

**DATE:** May 7, 2019

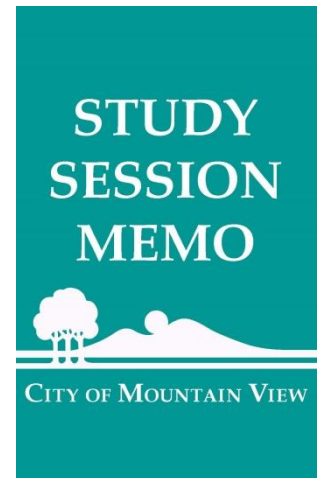
**TO:** Honorable Mayor and City Council

**FROM:** Eric Anderson, Senior Planner  
Aarti Shrivastava, Assistant City Manager/  
Community Development

**VIA:** Daniel H. Rich, City Manager

**TITLE:** **East Whisman Precise Plan Public Draft**

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## **PURPOSE**

That the City Council provide input and direction on the East Whisman Precise Plan Public Draft.

## **BACKGROUND**

The East Whisman Precise Plan process started in March 2016 and has included multiple community workshops, stakeholder meetings, and EPC and City Council Study Sessions. For an overview of prior workshops and meetings, see Attachment 1 (Summary of Prior Meetings).

The Public Draft of the Precise Plan was released on April 8 (Attachment 2). The Draft Environmental Impact Report (DEIR) will be released in late May or early June, followed by EPC and City Council Study Sessions. Consideration of the Precise Plan for adoption is anticipated in the fall.

### **Environmental Planning Commission Meeting – April 17, 2019**

The Environmental Planning Commission (EPC) reviewed the information and questions below on April 17, 2019. EPC responses to the topics are provided in the Discussion section below.

Seven members of the public spoke:

- Support for pedestrian and bicycle access throughout the Precise Plan area.
- The Plan should include explicit exemptions for the Los Altos School District Transfer of Development Rights (LASD TDR) projects for height, floor area ratio (FAR), and setbacks.

- Provide additional flexibility for housing projects within the Jobs-Housing Linkage; increase Base FARs. The school strategy should not be modeled on North Bayshore's. Instead, it should be seen as a community benefit.
- Do not require prevailing wage on development as it punishes nonunion workers; do not mandate a particular unit type mix; allow rooftop amenities in the Whisman Transition Area; make residential Bonus FAR easier to build; there are too many provisional uses.
- A representative of the High School District expressed appreciation for being included in the process.
- The Precise Plan does not explicitly allow single-use residential on the Wagon Wheel site, in contrast to the Council's direction.
- LASD TDR projects under review need clear direction.

Public Comment letters are attached as Attachment 3. Detailed EPC comments are provided in Attachment 4.

#### Bicycle/Pedestrian Advisory Committee Meeting – April 24, 2019

The Bicycle/Pedestrian Advisory Committee (B/PAC) reviewed the Public Draft on April 24, 2019. Two members of the public spoke:

- Concern that the configuration of the State Route 237 interchanges at Middlefield Road and Maude Avenue may be unsafe for pedestrians and bicycles.
- Area needs improved walkability and bikeability and improved crosswalks.

The following are major themes of the B/PAC discussion. Detailed B/PAC comments are provided in Attachment 4.

- If Street C must be replaced with a grade-separated multi-use path, an undercrossing may be most appropriate, especially if it is designed with natural light, comfort, and visibility.
- The plan is good, providing an exciting vision for future pedestrian and bicycle access.

- Identify safe routes to school.
- Try to accommodate cycle tracks (or similar bicycle separation improvements) on Whisman Road, Ellis Street, and Middlefield Road.
- Midblock crosswalks should be signalized and well-lighted.
- Ensure low-stress bicycle accessibility throughout the Plan area, with the ability to avoid bicycle lanes on higher-stress Ellis Street, Middlefield Road, and Whisman Road.
- Ferguson Drive should also be able to accommodate bicycle lanes.
- Ensure continuous networks and sidewalks are provided, even if some sites do not develop.

## DISCUSSION

The Draft Precise Plan (Attachment 2) is organized into six chapters. The following is a summary of each chapter.

1. **Chapter 1** includes background information on document organization and other resources that applicants, City staff, and other stakeholders may need to consult (such as the Zoning Ordinance, General Plan, and regional plans).
2. **Chapter 2** provides an overview of the policy foundation of the Plan, including guiding principles and strategies. The Plan's major strategies include: Character Areas, Height and FAR, Jobs-Housing Linkage, Affordable Housing, Neighborhood Commercial, Public Open Space, Schools, Streetscapes and Frontages, Multi-Modal Circulation, and Transportation Demand Management.
3. **Chapter 3** includes the development standards, including height, floor area, and setbacks; requirements for civic spaces, such as parks and new public streets and paths; parking and TDM requirements; and green building and bird-safe requirements.
4. **Chapter 4** includes design guidelines for buildings, frontages, open spaces, parking, and utilities.

