



# COUNCIL REPORT

**DATE:** April 28, 2026

**CATEGORY:** Public Hearing

**DEPT.:** Community Development

**TITLE:** **Mixed-Use Development at 843-903 Castro Street, 700 West El Camino Real, and 750 Fairmont Avenue**

## **RECOMMENDATION**

1. Adopt a Resolution of the City Council of the City of Mountain View Ordering the Conditional Vacation of the Existing Public Street Known as Fairmont Avenue, Between Castro Street and Hope Street, and a Five-Foot Street and Utility Easement Thereon, to be read in title only, further reading waived (Attachment 1 to the Council report).
2. Adopt a Resolution of the City Council of the City of Mountain View Declaring the City-Owned Portion of Fairmont Avenue, Between Castro Street and Hope Street, to be Exempt Surplus Land Pursuant to Government Code Section 54221(f)(1)(E) Upon the Vacation of Fairmont Avenue as a Public Street and Public Easement, to be read in title only, further reading waived (Attachment 2 to the Council report).
3. Approve the Key Terms for the Sale of Approximately 11,028 Square Feet of a Former City Street and Easements Upon the Vacation of Fairmont Avenue Between Castro Street and Hope Street, to Castro GPRV 10, LLC, for \$4,200,000, and Authorize the City Manager or Designee to Execute a Purchase and Sale Agreement and Take All Necessary Actions Related to the Sale of the City-owned Fairmont Avenue, Between Castro Street and Hope Street, to Castro GPRV 10, LLC.
4. Adopt a Resolution of the City Council of the City of Mountain View Conditionally Approving a Planned Community Permit and Development Review Permit to Construct an Eight-Story Mixed-Use Development with 140 Residential Condominium Units, 9,743 Square Feet of Ground-Floor Commercial Space and Two Levels of Below-Grade Parking, Utilizing State Density Bonus Law, Replacing Existing Commercial Properties and Four Residential Units, a Provisional Use Permit to Allow Residential Uses (On Upper Floors Only) Along the Castro Street Frontage, and a Heritage Tree Removal Permit to Remove Seven Heritage Trees on a 1.43-Acre Site Located at 843-903 Castro Street, 700 West El Camino Real, and 750 Fairmont Avenue (APN 158-06-008, 158-06-010, 158-06-036, 158-06-037, 158-06-038, and 158-06-039), and Finding the Project to be Categorically Exempt from the California Environmental Quality Act (CEQA) Pursuant to Section 15332 ("In-Fill Development

Projects”) of the CEQA Guidelines, to be read in title only, further reading waived (Attachment 3 to the Council report).

5. Adopt a Resolution of the City Council of the City of Mountain View Conditionally Approving a Vesting Tentative Map to Create One Parcel with 140 Residential Condominium Units and Six Commercial Units at 843-903 Castro Street, 700 West El Camino Real and 750 Fairmont Avenue (APN 158-06-008, 158-06-010, 158-06-036, 158-06-037, 158-06-038 and 158-06-039), to be read in title only, further reading waived (Attachment 4 to the Council report).

## **BACKGROUND**

**Project Location:** 843-903 Castro Street, 700 West El Camino Real, and 750 Fairmont Avenue (APN 158-06-008, 158-06-010, 158-06-036, 158-06-037, 158-06-038, and 158-06-039), near the northeastern corner of Castro Street and West El Camino Real.

**Project Lot Size:** 1.43 acres.

**General Plan Designation:** Downtown Mixed-Use and Medium-Density Residential.

**Zoning Designation:** P(19) Downtown Precise Plan (DTPP).

**Surrounding Land Uses:** North—one-story multi-tenant commercial building fronting Castro Street and three 2-story residential homes along Hope Street; east—lower-density residential neighborhood across Hope Street; south—Gateway Plaza and (across West El Camino Real) an existing Chase Bank and proposed six-story mixed-use residential development (on Chase Bank site); and west—a four-story office building (across Castro Street).



**Figure 1: Location Map**

**Current Site Conditions:** Existing commercial properties (on Castro Street and West El Camino Real parcels) and four residential units (on the 750 Fairmont Avenue parcel).

**Applicant/Owner:** Glen Yonekura for Castro GPRV 10, LCC.

**Project Overview**

The project would redevelop the proposed site with an eight-story, mixed-use development with 140 residential condominium units, 9,743 square feet of ground-floor commercial space, and two levels of below-grade parking, utilizing State Density Bonus Law, and replace the commercial development and residential units on the existing parcels (see Attachment 5—Project Plans). The project includes a Provisional Use Permit to allow upper-floor residential uses (along the Castro Street frontage only) and a Vesting Tentative Map to create one project parcel with 140 residential condominium units and six commercial condominium units. The project also includes a proposal for the City to vacate and sell a portion of the Fairmont Avenue public right-of-way, between Castro Street and Hope Street, to incorporate into the project site, which is necessary to make the project viable as proposed.



Figure 2: Site Plan

The proposed building wraps around Gateway Plaza with two at-grade paseos providing public pedestrian access through site. The east-west paseo (Fairmont Paseo) connects between Hope Street and Castro Street; Floors 4 through 8 of the building bridge above the paseo in the western half of the paseo (closest to Castro Street). The second paseo connects between the Fairmont Paseo and Gateway Plaza and is fully covered (above ground level) by the proposed building. The project includes 9,743 square feet of ground-floor commercial space (shown in blue in the site plan above), fronting on Castro Street and Gateway Plaza, with 140 residential condominium units (in orange), including 22 affordable units (15% of the unit total), residential lobbies and amenity rooms (in pink), and utility/service rooms (in yellow) in the balance of the building area. The unit mix consists of eight studios, 32 one-bedroom units, 73 two-bedroom units, and 27 three-bedroom units, ranging in size from 728 square feet to 2,062 square feet.

The project includes the removal of seven Heritage trees and preservation of the most prominent on-site Heritage tree located near the existing intersection of Fairmont Avenue and Hope Street, as discussed later in this report. As a mixed-use development in the DTPP area, there is no minimum parking requirement for the residential component of the project, but commercial parking is required. The project proposal includes 33 parking spaces to comply with the minimum commercial parking standards for the project and voluntarily provides 167 residential parking spaces (or approximately 1.2 spaces per unit) for the 140 residential units in the development.

### Density Bonus Request

Pursuant to State Density Bonus Law (Gov. Code § 65915), a city must permit the construction of additional residential units and, if requested by the applicant, provide regulatory incentives or concessions, waivers of development standards, and reduced residential parking ratios to applicants who build a certain percentage of affordable housing that meets statutory criteria. The project is a housing development with a base density that allows 70 base project units. Pursuant to Gov. Code § 65915(b)(1) and § 65915(v), the project provides 11 very low-income units (15% of the 70 base project units) and 11 moderate-income units (15% of the 70 base project units), which qualifies the project for a 100% density bonus (70 bonus units for a total maximum project size of 140 units), three regulatory incentives/concessions, and unlimited waivers of development standards that physically preclude development at the allowed density.

