



COUNCIL REPORT

DATE: January 28, 2025

CATEGORY: Public Hearing

DEPT.: Community Development

TITLE: **198 Easy Street Residential Rowhouse Development**

RECOMMENDATION

1. Adopt a Resolution of the City Council of the City of Mountain View Conditionally Approving a Planned Unit Development Permit, Special Design Permit, and a Development Review Permit to Construct a Five-Unit Detached Rowhouse Project and a Heritage Tree Removal Permit to Remove Eight Heritage Trees on a 0.51-Acre Site on the West Side of Easy Street, Between State Route 85 and Gladys Court (198 Easy Street), and Finding that the Project is Exempt from Review under the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15332, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt a Resolution of the City Council of the City of Mountain View Conditionally Approving a Vesting Tentative Map to Create Five Lots and One Common Lot on a 0.51-Acre Lot at 198 Easy Street, to be read in title only, further reading waived (Attachment 2 to the Council report).

BACKGROUND

Project Location: 198 Easy Street (APN: 160-37-005), on the west side of Easy Street, between State Route 85 and Gladys Court.

Project Site Size: Approximately 0.51 acres.

General Plan Designation: Medium-Density Residential.

Zoning Designation: R3-3/sd (Multiple-Family Residential/Special Design).

Surrounding Land Uses: Mix of multi-family and single-family residential uses to the north, south, and east, and State Route 85 to the west.

Current Site Conditions: One 1-story single-family home.

Applicant: Phoi Phan for Phan Architects.

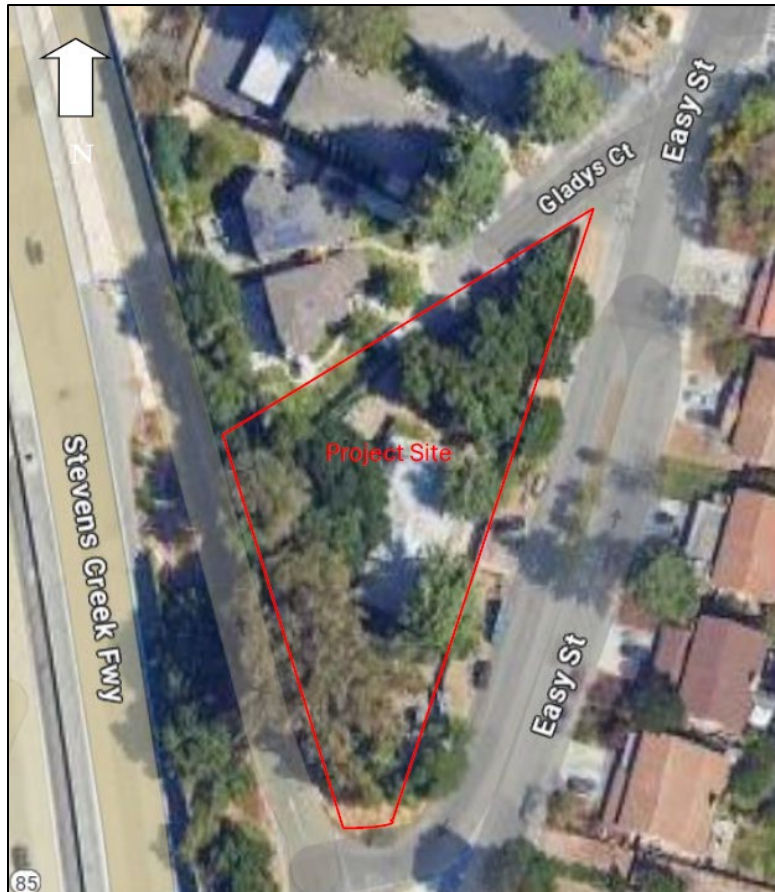


Figure 1: Location Map

Project Overview

The applicant, Phoi Phan, proposes to redevelop the site with five detached ownership rowhouse units, a private driveway, two guest parking spaces, and a common open area. The unit mix consists of one 2-bedroom unit, three 3-bedroom units, and one 4-bedroom unit ranging in size from approximately 2,300 square feet to 3,500 square feet (see Attachment 3—Project Plans).

The proposed site layout consists of all five units facing Easy Street with front yards and access to the private driveway and individual two-car garages from Gladys Court. A total of two guest parking spaces and bike racks are provided along the western edge of the site.

