

CITY OF MOUNTAIN VIEW
ENVIRONMENTAL PLANNING COMMISSION
RESOLUTION NO.
SERIES 2020

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE A PLANNED COMMUNITY PERMIT AND DEVELOPMENT REVIEW PERMIT FOR A NEW 259,095 SQUARE FOOT, SIX-STORY OFFICE BUILDING AND EIGHT-LEVEL PARKING STRUCTURE; 80,000 SQUARE FEET OF TRANSFER OF DEVELOPMENT RIGHTS FROM 2535 CALIFORNIA STREET, 506 SHOWERS DRIVE, AND 350 SHOWERS DRIVE TO 600 ELLIS STREET IN RELATION TO THE LOS ALTOS SCHOOL DISTRICT TDR PROGRAM; AND HERITAGE TREE REMOVAL PERMIT TO REMOVE 23 HERITAGE TREES LOCATED AT 600 ELLIS STREET

WHEREAS, an application was received from The Sobrato Organization for a Planned Community Permit and Development Review for a new 259,095 square foot, six-story office building and eight-level parking structure, and 80,000 square feet of Transfer of Development Rights and a Heritage Tree Removal Permit for the removal of 23 Heritage trees on a 4.5-acre project site (Application No. PL-2018-367); and

WHEREAS, the Environmental Planning Commission held a public hearing on October 21, 2020 on said applications and recommended approval to the City Council subject to the required findings;

NOW, THEREFORE, BE IT RESOLVED by the Environmental Planning Commission of the City of Mountain View:

1. That the Environmental Planning Commission (EPC) hereby recommends the City Council approve the Planned Community Permit pursuant to the following required findings in Section 36.50.55 of the City Code:

a. The proposed uses and development are consistent with the provisions of the East Whisman Precise Plan. The proposed uses and development are consistent with the provisions of the East Whisman Precise Plan for an office project as it complies with the allowable development intensity of up to 0.40 FAR with an FAR of 1.33, which includes the 1.0 bonus FAR and Transfer of Development Rights (TDR); meets the design guidelines, including site layout, height, building massing, articulation, and detailing; provides adequate off-street parking to serve the project at a ratio of 2.87 spaces per 1,000 square feet, provides a variety of open space, pedestrian-oriented frontages; and supports and promotes coordinated and well-integrated development.

Additionally, in accordance with the Precise Plan and Los Altos School District TDR Program, the project includes the following:

i. Contribution of a community benefit in the amount of \$25 per bonus square foot above the baseline of .40 FAR, excluding 80,000 square feet of TDRs; and

ii. Participation in the LASD TDR Program with the purchase of 80,000 square feet from the future school site at 2535 California Street, 506 Showers Drive, and 350 Showers Drive to the project site.

b. The proposed uses and development are consistent with the East Whisman High-Intensity Office Land Use Designation of the General Plan by locating higher-density office use within one-half mile to services and transit (Policy LUD 9.2); supporting pedestrian and bicycling improvements and connections between neighborhoods with new public path connections (Policy LUD 8.3); and creating a high-quality and sustainable project by incorporating an on-site power system, native drought-resistant plantings, landscaped roof decks and outside spaces, and a Transportation Demand Management (TDM) Program which will reduce peak-hour trips, and the project will be a member of the Mountain View Transportation Management Association (Policy LUD 10.1); and

c. The proposed uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare because the uses and development add office area into the Precise Plan to support office use near transit and employment; and encourage reductions in vehicle trips and greenhouse gas emissions. Additionally, the project is required to be built in accordance with building and life safety codes as well as maintain the safety and welfare of the community; and

d. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area by providing a new high-density office development which offers a place for people to work close to services and transit; maintains appropriate building setbacks, height, and massing transitions to adjacent offices; provides building design features and materials which are attractive and compatible with similar office structures; and meets the development standards and design guidelines set forth in the East Whisman Precise Plan and General Plan form and character; 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 of Environmental Significance has been prepared in compliance with Section 15168 of the CEQA Guidelines. The environmental review for the project found that with implementation of the Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and certain mitigation measures identified in the East

Whisman Precise Plan Environmental Impact Report (EIR), the proposed addition of 195,879 square feet on the site would not result in any new environmental impacts beyond those previously evaluated and disclosed in the EIR. The analysis determined all of the environmental impacts associated with the project have been avoided or reduced to a less-than-significant level through the incorporation of mitigation measures identified in the East Whisman Precise Plan EIR.

2. That the EPC hereby recommends the City Council approve the Development Review Permit pursuant to the following required findings in Section 36.44.70 of the City Code:

a. The project complies with the general design considerations as described by the purpose and intent of the Zoning Ordinance, the General Plan, and any City-adopted design guidelines since the proposal is consistent with the East Whisman Precise Plan; provides a superior site and building design compatible with surrounding uses and developments by providing appropriate building setbacks from the public right-of-way, consistent with other office developments in the City; provides innovative architecture which responds to the project site surroundings and topographic conditions of the site; and includes an office land use which is compatible with the surrounding land uses;

b. The architectural design of structures, including colors, materials, and design elements (i.e., canopy, exterior lighting, screening of equipment, signs, etc.) is compatible with surrounding development as the design includes contemporary architecture and high-quality materials, such as vision glass, aluminum mullion panel, concrete and painted steel, which provide a compatible overall design with unique applications to each building type that will complement the design of surrounding buildings and potential residential developments in the future;

c. The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property, by providing sufficient parking on-site in parking structures at a ratio of 2.87 per 1,000 square feet of building area; incorporating various appropriate pedestrian connections into and throughout the site; proposing bike and pedestrian access through the site; and incorporating well-designed landscaping improvements along all the public street frontages with the preservation of existing trees and planting of new trees;

d. The general landscape design ensures visual relief, complements structures, provides an attractive environment, and is consistent with any adopted landscape program for the general area by providing a variety of new shade trees and plants in conformance with the City's Water Conservation in Landscaping Regulations, replacement Heritage trees per City requirements, and new landscaping and street trees along Ellis Street and Fairchild Drive;

e. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing adequate on-site parking, loading, and delivery spaces along a new internal drive that establish clear circulation through the site; and the project includes additional pedestrian access throughout the site, east-west connections along the rear of the property in anticipation of future connections on adjacent properties and improved bicycle and pedestrian access to the adjacent public street; and

f. The approval of the Development Review Permit for the proposed project complies with the CEQA because an Initial Study of Environmental Significance has been prepared in compliance with Section 15168 of the CEQA Guidelines. The environmental review of the project found that with implementation of the Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and certain mitigation measures identified in the East Whisman Precise Plan EIR, the proposed office project on the site would not result in any new environmental impacts beyond those previously evaluated and disclosed in the EIR. The analysis determined that all of the environmental impacts associated with the project have been avoided or reduced to a less-than-significant level through the incorporation of mitigation measures identified in the East Whisman Precise Plan EIR.

