

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2014

A RESOLUTION CONDITIONALLY APPROVING A PLANNED COMMUNITY PERMIT AND DEVELOPMENT REVIEW PERMIT FOR A MIXED-USE PROJECT WITH 164 APARTMENT UNITS AND 10,800 SQUARE FEET OF COMMERCIAL SPACE, AND A HERITAGE TREE REMOVAL PERMIT FOR THE REMOVAL OF THREE HERITAGE TREES AT 801 EL CAMINO REAL WEST

WHEREAS, an application was received from Greystar for a Planned Community Permit and Development Review Permit for a mixed-use project with 164 apartment units and 10,800 square feet of commercial space, and a Heritage Tree Removal Permit for the removal of three Heritage trees on a 2.39-acre project site; and

WHEREAS, the Environmental Planning Commission held a public hearing on December 3, 2014 on said applications and forwarded a recommendation to the City Council for consideration; and

WHEREAS, on December 9, 2014, the City Council held a public hearing on said applications and received and considered all evidence presented at said hearing, including the recommendation for approval from the Environmental Planning Commission;

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

1. That the Environmental Planning Commission hereby recommends the City Council approve the Planned Community Permit, pursuant to the following required findings in Section 36.50.55 of the City Code:

a. The project clearly demonstrates superior site and building design and compatibility with surrounding uses and developments because the project transitions in scale, height, and intensity to the adjacent residential neighborhood to the south; implements new street design standards which improve the safety and accessibility of all ways of travel; and provides adequate off-street parking to serve the project in an area that is currently underparked; and

b. The project is consistent with the General Plan because it implements the goals and policies of the El Camino Real Change Area and the Mixed-Use Corridor Land Use Designation because it provides the appropriate zoning to allow a new

mixed-use project which offers a place for people to live and work close to services and transit, allows underutilized properties along the Corridor to be redeveloped and enhanced, and provides a publicly accessible plaza which engages the street and creates pedestrian activity; and

c. The project will not be detrimental to the public interest, health, safety, convenience, or welfare because an environmental analysis has been completed which has identified any upgrades or improvements needed to utilities, infrastructure, or the project site to accommodate the increased development and the use and development is consistent with other residential and commercial development in the area in terms of building massing, scale, and building locations; and

d. The project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area by providing a new mixed-use project which offers a place for people to live and work close to services and transit, building design features and materials that are compatible with the surrounding structures, and the design expectations prescribed in the General Plan form and character guidelines for the El Camino Real Change Area; and

e. The project complies with the California Environmental Quality Act (CEQA) because an Environmental Impact Report (EIR) has been prepared and circulated for the required 45-day public comment period, which ended on September 15, 2014. Staff received six comment letters on the Draft EIR and has provided a response to these comments in the Final EIR document. All significant impacts of the project have been mitigated to less than significant with the incorporation of mitigation measures and standard City conditions of approval.

2. That the Environmental Planning Commission hereby recommends the City Council approve the Development Review Permit, pursuant to the following required findings in Section 36.44.70 of the City Code:

a. The project complies with the general design considerations as described by the purpose and intent of the Zoning Ordinance, the General Plan, and any City-adopted design guidelines because the mixed-use project complies with the goals and policies of the El Camino Real Change Area and the Mixed-Use Corridor Land Use Designation; and

b. The architectural design of structures, including colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, signs, etc.), is compatible with surrounding development by providing commercial and residential uses which are consistent with the other uses in the surrounding area and includes design features and materials that are compatible with the surrounding structures and the design expectations for the El Camino Real Corridor; and

c. The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property by providing improved landscaped streetscapes, underground parking garages to accommodate the necessary parking generated by the residential and commercial uses on-site, and improved vehicular and pedestrian access to the site with improved on-site circulation and public street improvements along the project frontages; and

d. The general landscape design ensures visual relief, complements structures, provides an attractive environment, and is consistent with any adopted landscape program for the general area by providing enhanced landscaping throughout the entire project site with new plants and trees that are in conformance with the City's Water Efficient Landscaping Guidelines, including new landscaping and street trees along the El Camino Real West and Castro Street frontages; and

e. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing an improved parking and circulation system on-site with access to the public street and transit facilities in the vicinity; and

f. The project complies with CEQA because an EIR has been prepared and circulated for public comment for the required 45 days, which ended on September 15, 2014. Staff received six comment letters on the Draft EIR and has provided a response to these comments in the Final EIR document. All significant impacts of the project have been mitigated to less than significant with the incorporation of mitigation measures and standard City conditions of approval.

3. That the Environmental Planning Commission hereby recommends the City Council approve the Heritage Tree Removal Permit, pursuant to the following required findings in Section 32.35 of the City Code:

a. It is appropriate and necessary to remove the three Heritage trees due to the location of the trees in the building footprint and the area necessary for the excavation of the underground garage; and

b. It is appropriate and necessary to remove the three Heritage trees in order to construct the project when compared to other similarly situated properties because the removal will allow the construction of the mixed-use project within the allowable setbacks for the site and the trees will be replaced with approximately 71 new trees, including new street trees along the project street frontages; and

c. It is appropriate and necessary to remove the trees based on the nature and qualities of the trees as Heritage trees, including maturity, aesthetic qualities such as canopy, shape and structure, majestic stature, and visual impact on the neighborhood; and

d. It is appropriate and necessary to remove the trees to implement good forestry practices such as, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest; and

e. Removal of the trees will not adversely affect the topography of the land or create soil erosion through diversion or increase flow of surface waters; and

f. Removal of the trees will not adversely affect the remaining number, species, size, and/or location of existing trees on the site or in the general vicinity; and

g. Removal of the trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole.

4. That the Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit are recommended for approval subject to the developer's fulfillment of all of the conditions which are attached hereto in Exhibit A and incorporated herein by reference.

TIME FOR JUDICIAL REVIEW

The time within which judicial review of this document must be sought is governed by California Code of Procedure Section 1094.6 as established by Resolution No. 13850 adopted by the City Council on August 9, 1983.

