

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
SEPTEMBER 9, 2024**

**Planning Application PLNG-2023-0234
1027-1035 West El Camino Real**

Special Development Permit to demolish two existing used auto sales buildings and construct a mixed-use project: 1) A six-story senior housing building including 12,232 square feet of commercial floor area, 113 independent living units, and 36 assisted living accommodations; and, 2) A three-story convalescent hospital building with 72,000 square feet of floor area and a 52-bed capacity.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference; they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance.

Applicable mitigation measures identified in the El Camino Real Specific Plan Environmental Impact Report are incorporated into relevant COAs, and the Mitigation, Monitoring, and Reporting Program (MMRP) is attached at the end of these COAs as Exhibit 1 and Table A-1.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director

of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

GC-2. ENTITLEMENTS—EXERCISE AND EXPIRATION:

The approved entitlements shall be null and void two years from the date of approval by the final review authority if the approval is not exercised, unless a written request for an extension is received prior to the expiration date and is approved by the Director of Community Development. [SDR] (PLANNING)

GC-3. ENTITLEMENTS—DISCONTINUANCE AND EXPIRATION:

The entitlements shall expire if discontinued for a period of one year or more. [SDR] (PLANNING)

GC-4. INDEMNITY:

The applicant/developer shall defend, indemnify, and hold harmless the City, or any of its boards, commissions, agents, officers, and employees (collectively, "City") from any claim, action, or proceeding against the City to attack, set aside, void, or annul, the approval of the project when such claim, action, or proceeding is brought within the time period provided for in applicable state and/or local statutes. The City shall promptly notify the developer of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith. [COA] [OFFICE OF THE CITY ATTORNEY]

GC-5. NOTICE OF FEES PROTEST:

As required by California Government Code Section 66020, the project applicant is hereby notified that the 90-day period has begun as of the date of the approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the city as part of the 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 adopted city impact fee schedule. [SDR] [PLANNING / OCA]

GC-6. PREVIOUS USE SUPERSEDED:

Once the allowed used as approved for this planning application is exercised, all previously approved planning applications shall be null and void with no further action required by any reviewing authority. [COA] [PLANNING]

GC-7. ON-SITE AMENITIES:

Swimming pools, pool equipment structures, play equipment and other accessory utility buildings, except as otherwise subject to Planning

Commission review, may be allowed by the Director of Community Development subject to approval of design, location, and colors. [COA] [PLANNING]

GC-8. BELOW MARKET RATE PROGRAM/CONDO CONVERSION:

Any future conversion of this apartment project into 8 or more condominium units for sale to individual home buyers will require compliance with SMC 19.67, Below Market Rate Ownership Housing, including the requirement to enter into a BMR Developer Agreement to provide BMR units, as well as compliance with SMC 19.70, regarding condominium conversion. [SDR] [PLANNING]

GC-9. SIGNS:

All existing/new signs shall be brought into conformance with Title 19 of the Sunnyvale Municipal Code. [PLANNING] [COA]

GC-10. EXHAUST AND OPENINGS:

No fans, doors, windows, or openings that are associated with exhaust activity shall be placed on exterior walls facing residential uses adjacent to the proposed buildings, except as may be required by the City, nor shall any machines or fans that exhaust dust or odors be placed on the roof of the building. The building permit plans shall clearly indicate the location of all exhaust equipment, doors, and windows, and shall be subject to review and approval by the Community Development Director. [COA] [PLANNING]

GC-11. STORMWATER MANAGEMENT PLAN:

Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2022-0018, as determined by a completed Stormwater Management Plan Data Form, and therefore must submit a Stormwater Management Plan as per SMC 12.60.210 prior to issuance of the building permit. [SDR] [PLANNING]

GC-12. ENVIRONMENTAL MITIGATION MEASURES:

The project shall comply with all mitigation measures required in the El Camino Real Specific Plan Environmental Impact Report (ECRSP EIR). The Mitigation Monitoring and Reporting Program (MMRP) has been included in the Conditions of Approval as Exhibit 1. The applicant shall be responsible for addressing all required mitigations for each phase of the project. [COA] [PLANNING/PUBLIC WORKS]

GC-13. PUBLIC IMPROVEMENTS:

Developer shall install public improvements as required by the City, including but not limited to, curb & gutter, sidewalks, driveway approaches, street pavements, utility extensions and connections,

meters/vaults, trees and landscaping, traffic signage, striping, streetlights, etc.

All public improvements shall be designed and constructed in accordance with current City design standards, standard details and specifications, and Americans with Disabilities Act (ADA) requirements where applicable, unless otherwise approved by the Department of Public Works. The site development plans sheets C-100 to C-710 dated 7/23/24 and Civil Utility Plan dated 8/21/24 are subject to change during the plan check process.

The developer is required to complete the installation of all public improvements and other improvements deemed necessary by the Public Works Department, prior to occupancy of the first building, or to the satisfaction of the Public Works Department. [COA] [PUBLIC WORKS]

GC-14. OFF-SITE IMPROVEMENT PLANS:

Submit off-site improvement plans separate from the Building on-site improvement plans as the off-site improvement plans are approved through a Public Works Encroachment Permit process. Sheets C-100 to C-710 dated 7/23/24 and Civil Utility Plan dated 8/21/24 are subject to change during the plan check process. [SDR] [PUBLIC WORKS]

GC-15. ENCROACHMENT PERMIT:

Prior to any work in the public right-of-way, obtain an encroachment permit with insurance requirements for all public improvements including a traffic control plan per the latest California Manual on Uniform Traffic Control Devices (MUTCD) standards to be reviewed and approved by the Department of Public Works. [COA] [PUBLIC WORKS]

PS: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO SUBMITTAL OF BUILDING PERMIT, AND/OR GRADING PERMIT.

PS-1. EXTERIOR MATERIALS REVIEW:

Final exterior building materials and color scheme are subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

PS-2. SANITARY SEWER ANALYSIS:

Prior to first off-site plan check submittal, submit a focused sanitary sewer analysis, to be reviewed and approved by the City, identifying the overall project impact to the City's existing sanitary sewer main(s). This includes, but is not limited to, the following:

- a) A detailed estimate of water consumption in gallons per day or estimate of sanitary sewer discharge in gallons per day; and
- b) Any incremental impact that will result from the new project in comparison to the existing sewer capacity of the immediate downstream mainline as needed, and allocation of wastewater discharge from the project site to each of the proposed laterals. Any deficiencies in the existing system in the immediate vicinity of the project will need to be addressed and resolved at the expense of the developer as part of the off-site improvement plans. Sewer flow data may be required as needed. Any mitigation improvements needed shall be incorporated into the first plan check submittal. [COA] [PUBLIC WORKS]

PS-3. APPROVAL FROM UTILITY COMPANIES:

Prior to any plan check submittal, developer shall coordinate with utility companies for vacation of public utility easement along El Camino Real.

Approval letters from the utility companies are required for the public utility easement vacation. [COA] [PLANNING/PUBLIC WORKS]

BP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

BP-1. CONDITIONS OF APPROVAL:

Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]

BP-3. NOTICE OF CONDITIONS OF APPROVAL:

A Notice of Conditions of Approval shall be filed in the official records of the County of Santa Clara and provide proof of such recordation to the City prior to issuance of any City permit, allowed use of the property, or Final Map, as applicable. The Notice of Conditions of Approval shall be prepared by the Planning Division and shall include a description of the subject property, the Planning Application number, attached conditions of approval and any accompanying subdivision or parcel map, including book and page and recorded document number, if any, and be signed and notarized by each property owner of record.

For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report from a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Conditions of Approval. [COA] [PLANNING]

BP-4. BLUEPRINT FOR A CLEAN BAY:

The building permit plans shall include a “Blueprint for a Clean Bay” on one full sized sheet of the plans. [SDR] [PLANNING]

BP-5. DEMOLITION/CONSTRUCTION/RECYCLING WASTE REPORT FORM:

To mitigate the impacts of large projects on local waste disposal, recycling levels and the migration of PCBs, demolition waste weights/volumes including hazardous waste manifests for applicable structures with PCB concentrations greater than 50 ppm, construction weights/volumes, and recycling weights/volumes are to be reported to the City using Sunnyvale.wastetracking.com hosted by Green Halo. As part of the project’s construction specifications, the developer shall track the type, quantity, and disposition of materials generated, and submit these records through the website both periodically and at project completion. [COA] [ENVIRONMENTAL SERVICES]

BP-6. RECYCLING AND SOLID WASTE ENCLOSURE:

The building permit plans shall include details for the installation of recycling and solid waste enclosures that are consistent with SMC 19.38.030. The solid waste disposal and recycling facilities within the enclosure area or within buildings shall be designed with adequate size, space and clearance based upon City’s latest guidelines. The required enclosures shall:

- a) Match the design, materials, and color of the main building.
- b) Be of masonry construction.
- c) Ensure waste containers may be screened from public view.
- d) Ensure gates and doors may be closed at all times.
- e) Not conflict with delivery/receiving areas.
- f) Be consistent with the approved Solid Waste and Recycling Design Guidelines.
- g) Ensure solid waste and recycling program services may be safely provided based on appropriate facilities. [COA] [PLANNING]

BP-7. RECYCLING AND SOLID WASTE CONTAINER:

All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic. The building permit plans shall provide details illustrating compliance with this condition. [COA] [PLANNING]

BP-8. SOLID WASTE AND RECYCLING DISPOSAL PLAN:

A detailed solid waste and recycling management infrastructural design plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. The solid waste and recycling disposal plan and building permit plans shall demonstrate compliance with current City code requirements and guidelines for residential/multifamily, commercial, and industrial projects. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-9. ROOF EQUIPMENT:

Roof vents, pipes and flues shall be combined and/or collected together on slopes of roof or behind parapets out of public view as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the roof. [COA] [PLANNING]

BP-10. FEES AND BONDS:

The following fees and bonds shall be paid in full prior to issuance of building permit:

- a) TRANSPORTATION IMPACT FEE - Pay Traffic Impact fee for the net new trips resulting from the proposed project, estimated at **\$410,104.94**, prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- b) HOUSING MITIGATION FEE - Pay Housing Mitigation fee estimated at **\$100,892.00**, prior to issuance of a Building Permit. (SMC 19.22). [SDR] [PLANNING]
- c) PARK IN-LIEU - Pay Park In-lieu fees estimated at **\$5,683,011.84**, prior to approval of the Final Map or Parcel Map. (SMC 18.10). [SDR] [PLANNING]
- d) ART IN PRIVATE DEVELOPMENT BOND – A bond, letter of credit, cash deposit or other similar security instrument for 2% of the construction valuation of the entire project is required prior to issuance of a building permit. The bond will not be released until completion and installation of the artwork requirement including, but not limited to, related landscaping, lighting, base work, and commemorative plaque as specified by the Arts Commission. **This requirement does not apply if the alternative in-lieu fee is paid prior to building permit issuance in accordance with SMC 19.52.030.** [PLANNING] [SDR]
- e) EL CAMINO REAL SPECIFIC PLAN TRANSPORTATION IMPACT FEE – Pay ECRSP TIF, estimated at **\$9,396.94**, prior to issuance of a building permit. [SDR] [PLANNING]
- f) EL CAMINO REAL SPECIFIC PLAN MAINTENANCE FEE – Pay ECRSP maintenance fee (0.08% of the construction value) for each building permit, prior to its issuance. [SDR] [PLANNING]

BP-11. EXHAUST AND OPENINGS:

No exhaust fans, doors, windows, or openings, of any kind shall be placed on the wall to the rear or where residential use is to the rear of the proposed building, except as may be required by the City, nor shall any machines or fans be placed on the roof of the building which exhaust dust or odors. The building permit plans shall clearly indicate the location of all exhaust equipment, doors and window and shall be subject to review and approval by the Community Development Director. [COA] [PLANNING]

BP-12. ART IN PRIVATE DEVELOPMENT REVIEW:

The project is subject to SMC 19.52.030 which requires publicly-visible art onsite that is equal in value to 2% of the project construction valuation. An Art in Private Development application shall be submitted to the Director of Community Development prior to issuance of a Building Permit, and is subject to review and approval by the Arts Commission. The application shall provide public visible artworks along **El Camino Real**, or as determined by the Arts Commission.

