



# COUNCIL REPORT

**DATE:** March 24, 2026

**CATEGORY:** Public Hearing

**DEPT.:** Community Development

**TITLE:** **Rowhouse Gatekeeper Project at  
922-950 San Leandro Avenue**

## **RECOMMENDATION**

1. Adopt a Resolution of the City Council of the City of Mountain View Adopting an Initial Study/Mitigated Negative Declaration for the 922-950 San Leandro Avenue Residential Project Pursuant to Sections 15064(f)(3) and 15070, *et seq.*, of the California Environmental Quality Act, 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 Adopting a General Plan Amendment to Modify the General Plan Land Use Map to Change the Land Use Designation for the Properties at 922-950 San Leandro Avenue (APN 153-18-026 and 153-18-031) from General Industrial to Medium-Density Residential, as Recommended by the Environmental Planning Commission, to be read in title only, further reading waived (Attachment 2 to the Council report).
3. Introduce an Ordinance of the City Council of the City of Mountain View Approving a Zoning Map Amendment for the Properties Located at 922-950 San Leandro Avenue (APN 153-18-026 and 153-18-031) from the MM (General Industrial) Zoning District to the R3-1.5 (Multiple-Family Residential) Zoning District, as Recommended by the Environmental Planning Commission, to be read in title only, further reading waived, and set a second reading for April 14, 2026 (Attachment 3 to the Council report).
4. Adopt a Resolution of the City Council of the City of Mountain View Conditionally Approving a Planned Unit Development Permit and Development Review Permit to Construct a 38-Unit Rowhouse Development and Related Site Improvements, Utilizing State Density Bonus Law, Replacing a Multi-Tenant Industrial Building and Two Single-Family Homes, and a Heritage Tree Removal Permit to Remove Five Heritage Trees on a 1.69-Acre Site Located at 922-950 San Leandro Avenue (APN 153-18-026 and 153-18-031), to be read in title only, further reading waived (Attachment 4 to the Council report).

5. Adopt a Resolution of the City Council of the City of Mountain View Conditionally Approving a Vesting Tentative Map for Condominium Purposes with One Common Lot on a 1.69-Acre Site Located at 922-950 San Leandro Avenue (APN 153-18-026 and 153-18-031), to be read in title only, further reading waived (Attachment 5 to the Council report).

## **BACKGROUND**

### **Gatekeeper Application**

In June 2025, the City Council adopted a new Council Policy G-9, “Gatekeeper Application Procedures and Requirements” (see Attachment 6—[Council Gatekeeper Policy Hearing, June 24, 2025](#)), and, in October 2025, adopted associated amendments to Chapter 36 (Zoning) of the City Code codifying the updated regulations and review procedures for projects that include legislative amendments to the General Plan/General Plan Map, Zoning Ordinance/Map, and Precise Plans (commonly referred to as “Gatekeeper” projects). Council Policy G-9 provides that Gatekeeper project and streamlined Gatekeeper project applications shall be evaluated in accordance with the policies in effect on the date the applications were deemed complete.

The applicant, City Ventures, submitted a Senate Bill (SB) 330 Preliminary Application and formal Planning Application for this project on December 15, 2023. The SB 330 Preliminary Application was deemed complete on January 19, 2024, with limited SB 330 vesting provisions taking effect on that date given the legislative nature of the proposed project, and the formal development application was found to be complete on October 10, 2024. The proposed development is a “Gatekeeper” project as it includes requests for a General Plan Amendment and Zoning Map Amendment. However, the application was submitted and found to be complete prior to the effective date of the Council Policy G-9 described in the previous paragraph and has, therefore, been evaluated pursuant to the Gatekeeper requirements in effect at the time the project was deemed complete.

At the time this application was submitted, the Gatekeeper policies and procedures allowed for exemptions from Council Gatekeeper authorization hearing requirements for certain smaller projects with proposed legislative land use changes. Specifically, this project is eligible for the prior “Gatekeeper-exempt” process because it meets the following exemption criteria:

- A project site under two acres in total size.
- On a project site abutting existing residentially zoned property.
- A proposed conversion from an industrial to a residential zoning designation.

Although the project has been reviewed per the Gatekeeper procedures and regulations in effect as of 2024, staff analysis has found that the project helps advance some of the key community

goals, priorities, and objectives noted in the current Gatekeeper policy associated with transportation, sustainability, and trees, as discussed later in this report.

### **Site Details**

Project Location: 922, 944, and 950 San Leandro Avenue (APN 153-18-026 and 153-18-031), on the west side of San Leandro Avenue, between San Pablo Drive and Terra Bella Avenue.

Project Lot Size: 1.69 acres.

