

Recommended Changes to be Adopted with the Peery Park Specific Plan

Staff Recommended Changes to the Peery Park Specific Plan Document				
	Current PPSP Section	Current Provision w/ Changes	Proposed PPSP Section	Notes to Describe Change(s)
1	2.2.1.B.2. Page 49	<u>Residential development projects</u> in the Neighborhood Transition district shall.....pertaining to the <u>processes, procedures and development standards</u> pertaining to the Medium Density Residential (R-3) zoning district with the following <u>two</u> exceptions.....	Same	Clarification of intent
2	2.2.1.B.2.b. Page 49	<u>Residential Development</u> shall conform to Section 2.2.2. <u>C.1.a</u>	Same	Clarification of intent
3	Table 2.1 Page 53	S1: Permitted on upper.....District Activity Center requirement is met <u>in conjunction with the Activity Center use of the site. May not apply to the Activity Center overlay when parcels are used for industrial/office/R&D uses</u>	Same	Office/Industrial and other similar uses are allowed on the ground floor in the Activity Center overlay or in the Activity Center if not used in the District Activity Center manner. Clarification needed
4	2.2.2.A. Page 59	Street Facing Upper Setback The entirety of the upper portion of any building's mass that is taller than four (4) floors <u>or</u> sixty (60) feet along all streets except.....shall be setback a minimum horizontal distance of sixty-five (65) feet as measured from the <u>property line</u> of	Same	As written in the PPSP the required setback made for potentially awkward street facades. This modification provides a large setback for taller buildings while allowing for better design

		that building's street-facing façade....		
5	Figure 2.2.2.A Page 59	Correction in relation to change of 2.2.2.A	Same	When corrected, will show the 65-foot setback from the property line in the figure
6	Fig 2.2 Section 2.2.3 Page 60	Maximum Building Length Act. Center, Innov. Edge, Mixed Comm. Edge = 375 ft. Mixed Ind. Core = 275 ft.	Same	Staff used common floor plan dimensions requested for office/ind. development along with request from stakeholders for modification of this regulation
7	2.2.3.A Page 62	Building length is defined as the total length of a primary mass lining a street or publically accessible open space.....	Same	Clarification of intent
8	2.2.3.B.1 Page 62	Regulation New buildings shall not exceed the maximum length as specified.....Regulations Chart <u>unless a deviation is requested and the development can meet the Building Length Exception Design Guidelines in Section 3.1.2.D. Exceptions to Maximum Building Length.</u>	Same	Allows applicants some design flexibility by allowing exceptions to the building length standard. Allows staff to evaluate each development project individually if this exception is requested.
9	2.2.3.C Page 62	Deleted Exceptions Section	3.1.2.D.	Removes Exceptions Section from Book 2 and moves it to Book 3 to allow more design flexibility to achieve similar goals, exceptions will now read: <u>D. Exceptions to Maximum Building Length</u>

				<p><u>If a deviation to the maximum building length is requested for a development project, the following standards apply:</u></p> <p><u>1. No building façade shall have more than two segments over the maximum building length (i.e. 275 or 375 feet) regulation.</u></p> <p><u>2. Building facades facing a street or facades along property lines or publicly accessible open space areas that are within 65 feet of said property line(s) shall be designed as follows:</u></p> <p><u>a. If the recess is used to break up the long façade, a highly articulated recess of at least 40 feet in width and 40 feet in depth shall be incorporated into the building facade.</u></p> <p><u>b. If the recess is on the corner of the building façade, a highly articulated recess of at least 40 feet in depth shall be incorporated into the building facade.</u></p> <p><u>3. Building Facades shall also adhere to the guidelines for treating long building facades in Section 3.1.2.C.</u></p>
10	2.2.5 Page 62	Delete Solar Energy Access Section and add Solar Access Requirements	Table 2.7.2.H Page 90	The current solar access requirements are too stringent for