The developer submitted a density bonus letter proposing to use the full 100% density bonus that they are eligible to receive in exchange for providing the 22 affordable units noted above and requested one concession and two waivers from the DTPP development standards. Details of the waivers and concession are discussed later in this report.

### Project Application History

This project has a lengthy history that includes a prior entitlement on a smaller project site and

several subsequent applications (informal and formal) and offline submittals between 2019 and 2023 that did not proceed due to inactivity, applicant withdrawal, and/or project noncompliance with allowed density.

On April 7, 2023, the original application for the current proposal was submitted as a seven-story mixed-use project with 128 residential condominium units (utilizing State Density Bonus Law), approximately 14,500 square feet of commercial space, and two underground parking levels. This project scope was found to exceed the maximum allowed density in effect at the time.

On November 6, 2023, the applicant submitted a Senate Bill (SB) 330 Preliminary Application (deemed complete on December 6, 2023) and an updated formal application project scope of work for a seven-story mixed-use project with 104 residential condominium units, slightly lowered commercial area, and two levels of underground parking. This project scope was also found to exceed the maximum allowed density, including the 50% State Density Bonus that was the maximum allowed density bonus for the project at the time.

On February 12, 2024, the applicant made a resubmittal with a revised scope of work to construct an eight-story mixed-use project with 120 residential condominium units, 13,352 square feet of commercial space, and two levels of underground parking. This request included a new “stackable” State Density Bonus, which went into effect on January 1, 2024 pursuant to Assembly Bill (AB) 1287, codified at Gov. Code § 65915(v). Under these new provisions, the project proposal included an 88.75% State Density Bonus request.

On March 12, 2025, the applicant submitted a revised scope of work to construct an eight-story mixed-use project with 140 residential units, approximately 9,700 square feet of ground-floor commercial space, and two levels of underground parking. This revised project scope included a 100% State Density Bonus request and was roughly consistent with the current project.

On September 22, 2025, the applicant submitted a revised State Density Bonus Law request, which updated their Below-Market-Rate (BMR) proposal to bring the project into compliance with previously identified affordable housing requirements, formally notified the City of their intent to rent the proposed residential units for the first 10 years of the project (before selling the units per the proposed condominium subdivision map), and identified a new concession request related to applicable Park Land Dedication In-Lieu fees for the project.

Following the Joint Administrative Zoning and Subdivision Committee hearing summarized below, a dispute arose regarding whether a concession may be used to modify the eligibility criteria for privately owned publicly accessible (POPA) open space credit to be applied toward a reduction of the applicable Park Land In-Lieu Fee, and if so, what amount of POPA open space credit the project should receive. To avoid the delay, expense, and uncertainty of litigation, the City and the applicant reached a compromise and have entered into a negotiated settlement

agreement, which resulted in a condition of approval that requires the applicant to pay a Park Land In-Lieu Fee in the amount of Two Million Dollars (\$2,000,000).

### **Prior Meetings and Hearings**

#### **Previous Entitlement**

On May 22, 2015, a formal application was submitted to construct a four-story mixed-use project with 18 residential condominium units, 8,500 square feet of commercial space and two levels of underground parking on a 0.4-acre site comprised of three parcels at 843-881 Castro Street.

On June 14, 2016, this project was approved by the City Council, and on April 6, 2018, the project received approval for a one-year project and map extension (PL-2018-026 and PL-2018-028) until June 14, 2019. The applicant did not move forward with the project, and the approval expired.

#### **Design Review Consultation**

The project design was reviewed at two Design Review Consultation (DRC) meetings on July 17, 2024 and November 11, 2024 with the applicant working to address some DRC feedback to try to simplify massing, deemphasize upper floors, design the paseos with public-serving amenities and commercial activation, enhance commercial storefronts per DTPP design guidelines, use residential stoops to provide pedestrian interest and help integrate with the surrounding neighborhood, incorporate warmer residential colors and materials along residential frontages, and maximize natural materials and California native plating in open areas of the project. The DRC also encouraged the applicant to work closely with City staff to find opportunities to preserve existing on-site trees and minimize or avoid impacts to off-site trees.

At the July 17, 2024 DRC meeting, three members of the public provided public comments, and one member of the public provided an email comment (see Attachment 6—Public Comments). One speaker highlighted the importance of including solar panels on the project, encouraged the applicant to replace the glass balcony railings, and requested further refinements to reduce building mass. The second speaker encouraged the applicant to preserve as many trees as possible and to fully evaluate the possible impacts of the underground parking on trees to be preserved. The third speaker was a union representative who encouraged the applicant to use union labor and other best practices.

At the November 11, 2024, DRC meeting, the project was discussed with the DRC. Five members of the public provided verbal comments, and one member of the public provided an email comment (see Attachment 6—Public Comments). Four of the speakers expressed concerns with the height of the building and the lack of residential transition along Hope Street. The speakers also encouraged the applicant to create high-quality paseos, to preserve as many trees as

possible, and to ensure there are no impacts on the Heritage trees along the southern property line (Gateway Plaza). The fifth speaker was a union representative who encouraged the applicant to use union labor and other best practices.

The applicant worked voluntarily with staff to refine the project design to address or partially address many of the DRC recommendations that did not impact proposed project density. These changes included, but were not limited to, preservation of the prominent Heritage tree at the intersection of Fairmont Avenue and Hope Street (Tree No. 18), refined design of ground-level unit stoops, some simplified massing along West El Camino Real, and incorporation of cornice detailing and limited height step-downs to try to deemphasize building massing.

### Neighborhood Meeting

On February 2, 2025, the applicant hosted a neighborhood meeting to discuss the project and gather community input, which was attended by 18 members of the public. Attendees encouraged the preservation of the Heritage tree at the intersection of Hope Street and Fairmont Avenue and expressed concerns with the height of the building. Attendees also asked questions about site logistics, such as the location of the driveway, total number of parking spaces and how they would be managed, and how the solid waste service would be handled. Attendees also touched on proposed tenant relocation and affordable units in the project.

