

CITY OF MOUNTAIN VIEW
RESOLUTION NO. 18413
SERIES 2019

A RESOLUTION CONDITIONALLY APPROVING A VESTING TENTATIVE MAP
TO SUBDIVIDE A 0.39-ACRE SITE FOR SIX RESIDENTIAL CONDOMINIUM UNITS
AT 1958 LATHAM STREET

WHEREAS, an application was received from Jason Kim, LLC, for a Tentative Subdivision Map to create six residential lots and one common lot at 1958 Latham Street (Application No. PL-2019-146); and

WHEREAS, on November 13, 2019, at a duly noticed public hearing, the Subdivision Committee considered this request and recommended the Tentative Subdivision Map be approved subject to the attached conditions of approval; and

WHEREAS, on December 10, 2019, 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 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 Medium-High Density Residential (up to 36 dwelling units per acre) of the City, including all required elements therein applicable to said property.
3. That the Tentative Subdivision Map for 1958 Latham Street 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 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.

The foregoing Resolution was regularly introduced and adopted at a Regular Meeting of the City Council of the City of Mountain View, duly held on the 10th day of December 2019, by the following vote:

AYES: Councilmembers Clark, Hicks, Kamei, McAlister, Ramirez, Vice Mayor Abe-Koga, and Mayor Matichak

NOES: None

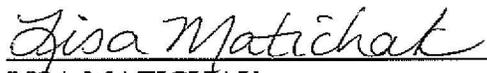
ABSENT: None

ATTEST:

APPROVED:



LISA NATUSCH
CITY CLERK



LISA MATICHAK
MAYOR

I do hereby certify that the foregoing Resolution was passed and adopted by the City Council of the City of Mountain View at a Regular Meeting held on the 10th day of December 2019, by the foregoing vote.



City Clerk
City of Mountain View

KP/2/RESO/828-12-10-19r

- Exhibits: A. Subdivision Conditions of Approval
B. Vesting Tentative Map

SUBDIVISION CONDITIONS

**APPLICATION NO.: PL-2019-146
1958 LATHAM STREET**

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:** Prior to the approval and recordation of the map, 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.
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 first submittal of 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. **MAP PLAN CHECK FEE:** Prior to issuance of any building permits and prior to approval of the final map, as applicable, the applicant shall pay the map plan check fee in accordance with Sections 28.27.b and 28.19.b of the City Code per the rates in effect at time of payment.

An initial map plan check fee based on the Public Works adopted fee schedule shall be paid at the time of initial map plan check submittal.

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

An initial plan check fee based on the Public Works adopted fee schedule shall be paid at the time of initial improvement plan check submittal based on the initial cost estimate for constructing street improvements and other public facilities; public and private utilities and structures located within the public right-of-way; and utility, grading, and driveway improvements for common green and townhouse-type condominiums.

Once the plans have been approved, the approved cost estimate will be used to determine the final bond amounts,

plan check fees, and inspection fees. Any paid initial plan check fee will be deducted from the approved final plan check fee.

8. **TRANSPORTATION IMPACT FEE:** Prior to issuance of any building permits and prior to approval of the final map, as applicable, the applicant shall pay the transportation impact fee for the development. Residential category fees are based on the number of units. Retail, Service, Office, R&D, and Industrial category fees are based on the square footage of the development. Credit is given for the existing site use(s), as applicable.
9. **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.
10. **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 \$20,000 to \$40,000 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.
11. **STORM DRAINAGE FEE:** Prior to issuance of any building permits and prior to approval of the final map, the applicant shall pay the off-site storm drainage fee per Section 28.51(b) and with the rates in effect at time of payment.
12. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a 5' wide public utility easement (PUE) along project street frontage(s) on the face of the map for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, communication, and cable television facilities, as required by the Public Works Director. The property owner or homeowners association shall maintain the surface improvements over the easement and must not modify or obstruct the easement area in a manner contrary to the intent of the easement. The dedication statement shall specify the PUE shall be kept free and clear of buildings and other permanent structures/facilities, including, but not limited to, the following:
 - Garages, sheds, carports, and storage structures;
 - Balconies and porches;
 - Retaining walls;
 - C.3 bioretention systems; and
 - Private utility lines running longitudinally within the PUE.
13. **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.