General Plan Designation:

- Existing: General Industrial.
- Proposed: Medium-Density Residential.



**Figure 1: Location Map**

Zoning Designation:

- Existing: MM (General Industrial).
- Proposed: R3-1.5 (Multiple-Family Residential).

Surrounding Land Uses: North—one-story, multi-tenant, light-industrial building along San Leandro Avenue; east—California State Route 85 and U.S. 101 North offramp (to State Route 85); south—one-story residential homes along San Pablo Drive; west—one-story single-family home and one-story light-industrial building (existing) to be demolished for a future City park (separate City scope) to the west along San Rafael Avenue.

Current Site Conditions: Two existing parcels with a multi-tenant industrial building (922 San Leandro Avenue) and two existing single-family homes (944 and 950 San Leandro Avenue).

Applicant/Owner: Kian Malek for City Ventures.

### **Project Overview**

Along with the proposed General Plan and Zoning Map Amendments, the applicant, City Ventures, proposes to redevelop the project site with a 38-unit, for-sale rowhouse development,

replacing the existing industrial building and two single-family homes. As proposed, the 38 units would be constructed in four, three-story rowhouse buildings (Buildings A through D) and include 10 Below-Market-Rate (BMR) units (25%) per City Code standards for rowhouse developments. Buildings A and D will have 10 units each, and Buildings B and C will have nine units each. All proposed units will have three bedrooms and range in size from 1,351 to 1,727 square feet. All units include a two-car garage, with 19 of the 38 units providing tandem garage parking (see Attachment 7—Project Plans).

**Site Plan**

The site is an interior parcel with frontage on San Leandro Avenue abutting a light-industrial parcel to the north, six, one-story single-family homes to the south, and a vacant parcel and an industrial building to the west (City-owned parcels) to be demolished for construction of a future City park. Vehicle access to the site is provided via a two-way entry drive connecting to/from San Leandro Avenue, with decorative stamped concrete accenting the entry intersection.

The driveway provides access to 14 guest parking spaces, and two internal alleys provide access to individual unit garages. The site layout and circulation provide a hierarchy of vehicle and nonvehicle paths addressing the private circulation needs of the development. The project also includes a 10’ wide publicly accessible bicycle and pedestrian connection with 2.5’ wide landscape buffer along the southerly property line, providing for future “off-street” access between San Leandro Avenue and the future City park site.



**Figure 2: Site Plan**

## **Density Bonus Request**

In addition to the General Plan Map Amendment, Zoning Map Amendment and development permits, the project is utilizing State Density Bonus Law (Gov. Code § 65915, *et seq.*) (SDBL) to facilitate certain project components (see Attachment 8—Density Bonus Request Letter). Pursuant to SDBL, the 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 proposed project would develop 38 rowhouse units, including 10 affordable units (three low-income, five moderate-income, and two above-moderate income units), comprising 25% of the project units in compliance with the City's BMR Ordinance. Although the project proposes 10 affordable units per the City's BMR Ordinance, only eight units (three low-income units and five moderate-income units) contribute toward the project's eligibility for SDBL provisions. Pursuant to Government Code Sections 65915(b)(1)(D) and 65915(d)(2)(B), these affordable units qualify the project for up to a 16% density bonus, two regulatory incentives/concessions, and unlimited waivers of development standards that physically preclude the proposed development.

The proposed Medium-Density Residential General Plan Land Use Designation would allow up to 43 units to be developed on the property, and the proposed Zoning Map Amendment would allow up to 44 units to be developed on the property. As such, the proposed project does not include a request for any increase in density, as the proposed density (resulting in 38 units) is less than the 44-unit base density allowed for the project site under SDBL. Although the developer is not requesting a density bonus, the project request includes one concession from the City's BMR Ordinance from comparable size (square footage) requirements for the affordable units and four waivers from rowhouse development standards for site coverage, floor area ratio (FAR), side setback, and length of driveway aprons, as allowed under provisions of SDBL and analyzed in more detail later in this report.

## **Prior Meetings and Hearings**

### **Neighborhood Meetings**

The applicant hosted two voluntary neighborhood meetings to introduce the project and solicit feedback from the community.

- **October 30, 2023**: Prior to submitting the application, the applicant held a meeting at the Mountain View Community Center, which was attended by seven community members. The applicant provided an overview of the project and anticipated schedule. According to meeting notes shared by the applicant, attendees were generally receptive of the project but, as it was designed at the time, felt it could benefit from taller trees, fewer windows

facing south toward adjacent single-family homes, and shifting the proposed buildings (nearest to the project's southerly property line) further north to provide greater separation to the single-family homes.

