

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2017

A RESOLUTION CONDITIONALLY APPROVING A PLANNED COMMUNITY PERMIT AND DEVELOPMENT REVIEW PERMIT TO ALLOW CONSTRUCTION OF A THREE- AND FOUR-STORY MULTI-FAMILY DEVELOPMENT WITH 204 APARTMENT UNITS WITH APPROXIMATELY 36,965 SQUARE FEET OF COMMON OPEN SPACE, A ONE-LEVEL UNDERGROUND PARKING GARAGE, AND A HERITAGE TREE REMOVAL PERMIT FOR REMOVAL OF 21 HERITAGE TREES AT 2268-2280 WEST EL CAMINO REAL AND 2241-2243 LATHAM STREET

WHEREAS, an application was received from Lennar Multifamily Communities for a Planned Community Permit and Development Review Permit for 204 apartment units with approximately 36,965 square feet of common open space and a one-level underground parking garage, and a Heritage Tree Removal Permit for the removal of 21 Heritage trees on a 2.61-acre project site; and

WHEREAS, the Environmental Planning Commission held a public hearing on January 18, 2017 on said applications and recommended conditional approval to the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View:

1. That the City Council hereby conditionally approves the Planned Community Permit pursuant to the following required findings in Sections 36.50.55 and 36.14.60 of the City Code:

a. The proposed development is consistent with the provisions of the P-38 (El Camino Real) Precise Plan. The proposal clearly demonstrates superior site and building design and compatibility with surrounding uses and developments since the project complies with all the applicable development standards outlined in the El Camino Real Precise Plan for this site. The project incorporates wide sidewalks with landscaping; publicly accessible plaza with amenities such as decorative benches, bicycle parking, and decorative lighting fronting El Camino Real; appropriate transition from a four-story mass adjacent to El Camino Real to a three-story building mass along Latham Street; open space and other gathering spaces within the project, including dog run, swimming pool, spa, and barbecue pit; pedestrian-oriented building entrances; and public access easement along the eastern property line in order to establish a bicycle

and pedestrian connection between El Camino Real and Latham Street consistent with the goals of the El Camino Real Precise Plan;

b. The proposed development is consistent with the Mixed-Use Corridor designation of the General Plan because the project provides an appropriately designed residential project near transit, improvements to the bicycle and pedestrian connections along El Camino Real and between the transit corridor and the adjacent residential streets, a mix of apartment unit types, and public paseo areas for gathering;

c. The proposed development will not be detrimental to the public interest, health, safety, convenience, or welfare because the project will comply with applicable health and safety codes verified through the building permit process; is an infill project located within an area that is already developed; is compatible with surrounding developments; will provide appropriately designed points of ingress and egress for vehicles, bicycles, and pedestrians; will provide access via public streets and sidewalks; and is conveniently located near existing public transportation and commercial services;

d. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area because the project is designed to be consistent with the development standards as established by the El Camino Real Precise Plan for the subject property. The project is also compatible with the materials and features of structures currently surrounding the project site. The project has been reviewed and recommended for approval by the City's Development Review Committee, demonstrating the high-quality design of the development; and

e. The approval of the Planned Community Permit for the proposed project complies with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found, with implementation of the El Camino Real Precise Plan standards and guidelines, standard Conditions of Approval, State regulations, and mitigation measures identified in the El Camino Real EIR (2014) and the Mountain View General Plan and Greenhouse Gas Reduction Program EIR, the project would not result in any new environmental impacts beyond those evaluated in the EIRs.

2. That the City Council conditionally approves the Development Review Permit pursuant to the following required findings in Section 36.44.70 and 36.44.60 of the City Code:

a. The project complies with the general design considerations as described by the purpose and intent of the Zoning Ordinance, the General Plan, and any City-adopted design guidelines since the proposed project complies with all the

applicable El Camino Real Precise Plan development standards. The project is also consistent with the key General Plan policy direction for the El Camino Real Change Area, including improving accessibility, enhancing mix of uses, enhanced street presence, and appropriate design transitions;

b. The architectural design of structures, including colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, signs, etc.), is compatible with surrounding development because the project design reflects its context. The elevation fronting El Camino Real is designed with a three-story mass closest to the street and the fourth floor stepped back as a response to commercial and mixed-use nature of the transit corridor. The elevation fronting Latham Street has a two-story mass closest to the street with the three-story elements stepped further back consistent with the adjacent multi-family residential land uses. The project is designed to incorporate materials such as stucco, brick veneer, and siding that are complementary to the materials currently existing in the neighborhood and a color palette appropriate for the proposed architectural style;

c. The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property, by providing wide, well-landscaped sidewalks; planting new attractive landscaping; providing publicly accessible amenities such as decorative seating and bicycle parking to enhance on-site amenities and public streetscape; and provide appropriate amount of underground vehicular and bicycle parking to service the project;

d. The general landscape design ensures visual relief, complements structures, provides an attractive environment, and is consistent with any adopted landscape program for the general area by planting trees along each street frontage and along the public access easement; creating landscaped pedestrian/bicycle pathways and plazas; and planting a variety of landscape materials providing visual interest and complying with City Water Conservation in Landscaping regulations;

e. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing a bicycle and pedestrian access from El Camino Real to Latham Street, improving the public sidewalks around the project site, and appropriately designing ingress and egress from the underground garage to avoid vehicular and pedestrian conflicts; and

f. The approval of the Development Review Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found, with implementation of El Camino Real Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and

mitigation measures identified in the El Camino Real Precise Plan EIR (2014) and the Mountain View General Plan and Greenhouse Gas Reduction Program EIR, the proposed project would not result in any new environmental impacts beyond those evaluated in these EIRs.

3. That the City Council approves the Heritage Tree Removal Permit pursuant to the following required findings in Section 32.35 of the City Code:

a. It is appropriate and necessary to remove the trees with respect to age of the trees relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility service because based on the preliminary arborist report prepared for the project by HortScience, Inc., dated October 5, 2016, these trees will be impacted by the construction and grading for the proposed project. The applicant will be mitigating the removal of the trees by planting 166 new trees;

b. It is appropriate and necessary to remove the trees in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similar situated properties because the project proposes to redevelop a currently vacant and underutilized project site with high-quality residential apartment units in proximity to transit, in comparison to other similarly situated properties;

c. It is appropriate and necessary to remove the trees based on the nature and qualities of the trees as Heritage trees, including maturity, aesthetic qualities such as canopy, shape and structure, majestic stature, and visual impact on the neighborhood;

d. It is appropriate and necessary to remove the trees to implement good forestry practices such as, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest;

e. Removal of the trees will not adversely affect the topography of the land or create soil erosion through diversion or increase flow of surface waters;

f. Removal of trees will not adversely affect the remaining number, species, size, and/location of existing trees on the site or in the general vicinity;

g. Removal of trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole; and

h. The approval of the Heritage Tree Removal Permit for the removal of 21 Heritage trees complies with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found, with implementation of the El Camino Real Precise Plan standards and guidelines, standard City Councils of Approval, State regulations, and mitigation measures identified in the El Camino Real Precise Plan EIR (2014) and the Mountain View General Plan and Greenhouse Gas Reduction Program EIR, the proposed project would not result in any new environmental impacts beyond those evaluated in these EIRs.

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

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NM/7/RESO  
819-02-28-17r-E

Exhibit: A. Conditions of Approval

CONDITIONS OF APPROVAL  
APPLICATION NO.: 278-16-PCZA  
2268-2290 El Camino Real and 2241-2243 Latham Street

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

This approval is granted to construct a new three- and four-story, multi-family development with 204 apartment units, with approximately 36,965 square feet of common open space, and a one-level underground parking garage located on Assessor Parcel Nos. 148-36-17, 148-36-25, 148-36-37, and 148-36-38. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein:

- a. Project drawings prepared by BDE Architecture and BKF for Lennar Multifamily Communities dated January 10, 2017.
- b. Color and materials board prepared by BDE Architecture for Lennar Multifamily Communities dated January 10, 2017, and kept on file in the Planning Division of the Community Development Department.
- c. CEQA Compliance Checklist prepared by David J. Powers & Associates, Inc., for Lennar Multifamily Communities, dated November 3, 2016 as prepared by the City for the project, and kept on file in the Planning Division of the Community Development Department.

**THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**

Community Development Department – 650-903-6306

1. **FULFILLMENT OF CONDITIONS REQUIRED:** This permit will become null and void if the required conditions are not satisfied within 30 days of occupancy, or an alternative time period approved by the Zoning Administrator.
2. **EXPIRATION:** If a building permit has not been issued and construction commenced for the approved development within two years of this approval, subject to all applicable conditions and permits for applicable government agencies, this approval shall be null and void unless a permit extension application has been submitted, in compliance with the procedures described in the Zoning Ordinance.
3. **PUBLIC BENEFIT PACKAGE:** In compliance with the P-38 (El Camino Real) Precise Plan, the applicant is required to provide a public benefit in exchange for additional development intensity and to advance the goals and policies of the El Camino Real Precise Plan by providing affordable housing units in the plan area or City and to help implement key policy objectives of the Plan. The applicant has proposed to provide a public benefit program, including provision of six apartment units available for rent at a below-market rate, with an estimated value of \$1,179,129. Final details of the public benefit package must be reviewed and approved during building permit review and completed prior to building permit issuance. **(PROJECT-SPECIFIC CONDITION)**

## PLANS AND SUBMITTAL REQUIREMENTS

4. **ZONING INFORMATION:** The following information must be listed on the lower right-hand corner of the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning designation; (c) floor area ratio or density in units per acre; (d) lot area (in square feet); and (e) total number of parking spaces.
5. **CERTIFICATION OF BUILDING PERMIT PLANS:** The project architect shall certify in writing that the architectural design shown in the building permit plans match the plans approved by the City Council/Zoning Administrator. Any changes must be clearly noted. The project architect shall also certify that the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.
6. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a public hearing, which can be referred to City Council.
7. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for the foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.
8. **COLOR CHIPS:** Color chips shall be attached to the title sheet of two sets of the building permit drawings and the color scheme shall be shown on the elevations.
9. **VISITOR PARKING:** Fifteen percent (15%) of the residential parking spaces shall be available for residential guest parking. The final location of all residential guest parking shall be shown on the building permit set of plans and is subject to review and approval of the Zoning Administrator.
10. **BUILDING DESIGN CONDITIONS:** The applicant shall continue to work with staff on resolving the design details, colors, plazas, and landscaping in accordance with the conditions below, as directed by the Development Review Committee (DRC) and subject to administrative approval of the Zoning Administrator prior to issuance of the applicable building permits.
  - a. **Landscaping Planters Fronting El Camino Real:** The applicant shall continue to work with staff on resolving the design of the landscaping planter fronting El Camino Real, the public access easement along the eastern property line, and along Latham Street frontage such that the landscaping planer is not a continuous wall, but broken up with movement and articulation.
  - b. **Bookend Buildings Fronting El Camino Real:** The applicant shall continue to work with staff on resolving the design of the fourth floor design of the central bay such that the vertical projection (height) and roof overhang is complementary and proportionate to the overall building design.
  - c. **Latham Street Elevation:** The applicant shall continue to work with staff to resolve the design of the Latham Street elevation to simplify the design and achieve a good residential transition such that the two-story element is clad with exposed brick, the vertical siding is replaced with horizontal siding, and the tower materials are modified per separate design conditions.
  - d. **Latham Street Elevation Windows:** The applicant shall continue to work with staff to resolve the window design of the Latham Street elevation as it turns the corner from the east elevation, such that the window recess on this elevation matches the comparable treatment (per the perspectives) on the El Camino Real elevation.

- e. **Tower Elements:** The applicant shall continue to work with staff to resolve the material and color choices for the tower element both on the El Camino Real elevation adjacent to the entrance plaza and Latham Street elevation per DRC's recommendation to consider using either large panels of stucco application with a light color or a larger format (dimension) brick material complementing the brick used elsewhere in the project.
  - f. **Center Building Fronting El Camino Real:** The applicant shall work with staff on revising the elevation for the center building fronting El Camino Real such that the windows for the two-story bays are recessed a minimum of 2" similar to what is shown in renderings.
  - g. **Proposed Material and Color:** The applicant shall work with staff on the brick veneer specifications to ensure a rich and consistent (not mottled) color with a matching darker grout. The applicant shall study stacked versus running bond configuration and solicit staff's input prior to finalizing the application. The applicant shall provide special attention to materials such as the phenolic panels prior to finalizing them for the mock-up inspection such that the materials are both high quality and look rustic/rich per DRC's comments.
- 11. **PUBLIC ART:** The applicant shall work with staff and/or the Visual Arts Committee regarding the installation of public art that may be donated to the City and installing it on-site in a publically accessible location.
  - 12. **ENTRY PLAZA:** The applicant shall continue to work with staff on softening the entry plaza by providing more opportunities for seating, landscaping, and shaded areas.

#### SITE DEVELOPMENT AND BUILDING DESIGN

- 13. **BUILDING ENTRIES:** The applicant shall ensure building permit plans maximum the number of building entries and storefronts along El Camino Real, to create active street frontages with pedestrian building access. **(PROJECT-SPECIFIC CONDITION)**
- 14. **GROUND-FLOOR TRANSPARENCY:** Storefront windows along El Camino Real must maintain a minimum 75 percent transparency along the ground floor of the building at all times. No window tinting/treatment, permanent/affixed furniture, or sunshades which permanently block the storefront windows are permitted. Sunshades which maximum transparency while providing UV light screening for the occupants of the first floor spaces of the central building fronting El Camino Real may be permitted, subject to review and approval by the Zoning Administrator.
- 15. **PUBLICLY ACCESSIBLE OPEN SPACE/FACILITIES:** This project includes privately owned open space, improvements, and/or other facilities located along public rights-of-way, including pedestrian sidewalks, walkways, plazas, and bicycle improvements, which shall be publicly accessible. The applicant shall have the right to establish and enforce reasonable rules and regulations for the use of the open space, but shall not restrict access with fencing or other design/operational barriers.
- 16. **EXTERIOR MATERIALS:** High-quality materials and finishes shall be used throughout the project and shall remain in compliance with the materials identified in the approved plans, except as modified by the conditions of approval herein. Details regarding all color and architectural details shall be provided in the building permit plan submittal and shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
- 17. **SPECIAL PAVING MATERIALS:** The color, material, design, and product specifications for the special paving materials used on-site shall be submitted with the building permit drawings. Final paving design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.



18. **WINDOWS:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified for each unit in the building permit drawings for review and approval by the Zoning Administrator prior to the issuance of building permits.
19. **RECESSED WINDOWS:** Certain windows, as identified in the approved plans, shall be recessed from the face of the building by at least 2". Windows on central bay of the bookend building fronting El Camino Real shall be recessed by 12". Windows on the two-story bays occupying the second and third floors of the center building fronting El Camino Real shall be recessed by 2".
20. **COLOR SCHEME:** The applicant shall paint a portion of the building with the proposed color scheme for inspection. Proposed primary and secondary (accent) paint colors should be painted next to each other on the building, to the extent feasible, for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
21. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to construction, for final colors and materials such as canopies, brick veneer, light-colored stucco, cement plaster, 1"x6" and 1"x10" ship-lap siding, laminator metal panel, phenolic resin panel, and other accent materials, etc., subject to the approval by the Zoning Administrator. The colors and materials shall not be considered approved until after inspection and approval by the Zoning Administrator.
22. **COLOR SCHEME:** The applicant shall paint a portion of the building with the proposed color scheme for inspection. Proposed primary and secondary (accent) paint colors should be painted next to each other on the building, to the extent feasible, for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
23. **ROOF EQUIPMENT:** All roof equipment must be concealed behind opaque (solid) screening designed to complement the building. Details of the roof equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.
24. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval.
25. **TRASH ENCLOSURE:** Details of an opaque screen trash enclosure are to be shown on building permit drawings and be approved by the Zoning Administrator prior to permit issuance. The trash enclosure should match the architectural design, color, and materials of the primary structure.
26. **TRASH ENCLOSURE PAD:** An enclosure constructed to store trash/recycling/compost bins shall have a concrete pad the same width as the enclosure and extending a minimum 10' beyond the enclosure access door(s). The concrete pad will be designed to accommodate the weight of a 60,000-pound collection vehicle.
27. **FENCE/WALL:** All fencing and walls are to be shown on construction plan submitted for building permit review. Low fencing and gates are allowed up to 42" in height along residential building frontages. These shall be well designed and detailed with high-quality materials to add character and visual interest. Fences along the rear and side of parcels shall be a minimum of 7' and a maximum of 8' high when adjacent to residential land uses, and shall be made of masonry or other substantial and durable screening material. **(PROJECT-SPECIFIC CONDITION)**
28. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped. Double stripes shall be 12" apart, from outside edge to outside edge of the stripe. The 8-1/2' parking space width is measured from the center of one double stripe to the other, such that the space between stripes is 7-1/2'. For parallel parking spaces, only single-striped is required. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24'.

