

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

Planning Application 2014-7990

1500 Partridge Avenue

Use Permit to allow a private school (Stratford School) at the former Raynor
Activity Center.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project. The Mitigation Monitoring and Reporting Program is included Exhibit 1 and reference Site Plan is included in Exhibit 2.

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. USE EXPIRATION:

The approved Use Permit shall expire if the use is discontinued for a period of one year or more. [SDR] (PLANNING)

- GC-3. 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-4. 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-5. NOTICE OF FEE 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-6. STORMWATER MANAGEMENT:
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][BUILDING]
- GC-7. SIGNS:
All existing/new signs shall be brought into conformance with Title 19 of the Sunnyvale Municipal Code. [PLANNING] [COA]
- GC-8. OFF-SITE IMPROVEMENT PLANS:
Submit off-site improvement plans separate from the Building on-site improvement plans as the off-site improvement plans are approved through a Public Works Encroachment Permit Process. [SDR] [PUBLIC WORKS]

GC-9. ENCROACHMENT PERMIT:

Prior to any work in the public right-of-way, obtain an encroachment permit with insurance requirements for all public improvements including a traffic control plan per the latest California Manual on Uniform Traffic Control Devices (MUTCD) standards to be reviewed and approved by the Department of Public Works. (SMC 13.08.030, SMC 13.08.060 and SMC 13.08.070) [SDR] [PUBLIC WORKS ENGINEERING]

GC-10. 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 traffic signal/signs, striping, street lights, etc.

All public improvements shall be designed and constructed in accordance with current City design guidelines, 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 sheets C1.0 to C4.0 dated 12/14/15 is subject to change during the plan check process. [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. RECYCLING AND SOLID WASTE ENCLOSURE:

The building permit plans shall include details for the relocation of the existing trash enclosure on the south side of the site as provided in the Joint Use Plan. Cooperate with the City to design and install a new trash enclosure with a new driveway approach along Dunford Way at the City’s expense. Modify the remaining trash enclosure to conform with City’s Solid Waste and Recycling Guidelines and Department of Public Safety/Fire Protection requirements. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-6. 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-7. 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-8. MISCELLANEOUS IMPROVEMENTS ON THE PARK SITE

Install a new trash enclosure in accordance with the City’s Solid Waste and Recycling Facility Guidelines and new storage building in accordance with the City's requirements at the City's cost, a new basketball court and benches in accordance with City’s requirements

- and specifications at the applicant's cost, relocate the existing scoreboard and associated wiring to City's satisfaction at the applicant's cost, crack and slurry seal and restripe the angled parking spaces along Partridge Drive at the applicant's cost and installation of bleachers/conversion of baseball diamond to softball field with shared cost. As part of the building permit plan review process, submit detailed construction drawings for City's approval of those improvements. [COA] [PUBLIC WORKS]
- BP-9. 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-10. FEES AND BONDS:
The following fees and bonds shall be paid in full prior to issuance of building permit.
- a) TRANSPORTATION IMPACT FEE - Pay Traffic Impact fee for the net new trips resulting from the proposed project, estimated at \$152,043.75, prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- BP-11. LANDSCAPE PLAN:
Landscape and irrigation plans shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements. Landscape and irrigation plans are subject to review and approval by the Director of Community Development through the submittal of a Miscellaneous Plan Permit (MPP). The landscape plan shall include the following elements:
- a) All areas not required for parking, driveways or structures shall be landscaped.
- b) Any "protected trees", (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree:
- 12" to 18" diameter tree to be removed shall be replaced by one 24" box tree or three 15-gallon trees
 - 18" to 24" diameter tree to be removed shall be replaced by one 36" box tree or two 24" box trees
 - Over 24" diameter tree to be removed shall be replaced by one 48" box tree, or two 36" box trees, or four 24" box trees [COA] [PLANNING]
- BP-12. 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-13. TREE PROTECTION PLAN:

Implement tree protection. The tree protection plan shall also include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:

- a) 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-14. 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-15. CONSTRUCTION MATERIAL AND STAGING:

All construction related materials, equipment, and construction workers parking need to be managed on-site and not located in the public right-of-ways or public easements. [COA] [PUBLIC WORKS]

BP-16. BICYCLE SPACES:

Provide a minimum of 30 bicycle spaces with a combination of bicycle racks and bicycle corral. The plans will need to clearly indicate the location and type for the project. Select high-quality decorative designs for bicycle racks. [COA] [PUBLIC WORKS/PLANNING]

BP-17. FIRE PREVENTION:

Comply with all applicable requirements of the Sunnyvale Municipal Code (SMC), California Fire Code (CFC), Title 19 California Code of Regulations, and Sunnyvale Fire Prevention procedures/requirements. The following comments are provided for your information and generally will need to be addressed either on your building permit or prior to issuance of a building permit.