SW/7/RESO
818-12-09-14r-E-1

CONDITIONS OF APPROVAL

The applicant is hereby notified, as part of this application, that (s)he is required to meet the following conditions in accordance with the City Code of the City of Mountain View and the State of California. The lead department with which the applicant will work is identified on each condition where necessary. Where approval by the Community Development Director, City Engineer, Public Works Director, City Attorney, or Fire Department is required, that review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted engineering practices for the items under review. Additionally, the applicant is hereby notified that (s)he is required to comply with all applicable codes or ordinances of the City of Mountain View and the State of California that pertain to this development and are not herein specified:

Community Development Department – (650) 903-6306

1. **PERMIT EXPIRATION:** The Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit shall be valid for a period of two years from the date of City Council approval. Building permits for the project shall be issued within this two-year period or the permits shall become null and void.
2. **PERMIT EXTENSION:** Zoning permits may be extended for up to an additional two years after public hearing review by the Zoning Administrator, in compliance with the procedures described in the Zoning Ordinance. An application for extension must be filed with the Planning Division of the Community Development Department, including appropriate fees, prior to the original expiration date of the permit.
3. **HOURS OF OPERATION:** The approved hours of operation for the commercial tenants of the development shall be 5:00 a.m. to 10:00 p.m. daily. Delivery of goods and site maintenance activities (e.g., parking lot sweeping, landscape maintenance, etc.) shall be limited to within these hours. In the event there are problems with the hours of operation or noise, 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 in conformance with Section 36.56 of the City Code.

PLANS AND SUBMITTAL REQUIREMENTS

4. **ZONING INFORMATION:** The following information must be listed on the lower right-hand corner of the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning designation; (c) floor area ratio (or density in units per acre if residential); (d) lot area (in square feet); and (e) total number of parking spaces.
5. **CERTIFICATION OF BUILDING PERMIT PLANS:** The project architect shall certify in writing that the architectural design shown in the building permit plans match the plans approved by the City Council/Zoning Administrator. Any changes must be clearly noted. The project architect shall also certify that the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.
6. **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 public hearing, which can be referred to City Council.

7. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for the foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.
8. **COLOR CHIPS:** Color chips shall be attached to the title sheet of two sets of the building permit drawings and the color scheme shall be shown on the elevations.

SITE DEVELOPMENT AND BUILDING DESIGN

9. **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.
10. **TRIM MATERIALS:** Trim materials throughout the project shall be wood or high-density foam trim. Details of the specific placement and utilization of the trim materials shall be provided with the building permit drawings. Final trim design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
11. **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.
12. **WINDOWS:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified for each unit in the building permit drawings for review and approval by the Zoning Administrator prior to the issuance of building permits.
13. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to building permit issuance, for final selection and approval by the Zoning Administrator.
14. **COLOR SCHEME:** The applicant shall paint a small portion of the building with the proposed color scheme for inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
15. **ROOF EQUIPMENT:** All roof equipment must be concealed behind opaque (solid) screening designed to complement the building. Details of the roof equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.
16. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval.
17. **FENCE/WALL:** All fencing and walls are to be shown on construction plans submitted for building permit review. The design and location must be approved by the Zoning Administrator and comply with all setback requirements.
18. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped. Double stripes shall be 12" apart, from outside edge to outside edge of the stripe. 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 7-1/2'. For parallel parking spaces, only single-striped is required. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24'.

19. **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 submittal.
20. **BIKE RACKS:** The applicant shall provide at least eight bike racks, consistent with the bike racks shown on the approved plans. The racks shall be an "inverted U," or equivalent as approved by the Zoning Administrator, and must secure the frame and both wheels. Racks should be located near the building entrance (i.e., within constant visual range) unless it is demonstrated that they create a public hazard or locating them there is otherwise infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected from physical assault.
21. **PARKING SHORTAGE:** Should a parking shortage arise at this site, the Zoning Administrator may hold a public hearing to review the parking problem and require the applicant to implement appropriate means to resolve the shortage. The public hearing shall be in accordance with Chapter 36, Article XVI, Division 6, of the City Code.
22. **PARKING MANAGEMENT PLAN:** A Parking Management Plan shall be prepared for the project which specifies that the on-site parking management for the commercial and residential spaces shall be monitored and enforced by the owner/operator of the property and shall include limitations for the commercial parking spaces which do not allow overnight parking and the allowance of parking by adjacent businesses and the general public. The applicant shall submit a draft plan to the Planning Division for review and approval prior to issuance of building permits. The Parking Management Plan shall remain on file with the Planning Division and shall not be modified by the property owner/manager without review and approval by the Zoning Administrator.
23. **INTERIOR VISIBILITY:** All windows for the ground-floor commercial tenant spaces, including any entry doors, sidelights, and transom, shall remain clear glass and be free of window tinting, decals, blinds, or anything that inhibits the clear visibility into the interior space.
24. **ALLEY IMPROVEMENTS:** The color, material, design, and product specifications for the paving material and lighting fixtures within the public alley shall be submitted with the building permit drawings. Final paving and lighting design details shall be subject to review and approval by the Zoning Administrator and Public Works Director prior to the issuance of building permits. Any maintenance agreement necessary for maintenance of any approved special improvements in the public alley by the project owner/proponent shall be executed prior to the issuance of building permits.

GREEN BUILDING AND SUSTAINABILITY MEASURES

25. **GREEN BUILDING – MIXED-USE:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of 110 GreenPoint Rated points, for the residential portion of the project and meet the intent of LEED® Silver certified for the nonresidential portion of the project. All mandatory prerequisite points and minimum point totals per category to attain GreenPoint Rated status or LEED-certified status must be achieved,

unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through Build It Green or U.S. Green Building Council is not required for compliance with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.

LANDSCAPING

26. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the curb must be included in the Building Inspection Division application. 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.
27. **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, subject to final approval by the Zoning Administrator.
28. **STREET TREE:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division. Once completed, the applicant shall return the original to the Parks Division, located at 235 North Whisman Road.
29. **LANDSCAPE SCREENING:** All above-ground 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.

HERITAGE TREES

30. **IMPLEMENTATION:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building or demolition permit is secured and the project is pursued.
31. **REPLACEMENT:** The applicant shall offset the loss of each Heritage tree with a total of three replacement trees. Each replacement tree shall be no smaller than 24" box and shall be noted on the landscape plan as Heritage replacement trees.
32. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by HortScience, Inc., and dated July 2013 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.

SIGNS

33. **SIGNAGE:** No signage is approved as part of this application.
34. **SIGN PROGRAM:** The applicant shall develop an overall sign program for this development. The program shall identify suitable sign locations, types, sizes, colors, materials, and illumination. The sign program shall be reviewed and approved by the Planning Division prior to fabrication or installation of any signage.

NOISE

35. **MECHANICAL EQUIPMENT:** 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.
36. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A)_{L_{dn}} for the residential and commercial tenants and shall be reviewed and approved by a licensed acoustical engineer prior to building permit submittal.
37. **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.
38. **OUTDOOR AMPLIFICATION:** No speakers or noise amplification of any kind shall be installed in the residential or commercial outdoor spaces of the development.

