
RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
JANUARY 28, 2019

Planning Application 2017-8044

1100 N. Mathilda Avenue

MOFFETT PARK-SPECIAL DEVELOPMENT PERMIT

to allow expansion of an existing 173-room hotel through partial demolition and construction of a new 11-story building to result in a 358-room hotel with new meeting areas, spa facility, restaurants and bars; and a new 3-level parking structure.

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

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

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

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

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

GC-2. ENTITLEMENTS—EXERCISE AND EXPIRATION:

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

GC-3. ENTITLEMENTS—DISCONTINUANCE AND EXPIRATION:

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

GC-4. INDEMNITY:

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

GC-5. NOTICE OF FEES PROTEST:

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

GC-6. ON-SITE AMENITIES:

Swimming pools, pool equipment structures, play equipment and other accessory utility buildings, except as otherwise subject to Planning Commission review, may be allowed by the Director of Community Development subject to approval of design, location and colors. [COA] [PLANNING]

GC-7. ALCOHOL BEVERAGE CONTROL (ABC):

The project applicant shall obtain all appropriate and/or licenses from the Department of Alcoholic Beverage Control prior to commencement of use approved as part of this permit. [COA] [PLANNING]

GC-8. USE AND ABC COMPLIANCE:

Non-compliance with the Conditions of Approval for this planning application or the requirements of the Department of Alcoholic Beverage Control at any time may trigger either reconsideration (discretionary review of new application) of the SDP and the imposition of additional Conditions of Approval or the initiation of the revocation process by the Director of Community Development. [COA] [PLANNING]

GC-9. SIGNS:

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

GC-10. 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-11. PUBLIC IMPROVEMENTS:

Developer shall install public improvements as required by the City, including but not limited to, curb & gutter, sidewalks, driveway approaches, curb ramps, street pavements, utility extensions and connections, meters/vaults, trees and landscaping, traffic signs, striping, street lights, etc.

All public improvements shall be designed and constructed in accordance with current City design guidelines, standard details and specifications, and Americans with Disabilities Act (ADA) requirements where applicable, unless otherwise approved by the Department of Public Works. The site development plan with sheets C-1.0 to C-6.0 dated 7/18/18 is subject to change during the plan check process.

[COA] [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 Public Works Department. [COA] [PUBLIC WORKS]

GC-12. 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. [SDR] [PUBLIC WORKS]

GC-13. ENCROACHMENT PERMIT:

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

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

PS-1. REQUIRED REVISIONS TO PROJECT PLANS:

The plans shall be revised to address comments from the Planning Commission including the following:

- a) Modify rear parking lot on Bordeaux Drive to include a separate left turn lane from the driveway to extend at least 50 feet into the parking lot. [COA] [PLANNING]
- b) Meander sidewalk to save mature trees (Stone Pine) along Bordeaux Drive.

PS-2. EXTERIOR MATERIALS REVIEW:

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

PS-3. PARKING AND CIRCULATION PLAN:

Submit a revised parking and circulation plan subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

PS-4. SANITARY SEWER ANALYSIS:

Prior to first off-site plan check submittal, developer shall 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

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- 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. Any mitigation improvements needed shall be incorporated in the first plan check submittal. [COA] [PUBLIC WORKS]

PS-5. APPROVAL FROM UTILITY COMPANIES:

Prior to any plan check submittal, developer shall coordinate with utility companies for new private improvements in the existing public utility easement (PUE) fronting Bordeaux Drive and the to be abandoned Moffett Park Drive. Approval letters from the utility companies are required for private improvements in the PUE with recordation of a Notice of Covenant for private improvements located in the PUE, or the existing PUE shall be abandoned in accordance with applicable CA Streets and Highways code prior to building permit issuance.

Alternative arrangement may be considered to the City's satisfaction with consent from the utility companies. [COA] [PLANNING/PUBLIC WORKS]

MM: THE FOLLOWING CONDITIONS ARE MITIGATION MEASURES FOR CEQA AND NON-CEQA RELATED IMPACTS FROM THE PROJECT AND SHALL BE ADDRESSED BY THE APPLICANT AS NOTED

MM-1. TRAFFIC:

The project is subject to the following mitigation measures – impact fees are due prior to obtaining building permit.

