

CITY OF MOUNTAIN VIEW
RESOLUTION NO. 17819
SERIES 2013

A RESOLUTION FOR A VESTING TENTATIVE MAP FOR THE 33-UNIT
ROWHOUSE DEVELOPMENT AT 1941 AND 1951 COLONY STREET

WHEREAS, an application was received from City Ventures for a Vesting Tentative Subdivision Map to subdivide an existing 1.83-acre project site into 33 residential lots and one common lot for condominium purposes; and

WHEREAS, on September 18, 2013, the Environmental Planning Commission considered this request and recommended that the Vesting Tentative Subdivision Map be approved subject to the attached conditions of approval; and

WHEREAS, on November 19, 2013, the City Council held a Public Hearing on said application and received and considered all evidence presented at said hearing, including a Council report; and

WHEREAS, staff has prepared an Initial Study and draft Mitigated Negative Declaration for the 1951 Colony Street residential project and finds that with the changes that have been required or incorporated into the project as mitigation measures to avoid or substantially lessen the significant environmental effects of the project as revised will not have a significant effect on the environment;

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

1. That pursuant to the Subdivision Map Act, the City Council hereby finds that the proposed subdivision is consistent with the General Plan of the City.
2. That the City Council hereby finds that the establishment, maintenance, and operation of the uses applied for will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, or general welfare of persons residing or working in the neighborhood of said proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
3. That said project will not have a significant effect on the environment with incorporation of mitigation measures and the adoption of a Mitigated Negative Declaration.
4. That the Vesting Tentative Subdivision Map for said project is hereby granted subject to the developer's fulfillment of all of the conditions which are attached hereto and incorporated herein by reference.

TIME FOR JUDICIAL REVIEW:

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

The foregoing Resolution was regularly introduced and adopted at a Special Meeting of the City Council of the City of Mountain View, duly held on the 19th day of November, 2013, by the following vote:

AYES: Councilmembers Abe-Koga, Bryant, Kasperzak, McAlister, Siegel,
Vice Mayor Clark, and Mayor Inks

NOES: None

ABSENT: None

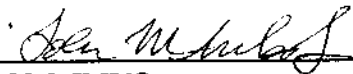
NOT VOTING: None

ATTEST:

APPROVED:

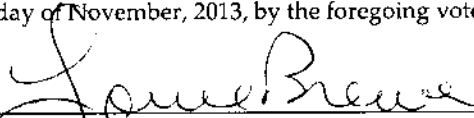


LORRIE BREWER, MMC
CITY CLERK



JOHN M. INKS
MAYOR

I do hereby certify that the foregoing resolution was passed and adopted by the City Council of the City of Mountain View at a Special Meeting held on the 19th day of November, 2013, by the foregoing vote.



City Clerk
City of Mountain View

SW/5/RESO
818-11-19-13Res-E-2

SUBDIVISION CONDITIONS
APPLICATION NO.: 090-13-TM
1941 AND 1951 COLONY STREET

1. **MAP SUBMITTAL:** File a final map for approval and recordation in accordance with the City Code and the California Subdivision Map Act prior to the issuance of any building permit for the property within the subdivision. All existing and proposed easements are to be shown on the map. Submit two black-line copies of the map to the Public Works Department for review together with a current preliminary title report and signed survey calculations.
2. **MAP DOCUMENTS:** Submit a subdivision guarantee, County Tax Collector's letter regarding unpaid taxes or assessments, and subdivision security, if there are unpaid taxes or special assessments prior to the approval and recordation of the map.
3. **SOILS REPORT:** Soils and geotechnical reports prepared for the subdivision shall be indicated on the final map. Submit a copy of the report with the final map.
 - A. As required by the State Seismic Hazards Mapping Act, a project site-specific geotechnical investigation shall be conducted by a registered soils/geologist identifying any seismic hazards and recommending mitigation measures to be taken by the project. The applicant, through its registered soils engineer/geologist, shall certify the project complies with the requirements of the State Seismic Hazards Mapping Act.
4. **FINAL MAP APPROVAL:** The final map shall be signed and notarized by the owner and engineer/surveyor and submitted to the Public Works Department with an 8.5" by 11" reduction of the map. In order to place the approval of the final map on the agenda for the City Council, all related materials and agreements must be completed, signed and received by the Public Works Department 40 calendar days prior to the Council meeting. After City Council approval, the City will sign the map and provide a Xerox Mylar copy. The applicant's title company shall have the County Recorder's Office record the original and endorse the Xerox Mylar copy. The endorsed Xerox Mylar copy shall be returned to the Public Works Department within one week after recording the map.
5. **SUBDIVISION FEES:** Pay all subdivision fees due in accordance with the rates in effect at the time of payment prior to the approval of the final map.
6. **SUBDIVISION FEES:** Pay all subdivision fees due, including park land dedication fee (approximately \$15,000 to \$25,000 per unit), in accordance with the

