



DATE: December 3, 2021

TO: City Council

FROM: Aarti Shrivastava, Assistant City Manager/
Community Development Director

SUBJECT: Supplemental Staff Memo

PURPOSE

The purpose of this supplemental memorandum is to present staff's recommended clarifications to the amendments to the North Bayshore Bonus FAR (Office) Guidelines, after consideration of public comments received on the draft amendments.

DISCUSSION

On December 7, 2021, the City Council will consider proposed amendments to the North Bayshore Precise Plan, including changes to the Bonus FAR (Office) Guidelines that are an attachment to the Precise Plan.

The Morris Group, representing Jeff Morris, a property owner in North Bayshore, submitted a letter dated November 12, 2021 requesting several changes to the amendments to the Bonus FAR Guidelines. Staff reviewed these suggestions and recommend several clarifications to the Bonus FAR Guidelines that respond in part to the letter from the Morris Group. These adjustments are intended to clarify the intent and better reflect the flexibility in implementing the residential component required by the Bonus FAR Guidelines amendments (i.e., through residential constructed off-site or on-site, or through partnerships with residential developers), which the amendments had contemplated while reaffirming that the residential units must be delivered in the North Bayshore Precise Plan area.

Staff's recommended amendments to the Bonus FAR Guidelines, including the additional clarifications described in this supplemental memorandum, are shown in the attached document. The amendments to the Bonus FAR Guidelines as originally presented with the Council report are shown in black or green ~~striketrough~~ and underline. The additional clarifications are shown in red ~~striketrough~~ and underline.

~~AS/MA/8/CAM/891-12-07-21M~~

Attachment: 1. Revised Bonus FAR Guidelines, 12/3/21

Appendix F:

Bonus FAR Review Guidelines (Amended Dec 12/3/2021)

REVISED

12/3/2021

The purpose of the North Bayshore Precise Plan Bonus FAR Review Guidelines (“Guidelines”) is to provide criteria for how new North Bayshore development can qualify for Bonus Floor Area Ratio (FAR). Bonus FAR helps implement the City’s 2030 General Plan goals and policies for the North Bayshore Change Area and the intent and principles of the North Bayshore Precise Plan. These Guidelines are adopted pursuant to the City’s North Bayshore Precise Plan.

Effective Date

The City of Mountain View North Bayshore Precise Plan Bonus FAR Review Guidelines shall become effective concurrent with the effective date of the North Bayshore Precise Plan, as amended.

GENERAL REQUIREMENTS

A. Applicability

1. The Guidelines shall apply to any net new office development within the North Bayshore Precise Plan area over 0.45 FAR requesting a Bonus FAR.
2. The amount and type of requested Bonus FAR shall comply with provisions listed within the North Bayshore Precise Plan.
3. Any Bonus FAR applications submitted after March 23, 2021 shall be limited to properties within the North Bayshore Precise Plan Complete Neighborhood boundaries as identified in Figure 4 of the North Bayshore Precise Plan, as amended.

B. Application ~~Submittal~~ Timeline

1. ~~To be considered for review under these Guidelines, a~~Applications shall be considered by the City Council at public meetings scheduled in either Fall or Spring ~~April or October~~ of any year. Specific meeting dates and times ~~are subject to change based on a recommendation from~~ will be determined by the City Manager.
2. Notices regarding the Bonus FAR application process and deadlines will be sent by the City to all property owners within the North Bayshore Precise Plan Complete Neighborhood boundaries. Bonus FAR applications from property owners within this area shall then be submitted to the Community Development Department by the City specified deadline. A City Council meeting will then be scheduled within 90 days of said deadline.
3. ~~Application materials shall be submitted to the Community Development Department at least 30 days prior to the scheduled City Council meeting on this matter.~~
4. ~~For Bonus FAR applications deemed eligible to apply for a planning permit on May 5, 2015, Applicant shall submit said planning application, including any required Master Plan application, or a request for an extension, no later than December 1, 2018.~~

