

**CITY OF MOUNTAIN VIEW
FINDINGS REPORT/ZONING PERMIT**

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APPLICATION NO.:

PL-2023-017

DATE OF FINDINGS:

May 24, 2023

EXPIRATION OF ZONING PERMIT:

May 24, 2025

THIS DOCUMENT REPRESENTS THE ZONING PERMIT RECEIVED FOR THE SUBJECT SITE. THIS DOCUMENT DOES NOT WAIVE THE REQUIREMENT FOR SUBSEQUENT CITY APPROVALS AS APPLICABLE, INCLUDING, BUT NOT LIMITED TO, BUILDING PERMITS, EXCAVATION PERMITS, ETC.

Applicant's Name:

Darren Raymond-Lombardo

Property Address:

151 East Evelyn Avenue

Assessor's Parcel No(s).:

160-64-021

Zone:

MM

Request:

Request for a two-year permit extension for a previously approved Conditional Use Permit to allow a research and development office use in an existing 14,079 square foot commercial building and Development Review Permit for facade and site modifications on a 0.9-acre project site; and a determination that the project is categorically exempt pursuant to Section 15303 ("New Construction or Conversion of Small Structures") of the CEQA Guidelines.

APPROVED

CONDITIONALLY
APPROVED

DISAPPROVED

OTHER

FINDINGS OF APPROVAL:

The request for a two-year permit extension for a previously approved Conditional Use Permit and Development Review Permit (Application No. PL-2019-362) to allow a research and development office use in an existing 14,079 square foot commercial building and Development Review Permit for facade and site modifications on a 0.9-acre project site is conditionally approved based upon the conditions of approval contained herein and upon the following findings:

- A. Per Section 36.56.65 of the Mountain View City Code, a permittee can request an extension of a valid permit by filing an application before the expiration date and, subsequently, the Zoning Administrator holding a duly noticed public hearing to determine whether the permittee has made a good-faith effort to comply with the conditions of the permit during the initial two-year period and obtain building permits. The permittee has provided substantial evidence of their efforts to obtain construction financing and obtain a building permit to commence construction of improvements;
- B. At a duly noticed hearing, the Zoning Administrator determined the permittee proceeded in good faith and has exercised due diligence in complying with the conditions in a timely manner;
- C. Any special structure of building modifications necessary to contain the proposed use would not impair the architectural integrity and character of the zoning district in which it is to be located because the project includes only minor modifications that address the original permit's design conditions of approval; and
- D. The approval of the Permit Extension of a Conditional Use Permit and Development Review Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15303 ("New Construction or Conversion of Small Structures") because the project is consistent with the applicable General Plan and Zoning Designation and regulations; it occurs within the City limits, is located on a project site of no more than five acres, and is substantially surrounded by urban uses; contains no known habitat for endangered, rare, or threatened species; the project would not result in any significant impacts relating to traffic, noise, or air quality; and the site can be served by all required utilities and public services.

Owner

Agent

File

Fire

Public Works

This approval is granted for a two-year Permit Extension for a previously approved Conditional Use Permit and Development Review Permit to allow a research and development office use in an existing 14,079 square foot commercial building and Development Review Permit for facade and site modifications on a 0.9-acre project site located on Assessor's Parcel No. 160-64-021. The conditions of approval from the original permit (Application No. 2019-362) still apply, with the added or modified conditions as listed below, and the permit expiration date shall be May 24, 2025.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

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

1. **EXPIRATION (Replaces Original Permit Condition No. 1):** This permit is valid for a period of two years from the expiration date of the original approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period unless a permit extension has been submitted to and approved by the Zoning Administrator at a duly noticed public hearing prior to the expiration date.
2. **PERMIT EXTENSION (Replaces Original Permit Condition No. 2):** This permit extension incorporates and updates conditions of approval from prior permits, including, but not limited to, Permit No. PL-2019-326. For regulatory purposes, all previous permits and conditions of approval shall remain valid, except as may be modified by conditions of approval contained herein.