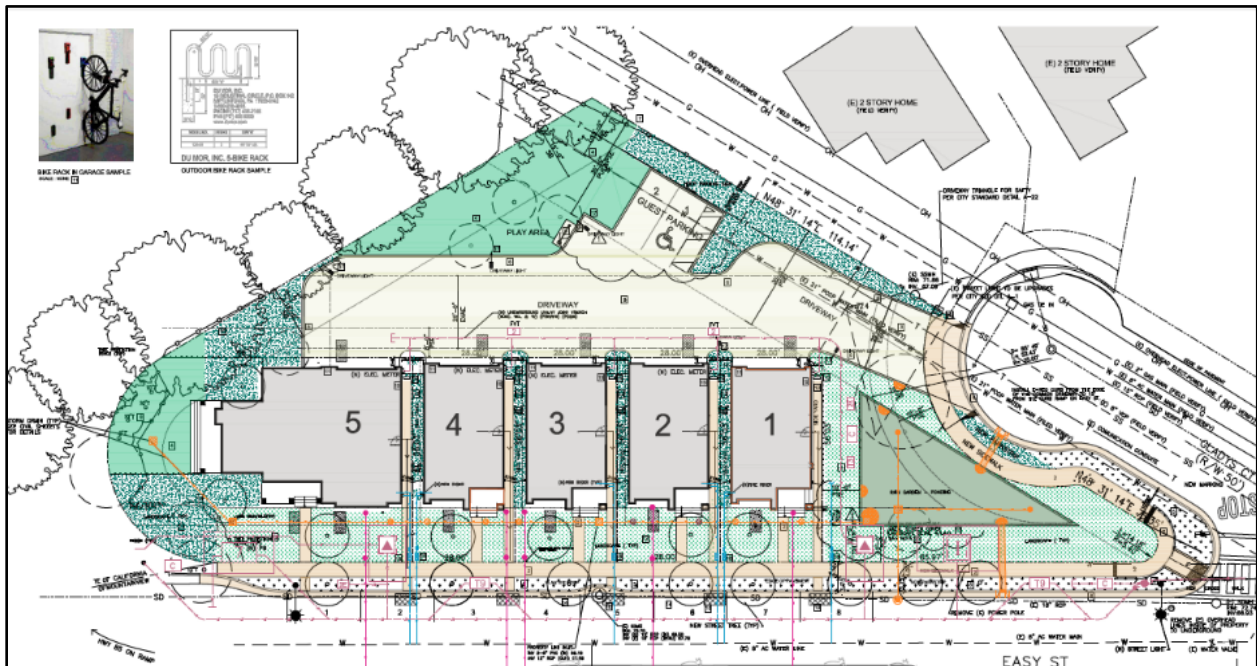


Figure 2: Site Plan

Prior Public Meetings and Hearings

Previous Project Approval

On May 11, 2021, Council approved a similar project on this site, which expired on May 11, 2023 because the applicant did not request an extension at the time. The only difference between the previous application and the current proposal is that the applicant is proposing to retain two additional Heritage trees and relocating one that had been previously slated for removal. Therefore, the current project will have fewer Heritage tree impacts (see Attachment 4—[City Council Staff Report, May 11, 2021](#)).

Design Review

No changes have been proposed to the site plan or architectural design since the previous entitlement, which was reviewed by the Development Review Committee (DRC) three times in 2021. At that time, the DRC provided design recommendations on several iterations of the project design, and the project received a final recommendation of conditional approval in February 2021. No additional design review, or DRC consultation, has occurred with the current proposal.

Zoning Administrator/Subdivision Committee 2024

On December 18, 2024, the project was reviewed by the Zoning Administrator and Subdivision Committee at a public hearing where it was recommended for approval to City Council. Staff received two emails prior to the hearing which raised concerns about Heritage tree removals, off-site improvements, and project phasing. Two members of the public spoke at the meeting regarding concerns about the proposed Heritage tree removals. (see Attachment 5—[Administrative Zoning Hearing, December 18, 2024](#)).

ANALYSIS

General Plan

The site has a General Plan land use designation of Medium-Density Residential (13 to 25 dwelling units per acre) and is located in the Moffett/Whisman Planning Area. The proposed project is consistent with the General Plan designation which allows a mix of single- and multi-family housing with a residential character appropriate to a range of densities and broad mix of housing types and complies with the following General Plan Policies:

- **LUD 6.1: Neighborhood character.** Ensure that new development in or near residential neighborhoods is compatible with neighborhood character.

The project includes a rowhouse development which is consistent with the surrounding neighborhood as it is developed with single-family and multi-family developments.

- **LUD 6.3: Street presence.** Encourage building facades and frontages that create a presence at the street and along interior pedestrian paseos and pathways.

