

PLNG-2023-0302
1123 Lawrence Expressway

**RECOMMENDED CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
OCTOBER 27, 2025**

Planning Application PLNG-2023-0302
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Special Development Permit to redevelop three non-contiguous parcels (totaling 5.28 acres in area) with: 1) a commercial parcel providing 23,104 sq. ft. of commercial floor area; and, 2) 101 market rate townhouse units, distributed among 15 40-foot-tall buildings.

Vesting Tentative Map to subdivide one existing lot into 26 lots and 101 residential condominiums, and to merge two existing commercial lots into one.

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]

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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. 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-4. 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-5. PREVIOUS USE SUPERSEDED:

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

GC-6. 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-7. SB 330 PRELIMINARY APPLICATION:

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In accordance with state law (SB 330, Housing Crisis Act of 2019), except as required to comply with the California Environmental Quality Act, the project shall be subject only to the ordinances, policies, and standards adopted and in effect when the project's preliminary application was submitted (February 22, 2023).

"Ordinances, policies, and standards" includes general plan, community plan, specific plan, zoning, design review standards and criteria, subdivision standards and criteria, and any other rules, regulations, requirements, and policies of the City of Sunnyvale, as defined in Section 66000 of the Government Code, including those relating to development impact fees, capacity or connection fees or charges, permit or processing fees, and other exactions. In the case of a fee, charge, or other monetary exaction, the project is subject to an increase resulting from an automatic annual adjustment based on an independently published cost index that is referenced in the ordinance or resolution establishing the fee or other monetary exaction. [COA] [PLANNING]

GC-8. ENVIRONMENTAL MITIGATION MEASURES:

The project shall comply with all applicable mitigation measures required in the City's Land Use and Transportation Element (LUTE) Environmental Impact Report (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 the project. [COA] [PLANNING/PUBLIC WORKS]

GC-9. 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 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 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-10. 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

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through a Public Works Encroachment Permit process. Sheets TM-10 through TM-12 of Preliminary Grading and Utility Plans dated 10/10/2025 are subject to change during the 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>

[SDR] [PUBLIC WORKS]

GC-11. 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]

GC-12. FINAL MAP RECORDATION:

This project is subject to, and contingent upon the approval of a tentative map and recordation of a Final Map. The submittal, approval and recordation of the Final 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, easements, dedications shown on the tentative map are subject to City's technical review and approval during the Final Map process prior to any grading or building permit. Sheets TM-01 through TM-13 of Tentative Map submittal dated 10/10/2025 are subject to change during plan check process. [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:

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- 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]

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:

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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 a recycling and solid waste enclosure on the commercial lot that are consistent with SMC 19.38.030. The required solid waste and recycling enclosure shall be designed with the adequate size, space, and clearance based upon the City’s latest guidelines and shall:

- a) Match the design, materials and color of the main building.
- b) Be of masonry construction.
- c) All gates, lids, and doors shall be closed at all times.
- d) Shall not conflict with delivery/receiving areas.
- e) Shall be consistent with the approved Solid Waste and Recycling Management Plan.
- f) Solid waste and recycling diversion systems shall be incorporated into the facilities and tenant improvements.

[COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-7. RECYCLING AND SOLID WASTE CONTAINER:

All recycling and solid waste containers shall be metal or State Fire Marshal 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 disposal 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 requirements and guidelines for residential/non-residential projects. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-9. ROOF EQUIPMENT:

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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) **PARK IN-LIEU** - Pay Park In-lieu fees estimated at **\$5,147,485.20** (Fiscal Year 2025-2026), prior to approval of the Final Map or Parcel Map. (SMC 18.10). [SDR] [PLANNING]

BP-11. 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/neighboring properties and ensure adequate usable open space. Individual exterior mechanical equipment/air conditioning units shall be screened with architectural or landscaping features. [PLANNING] [COA]

BP-12. EXHAUST AND OPENINGS:

No exhaust fans, doors, windows, or openings, of any kind shall be placed on the wall on the west elevation of the proposed commercial building adjacent to the existing single family dwelling unit, 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 windows and shall be subject to review and approval by the Community Development Director. [COA] [PLANNING]

BP-13. COMMERCIAL BUILDING CONSTRUCTION:

The project was proposed by the project applicant and property owner, and approved by the Planning Commission, as a mixed-use residential/commercial project pursuant to the City's adopted Retail Preservation Incentive Program (Resolution No. 1286-25), which provides incentives to incorporate and preserve retail uses with a residential development project. The Retail Preservation Incentive Program was established as an exception to the Below-Market-Rate (BMR) inclusionary housing requirements of Sunnyvale Municipal Code (SMC) Chapter 19.76 and Chapter 19.77. The Program allows projects to be relieved of the City's BMR inclusionary housing requirements and receive the benefit of a concession and waivers from development standards, which are analogous to those available under State Density Bonus Law, if the project includes a specified percentage of commercial

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retail uses. In short, this project has been approved without any affordable BMR units, but with a concession and development standard waivers, only because it complies with the Retail Preservation Incentive Program by including a Floor Area Ratio of Commercial / Retail uses of at least 10 percent.

To ensure compliance with the Retail Preservation Incentive Program (i.e., to ensure that the project constructs the required retail portion of the project), all of the following shall apply:

(a) Prior to the issuance of the final occupancy for the first residential unit:

- (1) The building permit(s) for the core and shell of the commercial building shall have been issued by the Building Division; and
- (2) The property owner shall execute and record a deed restriction on the commercial lot identified as Lot 16 on Tentative Map (Sheet TM-03 of the plan set dated October 10, 2025) located along Lakehaven Drive (the “Commercial Lot”) requiring that the lot be used for commercial uses. The deed restriction shall be in a form approved by the City’s Director of Community Development and City Attorney and shall require City consent for any amendment or removal of the deed restriction. The deed restriction shall require that if at any time the City is compelled by state law or a court order to approve a project on the commercial lot that contains residential uses, the new project shall either: (1) include at least 15 units (15% of 101 units) to be reserved as affordable units per the current BMR requirements, with the fractional unit paid as an in lieu fee (to meet the BMR inclusionary requirement that would have applied if the project did not use the Retail Preservation Incentive Program), which shall be in addition to, and shall not count toward, any other units that may be required to be affordable by the City’s future then-applicable BMR requirements or state law for the new project; or (2) include at least 22,997 square feet of commercial retail uses (to ensure that the property continues to meet the FAR requirement required by this approval under the Retail Preservation Incentive Program).

