

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
APPROVING A PLANNED COMMUNITY PERMIT AND DEVELOPMENT REVIEW PERMIT TO
CONSTRUCT A NEW THREE-STORY, 18,800 SQUARE FOOT MIXED-USE
COMMERCIAL BUILDING WITH GROUND-FLOOR RESTAURANT AND UPPER-FLOOR OFFICE WITH
ONE LEVEL OF UNDERGROUND PARKING, REPLACING AN EXISTING AUTO REPAIR SHOP;
A PROVISIONAL USE PERMIT TO ALLOW THE RESTAURANT USE
AND UPPER-FLOOR ADMINISTRATIVE OFFICE USE; AND A
HERITAGE TREE REMOVAL PERMIT TO REMOVE ONE HERITAGE TREE
ON A 0.23-ACRE PROJECT SITE AT 705 WEST DANA STREET

WHEREAS, an application (Application No. PL-2022-224) was received from Lund Smith, on behalf of Hope Dana LP, for a permit to construct a new three-story, 18,800 square foot commercial building with ground-floor restaurant and upper-floor office with one level of underground public parking, replacing an existing auto repair shop; a Provisional Use Permit to allow the restaurant use and upper-floor administrative office use; a Heritage Tree Removal Permit to remove one Heritage tree; and a Lot Line Adjustment to modify an existing lot line on a 0.23-acre project site; and

WHEREAS, the Zoning Administrator held a duly noticed public hearing on October 11, 2023 on said application and recommended the City Council conditionally approve the Planned Community Permit, Development Review Permit, Provisional Use Permit, and Heritage Tree Removal Permit, subject to the findings and conditions of approval attached hereto; and

WHEREAS, the City Council held a public hearing on November 14, 2023 on said application and received and considered all evidence presented at said hearing, including the recommendation from the Zoning Administrator, the City Council report, project materials, oral testimony, and written comments received; now, therefore, be it

RESOLVED: that the City Council of the City of Mountain View finds:

1. The Provisional Use Permit to allow administrative office use on the upper floors and a ground-floor restaurant use is conditionally approved based upon the conditions contained in Exhibit A, attached hereto and incorporated herein, and upon the following findings pursuant to Section 36.48.25 of the City Code:

a. The proposed use is conditionally permitted within the Downtown Precise Plan and complies with all the applicable provisions of Chapter 36 (Zoning) of the City Code, including the Precise Plan design standards and requirements of generating pedestrian activity and

streetside interest by placing the active uses of the ground-floor restaurant use, such as dining and outdoor seating, directly along the West Dana Street frontage. The office lobby area is minimal and indistinguishable, giving more attention to the high activity-generating restaurant use. Additionally, the transparent ground-floor restaurant frontage along West Dana Street helps activate the street and includes additional storefront improvements, such as awnings, detailed wood wainscot and wood storefront window system, and landscaped benches that comply with the design intent of the Precise Plan to create an interesting pedestrian environment. The project complies with the Precise Plan's design standards except for the 45% ground-floor transparency requirements and minimum retail depth of 40'. The Zoning Administrator can grant exceptions to the retail depth requirements due to lot constraints, in which case, requirements for the public elevator, circulation, and electrical room warrant a reduced retail depth of 39'. Additional deviations to standards are permitted to allow for creative design while protecting the integrity and character of the Precise Plan area. The project proposes 40% ground-floor transparency, which is needed to allow for better storefront design around utility rooms and the public elevator on the Dana Street frontage. There is no other feasible location for the utility room and public elevator due to lot constraints, and the proposed design will provide a similar appearance to the rest of the ground-floor storefront while limiting views of interior mechanical equipment. Lastly, as the site is located within one-half (0.5) mile of a major transit stop and no parking is required, the project proposes one level of underground parking accessible to the general public outside of general business hours and during weekends and is implementing a Transportation Demand Management (TDM) program to prevent commercial overflow parking from encroaching into residential neighborhoods, which is in line with the Precise Plan's policies;

b. The proposed use is consistent with the Downtown Mixed-Use Land Use Designation of the General Plan because the project proposes a ground-floor restaurant use and upper-floor office use, which supports a diverse mix of uses as envisioned in the General Plan;

c. The location, size, design, and operating characteristics of the proposed use are compatible with the site and building character and environmental conditions of existing and future land uses in the vicinity because the proposed floor plan is designed to meet the Precise Plan's goals of reinforcing the active pedestrian-oriented uses along West Dana Street by limiting the size of the office lobby entrance and maximizing the restaurant tenant space on the ground floor while meeting required utility, circulation, and service needs for ground-floor improvements. Furthermore, the project proposes a Transportation Demand Management (TDM) program, including measures, such as transit passes, for employees to support the lower parking ratio for the site. The proposed uses are compatible with the adjacent uses as the ground-floor restaurant will create synergy with the adjacent restaurant, retail, and office uses in the immediate area to create a more vibrant downtown area;

d. Any special structure or building modifications necessary to contain the proposed use would not impair the architectural integrity and character of the Precise Plan because the project proposes the use of high-quality materials on the new building that are consistent with the Precise Plan's guidelines; the project design incorporates massing breaks to prevent long expanses of mass that are consistent with the general form of the adjacent

neighborhood, particularly along Castro Street; and the project is compliant with other design standards and guidelines of the Precise Plan. For example, the project includes human-scaled elements that make downtown an attractive and enjoyable place, such as including transparent windows, awnings, and composite wood wainscot in the building design. The use of light-colored terra cotta, accented with composite wood entries and metal fins, is compatible with the more historic buildings in the neighborhood and consistent with the Downtown Precise Plan guidelines for building materials; and

e. The approval of the Provisional Use Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15332 (“In-Fill Development Projects”) because the site is consistent the following findings:

(1) The site is consistent with the applicable General Plan and zoning designation and regulations. The project site has a General Plan Land Use Designation of Downtown Mixed-Use, which allows office and restaurant uses. The zoning designation for the site is P(19) Downtown Precise Plan, Area H. The site allows up to 2.75 Office Floor Area Ratio (FAR). The project proposes 1.51 FAR, which is consistent with the intensities outlined in the Precise Plan;

(2) The proposed development occurs within City limits on a project site of no more than five acres and is substantially surrounded by urban uses. The proposed project is 0.23 acre in size and is located on all sides by urban uses, such as primarily commercial and mixed-use development;

(3) The project site has no value as a habitat for endangered, rare, or threatened species. The project site is currently completely covered with paving and a vacant auto repair use. There are no nearby known bird habitats or other species as the site is located within an urban area and surrounded by pavement and existing commercial development with limited vegetation. The project site includes one Heritage tree intended for removal, but conditions are in place to ensure that a preconstruction nesting bird survey be conducted prior to the start of any construction to ensure no bird species exist on-site that may be impacted by construction;

(4) Approval would not result in any significant impacts relating to traffic, noise, or air quality; and the site can be served by all required utilities and public services. The proposed project is screened out from additional vehicle miles traveled (VMT) analyses as the site is located within one-half (0.5) mile of a major transit stop. Street improvements are proposed to maintain pedestrian traffic, and a public access easement to Hope Street is proposed to allow a wider pedestrian walkway. A preliminary construction management plan has been reviewed, and additional conditions of approval have been added to ensure truck routes, construction vehicle circulation, parking, storage, and potential sidewalk closures will not result in significant impacts to traffic and circulation. Conditions of approval have been added to ensure construction-related noise and operational noise associated with the project shall not exceed

55 db(A). Additionally, conditions of approval require conformance with the Bay Area Air Quality Management District requirements for demolition and construction to reduce fugitive dust emissions that may be a result of construction. Lastly, the project is subject to MRP 3.0, Provision C.3, to treat stormwater runoff. Conditions of approval have been added to ensure that on-site and off-site stormwater runoff is treated within non-LID treatment facilities; and

(5) The project site can be adequately served by all required utilities and public services as the site is served by all necessary municipal utilities and public services.

2. The Planned Community Permit to construct a new three-story, 18,800 square foot commercial building with a ground-floor restaurant, upper-floor office, and one level of underground public parking, replacing an existing auto repair shop, is conditionally approved based upon the conditions contained herein and upon the following findings per Section 36.50.55:

a. The proposed use or development is consistent with the provisions of the Downtown Precise Plan, or, if no Precise Plan exists for the subject area, the proposal clearly demonstrates superior site and building design and compatibility with surrounding uses and developments; or if variations from requirements in the applicable Precise Plan are granted, the proposal clearly demonstrates superior site and building design and is in substantial compliance with the intent of the requirements in the applicable Precise Plan since the project complies with the Precise Plan's development standards and complies with the following guidelines: active ground-level use by locating a high-activity generating use at the corner, incorporates high-quality material, such as multi-textured terra cotta panels and smooth cement plaster, and incorporates a higher-quality craftsmanship and detailing within the pedestrians' range, such as incorporating a storefront design that includes uniquely detailed mesh awnings and composite wood wainscot, to help make the visual experience of moving along the street enjoyable and interesting. The project complies with the Precise Plan's design standards except for the 45% ground-floor transparency requirements and minimum retail depth of 40'. The Zoning Administrator can grant exceptions to the retail depth requirements due to lot constraints, in which case requirements for the public elevator, circulation, and electrical room warrant a reduced retail depth of 39'. Additional deviations to standards are permitted to allow for creative design while protecting the integrity and character of the Precise Plan area. The project proposes 40% ground-floor transparency, which is needed to allow for better storefront design around utility rooms and the public elevator on the Dana Street frontage. There is no other feasible location for the utility room and public elevator due to lot constraints, and the proposed design will provide a similar appearance to the rest of the ground-floor storefront while limiting views of interior mechanical equipment. Deviations to the ground-floor transparency requirement is supported for alternate storefront improvements for the elevator and electrical room improvements as it is meeting the intent of the standards while also providing appropriate screening for utility/equipment areas;

b. The proposed use or development is consistent with the Downtown Mixed-Use Land Use Designation of the General Plan as the project includes office and restaurant uses, which supports a diverse mix of uses in the downtown area as identified in the General Plan;

c. The proposed uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare because the proposed project is an infill project served by available public infrastructure and complies with all applicable Fire and Building Code requirements. The site is within an urban area that is less than one-half (0.5) mile of transit and other services. A transportation demand management (TDM) program is proposed and includes measures to reduce parking demand for the project. Additionally, although there is no minimum parking required for the project site, the project proposes one level of underground parking to reduce parking impacts;

d. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area because the project complies with all of the applicable standards in the Downtown Precise Plan, except for minimum lot depth requirement as a result of the site constraints and service/utility room locations. Additionally, the project does not comply with minimum transparency requirements of the Precise Plan as the shadow-box treatment at the public elevator and utility room creates an improved storefront condition that both screens the utility/equipment areas and provides a comparable appearance to the rest of the ground-floor storefront, thereby meeting the design intent of the standard despite resulting in a reduction of ground floor transparency. The wainscot detailing at the restaurant frontage also reduces transparency, but is a storefront detail that creates and improves pedestrian environment through warm, rich materiality at the ground floor as also called for by the Precise Plan. The project is not meeting the minimum retail depth requirement of 40' as 39' is proposed. This is supported as requirements for the electrical room, circulation, and public elevator access create constraints that make it difficult to meet this minimum requirement. The project proposes a transitional architectural style that is consistent with the more historic retail fabric along Castro Street and the adjacent residential neighborhood; and

e. The approval of the Planned Community Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15332 ("In-Fill Development Projects") because the site is consistent the following findings:

(1) The site is consistent with the applicable General Plan and zoning designation and regulations. The project site has a General Plan Land Use Designation of Downtown Mixed-Use, which allows office and restaurant uses. The zoning designation for the site is P(19) Downtown Precise Plan, Area H. The site allows up to 2.75 FAR office FAR. The project proposes 1.51 FAR, which is consistent with the intensities outlined in the Precise Plan;

(2) The proposed development occurs within City limits on a project site of no more than five acres and is substantially surrounded by urban uses. The proposed project is

0.23 acre in size and is located on all sides by urban uses, such as primarily commercial and mixed-use development;

3) The project site has no value as a habitat for endangered, rare, or threatened species. The project site is currently completely covered with paving and a vacant auto repair use. There are no nearby known bird habitats or other species as the site is located within an urban area and surrounded by pavement and existing commercial development with limited vegetation. The project site includes one Heritage tree intended for removal, but conditions are in place to ensure that a preconstruction nesting bird survey be conducted prior to the start of any construction to ensure no bird species exist on-site that may be impacted by construction;

(4) Approval would not result in any significant impacts relating to traffic, noise, or air quality; and the site can be served by all required utilities and public services. The proposed project is screened out from additional VMT analysis as the site is located within one-half (0.5) mile of a major transit stop. Street improvements are proposed to maintain pedestrian traffic, and a public access easement to Hope Street is proposed to allow a wider pedestrian walkway. A preliminary construction management plan has been reviewed and additional conditions of approval have been added to ensure truck routes, construction vehicle circulation, parking, storage, and potential sidewalk closures will not result in significant impacts to traffic and circulation. Conditions of approval have been added to ensure construction-related noise and operational noise associated with the project shall not exceed 55 db(A). Additionally, conditions of approval require conformance with the Bay Area Air Quality Management District requirements for demolition and construction to reduce fugitive dust emissions that may be a result of construction. Lastly, the project is subject to MRP 3.0, Provision C.3, to treat stormwater runoff. Conditions of approval have been added to ensure that on-site and off-site stormwater runoff is treated within non-LID treatment facilities; and

(5) The project site can be adequately served by all required utilities and public services as the site is served by all necessary municipal utilities and public services.

3. The Development Review Permit to construct a new three-story, 18,800 square foot commercial building with a ground-floor restaurant, upper-floor office, and one level of underground public parking, replacing an existing auto repair shop, is conditionally approved based upon the conditions of approval contained herein and upon the following findings per Section 36.44.70:

a. The project complies with the general design considerations as described by the purpose and intent of Chapter 36 (Zoning) of the City Code, the General Plan, and any City-adopted design guidelines since the site is consistent with General Plan Policy LUD 7.1, Downtown, as a daytime and nighttime center for social, entertainment, cultural, businesses, and government activity as the proposed restaurant and office uses help create an active downtown, and Policy LUD 7.3, Human-scaled building details, as the building includes human-scaled details, such as transparent windows on the ground floor that face the street, awnings, and architectural

features to create a comfortable and interesting pedestrian environment. The project complies with the Precise Plan's design standards except for the 45% ground-floor transparency requirements and minimum retail depth of 40'. The Zoning Administrator can grant exceptions to the retail depth requirements due to lot constraints, in which case requirements for the public elevator, circulation, and electrical room warrant a reduced retail depth of 39'. Additional deviations to standards are permitted to allow for creative design while protecting the integrity and character of the Precise Plan area. The project proposes 40% ground-floor transparency, which is needed to allow for better storefront design around utility rooms and the public elevator on the Dana Street frontage. There is no other feasible location for the utility room and public elevator due to lot constraints, and the proposed design will provide a similar appearance to the rest of the ground-floor storefront while limiting views of interior mechanical equipment;

b. The architectural design of the 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 includes human-scaled elements that make downtown an attractive and enjoyable place, such as including transparent windows, awnings, and composite wood wainscot in the building design. The use of light-colored terra cotta accented with composite wood entries and metal fins is compatible with the more historic buildings in the neighborhood and is consistent with the Downtown Precise Plan guidelines for building materials;

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, as the project locates parking access to less visible areas, such as along Hope Street. This allows for a more continual pedestrian sidewalk along the West Dana Street frontage. Additionally, the more active restaurant tenant space has a direct access from West Dana Street while the office entry is recessed further into the project site. The project uses a mix of in-ground landscaping and modular planters to soften the proposed plaza area and help activate edges that are fronting West Dana Street;

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 utilizing a minimum 75% of native landscaping. The project incorporates in-ground plantings and modular plantings to create a more attractive and softened plaza design. Although the plaza programming primarily relies upon the outdoor seating of the restaurant tenant space, the incorporation of landscaping helps soften the hardscaped plaza design;

e. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing one level of underground parking with access from Hope Street. This allows a continual sidewalk on West Dana Street, which is more appropriate for cross streets leading up to Castro Street. The project also proposed a ground-floor bicycle parking room to provide easy access to bicyclists. The entrances to the restaurant tenant space are located at the corner, giving the building corner a more distinguishable look; and

f. The approval of the Planned Community Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15332 (“In-Fill Development Projects”) because the site is consistent the following findings:

(1) The site is consistent with the applicable General Plan and zoning designation and regulations. The project site has a General Plan Land Use Designation of Downtown Mixed-Use, which allows office and restaurant uses. The zoning designation for the site is P(19) Downtown Precise Plan, Area H. The site allows up to 2.75 FAR office FAR. The project proposes 1.51 FAR, which is consistent with the intensities outlined in the Precise Plan;

(2) The proposed development occurs within City limits on a project site of no more than five acres and is substantially surrounded by urban uses. The proposed project is 0.23 acre in size and is located on all sides by urban uses, such as primarily commercial and mixed-use development;

(3) The project site has no value as a habitat for endangered, rare, or threatened species. The project site is currently completely covered with paving and a vacant auto repair use. There are no nearby known bird habitats or other species as the site is located within an urban area and surrounded by pavement and existing commercial development with limited vegetation. The project site includes one Heritage tree intended for removal, but conditions are in place to ensure that a preconstruction nesting bird survey be conducted prior to the start of any construction to ensure no bird species exist on-site that may be impacted by construction;

(4) Approval would not result in any significant impacts relating to traffic, noise, or air quality; and the site can be served by all required utilities and public services. The proposed project is screened out from additional VMT analysis as the site is located within one-half (0.5) mile of a major transit stop. Street improvements are proposed to maintain pedestrian traffic, and a public access easement to Hope Street is proposed to allow a wider pedestrian walkway. A preliminary construction management plan has been reviewed, and additional conditions of approval have been added to ensure truck routes, construction vehicle circulation, parking, storage, and potential sidewalk closures will not result in significant impacts to traffic and circulation. Conditions of approval have been added to ensure construction-related noise and operational noise associated with the project shall not exceed 55 db(A). Additionally, conditions of approval require conformance with the Bay Area Air Quality Management District requirements for demolition and construction to reduce fugitive dust emissions that may be a result of construction. Lastly, the project is subject to MRP 3.0, Provision C.3, to treat stormwater runoff. Conditions of approval have been added to ensure that on-site and off-site stormwater runoff is treated within non-LID treatment facilities; and

(5) The project site can be adequately served by all required utilities and public services as the site is served by all necessary municipal utilities and public services.

4. The Heritage Tree Removal Permit to remove/relocate one Heritage tree (Tree No. 1) is conditionally approved based on the conditions contained in Exhibit A, review by the City arborist, and the following findings made pursuant to Section 32.35 of the City Code:

a. It is necessary to remove the tree due to the condition of the tree with respect to age of the tree 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 because the existing tree to be removed shows signs of decline caused from dry season. Moreover, the tree has outgrown its planting area, and most of the root zone is underneath pavement, making it difficult for the tree to get water, which increases tree stress. Redwoods stressed from drought are more prone to bark failure, which may result in falling tops of trees and a potential public safety risk. This was identified in the arborist report prepared by Kielty Services and reviewed by the City arborist;

b. It is necessary to remove the tree in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties because the underground parking is designed underneath the protection zone of the tree proposed to be removed. The proposed underground parking lot is designed to incorporate clear on-site circulation and operations; it would be infeasible to design the parking lot outside of the tree's protection zone, given the small size of the lot;

c. Removal of the tree 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; and

d. The approval of the Heritage Tree Removal Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15332 ("In-Fill Development Projects") because the site is consistent the following findings:

(1) The site is consistent with the applicable General Plan and zoning designation and regulations. The project site has a General Plan Land Use Designation of Downtown Mixed-Use, which allows office and restaurant uses. The zoning designation for the site is P(19) Downtown Precise Plan, Area H. The site allows up to 2.75 Office FAR. The project proposes 1.51 FAR, which is consistent with the intensities outlined in the Precise Plan;

(2) The proposed development occurs within City limits on a project site of no more than five acres and is substantially surrounded by urban uses. The proposed project is 0.23 acre in size and is located on all sides by urban uses, such as primarily commercial and mixed-use development;

(3) The project site has no value as a habitat for endangered, rare, or threatened species. The project site is currently completely covered with paving and a vacant auto repair use. There are no nearby known bird habitats or other species as the site is located within an urban area and surrounded by pavement and existing commercial development with limited vegetation. The project site includes one Heritage tree intended for removal, but conditions are in place to ensure that a preconstruction nesting bird survey be conducted prior to the start of any construction to ensure no bird species exist on-site that may be impacted by construction;

(4) Approval would not result in any significant impacts relating to traffic, noise, or air quality; and the site can be served by all required utilities and public services. The proposed project is screened out from additional VMT analysis as the site is located within one-half (0.5) mile of a major transit stop. Street improvements are proposed to maintain pedestrian traffic and a public access easement to Hope Street is proposed to allow a wider pedestrian walkway. A preliminary construction management plan has been reviewed and additional conditions of approval have been added to ensure truck routes, construction vehicle circulation, parking, storage, and potential sidewalk closures will not result in significant impacts to traffic and circulation. Conditions of approval have been added to ensure construction-related noise and operational noise associated with the project shall not exceed 55 db(A). Additionally, conditions of approval require conformance with the Bay Area Air Quality Management District requirements for demolition and construction to reduce fugitive dust emissions that may be a result of construction. Lastly, the project is subject to MRP 3.0, Provision C.3, to treat stormwater runoff. Conditions of approval have been added to ensure that on-site and off-site stormwater runoff is treated within non-LID treatment facilities; and

(5) The project site can be adequately served by all required utilities and public services as the site is served by all necessary municipal utilities and public services; and be it

FURTHER RESOLVED: that the Planned Community Permit, Development Review Permit, Provisional Use Permit, and Heritage Tree Removal Permit for said project are hereby granted subject to the applicant's fulfillment of all the conditions of approval, which are attached hereto as Exhibit A and incorporated herein by reference.

