



**DATE:** July 2, 2015

**CATEGORY:** New Business

**DEPT.:** Community Development

**TITLE:** Gatekeeper, July 2015

### **RECOMMENDATION**

Staff recommends that the City Council take the following actions on the Gatekeeper requests:

1. Pear Avenue (Sobrato)—Authorize the assignment of staff resources for consideration of an application for a P-zone (Precise Plan District) that includes residential development on the “north parcel” (between Pear Avenue and Space Park Way) and office development on the “south parcel” (between La Avenida and Pear Avenue) with the requirement that residential development on the north parcel self-mitigates the traffic impacts created by the office development on the south parcel.
2. 555 West Middlefield Road (Avalon Bay)—Authorize the assignment of staff resources for consideration of an application to amend the General Plan and Zoning Code to consider an application for up to 324 new units or a total of 726 dwelling units on the 555 West Middlefield Road site.
3. 777 West Middlefield Road (Braddock & Logan)—Do not authorize the assignment of staff resources for consideration of an application to demolish the existing 208-unit Village Lake Apartment development and amend the General Plan and Zoning Code to consider high-density development (50 to 60 dwelling units per acre or up to 563 units) on the 9.84-acre site.
4. 944 San Leandro Avenue (SummerHill)—Do not authorize the assignment of staff resources for consideration of an application to amend the General Plan and Zoning Code to consider a residential development application at 944 San Leandro Avenue.

5. 913 and 987 Rengstorff Avenue (Ambra/Alsman)—Do not authorize the assignment of staff resources for consideration of an application to amend the General Plan and Zoning Code to consider a residential development application at 913 and 987 Rengstorff Avenue.

## **BACKGROUND**

### **Gatekeeper**

The Permit Streamlining Act (PSA) is a State law which requires a city to process any development permit application that complies with city zoning regulations and General Plan policies. The PSA does not apply to any application that requires legislative actions, i.e., General Plan, Precise Plan, and/or zoning amendments. In these cases, the Mountain View City Code gives the City Council the authority to control the processing of these applications based on availability of staff resources and consistency with City policies. The Council authorization is commonly referred to as the “Gatekeeper” process. For each request, Council can authorize staff to work on the proposal (informal or formal application), defer staff work to a later date, or reject the study of a proposal based on the availability of staff resources and the proposal’s alignment with other City policies.

This round of review also includes an application from the Sobrato Organization on Pear Avenue. Sobrato has requested a legislative change to allow housing on the northern portion of their site in the North Bayshore area, which would self-mitigate the traffic impacts of the office development (which is permitted) proposed on the south parcel.

### **Planning Division Staffing**

The Planning Division is currently staffed with 13 full-time equivalent (FTE) professional planners and one half-time consulting senior planner.

Recognizing the high volume of development applications, staff requested three limited-term planner positions in the 2015-16 fiscal year budget process. This request was approved by Council and staff has started the recruitment process, but it will likely be several months before the positions are filled. The positions will better enable the Planning Division to maintain a high level of customer service and work product. The additional staff will also help ensure that staff can continue to execute the long-range planning contemplated in the Division’s work plan, including the revised North Bayshore Precise Plan, East Whisman Precise Plan, and Multimodal Transportation Plan.

## **Workload: Current Projects**

The Planning Division publishes a monthly development/division update entitled "Planning Division Update." The June 2015 Planning Division Update is attached to this Council report to provide a more comprehensive overview of notable projects and the current volume of applications, plan check, and construction activity (Attachment 2). There are over 71 projects in the Update.

