



Sunnyvale

## Memorandum

**Date:** 10/9/2023  
**To:** Planning Commission  
**From:** George Schroeder, Principal Planner  
**Subject:** Modifications to Conditions of Approval, Attachment 4, 1150-1170 Kifer Road, Planning Permit # 2022-7168

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The applicant for the proposed 225-unit apartment project at 1150-1170 Kifer Road (Planning permit # 2022-7168) contacted staff following release of the recommended conditions of approval to request wording revisions to several conditions. Staff has reviewed the applicant's proposed modifications and concurs with the changes. Staff will request the Planning Commission to include these modifications in the formal motion at the hearing.

GC-18. 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. Sheets C34.0 and C54.0 of Preliminary Grading and Utility Plan dated 5/22/20236/14/2023 are subject to change during the plan check process.

See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links:

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1654/637820856582800000>

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1656/638097347304330000>

[SDR] [PUBLIC WORKS]

GC-20. PARCEL MAP RECORDATION:

This project is subject to, and contingent upon the approval of a Tentative Parcel Map and recordation of a Parcel Map for a lot line adjustment purposes. The submittal, approval and recordation of the Parcel Map shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. All existing and proposed property lines, easements, dedications shown on the Tentative Parcel Map are subject to City's technical review and approval during the Parcel Map process prior to any grading or building permit. Sheet TM1.0 of Tentative Parcel Map submittal dated 5/22/20236/14/2023 is subject to change during plan check process. [COA] [PUBLIC WORKS]



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BP-23 IRREVOCABLE OFFER OF DEDICATION ALONG SAN ZENO WAY:  
An Irrevocable Offer of Dedication is required along the San Zeno Way project frontage from the south property line running north towards the San Zeno and Kifer intersection, and part way around the corner to Kifer Road. Dedication will be for Santa Clara County's grade separation project for Lawrence Expressway. Dedication area is shown on sheets C2.1 and TM1.0 dated 6/14/2023, prepared by BKF Engineers.

The City does not intend to accept the offer dedication until such time that the dedication area is needed to accommodate Santa Clara County's Lawrence grade separation project and associated frontage improvements. City shall provide minimum 90 days notice to Property Owner upon its intent to accept the offer. Upon acceptance, and within the immediately following 90 days, City is subject to compensation to the Property Owner required by applicable law. City and Property Owner shall negotiate terms of the irrevocable offer of dedication subject to the approval of the Community Development Director. City and Property Owner will work cooperatively to submit, obtain, and issue an encroachment permit to cover removal and relocation of existing fences, signs, and if installed in the future, street furniture, sheds, and other similar Property-owned conflicting improvements in the dedication area. Property owner is not responsible for tree removal. If Property Owner will work with the Planning Division to determine if parking in the dedication area needs to be reduced by City's acceptance of the offer of dedication, Property Owner shall not be required to relocate parking spaces onsite to meet applicable land use regulations. Property Owner will be responsible for all costs of encroachment permit, Planning permit (if necessary) and associated construction activity for removal and relocation of existing fences, signs, and other Property-owned conflicting structures and/or property-owned utilities in the dedication area.

The Irrevocable Offer of Dedication shall be recorded prior to the issuance of building permit, unless otherwise approved by the Department of Public Works. [COA] [PUBLIC SAFETY/PUBLIC WORKS]

BP-47. PLAN FOR ~~REMEDATION OR~~ EFFECTIVE SITE MANAGEMENT CONTROLS:

In accordance with LSAP Mitigation Measure 3.8-1, prior to the issuance of grading or building permits, a plan for ~~remediation or~~



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effective site management controls of soil, groundwater, and/or soil vapor intrusion or contamination, including a site health and safety plan and soil management plan for the use of the site shall be completed, consistent with applicable regulations and as formally approved by the satisfaction of the Santa Clara County Department of Environmental Health, California Department of Toxic Substances Control (DTSC), or San Francisco Bay Regional Water Quality Control Board (RWQCB) (as appropriate) before initiation of construction activities. Deed restrictions governing the mitigation of any onsite conditions, if appropriate, shall be recorded as required by the lead oversight agency for the site.