- December 10, 2025: The applicant held a second neighborhood meeting at the Mountain View Community Center, attended by six community members. City staff also attended the meeting to listen to community input. The applicant provided an updated overview of the project and gathered community input. In general, attendees were pleased with the project updates since the last meeting. Comment cards provided by attendees expressed appreciation for the design, including that the revised site plan created a larger buffer to adjacent homes and that the applicant had listened to and revised the project to address prior community feedback.

### Design Review Consultation

The applicant worked with staff throughout the development review process to refine the design based on community input and applicable design direction from the City's adopted Rowhouse Guidelines, including voluntary attendance of a Design Review Consultation (DRC) meeting on March 5, 2025. No members of the public attended the meeting.

The DRC was generally in support of the design, noting the applicant's responsiveness to prior community input and attempts to address rowhouse design standards and guidelines. The DRC also encouraged the applicant to evaluate opportunities to refine the site design to: strategically add larger-canopy trees at key locations, such as the common open space; incorporate more bicycle/pedestrian amenities along the public path, such as a bicycle fix-it station; continue to be mindful of the single-family homes along the southern property line, such as through a 7' tall good-neighbor fence; and using shrubs and/or accent trees adjacent to Building A to soften views of the side elevation from San Leandro Avenue. The DRC also supported the applicant's continued work to emphasize the building base (particularly the porch design) and refine the color/material palette, balcony expression, wall articulation, and building detailing as tools to promote reduced appearance of building mass and integrate with the immediately adjacent residential neighborhood.

The applicant continued to work voluntarily with staff to refine the project design to address many of the DRC recommendations that did not impact proposed project density, such as adding trees and landscaping throughout the site, including benches and a bicycle fix-it station along the publicly accessible path, providing a softer color palette, and several building design updates to simplify articulation and provide more prominent and distinguishable unit entries.

### *Airport Land Use Commission*

The project was referred to the Santa Clara County Airport Land Use Commission (ALUC) for review due to the proposed General Plan and Zoning Map Amendments, according to applicable provisions for such amendments to properties within the Moffett Federal Airfield Airport Influence Area (AIA), to ensure compatibility with the Moffett Field Airport Comprehensive Land Use Plan (CLUP). On May 28, 2025, the ALUC reviewed the project and found it to be consistent with the Moffett Field CLUP.

### *Environmental Planning Commission Recommendation Hearing*

On February 19, 2026, the Environmental Planning Commission (EPC) reviewed the project at a public hearing (see Attachment 9—[EPC Recommendation Hearing, February 18, 2026](#)). Prior to the meeting, staff received four written public comments (see Attachment 10—Public Comments). All written comments expressed support for the project, emphasizing the need for more housing in Mountain View.

During the hearing, two members of the public spoke, one in person and one virtually. The in-person speaker supported the project, identifying that the project would provide needed family housing units in a good location next to the future City park and represents the first redevelopment investment in this part of the neighborhood in decades. The virtual speaker also supported the project, noting the sensitive transition to adjacent single-family homes and generous public pathway proposal, but was concerned with the new park land fee calculation methodology, lower fees collected, and the resulting lost chances to fund new parks.

The EPC expressed support for the project for several reasons and primarily cited that the project was well-designed, compatible with adjacent residential uses, and creates more housing options in the City. The EPC also commended the applicant for their outreach efforts and for actively making changes to the plans based on specific comments from neighbors. The EPC did not identify any reservations about the proposed project but expressed hope that, to the extent possible, park land fees collected from the project could be earmarked to support the development of the future park located along the western property line of the project site.

The EPC voted 5-0 (with two absences) to recommend that the City Council adopt the staff recommendation as shown on Page 1 of this report.

## **ANALYSIS**

### **General Plan Amendment**

Currently, the 1.69-acre project site is comprised of two parcels. Both parcels have a General Plan Land Use Designation of General Industrial, which accommodates lower-intensity industrial

uses but does not allow residential uses. To facilitate the proposed residential rowhouse development, a General Plan Amendment is required.

The proposed General Plan Map Amendment would change the General Plan Land Use Designation for the project site from General Industrial to Medium-Density Residential, which supports a mix of single- and multi-family housing with a residential character appropriate to a range of densities and mix of housing types. The Medium-Density Residential Land Use Designation allows a density of 13 to 25 dwelling units per acre (du/ac), which would permit the development of up to 43 units on this project site. The proposed density of approximately 22.5 du/ac is compliant with the Medium-Density Residential General Plan Land Use Designation.

The proposed General Plan Map Amendment is also appropriate as the project aligns with the following City objectives and General Plan policies:

- LUD 3.4: Land use conflicts. Minimize conflicts between different land uses.

