

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS**

**Planning Application 2013-7607
1100 N. Mathilda Avenue**

MOFFETT PARK - SPECIAL DEVELOPMENT PERMIT

To allow expansion of a hotel resulting in a total of 342 rooms, new parking structure and associated site improvements

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.
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- 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 / OFFICE OF CITY ATTORNEY]

GC-5. 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-6. SIGNS:

Any proposed signage requires separate approval by the City prior to installation. [COA] [PLANNING]

GC-7. 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 improvements plan check and inspection fees, prior any permit issuance, unless otherwise approved by the Director 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. [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. PUBLIC IMPROVEMENTS:

Developer shall install public improvements as required by Sunnyvale Municipal Code Sections 18.08, including but not limited to, curb & gutter, sidewalks, driveway approaches, curb ramps, street pavements, utility extensions and connections, meters/vaults, trees and landscaping, traffic signal/signs, 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 all public improvements prior to occupancy of the first building, or to the satisfaction of the Director of Public Works. [COA] [PUBLIC WORKS]

GC-11. Sidewalks shall be constructed/upgraded on all three street frontages (Mathilda Avenue, Moffett Park Drive and Bordeaux Drive). [SDR] [PLANNING]

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

PS-1. REQUIRED REVISIONS TO PROJECT PLANS:

The modified site and architecture plans are subject to review and approval by the Director of Community Development. Revised architectural plans shall be submitted to address the following:

- a) Hotel Architecture: Provide additional detail and articulation for the canopy/architectural feature that connects the new building to the existing building. This element shall include adequate architectural design and detail to tie the old and new buildings on the site with a unifying design element or design style.
- b) Parking Structure Architecture: Provide additional design detail and add architectural element/materials to tie the architectural style of the new hotel building with the parking structure.

PS-2. LANDSCAPE PLAN:

Landscape and irrigation plans shall be provided 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 plans shall include the following elements.

- a) Provide a detailed tree removal and tree protection plan.
- b) All areas not required for parking, driveways or structures shall be landscaped.
- c) Provide trees at minimum 35 feet intervals along side property line.
- d) Ten percent (10%) of trees shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- e) All “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. Replacement trees shall equal the landscape value of the protected trees to be removed as determined by a certified arborist.
- f) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- g) Decorative paving as required by the Director of Community Development to distinguish entry driveways, building entries and pedestrian paths.
- h) Update Parking Lot Shading plan to meet SMC 19.37.070.

PS-3. LANDSCAPE MAINTENANCE PLAN:

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

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

BP-1. CONDITIONS OF APPROVAL:

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

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

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

BP-3. NOTICE OF CONDITIONS OF APPROVAL:

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

book and page and recorded document number, if any, and be signed and notarized by each property owner of record.

BP-4. PROPERTY OWNER:

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-5. 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-6. 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] [ENVIRONMENTAL SERVICES/PLANNING]

BP-7. 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-8. FEES AND BONDS:

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

- a) **TRANSPORTATION IMPACT FEE** – Pay Traffic Impact fee for the net new trips resulting from the proposed project, based on the fee in place at the time of payment, prior to issuance of a Building Permit (SMC 3.50). The fee is estimated to be \$721,461 [SDR] [PLANNING]

BP-9. STORMWATER MANAGEMENT PLAN:

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

BP-10. 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 Storm Water Management Plan Requirements. The third party certification shall be provided prior to building permit issuance. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-11. 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-12. CITY STREET TREES:

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

BP-13. EXTERIOR LIGHTING PLAN:

Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole design, 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. Light standards shall not exceed 18 feet in height.
- 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-14. PHOTOMETRIC PLAN:

Prior to issuance of a Building Permit submit a contour photometric plan for approval by the Director of Community Development. [COA] [PLANNING]

BP-15. BICYCLE SPACES:

Provide Class I and Class II bicycle parking per VTA Bicycle Technical Guidelines) as approved by the Director of Community Development. [COA] [PLANNING]

BP-16. GREEN BUILDING:

Final plans shall incorporate a completed LEED green building checklist demonstrating the hotel project achieves a LEED Silver level as verified by a qualified LEED consultant. Implementation of photovoltaic systems is encouraged. [COA] [PLANNING]

BP-17. MITIGATION MEASURES:

The following Mitigation measures shall be addressed as noted in the Mitigated Negative Declaration:

a) Interior Noise Reduction

- i. WHAT: To meet the City's DNL 45 dB indoor noise goal; it will be necessary to implement construction methods on the windows and walls to reduce noise transmission from the exterior of the building. Recommendations for the exact Sound Transmission Class (STC) ratings for windows and exterior doors should be determined for the project at the Building Permit stage of the project. The Environmental Noise Assessment recommends STC rating of 36 for the south and east facades and STC 28 on the north façade of the new building.
- ii. WHEN: All improvements shall be completed prior to occupancy
- iii. WHO: The developer for the project is responsible for completing the mitigation measure.
- iv. HOW: These measures will be included as a condition of approval of the project. The measures (STC rated windows) shall be clearly marked and demonstrated in the plans submitted for building permits and verified during the periodic inspection by the City building inspectors.

b) Historic and Cultural Resources

- i. WHAT: 1) Prior to submittal of Building Permit plans, the individual project sponsor shall be required to contact the California Historical Resources Information Center (CHRIS) to determine whether the particular project is located in a sensitive area. Future development projects that the CHRIS determines may be located in a sensitive area – i.e., on or adjoining an identified archaeological site – shall proceed only after the project sponsor contracts with a qualified archaeologist to conduct a determination in regard to cultural values remaining on the site and warranted mitigation measures. Measure(s) identified by the archeologist will be incorporated into the construction plans.
2) If a significant archaeological resource is identified during grading or construction, the City and project proponent shall seek to avoid damaging effects to the resource. Preservation in place to maintain the relationship between the artifact(s) and the archaeological context is the preferred manner of mitigating impacts to an archaeological site. Preservation details and further actions are noted in the Mitigated Negative document.
- ii. WHEN: These mitigation measures shall be converted into conditions of approval prior to final approval by the Planning Commission. The conditions will become valid when the entitlement is approved. Conditions will be applicable during the grading and construction of this project.
- iii. WHO: The property owner is responsible for completing the mitigation measure.
- iv. HOW: The conditions of approval require these mitigation measures to be incorporated into the grading and construction plans.

c) Transportation

- i. WHAT: The payment of Traffic Impact Fee to address the potential impacts on Sunnyvale's roadway system by increased traffic volumes associated with the proposed project. The TIF is estimated to be \$721,461.
- ii. WHEN: Prior to the issuance of the first building permit.
- iii. WHO: The project proponent/property owner will be solely responsible for implementation of this mitigation measure.

iv. HOW: Payment of Traffic Impact Fee to the City of Sunnyvale.

BP-18. 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-19. RECYCLING AND SOLID WASTE ENCLOSURE:

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

BP-20. 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) The Director of Community Development has discretion over the final list of trees to be removed.
- b) 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.
- c) Provide a plan showing overlay of Civil plans including utility lines with existing trees and provide measures to protect tree root systems as needed during utility installation.
- d) The measures specified in 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-21. 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-22. 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:
- f) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
- g) Dumpster drips from covered trash and food compactor enclosures.
- h) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
- i) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
- j) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-23. 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-24. **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-25. **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]

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]
- 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. **CONSTRUCTION NOISE REDUCTION - PILES:**
Pile Driving Noise-Reducing Techniques: If piles are to be used as part of the building design, pile driving shall not be allowed, unless all other techniques (i.e. drilled piles, vibrated-in-place piles or similar noise reduction design solutions) are deemed infeasible by the Director of Community Development for geotechnical or structural reasons. If pile driving is allowed during construction, the following techniques shall include, but are not limited to:
- a) Limiting the hours of pile driving to 10:00 am to 6:00 pm, Monday through Friday. No pile driving will be allowed on Saturday or Sunday.
 - b) Installing intake and exhaust mufflers on pile-driving equipment;

- c) Implement “quiet” pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
- d) Use cushion blocks to dampen impact noise, if feasible based on soil conditions. (Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize noise generated when driving the pile (materials typically used for cushion blocks include wood, nylon, and micarta); and/or,
- e) At least 48 hours prior to pile-driving activities, the applicant shall notify building owners and occupants within 2,000 feet of the Project site of the dates, hours, and expected duration of such activities.
- f) Demonstrate compliance by incorporating the above noted items into the approved Project plans. [COA] [PLANNING]

PF-5. CONSTRUCTION NOISE:

Incorporate building construction schedule, methods and measures to ensure compliance with State of California and City of Sunnyvale noise standards including, but not limited to the following:

- a) Limit construction hours that are set forth in the Sunnyvale Municipal Code (16.08.030).
- b) Project construction operations shall be required to use available noise suppression devices and techniques
- c) A construction noise logistics plan shall be developed that specifies hours of construction, noise and vibration minimization measures, posting or notification of construction schedules, and designation of a noise disturbance coordinator who would respond to neighborhood complaints. This Plan will be required to be in place prior to the start of construction and implemented during construction to reduce noise impacts on neighbors including residents south of SR 237: The construction noise logistics plan shall include, but not be limited to, the following measures to reduce construction noise levels as low as practical:
 - i. Use “quiet” models of air compressors and other stationary noise sources where technology exists.
 - ii. Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
 - iii. Locate all stationary noise-generating equipment, such as air compressors, portable power generators, and crushing/recycling operations as far away as possible from adjacent and residential land uses.
 - iv. Locate staging areas and construction material areas as far away as possible from adjacent and residential land uses.
 - v. Prohibit all unnecessary idling of internal combustion engines.

- vi. Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and would 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.

PF-6. NEW PUBLIC EASEMENTS LOCATED ON-SITE:

Any new easements required for public use purpose shall be on a separate recorded Easement Deed deemed necessary by the Director of Public Works prior to any building occupancy.[COA] [PUBLIC WORKS]

PF-7. COMPLETION OF PUBLIC IMPROVEMENTS:

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

PF-8. ARTWORK:

Artwork shall be installed as approved by Arts Commission. [SDR] [PLANNING]

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

DC-1. BLUEPRINT FOR A CLEAN BAY:

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

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

- a) 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.
- b) Construction equipment must be maintained per manufacturer's specifications.
- c) 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:
 - i. Substitute electrified or hybrid equipment for diesel- and gasoline-powered equipment where practical.

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

DC-3. DUST CONTROL

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

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, including street improvement plans, streetlight plans, streetscape plans, traffic signing and striping plans, traffic signal plans, traffic control plans, shall be submitted as part of the first off-site improvement plans, including engineering cost estimates. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Director of Public Works. [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 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-3. 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-4. UTILITY CONNECTION:

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

EP-5. UTILITY CONNECTION TO THE MAIN:

All sanitary sewer laterals connecting to the existing main line shall be with a new sanitary sewer manhole, except where the point of the connection is within close vicinity of an existing down-stream manhole where a “Y” connection is permitted as determined by the Director of Public Works. 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. [SDR] [PUBLIC WORKS]

EP-6. EXISTING UTILITY ABANDONMENT:

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 Director of Public Works. Existing public facilities within the street right-of-way shall be abandoned per City’s Abandonment Notes, 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. WET UTILITIES:

All wet utilities (water, sanitary sewer, storm drain) on-site shall be privately owned and maintained. [COA] [PUBLIC WORKS]

EP-9. RE-USE OF EXISTING CITY UTILITY SERVICE LINES:

The re-use of any existing City utility 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. [COA] [PUBLIC WORKS]

EP-10. SEPARATE AND INDEPENDENT UTILITY SERVICE LINES:

Each building shall have separate and independent utility service lines. [COA] [PUBLIC WORKS]

EP-11. SEPARATE DOMESTIC WATER/FIRE PROTECTION SERVICE LINE:

Provide separate fire and domestic water 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-12. PUBLIC FIRE HYDRANTS:

Remove and replace the existing fire hydrant barrel(s) along entire project frontage 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-13. WATER METER:

Install new radio-read water meter(s) for each point of connection to the water main. 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. Install new reduced pressure backflow prevention devices on the discharge side of water service line on private property. Install backflow preventer enclosure where applicable. [SDR] [PUBLIC WORKS]

EP-14. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:

- a) This project requires connection to city's existing reclaimed water system for irrigation purpose. Install a separate irrigation water service line (separate from the domestic water service line) with a meter and reduced pressure backflow prevention device.
- b) 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.
- c) 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-15. SANITARY SEWER ANALYSIS:

Submit a focused sanitary sewer analysis 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.[COA] [PUBLIC WORKS]

EP-16. SEWER CLEANOUT:

Install new sewer cleanouts at the property lines for all existing and proposed sanitary sewer laterals to be used for the project. [SDR] [PUBLIC WORKS]

EP-17. 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-18. SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:

This project is required to follow the existing sanitary sewer and storm drain tributary pattern. Any deviations would require additional analysis and be subject to approval by the Director 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-19. STORM DRAIN DESIGN

Provide storm drain hydrology and hydraulic calculations based upon a 10-year storm event to justify the size of the with a flow depth not exceeding 75% in the main. The new storm drain main line shall be minimum 18 inches diameter.