5. **Chapter 5** includes street designs for all public streets and private, publicly accessible connections in the Plan area. It also includes standards and guidelines for the implementation of mobility and streetscape infrastructure.
6. **Chapter 6** includes Bonus FAR process and requirements, the development review process, dedication requirements, additional application materials, Plan monitoring, implementation actions, transportation/open space/utility improvements, and a funding strategy.

### **Content Previously Discussed**

In previous Study Sessions (summarized in Attachment 1), the City Council discussed the following issues:

- **Complete Neighborhood Strategy.** The Precise Plan uses a “complete neighborhoods” strategy that tracks land uses over time to guide development into a balanced neighborhood. Development applications will be required to identify how their project changes the land uses within complete neighborhood areas, and the projects may need to be modified if they do not include adequate open space, neighborhood commercial uses, or other desired uses. Pages 30 and 31 describe the complete neighborhood targets.
- **Circulation Networks.** The Precise Plan includes new streets, multi-use paths, bicycle lanes, and other mobility improvements. New development may be required to dedicate land for new public streets (if identified on the Public Street Network Map, Page 126), or they may be required to provide access easements for new pedestrian and bicycle connections through blocks (a conceptual diagram is provided on Page 128). The designs for existing and new connections are provided throughout Chapter 5 (Mobility).

These standards provide certainty for staff and applicants about where public access will be needed and how it should be designed. Where easements are required for new pedestrian and bicycle access, applicants are provided flexibility on how to manage the spaces, but they will be required to maintain them. The City may have to enforce this access in the future if property owners unlawfully restrict access.

- **Guiding Principles.** The City Council reviewed the Plan’s Guiding Principles in February 2018. They are on Pages 17 to 26, along with a brief list of the Plan’s implementing policies and standards for each.

- **Height and Floor Area Ratio.** These standards are formally regulated through the Character Area standards (Pages 66 to 77). In addition, specific guidance for height and FAR, including exceptions, ground-floor heights, maximum heights in transition areas, etc., can be found on Pages 57 to 60. Bonus FAR requirements, which set public benefit and other requirements for developments seeking more floor area, are on Pages 162 to 170.
- **Affordable Housing.** The Plan's overall Affordable Housing Strategy is on Page 35 and provides strategies to facilitate achieving the Plan's 20 percent affordable housing goal, including inclusionary requirements on residential development (15 percent) and an incentive to encourage office projects to dedicate land or resources to build additional affordable units.
- **Jobs-Housing Linkage Strategy.** An overview of the strategy is on Page 34 of the Plan, and detailed implementation requirements are found on Page 167. The different elements of the strategy are illustrated in Attachment 5 (Bonus FAR Options Diagram). More information is provided later in the report.
- **Neighborhood Commercial Strategy.** The Strategy, summarized on Page 36, includes required locations for neighborhood commercial uses (Page 84), permitted neighborhood commercial uses throughout the Plan area (Pages 55 and 56), neighborhood targets for new neighborhood commercial floor area and grocery stores (Pages 30 and 31), FAR exemptions (Page 60), and public benefit allowances (Page 164). Additional information is provided later in the report.
- **Open-Space Strategy.** An overview of the Strategy is on Pages 38 to 40, and detailed standards include expectations for mini-parks, a neighborhood park, linear parks, and publicly accessible open spaces throughout the Plan area (Page 81) and implementation actions (Page 188).
- **Transportation Demand Management (TDM) Strategy.** The Precise Plan's TDM Strategy is summarized on Page 48 of the Plan. Detailed project TDM requirements are provided on Page 90. Additional discussion and questions will be provided at a future Study Session, tentatively scheduled for June 2019.
- **Parking.** The Plan's parking requirements are on Pages 86 to 89.
- **Local School Strategy.** School strategy policy language is modeled closely after North Bayshore. The general strategy language is on Page 41. Specific School Strategy requirements for Bonus FAR projects are on Page 163. More information is provided later in the report.

