



COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING DIVISION

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April 26, 2024

Victor Castillo
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Re: Development Review Permit, Planned Community Permit, Heritage Tree Removal Permit, Vesting Tentative Map
1500 N. Shoreline Blvd.
PL-2023-128 & PL-2023-129

Dear Victor Castillo:

The application for a **Development Review Permit, Planned Community Permit, Heritage Tree Removal Permit, Vesting Tentative Map** at **1500 N. Shoreline Blvd. (APN: 116-13-030)** was deemed complete by the City on February 29, 2024. As described in the completeness letter (referenced above), the next step in the development review process for the City is to provide the applicant with written documentation identifying applicable standards with which the proposed development project is inconsistent and an explanation of the reason or reasons the City considers the development project to be inconsistent with such standards. Therefore, as the Housing Accountability Act requires, this letter provides the City's analysis documenting inconsistencies within 60 days after the development project application was deemed complete. Therefore, this letter provides consistency comments focused on identifying Code compliance items to be addressed in the submittal and/or modifications, updates, and information required to allow City staff determine consistency with applicable project requirements, including compliance with Government Code section 65589.5.

Compliance with the California Environmental Quality Act (CEQA)

The project’s environmental review analysis and documentation under CEQA will “tier” off previously adopted environmental impact reports (EIR) in the project area. These EIRs include the 2017 North Bayshore Precise Plan Subsequent EIR (SEIR), the subsequent 2021 Gateway Master Plan Addendum, and the 2023 North Bayshore Master Plan SEIR. It is anticipated that the project may result in new or more significant impacts than analyzed and disclosed in previous environmental review documents. Additionally, the project, as proposed, would exceed the amount of development assumed for the project site and cumulatively in the North Bayshore Precise Plan area compared to the study parameters from the previously certified environmental documents. Therefore, a project-level SEIR is anticipated as the appropriate project-level CEQA analysis and documentation.

Furthermore, The following studies are expected to be required as the key environmental issues for the project: Cultural Resources/Tribal Cultural Resources Assessment, Noise, Greenhouse Gas (GHG), Air Quality, Phase II Analysis, Hazards and Hazardous Materials, Noise and Vibration, Transportation (including Vehicle Miles Traveled and Multimodal Transportation Analyses), Biological Resources, Energy, Hydrology and Water Quality, Population and Housing, Public Services and Recreation, and Utility and Service Systems. However, it may be determined that additional studies are required upon subsequent reviews of the project. Prior to the initiation of any CEQA work, a deposit must be submitted to the City in the amount of \$489,013 to cover the estimated cost for the project environmental review. Please note that the environmental review will take approximately 12 – 15 months to complete and will not commence until the site plan/project description is finalized, the contract is signed and the deposit is submitted to the City.

Compliance Items

Although the Housing Accountability Act limits the City’s ability to deny a qualifying Builder’s Remedy project or condition it in a manner that would render the project infeasible for affordable housing development, the Housing Accountability Act does not prohibit the City from requiring a proposed housing development project to comply with objective, quantifiable, written development standards, conditions, and policies, provided that these requirements accommodate development at the density permitted and/or proposed on the site.

The City has reviewed the project application and has determined the project is inconsistent or does not comply with various applicable, objective local laws, regulations, policies, and programs . Each inconsistency and non-compliant item has been separated into the following four categories:

- A. Inconsistencies or non-compliant items that must be addressed during the entitlement stage.** These are items that are inconsistent or do not comply with applicable, objective standards that will become recommended conditions of approval if they are not addressed in the next project submittal . The City believes that the project can be modified to comply with these standards without impacting the project’s proposed density or the project’s feasibility.
- B. Applicable, objective standards that may affect the project’s design.** These are items that are inconsistent or do not comply with applicable, objective standards that will need to be addressed before the project receives building permits, should the City approve the project. Although the applicant is not required to address each of these items during the entitlement phase, the City believes that further changes to the project may be required to address these items. For example, CBC Section 403.5.4 requires all stairs to be constructed as smokeproof enclosures, but the application does not provide sufficient detail to confirm compliance at this time. In an effort to streamline post-entitlement permitting and avoid future redesigns, City staff is bringing these items to the applicant’s attention now to provide the applicant the opportunity to confirm its intention to comply with the Building Code and other applicable standards necessary to obtain building permits.
- C. Potential inconsistencies/non-compliance.** These are items that may be inconsistent or non-compliant with applicable, objective development standards, but City staff needs additional information or clarification to make a final consistency determination.
- D. Other inconsistent or non-compliant items.** These are items that are inconsistent or do not comply with objective standards that would be applicable if this project was not eligible for the Builder’s Remedy. Therefore, although the City recognizes that failure to comply with these standards does not provide a basis to deny or condition the project, the inconsistencies and non-compliant items have been identified with the hope that applicant will voluntarily work with the City to address some of these items.

Each section provides an individual table containing City comments from all reviewing departments, as follows:

A. Inconsistencies or non-compliant items that must be addressed during the entitlement stage.

The project is inconsistent with the development standards and/or code requirements identified in the following table (below), which must be addressed in the next project submittal or, if not addressed, will become conditions of project approval. Where feasible, staff has identified potential options to improve project compliance.

Sr. No.	Development Standard – Gateway Master Plan	Requirements	Proposed	Compliance
A1.	Publicly Accessible Open Spaces	<p><i>Gateway Master Plan (GMP): Section 3 (Development Standards) GMP.6 Publicly Accessible Open Spaces:</i></p> <p>Central Open Space shall be located in the general area of Figure 3.4 and be contained in Blocks 3 & 6, have a min. 30,000 sf and be min. 16,000 contiguous sf in Block 3 with min. 60 ft dimension. The Central Open Space is shown to encompass both the proposed project in Block 3 and open space area in the Google North Bayshore Master Plan</p>	<p>a. Project proposes 24,593 sf central open space (Gateway Park) shared between Block 7,4,3 and 6 with majority of it located in Blocks 6 & 7.</p> <p>Proposed project does not connect the Central Open Space area with the open space in the NBMP area to the south.</p>	<p>Not compliant.</p> <p>a. The proposed Central Open Space (Gateway Park) is less than the required minimum area of 30,000 sf.</p> <p>The central open space is not contained within Block 3 & 6 as required per Figure 3.4 but also expands into Block 4 and 7.</p> <p>The central open space does not include a minimum of 16,000 contiguous sf in Block 3.</p> <p>Central open space area is not connected to the open space area to the south in the NBMP.</p>

		<p>(NBMP) to the south. The Central Open Space is to be connected to create a large public open space area between the project site and the NBMP.</p> <p>Linear Open Space be located in Blocks 3, 6 and 9, include a combined minimum 15,000 sf and avg. width greater than 30 ft & min. width of 10 ft.</p> <p>Neighborhood Park in Blocks 7 & 10, near Pear & Joaquin intersection; Min. 20,000 sf and Min. 100 ft dimension.</p>	<p>b. No linear open space area is proposed in the project site.</p> <p>c. No neighborhood park is proposed in the project site.</p>	<p>b. No linear open space is proposed in Blocks 3, 6, and 9.</p> <p>c. No neighborhood park is proposed in the project site.</p> <p>Greater compliance can be achieved by relocating the Central Open Space to Blocks 3 and 6 and introducing a linear park and neighborhood park as shown in Fig. 3.4 and GMP.6 of the Gateway Master Plan.</p>
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Publicly Accessible Open Spaces Comments: The proposed project is not compliant with the publicly accessible open space requirements of the Master Plan as it does not provide the types of open spaces, location of open spaces and square footages of the open space areas as indicated in Figure 3.4 and requirements of GMP.6. Additionally, in Figure 2.B (Sub-District Map), the Master Plan indicates the Central Open Space area is to be connected to the open space area in the NBMP to the south. Coordination is needed between the proposed project and the NBMP to connect these open space areas as one large public Central Open Space area. To comply with the Master Plan, the applicant should consider modifications to the site plan to accommodate inclusion of these open space areas as identified per Figure 3.4 and as described in GMP.6.

<p>Project includes commercial area above the maximum allowed in the Gateway Master Plan (Refer to Table 3A - Land Uses by Parcel). Reducing the proposed Commercial area could help to bring greater compliance with the open space requirements as described above. Consideration could be given to increase the central open space area by reducing the fitness club (commercial use).</p>				
<p>A2.</p>	<p>Key Corners</p>	<p><i>Gateway Master Plan Section 3 (Development Standards) GMP.9 Key Corners</i></p> <p>A. Building shall meet one or more elements:</p> <p>a. Tower building element >120 ft and 30 ft width w architectural element extending to the ground level (Fig. 3.6);</p> <p>b. A distinctive corner building element with both (Figure 3.7):</p> <p>i. A fenestration pattern and material change that is different from main building.</p> <p>ii. A distinctive roof plane and</p>	<p>A. Proposed Key Corner Buildings facing N. Shoreline Blvd. and Pear Ave (B-3 and B-4) and buildings facing Joaquin Rd. and Plymouth St. (B1 and B2) do not incorporate a) tower elements at the corner;</p> <p>b) distinctive corner building elements with fenestration and material changes and distinctive roof planes;</p> <p>c) chamfered or rounded corners; and</p> <p>d) a publicly accessible plaza or restaurant with a minimum of 1,500 square feet; or main building entries or publicly accessibly plazas</p>	<p>Not compliant.</p> <p>A. Proposed project is not compliant with the requirement for buildings B1, B2, B3 and B4 to provide key corner building elements. Greater compliance can be achieved by introducing architectural and/ or publicly accessible plaza or restaurant seating area.</p>

		<p>minimum change in building height of one story from the rest of the building.</p> <p>c. Chamfered/rounded corner (Fig. 3.8); or</p> <p>d. publicly accessible plaza or restaurant seating at least 1,500 sf. (Fig. 3.9)</p> <p>B. Key corners shall include a main building entry or a publicly accessible plaza leading to a main building entry or retail entry.</p>	<p>leading to main building or retail entries.</p> <p>B. Building B1 has a main lobby entry facing Plymouth St, B2 has a retail space with main entries facing Joaquin Rd. B3 has an internal fitness and lounge area facing Shoreline, but the main lobby entry faces Pear Ave. B4 has a main lobby entry facing Shoreline and Pear Ave, but the main lobby entry faces Pear Ave.</p>	
<p><i>Key Corners Comments:</i> The proposed project is not compliant with the Key Corners standards per GMP.9 in accordance with Figures 3.5 – Figure 3.9. Buildings B1, B2, B3 and B4 are designated as the Key Corner building sites facing Plymouth St., Joaquin Rd., N. Shoreline Blvd., and Pear Ave. All four of these buildings lack any of the listed key corner building element requirements. They do not provide a tower building element; distinctive corner element with fenestration pattern, material change and distinctive roof plane change; chamfered or rounded corners; or a publicly accessible plaza or restaurant seating area of at least 1,500 square feet. Compliance can be achieved by introducing architectural and/ or publicly accessible plaza or restaurant seating area.</p>				

<p>A3.</p>	<p>Parking</p>	<p><i>Gateway Master Plan: Section 3 (Development Standards) GMP.13 Parking</i> a. Maximum of 2,100 spaces for the shared parking plan for the entire Gateway Master Plan Area.</p> <p><i>NBPP Section 6.11 Off-Street Parking Requirements:</i> Parking standards of Section 6.11 shall be required:</p> <p>b. Residential requesting higher parking maximums require a parking study.</p>	<p>a. Project proposes a total of 2,478 parking spaces for the project site, which exceeds the maximum allowable 2,100 spaces for the entire Gateway Master Plan area.</p> <p>b. Project is not proposing to conduct any parking study.</p>	<p>Not compliant.</p> <p>a. Project is exceeding the maximum allowed parking per the Gateway Master Plan.</p> <p>Of the 2,100 maximum allowable spaces in the Gateway Master Plan area, 1,322 spaces have already been allocated in the Google North Bayshore Master Plan portion of the Gateway Master Plan. This would leave 778 spaces remaining for the project site. However, the proposed project is requesting 1,700 additional parking spaces for the site.</p> <p>Based upon the Maximum Parking Requirements of Table 23 of the NBPP and the Institute of Transportation Engineers (ITE) parking rates for commercial, the maximum parking per use would be:</p> <p>Residential: 1,245 parking spaces Retail/Restaurant: 74 parking spaces Fitness Club: 368 parking spaces Total Spaces: 1,687 parking spaces</p>
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b. Project indicates no parking study will be submitted but is required by the NBPP.

Parking Comments: The North Bayshore Precise Plan envisions an area that prioritizes alternate modes of transportation other than single occupancy vehicles and sets maximum parking ratios that are lower than in other areas of the City. The Gateway Master Plan area allows a maximum of 2,100 parking spaces for development of 5 Parcels (A-E). 1,322 parking spaces have already been allocated to development of parcels (B-E) leaving 778 remaining for this project. The Gateway Master plan also requires a shared parking plan submittal for any new development with mix of uses.

Because this development is proposing a density that is higher than anticipated, staff recognizes that the remaining 778 spaces may not be sufficient to provide adequate on-site parking. Therefore, staff has used the residential parking maximum requirements from the North Bayshore Precise Plan and the parking rates from the Institute of Transportation Engineers (ITE) for the retail/restaurant and fitness club uses to determine the total maximum parking allowed for the project (see table below). Based on this calculation, the projects proposed 2,748 parking spaces is non-compliant and must be reduced to meet the 1,687 parking space limit. In addition, applicant must submit a shared parking plan based on the mix of proposed used.

Maximum Parking Space Requirement Table

Proposed Use	No. of Units	Parking Ratio	Max. Parking Space Allowed
Micro Units (450 sf or less)	28	0.25 space/ unit	7
Studio (> 450 sf) units*	312	0.5 space/ unit	156
One-bedroom units	984	0.5 space/ unit	492
Two-bedroom units	590	1 space/ unit	590
Total Residential Parking Spaces Allowed			1,245
	Square Feet of Use		
Retail/Commercial	20,000	3.68/1,000 Gsf	74
Fitness Club	100,000	3.68/1,000 Gsf	368
Total Commercial Parking Spaces Allowed			442

Total Parking Allowed for Project			1,687
<p>*Staff used the one-bedroom unit parking ratio for studios over 450 square feet as the North Bayshore Precise Plan does not contain a studio parking ratio, but instead distinguishes by the square footage of the unit.</p>			

Sr. No.	Development Standard – North Bayshore Precise Plan (P39)	Requirements	Proposed	Compliance
A4.	Moffett Field Comprehensive Land Use Plan and Federal Aviation Administration Height Limits	<p><i>NBPP Section 3.3.5. Moffett Field Comprehensive Land Use Plan (MFCLUP) Height Limits:</i></p> <p>All new buildings shall conform to the height limits established by the MFCLUP. Maximum building heights shall not exceed 182 feet Above Mean Sea Level. Proposed project must also obtain a No Hazard determination from the Federal Aviation Administration (FAA).</p>	Proposed buildings B1, B2, and B3 are potentially showing total heights above a Mean Sea Level of 182 feet.	Potentially Not Compliant. Buildings will need to be reviewed and cannot exceed the height limits set forth in the MFCLUP and by the FAA.

Moffett Field Comprehensive Land Use Plan Height Limits: The 15-story buildings appear to be at, or slightly above, the height limit permitted by the MFCLUP. Additionally, if the height limits exceed the heights studied in the North Bayshore Precise Plan, as reviewed by the Santa Clara County Airport Land Use Commission (ALUC), the project would have to be considered again at a public hearing with the ALUC for a consistency determination with the MFCLUP prior to project approval. The applicant will also need to seek and obtain a No Hazard determination from the FAA for this project prior to issuance of a building permit. Under no circumstances may the project exceed the height limits set forth in the MFCLUP or by the FAA.