rates in effect at the time of payment prior to the approval of the final map. No credits against the park land dedication fee will be allowed for the private open space and recreational facilities. Provide the most current appraisal or escrow closing statement of the property with the following information to assist the City in determining the current market value of the land: (1) a brief description of the existing use of the property; (2) square footage of the lot; (3) size and type of each building located on the property at the time the property was acquired.

7. **STREET DEDICATION:** Dedicate a street right-of-way on the face of the map to widen Colony Street, 35' from the centerline of the street along APN 153-05-019.
8. **UTILITY EASEMENT AND APPROVALS:** Dedicate utility easements as required by the utility companies and as approved by the Public Works Director. All street and public service easement dedications are to be shown on the final map. The subdivider shall submit two copies of the map to PG&E, AT&T (SBC) and Comcast for their review and determination of easement needs. The public service easement dedications must be approved by the utility companies prior to the approval of the final map.
9. **CC&Rs:** Covenants, Conditions and Restrictions (CC&Rs) for the Homeowners Association, together with a completed CC&R checklist, shall be submitted to and approved by the City Attorney and the Community Development Department prior to approval and recordation of the map. The said covenants shall include and stipulate all of the standard provisions which are shown on the attached sheet. The checklist and proposed CC&Rs shall be annotated to show exactly where each of the standard provisions have been incorporated into the CC&R document.
10. **CC&Rs, PARKING PROHIBITION:** Parking shall be prohibited within the common driveways, excluding approved guest parking, as the parking would obstruct the use of the driveway. These parking prohibitions shall be stated within the CC&Rs. Submit a copy of the CC&Rs with this provision highlighted to the Public Works Department for review and approval. The common driveway shall be signed and/or striped as "No Parking" or "No Parking – Fire Lane."
11. **CC&Rs, GARBAGE PICKUP:** The CC&Rs shall include a provision stating that the homeowners are responsible for bringing their garbage cans, totes and recycling bins to the curb along the public street on garbage collection days. A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Public Works Department for review and approval.
12. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the subdivision and as required by Chapters 27 and 28 of the Mountain View City Code. These improvements include abandonment of existing

water, sewer, and storm connections; installation of new domestic and fire water, sewer, and storm drain connections; replacement of damaged sidewalks, new corner ADA ramp, new driveway, new street trees, and new streetlights.

- a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the approval of the final map. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a letter of credit (150 percent) or certificate of deposit (150 percent) securing the installation and warranty of the off-site and other public 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 www.fius.treas.gov/c570/index.html. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for certificates of deposit are available at the Public Works Department.
 - b. **INSURANCE:** Provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the final map. The insurance coverage amounts are One Million Dollars (\$1,000,000) commercial general liability, automobile liability, and Workers' Compensation. The insurance requirements are available from the Public Works Department.
13. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the subdivision and as required by Chapters 27 and 28 of the Mountain View City Code. These improvements include abandonment of existing water, sewer, and storm connections; new domestic and fire water, sewer, and storm drain connections; replacement of damaged sidewalks, new corner ADA ramp, new driveway, new street trees, and new streetlights.
- a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public and private improvements prior to the approval of the final map. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a letter of credit (150 percent) or certificate of deposit (150 percent) securing the installation and warranty of the off-site and other public 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 www.fms.treas.gov/c570/index.html. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for certificates of deposit are available at the Public Works Department.