14. **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.
15. **CC&Rs, SPECIAL PAVEMENT MAINTENANCE:** The homeowners association shall be responsible for replacing any special pavers or textured/colored concrete that is removed by the City to repair, replace, or maintain any City underground utilities located within private streets, driveways, or easement areas. This requirement shall be stated in the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.
16. **CC&Rs, PARKING RESTRICTION:** Parking shall be prohibited within the common driveways, excluding approved guest parking, as the parking would obstruct the use of the driveway. These parking prohibitions shall be stated within the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department. The common driveway shall be signed and/or striped as "No Parking" or "No Parking—Fire Lane."
17. **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 elements such as, but not limited to, 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 HOA 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. A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.
18. **CC&Rs, GARBAGE PICKUP (INDIVIDUAL SERVICE):** The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision stating that the homeowners are responsible for bringing their garbage, recycling, and compost carts to the curb along Latham Street on garbage collection days. An exhibit indicating the location of the carts on pick-up day shall be included. A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.
19. **CC&Rs, CART PLACEMENT:** The residents/homeowners association shall be responsible for bringing the trash, recycling, and compost carts to Latham Street for placement with wheels against the curb by 6:00 a.m. on the collection day assigned by the City's waste hauler. Carts may be set out no earlier than the day before collection, and must be removed from the public street no later than the day after collection. Carts must be stored in the garages at all other times. An exhibit showing the set-out location shall be included in the CC&Rs. This requirement shall be stated in the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.
20. **CC&Rs, CART STORAGE:** Carts will be required to be stored inside garage that measures minimum 5'6" wide by 3' deep at all times with the exception of 24 hours prior to and 24 hours after designated collection day, when carts may be set out on Latham Street. This cart storage area must be shown on the initial building permit plans. This requirement shall be stated in the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department and other departments/divisions, as applicable.

21. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the subdivision and as required by Chapters 27 and 28 of the City Code. These improvements include, but are not limited to: abandonment of existing utility services; new domestic water, irrigation, storm, and sewer service connections; new curb, gutter, sidewalk, and driveway; new street trees; a streetlight; underground of existing overhead utilities; and half-street overlay improvements.
22. **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.
 - a. **BONDS/SECURITIES:** 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 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: 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.
 - b. **INSURANCE:** Provide a Certificate of Insurance, Commercial General Liability endorsement, and Automobile Liability endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the issuance of the building permit and the approval of the final map. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.
23. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, Submittal Checklist, Plan Review Checklist, and the conditions of approval of the project. The plans are to be drawn on 24"x 36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a California-registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. Traffic control plans for each phase of construction shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and shall show, at a minimum, work areas, delineators, signs, and other traffic control measures required for work that impacts traffic on existing streets. Locations of on-site parking for construction equipment and construction workers and on-site material storage areas must be submitted for review and approval. Off-site improvement plans (10 sets), an initial plan check fee and map plan check fee based on the Public Works fee schedule, Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 full-size and 2 half-size 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's Digital Data Submission Standards.
24. **INFRASTRUCTURE QUANTITIES:** Upon submittal of the initial building permit and improvement plans, submit a completed 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 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.
25. **UNDERGROUNDING OF OVERHEAD SERVICES:** All new and existing electric and telecommunication facilities serving the subdivision are to be placed underground (including transformers). The undergrounding of the new and existing overhead electric and telecommunication lines is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the subdivision. (If allowed by the City, aboveground

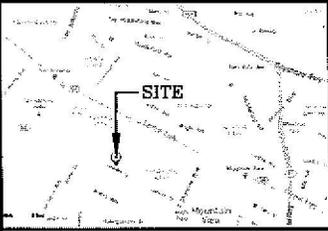
transformers shall be located so they are screened or not visible from the street or to the general public, as approved by the Community Development and Public Works Departments.)