Sr. No.	Development Standard – North Bayshore Precise Plan (P39)	Requirements	Proposed	Compliance
A5.	Allowable Land Uses	<p>NBPP <i>Section 3.3.2 Land Use Standards:</i> <i>Allowable land uses.</i></p> <p>a. Allowable land uses for each character area are listed in Table 3: Allowable Land Use Table. Indoor recreation and fitness centers are a Permitted (P) use in the Gateway area, but outdoor commercial recreation is not included in this use.</p> <p>Additionally, rooftop amenities for residential uses require a Provisional Use Permit (PUP) in the Gateway area.</p> <p>b. Other not named but similar to listed uses as determined by the Zoning Administrator may be approved through a</p>	<p>a. The project proposed allowable land uses, including residential, retail/restaurant, and a fitness center that is primarily indoors, in the Gateway area.</p> <p>Project proposes ancillary rooftop amenities for residential uses in the form of open space terraces and for the fitness club use in the form of an exterior pickle ball/tennis courts and running track.</p> <p>Additionally, an ancillary ground floor outdoor swimming pool is proposed.</p>	<p>Not compliant.</p> <p>a. Ancillary rooftop amenities for the residential buildings and ancillary outdoor commercial recreation, including the ground floor pool and rooftop pickleball/tennis courts and running track may be permitted through approval of a PUP in the Gateway area.</p> <p>b. Application of a PUP for these ancillary rooftop amenities for the residential buildings and the outdoor recreational uses may be added to the application for compliance.</p>

Sr. No.	Development Standard – North Bayshore Precise Plan (P39)	Requirements	Proposed	Compliance
		Provisional Use Permit (PUP).		
<p><i>Allowable Land Uses Comments:</i> The proposed residential, retail/restaurant and indoor fitness club uses are permitted land uses in the Gateway area. However, the ancillary rooftop amenities, such as the roof top terraces on the residential buildings and ancillary outdoor recreation uses, such as the outdoor swimming pool, roof-top running track, and pickle ball/tennis courts, will require a PUP . Therefore, the PUP request must be added to the proposed project application.</p>				
Sr. No.	Public Works – Code Requirements & Standard Details	Requirements	Proposed	Compliance
A6.	Street network/alignments	Street network and alignment per GMP Section E, and NBPP Chapter 6.	Street network/alignments shown in the submittal are not in compliance with the GMP and NBPP.	Not Compliant. The project does not comply with the GMP or NBPP. Project shall match the street network/alignment design listed in the GMP and NBPP. Alternatively, demonstrate the proposed street network/alignment will respect the vision and goals of the NBPP to provide a safe and complete circulation system for bikes, pedestrians, passenger vehicles, and service vehicles. If alternative street network / alignment is proposed, applicant will be required to provide funding for a transportation study to determine the adequacy of the proposal.

Street network/alignments Comments: The proposed street network/ alignments shown in the submittal are not in compliance with the GMP and NBPP listed in Reference documents. Additionally, the proposed street alignment should be in coordination with the approved Google North Bayshore Master Plan for the remainder of the Gateway area. Ensure Street network/alignments comply with all reference documents. See reference below.

- Page 148 in NBMP
- Page 31 in Gateway Master Plan
- Page 22 in Google North Bayshore Master Plan (Coordinate with this Plan)

Alternative Option: Demonstrate the proposed street network/alignment will respect the vision and goals of the NBPP to provide a safe and complete circulation system for bikes, pedestrians, passenger vehicles, and service vehicles. If alternative street network / alignment is proposed, applicant will be required to provide funding for a transportation study to determine the adequacy of the proposal.

A7.	Joaquin Road and Circle Drive network/alignments	<i>Gateway Master Plan and North Bayshore Precise Plan.</i>	Gateway Park was added and Joaquin Road was not designed to connect through the entire site.	Not Compliant. Project shall match the street network/alignment design listed in master plan and precise plan or demonstrate proposed street network/alignment meet the needs of bike, pedestrian, vehicles, and service vehicles per the GMP and NBPP.
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Street Network/ Alignment Comments:

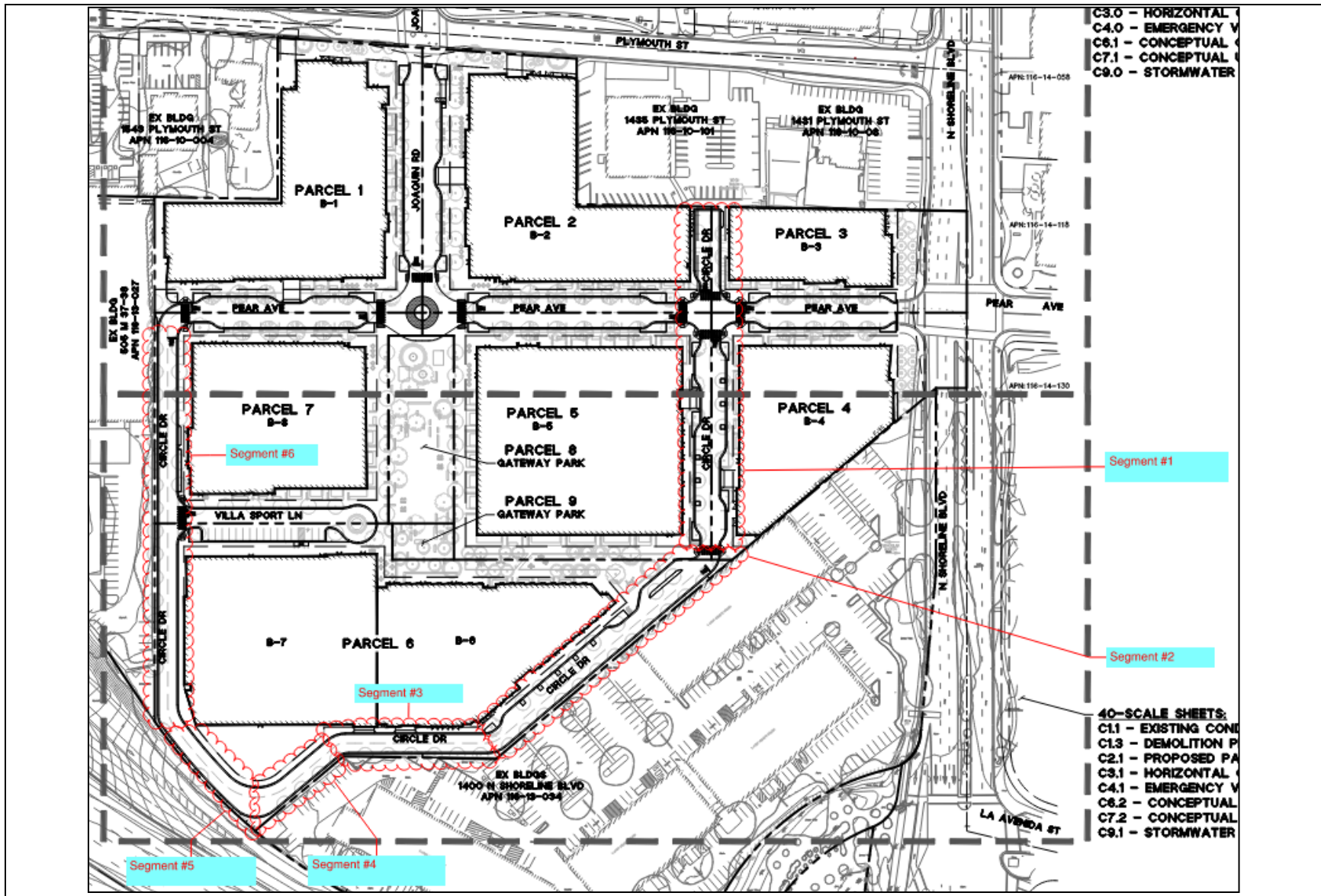
Current submittal includes proposed open space (Gateway Park) with no vehicular access.

- 1) Circle Dr shall have same street configuration as Joaquin Road per GMP due to function of the street.
 - a) Circle Dr will carry more traffic due to the proposed open space and lack of direct access to south parcel. This includes adding more traffic on Main Street (Circle Dr between Parcel 4 and 5, Parcel 2 and 3), which was seen as a vibrant high density mixed use neighborhood with ground floor retail and restaurants.
 - b) Will require additional right-of-way on Pear, between Shoreline and Main Street (Circle Dr between Parcel 4 and 5, Parcel 2 and 3), for left turn pocket or left turn lane to accommodate added traffic volume.
- 2) Break Parcel 6 (B-6 & B-7) to allow pedestrian and bike access per NBMP and GMP.

<p>Alternate Option: Demonstrate the proposed street network/alignment will respect the vision and goals of the NBPP to provide a safe and complete circulation system for bikes, pedestrians, passenger vehicles, and service vehicles. If alternative street network / alignment is proposed, applicant will be required to provide funding for a transportation study to determine the adequacy of the proposal.</p>				
A8.	Street Typology	The private streets designation conflict with the Gateway Master Plan. Street dedication authorized under the Subdivision Map Act Sec. 66475.	All new streets are identified as private streets in the proposed tentative map.	Not Compliant. The project does not comply with street typology required per the GMP and NBPP. Public Streets are required to provide multimodal connectivity and utility purposes. The streets must accommodate all modes including pedestrian, bicyclists, passenger vehicles and delivery vehicles. To accommodate the required city sewer network, public street connecting 101 and Plymouth is required.
<p><i>Street Typology Comments:</i> It appears all new streets are identified as private streets in the tentative map. The private streets conflict with the GMP. See Page 32 of GMP or below for reference.</p> <ul style="list-style-type: none"> a. Joaquin Rd: Public Street. b. Pear Ave: Public Street. c. Main St (Segment #1, A1&A2): Public Street. d. D (D1 &D2) St: Public or Private Street. e. Circle Dr: Public Street. 				
A9.	Street cross-sections and dedications	<i>Gateway Master Plan North Bayshore Precise Plan.</i>	Proposed street cross-sections are not in compliance with the GMP or NBPP.	Not Compliant. To be compliant, the cross sections must match those in the GMP or provide equivalent capacity for all modes of transportation.

Street cross-sections comments: Based on the road network submitted, the cross-sections based on the street typologies in the GMP listed below would apply. Alternative cross sections may be provided but they must respect the vision and goals of the NBPP to provide a safe and complete circulation system for bikes, pedestrians, passenger vehicles, and service vehicles. If alternative cross sections are proposed, applicant will be required to provide funding for a transportation study to determine the adequacy of the proposal.

- a. Joaquin Rd: Page 33-34 in GMP. Show Joaquin Rd as a through street connecting to Circle Dr.
- b. Pear Ave: Page 35, in GMP.
- c. Main St: Page 87 in GMP.
- d. B St: Page 35 in GMP.
- e. D St: Page 32, 35 in GMP.
- f. See the requirements below for Circle Dr. See attached Circle Dr segments.
 - i. Segment #1:
 - Provide full width of “Main Street” A1, A2, in GMP on Page 35-36.
 - Add cul-de-sac at the end of Circle Dr, between Parcel 2 and 3.
 - ii. Segment #2: Provide interim road with interim improvements with sidewalk, pedestrian improvements connecting Segment #1 and #3.
 - iii. Segment #3: Provide north side of B street with sidewalk, pedestrian improvements shown in Page 74 of NBMP or Page 35 of GMP.
 - iv. Segment #4 & #5: Provide full width of B Street shown in Page 74 of NBMP or Page 35 of GMP.
 - v. Segment #6: Provide full/interim Service Street with sidewalk, pedestrian improvements shown in Page 35 of GMP.



A10.	Plymouth Street frontage improvements and dedication	<i>NBPP Priority Transportation Improvements Section 6.5.</i>	Proposed project design requires City to vacate a 20' wide sidewalk easement along Plymouth street.	Not Compliant. The project does not comply with the required transportation improvements along Plymouth Street depicted in the GMP and NBPP. The project requires vacation of a sidewalk easement to accommodate project design. The frontage design along Plymouth street does not take into account City's existing CIP for frontage improvements on the south side of Plymouth Street.
<p><i>Plymouth Street Frontage Comment:</i> Project shall install frontage improvements on the south side of Plymouth, west of Joaquin Road per the Precise Plan, as the City will install the frontage improvements on the south side of Plymouth east of Joaquin and on the north side of Plymouth as part of the City's CIP projects.</p> <p>The applicant shall dedicate a 20' wide public street easement along the full length of the project's Plymouth Street frontage consistent with Sheet 10 of the approved vesting tentative map and Subdivision COA# 13 (also Master Plan COA# 150) of the NBMP. The street easement shall be over the same footprint as the existing 20' sidewalk easement that is proposed for vacation by the applicant.</p> <p>Greater compliance can be achieved by adjusting the plans to comply with the existing CIP plans without needing the sidewalk easement vacation.</p>				
A11.	Utilities	<i>Gateway Master Plan Section F. Coordination with North Bayshore Precise Plan Chapter 7.2</i>	Submittal shows domestic water and recycled water mains as public utilities on private streets. Other utilities appear to be private.	Not Compliant. The project does not comply with the GMP and NBPP. All proposed utility mains shall be public on public streets.
<p><i>Utilities comment:</i> Submittal shows domestic water and recycled water mains as public utilities on private street. Other utility mains appear to be private. However, City only allows public utilities on public streets. Compliance can be achieved by showing</p>				

public utility main alignments in compliance with GMP. See Page 40 in GMP as a base for the utility design. Coordination with recycled water for irrigation requirement in NBSMP Chapter 7.2, Page 212.				
A12.	Public Easement Vacation Fee	The applicant shall pay a processing fee, which is required consistent with Municipal Code Section 27.18 and Streets and Highways Code Section 8320.	Processing fee was not paid.	Not Compliant. Applicant is currently non-compliant as the application is not complete. The application fee is required for the application to be complete and for the city to begin reviewing the request.
<p><i>Public Easement Vacation Fee Comment:</i> Based on Application for Right of Way or Easement Vacation, the processing fee is required for the easement vacation application package. Applicant shall submit a complete application including the payment of the fees. Staff will then review the application. Please note that the easement vacation process occurs concurrently with the project and is subject to the requirements in Streets and Highways Code Section 8320. Only the City Council has the authority to approve or deny any vacation request. Typically, the request to vacate an easement is taken to Council with the project approval.</p>				
A13.	Transportation Demand Management (TDM)	<i>Per NBPP Section 6.14-</i> TDM plan baseline requires development join membership in Transportation Management Association (TMA).	The TDM report indicated the development “may” join the Mountain View TMA.	Not Compliant at this time. Replace “may” to “shall”, so the proposed development shall join Mountain View TMA.
<p><i>TDM Comments:</i> Page 203 of the NBPP specifies the requirement for new residential projects to be a member of TMA.</p>				

A14.	Public Utility Easement(s)	Public Utility Easements (PUEs) shall be provided as required by the Public Works Director along project frontages per Municipal Code Section 28.9.05 and Section 28.9.15 , where needed for the installation, operation and maintenance of utilities and utility accessories.	No frontage PUE is provided.	Not compliant. The project does not comply with required PUEs.
<p><i>Public Utility Easement Comments:</i> Update the plans to show layout and dedication of a 10’ PUE to accommodate the proposed and relocated utility boxes along project frontages, per Municipal Section. 28.9.05 and Section 28.9.15. All utility boxes, including but not limited to phone boxes and CATV boxes along project frontage will need to be relocated to the 10’ PUE.</p>				
A15.	Solid Waste - Trash Management	<i>Trash Management Plan:</i> Service Level – plans do not meet minimum trash service levels and container sizing.	Trash management plan does not comply with Solid Waste service level requirements.	Not compliant. The plans shall be revised to address bin locations, trash room layouts within the individual buildings as listed below and chute signage.
<p><i>Trash Management Comments:</i> Plans shall be updated to show compliant Solid Waste improvements.</p> <ul style="list-style-type: none"> • The bin staging areas must be on private property or fully removed from the street in an area where vehicles are not allowed to park, not staged from the street. In addition, the staging areas cannot involve the trash collection vehicle having to cross head-on into the opposing traffic lane to reach the staged bins. Revise all trash staging sheets (TR0.2 – TR0.6). • Buildings B1 South, B 2, B 3, & B 5 Trash Collection Rooms – revise layout so all bins are easily accessible and maneuverable; for example, do not have any bins placed directly in front of the roll-up doors. 				

