

April 17, 2019

*Via email: [epc@mountainview.gov](mailto:epc@mountainview.gov)*

Environmental Planning Commission  
City of Mountain View  
500 Castro Street  
Mountain View, CA 94041

Re: East Whisman Precise Plan Public Draft

Dear Commissioners,

On behalf of SummerHill Housing Group, thank you for the opportunity to provide comments on the East Whisman Precise Plan Public Draft. We appreciate the time and effort that Staff has invested in preparing the Precise Plan, and we share Staff's desire to shape the Precise Plan into a document that will successfully facilitate the development of a sustainable, transit-oriented residential neighborhood and commercial center in the East Whisman area.

As you know, SummerHill submitted an application in June 2018 to develop approximately 450 new homes on a 6.0-acre site at 355 – 415 E. Middlefield Road, with a mix of ownership condominiums and rental apartments. Since that time, SummerHill has been working with Staff to refine the project to meet the evolving objectives and design standards of the Precise Plan.

### ***Jobs-Housing Linkage***

SummerHill supports the City's goal of linking job growth to housing growth in the Precise Plan area. Linking job growth to housing growth will facilitate residential development by encouraging commercial developers to work with residential developers to offset the substantial fees and requirements that impact residential development.

However, SummerHill requests that the City eliminate the timing requirement in paragraph 6.1.2(9)(f) of the Plan, which requires that the "receiving" commercial project must be entitled before the "sending" residential project is 50% occupied. The timing requirement introduces uncertainty and reduces the value of the development right, thereby reducing the incentive for commercial developers to work with residential developers.

In addition, the Plan should be revised to clarify that residential developers may enter into agreements with commercial developers to transfer full credit for any existing commercial square footage that is demolished to make way for the residential project, without imposing any requirement as to when the development rights may be exercised by the commercial developer.

### ***Obstacles to Residential Development***

As noted in Chapter 2 of the Draft Plan, the first guiding principle of the East Whisman Precise Plan is to transform the East Whisman area into a mixed-income community with a balance of renters and owners. However, several of the proposed policies in the Draft Plan would discourage residential development by imposing substantial new fees. These proposed policies should be revised to facilitate, rather than discourage residential development.

#### **Increase Residential Base FAR**

SummerHill requests that the Base FAR for residential development be increased from 1.0 to 2.5, or higher. The Draft Plan calls for 4,900 new homes in the Plan area, but a Base FAR of 1.0 would only allow for a maximum density of about 20 – 25 units per acre, which is much too low to achieve 4,900 new homes.

East Whisman is a transit-oriented area with major employment centers nearby, and the Plan should encourage residential density in the range of at least 50 – 100 units per acre in order to meet the goal of 4,900 new homes. To achieve this, the Base FAR for residential development should be increased to at least 2.5, which would allow about 50 – 60 units per acre.

#### **Eliminate LSDS Requirement**

SummerHill requests that the City eliminate the requirement to submit a Local School District Strategy. We understand the City's desire to support the school districts, but requiring developers to negotiate an agreement with the districts introduces tremendous uncertainty into the process, which in turn jeopardizes the viability of residential development in the Plan area.

Instead, we recommend that the Draft Plan give developers the option of entering into a Local School District Strategy as a way to provide a Community Benefit Contribution for the project.

#### ***Common Useable Open Area***

We appreciate Staff's desire to provide as much open space as possible in new residential projects, but some of the proposed requirements are inconsistent with the requirements that the City has set for similar projects in similar areas elsewhere in the City and exceed what is needed to achieve the City's objectives:

- The minimum dimension for Common Useable Open Area should be 20 feet, consistent with the El Camino Real Precise Plan, not 25 feet. (See paragraph 3.3.3(3).) A minimum dimension of 20 feet provides plenty of space for a pleasant useable area.
- The Plan should allow greenways, paseos, mews and multi-use paths to be included in the calculation of Common Useable Open Area, regardless of whether they are provided to meet mobility requirements. (See paragraph 3.3.3(3).) For example, with benches and landscaping, greenways, paseos, mews and multi-use paths provide space for active or passive use by residents.

- Indoor common amenity spaces should count towards the Common Useable Open Area requirement, where the indoor space serves a purpose similar to an outdoor space. For example, fitness centers provide a year-round alternative to outdoor exercise, and club rooms provide an alternative to passive outdoor lounge spaces.