## **Jobs-Housing Linkage**

A key component of the Precise Plan is the Jobs-Housing Linkage Strategy to ensure office and R&D growth is balanced with residential development to improve the City's jobs-housing balance; to preserve developable parcels for housing development; to meter the pace of office development applications; and to create complete neighborhoods. The Precise Plan includes a policy requirement that all new office development requesting Bonus FAR help facilitate residential development. Examples of possible strategies include dedication of land for housing; partnerships between office and residential developers; purchase of existing office square footage from residential developers who demolish office buildings (further discussed below); and other creative strategies or partnerships that support housing. A general description of the strategy is on Page 34 of the Precise Plan, and the detailed requirements can be found on Pages 167 to 168.

The Precise Plan's Jobs-Housing Linkage requirement expects office developments to generate 2.5 units for every 1,000 square feet of net new office floor area. This is roughly consistent with the overall ratios of units to net new office floor area studied in the Precise Plan.<sup>1</sup> Lower ratios could be allowed for projects that generate more affordable units.

At its October 2018 Study Session, the City Council supported further development of a "partnership" idea that would allow residential development to monetize the value of any office/R&D/industrial floor area they might demolish. This is the "Floor Area Transfer" program on Page 168 of the draft Precise Plan. It provides direction on how residential and office development may be able to take advantage of this program, including incentives (such as a reduction to housing impact fees calculation).

In December 2018, staff held an outreach meeting with developers to get their input on the Jobs-Housing Linkage Strategy. Representatives from six residential and office development firms attended, including all those involved in the Los Altos School District Transfer of Development Rights program. The attendees provided the following input:

- Office and residential development cannot be expected to always happen at the same time since they respond to different market conditions.

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<sup>1</sup> 5,000 units compared to 2.3 million square feet of office, rounded up to 2.5. It is slightly fewer units than jobs-to-employed-residents parity, which is about 3 units for every 1,000 square feet of office (based on 4 jobs per 1,000 square feet and 1.3 employed residents per unit).

- An office project cannot be dependent on a residential project (and vice versa) since the completion of the latter is outside of the former's control.

Staff included the following Precise Plan language to respond to those comments:

- The Plan makes no expectation that residential and office developments happen simultaneously, only that residential happens first. If office developers wait for residential development, the Precise Plan will allow them to proceed without the Jobs-Housing Linkage requirements when market conditions change.
- The Plan includes strict timing requirements to ensure that residential development occurs before office development. However, Page 167 of the Precise Plan provides flexibility from the strict timing requirements in exchange for certainty that residential developments that will occur. In other words, if land can be secured for an affordable housing developer, or if a deed restriction can be placed on a property to only allow residential development, the timing requirements would not apply. The flexibility also helps alleviate the dependency issue since an office project would not depend on a specific residential development proposal if it, for example, provides land for housing.
- The Floor Area Transfer program (Page 168) includes procedures for office development to be approved first (with additional submittal requirements) and to start construction first (with penalties and additional community benefits requirements). This language may address the timing and dependency concerns.

#### *Los Altos School District TDR Projects*

The Jobs-Housing Linkage requirements would apply generally to office development applications in the East Whisman area, but the City Council may wish to consider whether or not to include projects that are already under review through the Los Altos School District Transfer of Development Rights program. There are five development projects under review in the East Whisman area, which are providing funding for a new Los Altos School District (LASD) school in the San Antonio area under a "Transfer of Development Rights" (TDR) program. In addition, one other site has offered funding, but it has not yet submitted a development application. Of the six total TDR projects, two are residential projects, and four are office/R&D projects. More detailed data of these projects is included in Attachment 6 (LASD TDR Project Data). The total growth from these projects is summarized in Table 1.

TDR program developments are required to comply with Precise Plan standards (except for the transferred floor area, which are excluded from the calculations in Table

1). Table 1 shows that, in aggregate, the under-review TDR projects comply with the Jobs-Housing Linkage requirements. In other words, there are at least 2.5 units for every 1,000 square feet of net new floor area. However, the sixth project at 339 North Bernardo Avenue would cause these projects, in aggregate, to fail to comply with the ratio requirement. They would need to find a residential development to partner with, especially if 0.75 FAR is allowed in the South Employment Area.<sup>2</sup>

**Table 1: LASD TDR Projects**

	Net New Office/R&D*	Units*	Ratio in Units/ 1,000 sf**
Total Under Review	117,000	762	6.5
Total, Including 339 North Bernardo Avenue	389,000	762	2

\* Does not include transferred floor area.

\*\* Ratio >2.5 generates more housing than the Jobs-Housing Linkage requirement (green); <2.5 generates less housing than the requirement (red).