TIME FOR JUDICIAL REVIEW

The time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6, as established by Resolution No. 13850, adopted by the City Council on August 9, 1983.

KP/6/RESO/828-11-14-23r

Exhibit: A. Conditions of

Approval

**CONDITIONS OF APPROVAL
APPLICATION NO.: PL-2022-224
705 West Dana Street**

The applicant is hereby notified, as part of this application, that the applicant is required to meet the following conditions in accordance with the Mountain View City Code and the State of California. Where approval by a City Department Director or Official is required, that review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws, and regulations, and accepted practices for the item(s) under review. The applicant is hereby notified that the applicant 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 three-story, 18,800 square foot commercial building with ground-floor restaurant use and an upper floor office use with one level of underground public parking located on Assessor's Parcel No. 158-23-030. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- a. Project plans prepared by KSH Architects for Hope Dana LP, date stamped July 24, 2023.
- b. Color and materials board prepared by KSH Architects for Hope Dana LP, date stamped July 24, 2023.
- c. Arborist report prepared by Kiely Services, date stamped and dated July 24, 2023.
- d. Transportation Demand Management Program prepared by TDM Specialists, Inc. for Hope Dana LP, date stamped July 24, 2023.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Planning Division—650-903-6306 or planning.division@mountainview.gov

- 1. **APPLICABILITY OF THIS PERMIT:** This Permit shall apply to any business/owner entity whose use and operational characteristics match those of the approved use. Intensification of the approved use shall require an amendment to this Permit. A change to a different permitted use may require a new Permit. This Permit shall continue to be valid upon a change of ownership/operator of the site, business, service, use(s), or structure that was the subject of this approval provided the new owner/operator agrees in writing to all applicable conditions and operating standards prior to reopening or maintaining the use or structure(s) under the new ownership. Any new owner/operator must submit a wet (original) signed letter to the Planning Division noting agreement with the enclosed conditions which includes notation of this permit number and the new business/operator name. This letter may be requested by the City at any time.
- 2. **EXPIRATION:** This permit is valid for a period of two years from the date of approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period unless a permit extension has been submitted to and approved by the Zoning Administrator at a duly noticed public hearing prior to the expiration date.
- 3. **PERMIT EXTENSION:** Zoning permits may be extended for up to two years after an Administrative Zoning public hearing, in compliance with procedures described in Chapter 36 of the City Code. An application for extension must be filed with the Planning Division, including appropriate fees, prior to the original expiration date of the permit(s).
- 4. **ABANDONMENT OF USE:** The approved use shall be considered abandoned if the approved use in this tenant space (or building) ceases for a period of six months or more, at which point this Permit shall have expired and a new Permit shall be required. Determination of the abandonment of the use shall be based on the best available data, which may include business license, tax payment records, utility records, and other government agency permits or licenses.

5. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.

PERMIT SUBMITTAL REQUIREMENTS

6. **AIR QUALITY:** The applicant is 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.
7. **TENANT IMPROVEMENTS:** Details of interior tenant improvements are to be shown on building permit drawings and shall be reviewed for consistency with the operational characteristics of the proposed use by the Zoning Administrator, or designee, prior to permit issuance.
8. **CERTIFICATION OF BUILDING PERMIT PLANS:** In a letter, the project architect shall certify the architectural design shown in the building permit plans match the approved plans. Any changes or modifications must be clearly noted in writing and shown on redlined plan sheets. The project architect shall also certify the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.
9. **ACCESSORY STRUCTURE(S):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.
10. **ZONING INFORMATION:** The following information must be listed on the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning district designation; (c) total floor area ratio and residential density in units per acre, if applicable; (d) lot area (in square feet and acreage); and (e) total number of parking spaces.
11. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a duly noticed public hearing, which can be referred to the City Council.
12. **FLOOR AREA RATIO (FAR) DIAGRAM:** Building permit drawings must include a floor area ratio (FAR) diagram for each structure on-site, clearly identifying each level of the structure(s) and the gross area(s) which count toward floor area per required zoning calculations. The diagram must also clearly identify all areas which are exempt from FAR.
13. **PAINT COLOR-CODING:** At submittal of building plan check, provide color-coded elevations of each side of the building(s) detailing the location of all paint and stain colors, manufacturer, and color names.
14. **COLOR CHIPS:** At submittal of building plan check, provide a set of color chips, and the color scheme shall be shown on the elevations.
15. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City during building plan check, and the recommendations made in the geotechnical report will be implemented as part of the project and included in building permit drawings and civil drawings as needed. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the build-up of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.
16. **SOIL MANAGEMENT PLAN:** Prepare a soil and groundwater 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 issuance of any demolition or building permits.

17. **LOT LINE ADJUSTMENT:** Prior to building permit issuance, the applicant shall record the Lot Line Adjustment to modify the property line(s) between Lots 11 of Block 3 and the subject project site Lot 12 of Block 3. Separate Planning and Public Works permit(s) are required. The map shall be approved and recorded in accordance with the City Code and the Subdivision Map Act. Failure to record the Lot Line Adjustment shall render the Planned Community, Development Review, Provisional Use, and Heritage Tree Removal Permit invalid.
18. **SIGNAGE:** No signs are approved as part of this application. Any new signage will require separate planning and/or building permits. Application form and submittal requirements are available online at www.mountainview.gov/planningforms.
19. **MASTER SIGN PROGRAM:** The applicant shall develop a master sign program for this property as part of a separate planning permit. The program shall identify suitable sign locations, types, sizes, colors, and materials in written and visual forms for all buildings/tenant spaces on-site with a common theme for signage that is compatible with the structures and uses. Application form and submittal requirements are available online at www.mountainview.gov/planningforms.

OPERATIONS

20. **OPERATIONAL CRITERIA:** In the event that problems with the operational criteria of the business arise, including, but not limited to, parking shortages, delivery truck issues, hours of operation, or 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.
21. **ROOF DECK OPERATION:** The approved hours of operation for the rooftop common area shall be limited to 9:00 a.m. to 10:00 p.m., and shall not allow amplified music. In the event any problems arise with the hours of operation or noise, the Zoning Administrator may hold a public hearing to review common-area operations and impose new or modified conditions of approval in response to public comment received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code.
22. **PARKING MANAGEMENT PLAN FOR SHARED USES AND PUBLIC PARKING:** Prior to building permit issuance, the applicant shall develop a shared parking management plan ("Parking Management Plan") describing parking allocation for retail, guests, and office uses on the project site, including any proposed use of a valet parking program for the primary building uses daytime/weekdays), subject to review and approval by the Zoning Administrator. As proposed by the applicant and accepted by the City, the Parking Management Plan shall also specify the on-site parking to be open to the public at no cost for self-parking, including signage, days, and hours 6: 00 p.m. to 11: 00 p.m., weekdays, and 7:00 a.m. to 11:00 p.m., weekends and Federal holidays. This commitment to provide public parking shall be documented in a recorded Public Parking Agreement, following review and approval by the Zoning Administrator and City Attorney. The Public Parking Agreement will also include maintenance standards, rights to temporarily close for maintenance and security purposes, and other standard terms to provide appropriate protections and security for the owner and tenants and will be recorded prior to Certificate of Occupancy.

The Parking Management Plan shall also address measures to maximize the extent to which the Project's office tenants, guests, and visitors will park in the on-site parking structure and not on the surrounding public street. If the Community Development Director or Public Works Director or their designee determines this goal is not being met and there are documented and persistent parking issues in the downtown area that are related to the Project's office uses, the applicant will cooperate with the City to implement additional measures to encourage the Project's office tenants, guests, and visitors to park in the parking structure and not on the surrounding public streets, including additional education, enforceable lease terms, enhanced on-site parking management and enforcement, a designated contact for parking related complaints, or similar additional on-site parking management measures to encourage on-site parking. **(PROJECT-SPECIFIC CONDITION)**

23. **LOADING/DELIVERY PLAN:** Prior to building permit issuance, the applicant shall develop a plan specifying measures to manage on-site deliveries and loading, which may include measures to tailor delivery hours and/or days to limit conflicts with peak traffic times or adjacent land uses.

SITE DEVELOPMENT AND BUILDING DESIGN

24. **BUILDING DESIGN/PLAN MODIFICATIONS:** Modifications shall be made to the architectural design, building materials, colors, landscaping, and/or other site or building design details provided in the building permit drawings, subject to review and approval by the Zoning Administrator prior to issuance of a building permit, and addressing the following design direction:
- a. Refine the corner plaza design to:
 - Include a base furnishing and programming plan for the plaza, which includes alternate improvements/programming for areas next to the ground-floor retail/restaurant space in case future tenants do not need/use the plaza.
 - Ensure the planter layout provides for functional spaces accommodating different plaza programming areas (e.g., outdoor amenity area for future ground-floor retail/restaurant tenant, streetscape furnishings by the street corner, etc.).
 - Modify the design and/or location of the focal plaza accent (currently a circular planter) to be more compatible with the building architecture. This could include studying a different shape or location for the focal tree planter element, or modifying the focal element to be a different plaza amenity (e.g., architectural trellis, sculpture, etc.). Evaluate the paving design to ensure it enhances and relates to the updated plaza design/amenities.
 - b. Update the planting plan along the southerly property line (adjacent to the City parking lot) to incorporate vertical landscaping, such as taller shrubs and climbing vines.
 - c. Continue working with staff to ensure the ground-floor treatment at the service/utility room along West Dana Street creates a more pleasant experience for pedestrians with a more integrated storefront improvement design, which may include a shadow box treatment on the utility (electrical) room with the same design details as the public elevator and/or continuing the retail/restaurant wainscot accent throughout the service area.
 - d. Refine the third-floor railing design and locations to complement building massing and enhance the retail/restaurant corner by removing the railings from the areas without usable terrace space (i.e., along the massing break). If the project is modified to include operable third-floor windows and/or additional private outdoor space, alternative railing designs may be proposed to provide fall protection in these areas.
 - e. Finalize design of any garage security measures (e.g., gate, etc.) to ensure the installation is recessed from the front edge of the garage opening and employs materials and design to complement the rest of the ground-floor storefront design (e.g., perforated metal similar to the proposed storefront awnings).
 - f. Color/materials of the ground-floor storefront material shall be a wood/wood-like material equivalent to the American oak Parklex Prodema for the wainscot and a natural white oak at the mullions.
25. **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.
26. **TRIM MATERIALS:** Trim materials throughout the project shall be wood or high-density foam trim. Details of the specific placement, utilization, and finish 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.
27. **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.