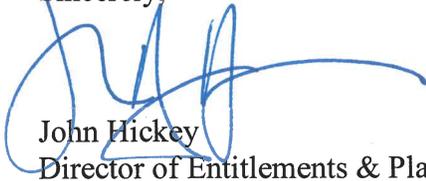
***Service Streets, Greenways and Mews/Paseos/Multi-Use Paths***

- SummerHill requests that where service streets, greenways, or mews/paseos/multi-use paths are shown on a shared property line in the Conceptual Public Circulation Map in figure 19, a property owner only be required to provide half of the required width, with the expectation that the adjoining property owner will provide the other half of the service streets/paseos/greenways when the adjoining property is developed. (See paragraph 5.2.1(4).) Otherwise, the Plan rewards property owners for delaying new development until after adjoining sites have been developed.
- The Plan should clarify that mews/paseos/multi-use paths shown on the Conceptual Public Circulation Map in figure 19 are not required to be a specific width or to be designed according to the sections shown in chapter 5.
- To be consistent with the guidance provided by the City Council, the Plan should clarify that the locations of service streets, greenways, or mews/paseos/multi-use paths shown on the Conceptual Public Circulation Map in figure 19 are **flexible**. SummerHill requests that the Plan be revised to clarify that a developer would only be required to submit a revised conceptual block circulation plan if the developer is proposing to change the alignment of an avenue, a local street, or a residential street.

We appreciate the opportunity to comment on the East Whisman Precise Plan Public Draft and look forward to continuing to work with Staff.

Thank you.

Sincerely,



John Hickey  
Director of Entitlements & Planning

cc: Eric Anderson, Senior Planner



April 17, 2019

VIA Electronic Mail

Pamela Baird, Chair  
And Members of the Environmental Planning Commission  
City of Mountain View  
500 Castro Street  
Mountain View, CA 94041

Dear Chairperson Baird and Members of the Environmental Planning Commission:

We are writing on behalf of Miramar Property Group (Miramar) which is seeking entitlements for a multi-family residential project located at 400 Logue Avenue (Project). The Project is located within the East Whisman Precise Plan (EWPP) area in the Mixed-Use Character Area at the intersection of Logue Avenue and Maude Avenue within ¼ mile of the Whisman VTA station. The Project proposes approximately 365 units, including both rental and for-sale product to diversify the City of Mountain View's (City's) housing stock.

The Project is undergoing planning review under a Gatekeeper Application authorized by the City Council on May 22, 2018. The Gatekeeper Application acknowledges that Miramar has signed a Letter of Intent with the Mountain View Los Altos School District to acquire an additional 72,000 square feet of FAR through the Transfer of Development Rights (TDR) process. In order to accommodate the TDRs on this Project site, Miramar seeks approval of increased density (FAR) and additional height beyond what is currently contemplated in the draft EWPP. Therefore, after our review of the draft EWPP, we believe the draft EWPP could benefit from a few clarifications that will provide more clarity for our application, as one of only 2 residential projects in the EWPP to date, to move forward under the TDR program and help advance the EWPP goal of encouraging and facilitating residential development in EWPP area.

**1. FAR and Height**

The draft EWPP defines residential FAR to be between 1.0 and 3.5. While the Project satisfies the criteria for the 3.5 Bonus FAR, we are proposing a 4.15 FAR in order to utilize the additional TDR square footage. The draft EWPP defines the maximum building height in the Mixed-Use High Intensity Character Area to be eight (8) stories or 95 feet. In order to accommodate the TDR square footage and the increased FAR on the Project site, the Project will need to have building heights ranging from eight (8) to eleven (11) stories, thus optimizing the approximately 128 foot building height allowable under the Moffet Federal Airfield Comprehensive Land Use Plan.

Section 3.3.2(c) of the draft EWPP states that “[d]evelopment rights purchased from a school district to create a new school within the City of Mountain View may be excluded from allowable gross floor area calculations, subject to Gatekeeper Authorization and a Development Agreement.” (Draft EWPP, p. 60). Given that FAR and height appear to be the most logical “exceptions” or “exclusions” enjoyed by virtue of the TDR program, Miramar believes that the language of Section 3.3.2(c) could more clearly and explicitly state the City's intent to grant additional FAR and height in exchange for the purchase of TDRs.

2. **“Street C”**

We understand that Street C, currently shown in the EWPP along the north property line of the Project, will be up for discussion at the Study Session in June. However, we would like to emphasize tonight that, not only has VTA indicated unequivocally that it would not grant a grade level street crossing because of the proximity to the current Whisman Station, but that the setback required to accommodate a Street C right-of-way would not permit the Project to be developed. Miramar has been working with the City’s planning staff on designing an elevated bicycle/pedestrian crossing that will be more compatible with the spirit and intent of the EWPP, would have a higher likelihood of being permitted by VTA, and would have a much higher likelihood of being constructed at some point. This alternative should be reflected in the final EWPP.

