

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
APPROVING A MODIFICATION TO A PREVIOUSLY APPROVED
PLANNED COMMUNITY PERMIT TO CONSTRUCT SITE MODIFICATIONS
AND RELOCATE PUBLICLY ACCESSIBLE AREAS AND
A HERITAGE TREE REMOVAL PERMIT TO REMOVE
31 HERITAGE TREES ON A 21-ACRE SITE AT
1600 AMPHITHEATRE PARKWAY

WHEREAS, an application was received from Adam Dell for Google LLC for a modification to a previously approved Planned Community Permit (Application No. 218-94-PCZA) to construct site modifications and relocate publicly accessible areas and a Heritage Tree Removal Permit to remove 31 Heritage trees at 1600 Amphitheatre Parkway (Application No. PL-2020-022); and

WHEREAS, the Zoning Administrator held a public hearing on January 27, 2021 on said application and recommended the City Council conditionally approve the Planned Community Permit and Heritage Tree Removal Permit subject to the attached findings and conditions of approval (Exhibit A); and

WHEREAS, the City Council held a public hearing on February 23, 2021 on said applications and received and considered all evidence presented at said hearing, including the resolutions and project materials from the Zoning Administrator and City Council report and materials;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mountain View finds:

1. The Planned Community Permit to construct site modifications and relocate publicly accessible areas is conditionally approved based upon the conditions contained herein and upon the following findings pursuant to Section 36.50.55 of the City Code:

a. The proposed development is consistent with the provisions of the North Bayshore Precise Plan since the proposed site modifications support the Precise Plan's guiding principles, including expanding and improving public spaces and improving mobility to encourage transit, pedestrian, and bicycle transportation. The proposed site modifications include relocating a portion of the North Bayshore Green Loop from the interior of the office campus to the exterior. A publicly accessible plaza will also be

improved adjacent to the Green Loop to encourage activation of the area. The proposed landscaping is compliant with the North Bayshore Plant Palette and the Burrowing Owl Habitat Overlay Zone;

b. The development is consistent with the High-Intensity Office Land Use Designation of the General Plan as the development will remain an office use;

c. The proposed development will not be detrimental to the public interest, health, safety, convenience, or welfare because the proposed site modifications will include publicly accessible open space and multi-use paths to encourage pedestrian, bicycle, and transit transportation consistent with the North Bayshore Precise Plan;

d. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area because the project will include artistic security fencing that will provide a level of safety and security for the office employees as well as an interesting design feature for the public to enjoy. The proposed site modifications will provide multi-use paths that will provide transportation infrastructure for the surrounding businesses and future neighborhood areas; and

e. The proposed project complies with the California Environmental Quality Act (CEQA) because it is categorically exempt under Section 15301 ("Existing Facilities") because the project includes minor site modifications and no expansion of use.

2. The Heritage Tree Removal Permit to remove 31 Heritage trees is conditionally approved based on the conditions contained herein and the following findings made pursuant to Section 32.35 of the City Code:

a. It is necessary to remove Tree No. 5493 (Coast redwood) due to the condition of the tree with respect to age of the tree relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, and proximity to existing structures because the tree exhibits persistent brown needles and is determined to be dead from the Arborist Report (prepared by H.T. Harvey dated December 24, 2020);

b. It is necessary to remove 30 trees (Tree Nos. 808-814, 850-852, 854, 857-858, 864-868, 1659, 2059, 2077-2081, 5472, 5475, 5571, 5572, and 5575) in order to construct the Charleston Corridor and green loop improvements and allow reasonable and conforming use of the property when compared to other similarly situated properties because the City arborist agrees with the findings in the Arborist Report (prepared by H.T. Harvey dated December 24, 2020) that the trees are in conflict with the proposed public access green loop improvements and the Charleston Corridor cycle track; and

c. The proposed project complies with the California Environmental Quality Act (CEQA), because it is categorically exempt under Section 15301 (“Existing Facilities”), because the project includes minor site modifications and no expansion of use.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain View that the Planned Community Permit and Heritage Tree Removal Permit for said project are hereby granted subject to the developer’s fulfillment of all the conditions which are attached hereto as Exhibit A and incorporated herein by reference.

EH/1/RESO
837-02-23-21r

Exhibit: A. Conditions of Approval

**CITY OF MOUNTAIN VIEW
FINDINGS REPORT/ZONING PERMIT**

Page 1 of 18

APPLICATION NO.:

PL-2020-022

DATE OF FINDINGS:

January 27, 2021

EXPIRATION OF ZONING PERMIT: _____

THIS DOCUMENT REPRESENTS THE ZONING PERMIT RECEIVED FOR THE SUBJECT SITE. THIS DOCUMENT DOES NOT WAIVE THE REQUIREMENT FOR SUBSEQUENT CITY APPROVALS AS APPLICABLE, INCLUDING, BUT NOT LIMITED TO, BUILDING PERMITS, EXCAVATION PERMITS, ETC.

Applicant's Name:

Adam Dell for Google LLC

Property Address:

Assessor's Parcel No.:

Zone:

1600 Amphitheatre Parkway

116-21-046

P-39

Request:

Request for a modification to a previously approved Planned Community Permit (218-94-PCZA) for site modifications and relocation of publicly accessible areas; a Heritage Tree Removal Permit to remove 31 Heritage trees at an existing 21-acre office campus; and a determination that the project is categorically exempt pursuant to Section 15301 ("Existing Facilities") of the CEQA Guidelines.

