

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2016

A RESOLUTION CONDITIONALLY APPROVING
A PLANNED COMMUNITY PERMIT TO CONSTRUCT
A FIVE-STORY, 178,477 SQUARE FOOT OFFICE BUILDING AND
FOUR-LEVEL PARKING GARAGE, AND A HERITAGE TREE REMOVAL PERMIT
TO REMOVE 29 HERITAGE TREES AT 580 AND 620 CLYDE AVENUE

WHEREAS, an application was received from Clyde Avenue Joint Venture, LLC, for a Planned Community Permit to construct a five-story, 178,477 square foot office building and four-level parking garage, and a Heritage Tree Removal Permit to remove 29 Heritage trees at 580 and 620 Clyde Avenue (Application No. 181-15-R); and

WHEREAS, the Environmental Planning Commission held a public hearing on May 4, 2016 on said application and recommended that the City Council conditionally approve the Planned Community Permit and Heritage Tree Removal Permit subject to the findings and conditions of approval in the Environmental Planning Commission Resolution; and

WHEREAS, the City Council held a public hearing on June 7, 2016 on said applications and received and considered all evidence presented at said hearing, including the Findings Report from the Environmental Planning Commission and City Council report;

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

1. The Planned Community Permit for the construction of a five-story, 178,477 square foot office building and four-level parking garage 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 proposal clearly demonstrates superior site and building design and compatibility with surrounding uses and developments since a large, cohesive common open space is provided with a range of programming and amenities; the building's orientation supports a dynamic shape for the central open space and allows the building to follow the curve in Clyde Avenue; the office building includes ground-floor details and architectural elements that add interest; and the parking garage's composition of large openings and landscape screening reduce its visual impact;

b. The proposed use or development is consistent with the High-Intensity Office Land Use Designation of the General Plan, which allows the City to consider higher-intensity development up to 1.0 FAR for development projects implementing highly sustainable measures, such as developing the project to LEED Platinum® and establishing a Transportation Demand Management (TDM) Program;

c. The proposed uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare because the TDM and green building requirements will reduce the project's environmental and traffic effects; the office use is consistent with surrounding office and light industrial uses; and the development complies with Moffett Field land use requirements;

d. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area because the building is located along the public street and entrances are oriented toward the street and transit stop; the parking garage's stepped-back design limits its visual impact on the street; and future pedestrian and bicycle connections on the property will improve connectivity in the 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 and Mitigated Negative Declaration (IS/MND) was prepared for the Zoning Map Amendment and development project, which identified environmental impacts for hazardous materials and utilities that can be mitigated to a less-than-significant level. The IS/MND was circulated for public review from March 25, 2016 to April 25, 2016.

3. The Heritage Tree Removal Permit to remove 29 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 because 17 of the trees proposed for removal are in fair or poor condition, as determined by the arborist report by Michael L. Bench, dated February 11, 2015, and corroborated by the City arborist.

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 12 of the trees in good or

excellent condition are located within the planned footprint of driveways, buildings, or the parking structure.

c. It is appropriate and necessary to remove the trees based on the nature and qualities of the trees as Heritage trees, including maturity, aesthetic qualities such as 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.

h. The approval of the Heritage Tree Removal Permit for the removal of 31 Heritage trees complies with the California Environmental Quality Act (CEQA) because an IS/MND was prepared for the Zoning Map Amendment and development project, which identified environmental impacts for hazardous materials and utilities that can be mitigated to a less-than-significant level. The IS/MND was circulated for public review from March 25, 2016 to April 25, 2016.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Mountain View that the Planned Community 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.

