

CITY OF MOUNTAIN VIEW
RESOLUTION NO. 18419
SERIES 2020

A RESOLUTION CONDITIONALLY APPROVING A TENTATIVE MAP FOR
NINE RESIDENTIAL CONDOMINIUM UNITS
AT 851 AND 853 SIERRA VISTA AVENUE

WHEREAS, an application was received from Colony Sierra Vista Homes, LLC, for a Tentative Map for condominium purposes with one common lot and nine residential units at 851 and 853 Sierra Vista Avenue (Application No. PL-2019-023), as more particularly described in Exhibit A, attached hereto; and

WHEREAS, on November 13, 2019, at a duly noticed public hearing, the Subdivision Committee considered this request and recommended the parcel map be approved subject to the attached conditions of approval (Exhibit B); and

WHEREAS, on December 4, 2019, at a duly noticed public hearing, the Environmental Planning Commission considered this request and recommended the Tentative Map be approved subject to the attached conditions of approval; and

WHEREAS, on January 14, 2020, the City Council held a public hearing on said request and received and considered all evidence presented at said hearing, including the attached conditions of approval;

NOW, THEREFORE, BE IT RESOLVED, pursuant to Chapter 28 of the Mountain View City Code and the Subdivision Map Act, that the City Council of the City of Mountain View finds that:

1. The Tentative Map is in compliance with the provisions of the California Environmental Quality Act (CEQA) because an Initial Study and a Mitigated Negative Declaration have been prepared for the development project which identified environmental impacts for noise and air quality that can be mitigated to a less-than-significant impact with incorporation of mitigation measures and standard City conditions of approval.

2. Pursuant to Section 66473.5 and Subsections (a) and (b) of Section 66474 of the Government Code and Section 28.8 of the Mountain View City Code, the City Council hereby finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan Land Use Designation of

Medium-Density Residential of the City, including all required elements therein applicable to said property.

3. The Tentative Map is hereby recommended for approval subject to the subdivider's compliance with all of those conditions of approval as required by the Subdivision Committee and attached hereto and incorporated herein by reference (Exhibit B).

The foregoing Resolution was regularly introduced and adopted at a Regular Meeting of the City Council of the City of Mountain View, duly held on the 14th day of January 2020, by the following vote:

AYES: Councilmembers Clark, Hicks, Matichak, McAlister, Ramirez, Vice Mayor Kamei, and Mayor Abe-Koga

NOES: None


ABSENT: None

ATTEST:

APPROVED:




LISA NATUSCH
CITY CLERK



MARGARET ABE-KOGA
MAYOR

I do hereby certify that the foregoing Resolution was passed and adopted by the City Council of the City of Mountain View at a Regular Meeting held on the 14th day of January 2020, by the foregoing vote.



City Clerk
City of Mountain View

DP/6/RESO
807-01-14-20r

- Exhibits: A. Tentative Map
B. Subdivision Conditions of Approval

OWNER'S STATEMENT

I HEREBY STATE THAT I REPRESENT ARE THE OWNERS OF OR HAVE SOME RIGHT, TITLE OR INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP, AND THAT I AM ONLY PERSON WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY, AND I HEREBY CONSENT TO THE MAKING AND RECORDING OF SAID MAP AND SUBDIVISION AS SHOWN WITHIN THE DISTINCTIVE BORDERLINE.

I ALSO HEREBY DEDICATE TO PUBLIC USE, EASEMENTS FOR STREET AND UTILITY PURPOSES AND OTHER SIMILAR USES AS DULY AUTHORIZED BY THE CITY OF MOUNTAIN VIEW UNDER, UPON AND OVER THE AREAS DESIGNATED ON THIS MAP AS "STREET EASEMENT."

I ALSO HEREBY DEDICATE IN FEE SIMPLE TO THE CITY OF MOUNTAIN VIEW ALL OF LOT B AS SHOWN UPON THIS MAP AS "OFFER OF FEE DEDICATION" FOR PUBLIC PURPOSES, TOGETHER WITH THE RIGHT TO GRANT EASEMENTS FOR PUBLIC UTILITIES OR OTHER ESSENTIAL PURPOSES.

