

**CITY OF MOUNTAIN VIEW
FINDINGS REPORT/ZONING PERMIT**

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PL-2021-249
October 26, 2022

APPLICATION NO.:
DATE OF FINDINGS:
EXPIRATION OF ZONING PERMIT:

THIS DOCUMENT REPRESENTS THE ZONING PERMIT RECEIVED FOR THE SUBJECT SITE. THIS DOCUMENT DOES NOT WAIVE THE REQUIREMENT FOR SUBSEQUENT CITY APPROVALS AS APPLICABLE, INCLUDING, BUT NOT LIMITED TO, BUILDING PERMITS, EXCAVATION PERMITS, ETC.

Applicant's Name:

Michael Tymoff for Google LLC

Property Address:

Northeast corner of Ellis Street and East Middlefield Road and north of West Maude Avenue, between Logue Avenue and Clyde Avenue

Assessor's Parcel Nos.:

**160-58-001, 160-58-016, and 160-58-017;
160-57-004 and 160-57-006 through 160-57-013;
and 160-59-005 and 160-59-006**

Zone:

P(41)

Request:

Request for a Development Agreement between the City of Mountain View and Google LLC for the Middlefield Park Master Plan on a 40-acre project site, generally located at the northeast corner of Ellis Street and East Middlefield Road and north of Maude Avenue, between Clyde Avenue and Logue Avenue, to construct up to 1,900 high-density residential units, 1.317 million square feet of office/R&D, 50,000 square feet of ground-floor commercial, approximately 10 acres of public parks and open space, and an optional private district utility system. A Supplemental Environmental Impact Report was prepared for the project pursuant to the California Environmental Quality Act (CEQA).

APPROVED CONDITIONALLY
APPROVED DISAPPROVED OTHER

******ZONING ADMINISTRATOR RECOMMENDATION TO CITY COUNCIL******

FINDINGS OF APPROVAL:

1. The Development Agreement is consistent with the objectives, policies, general land uses, and programs specified in the General Plan for the High-Intensity Office and East Whisman Mixed-Use Land Use Designations, which envision a harmonious balance of housing near jobs, public transit, neighborhood-serving businesses, and parks. The Development Agreement is also consistent with the East Whisman Precise Plan and the three Character Subareas for which the Middlefield Park Master Plan project (PL-2020-149 and PL-2021-121) spans for development that provides innovative site, architectural, landscape designs, and transportation demand management measures supporting the City's goals for reducing trips and encouraging transit-oriented development, including: (a) the low-intensity subarea within the "Employment Character Area (North)," which allows bonus intensity of up to 0.5 floor area ratio (FAR) for nonresidential development with highly sustainable design; (b) medium-intensity subarea within the "Mixed Use Character Area," which allows bonus intensities up to 0.75 FAR for nonresidential development, and 2.5 FAR for residential/mixed-use developments with highly sustainable design; and (c) high-intensity subarea within the "Mixed-Use Character area," which allows bonus intensity of 1.0 FAR for nonresidential development, and 3.5 FAR for residential/mixed-use development with highly sustainable design.
2. The Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located because the project complies with the allowable land uses in the Precise Plan at the building heights and intensities permitted; meets the requirements of the Neighborhood Park Master Plan area to ensure a large,

Owner Agent File Fire Public Works

dedicated public park and surrounding land uses are appropriately planned for and provided, along with meeting other requirements for a Master Plan per the Precise Plan; and provides compatibility with surrounding uses and developments consistent with the Precise Plan and the Moffett Field Comprehensive Land Use Plan (CLUP) for the nearby Moffett Airfield.

