

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2016

A RESOLUTION CONDITIONALLY APPROVING A DEVELOPMENT REVIEW
PERMIT TO CONSTRUCT A 24-UNIT RESIDENTIAL DEVELOPMENT PROJECT
AND A HERITAGE TREE REMOVAL PERMIT TO REMOVE
SEVEN HERITAGE TREES AND RELOCATE TWO HERITAGE TREES
AT 2645 AND 2655 FAYETTE DRIVE

WHEREAS, an application was received from Kevin DeNardi on behalf of The DeNardi Group for a Development Review Permit to construct a 24-unit residential development project and for a Heritage Tree Removal Permit to remove seven Heritage trees and relocate two Heritage trees at 2645 and 2655 Fayette Drive (Application No. 518-14-DRP); and

WHEREAS, the Zoning Administrator held a public hearing on April 27, 2016 on said application and recommended that the City Council conditionally approve the Development Review Permit and Heritage Tree Removal Permit subject to the findings and conditions of approval in the Findings Report; and

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

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

1. The Development Review Permit for the construction of a 24-unit residential development project is conditionally approved based upon the conditions contained herein and upon the following findings pursuant to 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 project complies with all development standards for the R3-D Zoning District, including density, height, setbacks, open area, parking, and landscaping. The project is consistent with General Plan Policy *LUD 3.5: Diversity*, as it includes a variety of unit sizes and types serving a diverse range of households; with General Plan Policy *LUD 3.9: Parcel assembly*, as the project assembles two smaller underutilized sites for redevelopment; with General Plan Policy *LUD 6.1:*

Neighborhood character, as the proposed site design and architectural design are compatible with the character of the existing residential neighborhood; with General Plan Policy LUD 9.1: *Height and setback transitions*, as the project design includes lower two-story elements near property lines and provides substantial setbacks for taller four-story elements in order to be sensitive to adjacent structures and the surrounding neighborhood; and with General Plan Policy LUD 9.3: *Enhanced public space*, as the project has a strong, pedestrian-oriented design with conveniently located and attractive pathways from the street, and the project design locates an attractive outdoor recreation area adjacent to the future public parkway on the Hetch Hetchy right-of-way parcel to provide for a safer and more visually appealing public park space;

b. The architectural design of structures, including colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, signs, etc.), is compatible with surrounding development because the project uses high-quality design and quality materials such as stone and stucco walls, metal roofs, and wood accents which are appropriate to a multi-family residential development. The project was formally reviewed by the Development Review Committee (DRC), which is responsible for making design recommendations and comments on architecture and site design. The DRC has recommended approval of the project with minor design modifications which are incorporated herein as conditions of approval;

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 locating lower two-story building elements near property lines, locating taller four-story building elements at the center of the site with substantial setbacks, locating the roof deck near the front of the project, adjacent to the Hetch Hetchy right-of-way, to limit privacy impacts, providing multiple well-designed pedestrian access points into the project, and using planters to provide trees and other substantial landscaping above the parking podium;

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 relocating existing mature trees where feasible, planting additional perimeter screening trees, proposing new street trees along Fayette Drive, and using a variety of native and drought-tolerant landscaping materials which meet the Water Conservation in Landscaping Regulations;

e. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing adequate off-street resident and guest parking with a total of 47 resident parking spaces where at least 47 are required and 7 guest parking spaces where at least 7 are required, locating parking underground where it will not be a barrier to other modes of

transportation, providing attractive pedestrian entrances connecting to the public sidewalk, limiting the project to a single vehicular site entrance, providing ample, secure bicycle parking for residents in the garage, and providing convenient guest bicycle parking at the street level; and

f. The approval of the Development Review Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA) because the project qualifies as categorically exempt under Section 15332 (“Infill Development Projects”) of the CEQA Guidelines. The project is an infill development at the edge of an existing residential neighborhood which is consistent with the applicable General Plan and zoning designation and regulations; is on a project site of less than five acres; contains no value as habitat for endangered, rare, or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can adequately be served by all required utilities and public services.

2. The Heritage Tree Removal Permit to remove seven Heritage trees and relocate two Heritage trees is conditionally approved based on the conditions contained herein and the following findings made pursuant to Section 32.35 of the City Code:

a. It is appropriate and necessary to remove the trees due to the condition of the trees with respect to age of the trees relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services, based on the proposed plans and the arborist reports prepared by Michael P. Young and Kielty Arborist Services. The existing Heritage trees are within the area to be excavated for underground parking. Per the arborist reports, seven of the nine trees are in fair or poor condition. Two are in fair/good condition. Given the conditions, sizes, and species of these trees, most cannot be relocated. Two palm trees were determined to be suitable for relocation and are proposed to be located in front of the main pedestrian entrance;

b. It is appropriate and necessary to remove the trees in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties, based on the proposed plans and the arborist reports prepared by Michael P. Young and Kielty Arborist Services. The Heritage trees are within the area to be excavated for underground parking and cannot be retained in place. Given the conditions, sizes, and species of these trees, most cannot be relocated. Two palm trees were determined to be suitable for relocation and are proposed to be located in front of the main pedestrian entrance;

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. The existing on-site trees are generally in fair condition with the exception of one tree in poor condition and declining. A redwood tree and an oak tree in fair/good condition have scenic value, but are located in the area to be excavated for underground parking and cannot be preserved in place. Evaluation by the project arborists has determined these trees are not suitable candidates for relocation given their sizes, species, and conditions;