		to the “Sunnyvale Municipal Code Procedures” table on Page 90 and refer to 19.56 ONLY if the Staff Recommended changes to the Solar Access Requirements Study Issue are adopted by the City Council.		properties within the PPD; however, the staff recommended changes in conjunction with the Solar Access Study Issue allow for more flexibility and can be utilized in the PPD.
11	2.3.5.B.1.a. Page 64	All buildings shall have primary <u>enhanced</u> entrances that face and open directly on to publicly accessible streets or public open spaces.	Same	It is important to keep the street frontages active throughout the PPD in keeping with the project objectives; however, an enhanced entrance can be as effective as a primary entrance to meet this objective and allow flexibility in site design.
12	2.7.2.C.8.a. Page 84	Deviations <u>v. Building Length</u>		Addition of Building Length as a potential deviation.
13	3.2.2.B. Page 98	Guidelines Development should include buildings which result in <u>at least the first two stories meeting</u> the following minimum frontage coverage:	Same	Clarification, since some higher stories of buildings must be setback further than the lower stories it makes sense to only apply this design guideline to the first two stories.
14	Fig. 2.2.3 Page 62	Remove figure on Exceptions to Building Length from Book 2 to Book 3 and modify to meet new exceptions guidelines.	3.1.2.D. Page 97	This figure belongs in Book 3 and would be modified to match the new exceptions guidelines.
15	Fig. 4.2 Page 120	Hearing Body information should be moved to Book 2 with permit processing information.	Where it fits best	The hearing body levels are explained in Book 2, therefore, this table belongs with that information.
16	4.2.2. Page 120	Categories and Types of Community Benefits Flexible Community Benefits are	Same	All Comm. Benefits are project-specific (defined also) so this was not the right wording choice. Elimination

		project-specific (i.e. are contingent on project circumstances and city priorities) and are determined through review of the project's Community Benefits.....		of that phrase creates clarification.
17	4.6 Page 140	Deletion of the following two listed potential bike connections from the Sense of Place Fee Section: 1. Mary Avenue from Almanor Avenue north to a potential future US 101 grade-separated crossing (see 4.3.8.A) 2. Macara Avenue from Maude Avenue north to the existing Sunnyvale Golf Course SR237 undercrossing path and beyond to a potential future US 101 crossing (See 4.3.8.B)	Already referenced in 4.3.3	The costs for studying and constructing these two bicycle lanes are not possible to calculate at this time and are unlikely to receive enough funding. These two potential bike connections are shown on the bicycle connections map and discussed in 4.3.3. but cannot be included in the Sense of Place fee (at this time) because of their many unknown factors that would need to be studied to understand further.
18	4.3.3.B Page 136	Add additional potential pedestrian connections throughout the district. Shown in Attachment 1 of this document.	Same	More public pedestrian connections through the district will help to make the district more vibrant and active and will help to accomplish many of the PPSP objectives.
19	4.6 Page 140	<i>Shuttle (or bus) Stops:</i> Improvements include bus shelter, site improvements and construction at transit stops of the future Peery Park Rides service area and other potential Peery Park shuttles	Same	The intention was these stops could be for Peery Park Rides or for a future shuttle program for the district.

		around and within the district.		
20	2.3.7 Page 66	Change "Typical min." side yard setback in Innovation Edge to 10 feet (from 15 feet)	Same	Change based on pending project evaluation and consultation with existing Sunnyvale Municipal Code regulations.
21	2.2.7.C.8.a Page 84	Add: <u>v. Space Between Buildings</u>	2.2.7.C.8.a.v.	In some cases it may be acceptable to grant this deviation.
22	Fig. 4.3.1.D Page 125	Change lighting on Pastoria Avenue between Central Expressway and Maude to "local/neighborhood street lighting"	Same	This part of Pastoria Avenue is not going to be developed the way the Northern portion is and should have different lighting.
23	4.3.1.H.1.a Page 128	North Pastoria Avenue from Central Expressway <u>Maude Avenue</u> to Almanor Avenue	Same	This was a decision made prior to the release of the document but only reflected correctly in the Sense of Place Fee Section.
24	4.3.1.I.1.a. Page 130	Almanor Avenue, Benicia Avenue..... Sobranite Way, and Vaqueros Avenue: <u>and North Pastoria Avenue from Central Expressway to Maude Avenue.</u>	Same	Change corresponds with above-mentioned change.
25	4.2.2.2.c. Page 121	TMA <u>TDM</u> Programs or Facilities	Same	Use of the wrong acronym, the TMA is a part of the TDM requirements.
26	4.6 Page 141	Remove two sections: <ul style="list-style-type: none"> Interactive Wi-Fi/information kiosk and/or panel system: Potential implementation of such a system within the Peery Park district, with location of kiosks focused on areas of concentrated activity such as 	n/a	It has been difficult for staff to find a reliable cost estimate for this item, or much information on how these would be installed.

