

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DETERMINING AND DECLARING THE CITY-OWNED SITE LOCATED AT 907, 929, AND 941 CALIFORNIA STREET AND 424, 428, 444, 454, 460, AND 468 BRYANT STREET, REFERRED TO COLLECTIVELY AS "LOT 12," TO BE EXEMPT SURPLUS LAND PURSUANT TO GOVERNMENT CODE SECTION 54221(f)(1)(A)

WHEREAS, the City of Mountain View is the owner of that certain real property within the City limits at 907-941 California Street and 424-468 Bryant Street, consisting of approximately 1.5 acres, and more particularly described in Exhibit A, attached hereto ("Lot 12" or the "Property"); and

WHEREAS, Lot 12 is currently developed and used as a 160-space public parking lot across the street from City Hall; and

WHEREAS, in 2019, the City initiated a process for redevelopment of Lot 12 as an affordable residential mixed-use project, issuing a Request for Proposals; and

WHEREAS, since the City Council selected the joint developer team of Related Companies of California and Alta Housing ("Developer") in May 2020 to develop the Property, principally as affordable housing under a long-term ground lease, the City and Developer have been in negotiations and coordinating to identify the project elements as well as City loan funding and lease terms; and

WHEREAS, under the Lease Disposition, Development, and Loan Agreement ("LDDLA") that would be entered into by and between City and Developer, the Lot 12 project will include: 120 residential units, including one manager's unit and 119 affordable units composed of 40 extremely low-income units (up to 30% of Area Median Income ("AMI")), 40 very low-income units (30% to 50% of AMI), and 39 low-income units (50% to 80% of AMI); 2,200 square feet of nonresidential, community-serving, ground-floor commercial uses; and 800 square feet of flexible space; and

WHEREAS, the Lot 12 project is expected to be eligible for streamlined review and processing under Senate Bill ("SB") 35 and exempt from review under the California Environmental Quality Act ("CEQA") on that basis, which determination will be made prior to execution of a LDDLA; and

WHEREAS, the Surplus Land Act (“SLA” or the “Act”) was amended to promote affordable housing development on unused or underutilized public land throughout the State to respond to the affordable housing crisis and now requires public agencies, including charter cities, to follow certain procedures to dispose of “surplus land” or declare land to be “exempt surplus land” at a public hearing prior to disposition; and

WHEREAS, pursuant to Government Code Section 54221(f)(1)(A), “exempt surplus land” means and includes surplus land that is transferred pursuant to Government Code Section 37364, which authorizes a city, subject to certain conditions, to sell, lease, exchange, quitclaim, convey, or otherwise dispose of real property to provide housing affordable to persons and families of low or moderate income;

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

1. That the City Council adopts the recitals set forth above as findings of fact.
2. That the City Council has determined, and hereby affirms, that the Property can be used to provide housing affordable to persons and families of low or moderate income, as defined by Section 50093 of the Health and Safety Code or as defined by the United States Department of Housing and Urban Development or its successors, and that this use is in the City’s best interests.
3. That the City Council further makes the following findings, pursuant to Government Code Section 37364:
  - a. Not less than 80% of the area of the Property to be disposed of under the proposed LDDLA will be used for the development of housing. The Property will be developed as a 120-unit residential mixed-use development, which includes 18 studio units, 42 one-bedroom units, 30 two-bedroom units, and 30 three-bedroom units spread across three different three- to five-story building areas. The project includes two five-story buildings fronting on Bryant Street, California Street, and Mercy Street, wrapping around an at-grade parking garage podium. The five-story buildings step down to three stories next to lower-intensity residential properties located west of the project site. A two-story townhome building is located above the parking podium level along the west property line. The townhome building is separated from the five-story buildings by a central courtyard for residents, also located on top of the parking podium. The nonresidential portion of the project is limited to 2,200 square feet of ground-floor, neighborhood-serving commercial uses and 800 square feet of flexible space. The project incorporates publicly accessible open spaces that will serve the residents and be accessible to the broader community. Ninety (90) residential parking spaces will be included, and five spaces will be included for other uses;

