CITY OF MOUNTAIN VIEW
RESOLUTION NO. 18176
SERIES 2017

A RESOLUTION UPHOLDING THE ZONING ADMINISTRATOR'S CONDITIONAL APPROVAL OF A PLANNED COMMUNITY PERMIT AND A DEVELOPMENT REVIEW PERMIT TO ALLOW CONSTRUCTION OF A NEW 74-ROOM HOTEL, A PROVISIONAL USE PERMIT FOR A PARKING REDUCTION FOR A HOTEL USE, AND A HERITAGE TREE REMOVAL PERMIT TO REMOVE THREE HERITAGE TREE(S) AT 870 LEONG DRIVE

WHEREAS, an application was received from Temple Hospitality, LLC for a Planned Community Permit and a Development Review Permit to construct a new 39,619 square foot, 74-room hotel project, a Provisional Use Permit for a parking reduction for a hotel use with 70 parking spaces in lieu of 75 parking spaces, and a Heritage Tree Removal Permit to remove three Heritage trees on a 1.15-acre project site located at 870 Leong Drive (Application No. 002-11-PCZA); and

WHEREAS, the proposed project is consistent with the existing Neighborhood Commercial General Plan land use designation and the P(32) Evandale Precise Plan Zoning Designation; and

WHEREAS, the proposed project complies with the California Environmental Quality Act (CEQA) because an Initial Study and Mitigated Negative Declaration (IS/MND) have been prepared for the project. The IS/MND was circulated for the mandatory 30-day public review comment period, which ended on July 27, 2017. The IS/MND identified environmental impacts from air quality, noise, and hazards and hazardous materials on-site that can be mitigated to less than significant; and

WHEREAS, the Zoning Administrator held a public hearing on September 13, 2017 on said application and conditionally approved the application; and

WHEREAS, an appeal to the City Council of the Zoning Administrator's decision conditionally approving the project was received by the City Clerk on September 22, 2017; and

WHEREAS, on November 7, 2017, pursuant to the appeal authority set forth in Section A36.80.100 of the Zoning Ordinance (Appeal of Zoning Administrator Decisions), the City Council held a public hearing on said appeal and received and considered all evidence presented at said hearing, including the appellants statements, the attached Findings Report from the Zoning Administrator and City Council staff report;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View that:

1. The proposed hotel development is consistent with the provisions of the Evandale Precise Plan.

2. The proposed hotel development is consistent with the General Plan.

3. The proposed hotel development will not be detrimental to the public interest, health, safety, convenience or welfare.

4. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area.

5. The proposed project complies with the California Environmental Quality Act (CEQA).

BE IT FURTHER RESOLVED that the City Council hereby finds that the Zoning Administrator's decision to conditionally approve the Planned Community Permit, the Development Review Permit, Provisional Use Permit, and Heritage Tree Removal Permit for said project is hereby upheld subject to the Findings A in Exhibit A.

TIME FOR JUDICIAL REVIEW:

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

The foregoing Resolution was regularly introduced and adopted at a Regular Meeting of the City Council of the City of Mountain View, duly held on the 7th day of November 2017, by the following vote:

AYES: Councilmembers Abe-Koga, Clark, Matichak, McAlister, Showalter, and Vice Mayor Siegel

NOES: None

ABSENT: Mayor Rosenberg

ATTEST:

LORRIE BREWER, MMC
CITY CLERK

APPROVED:

LEONARD M. SIEGEL
VICE MAYOR

I do hereby certify that the foregoing resolution was passed and adopted by the City Council of the City of Mountain View at a Regular Meeting held on the 7th day of November 2017, by the foregoing vote.

City Clerk
City of Mountain View

DP/4/RESO
807-11-07-17r-E

Exhibit: A. Findings Report

Exhibit A

CITY OF MOUNTAIN VIEW
FINDINGS REPORT/ZONING PERMIT

APPLICATION NO.: 002-11-PCZA
DATE OF FINDINGS: September 13, 2017
EXPIRATION OF ZONING PERMIT: September 13, 2019

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:

Temple Hospitality, LLC

Street Address of Property:	Assessor's Parcel No.:	Zone:
870 Leong Drive	**153-19-001**	**P-32**

Request:

Request for a Planned Community Permit and a Development Review Permit to allow construction of a new 39,619 square foot, 74-room hotel to replace an existing commercial building; a Provisional Use Permit for a parking reduction for a hotel use with 70 parking spaces in lieu of 75 parking spaces; a Heritage Tree Removal Permit to remove three Heritage trees on a 1.15-acre project site; and a determination that the project has prepared an Initial Study/Mitigated Negative Declaration pursuant to CEQA Guidelines.

APPROVED ☐ CONDITIONALLY APPROVED ☒ DISAPPROVED ☐ CONTINUED ☐ OTHER ☐

FINDINGS OF APPROVAL:

The Development Review Permit for construction of a new 39,619 square foot, 74-room hotel and relevant site modifications is conditionally approved based upon the conditions of approval contained herein and upon the following findings per Section 36.44.70:

A. The project complies with the general design considerations as described by the purpose and intent of the Zoning Ordinance, the General Plan, and any City-adopted design guidelines specifically, for the reasons described in this paragraph, the project: (1) complies with City development requirements and policies; (2) maintains or enhances the appearance of the community; (3) maintains property values through quality development; and (4) ensures compatibility of private development with surrounding properties and neighborhoods, public rights-of-way, and other facilities. The project maintains and enhances the appearance of the community as it allows an underutilized property to be redeveloped and enhanced into a hotel development that supports the surrounding community and visitors from nearby areas. The project will redevelop the underutilized site with a new hotel that will be more harmonious in appearance with the existing residential and commercial development in the surrounding area. The project will maintain property values through quality development as the hotel will meet LEED® standards. The project ensures compatibility of private development with surrounding properties and neighborhoods, public rights-of-way, and other facilities because the proposed landscaped area engages the street and creates pedestrian-oriented design;

B. The architectural design of structures, including colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, signs, etc.), is compatible with surrounding development because it provides innovative architecture which responds to the project site; a hotel that meets LEED standards; building heights which are appropriate to the area with appropriate setback from the surrounding neighborhood; and a mixture of

materials and colors which respond to the site's location between the freeway and an established urban neighborhood;

C. The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property. The project includes an underground parking garage which will accommodate the necessary parking generated by the hotel uses on-site, improved landscape with native and region-appropriate plant and tree species, and improved vehicular, bicycle, and pedestrian access to the site with improved on-site circulation which connects to the public street, and by providing enhanced landscaping throughout the entire project site with new plants and trees in conformance with the City's Water-Efficient Landscaping Guidelines;

D. The general landscape design ensures visual relief, complements structures, provides an attractive environment, and is consistent with any adopted landscape program for the general area by providing enhanced landscaping throughout the entire project site with new plants and trees in conformance with the City's Water-Efficient Landscaping Guidelines;

E. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing an improved parking and circulation system on-site; majority of the project parking is in the underground parking garage; and the entrance to the parking garage is from the rear of the proposed hotel building which accommodates pedestrian-oriented design and landscaping; and

F. The approval of the Development Review Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA) because an Initial Study/Mitigated Negative Declaration has been prepared for the development project which identified environmental impacts for hazards and hazardous materials and air quality that can be mitigated to a less-than-significant impact with incorporation of mitigation measures.

The Planned Community Permit to allow construction of a new 39,619 square foot, 74-room hotel is conditionally approved based upon the conditions contained herein and upon the following findings per Section 36.50.55:

A. The proposed use or development is consistent with the provisions of the P-32 (Evandale Area) Precise Plan, or, if no Precise Plan exists for the subject area, the proposal clearly demonstrates superior site and building design and compatibility with surrounding uses and developments because the project transitions in scale, height, and intensity to the adjacent residential neighborhood; utilizes innovative architecture which responds to the project site; provides all parking within a consolidated underground parking garage; and provides a hotel use which is compatible with the surrounding area;

B. The proposed use or development is consistent with the Neighborhood Commercial land use designation of the General Plan which allows a broad range of commercial, retail, and public spaces;

C. The proposed uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare because as detailed in the Initial Study/Mitigated Negative Declaration, the project site has been investigated for the potential presence of hazards and hazardous materials, and with the incorporation of mitigation measures, development of the project would not create a significant hazard to the public or environment. The development of the project is consistent with, and implements the goals and policies in the General Plan regarding public safety, minimization of seismic hazards, and provision of emergency services. In addition, an environmental analysis has been completed which has identified any upgrades or improvements needed to utilities and infrastructure on the project site to accommodate the development. Further, the use and development is consistent with other residential and commercial development in the area in terms of building massing, scale, and building locations;

D. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area. The approximately 1.15-acre project site is currently an undeveloped former commercial building adjacent to the freeway ramp. The project site is bounded by Highway 101 to the north and Leong Drive to the east. Developed retail, commercial, and residential uses are located to the east and south of the

project site. The project is consistent with the type of development allowed in the Neighborhood Commercial land use, which permits a broad range of commercial, retail, and personal service uses and public spaces to serve the surrounding neighborhoods and visitors from nearby areas. The project provides a hotel which offers a place for people to stay and work close to services and transit, and building design features and materials are compatible with the surrounding area and the design expectations prescribed in the General Plan and Precise Plan; and

E. The approval of the Planned Community Permit for the proposed project complies with the California Environmental Quality Act (CEQA) because an Initial Study/Mitigated Negative Declaration has been prepared for the development project which identified environmental impacts for hazards and hazardous materials and air quality that can be mitigated to a less-than-significant impact with incorporation of mitigation measures.