EA/2/RESO
899-06-07-16r-E

Exhibit: A. Conditions of Approval

CONDITIONS OF APPROVAL
APPLICATION NO.: 181-15-R
580 and 620 Clyde Avenue

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, 178,477 square foot office building and four-level parking garage located on Assessor Parcel Nos. 160-55-015 and 160-55-016. 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 ArcTec, Inc., for Clyde Avenue Joint Venture, LLC, dated May 31, 2016.
- b. Color and materials board prepared by ArcTec, Inc., for Clyde Avenue Joint Venture, LLC, and kept on file in the Planning Division of the Community Development Department.
- c. Initial Study/Mitigated Negative Declaration for 580 - 620 Clyde Avenue Office Project as prepared by the City for the project, 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. **PUBLIC BENEFIT PACKAGE:** The applicant has agreed to provide public benefits with a total estimated value of \$650,000 to advance the mobility goals and policies of the General Plan, and to provide support for local safety net services. Final details of the public benefit package must be reviewed and approved prior to building permit approval. The proposed public benefit program includes:
 - a. **Off-site transportation improvements:** The applicant is responsible for funding the design and construction of bicycle and pedestrian improvements on Maude Avenue around the Highway 237 overpass, as shown on the “SR 237 at Maude Avenue Conceptual Bike Lanes Plan,” prepared by TJKM. The property owner must sign a Public Works Department improvement agreement for the installation of the improvements. Caltrans and City of Sunnyvale approval are required prior to Building Permit issuance, or as required by the Public Works Director. The improvements shall be installed prior to Certificate of Occupancy for the office building. If the Public Works Department determines that Caltrans or the City of Sunnyvale will not issue approvals for necessary improvements, or that Caltrans or the City of Sunnyvale require improvements that the City of Mountain View finds unacceptable, the applicant shall provide \$250,000 to fund public improvements in the East Whisman area in lieu of the proposed improvements.
 - b. **Other projects and services:** The applicant shall contribute the remaining amount to support homelessness prevention programs and safety net services for lower-income households, and homeless support services administered and provided by the Community Services Agency of Mountain View, Los Altos, and Los Altos Hills, and Hope’s Corner. The contributions shall be provided prior to final Certificate of Occupancy for the office building. ~~to support improvements at Hope’s Corner, a kitchen providing free meals and homeless~~

~~services.~~

~~Final details of the public benefit package must be reviewed and approved during building permit review and completed prior to occupancy.~~ (PROJECT-SPECIFIC CONDITION)

2. **HIGHLY SUSTAINABLE DEVELOPMENT:** The following building and site design features are required to justify a 0.8 floor area ratio to implement General Plan policies that support highly sustainable development:
- a. Design to a LEED Platinum® standard, with strong water and energy conservation (or generation) measures.
 - b. Provide a direct connection from the project site to the Mountain View Transportation Management Association (MVTMA) shuttle stop, which shall be maintained and accessible at all times.
 - c. Employee shower rooms and changing facilities shall be provided and accessible to all tenants and employees in the building.
 - d. Dedication of public access easements along the south and west property lines for pedestrian and bicycle connections to be constructed through the East Whisman area.
 - e. The maximum vehicle parking ratio shall be 1:333 of gross floor area (10 percent reduction from the minimum standard). The reduction is required to reduce overall vehicle trips to the site. Designated parking for carpools and electric vehicles shall be provided in convenient locations.
 - f. The minimum bicycle parking ratio shall be 1:2,400 of gross floor area. Additional bicycle parking is required to reduce overall vehicle trips to the site by providing accommodations for an alternative method of transportation. At least seventy percent (70%) of bicycle parking shall be Class I. Bicycle parking shall be provided in convenient locations throughout the project site.
 - (1) Bicycle Storage Room: A bike storage room shall be permanently maintained for use by all tenants and employees.
 - (2) Bicycle Fix-It Area: A Bike Fix-It Area shall be provided in a secure location on-site near bike storage and include repair tools.
 - g. Provide common open space amenity area for all tenants and employees.

(PROJECT-SPECIFIC CONDITION)

3. **TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:** The property owner is required to maintain a TDM program for the life of the project which will achieve a minimum twenty percent (20%) reduction in peak-hour vehicle trips from the average vehicle trip rates per square foot established by the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition (2012) for a general office building land use (ITE Land Use Code 710) which results in a trip cap of 243 a.m. peak-hour trips and 222 p.m. peak-hour trips. 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 mandatory TDM measures for the project include:
- a. The property owner (or designee representing the full project) shall join and maintain ongoing membership in the MVTMA for the life of the project.
 - b. Provide a transit subsidy and/or transit passes to all employees (regular, part-time, and contract), who utilize public transit and desire to have a subsidy or pass, for the life of the project.

- c. Appoint a commute coordinator to manage and monitor commute alternative programs, including, but not limited to, the following:
 - (1) Develop commute alternative programs for tenants and employees.
 - (2) Create and maintain commuter information, emergency ride-home information, ECO Pass and Clipper Card information, transit schedules, bicycle maps, and 511.org match information and transit alerts.
 - (3) Participate in the BAAQMD Spare the Air Program.
 - (4) Monitor and enforce the TDM program.
- d. Provide an on-site transportation and commute information desk or kiosk.
- e. Purchase and maintain three bicycles for employee use to access transit and local amenities.