28. **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.
29. **RECESSED WINDOWS:** All windows shall be recessed from the face of the building a minimum of 12”.
30. **GROUND-FLOOR TRANSPARENCY:** Storefronts and windows must maintain a minimum 75% transparency along the ground floor of the building(s) at all times. No window tinting/treatment, permanent/affixed furniture, or sunshades, which permanently block the windows/storefronts, are permitted. Sunshades which maximize transparency while providing UV light screening for building occupants may be permitted, subject to review and approval by the Zoning Administrator.
31. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to building permit issuance and purchase of the finish materials, for final selection and approval by the Zoning Administrator. At a minimum, the mock-up shall include terra cotta panel, metal fins, stucco, shadowbox, and paint samples. Proposed primary and secondary (accent) paint colors should be painted next to each other on the mock-up for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
32. **PAINT BRUSH-OUTS:** The applicant shall paint a portion of the building or a mock-up wall with the proposed color scheme for inspection by the Planning Division. 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.
33. **COLOR AND MATERIALS:** Colors and materials of the proposed addition are to be shown and noted on permit drawings to match the existing structure.
34. **ROOFTOP EQUIPMENT SCREEN:** All rooftop equipment must be concealed behind opaque (solid) screening designed to complement the building design such that rooftop equipment is not visible from any elevation. Details of the rooftop equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.
35. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval by the Planning Division.
36. **GROUND-FLOOR COMMERCIAL AREA:** This project is required to provide approximately 1,400 square feet of ground-floor restaurant space. Any future use is subject to the permitted and provisionally permitted uses of the Downtown P(19) Precise Plan.
37. **PLAZA PROGRAMMING:** A narrative document and supporting physical improvements shown on permit drawings shall be submitted with the building permit review package that demonstrate the plaza will be permanently programmed with improvements to support activities which make it an inviting and active open space. If there is no restaurant tenant available to activate the plaza area with outdoor seating, the property owners, to the extent possible, will provide furnishings to ensure amenities are provided to help with active plaza programming. The plaza programming design shall be reviewed and approved by the Zoning Administrator prior to issuance of a building permit. **(PROJECT-SPECIFIC CONDITION)**
38. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped with 4” wide stripes. Double stripes shall be 18” apart, from outside edge to outside edge of the stripes, or 10” from inside edge to inside edge of the stripes. The 8-1/2’ parking space width is measured from the center of one double stripe to the other, such that the space between stripes is 7’. For parallel parking spaces, only single-striped or tic-mark is required between spaces. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24’.
39. **LIGHTING PLAN:** The applicant shall submit a lighting plan in building permit drawings. 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, which is demonstrated with photometric contours extending beyond the project property lines. The lighting plan submitted with building permit drawings must be approved by the Zoning Administrator prior to building permit issuance.

40. **ROOFTOP DECK LIGHTING:** Proposed lighting fixtures on the rooftop decks and courtyards shall not be visible from ground level on adjacent public streets. Any string lighting shall be designed to include shades to avoid light spillover and be screened so they are not visible from off-site. Limited pedestrian-scale/building-mounted lighting along pathways may be permitted subject to review and approval of photometric lighting plan submitted as part of the building permit drawings.
41. **BIKE PARKING FACILITIES:** The applicant shall provide the following bike parking on the project site, which must be shown on building permit drawings:
 - a. Short-term bike parking for visitors, a minimum of four spaces. These spaces shall be provided as bike racks which must secure the frame and both wheels. Racks should be located near the building entrance (i.e., within constant visual range) unless it is demonstrated that they create a public hazard or it is infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected from physical assault and must include clear and visible signage leading to public bicycle parking if not visible from a street or public path.
 - b. Long-term bike parking for employees, a minimum of eight spaces. These spaces shall be in a secure location to protect against theft and may include, but are not limited to, bike lockers, enclosed cages, or other restricted interior areas. Any area used for long-term bike parking shall not be included in zoning calculations for floor area or building coverage.
 - c. One bicycle repair station shall be located on-site at grade level. Specifications, location, and details shall be included on drawings submitted for building permit review.

GREEN BUILDING

42. **GREEN BUILDING—NONRESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of LEED Gold® certified. All mandatory prerequisite points and minimum point totals per category to attain the required LEED Certified™ status must be achieved unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through the U.S. Green Building Council (USGBC) is not required for compliance with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.
43. **ENERGY MONITORING:** To support energy management and identify opportunities for energy savings, the project shall provide submeters or equivalent combinations of sensors to record energy use data (electricity, natural gas, etc.) for each major energy system in the building.

TREES AND LANDSCAPING

44. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the street curb must be included in building permit drawings. Minimum plant sizes are flats or one-gallon containers for ground cover, five-gallon for shrubs, and 24" box for trees. Plans shall include a minimum of 75% native landscaping plants and tree species. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations (forms are available online at www.mountainview.gov/planningforms). Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
45. **LANDSCAPE 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.

46. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees. 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 submitted for building permit review. New street trees shall be planted in accordance with Detail F-1 of the Public Works Standard Provisions, a minimum of 10' from sanitary sewer lines, traffic signals, stop and yield signs, and streetlights and 5' from water lines, fire lines, and driveways. Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.
47. **ARBORIST REPORT:** A qualified arborist shall provide written instructions for the care of the existing tree(s) to remain on-site before, during, and after construction. The report shall also include a detailed plan showing installation of chain-link fencing around the dripline to protect these trees and installation of an irrigation drip system and water tie-in for supplemental water during construction. Arborist's reports shall be received by the Planning Division and must be approved prior to issuance of building permits. Prior to occupancy, the arborist shall certify in writing that all tree preservation measures have been implemented. Approved measures from the report shall be included in the building permit drawings.
48. **MONTHLY ARBORIST INSPECTIONS:** Throughout demolition and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction activity to maintain tree health, shall be provided to the Planning Division at planning.division@mountainview.gov.
49. **TREE REMOVALS:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit for new construction is secured and the project is pursued.
50. **REPLACEMENT TREES:** The applicant shall offset the loss of each Heritage/street tree with two replacement trees, for a total of two replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage or street replacement trees.
51. **STREET TREE PROTECTIONS:** All designated City street trees are to be protected throughout construction activity with protection measures shown on building permit plans.
52. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Kielty Arborist Report and dated June 9, 2023 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.

NOISE

53. **MECHANICAL EQUIPMENT (NOISE):** 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.
54. **NOISE GENERATION:** All noise-generating activities (i.e., entertainment or amplified sound) are limited to interior areas only, and the heating, ventilation, and air conditioning system shall be maintained to ensure that all windows and doors remain closed when the business is in operation.
55. **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 qualified acoustical consultant prior to building permit submittal.
56. **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.

AGREEMENTS AND FEES

57. **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 the City's officers, agents, and employees in any action brought by a third party to void this Permit(s). The agreement shall be in a form satisfactory to the City Attorney and Zoning Administrator. It shall run with the land and shall not be amended without prior City consent.

CONSTRUCTION ACTIVITIES

58. **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).
59. **WORK HOURS/CONSTRUCTION SITE SIGNAGE:** 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. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours and contact information, including an after-hours contact. 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.
60. **CONSTRUCTION PARKING:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project by contractors or other continued operations on-site. The plan shall also include a monitoring and enforcement measure which specifies on-street parking is prohibited and will be monitored by the owner/operator of the property (or primary contractor), and penalties will be enforced by the owner/operator of the property (or primary contractor) for violations of on-street parking restrictions. Violations of this provision may result in a stop-work notice being issued by the City for development project. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
61. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 750' of the project site of the construction schedule in writing, prior to construction. For multi-phased construction, separate notices may be required for each phase of construction. A copy of the notice and the mailing list shall be submitted for review prior to issuance of building permits.
62. **DISTURBANCE COORDINATOR:** The 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.
63. **HEALTH AND SAFETY MEASURES:** The permittee/contractor is responsible for preparing and implementing an appropriate health and safety plan to address the contamination and manage the operations in a safe manner and in compliance with the Cal/OSHA Construction Safety Orders and other State and Federal requirements.
64. **HAZARDOUS MATERIALS CONTAMINATION:** To reduce the potential for construction workers and adjacent uses to encounter hazardous materials contamination from asbestos-containing materials (ACM) and lead-based paint, the following measures are to be included in the project:
 - a. In conformance with local, State, and Federal laws, an asbestos building survey and a lead-based paint survey shall be completed by a qualified professional to determine the presence of ACMs and/or lead-based paint on the structures proposed for demolition. The surveys shall be completed prior to demolition work beginning on the structures.

- b. A registered asbestos abatement contractor shall be retained to remove and dispose of all potentially friable ACMs, in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to building demolition that may disturb the materials. All construction activities shall be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than 1% asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the waste being disposed.

- 65. **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: (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; (f) idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measures Title 13, Section 2485, of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points; (g) all construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and (h) post a publicly visible sign with the telephone number and person to contact at the City of Mountain View regarding dust complaints. This person will respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
- 66. **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) the contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) the contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) the contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) the contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) the contractor will cover the bottom of excavated areas with sheeting when work is not being performed.
- 67. **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.
- 68. **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

their authority, the Coroner 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.

69. **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.
70. **INDOOR FORMALDEHYDE REDUCTIONS:** If the project utilizes composite wood materials (e.g., hardwood plywood, medium density fiberboard, particleboard) for interior finishes, then only composite wood materials that are made with CARB approved, no-added formaldehyde (NAF) resins, or ultra-low emitting formaldehyde (ULEF) resins shall be utilized (CARB, Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products, 17 CCR Section 93120, *et seq.*, 2009-2013).
71. **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 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.

