

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
APRIL 27, 2020**

Planning Application 2019-7269

365 S. Mathilda Avenue and 402 Charles Street (APN: 165-13-045)
388 Charles Street, 365 and 377-9 S. Mathilda Avenue (APN: 165-13-074)
396 Charles Street (APN: 165-13-046)
397 S. Mathilda Avenue (APN: 165-13-068)
403 S. Mathilda Avenue (APN: 165-13-069)
406 Charles Street and 407 S. Mathilda Avenue (APN: 165-13-073)

Special Development Permit to redevelop six City-owned parcels totaling 1.44 acres into a 90-unit affordable housing project (89 affordable units plus one manager unit). The project consists of four-story apartments along S. Mathilda Avenue and W. Iowa Avenue, two-story townhome style units along Charles Street, underground parking, and private amenity spaces on the ground floor.

The project includes the following State Density Bonus concessions:

- Minimum distance between buildings [SMC 19.48.030]
- Minimum distance to recycling and solid waste enclosures [SMC 19.38.030(e)(1)(k)]

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 are noted with “Mitigation Measure” and placed in the applicable phase of the project.

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/OFFICE OF THE CITY ATTORNEY]
- GC-6. **STORMWATER MANAGEMENT PLAN:**
Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2009-0074, as determined by a completed “Stormwater Management Plan Data Form”, and therefore must submit a Stormwater Management Plan as per SMC 12.60.140 prior to issuance of the building permit. [SDR] [PLANNING]
- GC-7. **CITY FINANCING AND AFFORDABLE HOUSING AGREEMENTS:**
The development shall at all times comply with the terms of the Disposition and Development Agreement, Ground Lease, Affordable Housing Regulatory Agreement, and all City loan agreements related to any financing of the project provided by the City from sources such as the Housing Mitigation fund or other City special revenue funds that may be committed to the project. These agreements shall be developed and recorded against the property prior to issuance of any building permits, in consultation with the Director of Community Development, the Housing Officer, and the City Attorney. [COA] [HOUSING]
- GC-8. **AFFORDABLE RENTAL HOUSING RESTRICTION:**
Eight Nine (89) residential units within the development shall remain rental units affordable to and occupied by, or made available for occupancy by very low income households for a period of at least 55 years. Units shall be dispersed throughout the complex, with precise locations to be identified in the Affordable Rental Housing Agreement to be recorded prior to Building Permit issuance. [COA] [HOUSING]
- GC-9. **TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN:**
The project is subject to the Multi-Family Residential Transportation Demand Management (TDM) Plan program per Chapter 19.45 of the Sunnyvale Municipal Code (SMC). The project must achieve the 9 points as provided on the approved TDM program. Verification of compliance is subject to approval by the Director of Community Development prior to occupancy and shall be demonstrated (when applicable) on building permit plans. The Director may require the onsite TDM Coordinator to send to the City annual confirmation that bicycle facilities, wayfinding station, TDM coordination and communication, transit passes, bicycle and car share are provided to residents. [SDR] [PLANNING]

GC-10. PUBLIC IMPROVEMENTS:

The developer is required to install, per Sunnyvale Municipal Code Sections 18.08, all public improvements, which may include but not be limited to, curb & gutter, sidewalks, driveway approaches, street pavements, utility connections, meters/vaults, trees and landscaping, traffic signal, signage, striping, street lights, etc.

All public improvements shall be designed and constructed in accordance with these conditions, 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 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 Department of Public Works. [COA] [PUBLIC WORKS]

GC-11. OFF-SITE IMPROVEMENT PLANS:

Submit off-site improvement plans separate from the Building on-site improvement plans. Off-site improvement plans are approved through a Public Works Encroachment Permit process. Civil plan sheets including Preliminary Grading; Site and Geometric Plans; and Preliminary Utility Plans all dated 4/13/2020 are subject to change during the plan check process. See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links:

<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=24002>

<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23625>

[SDR] [PUBLIC WORKS]

GC-12. ENCROACHMENT PERMIT:

Prior to any work in the public right-of-way, obtain an encroachment permit with documentation satisfying 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]

GC-13. PRELIMINARY MAP:

Because this project is being constructed on City-owned property in accordance with a long-term lease, the project is subject to, and contingent upon the approval of a PRELIMINARY map for the project area to be incorporated and made part of the lease agreement between the City and the Developer. The Preliminary Map shall show planned

future roadway dedications as well as public improvements in accordance with Sunnyvale Municipal Code Title 18 Subdivision requirements. All existing and proposed property lines, easements, future dedications shown on the Preliminary Map are subject to City's technical review and approval. Pay all required fees for Preliminary Map technical review. [COA] [PUBLIC WORKS]

GC-14. MAP REQUIRED:

This project is subject to, and contingent upon, the recordation of a parcel map merging existing parcels that provide the project area. The preparation, approval, and recordation of the parcel map shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. All existing and proposed property lines and easements shown on the tentative parcel map are subject to City's technical review and approval during the parcel map process prior to any grading or building permit. Pay all required fees for Parcel Map review and recordation. [COA] [PUBLIC WORKS]

GC-15. BUILDING CODES AND PERMIT FEES:

Building permit fees and applicable building codes will be based on the fee resolution and building codes effective at the time of building permit submittal. [SDR] [BUILDING]

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

PS-1. REQUIRED REVISIONS TO PROJECT PLANS:

The plans shall be revised to address the following, and are subject to review and approval by the Director of Community Development prior to submittal of a building permit:

- a) Final design and material of the railing on the walkways between the four-story buildings.
- b) Final design of the driveway gate on the Charles Street driveway.

PS-2. HYDRAULIC MODELING:

Hydraulic Modeling Report may be required pending evaluation by Environmental Services Department. If required, Developer shall pay City a fee, in an amount determined by the City, for a Water System Hydraulic Modeling Report analysis to ensure that water main servicing the proposed project meets various City design guidelines and other statutory requirements for fire safety, domestic and irrigation flows in terms of pipe size, flow, pressure and velocity.

Upgrade of existing water main by the developer may be required as determined by the City and shall be incorporated into first off-site improvement plan check submittal. Developer shall receive fair-share credit as determined by the City if upgrades of water main are required. Contact Environmental Services Department/Water Operations at 408-730-2744 for more information. [COA] [ENVIRONMENTAL SERVICES/PUBLIC WORKS]

PS-3. SANITARY SEWER ANALYSIS:

Prior to first off-site improvement 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 monitoring data may be required as needed. Any mitigation improvements needed shall be incorporated in the first plan check submittal. [COA] [PUBLIC WORKS]

MM: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED AND MITIGATION MEASURES NOTED FOR LAND USE AND TRANSPORTATION (LUTE) ELEMENT EIR – MMRP AS RELEVANT TO THIS PROJECT.

- MM-1. LAND USE AND TRANSPORTATION (LUTE) ELEMENT – MITIGATION, MONITORING & REPORTING PROGRAM (MMRP):
Project is subject to the relevant/applicable LUTE MMRP requirements included in Attachment 6 (CEQA Checklist). [COA]
[PLANNING]

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. SOLID WASTE AND RECYCLING ROOM:

The building permit plans shall include details for the installation of recycling and solid waste room that are consistent with SMC 19.38.030. The solid waste disposal and recycling facilities within the building 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) Be screened from view;
- d) All gates, lids and doors shall be closed at all times;
- e) Shall not conflict with delivery/receiving areas;
- f) Shall be consistent with the approved Solid Waste and Recycling Management Plan;

- g) Solid waste and recycling diversion systems shall be incorporated into the facilities and tenant improvements. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-6. 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-7. SOLID WASTE DISPOSAL AND RECYCLING DESIGN PLAN:

A detailed recycling and solid waste disposal plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. In addition, the following shall be addressed:

- a) Bins shall be presented “pick-up” ready in the staging area and proper spacing must be provided as determined by the Environmental Services Department.
- b) Units assigned to those individuals with developmental or intellectual disabilities shall be located within 150 feet of the solid waste and recycling room or trash chute. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