LUD 3.5: Diversity. Encourage residential developments serving a range of diverse households and incomes.

*The proposed project includes legislative land use changes (General Plan and Zoning Map Amendments) to facilitate the construction of a rowhouse development on land currently designated for industrial/nonresidential use. The proposed project would introduce new medium-density residential uses on property located immediately next to existing single-family residential properties and a future City park site, providing for compatible residential uses at this existing residential interface. The project would also add 38 for-sale residential units, of which 10 units will be affordable units, serving a range of diverse household incomes and providing new, more diverse housing types to the existing, adjacent single-family residential neighborhood.*

- 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 site includes two properties currently designated for low-intensity, general industrial use that immediately abut a single-family neighborhood. One of the industrial properties also has two existing single-family homes.*

- 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 10 units that directly front San Leandro Avenue, creating a residential building presence at the street characterized by front porches and direct pedestrian access between each unit and the public sidewalk. Further, the project provides*

*direct pedestrian and bicycle access through the site, providing a publicly accessible connection between San Leandro Avenue and the future City park site located along San Rafael Avenue.*

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

*The project includes high-quality residential materials and design reflecting common features of the surrounding residential neighborhood, such as horizontal siding, front porches, and gabled roofs with decorative accents as well as sustainability measures, such as low-water-using landscape design. The project will also be 100% electric and will comply with the California Green Building Code as adopted by the City.*

**Zoning Map Amendment and Project Compliance**

The project site is currently located in the MM (General Industrial) Zoning District, which does not allow residential developments. A Zoning Map Amendment is proposed to change the project site zoning to R3-1.5 (Multiple-Family Residential) to facilitate construction of the proposed rowhouse development (see Attachment 3—Zoning Map Amendment Ordinance).

The R3-1.5 Zoning District is designed to allow a mix of residential development types, including rowhouse and townhouse developments, depending on site size. The R3-1.5 Zoning District would permit development of up to 44 units on this approximately 1.69-acre site and would allow rowhouse development through a Planned Unit Development Permit, which is intended to afford maximum flexibility and diversity in site planning while protecting the integrity and character of the City.

As proposed, this rowhouse project will be consistent with the standard in Chapter 36 (Zoning) of the City Code with utilization of four waivers and one concession under the provisions of SDBL, as shown in Table 1 below and further detailed later in this report.

**Table 1: Project Compliance with R3 Rowhouse Standards**

Standard	Requirement	Proposed
Density	Equal to or less than the allowed R3-1.5 Zoning District density.  5 units for first 15,500 square feet of site area plus one additional unit for each additional 1,500 square feet of site area = 44 units maximum.	38 units

Standard	Requirement	Proposed
Floor Area Ratio (FAR)	1.05 FAR (maximum) for rowhouse projects with densities equal to or greater than 20 du/ac.	1.06 FAR (project is ~22.5 du/ac) (Density Bonus Waiver)
Setbacks	Front: 20'	Front: 27'
	Side: 15' (minimum)	South side: 45' (minimum) North side: 5' to 7' (Density Bonus Waiver)
	Rear: 10' (minimum) for the first and second stories and 15' (minimum) for the third story.	Rear: 17' (minimum)
Site Coverage	35% (maximum)	37.14% (Density Bonus Waiver)
Height Limits	45' (maximum) 36' (maximum) to top of wall plate	39' (total height) 31' (to top of wall plate)
Landscape Open Area	35% (minimum)	40.16%
Common Open Space	100 square feet per unit (minimum) Total: 3,800 square feet (minimum)	Approximately 360 square feet per unit (13,752 square feet total)
Private Open Space	100 square feet per unit (minimum) Total: 3,800 square feet (minimum)	Approximately 200 square feet per unit (7,600 square feet total)
Personal Storage	80 square feet (minimum)	80 square feet (in garages)
Driveway Apron	4' (maximum)	30 of 38 units: 4' (max.) 8 of 38 units: 11.6' (max.) (Density Bonus Waiver)
Parking	Resident parking: Two enclosed spaces per unit (76 spaces total)	76 spaces, including 19 tandem garages
	Guest parking: 0.3 spaces per unit plus 1 space for every 10 tandem parking spaces (14 guest spaces total).	14 spaces
Bicycle Parking	Resident bicycle parking: One protected space per unit (38 total).	Resident: 38 spaces Guest: 4 spaces

Standard	Requirement	Proposed
	Guest bicycle parking: One space for every 10 units (4 total).	

**Project Design**

The project includes four rowhouse buildings with two primary building types. Rowhouse Buildings A and D are largely identical in layout and design with 10 units each and face San Leandro Avenue and the future City park site, respectively. Similarly, Buildings B and C share a common layout and design (to each other) with nine units each and are located in the site interior fronting the central common open space of the project.