29. **LIGHTING PLAN:** The applicant shall submit a lighting plan with the application for building permit. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The design and location of outdoor lighting fixtures shall ensure there will be no glare and light spillover to surrounding properties. The lighting plan submitted with building permit drawings must be approved by the Zoning Administrator prior to building permit issuance.
30. **BIKE RACKS:** A minimum of 204 long-term and 10 cargo/family-size, secured bicycle parking storage spaces shall be permanently maintained in the garage, corridor, and unit gear rooms. A minimum of 16 short-term bicycle storage spaces shall be maintained on bike racks and shall be conveniently located near building entrances. The surface-level bike rack shall be an inverted "U" or equivalent as approved by the Zoning Administrator, and must secure the frame and both wheels.
31. **PARKING SHORTAGE:** Should a parking shortage arise at this site, the Zoning Administrator may hold a public hearing to review the parking problem and require the applicant to implement appropriate means to resolve the shortage. The public hearing shall be in accordance with Chapter 36, Article XVI, Division 6, of the City Code.

#### GREEN BUILDING AND SUSTAINABILITY MEASURES

32. **GREEN BUILDING—RESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of 106.6 GreenPoint Rated points. All mandatory prerequisite points and minimum point totals per category to attain GreenPoint Rated status must be achieved, unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through Build It Green is not required for compliance with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.

#### LANDSCAPING

33. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the curb must be included in the Building Inspection Division application. Minimum plant sizes are flats or 1-gallon containers for ground cover, 5-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
34. **CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans and final inspection(s), subject to final approval by the Zoning Administrator.
35. **STREET TREE:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division. Once completed, the applicant shall return the original to the Parks Division, located at 235 North Whisman Road, and provide a duplicate copy to the Building Inspection Division with building permit submittal.
36. **LANDSCAPE SCREENING:** All utility meters, lines, transformers, backflow preventers, etc., on-site or off-site, must be shown on all site plan drawings and landscape plan drawings. All such facilities shall be located so as to not interfere with landscape material growth and shall be screened in a manner which respects the building design and setback requirements. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.

## HERITAGE TREES

37. **IMPLEMENTATION:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit is secured and the project is pursued.
38. **REPLACEMENT:** The applicant shall offset the loss of 21 Heritage trees with 166 replacement trees. Each replacement tree shall be no smaller than 24" box and shall be noted on the landscaping plan as Heritage replacement trees.

## SIGNS

39. **SIGNAGE:** No signs are approved as part of this application.
40. **EXISTING SIGNAGE:** All existing signs shall be removed, and a new sign application shall be submitted in compliance with Chapter 36, Article XII, of the City Code.

## NOISE

41. **MECHANICAL EQUIPMENT:** The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining residentially used property.
42. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A) $L_{dn}$  that shall be reviewed and approved by a licensed acoustical engineer prior to building permit submittal.
43. **CONSTRUCTION NOISE REDUCTION:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: (a) comply with manufacturer's muffler requirements on all construction equipment engines; (b) turn off construction equipment when not in use, where applicable; (c) locate stationary equipment as far as practical from receiving properties; (d) use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; and (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment.
44. **SITE-SPECIFIC BUILDING ACOUSTICAL ANALYSIS:** A qualified acoustical consultant will review final site plans, building elevations, and floor plans prior to construction to calculate expected interior noise levels as required by State noise regulations. Project-specific acoustical analyses are required by the California Building Code to confirm that the design results in interior noise levels reduced to 45 dB(A) $L_{dn}$  or lower. The specific determination of what noise insulation treatments are necessary will be completed on a unit-by-unit basis. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans, and approved prior to issuance of a building permit. Building sound insulation requirements will include the provision of forced-air mechanical ventilation for all residential units as recommended by the qualified acoustical consultant, so that windows can be kept closed at the occupant's discretion to control noise.

Special building techniques (e.g., sound-rated windows and building facade treatments) will be implemented as recommended by the qualified acoustical consultant, to maintain interior noise levels at or below acceptable levels. These treatments will include, but are not limited to, sound-rated windows and doors, sound-rated wall construction, acoustical caulking, protected ventilation openings, etc.

45. **COMMON AREA OPERATIONS:** The approved hours of operation for the pool area, spa grove, dog park, and

rooftop decks are limited to 8:00 a.m. to 10:00 p.m. The pool and spa areas and roof deck may have amplified music as long as noise is buffered and impacts are not created. Sound in any outdoor area may not disturb on-site residents or surrounding neighbors. In the event there are any problems with the hours of operation or staff receives noise-related complaints, the Zoning Administrator may hold a public hearing to review common area operation and impose new or modified conditions of approval in response to public comment or information received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code. **(PROJECT-SPECIFIC CONDITION)**

#### CONSTRUCTION PRACTICES AND NOTICING

46. **SINGLE-PHASE DEVELOPMENT:** Construction of the project shall be done in a single phase unless a phased construction project schedule is approved by the Zoning Administrator (or City Council).
47. **WORK HOURS:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. At the discretion of the Chief Building Official, the general contractor or the developer may be required to erect a sign at a prominent location on the construction site to advise subcontractor and material suppliers of the working hours. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.
48. **CONSTRUCTION PARKING MANAGEMENT PLAN:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
49. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 300' of the project site of the construction schedule in writing, prior to construction. A copy of the notice and the mailing list shall be submitted prior to issuance of building permits.
50. **DISTURBANCE COORDINATOR:** The project applicant shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.
51. **AIR QUALITY:** The applicant will be required to secure a permit from the Bay Area Air Quality Management District or provide written assurance that no permit is required prior to issuance of a building permit.
52. **BASIC AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures. Additional measures may be identified by the BAAQMD or contractor as appropriate, such as: (a) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day; (b) all haul trucks transporting soil, sand, or other loose material off-site will be covered; (c) all visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (d) all vehicle speeds on unpaved roads will be limited to 15 mph; (e) all roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used; and (f) post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person will respond and take corrective action within 48 hours. The BAAQMD's phone number will also be visible to ensure compliance with applicable regulations.

Additionally, in conformance with the BAAQMD Guidelines, the project is required to follow these additional construction measures: (a) idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]); clear signage shall be provided for construction workers at all access points; and (b) all construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

53. **DISCOVERY OF CONTAMINATED SOILS:** If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: (a) contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; (b) contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) contractor will cover the bottom of excavated areas with sheeting when work is not being performed.
54. **DISCOVERY OF ARCHAEOLOGICAL RESOURCES:** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, it is recommended that all work within 100' of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.
55. **DISCOVERY OF HUMAN REMAINS:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50' radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.
56. **DISCOVERY OF PALEONTOLOGICAL RESOURCES:** In the event that a fossil is discovered during construction of the project, excavations within 50' of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.

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

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

58. **CONSTRUCTION EQUIPMENT MITIGATION:** To conform with the El Camino Real Precise Plan EIR Mitigation and Monitoring Reporting Program Mitigation Measure AIR-1, buildings within 1,000' of a residential dwelling unit shall conduct a construction health risk assessment to assess emissions from all construction equipment during each phase of construction prior to issuance of building permits. Equipment usage shall be modified as necessary to ensure that equipment use would result in a carcinogenic health risk of more than 10 in 1 million, an increased noncancer risk of greater than 1.0 on the hazard index (chronic or acute), or an annual average ambient PM<sub>2.5</sub> increase greater than 0.3 µg/m<sup>3</sup>. **(PROJECT-SPECIFIC CONDITION)**

59. **CONSTRUCTION NOISE MITIGATION:** In conformance with the El Camino Real Precise Plan EIR Mitigation and Monitoring Reporting Program Mitigation Measure NOISE-1, the following noise and vibration measure shall be incorporated into construction plans and implemented by the contractor: (a) in the event that pile driving would be required for any proposed project within the El Camino Real Precise Plan Area, all residents within 300' of the project site shall be notified of the schedule for its use a minimum of one week prior to its commencement. The contractor shall implement "quiet" pile driving technology (such as predrilling of piles, the use of more than one pile driver to shorten the total pile driving duration, or the use of portable acoustical barriers) where feasible, in consideration of geotechnical and structural requirements and conditions, and (b) to the extent feasible, the project contractor shall phase high-vibration generating construction activities, such as pile driving/ground-impacting operations, so they do not occur at the same time with demolition and excavation activities in locations where the combined vibrations would potentially impact sensitive areas. **(PROJECT-SPECIFIC CONDITION)**

60. **PREDEMOLITION BAT SURVEY:** A qualified bat biologist shall conduct a bat survey no more than 14 days prior to the removal of any buildings or structures, to determine if bats are present. No activities that would result in disturbance to active roosts shall proceed prior to completion of the survey. If no active roosts are observed, then no further action shall be warranted. If a maternity roost is present, a qualified biologist shall determine the extent of a construction-free buffer zone around the active nurseries located during the survey.

