

## **AGENDA**

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REGULAR MEETING – TUESDAY, NOVEMBER 1, 2022  
VIRTUAL MEETING WITH NO PHYSICAL MEETING LOCATION  
10:00 A.M.

During this declared state of emergency, the meeting will be conducted in accordance with California Government Code § 54953(e) as authorized by resolution. Please contact [city.clerk@mountainview.gov](mailto:city.clerk@mountainview.gov) to obtain a copy of the applicable resolution. All members of the Downtown Committee will participate in the meeting by video conference, with no physical meeting location. Members of the public wishing to observe the live meeting may do so at <https://mountainview.gov/meeting> or <https://mountainview.legistar.com>.

Members of the public wishing to comment on an item on the agenda may do so in the following ways:

1. Email comments to [john.lang@mountainview.gov](mailto:john.lang@mountainview.gov) by 5:00 p.m. on Monday, October 31, 2022. Emails will be received directly by the Downtown Committee. Please identify the Agenda Item number in the subject line of your email.
2. Provide oral public comments during the meeting:
  - Online: You may join the meeting via Zoom Webinar at <https://mountainview.gov/meeting> and entering Webinar ID: 814 5465 0745. You may be asked to enter an email address and a name. Your email address will not be disclosed to the public.

When the Chair announces the item on which you wish to speak, click the “raise hand” feature in Zoom. Speakers will be notified of their turn shortly before they are called on to speak.

- By phone: Dial: 669-900-9128 and enter Webinar ID: 814 5465 0745. When the Chair announces the item on which you wish to speak, dial \*9. Phone participants will be called on by the last two digits of their phone number. When the Chair calls your name to provide public comment, if you are participating via phone, please press \*6 to unmute yourself.

For instructions on using the “raise hand” feature in Zoom, visit [https://mountainview.gov/raise\\_hand](https://mountainview.gov/raise_hand). When called to speak, please limit your comments to the time allotted (up to three minutes, at the discretion of the Chair).

1. **CALL TO ORDER**

2. **ROLL CALL**—Committee members Erik Cormier, Raghav Gupta, Marina Keith, Maria Lange, David Lin, Kira Pascoe, Jamil Shaikh, Merry Yen, Vice Chair Pamela Baird, and Chair Mike Kasperzak.

3. **MINUTES APPROVAL**

Minutes for the October 4, 2022 meeting have been delivered to Committee members and copies posted on the City Hall bulletin board. If there are no corrections or additions, a motion is in order to approve these minutes.

4. **UPCOMING AGENDA TOPICS**

This portion of the agenda is reserved for identification of agenda items for future meetings.

- Busking and music in downtown
- General maintenance and cleanliness of downtown
- Castro Bikeway Feasibility Study (February 2023)

5. **ORAL COMMUNICATIONS FROM THE PUBLIC**

This portion of the meeting is reserved for persons wishing to address the Committee on any matter not on the agenda. Speakers are limited to three minutes. State law prohibits the Committee from acting on nonagenda items.

6. **UNFINISHED BUSINESS**

6.1 **DOWNTOWN DEVELOPMENT UPDATES**

Planning staff will provide updates on downtown development projects.

6.2 **CASTRO STREET UPDATE**

Staff will provide a verbal update on current efforts and activities related to Castro Street.

**6.3 AB 361 RESOLUTION TO CONTINUE REMOTE PUBLIC MEETINGS DURING STATE OF EMERGENCY**

Adopt a Resolution of the Downtown Committee of the City of Mountain View Authorizing and Continuing Virtual Meetings of the Downtown Committee Pursuant to AB 361 and Making Required Findings, to be read in title only, further reading waived (Attachment 1 to the Committee memorandum).

**6.4 2022 CITY-SPONSORED EVENTS**

Community Services Department staff will provide a verbal update regarding the 2022 Summer Concerts on the Plaza series as well as upcoming events and activities occurring in Mountain View.

**7. NEW BUSINESS**

**7.1 PUBLIC SAFETY IN DOWNTOWN**

The Police Department will provide an update on activity occurring in the downtown.

