

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2018

A RESOLUTION CONDITIONALLY APPROVING
A MODIFICATION TO A PREVIOUSLY APPROVED
PLANNED COMMUNITY PERMIT (APPLICATION NO. 050-12-PPA)
TO REVISE CONDITIONS OF APPROVAL FOR A MIXED-USE DEVELOPMENT
AT 405 SAN ANTONIO ROAD

WHEREAS, on December 2, 2014, the City Council held a public hearing on The Village at San Antonio Phase II mixed-use development (the "Project") proposed by Merlone Geier Partners for 405 to 425 San Antonio Road, 377 San Antonio Road, 391 San Antonio Road, and 455 San Antonio Road (APN 148-22-002, 148-22-003, 148-22-004, and 148-22-008) ("405 San Antonio Road") pursuant to Application No. 050-12-PPA, and conditionally approved a Planning Community Permit and Heritage Tree Removal Permit for the Project, based on the findings, conditions of approval and City Council report prepared for the hearing; and

WHEREAS, the conditions of approval for the original Planned Community Permit (Application No. 050-12-PPA) included Condition of Approval No. 42 ("Cafeteria Condition"), which placed certain limitations on food service within the two office buildings that are part of the Project; and

WHEREAS, an application was received from the office tenant, Facebook, for review of a Food Service Plan submitted to demonstrate compliance with the Cafeteria Condition, and a request to modify the Cafeteria Condition to clarify requirements and incorporate elements of the proposed Food Service Plan for the office buildings; and

WHEREAS, on November 13, 2018, the City Council held a public hearing to consider the request to modify the Planned Community Permit to revise the Cafeteria Condition, and the proposed Food Service Plan compliance with project conditions of approval, based on the City Council report prepared for the hearing;

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

1. The request to modify the previously approved Planning Community Permit (Application No. 050-12-PPA) to revise the original conditions of approval, 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 Project is consistent with the provisions of the P-40 (San Antonio) Precise Plan because the proposed modification to the original permit approval does not include any physical changes to the previously approved Project and the conditions of approval provided herein and the proposed Food Service Plan are consistent with policy direction from the San Antonio Precise Plan to promote well-integrated development; support commercial vitality and diversity, and avoid creating a closed campus environment; and

b. The Project is consistent with and implements the City of Mountain View General Plan, including the Mixed-Use Center land use designation, which promotes pedestrian-oriented, mixed-use centers with integrated, complementary uses such as entertainment, restaurant, department stores, and other retail, office, hotel, convention/assembly and/or civic uses, and public spaces that draw visitors from surrounding neighborhoods and the region; and

c. The Project will not be detrimental to the public interest, health, safety, convenience, or welfare because the Project has been designed to conform to pertinent health and safety codes, is an infill project within an already developed area, is compatible with surrounding developments, will provide access to public streets and sidewalks, and supports integrated commercial opportunities within close proximity to public transportation services; and

d. The Project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area by continuing to provide office, retail, and commercial uses that are consistent with, and complementary to, other developments in the area, including through implementation of the revised Cafeteria Condition, which is intended to help support the vitality of San Antonio Center; and

e. The Project complies with the California Environmental Quality Act (CEQA) because the City previously prepared and the City Council adopted an Environmental Impact Report (EIR), including Statement of Overriding Considerations and a Mitigating Monitoring and Report Program for the Project (Application No. 050-12-PPA) and the request to modify the original Planned Community Permit approval does not include any changes to the Project analyzed in the EIR and would not result in any new or substantially worsened environmental effects;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View that the request to modify the previously approved Planned Community Permit (Application No. 050-12-PPA) for said Project is hereby granted subject to the developer's fulfillment of all the conditions which are attached hereto as Exhibit A and incorporated herein by reference.

RS/2/RESO
803-11-13-18r

Exhibit: A. Conditions of Approval

REVISED CONDITIONS OF APPROVAL
APPLICATION NO.: PL-2018-358
405 San Antonio Road, et al.

1. **PREVIOUS APPROVALS:** This Planned Community Permit modification approval incorporates and modifies a certain condition of approval from a previously approved permit, Permit No. 050-12-PPA. For regulatory purposes, all previous permits and conditions of approval shall remain valid, with the exception of Condition of Approval No. 42, which shall be revised/replaced pursuant to Condition of Approval No. 2 herein.

2. **CAFETERIA CONDITION (REVISED):** In order to foster synergy between office, restaurant, and retail uses in San Antonio Center and realize the economic vitality and activation of the project, it is anticipated employees in the office space will utilize food and retail services available in the Center. Private cafeterias will not be permitted, and neither the applicant nor tenant(s)/employer(s) will provide subsidized meals to on-site workers unless they are patronizing restaurants in the Center by:
 - Sourcing at least fifty percent (50%) of subsidized meals for office workers from San Antonio Center restaurants, to the extent they have capacity; and
 - Within one year of occupancy, implementing a mechanism – such as a debit card system or similar system/process – for on-site workers to purchase and consume at least fifty percent (50%) of the subsidized meals sourced from San Antonio Center restaurants in-person or otherwise outside the office space on a regular daily basis.

For the purposes of this condition, “subsidized” means payment of fifty percent (50%) or more of the cost a meal by the applicant, tenant, and/or employer. The Community Development Director shall have the discretion to approve a Food Service Plan and revisions thereto that substantially addresses the general purpose and criteria of this condition. The tenant shall provide annual compliance reports to the City’s Community Development Director, or his or her designee, for at least five years after an approved Plan is in effect.

RS/2/CDD
803-11-13-18ExhA