

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

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APPLICATION NO.:

PL-2023-115

DATE OF FINDINGS:

August 23, 2023

EXPIRATION OF ZONING PERMIT:

September 14, 2024

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

Applicant's Name:

Mark Currington for Taylor Morrison of CA LLC

Property Address:

Assessor's Parcel Nos.:

Zone:

570 South Rengstorff Avenue

148-36-033; 148-36-035; 148-36-036

R3-1.25

Request:

Request for a one-year Permit Extension of a Planned Unit Development Permit and Development Review Permit to construct an 85-unit rowhouse development to replace 70 apartment units; a Heritage Tree Removal Permit to remove 38 Heritage trees; and a Vesting Tentative Map for subdivision to create 11 lots for condominium purposes and seven common lots on a 4.07-acre project site; and a determination the project is categorically exempt pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA Guidelines.

APPROVED

CONDITIONALLY
APPROVED

DISAPPROVED

OTHER

FINDINGS OF APPROVAL:

The request for a one-year Permit Extension for a previously approved Planned Unit Development Permit, Development Review Permit, and Heritage Tree Removal Permit (Application No. PL-2019-182) to construct an 85-unit rowhouse development to replace 70 apartment units and to remove 38 Heritage trees is conditionally approved based upon the conditions of approval contained herein and upon the following findings:

- A. Per Section 36.56.65 of the Mountain View City Code, a permittee can request an extension of a valid permit by filing an application before the expiration date and, subsequently, the Zoning Administrator holding a duly noticed public hearing to determine whether the permittee has made a good-faith effort to comply with the conditions of the permit during the initial two-year period and obtain building permits. The permittee has provided substantial evidence of their efforts by coordinating with staff and actively working to respond to comments to finalize improvement plans and construction documents for building permit resubmittal. The one-year extension will allow time to obtain a building permit and commence construction;
- B. At a duly noticed hearing, the Zoning Administrator determined the permittee proceeded in good faith and has exercised due diligence in complying with the conditions in a timely manner;
- C. Any special structure or building modifications necessary to contain the proposed use would not impair the architectural integrity and character of the zoning district in which it is to be located because the project includes only minor modifications that address the original permit's design conditions of approval; and
- D. The approval of the Permit Extension complies with the California Environmental Quality Act (CEQA) because the project remains substantially unchanged from the originally approved project, which qualified as a categorically exempt project per Section 15332 ("In-Fill Development Projects") because the project is an infill development in an existing residential neighborhood that is consistent with the applicable General Plan and Zoning Designation; is on a project site of less than five

Owner

Agent

File

Fire

Public Works

acres; contains no value as endangered, rare, or threatened species habitat; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

This approval is granted for a one-year Permit Extension for a previously approved Planned Unit Development Permit and Development Review Permit to construct an 85-unit rowhouse development to replace 70 apartment units and Heritage Tree Removal Permit to remove 38 Heritage trees located on Assessor's Parcel Nos. 148-36-033, 148-36-035, and 148-36-036. The conditions of approval from the original permit (Application No. PL-2019-182) still apply, with the added or modified conditions as listed below, and the permit expiration date shall be September 14, 2024.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

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

1. **EXPIRATION (Replaces Original Permit Condition No. 1):** This permit is valid for a period of one year from the expiration date of the original approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the one-year period.
2. **PERMIT EXTENSION (Replaces Original Permit Condition No. 2):** This permit extension incorporates and updates conditions of approval from prior permits, including, but not limited to, Permit No. PL-2019-182. For regulatory purposes, all previous permits and conditions of approval shall remain valid, except as may be modified by conditions of approval contained herein.

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

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

AMBER BLIZINSKI, ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR

AB/EY/2/FDG
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