

MC-15-12-JARVIS-MWEST SCORE AND COMMENTS

Narrative Category and Section No.	Applicant	Applicant's Appeal	Staff Response to comments	Requested Score	PO Initial Score	PC Adjusted Score	Appeal Adjusted Score Request
MC-15-12: Jarvis-Mwest				165.5	141.5	139.5	158.5
Open Space A.1.e	The City Council has discussed at length the desire to repurpose all or portions of the 7.6 acre detention basin to a public park and open space use. Although final details have not been worked out, at the direction of Council, we have discussed with Staff a number of options for the project to provide access, amenities and or funding for this purpose. The current plan shows public trails connecting from Monterey and around the rim of the open space, and provides additional access points from Butterfield and down the Sutter Extension, and from the 7' multi-use path along the Sutter Connector. The project provides an additional 1.7 ac publically accessible, active park adjacent to the open space and located off the Sutter Extension. The intent of the parties clearly meets the spirit and intent of this category.	MWest retained Schaaf and Wheeler, hydrological consultants and the designers of the Butterfield Channel, to evaluate the feasibility of converting all or a portion of the basin to public open space use. Now that the Butterfield Channel improvements have been completed, SW has determined that several acres of the basin (approx. 5 acres) can be repurposed for public use. In accordance with the criteria, the project provides accessibility to the basin open space area via two proposed public trails connecting from Jarvis: (1) along the east side of Monterey and continuing around the rim of the basin area, and (2) from Jarvis via a 7 foot wide multi-use path and 40 foot wide landscape buffer located between the industrial and residential and connecting to the Sutter Extension, which will connect to the basin via pathways through the proposed 1.7 acre Central Park. Finally, the project will provide accessibility from Butterfield via new pedestrian paths along the planned Sutter Extension.	Staff: The criteria requires that the project provide accessibility to existing or proposed public parks and open space areas outside the project boundary. <u>Points will only be awarded</u> where the relevant public agency has provided written approval to allow access between the project and the aforementioned facilities. The City has not made the commitment at this time or provided the required written approval. No point adjustment is recommended. Planning Commission: 0 points awarded. Appeal Response: The City has not agreed in writing or other written form to allow access or use of the detention basin. The City has not received a copy of the Schaaf and Wheeler report analyzing the repurposing of the detention basin and this report would be new information. The project does not qualify for an additional point.	1	0	0	1
Orderly and Contiguous B.3	Staff informs us that the existing approved PUD on the property (most recently applications pending for a DA and Site Plan and Arch Review on the remainder of the industrial property. We request that the Staff and Planning Commission confirm that should the DA be adopted by the Council, this will constitute "land approved for development" and we will earn these 2 points in subsequent RDCS competitions amended in 2000) does not constitute land that is approved for development. However, MWest has development applications pending for a DA and Site Plan and Arch Review on the remainder of the industrial property. We request that the staff and Planning Commission confirm that should the DA be adopted by the Council, this will constitute "land approved for development" and we will earn these 2 points in subsequent RDCS competitions.	The City considered the pond contiguous but undeveloped. We contend that the pond should be considered developed or at least substantially developed according to the general plan or zoning given that the land serves the detention/retention needs of the Morgan Hill Ranch Business Park, as well as residential properties north of Jarvis in the Madrone Plaza area. Even if the City elects to convert a portion of the pond to public park and open space use, the land will still be considered "developed" under the criteria. (" . . . contiguous property within MH's UGB committed to an ultimate land use such as a city park, developed school site, or private open space will also be considered as adjacent development.") Thus, the project deserves the additional 1 point under this criteria.	Staff: Points for future RDCS applications cannot be committed to, as criteria may change. At this time, the project is not adjacent to 100% of developed property (or approved development) to be awarded all the points within this criteria. Planning Commission: 0 points awarded. Appeal Response: The RDCS standards and criteria defines "Adjacent development" as contiguous property located within MH's city limits, urban service area, or urban growth boundary (UGB) and which is developed to its ultimate potential according to the city's general plan or zoning of the property, or at least substantially developed according to the general plan or zoning. To be considered substantially developed, at least ninety-five percent of the contiguous land area must be committed or developed to its ultimate use. Contiguous property does not include streets, railroad rights-of-way, or parcels held in fee title by a public utility or public agency containing above or below ground utilities such as gas pipelines, electric power transmission lines, or major water distribution pipelines. The detention pond does not meet the definition of adjacent developed land. The project does not qualify for an additional point.	5	2	0	1

