



**DATE:** June 12, 2018

**CATEGORY:** Public Hearing

**DEPT.:** Community Development

**TITLE:** **535 and 555 Walker Drive Rowhouse Project**

## **RECOMMENDATION**

1. Adopt a Resolution Conditionally Approving a Planned Unit Development Permit and Development Review Permit to Construct a 58-Unit Rowhouse Development, and a Heritage Tree Removal Permit to Remove 16 Heritage Trees on a 2.15-Acre Project Site at 535 and 555 Walker Drive, 619 and 629 Alamo Court, and 640 Taylor Court, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt a Resolution Conditionally Approving a Vesting Tentative Map to Create 11 Rowhouse Lots and Four Common Lots on a 2.15-Acre Site at 535 and 555 Walker Drive, 619 and 629 Alamo Court, and 640 Taylor Court, to be read in title only, further reading waived (Attachment 2 to the Council report).
3. Adopt a Resolution Ordering the Vacation of Public Easements at 535 and 555 Walker Drive, 619 and 629 Alamo Court, and 640 Taylor Court, to be read in title only, further reading waived (Attachment 3 to the Council report).

## **BACKGROUND**

### **Site Location and Characteristics**

The project site is located on the south side of Walker Drive, between Alamo Court and Taylor Court. It is currently developed as a 56-unit, 2-story apartment complex, with 5 apartment buildings oriented around a central open area, and parking provided in surface lots and beneath apartments on the first level of the buildings. The existing units are generally in good condition and most are rented at “naturally affordable” rates.

The surrounding neighborhood consists primarily of apartments and condominium flats, with a few single-family and two-family residences. Most of the surrounding development is two to three stories tall and was constructed in the 1950s to 1960s. The project site borders Whisman Park to the south, which provides access to the Stevens Creek Trail. An existing public pedestrian path adjacent to the project site leads from Alamo Court to the park.

## **Project History**

In August 2017, SummerHill Homes (SummerHill) submitted a formal application to develop 60 rowhouse units on the project site, with multiple exceptions from the development standards and guidelines in the Rowhouse Guidelines. These exceptions included deviation from several key site plan objectives for centralized open space and integrated on-site circulation, as well as building design objectives for articulation, street presence, and detailing, which have been Council directives to staff in the past. SummerHill stated the granting of these exceptions would allow the development of smaller units which could potentially be offered at lower-than-average sales prices.

On October 3, 2017, the City Council considered SummerHill's proposal at a Study Session and provided feedback on whether the project should proceed with the requested exceptions (see Attachment 7 – Council Study Session Report). The Council also considered broader policy questions raised by the challenges the developer faced in designing an appropriate product for this R3-1 site. The City Council expressed a strong interest in SummerHill's proposal for smaller-unit rowhouses which might be offered more affordably and indicated some exceptions from development standards and guidelines would be warranted to facilitate the development.

The Council expressed support for development standard exceptions for building coverage and setbacks; and deviations from guidelines for site layout, open space design, circulation, and architectural design. The Council directed SummerHill to work with staff and the Development Review Committee to refine the project design and encouraged the addition of some usable second-floor balconies. Councilmembers expressed concern about the displacement of the existing tenants and discussed the balance between providing new ownership opportunities and maintaining existing, naturally affordable rental housing. The majority expressed a willingness to allow SummerHill's project to proceed as a case study of a new product type prior to considering broader policy changes for R3 zoning.

## ANALYSIS

### Project Description

SummerHill Homes is requesting approval to replace 56 existing apartments with 58 new rowhouses and to remove 16 Heritage trees. The proposed site layout consists of 11 three-story rowhouse buildings, containing a mix of five unit types, which are primarily located along Walker Drive and along the project's linear paseos. Vehicle access is provided by two alleys which extend between Taylor Court and Alamo Court, and by a dead-end drive aisle in the southwest corner of the site providing access to the guest parking lot. Units have one to three bedrooms each, with net floor areas (excluding garages) ranging from 737 square feet to 1,455 square feet. These are considerably smaller than the typical rowhouse units in other recent projects, which generally range from 1,400 to 2,200 square feet in net floor area. Most units have two-car garages and a private roof deck. Eleven (11) end units have second-floor balconies in lieu of roof decks, and the two smallest units have single-car garages. The illustrative site plan and unit mix are provided below.

