

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
DECEMBER 11, 2017**

Planning Application 2017-7248

838 Azure Street

(APN: 211-18-030)

Special Development Permit for the construction of 4 two-story
Single-Family Homes, and
Tentative Map to subdivide one lot into 4 lots.

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

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

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

GC-1. **CONFORMANCE WITH APPROVED PLANNING APPLICATION:**
All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

GC-2. **PERMIT EXPIRATION:**

The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not

exercised, unless a written request for an extension is received prior to 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. ON-SITE AMENITIES:

Swimming pools, spas, pool equipment structures, play equipment and other accessory utility buildings, except as otherwise subject to Planning Commission review, may be allowed by the Director of Community Development subject to approval of design, location and colors per Sunnyvale Municipal Code standards for properties within the R-2 zoning district. [COA] [PLANNING]

GC-6. STORMWATER MANAGEMENT PLAN:

Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2009-0074, as determined by a completed "Stormwater Management Plan Data Form", and therefore must submit a Stormwater Management Plan as per SMC 12.60.140 prior to issuance of the building permit. [SDR] [PLANNING]

GC-7. 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, street lights, 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-8. OFF-SITE IMPROVEMENT PLANS:

Submit off-site improvement plans separate from the Building on-site improvement plans as the off-site improvement plans are approved through a Public Works Encroachment Permit process. Sheet C3.0 and C4.0 of Plans dated 12/06/17 is subject to change during the plan check process. [SDR] [PUBLIC WORKS]

GC-9. 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-10. PARCEL MAP RECORDATION:

This project is subject to, and contingent upon the approval of a tentative parcel map and recordation of a Parcel Map. The submittal, approval and recordation of the Parcel Map shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. All existing and proposed property lines, easements, dedications shown on the tentative parcel map are subject to City's technical review and approval during the parcel map process prior to any grading or building permit. Sheet C1.0 of Tentative Parcel Map submittal dated 12/06/17 is subject to change during plan check process. [COA] [PUBLIC WORKS]

GC-11. BUILDING CODES AND PERMIT FEES:

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

GC-12. FUTURE HOME ADDITIONS/MODIFICATIONS:

Future home modifications/additions will be subject to the Sunnyvale Municipal Code development standards for properties within the R-2 zoning district, such as setbacks, parking, lot coverage and floor area ratio. Home modifications/additions will be subject to the required permit procedures in place at that time, to ensure conformance with development standards, design guidelines, and compatibility with the subdivision and neighboring properties. [COA] [PLANNING]

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

PS-1. REQUIRED REVISIONS TO PROJECT PLANS:

The plans shall be revised to address the following:

- a) The minimum combined second story side yard setback shall be increased from 20 feet to 26 feet and 6 inches.

PS-2. 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-3. HYDRAULIC MODELING:

Hydraulic Modeling Report shall be finalized prior to first off-site improvement plan check submittal. Developer shall pay City a fee, in an amount determined by the City, for a Water System Hydraulic Modeling Report analysis to ensure that water main servicing the proposed project would meet various City design guidelines and other statutory requirements for fire, domestic and irrigation flows in terms of pipe size, demands, pressure and velocity.

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

PS-4. SANITARY SEWER ANALYSIS:

Prior to first off-site plan check submittal, submit a focused sanitary sewer analysis, to be reviewed and approved by the City, identifying the

overall project impact to the City's existing sanitary sewer main(s). This includes, but is not limited to, the following:

- a) A detailed estimate of water consumption in gallons per day or estimate of sanitary sewer discharge in gallons per day; and
- b) Any incremental impact that will result from the new project in comparison to the existing sewer capacity of the immediate downstream mainline as needed, and allocation of wastewater discharge from the project site to each of the proposed laterals. Any deficiencies in the existing system in the immediate vicinity of the project will need to be addressed and resolved at the expense of the developer as part of the off-site improvement plans. Sewer flow 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:

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

BP-5. SOLID WASTE DISPOSAL PLAN:

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

BP-6. ROOF EQUIPMENT:

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

BP-7. FEES AND BONDS:

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

- a. TRANSPORTATION IMPACT FEE - Pay Traffic Impact fee for the net new trips resulting from the proposed project, estimated at **\$7,411.00**, prior to issuance of a Building Permit. (SMC 3.50).
- b. PARK IN-LIEU - Pay Park In-lieu fees estimated at **\$210,721.50**, prior to approval of the Final Map or Parcel Map. (SMC 18.10). [SDR] [PLANNING]

BP-8. MECHANICAL EQUIPMENT (EXTERIOR):