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Orderly and Contiguous B.5	Site plan is certainly above average and pays special attention to transitions between residential and industrial (40 ft landscape buffer along Sutter Connector), along Jarvis (2 story facades, front yards and stoops) and provides over 5.69 acres of open space within and surrounding edges of project.	We agree with Staff's conclusion that since we were unable to participate in the preliminary RDCS review, we did not earn one of the two points under this criteria. However, the Project merits the other point because it provides for a highly livable new rental community which fits contextually in terms of density with surrounding development, and transitions well with adjacent residential and future industrial uses. Further, the project represents best practices and superior design with respect to connectivity of residences to internal streets, parks and open space, meets all street circulation and access requirements, and exceeds city parkland dedication requirements. The project gives strong consideration to all of these design elements, and contains no significant design flaws.	Staff: The applicant has not worked with staff to address design issues, including parking layout (site is dominated by parking and is visible from public streets). Building and massing do not transition well with the adjacent neighborhood. The building designs and articulation require refinement. No point adjustment is recommended. Planning Appeal Response: A Project Master Plan determined to be only satisfactory through the RDCS is awarded zero points. A project will be awarded one point if no significant design flaws can be found, and the design gives strong consideration to the issues of circulation, access, density transitions, and the use of common open space. A project will be awarded an additional point if a preliminary RDCS review was completed prior to the competition and the project Master Plan incorporates fundamental changes as recommended by city staff. Design flaws have been identified with this project, by both City staff and the Planning Commission; therefore, zero points were awarded. The project does not qualify for an additional point.	1	0	0	1
Housing Needs B.5	We apologize as we did not see a requirement to include a data table. However, we stated that the project includes 1:1 covered parking, including attached garages in each building and conveniently located, detached garages. This is indicated in both the Site Plan and the building plans included in the submittal. Thus 100% of the units will have one enclosed garage. Please also see the attached data table showing all garage and parking calculations.	The Project Narrative Questionnaire does not asks applicants to provide a data table. However, we clearly stated in the Narrative that the project includes 1:1 covered parking (meaning 100% of the units have an enclosed garage space), including attached garages in each building and conveniently located, detached garages. This is indicated in both the building elevations as well as on the site plan. We clarified at the Planning Commission hearing (on the record) that the project commits to providing 100% of units with one enclosed garage space, and we provided the attached data table as supporting documentation. For clarification, we also provided the attached data table (see Data Table) to make it easier for Staff to confirm our commitment. In the interest of qualifying more projects in the competition, if the issue is one of Staff's inability to verify compliance with a criteria during its review, it seems fair to allow the applicant to provide further clarification or verification.	Staff: Applicant requested 2 points. However, without providing the data, staff was not able to determine or verify that the two points met the criteria at the time of evaluation, based on the information provided. In addition, new information cannot be considered after initial submittal of the RDCS application. Criteria: For multi-family rental projects, a project providing fifty percent of the units with an enclosed garage will receive one point. A project providing seventy five percent of the units with an enclosed garage will receive two points. A project providing seventy five percent of the units with an enclosed garage that is directly accessible to the living unit will receive three points. <u>Staff revisited the original application to determine the number of "enclosed" garages and counted 104 enclosed spaces. In order to receive the two points requested by the applicant (at that time), Staff would have needed information to determine that 75% of the 374 total units (280 enclosed garages) was evident in the information provided, it was not at that time. However, the applicant subsequently provided an additional data table in which they clearly indicated that 289 spaces will exist in the building garages, and 86 detached garages, totaling 375 "enclosed" garages and exceeding the 2 point criteria.</u> As previously stated, new information cannot be considered when making the determination for the point criteria, and the data table provided was considered new information. Planning Commission: 0 points awarded. Appeal Response: The applicant states within the project narrative that "There is 1 to 1 covered parking, including attached garages in each building, and detached conveniently located enclosed garages." Staff was unable to verify this commitment on the project plans or in a data table with the initial RDCS submittal. The Planning Commission did not allow the submittal of new information to clarify this commitment. The project does not qualify for an additional point.	2	0	0	2