The project is consistent with the Rowhouse Guidelines, providing a step-up to the front entries facing the public street which creates a pedestrian-friendly street presence. Pathways within the development provide connectivity to the common private open space.

- **LUD 9.1: Height and setback transitions.** Ensure that new development includes sensitive height and setback transitions to adjacent structures and surrounding neighborhoods.

The units provide a residential transition to the existing adjacent lower-scale single-family homes by stepping back upper floors to reduce the visual impact.

- **LUD 10.1: Sustainable design and materials.** Encourage high-quality and sustainable design and materials.

The project will achieve a minimum of 90 points on the Green Point Rated System. The project also includes sustainable measures, such as low-water landscape design, and voluntarily proposes all-electric units.

Zoning

The project site is located in the R3-3/sd (Multiple-Family Residential/Special Design) Zoning District. The R3 Zoning District allows rowhouse developments consistent with the Rowhouse Guidelines. The project complies with the Rowhouse Guidelines, and no exceptions are requested. The following table shows the project's compliance with the Rowhouse Guidelines Development Standards.

Table 1: Project Compliance with Rowhouse Guidelines

Standard	Standard/Guideline	Proposed
Density*	6	5
Floor Area Ratio	0.9 (maximum)	0.61
Front Setback	15' (minimum)	15'
Side Setbacks	10' for first and second floors (minimum) 15' for third floor (minimum)	15' (first floor) 16' to 17' (second floor) 16' to 17'9"
Rear Setbacks	10' first and second floors (minimum) 15' for third floor (minimum)	40'10"
Site Coverage	35% (maximum)	23.6%
Height	45' (maximum) 36' to wall plate maximum	36'9" to 37'9" height 30'5" to 32'4" wall plate height
Open Area	35% minimum 100 square feet per unit private minimum 100 square feet per unit common minimum	49% 100 square feet per unit private 290 square feet per unit common
Private Storage	164 cubic feet/unit minimum	164 cubic feet/unit
Parking	2 covered spaces per unit + 0.3 guest space minimum (2 spaces)	2 covered spaces per unit (two-car garages) + 0.3 guest space minimum (2 spaces)

* Shall not exceed maximum per underlying zoning.

In addition to being compliant with the R3 Zoning District, the project is also in compliance with the Special Design (SD) Combining District designation. The SD overlay designation allows for departures from the property development standards or requires application of special development criteria related to environmental hazards or design due to the location, shape, or other characteristics of parcels that would require special attention or put the property at a disadvantage when regular development standards are applied.

As noted above, the project is not requesting any exceptions to the development standards in order to develop the property; however, the project includes perimeter landscaping, sound-rated windows, and other construction sound-attenuation measures to reduce potential noise to the units due to its location adjacent to State Route 85 and as contemplated in the ordinance establishing the SD Overlay District on the property.

Project Details

Site Plan

This project is located on the west side of Easy Street between the State Route 85 on-ramp and Gladys Court. The site is accessed from a driveway that connects to the Gladys Court cul-de-sac. All the units have two-car garages, and two guest parking spaces and bike racks are provided on the eastern edge of the site. Each unit entrance has an entry walk on Easy Street. A community open space area is located adjacent to Unit 1 and the cul-de-sac bulb (Gladys Court). Additional open space is proposed in the form of a play area adjacent to the guest parking. Private open space for most of the units is provided by front yards, first-story porches, and second-story balconies. Landscaping is proposed along the perimeter of the site, and the side-yard areas provide connections between the public street and the interior of the site. The units have gable or hipped roof forms with projecting balconies and bay windows.

Proposed off-site improvements include undergrounding of overhead electric lines on Easy Street (up to the corner), a new detached sidewalk, streetlights, corner ramps, crosswalk and intersection striping improvements, grind and overlay on Easy Street and Gladys Court with C3 Stormwater treatment measures, and biofiltration within the landscape strips. A bulb-out ramp design is also proposed on the corner of Easy Street and Gladys Court.

Project Design

The design of the units incorporates traditional architectural elements such as porches and balconies, wood railings, corbels, trellises, shutters, and gable, hip, and shed roof forms. Exterior materials include stucco and horizontal siding, accented by decorative stone veneer, and composition shingle and tile roof materials. Units are differentiated through massing, varied roof forms, projections and offsets, porch elements, and exterior materials and colors.

Vertical massing breaks are provided on front elevations through projections continuing from the ground floor to the top of the second- or third-floor roofline. On rear elevations, massing variation is provided through second-floor overhangs above the garages. Unlike the other units, Unit 5 steps down from a three-story element to a one-story feature with a roof deck. Unit 1 provides a residential transition to the existing lower-scale adjacent single-family homes by stepping back upper floors to reduce the visual impact and providing a wraparound porch that further aids in the transition.

