

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2016

A RESOLUTION CONDITIONALLY APPROVING A VESTING PRELIMINARY
PARCEL MAP AT 750 MOFFETT BOULEVARD

WHEREAS, an application was received from Broadreach Capital Partners for a Vesting Preliminary Parcel Map, as more particularly described in Exhibit A, attached hereto; and

WHEREAS, the proposed project includes the development of an approximately 10-acre undeveloped site with a new hotel, office building, and above-grade parking structure; and

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

WHEREAS, Parcel 1 is approximately seven acres and is designated Mixed-Use Corridor in the General Plan, which permits hotel and office development, and Parcel 2 is approximately three acres and, in connection with approval of the Project, was designated Mixed-Use Corridor on October 18, 2016; and

WHEREAS, the City adopted a Zoning Map Amendment rezoning the Project site from A (Agriculture) and undesignated Caltrans right-of-way to P (Planned Community); and

WHEREAS, the City, as lead agency, prepared an Environmental Impact Report (EIR) for the Project; and

WHEREAS, on September 7, 2016, the Environmental Planning Commission held a duly noticed public hearing on the Project, including the requested Vesting Preliminary Parcel Map, and adopted resolutions recommending that the City Council:

- Certify the Moffett Gateway Project EIR and adopt the Statement of Overriding Considerations and Mitigation Monitoring or Reporting Program;
- Approve a General Plan Land Use Map Amendment to add Parcel 2 to the City's General Plan Land Use Map with the Mixed-Use Corridor designation;

- Approve a Zoning Map Amendment to designate the entire Project site as P (Planned Community);
- Approve a Planned Community Permit, Development Review Permit, and a Heritage Tree Removal Permit; and
- Approve a Vesting Preliminary Parcel Map across the Project site; and

WHEREAS, the Environmental Planning Commission determined that the Vesting Preliminary Parcel Map would not be detrimental to the public interest, health, safety, convenience, or welfare of the community because the Project will be consistent with the policies included in the General Plan and the Vesting Preliminary Parcel Map facilitates the construction of a new office and hotel development project that can be fully served by the physical infrastructure and services provided within the City of Mountain View; and

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

WHEREAS, the Vesting Preliminary Parcel Map is consistent with the General Plan and in compliance with the provisions of the California Environmental Quality Act (CEQA). A Draft EIR was prepared and circulated for the required 45-day public comment period, which ended on June 15, 2016. Staff received five comment letters on the Draft EIR and has provided a response to these comments in the Final EIR document. The EIR identifies mitigation measures which, when implemented, will substantially lessen or avoid the significant effects on the environment caused by the Project, with the exception of the significant unavoidable impact to one freeway segment for which a Statement of Overriding Considerations was adopted;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mountain View approves a Vesting Preliminary Parcel Map, pursuant to the Subdivision Map Act and the following required findings:

1. That pursuant to Section 66473.5 and Section 66474 of the Government Code, and Section 28.8 of the Mountain View City Code, the City Council makes the following findings and determinations:

a. The map is consistent with the General Plan. The Project's proposed hotel and office development is consistent with the General Plan's policies and goals

described for Mixed-Use Corridor areas, including the goal for a diverse, balanced, and flexible mix of land uses to support a strong economy, complete neighborhoods, and promote transit use and community health. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan's Mixed-Use Corridor land use designation, including all required elements therein applicable to said property. There are no specific plans applicable to the Project site.

b. The design or improvement of the proposed subdivision is consistent with the General Plan. The Project's proposed redevelopment of an approximately 10-acre site with a hotel, office building, and above-grade parking garage is consistent with the allowable uses in the Mixed-Use Corridor land use designation. Further, the Project is consistent with applicable General Plan design and improvement policies to provide a mix of land uses and to provide high-quality, highly sustainable building design and development. In addition, the Project includes building design compatible with the surrounding area and the provision of publicly accessible open space for the convenience and enjoyment of the surrounding community. There are no specific plans applicable to the Project site.

c. The site is physically suitable for the type of development. The Project site is an undeveloped former vector control facility (Parcel 1) and freeway ramp (Parcel 2). Redevelopment of the site with a new hotel, office building, and above-grade parking garage is consistent with the uses and densities established in the General Plan for Mixed-Use Corridor areas. Further, the Project could be accommodated on the proposed site while providing for adequate improvements, infrastructure, public facilities and services, and landscaping.

