

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2016

A RESOLUTION CONDITIONALLY APPROVING A
PLANNED COMMUNITY PERMIT AND DEVELOPMENT REVIEW PERMIT
TO CONSTRUCT A FIVE-STORY, 104,750 SQUARE FOOT,
200-ROOM HOTEL WITH A FIVE-LEVEL PARKING STRUCTURE
TO REPLACE AN EXISTING 12,100 SQUARE FOOT COMMERCIAL BUILDING,
AND A HERITAGE TREE REMOVAL PERMIT TO REMOVE
TWO HERITAGE TREES, ON A 1.39-ACRE PROJECT SITE LOCATED AT
1625 NORTH SHORELINE BOULEVARD

WHEREAS, an application was received from Shashi Group, LLC, for a Planned Community Permit and Development Review Permit to construct a five-story, 104,750 square foot, 200-room hotel with a five-level parking structure to replace an existing 12,100 square foot commercial building, and a Heritage Tree Removal Permit to remove two Heritage trees, on a 1.39-acre project site located at 1625 North Shoreline Boulevard (Application No. 502-14-PCZA); and

WHEREAS, the Zoning Administrator held a public hearing on September 28, 2016, on said application and recommended that the City Council conditionally approve the Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit subject to the findings and conditions of approval in the Findings Report; and

WHEREAS, the City Council held a public hearing on November 1, 2016, on said applications and received and considered all evidence presented at said hearing, including the recommendation for approval from the Zoning Administrator and the City Council report;

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

1. The Development Review Permit for the construction of a five-story, 104,750 square foot, 200-room hotel with a five-level parking structure is conditionally approved based upon the conditions contained herein and upon the following findings pursuant to 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 proposed hotel project is consistent with the General Plan goals and policies of the North Bayshore Change Area and the North Bayshore Mixed-Use Land Use Designation. The project also complies with the standards and guidelines of the P-39 (North Bayshore Precise Plan) zoning with the following minor exceptions requested by the applicant:

i. The project's western driveway has a curb cut width of 24.5' where 22' is the maximum width of a curb cut for a two-way driveway per the standards in Section 3.11 of the North Bayshore Precise Plan. The applicant requests a wider curb cut to reduce the potential for queuing impacts near the reception drop-off area. Given the location and context of the proposed driveway, the removal of existing driveways on North Shoreline Boulevard, and the project design minimizing the number of driveways, the width of this driveway is not expected to have a negative impact on the streetscape or pedestrian environment;

ii. Section 3.2-6 of the North Bayshore Precise Plan specifies buildings shall be set back a minimum of 10' from a greenway. The applicant requests an exception from this standard to allow the proposed parking structure to be located directly adjacent to the edge of the greenway. Given the lot depth constraints resulting from a 64' required dedication at the front of the property and a 19' required public access easement at the rear of the property, the requested exception is warranted, and is not expected to have a negative impact provided screening landscaping is located in the greenway adjacent to the parking garage to soften the appearance of the garage wall. A condition of approval has been added requiring the applicant to plant screen trees in this location; and

iii. Section 3.7 of the North Bayshore Precise Plan requires rooftop mechanical equipment, solar collectors, and equipment screens to be set back at least 30' from the roof edge. The applicant requests an exception to allow photovoltaic panels on the parking garage sunshade with no setback from the edge of the structure, and to allow mechanical equipment and screens on the roof of the hotel with setbacks of fewer than 30' from roof edges. Given the reduced size and lot depth of this property resulting from required land dedications, the hotel building is narrow and linear in its orientation with a central courtyard open to the sky. It is infeasible to provide 30' setbacks from all roof edges for the necessary rooftop mechanical equipment. Roof equipment is appropriately located to minimize visibility and solar collectors are encouraged to shade parking. Based on the site constraints and proposed design, this requested exception can be granted;

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 because the design of the proposed hotel is consistent with the standards and guidelines of the North Bayshore Precise Plan. The

project uses contemporary architecture and high-quality materials which will complement the design of surrounding office and retail developments;

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 a required land dedication along North Shoreline Boulevard to accommodate roadway improvements, providing a required access easement at the rear of the site to allow development of a new public greenway, providing a five-level parking structure on the site which will accommodate the necessary parking for the hotel use, locating the parking garage and driveways near the rear of the site to minimize traffic and vehicle conflicts, and providing new sidewalks and frontage landscaping consistent with the guidelines in the North Bayshore Precise Plan;

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 a variety of new trees and plants in conformance with the City's Water Conservation in Landscaping Regulations and the North Bayshore Plant Palette, including new landscaping and street trees along Space Park Way, and providing attractive temporary landscaping in the future right-of-way area along North Shoreline Boulevard until the dedication is accepted and the roadway is widened;

e. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing adequate on-site parking in a well-designed structure with attention to efficient circulation for both pedestrians and vehicles, locating the parking structure and driveways at the rear of the site to minimize traffic and vehicle conflicts, and providing additional pedestrian access points throughout the project site, including pedestrian connections to the new public greenway; and

f. The approval of the Development Review Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found that with implementation of the North Bayshore Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and mitigation measures identified in the *North Bayshore Precise Plan EIR* and the *2030 General Plan and Greenhouse Gas Reduction Program EIR*, the proposed addition of a 200-room hotel would not result in any new environmental impacts beyond those evaluated in these EIRs.

2. The Planned Community Permit for the construction of a five-story, 104,750 square foot, 200-room hotel with a five-level parking structure is conditionally approved based upon the conditions contained herein and upon the following findings pursuant to Section 36.50.55 of the City Code:

a. The proposed use or development is consistent with the provisions of the P-39 (North Bayshore) Precise Plan, with several minor requested exceptions. The proposal clearly demonstrates superior site and building design and compatibility with surrounding uses and developments by providing appropriate building setbacks from North Shoreline Boulevard, Space Park Way, and adjacent properties; using high-quality architecture which responds to the project site and surroundings; providing a highly sustainable design meeting the intent of the LEED® BD+C Gold green building standard; implementing wildlife-friendly design strategies; providing all vehicle parking within an attractive and well-located parking structure; and providing a business-class hotel use which will serve surrounding businesses in the Precise Plan area;

b. The proposed use or development is consistent with the General Plan land use designation of North Bayshore Mixed Use, which allows hotel uses up to a maximum of 1.85 FAR in the Core Character Area for highly sustainable developments which provide innovative site, architectural, and landscape designs; transportation and demand management strategies; and public benefits or district improvement benefits to support the City's goals of fostering an innovative high-technology employment center while reducing vehicle trips and preserving the ecology of the North Bayshore Area. The project for a 200-room hotel with approximately 1.72 FAR provides a LEED® Gold-designed building with high-quality architectural design and materials; water-efficient native landscaping throughout the site; the use of recycled water inside the building and for the irrigation of landscaping; a Transportation Demand Management Program to reduce peak-hour vehicle trips to the site; and public benefits, including funding for off-site improvements within the North Bayshore Area;

c. The proposed uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare because the site layout, building design, and hotel use are compatible with the surrounding environment of office developments and other commercial uses;

d. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area by providing a business-class hotel use which is compatible with and will provide services to surrounding office uses; design features such as locating buildings near streets, locating parking at the rear of the site, and creating attractive pedestrian environments along active frontages; and appropriate landscaping for the environmentally sensitive North Bayshore Area; and

e. The approval of the Planned Community Permit for the proposed project complies with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found, with implementation of the North Bayshore Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and mitigation measures identified in the *North Bayshore Precise Plan EIR* and the *2030 General Plan and Greenhouse Gas Reduction Program EIR*, the proposed addition of a 200-room hotel would not result in any new environmental impacts beyond those evaluated in these EIRs.