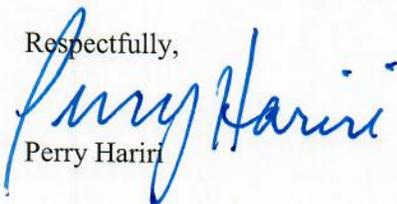
3. **Development Standards**

Because the Project site is uniquely constrained by its size and location, it is highly likely that we will need to seek certain exceptions as set forth in Section 6.2.3 of the draft EWPP, notably setback relief. We understand that any request for exception(s) must demonstrate that the requested exception(s) both meet the intent and purpose of the EWPP and will result in a superior project design or outcome for the community. While we intend to meet these thresholds with respect to any exception request, we also believe it is important for the City to consider participation in the TDR program as one of only 2 residential projects, as an additional justification for granting exception requests.

We remain excited to bring forward approximately 360 residential units in close proximity to transit with high sustainability standards and affordable housing in the EWPP.

Thank you for your consideration.

Respectfully,



Perry Hariri

cc: Eric Anderson  
Margaret Netto



April 30, 2019

Ms. Aarti Shrivastava  
Assistant City Manager and Community Development Director  
City of Mountain View  
500 Castro Street  
Mountain View, CA 94039

**RE: East Whisman Precise Plan Draft (“EWPP”)**

Dear Ms. Shrivastava:

Redevelopment of the East Whisman area creates a terrific opportunity for the City of Mountain View to achieve many of the 2030 General Plan goals, including: adding affordable housing, creating sustainable and walkable developments, establishing a more intensive mix of commercial and residential land uses, and reducing traffic and carbon emissions for the greater area. Prometheus Real Estate Group owns 675-685 East Middlefield, totaling approximately 10.5 acres (highlighted on the attached map), and our hope is to be able to add housing units to this area and offset the amount of jobs that already exist or that will be added nearby.

We support the City’s efforts to plan and encourage redevelopment in East Whisman, and we appreciate all of the time that the staff and consultants have put into this effort thus far. After reviewing the EWPP draft we wanted to highlight current obstacles to residential redevelopment found in the plan and want to encourage more practicality and fairness for existing owners in the area.

**Residential Base FAR**

Prometheus encourages the City to consider ways to promote residential redevelopment in this area where office development has the marketplace advantage. Increasing the Base FAR for residential projects allows the EWPP to approach its housing goal and creates reasonable density using Mountain View’s own current standards. As it is, residential projects must stretch into unsettled guidelines for the bonus FAR. Prometheus encourages the City Council to consider 2.50 Base FAR as a starting point, establishing use for residential parcels at ~65 units per acre, a typical development in Mountain View.

**Jobs-Housing Linkage**

The jobs-housing linkage is a promising idea to encourage residential development alongside commercial development, but it’s unclear if the EWPP mechanism to do so will work as planned. On the surface, the timing provisions of the plan require two major projects to be near perfect in synchronization with regards to approvals and construction. The reality of development in practice is inconsistent with the ability to line up two major projects in this manner. This proposal can be simplified and that likely would stimulate participation, but as it’s written currently, the risks far outweigh the benefits for standalone residential development.

**Impact Fee Ambiguity**

Simple guidelines for community benefits, traffic fees and mitigation plans, and school fees are needed with certainty to evaluate and implement development projects. EWPP is unsettled on a significant amounts of impact fees that will be required for schools and city benefits. Prometheus



understands the need for projects to support local schools and mitigate our impact on the community, but requiring developers to negotiate with the schools and the city without any clear guidelines or reasonable indication of the fee amounts, compromises a developer's ability to evaluate a project's feasibility.

**Public Right of Ways**

The EWPP public street network potentially encroaches on all borders of our site - Middlefield Road and Ferguson Drive. Turning Middlefield into a parkway will result in a taking of more than 2,600 sf along the edge of our parcel, without clarity on any compensation in return. With the potential for adding a bike path along Ferguson also being a possibility, a street widening project is likely to encroach on our site even further. Please consider the encroachment on private property when determining the final street network of EWPP.

**Interior Street Widths**

The minimum width plus setbacks for EWPP's interior streets is likely to discourage connectivity within parcels. As written the minimum standard for an interior or surrounding service streets (42'-46' ft wide) and greenways (36'-42' ft wide) is significant jump from current standards throughout the city (26' ft). With this in mind, the phased development of large parcels is impractical.

Thank you for the opportunity to participate in the plan discussion and we look forward to continuing to work with Staff.

Sincerely,

Jon Moss  
Executive Vice President, Partner  
Prometheus Real Estate Group

CC: Eric Anderson, Senior Planner, City of Mountain View  
Adam McMichael, Development Manager, Prometheus Real Estate Group

# Prometheus Real Estate Group

675-685 East Middlefield Rd



isman Station

675 Middlefield

Google Earth

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1000 ft