d. The site is physically suitable for the proposed density of development. Under the General Plan, a maximum allowed development density of up to a 1.85 floor area ratio (FAR) is permitted under the Mixed-Use Corridor land use designation where up to 0.50 FAR can be office or commercial uses. Development of the Project site with a 255-room hotel and 200,000 square foot office building is consistent with these General Plan land use intensities. Such development also advances several important objectives of the Project, including generation of City revenue and improvement of the City's long-term fiscal health and revenue-generating reuse of vacant and otherwise landlocked Caltrans right-of-way.

e. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The EIR evaluated the environmental impacts of the Project and its potential to injure fish or wildlife or their habitat and determined that, with implementation of mitigation, the Project would result in less-than-significant impacts to special-status plant, wildlife species, and native trees. Accordingly, the

design of the subdivision and proposed improvements will not substantially and avoidably injure fish or wildlife or their habitat.

f. The design of the subdivision or type of improvements is not likely to cause serious public health problems. As detailed in the EIR, the Project site has been investigated for the potential presence of hazards and hazardous materials, and with the incorporation of mitigation measures, development of the Project would not create a significant hazard to the public or environment.

g. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The Project will not conflict with easements and would provide for all appropriate access for public utilities. Further, the Project provides for public access via Moffett Boulevard. A publicly accessible bicycle and pedestrian path would also allow public bicycle and pedestrian access through the Project site. Accordingly, the design of the subdivision will not conflict with access through or use of the property within the proposed subdivision.

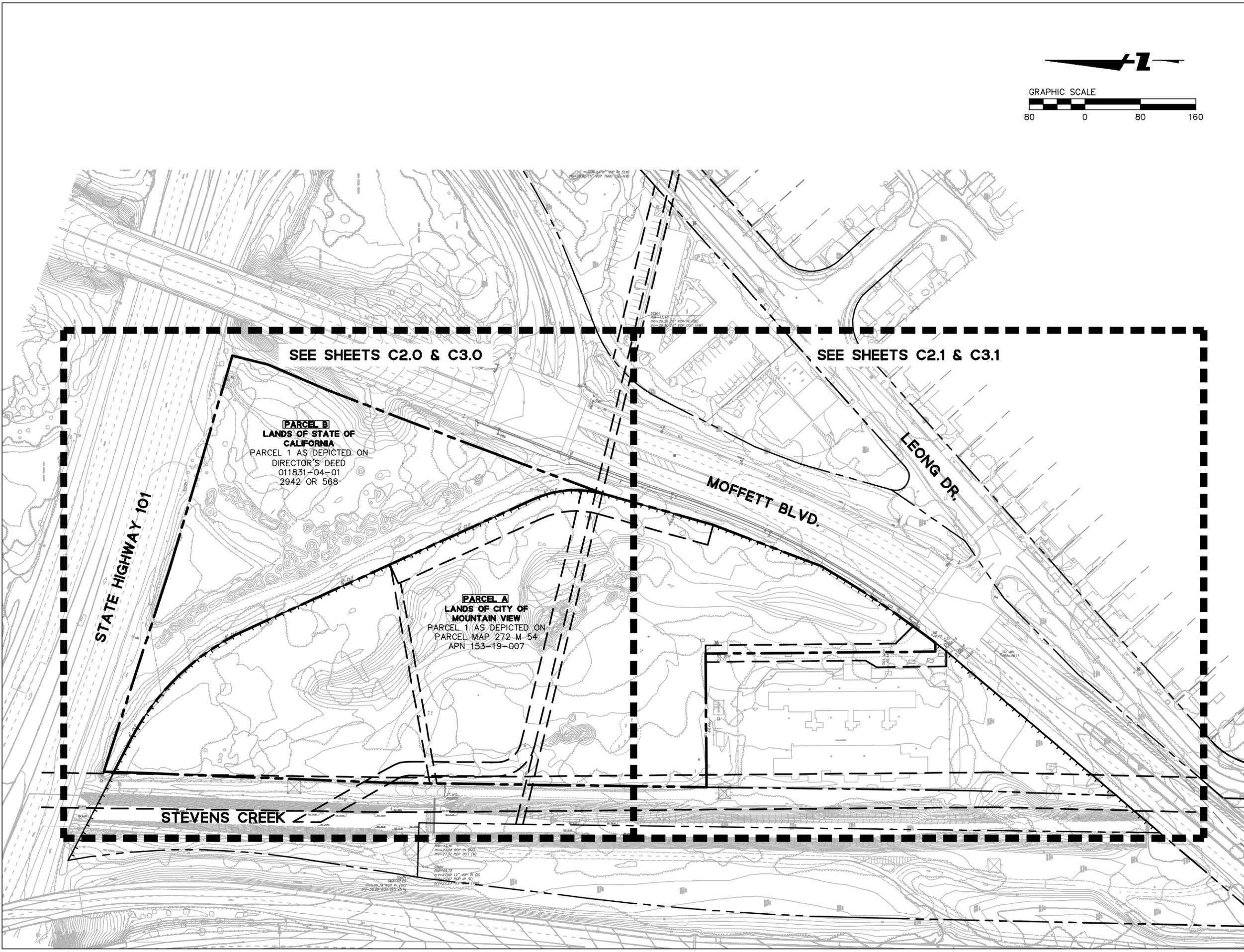
2. That the Vesting Preliminary Parcel Map is in compliance with the provisions of CEQA as the City Council has independently reviewed, analyzed, and considered the information contained in the EIR and all written documentation and public comments related thereto prior to certifying the Moffett Gateway Project EIR and adopting the Statement of Overriding Considerations and Mitigation Monitoring or Reporting Program.

