

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2016

A RESOLUTION CONDITIONALLY APPROVING A PLANNED COMMUNITY PERMIT AND DEVELOPMENT REVIEW PERMIT FOR A 255-ROOM HOTEL, 200,000 SQUARE FOOT OFFICE BUILDING, AND SIX-LEVEL, ABOVE-GRADE, PARKING STRUCTURE; AND A HERITAGE TREE REMOVAL PERMIT FOR THE REMOVAL OF 187 HERITAGE TREES AT 750 MOFFETT BOULEVARD

WHEREAS, an application was received from Broadreach Capital Partners for a Planned Community Permit and Development Review Permit for a 255-room hotel, 200,000 square foot office building, and six-level, above-grade, parking structure; and a Heritage Tree Removal Permit for the removal of 187 Heritage trees; and

WHEREAS, the Project site consists of two (2) parcels, Parcel 1 and Parcel 2, and is bordered by Highway 101 to the north and Moffett Boulevard to the east and south; and

WHEREAS, Parcel 1 is approximately seven acres and is designated Mixed-Use Corridor on the City's General Plan Land Use Map, which allows a broad range of commercial, office, and lodging development; and

WHEREAS, Parcel 2 is approximately three acres and has been designated Mixed-Use Corridor on the City's General Plan land Use Map; and

WHEREAS, the City adopted a Zoning Map Amendment changing the zoning designation of Parcel 1 from A (Agriculture) to P (Planned Community) and designating Parcel 2 to P (Planned Community); and

WHEREAS, the City, as lead agency, prepared a Draft Environmental Impact Report (EIR) for the Project; and

WHEREAS, the Draft EIR was published and circulated for the required 45-day public comment period, which ended on June 15, 2016, and staff received five comment letters on the Draft EIR and provided responses to these comments in the August 2016 Final EIR; and

WHEREAS, development of the Project requires the removal of approximately 187 Heritage trees on-site and 15 Heritage trees off-site; and

WHEREAS, Broadreach submitted an application for a Planned Community Permit, a Development Review Permit, and a Heritage Tree Removal Permit for the proposed construction and development of the Project; and

WHEREAS, on September 7, 2016, the Environmental Planning Commission held a duly noticed public hearing on the requested permits and adopted resolutions recommending that the City Council:

- Certify the Moffett Gateway Project EIR and adopt the Statement of Overriding Considerations and Mitigation Monitoring or Reporting Program;
- Approve a General Plan Land Use Map Amendment to add Parcel 2 to the City's General Plan Land Use Map with the Mixed-Use Corridor designation;
- Approve a Zoning Map Amendment to designate the entire Project site as P (Planned Community);
- Approve a Planned Community Permit, Development Review Permit, and a Heritage Tree Removal Permit; and
- Approve a Vesting Preliminary Parcel Map for the Project site; and

WHEREAS, the City Council, at a duly noticed public hearing on October 18, 2016, independently studied, analyzed, and considered the adequacy of the Final EIR, Statement of Overriding Considerations, and Mitigation Monitoring or Reporting Program; and certified the Final EIR, adopting the Statement of Overriding Considerations and Mitigation Monitoring or Reporting Program, and approved the Project; and

WHEREAS, at its duly noticed public hearing on October 18, 2016, the City Council considered Broadreach's applications for the permits and reviewed and considered the staff report, public testimony, and other information in the record;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View that the Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit are hereby approved, based on the required findings set forth below:

1. Approval of a Planned Community Permit, pursuant to the following required findings in Section 36.50.55 of the City Code:

a. The Project clearly demonstrates superior site and building design and compatibility with surrounding uses and developments because the Project transitions

in scale, height, and intensity to the adjacent residential neighborhood; utilizes innovative architecture which responds to the Project site; implements wildlife-friendly site planning, building, and landscaping strategies; provides pedestrian and bicycle paths both along the Moffett Boulevard frontage and through the Project site; provides a large, publicly accessible landscaped open space on the Project site; provides all parking within a consolidated parking structure; and provides an office and hotel use which is compatible with the surrounding area;

b. The Project is consistent with the General Plan Land Use Designation of Mixed-Use Corridor which allows a broad range of commercial, office, residential, and public spaces and a floor area ratio (FAR) up to 1.85. The Project is consistent with the General Plan designation, with an FAR of 0.89 and office and lodging uses;

c. The Project's uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare. As detailed in the Draft EIR, the Project site has been investigated for the potential presence of hazards and hazardous materials, and with the incorporation of mitigation measures, development of the Project would not create a significant hazard to the public or environment. The development of the Project is consistent with and implements the goals and policies in the General Plan regarding public safety, minimization of seismic hazards, and provision of emergency services. In addition, an environmental analysis has been completed which has identified any upgrades or improvements needed to utilities and infrastructure on the Project site to accommodate the development. Further, the use and development is consistent with other residential and commercial development in the area in terms of building massing, scale, and building locations;

d. The Project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area. The approximately 10-acre Project site is currently an undeveloped former vector control facility (Parcel 1) and freeway ramp (Parcel 2). The Project site is bounded by Santa Clara Valley Water District property and Stevens Creek to the west, Highway 101 to the north, Moffett Boulevard to the east, and a Pacific Gas & Electric substation to the south. Developed commercial and residential uses are located to the east and south of the Project, and residential, commercial, retail, and office uses are located west of the Project site. The Project is consistent with the type of development allowed in the Mixed-Use Corridor, which permits a broad range of commercial, office, and residential uses and public spaces to serve the surrounding neighborhoods and visitors from nearby areas. The Project provides a new office and hotel which offers a place for people to stay and work close to services and transit; a large, publicly accessible landscaped open space area; and building design features and materials that are compatible with the surrounding area and the design expectations prescribed in the General Plan; and

e. The Project complies with the California Environmental Quality Act (CEQA). A Draft EIR was prepared and circulated for the required 45-day public comment period, which ended on June 15, 2016. Staff received five comment letters on the Draft EIR and has provided a response to these comments in the August 2016 Final EIR document. The Final EIR identifies mitigation measures which, when implemented, will substantially lessen or avoid the significant effects on the environment caused by the proposed Project, with the exception of the significant unavoidable impact to one freeway segment for which a Statement of Overriding Considerations was adopted.

2. Approval of a Development Review Permit, pursuant to the following required findings in Section 36.44.70 of the City Code:

a. The project complies with the general design considerations as described by the purpose and intent of the Zoning Ordinance. Specifically, for the reasons described in this paragraph and in Section 1 above, the Project: (1) complies with City development requirements and policies; (2) maintains or enhances the appearance of the community; (3) maintains property values through quality development; and (4) ensures compatibility of private development with surrounding properties and neighborhoods, public rights-of-way, and other facilities. The Project maintains and enhances the appearance of the community as it allows an underutilized property to be redeveloped and enhanced into a mixed-use development that supports the surrounding community and visitors from nearby areas. The Project will redevelop the vacant site with a new hotel, office building, and parking structure and publicly accessible, landscaped open space that will be more harmonious in appearance with the existing residential and commercial development in the surrounding area. The Project will maintain property values through quality development as the hotel will meet LEED Silver® and the office development will meet LEED Gold® standards. The Project ensures compatibility of private development with surrounding properties and neighborhoods, public rights-of-way, and other facilities because it provides a publicly accessible, landscaped open space area which engages the street and creates pedestrian activity, as well as new pedestrian/bicycle paths;

b. The architectural design of structures, including colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, signs, etc.), is compatible with surrounding development because it provides innovative architecture which responds to the Project site; a hotel that meets LEED Silver and an office building that meets LEED Gold standards; building heights which are appropriate to the area with lower height transitions to the surrounding neighborhood; and a mixture of materials and colors which respond to the site's location between Stevens Creek, the freeway, and an established urban neighborhood;

c. The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development because the Project provides a six-level parking structure which will accommodate the necessary parking generated by the hotel and office uses on-site, improved landscape with native and region-appropriate plant and tree species, and improved vehicular, bicycle, and pedestrian access to the site with improved on-site circulation which connects to the public street, and, if approved by the Santa Clara Valley Water District, a new pedestrian and bicycle bridge crossing to the Stevens Creek Trail;

d. The general landscape design ensures visual relief, complements structures, provides an attractive environment, and is consistent with any adopted landscape program for the general area by providing enhanced landscaping throughout the entire Project site with new plants and trees in conformance with the City's Water-Efficient Landscaping Guidelines, including new riparian habitat plantings adjacent to Stevens Creek;

e. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing an improved parking and circulation system on-site with access to the public street and transit facilities in the vicinity. A publicly accessible bicycle and pedestrian path would allow public bicycle and pedestrian access through the Project site. Transit facilities, including bus and light rail services, are accessible to and from the Project site; and

f. The project complies with CEQA. A Draft EIR was prepared and circulated for the required 45-day public comment period, which ended on June 15, 2016. Staff received five comment letters on the Draft EIR and has provided a response to these comments in the August 2016 Final EIR document. The Final EIR identifies mitigation measures which, when implemented, will substantially lessen or avoid the significant effects on the environment caused by the Project, with the exception of the significant unavoidable impact to one freeway segment for which a Statement of Overriding Considerations was adopted.