Though the four office projects would have expected to comply with the Precise Plan, they may not have expected a Jobs-Housing Linkage requirement when they proposed their developments since it is not a standard zoning requirement. The City Council may wish to modify the Jobs-Housing Linkage program to be more in line with the TDR projects' expectations. The following options summarize how the City may or may not require Jobs-Housing Linkage requirements from the LASD TDR projects:

1. Maintain requirements for all TDR projects individually.
  - The Precise Plan's jobs-housing linkage submittal requirements would apply to all office TDR projects.
  - Under-review TDR projects would be encouraged to work together to incentivize residential certainty or completion.
  - The 339 Bernardo Avenue project would need to comply with the requirements, in an as-yet-uncertain way.
  - If one or both residential projects withdraw, some or all of the office projects may be unable to proceed since their approval would depend on the

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<sup>2</sup> The City Council directed staff to study two land use alternatives for the area southeast of State Route 237 and south of Middlefield Road: 0.5 FAR office and 0.75 FAR office. If the City Council adopts 0.5 FAR for all projects, the net new office floor area among all TDR projects would be 140,000 square feet, a ratio of 5.4 units per 1,000 square feet.



residential projects, and LASD may be unable to transfer floor area to office projects in East Whisman. This puts the LASD school funding at greatest risk, but would give the residential projects the greatest leverage and feasibility.

2. Allow TDR projects to go forward collectively, subject to limitations.
  - Specific procedural requirements of Jobs-Housing Linkage Strategy would not apply (e.g., office developments would not need to specifically partner or facilitate residential development). Residential developments would not be able to partner with office developments outside the group of TDR projects.
  - Overall office floor area by TDR projects may be limited by the Jobs-Housing Linkage requirements. For example, the 339 North Bernardo Avenue project may be limited to 187,000 net new square feet, not including the transferred floor area (unless additional housing is created or facilitated). This may change based on the number of units approved at residential projects.
  - Any subsequent school district floor area transfers into or out of East Whisman (such as if a residential project withdraws and the purchased floor area is sold to a different development) would be reviewed for compliance with overall Jobs-Housing Linkage requirements. This may limit how this floor area may be resold, putting LASD school funding at some risk.
3. Exempt school district TDR projects from Jobs-Housing Linkage requirements.
  - The Precise Plan may exempt school district TDR projects from the Jobs-Housing Linkage Strategy (but may require additional public benefits). This would create the simplest review process for office developments.
  - This would likely result in more office growth than housing growth in the Precise Plan area, based on the proposed floor area of the 339 North Bernardo Avenue project.
  - If residential projects withdraw and LASD sells the floor area to office projects instead, the office growth could be significantly higher.
  - This option provides the greatest flexibility to the school district to sell floor area to development projects.

*Question No. 1: What option does the City Council prefer for how the Jobs-Housing Linkage Strategy should apply to the LASD TDR projects?*

*EPC Comments*

The EPC tentatively supported Option 2, subject to further review of the draft Precise Plan. While most EPC members stressed that the overall jobs-housing balance of the East Whisman area should be enforced, they were concerned that the Public Draft review process may identify additional edits to the Jobs-Housing Linkage requirements that may further complicate the LASD TDR project review. Additional detailed comments included:

- Consider that applicants have been working on their projects since before the Jobs-Housing Linkage requirements were developed.
- The Precise Plan language should not be determined by development projects.
- Some of the Jobs-Housing Linkage requirements may be unrealistic and may apply too much complexity and constraints on the residential projects.

*Public Comment*

SummerHill Housing Group provided a letter (included in Attachment 3) and spoke at the EPC meeting. They expressed concern regarding timing requirements associated with the Floor Area Transfer program (Page 168).

**Neighborhood Commercial Strategy**

In June 2018, the City Council reviewed the Precise Plan's proposed neighborhood commercial strategy. The key elements of the strategy include:

- No net decrease in neighborhood commercial floor area southwest of the Whisman Road/Middlefield Road intersection (the properties currently occupied by Roger's Deli, 7-Eleven, Carl's Jr., La Costeña, Dollar Tree, etc.);
- Minimum 1,500 square feet of neighborhood commercial uses at key locations elsewhere in the Plan area (see Map 1);
- Standards and design guidelines that incentivize "Active Frontages" that can readily be occupied by neighborhood commercial uses;

- FAR exemptions and public benefit incentives for neighborhood commercial uses;
- Allowed neighborhood commercial uses throughout the Precise Plan; and
- Targets for neighborhood commercial floor area in each character area, to which individual development applications will be compared. These targets are not mandatory, but are used to monitor development and review projects based on complete neighborhood expectations.

In general, the City Council supported the strategy, but added that it is important that a grocery store be provided. In response, a grocery store was explicitly added to the complete neighborhood targets (which are not hard requirements, but guidance for reviewing new developments).