3. That the Vesting Preliminary Parcel Map is approved subject to the subdivider's compliance with all of the conditions of approval, as more particularly described in Exhibit B, attached hereto.

SW/7/RESO
818-10-18-16r-E-3

Exhibits: A. Vesting Preliminary Parcel Map
B. Subdivision Conditions

DRAWING NAME: \\Bkt-rc\data\2014\140245\ENG\00 PM\SHEETS\C2.01 EXCOND.dwg
PLOT DATE: 08-26-16 PLOTTED BY: conn



SEE SHEETS C2.0 & C3.0

SEE SHEETS C2.1 & C3.1

PARCEL B
LANDS OF STATE OF CALIFORNIA
 PARCEL 1 AS DEPICTED ON
 DIRECTOR'S DEED
 011831-04-01
 2942 OR 568

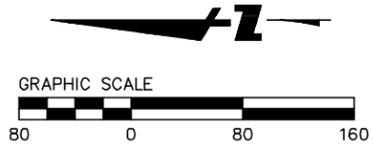
PARCEL A
LANDS OF CITY OF MOUNTAIN VIEW
 PARCEL 1 AS DEPICTED ON
 PARCEL MAP 272-M-54
 APN 153-19-007

STATE HIGHWAY 101

MOFFETT BLVD.

LEONG DR.