CONSTRUCTION PRACTICES AND NOTICING

39. **SINGLE-PHASE DEVELOPMENT:** Construction of the project shall be done in a single phase unless a phased construction project schedule is approved by the Zoning Administrator (or City Council).
40. **CONSTRUCTION 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.
41. **CONSTRUCTION PARKING AND TRAFFIC MANAGEMENT PLAN:** The applicant shall prepare a Construction Parking and Traffic Management Plan to address parking demands and traffic routes to minimize impacts during construction. The Construction Parking and Traffic Management Plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
42. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 300' of the project site of the construction schedule in writing, prior to construction. A copy of the notice and the mailing list shall be submitted prior to issuance of building permits.
43. **DISTURBANCE COORDINATOR:** The project 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.

44. **AIR QUALITY:** The applicant will be required to secure a permit from the Bay Area Air Quality Management District or provide written assurance that no permit is required prior to issuance of a building permit.
45. **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. Additional measures may be identified by the BAAQMD or contractor as appropriate, such as: (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; and (f) post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person will respond and take corrective action within 48 hours. The BAAQMD's phone number will also be visible to ensure compliance with applicable regulations.
46. **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.
47. **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.

48. **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.
49. **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.
50. **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 project 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.

TECHNICAL REPORTS

51. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City prior to the issuance of building permits, and the recommendations made in the geotechnical report will be implemented as part of the project. Recommendations may include considerations for design of permanent below-

grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the buildup of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.

52. **TOXIC ASSESSMENT:** A toxic assessment report shall be prepared and submitted as part of the building permit application. The applicant must demonstrate that hazardous materials do not exist on the site, or that construction activities and the proposed use of this site are approved by: the City of Mountain View Hazardous Materials Division of the Fire Department; the State Department of Health Services; the Regional Water Quality Control Board; and any Federal agency with jurisdiction. No building permits will be issued until each agency and/or department with jurisdiction has released the site as clean or an approved site toxics mitigation plan has been approved.

LEGAL AGREEMENTS

53. **BMR, PROCESS:** Following project approval, the applicant shall submit the following information to the Administrative and Neighborhood Services Manager in the Community Development Department: (a) a copy of the conditions of approval for the project; and (b) a legal description of the property. At the time of submittal for building permits, the applicant shall contact the Administrative and Neighborhood Services Manager, (650) 903-6379, and a BMR agreement will be prepared for the project. Before building permits can be issued, the BMR agreement must be signed by the developer, and a 10 percent deposit of the required BMR fees must be paid to the City.
54. **RENTAL HOUSING IMPACT FEE:** The building permit submittal shall identify the aggregate net new habitable square footage of all residential rental units in the project. Prior to the issuance of the first Final Certificate of Occupancy for the development, the applicant shall pay a Rental Housing Impact Fee as defined by the City fee schedule (currently \$10.26 per net new habitable square foot) for all market-rate rental housing development which is estimated for this project at \$1,379,621, unless the applicant offers an alternative to mitigate the impacts of the residential rental project development through the construction of affordable rental housing units.
55. **LOT TIE AGREEMENT:** The applicant shall enter into a Lot Tie Agreement, or comparable legal document, which binds the two properties on either side of the public alley together for the life of the project. The applicant shall submit a draft agreement to the Planning Division for review and approval prior to recordation. The deed restriction shall be recorded prior to issuance of building permit.
56. **PARCEL MERGER:** All parcels within the boundaries of the project area shall be merged prior to issuance of building permits.
57. **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. 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.

TRANSIT-RELATED IMPROVEMENTS AND PROGRAMS

58. **COMMUTE ALTERNATIVES:** A commute alternatives program aimed at increasing transit use and reducing the need for people to drive shall include the following to be provided for the

project. The buildings' owner may assign responsibility for these programs to the tenants of the buildings, but the buildings' owner is responsible for ensuring they are maintained for 55 years.

- a. The buildings' owner shall provide a transit subsidy to all new renters for their first year of residency and employees of the commercial tenant spaces of up to \$300 per year (\$25 per month) by providing evidence of ridership through participation in the Santa Clara Valley Transportation Authority's (VTA) Eco Pass Program or a comparable transit subsidy program if the Eco Pass Program is no longer available and shall also provide a transit subsidy, such as Commuter Check, for employees using transit modes outside of the VTA service area.
- b. The buildings' owner shall appoint a commute coordinator to manage and monitor the commute alternative program. A report on the number of people using commute alternatives (alternatives to the single-occupant car) shall be submitted to the Zoning Administrator for each of the first five years following building occupancy and may require annual updates thereafter.

59. **TRANSPORTATION DEMAND MANAGEMENT (TDM):** The project shall achieve a minimum 4 percent peak-hour reduction in vehicle trips, equivalent to what is required by the Greenhouse Gas Reduction Program (GGRP) for employment projects. Methods shall be ongoing and include, but are not limited to, car-sharing spaces/programs and subsidized transit passes.

MITIGATION MEASURES

60. **MM NOISE-1.1:** A qualified acoustical consultant shall review the final site plan, building elevations, and floor plans prior to construction to calculate expected interior noise levels as required by State noise regulations. Project-specific acoustical analyses are required to confirm that the design results in interior noise levels reduced to 45 dBA L_{dn} or lower. Units facing El Camino Real (ECR) West and along Castro Street between ECR West and Victor Way would require analysis for potential sound-rated construction methods and building facade treatments to maintain interior noise levels at or below acceptable levels. These treatments include, but are not limited to: sound-rated windows and doors, sound-rated wall constructions, acoustical caulking, and protected ventilation openings. A review of the building floor plans and elevations indicates that windows and doors with a minimum Sound Transmission Class (STC) rating of 32 to 36 will be needed at units having direct line-of-sight to ECR West. Standard residential construction provides approximately 15 dBA of exterior-to-interior noise reduction, assuming the windows are partially open for ventilation. Standard construction with the windows closed provides approximately 20 to 25 dBA of noise reduction in interior spaces. Residential construction methods that incorporate noise controls such as those described above, all of which are readily available and are feasible to implement, can provide up to a 40 dBA reduction between exterior and interior noise levels. The specific determination of the necessary noise insulation treatments will be conducted on a unit-by-unit basis during final design of the project. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans and approved design prior to issuance of a building permit.

Building sound insulation requirements would need to include the provision of forced-air mechanical ventilation for all perimeter residential units, so that windows could be kept closed at the occupant's discretion to control noise. Future noise levels at the unshielded facades along ECR are calculated to reach 76 dBA L_{dn} . Future noise levels at the unshielded facades along Castro Street are calculated to range from 73 dBA L_{dn} near ECR West down to 64 dBA L_{dn} beyond Victor Way. Given that standard construction will provide at least 15 dBA of attenuation and that

construction methods that incorporate noise controls can attenuate up to 40 dBA L_{dn} , there will be adequate treatments available to reduce interior noise levels below 45 dBA L_{dn} .