### Administrative Zoning and Subdivision Committee Public Hearing

The project was reviewed by the Zoning Administrator and Subdivision Committee at a joint public hearing on October 22, 2025 (see Attachment 7—[Administrative Zoning/Subdivision Committee Meeting, October 22, 2025](#)), where the project was recommended for conditional approval to the City Council. Staff received two comment letters shortly before the public hearing (see Attachment 6—Public Comments), and no members of the public spoke at the recommendation hearing. The written correspondence included one letter expressing objections to the project, stating the building was too tall, not in keeping with the existing character, and may lead to parking and traffic issues in the area. The other letter was provided by the California Housing Defense Fund and highlighted how the project qualifies for additional density, waivers, and concessions along with legal protections per provisions of State Density Bonus Law and the Housing Accountability Act.

After the project public hearing had concluded, staff received notification that prospective attendees had been unable to log in to the meeting to participate virtually. Staff determined that the virtual component of the meeting was successfully running but unknown technical difficulties prevented some members of the public from joining the meeting. Upon this notification, staff restarted the meeting and people were able to join, but this item had already concluded, and the applicant and members of the Subdivision Committee had already been dismissed. The video

recording of this item was posted online immediately following the meeting so that interested parties could review the proceedings, and a fully combined meeting video with both hearing items from that agenda was posted online by the following day.

Since the joint Zoning Administrator and Subdivision Committee public hearing, staff has made limited revisions to the recommended conditions of approval in coordination with the applicant. The recommended revisions are identified through underline and strikethrough notations in the attached resolutions and include:

- Clarifying edits to reflect best practices from other recently approved projects with specific references to applicable objective standards, such as updates to the condition of approval for ground-floor transparency, ground-floor equipment screening, and rooftop equipment screening per DTPP requirements.
- Deletion of redundant conditions of approval. For example, the street tree condition of approval was deleted from the Planning Division section since it was addressed and reviewed under a Public Works conditions of approval for off-site improvements.
- Updated/deleted conditions to reflect terms of the negotiated settlement agreement for Park Land Dedication Fee requirements.

## **ANALYSIS**

### **General Plan**

The site has General Plan Land Use Designations of Downtown Mixed-Use and Medium-Density Residential, which either incorporate DTPP density/intensity by reference or provide for slightly less than the DTPP densities applicable to the site. Therefore, per State Density Bonus Law, the densities allowed under Area J of the DTPP are applied to the site to determine the maximum allowable project density (Gov. Code § 65915(o)(6)). Area J of the DTPP allows up to 50 dwelling units per acre (du/ac) for all project parcels located south of Fairmont Avenue and fronting on Castro Street. The portion of the project site with existing residential property to be demolished (at 750 Fairmont Avenue) has a General Plan designation of Medium-Density Residential (13 to 25 du/ac), and the DTPP allows up to 30 du/ac. Pursuant to State Density Bonus Law, the greater of the two allowed densities for 750 Fairmont Avenue applies to the project.

The proposed project is consistent with the applicable General Plan Land Use Designation standards and policies for this area, which allows for mixed-use development with commercial uses and multi-family development, providing a range of densities, including the project's base density of 49 units per acre (not including the additional density achieved with State Density Bonus Law). The location, purpose, and extent of the street vacation was also analyzed and found

to conform with the City's adopted General Plan, pursuant to Government Code Section 65402. The project complies with the following General Plan Policies:

- **LUD 3.2: Mix of land uses.** Encourage a mix of land uses, housing types, retail and public amenities, and public neighborhood open spaces accessible to the community; and
- **LUD 3.5: Diversity.** Encourage residential developments serving a range of diverse households and incomes.

*The project is a mixed-use development providing a range of land uses and improvements, including commercial tenant spaces, POPA paseo areas, and a residential unit mix designed to accommodate a variety of household types and income levels. Additionally, the project includes a Vesting Tentative Map for condominium purposes, which would allow the development to provide ownership housing opportunities for diverse households.*

- **LUD 3.9: Parcel assembly.** Support the assembly of smaller parcels to encourage infill development that meets City standards and spurs neighborhood reinvestment.

*The project proposes redevelopment on an assemblage of several small downtown parcels designated for mixed-use (residential and commercial) redevelopment.*

- **LUD 6.3: Street presence.** Encourage building facades and frontages that create a presence at the street and along interior pedestrian paseos and pathways.

*The project will provide direct pedestrian access between the surrounding residential neighborhood and Castro Street/Gateway Plaza, via publicly accessible on-site paseos, with commercial storefronts and residential entries oriented to the paseos and public streets.*

- **LUD 10.1: Sustainable design and materials.** Encourage high-quality and sustainable design and materials.

*The project also includes sustainability measures, such as low-water-using landscape design, and will comply with the California Green Building Code as adopted by the City.*

The City's Sixth-Cycle Housing Element 2023-2031 also includes goals and policies that the project meets, including:

- **Policy 1.1:** Ensure that adequate residential land is available to accommodate the City's Regional Housing Needs Allocation (RHNA) with special focus on Precise Plan areas near transit, employment centers, and services.

*The project is a mixed-use development that will provide units to help the City meet its RHNA requirement in multiple income categories.*

- **Policy 1.2:** Encourage a mix of housing types at a range of densities that serve a diverse population, including rental and ownership units serving both young and mature families, singles, young professionals, single-parent households, seniors, and both first-time and move-up buyers, at a broad range of incomes through development policies and City-subsidized affordable housing.

*The project will create a mix of housing units (from studios to three-bedroom units) for diverse populations, including the proposal for 22 of the 140 units to be available to very low-income and moderate-income households.*

**Zoning**

The project site is located in Area J of the DTPP, which allows and encourages mixed-use development. As proposed, the project complies with applicable standards with two waivers/reductions of development standards required to construct the project per State Density Bonus Law, as discussed later in this report. Table 1 (below) shows the project’s compliance with applicable DTPP standards for Area J.

**Table 1: Project Compliance with DTPP Area J Standards**

<b>Standard</b>	<b>Requirement</b>	<b>Proposal</b>
Density	Castro Street: 50 units per acre (on upper floors)  Hope Street: 50 units per acre (south of Fairmont Avenue) 30 units per acre (north of Fairmont Avenue)	98 units per acre. <sup>1</sup>
Height Above Grade (for parking levels)	Castro Street: Maximum of 1’ above grade.  Hope Street: Maximum of 18” above grade.	Castro Street: 0’ above grade.  Hope Street: 18” above grade.
Height	Castro Street and W. El Camino Real: Four stories and 55’ (whichever is less).  Hope Street and Fairmont Avenue:	Eight stories and 103’.  <u>(Waiver requested)</u>

<sup>1</sup> Allowed pursuant to State Density Bonus Law provisions.