APPROVED

CONDITIONALLY

DISAPPROVED

OTHER

APPROVED

******ZONING ADMINISTRATOR RECOMMENDATION TO CITY COUNCIL******

FINDINGS OF APPROVAL:

The Planned Community Permit to construct site modifications and relocate publicly accessible areas is conditionally approved based upon the conditions contained herein and upon the following findings per Section 36.50.55:

- A. The proposed development is consistent with the provisions of the North Bayshore Precise Plan since the proposed site modifications support the Precise Plan's guiding principles, including expanding and improving public spaces and improving mobility to encourage transit, pedestrian, and bicycle transportation. The proposed site modifications include relocating a portion of the North Bayshore Green Loop from the interior of the office campus to the exterior. A publicly accessible plaza will also be improved adjacent to the Green Loop to encourage activation of the area. The proposed landscaping is compliant with the North Bayshore Plant Palette and the Burrowing Owl Habitat Overlay Zone;
- B. The development is consistent with the High-Intensity Office Land Use Designation of the General Plan as the development will remain an office use;
- C. The proposed development will not be detrimental to the public interest, health, safety, convenience, or welfare because the proposed site modifications will include publicly accessible open space and multi-use paths to encourage pedestrian, bicycle, and transit transportation consistent with the North Bayshore Precise Plan;
- D. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area because the project will include artistic security fencing that will provide a level of safety and security for the office employees as well as an interesting design feature for the public to enjoy. The

Owner

Agent

File

Fire

Public Works

proposed site modifications will provide multi-use paths that will provide transportation infrastructure for the surrounding businesses and future neighborhood areas; and

- E. The proposed project complies with the California Environmental Quality Act (CEQA) because it is categorically exempt under Section 15301 ("Existing Facilities") because the project includes minor site modifications and no expansion of use.

The Heritage Tree Removal Permit to remove 31 Heritage trees (Tree Nos. 808-814, 850-852, 854, 857-858, 864-868, 1659, 2059, 2077-2081, 5472, 5475, 5493, 5571, 5572, and 5575) is conditionally approved based on the conditions contained herein and the following findings per Section 32.35:

- A. It is necessary to remove Tree No. 5493 (Coast redwood) due to the condition of the tree with respect to age of the tree relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, and proximity to existing structures because the tree exhibits persistent brown needles and is determined to be dead from the Arborist Report (prepared by H.T. Harvey dated December 24, 2020);
- B. It is necessary to remove 30 trees (Tree Nos. 808-814, 850-852, 854, 857-858, 864-868, 1659, 2059, 2077-2081, 5472, 5475, 5571, 5572, and 5575) in order to construct the Charleston Corridor and green loop improvements and allow reasonable and conforming use of the property when compared to other similarly situated properties because the City arborist agrees with the findings in the Arborist Report (prepared by H.T. Harvey dated December 24, 2020) that the trees are in conflict with the proposed public access green loop improvements and the Charleston Corridor cycle track; and
- C. The proposed project complies with the California Environmental Quality Act (CEQA), because it is categorically exempt under Section 15301 ("Existing Facilities"), because the project includes minor site modifications and no expansion of use.

This approval is granted to construct site modifications and relocate publicly accessible areas located on Assessor's Parcel No. 116-21-046. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- A. Project plans prepared by Sera Architects, date stamped December 16, 2020.
- B. Parking analysis prepared by Google LLC, date stamped January 11, 2021.
- C. Arborist Report prepared by H.T. Harvey, date stamped December 24, 2020.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Planning Division – 650-903-6306

- PREVIOUS APPROVALS:** Approval of this Planned Community Permit modification incorporates and updates conditions of approval from prior permits, including, but not limited to, Permit No. 218-94-PCZA, as applicable to the proposed modification to the approved development. For regulatory purposes, unless specifically addressed herein or previously satisfied, all previous permits and conditions of approval shall remain valid.
- EXPIRATION:** This permit is valid for a period of two years from the date of approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period unless a permit extension has been submitted to and approved by the Zoning Administrator at a duly noticed public hearing prior to the expiration date.

PERMIT SUBMITTAL REQUIREMENTS

3. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a duly noticed public hearing, which can be referred to the City Council.

OPERATIONS

4. **OPERATIONAL CRITERIA:** In the event that problems with the operational criteria of the business arise, including, but not limited to, parking shortages, delivery truck issues, hours of operation, or noise, the applicant will be notified and given six months to correct the problem(s) to the satisfaction of the Community Development or Public Works Director. If corrective measures are deemed to be insufficient, the Zoning Administrator may hold a public hearing to review the situation and impose new or modified conditions of approval in response to the information received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code.

SITE DEVELOPMENT AND BUILDING DESIGN

5. **DESIGN/PLAN MODIFICATIONS:** Modifications shall be made to the architectural design, building materials, colors, landscaping, and/or other site or building design details prior to issuance of a building permit and shown on building permit drawings. The following modifications are subject to review and approval by the Zoning Administrator:
 - A. **North/South Entry:** Continue to work with staff on the design of the security screen fencing, doors, and termination between the Moureaux fence and the security screen fence. Sufficient landscaping should be included along the pedestrian walkway to help integrate the fencing with natural materials.
 - B. **East VIP Entry:** Continue to work with staff on the design of the VIP entry wall to reduce areas of blank concrete to include use of materials that will complement the existing building and create a warm and welcoming appearance.
 - C. **Public Plaza:** Continue to work on the design of the pavement in the public plaza to differentiate uses, such as the multi-use path and the outdoor seating areas with the use of alternate patterning and/or materials.
6. **GREEN LOOP:** The building permit and off-site improvement plans shall include details for the public green loop design, landscape, art, and programming for review and approval by the Zoning Administrator prior to issuance of Building and/or excavation permits.
7. **PUBLICLY ACCESSIBLE OPEN SPACE/FACILITIES:** This project includes privately owned open space, improvements, and/or other facilities which shall be publicly accessible and include pedestrian sidewalks, walkways, plazas, and bicycle improvements. The applicant shall have the right to establish and enforce reasonable rules and regulations for the use of the open space but shall not restrict access with fencing or other design/operational barriers.
8. **EXTERIOR MATERIALS:** High-quality materials and finishes shall be used throughout the project and shall remain in compliance with the materials identified in the approved plans, except as modified by the conditions of approval herein. Details regarding all color and architectural details shall be provided in the building permit plan submittal and shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
9. **SPECIAL PAVING MATERIALS:** The color, material, design, and product specifications for the special paving materials used on-site shall be submitted with the building permit drawings. Final paving design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.

10. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval by the Planning Division.
11. **FENCE(S)/WALL(S):** All fencing and walls are to be shown on building plan drawings, including details on height, location, and material finish. The design and location must be approved by the Zoning Administrator and comply with all setback and traffic visibility area requirements.
12. **PLAZA PROGRAMMING:** A narrative document and supporting physical improvements shown on permit drawings shall be submitted with the building permit review package that demonstrate the plaza will be permanently programmed with improvements to support activities which make it an inviting and active public open space. To the extent possible, all goods, services, and events offered within the plaza shall be available and open to the public. The plaza programming design shall be reviewed and approved by the Zoning Administrator prior to issuance of a building permit.
13. **PARKING SPACE DESIGN:** All new parking spaces (except parallel spaces) must be double-striped with 4" wide stripes. Double stripes shall be 18" apart, from outside edge to outside edge of the stripes, or 10" from inside edge to inside edge of the stripes. The 8-1/2' parking space width is measured from the center of one double stripe to the other, such that the space between stripes is 7'. For parallel parking spaces, only single-striped or tic-mark is required between spaces. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24'.
14. **LIGHTING PLAN:** The applicant shall submit a lighting plan with the application for building permit. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The design and location of outdoor lighting fixtures shall ensure there will be no glare and light spillover to surrounding properties. The lighting plan submitted with building permit drawings must be approved by the Zoning Administrator prior to building permit issuance.

TREES AND LANDSCAPING

15. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the street curb must be included in building permit drawings. Minimum plant sizes are flats or 1-gallon containers for ground cover, 5-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations (forms are available online at www.mountainview.gov/planningforms). Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
16. **NORTH BAYSHORE PLANT PALETTE:** As part of building permit review, include a detailed landscape design consistent with the North Bayshore Plant Palette, which is intended to support and expand existing habitat areas to ensure net benefits to wildlife within and adjacent to the North Bayshore Precise Plan area. A copy of the Plant Palette is available at www.mountainview.gov/northbayshore.
17. **CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans and final inspection(s), subject to final approval by the Zoning Administrator.
18. **ARBORIST INSPECTIONS:** During demolition activity and upon demolition completion, a qualified arborist shall inspect and verify the measures described in the arborist report are appropriately implemented for construction activity near and around the preserved trees, including the critical root zones. Should it be determined that the root systems are more extensive than previously identified and/or concerns are raised of nearby excavation or construction activities, the project may need to be altered to maintain the health of the trees prior to building permit issuance.

19. **MONTHLY ARBORIST INSPECTIONS:** Throughout demolition and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction activity to maintain tree health, shall be provided to the Planning Division at planning.division@mountainview.gov.
20. **LANDSCAPE SCREENING:** All utility meters, lines, transformers, backflow preventers, etc., on-site or off-site, must be shown on all site plan drawings and landscape plan drawings. All such facilities shall be located so as to not interfere with landscape material growth and shall be screened in a manner which respects the building design and setback requirements. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.
21. **TREE REMOVALS:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit for new construction is secured and the project is pursued.
22. **REPLACEMENT TREES:** The applicant shall offset the loss of each Heritage tree with two replacement trees for a total of 62 replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage or street replacement trees.
23. **STREET TREE PROTECTIONS:** All designated City street trees are to be protected throughout construction activity with protection measures shown on building permit plans.
24. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by H.T. Harvey and dated December 24, 2020 shall be included as notes on the title sheet of all grading and landscape plans. These measures shall include, but may not be limited to, 6' chain link fencing at the drip line, a continuous maintenance and care program, and protective grading techniques. Also, no materials may be stored within the drip line of any tree on the project site.
25. **IRREVOCABLE DAMAGE TO HERITAGE TREES:** In the event one or more of the preserved Heritage tree(s) are not maintained and irrevocable damage or death of the tree(s) has occurred due to construction activity, a stop work order will be issued on the subject property and no construction activity shall occur for two (2) working days per damaged tree. The applicant will also be subject to a penalty fee at twice the tree valuation prior to damage; this fee applies to each Heritage tree damaged. No construction activity can resume until the penalty fee(s) have been paid to the City.

NOISE

26. **MECHANICAL EQUIPMENT (NOISE):** The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining residentially used property.
27. **CONSTRUCTION NOISE REDUCTION:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: (a) comply with manufacturer's muffler requirements on all construction equipment engines; (b) turn off construction equipment when not in use, where applicable; (c) locate stationary equipment as far as practical from receiving properties; (d) use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; and (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment.

AGREEMENTS AND FEES

28. **INDEMNITY AGREEMENT:** Prior to the issuance of any building permits, the applicant shall agree, in writing, to defend, indemnify, and hold harmless the City and its officers, agents, and employees in any action brought by a third party to void this Planned Community Permit as modified herein. The agreement shall be in a form satisfactory

to the City Attorney and Zoning Administrator. It shall run with the land and shall not be amended without prior City consent.

CONSTRUCTION ACTIVITIES

29. **WORK HOURS:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. At the discretion of the Chief Building Official, the general contractor or the developer may be required to erect a sign at a prominent location on the construction site to advise subcontractor and material suppliers of the working hours. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.
30. **CONSTRUCTION PARKING:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project by contractors or other continued operations on-site. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
31. **ON-STREET CONSTRUCTION PARKING RESTRICTION:** On-street construction parking is not permitted. The construction management plan shall include a monitoring and enforcement measure which specifics on-street parking will be monitored by the owner/operator of the property (or primary contractor), and penalties to be enforced by the owner/operator of the property (or primary contractor) for violations of on-street parking restrictions. Violations of this provision may result in a stop-work notice being issued by the City for development project.
32. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 750' of the project site of the construction schedule in writing, prior to construction. For multi-phased construction, separate notices may be required for each phase of construction. A copy of the notice and the mailing list shall be submitted for review prior to issuance of building permits.
33. **DISTURBANCE COORDINATOR:** The applicant shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.
34. **HEALTH AND SAFETY MEASURES:** Permittee/Contractor is responsible for preparing and implementing an appropriate health and safety plan to address the contamination and manage the operations in a safe manner and in compliance with the Cal/OSHA Construction Safety Orders and other State and Federal requirements.
35. **BASIC AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures: (a) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day; (b) all haul trucks transporting soil, sand, or other loose material off-site will be covered; (c) all visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (d) all vehicle speeds on unpaved roads will be limited to 15 mph; (e) all roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used; (f) idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measures Title 13, Section 2485, of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points; (g) all construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running

in proper condition prior to operation; and (h) post a publicly visible sign with the telephone number and person to contact at the City of Mountain View regarding dust complaints. This person will respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