- 1) A fire alarm system shall be installed in existing Group E occupancies in accordance with CFC Section 907.2.3.
- 2) Means of egress in existing buildings shall be in accordance with CFC Chapter 10.
- 3) School Facilities. Comply with Section CBC 442.
- 4) Trash enclosures within 5 feet of building exterior walls or overhangs require fire sprinkler protection.
- 5) Know boxes (key boxes) will be required in accordance with Sunnyvale Department of Public Safety guidelines.
- 6) Provide electronic version of plans to assist with Fire Department "Pre-Fire Survey" maps.

BP-18. AIR QUALITY

Final construction drawings shall incorporate all air quality 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]

MITIGATION MEASURE (MM 3.2.1A)

WHAT: During construction activities, the applicant and/or its contractor shall ensure that all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors) is California Air Resources Board (CARB) Tier 3 Certified or better.

MITIGATION MEASURE (MM 3.2.1B)

WHAT: Prior to issuance of grading or building permits, the City of Sunnyvale shall ensure that the Bay Area Air Quality Management District (BAAQMD) Basic Construction Mitigation Measures are noted on the construction documents. These basic construction mitigation measures include the following:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. 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.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
5. 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.
6. All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
7. A publicly visible sign shall be posted 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 BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

WHEN: The mitigation shall be incorporated into conditions of approval for the Use Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the Permit is approved and prior to the building permit issuance.

WHO: The developer is responsible for completing the mitigation measure.

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

BP-19. BIOLOGICAL RESOURCES

Final construction drawings shall incorporate all biological resource 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]

MITIGATION MEASURE (MM 3.3.1)

WHAT: Nesting Bird Preconstruction Surveys. If clearing and/or construction activities will occur during the raptor or migratory bird nesting season (February 15–August 15), the applicant and/or its contractor shall retain a qualified biologist to conduct preconstruction surveys for nesting birds up to 14 days before construction activities. The qualified biologist shall survey the construction zone and a 500-foot buffer surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds. Surveys shall be repeated if project activities are suspended or delayed for more than 15 days during nesting season.

If active nest(s) are identified during the preconstruction survey, a qualified biologist shall establish a 100-foot no-activity setback for migratory bird nests and a 250-foot setback for raptor nests. No ground disturbance should occur within the no-activity setback until the nest is deemed inactive by the qualified biologist.

WHEN: The mitigation shall be incorporated into conditions of approval for the Use Permit prior to its final approval by the City’s Planning Commission. The conditions will become valid when the Permit is approved and prior to the building permit issuance.

WHO: The developer is responsible for completing the mitigation measure.

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

BP-20. CULTURAL RESOURCES

Final construction drawings shall incorporate all cultural resources 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]

MITIGATION MEASURE (MM 3.4.2)

WHAT: If during the course of grading or construction unknown archeological and paleontological resources are discovered, the contractor shall halt work immediately within 20 feet of the discovery, the City of Sunnyvale shall be notified, and a professional archaeologist, who meets the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology, or paleontologist shall be retained to determine the significance of the discovery. A qualified professional shall determine impacts, significance, and mitigation in consultation with recognized local Native American groups, if appropriate. In addition, prior to the commencement of project site preparation, all construction personnel shall be informed of the potential

to inadvertently uncover cultural resources and the procedures to follow subsequent to an inadvertent discovery of cultural resources.

WHEN: The mitigation shall be incorporated into conditions of approval for the Use Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the Permit is approved and prior to the building permit issuance.

WHO: The developer is responsible for completing the mitigation measure.

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

BP-21. HAZARDS AND HAZARDOUS MATERIALS

Final construction drawings shall incorporate all hazards and hazardous materials 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]

MITIGATION MEASURE (MM 3.7.2A)

WHAT: Prior to construction, the applicant shall implement an Operations and Maintenance Plan. The plan shall include measures which would ensure that the assessment, repair, and maintenance of damaged materials within the buildings shall be done in a manner to protect the health and safety of workers and building occupants as described in applicable state and local regulations. If necessary, the applicant shall retain a Division of Occupational Safety and Health (Cal/OSHA) registered asbestos contractor to remove asbestos-containing materials to ensure safety to the surrounding neighborhoods.

MITIGATION MEASURE (MM 3.7.2B)

WHAT: Prior to construction, the applicant shall consult with a certified lead risk assessor to determine options for control and correction of lead-based paint hazards. If lead-based paints are found to be present, to prevent accidental release of lead-based paint, the applicant and/or its contractor shall use the following techniques during construction:

- Stabilize loose and flaky paint prior to construction activities.
- Require all workers to wear OSHA-level protective material for handling lead-based paint per OSHA requirements for lead in construction.

Remove all lead-based paint materials to a scrap yard or landfill that can accept such materials.

MITIGATION MEASURE (MM 3.7.2C)

WHAT: If project construction includes removing existing site improvements that would expose unimproved areas, the applicant shall contact the local planning or other applicable oversight agency

department to determine whether sampling relating to the former agricultural use of the subject property is required prior to construction activities. Sampling activities shall take place as directed by the applicable oversight agency.

MITIGATION MEASURE (MM 3.7.2D)

WHAT: If hazardous materials are encountered during construction or accidentally released as a result of construction activities, the contractor shall implement the following procedures:

- Stop all work in the vicinity of any discovered contamination or release.
- Identify the scope and immediacy of the problem.
- Coordinate with responsible agencies (Department of Toxic Substances Control, Central Coast Regional Water Quality Control Board, or EPA).