The solid waste disposal plan and building permit plans shall demonstrate compliance with current City requirements and guidelines for residential/multi-family/mixed-use projects at the following 2 links:
<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23591>
<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23590> [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-8. 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 **\$161,286.00**, prior to issuance of a Building Permit. Final fee is calculated at time of building permit submittal (SMC Chapter 3.50). [SDR] [PLANNING]
- b) PARK IN-LIEU – Payment of a park in-lieu fee is not required since the project is an affordable rental housing project in accordance with the provisions of SMC Chapter 19.74. [SDR] [PLANNING]
- c) RENTAL HOUSING IMPACT FEE – Payment of a Rental Housing Impact Fee is not required since the project is an affordable rental housing project in accordance with the provisions of SMC Chapter 19.75. [SDR] [HOUSING]

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. MECHANICAL EQUIPMENT (EXTERIOR):

Detailed plans showing the locations of individual exterior mechanical equipment/air conditioning units shall be submitted and subject to review and approval by the Director of Community Development prior to issuance of building permits. Proposed locations shall have minimal visual and minimal noise impacts to neighbors and ensure adequate usable open space. Individual exterior mechanical equipment/air conditioning units shall be screened with architecture or landscaping features. [PLANNING] [COA]

BP-11. 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) All areas not required for parking, driveways or structures shall be landscaped.
- b) Provide trees at minimum 30 feet intervals along rear property lines, except where mature trees are located immediately adjoining on neighboring property.
- d) A minimum of ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- e) Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree per the City’s Tree Replacement Standards.
- f) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- g) Backflow device and other appurtenances are to include screening and covers as approved by the Director of Community Development. This includes all devices (irrigation, DCDA, etc.) located in the front yard landscape areas. Covers should be black, metal mesh with rounded top covers (e.g. “mailbox style”).
- h) Decorative paving as required by the Director of Community Development to distinguish entry driveways, building entries, pedestrian paths and common areas.
- i) Provide a fifteen-foot deep band of decorative paving for the width of the private drive(s) immediately behind the public sidewalk. [COA] [PLANNING]

BP-12. 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. Any landscaping within the driveway vision triangles shall be properly maintained to ensure vision triangle clearance per Sunnyvale Municipal Code requirements. [COA] [PLANNING]

BP-13. TREE PROTECTION PLAN:

Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for review. The tree protection plan shall include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:

- a) An inventory shall be taken of all existing trees on the plan including the valuation of all 'protected trees' by a certified arborist, using the latest version of the "Guide for Plant Appraisal" published by the International Society of Arboriculture (ISA).
- b) All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.
- c) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- d) The tree protection plan shall be installed prior to issuance of any Building or Grading Permits, subject to the on-site inspection and approval by the City Arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]

BP-14. CITY STREET TREES:

The landscape plan shall include street trees and shall be submitted for review and approval by the City Arborist prior to issuance of building permit. [COA] [ENGINEERING/CITY ARBORIST]

BP-15. 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 as updated Stormwater Management Data Form. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-16. STORM WATER MANAGEMENT PLAN THIRD-PARTY CERTIFICATION:
Third-party certification of the Stormwater Management Plan is required per the following guidance: City of Sunnyvale – Stormwater Quality BMP Applicant Guidance Manual for New and Redevelopment Projects – Addendum: Section 3.1.2 Certification of Design Criteria Third-Party Certification of Stormwater Management Plan Requirements. The third-party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/ENVIRONMENTAL SERVICES]

BP-17. BEST MANAGEMENT PRACTICES - STORMWATER:

The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. 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:

- d) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
- e) 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.
- f) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- g) Covered trash, food waste, and compactor enclosures.
- h) 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 discharge to onsite vegetated areas is not a feasible option.
 - v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-18. MECHANICAL EQUIPMENT NOISE:

Prior to issuance of a building permit, the impacts of mechanical equipment noise on nearby noise-sensitive uses shall be assessed by a qualified acoustical consultant and determine specific noise reduction measures necessary, if any, to reduce noise to comply with the City's

noise level requirements. Design planning shall take into account the noise criteria associated with such equipment and utilize site planning to locate equipment in less noise-sensitive areas. Other controls could include, but shall not be limited to, fan silencers, enclosures, and mechanical screening. The acoustical report and associated noise mitigation measures shall be subject to the review and approval by the Director of Community Development. [COA] [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 residential properties.
- g) Up-lighting and spotlights are prohibited for bird-safe purposes. [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 final 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 and subject to review and approval by the Director of Community Development.
- b) The property manager may specify that 25% to 75% of unassigned spaces be reserved for guest use.
- c) Clearly indicate that the property manager cannot offer tenants exclusive use of unassigned or guest spaces in return for payment of additional rent or other compensation. This does not prohibit nominal fees charged to all tenants for parking management.

- 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 the number of parking spaces provided for each unit on-site as per the approved plans. [PLANNING] [COA]
- BP-22. COMPACT SPACES:
Specify compact parking spaces on the Building Permit plans. All such areas shall be clearly marked prior to occupancy, in accordance with Title 19 of the Sunnyvale Municipal Code. [SDR] [PLANNING]
- BP-23. BICYCLE SPACES:
Provide a minimum of 23 Class I secured bicycle parking spaces (per VTA Bicycle Technical Guidelines) as approved by the Director of Community Development. [COA] [PLANNING]
- BP-24. ON-SITE PRIVATE WATER METER(S):
The developer shall install individual private water meters as required by State Law for all individual residences & buildings on-site. [COA] [BUILDING]
- BP-25. GREEN BUILDING:
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 Build It Green certification verifying the project is designed to achieve the required points. [COA] [PLANNING] [BUILDING]
- BP-26. 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 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) 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.

- d) Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- e) 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.
- f) 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:
 - a. Installing intake and exhaust mufflers on pile-driving equipment;
 - b. Vibrating piles into place when feasible, and installing shrouds around the pile-driving hammer where feasible;
 - c. 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;
 - d. Use cushion blocks to dampen impact noise, if feasible based on soil conditions. 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
 - e. 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.
- g) Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
- h) 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.
- i) 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.
- j) Prohibit unnecessary idling of internal combustion engine-driven equipment and vehicles.

- k) 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.
 - l) 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]
- BP-27. DEMOLITION/CONSTRUCTION/RECYCLING WASTE REPORT FORM:
To mitigate the impacts of large projects on local waste disposal and recycling levels, demolition waste weights/volumes, construction weights/volumes, and recycling weights/volumes are to be reported to the City, per the City’s Green Halo waste tracking reporting system at <http://sunnyvale.wastetracking.com/>. The developer’s demolition and/or building contractor is responsible for registering with Green Halo and uploading waste-related weight tickets to Green Halo to track the type, quantity, and disposition of materials generated and identify the waste disposal facility. Prior to final sign-off on the completed project, all weight tickets must be submitted to Green Halo. It is recommended that weight tickets be entered periodically throughout the project. [COA] [ENVIRONMENTAL SERVICES]
- BP-28. CONSTRUCTION MATERIAL AND STAGING:
All construction related materials, equipment, and construction workers parking need to be managed on-site and not located in the public right-of-way or public easements. [COA] [PUBLIC WORKS]
- BP-29. UNDERGROUND UTILITIES:
All utilities fronting the property shall be undergrounded per Sunnyvale Municipal Code Chapter 19.38.095. Overhead utilities beyond the frontage of the project may be eligible for cost reimbursement by the City. [COA] [PLANNING/PUBLIC WORKS]
- BP-30. NESTING BIRDS:
To mitigate impacts to nesting bird habitat, the following shall apply:
a) Avoidance: Demolition and construction activities should be scheduled between September 1 and January 31 to avoid the nesting bird season. If construction activities are scheduled to take place outside the nesting season, all impacts on nesting birds protected under the MBTA and California Fish and Game Code will be avoided.