At this time, Planning Division staff is working on the following major projects and assignments, with limited capacity for additional Gatekeeper work:

### Gatekeeper

- Moffett Gateway Office and Hotel Project
- 779 East Evelyn Avenue Affordable Housing Project

### Residential Planning Applications

- Mora Drive Residential Project
- 647 Sierra Vista Avenue Residential Project
- 2065 San Luis Avenue Residential Project
- 660 Tyrella Avenue Residential Project
- 2268-2280 West El Camino Real Residential Project
- 1701 West El Camino Real Affordable Housing Project
- 133-149 Fairchild Drive Residential Project

### Other (Office, Hotel, or Institutional) Planning Applications

- 1001 North Shoreline Boulevard Office Project
- 2500 Grant Road El Camino Hospital Project
- 1045-1085 La Avenida Microsoft Office Project

- 582 Hope Street St. Joseph's Church Mixed-Use Project
- Charleston East (Google) Office Project
- Charleston Road Retention Basin Habitat Restoration Project

#### North Bayshore – Bonus FAR Applications

- LinkedIn/SyWest
- 1625 Plymouth Street
- Shashi Hotel
- Google Landings
- Reese

#### Other Long-Range Planning

- Multimodal Plan
- North Bayshore Nexus Study
- North Bayshore Precise Plan Housing Amendment and Environmental Impact Report
- Accessory Dwelling Unit Regulations Review

#### **Review Criteria – Workload: Recent and Upcoming Shifts**

Several prior Gatekeepers are either recently entitled and currently in the building permit plan check process or under construction:

- Tropicana Project (1616 West El Camino Real)
- Intuit Headquarters (2600 Marine Way)
- 600 National Avenue Office

- Merlone Geier Phase II (400 San Antonio Road)
- Greystar (805 Castro Street)
- South Whisman Master Plan and Residential and Mixed-Use Projects
- 277 Fairchild Drive Residential Project
- Harv's Car Wash Site Residential Project

### **Review Criteria – Adopted City Policy, Project Type, and Timing**

#### General Plan Change Areas

During the General Plan update process, extensive community input helped identify where Mountain View could change over the life of the General Plan. The Change Areas include: North Bayshore, El Camino Real, San Antonio, East Whisman, and Moffett Boulevard. One of the proposed Gatekeepers (Sobrato's Residential/Office Project on Pear Avenue) is within a Change Area – the North Bayshore Change Area as defined in Chapter 3, *Land Use and Design*, of the General Plan. The other Gatekeeper requests are not within a Change Area.

#### Project Type

All five Gatekeepers are (or include) residential development. Despite this fact, there are notable differences, including the number of net new units proposed, the existing zoning district and General Plan designation, and the amount of displacement of existing residents that would occur. These aspects are discussed in more detail below.

#### Areas for Increased Density and Industrial Land Conversion – Policy Discussion

Interest in residential development is high during this round of Gatekeepers. Four of the five applications are outside of Change Areas and are proposing fundamental land use changes by requesting an upzoning to increase residential density or by converting industrial/service commercial land to residential.

Based on the level of interest, and to help staff review and direct the development community, this may be an appropriate time to consider a more comprehensive review of housing opportunity sites in the community, rather than on parcel-by-parcel requests.

In addition, Council has an adopted policy related to industrial (to residential) land conversion, which includes using four criteria:

1. Minimum site size of two acres;
2. Contiguous with existing residential zones;
3. Allow to maintain operations of existing adjacent businesses; and
4. Do not create islands of residential or industrial properties.

These criteria are provided as background in this report because two of the five Gatekeeper requests involve requests to change land use designations/zones from industrial to residential.

## **ANALYSIS**

### **Disclaimer**

*The Gatekeeper requests being considered have only undergone a cursory review for the purpose of preparing this report. Detailed analysis, including compliance with General Plan goals, policies, form and character, and other City policies, regulations, and guidelines will only begin in earnest if Council authorizes City resources to review these applications. Authorization of a Gatekeeper request in no way presumes staff or Council support of the project.*

### **Summary and Recommendation**

Staff has reviewed the five Gatekeeper requests; each has been summarized below and a recommendation has been made regarding the allocation of staff resources at this time.