I ALSO HEREBY DEDICATE TO PUBLIC USE, EASEMENTS FOR UNDERGROUND PUBLIC UTILITY FACILITIES, DESIGNATED ON THIS MAP AS "PUBLIC UTILITY EASEMENT" (P.U.E.), AND "PUBLIC SERVICE EASEMENT" (P.S.E) FOR SUCH USE AS SANITARY SEWERS, WATER MAINS, STORM DRAINS, GAS MAINS, PUBLIC UTILITIES, INCLUDING ELECTRIC, COMMUNICATION AND CABLE TELEVISION FACILITIES, AND OTHER SIMILAR USES, TOGETHER WITH APPURTENANCES THEREOF AND WITH RIGHTS OF INGRESS AND EGRESS, SAID PUBLIC UTILITY EASEMENT SHALL BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND EXCEPT LAWFUL FENCES, SURFACE PAVEMENT, LAWFUL UNSUPPORTED ROOF OVERHANGS, IRRIGATION SYSTEMS, UTILITY COMPANY STRUCTURES AND APPURTENANCES THEREOF.

I ALSO HEREBY DEDICATE TO PUBLIC USE, EASEMENTS FOR INGRESS AND EGRESS OF EMERGENCY VEHICLES ACROSS THOSE AREAS DESIGNATED ON THIS MAP AS "EMERGENCY VEHICLE ACCESS EASEMENT" (E.V.A.E).

LOT A IS NOT OFFERED FOR DEDICATION AND IS RESERVED FOR THE FOR FUTURE CONVEYANCE TO THE OWNERS AND/OR HOMEOWNERS ASSOCIATION OF THIS SUBDIVISION. LOT A IS A "COMMON AREA" AND IS NOT DEDICATED FOR THE USE BY THE GENERAL PUBLIC BUT IS RESERVED FOR THE USE OF THE HOMEOWNERS OF THE SUBDIVISION FOR, BUT NOT LIMITED TO, ACCESS, PARKING, UTILITIES, DRAINAGE, INGRESS AND EGRESS IN ACCORDANCE WITH THE SUBDIVISION RESTRICTIONS FOR THIS MAP. LOT A INCLUDES THE PRIVATE STREET NAME TO BE DETERMINED AS SHOWN ON THIS MAP.

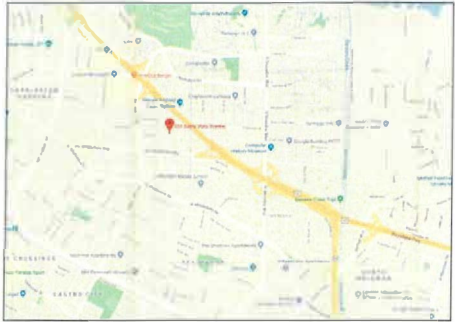
ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE PROPERTY MUST SIGN THE OWNER'S STATEMENT. PROVIDE A CURRENT PRELIMINARY TITLE REPORT THAT INDICATES THE CURRENT OWNER OF THE PROPERTY, ADDITIONAL DOCUMENTATION MAY BE REQUIRED. THE OWNER'S NAME ON THE SUBDIVISION GUARANTY PREPARED BY THE TITLE COMPANY MUST ALSO MATCH THE OWNER'S NAME ON THE MAP. TRUSTEES MUST ALSO SIGN THE MAP. BELOW ARE SOME EXAMPLES OF VARIOUS SIGNATURE FORMATS.

AS OWNER: MICHAEL M. AHI

BY: MICHAEL M. AHI
MANAGING AUTHORIZED SIGNATORY MEMBER
COLONY SIERRA HOMES, LLC

SOILS/GEOTECHNICAL REPORT NOTE

A GEOTECHNICAL REPORT ENTITLED "GEOTECHNICAL INVESTIGATION" AND DATED 15 FEBRUARY 2019 WAS PREPARED BY WAYNE TING & ASSOCIATES, INC. 42329 OSGOOD ROAD, UNIT A, FREMONT CA, JOB NO. 5192 AND SIGNED BY WAYNE TING, RCE 46276



VICINITY MAP
NOT TO SCALE

OWNER'S ACKNOWLEDGEMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA,
COUNTY OF _____
I, _____, BEFORE ME,
A NOTARY PUBLIC, PERSONALLY APPEARED _____

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.
WITNESS MY HAND:
SIGNATURE: _____

NAME (TYPED OR PRINTED), NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, _____
PRINCIPAL COUNTY OF BUSINESS: _____
COMMISSION EXPIRES: _____
COMMISSION # OF NOTARY: _____

COUNTY RECORDER'S STATEMENT

FILED NO.: _____ FEE: _____ PAID: _____
FILED BY THIS _____ DAY OF _____, 20____ AT _____ M IN BOOK _____
OF MAPS, AT PAGE(S): _____, SANTA CLARA COUNTY RECORDS, AT THE REQUEST OF MBI GROUPS.