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Lot Layout and Orientation B.1.f	Please see the supplemental letter where we provide support for this criteria. The project provides a custom designed 2/3 story building along the Jarvis frontage in deference to the opposite R-3 community, which has similar 2/3 story massing We believe we have more than met the spirit and intent of this category.	In deference to our Jarvis neighbors, we designed a customized building with a combination of 2 and 3 story elements, so that the 2 story façade faces Jarvis. This mirrors the homes in the Madrone Plaza neighborhood, which also appear as 2 story (they are actually 3 story) from the street and step back to 3 stories. In Butterfield Village, our buildings have compatible 2 story edges that drop the building down to a scale that is commonly found in single family neighborhoods. The 3 story edge, which is only a third of the building facade, steps back more than 8 feet to further distance itself from the street and our Jarvis neighbors. The height of the 3 story portion corresponds to the height of our neighbors due to their split level floor plan, and the length of buildings is comparable. Our building plan also takes into consideration the need to create 4-sided architecture. The plan shape, much like a capital “I” allows for movement along the facade while also tucking parking out of view. This façade movement breaks down scale and creates even more visual interest than what might be seen in a typical row-town type building. (Please see RDCS sheets A-1.2 – A-2.9)	Staff: Compatible neighborhood transition not provided. No point adjustment recommended. Planning Commission: 0 points awarded. Appeal Response: Staff reviewed the Madrone Plaza neighborhood and surrounding area when scoring this section and determined that based on the drawings and information provided, the proposed massing of the structures would not provide a compatible transition between the adjacent neighborhood. The Planning Commission concurred with this assessment. The project does not qualify for an additional point.	1	0	0	1
Lot Layout and Orientation B.1.g	Please see the supplemental letter where we provide support for this criteria. The site plan is a highly livable and walkable community with useable interior parks and open space reflecting best practices in land planning and architecture. The project respects its environmental context, neighbors, and transitions smoothly to adjacent industrial use.	The site plan will create a highly livable and walkable community with generous, useable interior parks and open space reflecting best practices in land planning and architecture. The project respects its environmental context and neighbors, and transitions smoothly to adjacent residential and proposed industrial uses. Please see our response to the criteria above for additional justification on similar topics of parking layout, building design, and neighborhood transition. The project requires no major change in design and only modest refinement. We believe the project design is superior and merits the 2 points under this criteria.	Staff: The project does have design flaws that need to be addressed for it to be considered an above average or superior project. No point adjustment recommended. Planning Commission: 0 points awarded. Appeal Response: This is the category where the over-all excellence of lot layout is scored. Layouts deemed to be average receive zero points, above average layouts receive one point, and superior layouts receive two points. It was determined that this is an average project (requiring 2 or more design changes, or having 4 or more minor problems) rendering zero points. The applicant has requested a superior score, stating that the project requires no design changes. Staff and the Planning Commission did not agree with the applicants assessment. The project does not qualify for additional points.	2	0	0	2

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Lot Layout and Orientation B.2.b	We apologize as we may have misunderstood this criteria. Regarding neighborhood security, our Garden community includes buildings with internal corridors, so security is inherent in the project design. Only 72 (19%) of units are on the ground level and all of these have front doors visible from ROWs or private circulation areas and pedestrian walkways. Majority of units (81%) have front doors that are accessible from inside a secure building. In addition, we have active common areas in each of 3 zones within the plan area, above standard lighting and a property manager on-site. We believe we have met the intent of this criteria to earn 2 pts.	We felt that we adequately addressed this criteria in our Narrative, which states that all (100%) of units will face outward and around the entire building with views toward (and visible from) public streets and private internal circulation. This is discernible from the many other exhibits in our submittal, including site plan, building elevations and floor plans. The Narrative does not request a data table and Staff did not reach out to us to seek clarification, which we would have been happy to provide. We clarified at the Planning Commission hearing that, by virtue of the product type proposed (3 story buildings with stacked flats and an interior corridor), only 72 (19%) of units are on the ground floor level and all of these have front doors visible from public ROW's and private internal circulation areas and pedestrian walkways. With respect to security, the majority (81%) of units have front doors that are accessible from inside a secure building. In addition, we stated in our Narrative that we have active common areas in each of 3 zones within the plan area, and above standard lighting. As is customary with rental projects of this size, we will have on-site property management, which is indicated at various points throughout our Narrative, and which we also clarified for the Planning Commission. We believe the project merits the 2 points under this criteria.	Staff: The project does not comply with criteria. In addition, new information cannot be considered after initial submittal of the RDCS application. No point adjustment recommended. Planning Commission: 0 points awarded. Appeal Response: The RDCS criteria states that the project "Locates streets, designs lots, and arranges units to enhance neighborhood security by arranging a minimum of 75 percent of the units so that entrances are visible from the public right-of-way or private circulation areas and pedestrian walkways. An additional point may be awarded for other security measures." The applicant provided a response within the project narrative which stated "All units face outward and around the building, some on grade and some above grade, with views towards the street, parking lots, walks, and neighboring buildings. All garages, whether within the building or detached, are enclosed and secure. Attached garages will have access to the building corridor and some units have direct access from their garage to their unit." Staff was unable to verify that 75 percent of the units met the criteria for one point. An additional point could not be awarded because extra security measures were not committed to in the narrative, as required. New information cannot be considered following the RDCS deadline. The project does not qualify for additional points.	2	0	0	2
