

**RECOMMENDED  
CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS  
JANUARY 25, 2016**

**Planning Application 2015-7772  
460 Persian Drive  
(APN 110-29-028)**

**Special Development Permit** to demolish a 24,014 sq. ft. one-story commercial building and construct a four-story, 66-unit affordable rental apartment building (65 low-income units and one on-site manager's residence), including a ground-level podium parking garage 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.

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

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

**GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:**

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

**GC-2. PERMIT EXPIRATION:**

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

exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]

GC-3. INDEMNITY:

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

GC-4. NOTICE OF FEES PROTEST:

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

GC-5. ON-SITE AMENITIES:

Swimming pools, 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-6. CITY FINANCING AGREEMENTS:

The development shall at all times comply with the terms of any loan agreement and/or regulatory agreements related to any financing of the project provided by the City from sources such as the Housing Mitigation fund or other City special revenue funds that may be committed to the project. These agreements shall be developed and recorded against the property prior to issuance of building permits, in consultation with the Director of Community Development, the Housing Officer, and the City Attorney, and must be approved by the City Council. [COA] [HOUSING]

- GC-7. 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-8. PREVIOUS USES SUPERSEDED:  
Once the allowed use as approved for this planning application is exercised, the previously approved planning applications 2009-0897, 1997-0118, 1995-0265, 1993-0454, 1993-0455, 1993-0221, 1983-0353, 1972-0406, 1971-0392 shall be null and void with no further action required by any reviewing authority. [COA] [PLANNING]
- GC-9. VTA ECO PASSES:  
The project applicant/property owner shall participate in the Santa Clara Valley Transit Authority's (VTA) Eco-Pass program or comparable transit subsidy program if the Eco-Pass program is no longer available, for a period to be determined by the Director of Community Development. Residents using transit modes outside the VTA service area may receive an additional transit subsidy for that mode as well as the VTA Eco-Pass. [COA] [PLANNING]
- GC-10. PUBLIC IMPROVEMENTS:  
The developer is required to install all public improvements, including but not limited to, curb & gutter, sidewalks, driveway approaches, street pavements, utility extensions and connections, meters/vaults, trees and landscaping, traffic signage, striping, street lights, etc. as required by the Director of Public Works. 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. [COA] [PUBLIC WORKS]
- GC-11. 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-12. 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. EXTERIOR MATERIALS REVIEW:  
Final exterior building materials and color scheme are subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]
- PS-2. REQUIRED REVISIONS TO THE PLANS:  
The project plans shall be revised to address the following items and shall be subject to review and approval by the Director of Community Development:
- a) The fourth floor walkways shall be covered with a roof structure to provide cover from the elements, subject to the approval of the Director of Community Development.
  - b) The pedestrian pathway through the parking garage shall be more clearly delineated with special surfaces or markings, subject to the approval of the Director of Community Development.
  - c) The final tree palette and quantity shall be reviewed by the Director of Community Development. Consideration shall be given to planting taller-growing species.
  - d) The final design of the driveway gate across the EVA shall be subject to the approval of the Director of Community Development and Director of Public Safety. [COA][PLANNING]
- PS-3. ENVIRONMENTAL MITIGATION MEASURES:  
Prior to submittal of building permit plans, provide documentation of compliance with all relevant environmental mitigation and avoidance measures contained in these Conditions of Approval [COA] [PLANNING] **Mitigation Measure**
- PS-4. HYDRAULIC MODELING:  
Prior to first off-site improvement plan check submittal, developer shall coordinate with the City for a Water System Hydraulic Modeling analysis to ensure that water main servicing the proposed project would meet various City design guidelines and other statutory requirements for fire, domestic and irrigation flows in terms of pipe size, demands, pressure and velocity.
- Upgrade of existing water main by the developer may be required as determined by the City and shall be incorporated into first off-site improvement plan check submittal. Developer shall receive fair-share credit as determined by the City if upgrades of water main are

required. Contact Environmental Services Department/Water Operations at [408-730-2744](tel:408-730-2744) for more information. [COA] [ENVIRONMENTAL SERVICES/PUBLIC WORKS]