REGINA ALCOMENDRAS, COUNTY RECORDER

BY: _____
DEPUTY

SURVEYOR'S STATEMENT

THIS PARCEL MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF JANUARY 7, 2019. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY, AND THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, AND THAT THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.



DATED _____ PAUL CANUMAY L.S. #3272

CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THE WITHIN PARCEL MAP, THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE PRELIMINARY PARCEL MAP AND ANY APPROVED ALTERATIONS THEREOF, AND THAT ALL PROVISIONS OF CHAPTER 2 OF THE CALIFORNIA SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE PRELIMINARY PARCEL MAP, IF REQUIRED, HAVE BEEN COMPLIED WITH.

JACQUELINE ANDREWS SOLOMON
R.C.E. NO. 57093
EXPIRES ON DECEMBER
CITY ENGINEER, CITY OF MOUNTAIN VIEW
SANTA CLARA COUNTY, CALIFORNIA

DATE _____

CITY SURVEYOR'S STATEMENT

I, TIMOTHY Y. KO, A LICENSED CIVIL ENGINEER FOR THE CITY OF MOUNTAIN VIEW, SANTA CLARA COUNTY, CALIFORNIA, DO HEREBY STATE THAT I HAVE EXAMINED THE WITHIN PARCEL MAP AND I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

