

**CITY OF MOUNTAIN VIEW
FINDINGS REPORT/ZONING PERMIT**

APPLICATION NO.:
DATE OF FINDINGS:
EXPIRATION OF ZONING PERMIT:

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PL-9558
February 11, 2026

THIS DOCUMENT REPRESENTS THE ZONING ADMINISTRATOR'S RECOMMENDATION FOR THE SUBJECT SITE. THIS DOCUMENT DOES NOT WAIVE THE REQUIREMENT FOR SUBSEQUENT CITY APPROVALS AS APPLICABLE, INCLUDING, BUT NOT LIMITED TO, BUILDING PERMITS, EXCAVATION PERMITS, ETC.

Applicant's Name:

Jeffrey Stone for WTA Middlefield, LLC

Property Address:

Assessor's Parcel No(s).:

Zone:

490 East Middlefield Road

160-53-004

P(41) East Whisman Precise Plan

Request:

Request for a Development Agreement between the City of Mountain View and WTA Middlefield, LLC, for an eight-story, mixed-use building with 460 apartment units, utilizing State Density Bonus Law, and approximately 9,371 square feet of ground-floor commercial, replacing an existing office building, and the removal of 29 Heritage trees on a 2.86-acre site located at 490 East Middlefield Road (associated with Planning Application No. PL-9558).

APPROVED ☐

CONDITIONALLY ☐
APPROVED

DISAPPROVED ☐

OTHER ☒

******ZONING ADMINISTRATOR RECOMMENDATION TO CITY COUNCIL******

FINDINGS OF APPROVAL:

The Zoning Administrator's recommendation to the City Council to approve a Development Agreement between the City of Mountain View and WTA Middlefield, LLC, for the mixed-use residential project located at 490 East Middlefield Road (APN 160-53-004) ("Property") is based upon the following findings per Sections 36.54.15(a) and 35.54.15(d) of the City Code:

- A. **The Development Agreement is consistent with the objectives, policies, general land uses, and programs specified in the General Plan and any specific plan or Precise Plan and intent of Chapter 36 (Zoning) of the City Code.** The Development Agreement is consistent with the objectives, policies, general land uses, and programs specified in the East Whisman Mixed-Use Land Use Designation under the City's 2030 General Plan and is located in an area subject to the P(41) East Whisman Precise Plan (EWPP). Under the General Plan, the Property is designated a "High Intensity" subarea within the "Mixed Use Character Area", which promotes multi-family residential projects and neighborhood-serving commercial uses. The project proposes a high-density, mixed-use housing project with 460 residential units and approximately 9,371 square feet of ground-floor commercial space. The project is eligible for a bonus floor area ratio of 2.41 under the EWPP and the Developer is eligible under State Density Bonus Law (Government Code Section 65915) for an increase of 99 units at the project for a total of 460 residential units. The proposed Floor Area Ratio (FAR) of 3.148 is consistent with the EWPP Bonus FAR Program, which allows up to 3.50 FAR maximum for mixed-use Bonus FAR projects, in excess of maximum General Plan intensity. Additionally, the project proposes a total of eight stories and a building height of 85' which conforms to the maximum height limits specified in the General Plan for residential projects located east of North Whisman Road.

The project aligns with and promotes numerous General Plan Policies, including: (a) LUD 3.2 (Mix of land uses) by including a mix of rental units and neighborhood-commercial uses, including approximately 9,371 square feet of ground floor commercial space with Sales Tax Point of Sale Designation to promote commercial uses in the area and LUD 3.5 (Diversity) by encouraging

☐ Owner

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☐ Fire

☐ Public Works

residential developments serving a range of diverse households and incomes by providing 55 below-market-rate (BMR) units, with an additional five BMR units (three studio units up to 90% Area Median Income (AMI) and two (2) 1-bedroom units up to 100% AMI) above what is required per the City's BMR Housing Program, for a total of 60 BMR units; (b) LUD 8.3 (Enhanced, publicly accessible bicycle and pedestrian connections); (c) LUD 19.3 (East Whisman—Connectivity improvements) by providing a three (3) foot spring easement for future publicly accessible connection for pedestrian and bicyclists through the project site to the adjacent property to the north; (d) LUD 10.1 (Sustainable design and materials) and LUD 19.2 (East Whisman—Highly sustainable development) by committing to construct the project in compliance with CALGreen and LEED Silver®-equivalent standards and meeting the 2025 California Building Code (CBC) for bird-friendly building design; (e) LUD 19.1 (East Whisman—Land use and transportation) by proposing higher-intensity development within one-half mile of public transit stop; and (f) LUD 19.8 (Residential development) by proposing a mixed-use residential development near the Valley Transportation Authority (VTA) Middlefield Light Rail Station.

