

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

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PL-2021-161
October 28, 2021
November 27, 2022

APPLICATION NO.:
DATE OF FINDINGS:
EXPIRATION OF ZONING PERMIT:

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

Applicant's Name:

Kevin Heinichen for The Robert Green Company

Property Address:	Assessor's Parcel Nos.:	Zone:
Hope Street City Parking Lots 4 and 8	158-20-072 and 158-20-004	P(19)

Request:

Request for a one-year Permit Extension for a previously approved Development Review Permit and Planned Community Permit to construct a 120,601 square foot, five-story hotel building with three levels of subterranean parking, a 52,616 square foot mixed-use retail-office building with three levels of subterranean parking, and Hope Street improvements to replace existing City-owned Parking Lots 4 and 8; a Provisional Use Permit to allow hotel use and restaurant use; a Heritage Tree Removal Permit to remove 16 Heritage trees and 29 City-owned trees on a 1.37-acre project site; and a determination that the project is categorically exempt pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA Guidelines.

APPROVED CONDITIONALLY DISAPPROVED OTHER
APPROVED

FINDINGS OF APPROVAL:

The request for a one-year Permit Extension for a previously approved Development Review Permit and Planned Community Permit to construct a 120,601 square foot, five-story hotel building with three levels of subterranean parking, a 52,616 square foot mixed-use retail-office building with three levels of subterranean parking, and Hope Street improvements to replace existing City-owned Parking Lots 4 and 8; a Provisional Use Permit to allow hotel use and restaurant use; and a Heritage Tree Removal Permit to remove 16 Heritage trees and 29 City-owned trees is conditionally approved based upon the conditions of approval contained herein and upon the following findings:

- A. Per Section 36.56.65 of the Mountain View City Code, a permittee can request an extension of a valid permit by filing an application before the expiration date and, subsequently, the Zoning Administrator holding a duly noticed public hearing to determine whether the permittee has made a good-faith effort to comply with the conditions of the permit during the initial two-year period and obtain building permits. The applicant has provided substantial evidence of the applicant's efforts by submitting the building permit application, actively pursuing building permit issuance through several rounds of building permit plan review and securing a Notice of Intent to issue building permits from the City. The one-year permit will allow time for the applicant to obtain building permits and begin construction;
- B. At a duly noticed hearing, the Zoning Administrator determined the permittee proceeded in good faith and has exercised due diligence in complying with the conditions in a timely manner;
- C. Any special structure or building modifications necessary to contain the proposed use would not impair the architectural integrity and character of the zoning district in which it is to be located because the project includes only minor modifications that address the original permit's design conditions of approval; and

Owner Agent File Fire Public Works

- D. The approval of the Permit Extension complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15332 (“In-Fill Development Projects”) because the project remains substantially unchanged from the originally approved project, is an infill development in an urban downtown setting, and is consistent with the applicable Downtown Mixed-Use General Plan Land Use Designation and Downtown Precise Plan (P(19)) regulations; is on a project site of less than five acres and contains no value as habitat for endangered, rare, or threatened species; would not result in any significant effects related to traffic, noise, air quality, or water quality; and the site can be adequately serviced by all required utilities and public services.

This approval is granted for a one-year Permit Extension for a previously approved Development Review Permit and Planned Community Permit to construct a five-story hotel building with three levels of subterranean parking, a four-story mixed-use office building with three levels of subterranean parking and associated Hope Street improvements, and a Heritage Tree Removal Permit to remove 11 Heritage trees located on Assessor’s Parcel Nos. 150-02-072 and 150-02-004.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

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

1. **PERMIT EXTENSION:** The conditions of approval from the original permit (Application No. PL-2018-084) still apply, with the added or modified conditions as listed below. For regulatory purposes, all previous permits and conditions of approval shall remain valid, except as may be modified by conditions of approval contained herein.
2. **PERMIT EXPIRATION:** This permit extension is valid for a period of one year, until November 27, 2022. This permit shall become null and void if building permits have not been issued and construction activity has not commenced by the expiration date.

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

NOTE: As required by California Government Code Section 66020, the applicant is hereby notified that the 90-day period has begun as of the date of approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of this approval or as a condition of approval 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.

STEPHANIE WILLIAMS, PLANNING MANAGER/ZONING ADMINISTRATOR

SW/RS/6/FDG
PL-2021-161