**7.2 2023 DOWNTOWN COMMITTEE MEETING SCHEDULE**

As required by City Council Policy K-2, the Committee will discuss and adopt a schedule of meetings for the 2023 calendar year.

The following is the proposed schedule: First Tuesday of the following months at 10:00 a.m. February 7, March 7, April 4, May 2, June 6, September 5, October 3, November 7, and December 5. No meetings are proposed on January 3, July 4, and August 1.

**8. COMMITTEE/STAFF COMMENTS, QUESTIONS, COMMITTEE REPORTS**

No action will be taken on any questions raised by the Committee at this time.

**9. ADJOURNMENT**

JL/1/CDD

~~819-11-01-22A~~

### **AGENDAS FOR BOARDS, COMMISSIONS, AND COMMITTEES**

- The specific location of each meeting is noted on the notice and agenda for each meeting which is posted at least 72 hours in advance of the meeting. Special meetings may be called as necessary by the Committee Chair and noticed at least 24 hours in advance of the meeting.
- Questions and comments regarding the agenda may be directed to the Economic Development Division at 650-903-6535.
- Interested persons may review the agenda and staff reports at the Mountain View Library (585 Franklin Street) beginning the Monday evening before each Regular Meeting and at the Community Development Department, 500 Castro Street, First Floor, beginning the Monday morning before each meeting. Staff reports are also available during each meeting.
- **SPECIAL NOTICE—Reference: Americans with Disabilities Act, 1990**  
Anyone who is planning to attend a meeting who is visually or hearing-impaired or has any disability that needs special assistance should call the Community Development Department at 650-903-6379 48 hours in advance of the meeting to arrange for assistance. Upon request by a person with a disability, agendas and writings distributed during the meeting that are public records will be made available in the appropriate alternative format.
- The Board, Commission, or Committee may take action on any matter noticed herein in any manner deemed appropriate by the Board, Commission, or Committee. Their consideration of the matters noticed herein is not limited by the recommendations indicated herein.
- **SPECIAL NOTICE**—Any writings or documents provided to a majority of the Downtown Committee regarding any item on this agenda will be made available for public inspection in the Community Development Department, located at 500 Castro Street, during normal business hours and at the meeting location noted on the agenda during the meeting.

### **ADDRESSING THE BOARD, COMMISSION, OR COMMITTEE**

- Interested persons are entitled to speak on any item on the agenda and should make their interest known to the Chair.
- Anyone wishing to address the Board, Commission, or Committee on a nonagenda item may do so during the “Oral Communications” part of the agenda. Speakers are allowed to speak one time on any number of topics for up to three minutes.

## **MINUTES**

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REGULAR MEETING – TUESDAY, OCTOBER 4, 2022  
VIRTUAL MEETING WITH NO PHYSICAL MEETING LOCATION  
10:00 A.M.

**1. CALL TO ORDER**

The meeting was called to order at 10:02 a.m. by Chair Mike Kasperzak.

**2. ROLL CALL**

**Present:** Committee members Erik Cormier (joined 10:03 a.m.), Maria Lange, David Lin, Kira Pascoe, Jamil Shaikh, Merry Yen (joined 10:05 a.m.), Vice Chair Pamela Baird, and Chair Mike Kasperzak.

**Absent:** Raghav Gupta (unexcused) and Marina Keith (unexcused).

**Staff Present:** John Lang, Economic Vitality Manager; Krisha Penollar, Associate Planner; and Edgar Maravilla, Senior Planner.

**3. MINUTES APPROVAL**

The minutes of the August 9, 2022 and September 6, 2022 meetings were distributed prior to the meeting and approved as distributed.

**Motion—M/S** Lange/Shaikh—Carried 8-0-2; Gupta, Keith absent—To approve the minutes of the August 9, 2022 and September 6, 2022 meetings.