		<p>the Activity Center, existing retail clusters, Pastoria Avenue, etc.</p> <ul style="list-style-type: none"> Other smart technology or infrastructure improvements that meet the goals and policies of the Specific Plan. 		
27	2.2.1.B.1.a. Page 58	<p>2nd Sentence: New structures must shall be subject conform to the minimum and maximum number of stories and the feet as specified in Fig 2.2.1. Building Height.</p>	Same	Clarification of this sentence.

Modifications to the PPSP Requested by City Departments				
	Current PPSP Section	Current Provision w/ Changes	Proposed PPSP Section	Notes to Describe Change(s)
1	1.7.A.1.a. Page 34	<p>Mathilda Avenue Improvements 2nd Paragraph Sidewalks will feature a minimum eight-foot width with a four six-foot curbside planter strip.....</p>	Same	Modification requested by the Dept. of Public Works based on City Standards.
2	4.3.1.D.2.a. Page 124	<p>Double Single head/arm teardrop post-top decorative luminaries on pedestrian-height poles.....The light source for this pedestrian-height luminaire should be located 12-16 14 feet above finished grade.</p>	Same	Modification requested by the Dept. of Public Works based on City Standards.
3	4.3.1.H.3.d.ii. Page 129	<p>“Pedestrian Lighting” – Double Single head/arm teardrop post-top</p>	Same	Modification requested by the Dept. of Public Works based on City

		<u>decorative</u> pedestrian-scale street lighting will be located within the flexible zone.		Standards.
4	Fig. 1.8.A.1.D. & Fig. 4.2.1.H Page 37	1.8.A.1.D should be Fig. 1.7.A.1.D 4.2.1.H should be Fig. 4.3.1.H Modify figure to show the single-head light pole on both sides of the street.	1.8.A.1.D should be labeled 1.7.A.1.D 4.2.1.H should be labeled 4.3.1.H	Modification requested by the Dept. of Public Works based on City Standards.
5	1.7.A.1.f. Page 38	Neighborhood Street Improvements 2 nd ParagraphSidewalk will feature a minimum six-foot-width with a minimum six <u>five</u> -foot wide curbside planting strip or repeating tree wells.....	Same	Modification requested by the Dept. of Public Works based on City Standards.
6	4.3.1.D.1.a. Page 124	Last Sentence The light source for this pedestrian-height luminaire should be located 42-46 <u>14</u> feet above finished grade.	Same	Modification requested by the Dept. of Public Works based on City Standards.
7	4.3.1.D.3.a. Page 124	Neighborhood Lighting Last Sentence Light source should be located 42-46 <u>14</u> feet above finished grade.	Same	Modification requested by the Dept. of Public Works based on City Standards.
8	4.3.1.H.3.d.iii. Page 129	"Boulevard Lighting" – Single.....southeast side of Pastoria Avenue <u>and also at the edge of the flex zone with pedestrian-height light.</u>	Same	Modification requested by the Dept. of Public Works based on City Standards.
9	3.7.D	Second Sentence	Same	Grammar correction.

	Page 117	Green infrastructure strategies for streets for can include.....		
10	3.7.D Page 117	Second Paragraph Projects that include design of redesign of a street are strongerly encouraged to consider.....	Same	Grammar correction.

Modifications to the PPSP Requested by Outside Agencies				
	Current PPSP Section	Current Provision w/ Changes	Proposed PPSP Section	Notes to Describe Change(s)
1	1.0.D Page 8	Second Paragraph add to the end: <u>Additionally, the San Francisco Public Utilities Commission right-of-way bisects the Specific Plan area in some areas within the portion of the Peery Park area north of the US101 and south of the US101 along Almanor Ave. and Mary Ave.</u>	Same	Information requested by the SFPUC
2	1.5 Page 21	Peery Park is composed of a significant number of.....in addition to public rights-of-way owned and controlled by the City of Sunnyvale <u>and other public agencies.</u>	Same	Request from SFPUC was to specifically state their ROW that runs through the PPSP; however, other public agencies may also have right-of-way holdings within the PPSP so the clarification has been made more generally.
3	Fig. 1.6 Page 21	1. Should be labeled 1.5 2. The SFPUC ROW is shown on this map but without explanation; add a note or legend to clarify.	Same	Information requested by the SFPUC