### Site Plan



**Table 1 – Proposed Unit Mix**

<b>Unit Type</b>	<b>Bedrooms</b>	<b>Square Feet (Gross)</b>	<b>Square Feet (Net)</b>	<b>Count</b>
Plan 1	1	1,111	737	2
Plan 2	1	1,476	933	11
Plan 3 (var.)	2	1,673 to 1,690	1,108 to 1,112	34
Plans 4 & 5	3	1,455	1,977	11

## **General Plan and Zoning**

### *General Plan*

The General Plan designation for the subject site is Medium-High Density Residential, which permits a density range of 26 to 35 dwelling units per acre (56 to 75 units for the subject site).

The following General Plan policies are advanced by the project:

- *LUD 3.2: Mix of land uses.* Encourage a mix of land uses, housing types, retail and public amenities and public neighborhood open spaces accessible to the community.
- *LUD 3.9: Parcel Assembly.* Support the assembly of smaller parcels to encourage infill development that meets City standards and spurs neighborhood reinvestment.
- *LUD 6.1: Neighborhood Character.* Ensure that new development in or near residential neighborhoods is compatible with neighborhood character.
- *LUD 6.3: Street Presence.* Encourage building facades and frontages that create a presence at the street and along interior pedestrian paseos and pathways.

### *Zoning*

The project site is zoned R3-1 (Multiple-Family Residential), which is among the highest density subzones within the R3 Zoning District. The R3-1 District allows a range of densities depending on lot area. Density cannot exceed the General Plan maximum of 35 dwelling units per acre. Given the lot area and General Plan designation for the project site, a maximum of 75 dwelling units could be constructed.

The City Council's previous policy on Achieving Higher Residential Densities in Multiple-Family Zoning Districts directed applicants to construct at least 80 percent of the maximum number of permitted units, particularly on sites with lot areas of one acre or more. Under this policy, at least 60 units would be required on the project site. The policy was rescinded by the City Council in 2007 and has not been formally readopted. As a matter of practice, staff has encouraged applicants to develop at least 80 percent of the maximum density since 2016, when the Council expressed interest in reinstating the policy. However, the Council discussed this issue during the October 3 Study Session and, at that time, was not supportive of requiring a minimum density for projects. After the Study Session, SummerHill removed two units from the project to improve site layout, resulting in a total of 58 units (or about 77 percent of the maximum density).

The R3 Zoning District allows a variety of densities and development types, including townhouses, rowhouses, and stacked flats. Rowhouse projects are subject to a specific set of development standards and design guidelines. The project's compliance with these standards is summarized in Table 2. Several requested exceptions are identified in Table 2, and discussed later in this report.

**Table 2 – Rowhouse Development Standards**

<b>Standard</b>	<b>Requirement</b>	<b>Proposed</b>
<b>Maximum Density</b>	75 units max. (35 du/ac)	58 units (27 du/ac)
<b>Floor Area Ratio</b>	1.05 max. if density ≥ 20 du/ac	1.05
<b>Front Setback</b>	15' min. (excludes porches)	8.1' min.*
<b>Side Setbacks</b>	10' min. for 1st and 2nd floor; 15' min. for 3rd floor	1.1' for carport* 10' min for rowhouses *
<b>Rear Setback</b>	10' min. for 1st and 2nd floor; 15' min. for 3rd floor	14.1' min.*
<b>Building Coverage</b>	35% max.	38%*
<b>Height</b>	45' max. building height; 36' max. wall height	42.1' max. building height; 32.3' max. wall height
<b>Landscaped Open Area</b>	35% min.	34%*
<b>Usable Open Space</b>	100 s.f. per unit private 100 s.f. per unit common	211 s.f. per unit (avg.) private 157 s.f. per unit common
<b>Minimum Parking</b>	2 covered per unit + 17 guest	2 covered per unit + 17 guest

\* Exception requested.