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

BP-9. 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) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- c) Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be replaced, at a minimum, with a specimen tree as follows:
 - i) 12-inch to 18-inch diameter tree shall be replaced with one 24-inch box or three (3) 15-gallon trees;
 - ii) 18-inch to 24-inch diameter protected trees shall be replaced with one (1) 36-inch box tree or two (2) 24-inch box trees; and
 - iii) Over 24-inch diameter protected trees shall be replaced with one (1) 48-inch box tree, two (2) 36-inch box trees or four (4) 24-inch box trees.
- d) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- e) Backflow device and other appurtenances are to include screening and covers as approved by the Director of Community Development. This includes all devices (irrigation, DCDA, etc.) located in the front yard landscape areas. Covers should be black, metal mesh with rounded top covers (e.g. “mailbox style”).
- f) Decorative pervious paving shall be installed within the first 15 feet of the driveway off Azure street, as well the pedestrian walkway leading from the private access gate to the center drive aisle. All uncovered parking spaces shall also utilize pervious decorative paving. [COA] [PLANNING]

BP-10. LANDSCAPE MAINTENANCE PLAN:

Prepare a landscape maintenance plan subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]

BP-11. 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 for any impacted off-site trees shall be installed prior to issuance of any Building or Grading Permits, subject to the on-site inspection and approval by the City Arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]

BP-12. **ON-SITE PRIVATE WATER METER(S)**

The developer shall install individual private water meters for each residence, and for each ancillary building on-site. [COA] [BUILDING]

BP-13. **STORMWATER MANAGEMENT CALCULATIONS:**

Submit two copies of the City of Sunnyvale Impervious Surface Calculation worksheet prior to issuance of a Building Permit. [COA] [PLANNING]

BP-14. **STORMWATER MANAGEMENT PLAN:**

Submit two copies of a Stormwater Management Plan subject to review and approval by Director of Community Development, pursuant to SMC 12.60, prior to issuance of building permit. The Stormwater Management Plan shall include as updated Stormwater Management Data Form. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-15. **STORMWATER MANAGEMENT PLAN THIRD-PARTY CERTIFICATION:**

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

BP-16. CONSTRUCTION MATERIAL AND STAGING:

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

BP-17. BEST MANAGEMENT PRACTICES - STORMWATER:

The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:

- c. Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
- d. 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.
- e. Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- f. Covered trash, food waste, and compactor enclosures.
- g. Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i. Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - ii. Dumpster drips from covered trash and food compactor enclosures.
 - iii. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - iv. Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
 - v. Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-18 CITY STREET TREES (SUBDIVISION):

At the expense of the subdivider, City staff shall install required street trees of a species determined by the Public Works Department. Obtain approval of a detailed landscape and irrigation plan from the Director of Community Development (SMC 19.37) prior to issuance of a Building Permit. [SDR] [PLANNING/PUBLIC WORKS]

BP-19. EXTERIOR LIGHTING PLAN:

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

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

BP-20. PHOTOMETRIC PLAN:

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

BP-21. LIGHTING SPACING:

Installation of lights at a minimum of 50 feet intervals along all private streets. [COA] [PLANNING]

BP-22. PARKING MANAGEMENT PLAN:

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 guest space located between Units #1 and #3, as noted on the approved site plan, shall be marked as "guest" and shall be noted in the approved maintenance agreement.
- c) Clearly indicate that the property manager/homeowner's association shall not rent unassigned spaces, except that a nominal fee may be charged for parking management.
- d) Tenants shall use their assigned parking spaces prior to using unassigned parking spaces.
- e) Prohibit tenants from parking RV's, trailers, or boats in assigned spaces.

- f) Notify potential residents that number of parking spaces provided for each unit on-site as per the approved plans.
- g) Garage spaces shall be maintained at all times so as to allow for parking of two vehicles. [COA] [PLANNING]

BP-23. GREEN BUILDING:

The plans submitted for building permits shall demonstrate the project achieves a minimum of 80 points on the Green Point Rated checklist, or the minimum points required effective to achieve the incentive 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-24. CONSTRUCTION MANAGEMENT PLAN:

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

- a) Measures to control noise by limiting construction hours to those allowed by the SMC, avoiding sensitive early morning and evening hours, notifying residents prior to major construction activities, and appropriately scheduling use of noise-generating equipment.
- b) Use 'quiet' models of air compressors and other stationary noise sources where such technology exists.
- c) 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) All construction related materials, equipment, and construction workers parking need to be managed on-site and not located in the public right-of-ways or public easements.
- f) Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
- g) 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.