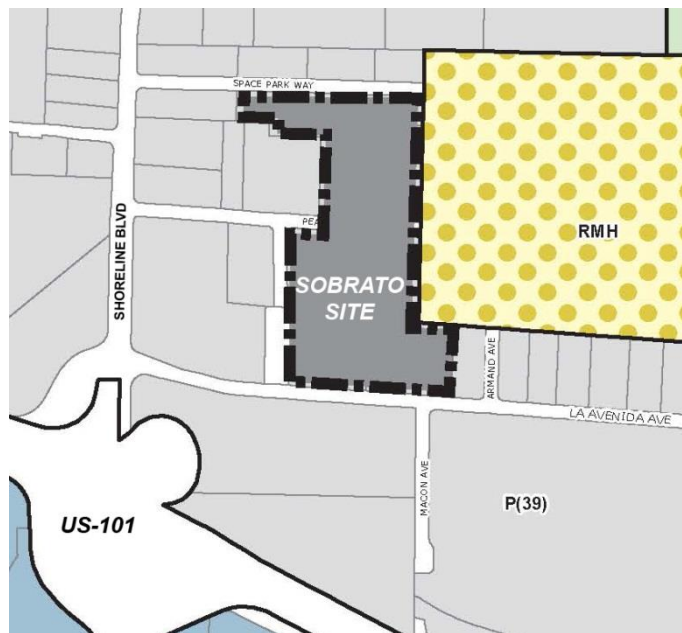
Based on the current workload, staff is anticipating capacity for two Gatekeeper applications during this cycle of Gatekeeper review. This is based on the fact that several planning applications have been approved in recent weeks or are scheduled for hearings in the coming days; this should free adequate staff time in the near-term. At a high level, the projects recommended for Gatekeeper authorization are also consistent with adopted policies and/or recent Council direction.

## Gatekeeper Requests

1. **Address:** Pear Avenue  
**Applicant:** The Sobrato Organization (Tim Steele)  
**Site and/or Planning Area:** North Bayshore (General and Edge Areas)  
**Change Area:** North Bayshore  
**Existing GP Designation:** High-Intensity Office  
**Existing Zoning District:** North Bayshore Precise Plan (P-39)

## Proposal

Sobrato is requesting a Gatekeeper to create a P-zone to allow housing development in the North Bayshore Precise Plan area, ahead of the North Bayshore Precise Plan housing amendment process initiated by Council earlier this year. Specifically, Sobrato is requesting staff time to review an application that includes: 380-unit (approximately 70 units per acre) high-density residential development on the north parcel (between Pear Avenue and Space Park Way, and abutting the existing mobile home park); office development (up to 450,000 square feet at approximately 1.0 FAR, and a parking structure) on the south parcel (between Pear Avenue and La Avenida).



Preliminary analysis done by the applicant's traffic consultants suggest that the residential development, coupled with a lower parking ratio for the office project, can allow the projects to self-mitigate with respect to traffic impacts. This will be an important factor in staff's review of the project, should Council authorize this Gatekeeper request. Staff will also work closely with the applicant to ensure compliance with the North Bayshore Precise Plan, including the trip cap, community benefits, and other amenities.

## **Recommendation**

Council recently authorized the study of new residential uses in the North Bayshore Precise Plan area and a community input process will begin in late July. The north parcel was identified as a housing opportunity site by Council. Commencing work could help inform the Precise Plan amendment process and could allow Council to approve housing in the North Bayshore area much sooner than would be possible otherwise. The project would be expected to be consistent with the North Bayshore housing vision that will be developed later this year.

*Therefore, staff recommends that Council authorize the assignment of staff resources for consideration of an application for a P-zone (Precise Plan District) that includes residential development on the north parcel (between Pear Avenue and Space Park Way) and office development on the south parcel (between La Avenida and Pear Avenue) with the requirement that residential development on the north parcel self-mitigates the traffic impacts created by the office development on the south parcel.*

## **Alternatives**

- A. Authorize a formal application to be submitted after the North Bayshore residential preferred alternative is endorsed by Council (scheduled for early 2016).
- B. Defer consideration of the Gatekeeper to a future date.
- C. Do not authorize the Gatekeeper.