The development standards and design guidance in the Rowhouse Guidelines are intended to facilitate development at typical rowhouse densities of fewer than 20 dwelling units per acre. The higher density of R3-1 sites makes it challenging to develop them with successful rowhouse projects meeting the objectives of the Rowhouse Guidelines. As discussed in the Study Session, SummerHill explored options for stacked flats, but stated these are financially infeasible at the permitted densities due to the expense of constructing underground parking and the additional risks and liabilities associated with stacked units. In response to these challenges, SummerHill has designed a rowhouse project with smaller units, which provides a density compatible with the site's R3-1 zoning but does not meet several of the standards in the Rowhouse Guidelines. Rowhouse projects are approved through the Planned Unit Development (PUD) process, which allows consideration of exceptions from development standards in order to achieve overall site planning and design objectives. The project design and requested exceptions are discussed below.

## **Project Design**

### *Building Layout*

The project has 11 attached rowhouse buildings ranging from three to seven units each. Buildings 1 and 2 front on Walker Drive. Buildings 3 through 10 are organized around two linear landscaped paseos running from east to west through the site, with end units facing the adjacent public streets. A third landscaped paseo runs from north to south through the center of the site, providing a key pedestrian connection between amenity areas, mailboxes, guest parking, residential buildings, and public streets. Building 11 is located in the southern portion of the site adjacent to a common open space.

Unit entries and porches face open spaces or streets. Pedestrian pathways connect units to internal amenities and public streets around the site. Covered parking for the individual units takes access from the project's three private streets, with guest parking spaces located primarily in a parking lot at the southern end of the site. Decorative paving is used to highlight the entry driveway, key pedestrian connections, and the guest parking. Individual trash service is provided, so no trash/recycling enclosures are proposed (see Attachment 3 – Project Plans).

### *Architecture*

The project's style is a contemporary interpretation of Mediterranean architecture. Materials include stucco, stone veneer, wood panels, high-density foam trims and detailing, wrought iron accents, and ceramic tile roofs. Corner units without roof decks have hipped roof forms. Other units have flat roofs to accommodate the roof decks,

with sloped roof elements below the ridgeline to suggest a continuous roof form. The exceptions are the Plan 1 and 2 units, which have an exterior stair leading from the third floor to the roof decks and, therefore, do not include tile roof materials on one elevation (see Attachment 3, Sheet A-11).

### Sample Elevations



**Building 2 Front Elevation**



**Building 2 Rear Elevation**

Unit footprints are generally limited to the garage and an internal entry stair, resulting in a shallow unit profile and limitations on ground-floor windows and articulation. Most units have small front porches, or quasi-porches formed by recessed entries paired with trellises, which range from 1.5' to 4' deep. Color and material transitions are used to highlight the appearance of individual units. Vertical massing breaks are provided on front elevations through recessed areas continuing from the ground floor to the roofline. On rear elevations, massing variation is provided by projecting bays above the garages.

#### *Building Coverage Exception*

The project includes a requested exception from the building coverage limitations set forth in the Rowhouse Guidelines, to allow 38 percent coverage where 35 percent is the maximum. The City Council discussed a potential building coverage exception during the October 3 Study Session and indicated a building coverage increase of 3 percent to 5 percent could be supported if necessary to provide additional building articulation

and some usable balconies. The DRC was also supportive of increasing coverage to achieve appropriate building massing, varied facades, and deeper front porches.