STEVENS CREEK



**MOFFETT GATEWAY
 VESTING PRELIMINARY PARCEL MAP
 KEY MAP**

CITY OF MOUNTAIN VIEW
 SANTA CLARA COUNTY
 CALIFORNIA

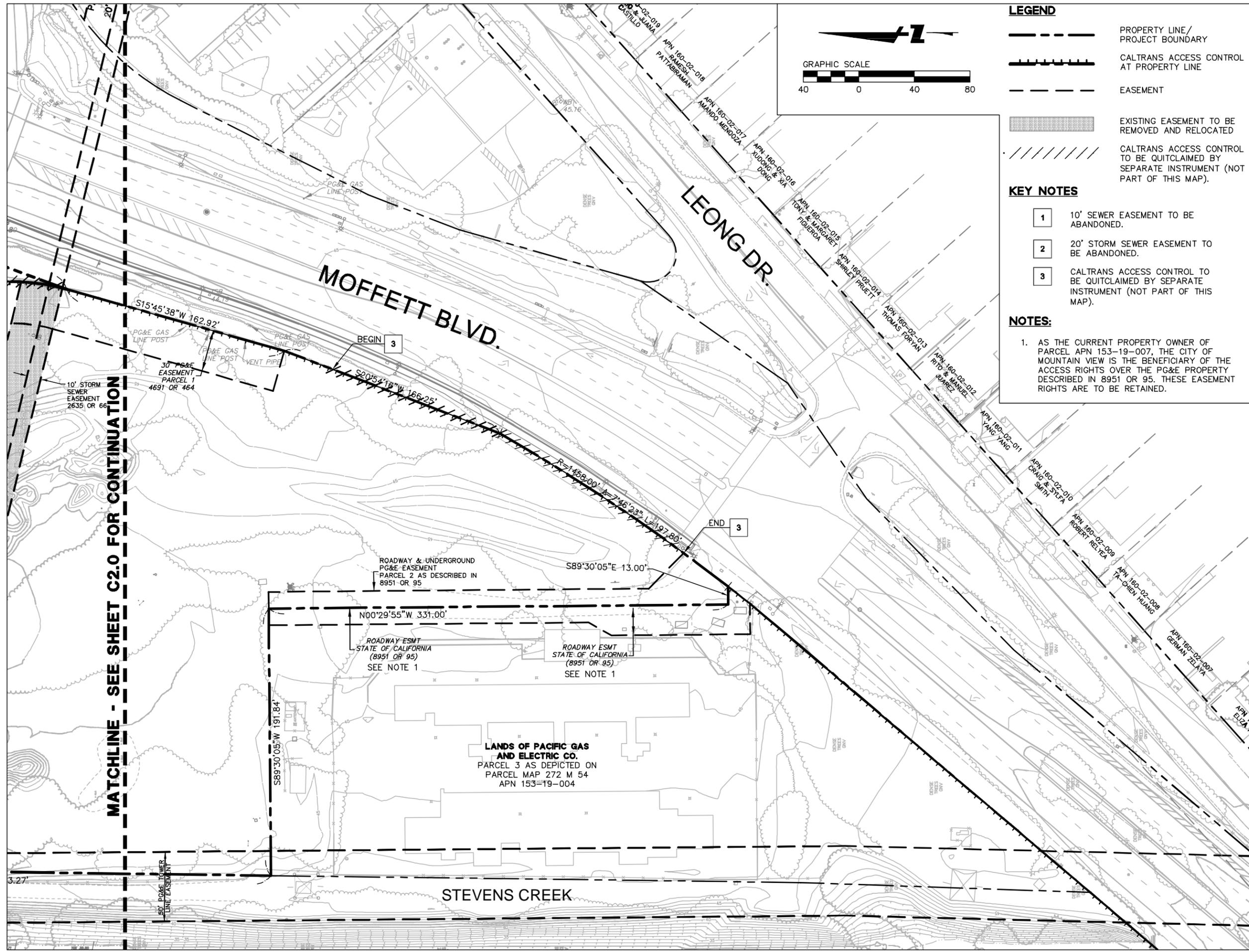
Date 08/26/16
 Scale 1" = 80'
 Design PC
 Drawn MM
 Approved SN
 Job No 20140245
 Sheet Number:

C1.1



255 SHORELINE DR.,
 SUITE 200
 REDWOOD CITY, CA 94065
 (650) 482-6300
 www.bkf.com

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 PLOT DATE: 08-26-16 PLOTTED BY: conn



LEGEND

- PROPERTY LINE/ PROJECT BOUNDARY
- CALTRANS ACCESS CONTROL AT PROPERTY LINE
- EASEMENT
- EXISTING EASEMENT TO BE REMOVED AND RELOCATED
- CALTRANS ACCESS CONTROL TO BE QUITCLAIMED BY SEPARATE INSTRUMENT (NOT PART OF THIS MAP).

KEY NOTES

- 1** 10' SEWER EASEMENT TO BE ABANDONED.
- 2** 20' STORM SEWER EASEMENT TO BE ABANDONED.
- 3** CALTRANS ACCESS CONTROL TO BE QUITCLAIMED BY SEPARATE INSTRUMENT (NOT PART OF THIS MAP).

NOTES:

1. AS THE CURRENT PROPERTY OWNER OF PARCEL APN 153-19-007, THE CITY OF MOUNTAIN VIEW IS THE BENEFICIARY OF THE ACCESS RIGHTS OVER THE PG&E PROPERTY DESCRIBED IN 8951 OR 95. THESE EASEMENT RIGHTS ARE TO BE RETAINED.