61. **MM NOISE-3.1:** A design-level acoustical study shall be prepared during final project design to evaluate the specific noise generated by building mechanical equipment and to identify the specific necessary noise controls that are included in the design to meet the City's 55 dBA L_{max} daytime and 50 dBA L_{max} nighttime noise limits at specific residential units.
62. **MM BIO-1.1:** To the extent practicable, vegetation removal and construction activities shall be performed from September through January to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys shall be performed by a qualified biologist no more than two days prior to these activities to locate any active nests. These surveys shall be performed in the project area and surrounding 500'.
63. **MM BIO-1.2:** If active nests are observed on either the project site or the surrounding area, the project applicant, and in coordination with City staff as appropriate, shall establish buffer zones around the nests, with the size to be determined in consultation with California Department of Fish and Game (usually 100' for perching birds and 300' for raptors). If work during the nesting season stops for two days or more and then resumes, then nesting bird surveys shall be repeated to ensure that no new birds have begun nesting in the area.
64. **MM HAZ-2.1:** The project applicant will enter into a Voluntary Cleanup Program with the DTSC to address residual PCE contamination. Under the Voluntary Cleanup Program, DTSC enters a site-specific agreement with the project proponent for DTSC oversight of site assessment, investigation, and/or removal or remediation activities. In addition, the project proponents agree to pay DTSC's reasonable costs for those services. Because the project proposes to remove 73,500 cubic yards of soil for excavation of the parking garages (including the area of contamination), it is likely that the excavation will concurrently serve as the remedial strategy. Coordination with DTSC and receipt of a Certificate of Completion or No Further Action Letter that confirms the acceptability of the site for occupancy by commercial and residential uses would ensure that there are no potential health risks to future residents of the site from PCE vapors. The applicant shall obtain the Certificate of Completion prior to the issuance of grading permits.
65. **MM HAZ-4.1:** Prior to issuance of a grading permit, the applicant shall prepare a health and safety plan (HSP) to provide general health and safety guidance such that construction activities can be conducted in a safe manner. The HSP shall be submitted to the Community Development Director for review and approval. Contractors shall be responsible for the health and safety of their employees during construction activities, and this HSP shall be kept on-site during all construction activities. In addition, on-site contractors performing work on this project will be required to develop their own site-specific HSP. The HSP prepared by on-site contractors shall, at a minimum, include the applicant's HSP. Each contractor will be solely responsible for the health and safety of their employees as well as for compliance with all applicable Federal, State, and local laws and guidelines. The contractors must verify that all on-site personnel are qualified, trained, and prepared to implement the HSP and safely perform the planned site work. Field personnel will be required to indicate in writing that they have read and understand the provisions of the HSP. A project-specific training program also will be instituted prior to site work. Attendees at meetings will be documented by signature. The project-specific training will include a discussion of the following.
 - The health effects (acute and chronic) of the chemical and physical hazards that may be encountered at the project.

- Proper control measures for the chemical and physical hazards that may be encountered.
 - The importance of dust control at the site.
 - Proper personal hygiene procedures.
 - Dust removal on equipment and personnel.
 - Emergency procedures.
 - Proper management of impacted soil.
66. **MM HAZ-4.2:** Prior to the issuance of a grading permit, the project applicant shall develop a Soil Management Plan (SMP) and submit it to the Community Development Director for review and approval. The purpose of an SMP is to establish appropriate management practices for handling impacted soil, soil vapor, and groundwater that may be encountered during construction activities. Based on the history of the site and vicinity, hazardous soil, soil vapor, and groundwater may be encountered during site construction activities. These materials require special monitoring, handling, and/or disposal to ensure the safety of both the construction workers and people in the vicinity that could be exposed during ground disturbance.

The SMP shall include the following elements:

- Procedures for transporting and disposing the waste material generated during removal activities.
 - Procedures for stockpiling soil on-site.
 - Provisions for evaluating and/or sampling potential areas of contaminated soil, if observed during excavation activities.
 - Procedures to ensure that fill and cap materials are verified as clean.
 - Truck routes and/or staging and loading procedures and record keeping requirements.
67. **MM HAZ-5.1:** Prior to the demolition of the property buildings, a comprehensive asbestos survey in compliance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) and all State of California asbestos requirements will be conducted. All potentially friable ACMs shall be removed in accordance with NESHAP guidelines prior to any building demolition or renovation that may disturb the materials. All demolition activities will be undertaken in accordance with Cal/OSHA standards contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos.
68. **MM HAZ-5.2:** A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above.
69. **MM HAZ-5.3:** Materials containing more than 1 percent asbestos are also subject to BAAQMD regulations. Removal of materials containing more than 1 percent asbestos shall be completed in accordance with BAAQMD requirements.
70. **MM HAZ-6.1:** Prior to demolition activities, building materials shall be tested for lead-based paint. All building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings would be disposed of at landfills that meet acceptance criteria for the waste being disposed.
71. **MM HAZ-7.1:** Electrical equipment shall be observed for the printed statement, “No PCBs.” Any electrical equipment missing the “No PCBs” label shall be removed from the buildings and disposed as PCB-containing materials prior to the demolition of the buildings. Ballasts marked as

“No PCBs” could contain land-banned dielectric fluids and also shall be disposed of in an appropriate manner.

72. **MM UTIL-2.1:** The proposed project will be responsible for payment of fees to the City of Mountain View’s approved Capital Improvement Program (CIP) commensurate with the project’s proportionate share of the facilities built to increase the capacity of the wastewater pipes serving the project site. The project’s proportionate share of wastewater infrastructure demand was calculated as part of the Water and Sewer Hydraulic Capacity Study (see Appendix I), which also identified the improvements needed in order to accommodate projected wastewater system demand. Fees collected from the proposed project would be used to make the necessary improvements to wastewater facilities serving the project site, as set forth in the City’s CIP.

Public Works Department – (650) 903-6311

RIGHTS-OF-WAY

73. **STREET EASEMENT DEDICATIONS:** Dedicate the following public street easements, as required by the Public Works Director:
- a. Widen the sidewalk on Castro Street an additional 2’ from the existing 10’ wide sidewalk; and
 - b. A 20’ public street easement for the public alley if it cannot be verified that the existing easement(s) or right(s)-of-way exist.
74. **PUBLIC ACCESS EASEMENTS:** Dedicate the following public access easements, as required by the Public Works Director:
- a. Minimum 4’ wide public access easement along El Camino Real to provide a 12’ wide public sidewalk (existing sidewalk is 8’ +/- wide); and
 - b. A 4’ wide public access easement along the alley.
75. **INGRESS EGRESS EASEMENT:** Dedicate a private ingress egress easement for the benefit of 864 Park Drive (Lot 22 of Tract 1197) for garage access.
76. **PUBLIC UTILITY EASEMENTS AND APPROVALS:** Dedicate public utility easements as required by the City for the alley streetlights and utility companies for the joint utilities. All easement dedications are to be shown on the parcel maps. The applicant shall submit two copies of the maps to PG&E, AT&T (SBC), and Comcast for their review and determination of easement needs. The public utility easement dedications must be approved by the City and utility companies prior to the approval of the parcel map.