PS-5. SANITARY SEWER ANALYSIS:

Prior to first off-site plan check submittal, submit a focused sanitary sewer analysis, to be reviewed and approved by the City, identifying the overall project impact to the City's existing sanitary sewer main(s). This includes, but is not limited to, the following:

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

[COA] [PUBLIC WORKS]

PS-6. DECORATIVE STREETLIGHTS:

Prior to first off-site plan check submittal, the developer is required to provide a photometric analysis with new City downtown standard single head streetlights along Persian Drive as required by the Tasman/Fair Oaks Area Pedestrian & Bicycle Circulation Plan and as to determine that the street lighting meets current City's Roadway Lighting Design Criteria. Use LED wattage equivalent of 200 watt HPS bulb. Roadway, sidewalk and crosswalk illuminance calculations shall be calculated separately from each other.

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

1. Minimum Average Illuminance  $\geq 0.8$  fc
2. Uniformity Ratio (Avg/Min)  $\leq 4.0$
3. Max/Min ratio  $\leq 20$

The photometric analysis shall include the new decorative street lights fronting the adjacent property to the east and the existing streetlight fronting the adjacent property to the west, with streetlights being LED fixtures. Developer shall remove existing streetlights and install new ones along the project frontage based upon City approved photometric analysis, unless otherwise directed by the City.

Developer shall comply with City street light design guidelines and plan check submittal requirements as provided by the City upon request. [COA] [PUBLIC WORKS]

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

BP-1. CONDITIONS OF APPROVAL:

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

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

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

BP-3. NOTICE OF CONDITIONS OF APPROVAL:

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

For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report from a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Conditions of Approval. [COA] [PLANNING]

BP-4. BLUEPRINT FOR A CLEAN BAY:

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

BP-5. 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-6. RECYCLING AND SOLID WASTE ENCLOSURE:  
The building permit plans shall include details for the recycling and solid waste enclosure. The required solid waste and recycling enclosure shall:
- a) Be of masonry construction;
  - b) Be located entirely within the podium garage as shown in the approved plans.
  - c) All gates, lids and doors shall be closed at all times;
  - d) All recycling and solid waste containers shall be metal or State Fire Marshall-listed non-metallic.
  - e) Shall not conflict with delivery/receiving areas;
  - f) Shall be consistent with the approved Solid Waste and Recycling Management Plan;
  - g) Waste and recycling diversion systems shall be incorporated into the facilities. [COA][ENVIRONMENTAL SERVICES/PLANNING]
- BP-7. SOLID WASTE AND RECYCLING 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 permits. The solid waste disposal plan and building permit plans shall demonstrate compliance with current City requirements and guidelines for residential projects. [COA][PLANNING/ENVIRONMENTAL SERVICES]
- BP-8. SOLID WASTE AND RECYCLING FACILITY STAGING AREA:  
The building permit plans shall include details for the installation of recycling and solid waste concrete stress pads with adequate location, size, space and clearance as approved by the City. [COA][PLANNING/ENVIRONMENTAL SERVICES]
- BP-9. 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-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 Stormwater Management Plan Requirements. The third-party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/ENVIRONMENTAL SERVICES]

BP-11. UNDERGROUND UTILITIES:

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

BP-12. 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. [SDR] [PLANNING]

BP-13. 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-14. FEES AND BONDS:

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

- a) TRANSPORTATION IMPACT FEE – Based on credit given to the existing building, payment of a transportation impact fee is not required. (SMC 3.50). [SDR] [PLANNING]
- b) HOUSING MITIGATION FEE – Payment of a housing mitigation fee is not required since the project is an affordable rental housing project in accordance with the provisions of SMC 19.75. [SDR] [PLANNING]
- c) PARK IN-LIEU – Payment of park in-lieu fees is not required since the project is an affordable rental housing project in accordance with the provisions of SMC 19.74. [SDR] [PLANNING]
- d) SENSE OF PLACE FEE - Prior to issuance of a building permit, provide Sense of Place fees for neighborhood pedestrian and streetscape improvements associated with industrial-to-residential



transition. Sense of place fees are estimated at \$1,149 per dwelling unit, or **\$75,834** total. The final fee amount shall be calculated on fee schedules in place at the time of payment. [PLANNING] [COA]