3. That the EPC hereby recommends the City Council approve the Heritage Tree Removal Permit to remove 23 Heritage trees (Tree Nos. 1, 5, 8, 9, 10, 11, 15, 16, 17, 19, 22, 23, 24, 26, 31, 32, 34, 36, 37, 38, 39, 41, and 45) pursuant to the following required findings in 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 based on the arborist report prepared for the project because the trees are in poor health due to dieback conditions, prior heavy pruning for utility clearances, and have disruptive roots displacing sidewalks, as well as poor form and structure and thin canopy;

b. It is appropriate and necessary to remove the trees in order to construct the development and allow reasonable and conforming use of the property when compared to other similarly situated properties based on the majority of trees being in poor health, the location of the trees being within the footprint of the new structures, or the proximity of the trees to the area of excavation needed for the parking structure. The tree removals are necessary to allow reasonable and conforming use of the property when compared to other similarly situated properties because the majority of the existing trees are within the footprint of the future building, and other site improvements, which are

necessary to accommodate a higher-density office development and achieve desired pedestrian and bicycle circulation improvements;

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, because the overall quality of the trees that are proposed to be removed range from fair to good, and no excellent-rated trees are proposed to be removed;

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 because the majority of trees on the site proposed for removal are nearing the end of their life, are not in excellent health, or have been permanently damaged by pruning, and the replacement of these trees with newer trees will result in better overall tree canopy and health of the urban forest; and

e. The approval of the Heritage Tree Removal Permit for the proposed project complies with CEQA because an Initial Study of Environmental Significance has been prepared in compliance with Section 15168 of the CEQA Guidelines. The environmental review of the project found that with implementation of the Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and certain mitigation measures identified in the East Whisman Precise Plan EIR, the proposed addition of up to 195,879 square feet on the site would not result in any new environmental impacts beyond those previously evaluated and disclosed in the EIR. The analysis determined that all of the environmental impacts associated with the project have been avoided or reduced to a less-than-significant level through the incorporation of mitigation measures identified in the East Whisman Precise Plan EIR.

4. That the Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit are recommended for approval subject to the applicant's fulfillment of all of the conditions which are attached hereto in Attachment A and incorporated herein by reference.

MN/1/CDD/813-10-21-20epcr

Attachment: A. Conditions of Approval

**CONDITIONS OF APPROVAL
APPLICATION NO.: PL-2018-367
600 Ellis Street (465 Fairchild Drive)**

The applicant is hereby notified, as part of this application, that (s)he is required to meet the following conditions in accordance with the Mountain View City Code and the State of California. Where approval by a City Department Director or Official 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 item(s) 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 new 259,095 square foot, six-story office building and eight-level parking structure; an 80,000 square foot Transfer of Development Rights; Heritage Tree Removal Permit to remove 23 Heritage Trees; and a determination that an Initial Study of Environmental Significance has been prepared pursuant to Section 15168 of the California Environmental Quality Act (CEQA). The property is located on Assessor's Parcel Nos. 160-54-023 and 160-54-024. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- a. Project drawings prepared by Studios Architecture, date stamped September 1, 2020.
- b. Color and materials board prepared by Studios Architecture, date stamped September 1, 2020.
- c. An Initial Study of Environmental Significance/Environmental Checklist per Section 15168 of the CEQA Guidelines for The Sobrato Organization entitled Consistency Checklist 600 Ellis Street (465 Fairchild Drive), dated September 2020, was prepared by the City for the project in accordance with Section 15168 of the California Environmental Quality Act (CEQA) Guidelines.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Planning Division – 650-903-6306

1. **DEVELOPMENT AGREEMENT:** A Development Agreement (DA) shall be prepared and approved by the City Council for the project, which allows a longer permit entitlement period beyond the standard two years. If no DA is approved as part of the project, then the land use permits associated with this project shall be valid for a period of two years from the date of Council approval. 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.
2. **CERTIFICATION OF BUILDING PERMIT PLANS:** The project architect shall certify in a written letter that the architectural design shown in the building permit plans match the plans approved by the City Council/Zoning

Administrator. Any changes or modifications must be clearly noted in writing and shown on redlined plan sheets. The project architect shall also certify 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.

3. **ZONING INFORMATION:** The following information must be listed on the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning district designation; (c) total floor area ratio and residential density in units per acre, if applicable; (d) lot area (in square feet and acreage); and (e) total number of parking spaces.
4. **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 duly noticed public hearing, which can be referred to the City Council.
5. **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.
6. **PAINT COLOR-CODING:** At submittal of building plan check, provide color-coded elevations of each side of the building(s) detailing the location of all paint and stain colors, manufacturer, and color name.
7. **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 during building plan check, and the recommendations made in the geotechnical report will be implemented as part of the project and included in building permit drawings and civil drawings as needed. 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.
8. **LOT LINE ADJUSTMENT:** Prior to building permit issuance, the applicant shall record a lot line adjustment to modify the property line(s) between 600 Ellis Street and 636 Ellis Street. Separate Planning and Public Works permit(s) are required.
9. **SIGNAGE:** No signs are approved as part of this application. Any new signage will require a separate Planning and/or building permit. Application form and submittal requirements are available online at www.mountainview.gov/planningforms.

SITE DEVELOPMENT AND BUILDING DESIGN

10. **BUILDING DESIGN/PLAN MODIFICATIONS:** Based on direction from the Development Review Committee (DRC), modifications shall be made to the architectural design, building materials, colors, landscaping, and/or other site or building design details prior to issuance of a building permit and shown on building permit drawings. The following modifications are subject to review and approval by the Zoning Administrator to confirm compliance with the DRC's recommendation(s):
 - a. Review parking structure screen material to ensure that the parking structure is fully screened.
11. **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.

12. **SPECIAL PAVING MATERIALS:** The color, material, design, and product specifications for the special paving materials used on-site shall be submitted with the building permit drawings. Final paving design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
13. **BIRD-SAFE DESIGN:** To reduce bird strikes, building permit plans must include the following project design features:
 - a. Review of the final landscape plan prior to building permit issuance to determine the appropriate extent of bird-safe treatment of glazing on the new office building between the ground and 60' above ground.
 - b. All glass railings and transparent glass corners be treated on facades within 60' above and below areas of planted vegetation. **(PROJECT-SPECIFIC CONDITION)**
14. **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.
15. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to building permit issuance and purchase of the finish materials, for final selection and approval by the Zoning Administrator. At a minimum, the mock-up shall include building finish materials, other exterior finish materials, and paint samples. Proposed primary and secondary (accent) paint colors should be painted next to each other on the mock-up for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
16. **ROOFTOP EQUIPMENT SCREEN:** All rooftop equipment must be concealed behind opaque (solid) screening designed to complement the building design. Details of the rooftop equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.
17. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval by the Planning Division.
18. **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 primary structure. For food-serving uses or trash compactors, the trash enclosure must be equipped with hot water, a drain inlet to the sanitary sewer system, and a locking device.
19. **FENCE(S)/WALL(S):** All fencing and walls are to be shown on building plan drawings, including details on height, location, and material finish. The design and location must be approved by the Zoning Administrator and comply with all setback and traffic visibility area requirements.
20. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped with 4" wide stripes. Double stripes shall be 18" apart, from outside edge to outside edge of the stripes, or 10" from inside edge to inside edge of the stripes. 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'. For parallel parking spaces, only single-striped or tic-mark is required between spaces. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24'.
21. **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.