- b. **INSURANCE:** Provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the final map. The insurance coverage amounts are One Million Dollars (\$1,000,000) commercial general liability, automobile liability, and Workers' Compensation. The insurance requirements are available from the Public Works Department.
14. **PUBLIC IMPROVEMENT PLANS:** Prepare public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria and the conditions of approval of the subdivision. The plans are to be drawn on 24" by 36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. A traffic control plan indicating the work areas, delineators, signs and other traffic control measures is required for work that impacts traffic on an existing street. Improvement plans (nine sets), construction cost estimate and copy of the current preliminary title report or property deed must be submitted together as a separate package concurrent with the first submittal of the building plans. All subsequent building plan submittals must include the latest set of improvement plans to aid in the review of the building plans. The improvement plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, nine black-line sets, one Xerox Mylar (4 mil), and one CD with PDF and CAD files set of the plans must be submitted to the Public Works Department prior to the approval of the final map.
 15. **COMMON IMPROVEMENT PLANS:** Prepare on-site common improvement plans consisting of the proposed demolition, fill, grading, retaining walls, drainage, private streets, common driveways, common utilities, public utilities and other applicable improvements in accordance with Chapter 28 of the City Code, the Standard Design Criteria for Common Green and Townhouse-Type Condominiums and the conditions of approval of the subdivision. The plans are to be drawn on 24" by 36" sheets at a minimum scale of 1" = 20'. The improvement plans (nine sets) and completed infrastructure data form must be submitted together as a separate package concurrent with the first submittal of the building plans. All subsequent building plan submittals must include the latest set of drainage, grading and utility plans to aid in the review of the building plans.

The improvement plans must be approved and signed by the Public Works Department. After the improvement plans have been signed by the Public Works Department, 12 black-line sets, one Xerox Mylar (4 mil), and one CD with PDF and CAD files set of the plans must be submitted to the Public Works Department prior to the approval of the final map. Where both public and common improvement plans are required, the plans shall be combined into one set of plans.

16. **INFRASTRUCTURE QUANTITIES:** Submit a completed construction cost estimate form indicating the quantities of the improvements with the submittal of the improvement plans. The construction cost estimate is used to estimate the cost of improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate is to be prepared by the civil engineer preparing the improvement plans and stamped and signed.
17. **UNDERGROUNDING OF OVERHEAD SERVICES:** All new and existing electric, telephone, and cable television services serving the subdivision are to be placed underground (including transformers). The undergrounding of the new and existing electric, telephone, and cable television services are to be completed prior to issuance of an occupancy certificate for any new buildings within the subdivision. (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.)
18. **JOINT UTILITY PLANS:** Submit joint utility plans showing the location of the proposed electric, gas, telephone, and cable television conduits and vaults. These plans shall be combined with and made part of the improvement plans. Dedicate public utility easements that are necessary for the common utility on the final map.
19. **UNDERGROUNDING OF OVERHEAD LINES:** Underground existing overhead telephone, electric, and cable television facilities fronting the property along Colony Street and Sierra Vista Avenue, unless waived by the City Council after consideration of the recommendation of the Public Works Director due to unusual or impractical circumstances. The undergrounding work shall be constructed in conjunction with any applicable off-site improvements, and completed prior to issuance of an occupancy certificate for any new unit. All poles fronting the property are to be removed, with the exception of poles at the corners of the property that are needed to transition from the proposed underground utility lines fronting the subject property to the overhead utility lines fronting the adjacent properties. Prior to approval of the final map, subdivider shall sign an underground utility agreement and provide a performance bond or other suitable guarantee securing performance of the work in the estimated amount of the cost of underground work, until such time as prepaid or secured contracts are entered into by the subdivider with PG&E, AT&T (SBC) and Comcast, that provides for all

of the required underground work. If the undergrounding requirement is waived, subdivider shall fulfill whatever substitute conditions the City shall impose prior to final map approval.

20. **UTILITY MAINTENANCE:** On-site domestic and fire water, sanitary sewer, and storm drainage facilities shall be privately maintained.
21. **SURFACE DRAINAGE RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys and private streets that prevents the residential buildings from being flooded in the event the storm drainage system becomes blocked or obstructed.
22. **SUBDIVISION AND DESIGN CRITERIA PROVISIONS:** It is the applicant's responsibility to comply with relevant provisions of Chapter 28 of the City Code and with the City's Design Criteria for Common Green Developments and Townhouse-Type Condominiums.
23. **CONSISTENCY WITH OTHER APPROVALS:** This map shall be consistent with all requirements of the Planned Unit Development, Application No. 329-12-GPA. All conditions of approval imposed under that application shall remain in full force and effect and shall be met prior to approval of the final map.
24. **APPROVAL EXPIRATION:** If the map is not completed within twenty-four (24) months from the date of this approval, this map shall expire.