Neighborhood commercial floor area is relatively costly to construct, and rent returns are relatively low, so developers are frequently reluctant to provide those uses within their projects. Based on this, it is possible that the “neighborhood target” framework may not be adequate to achieve the targets, especially where neighborhood commercial businesses may be most successful. In general, there is a trade-off between certainty and flexibility in the provision of neighborhood commercial floor area, where the “neighborhood target” provides more flexibility, but the on-site requirements provide more certainty.

The required floor areas in key locations are based on the minimum necessary floor area for a functional commercial tenant space (1,500 square feet). In the Village Center, the existing commercial floor area will be maintained as a minimum, since commercial uses benefit from being surrounded by other commercial uses. The floor area targets were developed based on the expected demand for commercial floor area from the increase in residential and office density.

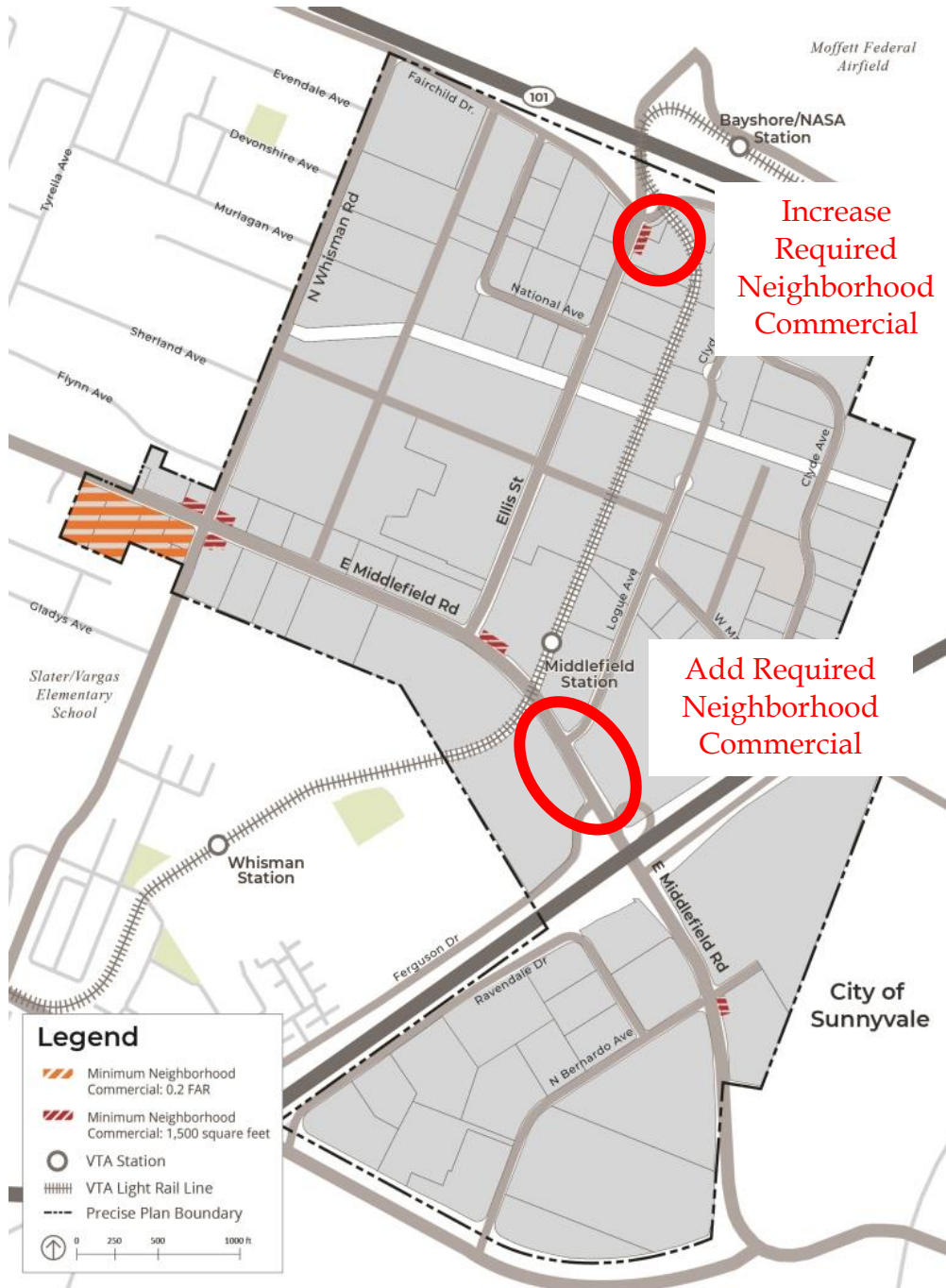
Table 2 compares the neighborhood commercial targets with the floor area required in each character area. It is not appropriate to require 100 percent of the targets on specific properties, based on unknown characteristics, timing, and location of future development. However, the required proportions of each character area’s targets are as low as 7.5 percent of the target.

