

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2016

A RESOLUTION CONDITIONALLY APPROVING A VESTING TENTATIVE MAP  
TO CREATE 24 CONDOMINIUM LOTS AND 1 COMMON LOT  
ON A 0.65-ACRE SITE AT 2645 AND 2655 FAYETTE DRIVE

WHEREAS, an application was received from Kevin DeNardi on behalf of The DeNardi Group for a Vesting Tentative Subdivision Map to create 24 condominium lots and one common lot at 2645 and 2655 Fayette Drive (Application No. 031-15-TM); and

WHEREAS, on April 27, 2016, at a duly noticed public hearing, the Subdivision Committee considered this request and recommended the vesting tentative map be approved subject to the attached conditions of approval (Exhibit A); and

WHEREAS, on June 7, 2016, the City Council held a public hearing on said request and received and considered all evidence presented at said hearing, including the attached conditions of approval;

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

1. The project conforms with the California Environmental Quality Act (CEQA) because the project is categorically exempt pursuant to Section 15332 ("Infill Development") of the CEQA Guidelines.

2. That pursuant to Section 66473.5 and Subsections (a) and (b) of Section 66474 of the Government Code, and Section 28.8 of the Mountain View City Code, the City Council hereby finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan Land Use Designation of High-Density Residential (36 to 80 dwelling units per acre), including all required elements therein applicable to said property. In addition, the tentative map meets all the requirements for Vesting Tentative Maps as specified in Sections 28.14 through 28.18 and Sections 28.121 through 28.126 of the Mountain View City Code.

3. That the Vesting Tentative Map for 2645 and 2655 Fayette Drive is hereby approved subject to the subdivider's compliance with all of those conditions of approval as required by the Subdivision Committee and attached hereto as Exhibit A and incorporated herein by reference.

TIME FOR JUDICIAL REVIEW

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

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

Exhibits:   A.    Subdivision Conditions  
              B.    Vesting Tentative Map

SUBDIVISION CONDITIONS  
APPLICATION NO.: 031-15-TM  
2645 AND 2655 FAYETTE DRIVE

1. **MAP SUBMITTAL:** File a final map for approval and recordation in accordance with the City Code and the California Subdivision Map Act prior to the issuance of any building permit for the property within the subdivision. All existing and proposed easements are to be shown on the map. Submit two black-line copies of the map to the Public Works Department for review together with all items on the Map Checklist concurrent with the Off-Site Improvement Plans.
2. **MAP DOCUMENTS:** Submit a subdivision guarantee, County Tax Collector's letter regarding unpaid taxes or assessments, and subdivision security if there are unpaid taxes or special assessments prior to the approval and recordation of the map.
3. **SOILS REPORT:** Soils and geotechnical reports prepared for the subdivision shall be indicated on the final map. Submit a copy of the report with the final map.
  - a. As required by the State Seismic Hazards Mapping Act, a project site-specific geotechnical investigation shall be conducted by a registered soils/geologist identifying any seismic hazards and recommending mitigation measures to be taken by the project. The applicant, through its registered soils engineer/geologist, shall certify the project complies with the requirements of the State Seismic Hazards Mapping Act. Indicate the location (page number) within the geotechnical report of where this certification is located or provide a separate letter stating such.
4. **FINAL MAP APPROVAL:** The final map shall be signed and notarized by the owner and engineer/surveyor and submitted to the Public Works Department with an 8.5"x11" reduction of the map. In order to place the approval of the final map on the agenda for the City Council, all related materials and agreements must be completed, signed, and received by the Public Works Department 40 calendar days prior to the Council meeting. After City Council approval, the City will sign the map and provide a Xerox Mylar copy. The applicant's title company shall have the County Recorder's Office record the original and endorse the Xerox Mylar copy. The endorsed Xerox Mylar copy and PDF shall be returned to the Public Works Department within one week after recording the map.
5. **SUBDIVISION FEES:** Pay all subdivision fees due in accordance with the rates in effect at the time of payment prior to the approval of the final map.
6. **PARK LAND DEDICATION FEE:** Prior to issuance of any building permits and prior to approval of the final map as applicable, the applicant shall pay the Park Land Dedication Fee (approximately \$15,000 to \$30,000 per unit) for each new residential unit in accordance with Chapter 41 of the City Code prior to the issuance of the building permit. No credits against the Park Land Dedication Fee will be allowed for the private open space and recreational facilities. Provide the most current appraisal or escrow closing statement of the property with the following information to assist the City in determining the current market value of the land: (1) a brief description of the existing use of the property; (2) square footage of the lot; and (3) size and type of each building located on the property at the time the property was acquired.
7. **WATER AND SEWER CAPACITY CHARGES:** The water and sewer capacity charges for residential connections are based on the number and type of dwelling units. There are separate charges for different types of residential categories so that the capacity charges reasonably reflect the estimated demand of each type of connection. The water and sewer capacity charges for nonresidential connections are based on the water meter size, and the building area and building use, respectively. Credit is given for the demand of the improvements that previously existed on the site. Fees need to be paid per the Public Works Fee Schedule prior to Public Works approving the