3. The Heritage Tree Removal Permit to remove two Heritage trees is conditionally approved based on the conditions contained herein and the following findings made pursuant to Section 32.35 of the City Code:

a. It is appropriate and necessary to remove the trees due to the condition of the trees with respect to age of the trees relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services. The close proximity of the new five-story hotel building to both trees would necessitate severe canopy and root pruning and would cause rapid decline and/or tree instability;

b. It is appropriate and necessary to remove the trees in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties because removal of these trees will allow construction of the hotel project within the allowable development standards for the site and the removed trees will be replaced with approximately 21 new trees, including new street trees along the project's Space Park Way frontage;

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

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;

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;

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;

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; and

h. The approval of the Heritage Tree Removal Permit for the removal of two Heritage trees complies with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found, with implementation of the North Bayshore Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and mitigation measures identified in the *North Bayshore Precise Plan EIR* and the *2030 General Plan and Greenhouse Gas Reduction Program EIR*, the proposed addition of a 200-room hotel, including removal of two Heritage trees, would not result in any new environmental impacts beyond those evaluated in these EIRs.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Mountain View that the Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit for said project are hereby granted subject to the developer's fulfillment of all the conditions which are attached hereto and incorporated herein by reference.

MH/2/RESO
802-11-01-16R-E

Exhibit: A. Conditions of Approval

CONDITIONS OF APPROVAL
APPLICATION NO.: 502-14-PCZA
1625 North Shoreline Boulevard

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, Chief Building Official, 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 practices for the items under review. 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 noted herein.

This approval is granted to construct a five-story, 104,750 square foot, 200-room hotel with a five-level parking structure and remove two Heritage trees located on Assessor Parcel No. 116-14-062. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein:

- a. Project drawings prepared by Gensler Architects for Shashi Group, LLC, dated September 15, 2016 and consisting of 42 sheets.
- b. Color and materials board prepared by Gensler Architects for Shashi Group, LLC, dated July 2, 2015, and kept on file in the Planning Division of the Community Development Department.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Community Development Department – 650-903-6306

- 1. **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 unless an extension is granted by the Zoning Administrator.
- 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. **TENANT IMPROVEMENTS:** Details of interior tenant improvements and any proposed outdoor dining areas are to be shown on building permit drawings and shall be reviewed for consistency with the operational characteristics of the proposed use and approved by the Zoning Administrator prior to permit issuance.
- 4. **LIVE ENTERTAINMENT:** Live entertainment is not permitted on the site without approval of a separate Provisional Use Permit and Live Entertainment Permit. For one-time special events which are not part of a regular program of entertainment, the applicant may apply for a Temporary Use Permit, subject to Zoning Administrator and Police Chief approvals, no less than 30 days prior to the special event(s).
- 5. **PUBLIC BENEFIT PACKAGE:** In compliance with the Bonus FAR provisions of the North Bayshore Precise Plan, the applicant is required to provide public benefits in exchange for additional development intensity. The applicant has proposed to provide a public benefit program, including the following benefits: (1) a financial contribution in the amount of \$315,000 to be used by the City for public improvements or projects in the North

Bayshore Area; and (2) complimentary use of the hotel's meeting and event space up to twice per month for nonprofit or governmental organizations. Final details of the public benefit package must be reviewed and approved during building permit review and financial contributions paid prior to issuance of building permits.

PLANS AND SUBMITTAL REQUIREMENTS

6. **ARCHITECTURAL PLAN MODIFICATIONS:** Per the recommendation of the Development Review Committee (DRC), the following modifications to the architectural plans shall be made prior to issuance of a building permit and shall be shown on the building permit drawings. These modifications are subject to review and approval by the Zoning Administrator to determine compliance with the DRC's recommendation and appropriateness of the proposed designs:
 - a. Provide additional plan details depicting the design of the interior partition wall separating the two glass-walled corner units on each level of the hotel's guest floors. Details shall be developed to provide an attractive interface between the end of the partition wall and the exterior glass wall, including a possible offset with mullion, with attention to the resulting acoustical impacts between guest rooms.
 - b. Provide additional plan details depicting the design of the shadow box elements located at the top of the glass corner feature, including a depiction of how these elements terminate at corners.
 - c. Provide additional plan details depicting the dimensions and color scheme for the architectural reveals proposed between cement plaster panel areas on the south facade.
 - d. Provide additional plan details depicting the design of interior window coverings for guest rooms in the glass corner feature area, with attention to selecting a covering with a structured, architectural quality such as fixed vertical blinds which rotate rather than swing.
 - e. Roof screening shall be clad in painted corrugated metal materials complementing the design of the parking garage.
 - f. Continue working with Planning staff through the building permit process and field mock-up to determine final building colors, including the stair accent color.
 - g. Continue working with Planning staff to determine appropriate design for the entry signage canopy along Space Park Way as signage plans are further developed.
7. **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; (d) lot area (in square feet); and (e) total number of parking spaces.
8. **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.
9. **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.

10. **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.
11. **COLOR SCHEME:** The proposed color scheme shall be shown on the elevations of the building permit plan submittal and shall be subject to review and approval by the Zoning Administrator prior to issuance of building permits.

SITE DEVELOPMENT AND BUILDING DESIGN

12. **PUBLICLY ACCESSIBLE OPEN SPACE/FACILITIES:** This project includes privately owned open space, improvements, and/or other facilities located along public rights-of-way, including pedestrian sidewalks, walkways, plazas, and bicycle improvements, which shall be publicly accessible. The applicant shall have the right to establish and enforce reasonable rules and regulations for the use of the open space, but shall not restrict access with fencing or other design/operational barriers.
13. **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.
14. **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.
15. **WINDOWS:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified in the building permit drawings for review and approval by the Zoning Administrator prior to the issuance of building permits.
16. **RECESSED WINDOWS:** All guest room windows within the vertical "frame" areas shall be recessed from the face of the building up to 5".
17. **GROUND-FLOOR TRANSPARENCY:** Storefronts (including windows) must maintain a minimum 75 percent transparency along the ground floor of the building(s) at all times. No window tinting/treatment, permanent/affixed furniture, or sunshades which permanently block the windows/storefronts are permitted. Sunshades which maximize transparency while providing UV light screening for building occupants may be permitted, subject to review and approval by the Zoning Administrator.
18. **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.
19. **PAINT SAMPLES:** The applicant shall paint a portion of the building with the proposed color scheme for inspection. Proposed primary and secondary (accent) paint colors should be painted next to each other on the building, to the extent feasible, for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
20. **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.

21. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval.
22. **TRASH ENCLOSURE:** Details of an opaque screen trash enclosure are to be shown on building permit drawings and be approved by the Zoning Administrator prior to permit issuance. The trash enclosure should match the architectural design, color, and materials of the primary structure.
23. **TRASH ENCLOSURE:** The trash enclosure shall be equipped with hot water, a drain inlet to the sanitary sewer system, and a locking device.
24. **TRASH ENCLOSURE AND COLLECTION VEHICLE PADS:** An enclosure constructed to store trash/recycling/compost bins shall have a concrete pad or foundation the same width as the enclosure and extending a minimum 10' beyond the enclosure access door(s). The driveway area to be used for trash collection vehicle staging shall be designed to accommodate the weight of a 60,000-pound collection vehicle.
25. **NORTH BAYSHORE WASTE HANDLING:** Appropriate handling of food waste is required in the North Bayshore Area to preserve the health and safety of important wildlife, while reducing nuisance wildlife such as gulls, crows, ravens, jays, skunks, and raccoons. Thus, all properties with food service and/or food waste, in small or large quantities, must incorporate the following waste mitigation measures into their respective building and trash/recycling design:
 - All waste shall be collected into a central corral area, where separate garbage, recycling, and composting bins will be kept. A separate tallow container, used for collection of cooking oil and grease to be recycled or disposed of, shall be provided as well. Any bins used for cooking oil/grease, composting, and food waste shall include lids that seal tightly to prevent access by animals and incorporate a mechanism to prevent them from being inadvertently left open when not in active use. This waste bin corral shall be cleaned regularly.
 - Indoor washing facilities for waste cans, mats, and mops shall be provided, thus avoiding the potential for bits of food waste to be deposited outdoors (where nuisance species can access them) as these items are cleaned.
 - Outdoor trash and recycling receptacles (e.g., in any outdoor eating or gathering areas) shall be routinely emptied throughout the day and during evening cleaning by the janitorial service, thus ensuring that cans do not fill up and allow food waste to spill out.
 - Signs shall be placed on dumpsters reminding users to close the lids so that they will not be inadvertently left open.
26. **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.
27. **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'.
28. **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 issuance.

29. **BICYCLE PARKING:** A minimum of 21 long-term, secured bicycle storage spaces shall be provided and permanently maintained within a bicycle storage room in the parking garage, or equivalent facility as approved by the Zoning Administrator, for use by all tenants and employees of the project site. In addition, a minimum of 21 short-term bicycle storage spaces shall be maintained on bike racks conveniently located near building entrances (i.e., within constant visual range) unless an alternate location is approved by the Zoning Administrator upon finding they create a public hazard or locating them near entrances is otherwise infeasible. Racks shall be an “inverted U” or equivalent as approved by the Zoning Administrator, and must secure the frame and both wheels.
30. **BIRD-SAFE DESIGN:** The following features shall be included in the project design to reduce bird strikes and shall be included on the building permit plans:
 - a. Windows and glass walls on the hotel building within 60’ of the ground shall be treated with a bird-friendly glazing treatment, such as a frit pattern, such that no more than 10 percent of the surface area of facades is composed of untreated glazing.
 - b. Occupancy sensors or other switch-control devices shall be installed on nonemergency lights. The lights shall be programmed to shut off between 10:00 p.m. and sunrise.
 - c. Glass corners of the building shall be treated with a bird-friendly design treatment to make them visible to birds.
 - c. A bird strike monitoring plan shall be developed and maintained for the life of the project to monitor postconstruction bird strikes and evaluate whether additional bird-safe design measures are needed to reduce the frequency of bird strikes.

GREEN BUILDING AND SUSTAINABILITY MEASURES

31. **GREEN BUILDING—NONRESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of LEED® Gold certified. All mandatory prerequisite points and minimum point totals per category to attain the required 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 the U.S. Green Building Council (USGBC) 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.
32. **ENERGY MONITORING:** To support energy management and identify opportunities for energy savings, the project shall provide submeters or equivalent combinations of sensors to record energy use data (electricity, natural gas, etc.) for each major energy system in the building.
33. **RECYCLED WATER CONNECTION:** The project shall install the necessary infrastructure to connect landscaping plumbing to the recycled water system.
34. **CONSTRUCTION WASTE REDUCTION:** The project shall recycle or salvage a minimum of 65 percent of nonhazardous construction and demolition debris generated at the site.
35. **WASTE CONTAINERS:** Separate containers for recyclables, compostables, and waste shall be placed in all common areas, including all gathering areas, such as cafeterias and break rooms.
36. **OUTDOOR LIGHTING:** Outdoor luminaires shall be energy-efficient fixtures controlled by motion sensors and incorporate cut-off controls and outdoor lighting controls.

LANDSCAPING

37. **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 and the North Bayshore Plant Palette. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
38. **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 and final inspection(s), subject to final approval by the Zoning Administrator.
39. **NEW STREET TREES:** 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, and provide a duplicate copy to the Building Inspection Division with building permit submittal.
40. **STREET TREE SPECIES:** The species for all proposed new street trees shall be selected in consultation with the Parks Division of the Community Services Department. Along Space Park Way, the proposed street tree species shall be changed from chitalpa to an alternate species listed on the North Bayshore Plant Palette, to be reviewed and approved by the Parks Division.
41. **STREET MEDIAN TREE:** Relocate the water point-of-connection under North Shoreline Boulevard if possible to preserve the non-Heritage liquidambar street tree located in the center median. If it is not possible to relocate the point-of-connection to save the tree, coordinate with the Parks Division to select and plant an appropriate replacement tree.
42. **ARBORIST REPORT:** A qualified arborist shall provide written instructions for the care of all preserved trees before, during, and after construction. Arborist's reports shall be received by the Planning Division and must be approved prior to issuance of building permits. Prior to occupancy, the arborist shall certify in writing that all tree preservation measures have been implemented.
43. **SCREEN TREES:** The applicant shall revise the landscape plan to incorporate trees at the edge of the new public greenway area along the east side of the parking garage. The trees are necessary to soften the appearance of the ground-floor parking garage wall and provide an attractive landscaped environment along the greenway.
44. **LANDSCAPE SCREENING:** All 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. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.
45. **ADDITIONAL PLANTINGS:** Coordinate with Planning staff to add plantings along the building wall facing Space Park Way. Plantings shall be located in front of nonglazing wall areas in low pots or planters compatible with the building architecture.
46. **MODIFICATIONS TO INTERIM RIGHT-OF-WAY IMPROVEMENT PLAN:** The applicant shall revise the plans for interim landscaping and outdoor furnishings in the 64' dedication area along North Shoreline Boulevard to be consistent with the character of a passive open space area which cannot be used for outdoor dining. The revised design shall be subject to review and approval by the City prior to installation.