(b) Prior to the final inspection of the 76th residential unit for issuance of a final occupancy:

- (1) Construction of the core and shell of the commercial building shall be completed; and

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- (2) Final occupancy for the commercial building shall have been issued by the Building Division.

[COA] [PLANNING]

BP-14. 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 the side and rear property lines, except where mature trees are located immediately adjoining on neighboring property.
- c) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- d) 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.
- e) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.

BP-15. 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

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during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]

- BP-16. **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-17. **STORMWATER MANAGEMENT PLAN:**
Submit the Stormwater Management Plan subject to review and approval by Director of Community Development and third party certification, 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-18. **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/PUBLIC WORKS]
- BP-19. **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:

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- 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-20. 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-21. 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 area, 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-22. 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-23. LIGHTING POLE HEIGHTS:

Pole heights shall not exceed 20 feet unless approved by the Director of Community Development. [COA] [PLANNING]

BP-24. PARKING MANAGEMENT PLAN (RESIDENTIAL MULTI-FAMILY):

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- 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 are 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-25. **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-26. **BICYCLE SPACES:**
Provide 2 Class I (bicycle locker) parking spaces and 42 Class II (21 bicycle racks) parking spaces per Citywide Objective Design Standards and as approved by the Director of Community Development. Clearly indicate the location, design, and the number of bicycle parking spaces on the Building Permit plans. [COA] [PLANNING]
- BP-27. **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,

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- wall, and floor-to-ceiling construction) have been incorporated into the drawings. [COA] [PLANNING]
- BP-28. 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 letter from the project's Green Point Rater/LEED AP verifying the project is designed to achieve the required points. [COA] [PLANNING] [BUILDING]
- BP-29. 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

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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-30. ON-SITE PRIVATE WATER METERS:

The developer shall install individual private water meters for each residence. [COA] [BUILDING]

BP-31. 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 rights-of-way or public easements. [COA] [PUBLIC WORKS]

BP-32. UNDERGROUND UTILITIES:

All utilities shall be undergrounded per Sunnyvale Municipal Code Chapter 19.38.095. Underground the existing overhead lines on-site within the existing public utility easement and wire overhang easement. A new public utility easement will be required in place of the existing 8’ wire overhang easement. An alternative to the new public utility easement may be accepted by the Department of Public Works if it meets the requirements of the utility providers who own the facilities to be undergrounded. [COA] [PLANNING/PUBLIC WORKS]

BP-33. ACCESS FOR PEDESTRIAN, BICYCLES, AND SFPUC:

On the residential side bordering the San Francisco Public Utilities Commission (SFPUC) parcel, provide minimum 4’ opening in the fence (no door), and also provide 4’ opening on the receiving commercial side bordering the SFPUC to maintain access to the SFPUC parcel. On-site sidewalks shall comply with The Americans with Disabilities Act (ADA) requirements and have curb ramps at crossing points. Maintain clear vehicular access for SFPUC at the gas station and on SFPUC parcel. [COA] [PUBLIC WORKS]

BP-34. PUBLIC ACCESS WAYFINDING SIGNAGE:

Subject to SFPUC approval, at the driveway access points along Lakehaven Drive and Lakedale Way, install wayfinding signage indicating that public access to the SFPUC parcel is provided in order to connect the two public rights of way. [COA] [PLANNING/PUBLIC WORKS]

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BP-35. 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-36. 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-37. CARB TIER 4 OR BETTER FOR ALL OFF-ROAD DIESEL-FUELED EQUIPMENT:

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Documentation confirming use of CARB Tier 4 Certified or better equipment shall be provided prior to building permit issuance. [COA] [PLANNING]

BP-38. CONSTRUCTION POLLUTANT MITIGATION PLAN:

Since the project's construction span is greater than five acres and/or is scheduled to last more than two years, the project applicant shall prepare a site-specific construction pollutant mitigation plan in consultation with Bay Area Air Quality Management District (BAAQMD) staff prior to issuance of grading permits. A project-specific construction-related dispersion modeling acceptable to the 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 one 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. Documentation shall be provided to the Director of Community Development confirming that 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:

- a) Limiting the amount of acreage to be graded in a single day.
- b) Restricting intensive equipment usage and intensive ground disturbance to hours outside of normal school hours.
- c) Notifying affected sensitive receptors one week prior to commencing onsite 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 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. [COA] [PLANNING]

BP-39. 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 applicant shall submit performance specification to the city to demonstrate that lifetime residential exposures would not exceed BAAQMD-recommended risk levels. [COA] [PLANNING]

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BP-40. 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

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dates, hours, and expected duration of such activities.
[COA][PLANNING]

BP-41. NESTING BIRDS:

Removal of trees shall be limited to the extent feasible to only those reasonably necessary to construct the proposed project as reflected in the relevant project approval documents.

If the proposed project requires vegetation to be removed during the nesting season (February 1 to August 31), pre-construction surveys shall be conducted no more than 7 days prior to the start of ground or vegetation disturbance (including tree removal) in connection with the subject individual development phase to determine whether or not active nests are present.

If an active nest is located during pre-construction surveys, a qualified Biologist shall determine an appropriately sized avoidance buffer based on the species and anticipated disturbance level. (The California Department of Fish and Wildlife [CDFW] recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors.) A qualified Biologist shall delineate the avoidance buffer using Environmentally Sensitive Area fencing, pin flags, and/or yellow caution tape. The buffer zone shall be maintained around the active nest site(s) until the young have fledged and are foraging independently, as confirmed by a qualified Biologist. No construction activities or construction foot traffic is allowed to occur within the avoidance buffer(s).