4	n/a	<p>Add new section to the PPSP: <u>San Francisco Public Utility Commission Public Right-of-way</u> <u>A portion of the Peery Park Specific Plan is transected by a public right-of-way owned by the San Francisco Public Utilities Commission (SFPUC). Any proposed improvement within the SFPUC right-of-way must:</u></p> <ol style="list-style-type: none"> <u>1. Comply with current SFPUC policies;</u> <u>2. Be vetted through the SFPUC's project review process; and</u> <u>3. Be formally authorized by the SFPUC.</u> 	Within Book 2, perhaps as 2.6 (and then change the subsequent section numbers)	The SFPUC requested this comment be added to numerous sections of the PPSP but with the same requirements. Staff has chosen to put the requirements in one place instead of throughout the document.
5	4.3.3 Page 134	<p>Add third paragraph: <u>In addition, all proposed bicycle or pedestrian connections located near the border of the City of Mountain View shall consider the recommendations included in the Mountain View Bicycle Transportation Plan and the Pedestrian Master Plan.</u></p>	Same	Acknowledgment of these plans in the PPSP requested by the City of Mountain View.

Grammatical Edits and Required Edits				
	Current PPSP Section	Current Provision w/ Changes	Proposed PPSP Section	Notes to Describe Change(s)

1	Fig. 1.2.D.1 Page 10	Should be Fig. 1.1.D.1	Fig. 1.1.D.1	
2	Fig. 1.2.D.2 Page 10	Should be Fig. 1.1.D.2	Fig. 1.1.D.2	
3	Figures 1.2.C.1 & 1.2.C.2 Page 11	Should be Figures 1.1.C.1 & 1.1.C.2	Figures 1.2.C.1 & 1.2.C.2	
4	1.3.A.1.d Page 13	Fix format spacing issue	Same	Space in first sentence should be eliminated
5	All Figures in 1.3 Pages 14-19	Should be labeled 1.3, currently labeled 1.4	Same	
6	All Figures in 1.5 Pages 21-23	Should be labeled 1.5, currently labeled 1.6 & 1.7	Same	
7	All Figures in 1.6 Pages 24-32	Should be labeled 1.6, currently labeled 1.7	Same	
8	1.6.D Page 31	Second paragraph down, "Planning Approach – Transition and Preservation" should have a number assigned to it, similar to 1.6.E.2. Additionally, it should be re- formatted to eliminate the large spaces between words in the title	Same	
9	All Figures in 1.7 Pages 33-43	Should be labeled 1.7, currently labeled 1.8	Same	
10	Figure 1.8.A	We updated this map prior to the	Same	

	Page 33	release of the draft PPSP. The correct version is on page 123, Fig. 4.3.1.C. Change the Book 1 version to match Book 4.		
11	Figure 1.8.C.1 Page 41	We updated this map prior to the release of the draft PPSP. The correct version is on page 135, Fig. 4.3.3.A. Change the Book 1 version to match Book 4. Additionally, correct Benecia to show the entire roadway (correct roadway shown on map on Page 23).	Same	
12	Figure 1.8.C.2 Page 42	We updated this map prior to the release of the draft PPSP. The correct version is on page 136, Fig. 4.3.3.B. Change the Book 1 version to match Book 4.	Same	
13	Fig. 1.9 Page 45	Should be labeled 1.8 Additionally, correct Benecia to show the entire roadway (correct roadway shown on map on Page 23).	Same	
14	2.0 Page 47	2 nd sentence: "The Development Code is used to evaluate development projects, improvement plans, and zoning clearance applications <u>conditional use permits.</u>	Same	This is old wording based on the previous process title we were using in the admin version of the PPSP.
15	Fig. 2.1.2.A Page 51	1. Correct Benecia to show the entire roadway (correct roadway shown on map on Page 23) 2. In the table at the bottom of the	Same	The name of community benefit was changed from prescriptive to defined per advice from OCA prior to the release of the public draft. It is listed

