



COUNCIL REPORT

DATE: March 24, 2026

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Notice of Intention to Vacate Public Street and Easement at 881 Castro Street**

RECOMMENDATION

Adopt a Resolution of Intention of the City Council of the City of Mountain View to Vacate the Existing Public Street Known as Fairmont Avenue Between Castro Street and Hope Street and a Five-Foot Street and Utility Easement at 881 Castro Street, 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 April 28, 2026.

BACKGROUND

On November 18, 2025, the City Council adopted a Resolution of Intention to vacate a portion of Fairmont Avenue and set a public hearing for consideration of the street vacation on December 9, 2025. The public hearing was not conducted on December 9, 2025. On February 10, 2026, the City Council adopted a Resolution of Intent and set a public hearing for consideration of the street vacation on March 10, 2026. The public hearing was not conducted on March 10, 2026. The purpose of the new Resolution of Intention is to set a public hearing for consideration of the street vacation on April 28, 2026.

On April 28, 2026, the City Council will consider a Planned Community Permit, Provisional Use Permit and Development Review Permit with a State Density Bonus to redevelop the site located at 881 Castro Street by replacing three existing commercial properties and four residential units on the project site with an 8-story, mixed-use building with 140 condominium units, 9,744 square feet of ground-floor commercial, two levels of below-grade parking, and a Tentative Map for condominium purposes (project).

The applicant has requested that the City vacate the existing public street right-of-way, known as Fairmont Avenue, between Castro Street and Hope Street, and a five-foot street and utility easement, to accommodate the project (see Figure 1). The public street, Fairmont Avenue, was established in 1926 per the recorded Nelson Manor Map, in Volume V of Maps, Page 5, Santa Clara County Records. A five-foot street and utility easement adjacent to Fairmont Avenue was established in 1972, per the recorded document in Book 9808, Page 502, Santa Clara County Records. With the proposed development, the roadway and all public utilities are to be removed or relocated, and the street would no longer be needed.

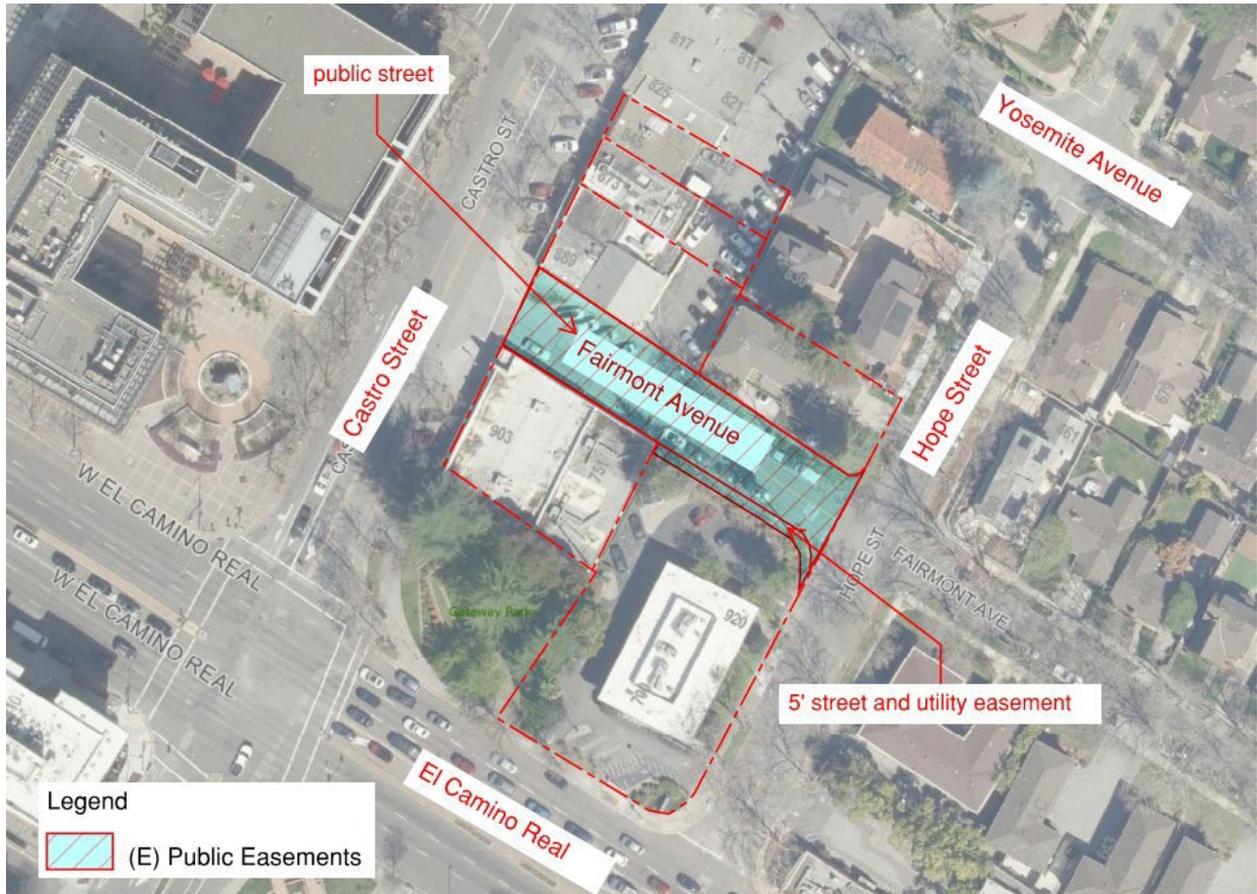


Figure 1: Existing Public Street and Easements

ANALYSIS

Pursuant to Section 8320(b)(2) of the Streets and Highways Code, to allow for the possibility of Council approving the public street and easement vacations on April 28, 2026, Council must adopt a Resolution of Intention to vacate the public street and easement 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. Council will continue to have full latitude to consider the proposed development and vacations at its April 28, 2026 meeting.

More details about the terms and conditions for the sale of Fairmont Avenue will be provided at the April 28, 2026 Council meeting, at which time Council will consider the request to authorize the City Manager or designee to execute a Purchase and Sale Agreement for the portion of Fairmont Avenue between Castro Street and Hope Street.

FISCAL IMPACT

There is no fiscal impact associated with setting the hearing date. The applicant has paid the required 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 street and easement vacation proceedings.
2. Designate an alternate date for the public hearing to consider adoption of a Resolution on 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 public right of way and easements to be vacated and published in the newspaper.

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Attachment: 1. Resolution

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Approved by:

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