- h) 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.
- i) Prohibit unnecessary idling of internal combustion engine-driven equipment and vehicles.
- j) Notify all adjacent business, residents, and noise-sensitive land uses of the construction schedule in writing. Notify nearby residences of significant upcoming construction activities at appropriate stages in the project using mailing or door hangers.
- k) Designate a “disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. [COA] [PLANNING]

BP-25. DEMOLITION/CONSTRUCTION/RECYCLING WASTE REPORT FORM:

To mitigate the impacts of large projects on local waste disposal and recycling levels, demolition waste weights/volumes, construction weights/volumes, and recycling weights/volumes are to be reported to the City, per City’s “waste & recycling reporting form” (electronic copy available) or a similar chart approved by the City. As part of the project’s construction specifications, the developer shall track the type, quantity, and disposition of materials generated, and forward a complete report to the Department of Environmental Services, Solid Waste Division both periodically and at project completion. [COA] [ENVIRONMENTAL SERVICES]

BP-26. BUILDING PERMIT ISSUANCE:

The existing 10' Pacific Gas & Electric easement along the northern project limits shall be quitclaimed prior to building permit issuance for lots 1 and 3, unless otherwise approved by PG&E. [COA] [BUILDING/PUBLIC WORKS]

BP-27. UNDERGROUND UTILITIES:

All utilities shall be undergrounded per Sunnyvale Municipal Code Chapter 19.38.095. [COA] [PLANNING/PUBLIC WORKS]

BP-28. HISTORIC AND CULTURAL RESOURCES:

Final construction drawings shall incorporate all mitigation measures related to historic and cultural resources as set forth under "Mitigation Measures" in the approved environmental document and as noted below. [COA] [PLANNING]

MITIGATION MEASURE - HISTORIC AND CULTURAL RESOURCES
WHAT:

1. An archeological monitor or a Native American representative must monitor ground disturbing demolition, grubbing, scraping, grading, trenching and any other excavation within the project site. Archeological monitoring must be continued until the archeologist or Native American monitors are satisfied that no significant cultural deposits will be impacted by the project.
2. If human remains are encountered, all work must stop in the immediate vicinity of the discovered remains and the County Coroner as well as a qualified archeologist (if not already present) must be notified immediately so that an evaluation can be performed. Procedures at this point are prescribed by law. If the remains are deemed to be Native American and prehistoric, the Native American Heritage Commission must be contacted by the Coroner so that a "Most Likely Descendant" can be designated. Once the Most Likely Descendant has inspected the discovered remains, the remains can be reinterred with appropriate dignity.
3. Archeological monitoring must be conducted following the procedures specified below in the event that potentially significant cultural deposits or human burials are found during the development:
 - a. Monitoring will consist of directly watching the major excavation process. Monitoring will occur during the entire work day, and will continue on a daily basis until a depth of excavation has been reached at which resources could not occur. This depth is estimated as usually about 5 feet below grade at the beginning of the project, but may require modifications in specific cases, and will be determined by the monitoring archeologist based on observed soil conditions.
 - b. Spot checks will consist of partial monitoring of the progress of excavation over the course of the project. During spot checks all soils material, open excavations, recently grubbed areas, and other soil disturbances will be inspected. The frequency and duration of spot checks will be based on the relative sensitivity of the exposed soils and active work areas. The monitoring archeologist will determine the relative sensitivity of the parcel.
 - c. If prehistoric human interments (human burials) are encountered within the project area, all work must be halted in

the immediate vicinity of the find. The County Coroner, project superintendence, and the Agency Liaison should be contacted immediately. The procedures to be following at this point are prescribed by law.

- d. If significant cultural deposits other than human burials are encountered, the project should be modified to allow the artifacts or features to be left in place, or the archaeological consultant should undertake the recovery of the deposit or feature. Significant cultural deposits are defined as archaeological features or artifacts that associate with the prehistoric period, the historic era Mission and Pueblo Periods and the American era up to about 1900.
- e. Whenever the monitoring archaeologist suspects that potentially significant cultural remains or human burials have been encountered, the piece of equipment that encounters the suspected deposit will be stopped, and the excavation inspected by the monitoring archaeologist. If the suspected remains prove to be non-significant or non-cultural in origin, work will recommence immediately. If the suspected remains prove to be part of a significant deposit, all work should be halted in that location until removal has been accomplished. If human remains (burials) are found, the County Coroner must be contacted so that they (or a designated representative) can evaluate the discovered remains and implement proper contacts with pertinent Native American representatives.
- f. Equipment stoppages will only involve those pieces of equipment that have actually encountered significant or potentially significant deposits, and should not be construed to mean a stoppage of all equipment on the site unless the cultural deposit covers the entire building site.

4. During temporary equipment stoppages brought about to examine suspected remains, the archaeologist should accomplish the necessary tasks with all due speed.

WHEN: These mitigations shall be incorporated into conditions of approval for the Special Development Permit (SDP) prior to its final approval by the Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance.