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. Per the arborist reports, most of the site's trees are in fair condition, with only two trees identified as being in fair/good condition and none identified as being in good condition. The overall health of the urban forest would be enhanced through replacement of these trees;

e. Removal of the trees will not adversely affect the topography of the land or create soil erosion through diversion or increase flow of surface waters. The project site is relatively level. Topography will be affected by the proposed excavation for underground parking, but is not expected to be affected by the removal of trees;

f. Removal of the trees will not adversely affect the remaining number, species, size, and/or location of existing trees on the site or in the general vicinity. Replacement trees are proposed to increase the overall tree canopy on the project site and increase the variety of species;

g. Removal of the trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole. Existing on-site trees do not have substantial historic value, and replacement trees are proposed to provide adequate shade, noise attenuation, protection from wind damage and air pollution, and scenic beauty; and

h. The approval of the Heritage Tree Removal Permit for the removal of seven Heritage trees and the relocation of two Heritage trees complies with the CEQA because the project qualifies as categorically exempt under Section 15332 ("Infill Development Projects") of the CEQA Guidelines. The project is an infill development at the edge of an existing residential neighborhood which is consistent with the applicable General Plan and zoning designation and regulations; is on a project site of less than five acres; contains no value as habitat for endangered, rare, or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water

quality; and the site can adequately be served by all required utilities and public services.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Mountain View that the Development Review Permit and Heritage Tree Removal Permit for said project are hereby granted subject to the developer's fulfillment of all the conditions which are attached hereto as Exhibit A and incorporated herein by reference.

MH/2/RESO
802-06-07-16r-E-1

Exhibit: A. Conditions of Approval

CONDITIONS OF APPROVAL
APPLICATION NO.: 518-14-DRP
2645 and 2655 Fayette 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 City Code of the City of Mountain View and the State of California. The lead department with which the applicant will work is identified on each condition where necessary. Where approval by the Community Development Director, City Engineer, Public Works Director, City Attorney, Chief Building Official, or Fire Department is required, that review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted practices for the items under review. The applicant is hereby notified that (s)he is required to comply with all applicable codes or ordinances of the City of Mountain View and the State of California that pertain to this development and are noted herein.

This approval is granted to construct a 24-unit residential condominium development located on Assessor Parcel Nos. 148-16-008 and 148-16-009. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein:

- a. Project drawings prepared by William Maston Architects for The DeNardi Group dated as received on April 14, 2015, and consisting of 53 sheets.
- b. Color and materials board prepared by William Maston Architects for The DeNardi Group dated February 17, 2016, and kept on file in the Planning Division of the Community Development Department.
- c. Arborist reports prepared by Michael P. Young for The DeNardi Group dated May 16, 2014, consisting of nine sheets, and dated September 9, 2015, consisting of one sheet; and prepared by KIELTY Arborist Services for D & C Development dated August 7, 2015, consisting of two sheets.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Development Review approval for the 24-unit residential condominium development is conditionally approved based upon the conditions of approval contained herein and upon the following findings:

- 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 project complies with all development standards for the R3-D Zoning District, including density, height, setbacks, open area, parking, and landscaping. The project is consistent with General Plan Policy *LUD 3.5: Diversity*, as it includes a variety of unit sizes and types serving a diverse range of households; with General Plan Policy *LUD 3.9: Parcel assembly*, as the project assembles two smaller underutilized sites for redevelopment; with General Plan Policy *LUD 6.1: Neighborhood character*, as the proposed site design and architectural design are compatible with the character of the existing residential neighborhood; with General Plan Policy *LUD 9.1: Height and setback transitions*, as the project design includes lower two-story elements near property lines and provides substantial setbacks for taller four-story elements in order to be sensitive to adjacent structures and the surrounding neighborhood; and with General Plan Policy *LUD 9.3: Enhanced public space*, as the project has a strong, pedestrian-oriented design with conveniently located and attractive pathways from the street, and the project design locates an attractive outdoor recreation area adjacent to the future public parkway on the Hetch Hetchy right-of-way parcel to provide for a safer and more visually appealing public park space;
- B. The architectural design of structures, including colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, signs, etc.), is compatible with surrounding development because the project uses high-quality design and quality materials such as stone and stucco walls, metal roofs, and wood accents which are

appropriate to a multi-family residential development. The project was formally reviewed by the Development Review Committee (DRC), which is responsible for making design recommendations and comments on architecture and site design. The DRC has recommended approval of the project with minor design modifications which are incorporated herein as conditions of approval;

- 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 locating lower two-story building elements near property lines, locating taller four-story building elements at the center of the site with substantial setbacks, locating the roof deck near the front of the project adjacent to the Hetch Hetchy right-of-way to limit privacy impacts, providing multiple well-designed pedestrian access points into the project, and using planters to provide trees and other substantial landscaping above the parking podium;
- 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 relocating existing mature trees where feasible, planting additional perimeter screening trees, proposing new street trees along Fayette Drive, and using a variety of native and drought-tolerant landscaping materials which meet the Water Conservation in Landscaping Regulations;
- E. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing adequate off-street resident and guest parking with a total of 47 resident parking spaces where at least 47 are required and 7 guest parking spaces where at least 7 are required, locating parking underground where it will not be a barrier to other modes of transportation, providing attractive pedestrian entrances connecting to the public sidewalk, limiting the project to single vehicular site entrance, providing ample secure bicycle parking for residents in the garage, and providing convenient guest bicycle parking at the street level; and
- F. The approval of the Development Review Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA) because the project qualifies as categorically exempt under Section 15332 ("Infill Development Projects") of the CEQA Guidelines. The project is an infill development at the edge of an existing residential neighborhood which is consistent with the applicable General Plan and Zoning designation and regulations; is on a project site of less than five acres; contains no value as habitat for endangered, rare, or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can adequately be served by all required utilities and public services.