72. **VIBRATION BEST MANAGEMENT PRACTICES CONSTRUCTION MEASURES:**
- Avoid impact pile driving and drill piles instead where possible. Drilled piles cause lower vibration levels where geological conditions permit their use.
 - Avoid using vibration rollers and tampers near sensitive areas.
 - In areas where project construction is anticipated to include vibration generating activities, vibration studies shall be conducted to determine the areas of impact and to present appropriate mitigation measures that may include the following:
 - Identification of sites that would be exposed to project vibration compaction activities and could result in vibration impacts to structures;
 - Develop a vibration monitoring and contingency plan;

- Construction contingency plan; and
- Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage have been made.

Affordable Housing Division—650-903-6379 or neighborhoods@mountainview.gov

73. **HOUSING IMPACT FEE:** Prior to the issuance of the first grading or building permit for the project, the applicant shall pay a Housing Impact Fee based on the net new floor area and the adopted fees in effect at the time of building permit issuance. For purposes of calculating the fee, the project includes construction of 15,056 square feet of Office and 1,459 square feet of Commercial and demolition of 3,147 square feet of Commercial, resulting in 13,368 net new floor area of Office.

Building Division—650-903-6313 or building@mountainview.gov

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

74. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Division upon building permit submittal. Current codes are the 2022 California Codes: Building, Residential, Fire, Electrical, Mechanical, Plumbing, CALGreen, CALEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC).
75. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for the proposed project per the CBC, Chapter 3.
76. **BUILDING AREA:** The project shall comply with the requirements per the CBC, Chapter 5, Section 506.
77. **MIXED USE AND OCCUPANCY:** The project shall comply with the requirements per the CBC, Chapter 5, Section 508.
78. **OCCUPANCY SEPARATION:** Proper separation is required to be provided between occupancies per the CBC, Table 508.4.
79. **TYPE OF CONSTRUCTION:** Provide the type of proposed construction per Chapter 6 of the CBC.
80. **FIRE AND SMOKE PROTECTION FEATURES:** The project shall comply with the requirements per the CBC, Chapter 7.
81. **MEANS OF EGRESS:** The project is required to comply with the requirements per the CBC, Chapter 10, Means of Egress.
82. **OCCUPANT LOAD:** The project shall comply with Table 1004.5, Maximum Floor Area Allowance per Occupant, per the CBC, Chapter 10, Section 1004.
83. **ACCESSIBLE MEANS OF EGRESS:** The site must meet accessible means of egress per the CBC, Chapter 10, Section 1009.
84. **ACCESSIBILITY REQUIREMENTS:**
- **Chapter 11B:** The project will be required to comply with the accessibility requirements in the CBC, Chapter 11B.
85. **MVGBC CALGREEN:** The project shall comply with the Mountain View CALGreen checklist requirements available online at www.mountainview.gov/greenbuilding.

86. **REACH CODES FOR NONRESIDENTIAL (NEW CONSTRUCTION):**
- a. **EV Parking Requirements:** Parking shall comply with Table 101.10 and Table A5.106.5.3.2, as amended in MVCC Section 8.20.42.
 - b. **Electric Requirements:** Natural gas is prohibited. The following list of items shall be electric installation: heat/cooling, water heaters, clothes dryers, fireplaces, fire pits, and cooking appliances. Water-heating systems and equipment shall be electric or solar, as amended in MVCC Section 8.20.12 and per Table 101.10.
 - c. **Photovoltaic System Requirements:** Photovoltaic (PV) installation on roof area to accommodate an all-electric building to 100% of annual kWh consumption offset as amended in MVCC Section 8.20.12 and per Table 101.10.
 - d. **Bird-Safe Glass Requirements:** Bird-safe glass shall be installed on the exterior of the structure, as amended in MVCC Section 8.20.12 and per Table 101.10.
87. **PLUMBING FIXTURES:** The project shall comply with Table 422.1 of the California Plumbing Code (CPC), Section 4.
88. **STRUCTURAL CALCULATIONS:** Structural calculations may be required once the application for a building permit is submitted.
89. **ADDRESSES:** All street names, street numbers, residential apartment numbers, ADU numbers, and suite numbers will be processed by the Building Division prior to permit issuance.
90. **COMMERCIAL TENANT IMPROVEMENTS:** The tenant improvements for the commercial space(s) will be required to obtain a separate building permit(s).
91. **SCHOOL IMPACT FEE:** The project is subject to school impact fees. To obtain information, fee estimates, and procedures, please contact the following local school districts: Mountain View Los Altos Union High School District at www.mvla.net or 650-940-4650; *and* Mountain View Whisman School District at www.mvwsd.org or 650-526-3500; or Los Altos School District at www.lasdschools.org or 650-947-1150.
92. **DEMOLITION PERMIT(S):** Demolition permit(s) are issued under a separate permit application. Visit the City of Mountain View Building Division online at www.mountainview.gov/building or contact by phone at 650-903-6313 to obtain information and submittal requirements.
93. **SIGNS:** Proposed signs are to be a deferred submittal under a separate building permit application.
94. **PEDESTRIAN PROTECTION:** Pedestrians shall be protected during construction, remodeling, and demolition; additionally, if required, signs shall be provided to direct pedestrian traffic. Provide sufficient information at the time of building plan submittal of how pedestrians will be protected from construction activity per the CBC, Section 3306.
95. **WORK HOURS/CONSTRUCTION SITE SIGNAGE:** 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. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours (see job card for specifics) and contact information, including an after-hours contact. Violation of this condition of approval may be subject to the penalties outlined in Section 8.70 of the MVCC and/or suspension of building permits.
96. **RESPONSIBLE CONSTRUCTION:** This project is subject to the City's Responsible Construction Ordinance. For projects covered by this Ordinance, owners, contractors, and/or qualifying subcontractors are required to acknowledge responsibilities and make specified certifications upon completion of a project. The required certifications include that: (a) employees are provided written wage statements and notice of employers' pay practices as required under State law (or, alternatively, are covered by a valid collective bargaining agreement); and (b) they have no unpaid wage theft judgements. Acknowledgement forms are

required to be submitted at building permit application, which is available online at www.mountainview.gov/building. More information is available at www.mountainview.gov/wagetheft.

Fire Department—650-903-6343 or fire@mountainview.gov

FIRE PROTECTION SYSTEMS AND EQUIPMENT

97. **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. Shop-quality drawings shall be submitted electronically for review and approval. The underground fire service system shall be approved prior to approval of the automatic fire sprinkler system. All work shall conform to NFPA 13, NFPA 24, NFPA 72, and Mountain View Fire Department specifications. (City Code Sections 14.10.30 and 14.10.31 and California Fire Code Section 903.)
98. **FIRE HYDRANTS:** Hydrants in accordance with the Department of Public Works Standard Provisions shall be located every 300' (apart) and within 150' of all exterior walls. Installation shall be complete and the system shall be tested prior to combustible construction. NOTE: Sheet C3 indicates a proposed fire hydrant located at 745 West Dana is within 72.5' of the FDC location. A public fire hydrant shall be located within 100' of the FDC, and on the same side of the street as the FDC.
99. **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.)
100. **FIRE EXTINGUISHERS (COOKING AREAS):** Install Class K fire extinguishers in commercial cooking equipment areas. (California Code of Regulations, Title 19, Chapter 3, and California Fire Code, Section 904.13.)
101. **FIRE EXTINGUISHING SYSTEMS:** Shop-quality drawings for the cooking appliance fire extinguishing system(s) shall be submitted electronically. (California Fire Code, Section 904.2.2.)
102. **AUTOMATIC/MANUAL FIRE ALARM SYSTEM:** Provide an approved automatic/manual fire alarm system in accordance with California Fire Code and Mountain View Fire Department specifications. Shop-quality drawings shall be submitted electronically 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. (California Fire Code, Section 907, and Mountain View City Code, Section 14.10.36 and 14.10.37.)

FIRE DEPARTMENT ACCESS

103. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. (California Fire Code, Section 506.)
104. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Contact the Building Division at 650-903-6313 or building@mountainview.gov for instructions. A Knox Key Switch shall be located at the gate to the underground parking level and shall open gate when activated. A Knox Key Switch shall also be provided inside the main entrance lobby IF there are card reader/electronically controlled access doors on stairwells or other doors that will prohibit rapid firefighter deployment throughout the building. Contact the FPE for further clarification.
105. **STRETCHER REQUIREMENTS:** In all structures with one or more passenger service elevators, 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 3002.4.)

EGRESS AND FIRE SAFETY

106. **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 plan sheets in the drawing sets. (California Building Code, Section 1008.)
107. **EXIT SIGNS:** Exit signs shall be internally or externally illuminated and provided with battery backup per Uniform Building Code Chapter 10. Exit signs shall be posted above each required exit doorway and wherever otherwise required to clearly indicate the direction of egress. (California Building Code, Section 1013.)
108. **EXIT DOORS IN GROUPS A, E, H, AND I OCCUPANCIES:** Exit doors shall be provided with approved panic hardware. (California Building Code, Section 1010.2.9.)
109. **GROUP A OCCUPANCIES:** Buildings or portions of buildings used for assembly purposes shall conform to all requirements of Title 19 and the Uniform Building Code. This shall include, but not be limited to: (1) two exits; (2) fire-retardant drapes, hangings, Christmas trees, or other similar decorative material; and (3) posting of a maximum occupant load sign. (California Code of Regulations, Title 19, Sections 3.08, 3.21, and 3.30.)
110. **GROUP A, E, I, AND R1 OCCUPANCIES: DECORATIVE MATERIALS:** All drapes, hangings, curtains, drops, and all other decorative material, including Christmas trees, shall be made from a noncombustible or fire-resistive material or maintained in a flame-retardant condition by means of an approved flame-retardant solution or process approved by the California State Fire Marshal. (California Code of Regulations, Title 19, Sections 3.08 and 3.21.)
111. **INTERIOR WALL AND CEILING FINISHES:** Interior finishes shall have a flame-spread rating in accordance with the California Building Code, Chapter 8, and California Code of Regulations, Title 19, Section 3.21.
112. **POSTING OF ROOM CAPACITY:** Any room used for assembly purposes shall have the capacity of the room posted in a conspicuous place near the main exit from the room. (California Building Code, Section 1004.9.)
113. **ON-SITE DRAWINGS:** Submit electronic (.pdf) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.
114. **EMERGENCY PROCEDURE MAPS (OFFICE BUILDINGS):** In all office buildings two (2) or more stories in height, except high-rise buildings, a floor plan providing emergency procedures information shall be posted at every stairway landing, at every elevator landing, and immediately inside all public entrances to the building. The information shall be posted so that it describes the represented floor level and can be easily seen immediately upon entering the floor level or the building. Emergency procedures information shall be printed with a minimum of 3/16" high nondecorative lettering providing a sharp contrast to the background. Emergency procedures information shall include, but not be limited to, the following: (1) location of exits and fire alarm initiating stations, if required; (2) what the fire alarm, if required, sounds and looks like (audible and visual warning devices); (3) Fire Department emergency telephone number, 9-1-1; and (4) the prohibition of elevator use during emergencies, if any. (California Code of Regulations, Title 19, Section 3.09.)
115. **STAIRWAY IDENTIFICATION SIGNS:** For stairs connecting three or more stories in height, approved stairway identification signs shall be located at each floor level in all enclosed stairways. The sign shall identify the stairway and indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located 5' above the floor landing in a position which is readily visible when the door is in the open or closed position. (California Building Code, Section 1023.9.)
116. **TWO-WAY COMMUNICATION:** A two-way communication system shall be provided at the landing serving each elevator or bank of elevators on each accessible floor that is one or more stories above or below the level of exit discharge. (California Building Code, Section 1009.8.)

