CITY OF MOUNTAIN VIEW RESOLUTION NO. SERIES 2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW APPROVING A TENTATIVE MAP TO CREATE FIVE LOTS AND ONE COMMON LOT ON A 0.51-ACRE LOT AT 198 EASY STREET

WHEREAS, an application was received from Phoi Phan of Phan Architects for a Tentative Subdivision Map to create five lots and one common lot at 198 Easy Street (Application No. PL-2018-088); and

WHEREAS, on March 24, 2021, at a duly noticed public hearing, the Subdivision Committee considered this request and recommended the Tentative Subdivision Map be approved subject to the attached Conditions of Approval; and

WHEREAS, on May 11, 2021, the City Council held a public hearing on said request and received and considered all evidence presented at said hearing, including the attached Conditions of Approval;

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

1. The Tentative Map is in compliance with the California Environmental Quality Act (CEQA) because the project qualifies as categorically exempt per Section 15332 ("In-Fill Development Projects"), and the project is consistent with the General Plan Land Use Designation and policies and is consistent with all zoning regulations and designations; it occurs within the City limits, is located on a project site with no more than five acres, and is substantially surrounded by urban use; the site has no known habitat for endangered, rare, or threatened species; the project would not result in any significant impacts relating to traffic, noise, or air quality; and the site can be served by all required utilities and public services.

2. That pursuant to Section 66473.5 and Subsections (a) and (b) of Section 66474 of the Government Code, and Section 28.8 of the Mountain View City Code, the City Council hereby finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan Land Use Designation of Medium-Density Residential (13 to 25 units per acre) of the City, including all required elements therein applicable to said property.

3. That the Tentative Subdivision Map for 198 Easy Street is hereby approved subject to the subdivider's compliance with all of those conditions of approval as required by the Subdivision Committee and attached hereto and incorporated herein by reference.

TIME FOR JUDICIAL REVIEW

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

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MN/1/RESO 813-05-11-21r-1

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

SUBDIVISION CONDITIONS APPLICATION NO.: PL-2018-088 198 EASY STREET

1. SD-01* [SUBDIVISION CONDITION]

MAP SUBMITTAL: File a final map for approval and recordation in accordance with the City Code and the California Subdivision Map Act prior to the issuance of any building permit for the property within the subdivision. All existing and proposed easements are to be shown on the map. Submit two black-line copies of the map to the Public Works Department for review together with all items on the Map Checklist concurrent with the Off-Site Improvement Plans.

2. SD-02 [SUBDIVISION CONDITION]

MAP DOCUMENTS: Prior to the approval and recordation of the map, submit a subdivision guarantee, County Tax Collector's letter regarding unpaid taxes or assessments, and subdivision security if there are unpaid taxes or special assessments.

3. SD-03* [SUBDIVISION CONDITION]

SOILS REPORT: Soils and geotechnical reports prepared for the subdivision shall be indicated on the final map. Submit a copy of the report with the first submittal of the final map.

a. As required by the State Seismic Hazards Mapping Act, a project site-specific geotechnical investigation shall be conducted by a registered soils/geologist identifying any seismic hazards and recommending mitigation measures to be taken by the project. The applicant, through the applicant's registered soils engineer/geologist, shall certify the project complies with the requirements of the State Seismic Hazards Mapping Act. Indicate the location (page number) within the geotechnical report of where this certification is located, or provide a separate letter stating such.

4. SD-04 [SUBDIVISION CONDITION]

FINAL MAP APPROVAL: The final map shall be signed and notarized by the owner and engineer/surveyor and submitted to the Public Works Department with an 8.5"x11" reduction of the map. In order to place the approval of the final map on the agenda for the City Council, all related materials and agreements must be completed, signed, and received by the Public Works Department 40 calendar days prior to the Council meeting. After City Council approval, the City will sign the map and provide a Xerox Mylar copy. The applicant's title company shall have the County Recorder's Office record the original and endorse the Xerox Mylar copy. The endorsed Xerox Mylar copy and PDF shall be returned to the Public Works Department within one week after recording the map.

5. SD-08* [SUBDIVISION CONDITION]

SUBDIVISION FEES: Pay all subdivision fees due in accordance with the rates in effect at the time of payment prior to the approval of the final map.