Parking

The project proposes two-car garages for each unit and two unenclosed guest parking spaces along the common driveway. Bicycle parking spaces are provided in each garage, plus four bike spaces in the common area.

Open Space and Landscaping

The project contains approximately 11,083 square feet (49%) of common open space, which meets the minimum 35% open space requirement. The common open space includes seating in addition to a flexible, unprogrammed landscaped area. The common open space area is located along the northern edge of the site adjacent to Gladys Court. An additional, smaller, common open space area is located along the western side of the site and includes a children's play area.

The project site contains 15 trees, including 11 Heritage trees and four non-Heritage trees. The project proposes to retain a grove of eucalyptus and palm trees adjacent to State Route 85 and remove eight Heritage trees that consist of oak, cedar, Chinese pistache, eucalyptus, and palm trees and four non-Heritage trees that consist of palm and cypress trees. A tree survey was completed for the project site by Arborhawk Tree Service and reviewed by the City arborist. The tree survey identified, measured, mapped, and rated the trees for preservation, which took into consideration the trees' age, health, structural condition, and proximity to the proposed structures and site development.

The applicant collaborated with Planning Division, Public Works Department, and Urban Forestry Division staff to closely evaluate the health of existing trees and identify opportunities to preserve and relocate trees. From the previous approval in 2021, two additional trees were identified as trees that could be saved, and one tree was identified as suitable for relocation. The arborist report found that the eight Heritage trees (Tree Nos. 1, 2, 4, 7, 8, 9, 10, and 11) proposed for removal are in poor health or within the developable area of the project site necessary for the build-out of the project and achieve the site-planning design requirements of the Rowhouse Guidelines. The four non-Heritage trees are also within the building footprint and must also be removed due to construction impacts. The typical replacement ratio for the removal of Heritage trees is 2:1, and non-Heritage trees 1:1, the applicant is proposing 22 (twenty-two) 24" box replacement trees, which represents a replacement ratio of approximately 2.25:1, which exceeds

the typical 2:1 Heritage tree replacement ratio. It is anticipated that the new tree canopy will be equal to the existing tree canopy within 10 years. The following table shows the existing and estimated future tree canopy coverage for the site.

Table 2: Tree Canopy Coverage

Canopy	Site Coverage
Existing Canopy	38%
New Canopy (Completion of Construction)	8%
New Canopy (5 years)	27%
New Canopy (10 years)	38%

In addition to new tree plantings, the project proposes a comprehensive landscape program that includes approximately 9,700 square feet of new landscaping and understory plants. Landscape plantings are proposed along the perimeter of the site, in the front of each rowhouse, and by the cul-de-sac bulb to soften the transition to the building structures.

Tenant Relocation

The existing single-family home on-site is exempt from the Community Stabilization and Fair Rent Act (CSFRA) and the Tenant Relocation Assistance Ordinance (TRAO). It is also not a protected unit requiring replacement under Senate Bill 330 because it is not a “protected unit” as defined in Government Code Section 65300.5(h).

Subdivision Map

The proposed Vesting Tentative Map for the project includes five residential lots and one common lot for a private shared driveway, guest parking, and open space. On December 18, 2024, the Subdivision Committee reviewed the application and found it to be consistent with the General Plan Land Use Designation of Medium-Density Residential (13 to 25 units per acre). Staff finds that the project is consistent with the requirements of the Subdivision Map Act and the General Plan with incorporation of the draft conditions of approval (see Attachment 2—Resolution for Vesting Tentative Map).

Park Land Dedication In-Lieu Fee

The General Plan sets a goal for an expanded and enhanced park and open space system to meet current City needs for parks and open space based on population growth arising from new residential development. New residential subdivisions have a significant impact on the use and availability of park and recreation space and facilities. Therefore, as a condition of approval, prior to issuance of any building permits or prior to approval of a final map, the applicant shall pay the Park Land Dedication Fee of \$193,200, in accordance with Chapter 41 of the City Code.

The total Park Land Dedication Fee for the four net new residential units would be \$215,280, based on the lowest fair market land valuation identified in the Fiscal Year 2023-24 Master Fee Schedule, which was in effect at the time of the application submittal. Due to a staff calculation error, a Park Land Dedication Fee in the amount of \$193,200 was included in the Findings Reports considered at the Joint Zoning Administrator and Subdivision Committee hearing. Because staff discovered the error after the hearing, staff is recommending that the lower fee amount of \$193,200 be imposed as a condition of approval (Draft Project Resolution, Condition No. 107 (Attachment 1) and Draft Vesting Tentative Map Resolution, Condition No. 16 (Attachment 2)) to honor the fee amount previously stated.