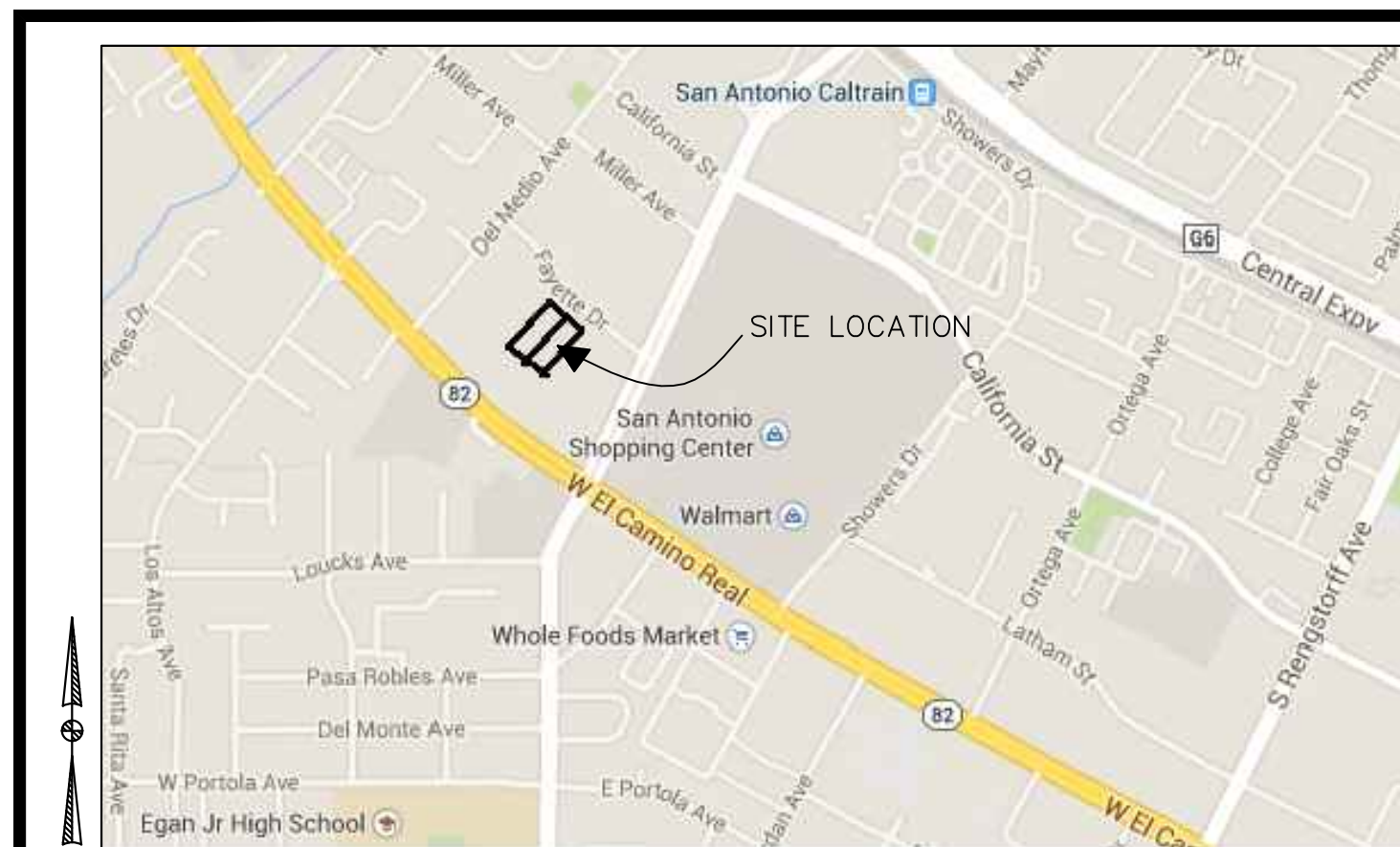
final map.