22. **ROOFTOP DECK LIGHTING:** Proposed lighting fixtures on the rooftop decks and courtyards shall not be visible from ground level on adjacent public streets. Any string lighting shall be designed to include shades to avoid light spillover and be screened so they are not visible from off-site. Limited pedestrian-scale/building-mounted lighting along pathways may be permitted subject to review and approval of photometric lighting plan submitted as part of the building permit drawings.
23. **BIKE PARKING FACILITIES:** The applicant shall provide the following bike parking on the project site, which must be shown on building permit drawings:
 - a. Short-term bike parking for visitors with racks for 13 bikes. These spaces shall be provided as bike racks which must secure the frame and both wheels. Racks should be located near the building entrance (i.e., within constant visual range) unless it is demonstrated that they create a public hazard or it is infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected from physical assault and must include clear and visible signage leading to public bicycle parking if not visible from a street or public path.
 - b. Long-term bike parking for employees with racks for 130 bikes. These spaces shall be in a secure location to protect against theft and may include, but are not limited to, bike lockers, enclosed cages, or other restricted interior areas. Any area used for long-term bike parking shall not be included in zoning calculations for floor area or building coverage.
 - c. One bicycle repair station shall be located on-site at grade level. Specifications, location, and details shall be included on drawings submitted for building permit review. **(PROJECT-SPECIFIC CONDITION)**
24. **SHOWER/CHANGING FACILITY:** The project must provide a minimum of six gender-neutral shower/changing room facilities. The floor area used for shower and changing rooms shall not be included in the calculations for floor area.
25. **VEHICLE PARKING DESIGNATIONS:** The project shall provide:
 - a. A minimum of 3 car sharing spaces, which shall be in highly visible location(s) accessible to both building occupants and the general public. The applicant/property owner must offer a right of first refusal for car sharing companies to locate space(s) on the project site. An exemption may be granted by the Zoning Administrator if no car sharing company agrees to operate within the project site, subject to annual verification through the site's Transportation Demand Management monitoring;
 - b. Carpool/vanpool spaces shall be located near building entrances;
 - c. The minimum amount of electric vehicle (EV) spaces required per Chapter 8 of the City Code; and
 - d. Loading, delivery, and moving truck location(s) shall be shown in building permit drawings consistent with the approved plans.

GREEN BUILDING

26. **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.

27. **ENERGY MONITORING:** To support energy management and identify opportunities for energy savings, the project shall provide submeters or equivalent combinations of sensors to record energy use data (electricity, natural gas, etc.) for each major energy system in the building.

LANDSCAPING

28. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the street curb must be included in building permit drawings. 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 (forms are available online at www.mountainview.gov/planningforms). Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
29. **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.
30. **STREET TREE:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division or online at www.mountainview.gov/planningforms. 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.
31. **ARBORIST REPORT:** A qualified arborist shall provide written instructions for the care of the 29 trees before, during, and after construction. The report shall also include a detailed plan showing installation of chain link fencing around the dripline to protect these trees and installation of an irrigation drip system and water tie-in for supplemental water during construction. Arborist's reports shall be received by the Planning Division and must be approved prior to issuance of building permits. Prior to occupancy, the arborist shall certify in writing that all tree preservation measures have been implemented. Approved measures from the report shall be included in the building permit drawings.
32. **ARBORIST INSPECTIONS:** During demolition activity and upon demolition completion, a qualified arborist shall inspect and verify the measures described in the arborist report are appropriately implemented for construction activity near and around the preserved trees, including the critical root zones. Should it be determined that the root systems are more extensive than previously identified and/or concerns are raised of nearby excavation or construction activities for the project foundation or underground parking garage, the design of the building and/or parking garage may need to be altered to maintain the health of the trees prior to building permit issuance.
33. **MONTHLY ARBORIST INSPECTIONS:** Throughout demolition and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction activity to maintain tree health, shall be provided to the Planning Division at planning.division@mountainview.gov.
34. **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

35. **TREE REMOVALS:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit for new construction is secured and the project is pursued.
36. **REPLACEMENT TREES:** The applicant shall offset the loss of the 23 Heritage trees with a minimum of 46 replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage or street replacement trees.
37. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by McClenanan Consultants, LLC, and dated July 13, 2018, 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.
38. **TREE MITIGATION AND PRESERVATION PLAN:** The applicant shall develop a tree mitigation and preservation plan to avoid impacts on regulated trees and mitigate for the loss of trees that cannot be avoided. Particular attention shall be paid to trees near underground utility work, excavation for foundations, and grading activities. Routine monitoring for the first five years and corrective actions for trees that consistently fail the performance standards will be included in the tree mitigation and preservation plan. The tree mitigation and preservation plan will be developed in accordance with Chapter 32, Articles I and II, of the City Code, and subject to approval of the Zoning Administrator prior to removal or disturbance of any Heritage trees resulting from project activities, including site preparation activities.
39. **IRREVOCABLE DAMAGE TO HERITAGE TREES:** In the event one or more of the preserved Heritage tree(s) are not maintained and irrevocable damage or death of the tree(s) has occurred due to construction activity, a stop work order will be issued on the subject property and no construction activity shall occur for two working days per damaged tree. The applicant will also be subject to a penalty fee at twice the tree valuation prior to damage; this fee applies to each Heritage tree damaged. No construction activity can resume until the penalty fee(s) have been paid to the City.

NOISE

40. **MECHANICAL EQUIPMENT:** The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining, residentially used property.
41. **NOISE GENERATION:** All noise-generating activities (i.e., entertainment or amplified sound) are limited to interior areas only, and the heating, ventilation, and air conditioning system shall be maintained to ensure that all windows and doors can remain closed when the restaurant is in operation.
42. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A) L_{dN} that shall be reviewed and approved by a licensed acoustical engineer prior to building permit submittal.
43. **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, if available.

TRANSPORTATION PROGRAMS AND IMPROVEMENTS

44. **TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:** The property owner is required to maintain a TDM program for the life of the project which will reduce peak-hour vehicle trips to the site and ensure the project does not exceed its trip cap of 228 a.m. peak hour trips and 197 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. Join and maintain ongoing membership in the Mountain View Transportation Management Associated (MVTMA) for the life of the project.
 - b. Provide an on-site employee transportation coordinator to implement and manage the TDM program and to serve as a liaison between the employer/tenant and the TMA.
 - c. Develop and distribute marking and information materials to inform employees and guest about the TDM program and encourage their participation.
 - d. Provide a flexible work schedule program to allow employees to travel outside of peak periods.
 - e. Provide a Guaranteed Ride Home program to encourage use of alternative transportation.
 - f. Provide shuttle services to connect employees and guest to existing transit.
 - g. Provide bicycle parking along with showers and locker facilities to encourage bicycling.
 - h. Give priority location to carpools and vanpools.
 - i. Provide rideshare matching services to encourage carpooling by employees.
45. **TRANSPORTATION DEMAND MANAGEMENT (TDM) MONITORING:** The property owner/tenant, or their representative, 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 228 a.m. peak hour trips and 197 p.m. peak hour trips of building by employees within the project. The TDM report shall be prepared by an independent consultant and paid for by the property owner or their representative; the consultant shall work with the property's TDM coordinator. The TDM report will include a determination of historical employee/resident commute methods, which shall be informed by surveying all employees/residents working/living on the project site and through driveway traffic counts. All nonresponses to the employee/resident 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 on December 1, or the following business day thereafter if City Hall is closed, one year after the granting of the Certificate of Occupancy for the project. Subsequent reports will be collected annually on December 1.
 - b. **Report Requirements:** The TDM report shall either: (1) state that the project is compliant with the trip cap identified above; or (2) state that the project not compliant with the trip cap identified in the East Whisman

Precise Plan, 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 meet the trip.