6. SD-09* [SUBDIVISION CONDITION]

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

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

7. SD-10* [SUBDIVISION CONDITION]

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

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

Once the plans have been approved, the approved cost estimate will be used to determine the final bond amounts, plan check fees, and inspection fees. Any paid initial plan check fee will be deducted from the approved final plan check fee.

8. SD-11* [SUBDIVISION CONDITION]

TRANSPORTATION IMPACT FEE: Prior to issuance of any building permits and prior to approval of the final map, as applicable, the applicant shall pay the transportation impact fee for the development. Residential category fees are based on the number of units. Retail, Service, Office, R&D, and Industrial category fees are based on the square footage of the development. Credit is given for the existing site use(s), as applicable. If the building permit is not obtained by January 1, 2021, this fee will apply.

9. SD-12* [SUBDIVISION CONDITION]

WATER AND SEWER CAPACITY CHARGES: The water and sewer capacity charges for residential connections are based on the number and type of dwelling units. There are separate charges for different types of residential categories so that the capacity charges reasonably reflect the estimated demand of each type of connection. The water and sewer capacity charges for nonresidential connections are based on the water meter size, and the building area and building use, respectively. Credit is given for the demand of the improvements that previously existed on the site. Fees need to be paid per the Public Works Fee Schedule prior to Public Works approving the final map.

10. SD-13* [SUBDIVISION CONDITION]

PARK LAND DEDICATION FEE: Prior to issuance of any building permits and prior to approval of the final map, as applicable, the applicant shall pay the Park Land Dedication Fee (approximately \$20,000 to \$40,000 per unit) for each new residential unit in accordance with Chapter 41 of the City Code prior to the issuance of the building permit. No credits against the Park Land Dedication Fee will be allowed for the private open space and recreational facilities. Provide the most current appraisal or escrow closing statement of the property with the following information to assist the City in determining the current market value of the land: (1) a brief description of the existing use of the property; (2) square footage of the lot; and (3) size and type of each building located on the property at the time the property was acquired.

11. SD-14* [SUBDIVISION CONDITION]

STORM DRAINAGE FEE: Prior to issuance of any building permits and prior to approval of the final map, the applicant shall pay the off-site storm drainage fee per Section 28.51(b) and with the rates in effect at time of payment.

12. SD-19* [SUBDIVISION CONDITION]

STREET DEDICATION: Dedicate a public street in fee/easement on the face of the map, as required by the Public Works Director, to complete the existing cul-de-sac as shown on the preliminary final map.

13. SD-25 [SUBDIVISION CONDITION]

FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION: Dedicate a 10' wide public utility easement (PUE) along project street frontage(s) on the face of the map for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, communication, and cable television facilities, as required by the Public Works Director. The property owner or homeowners association shall maintain the surface improvements over the easement

and must not modify or obstruct the easement area in a manner contrary to the intent of the easement. The dedication statement shall specify the PUE shall be kept free and clear of buildings and other permanent structures/facilities, including, but not limited to, the following:

- Garages, sheds, carports, and storage structures;
- Balconies and porches;
- Retaining walls;
- C.3 bioretention systems; and
- Private utility lines running longitudinally within the PUE.

14. SD-28 [SUBDIVISION CONDITION]

PUBLIC SERVICE EASEMENT: Dedicate a public service easement (PSE) on the face of the map to the utility company(ies) for the proposed electric, gas, and telecommunication conduits and vaults serving the project.

15. SD-29* [SUBDIVISION CONDITION]

UTILITY EASEMENT AND APPROVALS: Dedicate utility easements, as required by the utility companies and as approved by the Public Works Director. All street and public service easement dedications are to be shown on the final map. The subdivider shall submit two copies of the map to PG&E, AT&T (SBC), and Comcast for their review and determination of easement needs. The public service easement dedications must be approved by the utility companies prior to the approval of the final map.

16. SD-30* [SUBDIVISION CONDITION]

STORM DRAIN EASEMENT: The subdivider shall provide a private irrevocable storm drain easement over Lots 1 through 5 and the common lot in favor of Lots 1 through 5.

17. SD-31 [SUBDIVISION CONDITION]

PRIVATE UTILITY AND ACCESS EASEMENTS: Dedicate private utility and/or access easements on the face of the map, as necessary, for the common private street and utility improvements.