b. Not less than 40% of the total number of those housing units developed on the Property will be affordable to households whose incomes are equal to, or less than, 75% of the maximum income of lower-income households (equivalent to 60% of AMI), and at least half of which will be affordable to very low-income households (up to 50% of AMI). Eighty (80) of the residential units (two-thirds of the total number of units) will be restricted to very low-income or extremely low-income households; and

c. Under the LDDLA, all dwelling units produced will be for persons and families of low income and below (except for one manager's unit), and these affordable units will be restricted by a regulatory agreement to remain continually affordable to those persons and families for at least 55 years. The regulatory agreement will contain a provision making the covenants and conditions of the agreement binding upon successors in interest of the housing sponsor, will be recorded in the office of the county recorder of the county in which the housing development is located, and will be recorded in the grantor-grantee index to the name of the property owner as grantor and to the name of the City as grantee.

4. That the City Council has determined and declares Lot 12 to be exempt surplus land under Government Code Section 54221(f)(1)(A) as property transferred pursuant to Government Code Section 37364.

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WC/6/RESO  
821-08-24-21r

Exhibit: A. Legal Description of Lot 12 Property

Exhibit A

**PROPERTY**

The land referred to is situated in the County of Santa Clara, City of Mountain View, State of California, and is described as follows:

PARCEL ONE:

Beginning at a point on the Southwesterly line of California Street, distant thereon 50 feet Northwesterly from the point of intersection of the Southwesterly line of California Street with the Northwesterly line of Bryant Street; thence Northwesterly along the Southwesterly line of California Street 50 feet; thence at right angles Southwesterly 100 feet; thence at right angles Southeasterly 50 feet; thence at right angles Northeasterly 100 feet to the point of beginning and being a portion of Lots 1 and 4 in Block 2 Range 4 South, as shown upon that certain Map entitled, "Map of Bailey Addition to the Town of New Mountain View", which Map was filed for record in the Office of the County Recorder of the County of Santa Clara, State of California, on September 17, 1888 in Book "D" of Maps, at Page 23, Records of said County.

APN: 158-11-034

PARCEL TWO:

Beginning at the point of intersection of the Northwesterly line of Bryant Street; with the Southwesterly line of California Street; running thence Northwesterly along said line of California Street 50 feet; thence at right angles Southwesterly 50 feet; thence at right angles Southeasterly 50 feet to the Northwesterly line of Bryant Street; thence Northeasterly end along said line of Bryant Street 50 feet to the point of beginning, the same being the Southeasterly 50 feet of Lot 1 in Block 2 Range 4 South of the Bailey Addition., according to a Map of same recorded in the office of the County Recorder of Santa Clara County, State of California in Book D of Maps, Page 23, Records of said County.

APN: 158-11-035

PARCEL THREE:

Beginning at the point in the Northwesterly line of Bryant Street distant thereon Southwesterly 50 feet from the intersection of said line of Bryant Street with the Southwesterly line of California Street; thence along said line of Bryant Street; Southwesterly 50 feet; thence parallel with said line of California Street Northwesterly 50 feet; thence parallel with said line of Bryant Street Northeasterly 50 feet; thence parallel with said line of California Street Southeasterly 50 feet to the point of beginning, being the Southeasterly 50 feet of Lot 4 in Block 2 Range 4 South of the Bailey Addition, according to a Map of same recorded in the Office of the County Recorder of Santa Clara County, State of California, in Book "D" of Maps, Page 23, Records of said County.

APN: 158-11-036

PARCEL FOUR:

Lot 5, in Block 2, of Range 4 South, according to a Map entitled, "Map of the Bailey Addition to the Town of New Mountain View, which said Map was filed for record in the Office of the Recorder of the County of Santa Clara, State of California, in Book "D" of Maps, at Page 23.