Mitigations:

- a) Pay fair-share contribution (\$12,386.73) towards VTA's Mathilda Avenue SR 237 and US 101 Interchange Improvement project intersection improvement project for Impact on Intersection #5 (Mathilda Ave/Moffett Park Dr), PM Peak hour, and AM and PM Peak Hours (Cumulative and Project conditions) -exacerbates a LOS F intersection
- b) Pay fair-share contribution (\$16,587.98) towards VTA's intersection improvement project for Impact on Intersection #5 (Mathilda Ave/Moffett Park Dr), AM and PM Peak hours - exacerbates a LOS F intersection
- c) Add an onsite eastbound left-turn lane (min. storage length of 50 feet) in the parking lot driveway on Bordeaux Drive for Impact on Intersection #16 (Bordeaux Dr/east Project Driveway) – Inadequate onsite driveway storage capacity

- d) Pay fair share contribution (\$925.42) for queuing deficiency on West Bound SR 237 Mathilda Avenue Diagonal On-Ramp

WHEN: The conditions will become valid when the entitlement is approved. Conditions will be applicable for the construction phase of this project.

WHO: The property owner is responsible for completing the mitigation measure.

HOW: The conditions of approval require these mitigation measures to be incorporated into the construction plans; payment of fees are due at the time of obtaining the building permit for the project.

MM-2. CONSTRUCTION NOISE:

The developer is responsible for completing the following mitigation measures that are applicable during and prior to the grading and construction phases of this project.

- a) The developer and contractor must secure a temporary power service from the utility service in lieu of a generator.
- b) The majority of all buildings will be wrapped in plywood during interior construction, which will reduce noise transmission as construction workers complete their work inside the building.
- c) The contractor must instruct all applicable construction workers to keep compressors, etc. as close to the interior portions of the buildings as reasonably possible.
- d) Back-up beepers will be used only when required by law or as required to provide a safe work environment. Spotters or flaggers will be used in lieu of back-up beepers to direct backing operations when allowable.
- e) Equipment and trucks used for project construction shall utilize the best available noise control techniques (e.g. improved mufflers, equipment redesigned, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible).
- f) Construction-related traffic must be routed along major roadways and away from sensitive receptors where feasible.
- g) Construction equipment shall be well maintained and used judiciously to be as quiet as practical.
- h) The developer shall require all subcontractors to make efforts to mitigate sound transmission to the neighboring properties through the use of mufflers or other deadening methods.
- i) All internal combustion engine-driven equipment shall be equipped with mufflers that are in good condition and appropriate for the equipment.

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- j) Unnecessary idling of internal combustion engines will be prohibited when feasible.
 - k) "Quiet" models of air compressors and other stationary noise sources shall be used where the technology exists.
 - l) Hydraulically or electrically-powered equipment shall be used and pneumatically-powered equipment shall be avoided where feasible. However, where use of pneumatic tools is unavoidable, an exhaust muffler shall be used. Quieter procedures shall be used, such as drills rather than impact equipment, wherever feasible.
 - m) Stationary noise-generating equipment shall be located as far as possible from sensitive receptors when adjoining construction sites. Temporary noise barriers or partial enclosures will be constructed to acoustically shield such equipment wherever feasible.
 - n) Signs shall be posted at the construction site that include permitted construction days and hours, a day and evening contact number for the job site, and a day and evening contact number for the on-site complaint and enforcement manager, and the City's noise enforcement officer, in the event of problems.

WHEN: The conditions will become valid when the entitlement is approved. Conditions will be applicable for the construction phase of this project.

WHO: The property owner is responsible for completing the mitigation measure.

HOW: The conditions of approval require these mitigation measures to be incorporated into the construction plans; payment of fees are due at the time of obtaining the building permit for the project

MM-3. BIOLOGICAL RESOURCES:

The project could potentially could interfere substantially with migratory wildlife corridor or nursery site. The following mitigations measure will be addressed by the applicant prior to demolition and/or grading permit.

- a) Avoidance of the Nesting Season – To the extent possible, avoid demolition and construction activities during the nesting season (For Santa Clara County – February 1 to August 1).
- b) Pre-Activity/ Pre- Disturbance surveys - If avoidance of the nesting season is not possible, a pre-activity/ pre- disturbance survey(s) shall be conducted to ensure that no nest will be disturbed during the demolition or construction phases (project implementation.)
- c) Non-Disturbance Buffers - If an active nest is found sufficiently close to work areas during the survey, an ornithologist will determine the extent of construction-free non-disturbance buffer around the nest (typically 300 ft. for raptors and 100 ft. of other species).

