

ORDINANCE NO. 9.14

AN ORDINANCE AMENDING THE ZONING MAP FOR THE PROPERTIES LOCATED
AT 2600/2660/2698 MARINE WAY, 2591/2599 GARCIA AVENUE, 2618/2634/2636
BAYSHORE PARKWAY, AND 2551 TO 2601 CASEY AVENUE FROM THE ML ZONING
DISTRICT TO THE P ZONING DISTRICT

THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW DOES HEREBY
ORDAIN AS FOLLOWS:

Section 1. Council Findings. After a public hearing, the City Council finds and determines that the following Zoning Map amendment is consistent with the High-Intensity Office land use designation of the General Plan of the City of Mountain View.

The proposed amendment and project is consistent with the General Plan because it implements the goals and policies of the North Bayshore Change Area and the High-Intensity Office land use designation, including providing appropriate building setbacks from the public right-of-way; innovative architecture which responds to the project site surroundings; the implementation of wildlife-friendly site planning, building, and design strategies; all parking provided within parking structures or below the buildings; and an office use which is compatible with the surrounding uses.

The property covered by the proposed Precise Plan is within the Planned Community (P) Zoning District.

The proposed amendment and project will not be detrimental to the public interest, health, safety, convenience, or welfare of the City as the project will be consistent with the goals and policies included in the General Plan and the design of the proposed buildings and office use are compatible with the surrounding office developments.

The proposed project promotes development of a desirable character, harmonious with existing and proposed development in the surrounding area, by aligning with the form and character policies of the North Bayshore Change Area, including providing appropriate building height transitions, massing, and scale compatible with other development in the area.

The site has special conditions of size, shape, land ownership, and development opportunities that can only be addressed by approval of the proposed P Zoning District as the project meets the goals and policies of the General Plan for the North Bayshore Area, but exceeds the current zoning standards for the existing Limited Industrial (ML) Zoning District for which future zoning changes are anticipated as part of the North Bayshore Precise Plan to allow more intense development with highly sustainable, transit-oriented design, and aggressive Transportation Demand Management (TDM) measures as described in the General Plan.

The site is physically suitable (including, but not limited to, access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designation and anticipated land use development, including new office buildings, associated parking structures, and on-site amenities, as an environmental analysis has been completed which has identified any upgrades or improvements needed to utilities, infrastructure, or the project site to accommodate the increased development, and the use and development is consistent with other office development in the area in terms of building massing, scale, and the building locations.

The proposed project complies with the California Environmental Quality Act (CEQA) because an Environmental Impact Report (EIR) has been prepared and circulated for public comment for the required 45 days, which ended on April 21, 2014. Staff received three comment letters on the Draft EIR and has provided a response to these comments in the

Final EIR document. All significant impacts of the project have been mitigated to less than significant with the incorporation of mitigation measures and standard City conditions of approval, with the exception of two significant and unavoidable freeway segment impacts for which a Statement of Overriding Considerations and Mitigation, Monitoring, and Reporting Program will be adopted.

The Council further finds and determines that the following Zoning Map amendment is in conformity with the procedures and findings set forth in Chapter 36, Article XVI, Division 13 of the Mountain View City Code whereby the City may amend the City's Zoning Map.

Section 2. Zoning Change. The Zoning Map of the City of Mountain View is hereby amended to indicate as follows: the properties identified as 2600/2660/2698 Marine Way, 2591/2599 Garcia Avenue, 2618/2634/2636 Bayshore Parkway, and 2551 to 2601 Casey Avenue with Assessor Parcel Nos. 116-02-021, 116-02-024, 116-02-063, 116-02-067, 116-02-075, 116-02-076, 116-02-087, 116-02-090, and 116-02-091 are hereby rezoned from the ML (Limited Industrial) District to the P (Planned Community) District, all as more specifically shown in Exhibit A, attached hereto and incorporated by reference herein.

Section 3. P District Standards. The project site shall comply with the following P District standards:

a. Any development proposal within this P District shall require a Planned Community Permit and comply with the standard findings of approval which include, but are not limited to, compliance with the 2030 General Plan and any applicable section of the Zoning Ordinance. This document does not limit in any manner the authority of the City to place conditions of approval on subsequent development applications in this district.

b. Uses—Permitted and conditionally permitted uses identified in Chapter 36, Article VI, Division 2 (Land Uses) for the ML (Limited Industrial) District.

c. Floor Area Ratio (FAR)—0.35 maximum baseline. Proposals for 0.35 FAR projects shall comply with the following: (1) development standards in Chapter 36, Article VI, Division 4 (Limited Industrial (ML) Zoning District Standards) and Chapter 36, Article VI, Division 3 (Standards for Specific Land Uses), (2) the minimum vehicle trip reduction measures required by the adopted Greenhouse Gas Reduction Program, and (3) all other applicable City policies and regulations.