3. Approval of a Heritage Tree Removal Permit, pursuant to the following required findings in Section 32.35 of the City Code:

a. It is appropriate and necessary to remove 187 Heritage trees on-site and 15 Heritage trees off-site due to the location of the trees in footprints of the Project buildings and other site improvements and the poor health of the trees based on a certified arborist evaluation dated October 29, 2015. It is appropriate and necessary to relocate 14 Heritage trees on-site and four Heritage trees off-site due to their small size, relative good health, and tolerant sensitivity to transplantation;

b. It is appropriate and necessary to remove 187 Heritage trees on-site and 15 Heritage trees off-site and relocate 14 Heritage trees on-site and four Heritage trees off-site in order to construct the improvements and allow reasonable and conforming use of the property when compared to other similarly situated properties because the removal and relocation of the trees will allow the construction of the hotel and office project within the allowable development standards for the site and the removed trees will be replaced with approximately 210 new trees;

c. It is appropriate and necessary to remove 187 Heritage trees on-site and 15 Heritage trees off-site based on the nature and qualities of the trees as Heritage trees, including their maturity, aesthetic qualities such as their canopy, shape and structure, majestic stature, and visual impact on the neighborhood. As discussed in the Draft EIR, removal of some of the Heritage trees is appropriate—they are in poor health or have significant defects in structure that cannot be abated with treatment and are expected to decline regardless of tree management. The removal of the Heritage trees is further appropriate as they have poor structural integrity with significant amounts of wood decay and other structural defects that present a risk of damage and injury to individuals and property;

d. It is appropriate and necessary to remove 187 Heritage trees on-site and 15 Heritage trees off-site to implement good forestry practices such as, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest. As discussed above, the removal of some of the Heritage trees is required due to their poor health and structural integrity which present a potential risk of damage and injury to individuals and property. The Project will replace each Heritage tree removed with a replacement tree at a minimum of a one-to-one ratio. The replacement trees, which are part of the Project's landscape plan, will enhance the appearance of the Project site and the surrounding community;

e. The Project complies with CEQA. A Draft EIR was prepared and circulated for the required 45-day public comment period, which ended on June 15, 2016. The Draft EIR analyzed the potential impacts of the Project in regard to the removal of trees and determined that, with implementation of the City Standard Conditions of Approval, the removal of the trees would not result in a significant impact to tree resources. Staff received five comment letters on the Draft EIR and has provided a response to these comments in the August 2016 Final EIR document. The Final EIR identifies mitigation measures which, when implemented, will substantially lessen or avoid the significant effects on the environment caused by the proposed project, with the exception of the significant unavoidable impact to one freeway segment for which a Statement of Overriding Considerations was adopted.

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

SW/7/RESO
818-10-18-16r-E-2

Exhibit: A. Conditions of Approval

CONDITIONS OF APPROVAL
APPLICATION NO.: 566-15-GPA
750 Moffett Boulevard

The applicant is hereby notified, as part of this application, that (s)he is required to meet the following conditions in accordance with the City Code of the City of Mountain View and the State of California. The lead department with which the applicant will work is identified on each condition where necessary. Where approval by the Community Development Director, City Engineer, Public Works Director, City Attorney, Chief Building Official, or Fire Department is required, that review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted practices for the items under review. The applicant is hereby notified that (s)he is required to comply with all applicable codes or ordinances of the City of Mountain View and the State of California that pertain to this development and are noted herein.

This approval is granted to allow a Planned Community Permit and Development Review Permit for a 255-room hotel, 200,000 square foot office building, and 6-tier above grade parking structure; and a Heritage Tree Removal Permit for the removal of 189 Heritage trees located on Assessor Parcel No. 153-19-007. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein:

- a. Project drawings prepared by WRNS Studio for Broadreach Capital Partners dated July 13, 2016.
- b. Color and materials board prepared by WRNS Studio for Broadreach Capital Partners dated July 13, 2016, and kept on file in the Planning Division of the Community Development Department.
- c. Environmental Impact Report prepared by the City for the project, and kept on file in the Planning Division of the Community Development Department.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Community Development Department – 650-903-6306

- 1. **EXPIRATION:** The Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit shall be valid for a period of two years from the date of City Council approval. Building permits for the project shall be issued within this two-year period or the permits shall become null and void unless an extension is granted by the Zoning Administrator.
- 2. **PERMIT EXTENSION:** Zoning permits may be extended for up to an additional two years after public hearing review by the Zoning Administrator, in compliance with the procedures described in the Zoning Ordinance. An application for extension must be filed with the Planning Division of the Community Development Department, including appropriate fees, prior to the original expiration date of the permit.

PLANS AND SUBMITTAL REQUIREMENTS

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

architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.

5. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a public hearing, which can be referred to City Council.
6. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for the foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.
7. **COLOR SCHEME:** The proposed color scheme shall be shown on the elevations of the building permit plan submittal and shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.

SITE DEVELOPMENT AND BUILDING DESIGN

8. **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.
9. **SPECIAL PAVING MATERIALS:** The color, material, design, and product specifications for the special paving materials used on-site shall be submitted with the building permit drawings. Final paving design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
10. **WINDOWS:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified in the building permit drawings for review and approval by the Zoning Administrator prior to the issuance of building permits.
11. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to building permit issuance, for final selection and approval by the Zoning Administrator.
12. **PAINT SAMPLES:** The applicant shall paint a portion of the building with the proposed color scheme for inspection. Proposed primary and secondary (accent) paint colors should be painted next to each other on the building, to the extent feasible, for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
13. **ROOF EQUIPMENT:** All roof equipment must be concealed behind opaque (solid) screening designed to complement the building. Details of the roof equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.
14. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval.
15. **FENCE/WALL:** All fencing and walls are to be shown on construction plans submitted for building permit review. The design and location must be approved by the Zoning Administrator and comply with all setback requirements.
16. **PORTE COCHÉRE:** A revised porte cochère design shall be provided at the hotel entrance per the Development Review Committee's direction. Details of the revised porte cochère design shall be included in the building permit drawings and approved by the Zoning Administrator prior to issuance of building permits.

17. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped. Double stripes shall be 12" apart, from outside edge to outside edge of the stripe. The 8-1/2' parking space width is measured from the center of one double stripe to the other, such that the space between stripes is 7-1/2'. For parallel parking spaces, only single-striped is required. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24'.
18. **LIGHTING PLAN:** The applicant shall submit a lighting plan with the application for building permit. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The design and location of outdoor lighting fixtures shall ensure there will be no glare and light spillover to surrounding properties. The lighting plan shall be submitted with building permit drawings and approved by the Zoning Administrator prior to building permit issuance.
19. **BICYCLE PARKING:** A minimum of 99 bicycle spaces shall be provided for the project (58 long-term, secured bicycle storage spaces and 41 short-term bicycle storage spaces) and shall be distributed throughout the site. The bicycle parking plan shall be submitted with building permit drawings and approved by the Zoning Administrator prior to building permit issuance.
20. **SHOWER/CHANGING FACILITY:** Two employee shower and changing room facilities, one each for male and female employees, shall be provided for any new structure constructed or for any addition to or enlargement of any existing structure requiring over 200 employee parking spaces. This requirement is applicable to industrial, research and development, corporate office, and similar high-employment businesses.
21. **BIRD-SAFE DESIGN:** The following project design features/documentation shall be provided to reduce bird strikes and included on the building permit plans and submittal documents:
 - a. A minimum of 90 percent of the glazing on the office building (including the pavilion) shall be treated with a bird-friendly glazing treatment, such as a frit pattern.
 - b. Occupancy sensors or other switch control devices shall be installed on nonemergency lights. The lights shall be programmed to shut off during nonwork hours and between 10:00 p.m. and sunrise.
 - c. The glass railings on the terraces of the office building and glass corners of the building shall be treated with a bird-friendly design treatment to make them visible to birds.
 - d. A bird-strike monitoring plan for the monitoring and evaluation of bird strikes postconstruction.