36. **DISCOVERY OF CONTAMINATED SOILS:** If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: (a) contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; (b) contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) contractor will cover the bottom of excavated areas with sheeting when work is not being performed.
37. **DISCOVERY OF ARCHAEOLOGICAL RESOURCES:** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, it is recommended that all work within 100' of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.
38. **DISCOVERY OF HUMAN REMAINS:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50' radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.
39. **DISCOVERY OF PALEONTOLOGICAL RESOURCES:** In the event that a fossil is discovered during construction of the project, excavations within 50' of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.
40. **DISCOVERY OF TRIBAL CULTURAL RESOURCES:** If indigenous or historic-era archaeological resources are encountered during construction activities, all activity within 100' of the find shall cease and the find shall be flagged for avoidance. The City and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior's Professional Qualifications Standards for Archeology, shall be immediately informed of the discovery. The qualified archaeologist shall inspect the find within 24 hours of discovery and notify the City of their initial assessment. Indigenous archaeological materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or

shellfish remains; and stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include building or structure footings and walls, and deposits of metal, glass, and/or ceramic refuse.

If the City determines, based on recommendations from the qualified archaeologist, that the resource may qualify as a historical resource or unique archaeological resource (as defined in CEQA Guidelines Section 15064.5), or a tribal cultural resource (as defined in PRC Section 21074), the resource shall be avoided if feasible. Avoidance means that no activities associated with the Project that may affect cultural resources shall occur within the boundaries of the resource or any defined buffer zones. If avoidance is not feasible, the City of Mountain View shall consult with appropriate Native American tribes (if the resource is indigenous), and other appropriate interested parties to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC Section 21083.2 and CEQA Guidelines Section 15126.4. This shall include documentation of the resource and may include data recovery or other measures. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource. The resource and treatment method shall be documented in a professional-level technical report to be filed with the California Historical Resources Information System. Work in the area may commence upon completion of approved treatment and under the direction of the qualified archaeologist.

41. **PRECONSTRUCTION NESTING BIRD SURVEY:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys will be performed no more than two days prior to construction activities to locate any active nests as follows:

The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500' for active nests – with particular emphasis on nests of migratory birds – if construction (including site preparation) will begin during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the applicant, in coordination with the appropriate City staff, shall establish no-disturbance buffer zones around the nests, with the size to be determined in consultation with the California Department of Fish and Wildlife (usually 100' for perching birds and 300' for raptors). The no-disturbance buffer will remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.

42. **BURROWING OWL HABITAT AREA:** This project is located in the habitat area of burrowing owls, a protected Special Status species under the Endangered Species Act. Any construction activity in this area shall be performed carefully and with attention to any ground disturbances, exterior lighting, and operations of mechanical or construction equipment which may impact the species. During construction activity, if a burrowing owl is present within 250' of the site, then no disturbances or construction activity may occur that would cause the owl to abandon their burrow or nest. Additionally, the California Department of Fish and Wildlife (CDFW) must be contacted immediately and a safety plan will need to be developed and approved by CDFW to determine the impacts the project may have on the owl(s). Construction activity must cease during this period.

Building Inspection Division – 650-903-6313

Entitlement review by the Building Inspection Division is preliminary. Building and Fire plan check reviews are separate permit processes applied for once the zoning approval has been obtained and appeal period has concluded; a formal permit submittal to the Building Inspection Division is required. Plan check review shall determine the specific requirements and construction compliance in accordance with adopted local, State, and Federal codes for all building and/or fire permits. For more information on submittal requirements and timelines, contact the Building Inspection Division online at

www.mountainview.gov/building. It is a violation of the MVCC for any building occupancy or construction to commence without the proper building and/or fire permits and issued Certificate of Occupancy.

43. **BUILDING PERMITS:** A building permit is required for this project. This review by the Building Inspection Division is preliminary and only attempting to identify critical or significant code concerns. Building plan check review will be part of a separate permit application process that can be applied for once the Planning approvals have been obtained and the 10-day appeal period has passed. To submit for building permits, please refer to the Building Inspection Division's "Submittal Requirements" for document requirements and project review times online at www.mountainview.gov/submitbuildingpermit.

No construction work can be commenced without the appropriate building permit(s), and no new occupancy shall commence without a Certificate of Occupancy. Please visit City of Mountain View – Building and Fire Division online at www.mountainview.gov/building, or contact by phone at 650-903-6313, to obtain information and submittal requirements.

Fire Department – 650-903-6343

FIRE DEPARTMENT ACCESS

44. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Contact the Building Inspection Division at 650-903-6313 for instructions. **(Required for security gates.)**
45. **FIRE APPARATUS ACCESS ROADS:** Access roads shall have 13'6" unobstructed vertical clearance, 20' of unobstructed width, and minimum turning radii of 21' (inside turning radius). Unobstructed width shall mean a clear travelway, excluding parking width, and designed for an emergency vehicle weight of 70,000 pounds. Unobstructed width shall not include the width of rolled curbs, sidewalks, or nondrivable surfaces. (California Fire Code, Section 503, and City Code, Sections 14.10.14, 14.10.15, and 14.10.16.)
46. **FIRE APPARATUS TURNAROUNDS:** Dead-end fire apparatus access roads in excess of 150' in length shall be provided with approved provisions for the turning around of apparatus. "Approved provisions" shall mean that turnarounds, in accordance with Mountain View Fire Department specifications, are provided in locations such that fire apparatus shall never be more than 150' away from the closest turnaround. Contact the Building Inspection Division at 650-903-6313 for specifications. (California Fire Code, Section 503.)
47. **FIRE LANE MARKING:** "NO PARKING – FIRE LANE" signs shall be posted along fire lanes and curbs shall be painted red with the words: NO PARKING – FIRE LANE stenciled in white on the top and side of the curb. Contact the Building Inspection Division at 650-903-6313 for specifications and application or visit online at www.mountainview.gov/firerequirements. (California Fire Code, Section 503.)