8. **STREET DEDICATION:** Dedicate a public street in fee or as required by the Public Works Director, on the face of the map to widen Fayette Drive, 30' from the centerline of the street.
9. **UTILITY EASEMENT AND APPROVALS:** Dedicate utility easements as required by the utility companies and as approved by the Public Works Director. All street and public service easement dedications are to be shown on the final map. The subdivider shall submit two copies of the map to PG&E, AT&T (SBC), and Comcast for their review and determination of easement needs. The public service easement dedications must be approved by the utility companies prior to the approval of the final map.
10. **STORM DRAIN EASEMENT:** The subdivider shall provide a private irrevocable storm drain easement.
11. **CC&Rs:** Covenants, Conditions, and Restrictions (CC&Rs) for the homeowners association, together with a completed CC&R checklist, shall be submitted to and approved by the City Attorney's Office and the Community Development Department prior to approval and recordation of the map. The said covenants shall include and stipulate all of the standard provisions which are shown on the attached sheet. The checklist and proposed CC&Rs shall be annotated to show exactly where each of the standard provisions have been incorporated into the CC&R document.
12. **CC&Rs, GARBAGE PICKUP:** The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision stating that the homeowners are responsible for bringing their garbage cans, totes, and recycling containers to the curb along the public street on garbage collection days. An exhibit indicating the location of the bins on pick-up day shall be included. A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Public Works Department for review and approval.
13. **CC&Rs, PRIVATE UTILITY MAINTENANCE PLAN, AND SANITARY SEWER OVERFLOW PLAN:** The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision that the homeowners association prepare a private utility maintenance plan for on-site water, sanitary sewer, and storm drainage facilities. The maintenance plan shall include such elements as flushing of the sanitary sewer and storm lines, cleaning of storm drain inlets and grates, and inspection of the water system (including flushing and exercising of valves and blowoffs). The CC&Rs shall also include a provision that the homeowners association prepare a sanitary sewer overflow plan, which includes elements such as 24-hour contact information, response times, confinement, and methods to contain and remediate spills.
14. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the subdivision and as required by Chapters 27 and 28 of the Mountain View City Code. These improvements include curb, gutter, and sidewalk along Fayette Drive; street trees; sanitary sewer connection; storm drain connection; domestic and irrigation meters, backflow preventors and services and fire apparatus and service; and pavement restoration
  - a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the approval of the final map. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a letter of credit (150 percent) or cash security (100 percent) securing the installation and warranty of the off-site and on-site common improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available through the Internet at: [https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570\\_a-z.htm](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 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 final map. 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.
15. **OFF-SITE IMPROVEMENT PLANS:** Prepare public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, and the conditions of approval of the subdivision. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. A traffic control plan indicating the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. Improvement plans (10 sets), Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. The improvement 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, 1 Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the approval of the final map. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.
16. **INFRASTRUCTURE QUANTITIES:** Submit a completed construction cost estimate form indicating the quantities of the improvements with the submittal of the improvement plans. The construction cost estimate is used to estimate the cost of improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate is to be prepared by the civil engineer preparing the improvement plans and stamped and signed.
17. **UNDERGROUNDING OF OVERHEAD SERVICES:** All new and existing electric, telephone, and cable television services serving the subdivision are to be placed underground (including transformers). The undergrounding of the new and existing electric, telephone, and cable television services are to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the subdivision. (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.)
18. **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 with and made part of the improvement plans. Dedicate public utility easements that are necessary for the common utility on the final map.
19. **UNDERGROUNDING OF OVERHEAD LINES:** Underground existing overhead telephone, electric, and cable television facilities fronting the property along Fayette Drive, unless waived by the City Council after consideration of the recommendation of the Public Works Director due to unusual or impractical circumstances. The undergrounding work shall be constructed in conjunction with any applicable off-site improvements and completed prior to issuance of a Certificate of Occupancy for any new unit. All poles fronting the property are to be removed. Prior to approval of the final map, subdivider shall sign an underground utility agreement and provide a performance bond or other suitable guarantee securing performance of the work in the estimated amount of the cost of underground work until such time as prepaid or secured contracts are entered into by the subdivider with PG&E, AT&T (SBC), and Comcast that provides for all of the required underground work. If the undergrounding requirement is waived, subdivider shall fulfill whatever substitute conditions the City shall impose prior to final map approval.