(PROJECT-SPECIFIC CONDITION)

- 4. **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 achieving the goal of twenty percent (20%) peak-hour vehicle trip reduction by employees within the project. 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 first tenant has received its Certificate of Occupancy. Subsequent reports will be collected annually.
 - b. **Report Requirements:** The TDM report shall either: (1) state that the project has achieved twenty percent (20%) peak-hour vehicle trip reduction or higher, providing supporting statistics and analysis to establish attainment of the goal; or (2) state that the project has not achieved the twenty percent (20%) peak-hour vehicle trip reduction, providing an explanation of how and why the goal has not been reached and a description of additional measures that will be adopted in order to attain the TDM goal of twenty percent (20%) peak-hour vehicle trip reduction.
 - c. **Penalty for Noncompliance:** If, after the initial TDM report, the second annual report indicates that, in spite of the changes in the TDM program, the twenty percent (20%) peak-hour vehicle trip reduction is still not being achieved, 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 percentage point, or portion thereof, below the minimum twenty percent (20%) peak-hour vehicle trip reduction and an additional \$50,000 for each percentage point 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 allow the property owner a six-month "grace period" to implement additional TDM measures to meet the twenty percent (20%) peak-hour vehicle trip reduction. If the project does not achieve the twenty percent (20%) peak-hour reduction after the six-month grace period, the property owner shall pay the TDM Penalty. Any expenses that are put towards returning to the twenty percent (20%) peak-hour reduction can be subtracted from the TDM Penalty. The TDM Penalty shall be paid to the MVTMA and used to promote alternatives to vehicle use in the City.

The table below illustrates the TDM Penalty for some example trip reduction percentages.

Peak Hour Trip Reduction	TDM Penalty Amount
≥ 20%	-0-
≥ 19% and < 20%	\$100,000
≥ 18% and < 19%	\$150,000
≥ 17% and < 18%	\$200,000
≥ 16% and < 17%	\$250,000
≥ 15% and < 16%	\$300,000

(PROJECT-SPECIFIC CONDITION)

- TMA MEMBERSHIP:** Prior to the issuance of a building Certificate of Occupancy, the applicant (or a designee representing the full project site) shall become a member (and ongoing participant) of the Mountain View Transportation Management Association (MVTMA). **(PROJECT-SPECIFIC CONDITION)**

PLANS AND SUBMITTAL REQUIREMENTS

- 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.
- 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.
- 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.
- 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.
- COLOR CHIPS:** Color chips shall be attached to the title sheet of two sets of the building permit drawings and the color scheme shall be shown on the elevations.

SITE DEVELOPMENT AND BUILDING DESIGN

- 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.
- MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to framing, for final selection and approval by the Zoning Administrator. At a minimum, the mock-up shall include aluminum panel

siding, stone panel siding, garage concrete panel, and paint samples.

13. **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.
14. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval.
15. **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 parking garage.
16. **TRASH ENCLOSURE PAD:** An enclosure constructed to store trash/recycling/compost bins shall have a concrete pad the same width as the enclosure and extending a minimum 10' beyond the enclosure access door(s). The concrete pad will be designed to accommodate the weight of a 60,000-pound collection vehicle.
17. **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'.
18. **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.
19. **BIKE RACKS:** The applicant shall provide at least 20 bike racks (Class II/III). The racks shall be an "inverted U," or equivalent as approved by the Zoning Administrator, and must secure the frame and both wheels. Racks should be located near the building entrance (i.e., within constant visual range).
20. **BIKE LOCKERS:** The applicant shall provide at least 54 secure bike storage racks (Class I), or equivalent, as approved by the Zoning Administrator.
21. **SHOWER/CHANGING FACILITY:** Two employee shower and changing room facilities, one each for male and female employees.
22. **PARKING SHORTAGE:** Should a parking shortage arise at this site, the Zoning Administrator may hold a public hearing to review the parking problem and require the applicant to implement appropriate means to resolve the shortage. The public hearing shall be in accordance with Chapter 36, Article XVI, Division 6, of the City Code.

GREEN BUILDING AND SUSTAINABILITY MEASURES

23. **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 Platinum® 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.

LANDSCAPING

24. **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. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
25. **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.
26. **STREET TREE:** 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.
27. **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.