BP-15. LANDSCAPE PLAN:

Final landscape and irrigation plans shall be in conformance with the approved entitlement plans and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements:

- a) All areas not required for parking, driveways or structures shall be landscaped.
- b) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- c) Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree of at least 36-inch box size.
- d) Ground cover shall be planted so as to ensure full coverage 18 months after installation.
- e) Backflow device and other appurtenances are to include screening and covers as approved by the Director of Community Development. This includes all devices (irrigation, DCDA, etc.) located in the front yard landscape areas. Covers should be black, metal mesh with rounded top covers (e.g. “mailbox style”).
- f) Decorative paving shall be used on the drive aisles and on pedestrian walkways crossing streets/drive aisles. The paving design shall distinguish the pedestrian walkways from the vehicular drive aisles.
- g) Modifications from the approved entitlement plans will require a separate staff-level permit, subject to review and approval by the Director of Community Development. [COA] [PLANNING]

BP-16. 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-17. PRE-APPROVED WATER-EFFICIENT LANDSCAPE PLANS:

The developer must install all common landscaping and irrigation per approved water-efficient landscape plans, and must submit a Landscaping Certificate of Completion, Irrigation Audit Report and Irrigation Schedule, and Landscaping Maintenance Schedule. Modifications to the pre-approved water-efficient landscape plan will require a separate staff-level permit. [COA] [PLANNING]

BP-18. CITY STREET TREES:

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

BP-19. 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-20. 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-21. EXTERIOR LIGHTING PLAN:

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

- a) Sodium vapor (or illumination with an equivalent energy savings).
- b) Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 8 feet in height around the site periphery or as otherwise deemed appropriate. The intent is to prevent light and glare to adjoining properties.
- 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-22. PHOTOMETRIC PLAN:

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

BP-23. PARKING MANAGEMENT PLAN (RESIDENTIAL MULTI-FAMILY):

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

- a) A clear definition of “guest” as proposed by the property manager and subject to review and approval by the Director of Community Development.
- b) The property manager may specify that 25% to 75% of unassigned spaces be reserved for guest use.
- c) Clearly indicate that the property manager shall not rent unassigned spaces, except that a nominal fee may be charged for parking management.
- d) Residents shall use their garage parking space prior to using unassigned parking spaces.
- e) Prohibit tenants from parking RV’s, trailers, or boats in assigned spaces.
- f) Notify potential residents that number of parking spaces provided for each unit on-site as per the approved plans. [PLANNING] [COA]

BP-24. COMPACT SPACES:

Specify any compact parking spaces on the Building Permit plans. All such areas shall be clearly marked prior to occupancy, in accordance with Title 19 of the Sunnyvale Municipal Code. [SDR] [PLANNING]

BP-25. BICYCLE SPACES:

Provide a minimum of 17 Class I bicycle parking spaces (per SMC Chapter 19.46 and VTA Bicycle Technical Guidelines) as approved by the Director of Community Development. [COA] [PLANNING]

BP-26. GREEN BUILDING:

The plans submitted for building permits shall demonstrate the project achieves a minimum of 110 points (incentive to achieve an additional 5% density bonus) on the Green Point Rated checklist, or the minimum points required effective at the time of building permit submittal. The project plans shall be accompanied with a letter from the project’s Green Point Rater/LEED AP verifying the project is designed to achieve the required points. [COA] [PLANNING] [BUILDING]

BP-27. 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.
- 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.
- k) Comply with Climate Action Plan and Dust Control measures contained in DC-3 and DC-4. [COA] [PLANNING]