- c. **Penalty for Noncompliance:** If, after an initial TDM report shows noncompliance, the second annual report indicates that, in spite of the changes in the TDM program, the vehicle trip cap is still not being met, or if the applicant fails to submit such a TDM report at the times described above, the City may assess a penalty in the maximum amount of One Hundred Thousand Dollars (\$100,000) for the first percentage point below 228 a.m. peak hour trips and 197 p.m. peak hour trips and an additional Fifty Thousand Dollars (\$50,000) for each additional percentage point below the minimum fifty percent (50%) 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 a six (6) month "grace period" to implement additional TDM measures to meet the vehicle trip cap. If the project does not achieve the necessary reductions to meet the trip cap after the six (6) month grace period, the City may require the property owner to pay a TDM Penalty as shown in the sample table below. Any expenses that are put towards achieving the trip cap can be offset against the TDM Penalty. The TDM Penalty shall be paid to the MVTMA and used to promote alternatives to single-occupancy vehicle use in the City.

46. **TMA MEMBERSHIP:** The property owner or their representatives shall maintain ongoing membership in the Mountain View Transportation Management Association (MVTMA) for the life of the project.

AGREEMENTS AND FEES

47. **COMMUNITY BENEFIT CONTRIBUTION:** In compliance with the East Whisman Precise Plan, the applicant is required to provide a community benefit(s) in exchange for additional development intensity and to advance the goals and policies of the East Whisman Precise Plan. The applicant is required to provide a public benefit in the form of a fee payment of \$25 per bonus square foot above the baseline FAR of 0.40 (excluding 80,000 square feet of TDRs) for an estimated total contribution of \$2,909,475, which must be made payable to the City of Mountain View. Payment must be provided prior to issuance of the first foundation, excavation, or new structure building permit.
48. **TRANSFER OF DEVELOPMENT RIGHTS (TDR) APPROVAL:** This project includes 80,000 square feet of floor area from the Los Altos School District (LASD) TDR Program, which supports the financing of a new public school site in the San Antonio area, and also granted the applicant early submission for development review prior to the adoption of the East Whisman Precise Plan. To implement the project approval, the applicant/property owner will purchase 80,000 square feet of floor area from 2535 California Street, 506 Showers Drive, and 350 Showers Drive (future school site) from the LASD and transfer it to this project site, pursuant to the requirements outlined in Condition Nos. 49 and 50. Any revision to the project to reduce or remove use of approved TDR square footage at the project site shall be considered a major modification to the project approval and require review and consideration by the City Council. **(PROJECT-SPECIFIC CONDITION)**
49. **PROOF OF TDR TRANSFER:** The applicant/property owner shall submit a copy of an executed/recorded document(s) demonstrating proof of purchase and transfer of the approved 80,000 square feet of TDR floor area from the Los Altos School District future school site in the San Antonio Precise Plan area to the applicant/property owner for use on this project site. This documentation may be in the form of a Certificate of Transfer or similar legal instrument, to the satisfaction of the City Attorney, and shall be provided to the City prior to issuance of any building permit(s), including a demolition permit. The sale and transfer of TDR square footage may not occur before a covenant is recorded on the LASD future school site restricting development rights for the TDR Program square footage. Once the approved TDR project is constructed on this project site (i.e., the "receiving" site), no further transfer of the TDR floor area is permitted.
50. **DECLARATION OF COVENANTS (TDR):** A Declaration of Covenants, or similar legal instrument, is required to be recorded on the property of all TDR project sites receiving floor area from the Los Altos School District future school site, in order to identify the TDR square footage has been added to the project site in perpetuity as well as

the related restrictive covenants on the transferred TDR. The Covenant shall be in a form approved by the Community Development Department and City Attorney's Office and shall be signed, notarized, and recorded on the land prior to the issuance of any building permit (including demolition permit) for the project or concurrent with recordation of the parcel/final map, whichever occurs first.

51. **HOUSING IMPACT FEE:** 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 adopted fees in effect at the time of building permit issuance. Estimated fee is \$5,138,233.05, which incorporates credit for existing floor area.
52. **INDEMNITY AGREEMENT:** Prior to the issuance of the first building permit, 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 the project permits. 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.

CONSTRUCTION ACTIVITIES

53. **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).
54. **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.
55. **CONSTRUCTION PARKING:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project by contractors or other continued operations on-site. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
56. **ON-STREET PARKING RESTRICTION:** On-street construction parking is not permitted. The construction management plan shall include a monitoring and enforcement measure which specifics on-street parking will be monitored by the owner/operator of the property (or primary contractor), and penalties to be enforced by the owner/operator of the property (or primary contractor) for violations of on-street parking restrictions. Violations of this provision may result in a stop-work notice being issued by the City for development project.
57. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 750' 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 for review prior to issuance of building permits.
58. **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.
59. **HEALTH AND SAFETY MEASURES:** 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.

60. **HAZARDOUS MATERIALS CONTAMINATION:** To reduce the potential for construction workers and adjacent uses to encounter hazardous materials contamination from ACMs and lead-based paint, the following measures are to be included in the project:

- a. In conformance with local, State, and Federal laws, an asbestos building survey and a lead-based paint survey shall be completed by a qualified professional to determine the presence of ACMs and/or lead-based paint on the structures proposed for demolition. The surveys shall be completed prior to demolition work beginning on the structures.
- b. A registered asbestos abatement contractor shall be retained to remove and dispose of all potentially friable asbestos-containing materials, in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to building demolition that may disturb the materials. All construction 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 1 percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

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. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the waste being disposed.

61. **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.

62. **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.

63. **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.

64. **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.
65. **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.
66. **DISCOVERY OF TRIBAL CULTURAL RESOURCES:** If indigenous or historic-era archaeological resources are encountered during construction activities, all activity within 100’ of the find shall cease and the find shall be flagged for avoidance. The City and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior’s Professional Qualifications Standards for Archeology, shall be immediately informed of the discovery. The qualified archaeologist shall inspect the find within 24 hours of discovery and notify the City of their initial assessment. Indigenous archaeological materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include building or structure footings and walls, and deposits of metal, glass, and/or ceramic refuse.

If the City determines, based on recommendations from the qualified archaeologist, that the resource may qualify as a historical resource or unique archaeological resource (as defined in CEQA Guidelines Section 15064.5), or a tribal cultural resource (as defined in PRC Section 21074), the resource shall be avoided if feasible. Avoidance means that no activities associated with the Project that may affect cultural resources shall occur within the boundaries of the resource or any defined buffer zones. If avoidance is not feasible, the City of Mountain View shall consult with appropriate Native American tribes (if the resource is indigenous), and other appropriate interested parties to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC Section 21083.2 and CEQA Guidelines Section 15126.4. This shall include documentation of the resource and may include data recovery or other measures. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant

resource. The resource and treatment method shall be documented in a professional-level technical report to be filed with the California Historical Resources Information System. Work in the area may commence upon completion of approved treatment and under the direction of the qualified archaeologist.