**4. UPCOMING AGENDA TOPICS**

- Busking and music in downtown.
- Policing in downtown
- Approve 2023 Committee meeting schedule
- General maintenance and cleanliness of downtown

- Update on the Ambassador program
- Events and activations in downtown

5. **ORAL COMMUNICATIONS FROM THE PUBLIC**—None.

6. **UNFINISHED BUSINESS**

6.1 **DOWNTOWN DEVELOPMENT UPDATE**

Planning Division staff provided an update on downtown development projects.

Public Comment: None.

No action taken.

6.2 **CASTRO STREET UPDATE**

Economic Development staff provided the following updates related to downtown:

- The public hearing for the Pedestrian Mall will occur on October 11, 2022, with tentative adoption scheduled for October 25, 2022.
- The annual renewal of the Business Improvement Areas for downtown will occur on October 11, 2022.
- The Castro Street crosshatch lighting is near finalization. City staff is exploring alternatives to provide lighting along the street where the tree canopy was not able to support the initial crosshatch lighting. This primarily occurs midblock near the alleyways.
- City staff is working with businesses to declutter fixtures and broken street furniture that has accumulated on Castro Street.

Committee staff inquired about long-term tree canopy maintenance and how that can support or hinder businesses.

Public Comment: None.

No action taken.

**6.3 AB 361 RESOLUTION TO CONTINUE REMOTE PUBLIC MEETINGS DURING STATE OF EMERGENCY**

Staff provided a brief overview of Assembly Bill (AB) 361.

Public Comment: None.

**Motion**—M/S Yen/Kasperzak—Carried 8-0-2; Gupta, Keith absent—To adopt a Resolution of the Downtown Committee of the City of Mountain View Authorizing and Continuing Virtual Meetings of the Downtown Committee Pursuant to AB 361 and Making Required Findings, to be read in title only, further reading waived.

**7. NEW BUSINESS**

**7.1 PERSONAL DELIVERY DEVICE UPDATE**

Staff provided a brief presentation on proposed changes for the Personal Delivery Device update.

Committee feedback included the need to formalize the program instead of leaving it as a pilot. Making it a formalized program helps communicate clarity in the program.

Public Comment: None.

No action taken.

**7.2 UPDATE ON DOWNTOWN COMMITTEE VACANCIES**

Staff highlighted the upcoming vacancies and reappointment process for the Downtown Committee.

**8. COMMITTEE/STAFF COMMENTS, QUESTIONS, COMMITTEE REPORTS**

The Mountain View Historical Society will be hosting a downtown Walking Tour on Sunday, October 23, 2022, at 2:00 p.m.

The Downtown Business Association will be hosting a meet and greet with downtown residents on Wednesday, November 2, 2022.

9. **ADJOURNMENT**

The meeting adjourned at 11:07 a.m.

These Minutes are hereby submitted for approval by John Lang, Recording Secretary.

Approved on \_\_\_\_\_.

JL/1/CDD  
~~819-10-04-22mn~~



**DATE:** November 1, 2022

**TO:** Downtown Committee

**FROM:** Edgar Maravilla, Senior Planner

**SUBJECT:** **November 2022 Downtown Development Update**

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**NEW CONSTRUCTION—RESIDENTIAL**

1. **231-235 Hope Street (Maston Architects):** Three stories, nine units.

**Applicant:** Maston Architects

- The City Council approved the project on June 16, 2015. The project entitlement expired.
- New application for the same project was filed in June 2019.
- The City Council approved the project on December 10, 2019.
- Under construction.

**NEW CONSTRUCTION—MIXED-USE**

2. **Hope Street Lots:** Four to five stories, 180 hotel rooms, 53,000 square foot office and commercial spaces.

**Applicant:** The Robert Green Company

- The City Council approved the project on November 27, 2018.
- Building permits under review.
- Approved by the Zoning Administrator for a one-year permit extension on October 27, 2021.

3. **676 West Dana Street (Maston Architects):** Four stories, two levels of underground parking, ground-floor retail and office spaces, and seven residential units on Floors 2 through 4.

**Applicant:** Maston Architects

- Approved by the City Council on December 8, 2020.