- TR2.0 – chute labels/signage. The metal chute doors typically have writing etched into them indicating trash, paper recycling, container recycling. Please confirm whether this is the case for this development project and if so, include those labels on each of the chute designs. Also, the signage for the chutes shown does not reflect our current posters for multi-family properties (see attached examples). Recology Mountain View can provide the posters before or during the site walk-through for occupancy sign-off.

Sr. No.	Development Standard – City Arborist/Forestry Division	Requirements	Proposed	Compliance
A16.	Arborist Report	Provide comprehensive Arborists Report documenting all trees on site, their size, health, structure, suitability for preservation and tree protection measures needed during construction.	The arborist does not identify all the heritage trees and street trees correctly.	<p>Not Compliant.</p> <p>Heritage trees -Raywood ash #19, 24, 89, 90 and 245, California pepper #208, 479, and London plane #507 have trunk diameters larger than 15.3 inches and are considered Heritage Per the City Code Section 32.23.</p> <p>Street Trees - Trees #5, 6, 7, 8, 9, 10, 146, 148, 149, 151, 153, 154, 174, 217 need to be identified as street trees.</p>

Tree Preservation Comment: Per [City Code Section 32.28](#), a tree removal permit should include a comprehensive Arborist Report documenting all trees on site, their size, health, structure, suitability for preservation and tree protection measures needed during construction. The current arborist report does not identify all the heritage trees and street trees correctly.

Revise the arborist report to specifically identify Raywood ash #19, 24, 89, 90 and 245, California pepper #208, 479, and London plane #507 (with trunk diameters larger than 15.3 inches) as Heritage per the City Code Section 32.23.

Also identify Trees #5, 6, 7, 8, 9, 10, 146, 148, 149, 151, 153, 154, 174, 217 as street trees.

A17.	Tree preservation	<u>Per City Code Section 32.28:</u> Identify each tree to be preserved, removed or transplanted	Update tree table and L0.08 to ensure alignment on trees to be removed, preserved, or transplanted	Not compliant. Sheet L0.08 includes trees marked for removal but should not be included in the tree protection plans.
<p><i>Tree Preservation Comment:</i> Per the City Code Section 32.28, a tree removal permit should include tree preservation plan indicating each tree to be preserved, relocated, or transplanted. Current plan set includes a tree preservation plan sheet L0.08 which includes trees to be removed. Update tree table and L0.08 to ensure alignment on trees to be preserved, relocated, or transplanted.</p>				
A18.	Tree Species Appropriateness	<u>Per City Code Section 32.35:</u> Designate replacement species that are appropriate for location.	Identified Oak species are not recommended for planting in spaces less than 7'x7' or within areas without adequate non-compacted soil volumes	Not Compliant. Oaks currently identified for smaller planting spaces and within bio-retention/Green Stormwater Infrastructure (GSI) facilities which will not support long term health.
<p><i>Tree Replacement Comment:</i> The proposed plans show Oaks identified for smaller planting spaces and within bio-retention/GSI facilities which will not support long term health. Revise the tree replacement plan with tree species appropriate for the replacement location.</p>				
Sr. No.	Development Standard – Community Services Division (CSD) Parks	Requirements	Proposed	Compliance
A19.	Private Owned Publicly Accessible (POPA) Credit Computation	<i>Park Land Dedication Ordinance Section 41.11.2(a)(vii):</i> Yards, court areas, setbacks, decorative	Proposed POPA property line includes setbacks, decorative landscape areas, and bike and pedestrian paths	Not compliant. POPA area is not calculated properly.

		landscape areas, bike and pedestrian paths, shall be excluded from the credit computation of POPA open space.		
<p><i>POPA Credit Computation comment:</i> The proposed plans indicate the POPA measurements include setbacks/paths/court areas that do not serve a function for the POPA. Based on the proposed plan set, the POPA boundary should be measured from the proposed line of trees excluding sidewalks and retail/residential property setbacks. Revise the plans to correct the POPA area calculations.</p>				
A20.	POPA Element	The entirety of the POPA open space shall consist of any combination of elements, but not less than one (1) element, meeting the minimum requirements as defined in Park Land Dedication Ordinance Table 41.11	Proposed POPA includes “retail breakout areas”, “café breakout” and “co-work breakout space” which do not meet any element guidelines and may also fall under “yards, court areas, setbacks, decorative landscape areas” referenced in Table 41.11 of the Park Land Dedication Ordinance.	Not compliant. Proposal does not include the required POPA element per Park Land Dedication Ordinance Table 41.11 .
<p><i>POPA Credit request comments:</i> Proposal does not include the required elements to meet the Park Land Dedication Ordinance Table 41.11. Revise the plans to meet Park Land Dedication Ordinance Table 41.11.</p>				

Sr. No.	Development Standard – Community Services Division (CSD) Parks	Requirements	Proposed	Compliance
A21.	POPA Credit Request	<p><i>Per Park Land Dedication Ordinance Table 41.11:</i></p> <p>a. The POPA open space shall have minimum dimensions of one hundred (100) feet on all sides per Park Land Dedication Ordinance Section 41.11.2(a)(iii).</p> <p>b. Game court must contain at least one (1) full game court that meets the standards of the professional association for the type of activity proposed.</p> <p>c. Exercise Area must be able to support ten (10) people using equipment at the same time and include ADA-accessible equipment.</p>	<p>a. Proposed POPA shows areas that are only 40’ wide.</p> <p>b. Proposed POPA shows “flex lawn area to be used for game activities” which is not an actual game court.</p> <p>c. Proposed POPA does not show exercise equipment or ADA-accessible equipment. It only shows “flex lawn” which does not meet requirements to count as Exercise Area element.</p> <p>Proposed “dog run area program” does not meet element guidelines, missing separate large and dog areas and does not meet size</p>	<p>a. Not compliant. Proposed POPA area does not meet the minimum size requirement per the Park Land Dedication Ordinance Section 41.11.2(a)(iii).</p> <p>b. Proposal does not include a full game court that meets the standards of the professional association for the type of activity proposed.</p> <p>c. Proposal does not include an Exercise Area must be able to support ten (10) people using equipment at the same time and include ADA-accessible equipment.</p> <p>d. Proposal does not include the required elements and size to meet the Dog Park element minimum requirements, including separate areas for large and small dogs and a minimum of sixty (60) feet on all sides of the element.</p>

		Dog Park element should have separate areas for large dogs and small dogs. Adequate amenities such as bag dispensers and dog-friendly hydration stations. Minimum total area of 0.25 acre for the dog park with a minimum dimension of sixty (60) feet on all sides of the element.	requirements. Some sides are only 20 feet.	
<p><i>POPA Credit Comments:</i> Park Land Dedication Ordinance Table 41.11, revise the proposal to include the required size and type of elements specifically right size of Dog Park element, exercise area to support 10 people using the equipment at the same time, at least one full game court and POPA area with minimum dimension of 100 feet on all sides.</p>				
Sr. No.	Housing Department Requirements	Requirements	Proposed	Compliance
A22.	Affordable Housing Compliance Plan	<i>Per City's Below Market Rate (BMR) Administrative Guidelines: Provide completed Affordable Housing Compliance Plan, including the BMR information.</i>	Applicant provided Affordable Housing Compliance Plan with BMR units not proportional to market rate units.	Not compliant. Affordable units as proposed are not proportionate (by number of bedrooms) to market rate units as required per City Code SEC.36.40.10F and City BMR Administrative Guidelines (Page 8).
<p><i>Affordable Housing Compliance Plan Comment:</i> Affordable Housing Compliance Plan submitted is non-compliant due to the proposed BMR Unit Mix. The BMR unit mix should be proportional to the market rate unit mix per the BMR guidelines. The applicant will need to switch some 1-bedroom units for 2-bedroom units as shown below in the table. Revise the proposal per City Code SEC.36.40.10F and City BMR Administrative Guidelines (Page 8).</p>				

Unit Type	Proposed Market Rate Unit Mix	Proposed Affordable Unit Mix	Proposed Affordable Number of Units
Studio	17.76%	18.54%	71
One-bedroom	51.57%	53%	203
Two-bedroom	30.67%	28.46%	109

The proposed affordable unit mix should be revised to the following:

Unit Type	Affordable Unit Mix	
	Number of Units	Percent
Studio	71	18.54%
One-bedroom	198	51.70%
Two-bedroom	114	29.77%

B. Applicable, objective standards that may affect the project’s design.

Sr. No.	Building Division – Code Requirements	Requirements	Proposed	Compliance
B1.	Reach Codes: Photovoltaic (PV) System	City Code Section 8.20.9 requires photovoltaic system designed to provide 100% of the annual kwh consumption.	Information per building code requirements not shown on the plans.	Compliance could not be determined since the information was not provided. However, applicant shall be required to comply with the Reach Code standards prior to issuance of Building Permit.
<p><i>Photovoltaic Systems Comment:</i> City Code Section 8.20.9 requires photovoltaic system designed to provide 100% of the annual kwh consumption. Provide calculations to show the estimated annual kwh consumption as well as a plan that show the proposed number, efficiency, and calculations to show the PV generation.</p>				
B2.	Parking – EV Charging Spaces	Per City Code 8.20.32 <ul style="list-style-type: none"> • EV Charging Spaces (EVCS) for the Residential Portion: 15% of the total number of parking spaces shall be provided with Level 2 chargers, with at least one Level 2 charger in the common area parking. And 85% of parking spaces shall be Level 1 Ready charging. • EV Charging Spaces for the Non-Residential Portion: 45% of the total number of parking spaces shall be 	<ul style="list-style-type: none"> • EV Charging Spaces (EVCS) for the Residential Portion: Plan sheet A0.03 does not specify the number of EV Level 2 charging spaces provided or the number of Level 1 Ready spaces provided. • EV Charging Spaces for the Non-Residential Portion: Plan sheet A0.03 shows 205 of the total 470 parking spaces as EV Capable; however, 211 EV 	Compliance could not be determined. Plans do not provide show required number of EV charging spaces required or the number of accessible EV charging spaces. However, applicant shall be required to comply with the Reach Code standards prior to issuance of Building Permit.

		<p>EV Capable and 33% of those spaces shall have EV charging equipment installed.</p>	<p>Capable spaces are required.</p>	
<p>EV Charging spaces Comment: Plans do not provide show required number of EV charging spaces required or the number of accessible EV charging spaces. Show number of EV charging spaces required on the plans. 15% of the total number of parking spaces shall be provided with Level 2 chargers, with at least one Level 2 charger in the common area parking. And 85% of parking spaces shall be Level 1 Ready charging. Ensure 45% of the total number of parking spaces shall be EV Capable and 33% of those spaces shall have EV charging equipment installed. CBC 1109A.4. The EV Capable spaces are required to accessible capable spaces as required by the CBC Table 11B-228.3.2.1. On sheet A0.03 show the number of Level 2 EV charger spaces that are accessible or the number of Level 1 Ready spaces that are accessible per the reach code requirements.</p>				
<p>B3.</p>	<p>Parking – Accessible EV Charging Spaces</p>	<ul style="list-style-type: none"> • <i>Accessible EV Charging Spaces (EVCS) for the Residential Portion:</i> The EV charging and capable spaces are considered a separate parking facility from the non-EV spaces. Ensure that 2% of the spaces with a Level 2 charger and 2% of the spaces that are Level 1 Ready will be accessible spaces. CBC 1109A.4 • <i>Accessible EV Charging Spaces for the Non-Residential Portion:</i> The EV Capable spaces are 	<ul style="list-style-type: none"> • Accessible EV Charging Spaces (EVCS) for the Residential Portion: Plan sheet A0.03 does not show the number of Level 2 EV charger spaces that are accessible or the number of Level 1 Ready spaces that are accessible. • Accessible EV Charging Spaces for the Non-Residential Portion: Plan sheet A0.03 does not shown any of the 	<p>Compliance could not be determined. Plans do not indicate the required number of accessible EV charging spaces. However, applicant shall be required to comply with the Reach Code standards prior to issuance of Building Permit.</p>

		required to accessible capable spaces as required by the CBC Table 11B-228.3.2.1.	EV Capable spaces been accessible Capable.	
<p><i>Accessible EV Charging spaces Comment:</i> Plans do not show any of the EV Capable spaces been accessible Capable. Show number of EV charging spaces required or the number of accessible EV charging spaces. Ensure that 2% of the spaces with a Level 2 charger and 2% of the spaces that are Level 1 Ready will be accessible spaces. CBC 1109A.4. The EV Capable spaces are required to accessible capable spaces as required by the CBC Table 11B-228.3.2.1. On sheet A0.03 show the number of Level 2 EV charger spaces that are accessible or the number of Level 1 Ready spaces that are accessible per the reach code requirements.</p>				
Sr. No.	Development Standard – Fire Department Code Requirements, Stormwater Pollution Prevention Program	Requirements	Proposed	Compliance
B4.	Stormwater Treatment	<p><u>Provision C.3 Data Form</u>: The proposed project must comply with the C.3 Bay Area Municipal Regional Stormwater Permit requirements and the local municipal requirements.</p> <p>The requirements include initial submission of an accurately completed Provision C.3 Data Form.</p>	The applicant has not submitted a completed Provision C.3 Data Form.	Compliance could not be determined. Prior to issuance of a building permit, applicant must submit a completed Provision C.3 Data Form.

