

CITY OF MOUNTAIN VIEW
RESOLUTION NO. 17963
SERIES 2015

A RESOLUTION CONDITIONALLY APPROVING A TENTATIVE SUBDIVISION
MAP TO CREATE NINE RESIDENTIAL CONDOMINIUM UNITS
ON A 0.25-ACRE LOT AT 231 HOPE STREET

WHEREAS, an application was received from Karim Allana and Peter Rocereto for a Tentative Subdivision Map to create nine residential condominium units on a 0.25-acre lot at 231 Hope Street (Application No. 332-14-TM); and

WHEREAS, on April 22, 2015 at a duly noticed public hearing, the Subdivision Committee considered this request and recommended the parcel map be approved subject to the attached conditions of approval; and

WHEREAS, on June 16, 2015, the City Council held a public hearing on said request and received and considered all evidence presented at said hearing, including the attached conditions of approval; and

WHEREAS, the City has determined that this project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15332 ("Infill Development Projects");

NOW, THEREFORE, BE IT RESOLVED, pursuant to Chapter 28 of the Mountain View City Code and the Subdivision Map Act, that the City Council of the City of Mountain View finds:

1. The proposed Planned Community Permit project is categorically exempt from CEQA pursuant to Section 15332 ("Infill Development Projects") because it is characterized as an infill development which is consistent with the applicable General Plan and zoning designation and regulations; is on a project site that is less than five acres; contains no value as habitat for endangered, rare, or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can adequately be served by all required utilities and public services.

2. That pursuant to Section 66473.5 and Subsections (a) and (b) of Section 66474 of the Government Code, and Section 28.8 of the Mountain View City Code, the City Council hereby finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan Land Use Designation of Downtown Mixed Use of the City, including all required elements therein applicable to said property. In addition, the Tentative Subdivision Map meets all the requirements for Tentative Maps as specified in Section 28.14-28.18 of the Mountain View City Code.

3. That the Tentative Subdivision Map for 231 Hope Street is hereby approved subject to the subdivider's compliance with all of those conditions of approval as required by the Subdivision Committee and attached hereto and incorporated herein by reference.

TIME FOR JUDICIAL REVIEW


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

The foregoing Resolution was regularly introduced and adopted at a Special Meeting of the City Council of the City of Mountain View, duly held on the 16th day of June 2015, by the following vote:


AYES: Councilmembers Clark, Inks, Kasperzak, Rosenberg, Siegel, Vice Mayor Showalter, and Mayor McAlister
NOES: None
ABSENT: None
NOT VOTING: None

ATTEST:

APPROVED:

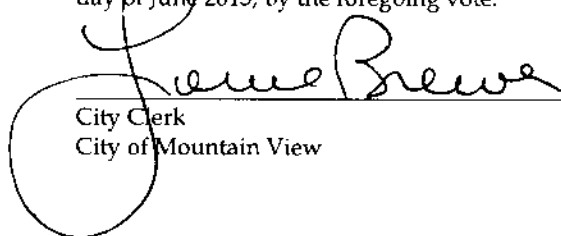


LORRIE BREWER, MMC
CITY CLERK



JOHN McALISTER
MAYOR

I do hereby certify that the foregoing resolution was passed and adopted by the City Council of the City of Mountain View at a Special Meeting held on the 16th day of June 2015, by the foregoing vote.



City Clerk
City of Mountain View

DP/7/RESO
807-06-16-15r-E

SUBDIVISION CONDITIONS
APPLICATION NO.: 332-14-TM
231 HOPE STREET

1. **MAP SUBMITTAL:** File a final 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 a current preliminary title report and signed survey calculations.
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 final map. Submit a copy of the report with the final 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.
4. **FINAL MAP APPROVAL:** The final map shall be signed and notarized by the owner and engineer/surveyor and submitted to the Public Works Department with an 8.5"x11" reduction of the map. In order to place the approval of the final map on the agenda for the City Council, all related materials and agreements must be completed, signed, and received by the Public Works Department 40 calendar days prior to the Council meeting. After City Council approval, 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 final map.
6. **SUBDIVISION FEES:** Pay all subdivision fees due, including Park Land Dedication Fee (approximately \$15,000 to \$30,000 per unit), in accordance with the rates in effect at the time of payment prior to the approval of the final map. No credits against the Park Land Dedication Fee will be allowed for the 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.
7. **WATER AND SEWER CAPACITY FEES:** This project may be subject to water and sewer capacity fees. These are new fees being 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, prior to approval of any parcel/tract map **approved on or after** July 1, 2015 or prior to issuance of any 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.