Standard	Requirement	Proposal
	<p>Three stories and 35' (whichever is less).</p> <p>W. El Camino Real: Four stories and 55'.</p>	
<p>Front Setback</p>	<p>Castro Street: 0'.  (Projects must build to back of public sidewalk)</p> <p>Hope Street: 13'.</p> <p>W. El Camino Real: 0'.</p>	<p>Castro Street: 0' plus partial pedestrian arcade.</p> <p>Hope Street: 13' to 14'.</p> <p>W. El Camino Real: 10' to 18'.</p>
<p>Side Setback</p>	<p>Castro Street: No setback required.</p> <p>Hope Street: 5' minimum.</p>	<p>Castro Street: 0'.</p> <p>Hope Street: 5'.</p>
<p>Rear Setback</p>	<p>Castro Street, between Church Street and Fairmont Avenue: 15' or a distance equal to adjacent project building wall heights, whichever is greater.</p> <p>Floors 3 through 8: 36' to 90' setbacks.</p> <p>Other Blocks: No requirement.</p>	<p>Castro Street, between Church Street and existing Fairmont Avenue: 25'.</p> <p><u>(Waiver requested)</u></p>
<p>Landscape Buffer</p>	<p>7' masonry wall and 15-gallon trees planted every 25' along the rear of Castro Street parcel(s), next to residential sites.</p>	<p>7' masonry wall and trees planted at intervals of 25'.</p>
<p>Vehicle Parking</p>	<p>Residential: No minimum parking standard.</p> <p>Commercial: 1 space per 300 square feet (33 parking spaces for 9,743 square feet).</p>	<p>Residential: 167 spaces (voluntary proposal).</p> <p>Commercial: 33 spaces.</p>
<p>Bicycle Parking</p>	<p>Secure Resident Bike Parking: 1 per unit (140 Class I spaces).</p> <p>Residential Guest Bike Parking: 1 per 10 units (14 spaces).</p> <p>Commercial Guest Bike Parking: 5% of commercial parking (2 spaces).</p>	<p>Residential: 140 spaces.</p> <p>Residential Guest: 14 spaces.</p> <p>Commercial: 10 spaces.</p>

Standard	Requirement	Proposal
Ground Street-Level Facade Treatment	A change in facade elements at 25' to 50' intervals at street-level facade.	Building features/arcade columns provided at intervals consistent with the requirement.
Roof Treatment	Roof lines broken up in intervals of up to 50'.	Roof lines are broken up in intervals of up to 50'.

**Project Design**

The project is located near the corner of Castro Street and West El Camino Real at the southerly entry to downtown Mountain View. Ground-floor commercial uses are proposed along most of the Castro Street frontage and portions of the project along Gateway Plaza and the two on-site paseos. Vehicle access to the underground parking is provided through a garage access point along Hope Street. Commercial trash service will occur from on-site staging areas along Castro Street, residential trash service will occur from on-site staging areas along Hope Street, and loading zones are planned along Hope Street, as discussed in more detail later in this report.

Two primary residential building entries are located along the Fairmont Paseo and Hope Street, respectively. Ground-floor units also feature entry stoops along Hope Street, the Fairmont Paseo, and Gateway Plaza. Residents will have access to the publicly accessible paseos; approximately 2,575 square feet of common area roof decks on Floors 4, 5, and 7; and interior amenity rooms, including a bicycle/fitness room, a community room, and one other general amenity room.

**Building Design**

The building has a contemporary design with a mix of three primary materials: stucco, fiber-cement siding, and limited metal cladding and accents. The Castro Street frontage (west elevation) includes a “stone” veneer commercial arcade and commercial storefronts at ground level. The stucco, fiber board siding, and decorative metal accents are used on the residential floors above, including decorative metal railings and steel awning sunshade elements. The portion of the north elevation in the Castro Street half-block (facing Gateway Plaza and visible from Castro Street) has similar materials with a greater amount of stucco wall areas.



**Figure 3: View from Castro Street and West El Camino Real Intersection**

South of Fairmont Avenue, the Hope Street frontage (east elevation) is eight stories tall, with cornice designs and, in some cases, minor upper-floor setbacks used to deemphasize taller massing. The West El Camino Real facade (north elevation) and Gateway Plaza facade (partial west elevation) have similar height, features, and materials to this portion of the Hope Street elevations. Further north on Hope Street, the building steps down to include one-, two-, and three-story areas to both sides of the Fairmont Paseo, where the site is closest to adjacent lower-density development. These building areas include a similar color and material palette to the Castro Street facade, including stucco and horizontal fiber cement paneling, with a greater emphasis on materials and colors that have a more natural, wood-like appearance. Like the Castro Street frontage, the Hope Street frontage includes decorative metal railings, steel awning/sunshade elements, and ground-level canopies.



**Figure 4: Building Rendering of Hope Street Frontage**

### **Parking**

The project will provide two levels of below-grade parking accessible from Hope Street, comprised of 33 commercial parking spaces and 167 residential parking spaces. The commercial parking complies with the DTPP requirements, and the applicant is voluntarily providing residential parking as the DTPP does not require parking for residential developments. The project exceeds minimum bike parking requirements for the commercial area and provides compliant bicycle parking for residents and guests. Overall, the vehicular and bicycle parking spaces proposed comply with City requirements.

### **Open Space and Landscaping**

The project provides 38,645 square feet of open area (28.57% of the site), which includes common usable open roof decks on Floors 2, 3, 4, 5, and 7 of the building; private unit balconies; and other limited site areas not occupied by the building or automobile-dedicated paving.

The proposed common roof decks and on-site paseos provide approximately 18,000 square feet of open space. The project provides landscaping and seating amenities in the on-site paseos, buffer landscaping along northerly property lines (next to residential uses) consistent with DTPP requirements, landscaped setbacks along Hope Street and West El Camino Real, and roof deck landscaping intended to achieve nicely landscaped pedestrian and resident areas. The DTPP does

not establish a minimum open area or usable open space standard. In addition to new trees, discussed below, the project features a comprehensive landscape plan that incorporates primarily native and drought-tolerant understory plantings.

**Trees**

The site currently contains eight Heritage trees and 14 non-Heritage trees. The Heritage trees include three deodar cedar, three holly oak, one redwood, and one Mexican fan palm. The project proposes to remove seven Heritage trees and retain one deodar cedar Heritage tree along Hope Street, near the entry to the Fairmont Paseo. Three of the Heritage trees to be removed are in good condition and four are in poor condition. All of the Heritage trees proposed for removal conflict with project improvements and/or the ability to construct the proposed number of units. The trees have also been found to have a low suitability for transplanting. Two street trees on Castro Street are proposed for removal as discussed later in this report.

The site currently has approximately 5,847 square feet of on-site canopy (10% of the site area). The proposed planting plans include 54 new trees, 26 of which are California native species. At full maturity, new tree canopy is anticipated to exceed the current canopy by at least 6% (16% canopy coverage) through at-grade plantings. The project landscape architect anticipates mature roof deck trees may provide an additional 4% canopy, for up to 20% total canopy coverage.