Stormwater Treatment Comment: Please submit a completed Provision C.3 Data Form .				
Sr. No.	Development Standard – North Bayshore Precise Plan (P39)	Requirements	Proposed	Compliance
B5.	EIR Mitigation, Monitoring and Reporting Program (MMRP)	NBPP Appendix G, EIR MMRP: All projects shall comply with the EIR MMRP for the North Bayshore Precise Plan	Proposed project is not compliant with the NBPP and indicates on the Cover Sheet that the project does not comply with the General Plan, Precise Plan, Master Plan and Zoning Ordinance.	Not compliant. Proposed project is not compliant with the NBPP and the EIR MMRP requirements, as it has indicated it is not compliant with requirements in the General Plan, Master Plan, NBPP and Zoning Ordinance. Project will be required to comply with CEQA process as part of this project application.
EIR MMRP Comments: Project must comply with the EIR MMRP requirements as the project documents indicated it is not compliant with requirements of the NBPP, Master Plan, General Plan and Zoning Ordinance as a Builder’s Remedy project. Project will require CEQA review as part of the project application process and will be required to comply with any CEQA requirements as a result of the CEQA review for the project.				
B6.	Signs	NBPP Section 3.3.10, Signs: a. Signs shall be subject to the sign regulations of the Zoning Ordinance regarding exempt, prohibited, and general sign regulations.	a. Project proposes two digital billboards on the south and east elevations of B3. The billboards are each 30’ x 20’ (600 square feet each). Signs do not comply with the sign regulations of the City Ordinance.	Not compliant. a. The City’s Billboards and Outdoor Advertising Section 3.18.3 and Section 3.18.6 of the City Code, states that no sign shall be erected if it constitutes or tends to constitute a hazard to the safe and efficient operation of vehicles upon the freeway. Because this sign would be located with visibility along N. Shoreline Blvd. near the freeway

		<p>b. All new signage shall comply with the NBPP regulations in Appendix D.</p> <p>Appendix D requires a Sign Program be submitted to show all signs proposed on site to be reviewed and approved by the Zoning Administrator.</p>	<p>b. Project signs do not comply with Appendix D of the NBPP sign regulations.</p>	<p>entrance/exit of Highway 101, it would constitute a hazard. Further it would not meet requirements of Section 3.18.6, Signs with moving parts, flashing lights, etc., creating a hazard to freeway users prohibited as it would be a digital sign. Therefore, the billboard signs would not be permitted.</p> <p>b. Proposed signage does not comply with Appendix D of the NBPP as it does not comply with the City’s sign regulations regarding digital signs that are located near freeway entrances/exits.</p> <p>Signage will not be considered part of this development application, as sign permit applications are submitted separately after a development project has received Planning entitlement approvals.</p>
<p><i>Sign Comments:</i> The proposed digital billboard signage is not allowed. Electronic signage with the ability to have moving messages and lights, placed near a freeway entrance and exit per the City’s Billboard Ordinance in Sections 3.18.3 and 3.18.6 would constitute a hazard to the safe and efficient operation of vehicles and could create a condition to endanger the safety of persons or property. Therefore, the proposed electronic signage as shown on plans must be eliminated.</p>				

<p>Please note that no proposed signage as shown on the plans would be reviewed and approved as part of this development application. A separate Sign permit and/or sign program applications would need to be submitted after a development project has received Planning entitlement approvals.</p>				
B7.	Nesting Bird Protection	<i>NBPP Section 5.3, Nesting Bird Protection:</i> Project shall be required to comply with this section regarding pre-activity surveys and nest buffers.	Proposed project has not included any nesting bird protection measures at this time of the planning entitlement process. However, the measures shall be required prior to issuance of any building permit and as part of any CEQA requirement.	Not compliant at this time. However, applicant shall be required to comply with these measures prior to issuance of building permits.
<p><i>Nesting Bird Protection Comments:</i> The proposed project has not indicated information that it will comply with the NBPP's EIR MMRP requirements for Nesting Bird Protection. However, the applicant will be required to comply with these requirements and submit information as required in conjunction with the proposed project prior to issuance of building permits.</p>				
B8.	Bird Safe Design	<i>NBPP Section 5.2, Bird Safe Design:</i> Standard requirements for bird safe design include: application of requirements for all new construction, façade treatments, occupancy sensors, funneling of flight paths, skyways, walkways or glass walls and requirements for exceptions to bird safe design.	Project does not propose bird safe design measures at this time as part of the planning entitlement project.	Not compliant at this time. However, applicant shall be required to comply with these measures prior to issuance of building permits.

Bird Safe Design Comments: The applicant has not provided details indicating compliance with the NBPP’s Bird Safe Design requirements. Therefore, compliance cannot be determined at this time. However, the applicant shall be required to comply with requirements prior to issuance of building permits.

B9.	Coordination with City Capital Improvement Program (CIP) Projects per NBPP Chapter 6. Mobility	Project shall reflect and coordinate improvements including utilities with the adjacent two CIP projects listed below.	The proposal does not reflect CIP projects	Not compliant. To meet the objectives of the Mobility Chapter of the NBPP the City has CIP projects in design along the Project’s Plymouth and Shoreline frontages. To determine required coordination for the Project, the CIP projects shall be shown on the application to avoid building or utility conflicts during the future plan check process and avoid encroachment into the CIP projects’ planned right-of-way limits.
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CIP Project Coordination Comment: Reflect and coordinate improvements including utilities on Plymouth and Shoreline with the two CIP projects listed below. These two Priority Transportation Improvement Projects are identified and listed in the NBPP:

- a. Plymouth/Space Park Realignment
- b. Shoreline Blvd. Reversible Bus Lane and Utility Improvements

C. Potential inconsistencies/non-conformities.

The project may be inconsistent or non-compliant with the following development standards and/or code requirements. However, additional information or clarification is needed to allow staff to make a final compliance determination .

ADDITIONAL, CLARIFIED AND/OR CORRECTED PROJECT INFORMATION IS NEEDED TO DETERMINE PROJECT CONSISTENCY WITH THE FOLLOWING CODES AND REGULATIONS:				
Sr. No.	Development Standard – Zoning Ordinance	Requirements	Proposed	Compliance
C1.	Lot Area	<i>Per City Code Section 36.60.27 , “Lot area” is defined as the computed area contained within the lot lines, exclusive of street right-of-way, but including portions held in fee title in the same ownership which may have easements for such purposes as utilities or flood-control changes.</i>	The lot area for the project site is shown as 691,082 square feet or 15.87 acres.	Potentially not compliant. The proposed project plans indicate that the lot area of the project site is 691,082 square feet or 15.87 acres. However, this is inconsistent with the lot area as noted by the Santa Clara County Assessor’s Office, which is shown to be 669,081 square feet, or 15.36 acres.
<p><i>Lot Area Comments:</i> There is a discrepancy between the lot area for the project site that is shown on the proposed project plans and the lot area for the project site as indicated by the Santa Clara County Assessor’s Office. The proposed project plans indicate lot area that is 22,001 square feet larger than the lot area as shown by the Santa Clara County Assessor’s Office. To resolve this issue, please revise the lot size area on the proposed project site plan set to make it consistent with the lot area shown by Santa Clara County Assessor’s Office for this project site or provide a property survey to verify the lot area of the project site in accordance with City Code section 36.60.27, which provides the method for lot area calculation.</p>				

Sr. No.	Development Standard – Gateway Master Plan	Requirements	Proposed	Compliance
C2.	Landscaping/Open Area	<p><i>Gateway Master Plan Section 3 (Development Standards)</i> <i>GMP.12 Landscaping/Open Area</i></p> <p>a. Minimum 20% of Landscape/Open Area required for each parcel.</p>	<p>a. Proposed project shows Open Space per building parcel: B1 (17.6%), B2 (16.9%), B3 (9%), B4 (20.8%), B5 (25.2%), B6/B7 (9%) but this is combining 2 parcels, and B8 (21.9%) per Plan Sheet A0.14.</p> <p>However, it is not shown how the open space square footage for each lot was calculated and what is included in the open space calculation for each lot. Therefore, it cannot be verified until project indicates how open space was calculated and what is included in open space for each lot.</p>	<p>Potentially not compliant.</p> <p>a. Clarification is needed to determine how open space square footage was calculated for each lot to verify whether this requirement is being met for each lot.</p> <p>Based upon the chart proposed by the applicant chart, buildings B1, B2, B3 and B6/B7 would not meet the landscaping/open space requirements.</p>

Landscape/Open Area Comments: The proposed project must demonstrate that at least 20% of each lot is comprised of landscaping and/or open area to meet this requirement under GMP.12. Verification of how landscaping/open space area for each

lot was calculated is necessary to determine whether the project complies with this requirement. Therefore, additional information is needed.				
C3.	Green Building and Site Design	Requirements for residential and commercial buildings are included in Chapter 4, Green Building and Site Design, of the NBPP in sections related to Green Building Design, Energy Efficiency and Renewable Energy, Water Efficiency and Conservation, Stormwater, Materials Management, and Outdoor Lighting.	Proposed project has not provided enough information at this time to demonstrate compliance with all Green Building and Site Design requirements under Chapter 4.	Not compliant at this time. Project has not provided all details of construction at this time to show compliance with all requirements under Chapter 4. Provide information on green building measures to be incorporated into the proposed project.
<p><i>Green Building and Site Design:</i> Proposed project has not provided all information needed to determine if Chapter 4 of the Green Building and Site Design requirements will be met. Provide information on green building measures to be incorporated into the project so that a determination can be made if the project will be compliant with the GMP requirements.</p>				
C4.	Retail Frontage	<p><i>Gateway Master Plan Section 3 (Development Standards)</i> <i>GMP.7 Site and Building Design Standards:</i></p> <p>GMP.7 Retail Frontage</p> <p>a. Retail frontage is intended to create an active pedestrian-oriented environment along the ground floor of buildings</p>	<p>a. A fitness club is proposed in Block 4. Additional ground floor retail is proposed in Blocks 3,6,7,9, and 10 of Figure.</p> <p>b. Percentage of retail frontages where ground floor retail is proposed on buildings has not been indicated on plans. It appears that only B7, the</p>	<p>Potentially not compliant. Additional information is needed to verify compliance.</p> <p>Project may not comply with GMP.7 Retail Frontage standards because:</p> <p>a. Proposed fitness club is not located within Retail Frontage areas identified in Figure 3.5 Key Frontages map.</p>

		<p>and may include but is not limited to indoor recreation and fitness centers, retail stores and accessory retail uses, restaurants, banks and financial services, business support services, dry cleaners, medical services less than 3,000 sf and personal services.</p> <p>b. Retail frontages shall be located along a min. of 70% of all building facades identified in Fig. 3.5.</p> <p>c. Retail frontage shall include minimum 60-foot interior building depth along 50% of all retail facades. All other retail frontage shall include a min. 30-foot interior building depth.</p>	<p>fitness club, has provided at least 70% retail frontage for the B7 building façade.</p> <p>c. Minimum interior depth along 50% of all retail facades has not been provided in the plans. Interior depth of retail frontages appears to vary from approximately 24 feet (B8) to approximately 50 feet (B2), aside from the 222 foot retail depth of the fitness club in B7 . Some frontages are less than the min. 30 foot depth allowed for retail frontages.</p>	<ul style="list-style-type: none"> - Proposed ground floor retail location in Blocks 4, 7, and 10 are not consistent with the Retail Frontage areas identified in Figure 3.5 Key Frontages map. - No ground floor retail frontage is proposed in Blocks 2, 5, and 8 where it is required per Figure 3.5 Key Frontages map. <p>b. Information is needed to show the percentage of retail frontage for all buildings with retail uses. Please provide information to demonstrate if the min. 70% of building frontage is met where ground floor retail is proposed on buildings, aside from the fitness club building, B7.</p> <p>c. Information is needed to show if there is a minimum 60-foot interior building depth for 50 % of the retail frontages for any of the retail spaces, aside from the fitness club building, B7. Some frontages appear to have less</p>
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				than the min. 30 foot depth allowed for other retail frontages.
<p><i>Retail Frontage Comments:</i> The proposed project has an overall limited amount of retail commercial square footage of 20,000 square feet total for the 15.36-acre project site. Additionally, this retail square footage is split between five buildings on portions of the ground floor level. Therefore, these retail spaces in each building appear to be not only substandard, but also limited in depth and retail frontage length. As a result, the project’s retail frontages may not comply with the retail frontage length and retail space depths as required by the GMP. Additional information is necessary to show the minimum and maximum depths of each retail space and the amount of retail frontage length for each retail space. If spaces are not compliant, additional retail square footage space and retail building façade length could be increased in buildings where ground floor parking area could be reduced in buildings proposed with ground floor retail uses.</p>				
C5.	Paving Areas	<p><i>Gateway Master Plan Section 3 (Development Standards)</i> GMP.11 Paving Areas:</p> <p>Paving areas shall not exceed 10% of the total parcel area, excluding streets and paths</p>	<p>The proposed project provides a table on Plan Sheet A0.13 of paving for automobiles. However, there is not a calculation of paved area on site excluding streets and paths.</p>	<p>Potentially not compliant. Information will be needed to verify the amount and percentage of paved area, excluding any areas for streets and paths to determine whether the paved area is less than 10% of the total parcel area and is compliant with this requirement.</p>
<p><i>Paving Comments:</i> The amount of paving area of the total project site is shown on Plan Sheet A0.13. However, this includes paving for automobiles, which is 18.6%. The Gateway Master Plan indicates that paving areas shall not exceed 10% of the parcel area of the project. Therefore, the applicant will need to provide the amount and percentage of paved area, excluding streets and paths, and what is included in the paved area calculation to demonstrate project compliance.</p>				

Sr. No.	Development Standard – North Bayshore Precise Plan – (P39)	Requirements	Proposed	Compliance
C6.	Master Plan	<i>Joaquin-South (Gateway Master Plan) Section 3.5.2 (1).</i>	On Plan Sheet A0.02, the Project Description indicates that project is within the North Bayshore Master Plan. Project is within the Gateway Master Plan area and not the North Bayshore Master Plan.	Not compliant. Please correct the error and indicate that the project is within the Gateway Master Plan area.
C7.	Short Term Bicycle Parking	<p><i>Bicycle Parking requirements per NBPP Section 6.7 Bike Parking and Commuter Amenities, including Table 22:</i></p> <p>a. Location of short-term parking will be provided in visible locations.</p> <p>b. Bicycle parking requirements:</p> <p><u>Short Term Parking per Table 22:</u></p> <ul style="list-style-type: none"> Retail/Commercial: 1 space per 5,000 sf or a minimum of 2 spaces, whichever is greater. 	<p>a. Location of short-term parking is not shown on the plans.</p> <p>The Proposed Parking Table on Plan Sheet A0.03 does not specify how many short-term parking spaces are provided for retail vs. residential uses.</p> <p>b. Project proposes:</p> <ul style="list-style-type: none"> Retail - Short term bike parking not specified for retail only. 	<p>Potentially not compliant. Additional information is required to verify if proposed project complies with the bicycle parking requirements of the NBPP.</p> <p>a. Location of short-term parking for all building sites is not shown on the plans. Please show location and number of short-term bicycle parking spaces on each building site.</p> <p>b. Bicycle parking requirements are not met per Table 22:</p> <ul style="list-style-type: none"> Retail Bike Parking: It is not known how many short term bicycle spaces are proposed for

		<ul style="list-style-type: none"> Residential: 1 space per 10 units 	<ul style="list-style-type: none"> Commercial Bike Parking for Fitness Club: 8 Short Term spaces Residential Bike Parking: 142 short term spaces for both residential and retail. Parking is not specified for residential vs. retail only. 	<p>retail vs. residential, and if the proposed bike parking is shared.</p> <ul style="list-style-type: none"> Commercial Bike Parking for Fitness Club: 8 Short term spaces are provided but 20 spaces are required. Residential Bike Parking: A total of 142 short term bicycle spaces are provided for residential and retail parking. The required number of residential parking is 191 bicycle parking spaces for residential uses. If 4 spaces are allocated for retail, then the project is short a total of 54 parking spaces short for residential uses. <p>Greater compliance can be achieved by adding short-term bike parking spaces in additional outdoor spaces throughout the project site.</p>
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Short Term Bicycle Parking Spaces Comments: Proposed project does not show the difference between short-term residential and short-term retail parking on site. There is a total of 141 parking spaces provided for retail and residential short-term parking. However, it is not clear how many of these are for residential uses and how many are for retail uses. Additionally, the location of

these short-term parking spaces is not shown. Further, if 4 of these 141 parking spaces are allocated for short-term retail parking use, then an additional 54 short-term residential bicycle parking spaces are required. For the fitness club, the Parking Table on Plan Sheet A0.03 indicates 8 short-term parking spaces. However, 20 short-term parking spaces are required for the fitness club. The location of the short-term parking spaces for the fitness club is not shown. To comply with these requirements, please indicate on the Proposed Parking Table on Plan Sheet A0.03 how many bicycle parking spaces are for retail short-term parking and for residential short-term parking and provide the additional 54 parking spaces so that the short-term residential and short-term retail parking requirements can be met further, increase the number of short-term fitness club parking to 20 spaces. Additionally, on the plan set, please indicate where all short-term parking spaces will be located. Where additional short-term parking is required, additional short-term parking maybe accommodated in additional outdoor areas in the project area.