- b) Preconstruction/Pre-disturbance Surveys: If it is not possible to schedule demolition and construction activities between September 1 and January 31 then preconstruction surveys for nesting birds should be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. We recommend that these surveys be conducted no more than 14 days prior to the initiation of demolition/construction activities. During this survey, the ornithologist will inspect all trees and other potential nesting habitats (e.g., trees, shrubs, grasslands, buildings) in and immediately adjacent to the impact areas for nests.
- c) Buffers: If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist will determine the extent of a construction-free buffer zone to be established around the nest (typically 300 ft for raptors and 100 ft for other species), to ensure that no nests of species protected by the MBTA and California Fish and Game Code will be disturbed during project implementation.
- d) Inhibition of Nesting: If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are scheduled to be removed by the project may be removed prior to the start of the nesting season (e.g., prior to February 1). This will preclude the initiation of nests in this vegetation, and prevent the potential delay of the project due to the presence of active nests in these substrates. [COA] [PLANNING]

BP-31. HISTORIC AND CULTURAL RESOURCES:

Final construction drawings shall incorporate conditions related to historic and cultural resources as set forth in the approved environmental document and as noted below. [COA] [PLANNING]

- a) If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and the County Coroner as well as a qualified archeologist (if not already present) must be notified immediately so that an evaluation can be performed. Procedures at this point are prescribed by law. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a “Most Likely Descendant” can be designated. Once the Most Likely Descendant has inspected the discovered remains, the remains can be reinterred with appropriate dignity.
- b) If archaeological resources are encountered during construction, work shall be temporarily halted in the vicinity of the discovered materials and workers shall not alter the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect cultural resources. Native American

resources include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic-period resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.

BP-32. HAZARDS AND HAZARDOUS MATERIALS:

Final construction drawings shall incorporate conditions related to hazards and hazardous materials as set forth in the approved environmental document and as noted below. [COA] [PLANNING]

- a) Prior to redevelopment and grading activities, conduct a soil characterization investigation to define the extent of impacted soils. A soil management plan should be prepared for handling impacted soils during grading.
- b) Perform an asbestos and lead-based-paint survey of the structures prior to demolition.

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

EP-1. COMPLETE OFF-SITE IMPROVEMENT PLAN SET:

A complete plan check set of improvement plans applicable to the project, which may include street improvement plans, streetscape plans, streetlight plans, signing/stripping plans, erosion control plans, traffic signal plans and traffic control plans shall be submitted as the first off-site improvement plans. Engineering cost estimates for on-site and off-site improvements shall be submitted. The initial Engineering and Inspection plan review fee deposit is to be paid as part of the first improvement plan submittal. Joint trench plans are to be submitted at the time improvement plans above are submitted or at a time agreeable to the City. No partial sets are allowed unless otherwise approved by the Department of Public Works. Preliminary Grading plans, Site and Geometric Plans, and Preliminary Utility Plans all dated 3/4/20 are subject to change during plan check process. See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links:

<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=24002>

<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23625>

[COA] [PUBLIC WORKS]

- EP-2. 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 (such as backflow preventers, sign posts, etc.), shall be upgraded to current City standards and as required by the Department of Public Works. [COA] [PUBLIC WORKS]
- EP-3. BENCHMARKS:
The improvement plans shall be prepared by using City's latest benchmarks (NAVD88) available on City's website <https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23803>
Plans based on NGVD29 will not be accepted. [COA] [PUBLIC WORKS]
- EP-4. 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-5. UTILITY CONNECTION TO THE MAIN:
All sanitary sewer laterals connecting to the existing main line shall be at a new or existing 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 sanitary sewer manholes require Sewpercoat, Mainstay or Sancon calcium aluminate cementitious mortar coating of the interior. [SDR] [PUBLIC WORKS]
- EP-6. 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 conflict between the proposed location of City trees, street lights, and existing utilities, proposed joint trench, and proposed connection of gravity utilities. Potholing is to take place prior to approval of improvement plans. Submit pothole report with second improvement plan submittal. [COA] [PUBLIC WORKS]
- EP-7. 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-8. 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-9. 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 the issuance of any permits for utility work within any public right-of-way or public utility easements.