18. SD-33 [SUBDIVISION CONDITION]

CC&Rs: Covenants, Conditions, and Restrictions (CC&Rs) for the homeowners association, together with a completed CC&R checklist, shall be submitted to and approved by the City Attorney's Office and the Community Development Department prior to approval and recordation of the map. The said covenants shall include and stipulate all of the standard provisions which are shown on the attached sheet. The checklist and proposed CC&Rs shall be annotated to show exactly where each of the standard provisions have been incorporated into the CC&R document.

19. SD-35 [SUBDIVISION CONDITION]

CC&Rs, PARKING RESTRICTION: Parking shall be prohibited within the common driveways, excluding approved guest parking, as the parking would obstruct the use of the driveway. These parking prohibitions shall be stated within the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department. The common driveway shall be signed and/or striped as "No Parking" or "No Parking—Fire Lane."

20. SD-38* [SUBDIVISION CONDITION]

CC&Rs, GARBAGE PICKUP (INDIVIDUAL SERVICE): The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision stating that the homeowners are responsible for bringing their garbage, recycling, and compost carts to the curb along the public street on garbage collection days. An exhibit indicating the location of the carts on pick-up day shall be included. A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.

21. SD-45* [SUBDIVISION CONDITION]

PUBLIC AND PRIVATE COMMON IMPROVEMENTS: Install or reconstruct standard public and private common improvements required for the subdivision and as required by Chapters 27 and 28 of the City Code. The public improvements include, but are not limited to, new detached sidewalk, curb, and gutter; street signs per City Standards; two (2) Americans with Disabilities Act (ADA) curb ramps and driveway; installation of three (3) City Standard light poles; full street overlay on Gladys Court; half-street easement on Easy Street; and the undergrounding of overhead electric. The private common improvements include, but are not limited to, private storm drain connection, joint trench connection, and common driveway.

- a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public and on-site common improvements prior to the approval of the final map.
- BONDS/SECURITIES: Sign a Public Works Department faithful performance bond (100 percent) and b. materials/labor bond (100 percent) or provide a letter of credit (150 percent) or cash security (100 percent) securing the installation and warranty of the off-site and on-site common improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This approved sureties is available through list of the Internet at: www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security are available at the Public Works Department.
- b. **INSURANCE:** Provide a Certificate of Insurance and endorsements for Commercial General Liability and Automobile Liability naming the City as an additional insured from the entity that will sign the improvement agreement prior to the approval of the final map. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, One Million Dollars (\$1,000,000) Pollution Liability Insurance, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.

22. SD-46* [SUBDIVISION CONDITION]

OFF-SITE IMPROVEMENT PLANS: Prepare off-site public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, Submittal Checklist, Plan Review Checklist, and the conditions of approval of the project. The plans are to be drawn on 24" x 36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a California-registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. Traffic control plans for each phase of construction shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and shall show, at a minimum, work areas, delineators, signs, and other traffic control measures required for work that impacts traffic on existing streets. Locations of on-site parking for construction equipment and construction workers and on-site material storage areas must be submitted for review and approval. Off-site improvement plans (10 sets), an initial plan check fee and map plan check fee based on the Public Works fee schedule, Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 full-size and 2 half-size black-line sets, 1 Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the approval of the final map. CAD files shall meet the City's Digital Data Submission Standards.

23. SD-47* [SUBDIVISION CONDITION]

PRIVATE COMMON IMPROVEMENT PLANS: Prepare on-site common improvement plans consisting of the proposed demolition, fill, grading, retaining walls, drainage, private streets, common driveways, common utilities, public utilities, and other applicable improvements in accordance with Chapter 28 of the City Code, the Standard

Design Criteria for Common Green and Townhouse-Type Condominiums, and the conditions of approval of the subdivision. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The improvement plans (10 sets), Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans and final map. The improvement plans must be approved and signed by the Public Works Department. After the improvement plans have been signed by the Public Works Department, 10 full-size and 2 half-size black-line sets, 1 Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the approval of the final map. CAD files shall meet the City's Digital Data Submission Standards. Where both public and common improvement plans are required, the plans shall be combined into one set of plans.

24. SD-48 [SUBDIVISION CONDITION]

INFRASTRUCTURE QUANTITIES: Upon submittal of the initial building permit and improvement plans, submit a completed construction cost estimate form indicating the quantities of the street and utility improvements with the submittal of the improvement plans. The construction cost estimate is used to estimate the cost of improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate is to be prepared by the civil engineer preparing the improvement plans.