3. The Development Agreement is in conformity with the public convenience, general welfare, and good land use practice because the design of the Master Plan building and open-space locations, proposed mix of land uses, and multi-modal transportation improvements are compatible with the Precise Plan development standards and allowable land uses. Additionally, the project encourages and supports the use of public transit due to the immediate adjacency of the VTA Middlefield Light Rail station and proximity (a short light rail ride) to the Mountain View Transit Center in downtown with access to a larger network of regional public transit services, along with the Middlefield Park Master Plan's planned improvements to the adjacent Valley Transportation Authority (VTA) bus stop on Middlefield Road.
4. The Development Agreement will not be detrimental to the health, safety, and general welfare of the community because the proposed project is consistent with the provisions of the General Plan and Precise Plan and will conform to City, State, and Federal codes and regulations for design, construction, and operations of the planned development.
5. The Development Agreement will not adversely affect the orderly development of property or the preservation of property values because the development of the project site with residential mixed-use and office buildings, parks and open spaces, and transportation improvements align with the vision and development standards of the Precise Plan and are compatible with the surrounding office and residential developments nearby.
6. The Development Agreement is needed by the applicant due to the complexity, cost, and infrastructure requirements for development to allow for flexibility in the timing and phasing of the project because construction of a project of this size and extent would otherwise exceed the City's standard approval and permit extension period and requires significant resources and extensive coordination of improvements from the applicant to construct.
7. The Development Agreement is advantageous to and benefits the City because the applicant will provide over \$11 million in public benefits as part of the proposed Development Agreement and numerous other community benefits and fees along with a large amount of land dedication to the City for public parks and affordable housing developments that exceed the requirements of the Precise Plan or City regulations. The Development Agreement will allow sufficient time and assurance for the implementation of a large project that is anticipated to transform the area to realize the vision of the East Whisman Precise Plan for a denser mixed-use development with substantial new residential uses, in addition to office and other commercial uses, and more expansive and enhanced public spaces.
8. The Development Agreement for the Middlefield Park Master Plan has been reviewed by the City Attorney.
9. The City has determined that the project is a development for which a Development Agreement is appropriate. A Development Agreement will improve the potential for the project to be constructed in an orderly fashion along with the significant project benefits, such as the financial contributions by the applicant, and otherwise achieve the goals and purposes of Article XVI, Division 14 of the City Code related to development agreements, including meeting the required contents of a development agreement as set forth in Section 36.54.20.
10. In exchange for significant public benefits of the project and the infrastructure and transportation improvements required for the project, the applicant desires to receive assurances that the City shall grant permits and approvals required for the development of the project in accordance with procedures provided by law and in the Development Agreement and that the applicant may proceed with the project in accordance with applicable City laws with extended expiration dates for entitlements up to 20 years from the Effective Date as defined in the Development Agreement, along with any allowable extensions under the Development Agreement. In order to effectuate these purposes, the parties desire to enter into the Development Agreement.
11. The Development Agreement complies with the California Environmental Quality Act (CEQA). A Supplemental Environmental Impact Report (SEIR) has been prepared for the project, which tiers from the East Whisman Precise Plan Environmental Impact Report (SCH No. 20177082051) (Precise Plan EIR) and the Mountain View 2030 General Plan and Greenhouse Gas Reduction EIR (SCH No. 2011012069) (General Plan EIR), and a statement of overriding consideration has been prepared due to significant unavoidable air-quality impacts; all other environmental considerations were either consistent with the Precise Plan EIR or

General Plan EIR impacts or mitigated to less-than-significant with the incorporation of mitigation measures and standard City conditions of approval. The SEIR further confirms that: (a) the proposed project does not constitute a substantial change that would require major revisions to the prior EIRs due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; (b) there have been no substantial changes with respect to the circumstances under which the project will be constructed that would require major revisions to the Precise Plan EIR or General Plan EIR due to the involvement of the new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and (c) there has been no new information of substantial importance that was not known, and could not have been known, with the exercise of reasonable diligence at the time that the Precise Plan EIR and General Plan EIR was certified.

REBECCA SHAPIRO, DEPUTY ZONING ADMINISTRATOR

RS/LH/6/FDG
PL-2021-249

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