HERITAGE TREES

28. **TREE RELOCATION:** Prior to building permit approval, the applicant shall provide an arborist report assessing the potential for relocating trees proposed for removal. Subject to City review, the arborist recommendations for tree relocation shall be implemented. (PROJECT-SPECIFIC CONDITION)
29. **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.
30. **REPLACEMENT:** The applicant shall offset the loss of each Heritage tree with 3 replacement trees, for a total of 87 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.
31. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Michael L. Bench and dated March 10, 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

32. **SIGNAGE:** No signs are approved as part of this application.

NOISE

33. **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.

34. **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.

CONSTRUCTION PRACTICES AND NOTICING

35. **SINGLE-PHASE DEVELOPMENT:** Construction of the project shall be done in a single phase unless a phased construction project schedule is approved by the Zoning Administrator (or City Council).
36. **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.
37. **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.
38. **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.
39. **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.
40. **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.
41. **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.

42. **DISCOVERY OF CONTAMINATED SOILS:** If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: (a) contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; (b) contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) contractor will cover the bottom of excavated areas with sheeting when work is not being performed.
43. **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.
44. **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.
45. **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.
46. **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.

47. **BIRD STRIKE MANAGEMENT PLAN:** A bird strike management plan, which provides project design features to reduce bird strikes, and a bird strike monitoring plan postconstruction shall be submitted as part of the building permit submittal with recommended provisions included in the building permit plans.

TECHNICAL REPORTS

48. **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.
49. **MITIGATION CERTIFICATION:** Prior to occupancy of any structure or establishment of any use, the hazardous materials consultant, William Mast of PES Environmental, shall inspect the site and shall certify, in writing, that all mitigation measures listed in their memorandum have been correctly implemented.

LEGAL AGREEMENTS AND FEES

50. **HOUSING IMPACT FEE FOR PROJECTS:** Prior to the issuance of the first building (foundation) 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. Estimated fee is \$2,440,900, which incorporates credit for 75,841 square feet of existing floor area and fifty percent (50%) fee for the first 10,000 square feet.
51. **PARCEL MERGER:** All parcels within the boundaries of the project area shall be merged prior to issuance of building permits.
52. **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 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.

AIRPORT LAND USE COMMISSION

53. **ACOUSTICAL ANALYSIS:** Prior to the issuance of any building permits, a detailed acoustical analysis must be performed and noise reduction measures must be included in the design. **(PROJECT-SPECIFIC CONDITION)**

54. **AVIGATION EASEMENT:** An avigation easement shall be dedicated to the United States Government on behalf of Moffett Field. **(PROJECT-SPECIFIC CONDITION)**

MITIGATION MEASURES

55. **MM HAZ-1.1: Soil Testing.** Soils encountered during demolition and construction activities shall be tested for residual agricultural chemicals and those that are identified as containing elevated concentrations of agricultural chemicals shall be removed and disposed of in accordance with all Federal, State, and local regulations.
56. **MM HAZ-2.1: Site Management Plan.** A Site Management Plan (SMP) to be reviewed and approved by the RWQCB or other appropriate oversight agency shall be developed to establish management practices for handling, managing, temporarily storing, and disposing of contaminated soil and/or groundwater if encountered during demolition and construction activities. In addition, the SMP shall address such construction-related issues as site access and control, monitoring for VOC vapors, dust mitigation, decontamination procedures, and contingency measures in the event that suspect soil conditions are identified during redevelopment construction. Upon completion of construction activities, a report shall be prepared to document implementation of the SMP, including installation of the vapor barrier.

A hazardous materials licensed contractor shall conduct construction earthwork activities with properly trained employees in areas where contaminated soil or groundwater are encountered. Employees conducting earthwork activities in these areas of the site must complete a 40-hour Hazardous Waste Operations and Emergency Response Standard (HAZWOPER) training course (29 CFR 1910.120), including respirator and personal protective equipment training.

A Health and Safety Plan (HSP) shall be prepared for use by contractors at the site that addresses the safety and health hazards of each phase of site operations and that includes the requirements and procedures for employee protection.

