



# COUNCIL REPORT

**DATE:** May 12, 2026  
**CATEGORY:** Consent  
**DEPT.:** Public Works  
**TITLE:** **309 Moorpark Way, Tract No. 10677–  
Final Map**

## **RECOMMENDATION**

Adopt a Resolution of the City Council of the City of Mountain View Approving a Final Map for Tract No. 10677, 309 Moorpark Way, Accepting Dedications, Making Findings as Required by Chapter 28 of the Mountain View City Code, and Authorizing Execution of an Improvement Agreement as a Condition to Final Map Approval, to be read in title only, further reading waived (Attachment 1 to the Council report).

## **BACKGROUND**

On March 13, 2025, the City Council adopted [Resolution No. 18972](#) conditionally approving a Vesting Tentative Map to create 22 residential lots and five common lots at 309 Moorpark Way (Application No. PL-2023-205).

## **ANALYSIS**

The developer has met all conditions of approval relating to the final map (Exhibit A to Attachment 1), and the disposition of these conditions (Attachment 2) is as follows:

1. The final map was reviewed and is ready for approval and recordation. The map is in substantial conformance with the Vesting Tentative Map.
2. The subdivision guarantee, County Tax Collector's letter regarding unpaid taxes for assessment, and subdivision security were submitted to the City.
3. A soils report was prepared and referenced on the final map. The developer, through its registered soils engineer/geologist, has certified that the project complies with the requirements of the State Seismic Hazard Map Act.
4. A copy of the final map is attached to this report (Exhibit A to Attachment 1).

5. The developer paid subdivision fees, including the map check fee, plan check fee, and construction inspection fee. The project qualifies for impact fee deferral pursuant to Senate Bill 937, codified at Government Code Section 66007, and the developer has elected to defer payment of the Park Land Dedication Fee, water capacity fee, sewer capacity fee, and transportation impact fee, until issuance of the certificate of building occupancy.
6. The developer has offered to dedicate public streets in fee on the map to widen Moorpark Way and Sylvan Avenue.
7. The developer has offered to dedicate public and private utility easements on the map for the on-site utilities and access, which were approved by Public Works, AT&T, PG&E, and Comcast.
8. Covenants, Conditions, and Restrictions (CC&Rs) have been submitted by the developer and approved by the City Attorney's Office and the Community Development Department.
9. The developer signed an improvement agreement to construct public and private improvements and submitted the required bonds and insurance.
10. The Public Works Department approved the improvement plans for the public and private improvements.
11. The overhead utility lines along the project frontage and all on-site telephone, electric, and cable television services shall be placed underground.
12. The development complies with the relevant provisions of Chapters 27 and 28 of the Mountain View City Code and the City's Standard Design Criteria.
13. The map is consistent with the Planned Unit Development Permit and Development Review Permit, Application No. PL-2023-204, and conditions of approval.
14. The Vesting Tentative Map was approved on March 13, 2025, and the final map is recommended for approval within 24 months of the expiration date, meeting the requirements of the Subdivision Map Act.

After the March 13, 2025 Council approval of the project, in response to feedback received, staff and the applicant further evaluated alternatives to provide a secondary driveway access to serve the development. In addition to the originally proposed driveway on Sylvan Avenue, the project now includes a second driveway access onto Moorpark Way.

## **ENVIRONMENTAL REVIEW**

Approval of the final map and the improvement agreement is exempt from the California Environmental Quality Act, Public Resources Code Section 21000, *et seq.* (CEQA) pursuant to Public Resources Code Section 21080(b)(1) (ministerial projects) and CEQA Guidelines Section 15268 (ministerial projects).

## **FISCAL IMPACT**

The developer, MV Kenison Place 2025 Inc., paid \$328,985 in subdivision fees, including the map check fee, plan check fee, and construction inspection fee. Pursuant to Senate Bill 937, the developer has elected to defer payment of the impact fees, including the water capacity fees, sewer capacity fees, Park Land Dedication fees, and transportation impact fee, until issuance of the certificate of building occupancy. These deferred impact fees are estimated at \$1,248,400 using the current fee schedule. They are subject to the City’s annual adjustments in accordance with California Government Code Section 65589.5(o) except for the Park Land Dedication Fee. Pursuant to Resolution No. 18972, Condition of Approval No. 18, no later than sixty days prior to building permit issuance, the developer can submit a written request for a one-time recalculation of the \$1,022,580 Park Land Dedication fee based on any update to or replacement of the fee ordinance. The reduced fee shall result in no less than a twenty percent (20%) reduction of the total fee amount.

## **LEVINE ACT**

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$500 from a party, participant, or agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: [www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html](http://www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html)

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

## **SUBJECT TO THE LEVINE ACT**

Land development entitlements

## **ALTERNATIVES**

Determine that the final map is not consistent with the Vesting Tentative Map or associated conditions, or applicable codes, and do not approve the final map and dedications.

**PUBLIC NOTICING** – Agenda posting.

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Approved by:

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Attachments:   1.   Resolution with Exhibit A  
                  2.   Vesting Tentative Map Conditions (PL-2023-205)

cc:   MV Kenison Place 2025 Inc.  
      385 Woodview Avenue, Suite 100  
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