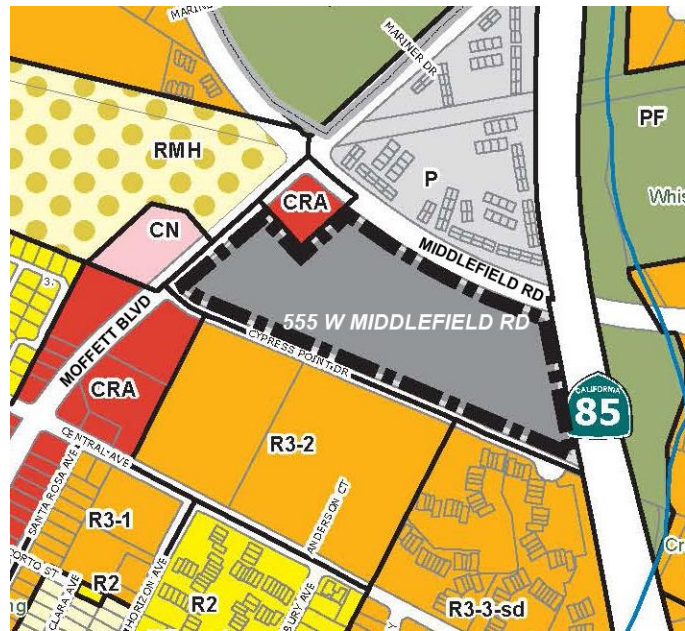


2. **Address:** 555 West Middlefield Avenue (Moffett Boulevard and Middlefield Road)  
**Applicant:** Avalon Bay Communities, Inc.  
**Site and/or Planning Area:**  
**Change Area:** N/A  
**Existing GP Designation:** Medium-Density Residential  
**Existing Zoning District:** Planned Community Permit (P-District)

## Proposal

Avalon Bay Communities submitted a Gatekeeper request for a General Plan Amendment from Medium-Density Residential to High-Density Residential, and a Rezone from Planned Community/Precise Plan to R4-High Density. The applicant would:

- Retain and update all of the existing 402 housing units (built in the 1960s);
- Replace all the existing surface parking lots with underground parking structures;
- Add 324 new rental units above the new underground parking; and
- Develop a new approximately 1.4-acre public park.



The proposal would result in a 726-dwelling-unit rental housing project at a density of 55 dwelling units per acre.

## Recommendation

The application includes nearly 324 new rental units, a new park, and limited displacement of existing residents (see below for more discussion on displacement). This high-density project is proximate to the downtown Caltrain station and the jobs-rich North Bayshore neighborhood. The applicant has verbally stated that there would not be displacement of the current residents. However, the request also notes that all units in the 1960s apartment complex would be upgraded. Assuming staff can continue

to work with the applicant to ensure that existing residents are protected to the extent possible, staff recommends that Council authorize staff resources for this project.

*Therefore, staff recommends that Council authorize the assignment of staff resources for consideration of an application to amend the General Plan and Zoning Code to consider an application for up to 324 new units or a total of 726 dwelling units on the 555 West Middlefield Avenue site.*