HERITAGE TREES

47. **IMPLEMENTATION:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit is secured and the project is pursued.
48. **REPLACEMENT:** The applicant shall offset the loss of each Heritage tree with two replacement trees, for a total of four replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage replacement trees.
49. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Ray Morneau and dated August 29, 2016, 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

50. **SIGNAGE:** No signs are approved as part of this application. A Sign Permit application shall be submitted in compliance with Chapter 36 of the City Code and shall include all signage proposed for the project site.

NOISE

51. **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.
52. **NOISE GENERATION:** All noise-generating activities (i.e., entertainment or amplified sound) are limited to interior areas only, and the heating, ventilation, and air conditioning system shall be maintained to ensure that all windows and doors can remain closed when the restaurant is in operation.
53. **INTERIOR NOISE LEVELS (COMMERCIAL):** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A)_{L_{dn}} for all commercial tenant space.
54. **CONSTRUCTION NOISE PLAN:** Implement a construction noise control plan, including, but not limited to, the following controls:
 - Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
 - Unnecessary idling of internal combustion engines should be strictly prohibited.
 - Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used. Any enclosure openings or venting shall face away from sensitive receptors.
 - Utilize "quiet" air compressors and other stationary noise sources where technology exists.
 - Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project

construction.

- Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
- Control noise from construction workers' radios to a point where they are not audible at existing residences near the project site.
- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with nearby residential land uses so that construction activities can be scheduled to minimize noise disturbance.

55. **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.

56. **SITE-SPECIFIC BUILDING ACOUSTICAL ANALYSIS:** A qualified acoustical consultant will review final site plans, 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 by the California Building Code to confirm that the design results in interior noise levels reduced to 45 dB(A) L_{dn} or lower. The specific determination of what noise insulation treatments are necessary will be completed on a unit-by-unit basis. 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 prior to issuance of a building permit. Building sound insulation requirements will include the provision of forced-air mechanical ventilation for all residential units as recommended by the qualified acoustical consultant, so that windows can be kept closed at the occupant's discretion to control noise.

Special building techniques (e.g., sound-rated windows and building facade treatments) will be implemented as recommended by the qualified acoustical consultant, to maintain interior noise levels at or below acceptable levels. These treatments will include, but are not limited to, sound-rated windows and doors, sound-rated wall construction, acoustical caulking, protected ventilation openings, etc.

CONSTRUCTION PRACTICES AND NOTICING

57. **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.

58. **CONSTRUCTION PARKING MANAGEMENT PLAN:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.

59. **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.

60. **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. The sign must also list an emergency after-hours contact number for emergency personnel.
61. **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.
62. **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.
63. **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.
64. **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.

65. **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.
66. **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.
67. **CITY ARBORIST INSPECTION:** Any cutting, demolition, or excavation in the roadway along North Shoreline Boulevard, including sawcuts for new utilities, shall be supervised by a Parks Division arborist or inspector to ensure there is no damage to existing City irrigation mainlines, laterals, valve wires, or other similar facilities. The developer shall be responsible for repairing any damage promptly to City standards. Excavated areas within the roadway shall not be reburied until the Parks Division has confirmed all facilities remain intact or satisfactory repairs have been completed.
68. **RECYCLED WATER IN CONSTRUCTION:** Recycled water shall be used during construction for activities such as road and pad construction and dust control, subject to City approval.

TECHNICAL REPORTS

69. **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.
70. **SOIL AND GROUNDWATER MANAGEMENT PLAN:** Prepare a soil and groundwater management plan for review and approval by the appropriate oversight agency (Santa Clara County Department of Environmental Health, Regional Water Quality Control Board, and/or United States Environmental Protection Agency). Proof of approval or actions for site work required by the oversight agency must be provided to the Building Inspection Division prior to the issuance of any demolition or building permits.

71. **SITE INVESTIGATION AND REMEDIATION:** Prior to site redevelopment, investigations shall be conducted to further assess the potential presence and extent of residual chlorinated volatile organic compounds (CVOCs) and other contaminants of concern. All testing shall be completed in conformance with an approved Work Plan to the satisfaction of the Regional Water Quality Control Board (RWQCB). Documentation of completion of the Work Plan and any required remediation shall be provided to the City of Mountain View prior to issuance of demolition permits and building permits.
72. **POSTDEMOLITION SOIL SURVEYS:** A postdemolition soil survey shall be required following site clearing. The survey shall include a closely gridded shallow hand auger and photoionization detector (PID) screening under the demolished building footprint. The screening results shall be provided to the RWQCB. Soil in any area of elevated soil contamination exceeding the RWQCB's environmental screening level (ESL) for groundwater protection shall be removed and disposed of at an appropriate waste facility. Documentation of completion of soil surveys and any required remediation shall be provided to the City of Mountain View and the RWQCB prior to issuance of building permits.
73. **VAPOR MITIGATION AND VAPOR INTRUSION MITIGATION SYSTEM:** Testing and demonstration of acceptable TCE levels via a soil gas investigation or installation of a vapor intrusion mitigation system (VIMS) under the proposed occupied building shall be completed to the satisfaction of the RWQCB. If soil gas tests exceed the conservative Federal screening levels, the RWQCB, in conjunction with the U.S. Environmental Protection Agency (US EPA), would require the installation of a VIMS, which would passively or actively remove vapor contaminants from below the occupied building. The VIMS may include a vapor intrusion barrier (e.g., gas-impermeable membranes under the building and utility trench vapor cut-off barriers) to effectively eliminate vapor intrusions into the proposed structure. A VIMS may not be needed for the separate parking garage as an open-air and nonoccupied structure. A geotextile fabric shall be installed to protect the VIMS if required by the RWQCB.

VIMS plans and requirements for long-term operation and maintenance shall be approved by the RWQCB and/or US EPA. If a VIMS is required it shall be shown in building permit drawings submitted for review by the City. RWQCB review and approval of the VIMS shall be completed prior to building permit issuance by the City.

- **Postconstruction Certification.** If a VIMS is required, a State licensed Professional Engineer (PE) shall provide a written certification with a wet stamp and signature that the installation of the VIMS systems were inspected and installed correctly. The certification shall be furnished to the RWQCB and the Mountain View Community Development Department.
- **Postconstruction Testing.** Following construction, the property owner shall perform indoor air testing by a State-licensed environmental professional for submittal to the RWQCB in conjunction with the US EPA.
- Identification of requirements for the VIMS included here shall not limit or preclude any additional or alternative requirements of the Regional Water Quality Control Board or US EPA related to soil vapor controls or other on-site contamination.

74. **HEALTH AND SAFETY PLAN:** A Health and Safety Plan (HSP) will also be prepared to provide the protocols for site-specific training, personal protective equipment, VOC monitoring, decontamination measures, etc. The general contractor will be required to incorporate the provisions of the HSP into their site health and safety program. The HSP will outline proper soil handling procedures and health and safety requirements to minimize worker and public exposure to hazardous materials during construction. Each contractor working at the site shall prepare a health and safety plan that addresses the safety and health hazards of each phase of site operations that includes the requirements and procedures for employee protection. Employees conducting earthwork activities at the site must complete a 40-hour training course, including respirator and personal protective equipment training. Upon construction completion, an environmental regulatory closure report should be prepared demonstrating that the soil and groundwater were handled according to the requirements of Soil and Groundwater Management Plan.