20. **UTILITY PAYMENT AGREEMENT:** Prior to the approval of the final map, sign a utility payment agreement and post a security deposit made payable to the City as security if each unit or building does not have separate sewer connections and water meters in accordance with Section 35.38 of the City Code. The utility payment agreement shall include provisions to have the security transferred from the applicant to the homeowners association (but still made payable to the City) when the homeowners association is formed for the subdivision.
21. **UTILITY MAINTENANCE:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained.
22. **STORM DRAIN HOLD HARMLESS AGREEMENT:** Prior to the approval of the final map, sign a storm drain hold harmless agreement if there are any proposed on-site storm inlets with grates below the elevation of street curb to be connected to the City's storm drain system.
23. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** Prior to the approval of the final map, if the sanitary sewer connection(s) inside the structure(s) is/are less than 1' above the rim elevation of the upstream sanitary sewer manhole, the owner shall sign an agreement to hold the City harmless against sewer surcharges or blockages that result in on-site damage.
24. **SURFACE DRAINAGE RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the residential buildings from being flooded in the event the storm drainage system becomes blocked or obstructed.
25. **CONSISTENCY WITH OTHER APPROVALS:** This map shall be consistent with all requirements of the Design Review Permit, Application No. 518-14-DRP. All conditions of approval imposed under that application shall remain in full force and effect and shall be met prior to approval of the final map.
26. **APPROVAL EXPIRATION:** If the map is not completed within twenty-four (24) months from the date of this approval, this map shall expire.



LOCATION MAP  
NOT TO SCALE

**APPLICANT AND DEVELOPER:** CIVIL ENGINEER  
 THE DENARDI GROUP  
 349 FIRST STREET  
 LOS ALTOS, CA 94022  
 KEVIN DENARDI  
 408.439.8325  
 KEVINDENARDI@YAHOO.COM

**OWNER:**  
 OCTANE FAYETTE LLC  
 800 W EL CAMINO REAL  
 #180,  
 MOUNTAIN VIEW CA 94040

**BASIS OF BEARINGS:**  
 THE BEARING N 25°45'00" E OF THE CENTERLINE OF SAN ANTONIO RD., AS SHOWN UPON CERTAIN PARCEL MAP, RECORDED IN BOOK 613 OF MAPS, AT PAGES 9 & 10, WAS TAKEN AS BASIS OF BEARINGS FOR ALL BEARINGS SHOWN HEREON.

**REFERENCED ASSUMED BENCHMARK:**  
 REFERENCED CITY OF MOUNTAIN VIEW B.M.: BM IV-11 EL: 49.767' (NAVD 88)

## VESTING TENTATIVE MAP

One Lot Subdivision  
**FOR CONDOMINIUM PURPOSES**  
 CONSISTING OF ONE (1) SHEET  
 2645 And 2655 Fayette Drive  
 MOUNTAIN VIEW, CA 94043  
 Apr: 148-16-008 And -009