FEES

77. **WATER FEE:** If the properties on El Camino Real, which are currently served by California Water Service Company, need to connect to City water for the new development, the existing water main facilities fee shall need to be paid in accordance with Section 35.41 of the City Code and with the rates in effect at time of payment.
78. **WATER AND SEWER CAPACITY FEES:** In lieu of the Water Fee, this project may be subject to new water and sewer capacity fees to be implemented by the City. On April 8, 2014, the City

Council authorized the amendment of Chapters 28 and 35 of the City Code requiring development projects pay capacity fees, if applicable, for building permits **issued on or after** July 1, 2015. The applicant shall pay applicable water and sewer capacity fees as required. An informational handout on these fees can be found on the City's website at <http://www.ci.mtnview.ca.us/civicax/filebank/blobdload.aspx?BlobID=14212>.

The April 8, 2014 Council report can be viewed at the following location:
<https://mountainview.legistar.com/LegislationDetail.aspx?ID=1694006&GUID=3B26F71F-FD13-4830-9705-6C9EDC48D254>

Contact the Public Works Department at (650) 903-6311 for any questions related to these fees.

79. **SANITARY SEWER SYSTEM DEFICIENCY:** The project will increase the wastewater generation at the site and contribute to future capacity deficiencies of the downstream sanitary sewer system. Prior to the approval of the parcel maps, the applicant shall be required to pay the project's proportionate fair-share contribution, as determined by the Public Works Department, to increase the capacity of the wastewater infrastructure serving the project site (reference MM UTIL-2.1).
80. **PARK LAND DEDICATION FEE:** Pay the Park Land Dedication Fee (approximately \$15,000 to \$30,000 per unit) for each new residential unit in accordance with Chapter 41 of the City Code prior to the issuance of the parcel maps. No credit against the Park Land Dedication Fee will be allowed for private open space and recreational facilities. Provide the most current appraisal or escrow closing statement of the property with the following information to assist the City in determining the current market value of the land: (1) a brief description of the existing use of the property; (2) square footage of the lot; and (3) size and type of each building located on the property at the time the property was acquired.

STREET IMPROVEMENTS

81. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the subdivision and as required by Chapters 27 and 28 of the Mountain View City Code. These improvements on El Camino Real West, Castro Street, and the public alley include, but are not limited to, new curb gutter, sidewalk and driveways, new median island on Castro Street, landscaping and irrigation, full street overlay on Castro Street and the public alley, storm main extension and new curb inlet on Castro Street, water service connections, sewer lateral connections, storm lateral connections, joint utility services, undergrounding overhead utility lines along the public alley, and new streetlights.
 - a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the approval of the parcel maps. 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 and on-site common 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 <http://www.fns.treas.gov/c570/index.html>. 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.

- b. **INSURANCE:** Provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the parcel maps. The insurance coverage amounts are a minimum of One Million Dollars (\$1,000,000) Commercial General Liability, Automobile Liability, and Workers' Compensation. The insurance requirements are available from the Public Works Department.
82. **OFF-SITE PLANS:** Prepare off-site improvement plans in accordance with the City's Standard Design Criteria. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. A traffic control plan indicating the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. Locations of on-site parking for construction equipment and construction workers must be submitted for review and approval. Off-site plans (nine sets), construction cost estimate, and copy of the current preliminary title report or property deed 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 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 parcel maps.
83. **INFRASTRUCTURE QUANTITIES:** Submit a construction cost estimate form indicating the quantities of the street and utility improvements with the submittal of the improvement plans. 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.
84. **ENCROACHMENT RESTRICTIONS:** Private steps, fences, retaining walls, and other private facilities shall not encroach into the public right-of-way unless otherwise approved by the Public Works Director.

The bike racks on El Camino Real may be in Caltrans right-of-way subject to Caltrans approval. The applicant shall be required to obtain an encroachment agreement from the City for the maintenance of these improvements.

85. **SPECIAL PAVERS AND CONCRETE:** Pavers, colored concrete, or textured concrete shall not be allowed within the public alley, street, or sidewalk unless otherwise approved by the Public Works Director.

Special stamped concrete is approved at the pedestrian crossing in the public alley. The applicant shall be required to obtain an encroachment agreement from the City for the maintenance of the improvements.

86. **SIGHT DISTANCE TRIANGLE:** The architecture, on-site landscaping, and signage shall conform to the Side Street/Driveway Triangle of Safety Design Guidelines and Intersection Visibility Traffic Safety Visibility Area Design Guidelines at the driveways so as to not create any sight distance issues for vehicles.
87. **STREET OVERLAY:** The public alley shall have a full street overlay along the project frontage, and Castro Street shall, at a minimum, have a half street overlay along the project frontage from the face of curb to the median island curb. Based on the final median island alignment and pavement damage from construction, the applicant may be required to do a full street overlay

along Castro Street, as determined by the Public Works Director.

88. **NEW STREETLIGHTS:** New streetlights shall be installed along Castro Street and the public alley in accordance with City standards and design criteria. The existing streetlights on Castro Street have outlived their useful service life and must be replaced. The streetlights along the alley are currently mounted on overhead poles that will be undergrounded by the development.
89. **BUS STOP:** Applicant shall work with the Valley Transportation Authority (VTA) to maintain or improve the existing bus stop on Castro Street, and provide a temporary bus stop during construction of the frontage improvements.
90. **EL CAMINO REAL/CASTRO STREET INTERSECTION IMPROVEMENTS:** To improve pedestrian access and safety, the following improvements are required at the Castro Street/El Camino Real intersection:
 - a. Replace the existing adjacent corner curb ramp to comply with the Americans with Disabilities Act (ADA) requirements;
 - b. Replace the existing pedestrian push button assembly at the adjacent corner with a 2-wire Navigator Accessible Pedestrian Signal (APS) system by Polara or approved equal; and
 - c. Create an island refuge for pedestrians at the median nose on El Camino Real across from the project site.
91. **CASTRO STREET MEDIAN IMPROVEMENTS:** The gaps in the median island on Castro Street shall be closed, and the median island may need to be aligned as follows:
 - a. Shifted east to allow northbound U-turn movement at El Camino Real West;
 - b. Shifted west to allow southbound U-turn movement at Victor Way; and
 - c. Accommodate the proposed northbound left-turn pocket at Victor Way to the project driveway.