**Table 2: Tree Canopy Coverage**

<b>Canopy</b>	<b>Site Coverage</b>
Existing	10%
New Canopy (at planting)	2% at-grade (plus 2% on roof decks)
New Canopy (10 years)	11% at-grade (plus up to 3% on roof decks)
New Canopy (at maturity/ after 10 years)	16% at-grade (plus up to 4% on roof decks)

**Transportation**

**Multi-Modal Transportation Analysis**

On June 30, 2020, the City adopted a new transportation policy in accordance with SB 743, establishing Vehicle Miles Traveled (VMT) as the methodology for evaluating potential transportation impacts of new developments for the purposes of CEQA. In conjunction with that policy work, the City adopted transportation analysis requirements to provide a local-level analysis of multi-modal transportation impacts (including bicycle, pedestrian, and vehicle movements), referred to as a Multi-Modal Transportation Analysis (MTA).

An MTA was prepared for this project by Hexagon Transportation Consultants, which provides analysis and supplemental review of the project's multi-modal transportation improvements and setting. The MTA includes an evaluation of conformance, analysis of the traffic operational effects at key intersections in the project vicinity, a review of site access and on-site circulation, and an evaluation of impacts on pedestrian and bicycle facilities and neighborhood streets. The MTA concludes that the project is in conformance with the DTPP, and the intersection analyses show that the study intersections will operate acceptably both with and without the project.

### Streetscape Improvements

In addition to the two, on-site, publicly accessible paseos, the proposed project will provide a variety of public off-site improvements. A 12' wide sidewalk with 5' wide tree wells is proposed along West El Camino Real. The design promotes a pedestrian-friendly environment along West El Camino Real and complies with the sidewalk standard detail in the El Camino Real Precise Plan (ECRPP), allowing for consistent streetscape conditions along West El Camino Real, even though the project is not located within the ECRPP area.

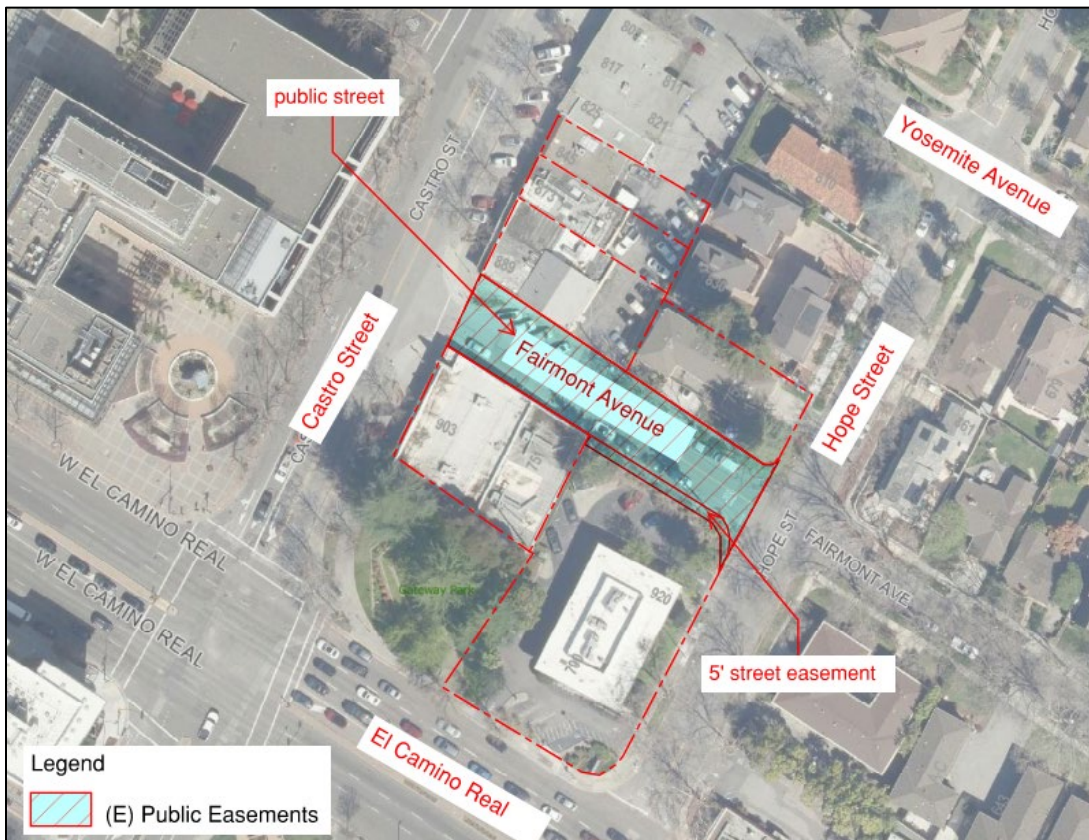
Along Castro Street, the project includes a 10' wide sidewalk with tree wells, matching the current Castro Street pedestrian streetscape. The proposed design would preserve six of the eight street trees and plant two replacement street trees. Along Hope Street, an 8' wide detached sidewalk and a 5' wide planter strip will be provided. The planter strips along both Castro Street and Hope Street provide a landscape buffer with new and existing street trees and stormwater treatment between the roadway and new public sidewalks.

In addition, the project will provide a new public loading zone on the west side of Hope Street and a median island on Hope Street at the intersection with West El Camino Real to separate northbound and southbound lanes to enhance traffic safety and flow. The intersection of Hope Street and Fairmont Avenue will be improved with new bidirectional Americans with Disabilities Act (ADA) compliant ramps, a raised crossing across Hope Street, and high-visibility crosswalk striping to further support pedestrian safety. The project proposes one driveway access to the two levels of the underground garage on Hope Street and a 9' wide curb cut on Castro Street to help facilitate trash pickup operations only. A decorative gate will be installed at the curb cut to allow access for trash pickup while serving as a physical barrier to prevent pedestrian access and deter crossing near the intersection.

### Street and Easement Vacation and Conveyance

To accommodate the project, the applicant has requested that the City vacate a portion of the existing public street right-of-way, known as Fairmont Avenue, between Castro Street and Hope Street, and a five-foot street and utility easement (see Figure 5). Fairmont Avenue was

established as a public street in 1926 per the recorded Nelson Manor Map in Volume V of Maps, Page 5, Santa Clara County Records. A five-foot public street and utility easement adjacent to Fairmont Avenue was established in 1972 per the recorded document in Book 9808, Page 502, Santa Clara County Records.