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- d) Inhibition of Nesting – Site features (bushes, trees, grasses and other vegetation) that can be potential nesting sites for birds shall be removed prior to start of nesting season (between September 1 and February 1).

WHEN: The conditions will become valid when the entitlement is approved. Conditions will be applicable for the construction phase of this project.

WHO: The property owner is responsible for completing the mitigation measure.

HOW: The conditions of approval require these mitigation measures to be incorporated prior to demolition/construction permit.

MM-4. HISTORIC AND CULTURAL RESOURCES:

The project could potentially impact an unknown historic, cultural resource during the grading and construction phases of the project. The applicant shall comply with the following mitigation measures:

- a) Prior to ground disturbance, a qualified archaeologist shall conduct further archival and field study to identify archaeological resources, including a good faith effort to identify archaeological deposits that may show no indications on the surface.
- b) Prior to ground disturbance, contact the local Native American tribes regarding traditional, cultural and religious heritage values – details noted in the CHRIS letter.
- c) If archaeological resources or remains, including Native American resources, are encountered during construction, work shall be temporarily halted in the vicinity of the discovered materials/remains and workers shall not alter the materials/remains and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect any of the resources found.
- d) Native American resources include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic-period resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.
- e) Any identified cultural resources shall be recorded on DPR 523 historic resource recordation forms.

WHEN: The conditions will become valid when the entitlement is approved. Conditions will be applicable for the construction phase of

this project.

WHO: The property owner is responsible for completing the mitigation measure.

HOW: The conditions of approval require these mitigation measures to be incorporated prior and during grading, demolition/construction permit.

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 RECYCLING AND SOLID WASTE ENCLOSURE:

The building permit plans shall include details for the installation of a recycling and solid waste enclosure. The required solid waste and recycling enclosure shall:

- a) Match the design, materials and color of the main building.
- b) Be of masonry construction. [COA] [PLANNING]

BP-6 RECYCLING AND SOLID WASTE CONTAINER:

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

BP-7 SOLID WASTE DISPOSAL PLAN:

A detailed recycling and solid waste disposal plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]

BP-8 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-9 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 \$661,375, prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- b) HOUSING MITIGATION FEE - Pay Housing Mitigation fee estimated at \$1,793,343.75, prior to issuance of a Building Permit. (SMC 19.22). [SDR] [PLANNING]
- c) ART IN PRIVATE DEVELOPMENT - Pay Art in Private Development bond estimated at \$352,323, prior to issuance of a Building Permit. [SDR] [PLANNING]
- d) ART IN PRIVATE DEVELOPMENT BOND – A bond, letter of credit, cash deposit or other similar security instrument for 1% of the

construction valuation of the entire development project will be required prior to issuance of a building permit. The bond will not be released until completion and installation of the artwork requirement including related landscaping, lighting, base work and commemorative plaque. [PLANNING] [SDR]

BP-10 MECHANICAL EQUIPMENT (EXTERIOR):

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

BP-11 ART IN PRIVATE DEVELOPMENT REVIEW:

An Art in Private Development application shall be submitted to the Director of Community Development subject to review and approval by the Arts Commission, prior to issuance of a Building Permit. The application shall provide public visible artworks along Mathilda Avenue. [COA] [PLANNING]

BP-12 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) Irrigation to include potable and non-potable water (recycled water).
- b) All areas not required for parking, driveways or structures shall be landscaped.
- c) Provide trees at minimum 30 feet intervals alongside and rear property lines, except where mature trees are located immediately adjoining on the site and/or neighboring property.
- d) Provide a minimum 15-foot wide landscaped frontage strip along all street frontages.
- e) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- f) Any "protected trees", (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree of at least 36-inch box size.

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- g) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.