The Provisional Use Permit for a parking reduction for a hotel use with 70 parking spaces in lieu of 75 parking spaces is conditionally approved based upon the conditions contained herein and upon the following findings per Section 36.48.25:

A. The proposed use is conditionally permitted within the P-32 (Evandale Area) Precise Plan and complies with all of the applicable provisions of the Zoning Ordinance, including landscape improvements, height, setback requirements, and building design. Based on the project information submitted, proposed operating characteristics will not result in a parking deficiency, and conditions of approval clarify the permit can be reopened and additional restrictions can be placed on the permit if parking issues arise;

B. The proposed use is consistent with the Neighborhood Commercial land use designation of the General Plan;

C. The location, size, design, and operating characteristics of the proposed use are compatible with the site and building character and environmental conditions of existing and future land uses in the vicinity because the proposed hotel use is a predominant land use in the surrounding area. Proposed development is a substantial improvement from the existing deteriorating commercial building on-site, and will provide better pedestrian-oriented design while maintaining building design which complements the surrounding developments;

D. Any special structure or building modifications necessary to contain the proposed use would not impair the architectural integrity and character of the Precise Plan in which it is to be located because the proposed hotel use is a predominant land use in the surrounding area; the project building design uses architectural design and material compatible with the surrounding developments; and

E. The approval of the Provisional Use Permit for the proposed use complies with the California Environmental Quality Act (CEQA) because an Initial Study/Mitigated Negative Declaration has been prepared for the development project which identified environmental impacts for hazards and hazardous materials and air quality that can be mitigated to a less-than-significant impact with incorporation of mitigation measures.

The Heritage Tree Removal Permit to remove three Heritage trees (Tree Nos. 17, 18, and 27) is conditionally approved based on the conditions contained herein and the following findings per Section 32.35:

A. It is appropriate and necessary to remove the trees due to the condition of the trees with respect to age of the trees relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services based on the arborist report prepared by Richard Smith, dated August 27 2015, which determined that the trees have poor structure and are experiencing poor health;

B. It is appropriate and necessary to remove the trees in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties because the removal of the trees will allow the construction of the hotel project within the allowable development standards for the site and the removed trees will be replaced with approximately 24 new trees;

C. It is appropriate and necessary to remove the trees based on the nature and qualities of the trees as Heritage trees, including maturity, aesthetic qualities such as canopy, shape and structure, majestic stature, and visual impact on

the neighborhood. As discussed in the arborist report prepared by Richard Smith, dated August 27, 2015, removal of some of the Heritage trees is appropriate as they are in poor health or have significant defects in structure that cannot be abated with treatment and are expected to decline regardless of tree management. The removal of the Heritage trees is further appropriate as they have poor structural integrity that present a risk of damage and injury to individuals and property;

D. It is appropriate and necessary to remove the trees to implement good forestry practices such as, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest. As discussed above, the removal of some of the Heritage trees is required due to their poor health and structural integrity which present a potential risk of damage and injury to individuals and property. The project will replace each Heritage tree removed with a replacement tree at a minimum of a two-to-one ratio. The replacement trees, which are part of the project's landscape plan, will enhance the appearance of the project site and the surrounding community;

E. Removal of the trees will not adversely affect the topography of the land or create soil erosion through diversion or increase flow of surface waters.

F. Removal of the trees will not adversely affect the remaining number, species, size, and/or location of existing trees on the site or in the general vicinity.

G. Removal of the trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole.

H. The approval of the Heritage Tree Removal Permit for the removal of three Heritage trees complies with the California Environmental Quality Act (CEQA) because an Initial Study/Mitigated Negative Declaration has been prepared for the development project which analyzed the potential impacts of the project in regard to the removal of trees and determined that, with implementation of the City Standard Conditions of Approval, the removal of the trees would not result in a significant impact to tree resources. The Initial Study/Mitigated Negative Declaration was circulated for public review from June 28, 2017 to July 27, 2017.

This approval is granted to construct a new 39,619 square foot, 74-room hotel located on Assessor Parcel No. 153-19-001. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein:

a. Project drawings prepared by SKL Associates, Inc., for Temple Hospitality, LLC, dated May 2017, and consisting of 68 sheets.

b. Color and materials board prepared by SKL Associates, Inc., for Temple Hospitality, LLC, dated February 2, 2017, and kept on file in the Planning Division of the Community Development Department.

c. Arborist report prepared by Richard Smith for Temple Hospitality, LLC, dated August 27, 2015.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Community Development Department – 650-903-6306

1. **EXPIRATION:** If the approved use does not commence within two years of this approval, subject to all applicable conditions and permits from applicable government agencies, this approval shall be null and void.

2. **PERMIT EXTENSION:** Zoning permits may be extended for up to an additional two years after public hearing review by the Zoning Administrator in compliance with the procedures described in the Zoning Ordinance. An application for extension must be filed with the Planning Division of the Community Development Department, including appropriate fees, prior to the original expiration date of the permit.

3. **REMEDIATION IMPROVEMENTS:** Prior to building permit issuance, the applicant shall work with City staff, the U.S. Environmental Protection Agency (EPA), and responsible parties to find adequate space on-site for appropriate design for improvements related to groundwater contamination remediation. Design of remediation equipment and placement will need to be reviewed and approved by all parties and a Certificate of Occupancy cannot be issued until final inspections have been completed by the U.S. EPA and the City of Mountain View.

4. **EVENT SPACE:** As a voluntary public benefit, the applicant has proposed to provide a complimentary use of the hotel's meeting and event space up to twice per month for neighborhood groups, or nonprofit or governmental organizations. Final details for the public use of the event space must be reviewed and approved during building permit review. **(PROJECT-SPECIFIC CONDITION)**

PLANS AND SUBMITTAL REQUIREMENTS

5. **ZONING INFORMATION:** The following information must be listed on the lower right-hand corner of the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning designation; (c) floor area ratio or density in units per acre; (d) lot area (in square feet); and (e) total number of parking spaces.

6. **CERTIFICATION OF BUILDING PERMIT PLANS:** The project architect shall certify in writing that the architectural design shown in the building permit plans match the plans approved by the City Council/Zoning Administrator. Any changes must be clearly noted. The project architect shall also certify that the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.

7. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a public hearing, which can be referred to City Council.

8. **COLOR CHIPS:** Color chips shall be attached to the title sheet of two sets of the building permit drawings and the color scheme shall be shown on the elevations.

SITE DEVELOPMENT AND BUILDING DESIGN

9. **EXTERIOR MATERIALS:** High-quality materials and finishes shall be used throughout the project and shall remain in compliance with the materials identified in the approved plans, except as modified by the conditions of approval herein. Details regarding all color and architectural details shall be provided in the building permit plan submittal and shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.

10. **TRIM MATERIALS:** Trim materials throughout the project shall be wood or high-density foam trim. Details of the specific placement and utilization of the trim materials shall be provided with the building permit drawings. Final trim design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.

11. **SPECIAL PAVING MATERIALS:** The color, material, design, and product specifications for the special paving materials used on-site shall be submitted with the building permit drawings. Final paving design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.

12. **WINDOWS:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified for each unit in the building permit drawings for review and approval by the Zoning Administrator prior to the issuance of building permits.

13. **RECESSED WINDOWS:** All windows shall be recessed from the face of the building up to 3".

14. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to building permit issuance, for final selection and approval by the Zoning Administrator. At a minimum, the mock-up shall include tiles, trims, and paint samples.

15. **ROOF EQUIPMENT:** All roof equipment must be concealed behind opaque (solid) screening designed to complement the building. Details of the roof equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.

16. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval.

17. **TRASH ENCLOSURE:** Details of an opaque screen trash enclosure are to be shown on building permit drawings and be approved by the Zoning Administrator prior to permit issuance. The trash enclosure should match the architectural design, color, and materials of the primary structure.

18. **TRASH ENCLOSURE PAD:** An enclosure constructed to store trash/recycling/compost bins shall have a concrete pad the same width as the enclosure and extending a minimum 10' beyond the enclosure access door(s). The concrete pad will be designed to accommodate the weight of a 60,000-pound collection vehicle.

19. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped. Double stripes shall be 12" apart, from outside edge to outside edge of the stripe. The 8-1/2' parking space width is measured from the center of one double stripe to the other, such that the space between stripes is 7-1/2'. For parallel parking spaces, only single-striped is required. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24'.

20. **LIGHTING PLAN:** The applicant shall submit a lighting plan with the application for building permit. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The design and location of outdoor lighting fixtures shall ensure there will be no glare and light spillover to surrounding properties. The lighting plan submitted with building permit drawings must be approved by the Zoning Administrator prior to building permit issuance.

21. **BIKE RACKS:** The applicant shall provide at least two bike racks. The racks shall be an "inverted U," or equivalent as approved by the Zoning Administrator, and must secure the frame and both wheels. Racks should be located near the building entrance (i.e., within constant visual range) unless it is demonstrated that they create a public hazard or locating them there is otherwise infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected from physical assault.