**BP-28. RESERVATION/ABANDONMENT OF EASEMENTS:**

Prior to building permit issuance, reservation of new and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project shall be recorded with a separate instrument. 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]

BP-29. EMERGENCY VEHICLE ACCESS EASEMENT:

Prior to building permit issuance, the developer shall, by a separate instrument, dedicate a minimum 26'-wide dedication of an emergency vehicle access easement (EVAE) in accordance with the "Fire Access and Hydrant Plan" as shown on Sheet G1.6 of the project entitlement set dated 12/21/15, and any amendment thereafter, including but not limited to the area on and over the private street with access to the neighboring property to the south prior to encroachment permit issuance. [COA] [PUBLIC SAFETY/PUBLIC WORKS]

BP-30. PUBLIC STORM DRAIN EASEMENT:

Prior to building permit issuance the developer shall verify if an additional storm drain easement is needed to facilitate the maintenance and operations of the existing 66" storm drain pipe, to the city's satisfaction. The subject easement, if needed, shall be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easement. [COA] [PUBLIC WORKS]

BP-31. FIRE PREVENTION CONDITIONS:

Prior to building permit issuance the following Fire Prevention conditions shall be satisfied:

- A) Fire flow for project shall be 5,750 GPA (25% reduction) for 3 hours out of 3 off site and 2 onsite hydrants. Submit to the Environmental Services Division to run hydraulic modeling (408) 730-7560.
- B) Each residence shall be protected throughout with an approved automatic sprinkler system designed and installed in accordance with NFPA 13. (CFC/SMC 903)
- C) A fire alarm system may be required. (CFC/SMC 907)
- D) The parking structure shall be equipped throughout with an approved automatic sprinkler system and standpipe system.
- E) Public garages consisting of two or more floors, including below grade levels, are required to be equipped throughout with approved emergency call boxes in accordance with the following:
  - i. A dedicated phone line is required for each call box.
  - ii. Call boxes shall be located at exit discharges - exterior of stairwells and approximately every 100 feet of travel distance (200' apart) for areas between exit discharges.
  - iii. Call boxes shall be accessible for all users.
- f) All buildings shall have approved radio coverage for emergency responders in accordance with section 510 of the California Fire Code and local standards. Radio retransmission equipment may be required in areas lacking sufficient coverage. Refer to SMC

16.52.230, emergency responder radio coverage and CFC Appendix J for additional details. (SMC 510.1)

- g) Wherever a new structure obstructs the line of sight emergency radio communications to existing buildings or to any other locations, the developer of the structure is required to provide and install radio retransmission equipment necessary to restore communication capabilities. Such equipment shall be located in an approved space or area within the new structure. (SMC 510.1.1)
- h) Trash enclosures, within 5 feet of building exterior walls or overhangs require fire sprinkler protection.
- i) Knox boxes (key boxes) will be required in accordance with Sunnyvale Fire Prevention guidelines. Provide boxes at main entrance and gates.
- j) Prior to any combustible construction or materials on site, provide fire access drives and operational on-site fire protection systems.
- k) Required means of egress during construction. Each level above the first story in new multi-story buildings that require two exit stairways shall be provided with at least two usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Stairways serving more than two floor levels shall be enclosed (with openings adequately protected) after exterior walls and windows are in place. Exception: in new multi-story buildings, one of the required exit stairs may be obstructed on not more than two contiguous floor levels for the purpose of stairway construction (i.e. Installation of gypsum board, painting, flooring, etc.). [SMC 1411.1]
- l) Provide a written fire protection construction plan.
- m) Provide an approved electronic "pre-fire survey" map prior to public safety department final recommendation for certificate of occupancy.
- n) Provide the required number of approved fire extinguishers, smoke detectors, and carbon monoxide detectors.
- o) Provide an approved electronic version of plans to assist with fire department "pre-fire survey" maps. [COA] [FIRE]

BP-32. EXTERIOR NOISE:

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

**MITIGATIONS - Exterior Noise**

WHAT:

- (1) At least 4-foot tall solid railings shall be installed on the east and west edges of the second floor courtyards as specified in the project noise study.