**Figure 5: Street and Easement Vacation Locations**

This portion of Fairmont Avenue is not necessary for present or future public use upon carrying out the project. The street currently provides access to properties that will be developed with the project, and the on-street parking is mostly used by the residents and businesses of these properties. There are no existing City utilities on Fairmont Avenue, and the existing Pacific Gas and Electric (PG&E) gas and electric facilities will either be removed or relocated to adjacent public streets with new easements dedicated where necessary. A public access easement will be granted across the proposed paseo connection between Castro Street and Hope Street to maintain pedestrian and bicycle connectivity.

When the City vacates a street owned in fee title for the benefit of a development, the City requires the payment of compensation for the contributory value of the property rights conveyed or relinquished. This practice is based on two fundamental principles: (1) a developer should

not benefit economically and financially from the conveyance or relinquishment of a City property right; and (2) if the City were acquiring the rights rather than conveying the rights, the City would be required by state law to offer to pay no less than the appraised value of those property rights.

An independent appraisal was prepared to estimate the enhanced value of the project with the vacation, relinquishment of the City's interest in the public street, and conveyance of the portion of Fairmont Avenue that the City owns in fee title. Staff and the developer reached a tentative agreement on a purchase price of \$4.2 million for the sale of the City's rights.

Once the City-owned interest is vacated, the applicant would acquire property rights through the execution of a Purchase and Sale Agreement and incorporate the area to be vacated into their development. Execution of the Purchase and Sale Agreement by all parties shall occur after the City has finalized the permit for the demolition of existing buildings, the public street is no longer needed, and all utilities within the public street have been relocated but prior to the map combining the lots being recorded and issuance of the first building permit for a structure associated with the project. The City's vacation of the public street and easement on Fairmont Avenue will enable the applicant to develop the proposed mixed-use development, including up to 140 residential condominium units and six commercial condominium units.

### Surplus Land Act

In order to sell land owned by the City, as proposed, the City must comply with the procedural requirements of the Surplus Land Act (the "Act"). The Act requires the City to declare land that it owns in fee to be "surplus land" or "exempt surplus land" prior to disposition. The City Council must make a declaration that land is exempt surplus land at a public hearing supported by written findings. The Act defines "exempt surplus land" to include "a former street...conveyed to an owner of an adjacent property" (CA Gov. Code, § 54221(f)(1)(E)). The proposed purchaser of the City-owned portion of Fairmont Avenue is the property owner of the parcels adjacent to the street. The proposed action for the project includes City Council adoption of a resolution (see Attachment 2—Resolution Declaring Land to Be Exempt Surplus Land) declaring the property to be exempt surplus land upon its vacation as a public street with written findings to support that declaration, in full compliance with state law.

### Vesting Tentative Map

The project's proposed Vesting Tentative Map for the mixed-use residential and commercial project creates a single lot for condominium purposes, which will accommodate the development of 140 residential and six commercial condominium units. Staff finds that the project is consistent with the requirements of the Subdivision Map Act, City Code standards

applicable to subdivisions, and the General Plan with incorporation of the draft conditions of approval (see Attachment 4—Vesting Tentative Map Resolution).

### **State Density Bonus Law Request**

State Density Bonus Law imposes a mandatory density bonus program that requires cities to permit construction of additional residential units (i.e., bonus units) and, if requested by the applicant, provide regulatory incentives/concessions, waivers (or reductions) of development standards, and reduced residential parking standards for projects providing a certain percentage of affordable housing per statutory criteria. The proposed project's base density per the DTPP is 70 units, and the developer is proposing to provide 15% of the base project units (11 units) as affordable to very low-income households and an additional 15% of the base project units (11 units) as affordable to moderate-income households. Providing these 22 affordable units (11 at each income level) qualifies the project for two separate 50% density bonuses (for a total 100% density bonus), or 140 total units (see Attachment 8—Density Bonus Request Letter), three incentives or concessions, and an unlimited number of waivers of development standards that physically preclude development at the proposed density.

### **Waivers**

Under State Density Bonus Law, the City is required to waive or reduce any development standards that would have the effect of physically precluding construction of a development at the permitted density. The applicant is requesting waivers of two DTPP (Area J) development standards (as detailed in Table 1 above), which are outlined in the density bonus letter submitted by the applicant and which includes details on how these standards, if required, would physically preclude the construction of the development at the proposed density. The project request includes a waiver of the maximum height limit on all project frontages and a waiver of the required rear setback for Floors 3 through 8 for the portion of the site with rear setback to the adjacent two-story residences.

### **Concession**

The applicant requested a density bonus concession to render the project eligible for POPA open space credit pursuant to Sections 41.11(a)(2) and 41.11(b) of the City Code. The parties disagreed on whether a density bonus concession may be used to modify the eligibility criteria for POPA open space credit and further disagreed on the amount of POPA open space credit the project should receive if a concession can be used for this purpose. To avoid the delay, expense, and uncertainty of litigation, the City and the applicant entered into a negotiated settlement agreement, which resulted in a condition of approval that requires the applicant to pay a Park Land In-Lieu Fee in the amount of Two Million Dollars (\$2,000,000).

**Below-Market-Rate Housing**

The proposed development at 881 Castro Street involves the construction of 140 new ownership units, including 22 BMR units, replacing four existing residential units and commercial properties. The proposed project aligns the affordable housing obligations under Section 36.40.10 (General requirements) of the City Code regarding BMR requirements, State Density Bonus Law, and State Housing Crisis Act (SB 330) replacement requirements (Gov. Code § 66300.6). As such, this project complies with local and state requirements and delivers units that exceed certain local requirements while fulfilling state mandates.

Satisfaction of these various local and state requirements may be achieved by adhering to the strictest of the requirements. The project meets or exceeds City BMR Ordinance requirements by providing 22 BMR units and also exceeds certain affordability requirements of the City’s BMR Ordinance and State Density Bonus Law, particularly through its provision of more deeply affordable units to satisfy SB 330 replacement unit requirements. Table 3 (below) summarizes the three regulations impacting the number of units and affordability levels and the project’s compliance with the requirements.

**Mountain View BMR Ordinance**

In order to meet the City’s 15% BMR unit requirement, the project would need to deliver 11 units at or below 80% Area Median Income (AMI) for rental projects or at below 120% AMI for ownership (with AMI levels noted in Table 3). The affordable units provided to qualify for State Density Bonus Law may be credited toward the City’s BMR requirements to the extent those same units also satisfy the requirements of the City’s BMR Program. Nothing in the City’s BMR Program is intended to condition or reduce the project’s statutory entitlements under Government Code Section 65915. In this case, State Density Bonus Law and SB 330 provide for the more stringent requirements. The AMI thresholds set by the applicable state laws are lower than those required by the City, and the applicant’s proposal, therefore, exceeds the City’s affordability standard.