Lot Layout and Orientation B.3.a	Presumably the intent of this criteria is to provide some variety in setbacks along streetscapes, which makes the most sense for SF projects, as a 4 or 5 foot setback variation between MF buildings of this scale would not be perceptible. Where appropriate, we have varying front yard setbacks and a minimum 4 foot variation between adjacent buildings along perimeter streets. The project meets or exceeds all zone district setback requirements. Please provide clarification on the design objective of this category.	Presumably, the intent of this criteria is to provide variety in setbacks along public ROWs, which makes the most sense for SF projects, as a 4 or 5 foot setback variation between MF buildings of this scale would not be perceptible. The project meets or exceeds all zone district setback requirements and the building floor plans have front elevation setbacks of up to 8 feet built-in to the design, as shown in our submittal drawings (see A.2-2, 4 on the attached Exhibit). Varying setbacks will also naturally occur along each of the project edges. We believe the project meets the spirit and intent of this criteria.	Staff: The project does not comply with the setback variation required for Multi-family projects as required by the criteria to be awarded points. No point adjustment recommended. Planning Commission: 0 points awarded. Appeal Response: To be awarded a point in this section, the project must comply with the minimum zone district setback <u>and</u> provide a four foot front setback variation between adjoining buildings for a multi-family development. The project does not comply with this requirement. The project does not qualify for this point.	1	0	0	1
Lot Layout and Orientation B.3.b	The project meets or exceeds all minimum setbacks. Again, this criteria seems to make sense for SF projects, but not for MF projects of this scale (Garden Style). Nevertheless, our project meets the spirit and intent, which is to place buildings in such a way as to complement design. Please provide greater clarification as to the applicability of this criteria to MF projects.	Presumably, the intent of this criteria is to provide variety in setbacks along public ROWs, which makes the most sense for SF projects, as a 4 or 5 foot setback variation between MF buildings of this scale would not be perceptible. The project meets or exceeds all zone district setback requirements and the building floor plans have rear elevation setbacks built-in to the design, as shown in our submittal drawings (see A.2-3 on attached Exhibit). Varying setbacks will also naturally occur along each of the project edges. We believe the project meets the spirit and intent of this criteria.	Staff: The project does not comply with the setback variation required for Multi-family projects as required by the criteria to be awarded points. No point adjustment recommended. Planning Commission: 0 points awarded. Appeal Response: To be awarded a point in this section, the project must comply with the minimum zone district setback <u>and</u> provide a four foot rear setback variation for a multi-family dwelling provided between adjoining units. The project does not comply with this requirement. The project does not qualify for this point.	1	0	0	1

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Lot Layout and Orientation B.3.d	Please see the attached supplemental letter which responds to Staff's comments regarding parking. The project has unique conditions along its perimeter, and must respond contextually to those conditions. Where residential uses are opposite industrial uses, we believe that a greater separation is important to prevent conflict between uses. We have placed a min. 90 foot separation, with a 40' bermed, landscaped buffer, between residences and the Sutter Connector; garages will not be visible. The need for this separation was also raised by the business community due to noise and other potential issues. All other detached garages are interior and placed out of view of main streets and ROWs. Other than the Sutter Connector, all attached garages in the project are located between bldgs (side or rear) and not visible from public ROWs. We believe we have met the spirit and intent of this criteria.	Along the Sutter Connector, we felt that it was important to place the most sensitive uses – the residences – as internal to the project as possible to protect the integrity of the residential environment. The residences along this edge are a minimum of 90' away from the street. Parking will be separated from the road by 40' of dense landscaping, berms, and trees, which will also obscure the garages and most of the buildings from view. This placement allows us to face the majority of residences towards the interior parklets, which helps activate and provide “eyes” on these spaces as well. All other detached garages and parking areas are located in the interior of the project and placed out of view of main streets and ROWs. All other attached garages are located between buildings (side or rear) and not visible from public ROWs. Along Monterey, parking is shielded through a combination of the placement of buildings and grading conditions (the road being lower than our site). Along Jarvis, parking will not be visible due to the way the buildings and landscape work together, and garages are located on the interior of the project. Along the Sutter Extension, parking within the residential community will be shielded either by buildings and/or by the placement of Central Park between the project and the road. Within the project, our internal Main Street is lined with units that address the street, not garages. We believe the projects merits both points under this criteria.	Staff: The criteria requires that parking not be visible from the public right-of-way to receive full points. The project does not comply. No point adjustment recommended. Planning Commission: 0 points awarded. Appeal Response: To be awarded points in this section, a project must use garage placement to provide lot variation. For multi-family developments, projects may satisfy this criterion by locating garages, carports, and parking spaces at the side or rear of a building at locations not directly visible from the public right-of-way. The project does not qualify for these points.	2	0	0	2