GREEN BUILDING AND SUSTAINABILITY MEASURES

22. **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 Silver® for the hotel and LEED Gold® for the office building. All mandatory prerequisite points and minimum point totals per category to attain the required LEED status for both buildings 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.

LANDSCAPING

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

24. **CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans and final inspection(s), subject to final approval by the Zoning Administrator.
25. **STREET TREE:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division. Once completed, the applicant shall return the original to the Parks Division, located at 235 North Whisman Road, and provide a duplicate copy to the Building Inspection Division with building permit submittal.
26. **LANDSCAPE SCREENING:** All utility meters, lines, transformers, backflow preventers, etc., on-site or off-site, must be shown on all site plan drawings and landscape plan drawings. All such facilities shall be located so as to not interfere with landscape material growth and shall be screened in a manner which respects the building design and setback requirements. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.

HERITAGE TREES

27. **IMPLEMENTATION:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit is secured and the project is pursued.
28. **REPLACEMENT:** The applicant shall offset the loss of each Heritage tree at a 1:1 replacement ratio, for a minimum of 202 replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage replacement trees.
29. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by HortScience and dated October 29, 2015, 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.
30. **TREE MITIGATION AND PRESERVATION PLAN:** The applicant shall develop a tree mitigation and preservation plan to avoid impacts on regulated trees and mitigate for the loss of trees that cannot be avoided. Routine monitoring for the first five years and corrective actions for trees that consistently fail the performance standards will be included in the tree mitigation and preservation plan. The tree mitigation and preservation plan will be developed in accordance with Chapter 32, Articles I and II, of the City Code, and subject to approval of the Zoning Administrator prior to removal or disturbance of any Heritage trees resulting from project activities, including site preparation activities.
31. **RELOCATION:** Tree(s) numbered 252, 254, 278, 281, 283, 284, 285, 290, 291, 293, 294, 295, 311, 315, 405, 424, 438, and 451 in the arborist report prepared by HortScience, and dated October 29, 2015, shall be relocated to another location on-site as identified in the approved site and landscape plans.

SIGNS

32. **SIGN PROGRAM:** No signs are approved as part of this application. The applicant shall submit a sign program to the Planning Division for the entire project site and shall identify suitable sign locations, types, sizes, colors, and materials, in conformance with the City's Sign Regulations.

NOISE

33. **MECHANICAL EQUIPMENT:** The noise emitted by any mechanical equipment on the project site 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 surrounding residentially used properties.

34. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A) L_{dn} that shall be reviewed and approved by a licensed acoustical engineer prior to building permit submittal.
35. **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.
36. **SITE-SPECIFIC BUILDING ACOUSTICAL ANALYSIS:** A qualified acoustical consultant will review final site plans, building elevations, and floor plans prior to construction to calculate expected interior noise levels as required by State noise regulations. Project-specific acoustical analyses are required by the California Building Code to confirm that the design results in interior noise levels reduced to 45 dB(A) L_{dn} or lower. The specific determination of what noise insulation treatments are necessary will be completed on a unit-by-unit basis. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans, and approved prior to issuance of a building permit. Building sound insulation requirements will include the provision of forced-air mechanical ventilation for all residential units as recommended by the qualified acoustical consultant, so that windows can be kept closed at the occupant's discretion to control noise. Special building techniques (e.g., sound-rated windows and building facade treatments) will be implemented as recommended by the qualified acoustical consultant, to maintain interior noise levels at or below acceptable levels. These treatments will include, but are not limited to, sound-rated windows and doors, sound-rated wall construction, acoustical caulking, protected ventilation openings, etc.

CONSTRUCTION PRACTICES AND NOTICING

37. **WORK HOURS:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. At the discretion of the Chief Building Official, the general contractor or the developer may be required to erect a sign at a prominent location on the construction site to advise subcontractor and material suppliers of the working hours. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.
38. **CONSTRUCTION PARKING MANAGEMENT PLAN:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
39. **DISTURBANCE COORDINATOR:** The project applicant shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.
40. **BASIC AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to

implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures. Additional measures may be identified by the BAAQMD or contractor as appropriate, such as: (a) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day; (b) all haul trucks transporting soil, sand, or other loose material off-site will be covered; (c) all visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (d) all vehicle speeds on unpaved roads will be limited to 15 mph; (e) all roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used; and (f) post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person will respond and take corrective action within 48 hours. The BAAQMD's phone number will also be visible to ensure compliance with applicable regulations.

41. **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.
42. **PRECONSTRUCTION NESTING BIRD SURVEY:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys will be performed no more than two days prior to construction activities to locate any active nests as follows:

The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500' for active nests—with particular emphasis on nests of migratory birds—if construction (including site preparation) will begin during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the project applicant, in coordination with the appropriate City staff, shall establish no-disturbance buffer zones around the nests, with the size to be determined in consultation with the California Department of Fish and Wildlife (usually 100' for perching birds and 300' for raptors). The no-disturbance buffer will remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.

TECHNICAL REPORTS

43. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City prior to the issuance of building permits, and the recommendations made in the geotechnical report will be implemented as part of the project. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the buildup of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.

LEGAL AGREEMENTS AND FEES

44. **HOUSING IMPACT FEE FOR PROJECTS:** Prior to the issuance of the first building permit, the applicant shall pay a Housing Impact Fee based on the net new floor area and the fees in effect at the time of building permit

issuance. The estimated fee is \$5,297,228.

45. **INDEMNITY AGREEMENT:** Prior to the issuance of any building permits, the applicant shall agree, in writing, to defend, indemnify, and hold harmless the City and its officers, agents, and employees in any action brought by a third party to void this Planned Community, Development Review, and Heritage Tree Removal Permit. The agreement shall be in a form satisfactory to the City Attorney and Zoning Administrator. It shall run with the land and shall not be amended without prior City consent.
46. **AVIGATION EASEMENT:** If deemed necessary by the Santa Clara County Airport Land Use Commission, an avigation easement shall be recorded for the property prior to the issuance of building permits.

TRANSIT-RELATED PROGRAMS AND OFF-SITE IMPROVEMENTS

47. **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 twenty percent (20%) reduction in peak-hour vehicle trips, which results in a site trip cap of 401 a.m. peak-hour trips and 290 p.m. peak-hour trips. The specific TDM measures to be used in the program can be any combination of measures which achieve the twenty percent (20%) peak-hour trip reduction and site trip cap numbers. The TDM program shall apply to the employees of the office and hotel uses.
48. **TDM MONITORING:** The property owner or tenant shall prepare an annual TDM monitoring 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 from employees within the project and the site trip cap. The TDM report shall be prepared by an independent consultant and paid for by the property owner or tenant. The TDM report will include a determination of employee commute methods, which shall be informed by surveying all employees and through driveway traffic counts. The driveway traffic counts shall be prepared and provided by an independent approved consultant and paid for by the property owner or tenant. The driveway counts and resulting data shall be included in the TDM report provided to the City.
 - a. **TDM Reporting:** The initial TDM report for the project will be submitted one year after the granting of the Certificate of Occupancy for the building and subsequent reports shall be submitted to the City annually thereafter.
 - b. **Report Requirements:** The TDM report shall state that the project has: (1) achieved a minimum twenty percent (20%) peak-hour vehicle trip reduction; and (2) the project does not result in more than 401 a.m. peak-hour trips and 290 p.m. peak-hour trips for the site. If the TDM report states that the project has not achieved the required twenty percent (20%) peak-hour vehicle trip reduction and trip cap of 401 a.m. peak-hour trips and 290 p.m. peak-hour trips, the report shall provide an explanation of how and why the reduction and/or trip cap has not been reached and a description of additional measures that will be implemented by the property owner or tenant in order to attain the goal.
 - c. **Penalty for Noncompliance:** If after the initial TDM report the second annual report indicates that, in spite of the changes in the TDM program, the twenty percent (20%) peak-hour vehicle trip reduction and trip cap are still not being achieved, or if the applicant fails to submit such a TDM report at the times described above, the City may assess the property owner a penalty in the maximum amount of \$100,000 for the first percentage point below the twenty percent (20%) peak-hour vehicle trip reduction and an additional \$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 has made a good-faith effort to meet the TDM goals and allow the property owner a six-month "grace period" to implement additional TDM measures to meet the twenty percent (20%) peak-hour vehicle trip reduction. If the project does not achieve the twenty percent (20%) peak-hour reduction after the six-month

grace period, the City may require the property owner or tenant to pay a TDM Penalty as shown in the sample table below. Any expenses that are put toward achieving the twenty percent (20%) peak-hour reduction can be offset against the TDM Penalty. The TDM Penalty shall be paid to the Mountain View Transportation Management Association (MVTMA) and used to promote alternatives to single-occupancy vehicle use in the City.