The improvement plans shall also include a statement if hazardous materials or contamination is discovered or suspected during construction activity, all work shall stop immediately until a qualified professional has determined an appropriate course of action. [COA] [MITIGATION MEASURE] [PLANNING]

### BP-51 LSAP AIR QUALITY MITIGATION MEASURES:

The project is subject to all applicable air quality mitigation measures in the 2016 LSAP EIR and 2021 LSAP SEIR. [COA] [MITIGATION MEASURE] [PLANNING]

### EP-2. COMPLETE OFF-SITE IMPROVEMENT PLAN SET:

A complete plan check set applicable to the project, which may include street improvement plans, streetscape plans, streetlight plans, photometric analysis, signing/stripping plans, erosion control plans, traffic signal plans and traffic control plans shall be submitted as part of the first off-site improvement plans, including on-site and off-site engineering cost estimate and the initial Engineering and Inspection plan review fee. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Department of Public Works. Sheets C34.0 and C54.0 of Preliminary Improvement Plan – Grading and Utility Plan dated 5/22/20236/14/2023 are subject to change during plan check process. See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links:

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[COA] [PUBLIC WORKS]



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### EP-12. RE-USE OF EXISTING CITY UTILITY SERVICE LINES:

The re-use of existing City water service laterals is not allowed. Existing sewer laterals must be abandoned or replaced unless the City allows them to be re-used. To propose re-use, the applicant shall submit CCTV video of the lateral to the City. The beginning of the video must show the front of the property to confirm its location before insertion into the pipe. Video must extend from the cleanout to the main. Camera may not be submerged at any time, and must include a footage counter. If the City feels that the lateral is in acceptable condition, and has no significant sags, damage, or root intrusion, the City may allow it to be re-used. The City may also require CCTV for proposed re-use of an existing storm drain lateral, on a case by case basis. Sheets C34.0 and C45.0 of Preliminary Grading and Utility Plan dated [5/22/20236/14/2023](#) are subject to change during plan check process. [COA] [PUBLIC WORKS]

### EP-16. DOMESTIC WATER SERVICE LATERAL:

Install two (2) new radio-read domestic water meter(s) and two (2) reduced pressure principle assembly (RPPA) backflow preventer(s) (BFP) at the domestic water lateral in accordance with current City standards or as determined by the City during off-site review. BFPs must adhere to the City's Cross-Connection Control Program. A backflow installation permit and tag(s) are required. For water meter size two (2) inch or larger, provide meter sizing calculations to the Department of Public Works for approval of meter size. For domestic water meters 3" and larger, provide 2 mainline isolation valves immediately adjacent to the water lateral (3 valves connected to the tee). Sheet C45.0 of Preliminary Utility Plan dated [5/22/20236/14/2023](#) is subject to change during plan check process. [COA] [PUBLIC WORKS]

### EP-26. STREETSCAPE IMPROVEMENTS:

Along project frontage on San Zeno Way, remove existing concrete ~~curb, gutter and sidewalk, and install new concrete curb and 1' gutter per current City standards.~~ Existing curb and gutter may remain. Install an attached 6' wide sidewalk (not including 6-inch curb). Preserve existing trees.

Along project frontage on Kifer Road, remove all existing concrete sidewalk. Existing curb and gutter may remain. Install an attached 6' wide sidewalk (not including 6-inch curb). Preserve existing trees.



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

### EP-31. CURB RAMP:

Remove the existing curb ramp and replace with a new curb ramp at the southwest corner of Kifer Road and San Zeno in accordance to the latest City standard details, specifications and Americans with Disabilities Act (ADA) requirements. Add new truncated domes to the pork chop island at this same corner. The curb ramp to the east side of this crosswalk is in County of Santa Clara right-of-way. ~~Remove and replace curb ramp per County standards.~~ Additional re-grading of asphalt may be required to ensure there are no localized low points and positive surface runoff occurs along the flow line. [COA] [PUBLIC WORKS]