

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

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APPLICATION NO.:

PL-2022-251

DATE OF FINDINGS:

January 25, 2023

EXPIRATION OF ZONING PERMIT:

December 8, 2023

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:

Bill Maston

Property Address:

676 West Dana Street

Assessor's Parcel No.:

158-22-019

Zone:

P(19)

Request:

Request for a one-year permit extension for a previously approved Planned Community Permit and Development Review Permit (Application No. PL-2019-128) to construct a four-story, mixed-use project with seven residential condo units above 4,540 square feet of ground-floor commercial space and two levels of underground parking on a 0.25-acre project site; and a determination that the project is categorically exempt pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA Guidelines.

APPROVED

CONDITIONALLY
APPROVED

DISAPPROVED

OTHER

FINDINGS OF APPROVAL:

The request for a one-year permit extension for a previously approved Planned Community Permit and Development Review Permit (Application No. PL-2019-128) to allow a four-story, mixed-use project with seven residential condominium units above 4,540 square feet of ground-floor commercial space and two levels of underground parking on a 0.25-acre project site is conditionally approved based upon the conditions of approval contained herein and upon the following findings:

- A. Per Section 36.56.65 of the Mountain View City Code, a permittee can request an extension of a valid permit by filing an application before the expiration date and, subsequently, the Zoning Administrator holding a duly noticed public hearing to determine whether the permittee has made a good-faith effort to comply with the conditions of the permit during the initial two-year period and obtain building permits. The permittee has provided substantial evidence of their efforts by working on a construction time frame that will allow for completion within the one-year extension time frame. Due to the COVID pandemic, it was difficult to complete the necessary work to submit for building permits and, therefore, the additional time will allow the applicant to obtain issuance of building permits and commence construction;
- B. At a duly noticed hearing, the Zoning Administrator determined the permittee proceeded in good faith and has exercised due diligence in complying with the conditions in a timely manner;
- C. Any special structure of building modifications necessary to contain the proposed use would not impair the architectural integrity and character of the zoning district in which it is to be located because the project includes only minor modifications that address the original permit's design conditions of approval; and
- D. The approval of the Permit Extension of a Planned Community and Development Review Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15332 ("In-Fill Development Projects") because the project is consistent with the applicable General Plan and Zoning Designation and regulations; it occurs

Owner

Agent

File

Fire

Public Works

within the City limits, is located on a project site of no more than five acres, and is substantially surrounded by urban uses; contains no known habitat for endangered, rare, or threatened species; the project would not result in any significant impacts relating to traffic, noise, or air quality; and the site can be served by all required utilities and public services.

This approval is granted for a one-year Permit Extension for a previously approved Planned Community Permit and Development Review Permit to allow a four-story, mixed-use project with seven residential condominium units above 4,540 square feet of ground-floor commercial space and two levels of underground parking on a 0.25-acre project site located on Assessor's Parcel No. 158-22-019. The conditions of approval from the original permit (Application No. 2019-128) still apply, with the added or modified conditions as listed below, and the permit expiration date shall be December 8, 2023.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Planning Division—650-903-6306 or planning.division@mountainview.gov

1. **EXPIRATION (Replaces Original Permit Condition No. 1):** This permit is valid for a period of one year from the expiration date of the original approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the one-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.
2. **PERMIT EXTENSION (Replaces Original Permit Condition No. 2):** This permit extension incorporates and updates conditions of approval from prior permits, including, but not limited to, Permit No. PL-2019-128. For regulatory purposes, all previous permits and conditions of approval shall remain valid, except as may be modified by conditions of approval contained herein.

Building Inspection Division—650-903-6313 or building@mountainview.gov

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.

3. **MEANS OF EGRESS (New Condition):** Project is required to comply with the requirements per the CBC, Chapter 10, Means of Egress.
4. **EMERGENCY ESCAPE AND RESCUE (New Condition):** Project shall comply with the egress window requirements per the CBC, Section 1030.
5. **MVGBC CALGREEN (New Condition):** Project shall comply with the CALGreen checklist requirements by the City of Mountain View.
6. **PLUMBING FIXTURES (New Condition):** Project shall comply with Table 422.1 of the California Plumbing Code (CPC), Section 4.
7. **UTILITIES (New Condition):** No utilities shall cross property lines.
8. **BUILDING UTILITIES (New Condition):** Utilities (gas, electrical, etc.) shall comply with PG&E Green Book requirements.
9. **FIRE ACCESS LANE(S) (New Condition):** Site must meet/maintain the existing fire access lane(s) at all times.
10. **STRUCTURAL CALCULATIONS (New Condition):** Structural calculations may be required once the application for a building permit is submitted.
11. **WORK HOURS/CONSTRUCTION SITE SIGNAGE (New Condition):** 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. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours (see job card for specifics) and contact information, including an after-hours contact. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the MVCC and/or suspension of building permits.