#### *Setback Exceptions*

The project includes multiple encroachments into the 15' front, side, and rear setbacks (see Attachment 3, Sheet C.7). Section 6.6.6 of the Rowhouse Guidelines provides for some flexibility in setbacks on irregularly shaped lots. The requested setback exceptions are generally consistent with the provisions of Section 6.6.6; however, SummerHill requests a more substantial setback exception for the carport structure adjacent to Building 8, to allow a setback of 1.1' where a minimum of 10' is required. Staff and the DRC support the requested setback flexibility for the overall project to help optimize the site layout on an irregularly shaped property, as well as the more substantial exception requested for the carports based on their open structure, attractive design, location on the site, and provision of required covered parking spaces which would otherwise be eliminated.

#### *Landscaped Open Area Exception*

Landscaped open area is provided along the project frontages, in three linear paseos traversing the site, and in two larger common open space areas. Approximately 34 percent of the project site is landscaped open area, where 35 percent is the minimum required. This exception request is related to the increase in building coverage, which necessarily reduces open area. The DRC also recommended increasing the depth of street-facing front porches to enhance the project design, which further reduced landscaped area. Automobile paving has been minimized to the extent feasible. Staff and the DRC support the minor exception to landscaped open area given the site constraints.

#### *Usable Open Space*

Common open space for the project is provided in wider portions of the linear paseos, a passive seating area at the east end of Building 10, and a more active recreation area west of Building 11 which includes barbecue grills and a play structure. The project provides an average of 157 square feet of open space per unit, exceeding the recommended minimum of 100 square feet. Trees are proposed throughout the paseos and along the perimeters of the larger common open spaces for privacy and shade.

Private open space consists primarily of individual roof decks which are accessed by stairs from third-floor living areas. Roof decks are provided for 47 units. The remaining 11 units are located along the project perimeter and provide usable second-



floor balconies in lieu of roof decks, in the interest of privacy for surrounding developments. An average of 211 square feet of private open space is provided per unit, exceeding the recommended minimum of 100 square feet.

Several projects in the City have common roof decks; this is the first project proposing private roof decks for individual units. Staff recommends a condition of approval limiting the hours of operation for roof decks to 8:00 a.m. to 10:00 p.m. in order to reduce the potential for noise impacts on surrounding properties (see Attachment 1, Condition of Approval No. 59).

### *Parking*

Most units in the project are provided with an attached two-car garage, but the two Plan 1 units have single-car garages due to their narrow footprint. These units are each provided with an additional covered parking space located in a trellis-style carport structure at the east end of Building 8.

In the southern portion of the project site, 16 guest parking spaces are proposed in a perpendicular parking lot configuration. One guest space is located between Buildings 3 and 4. The DRC recommends removing this space and replacing it with a pedestrian walkway and additional landscaping. This would improve pedestrian access along the north-south paseo and provide additional tree and landscaping opportunities. Implementing this recommendation would necessitate an additional exception from development standards, to allow 16 guest parking spaces where 17 are required. This modification to remove the parking space and grant a guest parking exception has been incorporated into the recommended findings and conditions of approval (see Attachment 1—Resolution Approving the Project). SummerHill has provided an alternate site plan excerpt depicting the area between Buildings 3 and 4 with the parking space removed (see Attachment 5—Revised Layout).

Secure bicycle parking for residents is provided in the private garages, and guest bicycle parking is located in racks distributed through the site.

### *Heritage Tree Removal Permit*

SummerHill proposes to remove 16 of the site's 20 Heritage trees due to poor condition or conflicts with proposed construction. The other four on-site Heritage trees will be preserved, along with two non-Heritage trees. Staff worked closely with the applicant, the project arborist, and the City arborist to identify these opportunities for preservation. Given the site constraints and higher unit count of the project, design

modifications to save additional trees were not feasible. The proposed landscaping plan includes a total of 106 replacement trees in 24" box size.

The following table shows the existing and proposed tree canopy coverage. In the short term, the project will reduce the site's tree canopy from 22 percent to 9.25 percent. Within 10 years of planting, the canopy is expected to surpass its current state and cover 27 percent of the site.

