

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
DENYING A VESTING TENTATIVE MAP
TO CREATE 91 LOTS AND ONE COMMON LOT
FOR CONDOMINIUM PURPOSES AT 282 EAST MIDDLEFIELD ROAD
AND FINDING DENIAL OF THE PROJECT TO BE EXEMPT
FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
PURSUANT TO CEQA GUIDELINES SECTION 15270

WHEREAS, an application was received from Denardi Wang Homes for a Vesting Tentative Map to create 91 condominium lots and one common lot at 282 East Middlefield Road (Application No. PL-2021-043); and

WHEREAS, on October 20, 2021, at a duly noticed public hearing, the Environmental Planning Commission considered said application and recommended the City Council deny the Vesting Tentative Map subject to the required findings; and

WHEREAS, on November 16, 2021, the City Council held a duly noticed public hearing on said application and received and considered all evidence presented at said hearing, including the recommendation from the Environmental Planning Commission, City Council report, project materials, testimony, and written materials submitted;

NOW, THEREFORE, BE IT RESOLVED, pursuant to the Subdivision Map Act, that the City Council of the City of Mountain View finds:

1. Pursuant to Subsection (a) of Government Code Section 66474, the proposed map is not consistent with applicable objective general and specific plan standards as specified in Section 65451, because the project's density exceeds the General Plan and Precise Plan allowances for this site. The project has a General Plan land use classification of East Whisman Mixed-Use. The General Plan states that the FAR is the development standard used to measure density in mixed-use areas, including on the project site. The maximum density at 282 East Middlefield Road is 1.0 FAR. The State Density Bonus Law allows up to 50% density bonus for developments with market-rate units, or approximately 1.50 FAR (with small variation possible due to rounding). The applicant has proposed a 2.46 FAR for the creation of 91 lots, which exceeds the permitted density.

2. Pursuant to Subsection (b) of Government Code Section 66474, the design or improvement of the proposed subdivision is not consistent with applicable general and

specific plans as the proposed subdivision does not follow all the development standards and guidelines set forth in the East Whisman Precise Plan for residential units and other City-standard details. The East Whisman Precise Plan's ground-floor unit access requirement standard, height standards, street setback, loading location, landscaping requirements, and the corner-visibility triangle clearances are not being met with the project design.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Mountain View that the Vesting Tentative Map is denied.

BE IT FURTHER RESOLVED that the City Council of the City of Mountain View finds the denial of the project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270, which states that CEQA does not apply to projects which an agency disapproves.

TIME FOR JUDICIAL REVIEW

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

KP/1/RESO
828-10-20-21r