57. **MM HAZ-2.2: Soil characterization and disposal.** Excavated soils will be characterized prior to off-site disposal or reuse on-site. Appropriate soil characterization, storage, transportation, and disposal procedures shall be followed. Contaminated soils shall be disposed of at a licensed facility.
58. **MM HAZ-2.3: Utility trench groundwater migration.** If utility trenches extended into the top of groundwater, appropriate soil measures shall be implemented to reduce groundwater migration through trench backfill and utility conduits. Such measures may include placement of low-permeability backfill "plugs" at appropriate intervals on-site and where the utility trenches extend off-site. If utility conduits are placed below groundwater, they shall be installed with watertight fittings to reduce the potential for groundwater to migrate into the conduits.
59. **MM HAZ-2.4: Utility corrosion.** If utility trenches extend into the top of groundwater, and due to the nature of the VOCs and their potential detrimental impacts on utility pipelines, a corrosion study must be performed by a licensed professional engineer to determine protective measures for utilities, which could include wrapping piping with corrosion-resistant tape, applying an epoxy coating, using corrosion-resistant materials (including pipes, gaskets, flanges, and couplings), and/or installing a cathodic protection system.
60. **MM HAZ-2.5: Vapor mitigation.** The installation of vapor mitigation system consisting of an impermeable barrier and sub-slab venting shall be required to help protect occupants against potential vapor intrusion of VOCs into the indoor air space of the proposed office building.
61. **MM HAZ-2.6: Operations and Maintenance Plan.** An Operations and Maintenance (O&M) Plan shall be prepared if contaminated soil (as defined in the SMP) is encountered during redevelopment and is subsequently decided to be left in place. The purpose of this plan is to notify tenants and future property owners of the existence

and location of the contamination, and to provide protocols for handling this soil if encountered during future site maintenance activities.

62. **MM HAZ-2.7: As-built report.** An as-built report shall be prepared to document the installation and final configuration for the vapor mitigation. The report will include mechanisms for restoring the barrier integrity in the event that future tenant improvements require penetration of the sub-slab vapor barrier, or in the event of any suspected vapor barrier breach or failure.
63. **MM HAZ-3.1: ACM testing.** To identify and quantify asbestos-containing materials (ACMs) in the buildings, sampling and testing shall be completed for all existing buildings prior to demolition activities.
64. **MM HAZ-3.2: ACM removal.** All potentially friable ACMs shall be removed in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to building demolition or activities that could disturb the materials.
65. **MM HAZ-3.3: Demolition activities.** All demolition activities shall be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.
66. **MM HAZ-3.4: Lead paint sampling.** Surveys and sampling for lead-based paint shall be completed prior to demolition. If lead-based paint is bonded to building materials, removal is not required. If the paint is flaking, peeling, or blistering, it shall be removed prior to demolition.
67. **MM HAZ-3.5: Lead paint removal.** During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring, and dust control.
68. **MM HAZ-3.6: Lead disposal.** Any debris or soil containing lead-based paint or coatings encountered during demolition and construction activities shall be disposed of at landfills that meet acceptance criteria for the waste being disposed.
69. **MM UTL-1.1: Sewer upsizing.** The project would construct and upsize sanitary sewer Pipe 1105 segment to 15" and would also upsize Pipe 1102 segment to 12" or pay a fair share contribution to the City for upsizing pipelines in the system to achieve appropriate hydraulic capacity.

Public Works Department – 650-903-6311

RIGHTS-OF-WAY

70. There are a number of inconsistencies within the Planning Application; therefore, the Conditions of Approval shall govern whenever there is a conflict between the two documents.
71. The proposed sidewalk widening as shown on Sheets A1.00, A1.01, A1.11, L-2.1, L-3.1, L-5.1, L-6.1, C1.0, and C3.0 is not consistent with the City's requirements, including:
 1. The street pavement adjacent to the proposed sidewalk widening requires regrading. The asphalt pavement shall be removed and replaced from gutter lip to gutter lip. The overall design of the sidewalk widening, including the need to reconstruct the street pavement, will be subject to review and approval by the Public Works Department. The design Reconstruction shall comply with City standards and shall be built to the satisfaction of the Public Works Director.
 2. The existing curb inlet shall be removed. Install a new curb inlet, lateral, and manhole connection to the main.

Storm utility improvements shall comply with City standards.

3. The proposed curb alignment as shown on the above-mentioned sheets shall be modified to comply with City requirements.

(PROJECT-SPECIFIC CONDITION)

72. Sheets A1.01, L-2.1, L-3.1, L-5.1, C1.0, and C3.0 show a bicycle and pedestrian pathway along the southern and western property lines. The project shall install a Caltrans Class 1 Bike Trail with a minimum 10' wide pavement with 2' wide shoulders and shall have lighting. Lighting design for the Class 1 Bike Trail shall be subject to review and approval by the Public Works and Community Development Departments. On-site Class 1 Bike Trail lighting shall be privately maintained.~~The trail shall comply with City requirements and shall be built to the satisfaction of the Public Works Director.~~ **(PROJECT-SPECIFIC CONDITION)**

73. **PEDESTRIAN ACCESS EASEMENT (SIDEWALKS):** Dedicate a 2' wide pedestrian access easement along Clyde Avenue that includes the portion of the sidewalk within private property. The easement shall be dedicated to the satisfaction of the Public Works Director.