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

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

3. **BUILDING CODES (Replaces Original Condition No. 46):** Construction plans will need to meet the current codes adopted by the Building Division upon building permit submittal. Current codes are the 2022 California Codes: Building, Residential, Fire, Electrical, Mechanical, Plumbing, CALGreen, CALEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC).
4. **FIRE-RESISTANCE RATING (New Condition):** The project shall comply with the requirements per the CBC, Chapter 6 (Table 602), Fire-Resistance Rating Requirements for Exterior Walls Based on Fire Separation Distance.
5. **WORK HOURS/CONSTRUCTION SITE SIGNAGE (New Condition):** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours (see job card for specifics) and contact information, including an after-hours contact. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the MVCC and/or suspension of building permits.

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

FIRE PROTECTION SYSTEMS AND EQUIPMENT

6. **FIRE SPRINKLER SYSTEM TENANT IMPROVEMENT (Replaces Original Condition No. 65):** The automatic fire sprinkler system shall be altered as necessary to accommodate interior improvements. Shop-quality drawings shall be submitted electronically for review and approval prior to installation. All new and/or existing water flow indicators and system control valves shall be monitored by a central station monitoring alarm company. All work shall conform to NFPA 13, NFPA 72, and Mountain View Fire Department specifications.

HAZARDOUS CONDITIONS

7. **HAZARDOUS PROCESSES (Replaces Original Condition No. 69):** Comply with all applicable provisions of the Uniform Fire Code and the Uniform Building Code. Submit a completed FPE—Hazardous Materials Inventory Statement. FPE—Hazardous Materials Inventory Statements shall be obtained from the Building Division and submitted for review by the Fire Protection Engineer. Additional hazardous materials forms, disclosure statements, and/or other documentation will be required by the Fire and Environmental Protection Division of the Fire Department online at www.mountainview.gov/fep.

EXTERIOR IMPROVEMENTS

8. **PREMISES IDENTIFICATION (Replaces Original Condition No. 71):** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of 6" in height and a minimum of 0.5" in width. (Mountain View City Code, Section 14.10.18.)

OTHER

9. **HIGH-PILED COMBUSTIBLE STORAGE REPORT (Replaces Original Condition No. 72):** The commodity classification and storage parameters for the warehouse areas are required prior to issuing a building permit in order to determine the adequacy of the existing fire sprinkler system. Provide an analysis by a California Registered Fire Protection Engineer that classifies the commodities. The report shall specify the minimum densities for both the overhead and rack sprinkler systems based on the type of commodity and storage height as per the applicable California Fire Code (CFC) and NFPA 13. If classified as high-piled, provide construction documents as per CFC 3201.3. **NOTE:** A report is required if combustible solid-piled, shelf, or rack storage is provided.

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

OWNERSHIP AND PROPERTY

10. **PRELIMINARY TITLE REPORT (Replaces Original Condition No. 101):** At first submittal of the building permit and improvement plans, the applicant shall submit to the Public Works Department a current preliminary title report or land deed (dated within six months of the first submittal) indicating the exact name of the current legal owners of the property(ies), their type of ownership (individual, partnership, corporation, etc.), and legal description of the property(ies) involved. The title report shall include all easements and agreements referenced in the title report. Depending upon the type of ownership, additional information may be required. The applicant shall provide an updated title report to the Public Works Department upon request. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).
11. **LOT LINE CONFLICT (Replaces Original Condition No. 102):** The project site is located on two separate parcels of land as shown on the title report, and an existing and proposed building is located over the interior property lines. Prior to the issuance of the building permit, the applicant must legally combine and/or adjust the property lines with a lot line adjustment such that any buildings or structures shall not be located on or across any new, adjusted property line(s) or provide satisfactory evidence to the Public Works Department that the subject properties were legally combined or adjusted.
12. **LOT LINE ADJUSTMENT (Replaces Original Condition No. 102):** To adjust or combine properties by a lot line adjustment, submit an application and plat of the proposed adjusted and/or combined property to the Planning Division for review by the Subdivision Committee at a duly noticed public hearing. A plat is an 8.5"x11" map prepared by a California-registered land surveyor or civil engineer showing the lot lines to be removed and/or adjusted.