WHO: The project applicant or property owner shall be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

BP-29. AIR QUALITY:

Final construction drawings shall incorporate all mitigation measures related to air quality as set forth under "Mitigation Measures" in the approved environmental document and as noted below. [COA] [PLANNING]

MITIGATION MEASURE – AIR QUALITY

WHAT:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Post a publicly visible sign 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 Air District's phone number shall also be visible to ensure compliance with applicable regulations.
9. All diesel-powered construction equipment larger than 50 horsepower and operating onsite for more than two days continuously shall meet US EPA particulate matter emission standards for Tier 2 engines or equivalent. Equipment retrofitted with CARB Level 3 Verified Diesel Emissions Control Strategy (VDECS) would exceed this standard.

WHEN: These mitigations shall be incorporated into conditions of approval for the Special Development Permit (SDP) prior to its final

approval by the Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance.

WHO: The project applicant or property owner shall be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

BP-30. CONSTRUCTION RELATED NOISE:

Final construction drawings shall incorporate all mitigation measures related to air quality as set forth under "Mitigation Measures" in the approved environmental document and as noted below. [COA] [PLANNING]

MITIGATION MEASURE – CONSTRUCTION RELATED NOISE

WHAT:

1. All internal combustion engines used at the project site must be equipped with a type of muffler recommended by the vehicle manufacturer. All equipment must be in good mechanical condition so as to minimize noise created by faulty or poorly maintained engine, drive-train and other components.
2. Construction operations must comply with the limits of the City of Sunnyvale Municipal Code.
3. Place long-term stationary equipment as far away from the residential areas as possible.
4. Demolish the east and west portions of the existing buildings first leaving the north and south walls of the buildings closest to the neighboring residences up for as long as possible as these walls will act as sound barriers.
5. Keep mobile equipment (haul trucks, concrete trucks, etc.) off of local streets as much as possible.
6. Orient the concrete crusher so that the hopper (noise end) faces away from noise sensitive receptors.
7. Use scrapers as much as possible for earth removal, rather than the noisier loaders and hauling trucks.
8. Use a motor grader rather than a bulldozer for final grading.
9. Power saws should be shielded or enclosed where practical to decrease noise emissions. Nail guns should be used where possible as they are less noisy than manual hammering.
10. Use generators and compressors that are housed in acoustical enclosures rather than weather enclosures or none at all.

WHEN: These mitigations shall be incorporated into conditions of approval for the Special Development Permit (SDP) prior to its final approval by the Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance.

WHO: The project applicant or property owner shall be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

BP-31. BIOLOGICAL RESOURCES - WILDLIFE:

Final construction drawings shall incorporate all mitigation measures related to air quality as set forth under "Mitigation Measures" in the approved environmental document and as noted below. [COA] [PLANNING]

MITIGATION MEASURE – BIOLOGICAL RESOURCES - WILDLIFE
WHAT:

1. If construction commences anytime during the nesting/breeding season of native bird species (typically February through August), a qualified biologist must conduct a preconstruction survey of the project vicinity for nesting/breeding birds at least 30 days prior to the start of construction activities. The intent of the survey is to determine if active raptor nests or other species protected by the Migratory Bird Treaty Act are present within the construction zone or within 250 feet of construction zone for raptors and 50 feet of the construction zone for other migratory birds. The survey area must include all trees and shrubs within zones that have the potential to support nesting birds.
2. If active nests are found in the area that could be directly affected or are within 250 feet of construction for raptors and 50 feet for other migratory birds, a no-disturbance buffer zone must be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. Once the young have fledged, tree removal and other construction activities may commence.

WHEN: These mitigations shall be incorporated into conditions of approval for the Special Development Permit (SDP) prior to its final approval by the Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance.

WHO: The project applicant or property owner shall be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

BP-32. BIOLOGICAL RESOURCES- TREES:

Final construction drawings shall incorporate all mitigation measures related to air quality as set forth under "Mitigation Measures" in the approved environmental document and as noted below. [COA] [PLANNING]

MITIGATION MEASURE – BIOLOGICAL RESOURCES -TREES
WHAT:

1. Provide tree replacements per the City's tree replacement standards. A tree replacement plan shall be provided.
2. Provide a tree protection plan to ensure retention of existing offsite trees that may be affected by the project construction. The plan shall include the following:
 - (a) All tree locations on the site plans and civil drawings.
 - (b) All tree protection measures on all the plans for trees to be retained. Refer to the project arborist report for general protection guidelines and specifications.
 - (c) Protect adjacent trees to be retained by placing tree protection fence at the setback to enclose the entire group to be retained (Tree 709, 710, and 711).
 - (d) Protect street trees # 720 and 721 by placing a fence at the curb and sidewalk edges.
3. Provide a copy of the project arborist report to all contractors and project managers, including the architect, civil engineer, and landscape designer or architect.
4. Arrange a pre-construction meeting with the project arborist or landscape architect to verify tree protection is in place, with the correct materials, and at the proper distances.
5. Arrange for the project arborist or landscape architect to monitor and document initial grading activity and no grading is to occur within any tree protection zone and approval for drainage modifications under the trees is required.
6. Provide a monthly monitoring schedule when activity is planned within the tree protection zone.
7. Place irrigation or soaker hoses on the existing grade within the dripline/tree protection zone or use automatic irrigation under trees # 709, 710, 711, 720, or 721.
8. Place two to four inches of organic mulch, coarse woody debris, chips from tree care operations under the trees and over the soaker hoses within the tree protection zone or maintain current irrigation regime.
9. If construction is to take place between June and October, the trees should be watered to help mitigate any root loss and reduce stress. Ten gallons per inch of trunk diameter of water should be used to irrigate the root zones once a week with a deep soaking.