LEGAL AGREEMENTS AND FEES

75. **HOUSING IMPACT FEE FOR PROJECTS:** Prior to the issuance of the first building permit, applicant shall pay a Housing Impact Fee based on the net new floor area and the fees in effect at the time of building permit issuance. The estimated amount to be paid to the City is \$219,611.
76. **COMMUNITY BENEFIT:** The applicant has offered a \$315,000 public benefit contribution as part of the Bonus FAR authorization process. This contribution shall be paid to the City prior to the issuance of building permits.
77. **PRECISE PLAN REIMBURSEMENT FEE:** The applicant shall pay the City \$0.42 per net new square foot of building area prior to the issuance of building permits to reimburse the City on a proportional basis for preparation of the 2014 North Bayshore Precise Plan and associated environmental documents. The estimated amount to be paid to the City shall be \$38,913.
78. **NORTH BAYSHORE DEVELOPMENT IMPACT FEE:** The applicant shall pay the City a development impact fee per net new square foot of building area by land use for planned public improvements within the North Bayshore Precise Plan area prior to the issuance of the first building permit. This fee is based on the North Bayshore Nexus Study approved by the City Council on February 23, 2016. The estimated amount to be paid to the City is \$1,327,200.
79. **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, Development Review Permit, or Heritage Tree Removal 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 PROGRAMS AND OFF-SITE IMPROVEMENTS

80. **TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:** The property owner is required to maintain a TDM program for the life of the project which will reduce peak-hour vehicle trips to the site and ensure the project does not exceed its trip cap of 188 inbound vehicle trips during the morning peak period of 7:00 a.m. to 10:00 a.m. The TDM program measures shall be formally accepted by the property owner prior to building permit issuance through a legal agreement or recorded document, as determined by the City Attorney, with contents to the satisfaction of the Zoning Administrator. The specific TDM measures to be used in the program can be any combination of measures which achieve the required trip reduction, but shall at a minimum include the following mandatory measures:
 - a. Join and maintain ongoing membership in the Mountain View Transportation Management Association (MVTMA) for the life of the project.
 - b. Provide an on-site employee transportation coordinator to implement and manage the TDM program and to serve as a liaison between the employer/property owner and the TMA.
 - c. Develop and distribute marketing and information materials to inform employees and guests about the TDM program and encourage their participation.
 - d. Provide a flexible work schedule program to allow employees to travel outside peak periods.
 - e. Provide a Guaranteed Ride Home program to encourage use of alternative transportation.
 - f. Provide shuttle services to connect employees and guests to existing transit.

- g. Provide bicycle parking along with showers and locker facilities to encourage bicycling.
 - h. Implement a bike sharing program on the site for use by employees or guests.
 - i. Locate priority parking for carpools and vanpools.
 - j. Provide rideshare matching services to encourage carpooling by employees.
81. **TRANSPORTATION DEMAND MANAGEMENT (TDM) MONITORING:** The property owner, or tenant, shall prepare an annual TDM report and submit it to the City to document the effectiveness of the TDM program in meeting the required trip cap of 188 inbound vehicle trips generated by the project during the morning peak period of 7:00 a.m. to 10:00 a.m. The TDM report shall be prepared by an independent consultant and paid for by the property owner or tenant; the consultant shall work with the property's TDM coordinator. The TDM report will include a determination of historical employee commute methods, which shall be informed by surveying all employees working on the project site and through driveway traffic counts. All nonresponses to the employee commute survey will be counted as a drive-alone trip. The driveway traffic counts shall be prepared and provided by an independent, licensed consultant and paid for by the property owner or tenant. The driveway counts and resulting data shall be included in the TDM report provided to the City.
- a. **TDM Reporting:** The initial TDM report for the project will be submitted one year after the granting of the Certificate of Occupancy for the building. Subsequent reports shall be submitted to the City annually thereafter.
 - b. **Report Requirements:** The TDM report shall provide the data collected by the consultant and shall state whether the project has resulted in more than 188 inbound vehicle trips during the morning peak period of 7:00 a.m. to 10:00 a.m. If the TDM report states the project has not met the trip cap requirement, the report shall provide an explanation of how and why the goal has not been reached and a description of additional measures that will be implemented by the property owner and/or tenants in order to attain the goal.
 - c. **Penalty for Noncompliance:** If, after an initial TDM report shows noncompliance, the second annual report indicates that, in spite of the changes in the TDM program, the vehicle trip cap is still not being met, or if the applicant fails to submit such a TDM report at the times described above, the City may assess the property owner a penalty in the maximum amount of \$100,000 for the first 10 trips (or portion thereof) over the vehicle trip cap and an additional \$50,000 for each additional 10 trips thereafter ("TDM Penalty").

In determining whether the TDM Penalty is appropriate, the City may consider whether the property owner has made a good-faith effort to meet the TDM goals and may allow the property owner a six-month "grace period" to implement additional TDM measures to meet the vehicle trip cap. If the project does not achieve the necessary reductions to meet the trip cap after the six-month grace period, the City may require the property owner or tenant to pay a TDM Penalty as shown in the sample table below. Any expenses that are put towards the goal of meeting the trip cap can be offset against the TDM Penalty. TDM Penalties shall be paid to the MVTMA and used to promote alternatives to single-occupancy vehicle use in the City.

Inbound A.M. Peak Period Trips	Penalty Amount
188 or fewer	-0-
189-198	\$100,000
199-208	\$150,000
209-218	\$200,000
219-228	\$250,000
229-238	\$300,000
239-248	\$350,000
249-258	\$400,000
259-268	\$450,000
269-278	\$500,000

82. **TMA MEMBERSHIP:** The property owner or building occupants shall maintain ongoing membership in the Mountain View Transportation Management Association (MVTMA) for the life of the project.

Public Works Department – 650-903-6311

RIGHTS-OF-WAY

83. **STREET DEDICATION:** As part of the North Bayshore Precise Plan and Shoreline Corridor Improvement Conceptual Plan, dedicate a public street in fee/easement as required by the Public Works Director, to widen North Shoreline Boulevard to accommodate a 104' North Shoreline Boulevard right-of-way along the project frontage.
84. **STREET CORNER DEDICATION:** Dedicate a 30' radius public street corner curb return in fee/easement as required by the Public Works Director, at the southeast corner of the North Shoreline Boulevard and Space Park Way intersection.
85. **PUBLIC ACCESS DEDICATION AREA:** Dedicate a public access area at the eastern edge of the property for sidewalk improvements to meet the North Bayshore Precise Plan requirements to the satisfaction of the City. The applicant shall enter into a covenant with the City which specifies the sidewalk shall be kept clear of trees, shrubs, and structures and that the property owner shall maintain the pedestrian sidewalk improvements and landscape improvements over this area. The City shall retain the rights to install revised public improvements in this area in the future; however, the applicant will continue to be responsible for maintenance.
86. **PLAT AND LEGAL DESCRIPTION:** For the proposed dedication(s), per the City's Legal Description and Plat Requirements, submit an 8.5"x11" plat (drawing), legal description stamped by a registered civil engineer or land surveyor, and a copy of the current preliminary title report or property deed of the owner's property. These items are not required for easements dedicated on a final or parcel map.