MATCHLINE - SEE SHEET C2.0 FOR CONTINUATION

**MOFFETT GATEWAY
 VESTING PRELIMINARY PARCEL MAP
 EXISTING BOUNDARY & EASEMENTS**

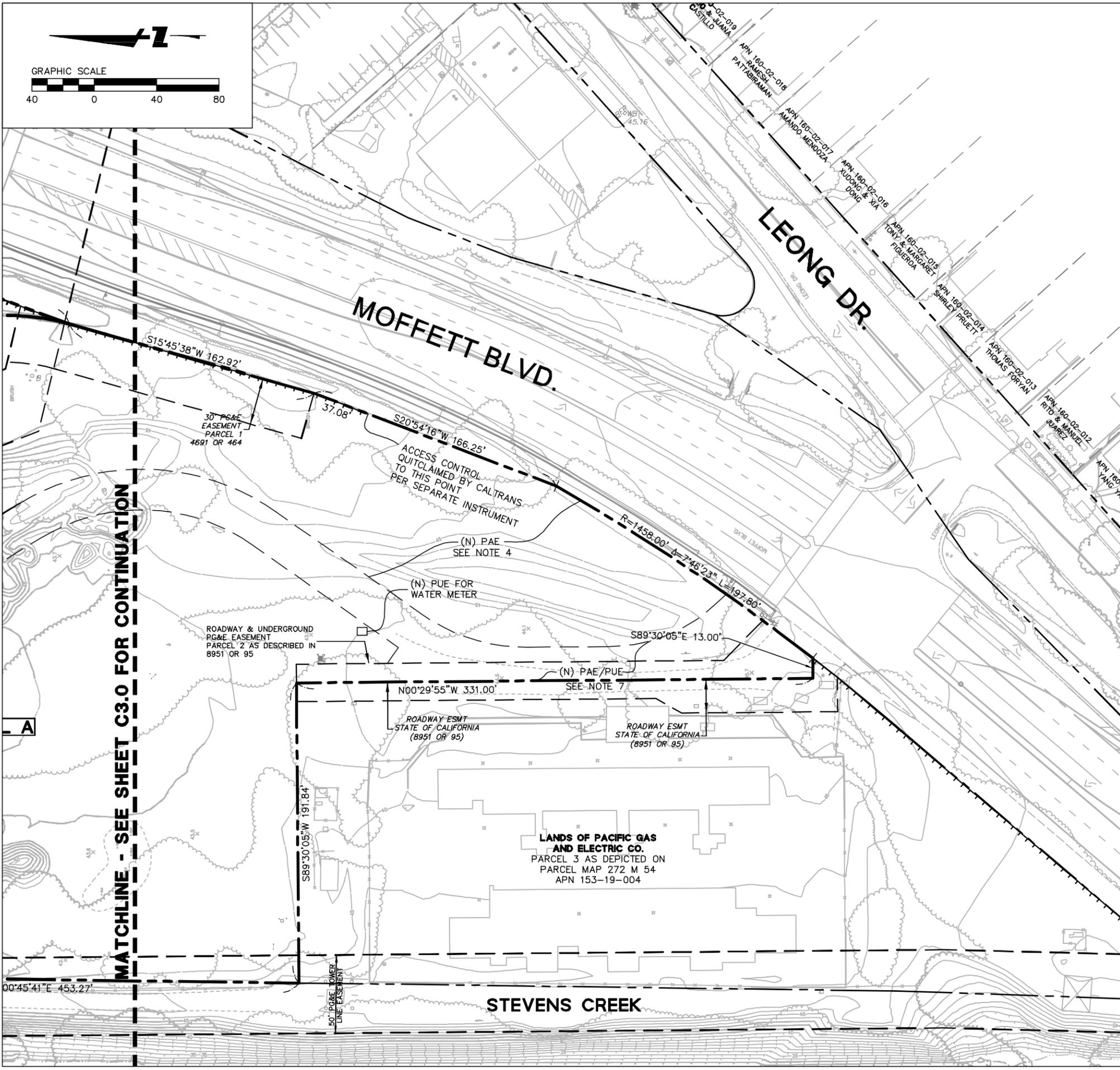
BKF100+
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 ENGINEERS - SURVEYORS - PLANNERS