As an alternative to provision of art, and in coordination with the Public Art Coordinator, the permittee may choose to make a contribution to the public arts fund in-lieu of placing art on the project site. The permittee shall allocate an in-lieu amount equal to 1.1% of the building valuation. The in-lieu fee shall be paid prior to issuance of building permit. [COA] [PLANNING]

BP-13. LANDSCAPE PLAN:

Landscape and irrigation plans shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements. Landscape and irrigation plans are subject to review and approval by the Director of Community Development through the submittal of a Miscellaneous Plan Permit (MPP). The landscape plan shall include the following elements:

- a) Landscaping shall include trees, shrubs, vines, flowers, ground covers or a combination thereof.
- b) There shall be one tree per one thousand square feet of required landscaped area in addition to required street trees and parking lot trees.
- c) All areas not required for parking, driveways or structures shall be landscaped.
- d) Deciduous trees shall be provided along southern exposures for passive solar heating purposes.
- e) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.

- f) Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree of at least 36-inch box size.
 - h) Ground cover shall be planted to ensure full coverage eighteen months after installation.
- BP-14. LANDSCAPE MAINTENANCE PLAN:
Prepare a landscape maintenance plan subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]
- BP-15. STORMWATER MANAGEMENT C.3 DATA FORM:
Submit the completed City of Sunnyvale and Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Data Form to the Planning Division prior to issuance of a Building Permit. [COA] [PLANNING]
- BP-16. STORMWATER MANAGEMENT PLAN:
Submit two copies of a Stormwater Management Plan subject to review and approval by Director of Community Development, pursuant to SMC 12.60, prior to issuance of building permit. The Stormwater Management Plan shall include an updated Stormwater Management Data Form. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- BP-17. STORM WATER MANAGEMENT PLAN THIRD PARTY CERTIFICATION:
Third party certification of the Storm Water Management Plan is required per the following guidance: City of Sunnyvale – Storm Water Quality BMP Applicant Guidance Manual for New and Redevelopment Projects - Addendum: Section 3.1.2 Certification of Design Criteria Third-Party Certification of Storm Water Management Plan Requirements. The third-party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/ENVIRONMENTAL SERVICES]
- BP-18. BEST MANAGEMENT PRACTICES - STORMWATER:
The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.230. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:
- a. Storm drain stenciling. The stencil is available from the City's Environmental Services Department, which may be reached by calling (408) 730-7717.
 - b. Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.

- c. Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- d. Covered trash, food waste, and compactor enclosures.
- e. Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i. Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - ii. Dumpster drips from covered trash and food compactor enclosures.
 - iii. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - iv. Swimming pool water, spa/hot tub, water feature and fountain discharges if discharged to onsite vegetated areas is not a feasible option.
 - v. Fire sprinkler test water, if discharged to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-19. EXTERIOR LIGHTING PLAN:

Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for review and approval by the Director of Community Development. Driveway and parking area lights shall include the following:

- a) Sodium vapor (or illumination with an equivalent energy savings).
- b) Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 18 feet on the interior of the project and 8 feet in height on the periphery of the project near residential uses.
- c) Provide photocells for on/off control of all security and area lights.
- d) All exterior security lights shall be equipped with vandal resistant covers.
- e) Wall packs shall not extend above the roof of the building.
- f) Lights shall have shields to prevent glare onto adjacent properties. [COA] [PLANNING]

BP-20. PHOTOMETRIC PLAN:

Prior to issuance of a Building Permit, submit a contour photometric plan for approval by the Director of Community Development. The plan shall meet the specifications noted in the Standard Development Requirements. [COA] [PLANNING]

BP-21. PARKING MANAGEMENT PLAN (RESIDENTIAL MULTI-FAMILY):

A Parking Management Plan is subject to review and approval by the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include the following:

- a) A clear definition of “guest” as proposed by the property manager/homeowner’s association and subject to review and approval by the Director of Community Development.
- b) The property manager/homeowner’s association may specify that 25% to 75% of unassigned spaces be reserved for guest use.
- c) Clearly indicate that unassigned spaces cannot be rented or reserved for a specific resident and will be available for parking on a first come, first serve basis without a fee or charge.
- d) Tenants shall use their assigned parking spaces prior to using unassigned parking spaces.
- e) Prohibit tenants from parking RV’s, trailers, or boats in assigned spaces.
- f) Notify potential residents that number of parking spaces provided for each unit on-site as per the approved plans. [PLANNING] [COA]

BP-22. PARKING MANAGEMENT PLAN (NONRESIDENTIAL):

A Parking Management Plan shall be submitted for review and approval by the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include the following:

- a) Employee parking locations shall be away from the building, in parking spaces that are the least used.
- b) Specify the location and term of short-term parking.
- c) Specify the location of the required carpool/car share spaces.
- d) Allow the use of valet parking when appropriate on sites with limited parking.
- e) Employees shall be required to park on the site.
- f) Provide adequate signage to direct traffic and pedestrians [COA] [PLANNING]

BP-23. BICYCLE SPACES:

The developer shall provide the following minimum bicycle facilities for each use per Sunnyvale Municipal Code 19.36.120, Table 19.36.120B and Sunnyvale Municipal Code 19.46.150:

- a) For Senior Living
 - i) 76 – Class I secured bicycle parking (2 bicycle parking per 3 units)
 - ii) 8 – Class II bicycle parking (1 bicycle parking per 15 units)
- b) For Commercial/Retail
 - i) 2 – Class I secured bicycle parking
 - ii) 4 – Class II bicycle parking

- c) For Assisted Living
 - i) 9 – Class I secured bicycle parking
- d) For Convalescent Hospital
 - i) 1 – Class I secured bicycle parking
 - ii) 4 – Class II bicycle parking

All bicycle parking shall comply with VTA's latest Bicycle Technical Guidelines. All Class II bicycle parking shall be located at the ground level. As approved by the Director of Community Development. [COA] [PLANNING]

BP-24. NOISE REDUCTION VERIFICATION:

The project acoustical consultant shall review the final construction drawings and confirm that all recommended measures to meet City of Sunnyvale noise standards for interior and exterior noise (including, but not limited to, sound walls, STC-rated windows and doors, habitable ventilation with windows closed, noise attenuation in roof, wall, and floor-to-ceiling construction) have been incorporated into the drawings. [COA] [PLANNING]

BP-25. GREEN BUILDING – RESIDENTIAL:

The plans submitted for building permits shall demonstrate the project achieves a minimum of 90 points on the Green Point Rated checklist, or the minimum points required effective at the time of building permit submittal. The project plans shall be accompanied with a letter from the project's Green Point Rater/LEED AP verifying the project is designed to achieve the required points. [COA] [PLANNING] [BUILDING]

BP-26. GREEN BUILDING – NONRESIDENTIAL:

The commercial component of the senior living building shall meet the following green building requirements:

- a) Final plans shall incorporate a completed LEED green building checklist demonstrating the new building achieves a minimum LEED Gold level for Core and Shell, with efforts to achieve Platinum level as verified by a qualified LEED consultant and shall be submitted to USGBC for formal certification.
- b) Subsequent building permit plans for interior tenant improvements for the new buildings shall incorporate a completed LEED green building checklist demonstrating the project design achieves a minimum LEED Gold level for Commercial Interiors or as appropriate to the building use, with efforts to achieve Platinum level, as verified by a qualified LEED consultant and shall be submitted for USGBC for formal certification [COA] [PLANNING] [BUILDING]

BP-27. CONSTRUCTION MANAGEMENT PLAN:

The project applicant shall implement a Construction Management Plan (CMP) to minimize impacts of construction on surrounding residential uses to the extent possible. The CMP shall be subject to review and approval by the Director of Community Development and Director of Public Works with a separate Miscellaneous Plan Permit (MPP) prior to issuance of a demolition permit, grading permit, or building permit. The CMP shall identify measures to minimize the impacts of construction including the following:

- a) Measures to control noise by limiting construction hours to those allowed by the SMC, avoiding sensitive early morning and evening hours, notifying residents prior to major construction activities, and appropriately scheduling use of noise-generating equipment.
- b) Use 'quiet' models of air compressors and other stationary noise sources where such technology exists.
- c) Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- d) Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from residences or other noise-sensitive land uses.
- e) Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
- f) 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. Obtain approval of proposed construction vehicle truck routes from the Department of Public Works.
- g) Manage construction parking so that neighbors are not impacted by construction vehicles. When the site permits, all construction parking shall be on-site and not on the public streets.
- h) Prohibit unnecessary idling of internal combustion engine-driven equipment and vehicles.
- i) Notify all adjacent business, residents, and noise-sensitive land uses of the construction schedule in writing. Notify nearby residences of significant upcoming construction activities at appropriate stages in the project using mailing or door hangers.
- j) Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. [COA] [PLANNING] [PUBLIC WORKS]

BP-28. SOIL, SOIL VAPOR, AND GROUNDWATER INVESTIGATION:

The project applicant shall conduct a soil, soil vapor, and groundwater investigation to determine the lateral and vertical extent of any potential contamination. If contamination is identified, the applicant shall prepare a plan (site remediation, site management, corrective action or similar) and obtain regulatory oversight approval from either the State of California San Francisco Bay Regional Water Quality Control Board, California Department of Toxic Substances Control, or the County of Santa Clara Department of Environmental Health prior to initiation of site demolition and grading. The project applicant shall implement all external oversight agency-required mitigation measures (which may include vapor barriers and other effective site management controls) during construction activities. [COA] [PLANNING]

BP-29. CONSTRUCTION CONTINGENCY PLAN:

Per CEQA Environmental Checklist Measure #PDF-1, and prior to issuance of grading permits, the Applicant shall retain a qualified Phase II/Site Characterization Specialist to conduct verification soil and soil gas sampling to ensure contamination is below the screening values for protection of construction workers and the project's proposed uses (Senior Living Housing and Convalescent Hospital) published by CalEPA. Should any samples determine that residual contamination in either soil or soil gas present a risk to construction workers during site disturbance activities and/or project residents, patients, and employees during operations, the Phase II/Site Characterization Specialist shall determine next steps for site remediation, including preparation of a Construction Contingency Plan, submitted to the City of Sunnyvale Community Development Department Building Safety Division prior to issuance of a grading permit.