TIMOTHY Y. KO
RCE NO. 27089, EXPIRES _____

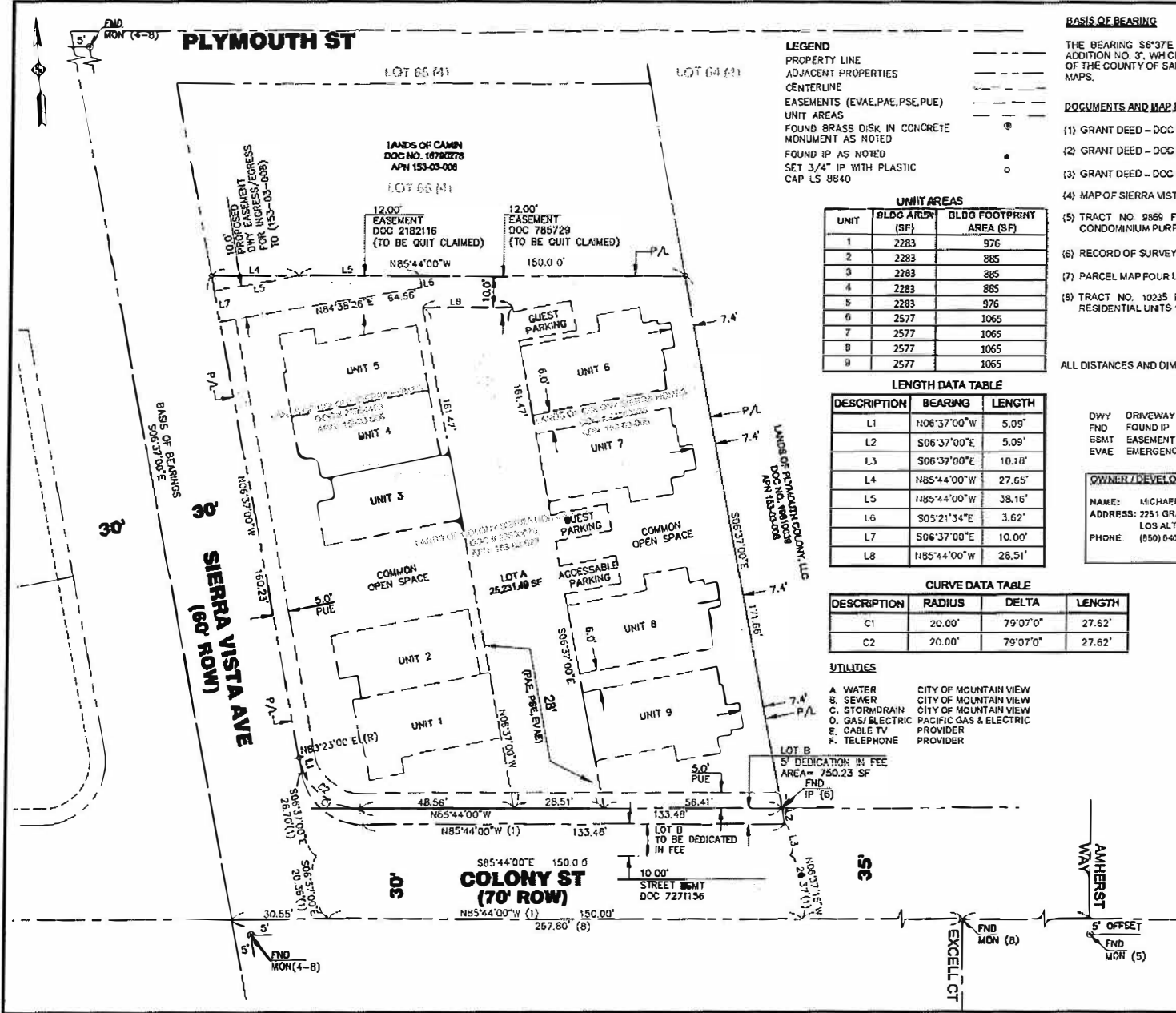
DATE _____

TRACT NO.
ONE LOT FOR
CONDOMINIUM PURPOSES
WITH 9 UNITS 851 & 853 SIERRA VISTA

BEING THE LANDS DESCRIBED IN THE DEEDS RECORDED ON DECEMBER 12, 2017, DOCUMENT NUMBER 23830079, JUNE 26, 2018, DOCUMENT NUMBER 2394403, AND JUNE 27, 2018, DOCUMENT NUMBER 23955622, BEING RECORDED IN THE OFFICIAL RECORDS OF SANTA CLARA COUNTY, CALIFORNIA, ALL BEING FURTHER DESCRIBED AS A PORTION OF LOT 66 AS SHOWN ON THAT CERTAIN MAP ENTITLED, "SIERRA VISTA ADDITION NO. 3, FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 2, 1928 IN BOOK "W" OF MAPS AT PAGE 40.

MOUNTAIN VIEW, SANTA CLARA COUNTY, CALIFORNIA
SCALE 1"=20' OCTOBER, 2019

JET ENGINEERING
CONSULTING CIVIL ENGINEERS
1048 EL CAMINO REAL, SUITE C
REDWOOD CITY, CA 94063
PHONE: 650-260-2755



LEGEND

- PROPERTY LINE -----
- ADJACENT PROPERTIES -----
- CENTERLINE -----
- EASEMENTS (EVAE, PAE, PSE, PUE) -----
- UNIT AREAS -----
- FOUND BRASS DISK IN CONCRETE MONUMENT AS NOTED (B)
- FOUND IP AS NOTED (IP)
- SET 3/4" IP WITH PLASTIC CAP LS 8840 (O)

UNIT AREAS

UNIT	BLDG AREA (SF)	BLDG FOOTPRINT AREA (SF)
1	2283	976
2	2283	885
3	2283	885
4	2283	885
5	2283	976
6	2577	1065
7	2577	1065
8	2577	1065
9	2577	1065

LENGTH DATA TABLE

DESCRIPTION	BEARING	LENGTH
L1	N06°37'00"W	5.09'
L2	S06°37'00"E	5.09'
L3	S06°37'00"E	10.18'
L4	N85°44'00"W	27.65'
L5	N85°44'00"W	38.16'
L6	S05°21'34"E	3.62'
L7	S06°37'00"E	10.00'
L8	N85°44'00"W	28.51'

CURVE DATA TABLE

DESCRIPTION	RADIUS	DELTA	LENGTH
C1	20.00'	79°07'0"	27.62'
C2	20.00'	79°07'0"	27.62'

UTILITIES

- A. WATER CITY OF MOUNTAIN VIEW
- B. SEWER CITY OF MOUNTAIN VIEW
- C. STORMDRAIN CITY OF MOUNTAIN VIEW
- D. GAS/ELECTRIC PACIFIC GAS & ELECTRIC
- E. CABLE TV PROVIDER
- F. TELEPHONE PROVIDER

BASIS OF BEARING

THE BEARING S6°37'E SHOWN ON THE MAP ENTITLED THAT CERTAIN "SIERRA VISTA ADDITION NO. 3," WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 2, 1928 IN BOOK "W" OF MAPS.