25. SD-49 [SUBDIVISION CONDITION]

UNDERGROUNDING OF OVERHEAD SERVICES: All new and existing electric and telecommunication facilities serving the subdivision are to be placed underground (including transformers). The undergrounding of the new and existing overhead electric and telecommunication lines is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the subdivision. (If allowed by the City, aboveground transformers shall be located so they are screened or not visible from the street or to the general public, as approved by the Community Development and Public Works Departments.)

26. SD-50* [SUBDIVISION CONDITION]

JOINT UTILITY PLANS: Upon submittal of the initial building permit and improvement plans, the applicant shall submit joint utility plans showing the location of the proposed electric, gas, and telecommunication conduits, including existing conduits, and associated facilities, including, but not limited to, vaults, manholes, cabinets, pedestals, etc. These plans shall be combined with and made part of the improvement plans. Joint trench intent drawings will be accepted at first improvement plan submittal. All subsequent improvement plan submittals shall include joint trench design plans. Dedicate public utility easements that are necessary for the common utility on the final map.

27. SD-51* [SUBDIVISION CONDITION]

UNDERGROUNDING OF OVERHEAD LINES: Underground existing overhead electric and telecommunication facilities fronting the property along Easy Street and/or within the division of land, unless waived by the City Council after consideration of the recommendation of the Public Works Director due to unusual or impractical circumstances. The undergrounding work shall be constructed in conjunction with any applicable off-site improvements and completed prior to issuance of a Certificate of Occupancy for any new unit. All poles fronting the property and/or within the division of land shall be removed. If the undergrounding requirement is waived, subdivider shall fulfill whatever substitute conditions the City shall impose prior to final map approval.

28. SD-54 [SUBDIVISION CONDITION]

UTILITY MAINTENANCE: On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained.

29. SD-56 [SUBDIVISION CONDITION]

SURFACE WATER RELEASE: Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the residential buildings from being flooded in the event the storm drainage system becomes blocked or obstructed. Show and identify path of surface water release on the improvement plans.

30. SD-57 [SUBDIVISION CONDITION]

LOT DRAINAGE: Each residential lot shall be designed to drain toward the streets, alleys, common driveways, or common areas. The drainage paths for the privately owned lots shall be designed such that the drainage paths do not cross the common property lines unless an exception is approved by the Public Works Department due to unavoidable circumstances (such as to provide drainage to an existing Heritage tree).