All the buildings share a simple craftsman-/bungalow-inspired design with a mix of three primary exterior materials, including stucco, board and batten, and lap siding. The project design features hipped and intersecting gable roof forms with accents such as gable end designs inspired by existing development in the adjacent residential neighborhood. Each rowhouse unit has three bedrooms, a private balcony, and a small front yard area with paved walkway leading to a weather-protected front porch, anchored by drought-tolerant landscaping.

The applicant proposes to build an all-electric project with solar panels to be installed in a rooftop well on each building, which will also contain mechanical equipment such as HVAC condensers for each unit. This design will allow for the mechanical and solar needs of the project to be met without any public views of the rooftop equipment.



**Figure 3: View from San Leandro Avenue**

## **Parking**

The project proposes compliant vehicle and bicycle parking spaces per the City's parking standards for rowhouse developments and does not include a request for alternate parking ratios pursuant to SDBL. Accordingly, the project includes two-car garages for each unit (76 private spaces) accessible from the on-site alleys and 14 guest parking spaces located along the main entry drive for the project. The project meets minimum bike parking requirements by providing one long-term bicycle parking space within the private garages (for residents) and four guest bicycle rack spaces placed along the publicly accessible bicycle/pedestrian path and the common open space.

## **Open Space**

The project includes a total of 29,603 square feet of landscaped open area (40.16% of the site), which includes on-site (nonvehicle) paths, common usable open space, and private open space areas. The project proposal exceeds the objective design guideline for private and common open spaces in the adopted Rowhouse Guidelines by providing approximately 19,500 square feet of common open areas comprised of a central common open space, on-site paths, and setbacks as well as approximately 10,100 square feet of private open space provided through ground-level porches, balconies, and private yards.

The central common open space includes a social seating area, an herb garden, and a larger lawn area with a specimen tree, providing opportunities for community gathering and a mix of active and passive activities. The project also includes a publicly accessible bicycle/pedestrian path along the southerly property line, which is lined by 14 trees and a shrub/vine buffer to adjacent single-family homes. The publicly accessible connection also features artistic entry arbors, two benches, bicycle parking, and a fix-it station. The placement of this public path and the private access drive serving the development facilitates the project's increased setback to neighboring single-family homes, which was strongly supported by residents at the project's neighborhood outreach meetings, and will eventually connect into the future City park to the west.

## **Trees and Landscaping**

The project site contains five Heritage trees (one evergreen pear, one Mexican fan palm, one fruitless mulberry, one Japanese loquat, and one black walnut) and 26 non-Heritage trees, all of which are proposed to be removed. The arborist report prepared by Horticultural Associates (see Attachment 11—Arborist Report) and reviewed by the City arborist evaluated the trees and determined that one tree is in poor condition, 15 trees are in marginal condition, nine trees are in fair condition, and six trees are in good condition. All of the trees proposed for removal conflict with project improvements and/or the ability to construct the proposed number of units and are proposed for removal on that basis. Additionally, 20 of the existing trees were also

recommended for removal due to poor health or hazardous structure (approximately 65% of the proposed removals).

The existing trees provide approximately 5,804 square feet of on-site canopy (7.6% of the site). The proposed planting plans include five Heritage replacement trees, for a total of 94 new trees, 41% of which are California native species. At full maturity, the site is anticipated to exceed the current canopy by at least 15% (22.8% canopy coverage).

**Table 2: Tree Canopy Coverage**

<b>Canopy</b>	<b>Site Coverage</b>
Existing	7.6%
New Canopy (at planting)	1.6%
New Canopy (10 years)	6.5%
New Canopy (at maturity/ after 10 years)	22.8%

In addition to the new trees, the project features a comprehensive landscape plan that primarily incorporates California native and drought-tolerant plantings—15 of the 17 proposed shrubs and groundcovers (88%) are California native species.

**Transportation**

*Multi-Modal Transportation Analysis*

As part of the City’s Vehicle Miles Traveled (VMT) policy adopted in June 2020, Council endorsed non-California Environmental Quality Act (CEQA) requirements for local-level analysis of multi-modal transportation impacts (including bicycle, pedestrian, and vehicle movements), which are consistent with standards and policies set forth by the City and the Valley Transportation Authority’s (VTA) Congestion Management Program (CMP), referred to as a Multi-Modal Transportation Analysis (MTA).

The proposed project is estimated to generate fewer net new trips than the threshold indicated in the MTA Handbook for a small-scope MTA that would focus primarily on on-site access and circulation. While the site does propose a change in land use of the site, staff used professional judgment and engineering experience to evaluate the scope and location of the project in order to identify potential improvements that the applicant could implement to address safety and operational concerns with the proposed project design, including the design of the off-street bicycle/pedestrian connection to San Leandro Avenue given its proximity to the vehicle driveway.