Additional median island and intersection improvements may be needed as a result of the median realignment. New median landscaping and irrigation shall be installed in accordance with City standards and design criteria. Traffic signal and loop detectors may need to be adjusted. The existing "No U-Turn" sign will need to be removed from the signal mast arm facing northbound Castro Street at El Camino Real.

92. **NO PARKING ON CASTRO STREET:** No parking shall be allowed along the project frontage on Castro Street during construction and after completion of the project.

UTILITIES

93. **WATER SERVICE:** The properties along El Camino Real are currently serviced by California Water Service Company (Cal Water) for their water supply. The applicant must confirm that Cal Water can continue to serve this portion of the development with the increased water demand due to the new fire sprinkler requirements. If Cal Water is unable to serve the development, the applicant must obtain a relinquishment of services letter from Cal Water and connect to City water. The parcel will be required to pay a water main existing facilities fee with the water service application for connecting to the City water system.

94. **STORM DRAINAGE IMPROVEMENTS:** The storm drainage main shall be extended on Castro Street to serve the development. A new catch basin shall be installed on Castro Street south of the El Camino Real curb return.
95. **WATER AND SEWER SERVICE:** Separate water and sewer services shall be provided for the commercial and residential portions of the development. The existing utility services have outlived their useful service lives and must be abandoned per City standards.
96. **SEPARATE FIRE SERVICE:** Domestic water and fire services shall have separate lines connected to the City's water main, as approved by the City Fire Protection Engineer. On-site fire lines, post indicator valves, Fire Department connections, and detector checks also require approval from the City's Fire Protection Engineer.
97. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required.
98. **WATER AND SEWER APPLICATIONS:** Prior to the issuance of the building permit, 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.
99. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, gate valves, and utility mains are to 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. Water services 4" or larger 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 and existing face-of-curb drains shall be removed.
100. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all 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.
101. **UNDERGROUND SERVICES:** All new and existing electric, telephone, and cable television services serving the site are to be placed underground (including transformers). The undergrounding of the new and existing electric, telephone, and cable television services is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the site.
102. **JOINT UTILITY PLANS:** Submit joint utility plans showing the location of the proposed electric, gas, telephone, and cable television conduits and vaults. These plans shall be combined and made a part of the improvement plans. Dedicate utility easements that are necessary for the common utility on the parcel maps.

SIDEWALKS AND DRIVEWAYS

103. **ADA RAMP REQUIREMENTS:** All new access ramps shall comply with the Americans with Disabilities Act (ADA) requirements.
104. **ADA SIDEWALK REQUIREMENTS:** A minimum 4' wide Americans with Disabilities Act-compliant public sidewalk shall be provided behind all driveway approaches. Tapers (conforms)

shall be provided to connect the proposed public sidewalk on each side of the proposed driveway.

105. **CURB, GUTTER, AND SIDEWALK IMPROVEMENTS:** New curbs, gutters, sidewalks, and driveways shall be installed along the project frontage on Castro Street and El Camino Real. New curbs and gutters shall be installed along the project frontage in the public alley.
106. **RED CURB AT CROSSWALKS:** Street curbs that are located within 15' of a public crosswalk shall be painted red.
107. **RED CURB AT DRIVEWAY ENTRANCE:** Street curbs that are located within 10' of driveway entrances to the underground parking garage shall be painted red. Street curbs that are located 25' in advance and 5' behind standard driveways shall be painted red.

RECYCLING

108. **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 Mountain View City Code Sections 16.13 and 16.17 and result in Code Enforcement action.
109. **CONSTRUCTION AND DEMOLITION ORDINANCE:** This project must comply with the City's Construction and Demolition Ordinance (Mountain View City Code Chapter 16, Article III).

STREET TREES

110. **STREET TREES:** Install standard City street trees to replace the existing trees impacted by the Castro Street median island realignment and where there are gaps in the spacing of the existing street trees along Castro Street and El Camino Real.
111. **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 are to be planted a minimum of 10' from sanitary sewer lines and 5' from water lines, fire lines, and driveways in accordance with Detail F-1 of the Standard Provisions. New street tree species must be selected from the City's official street tree list and as approved by the City's Parks and Open Space Division per Proposed Street Tree Form (CD-51).
112. **STREET TREE IRRIGATION:** Street trees along the project frontage are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

113. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
114. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways 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.
115. **STORM DRAIN HOLD HARMLESS AGREEMENT:** As portions of the site are or will be lower than the adjacent public street or the surface grade over the City's storm mains, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against storm surcharges or blockages that may result in on-site flooding or damage.

116. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** If the sanitary sewer connection(s) inside the structure(s) is/are less than 1' above the rim elevation of the upstream sanitary sewer manhole, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against sewer surcharges or blockages that may result in on-site damage.

MISCELLANEOUS

117. **CONSTRUCTION STAGING PLAN:** Submit a construction staging plan with the building plans (or excavation/shoring plan if seeking a separate permit) to identify in advance the temporary construction measures necessary to protect the public and minimize the impact of construction on the surrounding neighborhood. The plan shall address the following: (1) truck haul route for soil removal and construction delivery traffic; (2) on-site (or other private lot) staging areas for construction hoists/cranes, truck loading, equipment/material storage, construction trailer, and worker vehicle parking, as use of the public street for construction-related activities shall be avoided; (3) construction phasing plan; (4) pedestrian control plan to ensure safe pedestrian access in the public right-of-way at all times; and (5) traffic control plan for limited occupation of the public right-of-way for on-site construction-related activities if special permission is granted by the Public Works Director for extraordinary circumstances. Prior to the issuance of the building permit (or excavation/shoring plan if seeking a separate permit), the construction staging plan must be approved by the City and the necessary encroachment and/or excavation permit must be obtained.
118. **CONSTRUCTION-RELATED ACTIVITIES IN PUBLIC RIGHT-OF-WAY:** The public right-of-way shall not be used for any on-site construction-related activities, such as the placement of temporary earth retentions systems, construction fencing, crane operations area, or construction loading zones.
119. **ACCESS TO PUBLIC ALLEY:** Access to the public alley shall be maintained at all times.
120. **CASTRO STREET MEDIAN ISLAND DURING CONSTRUCTION:** The gaps in the median island on Castro Street between El Camino Real and Victor Way shall be closed with temporary asphalt curb during construction.
121. **WELL QUESTIONNAIRE:** Complete a Santa Clara Valley Water District well questionnaire and return it to the Public Works Department. Well questionnaire forms are available from the Public Works Department. All existing wells shall be shown on the site plans as to remain or be sealed in accordance with the Santa Clara Valley Water District standards.
122. **CALTRANS PERMIT:** Apply for a Caltrans Encroachment Permit for all work within Caltrans' jurisdiction. Work within the State right-of-way must be in accordance with Caltrans requirements.
123. **STREET CLEANING:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "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."
124. **OCCUPANCY RELEASE:** For residential developments, no residential units will be released for occupancy unless the improvements to be constructed to City standards and/or to be accepted for maintenance by the City, including water meters and sanitary sewer cleanouts, are substantially