The Heritage Tree Removal Permit to remove seven Heritage trees (Tree Nos. 1, 7, 11, 12, 13, 17, and 21) and relocate two Heritage trees (Tree Nos. 6 and 24) is conditionally approved based on the conditions contained herein and the following findings:

- 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 proposed plans and the arborist reports prepared by Michael P. Young and Kielty Arborist Services. The existing Heritage trees are within the area to be excavated for underground parking. Per the arborist reports, seven of the nine trees are in fair or poor condition. Two are in fair/good condition. Given the conditions, sizes, and species of these trees, most cannot be relocated. Two palm trees were determined to be suitable for relocation and are proposed to be located in front of the main pedestrian entrance;
- B. It is appropriate and necessary to remove the trees in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties, based on the proposed plans and the arborist reports prepared by Michael P. Young and Kielty Arborist Services. The Heritage trees are within the area to be excavated for underground parking and cannot be retained in place. Given the conditions,

sizes, and species of these trees, most cannot be relocated. Two palm trees were determined to be suitable for relocation and are proposed to be located in front of the main pedestrian entrance;

- 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. The existing on-site trees are generally in fair condition with the exception of one tree in poor condition and declining. A redwood tree and an oak tree in fair/good condition have scenic value, but are located in the area to be excavated for underground parking and cannot be preserved in place. Evaluation by the project arborists has determined these trees are not suitable candidates for relocation given their sizes, species, and conditions;
- 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. Per the arborist reports, most of the site's trees are in fair condition, with only two trees identified as being in fair/good condition and none identified as being in good condition. The overall health of the urban forest would be enhanced through replacement of these trees;
- E. Removal of the trees will not adversely affect the topography of the land or create soil erosion through diversion or increase flow of surface waters. The project site is relatively level. Topography will be affected by the proposed excavation for underground parking, but is not expected to be affected by the removal of trees;
- F. Removal of the trees will not adversely affect the remaining number, species, size, and/or location of existing trees on the site or in the general vicinity. Replacement trees are proposed to increase the overall tree canopy on the project site and increase the variety of species;
- G. Removal of the trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole. Existing on-site trees do not have substantial historic value, and replacement trees are proposed to provide adequate shade, noise attenuation, protection from wind damage and air pollution, and scenic beauty; and
- H. The approval of the Heritage Tree Removal Permit for the removal of seven Heritage trees and the relocation of two Heritage trees complies with the CEQA because the project qualifies as categorically exempt under Section 15332 ("Infill Development Projects") of the CEQA Guidelines. The project is an infill development at the edge of an existing residential neighborhood which is consistent with the applicable General Plan and Zoning designation and regulations; is on a project site of less than five acres; contains no value as habitat for endangered, rare, or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can adequately be served by all required utilities and public services.

This approval is granted to construct a 24-unit residential condominium development located on Assessor Parcel Nos. 148-16-008 and 148-16-009. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein:

- a. Project drawings prepared by William Maston Architects for The DeNardi Group dated as received on April 14, 2015, and consisting of 53 sheets.
- b. Color and materials board prepared by William Maston Architects for The DeNardi Group dated February 17, 2016, and kept on file in the Planning Division of the Community Development Department.

- c. Arborist reports prepared by Michael P. Young for The DeNardi Group dated May 16, 2014, consisting of nine sheets, and dated September 9, 2015, consisting of one sheet; and prepared by Kielty Arborist Services for D & C Development dated August 7, 2015, consisting of two sheets.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Community Development Department – 650-903-6306

PLANS AND SUBMITTAL REQUIREMENTS

1. **REQUIRED DESIGN MODIFICATIONS:** Per the recommendation of the Development Review Committee (DRC), the following modifications to the project design shall be made prior to issuance of a building permit and shall be shown on the building permit drawings. These modifications are subject to review and approval by the Zoning Administrator to determine compliance with the DRC's recommendation:
 - a. Recessed windows shall be used throughout the project.
 - b. Coordinate with Planning staff to refine the trellis details. Some trellises appear too heavy, especially over windows.
 - c. Coordinate with Planning staff to simplify trims, stone banding, and the design of columns on side balconies.
 - d. Coordinate with Planning staff to refine the relationship of the roof deck trellis to the adjacent patio cover roof.
 - e. Coordinate with Planning staff to refine the elevator tower medallion detail. A recess, clock, or other detail may be more appropriate.
 - f. Remove the post shown in the center of the vehicular driveway.
 - g. Provide a detail for the transition between light and dark stone colors on the east side of the garage ramp wall, and coordinate with Planning staff to determine the appropriate means of transition.
 - h. Additional potted landscaping shall be added to the common open areas. In the proposed landscaping plan, paved courtyard areas appear too stark.
 - i. Provide a mock-up of colors and materials for review and approval by Planning staff in the field during construction.

(PROJECT-SPECIFIC CONDITION)

2. **ZONING INFORMATION:** The following information must be listed on the lower right-hand corner of the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning designation; (c) floor area ratio or density in units per acre; (d) lot area (in square feet); and (e) total number of parking spaces.
3. **CERTIFICATION OF BUILDING PERMIT PLANS:** The project architect shall certify in writing that the architectural design shown in the building permit plans match the plans approved by the City Council/Zoning Administrator. Any changes must be clearly noted. The project architect shall also certify that the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.

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 public hearing, which can be referred to 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. **COLOR CHIPS:** Color chips shall be attached to the title sheet of two sets of the building permit drawings and the color scheme shall be shown on the elevations.

SITE DEVELOPMENT AND BUILDING DESIGN

7. **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.
8. **TRIM MATERIALS:** Trim materials throughout the project shall be stone, wood, or high-density foam trim. Details of the specific placement and utilization of the trim materials shall be provided with the building permit drawings. Final trim design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
9. **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.
10. **WINDOWS:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified for each unit in the building permit drawings for review and approval by the Zoning Administrator prior to the issuance of building permits.
11. **RECESSED WINDOWS:** All windows shall be recessed from the face of the building a minimum of 3".
12. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to building permit issuance, for final selection and approval by the Zoning Administrator. At a minimum, the mock-up shall include a stucco finish sample, large stone samples including transition between stone types, trim samples, window and door samples, and paint samples.
13. **COLOR SCHEME:** The applicant shall paint a portion of the building with the proposed color scheme for inspection. Proposed primary and secondary (accent) paint colors should be painted next to each other on the building, to the extent feasible, for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
14. **COLOR AND MATERIALS:** Color and materials of the proposed addition are to be shown on permit drawings to match the rest of the structure.
15. **ROOF EQUIPMENT:** All roof equipment must be concealed behind opaque (solid) screening designed to complement the building. Details of the roof equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.

16. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval.
17. **FENCE/WALL:** All fencing and walls are to be shown on construction plans submitted for building permit review and shall not exceed 7' in height, measured from adjacent grade to the top of the fence or wall. The design and location must be approved by the Zoning Administrator and comply with all setback requirements.
18. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped. Double stripes shall be 12" apart, from outside edge to outside edge of the stripe. The 8-1/2' parking space width is measured from the center of one double stripe to the other, such that the space between stripes is 7-1/2'. For parallel parking spaces, only single-striped is required. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24'.
19. **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.
20. **BIKE RACKS:** The applicant shall provide at least three bike racks (Class II/III at 1 per 10 units). The racks shall be an "inverted U," or equivalent as approved by the Zoning Administrator, and must secure the frame and both wheels. Racks should be located near the building entrance (i.e., within constant visual range) unless it is demonstrated that they create a public hazard or locating them there is otherwise infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected from physical assault.
21. **BIKE LOCKERS:** The applicant shall provide at least 24 bike lockers (Class I at 1 per unit), or equivalent secure bicycle storage, as approved by the Zoning Administrator. A written building management policy of permitting bicycles to be stored in private offices or in designated areas within the structure where adequate security is provided may be approved by the Zoning Administrator as an alternative to bike locker facilities.

GREEN BUILDING AND SUSTAINABILITY MEASURES

22. **GREEN BUILDING – RESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of 100 GreenPoint Rated points. All mandatory prerequisite points and minimum point totals per category to attain GreenPoint Rated status must be achieved, unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through Build It Green is not required for compliance with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.

LANDSCAPING

23. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the curb must be included in the Building Inspection Division application. Minimum plant sizes are flats or 1-gallon containers for ground cover, 5-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
24. **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.

25. **STREET TREE:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division. Once completed, the applicant shall return the original to the Parks Division, located at 235 North Whisman Road, and provide a duplicate copy to the Building Inspection Division with building permit submittal.
26. **ARBORIST REPORT:** A qualified arborist shall provide written instructions for the care of the two relocated palm trees before, during, and after 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.
27. **LANDSCAPE SCREENING:** All utility meters, lines, transformers, backflow preventers, etc., on-site or off-site, must be shown on all site plan drawings and landscape plan drawings. All such facilities shall be located so as to not interfere with landscape material growth and shall be screened in a manner which respects the building design and setback requirements. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.

HERITAGE TREES

28. **IMPLEMENTATION:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit is secured and the project is pursued.
29. **REPLACEMENT:** The applicant shall offset the loss of each removed Heritage tree with two replacement trees, for a total of 14 replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage replacement trees.
30. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Michael P. Young and dated May 16, 2014, or revised measures provided in an updated arborist report, 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.
31. **RELOCATION:** Trees numbered 6 and 12 in the arborist report prepared by Michael P. Young and dated May 16, 2014, shall be relocated to another location on-site as identified in the approved site and landscape plans.

SIGNS

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

NOISE

33. **ROOF DECK OPERATIONS:** The approved hours of operation for the roof deck are limited to 9:00 a.m. to 10:00 p.m. The roof deck area may not have amplified music or sound as these may disturb on-site residents or surrounding property owners. In the event there are any problems with the hours of operation or with outdoor noise, the Zoning Administrator may hold a public hearing to review the situation and impose new or modified conditions of approval in response to the information received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code. **(PROJECT-SPECIFIC CONDITION)**
34. **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.

35. **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.
36. **CONSTRUCTION NOISE REDUCTION:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: (a) comply with manufacturer's muffler requirements on all construction equipment engines; (b) turn off construction equipment when not in use, where applicable; (c) locate stationary equipment as far as practical from receiving properties; (d) use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; and (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment.

CONSTRUCTION PRACTICES AND NOTICING

37. **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).
38. **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.
39. **CONSTRUCTION PARKING MANAGEMENT PLAN:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
40. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 300' of the project site of the construction schedule in writing, prior to construction. A copy of the notice and the mailing list shall be submitted prior to issuance of building permits.
41. **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.
42. **NOTICE TO TENANTS AND TENANT RELOCATION ASSISTANCE:** The applicant shall comply with the provisions of the City's Tenant Relocation Assistance Ordinance. This includes, but is not limited to, consulting with the City's Neighborhood Preservation Division and providing: (1) all required notices to tenants; (2) information to the relocation consultant for tenant eligibility determination; (3) funding for the relocation consultant services; and (4) relocation assistance payments to eligible tenants.
43. **AIR QUALITY:** The applicant will be required to secure a permit from the Bay Area Air Quality Management District or provide written assurance that no permit is required prior to issuance of a building permit.
44. **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.

45. **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.
46. **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.
47. **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.
48. **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.

49. **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.

TECHNICAL REPORTS

50. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City prior to the issuance of building permits, and the recommendations made in the geotechnical report will be implemented as part of the project. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the buildup of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.
51. **TOXIC ASSESSMENT:** A toxic assessment report shall be prepared and submitted as part of the building permit application. The applicant must demonstrate that hazardous materials do not exist on the site, or that construction activities and the proposed use of this site are approved by: the City of Mountain View Hazardous Materials Division of the Fire Department; the State Department of Health Services; the Regional Water Quality Control Board; and any Federal agency with jurisdiction. No building permits will be issued until each agency and/or department with jurisdiction has released the site as clean or an approved site toxics mitigation plan has been approved.
52. **SOIL MANAGEMENT PLAN:** Prepare a soil management plan for review and approval by the Santa Clara County Department of Environmental Health (SCCDEH). Proof of approval or actions for site work required by the SCCDEH must be provided to the Building Inspection Division prior to the issuance of any demolition or building permits.

CC&Rs

53. **CC&Rs:** Four copies of the proposed Covenants, Conditions, and Restrictions (CC&Rs) for the homeowners association shall be submitted to the Planning Division and approved by the City Attorney prior to building permit issuance. The applicant shall attach a completed CC&R checklist to the CC&Rs upon submittal. The checklist can be obtained in the Planning Division.