EXTERIOR IMPROVEMENTS

117. **PREMISES IDENTIFICATION:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of 6" in height and a minimum of 0.5" in width. (Mountain View City Code, Section 14.10.18.)

OTHER

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

Public Works Department—650-903-6311 or public.works@mountainview.gov

OWNERSHIP AND PROPERTY

119. **PRELIMINARY TITLE REPORT:** At submittal of the initial building permit and improvement plans, the applicant shall submit a current preliminary title report or land deed indicating the exact name of the current legal owners of the property(ies), their type of ownership (individual, partnership, corporation, etc.), and legal description of the property(ies) involved to the Public Works Department. The title report shall be dated within six months of the initial improvement plan submittal and include all easements and agreements referenced in the title report. This information is required for the preparation of Public Works agreements and documents.
120. **LOT MERGER:** The project site is located on two separate parcels of land as shown on Assessor's Parcel No. 158-23-030, and an existing or proposed building is located over the interior property lines. Prior to the issuance of the building permit and recordation of required easements for the project, the applicant must legally merge the properties into a single lot with a lot line adjustment or provide satisfactory evidence that the subject properties were legally merged to the Public Works Department. To merge properties by a lot line adjustment, submit an application and plat (8.5"x11" map prepared by a California-registered land surveyor or civil engineer showing the lot lines to be removed) of the proposed merged property to the Community Development Department for review by the Subdivision Committee. Following approval from the Subdivision Committee, submit the plat, legal description of the merged property, preliminary title report, subdivision conditions of approval, and proposed deed to merge the properties to the Public Works Department. (**NOTE:** The owner will need to deed the properties to themselves as one single property. OR Grant deeds for properties held under different ownership will need to be prepared.) The Public Works Department will prepare a Notice of Lot Line Adjustment Approval which must be signed and notarized by the property owner and trustees. After the documents have been approved and signed by the Public Works Department, the applicant's title company must record the Notice of Lot Line Adjustment Approval concurrent with the deed to merge the properties.

RIGHTS-OF-WAY

121. **PEDESTRIAN ACCESS EASEMENT (SIDEWALKS):** Dedicate a 18" wide pedestrian access easement along Hope Street to maintain a continuous 7.5' wide public sidewalk and a portion of public corner ramp, as required by the Public Works Director.
122. **PLAT AND LEGAL DESCRIPTION:** For proposed public easement and/or right-of-way dedication(s), submit a legal description (metes and bounds), plat map (drawing), and other required documents per the City's Legal Description and Plat Requirements to the Public Works Department for review and approval. The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor.
123. **PRIVATE FACILITY:** The stormwater treatment facilities, including, but not limited to, non-LID structures, shall be on-site and not within the public right-of-way or street easement.

(PROJECT-SPECIFIC CONDITION)

FEES AND PARK LAND

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

An initial plan check fee based on the Public Works fee schedule shall be paid at the time of initial improvement plan check submittal based on the initial cost estimate for constructing street improvements and other public facilities; public and private utilities and structures located within the public right-of-way; and utility, grading, and driveway improvements for common green and townhouse-type condominiums. Once the plans have been approved, the approved cost estimate will be used to determine the final bond amounts, plan check fees, and inspection fees. Any paid initial plan check fee will be deducted from the approved final plan check fee.

125. **TRANSPORTATION IMPACT FEE:** Prior to issuance of any building permits and prior to approval of the Lot Line Adjustment, 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.

126. **WATER AND SEWER CAPACITY CHARGES:** Prior to issuance of any building permits and prior to approval of the Lot Line Adjustment, 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. Separate capacity charges apply for different types of residential categories to 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, building area, and building use, respectively. Credit is given for the existing site use(s) and meter size(s), as applicable.

127. **STORM DRAINAGE FEE:** Prior to issuance of any building permits and prior to approval of the Lot Line Adjustment, the applicant shall pay the off-site storm drainage fee per Section 28.51(b) with the rates in effect at the time of payment.

STREET IMPROVEMENTS

128. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements required for the project and as required by Chapters 27 and 28 of the City Code. These improvements include, but are not limited to, new curb, gutter, and sidewalk for the entire frontage; new ADA-compliant driveway; new domestic, fire, and irrigation water services, meters, and apparatus; new sanitary sewer connection; new storm drain connection; high-visibility crosswalk; streetlights; and half-street overlay improvements.

- a. **Improvement Agreement:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the issuance of the building permit.
- b. **Bonds/Securities:** Sign a Public Works Department faithful performance bond (100%) and materials/labor bond (100%), or provide a cash deposit (100%), or provide a letter of credit (150%) securing the installation and warranty of the off-site improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available at: www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department.
- c. **Insurance:** Provide a Certificate of Insurance and endorsements for Commercial General Liability and Automobile Liability naming the City as an additional insured from the entity that will sign the improvement agreement prior to the issuance of the building permit. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, One Million Dollars (\$1,000,000)

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

129. **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 impact 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, an initial plan check fee based on the Public Works fee schedule, Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. All required materials shall be submitted electronically (i.e., flattened PDFs). 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 a 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.
130. **TRAFFIC CONTROL PLANS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit traffic control plans for any off-site and on-site improvements or any work that requires temporary lane closure, shoulder closure, bike lane closure, and/or sidewalk closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, sidewalk detour should be shown on the Traffic Control plans. Traffic control plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). A completed Traffic Control Checklist shall be included with each traffic control plan submittal. Traffic control plans shall be prepared, stamped, and signed by a California-registered Traffic Engineer (T.E.).
131. **INFRASTRUCTURE QUANTITIES:** Upon submittal of the initial building permit and improvement plans, submit a construction cost estimate indicating the quantities of street and utility improvements. Construction cost estimate shall include private common street and utility improvements for Common Green and Townhouse-Type Condominium developments. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate is to be prepared by the civil engineer preparing the improvement plans.
132. **EXCAVATION PERMIT:** Upon submittal of the initial building permit and improvement plans, submit a complete Excavation Permit Application for all applicable work within the public right-of-way to the Public Works Department. Permit applications are available online from the Public Works Department website: www.mountainview.gov/landdevelopment. All work within the City right-of-way must be consolidated on the site, off-site, and/or utility plans. Plans of the work, traffic control plans for work within the public roadway and/or easement, insurance certificate and endorsements, and permit fees are required with the Excavation Permit Application.
133. **ENCROACHMENT RESTRICTIONS:** Private facilities, including, but not limited to, structures, steps, doors (including door swing), handrails, backflow preventers, signs, fences, retaining curbs, and retaining walls shall not encroach into the public right-of-way and/or street easement.
134. **TIE-BACK ENCROACHMENTS:** Temporary tiebacks or earthen nails for construction purposes require a separate Encroachment Agreement, plat and legal description, and bond (100%) or letter of credit (100%), or cash security (100%) securing the installation and warranty of the temporary tiebacks. The Encroachment Agreement shall be prepared and executed prior to issuance of the building permit.
135. **SPECIAL PAVERS AND CONCRETE:** Pavers, colored concrete, and textured concrete shall not be installed within the public street or sidewalk.

136. **CORNER STREET SIGHT TRIANGLE:** At street corners of controlled and/or uncontrolled intersections, the site shall be compliant with Corner Triangles of Safety per the Public Works Standard Details and to the satisfaction of the Public Works Director. The project will be required to remove or modify all objects, including, but not limited to, landscape, hardscape, poles, bollards, monument signs, mailbox banks/cluster, planters, retaining walls, seat walls, artwork, bicycle racks, partitions, miscellaneous structures (including columns), parking stalls, bicycle racks, etc., that are not compliant with safety triangle height and clearance requirements.
137. **DRIVEWAY [OR SIDE STREET] SIGHT TRIANGLE:** Within the pedestrian and/or vehicle traffic safety sight triangle(s), for the project site and adjacent properties, the site shall be compliant with height and clearance requirements per the Public Works Standard Details and to the satisfaction of the Public Works Director. The project is required to remove or modify all objects, including, but not limited to landscape, hardscape, poles, bollards, signs, mailboxes, planters, retaining walls, seat walls, bicycle racks, partitions, buildings, and other structures, parking stalls, etc., that are not compliant with safety triangle height and clearance requirements.
138. **HIGH-VISIBILITY CROSSWALK:** Convert existing crosswalk to high-visibility thermoplastic crosswalks with advance stop bars or yield lines and applicable signs to the satisfaction of the City Traffic Engineer. Any conflicting markings or signs must be removed or relocated as directed by the City during the off-site plan review process.

Crosswalks are shown differently through the plans. Update the plans prior to first submittal of the off-site improvement plans.

139. **ROADWAY SIGNING, STRIPING, AND PAVEMENT MARKINGS:** All new striping and pavement markings shall be thermoplastic. All striping and markings damaged and/or removed as part of construction and pavement work shall be replaced with thermoplastic striping. Removal and installation shall be shown on the plans to the satisfaction of the City Traffic Engineer. Signing and striping plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD).
140. **STREETLIGHTS:** City standard and post-top streetlights shall be installed along the project street frontage of Dana Street and Hope Street per City standards. Streetlights shall be installed near crosswalks, driveways, intersections, or other locations deemed necessary by the City Traffic Engineer. The design, spacing, and placement of the new streetlights shall be to the satisfaction of the City Traffic Engineer. Appropriate clearances per PG&E requirements between existing overhead lines shall be provided where applicable.

The project is required to submit a photometric analysis of the locations as determined by the City Traffic Engineer. The analysis shall show all existing or proposed new streetlights (show height, arm length, and location) and shall calculate the minimum, maximum, average illuminance values, as well as uniformity ratios for each crosswalk shown separately. Project will be required to install new or modify existing streetlights to ensure locations are compliant with minimum requirements per the City's latest standard details. (City Standard Detail E-1A/E-1B)

Photometric plan shall meet Downtown Lighting Study during the off-site improvement plan review. New streetlights shall be consistent with 2020 Mountain View Downtown Lighting Study available from the City website <https://www.mountainview.gov/home/showpublisheddocument/2724/637967769990100000>. The Study recommends Serenade S55 LED post-top luminaire. All conduit, pullboxes, and wiring shall be removed, replaced, and upgraded.