C. Application Materials

1. Applicant's proposal must describe how the requested Bonus FAR project implements the Precise Plan's guiding principles (Create Complete Neighborhoods; Create Distinct Areas within North Bayshore; Promote Housing Affordability; Enhance Ecosystems and Habitat; Improve Transportation Connections to North Bayshore; Expand and Improve Open Space; Create Walkable, Human-Scaled Blocks; Concentrate Growth to Support Transit; Make the Area Highly Sustainable; Promote Transit, Biking, and Walking; Construct Buildings that Support Public Areas; Minimize the Potential Consequences of Sea Level Rise; Promote Economic Diversity; and Promote Retail, Entertainment, and the Arts).
2. Applicant's proposal, as applicable by Character Area, shall comply with the required Non-Residential Bonus FAR Combinations shown on Figures 8-11 in Section 3.3.4 of the North Bayshore Precise Plan, including public benefits or district-improvement projects. Public benefits or district-improvement projects may include, but are not limited to, the examples listed in Section 3.3.4 of the North Bayshore Precise Plan.
3. Applicants shall submit conceptual design information regarding their proposal, including a site plan, architectural design and massing, landscaping, parking plan and/or other information as determined by the Community Development Director. Applicants can propose demonstrate compliance with the Bonus FAR requirements request through text, maps, graphics, or other presentation materials. Copies of all materials shall be submitted with the application package.

D. Review Process

1. The City Council shall determine which proposals qualify for Bonus FAR utilizing the thresholds and criteria in Section F below. The City Council shall review all submitted applications at the same time at the determined public hearing date.
2. ~~Once the 3.6 million square feet of net new commercial office building area analyzed by the General Plan EIR and Precise Plan EIR has been either qualified for a Bonus FAR or reduced from other North Bayshore development requests, then no additional Bonus FAR requests or other North Bayshore development may be granted or entitled until additional building area capacity is authorized by further CEQA analysis.~~
3. ~~Applications deemed by the City Council as qualifying for Bonus FAR may proceed through the City's development review process based on their qualified FAR amount. The City Council may qualify applicants for some, none, or all of the requested Bonus FAR amount. Qualification means that the project is eligible to apply for the specified amount of Bonus FAR.~~

E. Post-Review Process

1. ~~Applications whose Bonus FAR applications are eligible to apply shall submit a complete application for either a Master Plan and/or a Planned Community Permit no later than one year from the date of City Council Bonus FAR authorization. Applicants may be granted one six-month extension by the City Council.~~
2. If Bonus FAR development projects are substantially modified from the original qualifying Bonus FAR authorization request, either by project scope or FAR amount, then the Bonus FAR request shall return to the City Council for review and requalification within the one-year authorization period. In considering a request for requalification, the City Council ~~may~~ shall use the qualifying thresholds and criteria listed below. ~~An applicant shall submit a planning application or request an extension for the Bonus FAR request no later than two years from the date City Council grants requalification.~~

F. Qualifying Thresholds and Criteria

1. **Thresholds.** To be considered for a Bonus FAR allocation by the City Council, Bonus FAR proposals must meet the following thresholds: The City Council may consider the following criteria in evaluating Bonus FAR applications, including but not limited to:

- ◆ Proposals submitted after March 23, 2021 shall be limited to properties within the North Bayshore Precise Plan Complete Neighborhood boundaries.
- ◆ The proposal must demonstrate substantial compliance with the Precise Plan's vision and guiding principles including goals, objectives, and strategies in the applicable Character Areas. The proposal must also include a number of new residential units to help balance the amount of any new office FAR in a manner similar to the maximum development amounts allowed by the North Bayshore Precise Plan and/or consistent with recent North Bayshore mixed-use office and residential projects, including any previous Bonus FAR allocations.
- ◆ How the proposal meets the Precise Plan's vision and guiding principles, including each of the Precise Plan's Character Area goals and objectives and the Plan's strategies for new residential uses in North Bayshore;
- ◆ The proposal must also include residential units on-site or off-site to achieve the housing targets in the Precise Plan.
 - The proposal may include partnerships with residential developers.
 - The proposal shall include a phasing plan that demonstrates that the residential components of the proposal will be constructed/implemented roughly in proportion and within the same timeframe as the Bonus Office FAR components.

2. **Criteria** The City Council may consider the following public benefit criteria in evaluating Bonus FAR applications, including, but not limited to:

- ◆ An amount of affordable housing that exceeds the requirements listed in the North Bayshore Precise Plan;
- ◆ The number of vehicle trips associated with the development and any proposed improvements to implement the CIPAction Plan, and the effect on trip cap and roadway performance;
- ◆ Size/scope of habitat enhancements;
- ◆ Small business preservation and enhancements;
- ◆ Non-auto transportation improvements and performance;

- ◆ Enhanced community benefits;
- ◆ District-wide improvements, which could include transportation, habitat, or utility projects in collaboration with different companies; and
- ◆ Phasing of proposed improvements and development;

- ◆ ~~Impacts to staff resources; and~~
- ◆ ~~The quality and thoroughness of submitted application materials.~~