

City Council Questions

December 14, 2021 Council Meeting

ITEM 4.6 Extension of the Castro Street Closure, Extension of the Fee Waiver and Suspension of the Renewal Requirements for Sidewalk Café Licenses, and Amendment of Professional Services Agreement, Project 20-58

1. Why is the General Fund Transportation Reserve being used to fund this effort? What percent of the project has to do with transportation?

Council approved the use of the General Fund Transportation Reserve to fund the Castro Pedestrian Mall Feasibility Study, Project 20-58, in 2019. Staff recommended use of this fund for the initial study because the study was analyzing different transportation concepts for the 100 block. The recommended expanded scope of work being presented for Council approval tonight includes design guidelines for the interim street closure that are not solely transportation focused; therefore, staff is recommending that the expanded scope of work be funded from the Construction/Conveyance Tax Fund.

2. On page 3 of the staff report, it says that the council supported the staff recommendations at the October 12, 2021 council meeting. The council suggested other configurations to explore for the potential realignment of Evelyn, other than just Alternative C. Are the other configurations included in this scope of work?

The scope of work included in the recommended amendment to the Professional Services Agreement with Gehl is focused on analyzing and adapting the pedestrian mall concept to the 200 and 300 blocks of Castro Street and on identifying interim design guidelines and improvement plans that could be in place for the next 3 to 4 years until a potential permanent pedestrian mall can be designed and constructed. Potential refinements or reconfigurations related to Alternative C, including the realignment of W. Evelyn Avenue would be explored as part of the design process for a permanent pedestrian mall and is not part of this scope of work for interim improvements.

3. Should Attachment 1 list just the 100, 200, and 300 blocks of Castro in the resolution title?

Although the street closure for the 400 block of Castro Street terminated earlier this year, the title of the resolution includes reference to all of the blocks along Castro Street that were part of the street closure to capture the entirety of the resolution action. The original resolution, which has since been amended, included the 400 block of Castro Street as part of the Castro Street closure.

4. If businesses outside of Castro Street want to continue doing business outside, won't we work with them to allow that to go on? What would "working with them" entail?

The end of the Outdoor Mountain View (OMV) program will require Temporary Use Permits for businesses to convert or expand outdoor areas, including parking lots, to create temporary outdoor dining. Staff will continue to work with businesses who want to establish or expand outdoor dining areas through the temporary use permit process.

ITEM 4.7 Potential Transient Occupancy Tax Revenue Ballot Measure for 2022 Election

1. Can staff provide information about compliance with short-term rentals (STRs)? How much TOT revenue has been collected by the City from STRs?

There are currently 199 short-term rental listings which have had a documented stay in calendar year 2021. Of these, 54 have a short-term permit and are in compliance with the City's regulations. The City is working with Host Compliance to bring the remaining 145 listings into compliance through periodic noticing. The transient occupancy tax (TOT) for all units listed on Airbnb is collected and remitted to the City by Airbnb regardless of compliance status, per the terms of their voluntary collection agreement with the City. The aggregate TOT amount received from short term rentals since inception to the most recent quarter (ending 9/30/21) is \$1.1 million. This includes Airbnb plus other STR that reported/paid to City.

ITEM 4.8 Mountain View Community Shuttle - Various Actions

1. What are the metrics the City uses to evaluate the success of this program? At what ridership threshold (or expenditure level) would staff recommend discontinuing a community shuttle program? What are our goals and performance indicators?

There were no performance metrics established when Google initiated the Community Shuttle in 2015 in partnership with the City. The City took over shuttle operations from Google in October 2020 and has not developed performance metrics for the service. However, staff can gauge service performance by using the average number of boardings per service hour metric. This metric is widely-used throughout the transit industry and it's the one VTA uses to measure performance. The VTA established a minimum service standard of 15 boardings per service hour as part of their guidelines, and would consider route changes should ridership fall below that level. Prior to the pandemic, the Community Shuttle averaged 23 boardings per service hour on the weekdays, and 19 boardings per service hour on the weekends. These numbers reflect the success and popularity of the community shuttle as they are significantly above the performance benchmark. At the start of the pandemic shuttle ridership dropped; however, it has been steadily returning ever since. Currently, ridership is approximately around 50% of pre pandemic levels. Staff would bring options to the City Council for consideration should the shuttle service have a sustained drop in ridership post-pandemic.