In consultation with United States Fish and Wildlife Service (USFWS) or CDFW (as appropriate), the qualified Biologist shall monitor the active nest during the subject construction activities and modify the protection zone accordingly to prevent project-related nest disturbance, until the young have fledged. [COA] [PLANNING]

BP-42. ROOSTING BATS:

A qualified Biologist with relevant roosting bat experience shall conduct a survey within the entire Study Area for special-status bats during the appropriate time of day to maximize detectability to determine whether bat species are roosting near the work area no less than 7 days and no more than 14 days prior to beginning ground disturbance and/or construction in connection with each individual development phase. Survey methodology may include visual surveys of bats (e.g., observation of bats during foraging period), inspection of suitable habitat, bat sign (e.g., guano), or use of ultrasonic detectors (Anabat, etc.).

If the Biologist determines or presumes bats are present, the Biologist

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shall exclude the bats from suitable spaces by installing one-way exclusion devices. After the bats vacate the space, the Biologist shall close off the space to prevent recolonization. Construction activities in connection with the subject individual development phase shall only commence after the Biologist verifies 7 to 10 days later that the exclusion methods have successfully prevented bats from returning. To avoid impacts on non-volant (i.e., nonflying) bats, the Biologist shall only conduct bat exclusion and eviction from October 1 through April 31. Exclusion efforts may be restricted during periods of sensitive activity (e.g., during hibernation or while females in maternity colonies are nursing young). If bats are present during the pre-construction survey then the project applicant shall coordinate with the California Department of Fish and wildlife (CDFW) to establish either an appropriate buffer or an exclusion plan. [COA] [PLANNING]

BP-43. WORKERS ENVIRONMENTAL AWARENESS PROGRAM TRAINING:

An Archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology shall conduct a Workers Environmental Awareness Program (WEAP) training for archaeological resources to be given to all construction personnel directly involved with project-related ground disturbance.

The training shall include visual aids, a discussion of applicable laws and statutes relating to archaeological resources, types of resources that may be found within the project site, and procedures to be followed in the event such resources are encountered.

In the event exposed soils indicate cultural materials may be present, this may be followed by regular or periodic archaeological monitoring as determined by the Archaeologist, but full-time archaeological monitoring is not recommended. [COA] [PLANNING]

BP-44. CALGREEN TIER 2 STANDARDS FOR EV INFRASTRUCTURE:

Prior to issuance of any building permits, the project applicant shall demonstrate to the satisfaction of the City (e.g., show on-site plans) that the proposed parking areas for the multi-family building are designed to accommodate electric vehicle (EV) charging infrastructure equal to the Tier 2 Multi-Family Residential as required by CALGreen or the City's Reach Code, whichever is more stringent. [COA] [PLANNING]

BP-45. ASBESTOS-CONTAINING MATERIALS:

Grading plans, approved by the City Engineer, shall indicate that prior to and during structure demolition, a licensed asbestos technician shall perform abatement planning, monitoring, oversight, and reporting. Visual inspection clearance shall be completed by the licensed asbestos technician prior to demolition to ensure asbestos materials have been

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removed from the structure. [COA] [PLANNING]

BP-46. LEAD BASED PAINTS:

Grading plans, approved by the City Engineer, shall indicate that prior to, and during structure demolition, a lead certified professional shall conduct in-place management work of lead-based materials surfaces reported above the Occupational Safety and Health Administration (OSHA) Limit of Detection and are scheduled for demolition, and ensure proper preparation, abatement, and disposal. [COA] [PLANNING]

BP-47. SITE MANAGEMENT PLAN:

Prior to ground disturbance, the project applicant shall retain a qualified Hazardous Materials Specialist to prepare a Site Management Plan (SMP) for approval by the County of Santa Clara Department of Environmental Health. The impact of disturbance would be further assessed and appropriate actions (additional sampling, the preparation of a health risk assessment, mitigation measures) would be taken (if necessary). This notification would include a statement that residual contamination exists and a complete list of further mitigation actions, if necessary. [COA] [PLANNING]

BP-48. HEALTH AND SAFETY PLAN:

The project would prepare a Health and Safety Plan (HSP) for approval by the County of Santa Clara Department of Environmental Health prior to ground disturbance. Should hazardous materials (e.g. asbestos, lead, contaminated soil) be identified or suspected during construction, the HSP would be implemented. The HSP would include the types and quantities of materials present and risk levels associated with each. A chain of command for emergency response and general personnel responsibilities would be specified. The HSP would also include procedures for spills, medical emergencies, and evacuations, as well as contact information for emergency services. [COA] [PLANNING]

BP-49. 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

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discovered resource shall be confidential. [COA] [PLANNING]

BP-50. 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-51. 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-52. 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 Permits are required prior to start of any construction. Submit building plans structural calculations, Title 24 energy calculations, Storm Water Management Plan, Storm Water Pollution Prevention Plan, and soils report to the One-Stop Permit Center. This project will be submitted for a 21-day plan review. Contact One-Stop Permit Center for electronic submittal requirements.

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- b) The demolition of the existing buildings will be issued as a separate permit. The demolition permit will require plans that include 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.
 - c) School impact fees will be due to the school districts prior to issuance of a building permit.
 - d) 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.
 - e) Provide complete structural, electrical, plumbing, and mechanical, architectural, and civil plans for all on-site work. Off-site improvement plans shall be submitted to the Public Works/Engineering division.
 - f) At the time of building permit, 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.
 - g) At least 10% of the dwellings units shall comply with accessible/adaptable per CBC 1102A.3.
 - h) Provide accessible path to the trash enclosures from the commercial building.
 - i) Provide accessible mailboxes for the accessible units.
 - j) The Sunnyvale Municipal Code requires a solar photovoltaic system greater than or equal to the anticipated dwelling's annual electrical usage per California Energy Code 150.1(c)(14) be installed in all new houses. (Also see <https://www.sunnyvale.ca.gov/home/showpublisheddocument/1780/637820861891230000>)
 - k) 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>.
Ensure that the related plan sheets reflect all the requirements of the CALGreen and GreenPoint Rated as notes or are incorporated into the plans. Please be aware that a GreenPoint Rater will be required to verify the GreenPoint items are incorporated into the plans and also verify installation is complete prior to occupancy of any unit/building.
 - l) 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

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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:

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1482/637820847204870000>.