EGRESS AND FIRE SAFETY

48. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the Electrical Plans. (California Building Code, Section 1008.)
49. **EXIT SIGNS:** Exit signs shall be internally or externally illuminated and provided with battery backup per Uniform Building Code Chapter 10. Exit signs shall be posted above each required exit doorway and wherever otherwise required to clearly indicate the direction of egress. (California Building Code, Section 1013.) **(Required for outdoor gates used for egress.)**
50. **EXIT DOORS IN GROUPS A, E, H, AND I OCCUPANCIES:** Exit doors shall be provided with approved panic hardware. (California Building Code, Section 1010.1.10.)

Public Works Department – 650-903-6311

51. **CONCEPTUAL DESIGN AND REVIEW:** The design as shown in the submitted planning documents was reviewed in concept only. Not all sheets were reviewed, and a more detailed review shall be conducted during the building plan check process. The following terms are defined as part of the Public Works conditions of approval:
- **Final build-out improvements** are the build-out conditions for Charleston Road, to include the Charleston Corridor cycle track design being completed as part of Charleston Corridor Phases 1, 2, and 3. The design for Phases 2 and 3 have not been fully reviewed nor finalized and require further coordination with the City prior to approval.
 - **Interim improvements** are the interim conditions for Charleston Road to conform to the existing conditions as shown on Sheet LD105P and “Cycle Track and Googleplex Coordination Memo” and as revised as part of these conditions of approval. **(PROJECT-SPECIFIC CONDITION)**
52. **PUBLIC PARKING FOR PARK AND CREEK TRAIL IMPROVEMENTS:** Applicant shall allow public use of applicant’s exterior surface parking lot for evening and weekend Park and Creek Trail Improvements public access consistent with Section 8.7 of the DDA between City of Mountain View and Silicon Graphics Real Estate, Inc., dated March 7, 1995. The number and location of these spaces are shown in Building Permit No. 2019-2200. In addition, the applicant shall comply with COA No. 62 of Building Permit No. 2019-2200 to obtain a Parking Monitoring and Enforcement Plan. **(PROJECT-SPECIFIC CONDITION)**
53. **DISPOSITION AND DEVELOPMENT AGREEMENT REVISIONS:** Prior to issuance of any building permits, the Disposition and Development Agreement (DDA) between the City of Mountain View and Silicon Graphics Real Estate, Inc., dated March 7, 1995, shall be amended to modify Sections 8.8 and 8.15, consistent with Section 10.15. All other terms shall remain unchanged. The amended DDA shall be in a form satisfactory to the City. **(PROJECT-SPECIFIC CONDITION)**

RIGHTS-OF-WAY

54. **SIDEWALK EASEMENT (CHARLESTON ROAD MULTI-USE PATH):** Prior to issuance of any building permits, the applicant shall dedicate a 14’ wide sidewalk easement, which will be a multi-use path, for public use as a sidewalk and for the purpose of installing, maintaining, and repairing said sidewalk, together with appurtenances thereof, along, over, and across a portion of that certain parcel of land in the City of Mountain View. The sidewalk easement shall be along the proposed multi-use path on Charleston Road where the multi-use path is outside of the existing sidewalk and public service parkway easements; and dedicated per the Charleston Road Final Build-Out Improvements. The sidewalk easement shall be dedicated as required by the Public Works Director. This condition of approval governs over the proposed design shown in the Planning application.
55. **COVENANTS, AGREEMENTS, AND DEED RESTRICTION RELATING TO PUBLIC ACCESS:** Prior to issuance of any building permits, the applicant shall be responsible for providing a Covenants, Agreements, and Deed Restrictions Relating to Public Access on private property as shown on “Public Access Agreement Exhibit B.” The public access areas shall be: (1) between the proposed west entry of the site by Buildings 41 and 42 and the Permanente Creek Trail; (2) between the proposed east gateway of the site by Buildings 40 and 43 and Charleston Park; and (3) between the proposed east gateway of the site by Buildings 40 and 43 and the proposed multi-use path along Charleston Road. The public access areas may be modified as required by the Public Works Director. The Covenants, Agreements, and Deed Restrictions Relating to Public Access shall indicate that:
- a. Public access areas shall be granted for nonautomotive use;
 - b. Applicant shall maintain, inspect, and monitor the public access improvements in good order, condition, and repair and in compliance with the Americans with Disabilities Act (ADA);
 - c. The public access areas shall run with the land and be binding upon any successors;

- d. If Applicant shall fail to abide by Covenants, Agreements, and Deed Restrictions Relating to Public Access, Applicant agrees to pay all reasonable costs and expenses incurred by City in enforcing the performance of such obligations; and
- e. Applicant agrees to defend and hold City, its officers, employees, agents, and volunteers harmless from any liability for damage or claims for damage for personal injury, including, but not limited to, death and/or property damage caused by negligent acts, errors, or omissions in performance of services or operations under the Covenants, Agreements, and Deed Restrictions Relating to Public Access, including maintenance operations performed on the public access areas by Applicant or Applicant's contractors, subcontractors, agents, or employees.

Associated improvements within the public access areas shall be constructed by the Applicant and approved by the City.