The California Department of Fish and Wildlife (CDFW) shall be notified of any active nurseries within the demolition/construction zone. No demolition or construction activities shall occur within the construction-free buffer zone between March 1 through August 31 to avoid construction disturbance to the maternity roost, as determined by the bat biologist. After August 31, roosting bats shall be safely evicted by a qualified bat biologist. A final report documenting the survey effort and any protection measures implemented by the project shall be submitted to the Community Development Department for review and approval prior to the start of any demolition or grading activity. **(PROJECT-SPECIFIC CONDITION)**

61. **REMOVAL ACTION WORK PLAN:** For the portion of the site under the oversight of the Department of Toxic

Substance Control (DTSC), the applicant shall continue to coordinate with the DTSC on the site cleanup and implementation of the Removal Action Work Plan. These activities may include preparation of a Soil Management Plan, Health and Safety Plan, and Site Mitigation Plan. These plans shall be submitted to the DTSC for review and approval, in compliance with the DTSC's oversight activities under the Voluntary Cleanup Agreement. **(PROJECT-SPECIFIC CONDITION)**

62. **CONSTRUCTION NOISE CONTROL PLANS:** Develop a construction noise control plan, including, but not limited to, the following available controls: a) utilize "quiet" air compressors and other stationary noise sources where technology exists, (b) construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction, (c) locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors, and (d) control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.

#### TECHNICAL REPORTS

63. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City prior to the issuance of building permits, and the recommendations made in the geotechnical report will be implemented as part of the project. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the buildup of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.
64. **TOXIC ASSESSMENT:** A toxic assessment report shall be prepared and submitted as part of the building permit application. The applicant must demonstrate that hazardous materials do not exist on the site, or that construction activities and the proposed use of this site are approved by: the City of Mountain View Hazardous Materials Division of the Fire Department; the State Department of Health Services; the Regional Water Quality Control Board; and any Federal agency with jurisdiction. No building permits will be issued until each agency and/or department with jurisdiction has released the site as clean or an approved site toxics mitigation plan has been approved.
65. **SOIL MANAGEMENT PLAN:** Prepare a Phase I and groundwater management plan for review and approval by the Santa Clara County Department of Environmental Health (SCCDEH). Proof of approval or actions for site work required by the SCCDEH must be provided to the Building Inspection Division prior to the issuance of any demolition or building permits.

#### LEGAL AGREEMENTS AND FEES

66. **BMR, PROVIDING UNITS:** Prior to issuance of building permits, the applicant shall enter into a written agreement with the City of Mountain View that will require the applicant to provide at least 10 percent of the total number of dwelling units within the development as Below-Market-Rate (BMR) units and pay an in-lieu fee for fractions of a unit consistent with Chapter 36, Article XIII, Divisions 1 and 2, of the City Code and the Below-Market-Rate Housing Program Administrative Guidelines and Directives. Prior to issuance of building permits, the applicant shall also submit a plan indicating the location, size, and phasing of BMR units. **(PROJECT-SPECIFIC CONDITION)**
67. **BMR, PROCESS:** Following project approval, the applicant shall submit the following information to the Administrative and Neighborhood Services Manager in the Community Development Department, 650-903-6379: (a) a copy of the first page of the Findings Report; (b) a copy of the page from the Findings Report that contains the

Below-Market-Rate (BMR) condition; and (c) a legal description of the property.

At the time of submittal for building permits, the applicant shall contact the Administrative and Neighborhood Services Manager, 650-903-6379, and a BMR agreement will be prepared for the project. Before building permits can be issued, the BMR agreement must be signed by the developer, and a 10 percent deposit of the required BMR fees must be paid to the City.

68. **RENTAL HOUSING IMPACT FEE:** The building permit submittal shall identify the aggregate net new habitable square footage of all residential rental units in the project. Prior to the issuance of the first Final Certificate of Occupancy for the development, the applicant shall pay a Rental Housing Impact Fee as defined by the City fee schedule for all market-rate rental housing development, unless the applicant offers an alternative to mitigate the impacts of the residential rental project development through the construction of affordable rental housing units.
69. **AFFORDABLE RENTAL HOUSING UNITS:** The applicant has offered an alternative to payment of the Rental Housing Impact Fee and has submitted a request to mitigate the impacts of the residential rental project development through the construction of four affordable rental housing units. The applicant shall enter into an agreement with the City consistent with the Costa-Hawkins Act to provide four on-site affordable rental housing units and pay an Impact Fee of up to \$2,150,744. Such an agreement shall be executed prior to issuance of the first building permit for the project.

The affordable monthly rent shall be based on rents that are affordable to households earning a gross annual income of 65 percent of the median household income for Santa Clara County as published by the California Department of Housing and Community Development. Affordable rents are calculated as 30 percent of the average monthly income of a household earning 65 percent of the median household income and rents for the two-bedroom units shall be based on incomes for a three-person household. The rental housing shall be provided for a period of 55 years. **(PROJECT-SPECIFIC CONDITION)**

#### OPERATIONAL CRITERIA

70. **PARKING LIFTS:** The applicant shall enter into a maintenance contract with the manufacturer (or equivalent service provider) to ensure proper maintenance of the parking lifts. The applicant shall have on-site staff available to provide training for use of the parking lifts and to assist residents with any problems. **(PROJECT-SPECIFIC CONDITION)**
71. **PARKING LIFT REVIEW:** One year after the opening of the project, the Zoning Administrator shall conduct a review to determine if the parking lifts are operating properly and not resulting in parking shortage, maintenance issues, and use problems for resident. The applicant shall cooperate with the Zoning Administrator and provide information requested by the Zoning Administrator to conduct the review. In addition, the applicant will allow the Zoning Administrator to inspect the parking lifts. If problems with parking lift occur, the Zoning Administrator may hold a public hearing to review the situation and impose new or modified conditions of approval in response to the information review. The public hearing shall be conducted and noticed in accordance with Section A36.60 of the City Code. **(PROJECT-SPECIFIC CONDITION)**
72. **PUBLIC ACCESS TO ELECTRIC CHARGING STATION:** The applicant shall install and maintain two electric vehicle charging stations in the open area of the parking garage which will be accessible to the public. **(PROJECT-SPECIFIC CONDITION)**
73. **CAR-SHARING PROGRAM:** The applicant shall provide and operate a car-sharing program, Zip Car, or equivalent, at the project site available to the public. Two parking spaces in the area of the garage where guest parking is located will be dedicated to the public for car sharing. The public will be able to access a website for the applicable car-sharing program to ascertain the location of the car sharing spaces. **(PROJECT-SPECIFIC CONDITION)**



74. **PARKING PERMITS:** If permissible, the project shall be ineligible for parking permits in the event the City initiated a parking program.