APN: 158-11-037

PARCEL FIVE:

Portion of Lots 8 and 9, in Block 2, Range 4 South, as shown upon that certain Map entitled, "Map of the Bailey Addition to the Town of New Mountain View", which Map was filed for record in the Office of the Recorder of the County of Santa Clara, State of California, on September 17, 1888 in Book "D" of Maps, at Page 23, and more particularly described as follows: Beginning at the Easternmost corner of said Lot 8 on the Northwestern line of Bryant Street, as said Lot and Street are shown upon the Map above referred to; thence Southwesterly along the Northwestern line of Bryant Street 52 feet; thence Northwesterly and parallel with the Northeasterly line of said Lot 9 for a distance of 150 feet to the point of intersection with the Northwestern line of said Lot 9; thence Northeasterly along the Northwestern line of Lot 9 and 8 for a distance of 52 feet to the Northernmost corner of said Lot 8; thence Southeasterly along the Northeasterly line of said Lot 8 for a distance of 152 feet to the point of beginning.

APN: 158-11-038

PARCEL SIX:

A portion of Lot 9, in Block 2 Range 4 South, as shown upon that certain Map entitled, "Map of the Bailey Addition to the Town of New Mountain View", which Map was filed for record in the Office of the Recorder of the County of Santa Clara, State of California on September 17, 1888 in Book "D" of Maps, at Page 23, and more particularly described as follows: Beginning at the Southwesterly corner of said Lot 9 and as shown on the Record of Survey entitled, "Lands of the City of Mountain View", filed in Book 781 of Maps at Page 21 on February 14, 2005 in the office of the County Recorder of Santa Clara County, State of California; thence leaving said Southwesterly corner of said Lot 9 and along the Northwestern boundary line of said Lot 9, North 26° 46' 35" East 48.00 feet; thence leaving the Northwestern line of said Lot 9 and parallel with the Northeasterly boundary line of said Lot 9, South 63° 14' 10" East 150.51 feet to the Northwestern line of Bryant Street as shown on said Record of Survey entitled, "Lands of the City of Mountain View" and the Southeasterly boundary line of said Lot 9; thence along said Northwestern line of Bryant Street and the Southeasterly boundary line of said Lot 9, South 26° 45' 50" West 47.99 feet to the Southeasterly corner of said Lot 9; thence along the Southwesterly line of said Lot 9, North 63° 14' 26" West 150.51 feet to the point of beginning of this legal description.

APN: 158-11-060

PARCEL SEVEN:

Beginning at a point on the Southwesterly line of California Street, distant thereon one hundred (100) feet Northwesterly from the point of intersection of the Southwesterly line of California Street with the Northeasterly line of Bryant Street; thence Northwesterly along the said line of California Street fifty (50) feet; thence at right angles Southwesterly one hundred (100) feet; thence at right angles Southeasterly fifty (50) feet; thence at right angles Northeasterly one hundred feet (100) to the Southwesterly line of California Street and the point of beginning and being the Northwesterly fifty (50) feet of Lots 1 and 4 in Block 2, Range 4 South as delineated on Map entitled "Map of Bailey Addition to the Town of New Mountain View", and which Map was recorded in the office of the County Recorder of the County of Santa Clara, State of California, on September 17, 1888 in Volume "D" of Maps, Page 23, Records of said County.

APN: 158-11-033

PARCEL EIGHT:

All of Lots 16 and 17, Block 2, Range 4 South, as shown upon that certain Map entitled, "Map of Bailey Addition to the Town of New Mountain View", which Map was filed for record in the office of the Recorder of said County of Santa Clara, State of California on September 17, 1888 in Book "D" of Maps, at Page 23.

Portion of APN: 158-11-055

PARCEL NINE:

All of Lots 12 and 13, Block 2, Range 4 South, as shown upon that certain Map entitled, "Map of Bailey Addition to the Town of New Mountain View", which Map was filed for record in the office of the Recorder of said County of Santa Clara, State of California on September 17, 1888 in Book "D" of Maps, at Page 23.

Portion of APN: 158-11-055