**Table 3: Local and State Regulations—Affordable Unit Compliance**

Standard	BMR Ordinance	State Density Bonus Law <sup>2</sup>		SB 330	Developer Proposal
<b>Affordable Units</b>	15% of base units (11 units)	15% of base units (11 units)	15% of base units (11 units)	Replace Protected Units (4 units)	22 units

<sup>2</sup> The applicant is providing the required affordable units at or below the required AMI levels, which in this case includes one unit at up to 30% AMI and two units at up to 80% AMI.

Standard	BMR Ordinance	State Density Bonus Law <sup>2</sup>		SB 330	Developer Proposal
<b>Area Median Income (AMI)</b>	Minimum two income levels with 100% AMI average (for ownership developments)	11 units at 50% AMI (or below)	11 units at 120% AMI (or below)	1 unit at 30% AMI  1 unit at 50% AMI  2 units at 80% AMI	1 unit at 30% AMI  10 units at 50% AMI (or below)  2 units at 80% AMI  9 units at 120% AMI

State Density Bonus Law

As discussed above, the project qualifies for a 100% density bonus under State Density Bonus Law by providing 11 units affordable to households at or below very low-income levels and an additional 11 units designated at 120% AMI or less. The project exceeds the City’s BMR requirement by providing two units at 80% AMI and nine units at 120% AMI.

SB 330 Replacement Unit Requirements

The four existing units at 750 Fairmont Avenue, which will be demolished to develop the project, are rent-stabilized units under the City’s Community Stabilization and Fair Rent Act (CSFRA). Rental units that are subject to rent control within the past five years are considered protected units under SB 330 and are subject to replacement requirements.

Per SB 330, the four protected units must be replaced with units of equivalent size (comparable bedroom count). These units must be affordable to households in the same or lower income category as the tenant households in occupancy at the time the Notice of Intent to develop the site was issued. If the current or previous (for vacant units) tenant’s household income is unknown, it is presumed that very low- and low-income tenants occupied the units in the same proportion as renter households occupied units in Mountain View, as shown in the Department of Housing and Urban Development’s (HUD) Comprehensive Housing Affordability Strategy (CHAS) database.

Of the four protected units, three are vacant and one is occupied. The income level of the household in the occupied unit is reported to be at 30% AMI. The affordability level for the three vacant units was determined using the CHAS database, resulting in one unit at 50% AMI and two units at 80% AMI. The applicant proposes to fulfill the SB 330 replacement requirements through

the provision of four 2-bedroom units (included in Table 3) at compliant affordability levels, including one unit at 30% AMI, one unit at 50% AMI, and two units at 80% AMI.

### **Homeowners Association Reserve Fund**

The BMR Ordinance requires a reserve fund to be established for ownership projects when the designated AMI levels for any affordable units are set at or below 80% AMI. The applicant will set up an Homeowners Association Reserve fund for all 13 units designated at 80% AMI and below. The City currently estimates \$804,093 will need to be deposited into the reserve fund for the BMR units. The applicant will identify and contract with an administrator to manage these funds. The reserve fund shall be identified and its purpose described in the Covenants, Conditions, and Restrictions (CC&Rs) for the project.

### **Conversion Housing Project Type**

This project was submitted as an ownership project, but late in the review process, the applicant indicated they may elect to initially rent the project units before converting to an ownership development. This conversion is allowed under Section D of the City's BMR Administrative Guidelines and has also been reflected in the conditions of approval for the project (see Attachment 3—Project Resolution).

### **Tenant Relocation Assistance and Right of First Refusal**

This project is also subject to the State Housing Crisis Act (SB 330) relocation assistance and Right of First Refusal requirements (Gov. Code § 66300.6.) and City of Mountain View's Tenant Relocation Assistance Ordinance (TRAO) for relocation assistance to current tenants per Section 36.38 (Statement of purpose) of the City Code, as summarized in Table 4, below. As noted above, the project site currently includes four 2-bedroom, 1-bathroom CSFRA-covered units. These four units are considered protected units and are subject to tenant relocation assistance under SB 330 as well as the City's TRAO requirements. One of the four units is still occupied, and the other three units are vacant. Per information provided by the applicant, the occupied tenant's household income is at 30% AMI, which would qualify for relocation assistance benefits as well as the Right of First Refusal to a new unit in the redeveloped property at an affordable price.

### **TRAO Communication**

The following summary information shows how the project has addressed TRAO notification and communication requirements and status.

- On January 22, 2025, a Notice of Intent was sent to the one remaining household, including relocation assistance information and an estimated December 2025 vacate date.

- In March and May 2025, the City’s relocation consultant spoke to the tenant to discuss relocation benefits and assist with the application process. The tenant in the occupied unit indicated they will wait to apply for relocation assistance, closer to the final vacate date.
- As of October 10, 2025, the existing tenant has not yet filed an application for relocation benefits. The relocation consultant will continue communications with the tenant to assist them in applying for benefits and finding replacement housing. Tenants are eligible to apply for benefits until the final vacate date.
- As of October 10, 2025, the applicant has not issued a notice of termination to the tenant. Per SB 330, tenants must be allowed to occupy their unit until at least six months before the start of construction.
- Income information will be confirmed by the relocation consultant during the tenant relocation benefit application process.

TRAO and SB 330 Benefit Requirements

The existing tenant will be eligible for relocation assistance under the City’s TRAO and/or relocation assistance requirements of SB 330, as summarized in Table 4 below. In cases where both the City’s TRAO and SB 330 are applicable, the **bold** text indicates the stricter requirement that needs to be adhered to. If both boxes in a row are identified in **bold**, the tenant receives both measures.

**Table 4: TRAO and SB 330 Analysis**

<b>Standard</b>	<b>TRAO</b>	<b>SB 330</b>
AMI Eligibility	Up to 120% AMI + \$5,000.	Up to 80% AMI.
Cash Payment	Three months of rent based on the median monthly rent for a similar-sized unit in Mountain View.	<p><b><u>Moving costs and the greater of:</u></b></p> <p><b><u>a. [(Actual rent amount for the tenant’s replacement housing) – (30% of the displaced household’s average monthly income)] x 42 months; OR</u></b></p> <p><b><u>b. [(Actual rent amount for the tenant’s replacement housing) – (Current rent of the unit to be demolished)] x 42 month.</u></b></p>