54. **MASTER PLAN:** The applicant shall prepare a master plan which establishes rules for modifications at this site, including fences, trellises, sunshades, and accessory buildings, as well as modifications to principal buildings. These rules shall be consistent with the provisions of the R3-D Zoning District and shall be approved by the Zoning Administrator. The Covenants, Conditions, and Restrictions (CC&Rs) shall specifically state that the master plan establishes the rules for modifications to the complex and that changes to the master plan require approval by the Zoning Administrator. Two copies of the final master plan shall be submitted to the Planning Division to remain on file.
55. **PROJECT INFORMATION:** All marketing and sales literature, leasing information, and the Covenants, Conditions, and Restrictions (CC&Rs) for the complex shall clearly state that this project is complete as built and that no further expansions to the building structures are permitted without Planning Division approval. Any revisions to the project would require a separate application to the City by the homeowners association and would need to establish rules for all units in the complex.

LEGAL AGREEMENTS

56. **BMR FOR SALE, IN-LIEU:** Prior to issuance of building permits, the applicant shall enter into written agreements with the City of Mountain View that will require the applicant to pay a Below-Market-Rate (BMR) Housing In-Lieu Fee to the City of Mountain View consistent with Sections 36.80 through 36.89 of the City Code and the Below-Market-Rate Housing Program Administrative Guidelines and Directives. The in-lieu fee payment shall be 3 percent of the actual gross sales price of each unit and shall be paid upon the close of escrow for each unit.
57. **BMR, PROCESS:** Following project approval, the applicant shall submit the following information to the Administrative and Neighborhood Services Manager in the Community Development Department, 650-903-6379: (a) a copy of the first page of the Findings Report; (b) a copy of the page from the Findings Report that contains the Below-Market-Rate (BMR) condition; and (c) a legal description of the property.

At the time of submittal for building permits, the applicant shall contact the Administrative and Neighborhood Services Manager, 650-903-6379, and a BMR agreement will be prepared for the project. Before building permits can be issued, the BMR agreement must be signed by the developer, and a 10 percent deposit of the required BMR fees must be paid to the City.

58. **NOTICE OF DEVELOPMENT RESTRICTIONS:** A Notice of Development Restrictions indicating the related development permit conditions that are to be completed with the development of the property is required for all planned developments and common-interest developments. The notice shall be in a form approved by the Planning Division and City Attorney’s Office and shall be signed and notarized by the subdivider. The approved and executed Notice of Development Restrictions must be recorded on the land of the subdivision before the approval of the parcel or final map.
59. **INDEMNITY AGREEMENT:** Prior to the issuance of any building permits, the applicant shall agree, in writing, to defend, indemnify, and hold harmless the City and its officers, agents, and employees in any action brought by a third party to void this Development Review Permit. The agreement shall be in a form satisfactory to the City Attorney and Zoning Administrator. It shall run with the land and shall not be amended without prior City consent.

Public Works Department – 650-903-6311

RIGHTS-OF-WAY

60. **STREET DEDICATION:** Dedicate a public street in fee as required by the Public Works Director, to widen Fayette Drive, 30’ from the centerline of the street.

FEES

61. **WATER AND SEWER CAPACITY CHARGES:** Prior to issuance of any building permits and prior to approval of the final map as applicable, 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.
62. **STORM DRAINAGE FEE:** Pay the off-site storm drainage fee per Section 28.51(b) and with the rates in effect at time of payment.
63. **PARK LAND DEDICATION FEE:** Prior to issuance of any building permits and prior to approval of the final map as applicable, the applicant shall pay the Park Land Dedication Fee (approximately \$15,000 to \$30,000 per unit) for each new residential unit in accordance with Chapter 41 of the City Code prior to the issuance of the building permit. No credit against the Park Land Dedication Fee will be allowed for private open space and recreational facilities. Provide the most current appraisal or escrow closing statement of the property with the following information to assist the City in determining the current market value of the land: (1) a brief description of the existing use of the property; (2) square footage of the lot; and (3) size and type of each building located on the property at the time the property was acquired.

STREET IMPROVEMENTS

64. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the project and as required by Chapters 27 and 28 of the Mountain View City Code. These improvements include curb, gutter, and sidewalk along Fayette Drive; street trees; sanitary sewer connection; storm drain connection; domestic and irrigation meters, backflow preventers and services and fire apparatus and service; and pavement restoration.
 - a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the approval of the building permit. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a cash deposit (100 percent) or provide a letter of credit (150 percent) securing the installation and warranty of the off-site and on-site common improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available through the Internet at: https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department. Any changes to the standard agreement will require an additional one- to three-week processing time with the City Attorney's Office.
 - b. **INSURANCE:** Provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the building permit. The insurance coverage amounts are a minimum of One Million Dollars (\$1,000,000) Commercial General Liability, Automobile Liability, and Workers' Compensation. The insurance requirements are available from the Public Works Department.
65. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site improvement plans in accordance with the City's Standard Design Criteria. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements and other applicable work within

the public right-of-way. A traffic control plan indicating the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. Locations of on-site parking for construction equipment and construction workers must be submitted for review and approval. Off-site plans (10 sets), Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the issuance of the building permit. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.

66. **INFRASTRUCTURE QUANTITIES:** Submit a construction cost estimate form indicating the quantities of the street and utility improvements with the submittal of the improvement plans. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees.
67. **ENCROACHMENT RESTRICTIONS:** Private steps, fences, and retaining walls shall not encroach into the public right-of-way.
68. **SPECIAL PAVERS AND CONCRETE REPLACEMENT:** The homeowners association shall be responsible for replacing the proposed pavers or textured concrete that is removed by the City to repair, replace, or maintain the City's underground utilities within the common driveway. This requirement shall be stated in the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Public Works Department for review and approval.