141. **STREET OVERLAY AND/OR PAVEMENT RECONSTRUCTION:** Half-street overlay (minimum 2" grind and overlay) and/or pavement reconstruction along the Dana Street and Hope Street project street frontage shall be required to address the existing roadway conditions, multiple utility trenches, and impacts from the anticipated construction traffic.

CURBS, SIDEWALKS, AND DRIVEWAYS

142. **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.

143. **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) may be provided to connect the proposed public sidewalk on each side of the proposed driveway.
144. **SIDEWALK IMPROVEMENTS:** Construct new curb, gutter, and sidewalk along the project frontages of Dana Street and Hope Street. Sidewalk shall be monolithic and designed with a consistent 2% cross slope from the top of curb to back of walk and minimal grade breaks in the longitudinal slope of the curb line. Dana Street shall have 10' wide sidewalk, and Hope Street shall have 6' wide sidewalk, including a 1.5' wide Public Access Easement (PAE).
145. **UTILITY BOX RELOCATION OUT OF SIDEWALK:** Move existing utility boxes on Dana Street and Hope Street out of the sidewalk and relocate to behind the back of the curb to the satisfaction of the Public Works Director and PG&E. Utility boxes must be located so they fit entirely within the utility easement, landscape strip, or behind the curb and shall not encroach into the sidewalk.
146. **DRIVEWAY REMOVAL:** Replace abandoned driveways with standard curb, gutter, and sidewalk. The specific areas and limits of replacement work shall be clearly identified and shown on the plans.
147. **RED CURB AT CORNER RAMP:** Street curbs adjacent to a corner ramp shall be painted red a minimum of 10' in each direction, as determined and approved by the City Traffic Engineer.
148. **RED CURB AT DRIVEWAY ENTRANCES:** Street curbs adjacent to driveway entrances, including entrances to underground parking garages, shall be painted red a minimum of 10' in each direction, as determined and approved by the City Traffic Engineer.
149. **SITE EGRESS:** All egress points to public streets or public easements shall be stop-controlled in order to control conflict points with pedestrians, bicyclists, and vehicles as they enter a public roadway and, therefore, improve safety. Stop-controlled egress shall include STOP signs, a limit line, and "STOP" pavement marking(s).
150. **TURNING TEMPLATES:** Show turning templates for the Mountain View Fire truck and garbage trucks on Dana Street and Hope Street. The extent of the red curbs will be determined during the off-site improvement plan review. Submit turning templates to determine exact extents.

STREET TREES

151. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees.
152. **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 shall be planted in accordance with Detail F-1 of the Standard Provisions a minimum of 10' from sanitary sewer lines, traffic signals, stop and yield signs, and streetlights and 5' from water lines, fire lines, and driveways. New street tree species must be selected from the City's adopted Master Tree list or an approved alternate by the City arborist. The applicant shall complete the "Proposed Street Tree" form available from the Planning Division online at www.mountainview.gov/planningforms. Once completed, the applicant shall email the original to the Parks Division at parks@mountainview.gov and provide a duplicate copy to the Building Inspection Division with building permit submittal.
153. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner(s) in accordance with Chapter 32 of the City Code.

UTILITIES

154. **UTILITY POTHOLING:** Potholing shall be completed prior to the first submittal of the building plans and improvement plans to determine the depths and locations of existing subsurface utilities where improvements are proposed for construction

including but not limited to new utility crossings, installation of pole foundations. Obtain an Excavation Permit from the Public Works Department prior to performing potholing. Incorporate pothole data on the first submittal of improvement plans, including, but not limited to, pothole location and depth of utility.

155. **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.
156. **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.
157. **WATER METER BANK:** Water meters shall be arranged in a bank of meters and located behind curb in accordance with City standards. Water meters shall not be located in driveway approaches, concrete sidewalk areas, or next to the main driveway or building entrance so as not to impact the aesthetics of the entrance.
158. **WATER AND SEWER APPLICATIONS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit complete applications for water and sewer service to the Public Works Department, if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid prior to the issuance of any permits.
159. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, storm drain laterals, storm cleanouts/inlets, gate valves, manholes, and utility mains shall be shown on the plans. Sewer laterals, water services, and fire services shall have a minimum 5' horizontal separation from each other. Angled connections within service lines shall not be allowed. Utility profiles will be required for all new services.

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.

The applicant proposes a stacked trench for on-site plumbing after the water meters. Public Works recommends at least 1' between each service in a shared trench to maintain a clear path for each service, rather than a stacked trench. A shared trench will facilitate future maintenance as well. A detail of this configuration of a stacked trench will be required during building permit review.

160. **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. A minimum 3' clearance shall be provided around and between each assembly for accessibility and maintenance, or as determined and approved by the Public Works Director. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.
161. **UTILITY MAINTENANCE:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained by the property owner(s).
162. **UNDERGROUND SERVICES:** All new and existing electric and telecommunication facilities serving the site 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 site. If allowed by the City, aboveground transformers, power meters, and pedestals shall be located so they are screened in the least visible location from the street or to the general public, as approved by the Community Development and Public Works Departments.

163. **JOINT UTILITY PLANS:** Upon submittal of the initial building permit and improvement plans, the improvement plans shall include 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. Joint trench intent drawings will be accepted at first improvement plan submittal. All subsequent improvement plan submittals shall include joint trench design plans. Appropriate horizontal and vertical clearances per PG&E requirements shall be provided between gas transmission lines, gas service lines, street trees, and building structures.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

164. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
165. **UNDERGROUND PARKING GARAGE:** Drainage from underground parking garages shall be directed to sanitary sewer system. Sanitary sewer laterals shall be equipped with backwater devices. If any portions of garage ramps or parking garage are uncovered, drainage shall be directed to the storm drain system.
166. **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. Show and identify path of surface water release on the grading and drainage plans.
167. **LOT DRAINAGE:** Each 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 due to unavoidable circumstances by the Public Works Department, such as to provide drainage to an existing Heritage tree.
168. **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, 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 prior to approval of the building permit.
169. **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 prior to approval of the building permit.
170. **USE OF CITY PARKING LOT NO. 6 DURING CONSTRUCTION:** The applicant proposes using a portion of City Parking Lot No. 6 for haul truck parking and construction trailer location. A license agreement at the fair market rental rate of the land shall be required for use of City land for construction staging during the construction of the project.

SOLID WASTE AND RECYCLING

171. **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 City Code Sections 16.13 and 16.17 and result in code enforcement action.
172. **MOUNTAIN VIEW GREEN BUILDING CODE/CONSTRUCTION AND DEMOLITION ORDINANCE:** If this project is subject to the requirements of the Mountain View Green Building Code, a Construction and Demolition Waste Management Plan shall be submitted with the building permit application and approved by the Public Works Solid Waste and Recycling Division prior to issuance of a building permit. A Final Construction and Demolition Waste Management Plan shall be submitted and approved prior to final inspection.

173. **TRASH ENCLOSURE DESIGN AND DETAILS:** Trash plan sheet and enclosure details must be included on a separate sheet in the initial building plans and include:
- a. The property must have trash, recycling, and organics service. Display on plans the trash room layout, location, and dimensions to scale with the following minimum service levels: one 3-yard trash bin serviced twice per week, one 3-yard recycle bin serviced twice per week and one 2-yard compost bin serviced twice per week.
 - b. Since the applicant proposes shared trash services, the property management or owner must hold the trash billing account and is responsible for all billing and service issues to avoid conflict amongst tenants.
 - c. A trash staging area on the private property in front of the exterior door for the trash bins roll-out and the Backflow Preventer System is required, measuring 2'10"x14'. Pavers are not allowed in this area.
 - d. Property maintenance staff shall bring bins from the trash room to the staging area, described (at exterior of building) for the collection driver's access. The collection driver will roll the bins from the staging area to the existing driveway at West Dana Street and Blossom Lane for service. Maintenance staff shall remove bins promptly after service.
 - e. Trash room minimum interior measurements of 11'9"x18'7" (not including interior curbs or footings). Maintain 1' between bins, interior curbs, and walls. If the trash room does not have an interior berm or curb, it shall have bumpers on walls to avoid damage from bins.
 - f. Trash room shall have a minimum of 6' wide roll-up door and keypad access.
 - g. Ensure a minimum 6' wide flat and smooth pathway for entire length of bin travel from the trash room door to the existing driveway at the corner of West Dana Street and Blossom Lane. Bins will not be rolled over pavers or stamped surfaces.
 - h. Interior bin path of travel for maintenance staff from trash room to building exit door: hallway shall measure 6' wide and the applicant shall install interior berm/wall bumpers to prevent damage. All entry/exit door(s) in bin path of travel shall be designed to secure fully open and flush with wall. No glass doors allowed to avoid breakage.
 - i. Roll-out fees assessed by the City's trash hauler shall apply for bins that must be rolled more than 30' from any holding area to the truck.
 - j. Maintain overhead clearances of 15' in the travelway and 22' at the point of collection.
 - k. Outdoor Three-Stream Trash Receptacle: Please note on the plans the following color-coding for each stream: trash (gray or black), recycling (blue), and compost (green). Signage with images and text to properly sort recycling and organics streams is required and must be approved by the City's Solid Waste Program Manager prior to ordering and installation.
174. **TRASH ROOMS AND/OR ENCLOSURES:** Trash rooms and/or enclosures shall be used only for trash, recycling, and compost containers and shall not be used for storage at any time. Access door to the trash facility shall be clearly labeled "Trash Room."

CONSTRUCTION ACTIVITIES, NOTES, AND OTHER APPROVALS

175. **CONSTRUCTION MANAGEMENT PLAN:** Upon first submittal of the building permit and improvement plans, the applicant shall provide a construction traffic and parking management plan with the building plans and within the improvement plans

identified “For Reference Only—See Building Permit Plans.” The plan must be approved prior to the issuance of a building permit, including demolition permits. The plan must show the following:

- a. Truck Route: Truck route (to and from project site) for construction and delivery trucks pursuant to City Code Sections 19.58 and 19.59 and which does not include neighborhood residential streets;
- b. Construction Phasing, Equipment, Storage, and Parking: Show and identify construction vehicle and equipment parking area, material storage and lay-down area, sanitation facilities, and construction trailer location for each phase of construction. All construction vehicles, equipment, and trailers shall be located on-site or at a site nearby (not on a public street or public parking) arranged by the permittee/contractor. Construction equipment, materials, or vehicles shall not be stored or parked on public streets or public parking lots, unless approved by the Public Works Director due to special conditions. Construction contractors/workers are required to park on-site or at a private property arranged by the permittee/contractor and shall not be allowed to use neighboring streets for parking/storage;
- c. Sidewalks: Sidewalk closure or narrowing is not allowed during any on-site construction activities; and
- d. Traffic Control and Detour Plans: Traffic control plans, including detour plans, shall be submitted to the Public Works Department for review and approval for any on-site improvements and work related to the phases of the construction management plan, which requires temporary roadway closure, lane closure, shoulder closure, and/or bike lane closure. Pedestrian detour plans shall be provided when necessary.