74. **PUBLIC ACCESS EASEMENT (ON-SITE):** Dedicate a 14' wide public access easement along the southern and western borders of the site for use as a Caltrans Class 1 Bike Trail and for the purpose of maintaining and repairing said Class 1 Bike Trail to the satisfaction of the Public Works Director. Prior to issuance of the building permit, the applicant shall abandon all easements conflicting with the on-site 14' wide public access easement or as required by the Public Works Director.

75. **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.

FEES

76. **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 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.

STREET IMPROVEMENTS

77. **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: lighted, Class I bike trail on private property; sidewalks; driveways; curb; gutter; red curb striping; water, sewer, and storm utility upgrades; pavement restoration and striping; bicycle lane striping, signal head installation, ADA ramps, and pork chop island upgrades at the intersection of Maude Avenue/State Route 237 as shown on "SR237 at Maude Avenue Conceptual Bike Lanes Plan" exhibit.

- 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 One Million Dollars (\$1,000,000) Commercial General Liability, Automobile Liability, and Workers' Compensation. The insurance requirements are available from the Public Works Department.
- 78. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site improvement plans in accordance with the City's Standard Design Criteria. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. A traffic control plan indicating the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. 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.
- 79. **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.
- 80. **ENCROACHMENT RESTRICTIONS:** Private steps, fences, retaining walls, and other nonstandard items/structures shall not encroach into the public right-of-way.
- 81. **SPECIAL PAVERS AND CONCRETE:** Pavers, colored concrete, or textured concrete will not be allowed within the public street, public sidewalk, or any public easements.
- 82. **DRIVEWAY SIGHT TRIANGLE:** At driveways, no landscaping, structure, or sign over 3' in height shall be located within a vehicle sight triangle formed per the City's Side Street/Driveway Triangle of Safety Design Guidelines.

UTILITIES

- 83. **WATER AND SEWER SERVICE:** Each place of business shall have its own water meter and sanitary sewer lateral in accordance with City Code Section 35.38.
- 84. **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.
- 85. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required.

86. **WATER AND SEWER APPLICATIONS:** Prior to the issuance of the building permit, complete applications for water and sewer service for new water services, water meters, fire services, and sewer laterals. Any unpaid water and sanitary sewer fees must also be paid.
87. **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.
88. **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 that are to be abandoned 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 shall be removed.
89. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new 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.
90. **SANITARY SEWER FACILITIES IMPACT FEE:** The Utilities Capacity Report for the 580-620 Clyde Avenue Office Project by Schaaf & Wheeler has determined that the proposed development will contribute flows that would cause performance and capacity deficiencies at two downstream segments of the sanitary sewer system. The study recommends upsizing an existing 10" pipe to 12" and upsizing another 10" pipe to 15". Prior to issuance of the building permit, the applicant shall be required to contribute their proportionate fair share of funds, as determined by the Public Works Department, to implement ~~any necessary~~these sewer system improvements.
91. **PIPE PROTECTION:** Due to the presence of VOCs in the groundwater and their potential impacts on utility pipes, a corrosion study to determine protective measures shall be required for pipes that extend below the groundwater table. Such measures may include wrapping of pipes with corrosion-resistant tape, applying an epoxy coating, using corrosion-resistant pipe materials (including gaskets, flanges, and couplings), and/or installing a cathodic protection system. In addition, pipes placed below groundwater shall be installed with watertight fittings to reduce the potential for groundwater infiltration.
92. **UTILITY TRENCHES:** If utility trenches extend below the groundwater table, appropriate measures shall be implemented to reduce groundwater migration through trench backfill and utility conduits, including the placement of low-permeable backfill soil at intervals on-site and where the utility trenches extend off-site.
93. **UNDERGROUND SERVICES:** All new electric, telephone, and cable television services serving the site shall be placed underground (including transformers). The undergrounding of the new 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.)
94. **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.