Peak-Hour Trip Reduction	Penalty Amount
20%	-0-
19%	\$100,000
18%	\$150,000
17%	\$200,000
16%	\$250,000
15%	\$300,000
14%	\$350,000
13%	\$400,000
12%	\$450,000
11%	\$500,000
10%	\$550,000
9%	\$600,000
8%	\$650,000
7%	\$700,000
6%	\$750,000
5%	\$800,000

49. **TMA MEMBERSHIP:** The property owner or building occupant shall maintain ongoing membership in the MVTMA for the life of the project.

MITIGATION MEASURES

50. **MM AQ-4:** Consistent with the standard construction BMPs included in the BAAQMD CEQA Air Quality Guidelines, the project applicant shall ensure that the following measures are implemented during project construction:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible as well, after grading, unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- 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.
 - Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
51. **MM AQ-6:** All diesel-powered construction equipment larger than 50 horsepower and operating on-site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. *Note that the construction contractor could use other measures to minimize construction period DPM emissions to reduce the predicted PM2.5 and cancer risks below the thresholds. Such measures may be the use of alternative-powered equipment (e.g., LPG-powered forklifts), alternative fuels (e.g., biofuels), added exhaust devices, or a combination of measures, provided that these measures are approved by the lead agency.*
 52. **MM BIO-7.1:** Construction along the top of bank for the installation of the bridge shall be conducted between June 1 and November 30 to correspond to the dry season and the period steelhead are less likely to be moving through the area.
 53. **MM CR-2.1:** Prior to the issuance of a grading permit for construction activities on Parcel 1 or for the off-site bicycle/pedestrian bridge and off-site screening wall, one core will be placed on both sides of the creek in the location of the proposed bicycle/pedestrian bridge. A qualified archaeologist will be present in the field to observe and record the soils of each core. If no cultural layers are present within the cores, then no further investigation is necessary; the project can proceed as proposed, and the archaeologist will summarize the findings in a memo that will be provided to the City's Community Development Director. This measure could be coordinated with the engineering coring for the bridge. If cultural layers are present within either core, then additional investigation may be necessary before ground disturbing activities on Parcel 1 and the location of the bicycle/pedestrian bridge and screening wall can commence. The coring results will determine any further recommendations. The archaeologist will summarize the findings and any further recommendation in a memo that will be provided to the City's Community Development Director.
 54. **MM CR-2.2:** As requested during the Tribal Consultation process for the proposed project, cultural sensitivity training will be provided to the construction crews and a Native American archaeological monitor will be present for all ground-disturbing activities, including coring at the proposed bridge location.
 55. **MM CR-2.3:** 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.
 56. **MM CR-2.4:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50' radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who 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 land owner shall re-inter 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.

57. **MM HAZ-1.1:** Prior to the start of any construction activity, the project applicant shall submit the following plans and controls to EPA for review and approval, and shall implement the EPA approved measures:

- Air Monitoring—assesses the exposure of project construction workers and neighboring occupants adjoining the project site to VOCs as part of the Soil Management Plan and Air Monitoring Plan (SMP); this plan shall specify measures to be implemented if VOCs exceed threshold values.
- Vapor Intrusion Control System Remedial Design—describes the measures to be implemented to help prevent exposure of project occupants to VOCs in indoor air as a result of vapor intrusion. The Vapor Intrusion Mitigation Plan will require the project applicant to design the proposed occupied spaces with appropriate structural and engineering features to reduce risk of vapor intrusion into buildings. At a minimum, this design would include incorporation of vapor barrier and provisions of space to accommodate an active ventilation equipment to help prevent indoor air contaminant concentrations exceeding EPA indoor air cleanup levels. The project applicant will be required to submit the vapor intrusion remedial design and remedial action documents to the EPA for review and approval.
- The Record of Decision (ROD) Amendment for the Vapor Intrusion Pathway, MEW Superfund Study Area (2010), and the Statement of Work Remedial Design and Remedial Action to Address the Vapor Intrusion Pathway, MEW Superfund Study Area specify the selected remedy for all future buildings as: 1) passive sub-slab ventilation with a vapor barrier (and with the ability to convert the system from passive to active ventilation), 2) monitoring to ensure the long-term effectiveness of the remedy, and 3) the implementation of institutional controls. Although active sub-slab/sub-membrane ventilation is considered to have a better long-term effectiveness than passive sub-slab ventilation systems, areas with lower groundwater VOC concentrations are considered to have a lower potential for vapor intrusion at levels exceeding indoor air cleanup levels. Because areas overlying higher VOC groundwater concentrations are considered to have a greater potential for vapor intrusion at levels exceeding indoor air cleanup levels, implementing an active sub-slab/sub-membrane ventilation system is acceptable because of its high rating in long-term effectiveness. Other design requirements would be subject to the EPA's determination of necessary measures based upon its Response Action Tiering System for future buildings.
- Long-Term Operations, Maintenance, and Monitoring Plan—describing actions to be taken following construction to maintain and monitor the vapor intrusion mitigation system as well as a contingency plan should the vapor system fail.
- Institutional Controls Implementation Plan—nonengineered instruments of control, such as administrative and legal controls, that help to minimize the potential for human exposure to contamination and/or protect the integrity of the response action. Institutional Controls will be implemented through the City's planning and permitting procedures which will ensure that the appropriate remedy is applied to particular building construction.
- Financial Assurance—proof that adequate funds are available for long-term maintenance and monitoring of the vapor intrusion mitigation system.

58. **MM HAZ-1.2:** During construction, the project applicant shall coordinate work activities with the EPA and MEW Operable Unit 3 Responsible Parties, as designated by the EPA, including identifying conditions that could affect the implementation and monitoring of the vapor intrusion remedy.
59. **MM HAZ-1.3:** Prior to construction activities, the project applicant shall implement an SMP that establishes management practices for handling contaminated soil, soil vapor, or other materials during construction for on- and off-site improvements. The SMP shall be prepared by an environmental professional and shall be submitted to the EPA for review and approval prior to construction. The SMP also shall be provided to the City and the Santa Clara County Department of Environmental Health (County Health). The SMP for the project shall include the protocols, means, and methods to address the following during demolition of property structures and construction, including subsurface activities:
- Project control procedures to control the flow of personnel, vehicles, and materials in and out of the project site, including the areas of off-site improvements.
 - Monitoring of vapors during the removal of the underground utilities as well as any other underground features. An environmental professional shall be present to observe soil conditions, monitor vapors with a handheld meter and low level VOC detector, as appropriate, and determine if additional soil, soil gas, and air sampling should be performed. Protocols and procedures shall be presented for determining when soil sampling and analytical testing will be performed. If additional sampling is performed, a report documenting sampling activities (with site plans and analytical data) shall be provided to the City and U.S. EPA.
 - Minimization of dust generation, stormwater runoff, and tracking soil off the project site.
 - Minimization of airborne dust during demolition activities.
 - Management of project site risks during earthwork activities in areas where impacted soil, soil vapor, and/or groundwater are present or suspected. Worker training requirements, health and safety measures, and soil handling procedures shall be described.
 - Decontamination to be implemented by the contractor to reduce the potential for construction equipment and vehicles to release contaminated soil onto public roadways or other transfer off the project site.
 - Perimeter air monitoring at the project site and off-site improvement locations during any activity that substantially disturbs the soil (e.g., mass grading, foundation construction, excavation, or utility trenching). This monitoring shall be used to document the effectiveness of dust and vapor control measures.
 - Contingency measures for previously unidentified buried structures, wells, debris, or areas of impacted soil that could be encountered during property development activities.
 - Characterization and profiling of soil suspected of being contaminated so that appropriate disposal or reuse alternatives can be implemented. Soil in contact with groundwater shall be assumed contaminated. All soil excavated and transported from the project site and/or off-site improvement areas shall be appropriated disposed at a permitted facility.
 - Segregation of “clean” and “impacted” soil stockpiles.
 - Approximately 40 stockpiles of soil are located on the Caltrans parcel, along with approximately 10 piles of debris consisting of wood, concrete, general household items, and landscaping mulch. Soil containing chemicals exceeding residential (unrestricted use) screening levels of typical background concentrations of metals and the debris piles shall be disposed at a permitted facility.