BP-13 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-14 TREE PROTECTION PLAN:

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

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

BP-15 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-16 STORMWATER MANAGEMENT PLAN:

Submit two copies of a 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. [COA] [PLANNING/PUBLIC WORKS]

BP-17 STORM WATER MANAGEMENT PLAN THIRD PARTY CERTIFICATION:

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

BP-18 BEST MANAGEMENT PRACTICES - STORMWATER:

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

- a) 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.
- b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
- c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- d) Covered trash, food waste, and compactor enclosures.
- e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - ii) Dumpster drips from covered trash and food compactor enclosures.
 - iii) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - iv) Swimming pool water, spa/hot tub, water feature and fountain discharges if 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-19 EXTERIOR LIGHTING PLAN:

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

- a) Sodium vapor or illumination with an equivalent energy savings.
- b) Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 24 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. [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 POLE HEIGHTS:

Pole heights shall not to exceed 24 feet. [COA] [PLANNING]

BP-22 PARKING MANAGEMENT PLAN (NONRESIDENTIAL):

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

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

BP-23 BICYCLE SPACES:

Provide a min. of 15 Class I/Class II bicycle parking spaces per Citywide Design Guidelines and as approved by the Director of Community Development. Clearly indicate the location and the number of bicycle parking spaces on the Building Permit plans. [COA] [PLANNING]

BP-24 GREEN BUILDING:

The plans submitted for building permits (shell and TI) shall demonstrate the project achieves a minimum of 80 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 LEED Gold Level. [COA] [PLANNING] [BUILDING]

BP-25 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) 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.

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- g) Manage construction parking so that neighbors are not impacted by construction vehicles. When the site permits, all construction parking shall be on-site and not on the public streets.
 - h) Prohibit unnecessary idling of internal combustion engine-driven equipment and vehicles.
 - i) Notify all adjacent business, residents, and noise-sensitive land uses of the construction schedule in writing. Notify nearby residences of significant upcoming construction activities at appropriate stages in the project using mailing or door hangers.
 - j) Designate a “disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. [COA] [PLANNING]

BP-26 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 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-27 RECYCLING AND SOLID WASTE ENCLOSURE:
The building permit plans shall include details for the installation of recycling and solid waste enclosures that are consistent with SMC 19.38.030. The required solid waste and recycling enclosures shall:

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

BP-28 SOLID WASTE DISPOSAL PLAN:

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

BP-29 STORMWATER MANAGEMENT PLAN:

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

BP-30 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-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 right-of-ways or public easements. [COA] [PUBLIC WORKS]

<p>EP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED AS PART OF AN ENCROACHMENT PERMIT APPLICATION.</p>
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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, signing/stripping plans, erosion control plans, and traffic control plans shall be submitted as part of the first off-site improvement plans, including on-site and off-site engineering cost estimate. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Department of Public Works. Sheet C-1.0 to C-6.0 dated 7/18/18 is subject to change during plan check process. See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links:

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

<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23625> [COA] [PUBLIC WORKS]

EP-2. EASEMENT DEEDS:

The developer shall provide a 13' street right-of-way along the Mathilda Avenue frontage measured from the face of the curb, a 26' wide emergency access easement along the north side of the property, and a no-cost temporary construction easement along Moffett Park Drive for construction work related to the Santa Clara Valley Transportation Authority (VTA) Mathilda Avenue Improvements at SR 237 and US 101 project. All easements shall be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easements. Developer shall execute the easement deeds prior to encroachment permit issuance. [COA] [PUBLIC WORKS]

EP-3. EASEMENT ABANDONMENT:

The existing slope easement shall be abandoned, by separate deed, prior to encroachment permit sign off. [COA] [PUBLIC WORKS]

EP-4. BENCHMARKS

The off-site improvement plans shall be prepared by using City's latest benchmarks (NAVD88) available on City's website

<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23803> Plans based on NGVD29 will not be accepted. [COA] [PUBLIC WORKS]

EP-5. 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 preventer and sign post, etc.), shall be upgraded to current City standards and as required by the Director of Public Works [COA] [PUBLIC WORKS]

EP-6. MOFFETT PARK SPECIFIC PLAN:

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

EP-7. UTILITY CONNECTION:

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

EP-8. UTILITY CONNECTION TO THE MAIN:

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

EP-9. POTHOLING OF EXISTING DRY UTILITIES:

Concurrent with the initial submittal of off-site improvement plans, obtain an encroachment permit for potholing purposes to locate existing dry utilities. Use pothole information to identify possible conflict between the proposed location of City trees and existing utilities, proposed joint trench, and proposed connection of gravity utilities. Potholing is to take place in a timely manner so that this does not hold up the review of your construction plans. [COA] [PUBLIC WORKS]