8. **UTILITY EASEMENT AND APPROVALS:** Dedicate utility easements as required by the utility companies and as approved by the Public Works Director. All street and public service easement dedications are to be shown on the final 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 service easement dedications must be approved by the utility companies prior to the approval of the final map.
9. **PUBLIC ACCESS EASEMENT (SIDEWALK):** Dedicate a public access easement for sidewalk improvements along Hope Street to the satisfaction of the Public Works Director.
10. **SHARED PARKING AND ACCESS AGREEMENT:** Owners shall sign and be a party to an agreement (or amendment of an existing agreement), subject to the City's approval and recorded to run with the land, which provides for easements, covenants, and conditions relating to applicable parking, vehicle access, pedestrian access, utility use, and other uses between the subject properties. The agreement, together with all attachments, must be submitted to and approved by the Community Development Department and City Attorney's Office prior to the approval of the final map.
11. **CC&Rs:** Covenants, Conditions, and Restrictions (CC&Rs) for the homeowners association, together with a completed CC&R checklist, shall be submitted to and approved by the City Attorney's Office and the Community Development Department prior to approval and recordation of the map. The said covenants shall include and stipulate all of the standard provisions which are shown on the attached sheet. The checklist and proposed CC&Rs shall be annotated to show exactly where each of the standard provisions have been incorporated into the CC&R document.
12. **CC&Rs, PARKING PROHIBITION:** Parking shall be prohibited within the common driveways, excluding approved guest parking, as the parking would obstruct the use of the driveway. These parking prohibitions shall be stated within the Covenants, Conditions, and Restrictions (CC&Rs). Submit a copy of the CC&Rs with this provision highlighted to the Public Works Department for review and approval. The common driveway shall be signed and/or striped as "No Parking" or "No Parking – Fire Lane."
13. **CC&Rs, GARBAGE PICKUP:** The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision stating that the homeowners are responsible for paying rollout fee as determined by Recology (if necessary) and bringing their garbage cans, totes, and recycling bins to the curb along the public street on garbage collection days. A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Public Works Department for review and approval.

14. **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, but are not limited to, new sidewalk, curbs, gutters, driveways, curb ramp, utility services and appurtenances, utility abandonments, streetlights and appurtenances, striping and signing, street trees, and half-street asphalt concrete overlay improvements.
 - 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 final 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 <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 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 final 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.
15. **PUBLIC IMPROVEMENT PLANS:** Prepare public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, and the conditions of approval of the subdivision. 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. Improvement 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 improvement 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 approval of the final map.
16. **INFRASTRUCTURE QUANTITIES:** Submit a completed construction cost estimate form indicating the quantities of the improvements with the submittal of the improvement plans. The construction cost estimate is used to estimate the cost of improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate is to be prepared by the civil engineer preparing the improvement plans and stamped and signed.
17. **UNDERGROUNDING OF OVERHEAD SERVICES:** All new and existing electric, telephone, and cable television services serving the subdivision are to be placed underground (including

transformers). The undergrounding of the new and existing electric, telephone, and cable television services are to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the subdivision.

18. **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 with and made part of the improvement plans. Dedicate public utility easements that are necessary for the common utility on the final map.
19. **UTILITY MAINTENANCE:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained.
20. **STORM DRAIN HOLD HARMLESS AGREEMENT:** Prior to the approval of the final map, sign a storm drain hold harmless agreement if there are any proposed on-site storm inlets with grates below the elevation of street curb to be connected to the City's storm drain system.
21. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** Prior to the approval of the final map, 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, the owner shall sign an agreement to hold the City harmless against sewer surcharges or blockages that result in on-site damage.
22. **RETAINING WALL:** Retaining walls shall have a maximum height of 18", unless an exception is granted by the Community Development and Public Works Departments. Retaining walls along the perimeter of the subdivision shall be maintained by the homeowners association. The maintenance of the retaining walls shall be included in the Covenants, Conditions, and Restrictions (CC&Rs). A private easement for the retaining walls shall be shown on the final map.
23. **SURFACE DRAINAGE RELEASE:** Provide a surface stormwater release for the lots that prevents the residential buildings from being flooded in the event the storm drainage system becomes blocked or obstructed.
24. **SUBDIVISION AND DESIGN CRITERIA PROVISIONS:** It is the applicant's responsibility to comply with relevant provisions of Chapter 28 of the City Code and with the City's Design Criteria for Common Green Developments and Townhouse-Type Condominiums.
25. **CONSISTENCY WITH OTHER APPROVALS:** This map shall be consistent with all requirements of the Planned Community Permit, Application No. 331-14-PCZA. All conditions of approval imposed under that application shall remain in full force and effect and shall be met prior to approval of the final map.
26. **APPROVAL EXPIRATION:** If the map is not completed within twenty-four (24) months from the date of this approval, this map shall expire.