67. **INDOOR FORMALDEHYDE REDUCTIONS:** If the project utilizes composite wood materials (e.g., hardwood plywood, medium density fiberboard, particleboard) for interior finishes, then only composite wood materials that are made with CARB approved, no-added formaldehyde (NAF) resins or ultra-low emitting formaldehyde (ULEF) resins shall be utilized (CARB, Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products, 17 CCR Section 93120 et seq., 2009-2013).
68. **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.

MITIGATION MEASURES

69. **EXISTING PRECISE PLAN MITIGATION MEASURES:** All mitigation measures identified in the East Whisman Precise Plan Environmental Impact Report (EIR) apply to this project and must be addressed during building permit submittal and construction. Some of these mitigation measures may be superseded by more stringent City standards, code requirements, or with more detailed measures incorporated into the project's environmental analysis. The applicant must note how they have addressed each mitigation measure to the satisfaction of the Zoning Administrator prior to building permit issuance.
70. **MM AQ-3.1:** Construction criteria pollutant and toxic air contaminant quantification shall be required on individual projects developed under the Precise Plan once construction equipment and phasing details are available through modeling to identify impacts and, if necessary, include measures to reduce emissions below the applicable BAAQMD construction thresholds. Reductions in emissions can be accomplished through, but not limited to, the following measures:
- Construction equipment selection for low emissions;
 - Use of alternative fuels, engine retrofits, and added exhaust devices;
 - Low-VOC paints;
 - Modify construction schedule; and
 - Implementation of BAAQMD Basic and/or Additional Construction Mitigation Measures for control of fugitive dust.

71. **MM HAZ-3.1:** Prior to the start of any redevelopment activity, a property-specific Phase I Environmental Site Assessment (ESA) shall be completed in accordance with ASTM Standard Designation E 1527-13 to identify Recognized Environmental Conditions, evaluate the property history, and establish if the property is likely to have been impacted by chemical releases. Soil, soil vapor, and/or groundwater quality studies shall subsequently be conducted, if warranted, based on the findings of the property-specific Phase I ESAs, to evaluate if mitigation measures are needed to protect the health and safety of construction workers, the environment, and area residents.

At properties identified as being impacted or potentially impacted by Recognized Environmental Conditions as part of the property-specific Phase I ESA or subsequent studies, a Site Management Plan (SMP) shall be prepared prior to development activities to establish management practices for handling contaminated soil, soil vapor, groundwater, or other materials during construction activities. The SMP shall be prepared by an Environmental Professional and submitted to the overseeing regulatory agency (e.g., United States Environmental Protection Agency, Regional Water Quality Control Board and/or County Department of Environmental Health) for review and approval prior to commencing construction activities. Management of site risks during earthwork activities in areas where impacted soil, soil vapor, and/or groundwater are present or suspected, shall be described. Worker training requirements, health and safety measures, and soil handling procedures shall be described. The SMP shall also be submitted to the City of Mountain View Planning Division for review.

72. **MM NOI-4.1:** Use drilled piles (which cause lower vibration levels) where geological conditions permit their use. In areas where project construction is anticipated to include vibration-generating activities, such as pile driving or use of vibratory rollers, in close proximity to existing structures, site-specific vibration studies should be conducted to determine the area of impact and to identify appropriate mitigation measures which may include the following:

- Identification of sites that would include vibration compaction activities such as pile driving and have the potential to generate ground-borne vibration, and the sensitivity of nearby structures to ground-borne vibration. Vibration limits should be applied to all vibration-sensitive structures located within 200' of the project. A qualified structural engineer should conduct this task.
- Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions.
- Construction contingencies would be identified for when vibration levels approached the limits.
- At a minimum, vibration monitoring should be conducted during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements.

When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.

- Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.
73. **MM UTL-1.1:** The City shall require, determined on a project-by-project basis, the preparation of a site-specific utility analysis of applicable water, sewer, and stormwater infrastructure systems adjacent to and downstream of the project site to identify capacity issues. The utility impact analysis will be submitted to the Planning Division as part of future project applications. The analysis will determine the proportional utility impact fees to be paid under the nexus study and will identify any other utility infrastructure improvements required as a result of individual projects.

Entitlement review by the Building Inspection Division is preliminary. Building and Fire plan check reviews are separate permit processes applied for once the zoning approval has been obtained and appeal period has concluded; a formal permit submittal to the Building Inspection Division is required. Plan check review shall determine the specific requirements and construction compliance in accordance with adopted local, State, and Federal codes for all building and/or fire permits. For more information on submittal requirements and timelines, please visit the Building Inspection Division online at www.mountainview.gov/building. It is a violation of the MVCC for any building occupancy or construction to commence without the proper building and/or fire permits and issued Certificate of Occupancy.

74. **BUILDING AND FIRE PERMITS – CODE REQUIREMENTS: Obtaining Planning entitlement for this project is not an approval from Building or Fire.** A formal permit submittal to the Building Inspection Division is required. Plan check through the Building Inspection Division shall determine the specific project requirements and construction compliance in accordance with Federal, State, and Local codes adopted for all building and/or fire permits.

Entitlement review by the Building Inspection Division is preliminary and only attempting to identify critical or significant code concerns. Building plan check review is a separate permit application process that can only be applied for once the Planning approvals have been obtained and the required appeal period has passed. For information on how to submit for building and fire permits, please refer to the Building Inspection Division’s website – www.mountainview.gov/submitbuildingpermit for review timelines and document requirements.

No construction work shall commence without the appropriate issued building permit(s) and no new occupancy shall commence without a properly executed Certificate of Occupancy. Please visit City of Mountain View – Building & Fire Division (for construction) online at www.mountainview.gov/building or by phone at 650-903-6313 to obtain information and submittal requirements.

75. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon submittal. Current codes are the 2019 California Codes: Building, Residential, Fire, Electrical, Mechanical, Plumbing, CALGreen, CAEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC).
76. **ACCESSIBILITY REQUIREMENTS:** The project is required to comply with:
- **CHAPTER 11B:** Project will be required to comply with the accessibility requirements in the CBC, Chapter 11B.
 - **PARKING (CHAPTER 11B):** Project will be required to comply with the accessible parking requirements in the CBC, Chapter 11B.
77. **DUAL PLUMBING:** Project will be subject to the dual-plumbing requirements in the CBC, Chapter 16A, and MVCC Sections 8.30 through 8.30.5.
78. **ELECTRIC VEHICLE STATIONS:** Project is required to provide electric vehicle (EV) charging facilities per CalGreen Section 5.106.5.3 and MVCC Sections 8.20.42 to 8.20.46.
79. **ADDRESSES:** All street names, street numbers, and residential apartment numbers will be processed prior to Building Inspection Division approval of the project. Commercial suite numbers are issued by the United States Postal Service (USPS).
80. **APPROVALS REQUIRED:** This project requires the approval of the Santa Clara County Environmental Health Department (SCCHD) prior to submittal to the Building Inspection Division. Please visit SCCHD online at www.sccgov.org or by phone at 408-918-3400 to obtain information and requirements for approval.