EP-10. EXISTING UTILITY ABANDONMENT/RELOCATION:

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

EP-11. MODIFICATIONS TO EXISTING PUBLIC UTILITIES:

Developer is required to pay for all changes or modifications to existing city utilities, streets and other public utilities within or adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation due to grade change in the sidewalk area, caused by the development. [COA] [PUBLIC WORKS]

EP-12. 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-13. 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 Public Works Department. Sheet C-4.0 of Conceptual Utility Plan dated 7/18/18 is subject to change during plan check process. [COA] [PUBLIC WORKS]

EP-14. SEPARATE DOMESTIC/FIRE PROTECTION SERVICE LINE:

Provide separate fire and domestic service lines to each building. Provide separate fire service tap(s) to the street main for on-site fire hydrants. Install double check detector assembly (DCDA) behind the street right-of-way. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]

EP-15. PUBLIC FIRE HYDRANTS:

Remove and replace the existing fire hydrant barrels along Mathilda Avenue and Moffett Park Drive with current City standard Clow-Rich 865. New fire hydrant location shall be per current City standard detail 2B and 2B-2. Public fire hydrant shall be maintained free and clear of all trees, vines, shrubs, bushes, ivy, etc. for a minimum of three feet. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PROTECTION]

EP-16. WATER METER:

For water meter sizes three (3) inches or larger, provide meter sizing calculations to Public Works Department for approval of meter size, as part of the off-site improvement plan submittal. In addition, installation of dual meters and a cut-in tee are required per City standard detail 12B and 12B-1. Provide separate fire service taps with separate reduced pressure detector assembly in accordance with current City standards. Install new radio-read water meter(s) for each point of connection to the water main. Install new backflow prevention devices on the discharge side of water service line on private property. Install backflow preventer enclosure where applicable.

Along Moffett Park Drive, coordinate with VTA for the Mathilda Avenue Improvements at SR 237 and US 101 project for the water lateral connections. [COA] [PUBLIC WORKS]

EP-17. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:

This project requires connection to city's existing reclaimed water system for irrigation purposes, or as directed by the Director of Public Works. Install a separate irrigation water service line (separate from the domestic water service line) with a meter and backflow prevention device.

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

owner. Install new reduced pressure backflow prevention devices on the discharge side of irrigation line on private property. Install backflow preventer enclosure where applicable. Backflows must adhere to City's Cross-Connection Program. Backflow inspection permit and tags are required for all backflow devices.

Developer shall follow and implement the requirements for reclaimed water usage/identification to comply with California Department of Environmental Health: Title 22 - Division 4 of the Administrative Code. [SDR] [PUBLIC WORKS]

EP-18. SANITARY SEWER AND STORM DRAIN MANHOLES:

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

EP-19. SANITARY SEWER VIDEO:

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

EP-20. SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:

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

EP-21. 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 service line shall be minimum 12-inch diameter in the public right-of-way. [COA] [PUBLIC WORKS]

EP-22. CATCH BASIN TRASH CAPTURE DEVICE:

Pursuant to SMC 12.60.130, install full trash capture device 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 and/or have a badge that reads "NO DUMPING". Stencils/badges may be supplied by the Environmental Services Department if needed. [COA] [PLANNING/ENVIRONMENTAL SERVICES/PUBLIC WORKS]

EP-23. UTILITY METER/VAULT:

No existing or new utility meters or vaults shall be located within the new 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. DRY UTILITIES:

Submit dry utility plans and/or joint trench plans (PG&E, telephone, cable TV, fiber optic, etc.) to the Public Works Department for review and approval prior to issuance of any permits for utility work within public right-of-way or public utility easements. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]

EP-25. DRIVEWAY APPROACHES:

Remove existing asphalt concrete driveway approach along Bordeaux Drive and install new 3-lane wide driveway approach (as required in the Traffic Impact Analysis) to comply with Americans with Disabilities Act (ADA) requirements and per city standard details and specifications. All unused existing driveway approaches shall be replaced with new curb, gutter and sidewalk. [COA] [PUBLIC WORKS]

EP-26. THROAT LENGTH:

Provide a minimum 120' driveway throat length at the Mathilda Avenue entrance and a minimum 50' driveway throat length at the Bordeaux Drive entrance, or as directed by the Director of Public Works. Throat length is measured from the face of curb. [COA] [PUBLIC WORKS]

EP-27. SR 237 AND US 101 PROJECT:

Developer shall coordinate with City and VTA for the Mathilda Avenue Improvements at SR 237 and US 101 project by coordinating construction schedule, showing the proposed improvements and constructing improvements that will not conflict with the VTA improvements. [COA] [PUBLIC WORKS]

EP-28. CURB RAMPS:

Remove existing curb ramps and install new directional curb ramps (crossing Mathilda Avenue) at the northwest and northeast corner of Mathilda Avenue/Moffett Park Drive.

Remove existing curb ramps and install new directional curb ramps (crossing Moffett Park Drive) at the northeast and southeast corner of Mathilda Avenue/Moffett Park Drive.

Install new directional curb ramps (crossing Bordeaux Drive) at the northwest corner of Bordeaux Drive/Moffett Park Drive. Coordinate

improvements with VTA for the Mathilda Avenue Improvements at SR 237 and US 101 project.

Additional re-grading of asphalt may be required to ensure there are no localized low points and positive surface runoff occurs along the flow line. [COA] [PUBLIC WORKS]

EP-29. STREETScape IMPROVEMENTS:

Along Mathilda Avenue, remove existing concrete curb, gutter and sidewalk and install new concrete curb with 2' gutter, 4' parkstrip and 8' detached sidewalk to match the improvements to the adjacent property to the north. Provide street dedication measured 13' from the face of the curb to the property line.

Along Bordeaux Drive, remove existing concrete curb, gutter and sidewalk and install new concrete curb with 2' gutter, 4' parkstrip and 6' detached sidewalk to match the improvements to the adjacent property to the north. Provide street dedication measured 11' from the face of curb, as needed. As an alternative the sidewalk may be meandered to save mature trees. Provide sidewalk easement as needed. Provide ADA compliant sidewalk transition to conform to existing ones.

Along Moffett Park Drive, coordinate with VTA for the Mathilda Avenue Improvements at SR 237 and US 101 project for the removal of existing improvements and installation of a 16' class 1 bike path. [COA] [PUBLIC WORKS]

EP-30. STREET PAVEMENT:

Developer shall slurry seal (type II) from lip of gutter to lip of gutter along Bordeaux Drive and slurry seal (type III) from lip of gutter to face of median curb along Mathilda Avenue, unless otherwise approved by the Department of Public Works with alternatives. [SDR] [PUBLIC WORKS]

EP-31. PHOTOMETRIC ANALYSIS:

The developer shall provide a photometric analysis for the Bordeaux Drive project frontage so as to determine that the street lighting meets current City's Roadway Lighting Design Criteria. Roadway, sidewalk and crosswalk illuminance calculations shall be calculated separately from each other.

The roadway and sidewalk illuminance values required to be met for Bordeaux Drive are:

- a) Minimum Maintained Average Illuminance ≥ 1.1 fc
- b) Uniformity Ratio (Avg/Min) ≤ 4.0
- c) Max/Min ratio ≤ 20

Marked crosswalks at street intersection should have a minimum average illuminance value ≥ 2.2 fc.

The photometric analysis shall include all existing streetlights on both sides of Bordeaux Drive along the project frontage, with streetlight being LED fixtures.

The developer shall upgrade all existing streetlight fixtures along the project frontage to LED fixtures. All LED fixtures shall be of the same make and model (current approved manufacturers are GE, Philips or approved equal).

If the photometric analysis shows the need to relocate or install new streetlights, the developer shall also replace all existing streetlight conduits, wires and pull boxes with new ones along the Bordeaux project frontage per City's current standards, unless otherwise directed by the City.

The light lost factor (LLF) to be used is 0.95. The LED fixture should have an efficiency of at least 90 lumens/watt and should have the International Dark-Sky Association (IDA) fixture seal of approval (FSA) and be on their IDA-Approved™ Products list. Along with the photometric analysis the developer shall provide cut sheets for proposed fixture, ies files used to perform analysis, test results from certified independent lab, and electronic copy of the photometric analysis in AGi32 format. All LED fixtures shall have a 10-year warranty.