4. **Lot 12:** Five stories, ground-floor commercial space, and 120 affordable units.

**Applicant:** Related/Alta Housing

- Approved on April 25, 2022.

#### **NEW CONSTRUCTION—COMMERCIAL**

5. **701 West Evelyn Avenue:** Four stories, 28,090 square foot office space, and 6,841 square foot ground-floor commercial space (Subway Restaurant, Depot Garage, etc.).

**Applicant:** Tim McEnery, Marwood

- The City Council approved this project with underground parking accessed through the adjacent Lot 4 hotel development (see “Hope Street Lots” above) on November 18, 2019 but also expressed interest in alternative parking agreements with the developer, which may include more parking funding or construction of a parking garage on Lot 5.
- A formal application for the alternative parking agreement was submitted on March 9, 2022.

6. **756 California Street:** Three stories, 7,664 square foot office building with ground-floor medical office.

**Applicant:** 756 California LLC

- Under review.
- Approved by City Council on February 22, 2022. Building permit plans pending.

7. **747 Dana Street (Kenneth Rodrigues and Partners, Inc.):** Three-story, 8,552 square foot building with ground-floor retail space.

**Applicant:** Ken Rodrigues, Kenneth Rodrigues and Partners, Inc.

- Approved by City Council hearing on December 14, 2021. Building permit plans pending.

8. **590 Castro Street (The Sobrato Organization):** Four-story, 106,000 square foot office building with a public plaza (Wells Fargo).

**Applicant:** Tim Steele, The Sobrato Organization

- The project was continued at the April 12, 2022 City Council hearing and has been rescheduled to August 30, 2022.
- Approved by City Council hearing on August 30, 2022. Awaiting building permit plan submittal.

#### **FACADE IMPROVEMENTS AND NEW TENANTS**

- ~~9. **312 Castro Street:** Provisional Use Permit for Orange Theory.~~

~~**Applicant:** Terri Dickerhoff, CRG Development~~

- ~~• Approved by the Zoning Administrator on May 13, 2020.~~
- ~~• Under construction.~~

- ~~109. **298 Castro Street:** Provisional Use Permit for a new restaurant (Nick the Greek).~~

~~**Applicant:** Glenn Cunningham, Glenn Bull's Eye Cadd~~

- ~~• Approved by the Zoning Administrator on December 9, 2020.~~
- ~~• Building plans under review.~~

~~11. **954 Villa Street:** Provisional Use Permit to allow an office use to replace an existing restaurant use (Tied House).~~

~~— **Applicant:** Maston Architect~~

~~• Approved by the Zoning Administrator June 9, 2021.~~

~~• Temporary occupancy issues.~~

~~12. **682 Villa Street:** Provisional Use Permit to convert an existing multi-tenant commercial building with office and medical uses into a single-tenant administrative office building.~~

~~— **Applicant:** Lund Smith, Hope Villa LP~~

~~• Building plans under review.~~

~~13~~10. **105 Hope Street:** Provisional Use Permit to convert an existing multi-tenant commercial building with office and medical uses into a single-tenant administrative office building.

**Applicant:** Lund Smith, Hope Evelyn LP

• Building plans under review.

~~14~~11. **220 Castro Street:** New restaurant tenant (Ume).

**Applicant:** No information.

• Under construction.

~~15~~12. **975 West Dana Street:** New restaurant tenant (Cafe Terrace).

**Applicant:** No information.

• Building permit plans under review.

~~16~~13. **702 West Dana Street:** New restaurant tenant (Seasons Noodles and Dumplings Garden).

**Applicant:** No information.

• Under construction.

~~17~~14. **738 Villa Street:** Provisional Use Permit for a new café use (Café 86) to replace a vacant space.

**Applicant:** James Dimapasok

- Under review.

~~18~~15. **171 and 175 Castro Street:** Provisional Use Permit for a new café/restaurant use (Kitchen Story/U Dessert Story to replace a Locksmith Museum.

**Applicant:** Daniel Choi

- Planning permit under review.