		figure, change “prescriptive” to “defined” and in the row for “Tier 2 Projects” it should read: <u>Defined and/or Flexible</u>		correctly in Book 4 under the Community Benefits section.
16	2.1.4.B.2.b Page 52	Commission <u>Conditional</u> Use Permit: Combined retail uses larger than 5,000 square feet of leasable floor area.	Same	Correction to the proper process title
17	Figures 2.2.2 A-D Page 59	Put the letter in the Figure name for clarity. Ex: 2.2.2.C instead of 2.2.2 and the C on the next line	Same	Clarification
18	Fig. 2.2.1 Page 61	Correct Benecia to show the entire roadway (correct roadway shown on map on Page 23)	Same	
19	Fig. 2.2.3 Page 62	Move the lower figure to the Design Guideline section where we moved the exception language and correct it to reflect the new exception language	3.1.2.D	The section this figure depicts has been moved to the Design Guidelines
20	2.2.4.C. Page 62	Limited Interior Lot <u>B</u> uildings	Same	
21	2.6.1.C.4 Page 69	Fix the number 4; it is a smaller font than the rest of the section.	Same	
22	2.6.1.2 Page 71	Under Commercial Retail and Service: 2. Retail Sales (2,500 <u>5,000</u> sq. ft. or more – see 2.5.1.c.3 <u>2.1.4.B.2.d</u>)	Same	Change made before release of the public draft, only reflected in 2.1.4.
23	2.7.2.E.1 Page 84	Application Filing (19.200.040)	Same	This is a reference to the Sunnyvale Municipal Code and does not belong

				in the PPSP.
24	2.7.2.E.2 Page 85	Application Content (19.230.040)	Same	This is a reference to the Sunnyvale Municipal Code and does not belong in the PPSP.
25	3.0 Page 91	Bullet Point 5: Treatments of parking structures and lots to minimize their bulk and visual impact	n/a	We are referring to the recently adopted Sunnyvale Parking Structure Design Guidelines and PPSP guidelines were removed prior to the release of the public draft.
26	3.0 Page 91	3 rd Paragraph: Conformance with the Guidelines is strongly recommended, especially to ensure the most rapid <u>approval process with the least delay.</u>	Same	A different wording choice.
27	3.2.2.B Page 98	Development should include buildings which result in <u>at least the first two (above-grade) stories meeting</u> the following minimum frontage coverage:	Same	Architecture on taller buildings varies and in some cases it may be appropriate for stories about the 2 nd level to have a larger setback than the first two stories.
28	Figures 4.2.1.E, 4.2.1.F, 4.2.1.G, 4.2.1.H, 4.2.1.I & 4.2.1.J Pages 126-131	Should be labeled 4.3....	Same	Wrong section number referenced
29	Fig. 4.4.1 Page 137	Heading: 1. Project <u>Size</u> (gross sq. ft.) TDM Trip Reduction Goal* - no indication of what the asterisk	Same	Minor Edits for Clarification

		means, I believe this should be removed.		
30	4.5 Page 140	<p>Modified Language Pertaining to the PPSP Fee:</p> <p>The Peery Park Specific Plan Fee shall be enacted by the City after <u>at the time of</u> Plan adoption to cover the costs of <u>developing the PPSP</u> and its ongoing maintenance. Property owners who previously contributed funding for the Plan will be credited back for their portion of the fees. Funds for the Specific Plan fee will be collected in the same manner that the City collects the General Plan Maintenance Fee, via a percentage of the total valuation of a project. <u>The PPSP fee will be based on the fee schedule in effect at the time that a building permit application is submitted, and paid at building permit issuance for each individual development project.</u></p>	Same	
31	4.6 Page 140-141	<p>Modified Language Pertaining to the Sense of Place Fee:</p> <p>Individual development projects will be required to pay their fair share of the total cost of all of the improvements associated with the Sense of Place items described</p>	Same	

		above. The cost information <u>and supporting documents</u> for the Sense of Place <u>Fee can be found in the Fee Schedule. The fee will be based on the fee schedule in effect at the time that a building permit application is submitted, and paid at building permit issuance for each individual development project.</u> items will be evaluated prior to the adoption of the Specific Plan.		
32	4.7.2.A Page 142	Modified Language Pertaining to the PPSP Infrastructure Fees in Attachment 2	Same	Attachment 2
33	4.7.1.B Page 142	Delete B: Storm Drainage Fees	n/a	Storm drain improvements are assessed project by project and should not have been included in this list.