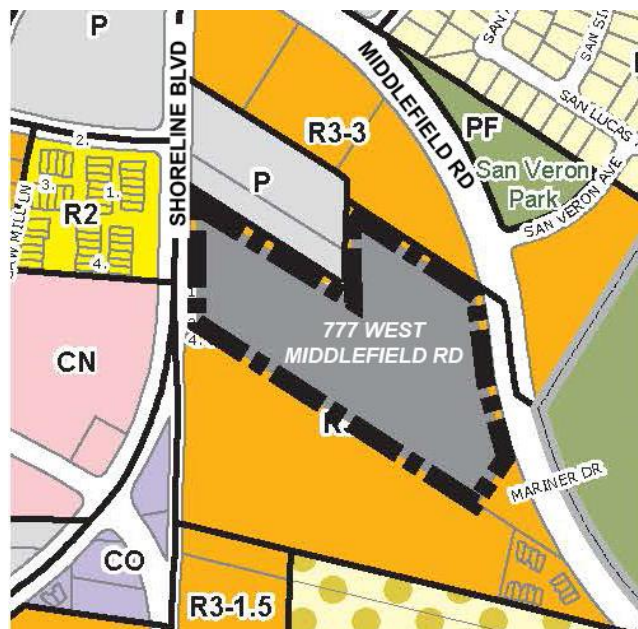
## Alternatives

- A. Defer consideration of the Gatekeeper to a future date.
  - B. Do not authorize the Gatekeeper.
3. **Address:** 777 West Middlefield Road (Village Lake Apartments)  
**Applicant:** Braddock & Logan Services, Inc.  
**Site and/or Planning Area:** 9.84 Acres (Moffett)  
**Change Area:** N/A  
**Existing GP Designation:** Medium-Density Residential  
**Existing Zoning District:** R3-2 Multiple-Family

## Proposal

Braddock & Logan Services, Inc., submitted a Gatekeeper request to amend the General Plan from Medium-Density Residential to High-Density Residential and a Rezone from R3-2 to R4-High Density to allow for between 50 and 60 dwelling units per acre on the 9.84-acre site.

There are 208 existing units on the site. Council previously authorized a Gatekeeper to rezone the property and renovate the site, adding 38 net new units, effectively changing the density from 20.9 dwelling units per acre to 25 dwelling units per acre.



At this time, the request is to demolish the existing 208-unit apartment complex and replace it with a new apartment complex of up to 563 dwelling units. It is not clear whether the applicant has accounted for the Park Land Dedication requirements in their Gatekeeper request, but the applicant's yield study suggests a project of approximately 57 units per acre.

### **Recommendation**

Staff has identified resident displacement as a serious concern with this application. Braddock & Logan note this in their Gatekeeper request letter that they will develop a plan in consultation with the City that results in "the least disruption possible."

*Staff recommends that Council not authorize the assignment of staff resources for consideration of an application to demolish the existing 208-unit Village Lake Apartment development and amend the General Plan and Zoning Code to consider high-density development (50 to 60 dwelling units per acre or up to 563 units) on the 9.84-acre site.*

The previously authorized Gatekeeper for 38 new units would remain valid.

### **Alternatives**

- A. Defer consideration of the Gatekeeper to a future date.
- B. Authorize the Gatekeeper.

4. **Address:** 944 San Leandro Avenue  
**Applicant:** SummerHill Homes  
**Site and/or Planning Area:** Moffett/Whisman  
**Change Area:** N/A  
**Existing GP Designation:** General Industrial  
**Existing Zoning District:** MM (General Industrial)

## Proposal

SummerHill Homes has submitted a Gatekeeper request to amend the General Plan from General Industrial to Medium-Density Residential and to rezone the property from MM-General Industrial to R3-Medium Density Residential to all for townhomes ranging from 1,700 to 2,100 square feet. SummerHill believes this is an infill property, and one that is suitable for housing.

## Recommendation

As noted in the Background section of the report, there is an existing Council policy related to industrial land conversion. This site likely meets all four of the criteria. However, as also mentioned in the Background section, there is a high level of interest in residential development at this time and it might be more appropriate to evaluate applications like this one in the context of the broader community and with a better sense of the available housing opportunity sites and the potential impacts on converting large swaths of industrial property to other uses. Additionally, at this time, staff does not have capacity to undertake more than two new Gatekeepers.

*Therefore, staff recommends that Council not authorize the assignment of staff resources for consideration of an application to amend the General Plan and Zoning Code to consider a residential development application at 944 San Leandro Avenue.*

## Alternatives

- A. Defer consideration of the Gatekeeper to a future date.  
B. Authorize the Gatekeeper.