FEEES

87. **WATER AND SEWER CAPACITY CHARGES:** Prior to issuance of any building permits, the applicant shall pay the water and sewer capacity fees for the development. 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 existing site use(s) and meter size(s) as applicable.

88. **STORM DRAINAGE FEE:** Pay the off-site storm drainage fee per Section 28.51(b) and with the rates in effect at time of payment.

STREET IMPROVEMENTS

89. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the project and as required by Chapters 27 and 28 of the Mountain View City Code. These improvements include, but are not limited to, new curbs, gutters, sidewalk, and driveways along North Shoreline Boulevard and Space Park Way; street trees; utility services and appurtenances; half-street overlay improvements on Space Park Way and North Shoreline Boulevard; striping and markings; and greenway improvements along the eastern portion of the property.
- 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 building permit. 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: 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 deposits 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 building permit. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.
90. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site improvement plans in accordance with the City's Standard Design Criteria, Submittal Checklist, Plan Review Checklist, and the conditions of approval of the project. 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 but not limited to 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 (10 sets), Improvement Plan Checklist, and items noted within the checklist 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 building permit. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.
91. **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.

92. **ENCROACHMENT RESTRICTIONS:** Private steps, fences, pavers, colored concrete, textured concrete, and retaining walls shall not encroach into the public right-of-way.

Within the required dedication on North Shoreline Boulevard along the project frontage to accommodate the design of these future improvements, the Public Works Department will evaluate the type of nonstandard items to be allowed in this area, such as bike racks.

For any nonstandard items approved by the City in the City's right-of-way as part of the final design of the development, the applicant shall enter into an encroachment agreement with the City for the installation, maintenance, and potential future removal of these improvements.

93. **CORNER SIGHT TRIANGLE:** No sign over 3' in height shall be located within a vehicle sight triangle formed by measuring 35' along the front and side property lines.

UTILITIES

94. **WATER AND SEWER SERVICE:** Each dwelling, townhouse, apartment house, restaurant, or place of business shall have its own water meter and sanitary sewer lateral in accordance with City Code Section 35.38.

95. **SEPARATE FIRE SERVICE:** Domestic water and fire services shall have separate lines connected to the City's water main, except when supplying NFPA 13D fire sprinkler systems 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.

96. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required. The existing water service may be adequate to serve multiple meters, depending on size, and would require advance approval from the Public Works Director.

97. **WATER METER BANK:** The water meters shall be arranged in a bank of meters adjacent to the public sidewalk in the landscaped areas only. The bank of meters shall not be located in driveway approaches, concrete sidewalk areas, or next to the main driveway entrance so as not to impact the aesthetics of the entrance.

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. **EXCAVATION PERMIT:** Prior to the issuance of the building permit, submit a complete Excavation Permit Application to the Public Works Department for all applicable work within the public right-of-way. Permit applications are available from the Public Works Department. All work within City right-of-way must be consolidated on the site or utility plans. Plans of the work, traffic control plans for work within the public roadway, insurance certificate and endorsement, and permit fees are required with the Excavation Permit Application.

100. **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 shall be abandoned, and existing face-of-curb drains that are not reused shall be removed.

101. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing 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. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets or basements.
102. **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. (Aboveground transformers shall be located so they are screened or not visible from the street or to the general public as approved by the Community Development and Public Works Departments.)
103. **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 by separate instrument.
104. **UTILITY EASEMENT:** Provide evidence of approval by PG&E for encroachments in the existing utility easement along Space Park Way. If encroachments cannot be approved and site or building modifications are necessary, any design modifications shall be subject to review and approval by the City prior to issuance of building permits. Minor modifications 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.

RECYCLED WATER

105. **RECYCLED WATER USE REQUIREMENT:** This site is within or planned to be within the City's recycled water service area. Recycled water use is required per the Municipal Code for all irrigation within the City's recycled water service area.
106. **RECYCLED WATER USE PERMIT:** Submit a Recycled Water Use Permit Application.
107. **RECYCLED WATER PLANS:** Prepare recycled water plans in accordance with the City's Customer Guidelines for Recycled Water Use. The applicant shall follow the Guidelines, including, but not limited to, showing on the plans: size and location of all existing and new water meters, backflow preventers, new potable and recycled water pipelines, and existing potable and recycled water pipelines (if available); location of irrigation system components (controllers, quick couplers, valves, strainers, and constant pressure main lines); boundaries of the intended potable and recycled water use areas; locations of proposed recycled water advisory signs; a completed Site Information Box; and all applicable recycled water standard notes and details.
108. **ADVISORY SIGNS AND TAGS:** Recycled water advisory signs shall be located at water features; ends of streetscapes and medians; vehicular, bicycle, and pedestrian entrances entering recycled water use areas; and in indoor rooms supplied with recycled water. Identification tags are required on all recycled water/potable water appurtenances.
109. **PIPELINE DEPTH, SEPARATION, AND MARKING:** New parallel potable and recycled water pipelines shall maintain a minimum 10' horizontal separation between buried pressurized recycled water pipe and buried potable water pipe in public right-of-way and a minimum of 4' on-site. Where potable and recycled water pipes cross, the buried pressurized recycled water pipe must be at least 12" below the potable water pipe. No connection joint shall be made in the pressurized recycled water pipe within 8' of the crossing. Intermittently pressurized recycled water pipe may be located above potable water pipe if a 12" vertical separation is maintained. All new buried pipelines shall be purple-colored and labeled "CAUTION: RECYCLED WATER—DO NOT DRINK." Existing buried

pipelines that will be converted to recycled water need not be marked unless the pipelines become exposed.