C8.	Long Term Bicycle Parking	<p><i>Bicycle Parking requirements per NBPP Section 6.7 Bike Parking and Commuter Amenities, including Table 22: Bicycle Parking Standards:</i></p> <p>a. Bicycle Storage: All new buildings shall provide bicycle facilities for long-term parking per Table 20.</p>	<p>a. Long-term bicycle parking not shown on the floor plans of the fitness club building.</p> <p>Project is providing 3 long-term retail bicycle parking spaces.</p>	<p>Potentially not compliant. Proposed project does not meet the bicycle parking requirements of the NBPP:</p> <p>a. Indoor (Long-term) parking for the fitness club is not called out on the floor plans. Project is required to provide four long-term retail bicycle parking spaces; only 3 spaces are indicated in the proposed parking table on Plan Sheet A0.03.</p>
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Long Term Bicycle Parking Comments: The proposed project does not show where the 20 long-term bicycle parking spaces for the fitness club are located within the building (B7). Additionally, the project is short one long-term retail parking space. To comply, please indicate on the floor plans of the fitness club where the 20 long-term spaces will be provided and where the additional retail bicycle space may be accommodated. The proposed parking table on Sheet A0.03 indicates there are 20 long-term bicycle spaces allocated for the fitness club. The additional required long-term retail bicycle parking space may be accommodated in the parking garage in additional storage and/or back-of-house space.

<p>C9.</p>	<p>Building Placement Standards</p>	<p><i>NBPP Section 3.3.7, Building Placement Standards:</i></p> <p><i>a. Build-to-area:</i> For new construction, a percentage of the building façade shall be located within the build-to-area as defined in Table 7: Building Placement Standards for the Gateway area. The build-to-areas are measured from the back of the planned public sidewalk or cycle track, whichever is closest to the property.</p> <p><i>b. Corner Buildings:</i> Buildings at designated locations shall “hold the corner” of the parcel by placing a façade within the build-to-area at the block corner for at least 50 feet from the corner including all corners of Pear Ave. and Shoreline Blvd. intersections. Buildings B3 and B4 are at the corner of Pear Ave. and Shoreline Blvd.</p>	<p><i>a. Proposed build-to-areas.</i> The information on percentage of building façade within the build-to-area has not been provided on the project plans. It is not clear where the setbacks for the build-to-area are taken since the plans differentiate parcel lines from property lines. Plans should clearly indicate build-to-areas for each lot and how much frontage is within each build-to area.</p> <p><i>b. For corner buildings,</i> buildings shall “hold the corner” and place a façade within the build-to-area for at least 50 feet from the corner. It cannot be determined what the build-to-areas are. Plans will need to include the build-to-area and show how much corner frontage is located within the build-to-area.</p>	<p>Not compliant.</p> <p>a. It is not clear where the build-to-areas are between the building façade lines for each building and the start of the build-to-area line at the back of the planned public sidewalk. Project plans will need to provide the build-to-areas for each building site and calculate the amount of building frontage within the build-to-areas.</p> <p>b. Project will need to indicate the build-to-area for corner building facades and provide the percentage of corner building facades in the build-to-area.</p>
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<p><i>Building Placement Standards Comments:</i> The proposed plans do not indicate the build-to-areas on each lot measured from the back of planned public sidewalk or cycle track, whichever is closest to the property, and do not indicate the percentage of building façade and corner building façade for each lot on the project plans. Project plans will need to provide this information on the plan sets.</p>				
<p>C10.</p>	<p>Building Frontages</p>	<p><i>Requirements located in NBPP Section 3.3.8, Frontage location, frontage design, multiple frontages and entries, frontage on Green Ways, & Existing street frontage.</i></p> <p>a. Frontage Location: Proportion of primary building façade within the build-to-area of an existing street shall be no less than the amount described in Table 9. Pedestrian pass through or paseo shall count toward minimum frontage requirements.</p> <p>b. Multiple frontages and entries: When buildings front two or more streets, the priority frontage and location of the building lobby and main entrance</p>	<p>a. It is not clear where the build-to-area line is taken, and therefore, it cannot be determined how much building frontages is located within the build-to-area.</p> <p>b. Each of the buildings have multiple building frontages since each building is proposed to be constructed on a separate block surrounded by streets. Since the project is not following the street design requirements of various streets, it cannot be determined if the multiple frontage requirements for priority frontage for</p>	<p>Potentially not compliant. Additional information is required to show where the build-to-area is located and how much frontage is within the build-to-area for each building site.</p> <p>a. It is not clear where the build-to-area line begins. Therefore, it cannot be determined how much of the building frontage is located in the build-to-area for each building.</p> <p>b. Since each building has multiple building frontages, but the surrounding streets are not designed in accordance with the NBPP, the street hierarchy cannot be determined for the priority building frontage for each building.</p> <p>c. The project proposes no Green Ways for the project site.</p>

		<p>shall be based on the following street hierarchy (prioritized from high to low):</p> <ol style="list-style-type: none"> 1) Transit Blvd., 2) Gateway Blvd., 3) Neighborhood Street, 4) Service Street, or 5) Access Street. <p>c. Frontage on Green Ways</p> <p>d. Existing Street Frontage: Buildings shall front only onto existing streets and streets constructed as part of a project. New construction shall meet the build-to-area standards and frontage location for future streets per Table 9.</p>	<p>each building is being met.</p> <p>c. There are no Green Ways proposed for the project.</p> <p>d. It cannot be determined if the project meets the build-to-area standards and frontage requirements until additional information is provided regarding the difference between parcel line and property line.</p>	<p>d. It is not clear if the building frontages on all buildings meet the build-to-area setback requirements. Therefore, it cannot be determined if the buildings meet the multiple frontages and entries requirements.</p>
<p><i>Building Frontages Comments:</i> The proposed building frontages of buildings are not compliant since it cannot be determined how much of the building frontage is within the build-to-area of each building. Additionally, because each building is built on a separate building block and therefore each building has multiple building frontage, it cannot be determined which is the priority frontage, since the surrounding streets are not proposed to be constructed in accordance with the NBPP street designs. Greater compliance can be achieved by incorporating pedestrian pass-throughs or paseos within the front of the building and/or building designs that frame the adjacent streets, plazas, open spaces, and pedestrian walkways.</p>				

<p>C11.</p>	<p>Lot Coverage</p>	<p><i>NBPP Section 3.3.6, Lot Coverage:</i> New construction shall comply with the ground level lot coverage standards for building coverage, paving area, and landscaping/open area per Table 6: Lot Coverage Standards.</p> <p>a. Residential building coverage in the Gateway area shall not exceed a maximum of 70% and non-residential shall not exceed a maximum of 80%. Maximum paving area shall be 10% for residential and non-residential each. Landscaping/open area be a minimum of 25% of lot coverage for residential and 20% for non-residential.</p> <p>b. <i>Residential open space:</i> A minimum of 80 square feet of usable open space per residential unit shall be provided.</p>	<p>The proposed lot coverage appears to be based upon the gross lot area to the centerline of the street as shown on Plan Sheet A0.13. along Shoreline Blvd.</p> <p>a. Although the building lot coverage per Plan Sheet A0.13 indicates lot coverage is no greater than 53.4%, it is not indicated how the building lot area was calculated for each lot.</p> <p>b. <i>Residential open space:</i> The project indicates a total of 71.5 square feet of open space per unit on Plan Sheet A0.14. However, when reviewing the lot sizes of each unit in each building, many units have no private exterior open space, and many have much</p>	<p>Potentially not compliant for Lot Coverage, Paving, Open Space, Residential Open Space, and Personal Storage. Additional information to show how lot coverage was calculated and what portions of the lot were included in the lot coverage calculations for each building site and for the entire project site is needed.</p> <p>a. Accurate lot coverage calculation based upon the City’s definition of lot coverage is necessary for verification purposes for each lot.</p> <p>b. Additionally, please provide information on the proposed paving area and landscaping/open space for each lot and the project site. Additional information regarding how paving and landscaping/open space is calculated and what area is included in the paving and landscape/open area is needed.</p> <p>c. The residential open space per unit are not compliant as each</p>
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		<p>Minimum dimensions for private open space is 6 feet. Setback areas are not considered usable open space unless they have a minimum depth of 25 feet.</p> <p>c. <i>Personal storage:</i> A minimum of 164 cubic feet of personal storage per residential unit shall be provided. Personal storage may be integrated into the design of each unit or located in an accessible common area. Bike storage facilities are not counted towards personal storage requirements.</p>	<p>less than 80 square feet.</p> <p>c. <i>Personal storage:</i> The project proposes an average of 104 cubic feet of personal storage spaces, which is far below the 164 cubic feet required per unit. However, many units may not have personal storage space, but it is unknown how many units are missing personal storage space.</p>	<p>unit is not provided with 80 square feet of open space.</p> <p>d. The personal storage space per unit requirements are not compliant, as each unit is not provided with 164 cubic feet of personal storage space.</p>
<p><i>Lot Coverage Comments:</i> Proposed project states that the proposed lot coverage is 53.4%. However, the project plans do not indicate how lot coverage was calculated for the site. Additionally, an accurate lot coverage per building lot is needed. Please provide an accurate lot coverage per building lot and for the entire site based upon the City's definition on lot coverage for verification and information purposes and how lot coverage was calculated. Additionally, provide information on how paving and landscape/open area were calculated and indicate what areas were included in these calculations. Further, open space and personal storage space per unit do not appear to meet the NBPP requirements. Please indicate information regarding these open</p>				

space/personal storage space requirements and if they can be provided by reducing non-required and non-habitable project components.				
C12.	Base Flood Elevations & Minimum Finish Floor Elevation to Account for Sea Level Rise.	<p><i>NBPP Section 3.3.5, FEMA requirements for Base Flood Elevation:</i> Building and site designs shall comply with the drainage and flood control requirements of the City Code.</p> <p><i>Section 3.3.5, Minimum Finish Floor Elevation to Account for Sea Level Rise</i></p>	<p>Project does not provide information that states the building and site designs comply with the drainage and flood control requirements of the City Code.</p> <p>Project does not provide information to show compliance with the Minimum Finish Floor Elevation to Account for Sea Level Rise.</p>	Compliance could not be determined. Additional information is necessary regarding the Base Flood Elevation and also the Minimum Finish Floor Elevation to Account for Sea Level Rise in accordance with the Shoreline Regional Park Community Sea Level Rise Study Feasibility Report. If the project is not in this area, then the applicant must indicate this on the plan set.
<p><i>Base Flood Elevations & Minimum Finish Floor Elevation Comments:</i> Compliance could not be determined at this time until the applicant provides information that the building and site designs shall comply with the drainage and flood control requirements of the City Code, and that the project is compliant with the minimum finish floor elevation to account for sea level. Applicant must indicate if the project is in this sea level rise study area. Please review the City's Shoreline Regional Park Community Sea Level Rise Study.</p>				
C13.	Lot Coverage: Upper Story Open Areas	<p><i>NBPP Section 3.3.6, Upper-story open areas:</i> Upper story open areas such as green roofs, patios and decks may be counted towards landscaping/open area requirements.</p>	Project provides an Open Space Table, Plan Sheet A0.14, indicating the total private and common open space calculations per building lot. However, it is not known what areas are counted as common and private open spaces per lot, and what the lot area is for each lot.	Compliance could not be determined. Additional information is necessary.

Upper Story Open Areas Comments: An accurate private and public open space calculation for each lot cannot be determined based upon the table provided in Plan Sheet A0.14. The applicant will need to show what areas are included and calculated in each building for private and common open space and the lot area for each lot.

C14.	Rooftop Equipment Height	<p><i>NBPP Section 3.3.5 Standards, Rooftop Features:</i> All rooftop features may exceed the maximum building height up to 6 feet subject to development review.</p> <p><i>Rooftop equipment screening & setbacks:</i> Rooftop mechanical equipment shall be fully screened and setback at least 30 feet from the roof edge. Rooftop screens may extend 4 feet above the maximum building height.</p>	Proposed plans indicate that for buildings B1, B2 and B3 which are proposed at 15-stories, there are rooftop features, such as elevator penthouses, mechanical equipment, PV equipment and staircase features. It could not be determined if these rooftop features exceed the maximum 160-foot building height allowance up to 6 feet.	Compliance could not be determined. Additional information is necessary to demonstrate if any rooftop features exceed 6 feet above the 160-foot maximum building height for buildings B1- B3. Please indicate how high rooftop features will be above the maximum roof height for each building. Specific height details of each mechanical equipment are not shown.
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Rooftop Equipment Height Comments: The project proposes to install rooftop mechanical equipment on all rooftops of all buildings. For the 15-story residential buildings with heights exceeding 160 feet, it is not known if any mechanical equipment at this time will exceed the height requirements, since details about the height of the roof-top equipment is not known. Therefore, information on height of all roof top equipment and features is needed.

C15.	Landscape Design	<p><i>NBPP Section 5.4, Landscape Design:</i> Project shall be required to comply with the standard requirements of this section, including control and</p>	Proposed project has not provided enough detailed information at this time regarding whether the Landscape Design	Compliance could not be determined. The proposed project has not provided enough information to determine compliance with the Landscape Design requirements of the NBPP.
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		management of invasive plants, planting plan, protective status plants, use of the North Bayshore Precise Plan Plant Palette .	requirements of the NBPP will be incorporated into the project.	
<p><i>Landscape Design Comments:</i> The proposed project has not provided enough detailed information in the project plan set to indicate if the Landscape Design requirements of the NBPP will be incorporated. Project will need to provide additional information to demonstrate these requirements are incorporated into the project.</p>				
Sr. No.	Development Standard – City Arborist/Forestry Division	Requirements	Proposed	Compliance
C16.	Tree Removal Plan	Identify all tree to be removed during construction.	Arborist report does not document trees that are recommended for retention, removal or transplanting as part of this project. The report also does not document trees which have been removed as a part of Plymouth/Space Park re-alignment project.	Compliance could not be determined. All trees currently identified for removal in tree table but not plans. Update inventory to reflect previously removed trees (#5, 6, 7, 8, 9, 10, 146, 148, 149, 151, 153, 154, 173, 174, 175)
C17.	Tree Removal Explanation	Per City Code Section 32. 28: Provide reason for removal or suitability for preservation and potential construction impacts required for each tree.	Update tree table to include reasons for removal, impacts retained and potential to transplant.	Compliance could not be determined All trees must have detailed explanation fo recommended action.

Tree Removal Comments: Per City Code Section 32.28, the tree removal permit should include plans showing all the trees proposed to be removed and provide the reason for proposed tree removal. The proposed tree removal plan does not document trees indicated as proposed to be removed in the Tree Table. Update the plans or the table to remove discrepancy and provide a reason for each tree removal.

The tree removal inventory should also reflect the trees which have been removed as a part of Plymouth/Space Park re-alignment project (i.e., Tree #5, 6, 7, 8, 9, 10, 146, 148, 149, 151, 153, 154, 173, 174, 175) Update the tree inventory to provide correct information.