22. **PARKING SHORTAGE:** Should a parking shortage arise at this site, the Zoning Administrator may hold a public hearing to review the parking problem and require the applicant to implement appropriate means to resolve the shortage. The public hearing shall be in accordance with Chapter 36, Article XVI, Division 6, of the City Code.

GREEN BUILDING AND SUSTAINABILITY MEASURES

23. **GREEN BUILDING—NONRESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of LEED® certified. All mandatory prerequisite points and minimum point totals per category to attain the required LEED-certified status must be achieved unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through the U.S. Green Building Council (USGBC) is not required for compliance with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.

LANDSCAPING

24. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the curb must be included in the Building Inspection Division application. Minimum plant sizes are flats or 1-gallon containers for ground cover, 5-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations (forms are available online at www.mountainview.gov/planningforms). Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.

25. **CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans and final inspection(s), subject to final approval by the Zoning Administrator.

26. **STREET TREE:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division or online at www.mountainview.gov/planningforms. Once completed, the applicant shall return the original to the Parks Division, located at 235 North Whisman Road, and provide a duplicate copy to the Building Inspection Division with building permit submittal.

27. **LANDSCAPE SCREENING:** All utility meters, lines, transformers, backflow preventers, etc., on-site or off-site, must be shown on all site plan drawings and landscape plan drawings. All such facilities shall be located so as to not interfere with landscape material growth and shall be screened in a manner which respects the building design and setback requirements. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.

HERITAGE TREES

28. **IMPLEMENTATION:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit is secured and the project is pursued.

29. **REPLACEMENT:** The applicant shall offset the loss of each Heritage tree with two replacement trees, for a total of six replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage replacement trees.

30. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Richard Smith and dated August 27, 2015 shall be included as notes on the title sheet of all grading and landscape plans. These measures shall include, but may not be limited to, 6' chain link fencing at the drip line, a continuous maintenance and care program, and protective grading techniques. Also, no materials may be stored within the drip line of any tree on the project site.

SIGNS

31. **SIGNAGE:** No signs are approved as part of this application. Any new signage will require a separate Planning and/or building permit. Application form and submittal requirements are available online at www.mountainview.gov/planningforms.

NOISE

32. **MECHANICAL EQUIPMENT:** The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining residentially used property.

33. **NOISE GENERATION:** All noise-generating activities (i.e., entertainment or amplified sound) are limited to

interior areas only, and the heating, ventilation, and air conditioning system shall be maintained to ensure that all windows and doors can remain closed when the facility is in operation.

34. **CONSTRUCTION NOISE REDUCTION:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: (a) comply with manufacturer's muffler requirements on all construction equipment engines; (b) turn off construction equipment when not in use, where applicable; (c) locate stationary equipment as far as practical from receiving properties; (d) use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment; (f) control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site; (g) route all construction traffic to and from the project site via designated truck routes where possible. Prohibit construction-related heavy truck traffic in residential areas where feasible; (h) utilize "quiet" air compressors and other stationary noise sources where technology exists; and (i) unnecessary idling of internal combustion engines should be strictly prohibited. **(PROJECT-SPECIFIC CONDITION)**

35. **CONSTRUCTION PLAN:** The contractor shall prepare and submit to the City for approval a detailed construction plan identifying the schedule for major noise-generating construction activities. **(PROJECT-SPECIFIC CONDITION)**

CONSTRUCTION PRACTICES AND NOTICING

36. **SINGLE-PHASE DEVELOPMENT:** Construction of the project shall be done in a single phase unless a phased construction project schedule is approved by the Zoning Administrator (or City Council).

37. **WORK HOURS:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. At the discretion of the Chief Building Official, the general contractor or the developer may be required to erect a sign at a prominent location on the construction site to advise subcontractor and material suppliers of the working hours. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.

38. **CONSTRUCTION PARKING:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project by contractors or other continued operations on-site. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits. Locate material stockpiles, as well as maintenance/ equipment staging and parking areas, as far as feasible from residential receptors. **(PROJECT-SPECIFIC CONDITION)**

39. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 300' of the project site of the construction schedule in writing, prior to construction. For multiphased construction, separate notices may be required for each phase of construction. A copy of the notice and the mailing list shall be submitted for review prior to issuance of building permits.

40. **DISTURBANCE COORDINATOR:** The project applicant shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.

41. **AIR QUALITY:** The applicant will be required to secure a permit from the Bay Area Air Quality Management District or provide written assurance that no permit is required prior to issuance of a building permit.

42. **DISCOVERY OF ARCHAEOLOGICAL RESOURCES:** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, it is recommended that all work within 100′ of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.

43. **DISCOVERY OF HUMAN REMAINS:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50′ radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.

44. **DISCOVERY OF PALEONTOLOGICAL RESOURCES:** In the event that a fossil is discovered during construction of the project, excavations within 50′ of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.

45. **VEGETATION MANAGEMENT:** The project is required to trim trees and remove bushes on the median separating Moffett Boulevard and Leong Drive. These trees and bushes should be trimmed for about 40′ (including two to three trees) on either side of the Leong Drive Access Road to improve visibility for drivers on both Moffett Boulevard and Leong Drive. The Vegetation Management Plan shall be reviewed and approved by the Zoning Administrator prior to building permit issuance. **(PROJECT-SPECIFIC CONDITION)**

TECHNICAL REPORTS

46. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City prior to the issuance of building permits, and the recommendations made in the geotechnical report will be implemented as part of the project. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures causes by seismic activity, and traffic loads; method for backdraining walls to prevent the buildup of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.

CC&RS AND DISCLOSURES

47. **NOTIFICATION OF ENVIRONMENTAL HISTORY:** The applicant shall notify prospective residents and

employees about any known environmental contamination issues and the project site's environmental clean-up status with the U.S. Environmental Protection Agency. **(PROJECT-SPECIFIC CONDITION)**

LEGAL AGREEMENTS AND FEES

48. **HOUSING IMPACT FEE:** Prior to the issuance of the first building (foundation) permit, applicant shall pay a Housing Impact Fee based on the net new floor area and the fees in effect at the time of building permit issuance. Estimated fee is $65,651.39, which incorporates credit for existing floor area.

49. **INDEMNITY AGREEMENT:** Prior to the issuance of any building permits, the applicant shall agree, in writing, to defend, indemnify, and hold harmless the City and its officers, agents, and employees in any action brought by a third party to void this Planned Community Permit and the Provisional Use Permit. The agreement shall be in a form satisfactory to the City Attorney and Zoning Administrator. It shall run with the land and shall not be amended without prior City consent.

TRANSIT-RELATED PROGRAMS AND OFF-SITE IMPROVEMENTS

50. **TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:** The property owner is required to maintain a TDM program for the life of the project which will achieve a minimum three percent (3%) reduction in peak-hour vehicle trips to the site. The TDM program measures shall be formally accepted by the property owner prior to building permit issuance through a legal agreement or recorded document, as determined by the City Attorney, with contents to the satisfaction of the Zoning Administrator. The mandatory TDM measures for the project include:

    a. Join and maintain ongoing membership in the MVTMA for the life of the project.

    b. Provide shuttle services to connect employees and guests to existing transit, including downtown Mountain View Transit Center, San Jose, and San Francisco airports.

    c. Locate priority parking for carpools and vanpools.

    d. Provide rideshare matching services to encourage carpooling by employees.

MITIGATION MEASURES

51. **MM AQ-1.1:** During any construction period ground disturbance, implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to less than significant. The contractor shall implement the following BMPs that are required of all projects:

    - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
    - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
    - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet street sweepers at least once per day. The use of dry power sweeping is prohibited.
    - All vehicle speeds on unpaved roads shall be limited to 15 mph.
    - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
    - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage shall be provided for construction workers at all access points.
    - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
    - Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding

dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

52. **MM AIR-1.2:** The project shall implement the required dust control measures listed above (MM AIR-1.1) and develop and implement an Emission Reduction Plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleetwide average 57 percent reduction in PM2.5 exhaust emissions or more. The plan shall be submitted to the Community Development Department for approval prior to issuance of demolition and grading permits and demonstrate the reduction of TACs to a less-than-significant level.

A feasible plan to achieve this reduction could include:

- All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on-site for more than two days continuously shall meet, at minimum, the EPA particulate matter emissions standards for Tier 2 engines[1] or equivalent; and

- All diesel-powered portable equipment (i.e., air compressors, aerial lifts, concrete and industrial saws, and forklifts) operating on the site for more than two days shall meet EPA particulate matter emissions standards for Tier 4 engines or equivalent.

Alternatively, the construction contractor could use other measures to minimize construction period DPM emissions to reduce the predicted cancer risk below the thresholds. The use of equipment with CARB-certified Level 3 Diesel Particulate Filters or alternatively-powered equipment (e.g., nondiesel powered lifts), or a combination of measures provided that these measures are included in an approved Emission Reduction Plan.

53. **MM HAZ-1.1:** Prior to construction activities, the project applicant shall implement a Site Management and Air Monitoring Plan (SMP), that establishes management practices for handling contaminated soil, soil vapor, groundwater, or other materials during construction. The SMP shall be prepared by an Environmental Professional and shall be submitted to the EPA, Santa Clara County Department of Environmental Health, and the City of Mountain View for review and approval prior to the issuance of building permits. During construction, the applicant shall coordinate work activities with the EPA and the MEW OU3 potentially responsible parties, including identifying conditions that could affect the implementation and monitoring of the vapor intrusion remedy.