**Table 3 – Tree Canopy Coverage**

	<b>Canopy Coverage</b>
Existing Trees	22%
Retained + New At Planting	9.25%
Retained + New After 5 Years	18.25%
Retained + New After 10 Years	27%

Based on the proposed replacement trees and the evaluation of existing trees provided in the arborist reports, staff supports the Heritage Tree Removal Permit.

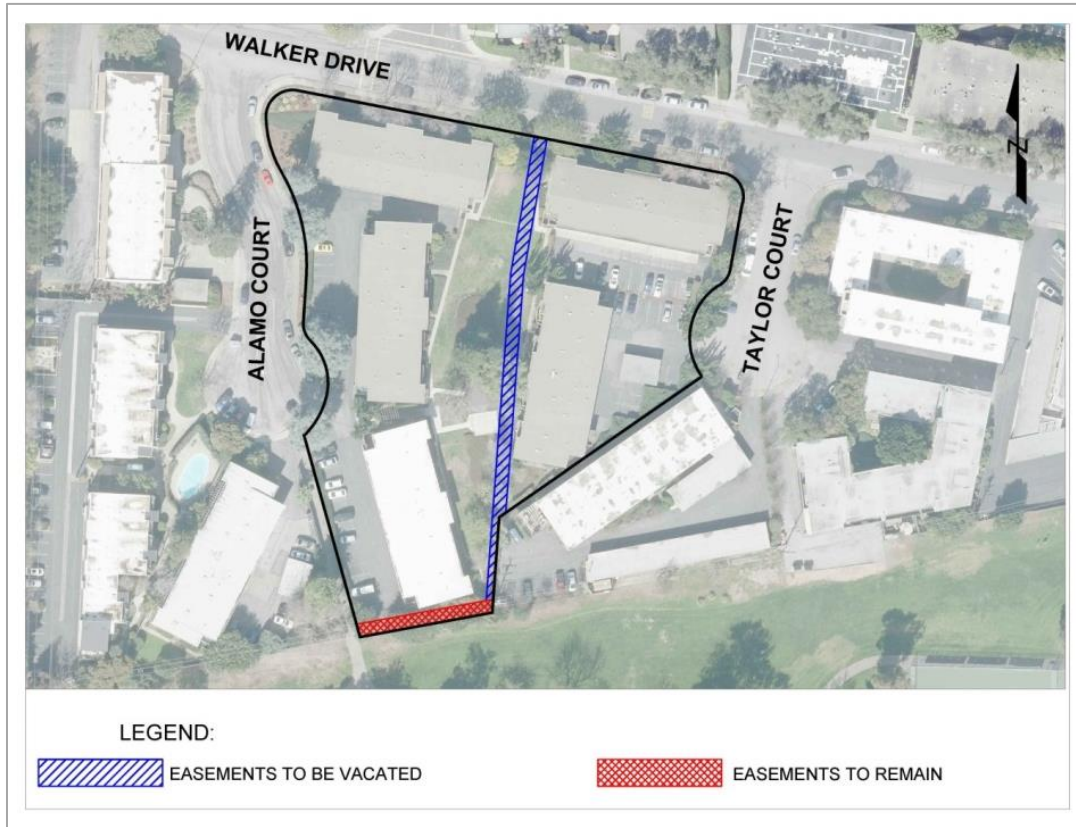
#### *Vesting Tentative Map*

This project contains ownership units; therefore, a Vesting Tentative Map must be approved to subdivide the property into individual ownership parcels. The proposed map creates 11 building footprint lots and 4 common lots, and further subdivides the buildings into 58 condominium units. Attachment 2—Resolution Approving the Vesting Tentative Map—includes the recommended conditions of approval for the subdivision.

#### *Easement Vacation*

The applicant has requested portions of the Public Utility and Wire Clearance Easements be vacated to accommodate the proposed buildings. The easements were dedicated in 1958 as part of Tract No. 1670 to serve the parcels. The existing overhead electric and related utilities within the easements will be removed with the project, and the new development will be served with new underground services from Alamo Court. The Public Utility Easement and Wire Clearance Easement along the southern property line will remain. The project boundary, the existing easements to be vacated, and the existing easements to remain are shown below.