The goal of the Community Shuttle is to provide the community with a convenient way to reach key destinations within the City without the worry of bus fares or transfers. It incentivizes people to use transit instead of their cars. The Community Shuttle service is one tool to help achieve the City's sustainability goal of reducing the number of single occupancy vehicles as a means of reducing greenhouse gas emissions.

2. Has staff asked VTA if operating this community shuttle disincentivizes VTA from increasing service in Mountain View?

The VTA has made service changes that reduced service to some cities, such as Mountain View, due to their structural operating deficits and focusing their bus services on the highest performing routes. In some respects, the Community Shuttle can help build a higher transit ridership base laying the groundwork for VTA to provide more transit service for areas served by the Community Shuttle. Staff is in regular communication with the VTA and will continue to advocate for more service in the City.

ITEM 6.1 Google North Bayshore Master Plan

1. What is the total cost of creating the eco gem? Is it more than \$7M? Who will own the eco gem land?

The 10.8 acre Eco Gem would be dedicated to the City as a public open space. At this time, staff does not have a cost estimate of creating the eco-gem. The total cost for improvement of the open space will depend upon the final design. While \$7 million will not cover the full cost, it will provide a substantial contribution to the total cost.

2. Is the eco gem included in Phase 2? And what does it really mean to be included in Phase 2? Will it be completely built with Phase 2?

The Eco gem will be dedicated to the City in phase 2. Inclusion in Phase 2 refers to the timing of the land dedication to the City. It is not expected to be completely built with Phase 2.

3. How do we know how many affordable units the land dedicated to the city can accommodate?

Table 4.1.2 in Attachment 4 provides the applicant's estimated residential yields on the affordable housing sites. Staff will additionally be working with a consultant to assess the unit yields at each of the proposed affordable housing sites.

4. On Figure 4, what uses would be on the land marked as "indicative location of land dedication"?

The parcels marked "indicative location of land dedication" are potential locations for affordable housing parcels that will be dedicated to the City. The land use includes residential uses with ground floor active uses in certain locations.

5. Is any of the green loop considered to be open space? If so, what is the acreage of the green loop that is considered to be open space?

The current master plan proposal includes the green loop area only where it runs through open space (POPAs or Parks). It does not include green loop areas that are not included in the parks or POPAs.

6. If the 4 acres targeted for school use is credited as park space, can it still be used for a school?

Please see the response to Question 11.

7. Is there any reason the parking at Lot C can't be open to other property owners?

The staff report notes that the parking is expected to be available to the public on weekends and after hours. The terms of the parking availability will ultimately be based on the agreement negotiated by the City and the lessee.

8. What are the implications of AB 1486 for the city?

The most significant implication of AB 1486 is that nearly any City-owned property that the City wishes to lease out for longer than five years and involving demolition or development of the site would be subject to the Surplus Lands Act and must follow the process outlined in the Council report on pages 14-15. In limited cases, the land may be considered exempt surplus or fall under an exception, but in general, long-term leases for uses that are not necessary for city work or operations or are not planned for affordable housing development would be subject to the Surplus Lands Act requirements.

9. In the past staff indicated that using the traditional development review process would add 2-3 months for each project. Is that still the case?

Project review that includes EPC and City Council review requires approximately three additional months as compared to public review at an Administrative Zoning Hearing. This is due to the preparation and noticing timelines for the EPC and Council.

10. How do we update the lighting requirements in the North Bayshore Precise Plan?

Lighting requirements would require an update to the City's ordinance or a Precise Plan.

11. What distinguishes a partnership with a school district here from the LASD funding agreement for San Antonio Shopping Center property? Why would park in-lieu fees be appropriate for use in that case, but a partnership using dedicated land in North Bayshore require "additional research?"