CITY OF MOUNTAIN VIEW SANTA CLARA COUNTY CALIFORNIA

Date 08/26/16
 Scale 1" = 40'
 Design PC
 Drawn MM
 Approved SN
 Job No 20140245

Sheet Number:
C2.1

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 PLOT DATE: 08-26-16 PLOTTED BY: conn



MATCHLINE - SEE SHEET C3.0 FOR CONTINUATION



LEGEND

- PROPERTY LINE/ PROJECT BOUNDARY
- CALTRANS ACCESS CONTROL AT PROPERTY LINE
- EASEMENT

NOTES:

1. THIS VESTING PRELIMINARY PARCEL MAP IS FOR THE VACATION AND CREATION OF EASEMENTS. IT DOES NOT ALTER THE EXISTING BOUNDARIES.
2. THE EXISTING CITY OF MOUNTAIN VIEW STORM DRAIN AND SANITARY SEWER EASEMENTS ARE TO BE RELOCATED ADJACENT TO THE PG&E GAS LINE EASEMENT TO CREATE A UTILITY CORRIDOR.
3. EXISTING ACCESS CONTROL ALONG MOFFETT BOULEVARD TO BE QUITCLAIMED BY CALTRANS AS SHOWN ON THIS DRAWING. ACCESS TO CALTRANS RIGHTS-OF-WAY IN MOFFETT BOULEVARD AND HIGHWAY 101 WILL BE RESTRICTED IN THE PROPOSED CONDITION.
4. A NEW PUBLIC ACCESS EASEMENT (PAE) WILL BE CREATED FOR PUBLIC OPEN SPACE. THIS PAE ON THE CITY OF MOUNTAIN VIEW PARCEL IS THE AREA BOUND BY THE MOFFETT BLVD ROW TO THE EAST, 26' WIDE ROADWAY PAE/PUE TO THE WEST/SOUTH, AND THE STATE OF CALIFORNIA PARCEL PROPERTY LINE TO THE NORTH.
5. A PAE FOR OPEN SPACE WILL ALSO BE CREATED OVER THE TRIANGULAR AREA SHOWN ON STATE OF CALIFORNIA PARCEL.
6. AN AGREEMENT, EASEMENT OR OTHER INSTRUMENT WILL BE CREATED CONCURRENT WITH RECORDING OF THE PARCEL MAP TO ADDRESS STORMWATER OVERLAND RELEASE ACROSS AND BETWEEN PARCELS A AND B. SUCH AGREEMENT, EASEMENT OR OTHER INSTRUMENT SHALL PROVIDE A PATHWAY CAPABLE OF CONVEYING TO STEVENS CREEK THE 100-YEAR STORMWATER FLOWS CURRENTLY FLOWING ONTO PARCELS A AND B FROM MOFFETT BOULEVARD WHILE AVOIDING OR MINIMIZING CONFLICT WITH ANY IMPROVEMENTS FOR PARCELS A AND B APPROVED BY THE CITY.
7. THE RECIPROCAL ACCESS AND WATER UTILITY EASEMENTS DESCRIBED IN THE DISPOSITION AND DEVELOPMENT AGREEMENT WILL BE PROVIDED BY THE 26' WIDE PUBLIC ACCESS EASEMENT AND PUBLIC UTILITY EASEMENT.

MOFFETT GATEWAY
VESTING PRELIMINARY PARCEL MAP
PROPOSED EASEMENTS

255 SHORELINE DR.,
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BKF100+
YEARS
ENGINEERS · SURVEYORS · PLANNERS

CITY OF MOUNTAIN VIEW SANTA CLARA COUNTY CALIFORNIA

Date 08/26/16	Scale 1" = 40'
Design PC	Drawn MM
Approved SN	Job No 20140245
Sheet Number:	
C3.1	