**Table 2: Neighborhood Commercial Requirements**

<b>Character Area</b>	<b>Existing Floor Area (sq. ft.)</b>	<b>Required Floor Area (sq. ft.)</b>	<b>Floor Area Target (sq. ft.)</b>	<b>Portion of Target Required</b>
Mixed-Use	0	4,500	40,000 to 60,000	7.5% to 11%
Village Center	51,000	51,500	70,000 to 90,000	57% to 74%
Employment North	5,000	1,500	15,000	10%
Employment South	0	1,500	10,000	15%

If the City Council increases the amount of required neighborhood commercial floor area, the East Whisman area will be more likely to have the mix of restaurants, daily goods and services, and small businesses that can reduce the need for vehicle trips and increase neighborhood desirability. On the other hand, some development projects may become less feasible.

**Map 1: Possible Additions to Neighborhood Commercial Requirements**



Possible additional locations to require neighborhood commercial uses are shown in Map 1. Adding neighborhood commercial uses to these locations may create more successful opportunities for neighborhood commercial businesses, based on their

visibility and access from major freeways. However, it may also compete with and reduce the appeal of the existing Village Center as a neighborhood destination.

If the City Council is concerned about the feasibility of development projects with required ground-floor commercial, the Precise Plan team can continue to develop alternative strategies. For example, development may have requirements and incentives to construct the spaces so they are designed to accommodate future commercial uses but may be allowed to tenant those spaces with offices or residential amenities for a limited period of time.

*Question No. 2: Should additional required neighborhood commercial locations be added and/or should the required minimum neighborhood commercial floor areas be increased?*

#### *EPC Comments*

The EPC recommended that requirements for neighborhood commercial floor area should be increased. Detailed comments also included the following:

- Orient neighborhood commercial around the Middlefield Light Rail Station.
- Ensure there is a tenant space large enough for a grocery store, especially in the Village Center.
- These uses should not be scattered – a critical mass should be created in one spot.
- Add walkable restaurants and other opportunities for vibrancy.

#### **Other Comments**

If the City Council has questions or comments on other content in the Draft Precise Plan, this meeting may be the best opportunity to discuss them. There will also be a meeting in June, where the expected topics of discussion will include:

- The DEIR and projected transportation impacts;
- South Employment Character Area FAR: 0.5 FAR or 0.75 FAR;
- Floor area in the Development Reserve: 1.6 million square feet to 2.2 million square feet;
- Trip-cap phase-in details; and

- Street C between Ellis Street and Logue Avenue across light rail tracks: at-grade vehicle street or grade-separated, multi-use path.

One possible area of discussion could be how the LASD TDR developments comply with the draft Plan. These projects submitted applications prior to the Precise Plan's Public Draft, and their early submittals were, in several key ways, inconsistent with the City Council's Precise Plan direction, and staff and consultant design recommendations. In addition, two letters have been received regarding the Public Draft of the Precise Plan from LASD TDR developments, identifying concerns about some standards (Attachment 3–Public Comment). In general, some standards may be eligible for exceptions or other flexibility within the Precise Plan;<sup>3</sup> others may be eligible for exceptions based on the additional requested FAR.

The following development standards have been identified as inconsistent with proposed developments, or public comment has expressed concern about:

- *Residential Base FAR (Pages 68 and 76, and the General Plan Amendment)* – The Precise Plan sets tiers of development intensity (see Attachment 5 – Bonus FAR Options Diagram), to encourage community benefits, support for schools, additional affordable housing, and other opportunities for City discretion from higher-density development. Some developers have expressed concern that the Base FAR is set too low to promote residential development, forcing residential developers to provide too much and too uncertain community benefits and school contributions. The proposed Base FAR (1.0 in the Mixed-Use area and 0.9 in the Village Center area) is the minimum necessary for multi-family or rowhouse development. It is also low enough that the Bonus FARs provide similar or better returns to developers.
- *Common Usable Open Area (Pages 61 and 68)* – The Precise Plan sets requirements for minimum common usable open area to support a range of passive and active open space recreation opportunities within both residential and nonresidential developments. In residential developments, the amount required is based on the number of units; in nonresidential developments, the amount required is based on the building floor area. In addition, minimum dimensions of the open area are required to support a range of comfortable activities, and new publicly accessible greenways, paseos, and multi-use paths may not be considered common usable open area. Developers have expressed concern about the minimum dimensions

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<sup>3</sup> The TDR developments will be required to comply with the Precise Plan and General Plan. However, the Plan includes a process and findings for exceptions (Page 172), including that the exception results in superior design and meets the intent of the Plan. Exception determinations will be made on a project-by-project basis.

required, and the requirement that required paseos and greenways cannot count to the open area requirement.