The project will provide a LEED Silver®-equivalent design in compliance with CALGreen, which incorporates roof-mounted photovoltaic panels, native planting throughout the building and project site, to satisfy the EWPP's Green Point Rating requirement. In addition, residential units will be constructed to be all-electric, which means that the residential units will not include natural gas or propane plumbing, heating, cooking, or clothes drying appliances. Additionally, the project encourages and supports the use of multi-modal transportation options with a transportation demand management (TDM) program in compliance with the Precise Plan. The project will also meet bird-safe design standards compliant with 2025 CBC requirements and support the City's sustainability goals;

- B. **The Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located.** The project proposed in the Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the applicable land use district because the Project proposes a mix of residential and commercial uses that are expressly permitted and anticipated within the EWPP. The Project complies with the allowable land uses, building heights, and development intensities established by the EWPP. The proposed project design clearly demonstrates superior site and building design and compatibility with surrounding uses and developments by complying with applicable building setbacks from the public right-of-way, using innovative architecture which responds to the project site and surroundings, and incorporating bird-safe building design. This mixed-use residential development project is compatible with the surroundings because it provides new housing and ground-floor retail activation, including street improvements intended to enhance the streetscape and create neighborhood-serving vibrancy. By providing new housing opportunities together with ground-floor commercial uses and pedestrian and bicycle improvements, the Project reinforces the mixed-use character envisioned for the Precise Plan area and integrates appropriately with adjacent office uses and planned residential development. Accordingly, the Development Agreement facilitates development that is compatible with the authorized uses and regulatory framework governing the site;
- C. **The Development Agreement is in conformity with the public convenience, general welfare, and good land use practice.** The project provides multi-family residential units and ground-floor commercial, which are allowed land uses under the EWPP Mixed-Use Character Area and are in alignment with uses envisioned in the Precise Plan area. The project promotes public convenience and general welfare by increasing the City's housing supply while enhancing the public realm through new detached sides, activating green space, new crosswalks, and by providing significant public benefits through the City's Density Bonus Program. These benefits include a \$1.2 million Recreational City Facilities Contribution to support expanded recreational amenities and park investments for existing and future residents, and a \$1.2 million Small Business Diversification and Retail Vibrancy contribution to attract and retain high-quality businesses through tenant improvements. The proposed building design, landscaping, and pedestrian and bicycle improvements is compatible with the Precise Plan development standards. Additionally, the project encourages and supports the use of multi-modal transportation options with a TDM program in compliance with the Precise Plan;
- D. **The Development Agreement will not be detrimental to the health, safety, and general welfare of the community.** The proposed project will not be detrimental to the health, safety, and general welfare of the community because it is consistent with applicable policies and development standards of the General Plan and EWPP, and applicable Building and Fire Codes. While the project requests various waivers of development standards, each of the waivers remove physical barriers to building affordable housing and pursuant to State Density Bonus Law, such requests do not make a project inconsistent with the General Plan. The project will conform to City, state, and federal codes and regulations for design, construction, and operations of the planned development;

