot 3 is not being dedicated to the City, the 0.8-acre parcel is proposed for a standalone affordable housing building as part of the Alternative Mitigation proposed. As such, it meets the intent of the EWPP's reduced 0.75-acre minimum lot size standard for affordable housing projects.
- 6. Parcel Dimensions (Lot A).** New subdivided lots in the EWPP are required to have minimum dimensions (depth or width) of at least 150 feet, to preserve buildable parcels in the EWPP. The project subdivision map creates five, new parcels for each building area plus one common lot. All of the parcels comply with this standard, except "Lot A" (the common lot). Lot A is comprised of the L-shaped service street and varies from 41.5 feet to 67 feet in width, versus the required 150 feet. Staff finds the exception is appropriate in that Lot A is a *non-developable* lot, providing a required connection through the project per the EWPP's multimodal circulation plan. It is proposed as a separate lot, so it can be jointly maintained by each ownership entity in the project.
- 7. Commercial Loading Spaces (Office Loading Stalls).** The office project is required to provide 13 full-size (10 feet x 25 feet) loading stalls, based on its square footage. However, at the discretion of City Council, the EWPP allows office projects to provide standard-size (8 feet x 18 feet) parking spaces for loading, pick-up/drop-off, and delivery services in-lieu of a portion of the required full-size loading spaces. The proposal includes nine (9) total office loading spaces, comprised of two (2) full-size loading spaces in the loading bay in the back of the office, six (6) standard-size loading spaces in the office garage, and one (1)

curbside loading area (full-size) in front of the office building, along the onsite service street. Staff supports the reduce overall number and use of standard-size stalls, given the range of loading, pick-up/drop-off and delivery services proposed at the site. Project conditions of approval would allow review, if issues arise, and additional loading stalls can be added if loading needs exceed anticipated demand.

8. **Main Entry Location (Office Lobby).** The EWPP specifies that when buildings are located at the corner, building entrances shall be located within 30 feet of the corner. Further, the EWPP states primary building entries should be oriented towards public streets. The office building proposal locates the main office building lobby entry approximately 85 feet from the site's key corner along E. Middlefield Rd. This design meets the intent of the standard and exception criteria by providing an enhanced and activated pedestrian experience along E. Middlefield Road, prioritizing landscaping over hardscape. The frontage is instead designed with an extensive landscaped "fragrance garden" and seating areas at the key corner, which is the culmination of a landscaped setback spanning the entire length of the office building's public street frontage, leading to the POPA park and wrapping around the office building to its main entry. The entry faces and has direct access to the POPA park, meeting other EWPP design objectives.