



COUNCIL REPORT

DATE: October 28, 2025

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Notice of Intention to Vacate Public Easements at 749 West El Camino Real**

RECOMMENDATION

Adopt a Resolution of Intention of the City Council of the City of Mountain View to Vacate Public Easements at 749 West El Camino Real, to be read in title only, further reading waived (Attachment 1 to the Council report), and set a date for a public hearing to consider the vacation for November 18, 2025.

BACKGROUND

On November 18, 2025, the City Council will consider a Planned Community Permit, Development Review Permit, and Preliminary Vesting Parcel Map to redevelop the 3.05-acre site located at 749 West El Camino Real by replacing the existing bank building, a vacant restaurant, and surface parking lot with a mixed-use development comprised of a six-story, 299-unit apartment complex with 13,456 square feet of ground-floor retail, at-grade podium parking above two levels of underground parking, and a two-story 11,500 square foot bank building.

The applicant has requested the City vacate two existing public easements for transit shelter purposes, one on Castro Street and the other on West El Camino Real (see Figure 1). The easements were established in 1976 per recorded documents in Book C468, Pages 451-456, and Book C468, Pages 457-463, Santa Clara County Records. The existing shelters within the easements are proposed to be relocated; a new public easement will be dedicated on Castro Street to align with the new transit shelter location, and the new shelter on West El Camino Real will be accommodated within the public right-of-way.



Figure 1: Existing Public Easements

ANALYSIS

Pursuant to Section 8320(b)(2) of the Streets and Highways Code, to allow for the possibility of the Council approving the public easement vacations on November 18, 2025, the Council must adopt a Resolution of Intention to vacate the public easements and set a date for the public hearing to consider the vacation. The recommended actions accomplish this requirement but do not obligate the Council to approve the vacation or the proposed development. The Council will continue to have full latitude to consider the proposed development and vacations at its November 18, 2025 meeting.

FISCAL IMPACT

There is no fiscal impact associated with the setting of the hearing date. The applicant has paid the necessary fees to the City to process this request.

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

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
- ☒ Other permit, license, or entitlement for use

ALTERNATIVES

1. Determine not to move forward with the easement vacation proceedings.
2. Designate an alternate date for the public hearing to consider adoption of a Resolution of Intention to vacate, with that date being not less than 15 days from the date of this Council meeting in accordance with the Streets and Highways Code.

PUBLIC NOTICING

Agenda posting. In accordance with Sections 8322 and 8323 of the Streets and Highways Code, notices of the Resolution of Intention, if adopted, will be posted along the easements to be vacated and published in the newspaper.

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PWK/LL/CH-10-28-25CR

Attachment: 1. Resolution

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