C18.	Canopy Study	Document canopy at maturity	Update canopy at maturity to more accurately reflect canopy potential given spacing on plans.	Compliance could not be determined. The canopy study projects incorrect canopy growth for Oak trees.
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Tree Canopy Comments: The tree canopy analysis shown on sheet L0.09 shows incorrect Canopy for Oak trees. Update the canopy study as the Oaks on 30-35' centers are not likely to achieve 50' of canopy spread.

C19.	Tree Replacement	Document total number of replacement trees to be removed for construction.	Canopy study includes trees that are being preserved/transplanted as part of the mitigation.	Compliance could not be determined. Trees being preserved cannot count towards mitigation.
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Tree Replacement Comments: Per [City Code Section 32.28](#), the tree removal permit should include replacement plan to show mitigation for proposed tree removals. This should include total number of replacement trees to be removed for construction. Also, trees being preserved cannot count towards mitigation but should be identified as existing canopy. Update canopy study to eliminate trees that are being preserved/transplanted.

Sr. No.	Public Works – Code Requirements & Standard Details	Requirements	Proposed	Compliance
C20.	Safety Triangles	Safety triangles including both driveway sight triangles and corner sight triangles shall be shown in the submittals. Safety triangles must be shown per City Standard Detail A-22 and A-23 .	Safety triangles are not shown in the submittals. Proposed structures appear encroaching into the safety triangle.	Compliance could not be determined. Applicant shall add safety triangles in the plan and ensure building design comply with City Standard Detail A-22 and A-23 .
<p><i>Sight Visibility Triangle Comments:</i> The plans must be updated to accurately depict sight visibility triangles, including showing all required visibility triangle dimensions on all site plan sheets (including architectural, landscape and civil plan sheets).</p> <p>The building and other site improvements (i.e., aboveground amenities/equipment) may need to be revised to comply with these standards once the visibility triangles are correctly shown in the plans. Structures within the sight triangles are not allowed, and other improvements may be constrained by required sight distances at project driveways and street corners (for corner lots) in accordance with Zoning Ordinance Section 36.34.10(m) and Public Works Department Standard Details A-22 and A-23, available online at: https://www.mountainview.gov/home/showpublisheddocument/2612/638315807162300000</p>				
C21.	Public Right-of-Way Improvements	No private project improvements may encroach into the public right-of-way, and public right-of-way improvements must be consistent with City Code Section. 27.57 , City Standard Details and other State/Federal Regulations including:	Proposed plan only shows high level offsite improvements and lacks the required details for the followings: Public Right of Way Improvements including City Standard Curb Gutter, sidewalks, ADA Access Ramps, high-visibility	Compliance could not be determined. Per the NBPP and the GMP all proposed streets shall be public. Per Section 27.57 of the City Code, add details, dimensions, or notes to provide City Standard Curb Gutter, detached Sidewalks ADA Access Ramp, high-visibility thermoplastic ladder crosswalk and construction management.

		<ul style="list-style-type: none"> • <i>City Standard Curb, Gutter and Detached Sidewalks:</i> Required to be constructed per City Standard Details A-1, A-6, A-8 and A-9, as detailed in the comments below. • <i>ADA Access Ramps-</i> All new curb ramps must comply with the Americans with Disabilities Act (ADA) requirements and City Improvement Plans, per comments below. • <i>Public Crosswalk(s):</i> Add high-visibility thermoplastic ladder crosswalk with advanced stop bars, or yield lines and applicable signs per Caltrans Standard and California Manual on Uniform Traffic Control Devices. • <i>Construction Damage:</i> All striping damage from construction and pavement work shall be replaced with 	<p>thermoplastic ladder crosswalk, construction management, and utilities.</p>	
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		<p>thermoplastic striping to the satisfaction of the City Traffic Engineer.</p> <ul style="list-style-type: none"> • <i>Utilities:</i> Dual plumbing is required on commercial buildings over 25,000 SF per the Mountain View Green Building Code. 		
<p><i>Public Right-of-Way Improvement Comments:</i> Current submittal includes high level improvements in the Public Right-of-Way. Project plans/submittal materials must be updated or additional materials provided to the City to show compliance with:</p> <ol style="list-style-type: none"> <u>City Standard Curb, Gutter, and Detached Sidewalk Details</u>- Plans must show standard curb, gutter and detached sidewalk. see City Standard Details A-1, A-6, A-8 & A-9 for further reference. https://www.mountainview.gov/home/showpublisheddocument/2612/638315807162300000 <u>ADA Access Ramps</u>- All new access ramps must comply with ADA requirements, and existing non-conforming access ramps must be reconstructed to comply with current ADA requirements. Plans must be updated. <u>Logistics Plan</u>- A detailed construction logistics plan and site-specific traffic control plans will be required. <u>Public Crosswalks</u>- Provide high-visibility thermoplastic ladder crosswalk with advanced stop bars and applicable signs to the satisfaction of the City Traffic Engineer. Design dimensions will need to be reviewed by the City. https://dot.ca.gov/-/media/dot-media/programs/design/documents/locked-2023-std-plans-dor-a11y.pdf <u>Striping</u>- Plans must be updated to show all egress points to public streets or public easements as STOP-controlled, with proper signage and markings in order to control conflict points with pedestrians, bicyclists, and vehicles as they enter a public roadway and improve safety. <u>Construction Damages</u>- Plans shall show new striping, and street grind and overlay because of construction and utility connection activities. All striping damages as part of construction and pavement work shall be replaced with thermoplastic striping to the satisfaction of the City Traffic Engineer. <u>Utilities</u> - Update project plans to show compliant utility alignments with required public improvements including: 				

- Design should incorporate public roads throughout the project site for access, maintenance and repair of City maintained utilities (Water, Sanitary and Storm).
- Recycled water and domestic water mains shall continue to be designed as a looping system to promote redundancy and reliability. The applicant shall redesign the potable City water main design to eliminate the dead end segment at Villa Sport Drive.
- The Google North Bayshore Master Plan identifies proposed recycled water lines through the submittals' proposed Gateway Park. This submittal also shows segments not included on the Google North Bayshore Master Plan such as a recycled water line running west on Pear Ave from Joaquin Rd, south down the Loop Rd west of Parcel 7, and continuing northeast following the Parcel boundary east of Parcel 6. Ensure the recycled water alignment is consistent between future submittals and the Google North Bayshore Master Plan.
- This site is within the City's current or future recycled water service area. Dual plumbing is required on commercial buildings over 25,000 SF per the Mountain View Green Building Code.
- Each recycled water use must have its own individual meter (i.e., exterior irrigation, dual-plumbing, cooling towers, etc.). All recycled water services must have a meter and a reduced pressure backflow preventer.
- Between recycled and all potable lines, a minimum 4' separation on-site, minimum 10' separation on public ROW must be met.

Frontage Improvements (curb, gutter, sidewalk, etc.) along Shoreline Blvd will be completed as part of adjacent CIPs and are not required to be constructed as part of this project.

C22.	Transportation Demand Management (TDM)	<p><i>Per the NBPP Chapter 6.14 - Transportation Demand Management and NBPP TDM Guidelines:</i></p> <ul style="list-style-type: none"> • TDM plans shall include trip generation assumptions for the fitness center and other non-residential uses over 1,000 sf., as well as applicable 	<ul style="list-style-type: none"> • Project proposes a residential TDM Plan but does not include Trip generation assumptions; square footage of dedicated parking area for fitness center was not provided; On-site car share spaces locations; 	<p>Not compliant. Applicant shall provide the following information:</p> <ul style="list-style-type: none"> • Trip generation assumptions for the fitness center and other non-residential uses over 1,000 sf. • Square footage of dedicated parking area for fitness center. • TDM measures for commercial uses.
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		<p>VMT reductions via TDM, per the NBPP</p> <ul style="list-style-type: none"> • Provide square footage of dedicated parking area for the fitness center. • No TDM plan for commercial uses in the study. • Clearly mark on-site car share spaces on site plan(s). Provide analysis to demonstrate the TDM Plan's level of effectiveness in meeting the residential mode split target of 50% non-driving modes. See Page 1 from the North Bayshore Residential TDM Guidelines. The analysis will calculate each TDM measure's mitigation impact/VMT percent reduction. 	<p>and a residential mode split target of 50% non-driving modes.</p> <ul style="list-style-type: none"> • Project does not include a commercial TDM Plan with TDM measures for commercial uses. 	<ul style="list-style-type: none"> • Indicate on-site car share spaces. • Analysis to demonstrate the TDM Plan's level of effectiveness in meeting the residential mode split target of 50% non-driving modes. Use VTA's VMT tool to analyze the level of effectiveness of proposed TDM strategies, referenced http://vmttool.vta.org/.
<p><i>TDM Comments:</i> All TDM requirements are from Chapter 6.14 of the NBPP and the North Bayshore Transportation Demand Management Guidelines and must be incorporated into the project/plans.</p>				

D. Other Inconsistencies.

As required by statute, the City has determined the project is inconsistent or non-compliant with the following development standards, however, the City recognizes that these development standards may not be enforceable for Builder’s Remedy projects. As such, these inconsistencies have been identified with the hope that applicant will agree to voluntarily address some of these inconsistencies.

THE PROJECT IS INCONSISTENT WITH THE FOLLOWING CODES AND REGULATIONS:				
Sr. No.	Development Standard Gateway Master Plan	Requirements	Proposed	Compliance
D1.	Land Use Locations & Land Uses	<i>Gateway Master Plan Section 3 (Development Standards) GMP.2 Land Use Locations: Proposed land uses shall meet the intent of each land use subdistrict as shown on Figure 2.B and described in Section 2.4 Land Uses. Flexibility for specific land uses within these subdistricts may be permitted when proposed by developer Master Plans if they help implement the desired form and character of the land use subdistrict and advance the implementation of the goals and objectives of the GMP.</i>	Project plans and project description vary from the land use subdistrict as shown on Figure 2.B and as described in Section 2.4 Land Uses, and Land Uses per Table 3.A and Figure 3.2. The proposed project shows: <ul style="list-style-type: none"> • Buildings B3 and B4 are located at the intersection of Pear Ave and N. Shoreline Blvd. and are residential-only buildings. • Buildings B1, B2, B5, B6 and B8 are mixed-use residential with ground floor retail commercial 	Not compliant. The project is not compliant with the land use subdistrict locations and uses as shown on Figure 2.B and as described in Section 2.4 and does not include the lists of uses in Parcel A per Table 3.A and Figure 3.2. The project consists of 7 residential buildings, and one fitness club building. There are no entertainment, hotel and/or office uses. Therefore, the project does not comply with Table 3.A and Figure 3.2. Land uses not considered in the GMP were not anticipated on this site. Amendments to the land use allowances would require amendments

		<p>Figure 2.B shows: Residential along NW corner of site (along Plymouth and Pear Ave). Mixed-use area along NE corner (Shoreline Blvd. and Plymouth). Entertainment Mixed-Use area southern part of site. Also, the Large Civic Open Space is shown as shared between this project site and the adjacent site that is part of the Gateway Master Plan. Retail would be along Pear and new n/s "Main St"</p> <p>GMP.3 Land Uses: Table 3.A lists the allowable land uses within the Gateway Master Plan area by parcel. Additionally, Table 3.A lists minimum and maximum amounts of land uses per parcel or groups as identified in Figure 3.2 Gateway Area Property Line Map.</p> <p>GMP.4 Office Locations: Office buildings shall be located on blocks 1, 2, 3,4 or 5.</p>	<p>along the Pear Ave. and Joaquin Rd./Gateway Park intersection and at the eastern corner of B6.</p> <ul style="list-style-type: none"> • Building B7 is the commercial fitness club. 	<p>to the GMP which has not been proposed with this project.</p>
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<p><i>Land Use Location Comments:</i> The proposed project is not compliant with the Land Use Locations in accordance with Figure 2.B and in the Land Uses description of Section 2.4. and the Land Uses for Parcel A per Table 3.A and Figure 3.2, since the proposed project does not have land uses that follow the locational descriptions and diagrams as show in the GMP and do not include all uses in Table 3.A for Parcel A or in the amounts per Figure 3.2. The GMP envisioned residential buildings of 7-8 stories to be located in the upper west side of the project site. The GMP also indicated that the mixed-use residential uses would be located on the upper east side of the project site, at the intersection of N. Shoreline Blvd. and Pear Ave. and on the southeast portion of the site along a new north/south “Main Street” in which retail uses would be located on the ground floor to activate a pedestrian-oriented street frontage. Further, the Master Plan’s Land Use diagram indicated that the lower portion of the site would have “Entertainment Mixed-Uses” adjacent to Highway 101 that would include a mixture of office, hotel, entertainment, retail and residential. However, there are no entertainment, office or hotel uses proposed on the project site. Additionally, a large open space area split between the project site and the adjacent North Bayshore Master Plan area to the south was envisioned in the GMP. However, the proposed project is showing one large 24,600 square-foot open space area in the middle of the project site that would now close Joaquin Road to vehicular traffic and would not connect to the North Bayshore Master Plan area to the south.</p> <p>The Master Plan also indicated that the intent for the project site as Parcel A would have a ground floor retail minimum of 25,000 square feet, but the proposed project only provides for 20,000 square feet of ground floor retail. Additionally, up to 250,000 square feet of office and up to 275,000 square feet of entertainment use plus one hotel was envisioned. However, these uses are not included as part of the project. The GMP indicated office buildings should be located on blocks 3, 4 and 5 of the project site, but no office buildings are proposed on these sites, and the project proposes a 100,000 square foot fitness club, one mixed-use residential with a minimal amount of ground floor retail and one high-rise building that is only residential.</p>				
D2.	Complete Neighborhood Standards	NBPP <i>Section 3.2 Complete Neighborhood Standards required:</i> 1. Submittal Information: A map and data showing how the project compares to the NBPP’s Complete Neighborhood	The project proposes 1,914 residential rental units with 383 (20%) affordable housing units, 100,000 sf of regional membership fitness club and 20,000 sf of ground floor retail. Hotel is no longer	Not compliant. 1. Project has not submitted a map and data showing how project compares to the NBPP’s Complete Street strategy and land use target. No justification has been provided

		<p>strategy and land use target in Table 2. Projects shall include a justification of how the development helps to create Complete Neighborhoods in North Bayshore.</p> <p>2. Complete Neighborhood evaluation criteria: New development shall be evaluated to the extent in which they help create a new Complete Neighborhood.</p>	<p>included. No office use is included. A large open space park (Gateway Park) is proposed in the center, but no neighborhood park/ linear park is proposed the development.</p>	<p>of how the project helps to create Complete Neighborhoods.</p> <p>2. Complete list of evaluation criteria is not submitted for evaluation.</p>
<p><i>Complete Neighborhood Standards:</i> Per NBPP Table 2: Targets for Complete Neighborhood Areas for the Joaquin Neighborhood, the applicant needs to provide a map and data to demonstrate and show justification of how the project helps to create the Complete Neighborhood. Also, all evaluation criteria should be provided per the Complete Neighborhood standard requirement, including: the amount, location, and mix of land uses; the amount of ground-floor commercial frontages, including space for an area grocery store; how flexibly the ground floor space is designed to adapt to different uses over time; new neighborhood open space and community facilities; amount of affordable housing; housing unit mix; phasing plan; and any proposed improvements. Since the project is within the Joaquin “Complete Neighborhood” Area (per Table 2 of the NBPP), provide a table showing the above data for the proposed project and the target requirements, and a column indicating which data targets have been met or not met by the project. Locational criteria may be highlighted on a map.</p>				
D3.	Building Massing	<p><i>Gateway Master Plan Section 3 (Development Standards) GMP.10 Building Massing</i></p> <p>Buildings >65 ft shall provide a variety of heights and reduce massing of upper floors by at least one or more:</p>	<ul style="list-style-type: none"> Aside from buildings B1 and B4, whose floor plates above 65 feet in height have floor areas less than 75% of the ground floor area, all other buildings B2, B3, B5, B6, B7 and B8, have floor 	<p>Not compliant.</p> <p>Although B1 and B4 are compliant with the Building Massing requirements, all other proposed buildings do not comply with these standards as they do not meet one of the listed criteria under GMP.10. Additionally, while many buildings do have stepped back facades</p>