Attachment

1. Updated Fig. 4.3.3.A & B Bicycle & Pedestrian Network Improvements Map
2. Modified Language Pertaining to the PPSP Infrastructure Fees (Water and Wastewater)

FIG. 4.3.3.A BICYCLE NETWORK IMPROVEMENTS

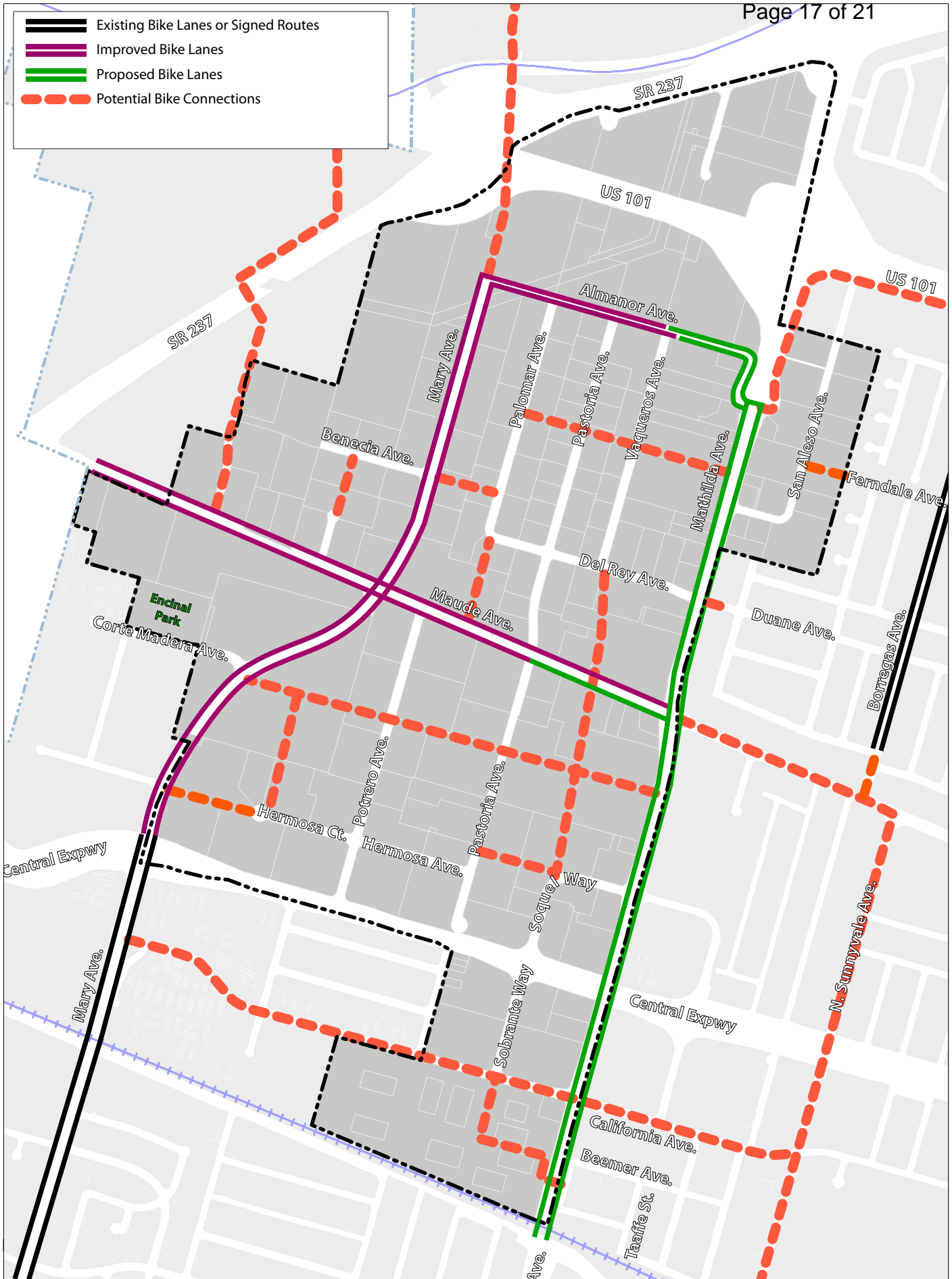
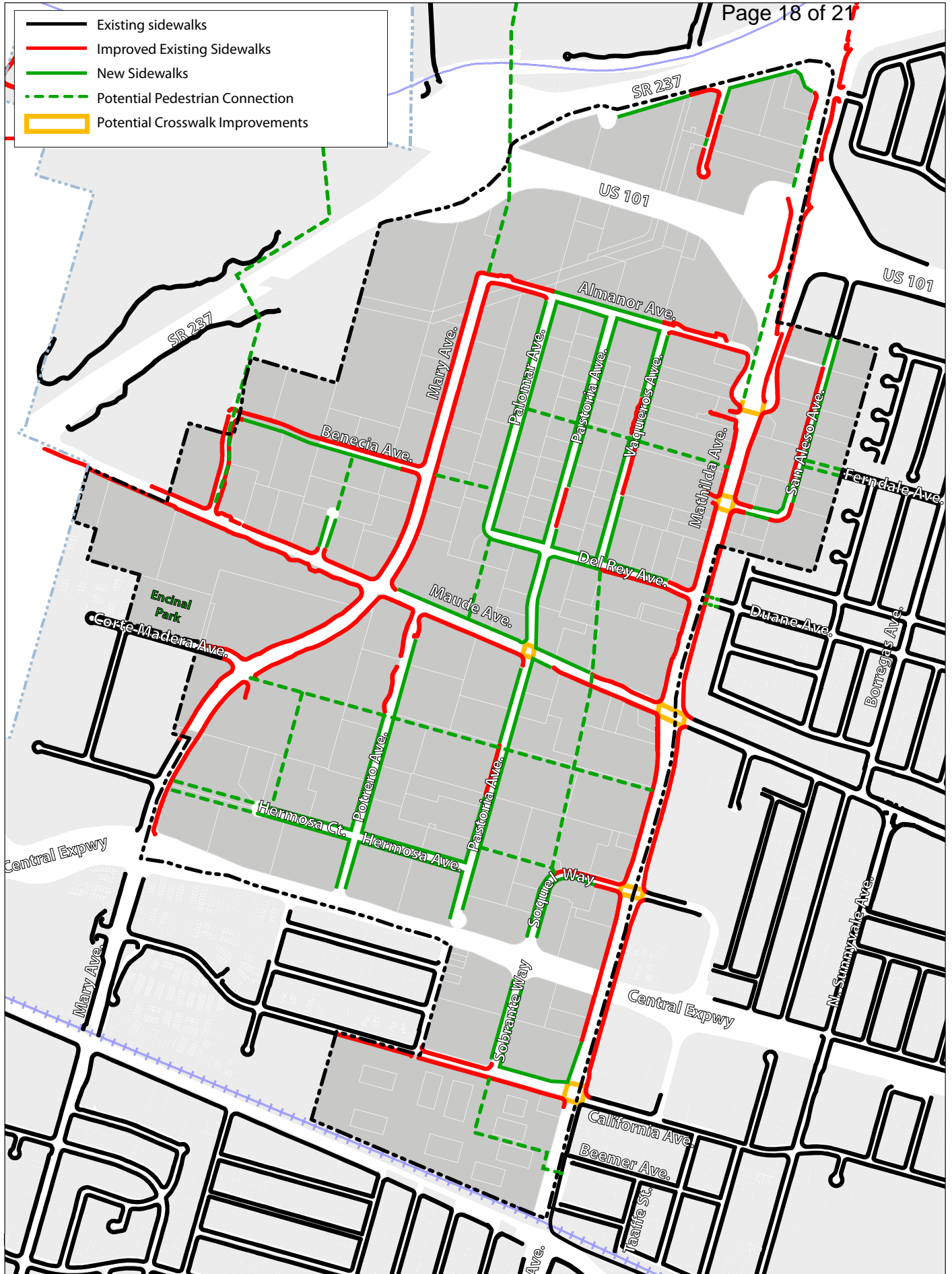