110. **SPECIAL INSPECTION:** Special inspection is required by a certified AWWA Cross Connection Specialist. The following note shall be clearly shown on the first sheet of the recycled water permit plans: "Any installation for recycled water is required to have a special inspection by a certified AWWA Cross Connection Specialist to ensure that the on-site recycled water system was constructed per the approved plans and specifications. A certified AWWA Cross Connection Specialist shall submit a letter to the City (Public Services Division and Building Inspection Division) verifying that the on-site recycled water system was constructed per the approved plans and specifications." Receipt of letter is required prior to connection of the recycled water meter and building permit final.
111. **CROSS-CONNECTION TESTING:** After confirmation of the special inspection, a cross-connection test is required prior to receiving recycled water. The following note shall be clearly shown on the first sheet of the recycled water permit plans: "A cross-connection test is required prior to receiving recycled water." The cross-connection test will be performed by the City or its representative and must be performed prior to connection of the recycled water meter and building permit final.
112. **DUAL PLUMBED SITES:** The dual plumbed recycled water system must comply with the requirements of California Code of Regulations Title 22 and the California Plumbing Code. Dual plumbed sites shall prepare an Engineering Report and set of plans of the proposed site to the City. Sites using recycled water for toilet and urinal flushing must have an on-site, back-up water supply tank.
113. **DUAL PLUMBING ENGINEERING REPORT:** The Engineering Report shall adhere to California Code of Regulations Title 22 § 60314 and must include a detailed description of intended use area, plans, and specifications of the piping system and on-site back-up tank, and the method to be used by the recycled water agency to ensure that cross-connection between the recycled water and potable water piping system will not occur. The Engineering Report shall be submitted to the City.
114. **DUAL PLUMBING ON-SITE, BACK-UP WATER SUPPLY STORAGE:** Sites using recycled water for toilet and urinal flushing are required by the City to have an on-site, back-up water supply. If recycled water is used for purposes other than toilet and urinal flushing, then an on-site, back-up water supply may be installed at the discretion of the customer. The on-site backup must adhere to all applicable codes and regulations, and must be equipped with an air gap to prevent cross-connection between the potable and recycled water systems.
115. **DUAL PLUMBING PLANS:** Prepare a set of plans with proposed piping system to be used, pipe locations of both recycled and potable systems, type and location of the outlets and plumbing fixtures that will be accessible to the public, and the methods and devices to be used to prevent backflow of recycled water into the public water system.

SIDEWALKS AND DRIVEWAYS

116. **ADA RAMP REQUIREMENTS:** All new access ramps shall comply with the Americans with Disabilities Act (ADA) requirements. Existing nonconforming access ramps shall be reconstructed to comply with the ADA requirements.
117. **ADA SIDEWALK REQUIREMENTS:** A minimum 4' wide Americans with Disabilities Act-compliant public sidewalk shall be provided behind new and existing driveway approaches. Tapers (conforms) can be provided to connect the proposed public sidewalk on each side of the proposed driveway.
118. **DAMAGED SIDEWALK IMPROVEMENTS:** The curbs, gutters, sidewalks, and driveways on North Shoreline Boulevard and Space Park Way are damaged and must be replaced. The specific areas and limits of the replacement work shall be drawn on the plans.

- 119. **DRIVEWAY REMOVAL:** Replace abandoned driveways with standard curb, gutter, and sidewalk and show the replacement work on the plans.
- 120. **RED CURB AT CROSSWALKS:** Street curbs that are located within 15' of a public crosswalk shall be painted red.
- 121. **RED CURB AT DRIVEWAY ENTRANCE:** Street curbs that are located within 10' of the driveway entrance shall be painted red.

RECYCLING

- 122. **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.
- 123. **CONSTRUCTION AND DEMOLITION ORDINANCE:** This project must comply with the City's Construction and Demolition Ordinance (Mountain View City Code Chapter 16, Article III).
- 124. **HOLDING AREA AND ROLL-OUT FEE:** Collection vehicles do not enter underground or enclosed structures. All trash, recycling, and compost containers must be transported by the property owner/manager to the approved holding area on service day and removed promptly following service. The final location and dimensions of the holding area must be approved by the Solid Waste and Recycling Section prior to issuance of a building permit. Roll-out fees charged by the City's trash hauler will apply for containers that must be rolled more than 30' from any holding area to the truck.

STREET TREES

- 125. **STREET TREES:** Install standard City street trees along the street frontage.
- 126. **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.
- 127. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

- 128. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
- 129. **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. For developments that do not require a subdivision map, a connection to the City's storm main requires: (1) a written request to the Public Works Director; (2) payment of storm drainage fees; and (3) approval from the Public Works Department, unless the storm drainage fees were paid in the past for the property. A face-of-curb inlet/outlet is required to drain into the curb of the street.
- 130. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the buildings from being flooded in the event the storm drainage system becomes blocked or obstructed.

MISCELLANEOUS

131. **CONSTRUCTION PLAN:** Submit construction traffic and parking management plan with the building plans showing the following:
1. Truck route for construction and delivery trucks that does not include neighborhood residential streets;
 2. Building construction phasing/construction equipment storage/construction parking plans: Show construction vehicles and equipment parking area and construction trailer location. All construction vehicles/equipment and trailer shall be located on-site or at a site nearby (not on a public street or public parking) arranged by the contractor. No construction equipment or vehicles shall be stored or parked on residential streets or public parking lots. Construction contractors/workers are required to park on-site or at a private property arranged by the contractor and shall not be allowed to use neighboring residential streets for parking/storage; and
 3. Sidewalk closure or narrowing is not allowed during any on-site construction activities.

The construction traffic and parking management plan must be approved prior to the issuance of a demolition permit.

132. **TRAFFIC CONTROL PLANS:** Submit Traffic Control plans for any off-site and on-site improvements or any work that requires temporary lane closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, sidewalk detour should be shown on the Traffic Control plans.
133. **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.
134. **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."
135. **OCCUPANCY RELEASE:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "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."
136. **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. Include all easements and agreements referenced in the title report.
137. **SHORELINE BOULEVARD RIGHT-OF-WAY ENCROACHMENT RESTRICTIONS:** As part of the North Bayshore Precise Plan and Shoreline Corridor Improvement Conceptual Plan, the Shoreline Boulevard project frontage shall accommodate the following: an 8' portion of the 13' transit median lane, two (2) 10' left-turn lanes, an 11' drive-through lane, an 11' drive-through and right-turn lane, a 6' bike lane, a 12' transit stop, two (2) 5'

landscape strips, 13' cycle track, and a 13' landscape and sidewalk strip.

Within the required dedication area along the North Shoreline Boulevard project frontage to accommodate these future improvements, the Public Works Department will evaluate the type of nonstandard items to be allowed in this area on a temporary basis. Private café and restaurant seating and table elements shall not be allowed to encroach into the public right-of-way in the interim or final design of this area.

For any nonstandard items in the City's right-of-way, the applicant shall enter into a temporary encroachment agreement with the City for the installation, maintenance, and future removal of these interim improvements.

- 138. **STREET TREE IRRIGATION:** All street trees shall receive automatic irrigation using recycled water. The property owner is responsible for providing irrigation.
- 139. **STREET FURNISHINGS:** Maintenance and replacement of street furnishings fronting the property shall be the responsibility of the property owner.