		<p>a. Interior Courtyard with one side open to the street at courtyard level for 80% of courtyard (Fig. 3.10)</p> <p>b. Building floorplates >65 ft include a floor area less than 75% of the ground floor area or building floor area of the podium level, whichever is less (Fig. 3.11) or</p> <p>c. Stepped back façade of floors above 65 ft for a min. 60% of dimension of all street facing facades.</p>	<p>plates at 65 feet with floor area that are 75% or greater than the ground floor area.</p> <ul style="list-style-type: none"> • While all of the buildings aside from B1 (which does not have a courtyard) do have courtyards, they are located on upper floors that are not directly open to the street. 	<p>on floors above 65 feet, the setbacks are less than 60% of the dimension of the street facing facades.</p>
<p><i>Building Massing Comments:</i> The proposed project does not comply with the building massing standards since 6 out of 8 buildings cannot meet one or more of the building massing techniques listed in GMP.10 and as illustrated and described in Figures 3.10 through 3.12. The project would need to be redesigned to comply with at least or more of the building massing technique standards to comply with the requirement.</p>				

Sr. No.	Development Standard – North Bayshore Precise Plan (P39)	Requirements	Proposed	Compliance
D4.	Parking Structures Standards	<p><i>NBPP Section 3.3.11, Parking Structures Standards:</i></p> <p>a. Façade Design: Parking structure facades shall be visibly attractive, relate to the overall design of the project and mask use of the structure with the following design approaches:</p> <ul style="list-style-type: none"> i. Wrap structure with uses, such as offices or commercial services, especially on the ground floor. ii. Use design components and materials compatible with the primary building iii. Use screening materials such as louvers, vertical landscaping, photovoltaic trellises iv. Replicate window patterns of adjacent 	<p>a. All buildings have been designed with parking structures that are partially wrapped on the ground floor by retail or residential uses. However, where they are visible, all parking structures in the buildings use the same metal screening material and CMU block walls on the exterior of the building, which increases the massing of the building, particularly where these materials are used from finished grade to approximately 44 feet high.</p> <p>Additionally, the parking structure for residential buildings B3 and B4 face onto the “Gateway” and “Transit” Blvds. of N. Shoreline Blvd.,</p>	<p>Not compliant.</p> <p>a. Proposed building designs are not compliant with the parking structure façade regulations because they use building materials, such as metal screening material and CMU block walls in various colors on buildings to mask the parking structure. However, these materials increase the massing of the buildings.</p> <p>Also, buildings B3 and B4 are not compliant with the parking structure requirements of the NBPP because parking structures are prohibited from fronting onto N. Shoreline Blvd.</p> <p>b. Trees are located along street frontages to soften the design of the buildings. However, where buildings are adjacent to property lines, no landscaping is provided, particularly where CMU block walls are proposed from ground floor up</p>

		<p>buildings to mask parking use</p> <p>v. Use landscaping, such as vines, trellises, or green screens</p> <p>b. Landscaping: Space between the parking structure and adjacent street shall be landscaped with a similar or complementary planting palette as the project. Trees are recommended.</p> <p>c. Garage/parking entrances: Parking entrances shall meet the City’s driveway site visibility requirements.</p>	<p>particularly on upper floors, where they are not permitted to face.</p> <p>b. Although trees are proposed along all street elevations within the project site, where buildings are built adjacent to property lines and not streets, there is no landscape relief along these elevations which would still be visible from adjacent streets.</p> <p>c. Garage/parking entrances need to still demonstrate they can meet the City’s driveway site visibility requirements.</p>	<p>to approximately 44 feet in some buildings, and these buildings would still be visible from surrounding streets.</p> <p>c. Proposed garage entrances still need to demonstrate that they have been designed to meet the City’s visibility requirements.</p>
<p><i>Parking Structures Comments:</i> The proposed parking structures for buildings B1 – B8 have portions of visible parking structure that have been designed to use CMU block walls and metal screening as exterior building materials. Although some buildings are wrapped at ground floor with retail and residential uses, visible parking structure in upper stories, uses CMU block walls and metal screening which increase the massing of the buildings. Although landscaping along the street with street trees and planter boxes are used to soften the massing of the buildings, where buildings would be built along property lines and no landscaping is provided, the CMU block walls and metal screening are visible from finished grade to approximately 44 feet. Additionally, all parking garage entrances still need to show they will meet the City’s driveway site visibility requirements.</p>				

<p>D5.</p>	<p>Bonus FAR Requirements</p>	<p><i>Residential Bonus FAR Requirements per Section 3.3.4 of the NBPP</i></p> <p>Residential and mixed-use commercial and residential projects shall be regulated by the FAR tiers by character area.</p> <p>For North Bayshore Density Bonus Program Tier II (up to the FAR listed in Table 5), Provide at least 20% affordable residential units on site, and implement additional green building and site design measures as set forth in Appendix B.</p>	<p>Project plans indicate the project is proposing a maximum FAR of 4.50 which is the maximum that would be permitted under Tier II with Bonus Floor Area Ratio (No Density Bonus) with equal to or less than a 2.35 FAR for non-residential area as a Mixed-Use Project.</p>	<p>Not compliant.</p> <p>Project proposes an FAR of 4.50, but this would only be permitted as a Tier II Bonus FAR with the non-residential area equal to or less than a 2.35 FAR and if all other requirements being met to qualify as a Tier II Bonus FAR project in the NBPP in accordance with the GMP.</p> <p>The project does not meet all requirements as a Tier II Bonus FAR project in accordance with the NBPP.</p> <p>Additionally, the project exceeds the maximum 4.50 FAR since the lot area is actually 669,081 square feet (per the Santa Clara County Records). Therefore, the FAR is calculated at 4.64, which exceeds the maximum permitted under this Tier II Bonus FAR level.</p>
<p><i>Tier II FAR Bonus Comments:</i> The proposed project is not compliant with this requirement because the maximum FAR has been calculated to be 4.64, which exceeds the maximum allowed under the Tier II FAR Bonus requirement, based upon a lot area calculation of 669,081 square feet. Additionally, the project is not providing any community benefit per Section 3.3.4 and is not meeting the green building requirements per Chapter 4 Appendix B, which requires a minimum 120 green point rating and the Residential Green Building Standards of water use, landscaping design and energy to be incorporated. However, the project is proposing to meet the requirement by only providing 20% affordable residential units by providing 383 affordable residential units in the form of rental apartment units. Additional green building provisions are required to ensure conformance with the NBPP requirement.</p>				

<p>D6.</p>	<p>Building Height and Massing - Residential</p>	<p>NBPP <i>Section 3.3.5 Building Height and Massing Standards: Maximum residential building heights:</i> Maximum permitted new residential building heights shall not exceed the heights shown on Figure 14: Maximum Residential Building Height Map. Maximum of 15 stores for the project area and 160 feet in height. Building height is the vertical distance from the elevation of the top of the existing or planned curb along the front property line to the highest point of the coping of a flat roof.</p>	<p>Project proposes maximum building heights of 162 feet and 15 stories for buildings B1-B3.</p>	<p>Not compliant. Project exceeds the maximum height limit of 15-stories and/or 160 feet for buildings B1, B2 and B3 from curb to top of coping.</p>
<p><i>Building Height and Massing:</i> Buildings B1, B2 and B3 exceed the 160 feet maximum height limit for 15 story buildings at a maximum height of 162 feet. The height will need to be adjusted to comply with the height requirements based upon the vertical height from the curb along the property line to the highest point of the coping of a flat roof, as all roofs are flat.</p>				
<p>D7.</p>	<p>High-rise residential building forms</p>	<p>NBPP <i>Section 3.3.5 Standards, High-rise residential building forms:</i> Building masses greater than 95 feet in height shall meet the following requirements to preserve views and exposure to light and air: No facades shall be greater than 190 feet in length and no</p>	<p>Project proposes all 7 residential buildings, B1 – B6 & B8, all of which have building heights greater than 95 feet, to have facades greater than 190 feet in length and more than 16,000 square feet in floor plates.</p>	<p>Not compliant. All 7 residential buildings, B1-B6 and B8, are greater than 95 feet in height and do not meet the requirements. All buildings have facades greater than 190 feet in length and floor plates greater than 16,000 square feet.</p>

		floor plate shall be greater than 16,000 square feet.		
<p><i>High-rise residential building forms:</i> Proposed project is not compliant as all residential buildings are greater than 95 feet in height and each building has facades greater than 190 feet and building floor plates greater than 16,000 square feet. To comply with this requirement, buildings would need to be reduced in size and façade lengths.</p>				
D8.	High-rise residential building spacing	<i>NBPP Section 3.3.5 Standards, High-rise residential building spacing:</i> Buildings greater than 95 feet in height shall be spaced no less than 175 apart to minimize shadowing of streets per Figure 12.	All buildings are greater than 95 feet and have less than 175 feet distances where above this height.	Not compliant. All building portions greater than 95 feet in height have distances less than 175 feet between them.
<p><i>High-rise residential building spacing comments:</i> Project proposal does not meet the high-rise residential building spacing requirements. All buildings are greater than 95 feet in height and all buildings with portions greater than 95 feet have less than 175 feet between them. For example, B2 and B3 have only a 59.8 feet separation.</p>				
D9.	Blocks	<i>Requirements for Blocks is located in NBPP Section 3.3.9 of the Precise Plan</i> and includes standards for applicability, block redevelopment, block circulation plan, application of street typologies, required dedications, accessibility, and alignment.	<ul style="list-style-type: none"> The project proposes a block length that exceeds the 400-foot maximum length per Table 10 of the precise plan for B6 and B7, as they are essentially one building attached with a zero lot line between them. The total length of this block combined is 559 feet. 	<p>Not compliant.</p> <ul style="list-style-type: none"> Project includes two buildings, B6 and B7, that are built next to each other and will essentially present a view as one 559 foot long block. Maximum block lengths are 400 feet for the Gateway area. Additionally, the applicant is required to provide a conceptual block circulation plan as part of the development.

			<ul style="list-style-type: none"> The plans does not include block circulation plan. 	
<p><i>Blocks Comments:</i> The project proposes a block that is not compliant with the block plans as required in Table 10 of the NBPP. B6 and B7 are attached with a zero lot line between them, and appear as one 559 foot long building frontage along the north elevations of these buildings. Further, the plan varies from the Precise Plan with blocks that do not follow the circulation plans in the NBPP, as Joaquin Road is proposed to be closed from vehicular traffic south of Pear Ave..</p>				
D10.	Floor Area Ratio (FAR) Standards	<p><i>Section 3.3.3 Floor Area Ratio: For Gateway Mixed-use Non-Residential and Residential Project:</i></p> <p>a. Base FAR is 1.0 and Maximum FAR is 4.50 with non-residential area equal to or less than 2.35 per Table 4: Floor Area Ratio Standards of the NBPP.</p> <p>b. <i>FAR Exemptions:</i> Retail and grocery stores exemption from gross floor area calculations does not apply to the Gateway Character area.</p> <p>c. <i>Gateway Maximum Residential Building FAR by Tier:</i> Tier 2 FAR with a 4.50 FAR requires (1) a minimum</p>	<p>Applicant states the site area is 15.87 acres (691,082 square feet). The Santa Clara County Assessor’s Office indicates the site area is 15.36 acres (669,081 square feet). The site area must be correct and the project must meet the FAR requirements.</p>	<p>Not compliant.</p> <p>a. Based upon the Gateway Floor Area Ratio Standards, mixed-use FAR is 4.64 (3,299,345 sf – 192,885 sf) /669,081 sf. Base FAR is 1.0 and Maximum FAR is 4.50 with non-residential area equal to or less than 2.35 per Table 4: Floor Area Ratio Standards of the NBPP.</p> <p>Staff notes that the total floor area has increased since the first submittal at which time the FAR standards were calculated.</p> <p>b. Project cannot exclude retail floor area calculations from the FAR.</p> <p>c. Project does not meet requirements as a Tier II Bonus FAR Project since the project</p>

		20% of affordable residential units on site and (2) implement additional green building and site design measures as set forth in Appendix B.		does not provide additional green building, a community benefit and site design measures as set for in Appendix B of the NBPP.
<p><i>Floor Area Ratio (FAR) Standards Comments:</i> The site area is calculated incorrectly per the Santa Clara County Assessor’s Office information. Therefore, the site area and FAR must be revised to meet the NBPP requirements. Additionally, as a mixed-use project with a maximum 4.50 FAR, the project must meet both of the requirements as a Tier II Bonus FAR project by providing community benefit <u>AND</u> additional green building and site design measures in Appendix B of the NBPP.</p>				
D11.	Rooftop features & Rooftop equipment screening & setbacks	<p><i>Section 3.3.5 Standards, Rooftop Features:</i></p> <p><i>Rooftop equipment screening & setbacks:</i> Rooftop mechanical equipment shall be setback at least 30 feet from the roof edge. Rooftop screens may extend 4 feet above the maximum building height.</p>	Proposed plans indicate rooftop mechanical equipment, including the Heat Controlled Consoles (HRC) units, domestic hot water equipment, future location for PV panels, is less than 30-feet from the roof edges of all buildings, with some units as close as 6.5 feet from the roof edge.	<p>Not compliant.</p> <p>Rooftop mechanical equipment setbacks are proposed at less than a 30-foot setback for all buildings, B1 – B8, some of which are as little as 6.5 feet from the roof edge.</p>
<p><i>Rooftop Features and Rooftop Equipment Screening & Setbacks Comments:</i> The project proposes to install rooftop mechanical equipment on all rooftops of all buildings. All rooftops on all buildings have mechanical equipment with much less than 30-feet from the roof edges, some with only 6.5 feet away from the roof edge.</p>				

Sr. No.	Development Standard – Forestry Division	Requirements	Proposed	Compliance
D12.	Tree Protection Plan	Provide Tree Protection Plan for all trees to be retained.	Update Arborist report to provide Individual tree protection details for each tree.	Not compliant. Tree Protection Plan L 0.08 is general protection detail and must be updated to align and reflect recommended protection plan for each individual tree.
<p><i>Tree Protection Plan Comment:</i> The current plans do not show detail Tree Protection Plan for all trees to be retained. Tree Protection Plan L 0.08 is general protection detail and must be updated to align and reflect recommended protection plan for each individual tree.</p>				

Design Comments

City staff has a long history of working effectively and efficiently with applicants to achieve exceptional site and architectural design in citywide development projects, without reducing project density. The goal of this work is always to work collaboratively to achieve a design that meets a developer's objectives, while aligning with the City's design-related development standards and guidelines, General Plan policies and community goals. Collaborative design work is especially important for projects that would introduce high-intensity development in a lower-intensity area, which – in this case – is in the early stages of higher-intensity mixed-use redevelopment. As such, the proposed development will stand out by virtue of its scale and differences from adopted development standards/Master Plans, which could have potentially significant impacts on adjacent development and NBPP implementation.