At a minimum, the Construction Contingency Plan shall include guidance for handling, segregating, and characterizing potentially contaminated soil generated during grading activities in order to minimize impacts to worker safety and the environment. The Plan shall also identify that the Contractor must verify that all exported soils, if any, are not contaminated with hazardous materials above regulatory thresholds in consultation with the Specialist. If export soils are determined to be contaminated above regulatory thresholds, the Specialist shall recommend proper handling, use, and/or disposal of these soils. [COA] [PLANNING]

BP-30. CONSTRUCTION AIR QUALITY MITIGATION MEASURES:

Prior to the issuance of grading or building permits, the Bay Area Air Quality Management District's (BAAQMD) basic construction mitigation measures from Table 8-1 of the BAAQMD 2011 CEQA Air

Quality Guidelines (or subsequent updates) shall be noted on the construction documents, including the following:

- a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- e) 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.
- f) All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- g) A publicly visible sign shall be posted 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 BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. [COA] [PLANNING]

BP-31. CARB TIER 3 OR BETTER FOR ALL OFF-ROAD DIESEL-FUELED EQUIPMENT:

Since the project's environmental document identified that the project is expected to exceed BAAQMD's air pollutant significance thresholds for NO_x, PM₁₀, and/or PM_{2.5}, all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, tractors) shall be at least California Air Resources Board (CARB) Tier 3 Certified or better. Documentation confirming use of CARB Tier 3 Certified or better equipment shall be provided prior to building permit issuance. [COA] [PLANNING]

BP-32. AIR QUALITY MITIGATION MEASURES:

Install indoor air filtration systems (e.g., electrostatic filtering systems or equivalent systems) and place vents away from TAC, if the site-specific Health Risk Analysis reveals significant health risk exposure in terms of excess cancer risk. Project shall submit performance specification to the city to demonstrate that lifetime residential exposures would not exceed BAAQMD-recommended risk levels.

BP-33. CONSTRUCTION NOISE MITIGATION MEASURES:

The project shall employ site-specific noise attenuation measures during construction to reduce the generation of construction noise and

vibration. These measures shall be included in a noise control plan that shall be submitted for review and approval by the Director of Community Development. Measures specified in the noise control plan and implemented during construction shall include, at a minimum, the following noise control strategies:

- a) Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds);
- b) Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools; and
- c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures.
- d) Pile-driving is prohibited unless authorized by the Director of Community Development. If authorized, noise and vibration reducing pile-driving techniques shall be employed during construction and will be monitored to ensure no damage to nearby structures occurs (i.e., vibrations above peak particle velocity (PPVs) of 0.25 inches per second at nearby structures). These techniques shall include:
 - Installing intake and exhaust mufflers on pile-driving equipment;
 - Vibrating piles into place when feasible, and installing shrouds around the pile-driving hammer where feasible as determined by the Director of Community Development;
 - Implementing “quiet” pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
 - Using cushion blocks to dampen impact noise, if feasible based on soil conditions as determined by the Director of Community Development. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon and micarta (a composite material); and
 - At least 48 hours prior to pile-driving activities, notifying building owners and occupants within 600 feet of the project area of the dates, hours, and expected duration of such activities.

Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat shall be conducted outside the avian nesting season. The nesting season generally extends from early February through August, but it can vary slightly from year to year based on seasonal weather conditions. If ground disturbance and vegetation removal cannot occur outside of the nesting season, a preconstruction clearance survey for nesting birds shall be conducted within 30 days of the start of any vegetation removal or ground-disturbing activities to ensure no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur.

If an active avian nest is discovered during the preconstruction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can occur.

As part of the nesting bird clearance survey, a preconstruction burrowing owl clearance survey shall be conducted within 30 days of the start of ground-disturbing activities to ensure undeveloped vacant lots within the Specific Plan Area do not support burrowing owl. If no burrowing owl are detected, construction may proceed. If construction is delayed or suspended for more than 30 days, the project site or work area shall be resurveyed. If burrowing owls are detected on the project site, a 300-foot “no work” buffer shall be established around the active burrow and all work within the buffer shall be halted until the qualified biologist has determined through non-intrusive methods that the nesting effort is complete (i.e., all young have fledged). Once the nesting effort is complete or if a burrowing owl burrow is detected on-site during the non-breeding season (September 1 to February 28), passive and/or active relocation of burrowing owls may be implemented by a qualified biologist following consultation and approval from the City of Sunnyvale and the California Department of Fish and Wildlife. [COA] [PLANNING]

BP-35. ARCHAEOLOGICAL RESOURCES:

Prior to the issuance of grading or building permits, the project applicant is required to include information on the improvement plans that if, during the course of grading or construction, cultural resources (i.e. prehistoric or historic sites) are discovered, work will stop in that area and within 100 feet of the find until a qualified archeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures as part of a treatment plan in consultation with the City and all other appropriate agencies. The treatment plan shall include

measures to document and protect the discovered resource. Consistent with CEQA Guidelines Section 15126.4(b)(3), preservation in place will be the preferred method of mitigating impacts to the discovered resource. Pursuant to Government Code Section 6254.10, information on the discovered resource shall be confidential. [COA] [PLANNING]

BP-36. CULTURAL RESOURCES:

In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site within a 50-foot radius of the remains 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 authority, the Coroner shall notify the Native American Heritage Commission who 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 State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

All measures shall be printed on all construction documents, contracts, and project plans, and reviewed by the Community Development Director prior to issuance of grading and building permits. During construction, the project applicant and contractor shall be responsible for, implementing these measures. [COA] [PLANNING]

BP-37. PALEONTOLOGICAL RESOURCES:

Prior to the issuance of grading or building permits, the project is required to include information on the improvement plans that if, during the course of grading or construction, fossils are discovered, work shall be halted immediately within 50 feet of the discovery, the City of Sunnyvale Community Development Department shall be notified, and the significance of the find and recommended actions must be determined by a qualified paleontologist. In addition, prior to the commencement of a project site preparation, all construction personnel shall be informed of the potential to discover fossils and the procedures to follow. [COA] [PLANNING]

BP-38. CONSTRUCTION EQUIPMENT:

Prior to the issuance of a building permit, if construction equipment has the potential to exceed the FAA Part 77 Surface, the project applicant shall submit an FAA Form 7460-1, "Notice of Proposed Construction or Alteration" to the FAA at least 45 days (60 to 90 days recommended) prior to construction of the project, which shall specify the equipment type (e.g., crane) and duration to be used. An Aeronautical Study Number for the permanent structure shall be included in the submittal form. A "Determination of No Hazard" or "Determination of No Hazard with

Conditions” shall be obtained prior to permit issuance for above ground activities. If a “Determination of No Hazard with Conditions” is issued, all conditions shall be included on the approved plan set and implemented. [COA] [PLANNING]

BP-39. CONSTRUCTION BEST MANAGEMENT PRACTICES:

For projects that are subject to California Environmental Quality Act (CEQA) review (i.e., non-exempt projects), project applicants shall ensure through contract specifications that construction best management practices (BMPs) will be implemented by all project contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed and approved by the City Community Development Department prior to issuance of a grading or building permit (whichever is issued first). BMPs to reduce construction noise levels may include, but are not limited to, the following:

- a) Ensure that construction equipment is properly muffled according to industry standards and is in good working condition.
- b) Place noise-generating construction equipment and construction staging areas away from sensitive uses.
- c) Construction activities shall occur between the hours of between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and between 8:00 a.m. and 5:00 p.m. on Saturdays, pursuant to Sunnyvale Municipal Code Chapter 16.08.
- d) Implement noise attenuation measures, as needed, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources.
- e) Use electric air compressors and similar power tools rather than diesel equipment, where feasible.
- f) Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes.
- g) The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and between 8:00 a.m. and 5:00 p.m. on Saturdays). The haul route exhibit shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise.
- h) Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party and the Community Development Department. [COA] [PLANNING]

BP-40. VIBRATION GENERATING EQUIPMENT:

Projects that are subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) with construction activities requiring operation of groundborne vibration generating equipment (i.e., vibratory compactor/roller, large bulldozer, caisson drilling, loaded trucks, and jackhammer) within 25 feet of a structure shall be required to prepare a project-specific vibration impact analysis to evaluate potential construction vibration impacts associated with the project, and to determine any specific vibration control mechanisms that shall be incorporated into the project's construction bid documents to reduce such impacts. Contract specifications shall be included in construction documents, which shall be reviewed and approved by the City Engineer prior to issuance of a grading permit. [COA] [PLANNING]

BP-41. VIBRATION CONTROL MECHANISMS:

CEQA Environmental Checklist Vibration Control Mechanisms PDF-2 through PDF-4 shall apply to this project, which include:

- a) Use of heavy vibration-generating construction equipment (including loaded heavy trucks) shall not be used within 50 feet of the nearest existing off-site residential, commercial, or office structures. The project contractor shall use smaller vibratory rollers when compacting materials within these setback distances.
- b) The project shall not drop heavy equipment within 50 feet of existing off-site residential, commercial, or office structures. Alternative methods for breaking up existing pavement, such as a pavement grinder, shall be used instead of dropping heavy objects within these setback distances.
- c) The contractor shall alert heavy equipment operators to sensitive adjacent structures (i.e., residences or commercial/office buildings within 50 feet), so they can exercise caution. [COA] [PLANNING]

BP-42. TEMPORARY TRAFFIC CONTROL PLAN:

Before construction or issuance of building permits, the developer or the construction contractor for the project shall prepare a temporary traffic control plan (TTC) to the satisfaction of the City of Sunnyvale Division of Transportation and Traffic and subject to review by all affected agencies. The TTC shall include all information required on the City of Sunnyvale TTC Checklist and conform to the TTC Guidelines of the City of Sunnyvale. At a minimum, the plan shall include the following elements:

- a) Provide vicinity map including all streets within the work zone properly labeled with names, posted speed limits and north arrow;
- b) Provide existing roadway lane and bike lane configuration and sidewalks where applicable including dimensions;
- c) Description of proposed work zone;
- d) Description of detours and/or lane closures (pedestrians, bicyclists, vehicular);
- e) Description of no parking zone or parking restrictions;
- f) Provide appropriate tapers and lengths, signs, and spacing;
- g) Provide appropriate channelization devices and spacing;

- h) Description of buffers;
- i) Provide work hours/workdays;
- j) Dimensions of above elements and requirements per latest CA—MUTCD Part 6 and City’s SOP for bike lane closures;
- k) Provide proposed speed limit changes if applicable;
- l) Description of bus stops, signalized and non-signalized intersection impacted by the work;
- m) Show plan to address pedestrians, bicycle, and ADA requirement throughout the work zone per CA-MUTCD Part 6 and City’s SOP for Bike lane closures;
- n) Indicate if phasing or staging is requested and duration of each;
- o) Description of trucks including: number and size of trucks per day, expected arrival/departure times, truck circulation patterns;
- p) Provide all staging areas on the project site; and
- q) Ensure that the contractor has obtained and read the City’s TTC Guidelines and City’s SOP for bike lane closures; and
- r) Ensure traffic impacts are localized and temporary.
[COA] [PLANNING] [PUBLIC WORKS]

BP-43. BUILDING DIVISION:

The project shall adhere to the following Building Division conditions of approval as part of any subsequent Building permit application submittal(s):

- a) Building Permit plans shall comply with the Sunnyvale Municipal Code and the version of the California Building, Residential, Electrical, Plumbing, Mechanical, Green Building, and Energy Codes in effect at the time of building permit submittal. Be advised, all building permits submitted after December 31, 2022 shall comply with all applicable 2022 California Codes.
- b) At the time of building permit application submittals, provide the following:
 - i) Provide allowable area and height analysis to confirm size and height of the building comply with the California Building Code based on the construction type and use.
 - ii) Show compliance with Sections 602.1 and 705.8 of the CBC for protection of exterior wall and wall openings.
 - iii) Provide complete floor plans that show the size, use, and occupancy classification of each room/area.
 - iv) Provide an egress plan for the entire building showing egress from all rooms/spaces to the public right-of-way.
 - v) Exiting through an elevator lobby is permitted only if another exit not through an elevator lobby is provided per CBC 1016.2 Item 1.
 - vi) Provide a complete accessibility plan for the site and building based on chapter 11B of the 2022 CBC. The site plan shall show all accessible paths of travel throughout the site and from the public way.