Following approval from the Subdivision Committee, submit to the Public Works Department for review and approval the plat, legal description (metes and bounds) of the adjusted and/or combined property, preliminary title report, and subdivision conditions of approval. The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor and shall be prepared in accordance with Legal Description and Plat Requirements, which are available online at: www.mountainview.gov/landdevelopment. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).

Any buildings or structures located on the new property lines shall be removed or relocated prior to the approval of the Notice of Lot Line Adjustment. Any conflicting utility service to the proposed lots shall be relocated prior to the approval of the Notice of Lot Line Adjustment. Any existing fences located on the property lines to be adjusted shall be removed or relocated to conform to the new property lines prior to the approval of the Notice of Lot Line Adjustment.

The Public Works Department will prepare a Notice of Lot Line Adjustment Approval, which shall be signed and notarized by the property owner(s) and trustee(s). The Public Works Department will also prepare the grant deed(s), which shall be signed and notarized by the property owner(s). After the documents have been approved and signed by the Public Works Department, the applicant's title company shall record the Notice of Lot Line Adjustment Approval concurrent with the deed and any other applicable documents to adjust and/or combine the properties.

FEES AND PARK LAND

13. **LOT LINE ADJUSTMENT FEE (New Condition):** The applicant shall pay the lot line adjustment fee at the time of initial lot line adjustment submittal per the adopted fee in effect at time of payment.

STREET IMPROVEMENTS

14. **TRAFFIC CONTROL PLANS (Replaces Original Condition No. 74):** Upon first submittal of the building permit and improvement plans, the applicant shall submit traffic control plans for any off-site and on-site improvements or any work that requires temporary lane closure, shoulder closure, bike lane closure, and/or sidewalk closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, a sidewalk detour should be shown on the Traffic Control plans. Traffic control plans shall show and identify, at a minimum, work areas, delineators, signs, and other traffic-control measures required for work that impacts traffic on existing streets and shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). A completed Traffic Control Checklist shall be included with each traffic control plan submittal.
15. **CONSTRUCTION MANAGEMENT PLAN (Replaces Original Condition No. 97):** Upon first submittal of the building permit, the applicant shall provide a construction traffic and parking management plan with the building plans and within the excavation permit plans identified "For Reference Only." The plan must be approved prior to the issuance of a building permit, including demolition. The plan must show the following:
 - **Truck Route:** Truck route (to and from project site) for construction and delivery trucks pursuant to City Code Sections 19.58 and 19.59 and which does not include neighborhood residential streets;
 - **Construction Phasing, Equipment, Storage, and Parking:** Show and identify construction vehicle and equipment parking area, material storage and lay-down area, sanitation facilities, and construction trailer location for each phase of construction. All construction vehicles, equipment, and trailers shall be located on site or at a site nearby (not on a public street or public parking) arranged by the permittee/contractor. Construction equipment, materials, or vehicles shall not be stored or parked on public streets or public parking lots, unless approved by the Public Works Director due to special conditions. Construction contractors/workers are required to park on-site or at a private property arranged by the permittee/contractor and shall not be allowed to use neighboring streets for parking/storage;
 - **Sidewalks:** Sidewalk closure or narrowing is not allowed during any on-site construction activities; and
 - **Traffic Control and Detour Plans:** Traffic control plans, including detour plans, shall be submitted to the Public Works Department for review and approval for any on-site improvements and work related to the phases of the construction management plan, which requires temporary roadway closure, lane closure, shoulder closure, and/or bike lane closure. Pedestrian detour plans shall be provided when necessary.

