

**Fortbay, LLC**

100 Wilshire Blvd., Suite 650

Santa Monica, CA 90401

April 8, 2019

Diana Pancholi  
Senior Planner  
City of Mountain View  
500 Castro St.  
Mountain View, CA 94039

RE: 777 W. Middlefield Rd. - Park Land Dedication Credit Request and Exemption from Park Land Dedication Fee for Moderate Income Households (100% -120% AMI)

Dear Ms. Pancholi:

Fortbay Mountain View, LLC, (FBMV) is seeking entitlements for a 716-unit multi-family residential project with associated underground parking, amenities and open space (Project). FBMV is formally submitting a request for the following:

- Pursuant to Section 41.11(a) of the Zoning Code, a fifty percent (50%) credit of the value of the land for the Park Land Dedication Fee that will be both publicly accessible and private open space (Attachment 1);
- Pursuant to Section 41.11(c) of the Zoning Code, an exemption for the Project's Moderate Income households (120% AMI) from the Park Land Dedication Fee calculation.

The following provides justification for these two formal requests.

### **1. Park Land Dedication Credit Request**

The open space and park area for which we are requesting a credit is an approximately 2.0 acres (Open Space and Bike Path Areas) includes a Linear Park, a large Gathering Common Turf Play Field, and a Class 1 Bike Path (See Attachment 1). In accordance with Section 41.11 of the Zoning Ordinance, the Project meets the following standards:

- a. Turf Play Field: Play park area with open lawn, stage for small festivals,
- b. Landscaped, park like quiet area: Native park/passage with native plants and butterfly garden

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- c. Family gathering spaces.
- d. Paseo with walking paths, bike parking, fitness zone, amphitheater seating for gatherings
- e. Wayfaring signage to direct people to both the Linear Park and Bike Path
- f. Swimming Pools an amenity for the residents of the project (Non PAE)
- g. Bike Path connecting the Linear Park that connects both Middlefield Road and Shoreline Blvd.
- h. 1.63 acres includes the Linear Park and the Bike Path that will be privately constructed, owned and maintained by FBMV and will be permanently dedicated by way of a Public Access Easement (PAE) as publicly accessible open space during normal City park and bike path operating hours.

We ask that the City grant this request for the approximately 2.0 Acres outlined in Attachment 1 and make the necessary findings that the fee credit is in the public interest, given the Project's generous dedication of publicly accessible open space.

## **2. Exemption from Park Land Dedication Fee Calculation for Moderate Income Households (100% -120% AMI).**

At the October 23, 2018 City Council Study Session, the City Council supported the concept of Teacher Housing and recognized the need and demand for affordable housing for teachers/employees for the Mountain View Whisman School District (the Missing Middle). As you know, the Project provides 144 affordable units, 36 units for low income households (50% to 80% AMI) and 108 units for moderate income households (80% to 120% AMI).

The Parkland Dedication Fee ordinance exempts affordable housing units from the total unit count for the park fee calculation. However, the Zoning Ordinance only defines affordability for low and moderate income households whose gross income is between 50% to 100% AMI (Section 36.40.05). FBMV is seeking an exception to this definition to include the Project's moderate income households between 100% to 120% AMI in order to qualify for the exemption.

If this exemption is not granted, the Project would have to absorb approximately \$6-\$7 million in costs, which would render construction of the affordable housing units financially infeasible. Given the City's need for accommodating the Missing Middle, we believe the inclusion of the Project's moderate income units in the affordable exemption is justified as a matter of sound public policy.

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Thank you in advance for considering both of these requests and please contact me should you have any questions.

Very truly yours,

  
Perry Hariri

Fortbay Mountain View, LLC

Encl: Attachment 1 – 777 W. Middlefield Park Credit Exhibit