## Easements



When the City plans to vacate easements as part of a private development process, staff evaluates whether there is any value contributed to the developer by the vacation. In some cases, for example, vacating an easement will provide space for the development of additional residential units and increase the value of the development. Staff also considers how the easements were created and their intended use. Utility easements on large development sites are common, and the buyer of such a property would anticipate that it would be possible to relocate the easements as long as the benefit to the easement holder is the same. The easements that serve the subject property are no longer needed when the property is developed, and the existing utilities requiring the easements will be relocated.

These easements were dedicated as a condition of approval of the Tract Map creating the original lots and were not acquired by the City. They were intended as a general benefit to all public utility providers and were not granted to the City for the City's exclusive use. If these easements had been acquired by the City after paying market value, rather than being dedicated at no cost, and/or if the easements were exclusively for the benefit of the City, staff would recommend compensation for relinquishing the

easements. Since neither of these is the case, staff recommends vacating the easements without compensation.

#### *Public Access Easements (PAEs)*

The Subdivision Ordinance includes provisions for requiring public access over streets and other areas of subdivisions, and the Rowhouse Guidelines note Public Access Easements (PAEs) may be required over pedestrian paseos to provide neighborhood connectivity. Based on these provisions, and City Council guidance encouraging new pedestrian connections through existing neighborhoods, the recommended conditions of approval require the developer to dedicate PAEs through the project site for pedestrians and bicyclists (see Attachment 1, Condition of Approval No. 64; and Attachment 2, Condition of Approval No. 11). These would provide neighborhood residents with improved access to Whisman Park and the City's public trail system via the existing public path from Alamo Court. Staff's recommendation includes minor modifications to the conditions of approval recommended by the Zoning Administrator and Subdivision Committee to specify the PAEs would be required over "A" Street and "B" Street, as well as the project's pedestrian paseos. The PAEs would be limited to nonautomotive use.

As a matter of practice, staff intends to recommend similar conditions of approval for all new developments in existing neighborhoods with long blocks or other circumstances warranting improved bicycle and pedestrian connectivity. If the City Council does not support requiring PAEs for the proposed SummerHill project, or other future projects, the Council may wish to provide alternate direction to staff regarding the circumstances in which PAEs for bicycle and pedestrian connectivity should be required.

#### **Tenant Relocation**

This project is subject to the City's Tenant Relocation Assistance Ordinance (TRAO). The property owner is required to provide special notices to all households residing in the 56 existing apartment units and will be required to provide financial assistance to qualifying households. The applicant is committed to complying with the City's requirements for relocation assistance to existing tenants.

The City is working with an independent third-party relocation consultant to determine the required assistance for each unit, if any, based on the information gathered on the site's existing tenants. The consultant will also oversee payments to tenants to ensure the required assistance is provided. At the time the relocation agency began its work, 52 units were occupied. Based on their work with the tenants, the agency estimates 33

households will be eligible for relocation assistance under the TRAO. At the time of this writing, nine tenants have applied for relocation assistance and received initial or full assistance payments. One of these tenants has completed the relocation process and vacated their unit. The relocation consultant will continue working with the remaining tenants to process applications for assistance as they are submitted.

## **Public Comment**

### *Neighborhood Outreach*

SummerHill held a neighborhood outreach meeting for the project on January 24, 2018. Approximately 15 property owners and residents of the surrounding neighborhood attended the meeting and reviewed project plans. Questions and comments focused primarily on tree preservation, privacy, the use of street parking, and construction hours and staging.