- 56. **PLAT AND LEGAL DESCRIPTION:** Upon submittal of the initial building permit and improvement plans, submit to the Public Works Department for review and approval a legal description (metes and bounds), plat map (drawing), and other required documents per the City's Legal Description and Plat Requirements for the proposed sidewalk easement and Covenants, Agreements, and Deed Restrictions Relating to Public Access. The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor.
- 57. **ENCROACHMENT AGREEMENT FOR SIDEWALK AND PUBLIC SERVICE AND PARKWAY EASEMENTS:** At the sole discretion of the Public Works Director, nonstandard private facilities, including, but not limited to, structures, steps, handrails, bollards, bioretention areas, retaining curbs, retaining walls, and seat walls which prevent or limit the intended use of sidewalk and public service and parkway easements, require a separate Encroachment Agreement to be signed by the applicant prior to issuance of any building permits. **(PROJECT-SPECIFIC CONDITION)**

FEEES

- 58. **PLAN CHECK AND INSPECTION FEE:** Prior to issuance of any building permits, the applicant shall pay the plan check and inspection fee in accordance with Sections 27.60 and 28.36 of the City Code per the adopted rates in effect at time of payment.

An initial plan check fee based on the Public Works fee schedule shall be paid at the time of initial improvement plan check submittal based on the initial cost estimate for constructing street improvements and other public facilities; public and private utilities and structures located within the public right-of-way; and utility, grading, and driveway improvements.

Once the plans have been approved, the approved cost estimate will be used to determine the final bond amounts, plan check fees, and inspection fees. Any paid initial plan check fee will be deducted from the approved final plan check fee.

STREET IMPROVEMENTS

- 59. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements required for the project and as required by Chapters 27 and 28 of the City Code. These improvements include, but are not limited to, new sidewalk, multi-use path, ADA curb ramps, conforms, and water service and appurtenances on Charleston Road.
 - a. **IMPROVEMENT AGREEMENT:** The applicant must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the issuance of the building permit.
 - b. **BONDS/SECURITIES:** Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a cash deposit (100 percent) or provide a letter of credit (150

percent) securing the installation and warranty of the off-site improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available through the Internet at: www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department.

- c. **INSURANCE:** Provide a Certificate of Insurance and endorsements for the Commercial General Liability and Automobile Liability naming the City as an additional insured from the entity that will sign the improvement agreement prior to the issuance of the building permit. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, One Million Dollars (\$1,000,000) Pollution Insurance or higher as determined by the City's Risk Manager, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.
60. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, Submittal Checklist, Plan Review Checklist, and the conditions of approval of the project. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a California-registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. Traffic control plans for each phase of construction shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and shall show, at a minimum, work areas, delineators, signs, and other traffic control measures required for work that impacts traffic on existing streets. Locations of on-site parking for construction equipment and construction workers and on-site material storage areas must be submitted for review and approval. Off-site improvement plans (10 sets), an initial plan check fee based on the Public Works fee schedule, Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 full-size and 2 half-size black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the issuance of the building permit. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.
61. **TRAFFIC CONTROL PLANS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit traffic control plans for any off-site and on-site improvements or any work that requires temporary lane closure, shoulder closure, bike lane closure, and/or sidewalk closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, sidewalk detour should be shown on the Traffic Control plans. Traffic control plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD).
62. **INFRASTRUCTURE QUANTITIES:** Upon submittal of the initial building permit and improvement plans, submit a construction cost estimate indicating the quantities of the street and utility improvements. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate is to be prepared by the civil engineer preparing the improvement plans.
63. **EXCAVATION PERMIT:** Upon submittal of the initial building permit and improvement plans, submit to the Public Works Department a complete Excavation Permit Application for all applicable work within the public right-of-way. Permit applications are available on the Internet from the Public Works Department website. All work within City right-of-way must be consolidated on the site, off-site, and/or utility plans. Plans of the work, traffic control plans for work within the public roadway and/or easement, insurance certificate and endorsements, and permit fees are required with the Excavation Permit Application.

64. **SPECIAL PAVERS AND CONCRETE:** Unless otherwise approved by the Public Works Director, pavers, colored concrete, textured concrete, detectable warning surface, or other nonstandard surfacing/improvements shall not be installed within the public street, sidewalk, or 14' multi-use path.
65. **DRIVEWAY SIGHT TRIANGLE:** The building architecture, landscaping, signage, and other aboveground improvements (including backflow preventers) shall conform to City Standard Detail A-22, Side Street/Driveway Pedestrian and Vehicular Triangle of Safety.

UTILITIES

66. **UTILITY POTHOLING:** Potholing shall be completed prior to the first submittal of the building plans and improvement plans to determine the depths and locations of existing subsurface utilities at proposed utility crossings and proposed traffic signal pole locations, unless as determined by the Public Works Director. Obtain an Excavation Permit from the Public Works Department prior to performing potholing. Incorporate pothole data on the first submittal of improvement plans, including but not limited to, pothole location and depth of utility.
67. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required. The existing water service may be adequate to serve multiple meters, depending on size, and would require advance approval from the Public Works Director.
68. **WATER AND SEWER APPLICATIONS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit to the Public Works Department complete applications for water and sewer service if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid prior to issuance of any permits.
69. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, storm drain laterals, storm cleanouts/inlets, gate valves, manholes, and utility mains shall be shown on the plans. Sewer laterals, water services, and fire services shall have a minimum 5' horizontal separation from each other. Existing water services shall be shown to be disconnected and plugged at the main, unless they are satisfactory for reuse, as determined by the Public Services Division. Water services 4" or larger that are not reused shall be plugged at the main by removing the gate valve and installing a blind flange and thrust block at the tee. Existing sanitary sewer laterals and storm connections that are not reused shall be abandoned, and existing face-of-curb drains that are not reused shall be removed.
70. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City water services. Backflow preventers shall be located directly behind the water meter or as reasonably close as possible at a location preapproved by the Public Services Division and screened from view with landscaping. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets or basements. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.