The SMP shall include the protocols, means, and methods to address the following during construction:

- Site control procedures to control the flow of personnel, vehicles, and materials in and out of the site.
- Monitoring of vapors during the removal of the existing buildings' slab and underground wastewater piping as well as any other underground features. An Environmental Professional shall be present to observe soil conditions, monitor vapors with a quantitative low-level trichloroethene (TCE) analyzer, as appropriate, and determine if additional soil, soil gas, and air sampling should be performed. Protocols and procedures shall be presented for determining when soil sampling and analytical testing will be performed. If additional sampling is performed, a report documenting sampling activities (with site plans and analytical data) shall be provided to the City and EPA.

  - The low-level TCE detector shall be capable of measuring to at least 1 part per billion by volume (ppbv) or 5 micrograms per cubic meter of TCE in air.

---

[1] Tier 1-3 Emission Standards: The 1998 nonroad engine regulations were structured as a 3-tiered progression. Each tier involved a phase-in (by horsepower rating) over several years. Tier 1 standards were phased-in from 1996 to 2000. The more stringent Tier 2 standards took effect from 2001 to 2006, and yet more stringent Tier 3 standards phased-in from 2006 to 2008 (Tier 3 standards applied only for engines from 37 to 560 kW). Accessed February 12, 2016. http://www.dieselnet.com/standards/us/nonroad.php

- Monitoring of the interior of excavations/trenches by collecting air samples prior to workers entering these trenches/excavations.
- The monitoring results will be compared to the EPA Region 9 recommended guidance level for TCE of 7 µg/m3 (accelerated response action level) and 21 µg/m3 (urgent response action level) to determine if mitigation and worker protection measures are necessary. If concentrations exceed the accelerated response action level and do not recede, engineering controls, such as fans to increase ventilation or application of foam suppressant to disturbed surface areas, will be implemented. Daily 8-hour canister sampling will continue until TCE concentrations are brought below the Middlefield-Ellis-Whisman (MEW) standard of 5 µg/m3.
- Should the TCE concentrations detected during the 8-hour canister sampling exceed the urgent response action level (21 µg/m3), EPA will be notified within 24 hours.

- Workers shall not work in excavations/trenches in which there is accumulated water or in trenches/excavations in which water is accumulating, unless adequate precautions have been taken against the hazards posed by the accumulation. These measures can include PPE, shoring, or water removal. Workers shall not work in excavations unless ambient air samples (Summa canisters) show contaminants of concern at concentrations less than commercial screening levels.
- Minimization of dust generation, stormwater runoff, and off-site tracking of soil.
- Minimization of airborne dust during demolition activities.
- Management of groundwater discharges during excavation dewatering, if required. Protocols shall be prepared to evaluate water quality and discharge/disposal alternatives. The pumped water shall not be used for on-site dust control or any other on-site use.
- Management of groundwater during long-term dewatering, if required, including protocols for extraction, treatment, and disposal of groundwater.
- Management of site risks during earthwork activities in areas where impacted soil, soil vapor, and/or groundwater are present or suspected. Worker training requirements, health and safety measures, and soil handling procedures shall be described.
- Decontamination to be implemented by the contractor to reduce the potential for construction equipment and vehicles to release contaminated soil onto public roadways or other off-site transfer.
- Perimeter air monitoring at the site during any activity the substantially disturbs site soil (e.g., mass grading, foundation construction excavation, or utility trenching). This monitoring shall be used to document the effectiveness of dust control and vapor control measures.
- Contingency measures for previously unidentified buried structures, wells, debris, or areas of impacted soil that could be encountered during site development activities.
- Characterization and profiling of soil suspected of being contaminated so that appropriate disposal or reuse alternatives can be implemented. Soil in contact with groundwater shall be assumed contaminated. All soil excavated and transported from this site shall be appropriately disposed at a permitted facility.
- Excavated soils from deeper than approximately two (2) feet will be field-screened for the presence of VOCs. Field screening (approximately every 10 lineal feet or 5 to 10 CYs) will occur using a sensitive PID (such as the ppbRAE 3000). Soil that is field-screened and "cleared" (less than 500 ppbv) can be considered "clean" and can be reused for on-site fill. Potentially contaminated soil will be segregated and stockpiled at a designated, plastic-lined stockpile area.
- Protocols to segregate "clean" and "impacted" soil stockpiles.
- Evaluation and documentation of the quality of any soil imported to the site. Soil containing chemicals exceeding residential (unrestricted use) screening levels or typical background concentrations of metals shall not be accepted.
- Evaluation of the residual contaminants to determine if they will adversely affect the integrity of belowground utility lines and/or structures (e.g., the potential for corrosion).
- Measures to reduce soil vapor and groundwater migration through trench backfill and utility conduits. Such measures shall include placement of low-permeability backfill "plugs" at specified intervals on-site and at all locations where the utility trenches extend off-site. In addition, utility conduits that are placed below groundwater shall be installed with watertight fittings to reduce the potential for groundwater to migrate into the conduits.
- Measures to prevent intrusion of contaminated water into stormwater control features, including the stormwater detention pond. A Civil Engineer shall design the bottom and sides of the stormwater features to

be lined with a minimum 10-mil heavy-duty plastic to help prevent infiltration.

- Prior to the start of any construction activity that involves belowground work (e.g., mass grading, foundation construction, excavating, or utility trenching), information regarding site risk management procedures (e.g., a copy of the SMP) shall be provided to the contractors for their review, and each contractor shall provide such information to its subcontractors.
- The project applicant's Environmental Professional shall assist in the implementation of the SMP and shall, at a minimum, perform part-time observation services during demolition, excavation, grading, and trenching activities. Upon completion of construction activities, the Environmental Professional shall prepare a report documenting compliance with the SMP; this report shall be submitted to the City of Mountain View, the EPA, and the Santa Clara County Department of Environmental Health upon completion of the proposed development.

The Air Monitoring Plan shall assess the exposure of on-site construction workers and neighboring occupants adjoining the site to VOCs; this plan shall specify measures to be implemented if VOCs exceed threshold values.

The Site Management Plan and Air Monitoring Plan shall be submitted to the EPA for review and approval prior to construction.

In addition to the SMP and Air Monitoring Plan, the project applicant shall submit and implement the following plans and controls:

54. **MM HAZ-1.2:** Response Action Plan: Prior to construction activities, the project applicant shall submit a Response Action Plan, which will present proposed response actions as necessary to reduce high TCE concentrations and other chemicals of potential concern, and further reduce unacceptable risk to public health and safety or the environment. To accomplish the objectives stated in the preceding section, and satisfy regulatory requirements, the Response Action Plan should include the following elements:

- A description of the nature and extent of TCE, the primary chemical of concern, and other chemicals of potential concern (COPCs) at the property.
- The TCE response action levels and goals for soil gas, soil, and groundwater to be achieved by the response actions proposed in this Response Action Plan.
- A description of the treatment and implementation plan for soil, soil gas, and groundwater impacted by volatile organic compounds (VOCs) at the property.

Response Action Completion Report: The applicant will be required to document the field activities and additional response actions implemented in accordance with the Response Action Work Plan.

The Response Action Plan and Response Action Completion Report shall be submitted to the EPA for review and approval prior to construction.

55. **MM HAZ-1.3:** Vapor Intrusion Control Plan (Vapor Intrusion Control System Remedial Design): The applicant shall prepare a Vapor Intrusion Control System Remedial Design plan, which will describe the measures to be implemented to help prevent exposure of site occupants to VOCs in indoor air as a result of vapor intrusion.

- The Vapor Intrusion Control Plan shall require the project applicant to design the proposed structure with appropriate structural and engineering features to reduce the risk of vapor intrusion into the building. The Record of Decision (ROD) Amendment for the Vapor Intrusion Pathway, MEW Superfund Study Area (2010), and the Statement of Work Remedial Design and Remedial Action to Address the Vapor Intrusion Pathway in the MEW Superfund Study Area specify the selected remedy for all future buildings. This plan shall be submitted to the EPA for review and approval prior to construction.
- Because significantly high TCE concentrations in soil gas, soil, and shallow groundwater are present on the project site, design, construction, and operation of an active sub-slab depressurization system with effluent vapor treatment are required.
- The project applicant shall provide a Vapor Mitigation Completion Report to the City of Mountain View, the

EPA, and the Santa Clara County Department of Environmental Health for review and approval. The report shall document installation of the vapor control measures identified in the Vapor Intrusion Mitigation Plan, including plans and specifications, and shall include a monitoring program (see also, Long-Term Operations, Maintenance, and Monitoring Plan).

56. **MM HAZ-1.4:** Long-Term Operations, Maintenance, and Monitoring Plan: The project applicant shall prepare a Long-Term Operations, Maintenance, and Monitoring Plan describing actions to be taken following construction to maintain and monitor the vapor intrusion mitigation system, as well as a contingency plan should the vapor mitigation system fail. This plan shall be submitted to the EPA for review and approval prior to construction.

57. **MM HAZ-1.5:** Soil Gas and Groundwater Monitoring Location Plan: The project applicant shall prepare a Soil Gas and Groundwater Monitoring Well Location Plan, showing proposed postdevelopment locations of soil gas and groundwater monitoring wells. The project applicant shall allow access to install and sample these soil gas and groundwater monitoring wells and other response action infrastructure and, if requested by EPA, shall install these wells and perform additional sampling and analyses that may be required by EPA. This plan shall be submitted to the EPA for review and approval prior to construction.

