



September 12, 2021

Mayor Kamei and Members of the City Council  
City of Mountain View  
500 Castro Street  
Mountain View 94041

Re: Council Meeting September 14th, Agenda Item - 6.1 – Rowhouse Development at 570 S.Rengstorff

Dear Mayor Kamei and Members of the City Council:

We strongly encourage Council to **vote no on this project** in its current form. We are particularly concerned that this proposed development results in the loss of 70 rent-controlled units but according to Staff is exempted from both SB 330 and from the Phase II Below-Market-Rate (BMR) requirements. As we wrote to the Zoning Administrator in August, we are concerned with displacement of low-income tenants and have consistently supported the City's efforts to help these tenants with the Tenant Relocation Assistance Ordinance (TRAO). We also believe in government that is transparent and accountable to the voters.

Despite having requested relevant documents, we did not learn until publication of the Staff report that the reason the project does not have to follow the replacement units/right of first refusal to new units is due to a process error. We believe SB 330 should apply because the change of applicant for this development after it was "deemed complete" should cause the application to be considered as a new application. Govt. Code 65941.1(a)(13) states that one of the documents to be provided so that the application is deemed complete is "the applicant's contact information". If contact information is incorrect or not complete then the application is not complete.

In addition to our concerns about the project's exemption from SB 330 requirements, we have not been provided with documentation we requested regarding the exemption from Phase II BMR requirements. The Administrative Guidelines for the Phase II BMR ordinance state that any additional information from the applicant requested by Staff had to be provided by 8/24/19 to claim this exemption. The Staff report on p.11 states that the applicant submitted additional information requested in the Staff's June 30, 2019, letter to the applicant by 8/24, but the Staff report also states that "no additional information was needed or requested for purposes of the grandfather provision" for Phase II BMRs.

The June 30<sup>th</sup> letter asked the developer to "Provide details of the affordable housing program for this project and how the project meets the City requirement...." The June 30<sup>th</sup> letter also asked the developer to "provide details of the project TRAO program...." Because the Phase II regulations require the developer to provide 25% of the new units as BMRs rather than a small in-lieu fee, what Staff asked the developer to provide regarding TRAO and the affordable housing program appears to be critical information to be provided by the developer by 8/24 for the project to be grandfathered. In the interest of transparency, this information is important to the community.

Our transparency concerns are not only procedural - they leave us questioning if the requirements of SB 330 and BMR Phase II should apply to this project. Due to these concerns, we cannot support the Staff recommendation to approve the project. (Please submit any questions about this letter to Donna Yobs at [dmyobs@yahoo.com](mailto:dmyobs@yahoo.com))

Karin Bricker, President LWV of Los Altos Mountain View  
Donna Yobs, Co-Chair, Housing Committee

cc: Kimbra McCarthy Aarti Shrivastava Carolyn Fahey Nicole Wright Stephanie Williams