- Evaluation and documentation of the quality of any soil imported to the property. Soil containing chemicals exceeding residential (unrestricted use) screening levels of typical background concentrations of metals shall not be accepted.
 - Monitoring of excavations and trenches for the potential presence of VOC vapors.
 - Evaluation of the residual contaminants to determine if they will adversely affect the integrity of belowground utility lines and/or structures (e.g., the potential for corrosion).
 - Measures to reduce soil vapor and groundwater migration through trench backfill and utility conduits. Such measures shall include placement of low-permeability backfill “plugs” at specified intervals on property and at all locations where utility trenches extend off property. In addition, utility conduits that are placed below groundwater shall be installed with watertight fittings to reduce the potential for groundwater to migrate into conduits.
 - Measures to prevent intrusion of contaminated water into stormwater control features. A civil engineer shall design the bottom and sides of stormwater features to be lined with a minimum 30-mil heavy-duty plastic to help prevent infiltration.
 - If deep foundation systems are proposed, the foundations shall incorporate measures to help reduce the potential for the downward migration of contaminated groundwater.
 - For construction activity that involves belowground work (e.g., mass grading, foundation construction, excavating, or utility trenching), information regarding risk management procedures (e.g., a copy of the SMP) shall be provided to the contractors for their review, and each contractor shall provide such information to its subcontractors.
 - If excavation dewatering is required, protocols shall be prepared to evaluate water quality and discharge/disposal alternatives; the pumped water shall not be used for project dust control or any other project use. If long-term dewatering is required, the means and methods to extract, treat, and dispose of groundwater also shall be presented and shall include treating/discharging groundwater to the sanitary sewer under a Publicly Owned Treatment Works (POTW) permit or treating /discharging groundwater to the storm drain system pursuant to a California Regional Water Quality Control Board—San Francisco Bay Region (Water Board) NPDES permit.
 - Prior to removing the sewer line, a Sampling and Analyses Plan shall be submitted to U.S. EPA for review and written approval.
 - An environmental professional shall assist in the implementation of the SMP for the proposed project and shall, at a minimum, perform part-time observation services during demolition, excavation, grading, and trenching activities. Upon completion of construction activities, the environmental professional shall prepare a report documenting compliance with the SMP; this report shall be submitted to the U.S. EPA, City, and County.
60. **MM HAZ-1.4:** Leaving contaminated soil (above residential screening levels or background concentrations of metals) in place or reusing contaminated soil requires written approval from the U.S. EPA. At a minimum, if contaminated soil is left in place, a deed restriction or land use covenant shall detail the location of these soils. This document shall include a surveyed map of these impacted soils; shall restrict future excavation in these areas; and shall require future excavation be conducted in these areas only upon written approval by an oversight agency.
61. **MM HAZ-1.5:** Any soil, soil vapor, and/or groundwater remediation during development activities shall require written approval by the U.S. EPA and shall meet all applicable Federal, State, and local laws, regulations, and

requirements.

62. **MM HAZ-1.6:** Elevated concentrations of lead are sometimes encountered next to older and/or heavily traveled highways in California, primarily due to historical leaded gasoline use. Due to the proximity to U.S. 101, soil sampling and analytical testing in this area for lead should be performed prior to project grading. If lead is detected above residential screening levels, it should be appropriately overexcavated and transported to a permitted facility.
63. **MM HAZ-1.7:** The project site historically was used for agricultural purposes for several decades. Pesticides may have been applied to crops in the normal course of farming operations. During a prior study by URS (2007), several soil samples were collected from undeveloped areas of the Moffett Gateway parcel and analyzed for organochlorine pesticides and metals. These analyses did not detect pesticides at concentrations exceeding residential screening levels, and the detected metal concentrations appear typical of natural background levels. Thus, based on these sampling results, prior agricultural activities do not appear to have significantly impacted the property. However, soil exported from the site shall be analyzed for organochlorine pesticides amongst other chemicals as required by the receiving facility.
64. **MM HAZ-1.8:** The project applicant shall require the construction general contractor to prepare a Health and Safety Plan (HSP) establishing appropriate protocols for working in hazardous materials. Workers conducting project site investigation and earthwork activities in areas on contamination shall complete a 40-hour HAZWOPER training course (29 CFR 1910.120). This document shall be provided to the U.S. EPA, City, and County. The general contractor shall be responsible for the health and safety of their employees as well as for compliance with all applicable Federal, State, and local laws and guidelines.
65. **MM HAZ-1.9:** The project applicant shall provide a Vapor Intrusion Response Action Completion Report to the U.S. EPA for review and approval and to the City for review. The report shall document installation of the vapor control measures identified in the Vapor Intrusion Mitigation Plan, including plans and specifications, and shall include a long-term operations, maintenance, and monitoring plan.
66. **MM HAZ-1.10:** Eighteen (18) groundwater monitoring wells are located on the project site. These wells shall be protected during construction activities or upon written approval of the U.S. EPA, destroyed under permit from the Santa Clara Valley Water District, prior to mass grading activities. The locations of future groundwater monitoring wells and other remediation infrastructure shall be incorporated into the development plans. The project applicant and subsequent project owners and occupants shall allow access to sample the existing monitoring wells or install future groundwater monitoring wells and to continue monitoring and remediation activities and any additional sampling and analyses that may be required by the U.S. EPA.
67. **MM HAZ-1.11:** The project applicant and subsequent project owners and occupants shall provide access to the project site, including ongoing access to the 18 monitoring wells for monitoring and sampling purposes, and cooperate with U.S. EPA and MEW Responsible Parties during implementation of any subsequent groundwater and/or soil vapor investigations, or remediation as well as implementation of additional vapor intrusion remediation, if required.

In addition, the project applicant and subsequent project owners and occupants shall provide access for future indoor air vapor monitoring activities and shall not interfere with the implementation of remedies required by the U.S. EPA. These requirements shall be specified in the Covenants, Conditions, and Restrictions that shall run with the project site.

68. **MM HAZ-2.1:** Prior to initiation of excavation and grading activities on the site, on-site soils shall be sampled to evaluate whether they have been impacted by aerially deposited lead to determine if any special handling or disposal is necessary. The environmental agency that will provide regulatory oversight with respect to the environmental condition of the site, which shall be either (1) the California Department of Toxic Substances

Control, (2) the California Regional Water Quality Control Board, or (3) the County of Santa Clara Local Oversight Program (hereafter, the "Agency"), will determine whether any special handling and/or disposal of soil is necessary at the site, prior to the initiation of excavation and grading activities at the site.

69. **MM HAZ-2.2:** In the event that lead-impacted soil is present at the site at concentrations that exceed Agency-approved risk levels (i.e., residential Regional Screening Levels established by the U.S. EPA or California Human Health Screening Levels established by the California Environmental Protection Agency), the SMP to be prepared for the proposed project shall be submitted to and approved by the Agency. The SMP shall be developed to establish management practices for handling lead-impacted soil or other hazardous materials encountered during construction activities. The Agency-approved SMP shall be submitted to the City of Mountain View Director of Community Development prior to commencing construction activities.
70. **MM HAZ-2.3:** The project applicant shall require the construction general contractor to prepare a Health and Safety Plan (HSP) establishing appropriate protocols for working in hazardous materials. The HSP shall address the safety and health hazards of each phase of site operations that includes the requirements and procedures for employee protection.
71. **MM HAZ-2.4:** Excavated soils will be characterized prior to off-site disposal or reuse on-site. Appropriate soil characterization, storage, transportation, and disposal procedures shall be followed under the oversight of the Agency. Contaminated soils shall be disposed of at a licensed facility in accordance with all appropriate local, State, and Federal regulations.
72. **MM HAZ-3.1:** Prior to initiation of excavation and grading activities on the site, on-site soils shall be sampled to evaluate whether they have been impacted by agricultural pesticides to determine if any special handling or disposal is necessary. The environmental agency that will provide regulatory oversight with respect to the environmental condition of the site, which shall be either (1) the California Department of Toxic Substances Control, (2) the California Regional Water Quality Control Board, or (3) the County of Santa Clara Local Oversight Program (hereafter, the "Agency"), will determine whether any special handling and/or disposal of soil is necessary at the site, prior to issuance of a grading permit and prior to the initiation of excavation and grading activities at the site.
73. **MM HAZ-3.2:** In the event that agricultural pesticides are present at the site at concentrations that exceed Agency-approved risk levels (i.e., residential Regional Screening Levels established by the United States Environmental Protection Agency or California Human Health Screening Levels established by the California Environmental Protection Agency), the Soil Management Plan to be prepared for the project shall be developed to establish management practices for handling pesticide contaminated soil that could be encountered during construction activities. The SMP shall be submitted to and approved by the Agency. The Agency-approved SMP shall be submitted to the City of Mountain View Director of Community Development prior to commencing construction activities.
74. **MM HAZ-3.3:** The project applicant shall require the construction general contractor to prepare a Health and Safety Plan (HSP) establishing appropriate protocols for working in hazardous materials. The HSP shall address the safety and health hazards of each phase of site operations that includes the requirements and procedures for employee protection.
75. **MM HAZ-3.4:** Excavated soils for on- and off-site improvements will be characterized prior to off-site disposal or reuse on-site. Appropriate soil characterization, storage, transportation, and disposal procedures shall be followed under the oversight of the Agency. Contaminated soils shall be disposed of at a licensed facility in accordance with all appropriate local, State, and Federal regulations.
76. **MM TRANS-5.1:** A crosswalk shall be added to the east leg of the Moffett Boulevard/Leong Drive intersection to improve pedestrian access between the project site and Moffett Boulevard to the south.