BEING A RESUBDIVISION OF PORTIONS OF TRACT 1 AND 2, PART OF THE 5.678 ACRE TRACT OF LAND FIRSTLY DESCRIBED IN THE DEED TO MELVIN O. ANDERSON, RECORDED DECEMBER 31, 1920, BOOK 524 OF DEEDS, PAGE 571, BEING A PART OF RANCHO RINCON DE SAN FRANCISCO, AND MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 22739046 & 22739039, SANTA CLARA COUNTY OFFICIAL RECORDS,

LYING ENTIRELY WITHIN THE  
 CITY OF MOUNTAIN VIEW  
 COUNTY OF SANTA CLARA, STATE OF CALIFORNIA  
**JULY 2015**  
**SMP ENGINEERS**  
 1534 CAROB LANE  
 LOS ALTOS, CA 94024

### GENERAL INFORMATION

- EXISTING APN: 148-16-008 And -009
- EXISTING USE: RESIDENTIAL and COMMERCIAL
- PROPOSED USE: RESIDENTIAL
- EXISTING BUILDINGS: ALL EX. BUILDINGS ARE TO BE REMOVED.
- EXISTING USE OF ADJACENT PROPERTIES: RESIDENTIAL
- WATER: CITY OF MOUNTAIN VIEW
- FIRE PROTECTION: CITY OF MOUNTAIN VIEW FIRE DEPARTMENT
- SANITARY SEWER: CITY OF MOUNTAIN VIEW
- POWER AND GAS: PACIFIC GAS AND ELECTRIC
- TELEPHONE: AT&T