- vii) Provide detectable warnings at locations where a pedestrian path adjoins a vehicular way. The detectable warnings shall not be placed in the vehicular way. Visually impaired individuals shall be warned before entering a vehicular way.
- viii) Provide bollards spaced at no more than 5'-0" on center to protect exits from being blocked. (Parking level)
- ix) In buildings where accessible floor is four or more stories above exit discharge level, at least one accessible egress elevator shall be provided and be served by standby power per CBC 1009.2.1.
- x) Provide a plumbing fixture count based on the California Plumbing Code chapter 4 and show the required number of plumbing fixtures.
- xi) Provide Design Review Kickoff Certificates of Compliance and Construction Document Design Review Certificates of Compliance (NRCC-CXR-01 to NRCCXCR-05) per T24 Energy Standards section 10-103(a).
- c) A demolition permit will be issued separately from the building permit. The demolition permit will require 4 sets of plans including a site plan, tree protection plan, utility release from PG&E, approval from the BAAQMD (J-number) and PCB Screening Assessment form. The applicant needs to provide proof that they have signed-up with Green Halo prior to issuance of any demo permit.
- d) School impact fees will be due to the school districts prior to issuance of a building permit.
- e) Include the completed CALGreen and GreenPoint Rated checklists on the plans submitted for building permits. Add a note to the plan sheet where each item is referenced. Sample CALGreen checklist is available on-line at: <https://www.sunnyvale.ca.gov/business-and-development/planning-and-building/green-building>.
- f) Project is subject to the City's Reach Codes. For requirements, see link:
<https://www.sunnyvale.ca.gov/home/showpublisheddocument/5016>
- g) The Sunnyvale Municipal Code requires all low-rise residential buildings to have a solar photovoltaic system installed. (Also see <https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=27521>.)
- h) Geotechnical report is required for all new buildings defined as a project. Submit geotechnical report for review at the time of building permit.
- i) Please note that pile driving is not allowed in Sunnyvale due to noise impact on the surrounding neighborhood unless it is determined that alternatives to pile driving are infeasible. If pile driving is absolutely necessary, reduced construction hours will be placed on this activity. Please contact the Building Division as early as possible prior to permit application for further discussion if pile driving is proposed.
- j) The complete shoring system for the basement shall be located within the boundary of the project property without encroachment into any

adjacent properties, public sidewalks, and public streets. Encroachment into an adjacent property may be allowed with written consent from the owner of the adjacent property.

- k) School impact fees will be due to the school districts prior to issuance of a building permit.
- l) To satisfy CalGreen waste diversion requirement, construction and recycling waste weights and/or volumes shall be reported to the City using Sunnyvale.WasteTracking.com hosted by Green Halo. Provide justification that the project has been registered with Green Halo for construction waste tracking.
- m) At the time of building permit submittal, provide Storm Water Management Plan and include an approval letter (stamped and signed) from the qualified third-party agency stating that the Storm Water Management Plan complies with the requirements of the Sunnyvale Municipal Code section 12.60. The qualified third-party agency shall also review plans that may affect the Storm Water Management Plan (e.g. grading, utility, and landscape plans) and stamp the plans as "no conflict" with the Storm Water Management Plan. The list of third-party agencies qualified by the City of Sunnyvale is available on-line at: <http://sunnyvale.ca.gov/Departments/CommunityDevelopment/Permits,PlanChecksandFees/StormWaterRequirements>.
- n) A new building address is required for the proposed scope of work. To request new building addresses, complete and email a Request for Address Change Application to Hong Luu at hluu@sunnyvale.ca.gov. Contact Hong Luu directly for a copy of the request form. Expect up to 10 business days for this process. Please note, building permits will not be issued until a new address is established and recorded. [COA] [BUILDING]

BP-44. FIRE PREVENTION:

The project shall adhere to the following Fire Prevention conditions of approval as part of any subsequent Building permit application submittal(s):

- a) The entire building shall be protected throughout with an approved automatic sprinkler system designed and installed in accordance with NFPA 13. (CFC 903/SMC 16.52.903)
- b) An approved fire alarm system installed in accordance with NFPA 72 is required. (CFC/SMC 16.52.907)
- c) Provide details related to building services and systems, including but not limited to, fuel-fired equipment (generators, fire pumps, etc.), elevator recall, and stationary battery systems. A Hazardous Materials review will be required for the project based on preliminary plans.
- d) All buildings shall have approved radio coverage for emergency responders in accordance with Section 510 of the California Fire Code and local standards. Radio retransmission equipment may be required in areas lacking sufficient coverage. Refer to SMC

16.52.230, Emergency Responder radio coverage and CFC Appendix J for additional details. (SMC 510.1)

- e) Wherever a new structure obstructs the line-of-sight emergency radio communications to existing buildings or to any other locations, the developer of the structure is required to provide and install radio retransmission equipment necessary to restore communication capabilities. Such equipment shall be in an approved space or area within the new structure. (SMC 510.1.1)
- f) Comply with CBC 1009.2.1 Elevators required.
- g) Provide two-way communication system per CBC 1009.8
- h) Provide generator fuel tank size venting, refueling, and manufacturing for Hazmat review.
- i) Knox boxes (key boxes) will be required in accordance with Sunnyvale Fire Prevention guidelines.
- j) Provide a written Fire Protection Construction Plan.
- k) Provide an approved electronic "Pre-Fire Survey" map prior to Public Safety Department final recommendation for Certificate of Occupancy.
- l) Provide the required number of approved fire extinguishers, smoke detectors, and carbon monoxide detectors. (CFC Section 906 & CFC Section 907) [COA] [FIRE PREVENTION]

BP-45. BUILDING PERMIT ISSUANCE:

Prior to building permit issuance for construction of the Senior Living Facility building, the existing private storm drain easement shall be quitclaimed by separate instrument and a recorded/conformed copy provided to the City. The private storm drain infrastructure within the existing easement shall be removed and new routing for the private storm drain line shall be installed. A new private storm drain easement shall be dedicated.

Prior to building permit issuance for any building construction, the existing public utility easement (PUE) and landscape easement shall be vacated. [COA] [PUBLIC WORKS]

BP-46. EMERGENCY VEHICLE ACCESS EASEMENT:

Developer shall dedicate an emergency vehicle ingress-egress easement(s) for fire apparatus access as depicted on Fire Site Access Plan, sheet C-500 dated 7/23/24. Fire access plan is subject to change during plan check process.

City will accept the dedication upon completion and acceptance of subject on-site improvements with recordation of Easement Deed(s) prior to building occupancy, unless otherwise approved by the Department of Public Works. [COA] [PUBLIC SAFETY/PUBLIC WORKS]

BP-47. TIE-BACKS INTO PUBLIC RIGHT-OF-WAY:

Shoring tie-backs encroaching into existing / new public right-of-way and / or public utility easements along the project frontage are prohibited. [COA] [PUBLIC WORKS]

BP-48. CONSTRUCTION MATERIAL AND STAGING:

All construction related materials, equipment, and construction workers parking need to be managed on-site and not located in any public rights-of-way or public easements. [COA] [PUBLIC WORKS]

EP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED AS PART OF AN ENCROACHMENT PERMIT APPLICATION.

EP-1. EL CAMINO REAL SPECIFIC PLAN:

This project is in the El Camino Real Specific Plan (ECRSP) area; therefore, the developer shall comply with any applicable design requirements as identified in the ECRSP or as amended and approved by the City. [COA] [PUBLIC WORKS]

EP-2. COMPLETE OFF-SITE IMPROVEMENT PLAN SET:

A complete plan check set applicable to the project, which may include street improvement plans, streetscape plans, streetlight plans, photometric analysis, signing/stripping plans, erosion control plans, traffic signal plans and traffic control plans shall be submitted as part of the first off-site improvement plans, including on-site and off-site engineering cost estimate and the initial Engineer and Inspection plan review fee. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Department of Public Works. Sheet C-201 Overall Civil Grading Plan dated 7/23/24 and C-400 Civil Utility Plan dated 8/21/24 are subject to change during plan check process. See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links:

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1654/637820856582800000>

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1656/638097347304330000>

[COA] [PUBLIC WORKS]

EP-3. UPGRADE OF EXISTING PUBLIC IMPROVEMENTS:

As part of the off-site improvement plan review and approval, any existing public improvements to be re-used by the project, which are not in accordance with current City standards and are not specifically identified in the herein project conditions, shall be upgraded to current City standards and as required by the Department of Public Works.

[COA] [PUBLIC WORKS]

EP-4. BENCHMARKS:

The improvement plans shall be prepared by using City's latest benchmarks (NAVD88) available on City's website [sunnyvale.ca.gov/home/showpublisheddocument/1590/637997914061100000](https://www.sunnyvale.ca.gov/home/showpublisheddocument/1590/637997914061100000). Plans based on NGVD29 will not be accepted. [COA] [PUBLIC WORKS]

EP-5 STREET EASEMENT DEDICATION:

This project requires a minimum of 13' street right-of-way measured from the face of the curb. Developer shall provide additional street dedication as needed along El Camino Real, approximately 5-foot-wide. All easements shall be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easements. Developer shall execute the easement deeds prior to encroachment permit issuance. [COA] [PUBLIC WORKS]

EP-6 EASEMENT ABANDONMENT:

The existing 6-foot landscape easement and 5-foot public utility easement shall be abandoned prior to encroachment permit sign off. [COA] [PUBLIC WORKS]

EP-7. UTILITY CONNECTION:

This project requires connection to all City utilities or private utilities operating under a City or State franchise which provide adequate levels of service. [COA] [PUBLIC WORKS]

EP-8. UTILITY CONNECTION TO THE MAIN:

All sanitary sewer laterals connecting to the existing main line shall be at a new sanitary sewer manhole. All storm drain laterals connecting to the main shall be at a new storm drain manhole, except where a pipe-to-pipe connection is permitted if the mainline is 36" or larger, or a junction structure is permitted where the point of connection is within close vicinity of an existing down-stream manhole. Pursuant to City design standards, any new and retrofitted manholes require Sewpercoat, Mainstay or Sancon calcium aluminate cementitious mortar coating of the interior. [SDR] [PUBLIC WORKS]

EP-9. POTHOLING OF EXISTING UTILITIES:

Concurrent with the initial submittal of off-site improvement plans, obtain an encroachment permit for potholing purposes to locate existing utilities. Use pothole information to identify possible conflicts between existing utilities and proposed new dry utilities, sewer and storm drain laterals, and water laterals 4" and larger. Potholing shall be performed during design after proposed locations of new laterals are not likely to change. Accurate elevations and locations of existing crossings shall be shown in profiles along gravity or pressure laterals 4" and larger. It is strongly recommended that both the top and bottom elevations of fiber and electrical duct banks are potholed. [COA] [PUBLIC WORKS]