26. **JOINT UTILITY PLANS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit joint utility plans showing the location of the proposed electric, gas, and telecommunication conduits and associated facilities, including, but not limited to, vaults, manholes, cabinets, pedestals, etc. These plans shall be combined with and made part of the improvement plans. Joint trench intent drawings will be accepted at first improvement plan submittal. All subsequent improvement plan submittals shall include joint trench design plans. Dedicate public utility easements that are necessary for the common utility on the final map.
27. **UNDERGROUNDING OF OVERHEAD LINES:** Underground existing overhead electric and telecommunication facilities fronting the property along Latham Street, 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 shall be removed. If the undergrounding requirement is waived, subdivider shall fulfill whatever substitute conditions the City shall impose prior to final map approval.
28. **UTILITY MAINTENANCE:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained.
29. **SURFACE WATER 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. Show and identify path of surface water release on the improvement plans.
30. **LOT DRAINAGE:** Each residential lot shall be designed to drain toward the streets, alleys, common driveways, or common areas. The drainage paths for the privately owned lots shall be designed such that the drainage paths do not cross the common property lines unless an exception is approved by the Public Works Department due to unavoidable circumstances (such as to provide drainage to an existing Heritage tree).
31. **SUBDIVISION AND DESIGN CRITERIA PROVISIONS:** It is the applicant's responsibility to comply with relevant provisions of Chapter 28 of the City Code and with the City's Design Criteria for Common Green Developments and Townhouse-Type Condominiums.
32. **CONSISTENCY WITH OTHER APPROVALS:** This map shall be consistent with all requirements of the Planned Unit Development Permit and Development Review Permit, Application No. PL-2019-144. 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.
33. **APPROVAL EXPIRATION:** If the map is not completed within twenty-four (24) months from the date of this approval, this map shall expire. The map is eligible for an extension of an additional twelve (12) months, provided the request for extension is filed by the applicant prior to the expiration of the original map. Upon filing a timely application for extension, the map shall automatically be extended for sixty (60) days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first.

VESTING TENTATIVE SUBDIVISION MAP

ONE- LOT SUBDIVISION FOR RESIDENTIAL CONDOMINIUM PURPOSES

1958 LATHAM STREET



VICINITY MAP

EARTHWORK QUANTITIES:

QUANTITIES (CUBIC YARDS)

OUT: 169 CY
 FILL: 152 CY (INCLUDES 15% SHRINKAGE)
 EXPORT: 7 CY
 IMPORT: 0 CY

NOTE: EARTHWORK QUANTITIES SHOWN ARE APPROXIMATE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO INDEPENDENTLY ESTIMATE QUANTITIES FOR HIS/HER OWN USE.

ABBREVIATION

PUE	PUBLIC UTILITY EASEMENT
BW	BACK OF WALK
C	CONCRETE
EX	EXISTING
FL	FLOW LINE
GB	GRADE BREAK
GR	GRATE
HP	HIGH POINT
INV	INVERT
P	PAVEMENT
TC	TOP OF CURB

SHEET INDEX

TM1	TITLE SHEET
TM2	GRADING AND DRAINAGE PLAN
TM2.1	GRADING AND DRAINAGE PLAN
TM2.2	GRADING AND DRAINAGE PLAN
TM3	UTILITY PLAN
TM3.1	UTILITY NOTES AND LEGEND
TM4	STORMWATER TREATMENT PLAN
TM4.1	STORMWATER TREATMENT TABLE
TM5	DETAILS
TM5.1	DETAILS AND SECTIONS

NOTES:

1. ALL UTILITIES IN THE SUBDIVISION ARE PRIVATELY OWNED AND MAINTAINED BY HOA.
2. ALL STREET TREES INSTALLED PER CITY STANDARD MAINTAINED BY HOA.
3. ALL STREETS WITHIN THE SUBDIVISION WILL BE PRIVATE STREETS AND MAINTAINED BY HOA.
4. STREET LIGHTS ON PRIVATE STREETS WILL BE MAINTAINED BY THE HOA.
5. ALL WALLS WITHIN WILL BE PRIVATE FACILITIES AND MAINTAINED BY THE HOA.