77. **MM UTIL-2.1:** Prior to issuance of a grading permit, the proposed project shall incorporate all measures deemed necessary by the City Fire Marshal to reduce the project fire flow requirement to 3,000 gpm.

Public Works Department – 650-903-6311

RIGHTS-OF-WAY

78. **UTILITY EASEMENTS AND APPROVALS:** Dedicate utility easements as required by the utility companies and as approved by the Public Works Director. All easements are to be shown on the parcel map. The subdivider shall submit two copies of the map to PG&E, AT&T (SBC), and Comcast for their review and determination of easement needs. The public utility easements must be approved by the utility companies prior to the approval of the parcel map. There are three distinct public utility easements that shall be shown on the map:
- a. Public Utility Easement for storm drain and sanitary sewer shall be 45' wide and align with the relocated City of Mountain View storm and sewer mains.
 - b. Public Utility Easement for water meters around each public water meters.
 - c. Public Utility Easement for electric, communications, and cable television facilities and other similar uses along the private drive aisle.
79. **PRIVATE UTILITY EASEMENT:** The City of Mountain View shall dedicate a Private Utility Easement on the City-owned parcel to the owner of the northern parcel allowing for such use as sanitary sewers, water mains, storm drains, gas mains, public utilities, including electric, communication, and cable television facilities, and other similar uses, together with appurtenances thereof and with rights of ingress and egress.
80. **PUBLIC ACCESS DEDICATION:** Indicate on the parcel map the area open for public access. The two Public Access Easements shown on the map are:
- a. The 26' wide drive aisle and multi-use trail from Moffett Boulevard to the hotel and a 14' wide area from the drive aisle to Stevens Creek.
 - b. The open space east of the drive aisle and a small triangular area on the Caltrans parcel.
81. **PLAT AND LEGAL DESCRIPTION:** For the proposed dedication(s), per the City's Legal Description and Plat Requirements, submit an 8.5"x11" plat (drawing), legal description stamped by a registered civil engineer or land surveyor, and a copy of the current preliminary title report or property deed of the owner's property. These items are not required for easements dedicated on a final or parcel map.

FEES

82. **WATER AND SEWER CAPACITY CHARGES:** Prior to issuance of any building permits, the applicant shall pay the water and sewer capacity fees for the development. The water and sewer capacity charges for residential connections are based on the number and type of dwelling units. There are separate charges for different types of residential categories so that the capacity charges reasonably reflect the estimated demand of each type of connection. The water and sewer capacity charges for nonresidential connections are based on the water meter size and the building area and building use, respectively. Credit is given for the existing site use(s) and meter size(s) as applicable.
83. **STORM DRAINAGE FEE:** Pay the off-site storm drainage fee per Section 28.51(b) and with the rates in effect at time of payment.
84. **REIMBURSEMENT FOR WATER MAIN IN LEONG DRIVE:** The City will enter into a reimbursement

agreement with the developer to reimburse the City for the design and construction cost to upsize approximately 1,200' of the water main in Leong Drive prior to the issuance of any Building Permits. The City shall provide documentation of cost and the developer's reimbursement to the City. The reimbursement shall be made prior to issuance of any Certificate of Occupancy.

STREET IMPROVEMENTS

85. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the project and as required by Chapters 27 and 28 of the Mountain View City Code. These improvements include relocation of 84" and 24" storm drain mains; relocation of 16" sanitary sewer main; water apparatus, including backflow preventors, double-check detector assembly, Fire Department connections, post indicator valves, and water meters; new driveway with curb returns; ADA curb ramps; sidewalk along Moffett Boulevard; VTA standard bus stop; and improvements to the traffic signal at Moffett Boulevard/Leong Drive/Project Driveway.
- a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the approval of the building permit. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a cash deposit (100 percent) or provide a letter of credit (150 percent) securing the installation and warranty of the off-site and on-site common improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available through the Internet at: https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department. Any changes to the standard agreement will require an additional one- to three-week processing time with the City Attorney's Office.
- b. **INSURANCE:** Provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the building permit. The insurance coverage amounts are a minimum of One Million Dollars (\$1,000,000) Commercial General Liability, Automobile Liability, and Workers' Compensation. The insurance requirements are available from the Public Works Department.
86. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site improvement plans in accordance with the City's Standard Design Criteria. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements, relocation of public utilities, and other applicable work within the public right-of-way. A traffic control plan indicating the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. Locations of on-site parking for construction equipment and construction workers must be submitted for review and approval. Off-site plans (10 sets), Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the issuance of the building permit. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.
87. **INFRASTRUCTURE QUANTITIES:** Submit a construction cost estimate form indicating the quantities of the street and utility improvements with the submittal of the improvement plans. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees.

88. **STEVENS CREEK PEDESTRIAN BRIDGE:** The building permit plans shall include a pedestrian bridge over Stevens Creek linking the site and the Stevens Creek Trail. The bridge shall match in design and function the existing City of Mountain View pedestrian bridge at the Sleeper Avenue trail head. If the applicant is not able to obtain permits from the Santa Clara Valley Water District for the construction of the bridge, they shall install on the western side of Moffett Boulevard a Class IV cycle track as shown in the Bicycle Transportation Plan and sidewalk on the eastern side of Moffett Boulevard from the project driveway to the entrance of Stevens Creek Trail.

UTILITIES

89. **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.
90. **SEPARATE FIRE SERVICE:** Domestic water and fire services shall have separate lines connected to the City's water main. On-site fire lines, post indicator valves, Fire Department connections, and detector checks require approval from the City's Fire Protection Engineer.
91. **MANHOLE ACCESS:** Vehicular access must be provided to and around all public storm drain and sanitary sewer manholes. A 10' wide drive aisle and 15' around the manholes shall have a surface that is driveable for utility vehicles.
92. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required for each parcel.
93. **WATER METER BANK:** The water meters shall be arranged in a bank of meters adjacent to the public sidewalk in the landscaped areas only. The bank of meters shall not be located in driveway approaches, concrete sidewalk areas, or next to the main driveway entrance so as not to impact the aesthetics of the entrance.
94. **WATER AND SEWER APPLICATIONS:** Prior to the issuance of the building permit, complete applications for water and sewer service if new water services, water meters, fire services, or sewer laterals are required.
95. **EXCAVATION PERMIT:** Prior to the issuance of the building permit, submit a complete Excavation Permit Application to the Public Works Department for all applicable work within the public right-of-way and for public utilities. Permit applications are available from the Public Works Department. All work within City right-of-way must be consolidated on the site or utility plans. Plans of the work, traffic control plans for work within the public roadway, insurance certificate and endorsement, and permit fees are required with the Excavation Permit Application.
96. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, gate valves, and utility mains are to be shown on the plans. Sewer laterals, water services, and fire services shall have a minimum 5' horizontal separation from each other.
97. **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.
98. **TRAFFIC SIGNAL:** The off-site improvement plans must show and the development will be responsible for the following upgrades to the existing traffic signal at Moffett Boulevard and Leong Drive:
- a. New traffic signal pole at the project frontage as the existing one conflicts with the new site entrance. Due to

the configuration of the entrance, the new pole shall be placed in the median island or another alternative location. Although a pedestrian crossing is not required across the project entrance, the shown location of the pole prevents one from being constructed in the future.