- EP-10. **EXISTING UTILITY ABANDONMENT/RELOCATION:**
Developer is responsible for research on all existing utility lines to ensure that there are no conflicts with the project. All existing utility lines (public or private) and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed of to the satisfaction of the City. Existing public facilities within the street right-of-way shall be abandoned per City's Abandonment Notes and procedures, including abandonment by other utility owners. [COA] [PUBLIC WORKS]
- EP-11. **MODIFICATIONS TO EXISTING PUBLIC UTILITIES:**
Developer is required to pay for all changes or modifications to existing City utilities, streets, and other public utilities within or adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation due to grade change in the sidewalk area, caused by the development. [COA] [PUBLIC WORKS]
- EP-12. **DRY UTILITIES:**
Submit dry utility plans and/or joint trench plans (PG&E, telephone, cable TV, fiber optic, etc.) to the Public Works Department for review and approval prior to issuance of any permits for utility work within any public right-of-way or public utility easements. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]
- EP-13. **WET UTILITIES:**
All wet utilities (water, sanitary sewer, storm drain) on private property shall be privately owned and maintained. The fire and domestic water systems shall be privately owned and maintained beyond the meter. [COA] [PUBLIC WORKS]
- EP-14. **RE-USE OF EXISTING CITY UTILITY SERVICE LINES:**
The re-use of existing City water service laterals is not allowed. Existing sewer laterals must be abandoned or replaced. Sheet C-400 of Civil Utility Plan dated 8/21/24 is subject to change during plan check process. [COA] [PUBLIC WORKS]
- EP-15. **SEPARATE AND INDEPENDENT UTILITY SERVICE LINES:**
Each building shall have separate and independent utility service lines tapped to the main. [COA] [PUBLIC WORKS]
- EP-16. **SEPARATE DOMESTIC/FIRE PROTECTION SERVICE LINE:**
Provide separate fire and domestic service lines to each building. Provide separate fire service tap(s) to the street main for on-site fire hydrants. Install reduced pressure backflow prevention devices (RPBP) behind the street right-of-way for the domestic service line and a

- reduced pressure detector assembly (RPDA) and 5/8" water meter behind the street right-of-way for the fire service line. Backflows must adhere to City's Cross-Connection Program. Backflow inspection permit and tags are required for all backflow devices. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]
- EP-17. PUBLIC FIRE HYDRANTS AND FIRE HYDRANT LATERALS:
Remove and replace existing fire hydrant (FH) barrels and existing fire hydrant lateral(s) along the entire project frontage with Clow 75 for mains 8" and smaller. New fire hydrant laterals and barrels must be located outside of existing and proposed tree driplines, or as determined by Department of Public Works. Hydrants shall be located per City standard detail 2B and 2B-2. Public fire hydrants shall be maintained a minimum of 3 horizontal feet from trees, vines, shrubs, bushes, and other obstacles. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PROTECTION]
- EP-18. WATER METER:
Each building shall have its own domestic water service connection to the water main with domestic radio-read water meter and reduced pressure backflow prevention devices per current City standards. For water meter sizes three (3) inches or larger, provide meter sizing calculations to Public Works Department for approval of meter size, as part of the off-site improvement plan submittal. Provide separate fire service taps with separate reduced pressure detector assembly in accordance with current City standards. Install new radio-read water meter(s) for each point of connection to the water main. Install new backflow prevention devices on the discharge side of water service line on private property. Install backflow preventer enclosure where applicable. [SDR] [PUBLIC WORKS]
- EP-19. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:
Install a separate irrigation water service line (separate from the domestic water service line) with a meter and backflow prevention device.
- All landscape and irrigation systems, located in the tree well areas shall be connected to the water system metered to the property owner. Install new reduced pressure backflow prevention devices on the discharge side of irrigation line on private property. Install backflow preventer enclosure where applicable. Backflows must adhere to City's Cross-Connection Program. Backflow inspection permit and tags are required for all backflow devices.
- EP-20. SANITARY SEWER AND STORMDRAIN MANHOLES:
Install new sanitary sewer and storm drain manholes at the street right-of-way lines for all existing and proposed sanitary sewer laterals to be used for the project. [SDR] [PUBLIC WORKS]

- EP-21. NEW SEWER LATERAL CCTV VIDEO:
The contractor shall provide a CCTV video of new sewer laterals. Video must clearly show the front of the property before camera is inserted into the pipe. [COA] [PUBLIC WORKS]
- EP-22. SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:
This project is required to follow the existing sanitary sewer and storm drain tributary pattern. Any deviations would require additional analysis and be subject to approval by the Department of Public Works as part of the off-site improvement plan review process. This project shall not cause any negative impact on the drainage pattern for adjacent properties. [COA] [PUBLIC WORKS]
- EP-23. STORM DRAIN DESIGN
Provide storm drain hydrology and hydraulic calculations based upon a 10-year storm event to justify the size of the storm drain lateral flowing full. The project impact to the existing storm drain main shall retain 1' below the lowest public street gutter flow elevation. The new storm drain main line shall be minimum 15 inches diameter. [COA] [PUBLIC WORKS]
- EP-24. STORM DRAIN MAIN EXTENSION
On Olive Avenue, extend the existing storm drain main through the property frontage. The storm drain main extension as shown on Civil Utility Plan C-400, dated 8/21/24, is subject to change during plan check process. [COA] [PUBLIC WORKS]
- EP-25. PUBLIC RIGHT-OF-WAY STORMWATER TREATMENT:
Per the Municipal Regional Stormwater Permit 3.0 Provision C.3, all impervious area created or replaced in the public right-of-way must be treated. Treatment measures for public stormwater must be located on-site on private property. Treatment measures shall be identified and included in the Stormwater Management Plan, required per BP COAs above. All stormwater treatment and infrastructure constructed for conveyance of stormwater to the stormwater treatment shall be privately maintained. [SDR] [PUBLIC WORKS]
- EP-26. CATCH BASIN TRASH CAPTURE DEVICES AND STENCILING:
Pursuant to SMC 12.60.130, install full trash capture devices on the project site, prior to connecting to the City's storm drain collection system. The developer shall be responsible for perpetual maintenance of those trash capture devices. All storm drain inlet facilities located in the public right-of-way shall be stenciled that read "NO DUMPING". Stencils may be borrowed and returned by coordinating with the Environmental Services Department by calling 408-730-7738. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

EP-27. UTILITY METER/VAULT:

No existing or new utility meters or vaults shall be located within the driveway approach areas. All existing or new utility vaults serving the project site shall be located on-site and not within the public utility easement, if any. [COA] [PUBLIC WORKS]

EP-28. DRIVEWAY APPROACHES:

The developer shall install City Standard Detail 6C-4 driveway approaches along the project frontage, one on El Camino Real and two on Olive Avenue, to comply with Americans with Disabilities Act (ADA) requirements and City standard details and specifications. Mountable curbs shall be installed in front of all proposed EVA access per current City standards. [SDR] [PUBLIC WORKS]

EP-29. STREETSCAPE IMPROVEMENTS:

Remove existing concrete curb, gutter, and sidewalk and install new concrete curb and 1' gutter, 12-foot-wide sidewalk with 4' x 5' tree wells along the El Camino Real frontage. Remove existing concrete curb, gutter, and sidewalk and install new concrete curb and 2' gutter, 10-foot-wide sidewalk with 4' x 5' tree wells along the Olive Avenue frontage. Provide sidewalk transition to conform to existing sidewalk at either end of the project limits. The perpetual maintenance of sidewalk improvements along the project frontages shall be the sole responsibility of the property owner [COA] [PUBLIC WORKS]

EP-30. STREET PAVEMENT:

On Olive Avenue, apply Type II slurry seal from lip of gutter to the lip of gutter along the 1035 W El Camino Real frontage, or as directed by the Department of Public Works.
[SDR] [PUBLIC WORKS]

EP-31. STREETLIGHTS:

The developer shall remove existing and install a new marbelite streetlight on Olive Avenue and a new decorative pedestrian scale lighting on El Camino Real along the project frontage. The new marbelite streetlight on Olive Avenue shall be installed 65 feet west of the existing streetlight pole to be removed. The new decorative pedestrian lighting along El Camino Real shall be installed per the requirements in the El Camino Real Specific Plan west of the proposed driveway.

All LED fixtures and streetlight pole types shall be of the same make and model (current approved manufacturer is Philips Lumec).

The developer shall provide a separate streetlight plan identifying existing streetlights to be removed and new streetlights to be installed along the entire project frontage based on the streetlight spacing provided by the City. The streetlight plans shall include installation of

new conduits, existing and/or new locations of power source connection and new service pedestal, conductors, pull boxes, voltage drop and load calculations, and any other streetlight equipment as required to be installed by the Developer per latest City standard details and specifications and National Electric Code. The streetlight plans shall be submitted concurrently with the off-site improvement plan review.

The developer shall be responsible to replace all existing streetlight conduits, wires and pull boxes with new ones along the entire project frontage per City's current standards. The developer may be required to connect the new streetlight to the existing unmetered service pedestal or have them install a new one. All LED fixtures shall have a 10-year warranty.

Developer shall comply with City streetlight design guidelines and plan check submittal requirements as provided by the City upon request.

Obtain PG&E's approval for new service pedestal, if required, prior to Encroachment Permit issuance by Public Works Department.

Upon Completion of the streetlight improvements, developer shall provide as-built streetlight plan in pdf and .dwg formats. [COA] [PUBLIC WORKS]

EP-32. SIGNING AND STRIPING PLANS:

Submit a signing and striping plan in accordance with the latest edition of the CA MUTCD to City for review and approval by the Public Works Department. [SDR] [PUBLIC WORKS]

EP-33. PARKING REMOVAL:

The developer shall remove on-street parking and install parking restriction signs per the latest California Manual of Uniform Traffic Control Devices along the project frontage on El Camino Real in preparation for the future Class IV separated bikeway per the El Camino Real Specific Plan. [COA] [PUBLIC WORKS]

EP-34. TRAFFIC CONTROL PLAN:

The developer shall submit a traffic control plan with the off-site improvement plans for review and approval. Per the City's Temporary Traffic Control Checklist, the traffic control plan shall include a summary of the traffic control types, dates, times and blocks affected. Traffic control plans along El Camino Real shall also be submitted to Caltrans for their review and approval. All construction related materials, equipment, and construction workers parking need to be stored on-site and the public streets need to be kept free and clear of construction debris. [COA] [PUBLIC WORKS]

- EP-35. VTA BUS STOP:
The developer shall coordinate through VTA directly at bus.stop@vta.org for temporary bus stop location or bus rerouting prior to Encroachment Permit Issuance. Please consults VTA's Bus Stop Placement, Closures and Relocations Policy for specific details. [COA] [PUBLIC WORKS]
- EP-36. CITY STREET TREES:
The developer shall install required street trees along the project frontage as follows: El Camino Real: Shumard Oak); Olive Avenue: Shumard oak. Street trees and frontage landscaping shall be included in the detailed landscape and irrigation plan subject to review and approval by the Department of Public Works prior to issuance of encroachment permit. New street trees shall be 24-inch box size or 15-gallon size. The city tree spacing should be approximately 35 feet apart. A continuous root barrier shall be installed along the parkstrip area. No trees are to be planted within 10' of a sanitary sewer lateral and within any existing or proposed Public Utility Easement. [SDR] [PUBLIC WORKS]
- EP-37. PROTECTION OF EXISTING TREES:
No utility trench shall be allowed within 15' radius of an existing mature tree. Boring, air spade or other excavation method as approved by the City Arborist shall be considered to protect existing mature tree. Consult with the City Arborist prior to adjusting locations of utility lines. [SDR] [PUBLIC WORKS]
- EP-38. DAMAGE TO EXISTING PUBLIC IMPROVEMENTS:
Developer shall be responsible to rectify any damage to the existing public improvements fronting and adjacent to the project site as a result of project construction, to City's satisfaction by the Public Works Department. All existing streetlight conduits, streetlight wires, and streetlight pull boxes shall be protected in place during construction. Any damaged streetlight conduits, streetlight wires, streetlight pull boxes, traffic detector loops, and traffic signal conduits shall be replaced within 7 days at the expense of the developer. [COA] [PUBLIC WORKS]
- EP-39. APPROVAL FROM OTHER AGENCIES:
This project requires a permit from the Caltrans for all work within their right of way. [COA] [PUBLIC WORKS]
- EP-40. RESERVATION/ABANDONMENT OF EASEMENTS:
Reservation of new and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project site shall be recorded with a separate instrument, unless otherwise approved by the Department of Public Works. Quitclaim deed is required for abandonment of private easements. All easements shall

be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easements. [COA] [PUBLIC WORKS]