FIG. 4.3.3.B PEDESTRIAN NETWORK IMPROVEMENTS



**Peery Park Specific Plan
Modified Language Pertaining to the Peery Park Infrastructure Fees**

Modifications to the Peery Park Infrastructure Fees

PPSP Book 4, Page 142

Water Fee

Current Language

A. Water

1. The revision to the water system master plan and adoption of a supplemental water system impact fee will be an implementation action in the Specific Plan. Additionally, the decision to assess impact fees or require the developer to construct specific water line improvements will be determined for each project. When a developer is required to construct the improvements instead of paying impact fees, a fee credit shall be applied up to the cost of improvements provided by the developer. If the cost exceeds the fee credit, several options could be considered:
 - a. The developer could be reimbursed by the City in the future for the extra cost as impact fees are collected;
 - b. The City could agree to contribute all or a portion of the extra cost; and/or
 - c. The developer could potentially receive additional development capacity (floor area ratio) through the community benefits program (not to exceed the maximum allowable floor area for their zone).
2. For each Planning project application, a hydraulic analysis shall be prepared by the developer (or developer shall cover the cost of the analysis if done by the City's consultant). A condition of approval will stipulate payment of impact fees and/or installation of water line improvements based on this analysis as determined by the City. If impact fees are collected, it will be based on the fee schedule in effect at the time that a building permit application is submitted, which is similar to other impact fees.

Modified Language

A. Water

1. ~~The revision to the water system master plan and~~ **Upgrades to the water system are necessary in the Peery Park Specific Plan area and** adoption of a water system impact fee will be an implementation action in the Specific Plan. Additionally, ~~the decision to assess~~ **Assessment of** impact fees or ~~the requirement for~~ the developer to **construct specific** water line improvements will be determined for each **individual development** project. When a developer is required to construct the improvements instead of paying impact fees, a fee credit shall be

applied up to the cost of improvements provided by the developer. If the cost exceeds the fee credit, several options could be considered:

- a. The developer could be reimbursed by the City in the future for the extra cost, as impact fees are collected;
 - b. The City could agree to contribute all or a portion of the extra cost; and/or
 - c. The developer could potentially receive additional development capacity (floor area ratio) through the community benefits program (not to exceed the maximum allowable floor area for their zone).
2. For each Planning project application, a hydraulic analysis shall be prepared by the developer (or developer shall cover the cost of the analysis if done by the City's consultant). A condition of approval will stipulate payment of impact fees and/or installation of water line improvements based on this analysis as determined by the City. ~~If impact fees are collected, it~~ **Peery Park Infrastructure Fees for water upgrades** will be based on the fee schedule in effect at the time that a building permit application is submitted, **and paid at building permit issuance.**

Wastewater Fee

Current Language

A. Wastewater

1. Upgrades to the wastewater system are necessary in the Peery Park Specific Plan area and adoption of a wastewater system fee will be an implementation action in the Specific Plan. Additionally, the decision to assess impact fees or require the developer to construct specific water line improvements will be determined for each project. When a developer is required to construct the improvements instead of paying impact fees, a fee credit shall be applied up to the cost of improvements provided by the developer. If the cost exceeds the fee credit, several options could be considered:
 - a. The developer could be reimbursed by the City in the future for the extra cost as impact fees are collected;
 - b. The City could agree to contribute all or a portion of the extra cost; and/or
 - c. The developer could potentially receive additional development capacity (floor area ratio) through the community benefits program (not to exceed the maximum allowable floor area for their zone).

Modified Language

B. Wastewater **(should be bullet B, not A (as shown in the PPSP))**

1. Upgrades to the wastewater system are necessary in the Peery Park Specific Plan area and adoption of a wastewater system fee will be an

implementation action in the Specific Plan. **Assessment of** impact fees or **the requirement for** the developer to construct specific wastewater line improvements will be determined for each **individual development** project. When a developer is required to construct the improvements instead of paying impact fees, a fee credit shall be applied up to the cost of improvements provided by the developer. If the cost exceeds the fee credit, several options could be considered:

- a. The developer could be reimbursed by the City in the future for the extra cost as impact fees are collected;
 - b. The City could agree to contribute all or a portion of the extra cost; and/or
 - c. The developer could potentially receive additional development capacity (floor area ratio) through the community benefits program (not to exceed the maximum allowable floor area for their zone).
2. **Peery Park Infrastructure Fees for wastewater upgrades** will be based on the fee schedule in effect at the time that a building permit application is submitted, **and paid at building permit issuance.**