58. **MM HAZ-1.6:** Dewatering Plan: If an extended period of groundwater dewatering will be required, a Dewatering Plan shall be prepared documenting the dewatering method, groundwater sampling and analyses, groundwater treatment (if required), permitting requirements, and discharge location. This plan shall be submitted to the EPA for review and approval prior to construction.

59. **MM HAZ-1.7:** Sanitary Sewer Sampling and Analysis Plan (if applicable): Prior to removing or decommissioning the sanitary sewer, a Sampling and Analysis Plan shall be prepared presenting the protocols for line removal and confirmation sampling. This plan shall be submitted to the EPA for review and approval prior to construction.

60. **MM HAZ-1.8:** Health and Safety Plans: Each contractor working at the project site shall prepare a Health and Safety Plan (HSP) that addresses the safety and health hazards of each phase of site operations that includes the requirements and procedures for employee protection. Workers conducting site investigation and earthwork activities in areas on contamination shall complete a 40-hour HAZWOPER training course (29 CFR 1910.120 (e)). This document shall be provided to the City of Mountain View, EPA, and the Santa Clara County Department of Environmental Health for review. The contractor shall be responsible for the health and safety of their employees as well as for compliance with all applicable Federal, State, and local laws and guidelines. Upon construction completion, an environmental regulatory closure report should be prepared demonstrating that the soil and groundwater were handled according to requirements of the SMP.

61. **MM HAZ-1.9:** The applicant shall coordinate with the EPA and the City of Mountain View to implement institutional controls on the project site.

    - Institutional Controls are nonengineered instruments of control, such as administrative and legal controls that help to minimize the potential for human exposure to contamination and/or protect the integrity of the response action. Institutional Controls will be implemented through the City's planning and permitting procedures which will ensure that the appropriate remedy is applied to particular building construction.

62. **MM HAZ-1.10:** The applicant shall be responsible for working with the EPA and the City of Mountain View to provide financial assurance.

    - Financial Assurance: The applicant shall provide proof that adequate funds are available for long-term maintenance and monitoring of the vapor intrusion mitigation system.

63. **MM HAZ-1.11:** The project applicant and subsequent owners and occupants shall provide access to the project site and cooperate with the EPA and MEW OU3 potentially responsible parties during the implementation of any subsequent groundwater or soil vapor investigations or remediation as well as implementation of additional vapor intrusion remediation, if required. In addition, the project applicant and subsequent site owners and occupants

shall provide access for future indoor air and soil vapor monitoring activities and shall not interfere with the implementation of remedies selected by the EPA. These requirements shall be specified in Covenants, Conditions, and Restrictions that shall run with the property.

64. **MM HAZ-2.1:** The proposed project shall implement the following mitigation measures to reduce hazardous materials impacts related to ACMs and lead-based paint to a less-than-significant level:

- In conformance with local, State, and Federal laws, an asbestos building survey and a lead-based paint survey shall be completed by a qualified professional to determine the presence of ACMs and/or lead-based paint on the structures proposed for demolition. The surveys shall be completed prior to demolition work beginning on these structures.

- A registered asbestos abatement contractor shall be retained to remove and dispose of all potentially friable asbestos-containing materials, in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to building demolition that may disturb the materials. All construction activities shall be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than 1 percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

- Because demolition is planned, the removal of lead-based paint is not required if it is bonded to the building materials. However, if the lead-based paint is flaking, peeling, or blistering, it shall be removed prior to demolition. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the waste being disposed.

- All universal wastes, lubrication fluids, and CFCs and HCFCs shall be removed before structural demolition begins.

65. **MM NOISE-1.1:** Construct a minimum 5′ high noise barrier at the north and east boundaries of the proposed patio. The barrier shall be solid over the face and at the base of the barrier (e.g., free of gaps or cracks) and constructed from materials with a minimum surface weight of three (3) lbs/ft2. The proposed barrier would reduce exterior noise levels within the proposed patio to 63 dBA Ldn, meeting the City's 65 dBA Ldn exterior noise level threshold.

66. **MM NOISE-1.2:** A qualified acoustical consultant shall review final site plan, building elevations, and floor plans prior to construction to calculate expected interior noise levels as required by State noise regulations. Project-specific acoustical analyses are required by the California Building Code to confirm that the design results in interior noise levels reduced to 45 dBA Ldn or lower. The specific determination of what noise insulation treatments are necessary will be conducted on a room-by-room basis. The results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans and approved prior to issuance of a building permit.

67. **MM NOISE-1.3:** Special building techniques (e.g., sound-rated windows and building facade treatments) will be required to maintain interior noise levels at or below acceptable levels. These treatments would include, but are not limited to, sound-rated windows and doors, sound-rated wall constructions, acoustical caulking, protected ventilation openings, etc. Preliminary calculations made by Edward L. Pack Associates, Inc., in November 2010 indicate that windows with a minimum Sound Transmission Class (STC)35F[2] rating of 31 will be needed at all

[2] Sound Transmission Class (STC): A single figure rating designed to give an estimate of the sound insulation properties of a partition. Numerically, STC represents the number of decibels of speech sound reduction from one side of the partition to the other. The STC is intended for use when speech and office noise constitute the principal noise problem.

interior spaces on the northwest, northeast, and southeast facades to maintain noise levels at or below 45 dBA Ldn. Standard construction methods would be sufficient for spaces along the southwest facade.

68. **MM NOISE-1.4:** Building sound insulation requirements would need to include the provision of forced-air mechanical ventilation for first-floor common areas and all guest rooms, so that windows could be kept closed at the occupant's discretion to control noise. Preliminary calculations made by Edward L. Pack Associates, Inc., indicate that Packaged Terminal Air Conditioner (PTAC) units with a minimum STC rating of 22 will be needed at all guest spaces on the northwest, northeast, and southeast facades to maintain noise levels at or below 45 dBA Ldn. Guest space PTAC units on the on the southwesterly facade do not require an STC rating.

Public Works Department—650-903-6311

RIGHTS-OF-WAY

69. **TEMPORARY CONSTRUCTION EASEMENT:** Dedicate a temporary construction easement to the City of Mountain View (for the purpose of installing public water and sewer mains) at the southeast corner of the site. The easement shall have the same footprint as the existing ingress-egress reservation over the most southeasterly driveway. Applicant shall provide a plat and legal description. **(PROJECT-SPECIFIC CONDITION)**

70. **PLAT AND LEGAL DESCRIPTION:** For the proposed dedication, submit a legal description (metes and bounds), plat (drawing), and other required documents per the City's Legal Description and Plat Requirements to the Public Works Department for review and approval. The legal description and plat must be prepared and stamped by a registered civil engineer or land surveyor.

FEES

71. **WATER AND SEWER CAPACITY CHARGES:** Prior to issuance of any building permits, the applicant shall pay the water and sewer capacity fees for the development. 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 existing site use(s) and meter size(s) as applicable.

72. **PLAN CHECK AND INSPECTION FEE:** Prior to issuance of any building permits, 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 rates in effect at time of payment.

    An initial plan check fee based on the Public Works 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;

    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.

STREET IMPROVEMENTS

73. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the project and as required by Chapters 27 and 28 of the City Code. These improvements include, but are not limited to: installation of an ADA ramp, driveways, conforms, sidewalks, curbs, and gutters; relocation of an existing streetlight and conversion to an LED fixture; water, sewer, storm, electric, and gas utility improvements; benchmark relocation and resetting by licensed surveyor; and pavement resurfacing.

    a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the approval of the building permit. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent)

or provide a cash deposit (100 percent) or provide a letter of credit (150 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 list of approved sureties is available through 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 deposits are available at the Public Works Department. Any changes to the standard agreement will require an additional one- to three-week processing time with the City Attorney's Office.

b. **INSURANCE:** Concurrent with the initial improvement plan submittal, provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the building permit. 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, and One Million Dollars ($1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.

74. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site 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"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. A traffic control plan indicating, but not limited to, the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. Locations of on-site parking for construction equipment and construction workers must be submitted for review and approval. Off-site plans (10 sets), an initial 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 black-line sets, one 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 issuance of the building permit. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.

75. **INFRASTRUCTURE QUANTITIES:** Submit a construction cost estimate form indicating the quantities of the street and utility improvements with the initial submittal of the improvement plans. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees.

76. **POTHOLE PERMIT:** Obtain an Excavation Permit from the Public Works Department to conduct potholing in order to determine the depths and locations of existing subsurface utilities. Potholing shall be completed prior to the second submittal of the building plans as required by the Project's Land Development Engineer.

77. **ENCROACHMENT RESTRICTIONS:** Private steps, fences, retaining walls, and other nonstandard structures shall not encroach into the public right-of-way.

78. **SPECIAL PAVERS AND CONCRETE:** The proposed pavers, colored concrete, textured concrete, or nonstandard surfacing will not be allowed within the public street or sidewalk.

79. **DRIVEWAY SIGHT TRIANGLE:** Within the pedestrian and/or vehicle sight triangle(s), fences, shrubs, bushes or hedges shall not exceed 3' in height while tree canopies shall maintain a minimum 6' vertical clearance at the driveway location.

80. **WATER AND SEWER SERVICE:** The site/property shall have its own water meter and sanitary sewer lateral in accordance with City Code Section 35.38.