complete per the City of Mountain View Standard Provisions for Public Works construction. For phased developments, portions of the units may be released for occupancy, at the City's sole discretion, provided that all public and private improvements, conditions of approval, and Building Code requirements that are necessary to support the units to be released for occupancy have been completed as determined by the City. When all of the improvements are complete and/or ready for acceptance for maintenance by the City Council, the remaining units may be released for occupancy, provided that all other conditions of approval and Building Code requirements have been met. The Public Works Director shall make the determination of what public improvements are substantially complete.

125. **OCCUPANCY RELEASE:** For commercial and office developments, no buildings will be released for occupancy 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.
126. **PRELIMINARY TITLE REPORT:** 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. This information is required for the preparation of Public Works agreements and documents.
127. **SUBDIVISION:** Any combination or division of land for purpose of sale, lease, or financing requires the filing and approval of a preliminary parcel or tentative map, completion of all conditions of subdivision approval, and the recordation of the parcel or final map, all prior to issuance of the building permit. In order to place the approval of a final map on the Council agenda, all related materials must be completed and approved 40 calendar days prior to the Council meeting.
128. **LOT MERGER:** The applicant's site is located on nine separate parcels of land and the proposed buildings are located over the interior property lines. Prior to the issuance of the building permit, the applicant must legally merge the properties into two single lots with a parcel map or provide satisfactory evidence to the Public Works Department that the subject properties were legally merged.

Building Inspection Division – (650) 903-6313

129. **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. Submit complete sets of construction drawings at the Building Counter. Please refer to the Building Inspection Division's current "Submittal Requirements" for document submittal requirements. No construction work can be commenced without an appropriate building permit and no new occupancy shall commence without a Certificate of Occupancy. Please contact the Building Inspection Division for submittal requirements at (650) 903-6313.
130. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon submittal. Current codes are the 2013 California Codes: Building, Fire, Electrical, Mechanical, Plumbing, CALGreen, and Mountain View Green Building Code.
131. **ACCESSIBILITY:** During business hours, the outdoor dining area is required to comply with the 2013 CBC, Section 11B-226.

132. **ACCESSIBILITY:** Project will be required to comply with the accessibility requirements in the 2013 CBC, Chapter 11B.
133. **ACCESSIBILITY:** Project will be required to comply with the accessibility requirements in the 2013 CBC, Chapter 11A, and CRC R320.
134. **ACCESSIBILITY (PARKING):** Project will be required to comply with the accessible parking requirements in the 2013 CBC, Chapter 11B.
135. **ACCESSIBILITY (PARKING):** Parking reductions granted through the Planning permit process do not reduce the required amount of required accessible spaces. Project will be required to comply with the accessible parking requirements in the 2013 CBC, Chapter 11B.
136. **ACCESSIBILITY (PARKING):** At least 2 percent of the assigned parking spaces are required to be accessible, 2013 CBC, 1109A.4.
137. **ADDRESSES:** Street names and numbers will be processed immediately prior to the Building Inspection Division approval of the project. Apartment and suite numbers are issued by the United States Post Office.
138. **COMMERCIAL TENANT IMPROVEMENTS:** The tenant improvements for the commercial spaces will be required to obtain a separate permit.
139. **EGRESS:** Site must meet accessible means of egress, 2013 CBC, Section 1007.
140. **FIRE PROTECTION:** Dwelling and sleeping units shall meet the visible alarm notification requirements of 2013 CBC, Section 907.5.2.3.
141. **FIRE SPRINKLERS:** All proposed plans for new dwellings submitted after January 1, 2011 will be required to install a fire sprinkler system regardless of size.
142. **FIRE SPRINKLERS:** List fire sprinkler status within the plans.
143. **OCCUPANCY:** Provide proposed occupancy for occupied areas per Chapter 3 of the 2013 CBC.
144. **OCCUPANCY SEPARATION:** Proper separation to be provided between occupancies. 2013 CBC, Table 508.4.
145. **OCCUPANT LOAD/EXIT DISCHARGE:** Please provide occupant load and exit discharge for each occupied area.
146. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Please provide sufficient information at the time of plan submittal to show how pedestrians will be protected per 2013 CBC, Section 3306.
147. **SURVEY:** A survey will be required to be completed to verify structure placement.

FIRE PROTECTION SYSTEMS AND EQUIPMENT

148. **FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Three (3) sets of shop-quality drawings shall be submitted for review and approval. All work shall conform to NFPA 13 (2013 Edition), NFPA 72 (2013 Edition), and Mountain View Fire Department specifications. Call the Building Inspection Division at (650) 903-6313 for a copy of specifications and submittal requirements. (Mountain View City Code, Sections 14.10.27, 14.10.28, and California Fire Code, Section 903.)
149. **STANDPIPE SYSTEM:** Provide a Class III standpipe system. (Mountain View City Code, Sections 14.10.29, 14.10.30, 14.10.31, and 14.10.32 and California Fire Code, Section 905.)
150. **FIRE PROTECTION DURING CONSTRUCTION:** Every building four (4) stories or more in height shall be provided with not less than one (1) standpipe for use during construction. Such standpipe(s) shall be installed when the progress of construction is not more than 40' in height above the lowest level of Fire Department access. Such standpipe(s) shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs, and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. In each floor, there shall be provided a 2.5" valve outlet for Fire Department use. (California Fire Code, Chapter 33.)
151. **ON-SITE WHARF HYDRANTS:** Provide ground-level wet standpipes (wharf hydrants). On-site wharf hydrants shall be so located as to reach any portion of combustible construction with 150' of hose. Installation shall be complete and the system shall be tested prior to combustible construction beyond 150' from the public right-of-way. The wharf hydrant shall be capable of providing a combination flow of 500 GPM with two 2.5" outlets flowing. Three (3) complete sets of shop-quality drawings shall be submitted for review and approval. (NFPA 24 (2013 Edition) and Mountain View Fire Department requirements.)
152. **FIRE EXTINGUISHERS:** Install one 2-A:10-B:C fire extinguisher for every 50'/75' of travel or every 3,000 square feet. Fire extinguisher locations shall be indicated on the architectural floor plans. (California Code of Regulations, Title 19, Chapter 3 and California Fire Code, Section 906.)
153. **AUTOMATIC/MANUAL FIRE ALARM SYSTEM:** Provide an approved automatic/manual fire alarm system in accordance with California Fire Code and Mountain View Fire Department specifications. Three (3) complete sets of fire alarm system shop-quality drawings shall be submitted 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. Call the Building Inspection Division at (650) 903-6313 for a copy of specifications and submittal requirements. (California Fire Code, Section 907 and Mountain View City Code, Section 14.10.33.)
154. **SMOKE ALARMS:** 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.)