- E. **The Development Agreement will not adversely affect the orderly development of property or preservation of property values.** The Development Agreement will not adversely affect the orderly development of property or preservation of property values because the project is consistent with and implements the land use designations, development standards, and policy framework applicable to the Mixed-Use Character Area of the EWPP. The development of the project site with a residential mixed-use building, landscaping, and pedestrian and bicycle improvements aligns with the vision and development standards of the Precise Plan and is compatible in scale, intensity and character with the existing surrounding office uses and planned future residential development in the area. Further, the Development agreement facilitates investment certainty and coordinated implementation of public improvements, which supports long-term neighborhood stability and enhances the overall development pattern within the EWPP area. The project is expected to maintain and support the preservation of surrounding property values and contribute positively to the orderly development of the area;
- F. **The Development Agreement is needed by the applicant due to the complexity, cost, or infrastructure requirements for development.** The Development Agreement is needed to allow for flexibility and certainty in the timing of the project because construction of this size and complexity. Absent a Development Agreement, the project would be subject to the City's standard approval and permit timelines that may be insufficient to reasonably accommodate the sequencing of financing, construction and delivery of required public benefits for a development of this scale and complexity. The Development Agreement provides a longer and more predictable vesting framework which is vital to allow for timing to finance and coordinate delivery of the project's public benefits and obligations in current economic conditions. By establishing a clear and enforceable framework for development rights, obligations, and performance standards over an extended period, the Development Agreement enables the orderly and timely implementation of the Project and its associated public benefits in a manner that would not be feasible under standard permit timeframes alone;
- G. **The Development Agreement is advantageous to and benefits the City.** The Development Agreement advances legitimate planning and public objectives and is not a private contract for private benefit only. As reflected in the draft Development Agreement, the applicant has provided significant public contributions. As part of the four-year term (with extension options) for the project, the Development Agreement would secure substantial public benefits and project commitments, including:
- Extension Options: The agreement includes two optional extensions, each subject to additional fees (\$100,000 for the first two-year extension and \$250,000 for the second), in addition to the EWPP Bonus FAR community benefits contribution requirements applicable to the project.
 - Small Business Diversification and Retail Vibrancy Fee: \$1,200,000 in tenant improvements for ground-floor retail spaces (with any unexpended amount to be contributed to the City as a Supplemental Recreational City Facilities Contribution).
 - Recreational City Facilities Contribution: \$1,200,000 contribution toward park land acquisition and development (minimum one-half acre) within 1,250' of the project boundary, with redirection of funds to Pyramid Park enhancements and connection improvements between the project and Pyramid Park if the City has not acquired the property for the new City park within one year of issuance of the final Certificate of Occupancy for the project.
 - Sustainable Building: CALGreen compliance, LEED Silver®-equivalent design, all-electric building design (with limited exceptions for common amenities), and unit submetering.
 - Option for Master Lease Guarantee: The developer agrees to provide an option for the City to enter into a Master Lease or Master Lease Guarantee to designate up to 60 additional units as BMR units for a minimum period of seven years.
 - Sales Tax Point of Sale Designation: The developer shall use good faith efforts to require all persons and entities providing materials for the project over a specified value to have the local portion of the sales and use tax distributed directly to the City.

In addition to these public benefits, the applicant is also providing \$1,100,000 in EWPP Community Benefit Fees for the EWPP Bonus FAR and five additional BMR units as part of community benefits, comprised of three studios restricted to households earning no more than 90% AMI and two 1-bedroom units restricted to households earning no more than 100% AMI. The affordability levels will remain deed-restricted for a period of 10 years, unless the parties enter into the Master Lease Guarantee, in which case they will remain deed-restricted for 15 years;

- H. **The Development Agreement complies with the California Environmental Quality Act (CEQA).** The Development Agreement complies with CEQA because the project qualifies as a statutorily exempt project per Public Resources Code (PRC) Section 21080.66, in that: the site is under 20 acres and is within the incorporated City of Mountain View; it is an urban infill site that is already developed with a commercial use and is surrounded by urban development; the project is consistent with any applicable General Plan and Zoning Designation, and use of State Density Bonus waivers/concessions are not grounds for concluding inconsistency; the project exceeds the minimum density threshold of 15 dwelling units per acre (proposing 161 dwelling units per acre); the site is not designated as any of the restricted resource or hazard areas listed in Government Code Section 65913.4(a)(6) and is not listed on any of the Section 65962.5 lists (Cortese List); the project would not demolish a structure listed on a national, state, or local historic register; and no portion of the project is designated for use as a hotel, motel, bed and breakfast, or other transient lodging;
- I. **The Development Agreement has been reviewed by the City Attorney.** The City Attorney's Office has reviewed the Development Agreement; and
- J. **The City has determined that the project is a development for which a Development Agreement is appropriate.** A Development Agreement will improve the potential for the project to be constructed in an orderly fashion by providing a mechanism for an additional term or terms of approval upon payment of a fee and provides for significant public benefits described above and otherwise achieves the goals and purposes of Article XVI, Division 14, of the City Code related to development agreements, including meeting the required contents of a development agreement as set forth in Section 36.54.20.

GEORGE SCHROEDER, PLANNING MANAGER

GS/JT/CDD/FDG/PL-9558