- (2) The location of the seating area at the first floor courtyard shall be provided directly behind the front portion of the building, as specified in the project noise study.
- (3) At least 4-foot tall solid balcony railings shall be installed in unit balconies and patios closer to Persian Drive, as specified in the project noise study.

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

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

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

BP-33. INTERIOR NOISE:

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

**MITIGATIONS – Interior Noise**

WHAT:

- (1) Sound-rated windows shall be provided for the units specified in the project noise study. Prior to building permit issuance, the project noise consultant shall review the construction plans and provide a letter to confirm that the STC ratings are adequate to achieve an interior noise level of DNL 45 dBA.
- (2) An air conditioning or ventilation system shall be provided in order to provide a habitable environment and meet State Building Code ventilation requirements

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

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



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

BP-34. CONSTRUCTION-RELATED NOISE:

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

**MITIGATIONS – Construction-Related Noise**

WHAT:

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

WHEN: These mitigations shall be incorporated into conditions of approval for the Special Development Permit (SDP) prior to its final approval by the City’s Planning Commission. The conditions will

become valid when the SDP is approved and prior to building permit issuance.

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

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

BP-35. NOISE REDUCTION:

Final construction drawings shall incorporate all noise mitigation measures as set forth under “Mitigation Measures” in the approved environmental document and all plans shall be wetstamped and signed by the consultant. [COA] [PLANNING]

BP-36. BIOLOGICAL RESOURCES:

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

**MITIGATIONS – Biological Resources**

WHAT:

(1) If construction commences anytime during the nesting/breeding season of native bird species (typically February through August), a qualified biologist must conduct a preconstruction survey of the project vicinity for nesting/breeding birds at least 30 days prior to the start of construction activities. The intent of the survey is to determine if active raptor nests or other species protected by the Migratory Bird Treaty Act are present within the construction zone or within 250 feet of construction zone for raptors and 50 feet of the construction zone for other migratory birds. The survey area must include all trees and shrubs within zones that have the potential to support nesting birds.

(2) If active nests are found in the area that could be directly affected or are within 250 feet of construction for raptors and 50 feet for other migratory birds, a no-disturbance buffer zone must be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. Once the young have fledged, tree removal and other construction activities may commence.

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

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

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

BP-37. HISTORIC AND CULTURAL RESOURCES:

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

**MITIGATIONS – Historic and Cultural Resources**

WHAT:

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

soils material, open excavations, recently grubbed areas, and other soil disturbances will be inspected. The frequency and duration of spot checks will be based on the relative sensitivity of the exposed soils and active work areas. The monitoring archeologist will determine the relative sensitivity of the parcel.

- (c) If prehistoric human interments (human burials) are encountered within the project area, all work must be halted in the immediate vicinity of the find. The County Coroner, project superintendence, and the Agency Liaison should be contacted immediately. The procedures to be following at this point are prescribed by law.
- (d) If archeological resources are encountered during construction, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archeologist has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect cultural resources. Native American resources include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic-period resources include stone or adobe foundations and walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.
- (e) Whenever the monitoring archaeologist suspects that potentially significant cultural remains or human burials have been encountered, the piece of equipment that encounters the suspected deposit will be stopped, and the excavation inspected by the monitoring archaeologist. If the suspected remains prove to be non-significant or non-cultural in origin, work will recommence immediately. If the suspected remains prove to be part of a significant deposit, all work should be halted in that location until the appropriate action as deemed by the archaeologist has been accomplished. If human remains (burials) are found, the County Coroner must be contacted so that they (or a designated representative) can evaluate the discovered remains and implement proper contacts with pertinent Native American representatives.
- (f) Equipment stoppages will only involve those pieces of equipment that have actually encountered significant or potentially significant deposits, and should not be construed to mean a stoppage of all equipment on the site unless the cultural deposit covers the entire building site.