- b. A new signal pole on the east side of Moffett Boulevard as the existing three light head is not appropriate for the operation of the new site entrance.
 - c. Any changes or replacement of the conduits, boxes, cabinets, and electronics required to accommodate new signal poles. The existing traffic signal facilities may not support the new signal improvements.
 - d. Pedestrian push buttons for the new crosswalk across Moffett Boulevard.
 - e. Any upgrades to the signal shall be designed that in the future the City of Mountain View can expand the signal to include signals at Leong Drive, pedestrian crossing at the project entrance, and bicycle lanes along Moffett Boulevard.
99. **UNDERGROUND SERVICES:** All new and existing electric, telephone, and cable television services serving the site are to be placed underground (including transformers). The undergrounding of the new and existing electric, telephone, and cable television services is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the site. (Aboveground transformers shall be located so they are screened or not visible from the street or to the general public as approved by the Community Development and Public Works Departments.)
100. **JOINT UTILITY PLANS:** Submit joint utility plans showing the location of the proposed electric, gas, telephone, and cable television conduits and vaults. These plans shall be combined and made a part of the improvement plans. Dedicate utility easements that are necessary for the common utility.

SIDEWALKS AND DRIVEWAYS

101. **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.
102. **DAMAGED SIDEWALK IMPROVEMENTS:** Portions of the curbs, gutters, sidewalks, and driveways on Moffett Boulevard are damaged and must be replaced as shown on the approved plans.
103. **PG&E DRIVEWAY:** The driveway to the PG&E facility must be relocated as to not encroach into the public right-of-way or impede a future ADA ramp. Coordinate with PG&E the type of curb required for access.

RECYCLING

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

STREET TREES

106. **STREET TREES:** Install standard City street trees where there are gaps in the spacing of the existing street trees.
107. **STREET TREE LOCATION:** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees are to be planted a minimum of 10' from sanitary sewer lines and 5' from water lines, fire lines, and driveways in accordance with Detail F-1 of the Standard Provisions. New street tree species must be selected from the City's official street tree list and as

approved by the City's Parks and Open Space Division per Proposed Street Tree Form (CD-51).

108. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

109. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
110. **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.

FLOOD ZONE

111. **A FLOOD ZONE:** The site is located within Special Flood Hazard Zone A, and the building and site designs must comply with the drainage and flood control requirements of the City Code. Applicant shall obtain a Flood Development Permit from the Public Works Department prior to issuance of the building or Foundation Permit. It is recommended that this permit be obtained before the design of the building plans in order to avoid potential redesign of the building.
112. **GRADING REQUIREMENTS:** For sites located within a special flood hazard zone, the grading or site plan must show the elevation of the finished pad, lowest floor, highest adjacent grade for Flood Zone AO, and base flood elevation for Flood Zone AE. All elevations must be referenced to a City elevation benchmark. The benchmark number, description, elevation, and datum year shall be noted on the grading plan.
113. **ELEVATION CERTIFICATE:** The following note shall be clearly shown on the first sheet of the building permit plans: "An elevation certificate shall be submitted to the Chief Building Official and Public Works Director prior to the issuance of a Certificate of Occupancy."
114. **FLOOD ZONE ELEVATION DATUM:** All base flood elevations on the FEMA Flood Insurance Rate maps are based on the North American Vertical Datum of 1988 (NAVD 88). Please note that the NAVD 88 is several feet higher than the NGVD 29 datum. The elevations required in the Flood Development Permit Application are to be based upon City elevation benchmarks using the NAVD 88 elevation datum. The City's 1998 elevation benchmark survey lists the NGVD 29 and NAVD 88 elevations of City benchmarks within the City. The 2010 benchmark survey is available at the counter of the Public Works Department.

MISCELLANEOUS

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

3. Sidewalk closure or narrowing is not allowed during any on-site construction activities.
116. **TRAFFIC CONTROL PLANS:** Submit a Traffic Control plan for any off-site and on-site improvements or any work that requires temporary lane closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, sidewalk detour should be shown on the Traffic Control plans.
117. **SOIL AND GROUNDWATER CONTAMINATION:** Permittee/Contractor is advised that the project is located in or in close proximity to an area of known soil and groundwater contamination, known as MEW—extended. Permittee/Contractor is responsible for working with the EPA, the lead regulatory agency, to obtain the appropriate clearances and/or recommendations for work in the contaminated area.
118. **HEALTH AND SAFETY MEASURES:** Work within soil and groundwater contamination area may expose workers to contaminants in the soil, groundwater, and associated vapors. 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.
119. **WELL QUESTIONNAIRE:** Complete a Santa Clara Valley Water District well questionnaire and return it to the Public Works Department. Well questionnaire forms are available from the Public Works Department. All existing wells shall be shown on the site plans as to remain or be sealed in accordance with the Santa Clara Valley Water District standards.
120. **CALTRANS PERMIT:** Apply for a Caltrans Encroachment Permit for all work within Caltrans' jurisdiction. Work within the State right-of-way must be in accordance with Caltrans requirements.
121. **STREET CLEANING:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development's construction activities. The street cleaning contractor is to have the capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director, or his/her designated representative."
122. **OCCUPANCY RELEASE:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "For 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."

Building Inspection Division – 650-903-6313

123. **BUILDING PERMITS:** A building permit is required for this project. This review by the Building Inspection Division is preliminary and only attempting to identify critical or significant code concerns. Building plan check review will be part of a separate permit application process that can be applied for once the Planning approvals have been obtained. Submit complete sets of construction drawings at the Building Counter. Please refer to the Building Inspection Division's current "Submittal Requirements" for document submittal requirements. No construction work can be commenced without an appropriate building permit and no new occupancy shall commence without a Certificate of Occupancy. Please contact the Building Inspection Division for submittal requirements at 650-903-6313.
124. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon submittal. Current codes are the 2013 California Codes: Building, Fire, Electrical, Mechanical, Plumbing, CALGreen, and Mountain View Green Building Code. Effective January 1, 2017, newly adopted 2016 codes will be in effect.

125. **COMMERCIAL TENANT IMPROVEMENTS:** The tenant improvements for the commercial spaces will be required to obtain a separate permit.
126. **AMMR DOCUMENTATION:** Submit application for Alternative Methods and Materials Request if project includes such design elements. Application and process can be obtained via the City of Mountain View – Building Inspection Division website.

Fire Department – 650-903-6343

FIRE PROTECTION SYSTEMS AND EQUIPMENT

127. **FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Three (3) sets of shop-quality drawings shall be submitted for review and approval. All work shall conform to NFPA 13 (2013 Edition), NFPA 72 (2013 Edition), and Mountain View Fire Department specifications. Call the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements. (Mountain View City Code, Sections 14.10.27, 14.10.28, and California Fire Code, Section 903.)
128. **STANDPIPE SYSTEM:** Provide a Class III standpipe system. (Mountain View City Code, Sections 14.10.29, 14.10.30, 14.10.31, and 14.10.32 and California Fire Code, Section 905.)
129. **FIRE PROTECTION DURING CONSTRUCTION:** Every building four (4) stories or more in height shall be provided with not less than one (1) standpipe for use during construction. Such standpipe(s) shall be installed when the progress of construction is not more than 40' in height above the lowest level of Fire Department access. Such standpipe(s) shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs, and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. In each floor, there shall be provided a 2.5" valve outlet for Fire Department use. (California Fire Code, Chapter 33.)
130. **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.
131. **ON-SITE WHARF HYDRANTS:** Provide ground-level wet standpipes (wharf hydrants). On-site wharf hydrants shall be so located as to reach any portion of combustible construction with 150' of hose. Installation shall be complete and the system shall be tested prior to combustible construction. The wharf hydrant shall be capable of providing a combination flow of 500 GPM with two 2.5" outlets flowing. Three (3) complete sets of shop-quality drawings shall be submitted for review and approval. (NFPA 24 (2013 Edition) and Mountain View Fire Department requirements.)
132. **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.)
133. **FIRE EXTINGUISHERS:** Install Class K fire extinguishers in the commercial cooking equipment areas. (California Code of Regulations, Title 19, Chapter 3, and California Fire Code, Section 904.11.5.)
134. **FIRE EXTINGUISHING SYSTEMS:** Submit three (3) sets of shop-quality drawings for the cooking appliance fire extinguishing system(s). Call the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements. (California Fire Code, Section 904.2.1.)