SUBDIVISION CONDITIONS
APPLICATION NO.: 247-16-PM
750 MOFFETT BOULEVARD

1. **MAP SUBMITTAL:** File a parcel map for approval and recordation in accordance with the City Code and the California Subdivision Map Act prior to the issuance of any building permit for the property within the subdivision. All existing and proposed easements are to be shown on the map. Submit two black-line copies of the map to the Public Works Department for review together with all items on the Map Checklist concurrent with the Off-Site Improvement Plans.
2. **MAP DOCUMENTS:** Submit a subdivision guarantee, County Tax Collector's letter regarding unpaid taxes or assessments, and subdivision security if there are unpaid taxes or special assessments prior to the approval and recordation of the map.
3. **SOILS REPORT:** Soils and geotechnical reports prepared for the subdivision shall be indicated on the parcel map. Submit a copy of the report with the parcel map.
 - a. As required by the State Seismic Hazards Mapping Act, a project site-specific geotechnical investigation shall be conducted by a registered soils/geologist identifying any seismic hazards and recommending mitigation measures to be taken by the project. The applicant, through its registered soils engineer/geologist, shall certify the project complies with the requirements of the State Seismic Hazards Mapping Act. Indicate the location (page number) within the geotechnical report of where this certification is located or provide a separate letter stating such.
4. **PARCEL MAP APPROVAL:** When all subdivision-related materials and agreements have been completed, the original parcel map shall be signed and notarized by the owners and engineer/surveyors and submitted to the Public Works Department. The City will sign the map and provide a Xerox Mylar copy. The applicant's title company shall have the County Recorder's Office record the original and endorse the Xerox Mylar copy. The endorsed Xerox Mylar copy and PDF shall be returned to the Public Works Department within one week after recording the map.
5. **SUBDIVISION FEES:** Pay all subdivision fees due in accordance with the rates in effect at the time of payment prior to the approval of the parcel map.
6. **WATER AND SEWER CAPACITY CHARGES:** The water and sewer capacity charges for residential connections are based on the number and type of dwelling units. There are separate charges for different types of residential categories so that the capacity charges reasonably reflect the estimated demand of each type of connection. The water and sewer capacity charges for nonresidential connections are based on the water meter size, and the building area and building use, respectively. Credit is given for the demand of the improvements that previously existed on the site. Fees need to be paid per the Public Works Fee Schedule prior to Public Works approving the parcel map.
7. **UTILITY EASEMENTS AND APPROVALS:** Dedicate utility easements as required by the utility companies and as approved by the Public Works Director. All easements are to be shown on the parcel map. The subdivider shall submit two copies of the map to PG&E, AT&T (SBC), and Comcast for their review and determination of easement needs. The public utility easements must be approved by the utility companies prior to the approval of the parcel map. There are three distinct public utility easements that shall be shown on the map:
 - a. Public Utility Easement for storm drain and sanitary sewer shall be 45' wide and align with the relocated City of Mountain View storm and sewer mains.

- b. Public Utility Easement for water meters around each public water meter.
 - c. Public Utility Easement for electric, communications, and cable television facilities and other similar uses along the private drive aisle.
8. **PUBLIC ACCESS DEDICATION:** Indicate on the parcel map the area open for public access. The two Public Access Easements shown on the map are:
 - a. The 26' wide drive aisle and multi-use trail from Moffett Boulevard to the hotel and a 14' wide area from the drive aisle to Stevens Creek.
 - b. The open space east of the drive aisle and a small triangular area on the Caltrans parcel.
9. **STORM DRAIN EASEMENT:** The subdivider shall provide a private irrevocable storm drain easement over the northern parcel in favor of the southern parcel for overland release.
10. **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 include relocation of 84" and 24" storm drain mains; and relocation of 16" sanitary sewer main.
 - 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 map. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a letter of credit (150 percent) or cash security (100 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: https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security are available at the Public Works Department. Any changes to the standard agreement will require an additional one- to three-week processing time with the City Attorney's Office.
 - 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 map. 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.
11. **SURFACE DRAINAGE RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the residential buildings from being flooded in the event the storm drainage system becomes blocked or obstructed.
12. **SURFACE DRAINAGE:** Each residential lot shall be designed to drain toward the streets, alleys, common driveways, or common areas. The drainage paths for the privately owned lots shall be designed such that the drainage paths do not cross the common property lines unless an exception is approved by the Public Works Department due to unavoidable circumstances (such as to provide drainage to an existing Heritage tree).
13. **CONSISTENCY WITH OTHER APPROVALS:** This map shall be consistent with all requirements of the Planned Community Permit, Application No. 566-15-GPA. All conditions of approval imposed under that application shall remain in full force and effect and shall be met prior to approval of the parcel map.

14. **APPROVAL EXPIRATION:** If the map is not completed within twenty-four (24) months from the date of this approval, this map shall expire.

DRAFT