TRANSIT-RELATED PROGRAMS AND OFF-SITE IMPROVEMENTS

75. **BUILDING AND SITE DESIGN:** The building and site design shall incorporate the following transit-related uses and improvements: (a) a pedestrian walkway/bicycle route shall be maintained across the site, extending along the eastern property line, as more specifically described on Sheet A2.01 of the project plans dated January 10, 2017. A covenant by the property owner to provide public access via the pedestrian walkway and bicycle route across the site shall be signed and approved prior to approval of the building permits for the foundations. **(PROJECT-SPECIFIC CONDITION)**
76. **TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:** The property owner is required to maintain a TDM program for the life of the project which will achieve a minimum four percent (4%) reduction in peak-hour vehicle trips to the site. The TDM program measures shall be formally accepted by the property owner prior to building permit issuance through a legal agreement or recorded document, as determined by the City Attorney, with contents to the satisfaction of the Zoning Administrator. The mandatory TDM measures for the project include:
- a. Join and maintain ongoing membership in the Mountain View Transit Management Agency (MVTMA) or other association or institution providing transportation services ("TMA") that has specific programs available for residential communities for the life of the project.
  - b. Participate in the Santa Clara Valley Transportation Authority (VTA) Eco Pass Program, or an equivalent transit pass program, for the first three years of the project.
  - c. Provide a transportation subsidy of \$25 per month up to \$300 per year. This provision shall be applicable for all new renters for their first year of residency and shall be implemented for the first 10 years of the development. To receive the subsidy, the renter may be asked to provide evidence of ridership.
  - d. Provide VTA monthly passes (or the equivalent value for an alternative transit subsidy) to the residents living in the 10 affordable units.
  - e. Provide at least two Zipcars, or equivalent car-share service, in the project parking garage for resident and public use.
  - f. Provide a combination of physical and/or online informational boards providing residents commute alternatives, including local transit information, project benefits for residents, and facilitating ride-sharing coordination.
  - g. Provide an on-site conference room and/or business center with typical office amenities (including high-speed Internet, printing and faxing capabilities, and phone conferences) for residents to use.
  - h. Appoint a commute coordinator to manage and monitor commute alternative programs. The commute coordinator's responsibilities include the following:
    1. Organizing and implementing promotional programs;
    2. Updating information on the physical and/or online information board/kiosk;

3. Providing trip-planning assistance and/or ride-matching assistance to residents and employees who and considering an alternative mode for their commute;
4. Providing information about the subsidized mode programs (including transit, Zipcar, and bike share);
5. Managing annual driveway counts; and
6. Supplying up-to-day transit schedules and route maps for VTA and Caltrain. **(PROJECT-SPECIFIC CONDITION)**

77. **TRANSPORTATION DEMAND MANAGEMENT (TDM) MONITORING:** The property owner, or tenant, shall prepare an annual TDM report and submit it to the City to document the effectiveness of the TDM program in achieving the goal of four percent (4%) peak-hour vehicle trip reduction by employees within the project. The TDM report shall be prepared by an independent consultant and paid for by the property owner or tenant; the consultant shall work with the property's TDM coordinator. The TDM report will include a determination of historical commute methods, which shall be informed by surveying all employees and residents on the project site and through driveway traffic counts. All nonresponses to the commute survey will be counted as a drive-alone trip. The driveway traffic counts shall be prepared and provided by an independent, licensed consultant and paid for by the property owner or tenant. The driveway counts and resulting data shall be included in the TDM report provide d to the City.

- a. **TDM Reporting:** The initial TDM report for the project will be submitted one year after the granting of the Certificate of Occupancy. Subsequent reports will be collected annually.
- b. **Report Requirements:** The TDM report shall either: (1) state that the project has achieved four percent (4%) peak-hour vehicle trip reduction or higher, providing supporting statistics and analysis to establish attainment of the goal; or (2) state that the project has not achieved the four percent (4%) peak-hour vehicle trip reduction, providing an explanation of how and why the goal has not been reached and a description of additional measures that will be adopted in order to attain the TDM goal of four percent (4%) peak-hour vehicle trip reduction.
- c. **Penalty for Noncompliance:** If, after the initial TDM report, the second annual report indicates that, in spite of additional measures adopted to attain the TDM goal of four percent (4%), the four percent (4%) goal is still not achieved, or if the applicant fails to submit such a TDM report at the times described above, the City may assess the property owner a penalty in the maximum amount of \$10,000 for the first percentage point below the four percent (4%) peak-hour vehicle trip reduction and an additional \$50,000 for each additional percentage point below the minimum four percent (4%) thereafter ("TDM Penalty"). In determining whether a TDM penalty is appropriate, the City may consider whether the property owner has made a good-faith effort to meet the TDM goals and allow the property owner a six-month "grace period" to implement additional TDM measures. If the project does not achieve the four percent (4%) peak-hour vehicle trip reduction after the six-month grace period, the City may require the property owner to pay the TDM penalty. **(PROJECT-SPECIFIC CONDITION)**

#### MITIGATION MEASURES

78. **MM AIR-1.1: Air Quality.** All mobile diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, the U.S. EPA particulate matter emission standards for Tier 2 engines or equivalent.
79. **MM AIR-1.2: Air Quality.** All diesel-powered portable equipment (i.e., aerial lifts, air compressors, concrete saws, generators, and forklifts) operating on the site for more than two days shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent.

80. **MM AIR-1.3: Air Quality.** Upon the City's approval, the applicant could use other measures to minimize construction period DPM emissions to reduce the predicated cancer risk below the thresholds, including the use of equipment that includes CARB-certified Level 3 Diesel Particulate Filters or alternatively-fueled equipment (i.e., non-diesel).
81. **MM NOISE-1: Noise.** In the event pile driving would be required for any proposed project within the El Camino Real Precise Plan area, all residents within 300' of the project site shall be notified of the schedule for its use a minimum of one week prior to its commencement. The contractor shall implement "quiet" pile-driving technology (such as predrilling of piles, the use of more than one pile driver to shorten the total pile-driving duration, or the use of portable acoustical barriers) where feasible, in consideration of geotechnical and structural requirements and conditions.

To the extent feasible, the project contractor shall phase high-vibration generating construction activities, such as pile driving/ground-impacting operations, so they do not occur at the same time with demolition and excavation activities in locations where the combined vibrations would potentially impact sensitive areas.

The project contractor shall select demolition methods not involving impact, where possible (for example, milling generators lower vibration levels than excavating using clamshell or chisel drops).

The project contractor shall avoid using vibratory rollers and packers near sensitive areas whenever possible.

82. **MM UTL-1: Utilities and Services Systems.** Requires project-specific study when new development is proposed to identify any impacts to the water and wastewater systems adjacent to and downstream of project sites. As a condition of approval, and prior to issuance of grading and/or building permits, the Public Works Department will determine and assign responsibility to project applicants for upgrades and improvements to the City's water and/or wastewater infrastructure, as necessary.
83. **MM UTL-2: Utilities and Service Systems.** Requires project-specific study when new development is proposed to identify any impacts to the stormwater infrastructure systems adjacent to and downstream of project sites. As a condition of approval, and prior to issuance of grading and/or building permits, the Public Works Department will determine and assign responsibility to project applicants for upgrades and improvements to the City's stormwater infrastructure, as necessary.

Public Works Department – 650-903-6311

#### RIGHTS-OF-WAY

84. **STREET DEDICATION:** Dedicate a public street in fee/easement as required by the Public Works Director, to widen West El Camino Real an additional 10' to the centerline of the street.
85. **PEDESTRIAN ACCESS EASEMENT (SIDEWALKS):** Dedicate an 8' wide pedestrian access easement along West El Camino Real to the satisfaction of the Public Works Director.
86. **PUBLIC ACCESS EASEMENT (CONNECTIONS THROUGH SITES):** As outlined in the El Camino Real Precise Plan, dedicate a 20' public access area for sidewalk and landscaping improvements to the satisfaction of the City. The applicant shall enter into a covenant with the City which specifies the sidewalk shall be kept clear of trees, shrubs, structures, and utility infrastructure, and that the property owner shall maintain the pedestrian sidewalk improvements and landscape improvements within this area. City shall retain the rights to install revised public improvements in this area in the future; however, the applicant will continue to be responsible for the maintenance. **(PROJECT-SPECIFIC CONDITION)**

87. **PLAT AND LEGAL DESCRIPTION:** For the proposed dedication(s), per the City's Legal Description and Plat Requirements, submit an 8.5"x11" plat (drawing), legal description stamped by a registered civil engineer or land surveyor, and a copy of the current preliminary title report or property deed of the owner's property. These items are not required for easements dedicated on a parcel map.

#### FEES

88. **WATER AND SEWER CAPACITY CHARGES:** Prior to issuance of any building permits and prior to approval of the parcel map as applicable, the applicant shall pay the water and sewer capacity fees for the development. The water and sewer capacity charges for residential connections are based on the number and type of dwelling units. There are separate charges for different types of residential categories so that the capacity charges reasonably reflect the estimated demand of each type of connection. The water and sewer capacity charges for nonresidential connections are based on the water meter size and the building area and building use, respectively. Credit is given for the existing site use(s) and meter size(s) as applicable.
89. **STORM DRAINAGE FEE:** Pay the off-site storm drainage fee per Section 28.51(b) and with the rates in effect at time of payment.
90. **PARK LAND DEDICATION FEE:** Prior to issuance of any building permits and prior to approval of the parcel 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 credit against the Park Land Dedication Fee will be allowed for 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.