UTILITIES

69. **WATER AND SEWER SERVICE:** Each dwelling, townhouse, apartment house, restaurant, or place of business shall have its own water meter and sanitary sewer lateral in accordance with City Code Section 35.38.
70. **SEPARATE FIRE SERVICE:** Domestic water and fire services shall have separate lines connected to the City's water main, except when supplying NFPA 13D fire sprinkler systems as approved by the City Fire Protection Engineer. On-site fire lines, post indicator valves, Fire Department connections, and detector checks also require approval from the City's Fire Protection Engineer.
71. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required. The existing water service may be adequate to serve multiple meters, depending on size, and would require advance approval from the Public Works Director.
72. **WATER METER BANK:** The water meters shall be arranged in a bank of meters adjacent to the public sidewalk in the landscaped areas only. The bank of meters shall not be located in driveway approaches, concrete sidewalk areas, or next to the main driveway entrance so as not to impact the aesthetics of the entrance.
73. **WATER AND SEWER APPLICATIONS:** Prior to the issuance of the building permit, complete applications for water and sewer service if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid.
74. **EXCAVATION PERMIT:** Prior to the issuance of the building permit, submit a complete Excavation Permit Application to the Public Works Department for all applicable work within the public right-of-way. Permit applications are available from the Public Works Department. All work within City right-of-way must be consolidated on the site or utility plans. Plans of the work, traffic control plans for work within the public roadway, insurance certificate and endorsement, and permit fees are required with the Excavation Permit Application.

75. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, gate valves, and utility mains are to be shown on the plans. Sewer laterals, water services, and fire services shall have a minimum 5' horizontal separation from each other. Existing water services shall be shown to be disconnected and plugged at the main, unless they are satisfactory for reuse as determined by the Public Services Division. Water services 4" or larger that are not reused shall be plugged at the main by removing the gate valve and installing a blind flange and thrust block at the tee. Existing sanitary sewer laterals and storm connections that are not reused shall be abandoned, and existing face-of-curb drains that are not reused shall be removed.
76. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City water services. Backflow preventers shall be located directly behind the water meter or as reasonably close as possible at a location preapproved by the Public Services Division and screened from view with landscaping. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets or basements.
77. **UNDERGROUND SERVICES:** All new and existing electric, telephone, and cable television services serving the site are to be placed underground (including transformers). The undergrounding of the new and existing electric, telephone, and cable television services is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the site. (Aboveground transformers shall be located so they are screened or not visible from the street or to the general public as approved by the Community Development and Public Works Departments.)
78. **JOINT UTILITY PLANS:** Submit joint utility plans showing the location of the proposed electric, gas, telephone, and cable television conduits and vaults. These plans shall be combined and made a part of the improvement plans. Dedicate utility easements that are necessary for the common utility on the final map.

SIDEWALKS AND DRIVEWAYS

79. **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.
80. **ADA SIDEWALK REQUIREMENTS:** A minimum 4' wide Americans with Disabilities Act-compliant public sidewalk shall be provided behind new and existing driveway approaches. Tapers (conforms) can be provided to connect the proposed public sidewalk on each side of the proposed driveway.
81. **DRIVEWAY REMOVAL:** Replace abandoned driveways with standard curb, gutter, and sidewalk and show the replacement work on the plans.
82. **RED CURB AT DRIVEWAY ENTRANCE:** Street curbs that are located within 10' of the driveway entrance to the underground parking garage shall be painted red.

RECYCLING

83. **RECOLOGY MOUNTAIN VIEW:** Recology Mountain View is the City's exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Recology. Using another hauler may violate Mountain View City Code Sections 16.13 and 16.17 and result in Code Enforcement action.
84. **CONSTRUCTION AND DEMOLITION ORDINANCE:** This project must comply with the City's Construction and Demolition Ordinance (Mountain View City Code Chapter 16, Article III).

85. **HOLDING AREA AND ROLL-OUT FEE:** Collection vehicles do not enter underground or enclosed structures. All trash, recycling, and compost containers must be transported by the property owner/manager to the approved holding area on service day and removed promptly following service. The final location and dimensions of the holding area must be approved by the Solid Waste and Recycling Section prior to issuance of a building permit. Roll-out fees charged by the City's trash hauler will apply for containers that must be rolled more than 30' from any holding area to the truck.

STREET TREES

86. **STREET TREES:** Install standard City street trees where there are gaps in the spacing of the existing street trees.
87. **STREET TREES:** Install standard City street trees along the street frontage.
88. **STREET TREE LOCATION:** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees are to be planted a minimum of 10' from sanitary sewer lines and 5' from water lines, fire lines, and driveways in accordance with Detail F-1 of the Standard Provisions. New street tree species must be selected from the City's official street tree list and as approved by the City's Parks and Open Space Division per Proposed Street Tree Form (CD-51).
89. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

90. **GRADING, DRAINAGE, AND UTILITY PLANS:** Prepare on-site drainage, grading, and utility plans in accordance with Chapter 28 of the City Code and the Standard Design Criteria for Common Green and Townhouse-Type Condominiums. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 30'. Drainage, grading, and utility plans (nine sets) and completed infrastructure data form must be submitted together as a separate package concurrent with the first submittal of the building plans. The drainage, grading, and utility plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 black-line sets and 1 Xerox Mylar (4 mil) set of the plans must be submitted to the Public Works Department prior to the issuance of the building permit. Where both off-site improvement plans and on-site drainage, grading, and utility plans are required, the plans shall be combined into one set. For on-site common driveway improvements, utility improvements, and public improvements, the developer shall sign an improvement agreement prepared by the City, submit bonds, cash security or letter of credit in a form approved by the City Attorney's Office, provide a Certificate of Insurance and endorsement naming the City an additional insured, and pay plan check and inspection fees for the work, prior to the issuance of a building permit.
91. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
92. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways (other than single-family residential) shall not surface-drain across public sidewalks or driveway aprons. A 2'x2' inlet/cleanout box is required at or near the property line for connections to the City storm drains. For developments that do not require a subdivision map, a connection to the City's storm main requires: (1) a written request to the Public Works Director; (2) payment of storm drainage fees; and (3) approval from the Public Works Department, unless the storm drainage fees were paid in the past for the property. A face-of-curb inlet/outlet is required to drain into the curb of the street.
93. **STORM DRAIN HOLD HARMLESS AGREEMENT:** As portions of the site are or will be lower than the adjacent public street or the surface grade over the City's storm mains, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against storm surcharges or blockages that may result in on-site flooding or damage.

94. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** If the sanitary sewer connection(s) inside the structure(s) is/are less than 1' above the rim elevation of the upstream sanitary sewer manhole, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against sewer surcharges or blockages that may result in on-site damage.
95. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the buildings from being flooded in the event the storm drainage system becomes blocked or obstructed.
96. **LOT DRAINAGE:** Each residential lot shall be designed to drain toward the streets, alleys, common driveways, or common areas. The drainage paths for the privately owned lots shall be designed such that the drainage paths do not cross the common property lines unless an exception is approved by the Public Works Department due to unavoidable circumstances (such as to provide drainage to an existing Heritage tree).

MISCELLANEOUS

97. **CONSTRUCTION PLAN:** Submit a construction traffic and parking management plan with the building plans showing the following:
 1. Truck route for construction and delivery trucks that does not include neighborhood residential streets;
 2. Building construction phasing/construction equipment storage/construction parking plans: Show construction vehicles and equipment parking area and construction trailer location. All construction vehicles/equipment and trailer shall be located on-site or at a site nearby (not on a public street or public parking) arranged by the contractor. No construction equipment or vehicles shall be stored or parked on residential streets or public parking lots. Construction contractors/workers are required to park on-site or at a private property arranged by the contractor and shall not be allowed to use neighboring residential streets for parking/storage; and
 3. Sidewalk closure or narrowing is not allowed during any on-site construction activities.

The construction traffic and parking management plan must be approved prior to the issuance of a demolition permit.

98. **TRAFFIC CONTROL PLANS:** Submit Traffic Control plans for any off-site and on-site improvements or any work that requires temporary lane closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, sidewalk detour should be shown on the Traffic Control plans.
99. **WELL QUESTIONNAIRE:** Complete a Santa Clara Valley Water District well questionnaire and return it to the Public Works Department. Well questionnaire forms are available from the Public Works Department. All existing wells shall be shown on the site plans as to remain or be sealed in accordance with the Santa Clara Valley Water District standards.
100. **STREET CLEANING:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development's construction activities. The street cleaning contractor is to have the capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director, or his/her designated representative."

101. **OCCUPANCY RELEASE:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "For residential developments, no residential units will be released for occupancy unless the improvements to be constructed to City standards and/or to be accepted for maintenance by the City, including water meters and sanitary sewer cleanouts, are substantially complete per the City of Mountain View Standard Provisions for Public Works construction. For phased developments, portions of the units may be released for occupancy, at the City's sole discretion, provided that all public and private improvements, conditions of approval, and Building Code requirements that are necessary to support the units to be released for occupancy have been completed as determined by the City. When all of the improvements are complete and/or ready for acceptance for maintenance by the City Council, the remaining units may be released for occupancy, provided that all other conditions of approval and Building Code requirements have been met. The Public Works Director shall make the determination of what public improvements are substantially complete."
102. **PRELIMINARY TITLE REPORT:** Submit a current preliminary title report or land deed indicating the exact name of the current legal owners of the property, their type of ownership (individual, partnership, corporation, etc.), and legal description of the property involved to the Public Works Department. This information is required for the preparation of Public Works agreements and documents. Include all easements and agreements referenced in the title report.
103. **SUBDIVISION:** This site plan is a subdivision of an existing parcel(s). Any combination or division of land for purpose of sale, lease, or financing requires the filing and approval of a preliminary parcel or tentative map, completion of all conditions of subdivision approval, and the recordation of the parcel or final map, all prior to issuance of the building permit. In order to place the approval of a final map on the Council agenda, all related materials must be completed and approved 40 calendar days prior to the Council meeting.

Building Inspection Division – 650-903-6313

104. **BUILDING PERMITS:** A building permit is required for this project. This review by the Building Inspection Division is preliminary and only attempting to identify critical or significant code concerns. Building plan check review will be part of a separate permit application process that can be applied for once the Planning approvals have been obtained and the 10-day appeal period has passed. Submit complete sets of construction drawings at the Building Counter. Please refer to the Building Inspection Division's current "Submittal Requirements" for document submittal requirements. No construction work can be commenced without an appropriate building permit and no new occupancy shall commence without a Certificate of Occupancy. Please contact the Building Inspection Division for submittal requirements at 650-903-6313.
105. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon submittal. Current codes are the 2013 California Codes: Building, Fire, Electrical, Mechanical, Plumbing, CALGreen, and Mountain View Green Building Code.
106. **ACCESSIBILITY:** Project will be required to comply with the accessibility requirements in the 2013 CBC, Chapter 11A, and CRC R320.
107. **ACCESSIBILITY (PARKING):** Project will be required to comply with the accessible parking requirements in the 2013 CBC, Chapter 11B.
108. **ACCESSIBILITY (PARKING):** At least one of the guest parking spaces is required to be accessible, 2013 CBC, 1109A.5.
109. **ACCESSIBILITY (PARKING):** At least 2 percent of the assigned parking spaces are required to be accessible, 2013 CBC, 1109A.4.