- *Mixed-Use Area Setbacks and Service Street Dimensions (Pages 68 and 140 to 144)* – The Precise Plan sets setback requirements from both public streets and private internal streets and paths. In addition, the cross-sections and character of those streets and paths are well defined. The result is a building separation requirement around new streets and paths through sites. The following is a summary of those building separation requirements:

	<b>Minimum Separation – Commercial Frontage* (with/without fire access)</b>	<b>Minimum Separation – Other Frontages (with/without fire access)</b>
Service Street	56' / 52'	66' / 62'
Greenway	52' / 46'	
Paseos and Multi-Use Paths	46' / 40'	

\* "Active Priority Frontages," including storefront.

Developers have expressed concern about the size of these building separations, as they can affect the flexibility, density, and design of their projects.

These dimensions consider issues such as privacy, landscaping, tree canopy, visibility/wayfinding from public streets, pedestrian comfort, and relief from long building facades. The following are examples of existing building separations in Mountain View (as a basis of comparison):

- Park Place residential paseo – 45'
- Park Place commercial paseo, between Starbucks and Mediterranean Grill – 35'
- San Antonio Center Phase 2 service street, between hotel and parking garage – 59'

The location of new publicly accessible paths and/or service streets is suggested by the Conceptual Public Circulation Map (Page 80). These locations are conceptual, and subject to change with development applications. However, if relocated paths and/or service streets have the potential to affect the feasibility of development at other properties, applicants are required to demonstrate otherwise through a Block Circulation Plan submittal requirement (described on Pages 78 and 175).



- *Employment Area Setbacks (Page 72) and Extent of Surface Parking (Page 121)*— Consistent with the character area descriptions provided to Council in February 2018, new developments in Employment Areas should be “campus-like environments, with landscaped public and private amenity areas and pathways, with buildings accessible from and oriented to the street, without necessarily creating a urban street frontage.” While no formal comment has been received on this issue, informal applications from some office projects have been inconsistent with the standards in the Plan. Based on previous office projects approved (700 East Middlefield Road and projects on Clyde and National Avenues), minimum setbacks were established to achieve the desired character, considering landscaping, open areas, tree canopy, separations between buildings, and access to the sidewalk. In addition, to maximize the available space for open area, surface parking is highly discouraged.
- *Additional Flexibility for TDR Projects (Page 60)*—Floor area transferred into the Precise Plan area is exempt from FAR maximums. Developers have expressed interest in seeing flexibility for other standards, such as height. While exceptions to some standards may have a clear relationship to the transferred floor area, other standards may not, and the City should have discretion to review the exceptions for their relationship to the floor area.

*Question No. 3: Does the City Council have any comments on the standards, or any other comments on the Draft Precise Plan?*

#### *EPC Comments*

The following is a summary of EPC discussion themes during their general deliberation. More detailed comments are provided in Attachment 4 (Detailed EPC and B/PAC Comments).

- The School Strategy should provide more guidance and certainty; do not force everyone to cut their own deal.
- The EPC should have recommendation authority over Bonus FAR projects.
- Maintain or increase the Jobs-Housing Linkage ratio requirements.
- Consider alternatives to the current residential Base FAR.

## **General Plan Amendments**

The Precise Plan is associated with several General Plan amendments, which are attached to the Report (Attachment 7–Draft General Plan Amendments). These amendments also affect development, which must show consistency with the General Plan. The proposed General Plan amendments reflect policy direction established through the Precise Plan process, including outreach, and EPC and City Council direction.

Among the necessary General Plan amendments is the revised Land Use Map. A new East Whisman Mixed-Use designation is proposed, similar to the North Bayshore Mixed-Use, but with reflecting the specific heights and FARs proposed for the area. It has the same boundaries as the Mixed-Use Character Area and the Village Center.

In February 2018, staff reported that the likely General Plan designation at the Village Center would be “General Mixed-Use,” based on the desired FARs. Upon further analysis, staff is recommending that the Village Center’s designation be consistent with the rest of the East Whisman Mixed-Use area, so that the FAR direction in the General Plan may better match the Bonus FAR strategy of the Precise Plan (specifically, residential projects are only allowed up to 0.9 FAR without Bonus FAR in the Village Center; this would be inconsistent with the General Mixed-Use General Plan designation, which allows up to 1.35 FAR without Bonus FAR). The proposed designation clearly states the height and FAR requirements that apply specifically to the Village Center area.