The agreement with LASD is different because the City was interested in purchasing land for a dedicated 2-acre City park site, as well as sharing the cost of the school's open space acreage with LASD. Park land dedication funds were used for both purposes. The land purchased using the Park Land Fund will be used for parks and open space purposes.

For the Google Master Plan, the land is proposed to be dedicated to the City to meet the park land dedication requirements of the development and, therefore, would be restricted to park, open space, recreational and related uses. Additional research is being called out because staff is researching options for ensuring the Park Land dedication requirements for the project are met while also allowing the identified three acres to be used as a school site.

12. The Sierra Club letter suggests that the Charleston Transit Corridor improvements may be a "required mitigation." What does this mean? Can staff explain the differences between required mitigations and projects would have to be funded using other sources (impact fees, Shoreline Community fund, community benefits)?

Under the California Environmental Quality Act (CEQA), projects are required to be reviewed for any potentially significant impacts. If impacts are identified as a result of the project, feasible measures or revisions to the project are required to be implemented and funded by the project/developer ("required mitigation"). These required mitigation measures are intended to prevent, reduce or control the effects of a project.

In the case of development projects, including this master plan, that are implementing the North Bayshore Precise Plan (NBPP), Priority Transportation Improvements, such as the Charleston Transit Corridor, were identified as transportation projects for the NBPP. As these improvements would benefit the greater NBPP area including existing development and are needed to support the planned growth and development in the NBPP, including the increase in transit, bicycle and walking modes, the improvements are the City's responsibility to fund and implement. Recognizing this, Council adopted an impact fee assessed on new commercial developments capturing a portion of the transportation infrastructure costs to support the NBPP. As determined when the NBPP was adopted, the Priority Transportation Improvement projects are to be funded by the City through these impact fees, the Shoreline Regional Park Community fund and community benefits. Google will be required to pay the full North Bayshore impact fee that will be used toward funding the Priority Transportation Improvements. The \$35 million funding identified for the Charleston Transit Corridor improvements is a community benefit that will help deliver this project more quickly and allows the impact fees paid by the master plan development to be used on other Priority Transportation Improvements.

13. With an approved Master Plan, what level of discretion would the City have in granting Planned Community (PC) Permits? With an approved Master Plan, would individual development projects be similar (or identical) to code-compliant projects in conventional zoning districts?

Individual Planned Community (PC) Permits will be processed similar to code-compliant projects in conventional zoning districts and will be reviewed for consistency with the approved Master Plan, DA, and Precise Plan requirements.

14. Thirty years is too long for this to take to build. What incentives or actions can the City take to speed this up?

The City can provide incentives and certainty to develop a long-term master plan through the following actions:

- Streamlined review process – which reduces timelines and staff time spent on each Planned Community Permits (if they are consistent with the approved Master Plan, DA and Precise Plan).
- Development Agreement – which lays out milestones for phasing of various project features (such as parks and open space) and public benefits, while providing certainty to the developer that they can continue to build out the master plan that can span economic cycles.

15. I don't understand the conceptual street section in Figure 8. Why is so much of it paved? Does the area labelled stormwater treatment include street parking or just loading? If just loading, why is so much of the street dedicated to loading? If parking, why is there so much free parking planned for a car light area? Why is the bike lane adjacent to the car lanes? Why the 13-foot section is labelled stormwater treatment mostly paved rather than landscaped as per usual streetscape stormwater treatments? Why does it look so different from the renderings Google has been presenting (see below)? Can we designate some of these streets slow or shared streets prioritize pedestrians and bikers over cars?



Staff has only reviewed a first master plan submittal, and the rendering above may be Google's effort to demonstrate their proposal of the Green Loop adjacent to Shorebird Way. Staff would coordinate with Google through the Planned Community Permit submittal process for the specific features and alignment of the Green Loop.

The NBPP Conceptual Street section shown in Figure 8 of the Study Session memo serves to provide vehicular, bicycle and pedestrian access to the commercial, retail, and residential areas.