- m) At the time of building permit, provide complete geotechnical report for review.
- n) At time of building permit, occupancy classification and use for commercial building shall be reassessed for Level III EVCS requirements due to lack of justification that the building will only office use.
- o) Habitable rooms shall comply with CBC 1208.2 & 1208.3 for interior space dimensions and size.
[COA] [BUILDING]

BP-53. 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) Provide an approved NFPA 13 fire sprinkler system per SMC 903.2.
- b) An approved fire alarm system installed in accordance with the CFC Section 907 and NFPA 72 is required. Such system may also require an occupant notification system to be provided throughout the occupancy.
- c) Trash enclosures within 5 feet of building exterior walls or overhangs require fire sprinkler protection.
- d) Knox boxes (key boxes) may be required in accordance with Sunnyvale Fire Prevention guidelines.
- e) Prior to any combustible construction or materials on site, provide fire access drives and operational on-site fire protection systems.
- f) Provide a written Fire Protection Construction Plan prior to bringing any combustible material onto the construction site.
- g) Provide an electronic version of the plans to assist with Fire Department "Pre-Fire Survey" maps. [COA] [FIRE PREVENTION]

EP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED AS PART OF AN ENCROACHMENT PERMIT APPLICATION.
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EP-1. 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

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- of the first off-site improvement plans, including on-site and off-site engineering cost estimate and the initial Engineering 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. Sheets TM-10 through TM-12 of Preliminary Grading and Utility Plans dated 10/10/2025 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-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 [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-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] (SMC 18.08.030, SMC 12.08.010)
- EP-5. 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-6. POTHOLING OF EXISTING UTILITIES:

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- Concurrently 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-7. **EXISTING UTILITY ABANDONEMENT/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. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]
- EP-10. **UNDERGROUNDING EXISTING CONDUIT:**
All utilities shall be undergrounded per Sunnyvale Municipal Code Chapter 19.38.095. Underground the existing overhead conduit connected to the existing streetlight on Lakehaven Drive, as labeled on Sheet TM-12 Preliminary Utility Plan dated 10/10/2025. Plan sheet subject to change during plan check process. [COA] [PLANNING/PUBLIC WORKS]

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- EP-11. **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-12. **RE-USE OF EXISTING CITY UTILITY SERVICE LINES:**
The re-use of existing City water service, sewer, and storm drain laterals is not allowed. Sheets TM-10 through TM-12 of Preliminary Grading and Utility Plan dated 10/10/2025 are subject to change during plan check process. [COA] [PUBLIC WORKS]
- EP-13. **PUBLIC FIRE HYDRANTS AND FIRE HYDRANT LATERALS:**
Install new public fire hydrant (FH) barrels and fire hydrant lateral(s) per Sheet TM-12 Preliminary Utility Plan dated 10/10/2025. Plan sheet subject to change during plan check process. Hydrants shall be Clow 75 for mains 8" and smaller, and Clow 865 for mains 10" and larger. 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-14. **DOMESTIC WATER SERVICE LATERAL:**
Install new radio-read domestic water meter(s) and reduced pressure principle assembly (RPPA) backflow preventer(s) (BFP) at each domestic water lateral in accordance with current City standards. BFPs must adhere to the City's Cross-Connection Control Program. A backflow installation permit and tag(s) are required. For water meter size two (2) inch or larger, provide meter sizing calculations to the Department of Public Works for approval of meter size. For domestic water meters 3" and larger, provide 2 mainline isolation valves immediately adjacent to the water lateral (3 valves connected to the tee). Sheet TM-12 Preliminary Utility Plan dated 10/10/25 is subject to change during plan check process. [COA] [PUBLIC WORKS]
- EP-15. **IRRIGATION WATER SERVICE LATERAL:**
Install new radio-read irrigation water meter(s) and reduced pressure principle assembly (RPPA) backflow preventer(s) (BFP) at each irrigation lateral in accordance with current City standards. BFPs must adhere to the City's Cross-Connection Control Program. A backflow installation permit and tag(s) are required.

All landscape and irrigation systems, located in the public park strip areas, shall be connected to the water system metered to the property

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- owner. Install backflow preventer enclosure where applicable. BFPs must adhere to the City's Cross-Connection Control Program. A backflow installation permit and tag(s) are required. [COA] [PUBLIC WORKS]
- EP-16. SEWER ACCESS STRUCTURE AT UPSTREAM END OF LATERAL:
For all sewer laterals 6" and larger, install a new manhole immediately inside private property and outside of any easement. [SDR] [PUBLIC WORKS]
- EP-17. 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-18. 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-19. 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. [COA] [PUBLIC WORKS]
- EP-20. STORM DRAIN LATERAL:
There is no existing storm drain lateral within Lakedale Way. This project's lateral will connect to the existing storm drain main within Lawrence Expressway at the existing manhole 496-107 and be installed. Minimum lateral size is 12" per City's Storm Drain Systems Design Standards, and Sheet TM-12 Preliminary Utility Plan. Lateral will be property owner's responsibility from the property to the manhole connection. [COA] [PUBLIC WORKS]
- EP-21. STORM DRAIN MAIN EXTENSION:
There is no existing storm drain main within Lakehaven Drive at the project frontage. Extend the storm drain main from Lawrence Expressway to the project frontage. Main shall be 15" minimum per Sheet TM-12 Preliminary Utility Plan. Extension as shown on Sheet TM-12 dated 10/10/2025 is subject to change as determined by the City during plan check process. Additional field research on the existing

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catch basin 496-311 at the corner between the project frontage and the Shell gas station may be required to determine the best path forward. [COA] [PUBLIC WORKS]

EP-22. 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 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-23. 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-24. STREETLIGHTS:

The developer shall remove 1 existing streetlight on Lakehaven Drive and install 1 new streetlight at the same location, ensuring that 17.5 feet spacing is maintained next to any street trees. 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.