SIDEWALKS AND DRIVEWAYS

95. **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.
96. **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.
97. **DAMAGED SIDEWALK IMPROVEMENTS:** Sidewalks on Clyde Avenue must be replaced. The specific areas and limits of the replacement work shall be drawn on the plans.
98. **DRIVEWAY REMOVAL:** Replace abandoned driveways with standard curb, gutter, and sidewalk and show the replacement work on the plans. New driveway installations shall comply with City standards.
99. **RED CURB AT CROSSWALKS:** Street curbs that are located within 15' of a public crosswalk shall be painted red.
100. **RED CURB AT DRIVEWAY ENTRANCE:** Street curbs that are located within 10' (or more as required by the Public Works Department) of the driveway entrance shall be painted red.

RECYCLING

101. **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.
102. **CONSTRUCTION AND DEMOLITION ORDINANCE:** This project must comply with the City's Construction and Demolition Ordinance (Mountain View City Code Chapter 16, Article III).
103. **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

104. **STREET TREES:** Install standard City street trees along the street frontage.
105. **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. New street tree species must be selected from the City's official street tree list and as approved by the City's Parks and Open Space Division per Proposed Street Tree Form (CD-51).
106. **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)

107. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
108. **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.
109. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lot and driveways that prevents the buildings from being flooded in the event the storm drainage system becomes blocked or obstructed.

MISCELLANEOUS

110. **CONSTRUCTION PLAN:** Submit a 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.

111. **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.
112. **SOIL AND GROUNDWATER CONTAMINATION:** Permittee/Contractor is advised that the project is located in or in close proximity to an area of known soil and groundwater contamination, Hewlett-Packard and E/M Corporation Superfund Sites. Permittee/Contractor is responsible for working with the California Regional Water Quality Control Board, the lead regulatory agency, to obtain the appropriate clearances and/or recommendations for work in the contaminated area prior to the issuance of the building permit as required by the Public Works Director.
113. **HEALTH AND SAFETY MEASURES:** Work within soil and groundwater contamination area may expose workers to contaminants in the soil, groundwater, and associated vapors. Permittee/Contractor is responsible for preparing and implementing an appropriate health and safety plan to address the contamination and manage the operations in a safe manner and in compliance with the Cal/OSHA Construction Safety Orders and other State and Federal requirements.
114. **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.

115. **CALTRANS PERMIT:** Apply for a Caltrans Encroachment Permit for all work within Caltrans' jurisdiction. Work within the State right-of-way must be in accordance with Caltrans requirements.
116. **SUNNYVALE PERMIT:** Apply for a City of Sunnyvale Encroachment Permit for all work within the City of Sunnyvale jurisdiction. Work within the City's right-of-way must be in accordance with City of Sunnyvale requirements. (PROJECT-SPECIFIC CONDITION)
117. **SFPUC PERMIT:** Apply for a San Francisco Public Utilities Commission Encroachment Permit for all work within City and County of San Francisco jurisdiction. Work within the City and County of San Francisco right-of-way must be in accordance with SFPUC requirements.
118. **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."
119. **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."
120. **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.
121. **LOT MERGER:** The applicant's site is located on two separate parcels of land as shown on the Assessor's Map Book 160, Page 55, and the existing or proposed building is located over the interior property lines. Prior to the issuance of the building permit, the applicant must legally merge the properties into a single lot with a lot line adjustment. To merge properties by a lot line adjustment, submit an application and plat (8.5"x11" map showing the lot lines to be removed prepared by a land surveyor or civil engineer) of the proposed merged property to the Community Development Department for review by the Subdivision Committee. After receiving conditions of approval from the Subdivision Committee, submit the plat, legal description of the merged property, preliminary title report, and proposed deed to merge the properties to the Public Works Department. (The owner eventually will need to deed the properties to himself/herself as one single property.) The Public Works Department will prepare a Notice of Lot Line Adjustment Approval document that must be signed and notarized by the property owner and trustees. After the documents have been approved and signed by the Public Works Department, the applicant's title company must record the Notice of Lot Line Adjustment Approval concurrent with the deed to merge the properties.

Building Inspection Division – 650-903-6313

122. **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.

123. **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.
124. **COMMERCIAL TENANT IMPROVEMENTS:** The tenant improvements for the commercial spaces will be required to obtain a separate permit.

Fire Department – 650-903-6343

FIRE PROTECTION SYSTEMS AND EQUIPMENT

125. **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.)
126. **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.)
127. **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.)
128. **FIRE HYDRANTS:** Hydrants in accordance with the Department of Public Works Standard Provisions shall be located every 300' apart, and within 150' of all exterior walls.
129. **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.)
130. **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.)
131. **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.)