~~19~~16. **110 Castro Street:** Planned Community Permit and Development Review Permit to construct facade modifications for a new restaurant (Vida!).

**Applicant:** Oswaldo Messia

- Under review.

17. **800 California Street:** New restaurant tenant (Limón).

**Applicant:** No information

- Under review.

18. **372 Castro Street:** Planned Community Permit and Development Review Permit to construct facade modifications at an existing office building.

**Applicant:** Andre Barbe

- Under review.

19. **702-738 Villa Street:** Planned Community Permit and Development Review Permit to construct facade modifications.

**Applicant:** Bonnie Djie

- Under review.

## **CITY PROJECTS**

20. **Downtown Precise Plan Update:** On December 3, 2019, the City Council approved the consultant scope of work for the Downtown Precise Plan Phase 1 update. The update is limited to three areas of the Precise Plan: Areas A, G, and H. At the June 8, 2021 City Council Study Session, staff was directed to focus on the following key elements:
- Disallow administrative and research and development office use on the ground floor of Area H fronting Castro Street and the side streets one block off Area H.
  - Update the standards and guidelines of Areas A, G, and H to be objective, purposeful, and ensure development respects the existing character of downtown.
  - Conduct an economic development feasibility analysis.
  - Final action public hearings expected ~~October~~ December 2022.
21. **Sidewalk Café License:** The City Council waived Sidewalk Café payments for Fiscal Year 2022-23.
22. **Downtown Parking Structure:** On August 24, 2021, the City Council directed staff to start studying a new parking structure on Lot 5 and to pursue additional developer partnerships to help fund the project.

EM/1/CDD

808-11-01-22M

**DATE:** November 1, 2022

**TO:** Downtown Committee

**FROM:** John Lang, Economic Vitality Manager

**SUBJECT:** **AB 361 Resolution to Continue Remote Public Meetings During State of Emergency**

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**RECOMMENDATION**

Adopt a Resolution of the Downtown Committee of the City of Mountain View Authorizing Virtual Meetings Pursuant to AB 361 and Making Required Findings, to be read in title only, further reading waived (Attachment 1 to the Committee memorandum).

**BACKGROUND**

In March 2020, Governor Gavin Newsom issued an Executive Order authorizing exemptions to the Brown Act's teleconferencing rules to facilitate remote public meetings during the declared State of Emergency due to the COVID-19 pandemic. Since March 17, 2020, the City Council and the City's boards, commissions, and committees have conducted their meetings entirely remotely, as authorized by the Executive Order.

Assembly Bill (AB) 361, which became effective on September 16, 2021, allows remote public meetings to continue (under the Brown Act teleconferencing rules exemption) during a state of emergency if State or local officials have imposed or recommended measures to promote social distancing *or* the legislative body has determined that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees.

Beginning September 28, 2021, the City Council has considered each month the existing circumstances of the COVID-19 pandemic and adopted a resolution pursuant to AB 361, making findings and determining that the City's public meetings may continue to be held remotely for 30 days following the adoption of the resolution. AB 361 requires that the legislative body consider the circumstances of the emergency and make the required findings every 30 days in order to continue to meet remotely under the Brown Act teleconferencing rules exemption.

**ANALYSIS**

Despite the relatively high rate of vaccination in Santa Clara County, the risk of community spread of COVID-19 remains persistent. At the beginning of the year, fueled by the rapid spread of the Omicron variant, the rate of infection reached pandemic highs. The infection rate has since declined in most parts of the State, including Santa Clara County. However, the Governor's declared State of Emergency remains in effect, as do public health orders and recommendations to promote social distancing to mitigate the spread of COVID-19.

These public health measures include the County Public Health Officer's recommendation issued in September 2021 that public bodies meet remotely to the extent possible, which remains in effect. The Public Health Officer based the recommendation on "the continued threat of COVID-19 to the community, the unique characteristics of public governmental meetings (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to fully participate in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings), and the continued increased safety protection that social distancing provides as one means by which to reduce the risk of COVID-19 transmission." As recognized by the County Public Health Department, COVID-19 continues to pose imminent risks to the health and safety of meeting attendees.