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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-25. DRIVEWAY APPROACHES:

Remove existing driveway approaches and install (1) new City Standard Detail 6C-4 driveway approach along the project frontage on Lakehaven Drive and install (1) new City Standard Detail 5C-7 driveway approach along the eastern project frontage on Lakedale Way and (1) new City Standard Detail 15C-3 mountable curb for emergency vehicle access on the western project frontage on Lakedale Way to comply with Americans with Disabilities Act (ADA) requirements and per city standard details and specifications. [COA] [PUBLIC WORKS]

EP-26. DRIVEWAY VISION TRIANGLE:

Comply with the driveway extended vision triangle requirements at all driveway approaches on Lakedale Way and standard vision triangle requirements at Lakehaven Drive per SMC 19.34.060. Show location of sidewalk relative to the driveway vision triangle. [COA] [PUBLIC WORKS]

EP-27. STREETSCAPE IMPROVEMENTS:

Along project frontage on both Lakehaven Drive and Lakedale Way, remove existing concrete curb, gutter and sidewalk and install new concrete curb and 1' gutter per current City standards. Install a 10-foot wide sidewalk with 4'x5' tree wells per City Standard Detail 9C-2.

The perpetual maintenance of sidewalk improvements along the project frontages shall be the sole responsibility of the property owner [SDR] [PUBLIC WORKS]

EP-28. EXISTING SIDEWALK REMOVAL ON LAKEDALE WAY:

Remove the portion of existing public sidewalk along Lakedale Way that extends to the south of the bridge crossing. The sidewalk currently directs pedestrians to the parking lot, which will be replaced by the development, and after the development is constructed would result in a dead-end. [COA] [PUBLIC WORKS]

EP-29. ROOT BARRIER:

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- Install root barrier within each tree well per City standard details and specifications. [SDR] [PUBLIC WORKS]
- EP-30. 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. [COA] [PUBLIC WORKS]
- EP-31. 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. [COA] [PUBLIC WORKS]
- EP-32. TRAFFIC CONTROL PLAN:
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. 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-33. VTA BUS STOP:
Provide passenger pad and bench (without shelter) per Santa Clara Valley Transportation Authority (VTA) design standards for bus stop and passenger facilities (Figure 3.2b) for the Westbound VTA bus stop on Lakehaven Drive. The developer shall coordinate through the Department of Public Works at the City of Sunnyvale for temporary bus stop location or bus rerouting prior to Encroachment Permit issuance. Contact VTA at Bus.Stop@vta.org or 403-321-5800 at least 72 business hours prior to any construction that may impact bus operations. [COA] [PUBLIC WORKS]
- EP-34. SLURRY SEAL:
Developer shall be responsible to install Type II slurry seal on Lakedale Way and Lakehaven Drive from lip of gutter to lip of gutter along project frontage. Sheet TM-05 of Preliminary Site Plan dated 10/10/2025 is subject to change during plan check process. [COA] [PUBLIC WORKS]
- EP-35. CITY STREET TREES:
The developer shall install required street trees in proposed tree wells within the public right-of-way along the project frontage on both Lakehaven Drive and Lakedale Way as follows: *Zelkova Serrata* 'Green Vase' Tree. *Pistacia Chinensis* Chinese Pistache Trees were shown on Landscape sheet L-5 dated 10/10/2025, but shall be superseded by the Green Vase tree requirement in this condition of approval. Street

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- 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 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. Sheets TM-10 through TM-12 of Preliminary Grading and Utility Plans dated 10/10/2025 are subject to change during plan check process. [SDR] [PUBLIC WORKS]
- EP-36. 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-37. 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-38. APPROVAL FROM OTHER AGENCIES:
This project requires permit or approval from Santa Clara County for any work within their right-of-way, including utility connections, traffic control, etc.
This project requires coordination and approval of the U.S. Postal Service associated with the possible relocation of the existing mailbox on Lakedale Drive.[COA] [PUBLIC WORKS]
- EP-39. 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] (SMC 13.08.160(a))

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

TM-1. CONDITIONS, COVENANTS AND RESTRICTIONS (CC&RS) (DRAFT REVIEW):

Any proposed deeds, covenants, restrictions and by-laws relating to the subdivision are subject to review and approval by the Director of Community Development and the City Attorney. Four (4) sets of the CC&Rs including all information required below shall be submitted to the Engineering Division of the Public Works Department for routing. In addition to requirements as may be specified elsewhere, the CC&R's shall include the following provisions:

- a) Membership in and support of an association controlling and maintaining all common facilities shall be mandatory for all property owners within the development.
- b) The owners association shall obtain approval from the Director of Community Development prior to any modification of the CC&R's pertaining to or specifying the City.
- c) The developer shall maintain all private utilities and landscaping following installation of such improvements until the improvements are transferred to an owners association, at which time the owners association will assume maintenance obligations.
- d) The Standard Development Requirements and Conditions of Approval included as part of the approved Planning Application, Permit #**PLNG-2023-0302**, and associated map shall be incorporated into the CC&Rs as an exhibit or attachment. The included map shall clearly indicate all public/private easements as disclosure for property owners. The CC&Rs shall include a list of all attachments and/or exhibits.
- e) The CC&Rs shall contain language for Best Management Practices "Agreement to Maintain" pursuant to Sunnyvale Municipal Code 12.60.200.
- f) The CC&Rs shall contain the following provisions:
 - i) The owners association shall maintain parkstrip landscaping in perpetuity along the public street fronting the project site.
 - ii) Property owners are prohibited from modifying drainage facilities and/or flow patterns unless reviewed and approval granted from the Public Works Department.
- g) The CC&Rs shall contain the following language:
 - i) "Right to Remedy Failure to Maintain Common Area. In the event that there is a failure to maintain the Common Area so that owners, lessees, and their guests suffer, or will suffer, substantial diminution in the enjoyment, use, or property value of their Project, thereby impairing the health, safety and welfare of the residents in the Project, the City, by and through

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its duly authorized officers and employees, will have the right to enter upon the subject Property, and to commence and complete such work as is necessary to maintain said Common Area. The City will enter and repair only if, after giving the Association and Owners written notice of the failure to maintain the Common Area, they do not commence correction of such conditions in no more than thirty (30) days from the giving of the notice and proceed diligently to completion. All expenses incurred by the City shall be paid within thirty (30) days of written demand. Upon a failure to pay within said thirty (30) days, the City will have the right to impose a lien for the proportionate share of such costs against each lot in the Project.