### *Development Review Committee*

The Development Review Committee (DRC) reviewed the project on February 7, 2018 and April 4, 2018. The DRC recognized the layout and design challenges created by developing a rowhouse project at the specified density on an irregularly shaped site. DRC members worked closely with staff and the applicant to identify design modifications which will balance meeting the majority of the objectives and standards in the Rowhouse Guidelines with effectively responding to the site conditions and the unusual product type. Based on DRC feedback, the applicant has revised the project architecture to increase building articulation, provide more variety in the design, revise the expression of the exterior stair on Plan 1 and 2 units, improve porch presence, and refine colors and materials.

One member of the public provided comments at the April DRC meeting, stating that she would like to see additional trees along Walker Drive and that the project design seemed to incorporate too many materials and variations, resulting in a confusing appearance. The applicant and the DRC discussed simplifying the material and detail expression. The DRC recommended approval of the project design based on the City Council's direction on design exceptions, and with several conditions to work with staff on additional design modifications and refinements, including entry features, Plan 1 and 2 units, windows, and materials and colors (see Condition of Approval No. 10, Attachment 1). DRC architects acknowledged the City Council's identification of the project as a case study for the concept of higher-density rowhouses, and they expressed interest in viewing the finished project to determine how well this unusual product and constrained layout will meet the City's design objectives once constructed.

*Zoning Administrator/Subdivision Committee*

The project was considered at a joint Administrative Zoning and Subdivision Committee hearing on May 9, 2018. One resident of the existing on-site apartments spoke in opposition to the displacement of renters from the site. He is concerned his family will not find another rental unit in Mountain View within their price range. He stated that although the project itself may be attractive, the displacement of renters for this and other projects is forcing many renters out of the City and defeating the purpose of rent control protections.

The Zoning Administrator recommended approval of the Planned Unit Development Permit, Development Review Permit, and Heritage Tree Removal Permit with the requested exceptions from the Rowhouse Guidelines and with the conditions in Attachment 1 – Resolution Approving the Project. This includes eliminating one guest parking space and granting a parking exception in the interest of developing a superior site plan. The Subdivision Committee unanimously recommended approval of the Vesting Tentative Map with the subdivision conditions in Attachment 2 – Resolution Approving the Vesting Tentative Map.

**ENVIRONMENTAL REVIEW**

The project is categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15332 (“Infill Development Projects”) because it is an infill development which is consistent with the applicable General Plan land use designation and Zoning District regulations; it is on a project site that is less than five acres; it contains no value as habitat for endangered, rare, or threatened species; it would not result in significant effects related to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. Staff have also evaluated the potential exceptions to the use of a categorical exemption and have determined that none apply here to disqualify the use of the infill exemption (CEQA Guidelines Section 15300.2). The project site is not on a list of hazardous waste sites, does not contain any known or potential historic resources, and is not located on or near an officially designated State scenic highway. The project is not expected to result in cumulatively significant effects of successive projects of the same type in the same place over time.

While the project is not on any list of hazardous waste sites pursuant to CEQA, a Phase II investigation identified elevated levels of arsenic in shallow soil samples on the site and recommended removal and replacement of the affected soils. The site will need to be graded and the surface soils removed for construction anyway and, therefore, the developer has incorporated removal of surface soils into their grading plans as part of

the project description. The developer is also entering into a voluntary remedial action plan with the Santa Clara County Department of Environmental Health (SCCDEH) for supervision of the soil removal efforts. Due to the relatively common nature and limited extent of the soil contamination, and the developer's inclusion of soil removal and voluntary remediation in the project description, no significant effects on residents or the environment are expected. It is not unusual for previously developed infill sites to have some minor contamination from prior activities and there are no other circumstances involving the site, its setting, or proposed redevelopment that staff have determined would qualify as "unusual" pursuant to the potential exception at CEQA Guidelines section 15300.2, subdivision (c). As a result, the project qualifies for the categorical exemption for infill development under CEQA Guidelines Section 15332.

### **FISCAL IMPACT**

Based on the estimated current property value, the City's share of the County of Santa Clara's annual property taxes is approximately \$2,900. If the site were redeveloped as proposed and units sold at applicant-estimated sales prices ranging from \$680,000 to \$1.12 million per unit, the City's share of property taxes would increase to approximately \$89,000 per year.

