

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING MAP  
FOR THE PROPERTIES LOCATED AT 750 MOFFETT BOULEVARD  
FROM A (AGRICULTURE) AND UNDESIGNATED CALTRANS  
RIGHT-OF-WAY (ROW) TO P (PLANNED COMMUNITY)

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY  
ORDAIN AS FOLLOWS:

Section 1. Council Findings.

An application was received from Broadreach Capital Partners for a Zoning Map Amendment for the properties located at 750 Moffett Boulevard to change the zoning of Parcel 1 from A (Agricultural) to P (Planned Community) and to establish the zoning for the previously undesignated Parcel 2 as P (Planned Community), as more particularly described in Exhibit A, attached hereto; and

The Project site consists of two parcels, Parcel 1 and Parcel 2, and is bordered by Highway 101 to the north, Stevens Creek to the west, and Moffett Boulevard to the east and south; and

The proposed project includes the development of the Project site with a new hotel, office building, and above-grade parking structure; and

Parcel 1 is approximately seven acres and is designated on the General Plan land Use Map as Mixed-Use Corridor, which allows a broad range of commercial, office, and lodging uses, and Parcel 2 is three acres and, in connection with approval of the Project, was designated Mixed-Use Corridor on October 18, 2016; and

Parcel 1 is currently zoned A (Agriculture) and Parcel 2 is shown as a Caltrans ROW on the Zoning Map and has no zoning designation; and

The City, as lead agency, prepared an Environmental Impact Report for the Project; and

On September 7, 2016, the Environmental Planning Commission held a duly noticed public hearing on the Project, including the requested Amendment, and adopted resolutions recommending that the City Council:

- Certify the Moffett Gateway Project Environmental Impact Report and adopt the Statement of Overriding Considerations and Mitigation Monitoring or Reporting Program;
- Approve a General Plan Land Use Map Amendment to add Parcel 2 to the City's General Plan Land Use Map with the Mixed-Use Corridor designation;
- Approve a Zoning Map Amendment to designate the entire Project site as P (Planned Community) Zoning District;
- Approve a Planned Community Permit, Development Review Permit, and a Heritage Tree Removal Permit; and
- Approve a Vesting Preliminary Parcel Map across the Project site; and

WHEREAS, the City Council, at a duly noticed public hearing on October 18, 2016, independently studied, analyzed, and considered the adequacy of the EIR, Statement of Overriding Considerations, and Mitigation Monitoring or Reporting Program and certified the EIR, adopted the Statement of Overriding Considerations and Mitigation Monitoring or Reporting Program, and approved the Project; and

The proposed Amendment is consistent with the General Plan. The Amendment will redesignate the zoning district of Parcel 1 from A (Agricultural) to P (Planned Community) and designate Parcel 2 as part of the P (Planned Community) Zoning District, consistent with the General Plan's land use designation of Mixed-Use Corridor. The Project's mix of land uses and public spaces supports a strong economy, complete neighborhoods, and the promotion of community health and recreation. The Amendment advances the General Plan's intent to provide for a mix of allowable uses within the Mixed-Use Corridor and implements the goals and policies of the Mixed-Use Corridor land use designation because it provides the appropriate zoning to allow a new office and hotel project, which offers a place for people to stay and work close to services and transit; allows underutilized properties along the corridor to be redeveloped and enhanced; and provides a publicly accessible open space area which engages the street and creates pedestrian activity; and

The proposed Amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City. As detailed in the EIR, the Project site has been investigated for the potential presence of hazards and hazardous materials and, with the incorporation of mitigation measures, development of the Project would not

create a significant hazard to the public or environment. The Project is consistent with the goals and policies in the General Plan regarding public safety, minimizing seismic hazards, and provision of emergency services. Accordingly, the Amendment promotes the public interest, health, safety, convenience, and welfare of the City; and

The site is physically suitable (including, but not limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designation and anticipated land use development. The Project site is currently an undeveloped former vector control facility (Parcel 1) and freeway ramp (Parcel 2). Access to the Project site is provided via Moffett Boulevard. The Project's proposed redevelopment of the site with a new office building, hotel, and above-grade parking structure is consistent with the uses and densities contemplated in the General Plan for this Mixed-Use Corridor area. As described in the EIR, the Project will be served by improvements, infrastructure, public facilities and services, and landscaping appropriate for the Project's hotel and office uses. Areas surrounding the Project site are developed with residential and commercial uses comparable in terms of building massing, scale, and building locations; and

The proposed Amendment complies with the California Environmental Quality Act (CEQA) because a Draft Environmental Impact Report was prepared and circulated for the required 45-day public comment period, which ended on June 15, 2016. Staff received five comment letters on the Draft EIR and has provided a response to these comments in the August 2016 Final EIR document. The EIR identifies mitigation measures which, when implemented, will substantially lessen or avoid the significant effects on the environment caused by the Project, with the exception of the significant unavoidable impact to one freeway segment for which a Statement of Overriding Considerations was adopted.

Section 2. Zoning Change. The Zoning Map of the City of Mountain View is hereby amended to indicate as follows: the properties identified as 750 Moffett Boulevard with Assessor Parcel No. 153-19-007 and Caltrans ROW parcel which has no Assessor Parcel Number are hereby rezoned from the A (Agriculture) and undesignated Caltrans ROW to P (Planned Community), all as more specifically shown in Exhibit A, attached hereto and incorporated by reference herein.

Section 3. P District Standards. Any development proposal within this P District shall require a Planned Community Permit and comply with the standard findings of approval which include, but are not limited to, compliance with the 2030 General Plan and any applicable section of the Zoning Ordinance. This document does not limit in any manner the authority of the City to place conditions of approval on subsequent development applications in this district.

Section 4. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 5. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 6. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

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SW/2/ORD  
818-10-18-16o-E

Exhibit: A. Zoning Map