Traffic control plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). A completed Traffic Control Checklist shall be included with each traffic control plan submittal. A separate Excavation Permit from the Public Works Department will be required prior to the issuance of the building permit.

The submitted construction management plan is not approved, and the construction management plan shall be approved prior to the issuance of any building permit, including demolition permit.

If the applicant is not able to satisfy any portion of this condition, City staff may consider modifications to these requirements on a case-by-case basis under limited circumstances. Any request shall minimize impacts to the public right of way and privately owned City property, including, but not limited to, duration of proposed sidewalk/walkway impacts and duration of proposed lane closures.

The applicant may submit a written request addressed to both the Public Works Department and Community Development Department. In the written request, the applicant shall provide justification, provide updated phasing plans, and clearly explain the reason for any request. All written materials shall be submitted electronically (i.e., flattened, reduced-size PDFs), and the City will review for consideration. All reviews are subject to review and approval by the Public Works Department and Community Development Department. Submittal of a request does not constitute an approval will be granted.

- 176. **SANTA CLARA VALLEY WATER DISTRICT WELLS:** Santa Clara Valley Water District (Valley Water) requires the following note to be labeled on the building and improvement plans: “While Valley Water has records for most wells located in the County, it is always possible that a well exists that is not in Valley Water’s records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage.”
- 177. **STREET CLEANING:** The owner/developer shall comply with and include the following note on the off-site, or grading/drainage, or utility plans: “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 designated representative.”
- 178. **OCCUPANCY RELEASE:** The owner/developer shall comply with and include the following note on the off-site or grading/drainage or utility plans: “For commercial and office developments, no buildings will be released for occupancy until

the off-site improvements to be constructed to City Public Works standards and/or accepted for maintenance by the City are complete and ready for acceptance.”

TRANSPORTATION PROGRAMS AND IMPROVEMENTS

179. **COMMUTE ALTERNATIVES/TRANSPORTATION BENEFITS:** The applicant/owner is required to offer the following commute benefits and transportation alternatives to employees of the project for the lifetime of the project. If the property is sold to a third party, the third party shall establish a TDM program consistent with these requirements in effect at the time of sale. These alternatives are to encourage use of public transit, bike ridership, provide alternatives to single-occupancy vehicle trips within the City, and aid employees in getting to and from key destinations within the City. The project shall ~~select from the following~~ provide the following transportation benefits sufficient to achieve the project’s trip reduction target and comply with the site-specific trip cap:
- a. Appointment of a transportation/commute coordinator on-site to manage and monitor commute alternative programs, or designation of staff to coordinate with the Mountain View Transportation Management Association (MTMA) on TDM program activities, as needed. The coordinator may work a flexible or hybrid schedule and will be expected to fulfill on-site responsibilities, as needed, to implement the required TDM plan effectively.
 - b. Communication of transportation options including bikeway maps, transit options, and TDM program offerings provided via on-site kiosks, welcome packets, new hire orientations.
 - c. Transit passes or transit subsidies, to all employees (including regular and part-time employees, and may include contract employees), such as a Clipper BayPass, VTA EcoPass, monthly Clipper card subsidies, or a comparable transit pass program.
 - d. Provide a Guaranteed Ride Home program to encourage use of alternative transportation to the site.
 - e. Hybrid/flexible work schedule program to allow employees to travel outside of peak periods.
 - f. ~~Join and maintain ongoing membership in the Mountain View Transportation Management Association (MTMA) or an equivalent entity, in exchange for TDM services, for the life of the project.~~
180. **ON-SITE FACILITIES:** In addition, the applicant/owner is required to provide the following on-site facilities:
- a. Short- and long-term bicycle parking facilities consistent with VTA Bicycle Technical Guidelines and the City Zoning Code. Also, bike racks shall be horizontal in nature as shown on Page A2.1B of the Planning submittal. This overrides the vertically aligned bike racks shown in the TDM plan.
 - b. On-site end-of-trip facilities, including showers, changing rooms, and clothes lockers for employees who access work by walking, running, or biking.
 - c. Car share (and vanpool/carpool) vehicle spaces that shall be provided on-site in a convenient and publicly accessible location.
181. **TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:** The property owner is required to maintain a TDM program for the life of the project which will: achieve a minimum twenty percent (20%) reduction in peak-hour vehicle trips to the site. The TDM program includes the required measures as set forth in Condition of Approval 179 (Commute Alternatives/Transportation Benefits). The property owner will ensure the project does not exceed its trip cap of 30 a.m. peak-hour trips and 28 p.m. peak-hour trips. The TDM program measures shall be formally accepted by the property owner prior to building permit issuance through a legal agreement or recorded document, as determined by the City Attorney, with contents to the satisfaction of the Public Works Director or designee. **(PROJECT-SPECIFIC CONDITION)**

Any modification to ~~this transportation benefits program~~ the TDM program, including the commute alternatives/transportation benefits required in Condition 179 requires review and approval by the Public Works Director or designee.

Optional TDM measures may include:

- Provide a Guaranteed Ride Home program to encourage use of alternative transportation to the site.
- Membership for all employees to a corporate, City, and/or regional micro-mobility/bike/scooter share program, or pooling of micro-mobility options in coordination with the Mountain View Transportation Management Association (MTMA). Alternatively, provide access to loaner e-bikes and helmets, maintained by the property owner, for which employees can use on an as-needed basis at no cost.
- Membership for all employees to a car-share program with vehicles stationed on-site coordinated by the property owner or MTMA. **(PROJECT-SPECIFIC CONDITION)**
- Join and maintain ongoing membership in the MTMA or an equivalent entity, in exchange for TDM services to support the project in achieving its trip reduction targets, for the life of the project.

182. **TRANSPORTATION DEMAND MANAGEMENT (TDM) MONITORING:** The property owner(s), or their representative, shall prepare an annual TDM report and submit it to the City to document the effectiveness of the TDM program in achieving the goal of twenty percent (20%) peak-hour vehicle trip reduction by employees within the project, including complying with the trip cap of 30 a.m. peak-hour trips and 28 p.m. peak-hour trips. The TDM report shall be prepared by an independent consultant and paid for by the property owner(s) or their representative; the consultant shall work with the property’s TDM coordinator. The TDM report will include a determination of historical employee commute methods, which shall be informed by surveying all employees working on the project site and through driveway traffic counts. All nonresponses to the employee commute survey will be counted as a drive-alone trip. The driveway traffic counts shall be prepared and provided by an independent, licensed consultant and paid for by the property owner(s) or tenant. The driveway counts and resulting data shall be included in the TDM report provided to the City.

- a. **TDM Reporting:** The initial TDM report for the project will be submitted on December 1, or the following business day thereafter if a weekend, one year after the granting of the Certificate of Occupancy. Subsequent reports will be collected annually on December 1.
- b. **Report Requirements:** The TDM report shall either: (1) state that the project has achieved twenty percent (20%) peak-hour vehicle trip reduction or higher, providing supporting statistics and analysis to establish attainment of the goal and compliance with the site-specific trip cap; or (2) state that the project has not achieved the twenty percent (20%) peak-hour vehicle trip reduction and exceeded the site trip cap, providing an explanation of how and why the goal has not been reached and a description of additional measures that will be adopted in order to attain the TDM goal required for the project.
- c. **Penalty for Noncompliance:** If, after an initial TDM report shows noncompliance, the second annual report indicates that, in spite of the changes in the TDM program, the vehicle trip cap is still not being met, or if the applicant fails to submit such a TDM report at the times described above, the City may assess a penalty. The penalty shall be as determined by any fee schedule, administrative standard, and/or ordinance standard in place at the time the penalty is paid, but in no case shall it be greater than One Hundred Thousand Dollars (\$100,000) for the first percentage point below the twenty percent (20%) peak-hour vehicle trip reduction and an additional Fifty Thousand Dollars (\$50,000) for each additional percentage point below the minimum twenty percent (20%), thereafter (“TDM Penalty”). In determining whether the TDM Penalty is appropriate, the City may consider whether the property owner(s) has made a good-faith effort to meet the TDM goals and allow a six (6) month “grace period” to implement additional TDM measures to meet the vehicle trip cap. If the project does not achieve the necessary reductions to meet the trip cap after the six (6) month grace period, the City may require the property owner(s) to pay a TDM Penalty as shown in the sample table below. Any expenses that

are put towards achieving the trip cap can be offset against the TDM Penalty. The TDM Penalty shall be used to promote alternatives to single-occupancy vehicle use in the City. **(PROJECT-SPECIFIC CONDITION)**

Fire and Environmental Protection Division—650-903-6378 or FEPD@mountainview.gov

ENVIRONMENTAL SAFETY

For more information, guidelines, design criteria, or materials about urban runoff conditions, contact the Fire and Environmental Protection Division of the Fire Department at 650-903-6378 or online at www.mountainview.gov/fep. “Stormwater Quality Guidelines for Development Projects” can be accessed on the Fire Department website at www.mountainview.gov/fepforms.

183. **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.
184. **FOOD SERVICE CHECKLIST:** Complete a “Food Service Checklist: Grease Control and Stormwater Pollution Prevention” for building plan review. All applicable items in the checklist should be completed and shown on the building plan submittal.
185. **CONSTRUCTION BEST MANAGEMENT PRACTICES:** All construction projects shall be conducted in a manner which prevents the release of hazardous materials, hazardous waste, polluted water, and sediments to the storm drain system.
186. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10%; (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.
187. **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 irrigation 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.
188. **FIRE SPRINKLERED BUILDINGS:** New buildings that will have fire sprinkler systems shall be provided with a sanitary sewer drain in a protected area, which can adequately accommodate sprinkler water discharged during sprinkler system draining or activation of the inspector test valve. Show the location and provide a detail of the fire sprinkler drain on the plans.
189. **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.
190. **STORMWATER TREATMENT (C.3):** This project will create or replace more than five thousand (5,000) 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.

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

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