The site design was revised to include the identified improvements for the publicly accessible bicycle/pedestrian connection and, therefore, staff did not require an MTA for this project.

### Public Streetscape Improvements

The project is not part of a Precise Plan and has no adopted streetscape design upgrades. However, continuous pedestrian access along the project street frontages is required.

A 5' street dedication will be provided along the San Leandro Avenue frontage to accomplish a right-of-way width of 30' to the centerline. The new curb line aligns with the existing curb on both sides of the project site to ensure a smooth roadway transition. The proposed project utilizes the expanded right-of-way to provide upgraded pedestrian infrastructure, which includes a 7' wide detached sidewalk and 6' to 8' planter strip along San Leandro Avenue. The planter strips will provide a landscape buffer with new street trees and stormwater treatment between the roadway and the new public sidewalk. This streetscape configuration is wider than many detached sidewalks in other residential neighborhoods.

The project is also voluntarily providing a 10' wide path along the southerly property boundary, which provides an off-street bicycle/pedestrian connection through the project site, between San Leandro Avenue and the City's future park site at 909 San Rafael Avenue. The developer will dedicate a 12.5' public access easement over the path and adjacent landscape area to ensure the connection is publicly accessible.

### Vesting Tentative Map

The project's proposed Vesting Tentative Map for the residential project creates a single lot for condominium purposes, which will accommodate 38 residential condominium units (see Attachment 5—Vesting Tentative Map Resolution). The proposal meets applicable subdivision standards.

### State Density Bonus Law Request

State law imposes a mandatory density bonus program (Gov. Code, § 65915, *et seq.*) that requires the City to permit the construction of additional residential units and, if requested by the applicant, provide reduced parking standards, regulatory incentives/concessions, and waivers of development standards for projects that build a certain percentage of affordable housing meeting statutory criteria (Gov. Code, § 65915(b)(1)). Although the applicant is not seeking any increase in density, the project includes requests for one concession and four waivers of development standards as discussed in the following sections of this report (see Attachment 8—Density Bonus Request Letter).

### Concessions

Because the project includes at least 20% of the total units for moderate income for sale units, the project qualifies for two concessions under SDBL. Concessions are modifications to development standards or regulations that result in identifiable and actual cost reductions to provide for affordable housing costs. While all project units are three-bedroom units, the proposed BMR units are approximately 100 to 400 square feet smaller (in habitable square feet) than the market-rate units. As such, the applicant is requesting a concession from the City's BMR Ordinance requirement for habitable square footage comparability between BMR and market-rate units, as discussed in more detail below. The applicant has indicated, as is more particularly described in their Density Bonus Request Letter, that strict compliance with this provision would require designating larger units as BMRs, which would increase project costs and undermine overall financial feasibility and delivery of the project at the densities and affordability levels proposed by the applicant pursuant to Government Code Section 65915(d).

### Waivers

Under SDBL, upon the applicant's request, the City is required to waive or reduce any development standard that has the effect of physically precluding the construction of a development at the density permitted. The applicant is requesting four waivers from the rowhouse development standards for:

- Floor Area Ratio: This waiver request would allow the project to have an approximately 1.06 FAR, which slightly exceeds the maximum allowed 1.05 FAR for this rowhouse development. Full compliance with the required FAR standard would require reduced building area of approximately 750 square feet and/or loss of one unit, which would preclude development of the project at the proposed density allowed by the City Code and SDBL.
- Side Setback (North Property Line): This waiver request would reduce the side setback along the northerly property line to allow a 5' to 7' side setback in lieu of the required 15' setback. Full compliance with this standard would impact all four rowhouse buildings, reducing the permitted floor area and potentially requiring removal/combining of units to maintain habitable floor plans.
- Site Coverage: This waiver request would allow an approximately 37% site coverage in lieu of the maximum allowed 35% site coverage for rowhouse buildings. Compliance with the required site coverage standard would require reduced building area and/or other building-integrated open space elements, which would preclude development of the project at the proposed density and intensity allowed by the City Code and SDBL.

- Driveway Apron: While the majority of the units comply with this standard, this waiver request would allow deeper driveway aprons for certain units located next to curves in on-site roadways, where compliance with the maximum 4' driveway apron standard would require reducing the permitted floor area of the density bonus project in order to comply with this standard and provide required turning radii for emergency service and solid waste trucks to maneuver on-site.

