

**CITY OF MOUNTAIN VIEW
FINDINGS REPORT/ZONING PERMIT**

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APPLICATION NO.:

PL-2024-088

DATE OF FINDINGS:

July 24, 2024

EXPIRATION OF ZONING PERMIT:

June 22, 2026

THIS DOCUMENT REPRESENTS THE ZONING PERMIT RECEIVED FOR THE SUBJECT SITE. THIS DOCUMENT DOES NOT WAIVE THE REQUIREMENT FOR SUBSEQUENT CITY APPROVALS AS APPLICABLE, INCLUDING, BUT NOT LIMITED TO, BUILDING PERMITS, EXCAVATION PERMITS, ETC.

Applicant's Name:

Zachary Trailer for MCZ Central LLC

Property Address:

Assessor's Parcel No(s).:

Zone:

730 Central Avenue

158-45-001

CRA

Request:

Request for a Permit Extension for PL-2021-007 for a Conditional Use Permit for a multi-family residential use; Development Review Permit for construction of a new four-story, 21-unit apartment building, replacing an existing commercial building, with a State Density Bonus with development waivers on a 0.24-acre project site.

APPROVED

CONDITIONALLY
APPROVED

DISAPPROVED

OTHER

FINDINGS OF APPROVAL:

The request for a two-year Permit Extension for a previously approved Conditional Use Permit for a multi-family residential use; Development Review Permit for construction of a new four-story, 21-unit apartment building, replacing an existing commercial building, with a State Density Bonus with development waivers on a 0.24-acre project site (Application No. PL-2021-007) is conditionally approved based upon the conditions of approval contained herein and upon the following findings:

- A. Per Section 36.56.65 of the Mountain View City Code, a permittee can request an extension of a valid permit by filing an application before the expiration date and, subsequently, the Zoning Administrator holding a duly noticed public hearing to determine whether the permittee has made a good-faith effort to comply with the conditions of the permit during the initial two-year period and obtain building permits. The extension is requested by the applicant to secure the necessary financing for construction. The primary reason for the request pertains to the current financial climate, which has significantly impacted the feasibility of obtaining necessary financing. The extension will provide the necessary time for economic conditions to potentially improve, thereby enhancing the likelihood of project completion. The two-year extension will allow time to obtain a building permit and begin construction.
- B. At a duly noticed hearing, the Zoning Administrator determined the permittee proceeded in good faith and has exercised due diligence in complying with the conditions in a timely manner;
- C. Any special structure of building modifications necessary to contain the proposed use would not impair the architectural integrity and character of the zoning district in which it is to be located because the project includes only minor modifications that address the original permit's design conditions of approval; and
- D. The approval of the Permit Extension of a Conditional Use Permit and Development Review Permit complies with the California Environmental Quality Act (CEQA) because an Initial Study/Mitigated Negative Declaration entitled "730 Central Avenue Residential Project," dated February 2022, was prepared by the City for the project in accordance with Sections 15063 and 15070 to 15075 of the California Environmental Quality Act (CEQA) Guidelines.

Owner

Agent

File

Fire

Public Works

This approval is granted for a two-year Permit Extension for a previously approved Conditional Use Permit and Development Review Permit to allow construction of a new four-story, 21-unit apartment building, replacing an existing commercial building, located on Assessor's Parcel No. 158-45-001. The conditions of approval from the original permit (Application No. PL-2021-007) still apply, with the added or modified conditions as listed below, and the permit expiration date shall be June 22, 2026.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Planning Division—650-903-6306 or planning.division@mountainview.gov

1. **EXPIRATION (Replaces Original Condition No. 1):** This permit is valid for a period of two years from the date of original approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period.
2. **PERMIT EXTENSION (Replaces Original Condition No. 2):** This permit extension incorporates and updates conditions of approval from prior permits, including, but not limited to, Permit No. PL-2021-007. For regulatory purposes, all previous permits and conditions of approval shall remain valid, except as may be modified by conditions of approval contained herein.

Building Division—650-903-6313 or building@mountainview.gov

Entitlement review by the Building Division is preliminary. Building and Fire plan check reviews are separate permit processes applied for once the zoning approval has been obtained and appeal period has concluded; a formal permit submittal to the Building Division is required. Plan check review shall determine the specific requirements and construction compliance in accordance with adopted local, state, and federal codes for all building and/or fire permits. For more information on submittal requirements and timelines, contact the Building Division online at www.mountainview.gov/building. It is a violation of the MVCC for any building occupancy or construction to commence without the proper building and/or fire permits and issued Certificate of Occupancy.

3. **BUILDING CODES (Replaces Original Condition No. 53):** Construction plans will need to meet the current codes adopted by the Building Division upon building permit submittal. Current codes are the 2022 California Codes: Building, Residential, Fire, Electrical, Mechanical, Plumbing, CALGreen, CALEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC).
4. **MVGBC CALGREEN (Replaces Condition No. 77):** The project shall comply with the updated Mountain View CALGreen checklist requirements available online at www.mountainview.gov/greenbuilding.
5. **DUAL PLUMBING (New Condition):** New buildings and facilities shall be dual-plumbed for potable and recycled water systems for toilet flushing when recycled water is available, per California Green Building Standards Code, Appendix A5, A5.303.5, and as amended in MVCC Section 8.30.4.
6. **SERVICE DISCONNECT (New Condition):** The service-disconnecting means shall have a rating of not less than 125 amperes, as amended in MVCC Section 8.51.D.
7. **RESPONSIBLE CONSTRUCTION (New Condition):** This project is subject to the City's Responsible Construction Ordinance. For projects covered by this Ordinance, owners, contractors, and/or qualifying subcontractors are required to acknowledge responsibilities and make specified certifications upon completion of a project. The required certifications include that: (a) employees are provided written wage statements and notice of employers' pay practices as required under State Law (or, alternatively, are covered by a valid collective bargaining agreement); and (b) they have no unpaid wage theft judgements. Acknowledgement forms are required to be submitted at building permit application, which is available online at www.mountainview.gov/building. More information is available at www.mountainview.gov/wagetheft.

NOTE: Decisions of the Zoning Administrator may be appealed to the City Council in compliance with Chapter 36 of the City Code. An appeal shall be filed in the City Clerk's Office within 10 calendar days following the date of mailing of the findings. Appeals shall be accompanied by a filing fee. No building permits may be issued or occupancy authorized during this appeal period.

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

AMBER BLIZINSKI, ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR

AB/MN/6/FDG
PL-2024-088

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