The section includes a 13' wide planter strip for stormwater treatment, where these treatment areas are only needed in isolated locations and not for the entire length of the street. Where stormwater treatment is not needed for the entire length of the street, the area may be used for an 8' wide curbside zone for loading and the remaining 5' for either landscaping or additional sidewalk to enhance the pedestrian environment. The curbside zone is needed by the commercial, retail and residential uses for passenger loading/unloading and delivery vehicles, not for vehicular parking. The length of the curbside zone will depend on the adjacent land uses and their likely demand level for loading/unloading and deliveries. A designated buffered bicycle lane next to the vehicular lane, consistent with Caltrans and City standards, is identified to allow bicyclists their own separated facilities to appeal to a wider cross-section of bicycle users and encourage bicycling. For some streets, a protected bikeway may be placed between the sidewalk and curb zone.

16. Why are 40% of trees not in good health? Is it because salt water was used for irrigation, climate change/drought or other reasons? What will we do to make sure new trees are not killed by salt water irrigation?

Many of the trees planted in the North Bayshore Area are not compatible with the quality of the recycled water used in this area, the climate of Mountain View and soil types. Some of the tree species were planted in areas inappropriate for the amount of space available for the root system and the canopy. In addition, drought cycles have caused many of the trees to decline in health and condition.

The proposed trees in the Master Plan include more native species that tend to have longer life cycles in this climate. The chosen species have been placed in appropriate locations considering long term growth of the trees and the root systems. In addition, the proposed trees have a moderate to high tolerance for salts compared to those on the existing sites.

The current upgrades being made at the Palo Alto Water Quality Control Plant is scheduled to lower the salts in the recycled water in the future, which will also help the new trees to grow and better adapt to the site.

17. Why don't we do paid street parking?

The North Bayshore Precise Plan intended the curbside zone to be used for passenger loading/unloading and delivery vehicles for a majority of the new streets in the NBPP area, not for vehicular parking. On-street parking for existing streets may be converted to bicycle lanes to implement the multi-modal goals of the NBPP, or remain as is. Therefore, little to no street parking available as the NBPP is built out.

18. What were the factors the economic feasibility study conducted for the North Bayshore Affordable Housing Guidelines found would lead to challenges in developing inclusionary housing in North Bayshore?

During the development of the North Bayshore Precise Plan in 2016-17, several affordable housing scenarios were tested to develop the Affordable Housing Guidelines. The scenarios included the development costs of rental and ownership housing at different densities, AMI and rent levels, and Bonus FAR tiers. Other key considerations included the following:

- Relatively high, private land costs given high demand for property and relatively high office/&D rents in North Bayshore.
- Higher housing construction costs associated with structured parking and more expensive housing construction related to taller buildings and green design features.
- Other upfront costs (ex. park land dedication requirements, transportation mitigation/multi-modal policies, etc) and longer term operating expenses (ex. TDM program).

While these considerations could impact the feasibility of development for the traditional developer, actual feasibility for any particular project is dependent on the developer and many variables and factors working in concert, including what was paid for the land. The final Affordable Housing Guidelines are intended to maximize the development feasibility to meet the housing goals of the Precise Plan.

19. How do parking ratios in Table 2 compare with those in other areas of the city?

Parking ratios in North Bayshore Precise Plan are much more restrictive and provide parking maximums compared to parking ratios used in the other parts of the City, which are parking minimums. The precise plan parking ratios are based on the gateway trip cap limitations. Master Plan proposes parking ratios (as shown in Table 2) compliant with the Precise Plan standards.

20. Regarding District Parking at Lot C: Are show and office hours always mutually exclusive?

The timing of shows/events at the Amphitheatre and office hours are not always mutually exclusive. Fortunately, the timing of shows/events is known well in advance. Amphitheatre staff will be able to work with employers to notify staff of events and limit the access to this parking structure on those days. More specific details will need to be discussed and agreed upon before finalizing the master plan.

21. A letter from environmental groups states that the Charleston Corridor (\$35 Million) required by Google's intensified operations should be a required mitigation for proposed intensified development rather than a special public benefit. Is it in fact considered a public benefit or is this a misunderstanding on the part of the environmental groups?