31. SD-60 [SUBDIVISION CONDITION]

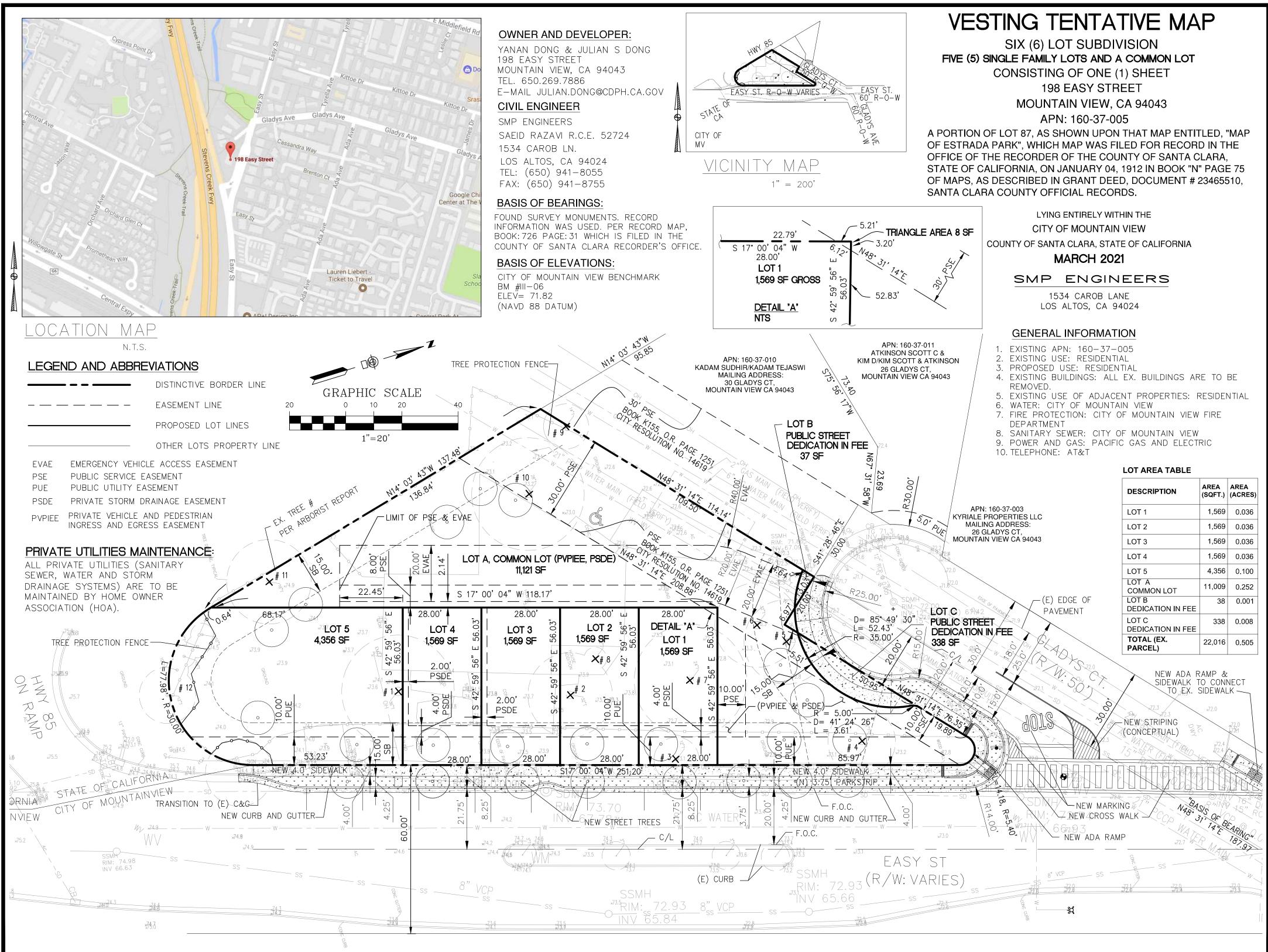
SUBDIVISION AND DESIGN CRITERIA PROVISIONS: It is the applicant's responsibility to comply with relevant provisions of Chapter 28 of the City Code and with the City's Design Criteria for Common Green Developments and Townhouse-Type Condominiums.

32. SD-63* [SUBDIVISION CONDITION]

CONSISTENCY WITH OTHER APPROVALS: This map shall be consistent with all requirements of the Planned Unit Development Permit, Application No. PL-2018-087. All conditions of approval imposed under that application shall remain in full force and effect and shall be met prior to approval of the final map.

33. SD-64 [SUBDIVISION CONDITION]

APPROVAL EXPIRATION: If the map is not completed within twenty-four (24) months from the date of this approval, this map shall expire. The map is eligible for an extension of an additional twelve (12) months, provided the request for extension is filed by the applicant prior to the expiration of the original map. Upon filing a timely application for extension, the map shall automatically be extended for sixty (60) days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first.



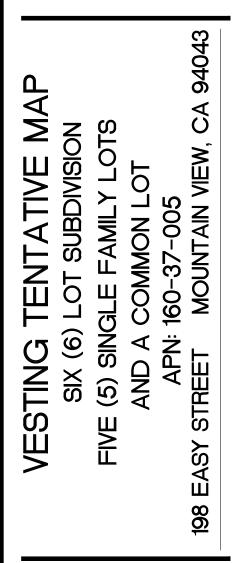
DESCRIPTION	AREA (SQFT.)	AREA (ACRES)
LOT 1	1,569	0.036
LOT 2	1,569	0.036
LOT 3	1,569	0.036
LOT 4	1,569	0.036
LOT 5	4,356	0.100
LOT A COMMON LOT	11,009	0.252
LOT B DEDICATION IN FEE	38	0.001
LOT C DEDICATION IN FEE	338	0.008
TOTAL (EX. PARCEL)	22,016	0.505



ENGINEERS CIVIL ENGINEERS

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OWNER/APPLICANT: JULIAN DONG 198 EASY STREET MOUNTAIN VIEW, CA 94043 650.269.7886 JULIAN.DONG@CDPH.CA.GOV





Date: 3/2/2021 Scale: 1" = 20' Prepared by: V.G. Checked by: S.R. Job #: 217125 Sheet: **TM-1**