### **Below-Market-Rate Housing**

The development involves the construction of 38 three-bedroom residential ownership units, including 10 BMR ownership units. This project is subject to compliance with all of the following:

- Mountain View's BMR Ordinance per Section 36.40.10 (General requirements) of the City Code; and
- State Density Bonus Law (SDBL) per California Government Code Section 65915, *et seq.*

The project proposal aligns with the affordable housing obligations under these regulations, delivering units that meet certain local requirements while fulfilling state mandates.

### **Compliance Analysis**

The project must comply with both the City's BMR Ordinance and SDBL. The affordable units provided to qualify for SDBL 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. The applicant proposes to provide 10 affordable BMR units to comply with both state and local regulations. Three affordable units will be designated at 80% area median income (AMI), five affordable units will be designated at 120% AMI, and two affordable units will be designated at 150% AMI. All affordable units will be three-bedroom units. Combined, these units fulfill the requirements outlined below.

- Below-Market-Rate Ordinance—Percentage Requirement and Affordability Levels. To satisfy the City's 25% inclusionary requirement for rowhouse developments, the project must provide at least 9.5 affordable units to be deed-restricted in perpetuity. Because density bonus projects must round fractional units up to the next whole number, the requirement increases to 10 units. By proposing 10 units, the project meets the applicable City requirement.

Where the same units are proposed to satisfy both the SDBL and City's BMR program, the units must meet the applicable requirements of each program (Section 36.40.10(i) (General requirements) of the City Code). This cross-crediting does not impose additional conditions

on the project’s eligibility for SDBL benefits. Accordingly, the proposed AMI limits must comply with or be more restrictive than both the City’s BMR Ordinance and SDBL. In this case, the proposed AMI levels satisfy the City’s affordability requirements by providing units at a minimum of two AMI levels (three proposed) and meeting the weighted average standard (100% AMI) for the BMR units. Units designated at 120% AMI and below also comply with the SDBL requirements. Therefore, the project meets all applicable affordability standards.

- Design and Location (Proportionality). Per Section 36.40.10(f) (General requirements) of the City Code, the City’s BMR Ordinance requires that affordable units be proportionally distributed based on the number of bedrooms and square footage relative to market-rate units. Additionally, the affordable units must be reasonably dispersed throughout the project. Based on the plans submitted by the applicant, the project consists entirely of three-bedroom units of varying sizes. However, as shown in Table 3, the proposed BMR units are concentrated exclusively within the smallest unit type and do not meet the City’s BMR objective standard for proportionality of the BMR units in terms of square footage.

**Table 3: Unit Size by Square Feet**

Unit Type	Habitable Square Feet	Total Units	Developer-Proposed BMR Units	Required by BMR Ordinance
Plan 1 INT	1,351	18	10	5
Plan 2 ADA	1,498	2	0	0
Plan 3 INT	1,453	10	0	3
Plan 3 END	1,525	4	0	1
Plan 4	1,727	2	0	1
Plan 4 ADA	1,727	2	0	0

As noted earlier in this report, the applicant is utilizing one concession pursuant to SDBL to allow the 10 BMR units to be provided within the smallest unit type because doing so results in identifiable and actual cost reductions to provide the affordable housing. Pursuant to SDBL, the use of this concession for the City’s proportionality requirements cannot be considered an inconsistency with the BMR objective standard pursuant to SDBL provisions.

All units within the project are three-bedroom units, with habitable square footages ranging from approximately 1,351 to 1,727 square feet. While the BMR units are concentrated within the smallest unit type, they utilize the same unit plans/design as the corresponding market-rate units of that type. As such, the BMR units fall within the same overall size range of market-rate units in the project and as designed the BMR units are comparable to the market-rate units in terms of unit layout, functionality, livability, and overall architectural design.

Staff has also reviewed the project for consistency with the BMR Ordinance requirement for the BMR units to be dispersed across the development and found the affordable units are reasonably dispersed throughout the development and, therefore, comply with the BMR Ordinance location requirement.

- **State Density Bonus Law.** To satisfy SDBL criteria, a project must provide a certain minimum percentage of inclusionary affordable housing units and become eligible for density bonus allowances on a sliding scale based upon the AMI levels and number of affordable units that are provided. Based on the project's provision of three units at low-income (80% AMI) and five units at moderate-income (120% AMI) levels, the project qualifies for SDBL provisions. The project also includes affordable units designated at above-moderate income levels (at 150% AMI), which meet additional (more stringent) City BMR Ordinance requirements. The project meets the requirements under SDBL.
- **Other Requirements.** This project is not subject to SB 330 or City-adopted tenant relocation requirements.