10. If roots are expected to be cut, the work shall be supervised and documented by the project arborist. If tree roots two inches or larger are encountered, they must be cleanly cut back to a sound wood lateral root. The end of the root shall be covered with either a plastic bag and secured with tape or rubber band, or be coated with latex paint. All exposed root areas within the tree protection zone shall be backfilled or covered within one hour. Exposed roots may be kept from drying out by temporarily covering the roots and draping layered burlap or carpeting over the upper three feet of trench walls. The materials must be kept wet until backfilled to reduce evaporation from the trench walls.

WHEN: These mitigations shall be incorporated into conditions of approval for the Special Development Permit (SDP) prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance.

WHO: The property owner shall be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

BP-33. AIR QUALITY:

The following measures are not considered CEQA mitigation measures, but are recommended for compliance to General Plan policies regarding air quality:

1. To the greatest degree possible, plant vegetation along the site boundary with Sunnyvale-Saratoga Rd. This barrier would include trees and shrubs that provide a vegetative barrier.
2. Install air filtration at units within 60 feet of the western site boundary with Sunnyvale-Saratoga Rd. Air filtration devices shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors, a ventilation system should meet the following minimal design standards:
 - a) A MERV13 filter or higher rating;
 - b) At least one air exchange(s) per hour of fresh outside filtered air; and
 - c) At least four air exchange(s) per hour recirculation.
3. As part of implementing this measure, an ongoing maintenance plan for the buildings' heating, ventilation, and air conditioning (HVAC) air filtration system should be developed. Recognizing that emissions from air pollution sources are decreasing, the maintenance period will last as long as significant annual fine particulate matter exposures are predicted. Subsequent studies could be conducted by an air quality expert approved by the City to

identify the ongoing need for the filtered ventilation systems as future information becomes available.

4. The lease agreement and other property documents should: (1) require cleaning, maintenance, and monitoring of the affected buildings for air flow leaks, (2) include assurance that new owners or tenants are provided information on the ventilation system, and (3) include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.

BP-34. INTERIOR NOISE REDUCTION:
Final construction plans shall incorporate the following noise measures to achieve compliance with the City's noise level standards:

1. Interior Noise: Windows providing high acoustic insulation should be used:
 - a) If windows are located on the west wall (facing Sunnyvale-Saratoga Rd.), the windows should achieve a minimum OITC 36 rating. Windows on the east-facing walls will not require sound-rated windows.
 - b) If windows are located on the north and south walls, the windows should achieve a minimum OITC 33 rating.
 - c) Windows may be operable, however it is recommended to include a fresh air intake, preferably on the east side of the building which is subjected to lower sound levels.
 - d) All exterior walls should have a minimum STC-50 rating.
2. Exterior Noise:
 - a) There should be no exposed recreational areas, backyards, patios, or balconies on the second story of the units.
 - b) The proposed pedestrian gate on the Sunnyvale-Saratoga Rd. sound wall should be constructed of any solid material with a density no less than two pounds per square foot. Materials meeting this standard include 0.5-inch thick wood, 0.5-inch outdoor plywood, 16 gauge steel sheet, and any masonry units. All gaps on the barrier should be sealed.
 - c) Following construction of the sound wall extension, sound reading should be taken to determine its efficacy.

BP-35. HAZARDOUS MATERIALS: The following measures are not considered CEQA mitigation measures, but are recommended for compliance to General Plan policies regarding hazardous materials:

1. Prior to redevelopment of the project site, the Santa Clara County Department (DEH) of Environmental Health or the Department of Toxic Substances Control (DTSC) should be contacted to evaluate

potentially required soil mitigation measures. All required mitigation measure should be completed under the oversight of an appropriate regulatory agency. Additional soil sampling may be required to better characterize the contamination at the site.