BENCHMARK:

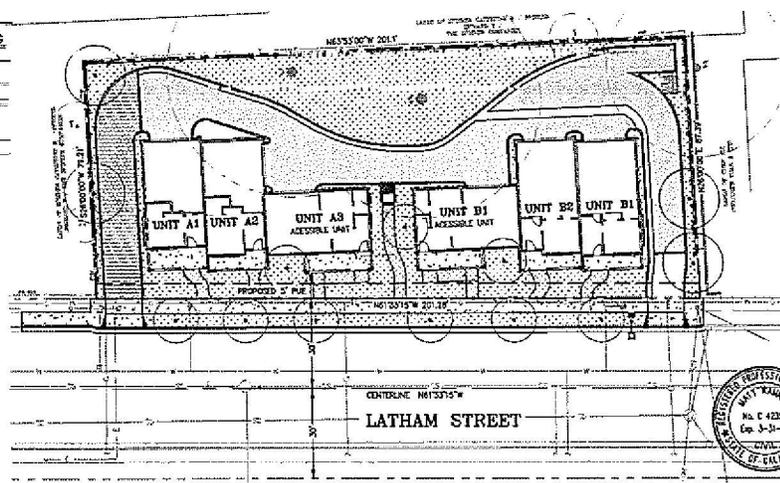
BRONZE DISK STAMPED "10-45" SET IN THE TOP OF CURB AT THE NORTH END OF THE NORTHWEST CORNER OF ESCUELA AVENUE AT EL CAMINO REAL. ELEVATION: 86.43 HAVIS288

GENERAL NOTES:

NAME:	RESIDENTIAL DEVELOPMENT 1958 LATHAM STREET MOUNTAIN VIEW, CA 94040
OWNER:	JASON KIM, LLC 1958 LATHAM STREET MOUNTAIN VIEW, CA 94040
ARCHITECTURAL:	T SQUARE CONSULTING GROUP, INC. 2050 CONCORSE DRIVE, SUITE 50 SAN JOSE, CA 95131
CIVIL ENGINEER:	UNDERWOOD & ROSENBLUM, INC. MATT KAMKAR, P.E. 1850 OAKLAND ROAD, SUITE A114 SAN JOSE, CA 95131 RCE 42333 EXPRES 3-31-20
ASSESSORS PARCEL NUMBER:	APN 154-21-017
BOOK AND PAGE:	BOOK 8 PAGE 32
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	RESIDENTIAL
EXISTING ZONING:	R3
PROPOSED ZONING:	R3
WATER:	CITY OF MOUNTAIN VIEW
SANITARY SEWER:	CITY OF MOUNTAIN VIEW
STORM DRAIN:	CITY OF MOUNTAIN VIEW
ELECTRICAL:	PG&E
GAS:	PG&E
TELEPHONE:	AT&T
CABLE TV:	AT&T BROADBAND
EXISTING NUMBER OF LOTS:	1
PROPOSED NUMBER OF LOTS:	1
EXISTING NUMBER OF CONDOMINIUMS:	6 RESIDENTIAL CONDOMINIUMS
TOTAL GROSS SITE ACREAGE:	0.3724 ACRES
EXISTING WELLS:	NO WELLS FOUND ON SITE
FEMA FLOOD ZONE:	FLOOD ZONE X

LEGEND

DESCRIPTION	TO BE CONST.	EXISTING
PROPERTY LINE	---	---
CURB	---	---
CURB AND GUTTER	---	---
CONCRETE SIDEWALKS	---	---
DRIVEWAY	---	---
AC PAVEMENT	---	---
EASEMENT	---	---
FLAT GRATE INLET	□ GB	○ AD
AREA DRAIN	○ AD	○ AD
OVERLAND RELEASE	→	→
TREE	○	○



UNDERWOOD & ROSENBLUM, INC.
 civil engineers and surveyors
 1850 Oakland Road Ste. A114 San Jose, CA 95131
 Tel. No. (408) 453-1222 www.ur2.com

SHEET 1 OF 10 JOB NO. J16072 PLOT DATE: 05-19-2019

TM1 TITLE SHEET