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

Developer shall comply with City 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.

Note: Streetlighting upgrades including a photometric analysis may be required for Mathilda Avenue and Bordeaux Drive depending upon streetlight improvements included in the Mathilda Avenue Improvements at SR 237 and US 101 project. [SDR] [PUBLIC WORKS]

EP-32. SIGNING AND STRIPING PLANS:

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

EP-33. 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-34. CITY STREET TREES:

The developer shall install required street trees along the project frontage as follows: Mathilda: *Fraxinus americana* – Autumn Applause; Bordeaux: *Brachychiton acerifolius* – Flame Tree. Street trees and frontage landscaping shall be included in the detailed landscape and irrigation plan subject to review and approval by the Department of Public Works prior to issuance of encroachment permit. New street trees shall be 24-inch box size or 15 gallon size. The city tree spacing should be approximately 35 feet apart. A continuous root barrier shall be installed along both sides of the parkstrip area. No trees are to be planted within 10' of a sanitary sewer lateral. [SDR] [PUBLIC WORKS]

EP-35. 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-36. 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 Director of Public Works. All existing traffic detector loops and conduits shall be protected in place during construction. Any damaged detector loops shall be replaced within 7 days at the expense of the developer. [COA] [PUBLIC WORKS]

EP-37. VTA COORDINATION:

Developer shall coordinate with VTA and implement any improvements required by VTA, including but not limited to new VTA bus stop location and temporary VTA bus stop location during construction, as part of the

encroachment permit process. The VTA contact is Robert Daniels, Service & Operations Planning (408) 321-5780. [COA] [PUBLIC WORKS]

EP-38. RESERVATION/ABANDONMENT OF EASEMENTS:

Reservation of new and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project site shall be recorded with a separate instrument, unless otherwise approved by the Director of Public Works. Quitclaim deed is required for abandonment of private easements. All easements shall be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easements. [COA] [PUBLIC WORKS]

EP-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. Developer shall pay the record drawing fee. [COA] [PUBLIC WORKS]

EP-40. PUBLIC WORKS DEVELOPMENT FEES:

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

EP-41. IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:

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

EP-42. OFF-SITE IMPROVEMENT COST ESTIMATE:

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

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

PF-1. LANDSCAPING AND IRRIGATION:

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

PF-2. PARKING LOT STRIPING:

All parking lot striping, carpool and compact spaces shall be striped as per the approved plans and standards. [COA] [PLANNING]

PF-3. 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-4. NOISE REDUCTION VERIFICATION:

Acoustical tests shall demonstrate that an interior Ldn scale (day and night average noise level) of 45 dBA is met on the finished rooms. Such test results shall be furnished to the Director of Community Development prior to occupancy of the units. [COA] [PLANNING]

PF-5. COMPLETION OF PUBLIC IMPROVEMENTS:

Developer shall complete all required public improvements in accordance with City approved plans, prior to 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. DELIVERY HOURS:

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

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

AT-2. RECYCLING AND SOLID WASTE:

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

AT-3. LOUDSPEAKERS PROHIBITED:

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

AT-4. 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-5. LANDSCAPE MAINTENANCE:

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

AT-6. PARKING MANAGEMENT:

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

AT-7. PARKING LOT MAINTENANCE:

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

- 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.

AT-8. UNENCLOSED USES:

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

AT-9. UNENCLOSED STORAGE (REVIEW REQUIRED):

All unenclosed materials, equipment and/or supplies of any kind shall be maintained within an approved enclosed area. Any stacked or stored items shall not exceed the height of the enclosure. [COA] [PLANNING]

AT-10. UNENCLOSED STORAGE:

Unenclosed storage area(s) shall be fully screened to the highest point of any stored or stacked materials, equipment and/or supplies of any kind. The design and method of enclosure is subject to approval by the Director of Community Development. Any modification or expansion of unenclosed uses shall be subject to review and approval by the Director of Community Development. [COA] [PLANNING]

AT-11. PARKING LOT MAINTENANCE:

The parking lot shall be maintained as follows:

- a) Garage and carport spaces shall be maintained at all times so as to allow for parking of vehicles.
- b) Clearly mark all assigned, guest, and 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-12. 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-13. 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]

END OF CONDITIONS