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

16. **DRIVEWAY SIGHT TRIANGLE (Replaces Condition No. 77):** Within the pedestrian and/or vehicle traffic safety sight triangle(s), for the project site and adjacent properties, the site shall be compliant with height and clearance requirements per the Public Works Standard Details and to the satisfaction of the Public Works Director. The project is required to remove or modify all objects, including, but not limited to, landscape, hardscape, poles, bollards, signs, mailboxes, planters, retaining walls, seat walls, bicycle racks, partitions, buildings, and other structures, parking stalls, etc., that are not compliant with safety triangle height and clearance requirements.

STREET TREES

17. **STREET TREE LOCATION (Replaces Original Condition No. 92):** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees shall be planted in accordance with Detail F-1 of the Standard Provisions a minimum of 10' from sanitary sewer lines, traffic signals, stop and yield signs, and streetlights and 5' from water lines, fire lines, and driveways. New street tree species must be selected from the City's adopted Master Tree list or be an approved alternate by the City arborist. The applicant shall complete the "Proposed Street Tree" form available from the Planning Division online at: www.mountainview.gov/planningforms. Once completed, the applicant shall email the original to the Parks Division at parks@mountainview.gov and provide a duplicate copy to the Building Division with building permit submittal.

UTILITIES

18. **UTILITY POTHOLING (Replaces Condition No. 78):** Potholing shall be completed prior to the first submittal of the building plans and improvement plans to determine the depths and locations of existing subsurface utilities where improvements are proposed for construction, including, but not limited to, new utility crossings and installation of signal and streetlight pole foundations. Proposed pothole locations for signal pole foundations shall be approved by the City Traffic Engineer prior to potholing. Obtain an Excavation Permit from the Public Works Department prior to performing potholing. Incorporate pothole data on the first submittal of improvement plans, including, but not limited to, pothole location and depth of utility.
19. **UTILITY SERVICES (Replaces Original Condition No. 83):** The size and location of all existing and new water meters, backflow preventers, potable water services, recycled water services, fire services, sewer laterals, sewer cleanouts, storm drain laterals, storm cleanouts/inlets, gate valves, manholes, and utility mains shall be shown on the plans. Sewer laterals, potable water services, and fire services shall have a minimum 5' horizontal separation from each other. Recycled water and potable water shall have a minimum 10' horizontal separation from each other. New potable water and recycled water services shall have a minimum 5' clearance from trees, and new sewer laterals shall have a minimum 10' clearance from trees. Angled connections within service lines shall not be allowed. Utility profiles shall be required for all new services.

Existing water services shall be shown to be disconnected and plugged at the main, unless they are satisfactory for reuse, as determined by the Public Services Division. Water services 4" or larger that are not reused shall be plugged at the main by removing the gate valve and installing a blind flange and thrust block at the tee. Existing sanitary sewer laterals and storm connections that are not reused shall be abandoned, and existing face-of-curb drains that are not reused shall be removed.

20. **BACKFLOW PREVENTER (Replaces Original Condition No. 84):** Aboveground reduced-pressure backflow preventers are required for all new and existing City potable water and recycled 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. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets or basements. A minimum 3' clearance shall be provided around each assembly for accessibility and maintenance. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.
21. **SANITARY SEWER CLEANOUT (New Condition):** A one-way sanitary sewer cleanout shall be installed in accordance with City standards.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

22. **DRAINAGE REQUIREMENTS (Replaces Original Condition No. 95):** On-site parking lots and driveways (other than single-family residential) shall not surface-drain across public sidewalks or driveway aprons. Storm drain laterals from the site shall be installed with a property line inlet or manhole and connect to existing storm drain manholes or curb inlets if at all possible.

NOTE: Decisions of the Zoning Administrator may be appealed to the City Council in compliance with Chapter 36 of the City Code. An appeal shall be filed in the City Clerk's Office within 10 calendar days following the date of mailing of the findings. Appeals shall be accompanied by a filing fee. No building permits may be issued or occupancy authorized during this appeal period.

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

LINDSAY HAGAN, ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR

LH/EM/6/FDG
PL-2023-017

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