Below-Market-Rate Housing

Currently, under the Mountain View Below-Market-Rate (BMR) Ordinance, rowhouses and townhouses in residential ownership developments shall be subject to a 25% on-site BMR requirement.

However, residential developments with fewer than seven units have the option to pay a fee in lieu of the BMR requirement and are not required to deliver the units on-site. This is calculated by applying the Percent Requirement multiplied by Net New Habitable Square Feet multiplied by the Fee Rate (for townhomes/rowhomes). The fee rate applied is as published in the City's Master Fee Schedule.

The BMR In-Lieu Fees due are, therefore, \$439,153 and are calculated as follows:

$$25\% \times 11,869 \times \$148 = \$439,153$$

The City's BMR In-Lieu Fees are used to further affordable housing production and preservation efforts. These initiatives include, and are not limited to, the construction of new, fully affordable housing developments, tenant displacement response, acquisition/preservation efforts, policy development, and management of the City's portfolio. City subsidies for funding two recently approved, fully affordable housing developments amounted to roughly \$80,000 per unit.

ENVIRONMENTAL REVIEW

Staff recommends finding that the project is categorically exempt pursuant to CEQA Guidelines Section 15332 ("In-Fill Development Projects"). This exemption applies to projects consistent with the General Plan Land Use Designation and policies, all zoning regulations and designations, and projects meeting the other criteria described here. The project occurs within the City limits, is located on a project site of no more than five acres, and is substantially surrounded by urban uses. The site has no value as a habitat for endangered, rare, or threatened species; the project would not result in any significant impacts relating to traffic, noise, air quality, or water quality;

and the site can be served by all required utilities and public services. None of the exceptions in CEQA Guidelines Section 15300.2 apply.

Vehicle Miles Traveled

The project is residential and does not exceed the City's transportation impact thresholds. According to the City of Mountain View's Vehicle Miles Traveled (VMT) policy, residential projects located in areas of low VMT, defined as exhibiting VMT that is 15% or greater, below the existing nine-county Bay Area regional average VMT, shall be presumed to have a less-than-significant transportation impact. The project site is located in a low-VMT area and, therefore, the project would not result in significant transportation impacts.

FISCAL IMPACT

The City's current share of the County of Santa Clara property taxes from the project site totals approximately \$3,000 per year for the General Operating Fund (GOF). If the site were redeveloped with the proposed project, the City would receive approximately \$17,000 in additional GOF property tax revenue per year, resulting in total annual property tax revenue of \$20,000.

LEVINE ACT

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a "license, permit, or other entitlement for use" if the official has received a campaign contribution exceeding \$500 from a party, participant, or agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

SUBJECT TO THE LEVINE ACT

Land development entitlements

CONCLUSION

The project supports General Plan policies for neighborhood character and street presence, is consistent with the land use and development direction in the General Plan, and is in compliance with the Zoning Code and the Rowhouse Guidelines. The proposal promotes a well-designed development that is compatible and harmonious with surrounding uses and developments and

is consistent with other existing, under-construction, and proposed projects in the area. The project adds ownership housing and does not displace tenants in rent-controlled units. The proposed subdivision, together with the provisions for its design and improvements, is consistent with the General Plan Land Use Designation of Medium-Density Residential, the R3-3/sd (Multiple-Family Residential/Special Design) Zoning District, including all the requirements applicable to the property, and with the Subdivision Map Act. City staff, the Zoning Administrator, and the Subdivision Committee recommend approval of the proposed project subject to the conditions of approval.

ALTERNATIVES

1. Approve the project with modified conditions of approval.
2. Refer the project back to the Zoning Administrator and/or Subdivision Committee for additional consideration.
3. Deny the project and adopt findings for denial.

PUBLIC NOTICING

The City Council's agenda is advertised on Channel 26, and the agenda and this report appear on the City's website. All property owners and tenants within a 750' radius and interested stakeholders were notified of this meeting.

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Community Development Director

Kimbra McCarthy
City Manager

MN-AB/6/CAM/813-01-28-25CR
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- Attachments:
1. Draft Project Resolution
 2. Draft Vesting Tentative Map Resolution
 3. Project Plans
 4. [City Council Staff Report May 11, 2021](#)
 5. [Zoning Administrator Hearing December 18, 2024](#)
 6. Public Comment