81. **COMMERCIAL TENANT IMPROVEMENTS:** The tenant improvements for the commercial spaces will be required to obtain a separate building permit.
82. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the CBC.
83. **ACCESSIBLE MEANS OF EGRESS:** Site must meet accessible means of egress per the CBC, Section 1009.
84. **HAZARDOUS MATERIALS:** Any installation of hazardous materials will require submittal of HMIS forms for the Fire Protection Engineer *and* the Hazardous Materials Specialist. Please visit City of Mountain View – Fire & Environmental Protection Division online at www.mountainview.gov/fep or by phone at 650-903-6378 to obtain information and submittal requirements.
85. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for proposed project per Chapter 3 of the CBC.
86. **OCCUPANCY SEPARATION:** Proper separation to be provided between occupancies per the CBC, Table 508.4.
87. **OCCUPANT LOAD/EXIT DISCHARGE:** Provide detailed occupant load and exit discharge plans for each occupied area per requirements of the CBC, Section 1004.
88. **SMOKE CONTROL SYSTEMS:** Provide design details to establish minimum installation requirements and acceptance testing of smoke control systems per the CBC, Section 909.
89. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Please provide sufficient information at the time of building plan submittal to show how pedestrians will be protected per the CBC, Section 3306.
90. **PHOTOVOLTAIC:** Photovoltaic systems are to be a deferred submittal under separate building permit application.
91. **SUPERFUND SITE (MEW):** This site resides in the MEW (Middlefield-Ellis-Whisman) Superfund area and may be required to implement Environmental Protection Agency (EPA) mitigation measures prior to and during construction. Provide EPA acknowledgement and approval upon building permit submittal.
92. **SURVEY:** A survey will be required to be completed to verify structure placement.
93. **SCHOOL IMPACT FEE:** Project will be subject to School Impact fees. To obtain information, fee estimates, and procedures. Please contact the following local school districts: Mountain View Los Altos High School District *and* Mountain View Whisman School District *or* Los Altos Elementary School District.
94. **ALTERNATE MATERIALS METHODS REQUEST (AMMR):** Any submittals of AMMRs are required to be formally submitted with the complete initial building submittal. AMMRs will be reviewed by the Chief Building Official during the plan check process; approvals of AMMRs are not provided or processed prior to submittal to the Building Inspection Division.
95. **DEMOLITION PERMIT(S):** Demolition permit(s) are issued under a separate permit application. Please visit the City of Mountain View – Building & Fire Division online at www.mountainview.gov/building or contact by phone at 650-903-6313 to obtain information and submittal requirements.

FIRE PROTECTION SYSTEMS AND EQUIPMENT

96. **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. The underground fire service system shall be approved prior to approval of the automatic fire sprinkler system. All work shall conform to NFPA 13 (2016 Edition), NFPA 24 (2016 Edition), NFPA 72 (2016 Edition), and Mountain View Fire Department specifications. Contact the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements or visit online at www.mountainview.gov/firerequirements. (City Code Sections 14.10.27, 14.10.28, and California Fire Code Section 903.)
97. **STANDPIPE SYSTEM:** Provide a Class I standpipe system. (City Code Sections 14.10.29, 14.10.30, 14.10.31, and 14.10.32 and California Fire Code Section 905.)
98. **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.)
99. **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. Installation shall be complete and the system shall be tested prior to combustible construction.
100. **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 (2016 Edition) and Mountain View Fire Department requirements.)
101. **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.)
102. **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. Contact the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements or visit online at www.mountainview.gov/firerequirements. (California Fire Code, Section 907 and City Code, Section 14.10.33.)

EGRESS AND FIRE SAFETY

103. **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 1008.)
104. **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 1013.)
105. **EXIT DOORS IN GROUPS A, E, H, AND I OCCUPANCIES:** Exit doors shall be provided with approved panic hardware. (California Building Code, Section 1010.1.10.)
106. **GROUP A OCCUPANCIES:** Buildings or portions of buildings used for assembly purposes shall conform to all requirements of Title 19 and the Uniform Building Code. This shall include, but is not limited to: (1) two exits; (2) fire-retardant drapes, hangings, Christmas trees, or other similar decorative material; and (3) posting of a maximum occupant load sign. (California Code of Regulations, Title 19, Sections 3.08, 3.21, and 3.30.)
107. **GROUP A, E, I, AND R-1 OCCUPANCIES: DECORATIVE MATERIALS:** All drapes, hangings, curtains, drops, and all other decorative material, including Christmas trees, shall be made from a noncombustible or fire-resistive material or maintained in a flame-retardant condition by means of an approved flame-retardant solution or process approved by the California State Fire Marshal. (California Code of Regulations, Title 19, Sections 3.08 and 3.21.)
108. **INTERIOR WALL AND CEILING FINISH:** Interior finishes shall have a flame-spread rating in accordance with the California Building Code, Chapter 8, and California Code of Regulations, Title 19, Section 3.21.
109. **POSTING OF ROOM CAPACITY:** Any room used for assembly purposes shall have the capacity of the room posted in a conspicuous place near the main exit from the room. (California Building Code, Section 1004.3.)
110. **ON-SITE DRAWINGS:** Submit CAD (.dwg) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.
111. **EMERGENCY PROCEDURE MAPS (OFFICE BUILDINGS):** 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.)
112. **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 1023.9.)
113. **TWO-WAY COMMUNICATION:** A two-way communication system shall be provided at the landing serving each elevator or bank of elevators on each accessible floor that is one or more stories above or below the level of exit discharge. (California Building Code, Section 1009.8.)

HAZARDOUS CONDITIONS

114. **FLAMMABLE FINISHES:** Application of flammable finishes shall comply with the California Fire Code, Chapter 24.
115. **STATIONARY LEAD-ACID BATTERY SYSTEMS:** Stationary lead-acid battery systems shall comply with the California Fire Code, Section 1206.

EXTERIOR IMPROVEMENTS

116. **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. Contact the Building Inspection Division at 650-903-6313 for specifications or view online at www.mountainview.gov/firerequirements. (California Fire Code, Section 304.3.)
117. **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. (City Code, Section 14.10.18.)

OTHER

118. **FIRE PROTECTION CONSULTANT:** Provide a technical opinion and report, which shall be prepared by a fire protection consultant (a qualified engineer, specialist, laboratory, or fire safety specialty organization acceptable to the Fire Chief), that shall analyze the fire safety properties of the design, operation, or use of the buildings or premises and the facilities and appurtenances situated thereon and incorporate any changes as may be necessary based on the recommendations.

Sample duties of the consultant may include: (1) review of architectural, mechanical, electrical, fire sprinkler, and fire alarm drawings as they pertain to fire protection; (2) prepare a written report identifying deficiencies; (3) attend meetings that may be required by the Fire Department; (4) review changes to drawings and specifications; and (5) make visits to construction sites to assist the Fire Protection Engineer as requested.

119. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)

Public Works Department – 650-903-6311

RIGHTS-OF-WAY

120. **STREET DEDICATION:** Dedicate a public street in easement, as required by the Public Works Director, to widen Ellis Street an additional 4'.
121. **STREET DEDICATION (FRONTAGE ROAD):** Dedicate a public street in fee/easement, as required by the Public Works Director, to widen Fairchild Drive (frontage road) to a minimum right-of-way width of 55'.
122. **STREET CORNER DEDICATION:** Dedicate a 20' radius public street corner return in fee/easement, as required by the Public Works Director, at Ellis Street and Fairchild Drive.
123. **PUBLIC ACCESS EASEMENT, COVENANTS, AND DEED RESTRICTIONS (CONNECTIONS THROUGH SITES):** Prior to issuance of any building permits, the owner shall dedicate a 8' to 12" wide public access easement

(PAE), covenants, agreements, and deed restrictions on private property. The easement shall follow the pathway as shown on the plans that goes from Fairchild Drive to the east side of the parking structure and along the south side of the parking structure. The dedication shall indicate that:

- a. Public access shall be granted for nonautomotive use;
- b. Owner shall maintain, inspect, and monitor the PAE improvements in good order, condition, and repair and in compliance with the Americans with Disabilities Act (ADA);
- c. The PAE shall run with the land and be binding upon any successors;
- d. If Owner shall fail to abide by PAE, Owner agrees to pay all reasonable costs and expenses incurred by City in enforcing the performance of such obligations; and
- e. Owner agrees to defend, and hold City, its officers, employees, agents, and volunteers harmless from any liability for damage or claims for damage for personal injury, including, but not limited to, death and/or property damage caused by negligent acts, errors, or omissions in performance of services or operations under the Dedication, including maintenance operations performed on the PAE by Owner or Owner's contractors, subcontractors, agents, or employees.

A legal description (metes and bounds) and plat map (drawing) of: (1) the owner's property; and (2) the PAE area shall be prepared by the owner in accordance with the City's Legal Description and Plat Requirements and submitted to the Public Works Department for review and approval. The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor.

Associated improvements within the PAE (PAE Improvements) shall be constructed by the owner and approved by the City.

124. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a 10' wide public utility easement (PUE) along project street frontage(s) for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, and telecommunication facilities, as required by the Public Works Director. If the existing street easements are greater than 55', the PUE may be narrower. The street easement plus the PUE shall equal 65'. The property owner or homeowners association shall maintain the surface improvements over the easement and must not modify or obstruct the easement area in a manner contrary to the intent of the easement. The dedication statement shall specify the PUE shall be kept free and clear of buildings and other permanent structures/facilities, including, but not limited to, the following:
- Garages, sheds, carports and storage structures;
 - Balconies and porches;
 - Retaining walls;
 - C.3 bioretention systems;
 - Private utility lines running longitudinally within the PUE; and
 - Gates or fences that prevent public access.
125. **PLAT AND LEGAL DESCRIPTION:** For proposed public easement and/or right-of-way dedication(s), submit to the Public Works Department for review and approval a legal description (metes and bounds), plat map (drawing),

and other required documents per the City's Legal Description and Plat Requirements. The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor.

126. **EXISTING PUBLIC UTILITY EASEMENT:** No structures are allowed in the existing Public Utility Easement. The transformer enclosure shown on the plans must be removed.

FEES

127. **PLAN CHECK AND INSPECTION FEE:** Prior to issuance of any building permits, the applicant shall pay the plan check and inspection fee in accordance with Sections 27.60 and 28.36 of the City Code per the adopted rates in effect at time of payment.

An initial plan check fee based on the Public Works fee schedule shall be paid at the time of initial improvement plan check submittal based on the initial cost estimate for constructing street improvements and other public facilities; public and private utilities and structures located within the public right-of-way; and utility, grading, and driveway improvements for common green and townhouse-type condominiums.

Once the plans have been approved, the approved cost estimate will be used to determine the final bond amounts, plan check fees, and inspection fees. Any paid initial plan check fee will be deducted from the approved final plan check fee.

128. **TRANSPORTATION IMPACT FEE:** Prior to issuance of any building permits, the applicant shall pay the transportation impact fee for the development. Residential category fees are based on the number of units. Retail, Service, Office, R&D, and Industrial category fees are based on the square footage of the development. Credit is given for the existing site use(s), as applicable.
129. **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 residential connections are based on the number and type of dwelling units. There are separate charges for different types of residential categories so that the capacity charges reasonably reflect the estimated demand of each type of connection. 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.
130. **SANITARY SEWER FAIR SHARE CONTRIBUTION:** The Utility Impact Study by Schaaf & Wheeler, dated June 4, 2020, identified performance and capacity deficiencies at downstream segments of the City sanitary sewer system contributed by the development beyond the levels anticipated under the adopted General Plan. Prior to issuance of the building permit and approval of the parcel map, the applicant shall be required to pay a proportionate fair-share contribution to the City to upsize the sanitary sewer pipelines in the system to achieve appropriate performance and capacity.

STREET IMPROVEMENTS

131. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements required for the project and as required by Chapters 27 and 28 of the City Code. These improvements include, but are not limited to, new curb, gutter, and sidewalk along Fairchild Drive and Ellis Street; new domestic, irrigation, recycled and fire water services, meter and apparatus as required for the new building; new irrigation, domestic and fire water services, meters and apparatus for the existing building to remain; storm and sewer connections; relocation of street signal poles; new streetlights; relocation of the gas main on Fairchild Drive; undergrounding of overhead electric, including removal of pole on Fairchild Drive.

- a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the issuance of the building permit.
 - b. **BONDS/SECURITIES:** 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 improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available through the Internet at: www.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.
 - c. **INSURANCE:** Provide a Certificate of Insurance and endorsements for the Commercial General Liability and Automobile Liability, naming the City as an additional insured from the entity that will sign the improvement agreement prior to the issuance of the building permit. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, One Million Dollars (\$1,000,000) Pollution Insurance, and Five Million Dollars (\$5,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.
132. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, Submittal Checklist, Plan Review Checklist, and the conditions of approval of the project. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a California-registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. Traffic control plans for each phase of construction shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and shall show, at a minimum, work areas, delineators, signs, and other traffic control measures required for work that impacts traffic on existing streets. Locations of on-site parking for construction equipment and construction workers and on-site material storage areas must be submitted for review and approval. Off-site improvement plans (10 sets), an initial plan check fee based on the Public Works fee schedule, 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 full-size and 2 half-size 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.
133. **TRAFFIC CONTROL PLANS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit traffic control plans for any off-site and on-site improvements or any work that requires temporary lane closure, shoulder closure, bike lane closure, and/or sidewalk 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. Traffic control plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD).
- Traffic control plans shall be prepared, stamped, and signed by a California-registered Traffic Engineer (T.E.).
134. **INFRASTRUCTURE QUANTITIES:** Upon submittal of the initial building permit and improvement plans, submit a construction cost estimate indicating the quantities of the street and utility improvements. Construction cost estimate shall include private common street and utility improvements for Common Green and Townhouse-

Type Condominium developments. 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. The construction cost estimate is to be prepared by the civil engineer preparing the improvement plans.

