

ORDINANCE NO. 6.19

AN ORDINANCE AMENDING THE ZONING MAP FOR THE PROPERTY LOCATED
AT 777 WEST MIDDLEFIELD ROAD FROM THE
R3-2 (MULTIPLE-FAMILY) ZONING DISTRICT TO THE
P (PLANNED COMMUNITY) ZONING DISTRICT

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

Section 1. Council Findings. An application was received from FortBay, LLC, for a Zoning Map Amendment for the property located at 777 West Middlefield Road to change the zoning from the R3-2 (Multiple-Family) Zoning District to the P (Planned Community) Zoning District;

On April 29, 2019, the Environmental Planning Commission held a duly noticed public hearing and reviewed all project materials, staff reports, public testimony, and environmental review on said Zoning Map Amendment and adopted a resolution recommending City Council approval of the Zoning Map Amendment;

The City Council, at a duly noticed public hearing on May 21, 2019, independently studied, analyzed, and considered the adequacy of the EIR and Mitigation Monitoring or Reporting Program and certified the EIR, adopted the Mitigation Monitoring or Reporting Program, and approved the Project.

The proposed amendment is consistent with the High-Density Residential Land Use Designation of the General Plan of the City of Mountain View based upon the following findings made pursuant to Section 36.52.60 of the City Code:

a. The Zoning Map Amendment and project are consistent with the General Plan because the project implements the goals and policies of the High-Density Residential Land Use Designation, including: a project with a density of 72.88 dwelling units per acre and has a maximum of five stories in conformance with the requirements of the General Plan Land Use Designation and a high-density residential use, which is compatible with the surrounding uses; and

b. The Zoning Map Amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City as the resulting P (Planned Community) Zoning District and the proposed project promote development that is of desirable character, and the project will be consistent with the goals and policies

included in the General Plan, and the design of the proposed buildings and residential use are compatible with the surrounding residential developments; and

c. The site is physically suitable for the requested zoning designation and anticipated residential development, including new residential 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 are consistent with other residential development in the area in terms of building massing, scale, and the building locations; and

d. The Zoning Map Amendment is in compliance with the provisions of 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 December 21, 2018. Staff received five 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, and a Mitigation, Monitoring, and Reporting Program will be adopted; and

e. The Zoning Map Amendment is in conformity with the procedures 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 property identified as 777 West Middlefield Road with Assessor Parcel No. 153-24-005 is hereby rezoned from the R3-2 (Multiple-Family) Zoning District to the P (Planned Community) Zoning District, all as more specifically shown in Exhibit A, attached hereto and incorporated by reference herein.

Section 3. The provisions of this ordinance shall be effective thirty (30) days from and after the date of its adoption.

Section 4. 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 5. 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 Special Meeting of the City Council of the City of Mountain View, duly held on the 21st day of May 2019, and thereafter adopted at the Regular Meeting of said Council, duly held on the 11th day of June 2019, by the following roll call vote:

AYES: Councilmembers Clark, Hicks, Kamei, Ramirez, Vice Mayor Abe-Koga, and Mayor Matichak

NOES: None

ABSENT: None

RECUSED: Councilmember McAlister

ATTEST:

APPROVED:

LISA NATUSCH
CITY CLERK

LISA MATICHAK
MAYOR

Date of Attestation: _____

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 11th day of June 2019, by the foregoing vote, and was published in the *San Jose Post Record* by reference on the 7th day of June 2019, and posted in three prominent places in said City.

City Clerk
City of Mountain View

Exhibit: A. Zoning Map Amendment