CURBS, SIDEWALKS, AND DRIVEWAYS

71. **PUBLIC MULTI-USE PATH IMPROVEMENTS:** Construct a new multi-use path along the project frontage of Charleston Road. The multi-use path shall be 14' wide, City standard material, Americans with Disabilities Act-compliant, and per North Bayshore Precise Plan and Caltrans Highway Design Manual (Class I). Unless otherwise approved by the Public Works Director, the multi-use path shall not be constructed over the existing monitoring well encroachment areas. Bollards are not allowed. Lighting shall be provided along the multi-use path on Charleston Road to provide 24-hour lighting equivalent to streetlight City Standard Detail E-1A, or as approved by the Public Works Director. The applicant shall submit a lighting plan with the initial submittal of the building permit. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights for City review and approval. This condition of approval governs over the proposed design shown in the Planning application, including Sheets C5.1 to C5.3. **(PROJECT-SPECIFIC CONDITION)**

72. **HUFF AVENUE INTERSECTION IMPROVEMENT:** Construct intersection improvements at the northwest corner of Charleston Road and Huff Avenue per the Charleston Road Final Build-Out Improvements. The intersection improvements shall be designed to have clear delineation between bicycle and pedestrian travelways consistent with other previously approved intersection designs along Charleston Road, in particular, the Joaquin Road intersection, or as approved by the Public Works Director based on site constraints. This condition of approval governs over the proposed design shown in the Planning application, including Sheet C5.1. **(PROJECT-SPECIFIC CONDITION)**
73. **ALTA AVENUE INTERSECTION IMPROVEMENT:** Construct intersection improvements at the north side of Charleston Road and Alta Avenue per the Interim Improvements. The improvement plans shall include two designs based on the Interim Improvements and Final Build-Out Improvements of the Charleston Corridor 2/3 project. The Interim Improvements shall be designed so minimal changes will occur upon Final Build-Out Improvements. This condition of approval governs over the proposed design shown in the Planning application, including Sheets C5.2 and C5.3. **(PROJECT-SPECIFIC CONDITION)**
74. **PLAZA CONNECTION TO CYCLE TRACK:** The plaza, located between the Huff Avenue and Alta Avenue intersections, shall not provide a direct connection to the cycle tracks as part of the Charleston Road Final Build-Out Improvements, unless otherwise approved by the Public Works Director. Pedestrians and cyclists have access to the plaza using the multi-use path from the Huff Avenue and Alta Avenue intersections. This condition of approval governs over the proposed design shown in the Planning application, including Sheet C5.2. **(PROJECT-SPECIFIC CONDITION)**
75. **PERMANENTE CREEK MULTI-USE PATH CONNECTION:** At the southwest end of the site, the multi-use path shall connect to the existing sidewalk directly adjacent to the roadway where Permanente Creek Trail meets Charleston Road, similar as to the current configuration (December 2020), or as approved by the Public Works Director based on site constraints. This condition of approval governs over the proposed design shown in the Planning application, including Sheet C5.3. **(PROJECT-SPECIFIC CONDITION)**
76. **ADA RAMP REQUIREMENTS:** All new access ramps shall comply with the Americans with Disabilities Act (ADA) requirements. Existing nonconforming access ramps shall be reconstructed to comply with the ADA requirements.
77. **UTILITY BOX RELOCATION OUT OF SIDEWALK AND MULTI-USE PATH:** Move existing utility boxes, including storm drain manholes and junction boxes, on the multi-use path or sidewalk along Charleston Road out of the multi-use path or sidewalk and relocate to landscape or behind the back of curb. Utility boxes must be located so they fit entirely within landscape or behind the curb and shall not encroach into the multi-use path or sidewalk. This condition of approval governs over the proposed design shown in the Planning application, including Sheets C6.1 to C6.3.

RECYCLING

78. **RECOLOGY MOUNTAIN VIEW:** Recology Mountain View is the City's exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Recology. Using another hauler may violate City Code Sections 16.13 and 16.17 and result in Code Enforcement action.
79. **MOUNTAIN VIEW GREEN BUILDING CODE/CONSTRUCTION AND DEMOLITION ORDINANCE:** If this project is subject to the requirements of the Mountain View Green Building Code, a Construction and Demolition Waste Management Plan shall be submitted with the building permit application and approved by the Solid Waste and Recycling Section prior to issuance of a building permit. A Final Construction and Demolition Waste Management Plan shall be submitted and approved prior to final inspection.
80. **TRASH DETAILS:** Trash collection details must be included on a separate sheet in the initial building plans and include the following:
 - Site circulation plan for collection vehicles;

- Collection company will be provided access through all gates via intercom or key card;
- Loading docks to be used for turnaround shall remain clear for collection vehicles. Trash collection is not a timed service and can occur at any point throughout the day;
- No Parking signs shall be posted on enclosure doors; and
- Overhead clearances of 15' in the travelway and 22' at the point of collection shall be maintained.

STREET TREES

81. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees.
82. **STREET TREE LOCATION:** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees shall be planted in accordance with Detail F-1 of the Standard Provisions a minimum of 10' from sanitary sewer lines, traffic signals, stop and yield signs, and streetlights and 5' from water lines, fire lines, and driveways. New street tree species must be selected from the City's North Bayshore Precise Plan Plant Palette and as approved by the City's Parks and Open Space Division per Proposed Street Tree Form available online at www.mountainview.gov/planningforms.
83. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property applicant in accordance with Chapter 32 of the City Code.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

84. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
85. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways (other than single-family residential) shall not surface-drain across public sidewalks or driveway aprons. A 2'x2' inlet/cleanout box is required at or near the property line for connections to the City storm drains. For developments that do not require a subdivision map, a connection to the City's storm main requires: (1) a written request to the Public Works Director; (2) payment of storm drainage fees; and (3) approval from the Public Works Department, unless the storm drainage fees were paid in the past for the property.
86. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the buildings from being flooded in the event the storm drainage system becomes blocked or obstructed. Show and identify path of surface water release on the grading and drainage plans.

FLOOD ZONE

87. **FLOOD ZONE:** The site is located within Special Flood Hazard Zones A and AE, and the building and site designs must comply with the drainage and flood control requirements of the City Code. Applicant shall obtain a Flood Development Permit from the Public Works Department prior to issuance of the building permit. It is recommended that this permit be obtained before the design of the building plans.