- iii) It is understood that by the provisions hereof, the City is not required to take any affirmative action, and any action undertaken by the City will be that which, in its sole discretion, it deems reasonable to protect the public health, safety and general welfare, and to enforce it and the regulations and ordinances and other laws.
- iv) It is understood that action or inaction by the City, under the provisions hereof, will not constitute a waiver or relinquishment of any of its rights to seek redress for the violation of any of the provisions of these restrictions or any of the rules, regulations and ordinances of the City, or of other laws by way of a suit in law or equity in a court of competent jurisdiction or by other action.
- v) It is further understood that the remedies available to the City by the provision of this section or by reason of any other provisions of law will be cumulative and not exclusive of the maintenance of any other remedy. In this connection, it is understood and agreed that the failure to maintain the Common Area will be deemed to be a public nuisance and the City will have the right to abate said condition, assess the costs thereof, and cause the collection of said assessments to be made on the tax roll in the manner provided by appropriate provisions of the Sunnyvale Municipal Code or any other applicable law.
- vi) No Waiver. No failure of the City of Sunnyvale to enforce any of the covenants or restrictions contained herein will in any event render them ineffective.
- vii) Hold Harmless. Declarant, Owners, and each successor in interest of Declarant and said Owners, hereby agree to save, defend and hold the City of Sunnyvale harmless from any and all liability for inverse condemnation which may result from, or be based upon, City's approval of the Development of the

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subject Property.” [COA] [PUBLIC WORKS/PLANNING/CITY ATTORNEY]

TM-2. HOA CREATION:

The developer/Owner shall create a Homeowner’s Association that comports with the state law requirements for Common Interest Developments. Covenants, conditions and restrictions (CC&Rs) relating to the development are subject to review for consistency with the Conditions of Approval by the City Attorney and Director of Community Development prior to approval of the Final Map. The Conditions of Approval shall be attached as an exhibit to the CC&Rs created for this subdivision. [COA] [PLANNING]

TM-3. HOA TRANSFER:

At the time the homeowners association is transferred from the developer to the individual property owners (typically at election of board members or officers), the developer shall schedule a meeting between the board members or officers, the City of Sunnyvale and the developer to review the Conditions of Approval of the development and other applicable City requirements. [COA] [PLANNING]

TM-4. COMMON LOT:

The common lot shall be assigned a private street name in accordance with the official Street Name System, as selected by the Community Development Department. [COA] [PLANNING]

TM-5. GRANT DEED:

The Grant Deed shall include a provision to notify the new property owner 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/CITY ATTORNEY]

TM-6. FINAL MAP COMPLIANCE WITH TENTATIVE MAP:

The final map shall be substantially the same as the tentative map. Any alteration of the tentative map after the tentative map is approved is subject to additional approval by the City and may require a public hearing. As noted herein, Sheets TM-01 through TM-13 of Tentative Map submittal dated 10/10/2025 are subject to change during plan check process. [COA] [PLANNING/PUBLIC WORKS]

TM-7. TITLE 18 AND SUBDIVISION MAP ACT:

The submittal, approval and recordation of the final 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]

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TM-8. 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 shall be delineated on the map or recorded concurrently with the map with a separate instrument. (SMC 18.16.010 (c), Subdivision Map Act §66475 and §66499.20-1/2 for public easements) Quitclaim deed is required for abandonment of private easements prior to map recordation. 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]

TM-9. EMERGENCY VEHICLE ACCESS EASEMENT:

This project requires a minimum 26'-wide dedication of an emergency vehicle access easement (EVAE) on and over private roadways. The EVAE will be 20' wide at the mountable curb ingress egress off of Lakedale. EVAE is shown on sheets TM-03 and TM-09 of Tentative Map dated 10/10/2025 and is subject to change during plan check process. [COA] [PUBLIC SAFETY/PUBLIC WORKS]

TM-10. PUBLIC ACCESS EASEMENT:

This project requires a public access easement through the site, connecting Lakehaven Drive and Lakedale Way. Width of the easement varies. Path within the easement shall comply with The Americans with Disabilities Act (ADA) requirements including minimum 4-foot width and curb ramp requirements. [COA] [PUBLIC WORKS]

TM-11. SOLID WASTE VEHICLE RECIPROCAL ACCESS EASEMENT:

This project requires a reciprocal access easement across a portion of the gas station lot (APN 110-23-053 or 1101 Lawrence Expressway), adjacent to the commercial lot, in order to facilitate ingress/egress for solid waste pickup service to the commercial lot. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

TM-12. WIRE OVERHANG EASEMENT VACATION:

The existing 8' wire overhang easement along the southern property line of the proposed residential parcel shall be vacated due to the relocation of the overhead lines underground. [COA] [PUBLIC WORKS]

TM-13. PUBLIC UTILITY EASEMENT:

This project requires a public utility easement (PUE) in the alignment of the existing 8' Wire Overhang Easement to cover the relocation of the overhead lines underground. An alternative to the new public utility easement may be accepted by the Department of Public Works if it meets the requirements of the utility providers who own the facilities to be undergrounded. [COA] [PUBLIC WORKS]

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TM-14. UTILITY COMPANY APPROVAL:

Obtain map approval letters from the utility companies in regards to any existing or new easements associated with their facilities. [COA] [PUBLIC WORKS]