UTILITIES

81. **SEPARATE FIRE SERVICE:** Domestic water and fire services shall have separate lines connected to the City's water main, except when supplying NFPA 13D fire sprinkler systems as approved by the City Fire Protection Engineer. On-site fire lines, post indicator valves, Fire Department connections, and detector checks also require approval from the City's Fire Protection Engineer.

82. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required.

83. **WATER AND SEWER APPLICATIONS:** Upon submittal of the initial improvement plans, submit completed applications for water and sewer service if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid.

84. **EXCAVATION PERMIT:** Upon submittal of the initial improvement plans, submit a complete Excavation Permit Application to the Public Works Department for all applicable work within the public right-of-way. Permit applications are available from the Public Works Department. All work within City right-of-way must be consolidated on the off-site improvement plans. Plans of the work, traffic control plans for work within the public roadway, insurance certificate and endorsement, and permit fees are required with the Excavation Permit Application.

85. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, gate valves, and utility mains are to be shown on the plans. Sewer laterals, water services, and fire services shall have a minimum 5' horizontal separation from each other. Existing water services shall be shown to be disconnected and plugged at the main, unless they are satisfactory for reuse as determined by the Public Services Division. Water services 4" or larger that are not reused shall be plugged at the main by removing the gate valve and installing a blind flange and thrust block at the tee. Existing sanitary sewer laterals and storm connections that are not reused shall be abandoned, and existing face-of-curb drains that are not reused shall be removed.

86. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City water services. Backflow preventers shall be located directly behind the water meter or as reasonably close as possible at a location preapproved by the Public Services Division and screened from view with landscaping. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets or basements. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.

87. **REUSE OF EXISTING STORM LATERAL:** Our records show that the existing storm lateral was constructed in 1972 and may have outlived its useful life. Unless the applicant conducts a video inspection of the lateral and it is determined by the City to be in satisfactory condition for reuse, the construction of a new storm lateral from the property line inlet to the City main is required. Prior to issuance of any building permits, the applicant shall conduct a video inspection of the lateral. A representative from the Public Services Division must be present to observe the video inspection. After reviewing the recording, the City will determine if the lateral shall need to be replaced. If the lateral is required to be replaced, prior to issuance of any building permits, the applicant shall submit an Excavation Permit Application for replacement and pay any applicable fees.

    Please contact the Public Services Division Wastewater Supervisor at 650-903-6329 to schedule for a City maintenance person to be present at the time of the video inspection.

88. **UNDERGROUND SERVICES:** All new electric, telephone, and cable television services serving the site are to be placed underground (including transformers). The undergrounding of the new and existing electric, telephone, and cable television services is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the site.

89. **JOINT UTILITY PLANS:** Submit joint utility plans showing the location of the proposed electric, gas, telephone, cable television, and telecommunication conduits and vaults. These plans shall be combined and made a part of the initial submittal of the improvement plans.

SIDEWALKS AND DRIVEWAYS

90. **ADA RAMP REQUIREMENTS:** All new access ramps shall comply with the Americans with Disabilities Act (ADA) requirements. Existing nonconforming access ramps shall be reconstructed to comply with the ADA requirements.

91. **ADA SIDEWALK REQUIREMENTS:** A minimum 4′ wide Americans with Disabilities Act-compliant public sidewalk shall be provided behind new driveway approaches. Tapers (conforms) can be provided to connect the proposed public sidewalk on each side of the proposed driveway.

92. **SIDEWALK IMPROVEMENTS:** Curbs, gutters, sidewalks, and driveways on Leong Drive must be replaced. The specific areas and limits of the replacement work shall be drawn on the plans.

93. **DRIVEWAY REMOVAL:** Replace abandoned driveways with standard curb, gutter, and sidewalk and show the replacement work on the plans.

94. **RED CURB AT DRIVEWAY ENTRANCE:** Street curbs that are located within 10′ (or more as required by the Public Works Department) of the driveway entrances shall be painted red.

RECYCLING

95. **RECOLOGY MOUNTAIN VIEW:** Recology Mountain View is the City's exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Recology. Using another hauler may violate City Code Sections 16.13 and 16.17 and result in Code Enforcement action.

96. **CONSTRUCTION AND DEMOLITION ORDINANCE:** This project must comply with the City's Construction and Demolition Ordinance (City Code Chapter 16, Article III).

97. **HOLDING AREA AND ROLL-OUT FEE:** Collection vehicles do not enter underground or enclosed structures with exceptions granted on a case-by-case basis by the Solid Waste Program Manager. Collection vehicles may not park in driveways where the public sidewalk is blocked. All trash, recycling, and compost containers must be transported by the property owner/manager to the approved holding area on service day and removed promptly following service. The final location and dimensions of the holding area must be approved by the Solid Waste and Recycling Section prior to issuance of a building permit. Roll-out fees charged by the City's trash hauler will apply for containers that must be rolled more than 30′ from any holding area to the truck.

STREET TREES

98. **STREET TREE LOCATION:** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees are to be planted a minimum of 10′ from sanitary sewer lines and 5′ from water lines, fire lines, and driveways in accordance with Detail F-1 of the Standard Provisions. New street tree species must be selected from the City's official street tree list and as approved by the City's Parks and Open Space Division per Proposed Street Tree Form available online at www.mountainview.gov/planningforms.

99. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

100. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.

101. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways shall not surface-drain across public sidewalks or driveway aprons. A 2'x2' inlet/cleanout box is required at or near the property line for connections to the City storm drains. For developments that do not require a subdivision map, a connection to the City's storm main requires: (1) a written request to the Public Works Director; (2) payment of storm drainage fees; and (3) approval from the Public Works Department, unless the storm drainage fees were paid in the past for the property.

102. **STORM DRAIN HOLD HARMLESS AGREEMENT:** As portions of the site are or will be lower than the adjacent public street or the surface grade over the City's storm mains, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against storm surcharges or blockages that may result in on-site flooding or damage.

103. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** If the sanitary sewer connection(s) inside the structure(s) is/are less than 1' above the rim elevation of the upstream sanitary sewer manhole, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against sewer surcharges or blockages that may result in on-site damage.

104. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the site that prevents the buildings from being flooded in the event the storm drainage system becomes blocked or obstructed.

MISCELLANEOUS

105. **CONSTRUCTION PLAN:** Submit a construction traffic and parking management plan with the building plans showing the following:

    1. Truck route for construction and delivery trucks pursuant to City Code Section 19.58 and 19.59 and which does not include neighborhood residential streets;

    2. Building construction phasing/construction equipment storage/construction parking plans: Show construction vehicles and equipment parking area and construction trailer location. All construction vehicles/equipment and trailer shall be located on-site or at a site nearby (not on a public street or public parking) arranged by the contractor. No construction equipment or vehicles shall be stored or parked on residential streets or public parking lots. Construction contractors/workers are required to park on-site or at a private property arranged by the contractor and shall not be allowed to use neighboring residential streets for parking/storage; and

    3. Sidewalk closure or narrowing is not allowed during any on-site construction activities.

    The construction traffic and parking management plan must be approved prior to the issuance of a demolition permit.

106. **TRAFFIC CONTROL PLANS:** Submit Traffic Control plans for any off-site and on-site improvements or any work that requires temporary lane closure, shoulder closure, bike lane closure, and/or sidewalk closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, sidewalk detour should be shown on the Traffic Control plans. These plans shall be combined and made a part of the initial submittal of the improvement plans.

107. **SOIL AND GROUNDWATER CONTAMINATION**: Permittee/Contractor is advised that the project is located in or in close proximity to an area of known soil and groundwater contamination, Middlefield-Ellis-Whisman Superfund Site. Permittee/contractor is responsible for working with the Environmental Protection Agency, the lead regulatory agency, to obtain the appropriate clearances and/or recommendations for work in the

contaminated area.

108. **HEALTH AND SAFETY MEASURES**: Work within soil and groundwater contamination area may expose workers to contaminants in the soil, groundwater, and associated vapors. Permittee/Contractor is responsible for preparing and implementing an appropriate health and safety plan to address the contamination and manage the operations in a safe manner and in compliance with the Cal/OSHA Construction Safety Orders and other State and Federal requirements.

109. **WELL QUESTIONNAIRE:** Complete a Santa Clara Valley Water District well questionnaire and return it to the Public Works Department. Well questionnaire forms are available from the Public Works Department. All existing wells shall be shown on the site plans as to remain or be sealed in accordance with the Santa Clara Valley Water District standards.

110. **CALTRANS PERMIT:** As required, apply for a Caltrans Encroachment Permit for all work within Caltrans' jurisdiction. Work within the State right-of-way must be in accordance with Caltrans requirements.

111. **STREET CLEANING:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development's construction activities. The street cleaning contractor is to have the capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director, or his/her designated representative."

112. **OCCUPANCY RELEASE:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "For commercial and office developments, no buildings will be released for occupancy until the off-site improvements to be constructed to City Public Works standards and/or accepted for maintenance by the City are complete and ready for acceptance."

113. **PRELIMINARY TITLE REPORT:** Concurrent with the initial improvement plan submittal, submit a current preliminary title report or land deed indicating the exact name of the current legal owners of the property, their type of ownership (individual, partnership, corporation, etc.), and legal description of the property involved, name of the person(s) and their title(s) with authority to sign Public Works agreements, and a document identifying the signature authority of that person(s) to the Public Works Department. This information is required for the preparation of Public Works agreements and documents. Include all easements and agreements referenced in the title report.