2. In addition, it is recommended that the project implement the following measures to protect construction workers by establish management practices for handling contaminated soil, soil vapor, groundwater, or other materials.
3. Prior to issuance of grading and/or building permits, a Health and Safety Plan (HSP) should be developed to establish appropriate protocols for working in contaminated materials. The HSP should include protocols for air monitoring during all site work. Each contractor should be responsible for the health and safety of their employees as well as for compliance with all applicable federal, state, and local laws and guidelines.
4. Prior to issuance of grading and/or building permits, a Site Management Plan (SMP) should be developed to establish management practices for handling contaminated soil, soil vapor, ground water, or other materials. Prior to the start of any construction activity that involves below ground work (e.g., mass grading, foundation construction, excavating or utility trenching), information regarding site risk management procedures, including copies of the HSP and SMP, should be provided to the contractors for their review, and each contractor should provide such information to its subcontractors. The SMP measures should be incorporated into the project design documents. The SMP should include all measure noted in the following:
 - a. Site control procedures to control the flow of personnel, vehicles and materials in and out of the site.
 - b. Measures to minimize dust generation, storm water runoff and tracking of soil off-site.
 - c. Dewatering protocols, if dewatering is anticipated, including methods to evaluate water quality and discharge/disposal alternatives; the pumped water should not be used for on-site dust control or any other on-site use. If long-term dewatering is required, the means and methods to extract, treat and dispose ground water also should be presented and should include treating/discharging ground water to the sanitary sewer under a Publicly Owned Treatment Works permit or treating/discharging ground water to the storm drain system pursuant to a California Regional Water Quality Control Board – San Francisco Bay Region NPDES permit.

- d. Protocols for conducting earthwork activities in areas where impacted soil, soil vapor and/or ground water are present or suspected. Worker training requirements, health and safety measures and soil handing procedures should be described.
- e. Perimeter air monitoring for dust during any activity that significantly disturbs site soil (e.g., mass grading, foundation construction, excavating or utility trenching) to document the effectiveness of dust control measures.
- f. Protocols to be implemented if buried structures, wells, debris, or unidentified areas of impacted soil are encountered during site development activities.
- g. Protocols to characterize/profile soil suspected of being contaminated so that appropriate mitigation, disposal or reuse alternatives, if necessary, can be implemented. Soil in contact with ground water should be assumed contaminated. All soil excavated and transported from the site should be appropriately disposed at a permitted facility.
- h. Stockpiling protocols for "clean" and "impacted" soil; the contractor may require temporary stockpiling adjacent to excavation areas.
- i. Decontamination procedures to reduce the potential for construction equipment and vehicles to release contaminated soil onto public roadways or other off-site transfer.
- j. Procedures to evaluate and document the quality of any soil imported to the site. Soil containing chemicals exceeding residential (unrestricted use) screening levels or typical background concentrations of metals should not be accepted.
- k. Methods to monitor excavations and trenches for the potential presence of VOC impacted vapors. Protocols should be developed and implemented in the event elevated VOC vapors are released during excavation activities.
- l. Measures to reduce soil vapor and ground water migration through trench backfill and utility conduits. Such measures should include placement of low-permeability backfill "plugs" at specified intervals on-site and at all locations where the utility trenches extend off-site. In addition, utility conduits that are placed below ground water should be installed with water-tight fittings to reduce the potential for ground water to migrate into the conduits.
- m. Because the site is known to have pollutants with the potential for mobilization, the civil engineer should design the bottom and sides of the vegetated swales and water features (if incorporated into building designs) to be lined with a minimum 10-mil heavy duty plastic to help prevent site infiltration.
- n. Measures to help reduce the potential for downward migration of contaminated groundwater.

BP-36. HAZARDOUS MATERIALS – RISK MANAGEMENT PLAN

The following measures are not considered CEQA mitigation measures, but are recommended for compliance to General Plan policies regarding hazardous materials.

Per the approved Risk Management Plan (RMP) by the County of Santa Clara Department of Health (DEH) on September 28, 2017, in reference to the report prepared by AEI Consultants and dated June 27, 2017 the following conditions apply:

1. A copy of the RMP must be kept on-site and available to contractors and site workers at all times.
2. The DEH shall be notified 5 days prior to the start of earthwork activities.
3. Encountered Unknown Conditions (Section 4.0) – In addition to the notifications listed in this section, the DEH must be notified as soon as possible if unanticipated environmental conditions are discovered during construction. Unanticipated conditions include, but are not limited to, environmental conditions that are not currently known about the site. For example, contamination outside of the known area of contamination, contamination at levels higher than reasonably anticipated based on site assessment data, or unknown underground storage tanks.
4. Dust Control (Section 3.3.5) – Prior to construction, the DEH must be notified of the party responsible to verify that dust control recommendations are practiced in the field, while the project is under construction.
5. A completion report shall be submitted to DEH subsequent to completion of earthwork activities.
6. Deed Restriction – Prior to case closure, a Deed Restriction/Environmental Covenant will be filed with the Santa Clara County Clerk Recorder Recorder's Office. A copy of the filing receipt and the fully executed deed restriction must be provided to the DEH before the case can be closed. The deed restriction will:
 - a. State that actions that are prohibited to prevent contact with the soil consolidation cell(s).
 - b. State that if the consolidation cell(s) are damaged, the DEH must be notified and the consolidation cell(s) must be repaired.
 - c. Include a fact sheet to describe the environmental site conditions and the location of the consolidation cell(s).
7. Please submit the following documents to DEH via GeoTracker according to the following schedule:
 - a. Completion Report 60 days after the completion of grading and subsurface utility work
 - b. Soil Cap Maintenance Plan – December 27, 2017

