

STAFF RECOMMENDED CHANGES TO THE CONDITIONS OF APPROVAL:

GC-6. PUBLIC IMPROVEMENTS:

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

All public improvements shall be designed and constructed in accordance with current City design standards, standard details and specifications, and Americans with Disabilities Act (ADA) requirements where applicable, unless otherwise approved by the Department of Public Works. The site development plan with sheet C1.0 to C9.0 dated 07/28/25 is subject to change during the plan check process.

The developer is required to complete the installation of all public improvements and other improvements deemed necessary by the Public Works Department, prior to occupancy of the first building, or to the satisfaction of the Public Works Department. **Developer shall only be required to provide upgrades to existing public improvements as needed to serve the project's incremental needs and in the immediate vicinity of the project.** [COA] [PUBLIC WORKS]

BP-10. FEES AND BONDS:

The following fees and bonds shall be paid in full prior to issuance of the first building permit **or as specified in the Development Agreement** for the project. (The estimates below are based on the FY 2025/2026 rates and are subject to annual escalation; the amount to be paid shall be based on the rates in effect at the time of payment.)

- a) **TRANSPORTATION IMPACT FEE - Pay Traffic Impact fee for the net new trips resulting from the proposed project, estimated at \$2,016,656.93, prior to issuance of final occupancy. (SMC 3.50). [SDR] [PLANNING]**
- b) HOUSING MITIGATION FEE - Pay Housing Mitigation fee estimated at \$4,707,408.00 million, prior to issuance of final occupancy. (SMC 19.22). [SDR] [PLANNING]
- c) MOFFETT PARK TRANSPORTATION IMPACT FEE – Pay Moffett Transportation Impact Fee estimated at \$1,628,736.10. [COA] [PLANNING]
- d) MOFFETT PARK INFRASTRUCTURE FEES - Pay Moffett Park Infrastructure Fees for water (estimated at \$396,894.60) and sewer (estimated at \$396,894.60) totaling \$793,789.20. [COA] [PLANNING]
- e) MOFFETT PARK PLAN MAINTENANCE FEE – Pay Moffett Park Plan Maintenance Fee which is calculated at 0.17% of total construction valuation. [COA] [PLANNING]
- f) ART IN PRIVATE DEVELOPMENT BOND – A bond, letter of credit, cash deposit or other similar security instrument for 2% of the construction valuation of the entire project is required prior to issuance of a building permit. The bond will not be released until completion and installation of the artwork requirement including, but not limited to, related landscaping, lighting, base work and commemorative plaque as specified by the Arts Commission. This requirement does not apply if the alternative in-lieu fee is paid prior to building permit issuance in accordance with SMC 19.52.030. [PLANNING] [SDR]

BP-12. COMMUNITY BENEFIT FUND CONTRIBUTION:

The landowner shall contribute \$3,100-,000 towards the City's community benefit fund prior to issuance of building permit **or as specified in the Development Agreement**. This is required in the development agreement, based on the proposed square feet of bonus office square footage as defined in the development agreement. [SDR] [PLANNING/ECONOMIC DEVELOPMENT/DA]

~~BP-37. LANDSCAPING AND PHASED SIDEWALK CONNECTION:~~

~~The final plans submitted for Building Permit shall show the extension of the landscape area at the south-eastern corner of the project site to the east of the Moffett Park Dr driveway. The extensions shall encompass the triangular section of the sidewalk area because construction of the sidewalk would result in deadending at the adjacent property which does not have a sidewalk.~~

~~[COA][PLANNING, PUBLIC WORKS]~~

EP-3. UPGRADE OF EXISTING PUBLIC IMPROVEMENTS:

As part of the off-site improvement plan review and approval, any existing public improvements to be re-used by the project, which are not in accordance with current City standards and are not specifically identified in the herein project conditions (such as backflow preventers, sign posts, etc.), shall be upgraded to current City standards and as required by the Department of Public Works. **Developer shall only be required to provide upgrades to existing public improvements as needed to serve the project's incremental needs and in the immediate vicinity of the project.** [COA] [PUBLIC WORKS]

EP-5. EASEMENT DEEDS:

This project requires a public access easement for the new shared use path along Moffett Park Drive and public access easement for the laneway. Sheet C3.0 of Preliminary Site Plan dated 07/28/25 is subject to change during plan check process. Developer shall provide additional public access easements as needed. All easements shall be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easements. Developer shall execute the easement deeds prior to **encroachment permit issuance** issuance of Certificate of Occupancy. [COA] [PUBLIC WORKS, BUILDING]