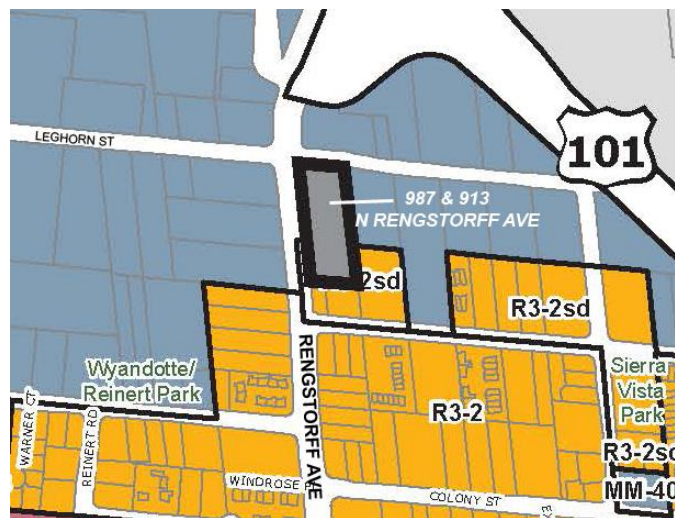




5. **Address:** 913 and 987 Rengstorff Avenue  
**Applicant:** Mario Ambra  
**Site and/or Planning Area:** 1.6 acres  
**Change Area:** N/A  
**Existing GP Designation:** General Industrial  
**Existing Zoning District:** 913 Rengstorff Avenue = R3-2sd (Multiple Family)  
987 Rengstorff Avenue = MM (General Industrial)

## Proposal

Ken Alsman, on behalf of Mario Ambra, submitted a Gatekeeper request to amend the General Plan from General Industrial to R4-High-Density Residential and rezone from R3-2sd (Multi-Family)/MM General Industrial to R3D or CRA Commercial/Residential-Arterial. The site is 1.6 acres.



## Recommendation

As noted in the Background section of the report, there is an existing Council policy related to industrial land conversion. This does not meet all of the criteria—specifically the minimum site size. This application, like the previous, should be evaluated in the context of the broader community and with a better sense of the available housing opportunity sites and the potential impacts on converting industrial property to other uses. Additionally, at this time, staff does not have capacity to undertake this work.

*Therefore, staff recommends that Council not authorize the assignment of staff resources for consideration of an application to amend the General Plan and Zoning Code to consider a residential development application at 913 and 987 Rengstorff Avenue.*

## Alternatives

- A. Defer consideration of the Gatekeeper to a future date.
- B. Authorize the Gatekeeper.

## **CONCLUSION**

Staff is recommending that Council consider allocating staff resources for two Gatekeeper requests. The North Bayshore request may help inform the housing opportunities within that area. The 555 West Middlefield Avenue application could result in up to 324 new residential (rental) units on an existing site, with minimal disruption to the existing 402 units and the possibility of a new public park.

If Council is interested in pursuing other housing opportunities in this or future Gatekeeper rounds, it may be appropriate to conduct a comprehensive Citywide evaluation of additional housing opportunity areas and/or the industrial land conversion policy. If that is Council's direction, staff will schedule a Study Session on the topic in the fall.

## **ALTERNATIVES**

Gatekeeper reports are a compilation of several distinct, independent requests. Please refer to the foregoing individual requests for alternatives.

## **PUBLIC NOTICING** – Agenda posting.

Prepared by:

Gerry Beaudin  
Zoning Administrator

Terry Blount  
Assistant Community Development  
Director/Planning Manager

Approved by:

Randal Tsuda  
Community Development Director

Daniel H. Rich  
City Manager

GB/3/CAM/887-07-02-15CR-E

- Attachments:
1. Map – July 2015 Gatekeeper Requests
  2. June 2015 – Planning Division Update
  3. Gatekeeper Request: Pear Avenue (Sobrato)
  4. Gatekeeper Request: 555 West Middlefield Road (Avalon Bay)
  5. Gatekeeper Request: 777 West Middlefield Road (Braddock & Logan)
  6. Gatekeeper Request: 944 San Leandro Avenue (SummerHill)
  7. Gatekeeper Request: 913 and 987 Rengstorff Avenue (Ambra/Alsman)