Building Inspection Division – 650-903-6313

- 140. **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.
- 141. **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.
- 142. **ACCESSIBILITY:** During business hours, the outdoor dining area is required to comply with the 2013 CBC, Section 11B-226.
- 143. **ACCESSIBILITY:** Project will be required to comply with the accessibility requirements in the 2013 CBC, Chapter 11B.
- 144. **ACCESSIBILITY:** Project will provide equivalent facilitations on the first floor, 2013 CBC, Chapter 11B-103.
- 145. **ACCESSIBILITY (PARKING):** Project will be required to comply with the accessible parking requirements in the 2013 CBC, Chapter 11B.
- 146. **APPROVALS REQUIRED:** This project requires the approval of the Santa Clara County Environmental Health Department at 408-918-3400 prior to submittal to the Building Inspection Division.
- 147. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the 2013 CBC.
- 148. **EGRESS:** Site must meet accessible means of egress, 2013 CBC, Section 1007.
- 149. **FIRE PROTECTION:** Dwelling and sleeping units shall meet the visible alarm notification requirements of 2013 CBC, Section 907.5.2.3.

150. **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.
151. **FIRE SPRINKLERS:** List fire sprinkler status within the plans.
152. **OCCUPANCY:** Provide proposed occupancy for occupied areas per Chapter 3 of the 2013 CBC.
153. **OCCUPANCY SEPARATION:** Proper separation to be provided between occupancies. 2013 CBC, Table 508.4.
154. **OCCUPANT LOAD/EXIT DISCHARGE:** Please provide occupant load and exit discharge for each occupied area.
155. **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.
156. **SURVEY:** A survey will be required to be completed to verify structure placement.

Fire Department – 650-903-6343

FIRE PROTECTION SYSTEMS AND EQUIPMENT

157. **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.)
158. **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.)
159. **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.)
160. **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. 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.)
161. **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.)

162. **FIRE EXTINGUISHERS:** Install Class K fire extinguishers in the commercial cooking equipment areas. (California Code of Regulations, Title 19, Chapter 3, and California Fire Code, Section 904.11.5.)
163. **FIRE EXTINGUISHING SYSTEMS:** Submit three (3) sets of shop-quality drawings for the cooking appliance fire extinguishing system(s). Call the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements. (California Fire Code, Section 904.2.1.)
164. **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.)
165. **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

166. **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.)
167. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions. (California Fire Code, Section 506.)
168. **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

169. **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.)
170. **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.)
171. **FLOOR-LEVEL EXIT SIGNS:** Floor-level exit signs shall be provided in all interior exit corridors of Group A, E, I, and Group R2.1 occupancies and in all interior rated exit corridors serving guest rooms of hotels in R1 occupancies. (California Building Code, Section 1011.)
172. **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.)
173. **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.)

174. **GROUP A, E, I, AND R-1 OCCUPANCIES:** Decorative Materials: All drapes, hangings, curtains, drops, and all other decorative material, including Christmas trees, shall be made from a noncombustible or fire-resistive material or maintained in a flame-retardant condition by means of an approved flame-retardant solution or process approved by the California State Fire Marshal. (California Code of Regulations, Title 19, Sections 3.08 and 3.21.)
175. **INTERIOR WALL AND CEILING FINISH:** Interior finishes shall have a flame-spread rating in accordance with the California Building Code, Chapter 8, and California Code of Regulations, Title 19, Section 3.21.
176. **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.)
177. **UPHOLSTERED SEATING FURNITURE:** All upholstered seating furniture intended for use in nursing homes, board and care facilities, convalescent homes, child day-care centers, public auditoriums, and stadiums and public assembly areas in hotels, motels, and lodging houses shall conform to State of California Department of Consumer Affairs, Bureau of Home Furnishings, Technical Bulletin 133. (California Business and Professions Code.)
178. **ON-SITE DRAWINGS:** Submit two (2) 8.5"x11" plot plan drawings according to Fire Department specifications prior to final Certificate of Occupancy.
179. **EMERGENCY PROCEDURE MAPS:** In hotels, motels, and lodging houses, every guest room available for rental shall have clearly visible emergency procedures information printed on a floor plan representative of the floor level and posted on the interior of each entrance door or immediately adjacent to such door. The bottom of the information shall not be located more than 4' above the floor level. Emergency procedures information shall be printed with a minimum of 3/16" high nondecorative lettering providing a sharp contrast to the background. Emergency procedures information shall include, but not be limited to the following: (1) location of exits and fire alarm initiating stations, if required; (2) what the fire alarm, if required, sounds and looks like (audible and visual warning devices); (3) Fire Department emergency telephone number, 9-1-1; and (4) the prohibition of elevator use during emergencies, if any. (California Code of Regulations, Title 19, Section 3.09.)
180. **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

181. **REFUSE AREAS:** Refuse areas within 5' of combustible construction or building openings shall be protected with automatic fire sprinklers. A maximum of two (2) sprinkler heads are permitted off a 1" domestic water service. Approved accessible shutoff valves shall be provided. Call the Building Inspection Division at 650-903-6313 for specifications. (California Fire Code, Section 304.3.)
182. **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

183. **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.) **Group R-1 occupancies provided with a monitored fire sprinkler system may have openable windows permanently restricted to a maximum 4" open position and would not require ladder pads.**

184. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)

Fire and Environmental Protection Division – 650-903-6378

HAZARDOUS MATERIALS

185. **HAZARDOUS MATERIALS USE AND STORAGE:** If hazardous materials are to be used or stored on the site, complete the following:
- a. An Environmental Compliance Plan (New Business) in CERS;
 - b. A City of Mountain View "Installation or Upgrade of Hazardous Materials Storage or Use Areas" checklist.

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/civicax/filebank/blobdload.aspx?BlobID=13392>

186. **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.
187. **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.
188. **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.
189. **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.
190. **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.

191. **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.
192. **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.
193. **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. The Stormwater Management Plan shall also show the Drainage Management Areas which drain to each stormwater treatment planter and provide sizing calculations for each individual biotreatment planter. 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.

194. **STORMWATER MANAGEMENT PLAN—THIRD-PARTY ENGINEER'S CERTIFICATION:** The Final Stormwater Management Plan must be certified by a qualified third-party engineer that the proposed stormwater treatment controls comply with the City's Guidelines and Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP). A list of qualified engineers is available at the following link: http://www.scvurppp-w2k.com/consultants_list.shtml
195. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.
196. **FULL TRASH CAPTURE:** Projects located in "moderate," "high," or "very high" trash generating areas as outlined in the City's Long-Term Trash Load Reduction Plan that are undergoing site improvements shall install full trash capture protection within the existing storm drain system. Examples of full trash capture systems include large trash capture devices, such as hydrodynamic separators or media filtration systems, or small trash capture devices, such as storm drain catch basin connector pipe screens. Once installed, the property owner or property manager shall be responsible for maintaining the trash capture device. Maintenance shall be completed in accordance with the manufacturer's recommended frequency, but at a minimum of one time per year. Indicate the type of full trash capture device that will be installed to remove trash from runoff for the entire project site, and include details for the installation of the trash capture system(s) in the building plans for the project.

NOTE: 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.

NOTE: Shoreline Amphitheatre is located in the vicinity of this development. You should be aware that at times of major events, there may be traffic congestion in the area and, furthermore, you may wish to consider sound insulation design measures if you believe your development may be affected by Amphitheatre activity.

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.

MH/2/CDD
802-11-01-16COA-E