EP-41. RECORD DRAWINGS:

Stamped and signed hard copy record drawings of the off-site improvements (including off-site street, sewer, water, storm drain and landscaping plans) shall be submitted to the City prior to encroachment permit sign-off. In addition, streetlight record drawings shall be in AutoCAD format & GIS format. Developer shall pay the record drawing fee. [COA] [PUBLIC WORKS]

EP-42. PUBLIC WORKS DEVELOPMENT FEES:

Developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees, off-site improvement plan check and inspection fees, prior to map recordation or any permit issuance, whichever occurs first. The exact fee amount shall be determined based upon the fee rate at the time of fee payment. [COA] [PUBLIC WORKS]

EP-43. IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:

Developer shall execute an Improvement Agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to any permit issuance. [COA] [PUBLIC WORKS]

EP-44. OFF-SITE IMPROVEMENT COST ESTIMATE:

Provide an itemized engineer's estimate for all off-site public improvements for the entire project. [COA] [PUBLIC WORKS]

PF: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS AND/OR SHALL BE MET PRIOR TO RELEASE OF UTILITIES OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

PF-1. LANDSCAPING AND IRRIGATION:

All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]

PF-2. PARKING LOT STRIPING:

All parking lot striping, carpool and electric vehicle spaces shall be striped as per the approved plans and Public Works standards. [COA] (PLANNING/ENGINEERING)

PF-3. NOISE REDUCTION VERIFICATION:

Following construction completion, the project acoustical consultant shall measure interior and exterior noise levels to confirm they are within allowable City of Sunnyvale noise standards and submit a report to the Director of Community Development prior to occupancy. If noise levels

exceed allowable standards, the project applicant shall work with the project acoustical consultant on a compliance plan to reduce noise to acceptable levels, subject to the review and approval of the Director of Community Development. The project applicant shall incorporate all approved subsequent measures and confirm with additional testing that acceptable levels are met prior to occupancy of the units. [COA] [PLANNING]

PF-4. COMPLETION OF SITE REMEDIATION:

Prior to any building occupancy, the applicant shall provide documentation from the appropriate regulatory agency (County of Santa Clara Department of Environmental Health, California Department of Toxic Substances Control, or State of California San Francisco Bay Regional Water Quality Control Board) confirming that all required site remediation measures required to occupy any building or site have been completed and that plans have been provided for ongoing monitoring, if required, to the satisfaction of the agency. Deed restrictions, if required by the external oversight agency, shall be recorded prior to final occupancy. [COA] [PLANNING]

PF-5. VERIFICATION OF GREEN BUILDING MEASURES:

Prior to any residential building occupancy, the applicant shall provide documentation from the project's Green Point Rater confirming the project has been built to achieve the required points.

Prior to any nonresidential building occupancy, the applicant shall provide documentation from the project's LEED AP confirming the commercial component of the senior living building has been built to achieve the minimum points required and that the project should be eligible to be certified by the U.S. Green Building Council (USGBC) at the approved LEED level. [COA] [PLANNING] [BUILDING]

PF-6. COMPLETION OF PUBLIC IMPROVEMENTS:

Developer shall complete all required public improvements in accordance with City approved plans, prior to any building occupancy. [COA] [PUBLIC WORKS]

DC: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.

DC-1. BLUEPRINT FOR A CLEAN BAY:

The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

DC-2. CLIMATE ACTION PLAN – OFF ROAD EQUIPMENT REQUIREMENT:

OR 2.1: Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]), or less. Clear signage will be provided at all access points to remind construction workers of idling restrictions.

OR 2.2: Construction equipment must be maintained per manufacturer’s specifications.

OR 2.3: Planning and Building staff will work with project applicants to limit GHG emissions from construction equipment by selecting one of the following measures, at a minimum, as appropriate to the construction project:

- a) Substitute electrified or hybrid equipment for diesel- and gasoline-powered equipment where practical.
- b) Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.
- c) Avoid the use of on-site generators by connecting to grid electricity or utilizing solar-powered equipment.
- d) Limit heavy-duty equipment idling time to a period of 3 minutes or less, exceeding CARB regulation minimum requirements of 5 minutes. [COA] [PLANNING]

DC-3. DUST CONTROL:

At all times, the Bay Area Air Quality Management District’s CEQA Guidelines and “Basic Construction Mitigation Measures Recommended for All Proposed Projects”, shall be implemented. [COA] [PLANNING]

AT: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.

AT-1. HOURS OF OPERATION:

The nonresidential land uses in the senior living building permitted as part of this application shall comply with the following hours of operation:

- a) The hours of operation are limited to 6:00 a.m. to midnight for standard hours of operation, excluding short duration sales events which may have extended hours. Hours extending beyond midnight shall require approval of the Director of Community

Development through a Miscellaneous Plan Permit. [COA]
[PLANNING]

AT-2. DELIVERY HOURS:

Delivery hours for the approved use shall comply with SMC 19.42.030:

- a) Delivery hours are limited to daytime (period from 7:00 a.m. to 10:00 p.m. daily) only.
- b) Nighttime delivery (period from 10 p.m. to 7:00 a.m. daily) is prohibited. [SDR] [PLANNING]

AT-3. RECYCLING AND SOLID WASTE:

All exterior recycling and solid waste shall be confined to approved receptacles and enclosures. [COA] [PLANNING]

AT-4. LOUDSPEAKERS PROHIBITED:

Out-of-door loudspeakers shall be prohibited at all times. [COA]
[PLANNING]

AT-5. EXTERIOR EQUIPMENT:

All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure. Individual air conditioning units shall be screened with architecture or landscaping features. [COA]
[PLANNING]

AT-6. LANDSCAPE MAINTENANCE:

All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices. [COA] [PLANNING]

AT-7. PARKING:

On-site parking management shall conform with the approved parking management plan. The project is required to maintain the approved parking spaces (250 total number) for automobile parking purposes only and is prohibited from being converted to any other use. [COA] [PLANNING]

AT-8. PARKING LOT MAINTENANCE:

The parking lot shall be maintained in accordance with the approved plans and as follows:

- a) Clearly mark all employee, customer, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
- b) Maintain all parking lot striping and marking.

- c) Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.
- d) Require signs to direct vehicles to additional parking spaces on-site, as needed.
- e) Clearly mark all compact spaces as per approved plans. [COA] [PLANNING]

AT-9. UNENCLOSED USES:

Any modification or expansion of unenclosed uses are subject to review and approval by the Director of Community Development. [COA] [PLANNING]

AT-10. OFF-STREET PARKING:

Off-street parking for both residents and guests shall be maintained at all times in accordance with approved plans. [COA] [PLANNING]

AT-11. PARKING LOT MAINTENANCE:

The parking lot shall be maintained as follows:

- a) Garage and carport spaces shall be maintained at all times so as to allow for parking of vehicles.
- b) Clearly mark all assigned, guest, and electric vehicle spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
- c) Maintain all parking lot striping and marking.
- d) Maintain parking lot lighting and exterior lighting to ensure that the parking lot is maintained in a safe and desirable manner for residents and/or patrons. [COA] [PLANNING]

AT-12. RECREATIONAL VEHICLE STORAGE PROHIBITED:

Unenclosed storage of any vehicle intended for recreation purposes, including land conveyances, vessels, and aircraft, but excluding attached camper bodies and motor homes not exceeding 18 feet in length, shall be prohibited on the premises. [COA] [PLANNING]

AT-13. BMP MAINTENANCE:

The project applicant, owner, landlord, or HOA, must properly maintain any structural or treatment control best management practices to be implemented in the project, as described in the approved Stormwater Management Plan and indicated on the approved building permit plans. [SDR] [PLANNING]

AT-14. BMP RIGHT OF ENTRY:

The project applicant, owner, landlord, or HOA, shall provide access to the extent allowable by law for representatives of city, the local vector

control district, and the Regional Water Quality Control Board, strictly for the purposes of verification of proper operation and maintenance for the storm water treatment best management practices contained in the approved Storm Water Management Plan.[SDR] [PLANNING]

AT-15. TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN:

Upon the City's request, the property owner shall submit the most up-to-date TDM Plan to the City of Sunnyvale Department of Public Works, Division of Transportation and Traffic (DOTAT) within five (5) calendar days of the City's request. It is the responsibility of the property owner to maintain an up-to-date and active TDM plan at all times.

It is also the responsibility of the property owner to inform the City when the site has reached 75% occupancy. The property owner shall also maintain their contact information and the Transportation Coordinator's contact information up-to-date with DOTAT. [COA] [PUBLIC WORKS] [TRANSPORTATION]

AT-16. TRANSPORTATION DEMAND MANAGEMENT (TDM) COMPLIANCE, ANNUAL REVIEW, AND REPORTING:

The property owner shall comply with the Annual Review and Reporting requirements set forth in the City's TDM Program Guidelines, including applicable fees for review.

In order to measure compliance, the City will administer annual driveway counts once the project site(s) reaches 75% occupancy. All costs associated with the counts will be paid for by the property owner; the City will invoice the owner prior to the completion of the counts. The counts will be conducted per the TDM Program at the City's discretion. Delay in funding traffic counts shall be taken into account in determination of trip reduction compliance. Failure to fund traffic counts shall result in application of maximum penalty.

If the first annual driveway trip counts result in more trips than allowable trips per this section, the property owner may be given a six-month grace period, at the City's discretion, to adjust their TDM program. At the end of the six-month grace period, the City will administer new driveway trip counts at the cost of the property owner. If the site continues to be non-compliant with the maximum allowable trips per this section, the property owner shall pay non-compliance penalties per the City's TDM Program in place at the time of the penalties are applied; no additional grace periods will be granted. Such penalties shall be applied every year thereafter that the development is not in compliance with the maximum allowable trips generated.

When sites are found to be non-compliant with the maximum allowable trips, the property owner shall cause the TDM plan to be adjusted. [COA] [PUBLIC WORKS] [TRANSPORTATION]

AT-17. TENANT LEASE AGREEMENTS:

Any new lease agreements shall include the following provisions:

- a) Tenants shall be notified of their responsibility and shall agree to implement and manage the approved Transportation Demand Management Program.
- b) Tenants shall be notified of their responsibility and shall agree to construct all tenant improvements to meet a minimum of LEED Gold standard (with efforts to achieve LEED Platinum standards) and maintain facilities consistent with LEED Gold standards (or LEED Platinum if feasible) and USGBC certification. [COA] [PLANNING]

AT-18. TENANT LEASE AGREEMENTS:

Any new lease agreements shall include the following provisions:

Tenants shall be notified about the potential noise impacts of living in mixed-use residential development or in residential uses along major transportation corridors (freeways, expressways, arterials, and rail lines). [COA] [PLANNING]

END OF CONDITIONS

Exhibit 1 – The El Camino Real Specific Plan (ECRSP) Mitigation Monitoring and Reporting Program (MMRP) follows on the next page.

Exhibit 1
El Camino Real Specific Plan
Environmental Impact Report
Mitigation Monitoring and Reporting Program

1. Statutory Requirement

When a lead agency makes findings on significant environmental effects identified in an environmental impact report (EIR), the agency must also adopt a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment” (Public Resources Code Section 21081.6(a) and California Environmental Quality Act Guidelines Section 15091(d) and Section 15097). The Mitigation Monitoring and Reporting Program (MMRP) is implemented to ensure that the mitigation measures and project revisions identified in the EIR are implemented. Therefore, the MMRP must include all changes in the proposed project either adopted by the project proponent or made conditions of approval by the lead agency or a responsible agency.