Overhead utilities along project street frontage shall be undergrounded per PG&E Rule 20B. Prior to the City approving plans for the project's public street improvements, the Developer shall conduct an analysis of undergrounding the distribution line that extends to the west from the joint pole on the east side of Charles Street and provide an intent and cost estimate to the City for consideration as a condition of project approval. City may contribute to the cost of undergrounding utilities for the portions extending beyond the project frontage. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]

EP-10. 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-11. RE-USE OF EXISTING CITY UTILITY SERVICE LINES:

The re-use of existing City water service lines is not allowed. Re-use of existing City sanitary sewer and storm drain service lines and appurtenances is subject to City's review and approval. Developer's contractor shall expose the existing facilities during construction for City's evaluation or provide video footage of the existing pipe condition. Developer's contractor shall replace any deficient facilities as deemed necessary by the Department of Public Works. Preliminary Grading plans; Site and Geometric Plans; and Preliminary Utility Plans all dated

3/4/20 are subject to change during plan check process. [COA]
[PUBLIC WORKS]

EP-12. PUBLIC FIRE HYDRANTS:

Remove and replace the existing fire hydrant barrel(s) along the entire project frontage with current City standard Clow-Rich 75 on Charles Street and Mathilda Avenue and Clow-Rich 865 on Iowa Avenue. New fire hydrant locations shall be per current City standard detail 2B and 2B-2. Public fire hydrant shall be maintained free and clear of all trees, vines, shrubs, bushes, ivy, etc. for a minimum of three feet. [COA]
[PUBLIC WORKS/PUBLIC SAFETY-FIRE PROTECTION]

EP-13. DUAL CONNECTION WATER SERVICE SYSTEM:

Provide two service points of connections for the domestic water, with two separate radio-read domestic master water meters and two separate reduced pressure backflow preventer (RPBP) in accordance with current City standards. Backflows must adhere to City's Cross-Connection Program. Backflow inspection permit and tags are required for all backflow devices. Install a new isolation gate valve between the two service points of connection. [COA] [PUBLIC WORKS/ENVIRONMENTAL SERVICES]

EP-14. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:

Install a separate irrigation water service line (separate from the domestic & fire water service lines) with a water meter and backflow prevention device.

All landscape and irrigation systems, located in the public park strip 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. [COA] [PUBLIC WORKS]

EP-15. SEWER MANHOLE:

Install new sewer manhole at the street right-of-way lines for all proposed 6" sanitary sewer laterals or a clean-out for 4" laterals to be used for the project. [SDR] [PUBLIC WORKS]

EP-16. 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 subject to approval by the Public Works Department 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-17. 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 new storm drain lateral shall be 12 inches and the main line shall be minimum 15 inches diameter in the public right-of-way.

EP-18 CATCH BASIN TRASH CAPTURE DEVICES:

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 or a medallion affixed to the inlet 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/PUBLIC WORKS]

EP-19. UTILITY METER/VAULT:

No existing or new utility meters or vaults shall be located within the new driveway approach. 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-20. STREET LIGHTS:

All streetlight fixtures along Mathilda Avenue, Iowa Avenue, and Charles Street project frontage are to be LED fixtures. All LED fixtures shall be of the same make and model (current approved manufacturers are GE and Philips). Streetlight fixture pole types along Mathilda Avenue shall be in accordance with Downtown Streetscape Standard Detail requirements.

Replace all existing streetlight conduits, wires and pull boxes with new ones along Mathilda Avenue, Iowa Avenue, and Charles Street frontage to the end of the system per City's current standards.

Submit separate streetlight plans as part of the off-site improvement plan review to 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.

Developer shall comply with City street light 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.