#### STREET IMPROVEMENTS

91. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the project and as required by Chapters 27 and 28 of the Mountain View City Code. These improvements shall include, but are not limited to, new curbs, gutters, sidewalk, driveway improvements on Latham Street and El Camino Real; new water, storm and sewer utility services and appurtenances on Latham Street and El Camino Real; new storm main extension and gas improvements on Latham Street and new ADA curb ramp and crosswalk improvements on El Camino Real.
- a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the approval of the building permit. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a cash deposit (100 percent) or provide a letter of credit (150 percent) securing the installation and warranty of the off-site and on-site common improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available through the Internet at: [https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570\\_a-z.htm](https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm). The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department. Any changes to the standard agreement will require an additional one- to three-week processing time with the City Attorney's Office.

- b. **INSURANCE:** Provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the building permit. The insurance coverage amounts are a minimum of 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.
92. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site improvement plans in accordance with 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"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, but not limited to, the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. Locations of on-site parking for construction equipment and construction workers must be submitted for review and approval. Off-site plans (10 sets), Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the issuance of the building permit. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.
93. **INFRASTRUCTURE QUANTITIES:** Submit a construction cost estimate form indicating the quantities of the street and utility improvements with the submittal of the improvement plans. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees.
94. **ENCROACHMENT RESTRICTIONS:** Private steps, fences, and retaining walls shall not encroach into the public right-of-way.
95. **TIE-BACK ENCROACHMENTS:** Temporary tie-backs or earthen nails for construction purposes require a separate Encroachment Agreement, plat and legal description, and bond (100 percent) or provide a letter of credit (100 percent) or cash security (100 percent) securing the installation and warranty of the temporary tie-backs.
96. **SPECIAL PAVERS AND CONCRETE:** The proposed pavers, colored concrete, or textured concrete will not be allowed within the public street or sidewalk.
97. **SPECIAL PAVERS AND CONCRETE REPLACEMENT:** The homeowners association shall be responsible for replacing the proposed pavers or textured concrete that is removed by the City to repair, replace, or maintain the City's underground utilities within the common driveway. 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 Public Works Department for review and approval.
98. **CROSSWALK IMPROVEMENTS:** The existing uncontrolled crosswalk along the property frontage of West El Camino Real shall be improved. These improvements shall include, but are not limited to, the realignment of the existing crosswalk, relocation of a new ADA-compliant curb ramp, new signage, new median improvements, and new high-visibility striping.

#### UTILITIES

99. **WATER AND SEWER SERVICE:** Each dwelling, townhouse, apartment house, restaurant, or place of business shall have its own water meter and sanitary sewer lateral in accordance with City Code Section 35.38.

100. **SEPARATE FIRE SERVICE:** Domestic water and fire services shall have separate lines connected to the City's water main, except when supplying NFPA 13D fire sprinkler systems as approved by the City Fire Protection Engineer. On-site fire lines, post indicator valves, Fire Department connections, and detector checks also require approval from the City's Fire Protection Engineer.
101. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required. The existing water service may be adequate to serve multiple meters, depending on size, and would require advance approval from the Public Works Director.
102. **WATER METER BANK:** The water meters shall be arranged in a bank of meters adjacent to the public sidewalk in the landscaped areas only. The bank of meters shall not be located in driveway approaches, concrete sidewalk areas, or next to the main driveway entrance so as not to impact the aesthetics of the entrance.
103. **WATER AND SEWER APPLICATIONS:** Prior to the issuance of the building permit, complete applications for water and sewer service if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid.
104. **EXCAVATION PERMIT:** Prior to the issuance of the building permit, submit a complete Excavation Permit Application to the Public Works Department for all applicable work within the public right-of-way. Permit applications are available from the Public Works Department. All work within City right-of-way must be consolidated on the site or utility plans. Plans of the work, traffic control plans for work within the public roadway, insurance certificate and endorsement, and permit fees are required with the Excavation Permit Application.
105. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, gate valves, and utility mains are to be shown on the plans. Sewer laterals, water services, and fire services shall have a minimum 5' horizontal separation from each other. Existing water services shall be shown to be disconnected and plugged at the main. Water services 4" or larger 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 shall be abandoned, and existing face-of-curb drains shall be removed.
106. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City water services. Backflow preventers shall be located directly behind the water meter or as reasonably close as possible at a location preapproved by the Public Services Division and screened from view with landscaping. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets or basements and shall have a minimum 3' clearance around devices.
107. **UNDERGROUND SERVICES:** All new and existing electric, telephone, and cable television services serving the site are to be placed underground (including transformers). The undergrounding of the new and existing electric, telephone, and cable television services is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the site. (Aboveground transformers shall be located so they are screened or not visible from the street or to the general public as approved by the Community Development and Public Works Departments.)
108. **JOINT UTILITY PLANS:** Submit joint utility plans showing the location of the proposed electric, gas, telephone, and cable television conduits and vaults. These plans shall be combined and made a part of the improvement plans. Dedicate utility easements that are necessary for the common utility on the parcel map.

## SIDEWALKS AND DRIVEWAYS

- 109. **ADA RAMP REQUIREMENTS:** All new access ramps shall comply with the Americans with Disabilities Act (ADA) requirements. Existing nonconforming access ramps shall be reconstructed to comply with the ADA requirements.
- 110. **ADA SIDEWALK REQUIREMENTS:** A minimum 4' wide Americans with Disabilities Act-compliant public sidewalk shall be provided behind new driveway approaches. Tapers (conforms) can be provided to connect the proposed public sidewalk on each side of the proposed driveway.
- 111. **RED CURB:** All street curbs that are located along the project frontage of both Latham Street and El Camino Real shall be painted red and designated "No Parking."

## RECYCLING

- 112. **RECOLOGY MOUNTAIN VIEW:** Recology Mountain View is the City's exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Recology. Using another hauler may violate Mountain View City Code Sections 16.13 and 16.17 and result in Code Enforcement action.
- 113. **CONSTRUCTION AND DEMOLITION ORDINANCE:** This project must comply with the City's Construction and Demolition Ordinance (Mountain View City Code Chapter 16, Article III).
- 114. **HOLDING AREA AND ROLL-OUT FEE:** Collection vehicles do not enter underground or enclosed structures. All trash, recycling, and compost containers must be transported by the property owner/manager to the approved holding area on service day and removed promptly following service. The final location and dimensions of the holding area must be approved by the Solid Waste and Recycling Section prior to issuance of a building permit. Roll-out fees charged by the City's trash hauler will apply for containers that must be rolled more than 30' from any holding area to the truck.

## STREET TREES

- 115. **STREET TREES:** Install standard City street trees where there are gaps in the spacing of the existing street trees.
- 116. **STREET TREE LOCATION:** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees are to be planted a minimum of 10' from sanitary sewer lines and 5' from water lines, fire lines, and driveways in accordance with Detail F-1 of the Standard Provisions. New street tree species must be selected from the City's official street tree list and as approved by the City's Parks and Open Space Division per Proposed Street Tree Form (CD-51).
- 117. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.

## GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

- 118. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
- 119. **DRAINAGE REQUIREMENTS:** On-site courtside areas shall not surface-drain across public sidewalks or driveway aprons. A 2'x2' inlet/cleanout box is required at or near the property line for connections to the City storm drains. For developments that do not require a subdivision map, a connection to the City's storm main requires: (1) a written request to the Public Works Director; (2) payment of storm drainage fees; and (3) approval from the Public Works Department, unless the storm drainage fees were paid in the past for the property. A face-of-curb inlet/outlet is required to drain into the curb of the street.

120. **STORM DRAIN HOLD HARMLESS AGREEMENT:** As portions of the site are or will be lower than the adjacent public street or the surface grade over the City's storm mains, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against storm surcharges or blockages that may result in on-site flooding or damage.
121. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** 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, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against sewer surcharges or blockages that may result in on-site damage.
122. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the buildings from being flooded in the event the storm drainage system becomes blocked or obstructed.
123. **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).