#### **Park Land Dedication In-Lieu Fee**

The General Plan sets a goal for an expanded and enhanced parks 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 standard of providing parks and recreational facilities to its residents. The City tracks park land deficiencies on a planning area basis, pursuant to the planning area boundaries identified in the adopted Parks and Open Space Plan.

This project is subject to the park land dedication requirements in Chapter 41 (Park Land Dedication Fees In Lieu Thereof) of the City Code but is not dedicating the land necessary (approximately 0.16 acres) to offset the impact of the 26 net new units (which includes a credit for the existing two residential units and excludes the 10 units provided to satisfy the City's BMR Ordinance inclusionary standard). As such, the current 8.14-acre park and recreational facility deficit within the Stierlin Planning Area will increase to 8.30 acres. Because the additional residents generated by this project will make up approximately 1% of the population within the Stierlin Planning Area, the applicant's proportional share of the total cost the City will incur to provide parks and recreational facilities within the Stierlin Planning Area, at the required ratio of three acres per 1,000 residents, is \$862,784.

As a condition of approval, prior to the final inspection that grants occupancy, the applicant will be required to pay a Park Land Dedication In-Lieu Fee totaling \$862,784 for the project to offset the impact of the 26 net-new market-rate residential units. This fee is based on a land value of \$10,400,000 per acre, as established in Chapter 41 of the City Code, and represents the project's

proportional share of the cost of providing three acres of park and recreational space per 1,000 residents. No credit against the Park Land Dedication Fee is allowed for private open space and recreational facilities.

## **ENVIRONMENTAL REVIEW**

An Initial Study for the 922-950 San Leandro Avenue residential project was prepared in compliance with CEQA (Public Resource Code, § 21000, *et seq.*) and the regulations and policies of the City of Mountain View to identify any potential environmental impacts that could result from project implementation, including VMT analysis and required tribal consultation (see Attachment 1— IS/MND and MMRP Resolution).

### **Vehicle Miles Traveled Analysis**

On June 30, 2020, the City adopted a transportation policy, in accordance with SB 743, establishing VMT as the methodology for evaluating potential transportation impacts of new developments for the purposes of analysis under CEQA. The policy included VMT screening criteria, with any project that meets the criteria presumed to have a “less-than-significant” transportation impact, eliminating the need for further VMT analysis. If a project does not meet the criteria, a VMT analysis is required.

This project meets adopted VMT screening criteria based on its location in an area of low VMT and because it is compatible with surrounding development, does not require significant new utility improvements, and does not lead to residential displacement. Therefore, pursuant to the City’s VMT policy, the project was not required to complete a detailed VMT analysis and was found to have a less-than-significant VMT impact.

In addition to the conclusions of the VMT analysis, the Initial Study found there is no substantial evidence that the project would have any other significant effect on the environment with implementation of Mountain View City Code requirements, standard City conditions of approval, and mitigation measures identified in the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) to address potentially significant tribal cultural resource and hazardous materials. The Draft Initial Study was circulated for public review for 30 days, and the City did not receive comments on the CEQA analysis. Therefore, in compliance with CEQA Guidelines Sections 15064(f)(3) and 15070(b), a final IS/MND and MMRP were prepared and recommended for adoption as part of the project recommendation.

## **FISCAL IMPACT**

The City currently receives approximately \$18,000 per fiscal year in property and sales tax revenue from the project site, which is deposited into the General Operating Fund (GOF). If the site is redeveloped with the proposed project, the City is estimated to receive approximately

\$104,000 per fiscal year in property tax revenue. This represents a net increase of approximately \$86,000 per fiscal year, reflecting the increase in property tax revenue from the redeveloped site, partially offset by the loss of existing sales tax revenue generated by businesses currently operating at the site.

### **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**

This project achieves General Plan and Housing Element goals by introducing a more compatible medium-density residential use adjacent to an existing single-family neighborhood through conversion of an existing industrially zoned property and by increasing diverse housing opportunities in the City through provision of a for-sale residential development with 25% BMR units, thereby also helping to meet the City’s Regional Housing Needs Allocation (RHNA) requirements. The project is also consistent with applicable development standards.

### **ALTERNATIVES**

1. Approve the project with modifications.
2. Deny the proposed General Plan Amendment, Zoning Map Amendment, and development permits.

## **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-03-24-26CR

- Attachments:
1. IS/MND and MMRP Resolution
  2. General Plan Amendment Resolution
  3. Zoning Map Amendment Ordinance
  4. Project Resolution
  5. Vesting Tentative Map Resolution
  6. [Council Gatekeeper Policy Hearing, June 24, 2025](#)
  7. Project Plans
  8. Density Bonus Request Letter
  9. [EPC Recommendation Hearing, February 18, 2026](#)
  10. Public Comments
  11. Arborist Report