Adoption of the proposed resolution would allow the Downtown Committee to continue to meet remotely, without adhering to the regular teleconference rules, for 30 days. If the Downtown Committee does not adopt the proposed resolution, it will no longer be exempt from the physical public access, quorum, and public comment opportunity rules applied to teleconference meetings.

~~JL/1/CDD~~

~~819-11-01-22M~~

Attachment: 1. Resolution



CITY OF MOUNTAIN VIEW  
DOWNTOWN COMMITTEE  
RESOLUTION NO.  
SERIES 2022

A RESOLUTION OF THE DOWNTOWN COMMITTEE OF THE CITY OF MOUNTAIN VIEW  
AUTHORIZING VIRTUAL MEETINGS PURSUANT TO AB 361 AND MAKING REQUIRED FINDINGS

WHEREAS, on March 4, 2020, the Governor of the State of California declared a State of Emergency, as defined under the California Emergency Services Act, due to the COVID-19 pandemic; and

WHEREAS, the State of Emergency remains in effect; and

WHEREAS, beginning in March 2020, the Governor's Executive Order N-29-20 (later extended by Executive Order N-08-21) suspended Brown Act requirements related to teleconferencing during the COVID-19 pandemic provided that notice, accessibility, and other requirements were met and the public was allowed to observe and address the legislative body at the meeting; and

WHEREAS, on September 16, 2021, the Governor signed into law Assembly Bill (AB) 361, an urgency measure effective upon adoption, that allows government bodies to meet virtually without conforming to the Brown Act teleconferencing rules during a declared state of emergency if: (1) State or local officials have imposed or recommended measures to promote social distancing; (2) the legislative body is meeting to determine whether, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees; or (3) the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, on September 21, 2021, the Santa Clara County Public Health Officer issued a recommendation, which is still in effect, that public bodies meet remotely to the extent possible "due to the continued threat of COVID-19 to the community, the unique characteristics of public governmental meetings (such as the increased mixing associated with bringing together people from across the community, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to fully participate in public governmental meetings, and the challenges with fully ascertaining and ensuring compliance with vaccination and other safety recommendations at such meetings), and the continued increased safety protection that social distancing provides as one means by which to reduce the risk of COVID-19 transmission"; and

WHEREAS, COVID-19 remains a continuing threat to public health; and

WHEREAS, although the rate of infection and hospitalizations has declined since the winter peaks, the declared State of Emergency and public health recommendations promoting social distancing to mitigate the spread of COVID-19 remain in effect; and

WHEREAS, the State of Emergency has caused and will continue to cause imminent risks to the health or safety of persons attending meetings of City legislative bodies, and there is a need to continue to use teleconferencing for public meetings without requiring that all teleconferencing locations be posted on the agenda and accessible to the public; and

WHEREAS, the City Council and the City's boards, commissions, and committees have conducted their meetings virtually since March 17, 2020, first as authorized by Executive Order and subsequently by AB 361; and

WHEREAS, the Downtown Committee has determined that it will hold virtual meetings, with all members, staff, and the public participating remotely without a common physical location; and

WHEREAS, as required by AB 361, the Downtown Committee has considered the circumstances of the emergency in making the findings and determinations set forth in this resolution, now therefore, be it

RESOLVED: by the Downtown Committee of the City of Mountain View that;

1. The Downtown Committee adopts the recitals set forth above as findings of fact.
2. The Downtown Committee hereby finds that a state of emergency continues to exist relating to COVID-19, and the County Public Health Officer has recommended that legislative bodies continue to meet remotely to promote social distancing as a means to reduce the risk of COVID-19 transmission.
3. The Downtown Committee shall only meet remotely in accordance with AB 361, with Brown Act teleconferencing rules suspended.
4. This resolution shall be in effect for 30 days following its adoption.

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JL/1/CDD  
~~819-11-01-22dcr~~