DOCUMENTS AND MAP REFERENCES

- (1) GRANT DEED - DOC # 23830079, DATED DECEMBER 18, 2017
- (2) GRANT DEED - DOC # 23964403, DATED JUNE 26, 2018
- (3) GRANT DEED - DOC # 24183936, DATED MAY 21, 2019
- (4) MAP OF SIERRA VISTA ADDITION No.3 (W MAPS 40)
- (5) TRACT NO 8865 FOR THE PRESTON ON THE PARK ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES 108 RESIDENTIAL UNITS 1950 COLONY STREET (813 MAPS 40)
- (6) RECORD OF SURVEY OF CONSISTING OF TWO SHEETS (508 MAPS 28-29)
- (7) PARCEL MAP FOUR LOT SUBDIVISION 854 SIERRA VISTA AVENUE (767 MAPS 5-51)
- (8) TRACT NO. 10225 FOR ONE LOT SUBDIVISION FOR CONDOMINIUM PURPOSES 33 RESIDENTIAL UNITS 1941 AND 1951 COLONY STREET (880 MAPS 50-51)

NOTES

ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF

ABBREVIATIONS

DWY	DRIVEWAY	PAE	PUBLIC ACCESS EASEMENT
FND	FOUND IP	PSE	PUBLIC SERVICE EASEMENT
ESMT	EASEMENT	PL	PROPERTY LINE
EVAE	EMERGENCY ACCESS EASEMENT	UD	UNKNOWN

OWNER / DEVELOPER: CIVIL ENGINEER
JET ENGINEERING
 NAME: MICHAEL A-JI CONTACT: JAMES E. THOMPSON
 ADDRESS: 2251 GRANT ROAD, SUITE G ADDRESS: 1048 EL CAMINO REAL, SUITE C
 LOS ALTOS, CA 94024 REDWOOD CITY, CA 94063
 PHONE: (850) 646 1717 PHONE: (850) 260-2755

TRACT NO.
 ONE LOT FOR
 CONDOMINIUM PURPOSES
 WITH 9 UNITS 851 & 853 SIERRA VISTA

BEING THE LANDS DESCRIBED IN THE DEEDS RECORDED ON DECEMBER 12, 2017, DOCUMENT NUMBER 23830079, JUNE 26, 2018, DOCUMENT NUMBER 23964403, AND JUNE 27, 2018, DOCUMENT NUMBER 23965622, BEING RECORDED IN THE OFFICIAL RECORDS OF SANTA CLARA COUNTY, CALIFORNIA. ALL BEING FURTHER DESCRIBED AS A PORTION OF LOT 66 AS SHOWN ON THAT CERTAIN MAP ENTITLED, "SIERRA VISTA ADDITION NO. 3," FILED IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 2, 1928 IN BOOK "W" OF MAPS AT PAGE 40.