110. **ADDRESSES:** Street names and numbers will be processed immediately prior to the Building Inspection Division approval of the project. Apartment and suite numbers are issued by the United States Post Office.
111. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Please provide sufficient information at the time of plan submittal to show how pedestrians will be protected per 2013 CBC, Section 3306.
112. **PHOTOVOLTAIC:** Photovoltaic systems to be a deferred submittal.
113. **SURVEY:** A survey will be required to be completed to verify structure placement.
114. **BUILDING:** Exterior roof-top shade/structures will need to be constructed with fire protection required for type V-A construction per CBC Table 601 and 602.
115. **BUILDING:** Provide justification as to how the upper level units are able to exit to the exterior, and then back into the building, without an exit passageway, which appears to be prevented by the elevator shaft location. CBC 1027
116. **BUILDING:** Provide occupant loading for the upper level roof deck to confirm that two exits will not be required from this space. CBC 1015.1

Fire Department – 650-903-6343

FIRE PROTECTION SYSTEMS AND EQUIPMENT

117. **FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Three (3) sets of shop-quality drawings shall be submitted for review and approval. All work shall conform to NFPA 13 (2013 Edition), NFPA 72 (2013 Edition), and Mountain View Fire Department specifications. Call the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements. (Mountain View City Code, Sections 14.10.27, 14.10.28, and California Fire Code, Section 903.)
118. **STANDPIPE SYSTEM:** Provide a Class III standpipe system. (Mountain View City Code, Sections 14.10.29, 14.10.30, 14.10.31, and 14.10.32 and California Fire Code, Section 905.)
119. **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.)
120. **ON-SITE WHARF HYDRANTS:** Provide ground-level wet standpipes (wharf hydrants). On-site wharf hydrants shall be so located as to reach any portion of combustible construction with 150' of hose. Installation shall be complete and the system shall be tested prior to combustible construction. The wharf hydrant shall be capable of providing a combination flow of 500 GPM with two 2.5" outlets flowing. Three (3) complete sets of shop-quality drawings shall be submitted for review and approval. (NFPA 24 (2013 Edition) and Mountain View Fire Department requirements.)
121. **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.)

122. **AUTOMATIC/MANUAL FIRE ALARM SYSTEM:** Provide an approved automatic/manual fire alarm system in accordance with California Fire Code and Mountain View Fire Department specifications. Three (3) complete sets of fire alarm system shop-quality drawings shall be submitted for review and approval. Prior to occupancy, the system shall be field-tested, approved, and in service. Provisions shall be made for monthly testing, maintenance, and service. Call the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements. (California Fire Code, Section 907 and Mountain View City Code, Section 14.10.33.)
123. **SMOKE ALARMS:** All residential occupancies shall be provided with California State Fire Marshal-listed smoke alarms. Smoke alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 907.)

FIRE DEPARTMENT ACCESS

124. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions. (California Fire Code, Section 506.)
125. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions. (California Fire Code, Section 506.) **(Applies to security gates.)**
126. **STRETCHER REQUIREMENTS:** In all structures four (4) or more stories in height, at least one elevator shall be provided with a minimum clear distance between walls or between walls and door, excluding return panels, of not less than 80"x54", and a minimum distance from wall to return panel of not less than 51" with a 42" side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 84"x24" in the horizontal position. (California Building Code, Section 3002.)

EGRESS AND FIRE SAFETY

127. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the Electrical Plans. (California Building Code, Section 1006.)
128. **EXIT SIGNS:** Exit signs shall be internally or externally illuminated and provided with battery backup per Uniform Building Code Chapter 10. Exit signs shall be posted above each required exit doorway and wherever otherwise required to clearly indicate the direction of egress. (California Building Code, Section 1011.)
129. **ON-SITE DRAWINGS:** Submit two (2) 8.5"x11" plot plan drawings according to Fire Department specifications prior to final Certificate of Occupancy.
130. **STAIRWAY IDENTIFICATION SIGNS:** In buildings four (4) or more stories in height, approved stairway identification signs shall be located at each floor level in all enclosed stairways. The sign shall identify the stairway and indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located 5' above the floor landing in a position which is readily visible when the door is in the open or closed position. (California Building Code, Section 1022.9.)

EXTERIOR IMPROVEMENTS

131. **PREMISES IDENTIFICATION:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of 6" in height. (Mountain View City Code, Section 14.10.20.)

OTHER

132. **EMERGENCY ESCAPE OPENING ACCESS:** Provide clear space and ladder pads at ground level for emergency escape opening access in R and I-1 occupancies. Ladder pads shall be accessible by fire crews with a three-section, 12' long ladder. Awnings and window shades shall be designed to not interfere with ladder access. (California Building Code, Section 1029.)
133. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)

Fire and Environmental Protection Division – 650-903-6378

URBAN RUNOFF

For more information, guidelines, design criteria, or materials about urban runoff conditions, contact the Fire and Environmental Protection Division of the Fire Department at 650-903-6378. "Stormwater Quality Guidelines for Development Projects" can also be accessed at the following link to the Fire Department website:

http://www.mountainview.gov/city_hall/fire/programs_n_services/environmental_safety.asp

134. **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.
135. **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.
136. **SWIMMING POOLS, SPAS, AND FOUNTAINS:** Swimming pools, spas, and fountains shall be installed with a sanitary sewer cleanout in a readily accessible nearby area to allow for draining.
137. **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.
138. **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.
139. **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.

140. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.
141. **STORMWATER TREATMENT (C.3):** This project will create or replace more than ten thousand (10,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." The City's guidelines also describe the requirement to select Low-Impact Development (LID) types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

The "Stormwater Quality Guidelines for Development Projects" document requires applicants to submit a Stormwater Management Plan, including information such as the type, location, and sizing calculations of the treatment controls that will be installed. Include three stamped and signed copies of the Final Stormwater Management Plan with the building plan submittal. The Stormwater Management Plan must include a stamped and signed certification by a qualified Engineer, stating that the Stormwater Management Plan complies with the City's guidelines and the State NPDES Permit. Stormwater treatment controls required under this condition may be required to enter into a formal recorded Maintenance Agreement with the City.

NOTE: The applicant shall file a final map for approval and recordation in accordance with the approved Development Review Permit, the City Code, and the State Map Act. The permit authorizing approval of the Development Review Permit is conditioned upon obtaining an approved final map. Failure to obtain an approved subdivision shall render the Development Review Permit invalid.

NOTE: Zoning permits may be extended for up to an additional two years after public hearing review by the Zoning Administrator in compliance with the procedures described in the Zoning Ordinance. An application for extension must be filed with the Planning Division of the Community Development Department, including appropriate fees, prior to the original expiration date of the permit.

NOTE: As required by California Government Code Section 66020, the applicant is hereby notified that the 90-day period has begun as of the date of approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of this approval or as a condition of approval of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.

MH/2/CDD
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