135. **EXCAVATION PERMIT:** Upon submittal of the initial building permit and improvement plans, submit to the Public Works Department a complete Excavation Permit Application for all applicable work within the public right-of-way. Permit applications are available on the Internet from the Public Works Department website. All work within City right-of-way must be consolidated on the site, off-site, and/or utility plans. Plans of the work, traffic control plans for work within the public roadway and/or easement, insurance certificate and endorsements, and permit fees are required with the Excavation Permit Application.
136. **ENCROACHMENT RESTRICTIONS:** Private facilities, including, but not limited to, gates, fences, structures, steps, doors (including door swing), handrails, backflow preventers, signs, fences, retaining curbs, and retaining walls shall not encroach into the public street easement or public access easement.
137. **CORNER STREET SIGHT TRIANGLE:** At street corners of controlled and/or uncontrolled intersections, the building architecture, landscaping, signage, and other aboveground improvements (including backflow preventers) shall conform to City Standard Detail A-23, Corner Intersection Visibility Traffic Safety Visibility Area.
138. **DRIVEWAY SIGHT TRIANGLE:** The building architecture, landscaping, signage, and other aboveground improvements (including backflow preventers) shall conform to City Standard Detail A-22, Side Street/Driveway Pedestrian and Vehicular Triangle of Safety.
139. **STREETLIGHTS:** City standard streetlights shall be installed along the project street frontage of Fairchild Drive per City standards. Additional City standard streetlights may be required along Ellis Street. Streetlights shall be installed near crosswalks, driveways, intersections, or other locations deemed necessary by the City Traffic Engineer. Existing streetlights shall be removed, replaced, and upgraded to conform with the City's latest Standard Provisions and Standard Design Criteria. All conduits, pullboxes, and wiring shall be removed, replaced, and upgraded.
140. **STREET OVERLAY:** Half-street overlay (minimum 2" grind and overlay) along Fairchild Drive, and the Fairchild Drive/Ellis Street intersection project street frontage shall be required due to multiple utility trenches and impacts from the anticipated construction traffic.

CURBS, SIDEWALKS, AND DRIVEWAYS

141. **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. New sidewalks at the corner of Ellis Street and Fairchild Drive shall conform to the ADA ramps proposed by CIP 16-48.

For modified or newly constructed traffic signals, existing nonconforming access ramps shall be reconstructed to comply with ADA requirements.

142. **SIDEWALK IMPROVEMENTS:** Construct new curb, gutter, and sidewalk along the project frontages of Fairchild Drive and Ellis Street. Per the East Whisman Precise Plan, the street sections shall be as follows:
 - Fairchild Drive: 7' separated sidewalk and 5' landscape strip.
 - Ellis Street: 8' separated sidewalk and 6' landscape strip.

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 or online at www.mountainview.gov/fep. “Stormwater Quality Guidelines for Development Projects” can be accessed on the Fire Department website: www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=13392.

ENVIRONMENTAL SAFETY

143. **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.
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144. **FOOD SERVICE CHECKLIST:** Complete a “Food Service Checklist: Grease Control and Stormwater Pollution Prevention” for building plan review. All applicable items in the checklist should be completed and shown on the building plan submittal.
145. **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.
146. **CONSTRUCTION BEST MANAGEMENT PRACTICES:** All construction projects shall be conducted in a manner which prevents the release of hazardous materials, hazardous waste, polluted water, and sediments to the storm drain system.
147. **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.
148. **ENGINEERED DRAWINGS:** Treatment systems and/or porous pavement, pavers, and other uncompacted surfaces require engineered drawings.
149. **LOW-USE ACCESS AREA DRAINAGE:** Low-use public access areas such as overflow parking, emergency access roads, and alleys shall be designed to increase stormwater infiltration and decrease runoff by one or more of the following methods: (a) porous pavement; (b) pavers; (c) uncompacted bark/gravel; or (d) drain to landscaped areas or vegetative strips.
150. **LOW-USE ACCESS AREA DRAINAGE:** Low-use public access areas such as overflow parking, emergency access roads, and alleys shall be designed to increase stormwater infiltration and decrease runoff by one or more of the following methods: (a) porous pavement; (b) pavers; (c) uncompacted bark/gravel; or (d) drain to landscaped areas or vegetative strips.
151. **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.

152. **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.
153. **FIRE SPRINKLERED BUILDINGS:** New buildings that will have fire sprinkler systems shall be provided with a sanitary sewer drain in a protected area, which can adequately accommodate sprinkler water discharged during sprinkler system draining or activation of the inspector test valve. Show the location and provide a detail of fire sprinkler drain on the plans.
154. **PRIVATE STORM DRAIN INLET STENCILING:** For residential subdivisions with private streets, storm drain inlets shall be labeled in accordance with the City's storm drain inlet label program ("No Dumping, Flows to Bay").
155. **HAZARDOUS MATERIALS/WASTE LOADING DOCKS:** Loading docks used for hazardous materials or hazardous waste shipping/receiving shall be designed to prevent the run-on of stormwater and runoff of spills by all of the following: (a) paving the dock with concrete or other nonpermeable surface; (b) covering the dock or installing a rain sensor which automatically opens the storm drain in the dock; and (c) sloping the dock inward (negative slope) or installing a berm or curb around its perimeter. There shall be no storm drains in the loading docks unless they are normally in the closed position and interlocked to open when triggered by the rain sensor.
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 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.

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

160. **FULL TRASH CAPTURE:** Projects located in “moderate,” “high,” or “very high” trash generating areas as outlined in the City’s Long-Term Trash Load Reduction Plan that are undergoing site improvements shall install full trash capture protection within the existing storm drain system. Examples of full trash capture systems include large trash capture devices, such as hydrodynamic separators or media filtration systems, or small trash capture devices, such as storm drain catch basin connector pipe screens. Once installed, the property owner or property manager shall be responsible for maintaining the trash capture device. Maintenance shall be completed in accordance with the manufacturer’s recommended frequency, but at a minimum of one time per year. Indicate the type of full trash capture device that will be installed to remove trash from runoff for the entire project site, and include details for the installation of the trash capture system(s) in the building plans for the project.
161. **BUILDING DEMOLITION PCB CONTROL:** Nonwood-frame buildings constructed before 1981 that will be completely demolished are required to conduct representative sampling of priority building materials that may contain polychlorinated biphenyls (PCBs). If sample results of one or more priority building materials show PCBs concentrations ≥ 50 ppm, the applicant is required to follow applicable Federal and State notification and abatement requirements prior to demolition of the building. Submit a completed “Polychlorinated Biphenyls (PCBs) Screening Assessment Applicant Package” with the building demolition plans for the project. A demolition permit will not be issued until the completed “PCBs Screening Assessment Applicant Package” is submitted and approved by the City Fire and Environmental Protection Division (FEPD). Applicants are required to comply with applicable Federal and State regulations regarding notification and abatement of PCBs-containing materials. Contact the City’s FEPD at 650-903-6378 to obtain a copy of the “PCBs Screening Assessment Applicant Package” and related guidance and information.

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.

MN/4/CDD/813-10-21-20CoA