The enclosed design comments are not project requirements, but strongly suggested by staff in an effort to ensure the project design will positively contribute to the City skyline, integrate well with existing/planned development on adjacent sites and result in project design that is attractive to and meet the needs of future residents, visitors, and neighbors. Many of these design comments were previously stated in the initial City comment letter sent to you on July 28, 2023, in which you responded with a comment sheet as part of your second submittal of August 23, 2023, stating that you would prepare a response to these comments in a future submission.

Staff welcomes the opportunity to discuss these recommendations and to collaborate on further refinements to the project design.

1. **Central Public Open Space.** As referenced in the earlier consistency comments, the provision of a large central public open space area within the project site is a key land use requirement. Both the NBPP and GMP emphasize the intent to create a large central open space to be a “signature gathering space” and plan for placement (see GMP Figure 3.4 and reference image below) that coordinates this key central open space area across property lines between the project site and adjacent North Bayshore Master Plan (referred to as Shoreline Square in image below). Based on the prior planning for this feature and approved adjacent development conditions, staff recommends consideration of design revisions to provide a more direct connection between the proposed “Gateway Park” and the adjacent Shoreline Square open space area, such as:
 - Straightening/widening the southern portion of “Gateway Park”, which is currently proposed to narrow and bend away from the Shoreline Square open space area to instead run between Buildings B5 and B7. This will require planned roadway modifications (as also discussed elsewhere in this letter) and proposed building blocks to connect to the NBMP's Shoreline Square area and will enable opportunities for a larger connected community surrounded by a diversity of uses.

- If the above option cannot be accomplished without reducing density, consider other means to provide for more open, accessible, and connected central open space, such as by adjusting the design of Building 7 to create a high-volume arcade/park under a portion of the building, thereby expanding the narrow, linear open space (currently located between Buildings 5 and 7) and providing a more direct connection to the Shoreline Square open space area.

2. **Architectural Character & Skyline Impacts.** The NBPP includes objective development standards regarding building heights and massing techniques that are addressed in the above comments. In addition to those standards, the proposed project will more generally impact the skyline view of the North Bayshore area, based on the overall scale of the project, including the closer proximity of building towers to each other. Staff advises studying options to modify building base/tower designs to provide greater differentiation in shape/form, material presence and terminations to provide clearer individual identity for each building and to help avoid creating a blocky, monolithic skyline. Areas of study for potential design modifications include:



Proposed Project and Approved NBMP Open Space

- More unique architectural style for each building, providing variety in the design of the building base (i.e., storefront/residential stoop features) and connecting that base character to the design of building “middle” and tower designs, which should also have some variety across the project, per comments below.
- Alternate building forms and architectural elements, particularly at the “Key Corner” and “Gateway” entrance(s) to the site, such as more distinctive or rounded corner elements to express a more innovative/unique design language. Another means of distinguishing and creating more distinct building forms is through more legible patterning of breaks or articulating features.
- Greater variety in overall building heights across the eight proposed buildings and/or greater variety in how building heights are varied/stepped. Consistency in the design and height of building “bases” and towers creates less dynamic design character through a large project such as this and provides less opportunity for more individualized identity and branding for each building in the project.

- More unique building terminations/roof shapes would substantially benefit skyline views of North Bayshore, versus the current proposal where each building has a similar flat parapet design. This is particularly important for this Gateway location.
 - Greater variety in building materials, colors, and primary accent features; the current proposal includes a similar palette for all eight buildings.
 - Consider opportunities to refine tower placement to preserve significant views to surrounding mountains and the bay from public streets and major open space areas and/or to minimize impacts of greater height or surface winds on pedestrian areas.
3. **Pedestrian-Oriented Design.** Particular urban design attention is needed for the project’s streetscape design and building interface along key roadways, to meet overall NBPP objectives for active, pedestrian-oriented frontages and establish the NBPP vision for this “Gateway” site. Please consider design revisions to address some of the following areas of concern:
- *Neighborhood Serving Retail.* Consider adding ground-floor neighborhood-serving retail to activate portions of Buildings B3 and B4 facing N. Shoreline Blvd. and Pear Ave., to meet NBPP intent of promoting ground-floor retail uses facing Shoreline Blvd. and as a natural extension of existing retail uses on Pear Ave. east of N. Shoreline Blvd. Retail shopfronts and other ground floor spaces are intended to be placed near the sidewalk with transparent and human-scale windows oriented toward the street with public entries and/or inviting public plaza areas. Design revisions could better support achievement of this objective along N. Shoreline Blvd., with particular goals of creating easily recognizable shopfront entries, transparency, awnings, and changes in colors.
 - *Building Interfaces.* Staff supports attempts to screen podium parking views by wrapping these areas with residential units and other liveable building areas. In addition to retail location recommendations noted above, staff advises further review of the location of proposed building entries, retail spaces, utility/mechanical rooms, and other less desirable ground-floor areas to:
 - Limit/remove parking structures fronting along N. Shoreline Blvd., which are prohibited.
 - Limit the continuous extent of blank/utilitarian wall areas from congregated utility rooms and service spaces, particularly along N. Shoreline Blvd., Pear Ave., Joaquin Rd., and Circle Dr. frontages of Buildings 4, 5 and 6.
 - Creative design/material treatments, streetscape landscaping and other pedestrian-oriented site and building design features to enhance the pedestrian environment, particularly in cases where there are limitations on adjustment to ground-floor building layouts.
 - Pay particular attention to incorporating innovative building materials/design and streetscape features at key public locations and viewsheds, particularly to announce or connect to the site entry from N. Shoreline Blvd., onsite intersections, and major open space frontages.

- *Landscape Character.* Ensure the N. Shoreline Blvd. streetscape includes a strong curb appeal with street trees, shaded wide sidewalks, pedestrian-scaled lighting, and landscape planting to create a welcoming entrance or “Gateway” into both the North Bayshore area and into the project site, taking a similar approach to high-quality onsite streetscape design conditions (landscaping, special onsite/private paving accents, street furniture, art, etc.) for pedestrians and bicyclists in particular.
 - *Tree Preservation & Planting Plans.* Closely review opportunities to adjust building/open space locations to maximum tree preservation opportunities, and design planting plans to maximize larger-canopy trees and overall canopy coverage. The City places a high-priority on California native and drought-tolerant planting, with an overall goal of 75% native plants.
4. **Design Details.** The NBPP provides extensive guidance for buildings to be designed with a variety of articulation, materials and detailing to create distinctive architecture and differentiation across a project. To incorporate this guidance, staff recommends:
- *Building Materials and Colors.* As noted earlier, providing a greater variation in building materials and colors for the buildings will support a stronger skyline presence for the project, improve curb appeal, and meet NBPP direction for making each building more distinctive and engaging at its pedestrian base. The current proposal features a common palette with a limited number of proposed building materials and colors. While it is beneficial to have complementary material character, a project of this size (spanning multiple blocks) needs more variety.
 - *Stoop Character:* Varied materials, colors and detailing of main building entries and residential unit stoops/porches across proposed buildings, including entry roof forms, are a key tool for creating a fine-grained, pedestrian-oriented, and visually interesting street face for each project building.
 - *Balcony & Window Design:* Similarly, a design language with more varied design, colors, materials and detailing of balconies, bays and windows overlooking streets and other public frontages will help the project to better engage pedestrian interest and support an active street life. The NBPP seeks buildings with a variety of design details and materials to create distinctive architecture, visual interest, and variety, while ensuring their composition reinforces the identity of each building and its use.
 - *Tall Building Detailing:* Consider ways to better use upper floor balconies, stepbacks, terraces/roof gardens, materials, and window design/detailing to articulate upper floors of tall buildings and create distinctive, strong building profiles.
 - *Lighting and Reflections:* Additionally, please carefully review lighting design and reflection from building windows and/or rooftop open areas, which could affect skyline views, dark sky goals and bird safety.

Other Comments

The City has also provided an additional set of comments to emphasize existing requirements based on implementation of regulations and other policy-direction that have been important with improving the appearance and operations of a new residential development.

These additional comments are not project requirements, but strongly suggested by staff in an effort to ensure the development and operations will be attractive to and meet the needs of future residents and neighbors.

The following comments request additional or clarified information/plan materials to assist staff in reviewing and understanding the project proposal.

1. **Ground-floor Storefront and Residential Stoop Details.** Please provide details on exterior ground-floor storefronts and residential stoop entries such as the specific type of storefront doors and colors, railing types, lighting fixture types, colors, and storefront styles (e.g., transom windows, awnings, trellis elements above entries and/or windows, etc.). Close-up elevations of storefronts and stoop entries would also assist to provide a clearer view of the proposed ground floor building areas/facades.
2. **Vertical and Horizontal Window Separations.** Additional information is needed regarding the vertical and horizontal window material that separates each window areas. Please provide details with more specific information on window configurations, including callouts of the type, material, color, and size of typical and specific window installations on each building. These areas appear to be black on all buildings but clarified/additional detail is needed.
3. **Native Landscaping:** City Council has voiced interest in including native landscaping in landscaping plans. The NBPP Tree Palette recommends at least 80% of the total surface area be planted with native plant species. Consider incorporating additional information that the project meets the 80% native landscaping to support Council goals and the Plant Palette Recommendations for the [North Bayshore Plant Palette](#).
4. **Tree Preservation and Replacement:** 344 heritage trees are proposed for removal with this development application. Evaluate opportunities to maximize tree preservation, particularly Heritage trees. If existing, healthy trees cannot be preserved (on site or through transplantation), identify landscape plan opportunities for replacement of existing trees at a minimum ratio of 2:1 replacement of Heritage trees and 1:1 replacement of non-Heritage trees, with a priority for planting of California Native and

drought-tolerant trees. Additionally, further clarification should be submitted in the arborist report justifying why relocation of these heritage trees is infeasible. Examples of clarification include discussion on why the structure and trees are not suitable species for relocation, rather than reasoning based on financial burden.

Staff Contact Information

Project comments, and corrections in this letter are provided from the Planning Division. Please contact the appropriate point person listed below if you have questions regarding specific department/division comments.

- **Planning Division** – Aki Snelling, Project Planner, (650) 903-6306 or aki.snelling@mountainview.gov
- **Building Division** – Diana Perkins, Consulting Plan Checker, (650) 903-6313 or diana.perkins@shumscoda.com
- **Neighborhoods and Housing Division** – Anna Reynoso, (650) 903-6379 or neighborhoods@mountainview.gov
- **Fire Department** – Brian Sackett, Fire Prevention Engineer, (650) 903-6313 or Brian.Sackett@mountainview.gov
- **Public Works Department** – Chong Hong, Civil Engineer, (650) 903-6311 or Chong.Hong@mountainview.gov
- **Community Services Department, Forestry Division** – Russell Hansen, Urban Forestry Manager, (650) 903-6832, or Russell.Hansen@mountainview.gov
- **Fire and Environmental Safety Division, Hazardous Materials** – Bryan Barrows, Hazardous Materials Specialist, (650) 903-6378 bryan.barrows@mountainview.gov.
- **Fire and Environmental Safety Division, Stormwater Pollution Prevention Program** – Carrie Sandahl, Fire Marshal, (650) 903-6378 or carrie.sandahl@mountainview.gov

Additional Fee Requirements

Cost-Recovery Expenses: This project is classified as a cost-recovery project, as it requires staff time beyond the amount covered within the scope of the standard application fee. In addition to providing the standard application fees required for this project, your initial deposit will be charged for each hour of staff time spent on this project from entitlement review through construction completion, if approved. As funds run low, City staff will contact you for additional funds to be provided in order to continue the project review.

Consultant Costs: This project will require additional studies completed by an outside consultant(s) in connection with the California Environmental Quality Act, for which additional fees will be required from the applicant. The amount due to the City will be equal to the complete consultant contract cost of \$425,229 plus a 15% City administrative fee of \$63,074, due in full for a total of \$489,013, prior to execution of consultant and applicant-funding contracts for the CEQA analysis.

Tenant Relocation Costs: This project may require relocation assistance for existing tenants, with the cost of any required tenant relocation assistance to be paid by the applicant. Additionally, the cost of the City's tenant relocation services provider/consultant is borne by the applicant and subject to a funding agreement with the City.

Development Impact Fees: Prior to the issuance of any building permits or prior to the approval of the subdivision map, whichever happens first, the project will be subject to the following impact fees for the proposed development. See Municipal code section in the link below for further details:

- [Park Land Dedication Fee](#) - Prior to the issuance of any building permits or prior to the approval of the subdivision map, whichever comes first, the applicant shall pay the Park Land Dedication Fee of \$75,600 per unit for each net new market-rate residential unit, based on a land valuation of \$12.6 million per acre in accordance with Chapter 41 of the City Code. No credit against the Park Land Dedication Fee is allowed for private open space and recreational facilities.
- [Sewer Capacity Fee](#)
- [Water Capacity Fee](#)
- [Transportation Impact Fee](#)
- [North Bayshore Development Impact Fee](#)

Timeline, Process and Resubmittal

As part of the development review process, you are encouraged to conduct a neighborhood meeting to gather public input; however, this is not a requirement and would be conducted solely by the applicant. Next steps for the project also include:

- *Project Compliance & CEQA Analysis:* As part of the development review process, the project must address identified inconsistencies and comply with CEQA. Staff has actively engaged a consultant firm to develop a CEQA scope of work. Now that the project is scoped and once the project inconsistencies are addressed, staff will schedule a meeting with your team to

discuss and commence the CEQA review, which will require public meetings pursuant to any applicable CEQA requirements (e.g., EIR scoping , Environmental Planning Commission (EPC) and City Council meetings etc.).

- *Design Review:* Staff has provided initial design comments in this letter and welcomes the opportunity to work with the applicant to enhance the project design, including opportunities for project design review with the Development Review Committee (DRC).
- *Required Public Hearings:* As the development review process concludes, the project will require a project recommendation(s) at an Administrative Zoning/Subdivision Committee public hearing(s) and final action at a City Council public hearing.

With the exception of public meetings for design review with the DRC, required public hearings will be scheduled once the environmental analysis (CEQA) review is complete. At minimum, notices for public hearings will be sent to property owners and tenants within 750' of the project site.

Additionally, a project sign must be posted along each street frontage of the project site identifying the application request, along with contact information for the applicant and City staff at least 10 days prior to the first public meeting for the project. The sign template, along with detailed specifications, will be provided to you under a separate email once the project scope has been confirmed.

Once you have gathered the missing information and completed the necessary revisions to the application materials, please submit all revised materials electronically in .pdf format to the Planning Division for review at www.mountainview.gov/planning. Please submit the following:

- **Revised plans** – Submit revised project plans addressing the incomplete items and comments enclosed. To expedite review when submitting revised plans, please “cloud” each revision on the plan set.
- **Response to Comments** – Provide a response to City Department comments included and enclosed with this letter. Your response must note where (or how) you have addressed each comment or explain how you have responded to each issue raised in this letter.
- **Site Visit** – Staff would like to arrange a visit to the project site to take photos of the existing site and building conditions, along with the surrounding area.

Conclusion

Please be advised that this summary does not constitute a final review. The proposed project may be subject to additional standard City conditions. Revisions to your plans may result in additional comments or requirements.

If the Planning Division does not receive a comprehensive response to this letter and any remaining fee payments within 90 calendar days (July 25, 2024), your application will be considered 'withdrawn' due to inactivity and the project file will be closed with no further review or notification. If you choose to move forward with your project after closure of the file, a new application form, fee, and submittal materials will be required to be submitted to the Planning Division.

Thank you for the opportunity to review this application. If you have any questions, please contact me by phone at (650) 903-6306 or by email at aki.snelling@mountainview.gov.

Sincerely,

Aki Snelling

Aki Snelling
Project Planner