Building Inspection Division – 650-903-6313

114. **BUILDING PERMITS:** A building permit is required for this project. This review by the Building Inspection Division is preliminary and only attempting to identify critical or significant code concerns. Building plan check review will be part of a separate permit application process that can be applied for once the Planning approvals have been obtained and the 10-day appeal period has passed. To submit for building permits, please refer to the Building Inspection Division's "Submittal Requirements" for document requirements and project review times online at www.mountainview.gov/submitbuildingpermit.

    No construction work can be commenced without the appropriate building permit(s) and no new occupancy shall commence without a Certificate of Occupancy. Please visit City of Mountain View – Building & Fire Division online at www.mountainview.gov/building or contact by phone at 650-903-6313, to obtain information and submittal requirements.

115. **ON-SITE WELLS**: A building permit is required prior to removal or modification to any on-site wells. This is in addition to review and approval by the Environmental Protection Agency (EPA) and Santa Clara Valley Water District (SCVWD).

116. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon submittal. Current codes are the 2016 California Codes: Building, Fire, Electrical, Mechanical, Plumbing, CALGreen, CALEnergy, in conjunction with the City of Mountain View Amendments and the Mountain View Green Building Code (MVGBC).

117. **ACCESSIBILITY REQUIREMENTS:** This project is subject to the following:

    1. **ACCESSIBILITY:** Project will be required to comply with the accessibility requirements in the 2016 CBC, Chapter 11A and 11B.

    2. **ACCESSIBILITY (PARKING):** Project will be required to comply with the accessible parking requirements in the 2016 CBC, Chapter 11A and 11B.

    3. **ACCESSIBILITY (PARKING):** Parking reductions granted through the Planning permit process do not reduce the required amount of required accessible spaces. Project will be required to comply with the accessible parking requirements in the 2016 CBC, Chapter 11A and 11B.

    4. **ACCESSIBILITY (UNASSIGNED PARKING):** At least 5 percent of the guest parking spaces is required to be accessible, 2016 CBC, 1109A.5.

118. **ADDRESSES:** All street names, street numbers, and residential apartment numbers will be processed prior to the Building Inspection Division approval of the project. Commercial suite numbers are issued by the United States Post Office.

119. **APPROVALS REQUIRED:** This project requires the approval of the Santa Clara County Environmental Health Department prior to submittal to the Building Inspection Division. Please visit SCCHD online at www.sccgov.org or contact by phone at 408-918-3400, to obtain information and requirements for approval.

120. **ELECTRIC VEHICLE STATIONS:** This project is required to provide electric vehicle (EV) charging facilities per the 2016 CalGreen Section 5.106.5.3 and MVCC Sections 8.20.42 to 8.20.45

121. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the 2016 CBC.

122. **EGRESS:** Site must meet accessible means of egress, 2016 CBC, Section 1009.

123. **FIRE PROTECTION:** Dwelling and sleeping units shall meet the visible alarm notification requirements of 2016 CBC, Section 907.5.2.2.

124. **FIRE PROTECTION:** Overhangs and other projections will not be permitted to cross property lines between units.

125. **FIRE SPRINKLERS:** An automatic sprinkler system shall be installed for structures identified with Group R occupancy. 2016 CBC, Section 903.2.8.

126. **HAZARDOUS MATERIALS:** Any installation of hazardous materials will require submittal of separate HMIS forms for the Fire Protection Engineer *and* the Hazardous Materials Specialist. Please visit City of Mountain View – Fire & Environmental Protection Division online at http://www.mountainview.gov/fep or contact by phone at 650-903-6378, to obtain information and submittal requirements.

127. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(s) for proposed project per Chapter 3 of the 2016 CBC.

128. **OCCUPANCY SEPARATION:** Proper separation to be provided between occupancies per 2016 CBC, Chapter 5.

129. **OCCUPANT LOAD/EXIT DISCHARGE:** Provide detailed occupant load and exit discharge plans per requirements of 2016 CBC, Section 1004.

130. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Please provide sufficient information at the time of plan submittal to show how pedestrians will be protected per 2016 CBC, Section 3306.

131. **PHOTOVOLTAIC:** Photovoltaic systems to be a deferred submittal under separate permit application.

132. **SUPERFUND SITE (MEW):** This site resides in the MEW (Middlefield-Ellis-Whisman) Superfund Site area and may be required to implement Environmental Protection Agency (EPA) mitigation measures prior to and during construction. Provide EPA acknowledgement and approval upon building permit submittal.

133. **SURVEY:** A survey will be required to be completed to verify structure placement.

134. **SCHOOL IMPACT FEE:** Project will be subject to School Impact Fees. To obtain information, fee estimates, and procedures, please contact the following local school districts: Mountain View Los Altos High School District, Mountain View Whisman School Elementary District, and Los Altos Elementary School District.

Fire Department—650-903-6343

FIRE PROTECTION SYSTEMS AND EQUIPMENT

135. **FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Three (3) sets of shop-quality drawings shall be submitted for review and approval. All work shall conform to NFPA 13 (2016 Edition), NFPA 72 (2016 Edition), and Mountain View Fire Department specifications. Call the Building Inspection Division at 650-03-6313 for a copy of specifications and submittal requirements or visit online at www.mountainview.gov/firerequirements. (City Code Sections 14.10.28, 14.10.29, and California Fire Code Section 903.)

136. **STANDPIPE SYSTEM:** Provide a Class III standpipe system. (City Code Sections 14.10.30, 14.10.31, 14.10.32, and 14.10.33 and California Fire Code Section 905.)

137. **FIRE HYDRANTS:** Hydrants in accordance with the Department of Public Works Standard Provisions shall be located every 300′ apart, and within 150′ of all exterior walls.

138. **FIRE EXTINGUISHERS:** Install one 2-A:10-B:C fire extinguisher for every 50′/75′ of travel or every 3,000 square feet. Fire extinguisher locations shall be indicated on the architectural floor plans. (California Code of Regulations, Title 19, Chapter 3 and California Fire Code, Section 906.)

139. **AUTOMATIC/MANUAL FIRE ALARM SYSTEM:** Provide an approved automatic/manual fire alarm system in accordance with California Fire Code and Mountain View Fire Department specifications. Three (3) complete sets of fire alarm system shop-quality drawings shall be submitted for review and approval. Prior to occupancy, the system shall be field-tested, approved, and in service. Provisions shall be made for monthly testing, maintenance, and service. Call the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements or visit online at www.mountainview.gov/firerequirements. (California Fire Code Section 907 and City Code Section 14.10.34.)

140. **SMOKE ALARMS:** All residential occupancies shall be provided with California State Fire Marshal-listed smoke alarms. Smoke alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code Section 907.)

FIRE DEPARTMENT ACCESS

141. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions or visit online at www.mountainview.gov/firerequirements. (California Fire Code Section 506.)

142. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions. (California Fire Code Section 506.) **Required at gate for underground parking garage.**

143. **FIRE APPARATUS ACCESS ROADS:** Access roads shall have 13'6" unobstructed vertical clearance, 20' of unobstructed width (26' where building occupied floors exceed 30' height), and minimum turning radii of 21' (inside turning radius). Unobstructed width shall mean a clear travelway, excluding parking width, and designed for an emergency vehicle weight of 70,000 pounds. Unobstructed width shall not include the width of rolled curbs, sidewalks, or nondrivable surfaces. (California Fire Code Section 503, and City Code Sections 14.10.15, 14.10.16 and 14.10.17.)

144. **FIRE APPARATUS TURNAROUNDS:** Dead-end fire apparatus access roads in excess of 150' in length shall be provided with approved provisions for the turning around of apparatus. "Approved provisions" shall mean that turnarounds, in accordance with Mountain View Fire Department specifications, are provided in locations such that fire apparatus shall never be more than 150' away from the closest turnaround. Call the Building Inspection Division at 650-903-6313 for specifications. (California Fire Code, Section 503.)

145. **FIRE LANE MARKING:** "NO PARKING—FIRE LANE" signs shall be posted along fire lanes and curbs shall be painted red with the words: NO PARKING—FIRE LANE stenciled in white on the top and side of the curb. Call the Building Inspection Division at 650-903-6313 for specifications and application or visit online at www.mountainview.gov/firerequirements. (California Fire Code Section 503.)

146. **ALL-WEATHER FIRE APPARATUS ACCESS ROADS:** Prior to combustible construction, an all-weather access road capable of supporting emergency vehicles (70,000 pounds) shall be constructed to allow access within 150' of every portion of the project. Access roads shall have 13'6" overhead clearance, 20' of unobstructed width, and 21' inside turning radius. (California Fire Code Section 503.)

EGRESS AND FIRE SAFETY

147. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the Electrical Plans. (California Building Code Section 1008.)

148. **EXIT SIGNS:** Exit signs shall be internally or externally illuminated and provided with battery backup per Uniform Building Code Chapter 10. Exit signs shall be posted above each required exit doorway and wherever otherwise required to clearly indicate the direction of egress. (California Building Code Section 1013.)

149. **FLOOR-LEVEL EXIT SIGNS:** Floor-level exit signs shall be provided in all interior exit corridors of Group A, E, I, and Group R2.1 occupancies and in all interior rated exit corridors serving guest rooms of hotels in R1 occupancies. (California Building Code Section 1013.)