MOUNTAIN VIEW, SANTA CLARA COUNTY, CALIFORNIA
 SCALE 1"=20' OCTOBER 2019

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SUBDIVISION CONDITIONS

APPLICATION NO.: PL-2019-023
851-853 SIERRA VISTA AVENUE

1. **MAP SUBMITTAL:** File a final map for approval and recordation in accordance with the City Code and the California Subdivision Map Act prior to the issuance of any building permit for the property within the subdivision. All existing and proposed easements are to be shown on the map. Submit two black-line copies of the map to the Public Works Department for review together with all items on the Map Checklist concurrent with the Off-Site Improvement Plans.
2. **MAP DOCUMENTS:** Prior to the approval and recordation of the map, submit a subdivision guarantee, County Tax Collector's letter regarding unpaid taxes or assessments, and subdivision security if there are unpaid taxes or special assessments.
3. **SOILS REPORT:** Soils and geotechnical reports prepared for the subdivision shall be indicated on the final map. Submit a copy of the report with the first submittal of the final map.
 - a. As required by the State Seismic Hazards Mapping Act, a project site-specific geotechnical investigation shall be conducted by a registered soils/geologist identifying any seismic hazards and recommending mitigation measures to be taken by the project. The applicant, through its registered soils engineer/geologist, shall certify the project complies with the requirements of the State Seismic Hazards Mapping Act. Indicate the location (page number) within the geotechnical report of where this certification is located, or provide a separate letter stating such.
4. **FINAL MAP APPROVAL:** The final map shall be signed and notarized by the owner and engineer/surveyor and submitted to the Public Works Department with an 8.5"x11" reduction of the map. In order to place the approval of the final map on the agenda for the City Council, all related materials and agreements must be completed, signed, and received by the Public Works Department 40 calendar days prior to the Council meeting. After City Council approval, the City will sign the map and provide a Xerox Mylar copy. The applicant's title company shall have the County Recorder's Office record the original and endorse the Xerox Mylar copy. The endorsed Xerox Mylar copy and PDF shall be returned to the Public Works Department within one week after recording the map.
5. **SUBDIVISION FEES:** Pay all subdivision fees due in accordance with the rates in effect at the time of payment prior to the approval of the final map.
6. **MAP PLAN CHECK FEE:** Prior to issuance of any building permits and prior to approval of the final map, as applicable, the applicant shall pay the map plan check fee in accordance with Sections 28.27.b and 28.19.b of the City Code per the rates in effect at time of payment.

An initial map plan check fee based on the Public Works adopted fee schedule shall be paid at the time of initial map plan check submittal.
7. **PLAN CHECK AND INSPECTION FEE:** Prior to issuance of any building permits and prior to approval of the final map, the applicant shall pay the plan check and inspection fee in accordance with Sections 27.60 and 28.36 of the City Code per the adopted rates in effect at time of payment.

An initial plan check fee based on the Public Works adopted fee schedule shall be paid at the time of initial improvement plan check submittal based on the initial cost estimate for constructing street improvements and other

public facilities; public and private utilities and structures located within the public right-of-way; and utility, grading, and driveway improvements for common green and townhouse-type condominiums.

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

8. **TRANSPORTATION IMPACT FEE:** Prior to issuance of any building permits and prior to approval of the final map, as applicable, the applicant shall pay the transportation impact fee for the development. Residential category fees are based on the number of units. Retail, Service, Office, R&D, and Industrial category fees are based on the square footage of the development. Credit is given for the existing site use(s), as applicable.
9. **WATER AND SEWER CAPACITY CHARGES:** 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 demand of the improvements that previously existed on the site. Fees need to be paid per the Public Works Fee Schedule prior to Public Works approving the final map.
10. **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 \$20,000 to \$40,000 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 credits against the Park Land Dedication Fee will be allowed for the 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.
11. **STORM DRAINAGE FEE:** Prior to issuance of any building permits and prior to approval of the final map, the applicant shall pay the off-site storm drainage fee per Section 28.51(b) and with the rates in effect at time of payment.
12. **STREET DEDICATION:** Dedicate a public street in fee on the face of the map, as required by the Public Works Director, to widen Colony Street, 35' from the centerline of the street.
13. **STREET CORNER DEDICATION:** Dedicate a 20' radius public street corner return, in fee/easement on the face of the map, as required by the Public Works Director, at Colony Street and Sierra Vista Avenue.
14. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a 10' wide public utility easement (PUE) along project street frontage(s) on the face of the map for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, communication, and cable television facilities, as required by the Public Works Director. The property owner or homeowners association shall maintain the surface improvements over the easement and must not modify or obstruct the easement area in a manner contrary to the intent of the easement. The dedication statement shall specify the PUE shall be kept free and clear of buildings and other permanent structures/facilities, including, but not limited to, the following:
 - Garages, sheds, carports, and storage structures;
 - Balconies and porches;
 - Retaining walls;
 - C.3 bioretention systems; and
 - Private utility lines running longitudinally within the PUE.

Exceptions to these PUE requirements and/or reduction of the width of the PUE to 5' may be considered by the Public Works Director in conjunction with the review and approval of the off-site improvement plans, including the joint trench plans and building permit plans for the project.