2. Administration of the Mitigation Monitoring and Reporting Program

The City of Sunnyvale (City) is the lead agency responsible for the adoption of the MMRP. The City is responsible for implementing, verifying, and documenting compliance with the MMRP, in coordination with other identified agencies. According to CEQA Guidelines Section 15097(a), a public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation. However, until mitigation measures have been completed, the lead agency remains responsible for ensuring that implementation of the measures occurs in accordance with the program.

3. Mitigation Measures and Reporting Program

Table A-1 is structured to enable quick reference to mitigation measures and the associated monitoring program based on the environmental resource. The numbering of mitigation measures correlates with numbering of measures found in the impact analysis sections of the Draft EIR.

Table A-1 Mitigation, Monitoring, and Reporting Program (MMRP)

MITIGATION MEASURE	COMPLIANCE METHOD	VERIFICATION/TIMING	RESPONSIBLE PARTY
Air Quality			
<p>AQ-1 Prior to the issuance of grading or building permits, the City of Sunnyvale shall ensure that the Bay Area Air Quality Management District's (BAAQMD) basic construction mitigation measures from Table 8-2 of the BAAQMD 2017 CEQA Air Quality Guidelines (or subsequent updates) are noted on the construction documents. These basic construction mitigation measures include the following:</p> <ol style="list-style-type: none"> 1) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 2) All haul trucks transporting soil, sand, or other loose material off-site shall be covered. 3) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. 4) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour. 5) 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. 6) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. 7) All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. 8) A publicly visible sign shall be posted with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action 	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Prior to the issuance of grading or building permits • During construction 	<ul style="list-style-type: none"> • City of Sunnyvale (plan check) • Project applicant (during construction)

Table A-1 Mitigation, Monitoring, and Reporting Program (MMRP)

MITIGATION MEASURE	COMPLIANCE METHOD	VERIFICATION/TIMING	RESPONSIBLE PARTY
<p>within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.</p>			
<p>AQ-2 In the cases where construction projects are projected to exceed the Bay Area Air Quality Management District's air pollutant significance thresholds for NO_x, PM₁₀, and/or PM_{2.5}, all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors) shall be at least California Air Resources Board (CARB) Tier 3 Certified or better.</p>	<ul style="list-style-type: none"> • Plan approval • Site inspection 	<ul style="list-style-type: none"> • Requirements to be identified on construction/ improvement plans • During construction 	<ul style="list-style-type: none"> • Project applicant (during construction) • City of Sunnyvale (plan check and during construction)
<p>AQ-3 In the case when a subsequent project's construction is greater than five acres and is scheduled to last more than two years, the subsequent project shall be required to prepare a site-specific construction pollutant mitigation plan in consultation with the Bay Area Air Quality Management District (BAAQMD) staff prior to the issuance of grading permits. A project-specific construction-related dispersion modeling acceptable to BAAQMD shall be used to identify potential toxic air contaminant impacts, including diesel particulate matter. If BAAQMD risk thresholds (i.e., probability of contracting cancer is greater than 10 in 1 million) would be exceeded, mitigation measures shall be identified in the construction pollutant mitigation plan to address potential impacts and shall be based on site-specific information such as the distance to the nearest sensitive receptors, project site plan details, and construction schedule. The City shall ensure construction contracts include all identified measures and that the measures reduce the health risk below BAAQMD risk thresholds. Construction pollutant mitigation plan measures shall include, but not be limited to:</p> <ol style="list-style-type: none"> 1) Limiting the amount of acreage to be graded in a single day, 2) Notification of affected sensitive receptors one week prior to commencing on-site construction so that any necessary precautions (such as rescheduling or relocation of outdoor activities) can be implemented. The written notification shall include the name and telephone number of the individual 	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Prior to the issuance of grading permits 	<ul style="list-style-type: none"> • City of Sunnyvale (plan check) • Project applicant (during construction)

Table A-1 Mitigation, Monitoring, and Reporting Program (MMRP)

MITIGATION MEASURE	COMPLIANCE METHOD	VERIFICATION/TIMING	RESPONSIBLE PARTY
<p>empowered to manage construction of the project. In the event that complaints are received, the individual empowered to manage construction shall respond to the complaint within 24 hours. The response shall include identification of measures being taken by the project construction contractor to reduce construction-related air pollutants. Such a measure may include the relocation of equipment.</p>			
<p>AQ-4 The following measures shall be utilized in site planning and building designs to reduce TAC and PM2.5 exposure where new receptors are located within 1,000 feet of emissions sources:</p> <ul style="list-style-type: none"> • Future development that includes sensitive receptors (such as residences, schools, hospitals, daycare centers, or retirement homes) located within 1,000 feet of Caltrain, Central Expressway, El Camino Real, Lawrence Expressway, Mathilda Avenue, Sunnyvale-Saratoga Road, US 101, State Route 237, State Route 85, and/or stationary sources shall require site-specific analysis to determine the level of health risk. This analysis shall be conducted following procedures outlined by the BAAQMD. If the site-specific analysis reveals significant exposures from all sources (i.e., health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a hazard Index greater than 10, or annual PM2.5 exposures greater than 0.8 µg/m3) measures shall be employed to reduce the risk to below the threshold (e.g., electrostatic filtering systems or equivalent systems and location of vents away from TAC sources). If this is not possible, the sensitive receptors shall be relocated. • Future nonresidential developments identified as a permitted stationary TAC source or projected to generate more than 100 heavy-duty truck trips daily will be evaluated through the CEQA process or BAAQMD permit process to ensure they do not cause a significant health risk in terms of excess cancer risk 	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Incorporate during site planning and building designs • Prior to Planning approval 	<ul style="list-style-type: none"> • City of Sunnyvale

Table A-1 Mitigation, Monitoring, and Reporting Program (MMRP)

MITIGATION MEASURE	COMPLIANCE METHOD	VERIFICATION/TIMING	RESPONSIBLE PARTY
<p>greater than 10 in one million, acute or chronic hazards with a hazard Index greater than 1.0, or annual PM2.5 exposures greater than 0.3 µg/m3 through source control measures.</p> <ul style="list-style-type: none"> For significant cancer risk exposure, as defined by the BAAQMD, indoor air filtration systems shall be installed to effectively reduce particulate levels to avoid adverse public health impacts. Projects shall submit performance specifications and design details to demonstrate that lifetime residential exposures would not result in adverse public health impacts (less than 10 in one million chances). 			
Archaeological, Historical, and Tribal Cultural Resources			
<p>CUL-1 Prior to demolition, grading, or building permit approval, any site subject to California Environmental Quality Act (CEQA) review with potentially historic buildings over 50 years in age and not subject to previous identification, recordation on Department of Park and Recreation (DPR) 523 Forms, and National Register of Historic Places, California Register of Historic Resources, and/or City eligibility evaluation (as appropriate) within the last five years, shall be evaluated by a Secretary of the Interior Qualified Cultural Resource Professional specializing in Architectural History. Results of the evaluation shall specify site-specific mitigation requirements.</p>	<ul style="list-style-type: none"> Plan approval 	<ul style="list-style-type: none"> Prior to demolition, grading, or building permit approval 	<ul style="list-style-type: none"> City of Sunnyvale Secretary of the Interior Qualified Cultural Resource Professional (specializing in Architectural History)
<p>CUL-2 To avoid impacts to previously recorded historic resources associated with the Taaffe-Frances Heritage Neighborhood, prior to demolition, grading, or building permit approval, a site-specific Construction Protection Plan (CPP) shall be prepared by a qualified Historic Building Architect for projects which propose pile driving activities within 50 feet of designated historic resources. The CPP shall specify mitigation to avoid or reduce impacts to less than significant.</p>	<ul style="list-style-type: none"> Plan approval 	<ul style="list-style-type: none"> Prior to demolition, grading, or building permit approval 	<ul style="list-style-type: none"> Qualified Historic Building Architect
<p>CUL-3 All subsequent projects within the project area shall be required to include information on the improvement plans that if, during the course of grading or construction, cultural resources (i.e., prehistoric or historic sites) are discovered, work will stop in that area and within 100</p>	<ul style="list-style-type: none"> Plan approval 	<ul style="list-style-type: none"> Information to be included on construction and improvement plans 	<ul style="list-style-type: none"> City of Sunnyvale (plan check)

Table A-1 Mitigation, Monitoring, and Reporting Program (MMRP)

MITIGATION MEASURE	COMPLIANCE METHOD	VERIFICATION/TIMING	RESPONSIBLE PARTY
<p>feet of the find until a qualified archaeologist can [assess] the significance of the find and, if necessary, develop appropriate treatment measures as part of a treatment plan in consultation with the City and all other appropriate agencies. The treatment plan shall include measures to document and protect the discovered resource. Consistent with CEQA Guidelines Section 15126.4(b)(3), preservation in place will be the preferred method of mitigating impacts to the discovered resource. Pursuant to Government Code Section 6254.10, information on the discovered resource shall be confidential.</p>		<ul style="list-style-type: none"> • During construction 	<ul style="list-style-type: none"> • Project applicant (if resources found)
<p>Biological Resources</p>			
<p>BIO-1 Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat shall be conducted outside the avian nesting season. The nesting season generally extends from early February through August, but it can vary slightly from year to year based on seasonal weather conditions. If ground disturbance and vegetation removal cannot occur outside of the nesting season, a preconstruction clearance survey for nesting birds shall be conducted within 30 days of the start of any vegetation removal or ground-disturbing activities to ensure no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur.</p> <p>If an active avian nest is discovered during the preconstruction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can occur.</p>	<ul style="list-style-type: none"> • Pre-construction surveys 	<ul style="list-style-type: none"> • Prior to avian nesting season • Prior to 30 days of the start of any vegetation removal or ground-disturbing activities 	<ul style="list-style-type: none"> • City of Sunnyvale (plan check) • Qualified Biologist (during construction) • California Department of Fish and Wildlife (CDFW)

Table A-1 Mitigation, Monitoring, and Reporting Program (MMRP)

MITIGATION MEASURE	COMPLIANCE METHOD	VERIFICATION/TIMING	RESPONSIBLE PARTY
<p>As part of the nesting bird clearance survey, a preconstruction burrowing owl clearance survey shall be conducted within 30 days of the start of ground-disturbing activities to ensure undeveloped vacant lots within the Specific Plan Area do not support burrowing owl. If no burrowing owl are detected, construction may proceed. If construction is delayed or suspended for more than 30 days, the project site or work area shall be resurveyed. If burrowing owls are detected on the project site, a 300-foot “no work” buffer shall be established around the active burrow and all work within the buffer shall be halted until the qualified biologist has determined through non-intrusive methods that the nesting effort is complete (i.e., all young have fledged). Once the nesting effort is complete or if a burrowing owl burrow is detected on-site during the non-breeding season (September 1 to February 28), passive and/or active relocation of burrowing owls may be implemented by a qualified biologist following consultation and approval from the City of Sunnyvale and the California Department of Fish and Wildlife.</p>			
<p>Geology, Soils, and Paleontological Resources</p>			
<p>GEO-1 All subsequent projects within the project area shall be required to include information on the improvement plans that if, during the course of grading or construction fossils are discovered, work shall be halted immediately within 50 feet of the discovery, the Sunnyvale Community Development Department shall be notified, and the significance of the find and recommended actions must be determined by a qualified paleontologist. In addition, prior to the commencement of project site preparation, all construction personnel shall be informed of the potential to discover fossils and the procedures to follow.</p>	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Prior to issuance of grading permit • During construction 	<ul style="list-style-type: none"> • City of Sunnyvale (plan check) • Project applicant (if fossils discovered)
<p>Hazards and Hazardous Materials</p>			
<p>HAZ-1 The City shall require that a Phase I ESA is prepared and submitted with any application for new development or redevelopment within the adopted project boundary. The Phase I ESA shall be prepared by a qualified professional registered in California and in accordance with ASTM E1527-13 (or the most current version at the</p>	<ul style="list-style-type: none"> • Review of Phase I and/or Phase II ESA • Site inspection 	<ul style="list-style-type: none"> • Phase I and II (if identified as necessary by the Phase I) at the time development 	<ul style="list-style-type: none"> • Project applicant (Phase I/Phase II) • City of Sunnyvale (document compliance)