BP-37. PRE-APPROVED WATER-EFFICIENT LANDSCAPE PLANS:

The developer must install all landscaping and irrigation within the common lots and the private usable open space areas per approved site water-efficient landscape plans, and must submit a Landscaping Certificate of Completion, Irrigation Audit Report and Irrigation Schedule, and Landscaping Maintenance Schedule. Any future changes to the approved landscaped areas or planting changes that may affect the approved landscaping water budget calculations are subject to approval by the Director of Community Development. [COA] [PLANNING]

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

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

A complete plan check set applicable to the project, which may include street improvement plans, streetscape plans, signing/striping plans, erosion control plans, and traffic control plans shall be submitted as part of the first off-site improvement plans, including off-site engineering cost estimate. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Department of Public Works. Sheet C3.0 and C4.0 of Plans dated 12/06/17 is subject to change during plan check process. See Improvement Plans - Submittal Checklist link: <https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23625>

<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=24002> [COA] [PUBLIC WORKS]

EP-2. UPGRADE OF EXISTING PUBLIC IMPROVEMENTS:

As part of the off-site improvement plan review and approval, any existing public improvements to be re-used by the project, which are not in accordance with current City standards and are not specifically identified in the herein project conditions (such as backflow preventers, sign posts, etc.), shall be upgraded to current City standards and as required by the Department of Public Works. [COA] [PUBLIC WORKS]

EP-3. BENCHMARKS:

The improvement plans shall be prepared by using City's latest benchmarks (NAVD88) available on City's website <https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23803>.

Plans based on NAVD29 will not be accepted. [COA] [PUBLIC WORKS]

EP-4. UTILITY CONNECTION:

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

EP-5. **UTILITY CONNECTION TO THE MAIN:**

All sanitary sewer laterals connecting to the new main line shall be at a new sanitary sewer 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. **EXISTING UTILITY ABANDONMENT/RELOCATION:**

Developer is responsible for research on all existing utility lines to ensure that there are no conflicts with the project. All existing utility lines (public or private) and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed of to the satisfaction of the City. Existing public facilities within the street right-of-way shall be abandoned per City's Abandonment Notes and procedures, including abandonment by other utility owners. [COA] [PUBLIC WORKS]

EP-7. **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-8. **STREETLIGHTS:**

Developer shall replace the existing streetlight pole and fixture along Azure Street with a City approved marblelite pole and LED fixture. [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. **WET UTILITIES:**

All wet utilities (water, sanitary sewer, storm drain) on private property shall be privately owned and maintained. The fire and domestic water systems shall be privately owned and maintained beyond the meter. [COA] [PUBLIC WORKS]

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

The re-use of existing City water service lines is not allowed. Re-use of existing City sanitary sewer and storm drain service lines and appurtenances is subject to City's review and approval. Developer's contractor shall expose the existing facilities during construction for City's evaluation or provide video footage of the existing pipe condition. Developer's contractor shall replace any deficient facilities as deemed necessary by the Department of Public Works. Sheet C3.0 and C4.0 of Plans dated 12/06/17 is subject to change during plan check process. [COA] [PUBLIC WORKS]

EP-12. WATER METER:

Install new separate radio-read domestic water meter for each lot. Sheet C3.0 and C4.0 of Plans dated 12/06/17 is subject to change during plan check process. [COA] [PUBLIC WORKS]

EP-13. SEWER MANHOLE:

Install new sewer manhole at the street right-of-way lines for all existing and proposed sanitary sewer laterals to be used for the project. [SDR] [PUBLIC WORKS]

EP-14. NEW SEWER MAIN:

The contractor shall excavate a trench that extends to the lip-of-gutter for the portion of the sewer main that is within the project frontage on Azure Street. The trench shall be restored to City Standards following installation of the new sewer main and the new sidewalk, curb, and gutter. [COA] [PUBLIC WORKS]

EP-15. SANITARY SEWER VIDEO:

The contractor shall make a video copy of the interior of the new sanitary sewer lateral installed prior to it is put into service. [COA] [PUBLIC WORKS]

EP-16. SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:

This project is required to follow the existing sanitary sewer and storm drain tributary pattern. Any deviations would require additional analysis and subject to approval by the Public Works Department as part of the off-site improvement plan review process. This project shall not cause any negative impact on the drainage pattern for adjacent properties. All stormwater shall be retained on-site and any excess stormwater shall be addressed by overland release onto Azure Street. [COA] [PUBLIC WORKS]

EP-17. UTILITY METER/VAULT:

No existing or new utility meters or vaults shall be located within the new driveway approach. All existing or new utility vaults serving the

project site shall be located on-site and not within the public utility easement, if any. [COA] [PUBLIC WORKS]

EP-18. DRIVEWAY APPROACHES:

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

EP-19. STREETSCAPE IMPROVEMENTS:

Along project frontage on Azure Street, remove existing concrete curb, gutter and sidewalk and install new 6" concrete curb and 2' gutter per current City standards. Install a detached 6' wide sidewalk with 4' wide park-strip (not including 6-inch curb).

Along project frontage on Sunnyvale-Saratoga Road, remove and replace in-kind existing concrete sidewalk, curb, and gutter. [SDR] [PUBLIC WORKS]

EP-20. ROOT BARRIER:

Install a continuous root barrier along new sidewalk along Azure Street adjacent to City trees per City standard details and specifications. [SDR] [PUBLIC WORKS]

EP-21. 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-22. TRAFFIC CONTROL PLAN:

Submit a traffic control plan with the off-site improvement plans for review and approval. All construction related materials, equipment, and construction workers parking need to be stored on-site and the public streets need to be kept free and clear of construction debris. [COA] [PUBLIC WORKS]

EP-23. SLURRY SEAL:

Developer shall install Type II slurry seal from lip of gutter to street centerline along project frontage on Azure Street. Developer shall also install Type III slurry seal from lip of gutter to bike lane along project frontage on Sunnyvale-Saratoga Road. Sheet C3.0 and C4.0 of Plans dated 12/06/17 is subject to change during plan check process. [COA] [PUBLIC WORKS]

EP-24. CITY STREET TREES:

The developer shall install required street trees in proposed park-strip within the public right-of-way along the project frontage as follows: Azure Street: *Quercus Shumardi* – *Shumards Oak*. Street trees and frontage landscaping shall be included in the detailed landscape and irrigation plan subject to review and approval by the Department of Public Works prior to issuance of encroachment permit. New street trees shall be 24-inch box size or 15 gallon size spaced approximately 35 feet apart. No street trees are to be planted within 10' of a sanitary sewer lateral. Sheet C3.0 and C4.0 of Plans dated 12/06/17 is subject to change during plan check process. [SDR] [PUBLIC WORKS]

EP-25. **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. [COA] [PUBLIC WORKS]

EP-26. **RECORD DRAWINGS:**
Stamped and signed record drawings of the off-site improvements shall be submitted to the city prior to encroachment permit sign-off. Upon completion of the streetlight improvements, developer shall provide record drawings to the City in AutoCAD format [COA] [PUBLIC WORKS] (SMC 13.08.160(a))

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

TM-1. **PARCEL MAP COMPLIANCE WITH TENTATIVE PARCEL MAP:** The parcel map shall be substantially the same as the tentative parcel map. Any alteration of the tentative parcel map after the tentative parcel map is approved is subject to additional approval by the City and may require a public hearing. Sheet C1.0 of Tentative Parcel Map submittal dated 12/06/17 is subject to change during plan check process. [COA] [PLANNING/PUBLIC WORKS]

TM-2. **TITLE 18 AND SUBDIVISION MAP ACT:**
The submittal, approval and recordation of the parcel map shall be in accordance with the provision of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. [COA] [PUBLIC WORKS]

TM-3. **RESERVATION/ABANDONMENT OF EASEMENTS:**
Reservation of new and/or abandonment of existing public PG&E easement, 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-4. **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-5. **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-6. **SUBDIVISION AGREEMENT AND IMPROVEMENT SECURITIES:**

The developer shall execute a subdivision 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-7. **MAINTENANCE AGREEMENT:**

Prior to encroachment permit issuance, developer shall execute separate Maintenance Agreements for all lots for perpetual maintenance of private improvements located within PIEE. The subject Maintenance Agreement shall be recorded prior to first building occupancy for any lot. [COA] [PLANNING]

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

PF-1. **LANDSCAPING AND IRRIGATION:**

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

PF-2. PARKING LOT STRIPING:

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

PF-3. 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 either 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.
- 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:

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

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

AT-1. 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-2. PARKING MANAGEMENT:

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

AT-3. 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-4. 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-5. 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-6. RECYCLING AND SOLID WASTE:

All exterior recycling and solid waste shall be confined to approved receptacles and shall be staged for pick-up per approved plans. [COA]
[PLANNING]