As described in the 2030 General Plan North Bayshore Change Area, the FAR can be allowed up to 1.0 maximum, subject to highly sustainable design, aggressive TDM measures, and mobility-related off-site improvements. FAR does not include any above-grade parking structures.

d. The following standards apply to development proposals exceeding the 0.35 maximum baseline FAR:

1. Building Heights—Up to four stories maximum based upon excellent design, articulation, and high-quality materials.

2. Vehicle Parking—The maximum allowed parking is one space for every 333 square feet of gross floor area (equivalent to a 10 percent reduction from the minimum Zoning Ordinance requirement of one space for every 300 square feet of gross floor area). The reduction is necessary because the project is required to reduce vehicle trips to the site; therefore, standard parking requirements do not apply. Designated parking spaces for carpools and electric vehicles and a loading zone for shuttles shall be provided in convenient locations, subject to review and approval by the Zoning Administrator and, if located in the public right-of-way, by the City Engineer.

3. Bicycle Parking—The minimum number of bicycle parking spaces required is one space for every 3,000 square feet of gross floor area (equivalent to 10 percent of the

standard number of required auto parking spaces, which is double that required by the Zoning Ordinance). More bicycle parking is required because the project is required to reduce vehicle trips to the site and bicycles provide an alternative mode of transportation to achieve this. Eighty percent (80%) of the bicycle parking spaces shall be Class I bicycle parking and twenty percent (20%) shall be Class II/III bicycle parking spaces. Bicycle parking spaces shall be conveniently located within the building or within close proximity to main building entrances.

4. Transportation Demand Management (TDM)—The project shall maintain a TDM program for the life of the project which will achieve a thirty-five percent (35%) reduction in peak-hour vehicle trips from the average vehicle trip rates per square foot established by the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition (2012) for a single-tenant office building land use (ITE land use Code 715) which results in a trip cap of 603 a.m. peak-hour trips and 580 p.m. peak-hour trips generated by occupants of both buildings. The specific TDM measures to be used in the program can be any combination of measures which achieve the 35 percent peak-hour trip reduction and trip-cap numbers. An ongoing (annual) review of the TDM program performance shall be submitted by the property owner (or tenant) for review by the City.

5. Off-Site Improvements—Off-site transportation and ecological improvements are required, including, but not limited to, the payment of a contribution to the City of Mountain View in the amount of \$10 per net new square foot of gross building area for the first building permit. For building permit applications that are approved after the City's adoption of an ordinance establishing a rate for the North Bayshore fees, the applicant will pay all impact fees required by the ordinance. Notwithstanding the previous sentence, the applicant shall not be required to pay any development impact fees adopted for new development within the Precise Plan area at a rate that exceeds \$15 per net new square foot. These funds will be used for the construction of public improvements in the North Bayshore Area. This contribution shall be paid upon issuance of a building permit.

This contribution is considered necessary to justify/offset the impacts of the increased development intensity and the fact that the entitlement for the higher intensity is being granted prior to the preparation and adoption of the future Precise Plan.

6. Green Building—Projects shall be designed to achieve a minimum LEED® Platinum standard, based on the standards in place at the time of building permit issuance. Measures must include strong water and energy conservation (or generation) elements.

7. Site Layout—Projects shall orient buildings and large open areas along public streets, placing parking lots and parking structures back from direct public view. Specific setbacks and designs shall be considered on a case-by-case basis through the development review process.

8. Signage—Appropriate signage area may be approved as determined by the Zoning Administrator through an administrative development review process.

9. Development Standards—Development standards not discussed in the P District Standards, including, but not limited to, setbacks, landscaping, and lot coverage, shall be consistent with the approved project plans dated January 17, 2014.

10. Minor revisions to the approved plans may be reviewed and approved by the Zoning Administrator. Major revisions to the approved plans, as determined by the Zoning Administrator, shall require a public hearing in accordance with Chapter 36, Article XVI, Division 16 (Applications, Hearings and Appeals), which can be referred to the City Council.

Section 4. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 5. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the other remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Section 6. Pursuant to Section 522 of the Mountain View City Charter, it is ordered that copies of the foregoing proposed ordinance be posted at least two (2) days prior to its adoption in three (3) prominent places in the City and that a single publication be made to the official newspaper of the City of a notice setting forth the title of the ordinance, the date of its introduction, and a list of the places where copies of the proposed ordinance are posted.

The foregoing ordinance was regularly introduced at the Regular Meeting of the City Council of the City of Mountain View, duly held on the 10th day of June, 2014, and thereafter adopted at the Regular Meeting of said Council, duly held on the 24th day of June, 2014, by the following roll call vote:

AYES: Councilmembers Abe-Koga, Bryant, Inks, Kasperzak, Siegel, Vice Mayor McAlister, and Mayor Clark

NOES: None

ABSENT: None

NOT VOTING: None

ATTEST:

APPROVED:

LORRIE BREWER, MMC
CITY CLERK

CHRISTOPHER R. CLARK
MAYOR

I do hereby certify that the foregoing ordinance was passed and adopted by the City Council of the City of Mountain View at a Regular Meeting held on the 24th day of June, 2014, by the foregoing vote, and was published in the *San Jose Post Record* by reference on the 20th day of June, 2014, and posted in three prominent places in said City.

City Clerk
City of Mountain View

SW/3/ORD
818-06-10-14o-E