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

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

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

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

BP-38. AIR QUALITY:

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

**MITIGATIONS – Air Quality**

WHAT:

- (1) Install air filtration in residential buildings for 1st through 4th floors for the portions of the building(s) indicated in the project TAC study that have exposures with cancer risk above 10 chances per million or annual fine particulate matter exposure above 0.3 micrograms per cubic meter. Air filtration devices shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors, this ventilation system, whether mechanical or passive, shall meet the following minimal design standards:
  - a. A MERV13 filter or higher rating (depending on exposure);
  - b. At least one air exchange(s) per hour of fresh outside filtered air; and
  - c. At least four air exchange(s) per hour recirculation.
- (2) As part of implementing this measure, an ongoing maintenance plan for the buildings' heating, ventilation, and air conditioning (HVAC) air filtration system shall be required.
- (3) Ensure that the use agreement and other property documents: (1) require cleaning, maintenance, and monitoring of the affected buildings for air flow leaks, (2) include assurance that new owners or tenants are provided information on the ventilation system, and (3) include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.

- (4) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- (5) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- (6) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- (7) All vehicle speeds on unpaved roads shall be limited to 15 mph.
- (8) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- (9) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- (10) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- (11) Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- (12) The project shall develop a plan demonstrating that the off-road equipment used to on-site to construct the project would achieve a fleet-wide average 80 percent reduction in PM<sub>2.5</sub> emissions. One feasible plan to achieve this reduction would include the following:
  - a. All mobile diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. Note that the construction contractor could use other measures to minimize construction period DPM emission to reduce the predicted cancer risk below the thresholds. The use of equipment that includes CARB-certified Level 3 Diesel Particulate Filters<sup>13</sup> or alternatively-fueled equipment (i.e., non-diesel) would meet this requirement. Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the

City and demonstrated to reduce community risk impacts to less than significant.

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

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

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

BP-39. HAZARDS AND HAZARDOUS MATERIALS:

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

**MITIGATIONS – Hazards and Hazardous Materials**

WHAT:

- 1) Obtain the State DTSC's final approval of the construction plans as deemed necessary by the City. Any additional requirements from the DTSC shall be implemented as part of the project.
- 2) Remove impacted soils as identified in the Supplemental Risk Evaluation.
- 3) An asbestos survey is required prior to issuance of demolition permits to ensure proper mitigation of asbestos-containing materials.
- 4) Install a vapor mitigation system in areas as recommended by the State DTSC.

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

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

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

**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. 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. BENCHMARKS  
The off-site improvement plans shall be prepared by using City's latest benchmarks available on City's website <http://sunnyvale.ca.gov/Departments/PublicWorks/BenchMarks,RecordMapsandRecordDrawings.aspx> [COA] [PUBLIC WORKS]
- EP-3. 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-4. 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 proposed new laterals connecting to an existing manholes would require Sewpercoat, Mainstay or Sancon calcium aluminate cementitious mortar coating to the existing manholes. [SDR] [PUBLIC WORKS]
- EP-5. 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 shall be capped, abandoned, removed, relocated and/or disposed of to the satisfaction of the City. Existing public facilities within the street right-of-way shall be abandoned per City's Abandonment Notes, including abandonment by other utility owners. [COA] [PUBLIC WORKS]