Table A-1 Mitigation, Monitoring, and Reporting Program (MMRP)

MITIGATION MEASURE	COMPLIANCE METHOD	VERIFICATION/TIMING	RESPONSIBLE PARTY
<p>time a development application is submitted for the project). If determined necessary by the Phase I ESA, a Phase II ESA shall be conducted to determine the lateral and vertical extent of soil, groundwater, and/or soil vapor contamination, as recommended by the Phase I ESA.</p> <p>The City shall not issue a building permit for a site where contamination has been identified until remediation or effective site management controls appropriate for the use of the site have been completed, consistent with applicable regulations and to the satisfaction of the City of Sunnyvale, DTSC, or San Francisco Bay RWQCB (as appropriate) before initiation of construction activities. Deed restrictions, if appropriate, shall be recorded. If temporary dewatering is required during construction or if permanent dewatering is required for subterranean features, the City shall not issue an improvement permit or building permit until documentation has been provided to the City that the San Francisco Bay RWQCB has approved the discharge to the sewer. Discharge of any groundwater removed from a construction site within the adopted project and to the El Camino Storm Drain Channel, Calabazas Creek, or storm drain shall be subject to Water Pollution Control Permit requirements.</p> <p>If the Phase I ESA determines there are no RECs, no further action is required. However, the City shall ensure any grading or improvement plan or building permit includes a statement if hazardous materials contamination is discovered or suspected during construction activity, all work shall stop immediately until a qualified professional has determined an appropriate course of action.</p>		<p>application is submitted</p> <ul style="list-style-type: none"> • Responsible agency approval of applicant's site management controls prior to grading and building permit issuance • Site inspection during construction 	
<p>HAZ-2 Prior to the issuance of a building permit for above ground construction of future projects in the Specific Plan Area, if proposed structures exceed the FAA Part 77 Surface, the project applicant shall submit an FAA Form 7460-1 for the permanent structure prior to submittal for the temporary construction equipment (outlined in</p>	<ul style="list-style-type: none"> • Plan Approval 	<ul style="list-style-type: none"> • Prior to the issuance of a building permit for above ground construction of future projects 	<ul style="list-style-type: none"> • Project applicant (submit an FAA Form 7460-1)

Table A-1 Mitigation, Monitoring, and Reporting Program (MMRP)

MITIGATION MEASURE	COMPLIANCE METHOD	VERIFICATION/TIMING	RESPONSIBLE PARTY
<p>Mitigation Measure HAZ-2 below). A “Determination of No Hazard” or “Determination of No Hazard with Conditions” shall be obtained prior to permit issuance for any above ground improvements. If a “Determination of No Hazard with Conditions” is issued, the conditions shall be included on the approved plan set and implemented.</p>		<ul style="list-style-type: none"> • A “Determination of No Hazard” or “Determination of No Hazard with Conditions” shall be obtained prior to permit issuance for any above ground improvements. 	
<p>HAZ-3 Prior to the issuance of a building permit, if construction equipment has the potential to exceed the FAA Part 77 Surface, the project applicant shall submit an FAA Form 7460-1, “Notice of Proposed Construction or Alteration” to the FAA at least 45 days (60 to 90 days recommended) prior to construction of the project, which shall specify the equipment type (e.g., crane) and duration to be used. An Aeronautical Study Number for the permanent structure shall be included in the submittal form. A “Determination of No Hazard” or “Determination of No Hazard with Conditions” shall be obtained prior to permit issuance for above ground activities. If a “Determination of No Hazard with Conditions” is issued, all conditions shall be included on the approved plan set and implemented.</p>	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Prior to the issuance of a building permit • Prior to construction of the project • A “Determination of No Hazard” or “Determination of No Hazard with Conditions” shall be obtained prior to permit issuance for above ground activities 	<ul style="list-style-type: none"> • Project applicant (submit an FAA Form 7460-1)
Noise and Vibration			
<p>NOI-1 For projects that are subject to California Environmental Quality Act (CEQA) review (i.e., non-exempt projects), project applicants shall ensure through contract specifications that construction best management practices (BMPs) will be implemented by all project contractors to reduce construction noise levels. Contract specifications shall be included in construction documents, which shall be reviewed and approved by the City Community Development Department prior to issuance of a grading or building permit (whichever is issued first). BMPs to reduce construction noise levels may include, but are not limited to, the following:</p>	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Prior to issuance of a grading or building permit 	<ul style="list-style-type: none"> • Project applicant • City of Sunnyvale (if complaint is received) • Job superintendent (if complaint is received)

Table A-1 Mitigation, Monitoring, and Reporting Program (MMRP)

MITIGATION MEASURE	COMPLIANCE METHOD	VERIFICATION/TIMING	RESPONSIBLE PARTY
<ol style="list-style-type: none"> 1) Ensure that construction equipment is properly muffled according to industry standards and is in good working condition. 2) Place noise-generating construction equipment and construction staging areas away from sensitive uses. 3) Construction activities shall occur between the hours of between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and between 8:00 a.m. and 5:00 p.m. on Saturdays, pursuant to Sunnyvale Municipal Code Chapter 16.08. 4) Implement noise attenuation measures, as needed, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources. 5) Use electric air compressors and similar power tools rather than diesel equipment, where feasible. 6) Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes. 7) The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment (between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and between 8:00 a.m. and 5:00 p.m. on Saturdays). The haul route exhibit shall design delivery routes to minimize the exposure of sensitive land uses or residential dwellings to delivery truck-related noise. 8) Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding owners and residents to contact the job superintendent. If the City or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party and the Community Development Department. 			<ul style="list-style-type: none"> • Community Development Department
<p>NOI-2 Projects that are subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) with construction</p>	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Within 25 feet of a structure shall be 	<ul style="list-style-type: none"> • City Engineer

Table A-1 Mitigation, Monitoring, and Reporting Program (MMRP)

MITIGATION MEASURE	COMPLIANCE METHOD	VERIFICATION/TIMING	RESPONSIBLE PARTY
<p>activities requiring operation of groundborne vibration generating equipment (i.e., vibratory compactor/roller, large bulldozer, caisson drilling, loaded trucks, and jackhammer) within 25 feet of a structure shall be required to prepare a project-specific vibration impact analysis to evaluate potential construction vibration impacts associated with the project, and to determine any specific vibration control mechanisms that shall be incorporated into the project's construction bid documents to reduce such impacts. Contract specifications shall be included in construction documents, which shall be reviewed and approved by the City Engineer prior to issuance of a grading permit.</p>		<p>required to prepare a project-specific vibration impact analysis</p> <ul style="list-style-type: none"> • Prior to issuance of a grading permit 	
<p>NOI-3 Projects that are subject to California Environmental Quality Act (CEQA) review (meaning, non-exempt projects) which require impact pile driving activities within 100 feet of buildings and/or sonic pile driving activities within 60 feet of buildings shall implement the below measures to reduce the potential for architectural/structural damage resulting from elevated groundborne vibration levels. Contractors shall demonstrate, to the satisfaction of the City Engineer and prior to issuance of a grading permit, that pile driving activities would not exceed the California Department of Transportation (Caltrans) vibration threshold (i.e., 0.2 inch/second PPV) prior to initiation of construction.</p> <ul style="list-style-type: none"> • Impact pile driving within 100 feet of any building shall utilize alternative installation methods, such as pile cushioning, jetting, predrilling, cast-in-place systems, and resonance-free (i.e., sonic) vibratory pile drivers. • Sonic pile driving activities within 60 feet of any building shall utilize alternative installation methods, such as pile cushioning, jetting, predrilling, and cast-in-place systems. 	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Prior to issuance of a grading permit 	<ul style="list-style-type: none"> • City Engineer
Traffic and Transportation			
<p>TRA-1 Prior to Planning Permit Completeness, the City of Sunnyvale shall review site-specific development within the El Camino Real Specific Plan area for consistency with the floor area ratio and/or dwelling units per acre requirements specified in the City's</p>	<ul style="list-style-type: none"> • Plan approval 	<ul style="list-style-type: none"> • Prior to Planning Permit Completeness 	<ul style="list-style-type: none"> • City of Sunnyvale

Table A-1 Mitigation, Monitoring, and Reporting Program (MMRP)

MITIGATION MEASURE	COMPLIANCE METHOD	VERIFICATION/TIMING	RESPONSIBLE PARTY
<p>Transportation Analysis Policy (referred to as “Council Policy 1.2.8”). In the event that a proposed development does not meet the floor area ratio and/or dwelling units per acre requirements or the required threshold specified in Council Policy 1.2.8, a project-specific vehicle miles travelled (VMT) analysis shall be conducted to evaluate and disclose transportation-related environmental impacts and identify measures to avoid and minimize VMT impacts. If the VMT analysis determines the potential for an increase in VMT that cannot be mitigated, a subsequent environmental analysis shall be prepared.</p>			
<p>TRA-2 Before construction or issuance of building permits, the developer or the construction contractor for the project shall prepare a temporary traffic control plan (TTC) to the satisfaction of the City of Sunnyvale Division of Transportation and Traffic and subject to review by all affected agencies. The TTC shall include all information required on the City of Sunnyvale TTC Checklist and conform to the TTC Guidelines of the City of Sunnyvale. At a minimum, the plan shall include the following elements:</p> <ul style="list-style-type: none"> • Provide vicinity map including all streets within the work zone properly labeled with names, posted speed limits and north arrow; • Provide existing roadway lane and bike lane configuration and sidewalks where applicable including dimensions; • Description of proposed work zone; • Description of detours and/or lane closures (pedestrians, bicyclists, vehicular); • Description of no parking zone or parking restrictions; • Provide appropriate tapers and lengths, signs, and spacing; • Provide appropriate channelization devices and spacing; • Description of buffers; • Provide work hours/workdays; • Dimensions of above elements and requirements per latest CA—MUTCD Part 6 and City’s SOP for bike lane closures; • Provide proposed speed limit changes if applicable; 	<ul style="list-style-type: none"> • Plan approval (applicable to ISI project only) 	<ul style="list-style-type: none"> • Prior construction or issuance of building permits 	<ul style="list-style-type: none"> • City of Sunnyvale (plan check) • Project applicant (prepare plan)

Table A-1 Mitigation, Monitoring, and Reporting Program (MMRP)

MITIGATION MEASURE	COMPLIANCE METHOD	VERIFICATION/TIMING	RESPONSIBLE PARTY
<ul style="list-style-type: none"> • Description of bus stops, signalized and non-signalized intersection impacted by the work; • Show plan to address pedestrians, bicycle and ADA requirement throughout the work zone per CA-MUTCD Part 6 and City's SOP for Bike lane closures; • Indicate if phasing or staging is requested and duration of each; • Description of trucks including: number and size of trucks per day, expected arrival/departure times, truck circulation patterns; • Provide all staging areas on the project site; and • Ensure that the contractor has obtained and read the City's TTC Guidelines and City's SOP for bike lane closures; and • Ensure traffic impacts are localized and temporary. 			