#### MISCELLANEOUS

124. **CONSTRUCTION PLAN:** Submit a construction traffic and parking management plan with the building plans showing the following:
1. Truck route for construction and delivery trucks that does not include neighborhood residential streets;
  2. Building construction phasing/construction equipment storage/construction parking plans: Show construction vehicles and equipment parking area and construction trailer location. All construction vehicles/equipment and trailer shall be located on-site or at a site nearby (not on a public street or public parking) arranged by the contractor. No construction equipment or vehicles shall be stored or parked on residential streets or public parking lots. Construction contractors/workers are required to park on-site or at a private property arranged by the contractor and shall not be allowed to use neighboring residential streets for parking/storage; and
  3. Sidewalk closure or narrowing is not allowed during any on-site construction activities.
- The construction traffic and parking management plan must be approved prior to the issuance of a demolition permit.
125. **TRAFFIC CONTROL PLANS:** Submit Traffic Control plans for any off-site and on-site improvements or any work that requires temporary lane closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, sidewalk detour should be shown on the Traffic Control plans.
126. **WELL QUESTIONNAIRE:** Complete a Santa Clara Valley Water District well questionnaire and return it to the Public Works Department. Well questionnaire forms are available from the Public Works Department. All existing wells shall be shown on the site plans as to remain or be sealed in accordance with the Santa Clara Valley Water District standards.
127. **CALTRANS PERMIT:** Apply for a Caltrans Encroachment Permit for all work within Caltrans' jurisdiction,



including, but not limited to, the curbs, gutters, driveway, sidewalk, curb ramp, utility, and crosswalk improvements. Work within the State right-of-way must be in accordance with Caltrans requirements.

128. **CITY OF LOS ALTOS PERMIT:** Apply for a City of Los Altos Permit for all work within their jurisdiction. Work within the Los Altos right-of-way must be in accordance with City of Los Altos requirements.
129. **STREET CLEANING:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development's construction activities. The street cleaning contractor is to have the capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director, or his/her designated representative."
130. **OCCUPANCY RELEASE:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "For residential developments, no residential units will be released for occupancy unless the improvements to be constructed to City standards and/or to be accepted for maintenance by the City, including water meters and sanitary sewer cleanouts, are substantially complete per the City of Mountain View Standard Provisions for Public Works construction. For phased developments, portions of the units may be released for occupancy, at the City's sole discretion, provided that all public and private improvements, conditions of approval, and Building Code requirements that are necessary to support the units to be released for occupancy have been completed as determined by the City. When all of the improvements are complete and/or ready for acceptance for maintenance by the City Council, the remaining units may be released for occupancy, provided that all other conditions of approval and Building Code requirements have been met. The Public Works Director shall make the determination of what public improvements are substantially complete."
131. **PRELIMINARY TITLE REPORT:** Submit a current preliminary title report or land deed indicating the exact name of the current legal owners of the property, their type of ownership (individual, partnership, corporation, etc.), and legal description of the property involved to the Public Works Department. This information is required for the preparation of Public Works agreements and documents. Include all easements and agreements referenced in the title report.
132. **SUBDIVISION:** This site plan is a subdivision of an existing parcel(s). Any combination or division of land for purpose of sale, lease, or financing requires the filing and approval of a preliminary parcel map, completion of all conditions of subdivision approval, and the recordation of the parcel map, all prior to issuance of the building permit.

Building Inspection Division – 650-903-6313

133. **BUILDING PERMITS:** A building permit is required for this project. This review by the Building Inspection Division is preliminary and only attempting to identify critical or significant code concerns. Building plan check review will be part of a separate permit application process that can be applied for once the Planning approvals have been obtained and the 10-day appeal period has passed. Submit complete sets of construction drawings at the Building Counter. Please refer to the Building Inspection Division's current "Submittal Requirements" for document submittal requirements. No construction work can be commenced without an appropriate building permit and no new occupancy shall commence without a Certificate of Occupancy. Please contact the Building Inspection Division for submittal requirements at 650-903-6313.
134. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon submittal. Current codes are the 2013 California Codes: Building, Fire, Electrical, Mechanical, Plumbing, CALGreen, and Mountain View Green Building Code.

135. **ACCESSIBILITY:** During business hours, the outdoor dining area is required to comply with the 2013 CBC, Section 11B-226.
136. **ACCESSIBILITY:** Project will be required to comply with the accessibility requirements in the 2013 CBC, Chapter 11B.
137. **ACCESSIBILITY:** Project will be required to comply with the accessibility requirements in the 2013 CBC, Chapter 11A, and CRC R320.
138. **ACCESSIBILITY (PARKING):** Project will be required to comply with the accessible parking requirements in the 2013 CBC, Chapter 11B.
139. **ACCESSIBILITY (PARKING):** Parking reductions granted through the Planning permit process do not reduce the required amount of required accessible spaces. Project will be required to comply with the accessible parking requirements in the 2013 CBC, Chapter 11B.
140. **ACCESSIBILITY (PARKING):** At least one of the guest parking spaces is required to be accessible, 2013 CBC, 1109A.5.
141. **ACCESSIBILITY (PARKING):** At least 2 percent of the assigned parking spaces are required to be accessible, 2013 CBC, 1109A.4.
142. **ADDRESSES:** Street names and numbers will be processed immediately prior to the Building Inspection Division approval of the project. Apartment and suite numbers are issued by the United States Post Office.
143. **APPROVALS REQUIRED:** This project requires the approval of the Santa Clara County Environmental Health Department at 408-918-3400 prior to submittal to the Building Inspection Division.
144. **COMMERCIAL TENANT IMPROVEMENTS:** The tenant improvements for the commercial spaces will be required to obtain a separate permit.
145. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the 2013 CBC.
146. **EGRESS:** Site must meet accessible means of egress, 2013 CBC, Section 1007.
147. **FIRE PROTECTION:** Dwelling and sleeping units shall meet the visible alarm notification requirements of 2013 CBC, Section 907.5.2.3.
148. **FIRE PROTECTION:** Overhangs and other projections will not be permitted to cross property lines between units.
149. **FIRE SPRINKLERS:** All proposed plans for new dwellings submitted after January 1, 2011 will be required to install a fire sprinkler system regardless of size.
150. **FIRE SPRINKLERS:** List fire sprinkler status within the plans.
151. **HAZARDOUS MATERIALS:** Any installation of hazardous materials will require submittal of HMIS forms for the Fire Protection Engineer and Hazardous Materials Specialist. Specification forms will also have to be provided at the time of original submittal to the Building Inspection Division.
152. **OCCUPANCY:** Provide proposed occupancy for occupied areas per Chapter 3 of the 2013 CBC.

- 153. **OCCUPANCY SEPARATION:** Proper separation to be provided between occupancies. 2013 CBC, Table 508.4.
- 154. **OCCUPANT LOAD/EXIT DISCHARGE:** Please provide occupant load and exit discharge for each occupied area.
- 155. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Please provide sufficient information at the time of plan submittal to show how pedestrians will be protected per 2013 CBC, Section 3306.
- 156. **PHOTOVOLTAIC:** Photovoltaic systems to be a deferred submittal.
- 157. **PLAYGROUND EQUIPMENT:** A building permit will be required for all playground equipment in the common areas. Third-party inspection by a certified playground safety inspector is required before final inspection.
- 158. **SURVEY:** A survey will be required to be completed to verify structure placement.

Fire Department – 650-903-6343

#### FIRE PROTECTION SYSTEMS AND EQUIPMENT

- 159. **FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Three (3) sets of shop-quality drawings shall be submitted for review and approval. All work shall conform to NFPA 13 (2013 Edition), NFPA 72 (2013 Edition), and Mountain View Fire Department specifications. Call the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements. (Mountain View City Code, Sections 14.10.27, 14.10.28, and California Fire Code, Section 903.)
- 160. **STANDPIPE SYSTEM:** Provide a Class III standpipe system. (Mountain View City Code, Sections 14.10.29, 14.10.30, 14.10.31, and 14.10.32 and California Fire Code, Section 905.)
- 161. **FIRE PROTECTION DURING CONSTRUCTION:** Every building four (4) stories or more in height shall be provided with not less than one (1) standpipe for use during construction. Such standpipe(s) shall be installed when the progress of construction is not more than 40' in height above the lowest level of Fire Department access. Such standpipe(s) shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs, and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. In each floor, there shall be provided a 2.5" valve outlet for Fire Department use. (California Fire Code, Chapter 33.)
- 162. **ON-SITE WHARF HYDRANTS:** Provide ground-level wet standpipes (wharf hydrants). On-site wharf hydrants shall be so located as to reach any portion of combustible construction with 150' of hose. Installation shall be complete and the system shall be tested prior to combustible construction. The wharf hydrant shall be capable of providing a combination flow of 500 GPM with two 2.5" outlets flowing. Three (3) complete sets of shop-quality drawings shall be submitted for review and approval. (NFPA 24 (2013 Edition) and Mountain View Fire Department requirements.)
- 163. **FIRE EXTINGUISHERS:** Install one 2-A:10-B:C fire extinguisher for every 50'/75' of travel or every 3,000 square feet. Fire extinguisher locations shall be indicated on the architectural floor plans. (California Code of Regulations, Title 19, Chapter 3 and California Fire Code, Section 906.)
- 164. **AUTOMATIC/MANUAL FIRE ALARM SYSTEM:** Provide an approved automatic/manual fire alarm system in accordance with California Fire Code and Mountain View Fire Department specifications. Three (3) complete sets of fire alarm system shop-quality drawings shall be submitted for review and approval. Prior to occupancy, the

system shall be field-tested, approved, and in service. Provisions shall be made for monthly testing, maintenance, and service. Call the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements. (California Fire Code, Section 907 and Mountain View City Code, Section 14.10.33.)