FIRE DEPARTMENT ACCESS

155. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. Call the Building Inspection Division at (650) 903-6313 for instructions. (California Fire Code, Section 506.)
156. **KEYSWITCH:** Install an approved key switch per the Fire Protection Engineer's directions. Call the Building Inspection Division at (650) 903-6313 for instructions. (California Fire Code, Section 506.)
(Applies to security gates.)
157. **FIRE APPARATUS ACCESS ROADS:** Access roads shall have 13'6" unobstructed vertical clearance, 20' of unobstructed width (26' where building occupied floors exceed 30' height), 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 Mountain View City Code, Sections 14.10.17, 14.10.18.)
158. **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. Call the Building Inspection Division at (650) 903-6313 for specifications and application. (California Fire Code, Section 503.)
159. **ALL-WEATHER FIRE APPARATUS ACCESS ROADS:** Prior to combustible construction, an all-weather access road capable of supporting emergency vehicles (70,000 pounds) shall be constructed to allow access within 150' of every portion of the project. Access roads shall have 13'6" overhead clearance, 20' of unobstructed width, and 21' inside turning radius. (California Fire Code, Section 503.)
160. **STRETCHER REQUIREMENTS:** In all structures four (4) or more stories in height, at least one elevator shall be provided with a minimum clear distance between walls or between walls and door, excluding return panels, of not less than 80"x54", and a minimum distance from wall to return panel of not less than 51" with a 42" side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 84"x24" in the horizontal position. (California Building Code, Section 3002.)

EGRESS AND FIRE SAFETY

161. **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 1006.)
162. **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 1011.)
163. **EXIT DOORS IN GROUPS A, E, H, AND I OCCUPANCIES:** Exit doors shall be provided with approved panic hardware. (California Building Code, Section 1008.1.10.)

164. **GROUP A OCCUPANCIES:** Buildings or portions of buildings used for assembly purposes shall conform to all requirements of Title 19 and the Uniform Building Code. This shall include, but is not limited to: (1) two exits; (2) fire-retardant drapes, hangings, Christmas trees, or other similar decorative material; and (3) posting of a maximum occupant load sign. (California Code of Regulations, Title 19, Sections 3.08, 3.21, and 3.30.)
165. **POSTING OF ROOM CAPACITY:** Any room used for assembly purposes shall have the capacity of the room posted in a conspicuous place near the main exit from the room. (California Building Code, Section 1004.3.)
166. **ON-SITE DRAWINGS:** Submit two (2) 8.5"x11" plot plan drawings according to Fire Department specifications prior to final Certificate of Occupancy.
167. **STAIRWAY IDENTIFICATION SIGNS:** In buildings four (4) or more stories in height, approved stairway identification signs shall be located at each floor level in all enclosed stairways. The sign shall identify the stairway and indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located 5' above the floor landing in a position which is readily visible when the door is in the open or closed position. (California Building Code, Section 1022.9.)

EXTERIOR IMPROVEMENTS

168. **PREMISES IDENTIFICATION:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of 6" in height. (Mountain View City Code, Section 14.10.20.)

OTHER

169. **EMERGENCY ESCAPE OPENING ACCESS:** Provide clear space and ladder pads at ground level for emergency escape opening access in R and I-1 occupancies. Ladder pads shall be accessible by fire crews with a three-section, 12' long ladder. Awnings and window shades shall be designed to not interfere with ladder access. (California Building Code, Section 1029.)
170. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)
171. **DESIGNATED LOADING ZONE:** A separate area shall be provided for moving vans. The area shall be sized to accommodate full-size moving vans without obstructing the required fire lanes.

Fire and Environmental Protection Division – (650) 903-6378

URBAN RUNOFF

For more information, guidelines, design criteria, or materials about urban runoff conditions, contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378. "Stormwater Quality Guidelines for Development Projects" can also be accessed at the following link to the Fire Department website:

http://www.mountainview.gov/city_hall/fire/programs_n_services/environmental_safety.asp

172. **STORM DRAIN/SANITARY SEWER PLAN CHECK SHEET:** Complete a "Storm Drain/Sanitary Sewer Discharges" check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.

173. **STATE OF CALIFORNIA CONSTRUCTION GENERAL STORMWATER PERMIT:** A “Notice of Intent” (NOI) and “Stormwater Pollution Prevention Plan” (SWPPP) shall be prepared for construction projects disturbing one (1) acre or more of land. Proof of coverage under the State General Construction Activity Stormwater Permit shall be attached to the building plans.
174. **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.
175. **SWIMMING POOLS, SPAS, AND FOUNTAINS:** Swimming pools, spas, and fountains shall be installed with a sanitary sewer cleanout in a readily accessible nearby area to allow for draining.
176. **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.
177. **EFFICIENT IRRIGATION:** Common areas 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.
178. **PRIVATE STORM DRAIN INLET STENCILING:** For residential subdivisions with private streets, storm drain inlets shall be labeled in accordance with the City’s storm drain inlet label program (“No Dumping, Flows to Bay”).
179. **OUTDOOR STORAGE AREAS (INCLUDING GARBAGE ENCLOSURES):** Outdoor storage areas (for storage of equipment or materials which could decompose, disintegrate, leak, or otherwise contaminate stormwater runoff), including garbage enclosures, shall be designed to prevent the run-on of stormwater and runoff of spills by all of the following: (a) paving the area with concrete or other nonpermeable surface; (b) covering the area; and (c) sloping the area inward (negative slope) or installing a berm or curb around its perimeter. There shall be no storm drains in the outdoor storage area.
180. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.
181. **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.

NOTE: The applicant shall file a parcel map for approval and recordation in accordance with the approved Planned Community Permit, the City Code, and the State Map Act. The permit authorizing approval of the Planned Community Permit is conditioned upon obtaining an approved parcel map. Failure to obtain an approved subdivision shall render the Planned Community Permit invalid.

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 of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.