Fire Department—650-903-6343 or fire@mountainview.gov

FIRE PROTECTION SYSTEMS AND EQUIPMENT

12. **AUTOMATIC/MANUAL FIRE ALARM SYSTEM (New Condition):** Provide an approved automatic/manual fire alarm system in accordance with California Fire Code and Mountain View Fire Department specifications. Shop-quality drawings shall be submitted electronically for review and approval. Prior to occupancy, the system shall be field-tested, approved, and in service. Provisions shall be made for monthly testing, maintenance, and service. (California Fire Code, Section 907, and Mountain View City Code, Section 14.10.33.)
13. **SMOKE ALARMS (New Condition):** All residential occupancies shall be provided with California State Fire Marshal-listed smoke alarms. Smoke alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 907.2.10.)
14. **CARBON MONOXIDE ALARMS (New Condition):** All residential occupancies shall be provided with carbon monoxide alarms. Carbon monoxide alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 915.)

Public Works Department—650-903-6311 or public.works@mountainview.gov

FEES AND PARK LAND

15. **PARK LAND DEDICATION FEE (Replaces Condition of Approval 120):** Prior to the issuance of any building permits and prior to the approval of the final map, the applicant shall pay the Park Land Dedication Fee of \$57,000 for each net new market-rate residential unit with a project total fee of \$399,000, based on a land valuation of \$9,500,000 per acre in accordance with Chapter 41 of the City Code. No credit against the Park Land Dedication Fee is allowed for private open space and recreational facilities.

UTILITIES

16. **BACKFLOW PREVENTER (Replaces Condition of Approval 148):** 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. A minimum 3' clearance shall be provided around and between each assembly for accessibility and maintenance. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

17. **UNDERGROUND PARKING GARAGE (New Condition):** Drainage from underground parking garages shall be directed to sanitary sewer system. Sanitary sewer laterals shall be equipped with backflow devices. If any portions of garage ramps or parking garage are uncovered, drainage shall be directed to the storm drain system.

SOLID WASTE AND RECYCLING

18. **TRASH ENCLOSURE DESIGN AND DETAILS (Replaces Condition of Approval 154):** Include trash plan sheet and enclosure details on a separate sheet in the initial building plans. Label the trash collection area on architectural, civil, and landscape plan sheets.

The property must have trash, recycling, and compost. Display on plans trash room layout, location, and dimensions to scale with minimum service levels of:

- (1) Three-yard trash bin for office/retail;
- (1) Two-yard trash bin for residential units;
- (1) Three-yard cardboard bin;
- (4) 96-gallon recycle carts (separate paper and container recycling); and
- (2) 96-gallon compost carts.

- a. Trash room will be shared between the commercial and residential uses with one property manager overseeing the trash room and any service issues (e.g., contamination, service levels, etc.).
- b. Trash room door shall have minimum 8' wide opening and roll-up style with keypad for hauler access. Doors must open 180 degrees and have means to secure in open position. No automatic closing doors.
- c. Bins will be moved from the trash room for collection by the hauling company. Roll-out fees charged by the City's trash hauler will apply for containers that must be rolled more than 30' from any holding area to the truck.
- d. Path of travel for bin movement from trash room to collection vehicle must be smooth and flat. No pavers or stamped concrete allowed.
- e. Carts will be placed either curbside by property maintenance staff or in a staging area on the private property that is approved by Solid Waste staff. Staging area shall be displayed on all plan sheets (architectural, civil, and landscape).
- f. Trash room shall have a minimum 9' interior overhead clearance.
- g. Trash enclosure shall not be used for storage of any kind and should be labeled "Trash Room."
- h. Overhead clearances of 15' in the travelway and 22' at the point of collection must be maintained at all times.
- i. If no interior berm or curb, the trash room shall have bumpers on the walls to avoid damage from bins hitting it.

NOTE: Decisions of the Zoning Administrator may be appealed to the City Council in compliance with Chapter 36 of the City Code. An appeal shall be filed in the City Clerk's Office within 10 calendar days following the date of mailing of the findings. Appeals shall be accompanied by a filing fee. No building permits may be issued or occupancy authorized during this appeal period.

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.

LINDSAY HAGAN, ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR

LH/KP/1/FDG
PL-2022-251