FIRE DEPARTMENT ACCESS

132. **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.)
133. **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.) **(Applies to security gates and any stairwells on secured access.)**
134. **FIRE APPARATUS ACCESS ROADS:** Access roads shall have 13'6" unobstructed vertical clearance, 20' of unobstructed width (26' where building occupied floors exceed 30' height), and minimum turning radii of 21' (inside turning radius). Unobstructed width shall mean a clear travelway, excluding parking width, and designed for an emergency vehicle weight of 70,000 pounds. Unobstructed width shall not include the width of rolled curbs, sidewalks, or nondrivable surfaces. (California Fire Code, Section 503, and Mountain View City Code, Sections 14.10.17, 14.10.18.)
135. **FIRE APPARATUS TURNAROUNDS:** Dead-end fire apparatus access roads in excess of 150' in length shall be provided with approved provisions for the turning around of apparatus. "Approved provisions" shall mean that turnarounds, in accordance with Mountain View Fire Department specifications, are provided in locations such that fire apparatus shall never be more than 150' away from the closest turnaround. Call the Building Inspection Division at 650-903-6313 for specifications. (California Fire Code, Section 503.)
136. **FIRE LANE MARKING:** "NO PARKING – FIRE LANE" signs shall be posted along fire lanes and curbs shall be painted red with the words: NO PARKING – FIRE LANE stenciled in white on the top and side of the curb. Call the Building Inspection Division at 650-903-6313 for specifications and application. (California Fire Code, Section 503.)
137. **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

138. **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.)
139. **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.)
140. **ON-SITE DRAWINGS:** Submit two (2) 8.5"x11" plot plan drawings according to Fire Department specifications prior to final Certificate of Occupancy.

141. **EMERGENCY PROCEDURE MAPS:** In all office buildings two (2) or more stories in height, except high-rise buildings, a floor plan providing emergency procedures information shall be posted at every stairway landing, at every elevator landing, and immediately inside all public entrances to the building. The information shall be posted so that it describes the represented floor level and can be easily seen immediately upon entering the floor level or the building. 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.)
142. **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

143. **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.)
144. **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

145. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)
146. **WHARF HYDRANT:** On Page C1.0, there should not be a wharf hydrant as shown at the southeast corner of the parking garage, as it is located on a fire access road. **(PROJECT-SPECIFIC CONDITION)**

Fire and Environmental Protection Division – 650-903-6378

HAZARDOUS MATERIALS

147. **HAZARDOUS MATERIALS:** If hazardous materials will be stored or used on-site (including paints, thinners, compressed gases, propane, diesel, gasoline, etc.), complete an Environmental Compliance Plan (ECP) application. Contact the Fire and Environmental Protection Division of the Fire Department at 650-903-6378 to obtain a copy. Attach a copy of the completed ECP to your submitted building plans.
148. **INSTALLATION OR UPGRADE OF HAZARDOUS MATERIALS STORAGE:** Complete an "Installation or Upgrade of Hazardous Materials Storage or Use Areas" check sheet. Contact the Fire and Environmental Protection Division of the Fire Department at 650-903-6378 to obtain a copy. All applicable items in the check sheet should be completed and shown on the building plan submittal.
149. **ABOVEGROUND DIESEL TANKS FOR EMERGENCY AND STANDBY GENERATORS:** Complete an "Aboveground Diesel Tanks for Emergency and Standby Generators" check sheet. Contact the Fire and

Environmental Protection Division of the Fire Department at 650-903-6378 to obtain a copy. All applicable items in the check sheet should be completed and shown on the building plan submittal.

150. **CLOSURE:** Existing businesses shall complete hazardous materials closure prior to leaving. **(PROJECT-SPECIFIC CONDITION)**

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>

151. **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.
152. **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.
153. **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.
154. **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.
155. **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.
156. **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.
157. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.

158. **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. 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.

The conceptual stormwater management plan for the project indicates that pump stations are proposed for Drainage Management Areas No. 1 and No. 2. Due to maintenance requirements and concerns about pump failures, use of pump stations is strongly discouraged. Consider revising the drainage plan to eliminate the pump stations and allowing runoff to flow by gravity into the biotreatment systems. Draining the south portion of those drainage management areas to treatment systems at the south end of the site may eliminate the necessity for the pump stations.

159. **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

NOTE: In compliance with the California Environmental Quality Act (CEQA), an Initial Study has been prepared and, pursuant to the mitigation measures identified in the report, a determination of no significant environmental impact was made. Therefore, a Mitigated Negative Declaration is hereby adopted.

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: 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.

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