TM-15. PUBLIC WORKS DEVELOPMENT FEES:

The developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees and 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]

TM-16. SUBDIVISION IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:

The developer shall execute a subdivision 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]

TM-17. PUBLIC/PRIVATE STREETS:

All streets, both public and private, shall be shown on the Final Map. Street names shall be approved by the Director of Community Development. Private streets shall be designated as "Terrace". [COA] [PUBLIC WORKS] (SMC 18.12.190)

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.
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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 compact spaces shall be striped as per the approved plans and Public Works standards. [COA] (PLANNING/ENGINEERING)

PF-3. CONDITIONS, COVENANTS AND RESTRICTIONS (CC&RS) (RECORDATION):

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The Developer/Owner shall submit a copy of the recorded CC&Rs and a letter from the Developer/Owner either indicating that the recorded CC&Rs are in conformance with the approved draft CC&Rs or summary of changes shall be provided to the Director of Community Development prior to release if utilities or certificate of occupancy. [COA] [PUBLIC WORKS/PLANNING/CITY ATTORNEY]

PF-4. HOA ESTABLISHMENT:

The developer shall submit to the Planning Division the names, addresses and telephone numbers of the officers of the homeowners association, architectural review committee or similar committee, at the time the organization is granted autonomy. Until such information is supplied, the developer shall remain a Responsible Person for purposes of maintaining all common property. The chairperson, secretary or principal officer of any committee or association shall notify the City of any change in officers and provide the names, addresses and telephone numbers of the new officers within thirty (30) days after the change becomes effective. [COA] [PLANNING]

PF-5. IRRIGATION METERS:

For commercial and industrial projects, to ensure appropriate sewer billing (water used for irrigation may not be billed for sewer), the developer may provide separate (irrigation and other) intake meters. Such meters could be installed prior to occupancy of the building. [COA] [PLANNING]

PF-6. 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-7. 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

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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-8. 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. [COA] [PLANNING] [BUILDING]

PF-9. COMPLETION OF PUBLIC IMPROVEMENTS:

Developer shall complete all required public improvements as required and 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 final occupancy has been granted. [SDR] [PLANNING]

DC-2. TREE PROTECTION:

All tree protection shall be maintained, as indicated in the tree protection plan, until construction has been completed and the installation of landscaping has begun. [COA] [PLANNING]

DC-3. 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.

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- 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-4. DUST CONTROL:

The following dust control measures as recommended by the Bay Area Air Quality Management District (BAAQMD), shall be included in the design of the proposed project and implemented during construction:

- a) All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and access roads) shall be watered at least two times per day and/or non-toxic soil stabilizers shall be applied to exposed non-paved surfaces.
- b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered and/or shall maintain at least 2 feet of freeboard.
- c) All visible mud or dirt tracked 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.
- 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) 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 (ATCM) Title 13, Section 2485 of California Code of Regulations. Clear signage regarding idling restrictions shall be provided for construction workers at all access points.
- g) All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- h) The prime construction contractor shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The construction contractor shall take corrective action within 48 hours. The BAAQMD's and Santa Clara County's phone numbers shall also be visible to ensure compliance with applicable regulations. [COA] [PLANNING]

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DC-5. TIER 4 CONSTRUCTION EQUIPMENT CERTIFICATION:

All off-road equipment equal to or greater than 25 horsepower shall meet either United States Environmental Protection Agency (EPA) or California Air Resources Board (ARB) Tier 4 Interim off-road emission standards during all construction activities. The project applicant shall submit a construction management plan to the Director of Planning, Building and Code Enforcement, or the Director's designee, for review and approval prior to issuance of any grading and building permits. The construction management plan shall demonstrate that the off-road equipment used on-site to construct the project would comply with Tier 4 Interim off-road emission standards. Off-road equipment descriptions and information included in the construction management plan may include but are not limited to equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, and engine serial number. [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 commercial building permitted as part of this application shall comply with the following hours of operation at all times:

- 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 commercial building 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:

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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. LANDSCAPE BUFFER:

Retain and maintain the existing 6-7 foot solid precast concrete wall along the western property lines(s). [SDR] [PLANNING]

AT-8. AWNINGS:

Fabric awnings shall be replaced at least every five (5) years. Any change of color, materials or design and are subject to review and approval by the Director of Community Development. [COA] [PLANNING]

AT-9. PARKING MANAGEMENT

On-site parking management shall conform with the approved parking management plan. [COA] [PLANNING]

AT-10. 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-11. OFF-STREET PARKING:

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

AT-12. 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-13. ACCESS FOR PEDESTRIAN, BICYCLES, AND SFPUC:

On the residential side bordering the San Francisco Public Utilities Commission (SFPUC) parcel, maintain a minimum 4' opening in the fence (no door) and minimum 4' opening on the receiving commercial side bordering the SFPUC, in order to maintain access to the SFPUC parcel. Maintain clear vehicular access for SFPUC at the gas station and on SFPUC parcel. [COA] [PUBLIC WORKS]

AT-14. 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-15. HOA REVIEW AND APPROVAL:

In common interest developments, any future applications to the City for physical modifications on commonly owned property shall require consent of the board of directors of the homeowners association, architectural review committee or similar committee; applications for physical modifications on privately owned property shall require the individual property owner's signature. Individual property owners submitting an application for physical modifications on private property shall comply with any approval processes outlined as such in the conditions, covenants & restrictions (CC&Rs) of their respective development. [COA] [PLANNING]

AT-16. HOA RESPONSIBILITIES:

The chairperson, secretary or principal officer of any committee or association shall notify the Planning Division and the Neighborhood and Community Resources Division of any change in officers and provide the names, addresses and telephone numbers of the new

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- officers within thirty (30) days after the change becomes effective. [COA] [PLANNING DIVISION/NEIGHBORHOOD AND COMMUNITY RESOURCES DIVISION]
- AT-17. **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-18. **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-19. **TENANT LEASE AGREEMENTS:**
Any new lease agreements shall include the following provisions:
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. [COA] [PLANNING]
- AT-20. **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]
- AT-21. **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]

END OF CONDITIONS

Exhibit 1 – The Land Use and Transportation Element (LUTE) Environmental Impact Report (EIR) Mitigation Monitoring and Reporting Program (MMRP) follows on the next page.