Standard	TRAO	SB 330
Special Circumstances	<p><b><u>Additional relocation benefit adjusted annually by the Consumer Price Index (2024: \$9,151) is available if receiving TRAO benefits and:</u></b></p> <p><b><u>a. At least one household member is 62 years of age or older; OR</u></b></p> <p><b><u>b. At least one household member qualifies as disabled; OR</u></b></p> <p><b><u>c. The household has at least one legally dependent child 19 years of age or younger.</u></b></p>	Not addressed. SB 330 does not have additional benefits for special circumstances.
Deposit Refund	<p><b><u>Refund of security deposit, except for funds necessary to repair damage to units that will be reoccupied prior to demolition.</u></b></p>	Not addressed. SB 330 does not address measures for the landlord to refund the security deposit. However, landlords need to follow other applicable state laws that address security deposit refund.
Relocation Agency	<p><b><u>Subscription to a rental agency.</u></b></p>	<p><b><u>Personal relocation advisor.</u></b></p>
First Right-of-Return (Ellis Act)	<p><b><u>First right-of-return if the original existing unit is put back on the rental market.</u></b></p>	Not addressed. SB 330 does not have Ellis Act-style first right-of-return to an original existing unit.
Right-of-First Refusal (Replacement Unit)	Not addressed. TRAO does not include right-of-first refusal provisions to newly built units.	<p><b><u>The right to first refusal to a new unit in the redeveloped property at an affordable price.</u></b></p>

**Park Land Dedication In-Lieu Fee**

The project is subject to the City’s park land dedication requirements or payments of fees in lieu thereof, as set forth in Chapter 41 of the City Code. The General Plan sets a goal for an expanded and enhanced park and open space system to meet current City needs for parks and open space based on population growth arising from new residential development. Increases in population due to new residential development place additional burdens on City parks and recreational

facilities and negatively impact the City's compliance with the adopted three acres per 1,000 residents standard of providing parks and recreational facilities to Mountain View residents. The City is divided into several Planning Areas per the adopted Parks and Open Space Plan and tracks park land deficiencies on a Planning Area basis.

Because the additional residents generated by this project will increase the total cost the City will now incur to provide parks and recreational facilities at a ratio of three acres per 1,000 residents within the Central Planning Area, as a condition of approval, the applicant will be required to pay a Park Land Dedication In Lieu Fee. The City and the applicant disagreed on the amount of Park Land Dedication fees that apply to the project. To avoid the delay, expense, and uncertainty of litigation, the City and the applicant entered into a negotiated settlement agreement, which resulted in a condition of approval that requires the applicant to pay a Park Land In-Lieu Fee in the amount of Two Million Dollars (\$2,000,000).

### **ENVIRONMENTAL REVIEW**

This project is categorically exempt pursuant to CEQA Guidelines Section 15332 ("In-Fill Development Projects"). This exemption applies to projects consistent with the applicable General Plan Land Use Designation and policies and applicable zoning regulations. Zoning standards for which the project has requested waivers under State Density Bonus Law are not considered applicable for CEQA purposes. Additionally, the project occurs within the City limits, is located on a project site of no more than five acres and is substantially surrounded by urban uses. The site has no value as habitat for endangered, rare, or threatened species. The project would also not result in any significant impacts relating to traffic, noise, air quality, or water quality, and the site can be served by all required utilities and public services. Analysis supporting these conclusions is summarized in the project findings (see Attachment 3—Project Resolution) and addressed in more detail in the project's CEQA Report (see Attachment 10—CEQA Categorical Exemption Report).

### **Vehicle Miles Traveled Analysis**

As noted earlier, the City has adopted a transportation policy in accordance with state law establishing VMT as the methodology for evaluating potential transportation impacts of new developments for the purposes of CEQA and identifying VMT screening criteria for projects. Projects are presumed to have a "less-than-significant" transportation impact if they meet the screening criteria, and further VMT analysis is not necessary. If a project does not meet the screening criteria, a VMT analysis is conducted concurrently with an MTA.

This project does not require further VMT analysis because it meets the adopted VMT screening criteria for a residential and employment project located in an area of low VMT, defined as exhibiting VMT that is 15% or greater below the existing nine-county Bay Area regional reference

average VMT. Therefore, the project is determined to be consistent with the City's VMT Policy and to have a less-than-significant VMT impact.

### **FISCAL IMPACT**

The project site has a current total assessed value of approximately \$28.8 million, and the City currently receives approximately \$46,000 annually in property tax revenue from the site. If developed as proposed, the City would receive an estimated additional \$398,000 per year, resulting in total annual property tax revenue of approximately \$444,000.

Pursuant to a negotiated settlement agreement, the City and the applicant agree that the applicant will be required to pay a Park Land Dedication In-Lieu Fee of \$2,000,000 as a condition of approval of the tentative map for this project.

The City would also receive \$4,200,000 from the sale of the Fairmont Avenue public right-of-way, provided the vacation, purchase, and conveyance of the existing public street is completed as proposed by the project.

### **LEVINE ACT**

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a "license, permit, or other entitlement for use" if the official has received a campaign contribution exceeding \$500 from a party, participant, or agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: [www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html](http://www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html).

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

### **SUBJECT TO THE LEVINE ACT**

Land development entitlements

### **CONCLUSION**

The project supports General Plan policies by encouraging a mix of land uses, is consistent with the land use and development direction in the General Plan, and is in compliance with the Zoning Code and the DTPP as allowed by State Density Bonus Law. The proposal provides for-sale housing units, which helps contribute to the City's diverse housing stock, and provides commercial storefronts along Castro Street. The proposed subdivision, together with the

provisions for its design and improvement, is consistent with the General Plan and the DTPP, including all requirements applicable to the property, and the Subdivision Map Act. City staff, the Zoning Administrator, and the Subdivision Committee recommend approval of the proposed project subject to the conditions of approval enclosed herein.

**ALTERNATIVES**

1. Approve the project with modified conditions of approval.
2. Refer the project back to the Zoning Administrator and/or Subdivision Committee for additional consideration.
3. Do not approve the requested street and easement vacation, which will have the effect of not allowing the project to proceed.
4. Deny the project and adopt findings for denial.

**PUBLIC NOTICING**

The City Council’s agenda is advertised on Channel 26, and the agenda and this report appear on the City’s website. All property owners and tenants within a 750’ radius and interested stakeholders were notified of this meeting, and public notice of the hearing was published in a newspaper of general circulation per Section 36.56.20 (Notice of hearing) of the City Code.

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CDD/EM-04-28-26CR

- Attachments:
1. Resolution Ordering the Vacation of Fairmont Avenue
  2. Resolution Declaring Land to Be Exempt Surplus Land
  3. Project Resolution
  4. Vesting Tentative Map Resolution
  5. Project Plans
  6. Public Comments
  7. [Administrative Zoning/Subdivision Committee Meeting dated October 22, 2025](#)
  8. Density Bonus Request Letter
  9. Arborist Report
  10. CEQA Categorical Exemption Report