EP-20. CATCH BASIN TRASH CAPTURE DEVICES AND BADGE/STENCILING:

Pursuant to SMC 12.60.130, install full trash capture devices on the project site, prior to connecting to the City's storm drain collection system, the developer shall be responsible for perpetual maintenance of those trash capture devices. All storm drain inlet facilities located in the public right-of-way shall be stenciled and/or have a badge that read "NO DUMPING" as supplied by the Environmental Services Department. [COA][PLANNING/ENVIRONMENTAL SERVICES/PUBLIC WORKS]

EP-21. 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-22. 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-23. STREETLIGHTS:

Provide photometric analysis to confirm if the street lighting along the project frontage is in accordance with the City's Roadway Lighting Design Criteria. The photometric analysis shall include all the streetlights on the project frontage upgraded to LED and the existing streetlights on the opposite side of the project. The minimum average illuminance shall be approximately 0.6 fc and the uniformity ratio shall be approximately 4.0.

- a) Remove existing street light fixture and replace with new Cree BXSP series LED fixtures along Mathilda Avenue, Moffett Part Drive and Bordeaux Drive. Wattage and distribution type shall be determined by photometric analysis.
- b) Install one new streetlight at each of the mid-block crosswalks with appropriate spacing. Replace all existing streetlight conduits, wires and pull boxes with new ones along the entire project frontage per City's current standards.
- c) 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 Developer per latest City standard details and specifications and National Electrical Code. Obtain PG&E's approval for new service pedestal, if required, prior to Encroachment Permit issuance by Public Works Department. [SDR] [PUBLIC WORKS]

EP-24. 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 per city standard details and specifications. All unused existing driveway approaches shall be replaced with new curb, gutter and sidewalk. [COA] [PUBLIC WORKS]

EP-25. CURB RAMPS:

Remove and replace all existing curb ramps and install new curb ramps at street corners fronting project site. Install new curb ramps at the two midblock crosswalks on Bordeaux Drive. [COA] [PUBLIC WORKS]

EP-26. STREETSCAPE IMPROVEMENTS:

Remove existing concrete curb and 2' gutter and install new concrete curb, 1' gutter, a 4-foot wide parkstrip (not including the 6" curb) and 6-foot wide detached sidewalk per current City standards along the entire project frontage. [COA] [PUBLIC WORKS]

EP-27. STREET PAVEMENT:

Grind 2" of existing asphalt concrete from gutter to gutter on Bordeaux Drive, Moffett Park Drive and Mathilda Avenue (from the easterly curb to the median island) along

the project frontage and overlay with 2" of new asphalt concrete, unless otherwise approved by the Director of Public Works with alternatives. [SDR] [PUBLIC WORKS]

EP-28. 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-29. CITY STREET TREES:

The developer shall install required street trees along the project frontage as follows: Moffett Park Drive: *Quercus agrifolia* – California Coast Live Oak; Bordeaux Drive: *Brachychiton acerifolius* – Flame Tree; Mathilda Avenue: *Fraxinus americana* – Autumn Applause. 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-30. 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-31. 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. [COA] [PUBLIC WORKS]

EP-32. RECORD DRAWINGS:

Record drawings (including street, sewer, water, storm drain and off-site landscaping plans) shall be submitted to the City prior to encroachment permit sign-off. [COA] [PUBLIC WORKS]

AT: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.
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AT-1. RECYCLING AND SOLID WASTE:

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

AT-2. 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. Green screens and the vines on the parking structure shall be maintained appropriately in a manner that allows visibility for security purposes. [COA] [PLANNING]

AT-3. PARKING LOT MAINTENANCE:

The parking lot shall be maintained as follows:

- a) Parking garage shall be maintained at all times so as to allow for parking vehicles.
- b) Maintain all parking lot striping and marking.
- c) 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-4. WATER BMP MAINTENANCE:

The project applicant, owner, or landlord 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. [COA] [PLANNING]

AT-5. STORMWATER BMP RIGHT OF ENTRY:

The project applicant, owner, or landlord 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 stormwater treatment best management practices contained in the approved Stormwater management Plan. [SDR] [PLANNING]

AT-6. SOLID WASTE RECYCLING MANAGEMENT:

Waste and recycling services shall be maintained under one account for each of the public domestic water meter that serve an occupied building held by the applicant, owner or landlord, unless otherwise approved by the City. The account holder will be responsible for ensuring adequate services and that all locations, private sidewalks and streets are kept free of litter and stains. Requirements shall be specified in the approved documents and be submitted for approval by the City. [COA] [FINANCE]

END OF CONDITIONS