APPENDIX A: MITIGATION MONITORING AND REPORTING PROGRAM

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.

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE A-1
LAND USE AND TRANSPORTATION ELEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
Air Quality				
MM 3.5.3	The following will be added as policies to the Environmental Management Chapter of the General Plan: NEW POLICY: 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 8-1 of the BAAQMD 2011 CEQA Air Quality Guidelines (or subsequent updates) are noted on the construction documents. NEW POLICY: In the cases where construction projects are projected to exceed the 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.	Policy added to the Green Development Section of the LUTE	As a motion by the city council to add this policy when adopting the LUTE	City of Sunnyvale Planning Department
MM 3.5.5	The following will be added as policies to the Environmental Management Chapter of the General Plan: NEW POLICY: In the case when a subsequent project's construction span is greater than 5 acres and/or is scheduled to last more than two years, the subsequent project applicant shall be required to prepare a site-specific construction pollutant mitigation plan in consultation with Bay Area Air Quality Management District (BAAQMD) staff prior to the issuance of grading permits. A project-specific construction-related dispersion modeling acceptable to the 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 one 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: Limiting the amount of acreage to be graded in a single day.	Environmental Management Chapter of the General Plan amended to include the policy	As a motion by the city council to amend when adopting the LUTE	City of Sunnyvale Planning Department

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE A-1
LAND USE AND TRANSPORTATION ELEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	2. Restricting intensive equipment usage and intensive ground disturbance to hours outside of normal school hours. Notifying 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 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.			
MM 3.5.6	The following will be added as policies to the Environmental Management Chapter of the General Plan: NEW POLICY: The following measures shall be utilized in site planning and building designs to reduce TAC and PM_{2.5} exposure where new receptors are located within 1,000 feet of emissions sources: • 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 PM_{2.5} exposures greater than 0.8 $\mu\text{g}/\text{m}^3$) 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	• Environmental Management Chapter of the General Plan amended to include the policy	• As a motion by the city council to amend when adopting the LUTE	• City of Sunnyvale Planning Department

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE A-1
LAND USE AND TRANSPORTATION ELEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	they do not cause a significant health risk in terms of excess cancer risk greater than 10 in one million, acute or chronic hazards with a hazard Index greater than 1.0, or annual PM_{2.5} exposures greater than 0.3 $\mu\text{g}/\text{m}^3$ through source control measures. 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).			
MM 3.5.7	The following will be added as a policy and actions to the Environmental Management Chapter of the General Plan: NEW POLICY: Avoid Odor Conflicts. Coordinate land use planning to prevent new odor complaints. NEW ACTION: Consult with the BAAQMD to identify the potential for odor complaints from various existing and planned or proposed land uses in Sunnyvale. Use BAAQMD odor screening distances or city-specific screening distances to identify odor potential. NEW ACTION: Prohibit new sources of odors that have the potential to result in frequent odor complaints unless it can be shown that potential odor complaints can be mitigated. NEW ACTION: Prohibit sensitive receptors from locating near odor sources where frequent odor complaints would occur, unless it can be shown that potential odor complaints can be mitigated.	Environmental Management Chapter of the General Plan amended to include the policy	As a motion by the city council to amend when adopting the LUTE	City of Sunnyvale Planning Department
Greenhouse Gases and Climate Change				
MM 3.13.1	Upon adoption of the Draft LUTE, the City will update the Climate Action Plan to include the new growth projects of the Draft LUTE and make any necessary adjustments to the CAP to ensure year 2020 and 2035 greenhouse gas emission reduction targets are attained.	Update Climate Action Plan	With or prior to completion of the next biennial monitoring and implementation report for the Climate Action Plan	City of Sunnyvale sustainability coordinator and Planning Department

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE A-1
LAND USE AND TRANSPORTATION ELEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
Noise				
MM 3.6.3	The following will be included as a policy or implementation measure to the Safety and Noise Chapter of the General Plan: New development and public projects 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 City. Measures specified in the Noise Control Plan and implemented during construction shall include, at a minimum, the following noise control strategies: • 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; • 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 • 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. • 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; - 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;	• Safety and Noise Chapter of the General Plan amended to include the policy	• As a motion by the city council to amend when adopting the LUTE	• City of Sunnyvale Planning Department

MITIGATION MONITORING AND REPORTING PROGRAM

TABLE A-1
LAND USE AND TRANSPORTATION ELEMENT MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	- Using 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 - 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.			
Transportation and Circulation				
MM 3.4.7a	The following roadway improvements shall be included in the City's fee program: • Restripe the westbound leg to one left turn lane, one shared through-right lane, and one right turn lane. Or • Convert the intersection to a two-lane roundabout.	• Update the City's Transportation Impact Fee Program to include the improvement	• With adoption of the 2016-17 Fee Schedule	• City of Sunnyvale Public Works Department
MM 3.4.7b	The following roadway improvements shall be included in the City's fee program: Construction of an exclusive southbound right turn lane for the length of the segment. The northbound leg will also require a second left turn lane. The eastbound inner left turn lane will require restricting the U-turn movement to allow for a southbound overlap right turn phase. Depending on the extent of the median on the north leg that could be removed, the north leg will be widened between 3 and 11 feet. The north leg will be realigned to accommodate the southbound right turn. There is existing right-of-way on the northeast quadrant of the intersection. The second northbound left turn lane will need to be the same length as the existing left turn lane. Right-of-way acquisition would be required from the southwest quadrant. The south leg will need to be realigned. The south leg will be widened by 10 feet.	• Update the City's Transportation Impact Fee Program to include the improvement	• With adoption of the 2016-17 Fee Schedule	• City of Sunnyvale Public Works Department