MISCELLANEOUS

88. **CONSTRUCTION MANAGEMENT PLANS:** Upon submittal of the initial building permit and all subsequent building permit submittals, the applicant shall provide a construction traffic and parking management plan with the building plans showing the following:
 1. **Truck Route:** Truck route (to and from project site) for construction and delivery trucks pursuant to City Code Sections 19.58 and 19.59 and which does not include neighborhood residential streets;

2. **Construction Phasing, Equipment, Storage, and Parking:** Show construction vehicles and equipment parking area, material storage and lay-down area, and construction trailer location for each phase of construction. All construction vehicles/equipment and trailer shall be located on-site or at a site nearby (not on a public street or public parking) arranged by the permittee/contractor. Construction equipment, materials, or vehicles shall not be stored or parked on public streets or public parking lots. Construction contractors/workers are required to park on-site or at a private property arranged by the permittee/contractor and shall not be allowed to use neighboring streets for parking/storage; and
3. Sidewalk closure or narrowing is not allowed during any on-site construction activities.

The construction traffic and parking management plan must be approved prior to the issuance of a demolition permit.

89. **SOIL AND GROUNDWATER CONTAMINATION:** Permittee/Contractor is advised that the project is located in or in close proximity to an area of known soil and groundwater contamination, Peery & Arrillaga. Permittee/Contractor is responsible for working with the Regional Water Quality Control Board (RWQCB), the lead regulatory agency, to obtain the appropriate clearances and/or recommendations for work in the contaminated area.
90. **HEALTH AND SAFETY MEASURES:** Work within soil and groundwater contamination areas may expose workers to contaminants in the soil, groundwater, and associated vapors. Permittee/Contractor is responsible for preparing and implementing an appropriate health and safety plan to address the contamination and manage the operations in a safe manner and in compliance with the Cal/OSHA Construction Safety Orders and other State and Federal requirements.
91. **VALLEY WATER WELLS:** Show all wells on the plans and ensure there are no conflicts with the multi-use path. Santa Clara Valley Water District requires the following note be shown on the plans:

“Santa Clara Valley Water District (District) records indicate that 13 active wells are located on the subject property. If the wells will continue to be used following permitted activity, they must be protected so that they do not become lost or damaged during completion of permitted activity. If the wells will not be used following permitted activity, they must be properly destroyed under permit from the District.

District records indicate that eight properly destroyed wells are located on the subject property. Because the wells are considered properly destroyed, no action is necessary to protect them or to bring them into compliance with the District Well Ordinance.

While the District has records for most wells located in the County, it is always possible that a well exists that is not in the District’s records. If previously unknown wells are found on the subject property during development and are approved for abandonment, they must be properly destroyed under permit from the District or registered with the District and protected from damage.”

92. **VALLEY WATER PERMIT:** As necessary, the applicant shall be responsible for applying for and obtaining approval of a Santa Clara Valley Water District Permit for all work near Permanente Creek. Prior to building permit approval, submit a copy of the approved Valley Water Permit to the Public Works Department.
93. **STREET CLEANING:** The applicant/developer shall comply with and include the following note on the off-site, or grading/drainage, or utility plans: “The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development’s construction activities. The street cleaning contractor is to have the capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director or his/her designated representative.”

94. **FINAL BUILDING PERMIT SIGNOFF:** No final building permit signoff will be allowed until the off-site improvements to be constructed to City Public Works standards and/or accepted for maintenance by the City are complete and ready for acceptance.
95. **PRELIMINARY TITLE REPORT:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit a current preliminary title report or land deed indicating the exact name of the current legal owners of the property, their type of ownership (individual, partnership, corporation, etc.), and legal description of the property involved to the Public Works Department. The title report shall be dated within six months of the initial plan submittal. This information is required for the preparation of Public Works agreements and documents. Include all easements and agreements referenced in the title report.

Fire and Environmental Protection Division – 650-903-6378

ENVIRONMENTAL SAFETY

96. **CONSTRUCTION SEDIMENT AND EROSION CONTROL PLAN:** The applicant shall submit a written plan acceptable to the City which shows controls that will be used at the site to minimize sediment runoff and erosion during storm events. The plan should include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan should also include routine street sweeping and storm drain catch basin cleaning.
97. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10 percent; (b) using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) installing plants with low water requirements; and (d) installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices will be used in the building plan submittal.
98. **EFFICIENT IRRIGATION:** Newly planted common areas which are added or modified pursuant to this approval shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) employing multi-programmable irrigation controllers; (c) employing rain shutoff devices to prevent irrigation after significant precipitation; (d) use of drip irrigations for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.
99. **STORMWATER TREATMENT (C.3):** This project will create or replace more than ten thousand (10,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." The City's guidelines also describe the requirement to select Low-Impact Development (LID) types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

The "Stormwater Quality Guidelines for Development Projects" document requires applicants to submit a Stormwater Management Plan, including information such as the type, location, and sizing calculations of the treatment controls that will be installed. Include three stamped and signed copies of the Final Stormwater Management Plan with the building plan submittal. The Stormwater Management Plan must include a stamped and signed certification by a qualified Engineer, stating that the Stormwater Management Plan complies with the City's guidelines and the State NPDES Permit. Stormwater treatment controls required under this condition may be required to enter into a formal recorded Maintenance Agreement with the City.

100. **STORMWATER MANAGEMENT PLAN—THIRD-PARTY ENGINEER'S CERTIFICATION:** The Final Stormwater Management Plan must be certified by a qualified third-party engineer that the proposed stormwater

treatment controls comply with the City's Guidelines and Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP). A list of qualified engineers is available at the following link: http://www.scvurppp-w2k.com/consultants_list.shtml.

NOTE: As required by California Government Code Section 66020, the applicant is hereby notified that the 90-day period has begun as of the date of approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of this approval or as a condition of approval. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.

STEPHANIE WILLIAMS, PLANNING MANAGER/ZONING ADMINISTRATOR

SW/EH/6/FDG
PL-2020-022