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Lot Layout and Orientation 3.e	Please see the supplemental letter offering additional support for our compliance with this criteria. We also recommend looking at the photographs we provided of precedent architecture designed by our award winning architect, TCA. Computer models can be difficult to translate but the photos show how the various elements described in our letter work together to provide ample articulation. With the exception of the Sutter Connector, which is a unique condition given the proximity to planned industrial (and the need to protect the integrity of the residential experience), all buildings along the public ROW's (Jarvis and Monterey) face outward and garages are located internal to the project. The project provides expansive and creatively designed buffers along Monterey, Jarvis and the Sutter Connector. Buildings will have varying placement where appropriate. Please also see the attached exhibit showing articulation of building facades, which uses techniques typical of the style to achieve the desired variation and visual interest. We are happy to explore other suggestions in keeping with the style, but the project meets the spirit and intent of this criteria.	Architecture is subjective but it is not necessary to “clutter” the façade to give it visual interest. As stated above, we selected a more traditional architectural style (Spanish Monterey), which has clean, simple lines and employs classical detailing, such as iron balcony railings, accent shutters, shaped rafter tails, stone patio walls, awnings, corbels, accent eave tiles, etc. to create a richness and quality typically seen in for-sale product. The roof plans also help to break down scale while creating additional visual interest with the use of a-symmetrical forms. Along Jarvis, where the building pops up to 3 stories at the rear, we have intentionally enhanced our elevation with the use of a large cantilevered balcony, reminiscent of classic Spanish homes. Unfortunately, the computer generated models do not do justice to the style, as much is gained from the texture of the building, richness of paint colors, and contextual and complimentary landscape elements. Moreover, landscaping and streetscape design are vital elements in creating a soft transition between neighborhoods. To enhance the single-family scale of our streetscape, the project includes a meandering walk within a varying setback of at least 20 to 50 feet of landscaping designed to resemble front yards along Jarvis. Connecting pathways lead to front stoops, which mimic our neighbors across the street. The additional step back in our building design allows for even more landscape opportunities along Jarvis making this street a beautiful, lush environment. These design touches will create a consistent look and feel along Jarvis and a high end residential community. Combined, the above design elements will provide more than sufficient articulation and interest to create a smooth transition to our neighbors along Jarvis.	Staff: The plans provided do not demonstrate that the buildings provide visual interest, as required by the criteria. New information cannot be considered after initial submittal of the RDCS application. No point adjustment recommended. Planning Commission: 0 points awarded. Appeal Response: The RDCS criteria requires "For multi-family projects, building articulation or varying placement provides visual variety from the public right-of-way." The project does not qualify for these points.	2	0	0	2
Lot Layout and Orientation B.5	Our building plans are articulated with cantilevered balconies, awnings, shutters, corbels and belly bands to achieve color breaks and visual interest. Articulation is a min. of 3 horizontal feet and 30% of the extent of the story. Project meets and commits to this criteria. Please see attached exhibit.	As indicated in our Narrative, Addendum and RDCS submittal, our building plans are articulated with cantilevered balconies, awnings, shutters, corbels and belly bands to achieve color breaks and visual interest. At the Planning Commission hearing, we provided an additional exhibit demonstrating that our balconies meet the requirement with a min. of 3 horizontal feet and 30% of the extent of the story, and the project commits to achieve this variation. (Please see also the attached Exhibit.) We believe the project meets this criteria.	Staff: New information cannot be considered after initial submittal of the RDCS application. The plans submitted with the RDCS application do not demonstrate that this criteria has been met. No point adjustment recommended. Planning Commission: 0 points awarded. Appeal Response: The RDCS criteria requires that for multi-family projects, building setback areas above the second story are articulated with design elements that provide visual interest, such as the use of outdoor decks and balconies (must be provided on at least one elevation visible from a public or private street. Articulation must be a minimum of three horizontal feet and be 30% of the extent of the story [not necessarily continuous]). Based on the information submitted with the initial RDCS submittal, the plans did not support the point request. The applicant did submit new information to substantiate the point request; however, information submitted following the RDCS submittal deadline could not be considered. The project does not qualify for this point.	1	0	0	1