Upon Completion of the streetlight improvements, developer shall provide drawings to the City in AutoCAD format. [COA] [PUBLIC WORKS]

EP-21. DRIVEWAY APPROACHES:

Remove existing driveway approaches and install new driveway approaches along the project frontage to comply with Americans with Disabilities Act (ADA) requirements and City standard details and specifications. All unused driveway approaches shall be replaced with new curbs, gutters, and sidewalks per current City standards. [SDR] [PUBLIC WORKS]

EP-22. TRAFFIC SIGNAL IMPROVEMENTS:

Traffic signal modifications at the northwest corner of the Mathilda Avenue and Iowa Avenue intersection is required and shall be in accordance with current City design guidelines, Caltrans standards, City Traffic Signal Specification, and Downtown Streetscape Standard Details. Traffic signal improvements shall be designed to accommodate new ADA curb ramps and curb realignment affected by the Mathilda Avenue plan line widening. [COA] [PUBLIC WORKS]

EP-23. DECORATIVE STREET LIGHTS:

Remove all existing streetlights along Mathilda Avenue (including median streetlights) and replace with Downtown decorative streetlights. Placement of streetlights will be reviewed and approved by the City. [COA] [PUBLIC WORKS]

EP-24. STREETSCAPE IMPROVEMENTS:

Sidewalks along project frontage on Mathilda Avenue are to be Downtown Standard Design with 12" wide sidewalk and 4' wide tree wells & grates. Sidewalks along Iowa Avenue shall provide 6-foot wide sidewalk and 4-foot wide tree wells (10 feet wide total) in accordance with Standard Detail 9C-1. Charles Street streetscape shall be in accordance with Standard Detail 9C-1 with 6-foot wide sidewalk and 4-foot wide park strip. Extend Mathilda sidewalk transition north of project property line Note all gutters on all frontage improvements are to be 1' wide. [COA] [PUBLIC WORKS]

- EP-25. ROOT BARRIER:
Install continuous root barriers around tree wells in Decorative sidewalks and along curb and along new sidewalks and park strips on Charles Street per City standard details and specifications. [COA] [PUBLIC WORKS]
- EP-26. DECORATIVE PAVEMENT:
Any and all proposed decorative pavement and vertical curb pertaining to on-site development shall not be located within the City right-of-way. Decorative crosswalk pavement shall be replaced to best match remaining decorative existing crosswalk paving. Means and extent of replacement is to be accomplished as determined by the City after discussion with developer and its licensed installer. [COA] [PUBLIC WORKS]
- EP-27. 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 as part of improvement plans. [COA] [PUBLIC WORKS]
- EP-28. TRAFFIC CONTROL PLAN:
Submit a traffic control plan for review and approval prior to obtaining an encroachment permit for the off-site improvement plans. 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. 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-29. CURB RAMP:
Remove existing curb ramps and replace them with a new curb ramp on project frontage and at the northwest and southwest corners of Charles Street and Iowa Avenue in accordance to the latest City standard details, specifications and Americans with Disabilities Act (ADA) requirements. Additional re-grading of asphalt may be required to ensure there are no localized low points and positive surface runoff occurs along the flow line. [COA] [PUBLIC WORKS]
- EP-30. SLURRY SEAL:
Developer shall install Type II slurry seal on Charles Street along project frontage from lip-of-gutter to lip-of-gutter, Type II slurry seal along project frontage of Iowa Avenue from lip-of-curb to lip-of-curb and on Mathilda Avenue from centerline or face of median curb to lip-of-gutter along the project frontage. Type III slurry shall be provided for southbound lanes of Mathilda Ave. Iowa Ave Intersection to the

- southerly crosswalk. Type II slurry shall be provided for both east and west bound lanes of Iowa from west side of the intersection. [COA] [PUBLIC WORKS]
- EP-31. CITY STREET TREES:
The developer shall install required street trees in proposed park-strip within the public right-of-way along the project frontage of Charles Street; and street trees in tree wells with grates along South Mathilda Avenue as follows: *Acer rubrum* ' Red Sunset'. Street trees along Iowa shall be *Quercus rugosa* and street trees along Charles shall be *Quercus shumardii*. 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 spaced approximately 35-40 feet apart. No street trees are to be planted within 10' of a sanitary sewer lateral and within any existing or proposed Public Utility Easement. is subject to change during plan check process. [COA] [PUBLIC WORKS]
- EP-32. 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-33. 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, streetlight pull boxes, traffic detector loops, and traffic signal conduits 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-34. APPROVAL FROM OTHER AGENCIES:
This project requires approval letter from the Valley Transportation Agency for bus stops if any on Mathilda or Iowa. [COA] [PUBLIC WORKS]
- EP-35. 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]

TM: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE APPROVAL OF THE FINAL MAP OR PARCEL MAP.