## **Additional Issues**

**School Strategy.** Previous Council direction (in October 2018) on an East Whisman School Strategy included the following:

- Support for a Citywide approach to middle school and high school demand;
- Principles for school strategy discussion: maintain existing quality of classrooms and campuses; office and residential should provide part, but not all, the necessary resources; and future applicants should have predictability regarding their obligations; and
- Establish a contribution value for school resources.

As with the North Bayshore Precise Plan, this draft Precise Plan requires developers to work with the school districts and to develop a local school strategy to address changes

in school enrollment due to development. The school strategy can include a variety of approaches, including, but not limited to, a voluntary contribution for school resources or dedication of land for a school site or expansion of an existing school site. The developer and the school district will enter into an agreement to implement the strategy after the City Council reviews the school strategy as part of the development review process and approves it through a condition of approval.

Staff is working on a school strategy framework on a Citywide basis (and will collaborate with school districts and developers) that would be outside of the Precise Plan; staff expects to bring it to the City Council in fall 2019. If approved, each development would be reviewed based on guidance in the school strategy framework and the agreement requirements in the Precise Plan.

**Design Guidelines Reformatting.** Staff is exploring possible reorganization of Chapter 4 (Design Guidelines) to provide more narrative and less repetition. These changes would be after the public draft and will incorporate any public or Council comments.

**Flynn Avenue Frontage.** The Precise Plan includes a small area fronting on Flynn Avenue within the 282 East Middlefield Road project site. Existing development on Flynn Avenue includes 1- to 2-story townhomes, duplexes, and single-family homes. To respond to this character, the Precise Plan limits buildings within 100' of Flynn Avenue to two stories and residential uses (Pages 76 and 77).

**Recommendation Authority.** See Chapter 6, Section 6.2.1. In the North Bayshore Precise Plan, Bonus FAR projects are reviewed by the Zoning Administrator, who makes a recommendation to the City Council. In the El Camino and San Antonio Precise Plans, these projects are reviewed by the EPC. The draft language uses North Bayshore as a model (no recommendation by the EPC, except for Master Plans).

**Master Plan Process.** See Chapter 6, Section 6.3.2. Similar to the North Bayshore Precise Plan, Master Plan applications would be reviewed by the EPC and City Council. Project applications associated with an approved Master Plan would be eligible for expedited review, including final action by the Zoning Administrator.

## **RECOMMENDATION**

The Precise Plan team is seeking City Council input on the following questions:

1. What option does the City Council prefer for how the Jobs-Housing Linkage Strategy should apply to the LASD TDR projects?
  - Maintain requirements for all TDR projects individually.
  - Allow TDR projects to go forward collectively, subject to limitations.
  - Exempt school district TDR projects from Jobs-Housing Linkage requirements.
2. Should additional required neighborhood commercial locations be added and/or should the required minimum neighborhood commercial floor areas be increased?
3. Does the City Council have any comments on the standards, or any other comments on the Draft Precise Plan?

## **NEXT STEPS**

The DEIR is anticipated for release in late May or early June. Additional Study Sessions with the EPC and City Council are tentatively scheduled for June. The tentative topics for discussion include:

- The DEIR;
- Floor area ratio in the South Employment Character Area and floor area in Development Reserve;
- Vehicle access and grade separation across the light rail tracks;
- Possible revisions to the trip-cap based on further EIR analysis; and
- Human Rights analysis.

Final Plan adoption is tentatively scheduled for the fall.

## **PUBLIC NOTICING**

The Environmental Planning Commission (EPC) agenda is advertised on Channel 26, and the agenda and this Study Session item appear on the City's website. All property owners and tenants within the Plan area and within a 750' radius of the Plan area (including property owners in the City of Sunnyvale) were notified of this meeting by mailed notice. Other interested stakeholders were notified of this meeting via the project's e-mail notification system, including adjacent neighborhood associations—Wagon Wheel, North Whisman, Slater, and Whisman Station Homeowner Associations. Project and meeting information is posted on the project website:

<http://www.mountainview.gov/eastwhisman>.

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- Attachments:
1. Summary of Prior Meetings
  2. [East Whisman Precise Plan Public Draft](#)
  3. Public Comment
  4. Detailed EPC and B/PAC Comments
  5. Bonus FAR Options Diagram
  6. LASD TDR Project Data
  7. Draft General Plan Amendments