The project is subject to the City's Affordable Housing Ordinance, which requires 10 percent of units in ownership developments to be offered at prices Below Market Rate (BMR). When the estimated sales price of the units is above a threshold set by the Council-adopted BMR Program Administrative Guidelines (currently approximately \$727,200), the ordinance permits a developer to either provide the required BMR units within the development or pay an in-lieu fee equal to 3 percent of the sales prices of all units. The average expected sales price is approximately \$960,600 per unit, which exceeds the City's adopted price threshold. Two of the units may be sold at prices below the threshold based on the developer's estimates. Based on past Council direction, the recommended conditions allow the applicant to meet the project's full affordable housing requirement through payment of the BMR in-lieu fee, which is estimated at approximately \$1.67 million (total). The City Council has the option to require provision of one or more on-site BMR units.

The Park Land Dedication Ordinance requires residential developments to provide on-site area for development of a public park, or to pay Park Land Dedication In-Lieu fees, based on the number of net new units on the property. Payment of in-lieu fees is preferred in cases where park land dedication is impractical or undesirable due to the location or size of the land to be dedicated, or the existing park facilities in the vicinity. The project site is adjacent to Whisman Park, and proposes only two net new units resulting in a small required dedication. As a result, accepting a land dedication for this

project is not recommended. The developer proposes to pay the in-lieu fees, which are estimated at approximately \$96,000 (\$48,000 each for the two net new units) in accordance with Chapter 41 of the City Code.

## **CONCLUSION**

The Zoning Administrator recommends approval of the proposed Planned Unit Development Permit, Development Review Permit, and Heritage Tree Removal Permit for the construction of 58 rowhouses at 535 and 555 Walker Drive, with the requested exceptions including the addition of a one-space guest parking reduction, and subject to the attached conditions and the design modifications recommended by the DRC. The Subdivision Committee recommends approval of the Vesting Tentative Map subject to the attached conditions.

This project supports General Plan policies for providing a mix of housing types, parcel assembly and neighborhood reinvestment, neighborhood character, and street presence. The project is consistent with the applicable land use designation in the General Plan, the R3 Zoning District and Planned Unit Development provisions, and the Rowhouse Guidelines with the exceptions noted. The project's design will contribute positively to the surrounding neighborhood and will not result in significant environmental impacts.

## **ALTERNATIVES**

1. Approve the project, Vesting Tentative Map, and easement vacation with modified conditions and/or findings.
2. Refer the project back to the DRC and/or Zoning Administrator for further review and modification.
3. Deny the project, Vesting Tentative Map, and easement vacation, finding the site is not physically suitable for the proposed type of development.
4. Provide other direction.

## **PUBLIC NOTICING**

The Council's agenda is advertised on Channel 26, and the agenda and this report appear on the City's website at [www.mountainview.gov](http://www.mountainview.gov). Current tenants of the site, property owners and tenants within a 300' radius of the site, the Wagon Wheel and North Whisman Neighborhood Associations, and other interested stakeholders were notified of this meeting.



In accordance with Sections 8322 and 8323 of the Streets and Highways Code, notices of the proposed easement vacation were posted along the easement areas to be vacated and published in the *San Jose Post Record*.

Prepared by:

Mariya Hodge  
Senior Planner

Stephanie Williams  
Acting Current Planning  
Manager/Zoning Administrator

Approved by:

Randal Tsuda  
Community Development Director

Daniel H. Rich  
City Manager

MH-SW/2/CAM  
802-06-12-18CR-E-1

- Attachments:
1. Resolution Approving the Project
  2. Resolution Approving the Vesting Tentative Map
  3. Resolution Ordering the Vacation of Public Easements
  4. Project Plans
  5. Revised Layout with Guest Parking Reduction
  6. Vesting Tentative Map
  7. City Council Study Session Report, October 3, 2017
  8. Public Comment Letters