- TM-1. TITLE 18 AND SUBDIVISION MAP ACT:
The submittal, approval and recordation of the parcel map shall be in accordance with the provision of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. [COA] [PUBLIC WORKS]
- TM-2. UTILITY COMPANY APPROVAL & EASEMENT ABANDONMENT:
Obtain easement quit claim deeds from PGE, ATT & Comcast for the utility easements remaining on the project property that exist as stated in City of Sunnyvale Resolution 3902 dated 3/15/1960 abandoning Iowa Avenue. In addition to securing the quit claim deeds as described above, obtain approval letters from the utility companies in regards to any other existing or new easements associated with their facilities as needed for the project. [COA] [PUBLIC WORKS]
- TM-3. PUBLIC WORKS DEVELOPMENT FEES:
The developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility connection fees and off-site improvement plan check and inspection fees, prior to any encroachment permit issuance. The exact fee amount shall be determined based upon the fee rate at the time of fee payment. [COA] [PUBLIC WORKS]
- TM-4. IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:
The developer shall execute an improvement agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to map recordation or any permit issuance, whichever occurs first. Provide an itemized engineer's estimate for all off-site public improvements for the entire project for determination of security amount. [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. COMPACT SPACES:
All such areas shall be clearly marked prior to occupancy, as indicated on the approved building permit plans. [COA] [PLANNING]
- PF-3. PARKING LOT STRIPING:
All parking lot striping, carpool and compact spaces shall be striped as per the approved plans and Public Works standards. [COA] (PLANNING/ENGINEERING)
- PF-4. NOISE REDUCTION VERIFICATION:
Acoustical tests shall demonstrate that an interior Ldn scale (day and night average noise level) of 45 dBA is met on the finished units. Such test results shall be furnished to the Director of Community Development prior to occupancy of the units. [COA] [PLANNING]
- PF-5. COMPLETION OF PUBLIC IMPROVEMENTS:
Developer shall complete all required public improvements as required and in accordance with City approved plans, prior to first 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. 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-2. RECYCLING AND SOLID WASTE:

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

AT-3. 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-4. UNENCLOSED STORAGE (PROHIBITED):

Unenclosed storage of any kind shall be prohibited on the premises. [COA] [PLANNING]

- AT-5. 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-6. PARKING:
On-Site parking management shall conform with the approved parking management plan. The project is required to maintain the approved parking spaces (90 total number) for automobile parking purposes only, and is prohibited from being converted to any other use. [COA] [PLANNING]
- AT-7. 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 compact 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-8. 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-9. 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-10. 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-11. TRANSPORTATION DEMAND MANAGEMENT (TDM) MEASURES:
The multi-family residential use shall participate in the Multi-Family Residential Transportation Demand Management (TDM) Plan program per Chapter 19.45 of the Sunnyvale Municipal Code (SMC). [SDR] [PLANNING]
- AT-12. SOLID WASTE RECYCLING MANAGEMENT:
Waste and recycling services for residential uses shall be maintained under a master account held by the applicant, owner or landlord. The account holder will be responsible for ensuring adequate services and that all locations, private sidewalks and streets are kept free of litter and stains. Requirements shall be specified in the approved documents and be submitted for approval by the City. [COA] [ENVIRONMENTAL SERVICES]
- AT-13. SIGNS:
All signage shall be approved through a separate Planning review and Building Permit process. [SDR] [PLANNING]

END OF CONDITIONS