165. **SMOKE ALARMS:** All residential occupancies shall be provided with California State Fire Marshal-listed smoke alarms. Smoke alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 907.)

#### FIRE DEPARTMENT ACCESS

166. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions. (California Fire Code, Section 506.)
167. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions. (California Fire Code, Section 506.) **Required at gate for parking garage.**
168. **STRETCHER REQUIREMENTS:** In all structures four (4) or more stories in height, at least one elevator shall be provided with a minimum clear distance between walls or between walls and door, excluding return panels, of not less than 80"x54", and a minimum distance from wall to return panel of not less than 51" with a 42" side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 84"x24" in the horizontal position. (California Building Code, Section 3002.)

#### EGRESS AND FIRE SAFETY

169. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the Electrical Plans. (California Building Code, Section 1006.)
170. **EXIT SIGNS:** Exit signs shall be internally or externally illuminated and provided with battery backup per Uniform Building Code Chapter 10. Exit signs shall be posted above each required exit doorway and wherever otherwise required to clearly indicate the direction of egress. (California Building Code, Section 1011.)
171. **FLOOR-LEVEL EXIT SIGNS:** Floor-level exit signs shall be provided in all interior exit corridors of Group A, E, I, and Group R2.1 occupancies and in all interior rated exit corridors serving guest rooms of hotels in R1 occupancies. (California Building Code, Section 1011.)
172. **EXIT DOORS IN GROUPS A, E, H, AND I OCCUPANCIES:** Exit doors shall be provided with approved panic hardware. (California Building Code, Section 1008.1.10.)
173. **GROUP A OCCUPANCIES:** Buildings or portions of buildings used for assembly purposes shall conform to all requirements of Title 19 and the Uniform Building Code. This shall include, but is not limited to: (1) two exits; (2) fire-retardant drapes, hangings, Christmas trees, or other similar decorative material; and (3) posting of a maximum occupant load sign. (California Code of Regulations, Title 19, Sections 3.08, 3.21, and 3.30.)
174. **GROUP A, E, I, AND R-1 OCCUPANCIES:** Decorative Materials: All drapes, hangings, curtains, drops, and all other decorative material, including Christmas trees, shall be made from a noncombustible or fire-resistive material or maintained in a flame-retardant condition by means of an approved flame-retardant solution or process approved by the California State Fire Marshal. (California Code of Regulations, Title 19, Sections 3.08 and 3.21.)
175. **INTERIOR WALL AND CEILING FINISH:** Interior finishes shall have a flame-spread rating in accordance with the California Building Code, Chapter 8, and California Code of Regulations, Title 19, Section 3.21.

176. **POSTING OF ROOM CAPACITY:** Any room used for assembly purposes shall have the capacity of the room posted in a conspicuous place near the main exit from the room. (California Building Code, Section 1004.3.)
177. **ON-SITE DRAWINGS:** Submit two (2) 8.5"x11" plot plan drawings according to Fire Department specifications prior to final Certificate of Occupancy.
178. **STAIRWAY IDENTIFICATION SIGNS:** In buildings four (4) or more stories in height, approved stairway identification signs shall be located at each floor level in all enclosed stairways. The sign shall identify the stairway and indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located 5' above the floor landing in a position which is readily visible when the door is in the open or closed position. (California Building Code, Section 1022.9.)

#### EXTERIOR IMPROVEMENTS

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

#### OTHER

181. **EMERGENCY ESCAPE OPENING ACCESS:** Provide clear space and ladder pads at ground level for emergency escape opening access in R and I-1 occupancies. Ladder pads shall be accessible by fire crews with a three-section, 12' long ladder. Awnings and window shades shall be designed to not interfere with ladder access. (California Building Code, Section 1029.)
182. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)

Fire and Environmental Protection Division – 650-903-6378

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

183. **STORM DRAIN/SANITARY SEWER PLAN CHECK SHEET:** Complete a "Storm Drain/Sanitary Sewer Discharges" check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.
184. **STATE OF CALIFORNIA CONSTRUCTION GENERAL STORMWATER PERMIT:** A "Notice of Intent" (NOI) and "Stormwater Pollution Prevention Plan" (SWPPP) shall be prepared for construction projects disturbing one (1) acre or more of land. Proof of coverage under the State General Construction Activity Stormwater Permit shall be attached to the building plans.
185. **CONSTRUCTION SEDIMENT AND EROSION CONTROL PLAN:** The applicant shall submit a written plan

acceptable to the City which shows controls that will be used at the site to minimize sediment runoff and erosion during storm events. The plan should include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan should also include routine street sweeping and storm drain catch basin cleaning.

186. **ENGINEERED DRAWINGS:** Treatment systems and/or porous pavement, pavers, and other uncompacted surfaces require engineered drawings.
187. **SWIMMING POOLS, SPAS, AND FOUNTAINS:** Swimming pools, spas, and fountains shall be installed with a sanitary sewer cleanout in a readily accessible nearby area to allow for draining.
188. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10 percent; (b) using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) installing plants with low water requirements; and (d) installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices will be used in the building plan submittal.
189. **EFFICIENT IRRIGATION:** Common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) employing multi-programmable irrigation controllers; (c) employing rain shutoff devices to prevent irrigation after significant precipitation; (d) use of drip irrigations for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.
190. **OUTDOOR STORAGE AREAS (INCLUDING GARBAGE ENCLOSURES):** Outdoor storage areas (for storage of equipment or materials which could decompose, disintegrate, leak, or otherwise contaminate stormwater runoff), including garbage enclosures, shall be designed to prevent the run-on of stormwater and runoff of spills by all of the following: (a) paving the area with concrete or other nonpermeable surface; (b) covering the area; and (c) sloping the area inward (negative slope) or installing a berm or curb around its perimeter. There shall be no storm drains in the outdoor storage area.
191. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.
192. **STORMWATER TREATMENT (C.3):** This project will create or replace more than ten thousand (10,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." The City's guidelines also describe the requirement to select Low-Impact Development (LID) types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

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

193. **COMMENT:** The conceptual Stormwater Management Plan indicates that the pool area will drain to the sanitary sewer. The pool deck area is required to drain to stormwater treatment facilities, then to the storm drain system. The **SWIMMING POOLS, SPAS, AND FOUNTAINS** condition above requires that the pool equipment room be installed with a sanitary sewer cleanout in a readily accessible nearby area to allow for draining.
194. **STORMWATER MANAGEMENT PLAN—THIRD-PARTY ENGINEER’S CERTIFICATION:** The Final Stormwater Management Plan must be certified by a qualified third-party engineer that the proposed stormwater treatment controls comply with the City’s Guidelines and Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP). A list of qualified engineers is available at the following link: [http://www.scvurppp-w2k.com/consultants\\_list.shtml](http://www.scvurppp-w2k.com/consultants_list.shtml)

NOTE: Zoning permits may be extended for up to an additional two years after public hearing review by the Zoning Administrator in compliance with the procedures described in the Zoning Ordinance. An application for extension must be filed with the Planning Division of the Community Development Department, including appropriate fees, prior to the original expiration date of the permit.

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

NOTE: In compliance with the California Environmental Quality Act (CEQA), an Initial Study of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found, with implementation of the El Camino Real Precise Plan standards and guidelines, standard City conditions of approval, State regulations, and mitigation measures identified in the El Camino Real Precise Plan EIR (2014) and the Mountain View General Plan and Greenhouse Gas Reduction Program EIR, the proposed project would not result in any new environmental impacts beyond those evaluated in these EIRs.

NOTE: The applicant shall file a Parcel Map for approval and recordation in accordance with the approved Planned Community Permit (PCP), the City Code, and the State Map Act. The permit authorizing approval of the PCP is conditioned upon obtaining an approved Parcel Map. Failure to obtain an approval for the Parcel Map shall render the PCP invalid.

PB/3/CDD  
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