### EXISTING LOT AREA TABLE

LOT	(SQFT)	(ACRES)
APN 148-16-008	13,826	0.32
APN 148-16-009	15,164	0.35
TOTAL	28,990	0.67

### PROPOSED LOT AREA TABLE

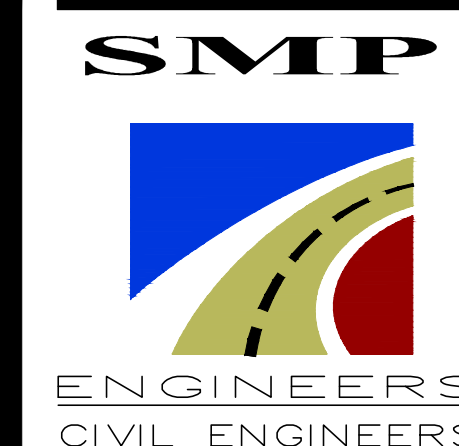
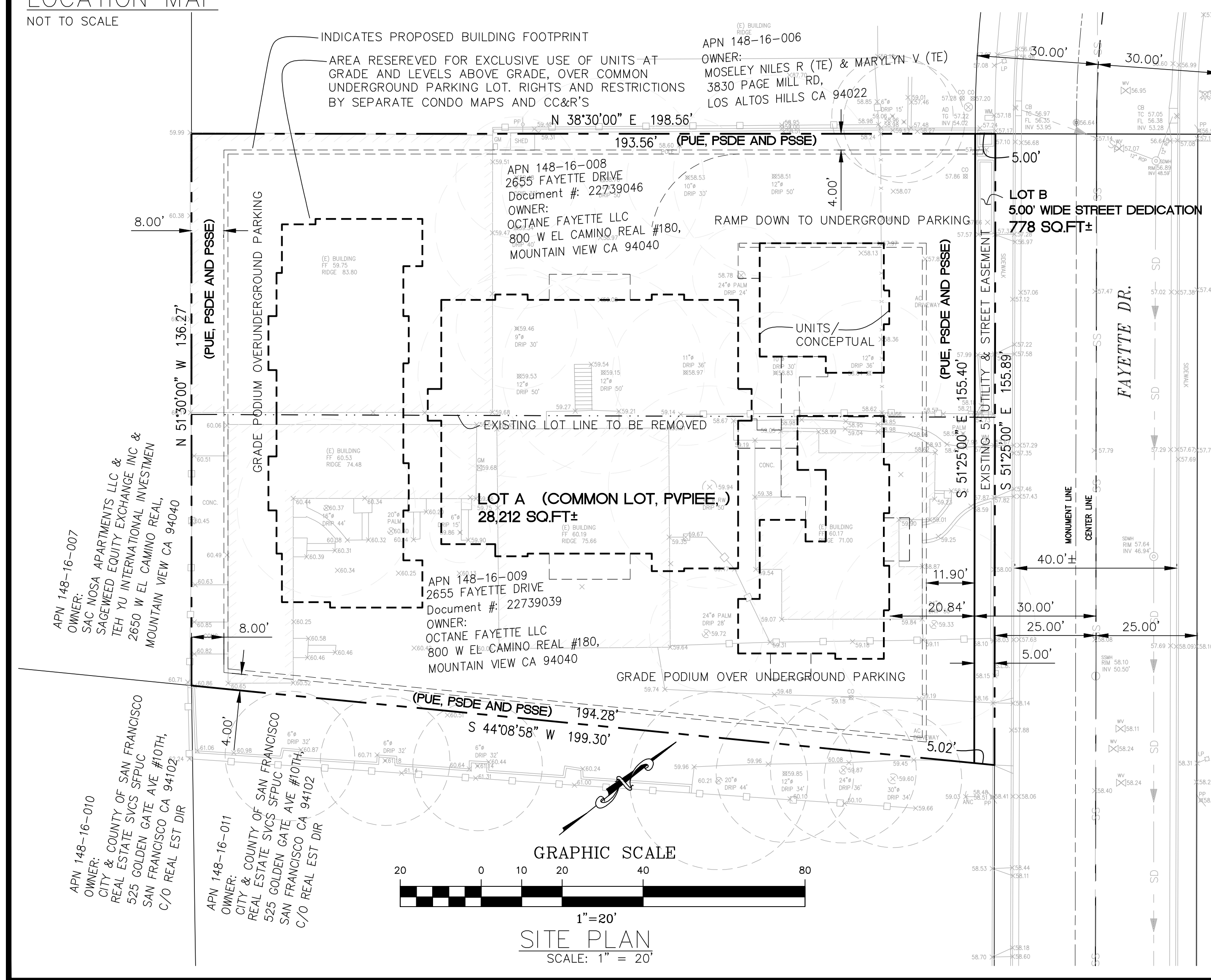
LOT	(SQFT)	(ACRES)
LOT A (COMMON LOT)	28,212	0.65
LOT B (STREET DEDICATION)	778	0.02
SUBDIVISION BOUNDARY	28,990	0.67

### LEGEND AND ABBREVIATIONS

---	DISTINCTIVE BORDER LINE
---	NEW LOT LINE
---	STREET CENTER LINE
---	STREET MONUMENT LINE
---	EXISTING EASEMENT LINE
---	PROPOSED UNITS LINES, COCEPTUAL
---	PROPOSED BUILDING FOOTPRINT/ PROPOSED EASEMENT LINE
---	OTHER LOTS PROPERTY LINE
PSDE	PRIVATE STORM DRAINAGE EASEMENT
PSSE	PRIVATE SANITARY SEWER EASEMENT
PUE	PUBLIC UTILITY EASEMENT
PVPIEE	PRIVATE VEHICLE AND PEDESTRIAN INGRESS AND EGRESS EASEMENT

### PRIVATE UTILITIES MAINTENANCE NOTE:

ALL PRIVATE UTILITIES (SANITARY SEWER, WATER AND STORM DRAINAGE SYSTEMS) ARE TO BE MAINTAINED BY HOME OWNER ASSOCIATION (HOA).



1534 CAROB LANE  
 LOS ALTOS, CA 94024  
 TEL: (650) 941-8055  
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OWNER:  
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 MOUNTAIN VIEW CA 94040

**VESTING TENTATIVE MAP**  
 One Lot Subdivision  
**FOR CONDOMINIUM PURPOSES**  
 Apr: 148-16-008 And -009  
 2645 And 2655 Fayette Dr., Mountain View, CA  
**Fayette Drive Condominiums**



Date: 214100  
 Scale: 1"=20'  
 Prepared by: V.G.  
 Checked by: S.R.  
 Job #: 214100

Sheet: **1 OF 1**  
**TM-1**