150. **EXIT DOORS IN GROUPS A, E, H, AND I OCCUPANCIES:** Exit doors shall be provided with approved panic hardware. (California Building Code Section 1010.1.10.)

151. **GROUP A OCCUPANCIES:** Buildings or portions of buildings used for assembly purposes shall conform to all requirements of Title 19 and the Uniform Building Code. This shall include, but is not limited to: (1) two exits; (2) fire-retardant drapes, hangings, Christmas trees, or other similar decorative material; and (3) posting of a maximum occupant load sign. (California Code of Regulations, Title 19, Sections 3.08, 3.21, and 3.30.)

152. **GROUP A, E, I, AND R-1 OCCUPANCIES:** Decorative Materials: All drapes, hangings, curtains, drops, and all other decorative material, including Christmas trees, shall be made from a noncombustible or fire-resistive material or maintained in a flame-retardant condition by means of an approved flame-retardant solution or process approved by the California State Fire Marshal. (California Code of Regulations, Title 19, Sections 3.08 and 3.21.)

153. **INTERIOR WALL AND CEILING FINISH:** Interior finishes shall have a flame-spread rating in accordance with the California Building Code, Chapter 8, and California Code of Regulations, Title 19, Section 3.21.

154. **POSTING OF ROOM CAPACITY:** Any room used for assembly purposes shall have the capacity of the room posted in a conspicuous place near the main exit from the room. (California Building Code, Section 1004.3.)

155. **UPHOLSTERED SEATING FURNITURE:** All upholstered seating furniture intended for use in nursing homes, board and care facilities, convalescent homes, child day-care centers, public auditoriums, and stadiums and public assembly areas in hotels, motels, and lodging houses shall conform to State of California Department of Consumer Affairs, Bureau of Home Furnishings, Technical Bulletin 133. (California Business and Professions Code.)

156. **ON-SITE DRAWINGS:** Submit CAD (.dwg) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.

157. **EMERGENCY PROCEDURE MAPS (HOTELS/MOTELS):** In hotels, motels, and lodging houses, every guest room available for rental shall have clearly visible emergency procedures information printed on a floor plan representative of the floor level and posted on the interior of each entrance door or immediately adjacent to such door. The bottom of the information shall not be located more than 4′ above the floor level. Emergency procedures information shall be printed with a minimum of 3/16″ high nondecorative lettering providing a sharp contrast to the background. Emergency procedures information shall include, but not be limited to the following: (1) location of exits and fire alarm initiating stations, if required; (2) what the fire alarm, if required, sounds and looks like (audible and visual warning devices); (3) Fire Department emergency telephone number, 9-1-1; and (4) the prohibition of elevator use during emergencies, if any. (California Code of Regulations, Title 19, Section 3.09.)

158. **STAIRWAY IDENTIFICATION SIGNS:** In buildings four (4) or more stories in height, approved stairway identification signs shall be located at each floor level in all enclosed stairways. The sign shall identify the stairway and indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located 5′ above the floor landing in a position which is readily visible when the door is in the open or closed position. (California Building Code Section 1023.9.)

159. **TWO-WAY COMMUNICATION:** A two-way communication system shall be provided at the landing serving each elevator or bank of elevators on each accessible floor that is one or more stories above or below the level of exit discharge. (California Building Code Section 1009.8.)

HAZARDOUS CONDITIONS

160. **STATIONARY LEAD-ACID BATTERY SYSTEMS:** Stationary lead-acid battery systems shall comply with the California Fire Code Section 608.

EXTERIOR IMPROVEMENTS

161. **REFUSE AREAS:** Refuse areas within 5′ of combustible construction or building openings shall be protected with automatic fire sprinklers. A maximum of two (2) sprinkler heads are permitted off a 1″ domestic water service. Approved accessible shutoff valves shall be provided. Call the Building Inspection Division at 650-903-6313 for specifications or view online at www.mountainview.gov/firerequirements. (California Fire Code Section 304.3.)

162. **PREMISES IDENTIFICATION:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.

Address signs shall be a minimum of 6" in height. (City Code, Section 14.10.19.)

OTHER

163. **EMERGENCY ESCAPE OPENING ACCESS:** Provide clear space and ladder pads at ground level for emergency escape opening access in R and I-1 occupancies. Ladder pads shall be accessible by fire crews with a three-section, 12' long ladder. Awnings and window shades shall be designed to not interfere with ladder access. (California Building Code Section 1030.) **Group R-1 occupancies provided with a monitored fire sprinkler system may have openable windows permanently restricted to a maximum 4" open position, and would not require ladder pads.**

164. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code Section 510.)

Fire and Environmental Protection Division—650-903-6378

HAZARDOUS MATERIALS

For more information, materials, and worksheets, contact the Fire and Environmental Protection Division of the Fire Department online at http://www.mountainview.gov/fep or by phone at 650-903-6378.

URBAN RUNOFF

For more information, guidelines, design criteria, or materials about urban runoff conditions, contact the Fire and Environmental Protection Division of the Fire Department at 650-903-6378. "Stormwater Quality Guidelines for Development Projects" can also be accessed at the following link to the Fire Department website: http://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=13392

165. **STORM DRAIN/SANITARY SEWER PLAN CHECK SHEET:** Complete a "Storm Drain/Sanitary Sewer Discharges" check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.

166. **FOOD SERVICE CHECKLIST:** Complete a "Food Service Checklist: Grease Control and Stormwater Pollution Prevention" for building plan review. All applicable items in the checklist should be completed and shown on the building plan submittal.

167. **STATE OF CALIFORNIA CONSTRUCTION GENERAL STORMWATER PERMIT:** A "Notice of Intent" (NOI) and "Stormwater Pollution Prevention Plan" (SWPPP) shall be prepared for construction projects disturbing one (1) acre or more of land. Proof of coverage under the State General Construction Activity Stormwater Permit shall be attached to the building plans.

168. **CONSTRUCTION BEST MANAGEMENT PRACTICES:** All construction projects shall be conducted in a manner which prevents the release of hazardous materials, hazardous waste, polluted water, and sediments to the storm drain system. Refer to the City of Mountain View document, "It's In the Contract But Not In the Bay," for the specific construction practices required at the job site.

169. **CONSTRUCTION SEDIMENT AND EROSION CONTROL PLAN:** The applicant shall submit a written plan acceptable to the City which shows controls that will be used at the site to minimize sediment runoff and erosion during storm events. The plan should include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan should also include routine street sweeping and storm drain catch basin cleaning.

170. **ENGINEERED DRAWINGS:** Treatment systems and/or porous pavement, pavers, and other uncompacted

surfaces require engineered drawings.

171. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10 percent; (b) using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) installing plants with low water requirements; and (d) installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices will be used in the building plan submittal.

172. **EFFICIENT IRRIGATION:** Common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) employing multi-programmable irrigation controllers; (c) employing rain shutoff devices to prevent irrigation after significant precipitation; (d) use of drip irrigations for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.

173. **OUTDOOR STORAGE AREAS (INCLUDING GARBAGE ENCLOSURES):** Outdoor storage areas (for storage of equipment or materials which could decompose, disintegrate, leak, or otherwise contaminate stormwater runoff), including garbage enclosures, shall be designed to prevent the run-on of stormwater and runoff of spills by all of the following: (a) paving the area with concrete or other nonpermeable surface; (b) covering the area; and (c) sloping the area inward (negative slope) or installing a berm or curb around its perimeter. There shall be no storm drains in the outdoor storage area.

174. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.

175. **STORMWATER TREATMENT (C.3):** This project will create or replace more than ten thousand (10,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." The City's guidelines also describe the requirement to select Low-Impact Development (LID) types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

    The "Stormwater Quality Guidelines for Development Projects" document requires applicants to submit a Stormwater Management Plan, including information such as the type, location, and sizing calculations of the treatment controls that will be installed. Include three stamped and signed copies of the Final Stormwater Management Plan with the building plan submittal. The Stormwater Management Plan must include a stamped and signed certification by a qualified Engineer, stating that the Stormwater Management Plan complies with the City's guidelines and the State NPDES Permit. Stormwater treatment controls required under this condition may be required to enter into a formal recorded Maintenance Agreement with the City.

    Comment: The ramp area is shown to drain to the sanitary sewer. If the area is exposed to receive rain water, the drain for the ramp is required to be drained to stormwater treatment and the storm drain system, which may require a pump system.

176. **STORMWATER MANAGEMENT PLAN—THIRD-PARTY ENGINEER'S CERTIFICATION:** The Final Stormwater Management Plan must be certified by a qualified third-party engineer that the proposed stormwater treatment controls comply with the City's Guidelines and Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP). A list of qualified engineers is available at the following link: http://www.scvurppp-w2k.com/consultants_list.shtml

NOTE: Decisions of the Zoning Administrator may be appealed to the City Council in compliance with the Zoning Ordinance. 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: In compliance with the California Environmental Quality Act (CEQA), an Initial Study has been prepared and, pursuant to the mitigation measures identified in the report, a determination of no significant environmental impact was made. Therefore, a Mitigated Negative Declaration is hereby adopted.

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 of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.

STEPHANIE WILLIAMS, ACTING CURRENT PLANNING MANAGER/ZONING ADMINISTRATOR

SW/DP/7/FDG
002-11-PCZA