15. **PUBLIC WATER METER EASEMENT:** Dedicate public water meter easement (WME) on the face of the map to construct, install, maintain, repair, replace, and operate water meters and appurtenances, as required by the Public Works Director.
16. **PUBLIC SERVICE EASEMENT:** Dedicate a public service easement (PSE) on the face of the map to the utility company(ies) for the proposed electric, gas, and telecommunication conduits and vaults serving the project.
17. **UTILITY EASEMENT AND APPROVALS:** Dedicate utility easements, as required by the utility companies and as approved by the Public Works Director. All street and public service easement dedications are to be shown on the final map. The subdivider shall submit two copies of the map to PG&E, AT&T (SBC), and Comcast for their review and determination of easement needs. The public service easement dedications must be approved by the utility companies prior to the approval of the final map.
18. **PRIVATE UTILITY AND ACCESS EASEMENTS:** Dedicate private utility and/or access easements on the face of the map, as necessary, for the common private street and utility improvements.
19. **CC&Rs:** Covenants, Conditions, and Restrictions (CC&Rs) for the homeowners association, together with a completed CC&R checklist, shall be submitted to and approved by the City Attorney's Office and the Community Development Department prior to approval and recordation of the map. The said covenants shall include and stipulate all of the standard provisions, which are shown on the attached sheet. The checklist and proposed CC&Rs shall be annotated to show exactly where each of the standard provisions have been incorporated into the CC&R document.
20. **CC&Rs, SPECIAL PAVEMENT MAINTENANCE:** The homeowners association shall be responsible for replacing any special pavers or textured/colored concrete that is removed by the City to repair, replace, or maintain any City underground utilities located within private streets, driveways, or easement areas. 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 Community Development Department for review and approval by the Public Works Department.
21. **CC&Rs, PARKING RESTRICTION:** Parking shall be prohibited within the common driveways, excluding approved guest parking, as the parking would obstruct the use of the driveway. These parking prohibitions shall be stated within the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department. The common driveway shall be signed and/or striped as "No Parking" or "No Parking-- Fire Lane."
22. **CC&Rs, PRIVATE UTILITY MAINTENANCE PLAN AND SANITARY SEWER OVERFLOW PLAN:** The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision that the homeowners association prepare a private utility maintenance plan for on-site water, sanitary sewer, and storm drainage facilities. The maintenance plan shall include elements such as, but not limited to, flushing of the sanitary sewer and storm lines, cleaning of storm drain inlets and grates, and inspection of the water system (including flushing and exercising of valves and blowoffs). The CC&Rs shall also include a provision that the homeowners association prepare a sanitary sewer overflow plan, which includes elements such as 24-hour contact information, response times, confinement, and methods to contain and remediate spills. A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.

23. **CC&Rs, RETAINING WALLS:** Retaining walls shall have a maximum height of 18", unless an exception is granted by the Community Development and Public Works Departments. A private easement for the retaining walls shall be shown on the final map. Retaining walls along the perimeter of the subdivision shall be maintained by the homeowners association. The maintenance of the retaining walls shall be included 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 Community Development Department for review and approval by the Public Works Department.
24. **CC&Rs, GARBAGE PICKUP (INDIVIDUAL SERVICE):** The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision stating that the homeowners are responsible for bringing their garbage, recycling, and compost carts to the curb along the private street on garbage collection days. An exhibit indicating the location of the carts on pick-up day shall be included. A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.
25. **CC&Rs, CART PLACEMENT:** Containers must be set out a minimum distance of 1' in front of the garage door and must not block the 20' wide drive aisle and/or sidewalk on collection day. Show set-out location of individual trash, recycle, and compost carts on collection day. 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 Community Development Department for review and approval by the Public Works Department.
26. **CC&Rs, CART STORAGE:** Carts will be required to be stored inside the garage at all times with the exception of 24 hours prior to and 24 hours after designated collection day, when carts may be set out in front of the garage. 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 Community Development Department for review and approval by the Public Works Department and other Departments/Divisions, as applicable.
27. **PUBLIC AND PRIVATE COMMON IMPROVEMENTS:** Install or reconstruct standard public and private common improvements required for the subdivision and as required by Chapters 27 and 28 of the City Code. The public improvements include, but are not limited to, new sidewalk, curb, gutter, ADA corner ramp, streetlight(s), extension of the 24" storm drain main, 12" storm drain lateral (Class III, RCP), undergrounding of overhead utilities, traffic signs, street striping, half-street frontage overlay on Sierra Vista Avenue, and a full-street frontage overlay on Colony Street. The private common improvements include, but are not limited to, on-site water and sewer main, service connections, and corresponding appurtenances.
- a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public and on-site common improvements prior to the approval of the final map.
 - b. **BONDS/SECURITIES:** Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a letter of credit (150 percent) or cash security (100 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 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 are available at the Public Works Department.
 - c. **INSURANCE:** Provide a Certificate of Insurance and endorsements for the Commercial General Liability and Automobile Liability naming the City as an additional insured from the entity that will sign the improvement agreement prior to the approval of the final map. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile

Liability, One Million Dollars (\$1,000,000) Pollution Legal Liability Insurance, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.

28. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, Submittal Checklist, Plan Review Checklist, and the conditions of approval of the project. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a California-registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. Traffic control plans for each phase of construction shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and shall show, at a minimum, work areas, delineators, signs, and other traffic control measures required for work that impacts traffic on existing streets. Locations of on-site parking for construction equipment and construction workers and on-site material storage areas must be submitted for review and approval. Off-site improvement plans (10 sets), an initial plan check fee and map plan check fee based on the Public Works fee schedule, Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 full-size and two half-size black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the approval of the final map. CAD files shall meet the City's Digital Data Submission Standards.
29. **PRIVATE COMMON IMPROVEMENT PLANS:** Prepare on-site common improvement plans consisting of the proposed demolition, fill, grading, retaining walls, drainage, private streets, common driveways, common utilities, public utilities, and other applicable improvements in accordance with Chapter 28 of the City Code, the Standard Design Criteria for Common Green and Townhouse-Type Condominiums, and the conditions of approval of the subdivision. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The improvement 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 and final map. The improvement plans must be approved and signed by the Public Works Department. After the improvement plans have been signed by the Public Works Department, 10 full-size and two half-size black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the approval of the final map. CAD files shall meet the City's Digital Data Submission Standards. Where both public and common improvement plans are required, the plans shall be combined into one set of plans.
30. **INFRASTRUCTURE QUANTITIES:** Upon submittal of the initial building permit and improvement plans, submit a completed 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 improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate is to be prepared by the civil engineer preparing the improvement plans.
31. **UNDERGROUNDING OF OVERHEAD SERVICES:** All new and existing electric and telecommunication facilities serving the subdivision are to be placed underground (including transformers). The undergrounding of the new and existing overhead electric and telecommunication lines is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the subdivision. (If allowed by the City, 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.)
32. **JOINT UTILITY PLANS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit joint utility plans showing the location of the proposed electric, gas, and telecommunication conduits and associated facilities, including, but not limited to, vaults, manholes, cabinets, pedestals, etc. These plans shall be combined with and made part of the improvement plans. Joint trench intent drawings will be accepted at first

improvement plan submittal. All subsequent improvement plan submittals shall include joint trench design plans. Dedicate public utility easements that are necessary for the common utility on the final map.

33. **UNDERGROUNDING OF OVERHEAD LINES:** Underground existing overhead electric and telecommunication facilities fronting the property along Colony Street and Sierra Vista Avenue, unless waived by the City Council after consideration of the recommendation of the Public Works Director due to unusual or impractical circumstances. The undergrounding work shall be constructed in conjunction with any applicable off-site improvements and completed prior to issuance of a Certificate of Occupancy for any new unit. All poles fronting the property shall be removed.
34. **UTILITY MAINTENANCE:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained.
35. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the residential buildings from being flooded in the event the storm drainage system becomes blocked or obstructed. Show and identify path of surface water release on the improvement plans.
36. **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).
37. **SUBDIVISION AND DESIGN CRITERIA PROVISIONS:** It is the applicant's responsibility to comply with relevant provisions of Chapter 28 of the City Code and with the City's Design Criteria for Common Green Developments and Townhouse-Type Condominiums.
38. **CONSISTENCY WITH OTHER APPROVALS:** This map shall be consistent with all requirements of the General Plan Map Amendment from General Industrial to Medium-Density Residential, Zoning Map Amendment from R3-2sd District and MM-40 District to R3-2, a Planned Unit Development to construct a nine-unit rowhouse development, and a Heritage Tree Removal Permit, Application No. PL-2019-022. All conditions of approval imposed under that application shall remain in full force and effect and shall be met prior to approval of the final map.
39. **APPROVAL EXPIRATION:** If the map is not completed within twenty-four (24) months from the date of this approval, this map shall expire. The map is eligible for an extension of an additional twelve (12) months, provided the request for extension is filed by the applicant prior to the expiration of the original map. Upon filing a timely application for extension, the map shall automatically be extended for sixty (60) days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first.