Please see the response to Question 12.

22. How might we implement protections to forever protect the Eco Gem as an ecological space that serves North Bayshore birds and other wildlife and sustains biodiversity in the area (using tools such as deed restriction, super majority vote, conservation?)

The Eco Gem property will be dedicated land to the City of Mountain View as part of Google's park land dedication requirement. Therefore, as the property owner, the City will be responsible for providing protection to the birds and wildlife that may be attracted to this area. The process of protection would be similar to those taken at Shoreline Regional Park. This includes taking precautions to meet the Migratory Bird Treaty Act as well as follow all State and Federal requirements to protect the safety of the wildlife. Through the design of the open space, the type and amount of biodiversity will be determined and the City will maintain the installed vegetation according to the design approved by City Council.

23. Are we counting the school site as open space?

Please see the response to Question 12.

24. Can staff suggest a process for milestones or sub-phases and monitoring for Phase 2, which is expected to be constructed over an extended period of time?

The Development Agreement provides the ability to negotiate project phasing and monitoring. After direction from Council, staff will work with the applicant to finalize project phasing and milestones in the DA.

25. How might we spell out the specific requirements to address sea level rise issues in the Master Plan in terms of flood control, saltwater intrusion into infrastructure, rising groundwater and contaminants? Can we get updates that parallel the sea level rise 5-year updates in the City's CIP?

As a part of the City of Mountain View sea level rise program, City staff plans to update sea level rise projections including planning criteria and targets every five years. While the City can provide our sea level rise plan updates to Google, Google is only required to address flood protection of their buildings per the Federal Emergency Management Agency (FEMA) flood management requirements. This is typically done through setting the first floor of buildings above the identified base flood elevations. Property owners are also responsible to follow the proper procedures and implement the necessary measures to address encountered groundwater and contaminants on their property, including treatment and remediation protocols.

ITEM 7.1 Commercial Development at 747 West Dana Street

1. What parcel "received" the lot line adjustment? Wouldn't the "receiving" parcel now have building that spans two parcels?

The lot line shared between 301 Castro Street and 747 W Dana Street was adjusted to allow for a 0' rear lot setback for the 301 Castro Street building while the 747 West Dana Street parcel is slightly larger.

2. Has a retail tenant been secured?

The applicant has indicated to staff they do not currently have any tenants for the proposed building. Securing building permits and construction will likely take a couple years and they anticipate to start marketing for building tenants during construction.

3. What conditions of approval prevent the retail area from not being leased (similar to the retail space on the corner of Villa and Bryant)?

There is not a condition of approval that prevents the ground floor tenant space from being leased. In comparison, the retail space at corner of Villa and Bryant Streets is approximately 900 square feet and the proposed ground floor tenant space is almost twice that. This provides a greater financial incentive for the owner to lease the space as well as a more suitably sized tenant space for a small retail use. Future changes to this use can be reviewed and approved consistent with the allowable uses and permit requirements of the Downtown Precise Plan.

4. What conditions of approval require the retail area to not be a dead zone while a tenant is being secured?

The design of the project provides storefront façade to create an environment where retail can be successful in this location. Additionally, the relatively large size of the space provides an incentive to the property owner to actively market and tenant the space. The Downtown Committee is also working on programs to create active storefronts which could be helpful if the owner is struggling to lease the space even after actively marketing it.

5. On page 15 of Attachment 4, it says "The project proposes a retail space that may be used by the office employees." What does this mean? It is trying to say that being a customer of the retail space may cut down on a vehicle trip?

Yes, employees of the upper floor office area may frequent the ground floor businesses resulting in the internalization of trips.

6. Why is the requirement in terms of a reduction in the number of peak trips required? Reducing peak hour trips by 20% does not necessarily reduce the number of parking spaces required.

"Peak hour trips" is used as a measurable way to determine how many employees and visitors will be using cars to drive to the site during the busiest hours. The number of people driving to the site is directly related to peak period parking demand as well as overall parking demand.