- EP-6. DRY UTILITIES:  
Submit dry utility plans and/or joint trench plans (PG&E, telephone, cable TV, fiber optic, etc.) to the Public Works Department for review and approval prior to the issuance of any permits for utility work within public right-of-way or public utility easements. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]
- EP-7. UNDERGROUNDING OF OVERHEAD UTILITIES:  
Developer shall complete the undergrounding of existing overhead utilities along the Persian Drive frontage in accordance with the Sunnyvale Municipal Code Sections 19.38.090 to 19.38.100, prior to first building occupancy. [COA] [PLANNING/PUBLIC WORKS]
- EP-8. MODIFICATIONS TO EXISTING PUBLIC UTILITIES:  
Developer is required to pay for all changes or modifications to existing city utilities, streets and other public utilities within or adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation due to grade change in the sidewalk area, caused by the development. [COA] [PUBLIC WORKS]
- EP-9. 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-10. 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. [COA] [PUBLIC WORKS]
- EP-11. DUAL CONNECTION WATER SERVICE SYSTEM:  
Provide two service points of connections for the domestic water, with two separate radio-read domestic master water meters and two separate reduced pressure backflow preventer (RPBFP) in accordance with current City standards. Install a new isolation gate valve between the two service points of connection. The Grading and Utility Plan Sheet C1.00 dated 12/21/15, and any amendment thereafter, of the entitlement set is subject to change. [COA] [PUBLIC WORKS/ENVIRONMENTAL SERVICES]

- EP-12. WATER METER:  
Install new master radio-read domestic water meter(s) at each point of connection to the water main. Install reduced pressure backflow prevention devices on the discharge side of water service line on private property. For water meter size two (2) inch or larger, provide meter sizing calculations to Public Works Department for approve of meter size. [COA] [PUBLIC WORKS]
- EP-13. IRRIGATION SERVICE LINE:  
Install a separate irrigation water service line (separate from the domestic/fire water service line).
- 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. [COA] [PUBLIC WORKS]
- EP-14. SEWER MANHOLE:  
Install new sewer manhole at the street right-of-way lines for all existing and proposed sanitary sewer laterals to be used for the project. [SDR] [PUBLIC WORKS]
- EP-15. SANITARY SEWER VIDEO:  
The contractor shall make a video copy of the interior of the new sanitary sewer lateral installed prior to it is put into service. [COA] [PUBLIC WORKS]
- EP-16. SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:  
This project is required to follow the existing sanitary sewer and storm drain tributary pattern. Any deviations would require additional analysis and subject to approval by the 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-17. STORM DRAIN DESIGN  
Provide storm drain hydrology and hydraulic calculations based upon a 10-year storm event to justify the size of the storm drain lateral flowing full. The new storm drain main line shall be minimum 15 inches diameter in the public right-of-way.
- EP-18. CATCH BASIN TRASH CAPTURE DEVICES:  
Pursuant to SMC 12.60.130, install full trash capture devices on the project site, prior to connecting to the City's storm drain collection system, the developer shall be responsible for perpetual maintenance of those trash capture devices. [COA][PLANNING/ENVIRONMENTAL SERVICES/PUBLIC WORKS]

- EP-19. UTILITY METER/VAULT:  
No existing or new utility meters or vaults shall be located within the new driveway approach. All existing or new utility vaults serving the project site shall be located on-site and not within the public utility easement, if any. [COA] [PUBLIC WORKS]
- EP-20. STREETLIGHTS  
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-21. DRIVEWAY APPROACHES:  
Remove existing driveway approaches and install new driveway approaches along the project frontage to comply with Americans with Disabilities Act (ADA) requirements and City standard details and specifications. All unused driveway approaches shall be replaced with new curbs, gutters, and sidewalks per current City standards. [SDR] [PUBLIC WORKS]
- EP-22. STREETSCAPE IMPROVEMENTS:  
Remove existing concrete curb, gutter and asphalt concrete sidewalk and install new concrete curb and 2' gutter per current City standards along the entire project frontage. Install a 10' wide sidewalk with 4'x5' tree wells (approximately 35' apart) along the entire project frontage. The Grading and Utility Plan Sheet C1.00 of the project entitlement set dated 12/21/15, and any amendment thereafter, is subject to change. [SDR] [PUBLIC WORKS]
- EP-23. DECORATIVE PAVEMENT:  
Any and all proposed decorative pavement and vertical curb pertaining to on-site development shall not be located within the City right-of-way. [COA] [PUBLIC WORKS]
- EP-24. SLURRY SEAL:  
Developer shall be responsible to install Type II slurry seal on Persian Drive from lip of gutter to lip of gutter along project frontage. [COA] [PUBLIC WORKS]
- EP-25. CITY STREET TREES:  
The developer shall install required street trees in proposed tree wells within the public right-of-way along the project frontage as follows:

Persian Drive: Quercus frainetto (Italian Oak). Street trees and frontage landscaping shall be included in the detailed landscape and irrigation plan subject to review and approval by the Department of Public Works prior to issuance of encroachment permit. New street trees shall be 24-inch box size or 15 gallon size. No street trees are to be planted within 10' of a sanitary sewer lateral. [SDR] [PUBLIC WORKS]

EP-26. 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-27. 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-28. RECORD DRAWINGS:

Stamped and signed record drawings, including all off-site improvements shall be submitted to the city prior to encroachment permit sign-off. Upon completion of the streetlight improvements, developer shall provide record drawings to the City in AutoCAD format [COA] [PUBLIC WORKS]

EP-29. UTILITY COMPANY APPROVAL:

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

EP-30. PUBLIC WORKS DEVELOPMENT FEES:

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

EP-31. IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:

The developer shall execute an improvement agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to any building permit issuance. Provide an itemized engineer's estimate for all off-site public improvements for

the entire project for determination of security amount. [COA][PUBLIC WORKS]

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

- PF-1. LANDSCAPING AND IRRIGATION  
All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]
- PF-2. COMPACT SPACES:  
All such areas shall be clearly marked prior to occupancy, as indicated on the approved building permit plans. [COA] [PLANNING]
- PF-3. PARKING LOT STRIPING:  
All parking lot striping, carpool and compact spaces shall be striped as per the approved plans and Public Works standards. [COA] [PLANNING/ENGINEERING]
- PF-4. NOISE REDUCTION VERIFICATION:  
Acoustical tests shall demonstrate that an interior Ldn scale (day and night average noise level) of 45 dBA is met on the finished units. Additionally, tests shall demonstrate that conditionally acceptable levels per the City's General Plan are not exceeded for the common open spaces. Such test results shall be furnished to the Director of Community Development prior to occupancy of the units. [COA] [PLANNING] *Mitigation Measure*
- PF-5. 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]

**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. RECYCLING AND SOLID WASTE:

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

- AT-2. EXTERIOR EQUIPMENT:  
All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure areas. 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-3. 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-4. PARKING MANAGEMENT:  
On-site parking management shall conform to the approved Parking Management Plan. [COA] [PLANNING]
- AT-5. UNENCLOSED STORAGE (PROHIBITED):  
Unenclosed storage of any kind shall be prohibited on the premises. [COA] [PLANNING]
- AT-6. ON-SITE PARKING MAINTENANCE:  
a) Off-street parking for both residents and guests shall be maintained at all times in accordance with approved plans.  
b) Garage and carport spaces shall be maintained at all times so as to allow for parking of vehicles.  
c) Clearly mark all assigned, guest, and compact spaces (as specified on the Building Permit plans and completed prior to occupancy).  
d) Maintain all parking lot striping and marking.  
e) Maintain parking lot lighting and exterior lighting to ensure that the parking lot is maintained in a safe and desirable manner for residents. [COA] [PLANNING]
- AT-7. RECREATIONAL VEHICLE STORAGE PROHIBITED:  
Unenclosed storage of any vehicle intended for recreation purposes, including land conveyances, vessels and aircraft, but excluding attached camper bodies and motor homes not exceeding 18 feet in length, shall be prohibited on the premises. [COA] [PLANNING]
- AT-8. 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-9. 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 stormwater treatment best management practices contained in the approved Stormwater Management Plan.[SDR] [PLANNING]

AT-10. MAINTENANCE OF EMERGENCY VEHICLE ACCESS EASEMENT (EVA):

The Emergency Vehicle Access Easement (EVA) shall be maintained onsite in accordance with its recorded easement document. [COA] [PLANNING]

AT-11. 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]