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

FIRE DEPARTMENT ACCESS

137. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions. (California Fire Code, Section 506.)
138. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions. (California Fire Code, Section 506.) Required at gate for parking garage.
139. **FIRE APPARATUS ACCESS ROADS:** Access roads shall have 13'6" unobstructed vertical clearance, 20' of unobstructed width (26' where building occupied floors exceed 30' height), and minimum turning radii of 21' (inside turning radius). Unobstructed width shall mean a clear travelway, excluding parking width, and designed for an emergency vehicle weight of 70,000 pounds. Unobstructed width shall not include the width of rolled curbs, sidewalks, or nondrivable surfaces. (California Fire Code, Section 503, and Mountain View City Code, Sections 14.10.17, 14.10.18.)
140. **FIRE APPARATUS TURNAROUNDS:** Dead-end fire apparatus access roads in excess of 150' in length shall be provided with approved provisions for the turning around of apparatus. "Approved provisions" shall mean that turnarounds, in accordance with Mountain View Fire Department specifications, are provided in locations such that fire apparatus shall never be more than 150' away from the closest turnaround. Call the Building Inspection Division at 650-903-6313 for specifications. (California Fire Code, Section 503.)
141. **FIRE LANE MARKING:** "NO PARKING – FIRE LANE" signs shall be posted along fire lanes and curbs shall be painted red with the words: NO PARKING – FIRE LANE stenciled in white on the top and side of the curb. Call the Building Inspection Division at 650-903-6313 for specifications and application. (California Fire Code, Section 503.)
142. **ALL-WEATHER FIRE APPARATUS ACCESS ROADS:** Prior to combustible construction, an all-weather access road capable of supporting emergency vehicles (70,000 pounds) shall be constructed to allow access within 150' of every portion of the project. Access roads shall have 13'6" overhead clearance, 20' of unobstructed width, and 21' inside turning radius. (California Fire Code, Section 503.)
143. **STRETCHER REQUIREMENTS:** In all structures four (4) or more stories in height, at least one elevator shall be provided with a minimum clear distance between walls or between walls and door, excluding return panels, of not less than 80"x54", and a minimum distance from wall to return panel of not less than 51" with a 42" side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 84"x24" in the horizontal position. (California Building Code, Section 3002.)

EGRESS AND FIRE SAFETY

144. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the Electrical Plans. (California Building Code, Section 1006.)
145. **EXIT SIGNS:** Exit signs shall be internally or externally illuminated and provided with battery backup per Uniform Building Code Chapter 10. Exit signs shall be posted above each required exit doorway and wherever otherwise required to clearly indicate the direction of egress. (California Building Code, Section 1011.)
146. **FLOOR-LEVEL EXIT SIGNS:** Floor-level exit signs shall be provided in all interior exit corridors of Group A, E, I, and Group R2.1 occupancies and in all interior rated exit corridors serving guest rooms of hotels in R1 occupancies. (California Building Code, Section 1011.)
147. **EXIT DOORS IN GROUPS A, E, H, AND I OCCUPANCIES:** Exit doors shall be provided with approved panic hardware. (California Building Code, Section 1008.1.10.)
148. **GROUP A OCCUPANCIES:** Buildings or portions of buildings used for assembly purposes shall conform to all requirements of Title 19 and the Uniform Building Code. This shall include, but is not limited to: (1) two exits; (2) fire-retardant drapes, hangings, Christmas trees, or other similar decorative material; and (3) posting of a maximum occupant load sign. (California Code of Regulations, Title 19, Sections 3.08, 3.21, and 3.30.)
149. **GROUP A, E, I, AND R-1 OCCUPANCIES:** Decorative Materials: All drapes, hangings, curtains, drops, and all other decorative material, including Christmas trees, shall be made from a noncombustible or fire-resistive material or maintained in a flame-retardant condition by means of an approved flame-retardant solution or process approved by the California State Fire Marshal. (California Code of Regulations, Title 19, Sections 3.08 and 3.21.)
150. **INTERIOR WALL AND CEILING FINISH:** Interior finishes shall have a flame-spread rating in accordance with the California Building Code, Chapter 8, and California Code of Regulations, Title 19, Section 3.21.
151. **POSTING OF ROOM CAPACITY:** Any room used for assembly purposes shall have the capacity of the room posted in a conspicuous place near the main exit from the room. (California Building Code, Section 1004.3.)
152. **UPHOLSTERED SEATING FURNITURE:** All upholstered seating furniture intended for use in nursing homes, board and care facilities, convalescent homes, child day-care centers, public auditoriums, and stadiums and public assembly areas in hotels, motels, and lodging houses shall conform to State of California Department of Consumer Affairs, Bureau of Home Furnishings, Technical Bulletin 133. (California Business and Professions Code.)
153. **ON-SITE DRAWINGS:** Submit two (2) 8.5"x11" plot plan drawings according to Fire Department specifications prior to final Certificate of Occupancy.
154. **EMERGENCY PROCEDURE MAPS:** 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.)

155. **EMERGENCY PROCEDURE MAPS:** In hotels, motels, and lodging houses, every guest room available for rental shall have clearly visible emergency procedures information printed on a floor plan representative of the floor level and posted on the interior of each entrance door or immediately adjacent to such door. The bottom of the information shall not be located more than 4' above the floor level. 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.)
156. **STAIRWAY IDENTIFICATION SIGNS:** In buildings four (4) or more stories in height, approved stairway identification signs shall be located at each floor level in all enclosed stairways. The sign shall identify the stairway and indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located 5' above the floor landing in a position which is readily visible when the door is in the open or closed position. (California Building Code, Section 1022.9.)

HAZARDOUS CONDITIONS

157. **STATIONARY LEAD-ACID BATTERY SYSTEMS:** Stationary lead-acid battery systems shall comply with the California Fire Code, Section 608 and Mountain View City Code, Section 14.10.24.

EXTERIOR IMPROVEMENTS

158. **REFUSE AREAS:** Refuse areas within 5' of combustible construction or building openings shall be protected with automatic fire sprinklers. A maximum of two (2) sprinkler heads are permitted off a 1" domestic water service. Approved accessible shutoff valves shall be provided. Call the Building Inspection Division at 650-903-6313 for specifications. (California Fire Code, Section 304.3.)
159. **PREMISES IDENTIFICATION:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of 6" in height. (Mountain View City Code, Section 14.10.20.)

OTHER

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

[Fire and Environmental Protection Division](http://www.fireandenvironmentalprotectiondivision.com)—650-903-6378

URBAN RUNOFF

For more information, guidelines, design criteria, or materials about urban runoff conditions, contact the Fire and Environmental Protection Division of the Fire Department at 650-903-6378. "Stormwater Quality Guidelines for Development Projects" can also be accessed at the following link to the Fire Department website: <http://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=13392>

161. **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.
162. **STATE OF CALIFORNIA CONSTRUCTION GENERAL STORMWATER PERMIT:** A "Notice of Intent" (NOI) and "Stormwater Pollution Prevention Plan" (SWPPP) shall be prepared for construction projects disturbing one

(1) acre or more of land. Proof of coverage under the State General Construction Activity Stormwater Permit shall be attached to the building plans.

163. **CONSTRUCTION SEDIMENT AND EROSION CONTROL PLAN:** The applicant shall submit a written plan acceptable to the City which shows controls that will be used at the site to minimize sediment runoff and erosion during storm events. The plan should include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan should also include routine street sweeping and storm drain catch basin cleaning.
164. **SWIMMING POOLS, SPAS, AND FOUNTAINS:** Swimming pools, spas, and fountains shall be installed with a sanitary sewer cleanout in a readily accessible nearby area to allow for draining.
165. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10 percent; (b) using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) installing plants with low water requirements; and (d) installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices will be used in the building plan submittal.
166. **EFFICIENT IRRIGATION:** Common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) employing multi-programmable irrigation controllers; (c) employing rain shutoff devices to prevent irrigation after significant precipitation; (d) use of drip irrigations for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.
167. **PRIVATE STREET MAINTENANCE:** For residential projects with private streets, the following ongoing maintenance shall be provided: (a) private streets shall be swept at least four times per year; (b) private storm drain inlets shall be cleaned at least once per year prior to October 15; and (c) common area trash management and litter control. Attach a copy of the contract or maintenance agreement identifying the name, address, and phone number of the party carrying out these maintenance activities.
168. **PRIVATE STORM DRAIN INLET STENCILING:** For residential subdivisions with private streets, storm drain inlets shall be labeled in accordance with the City's storm drain inlet label program ("No Dumping, Flows to Bay").
169. **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.
170. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.
171. **STORMWATER TREATMENT (C.3):** This project will create or replace more than ten thousand (10,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." The City's guidelines also describe the requirement to select Low-Impact Development (LID) types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility

and Special Projects exemptions from the LID requirement.

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

172. **STORMWATER MANAGEMENT PLAN—THIRD-PARTY ENGINEER’S CERTIFICATION:** The Final Stormwater Management Plan must be certified by a qualified third-party engineer that the proposed stormwater treatment controls comply with the City’s Guidelines and Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP). A list of qualified engineers is available at the following link: http://www.scvurppp-w2k.com/consultants_list.shtml

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

SW/3/CDD
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