Conduct the necessary investigation and remediation activities to resolve the situation before continuing construction work.

WHEN: The mitigation shall be incorporated into conditions of approval for the Use Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the Permit is approved and prior to the building permit issuance.

WHO: The developer is responsible for completing the mitigation measure.

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

BP-22. **TRANSPORTATION**

Final construction drawings shall incorporate all transportation 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]

MITIGATION MEASURE (MM 3.14.1B)

WHAT: To improve pedestrian circulation and visibility at the Partridge Avenue driveway, the project applicant shall construct a curb extension at the northern end of the driveway as shown on Figure 3.14-12a (Draft Environmental Impact Report). Additionally, the project applicant shall install an ADA-compliant raised crosswalk across the driveway to facilitate a continuous and direct extension of the sidewalk. The driveway exit shall include a stop sign and stop bar to clearly delineate the right-of-way.

WHEN: The mitigation shall be incorporated into conditions of approval for the Use Permit prior to its final approval by the City's

Planning Commission. The conditions will become valid when the Permit is approved and prior to the building permit issuance.

WHO: The developer is responsible for completing the mitigation measure.

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

BP-23. TRANSPORTATION

Final construction drawings shall incorporate all transportation 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]

MITIGATION MEASURE (MM 3.14.5A)

WHAT: The project applicant shall install sharrows on Dunford Way between Wolfe Road and the eastern city limits per California Manual on Uniform Traffic Control Devices (CA MUTCD) to clearly delineate Dunford Way as a bike route and increase driver awareness of possible bicyclists on the road (shown in Draft Environmental Impact Report Figure 3.14-12b).

MITIGATION MEASURE (MM 3.14.5B)

WHAT: The project applicant shall fund the City’s engineering study to determine the need for the installation of crosswalks and yield signs as shown in Figure 3.14-13 (Draft Environmental Impact Report). If the engineering study finds that crosswalks and yield signs are warranted, the applicant shall fund the installation of crosswalks and yield signs. Additionally, the applicant shall fund the installation of advance school warning signs in both directions along Dunford Way and Partridge Avenue along the school’s frontage. The signs will be SW 24-1 (CA) signs as defined by the California Manual on Uniform Traffic Control Devices (MUTCD).

WHEN: The mitigation shall be incorporated into conditions of approval for the Use Permit prior to its final approval by the City’s Planning Commission. The conditions will become valid when the Permit is approved and prior to the building permit issuance.

WHO: The developer is responsible for completing the mitigation measure.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the offsite improvement 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, traffic signing and striping plans, traffic control plans, shall be submitted as part of the first off-site improvement plans, including engineering cost estimates. No partial sets are allowed unless otherwise approved by the Director of Public Works. [COA][PUBLIC WORKS]
- EP-2. EASEMENT DEEDS:
This project requires easements pursuant to the Joint Use Agreement between the Applicant and the City and consistent with the 10/23/12 preliminary map by BKF. Easements include private sanitary sewer easement across proposed Parcel 1; sidewalk easement along Partridge, and for City water distribution equipment. Developer shall execute the easement deeds prior to encroachment permit issuance. [COA][PUBLIC WORKS]
- EP-3. EASEMENT ABANDONMENT:
The existing street easement along Partridge shall be abandoned prior to encroachment permit sign off. [COA] [PUBLIC WORKS]
- EP-4. 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-5. UPGRADE OF EXISTING PUBLIC IMPROVEMENTS:
As part of the off-site improvement plan review and approval, any existing public improvements to be re-used by the project, which are not in accordance with current city standards and are not specifically identified in the herein project conditions (such as backflow preventer and sign post, etc.), shall be upgraded to current City standards and as required by the Director of Public Works [COA] [PUBLIC WORKS]
- EP-6. 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. (SMC 18.08.030 and SMC 12.08.010) [COA] [PUBLIC WORKS]
- EP-7. MODIFICATIONS TO EXISTING PUBLIC UTILITIES:
Developer is required to pay for all changes or modifications to existing city utilities, streets and other public utilities within or

- adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation due to grade change in the sidewalk area, caused by the development. (SMC 18.20.250) [COA] [PUBLIC WORKS]
- EP-8. WET UTILITIES:
All wet utilities (water, sanitary sewer, storm drain) on-site shall be privately owned and maintained. [SDR] [PUBLIC WORKS]
- EP-9. PUBLIC FIRE HYDRANTS:
Remove and replace the existing fire hydrant barrel(s) with current City standard Clow-Rich 75. Public fire hydrant shall be maintained free and clear of all trees, vines, shrubs, bushes, ivy, etc. for a minimum of three feet. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PROTECTION]
- EP-10. WATER METER:
Upgrade existing water meters to radio-read water meters. Water meters are to be located within the public right of way. Install new reduced pressure backflow prevention devices on the discharge side of water service line on private property. Install backflow preventer enclosure where applicable. [SDR] [PUBLIC WORKS]
- EP-11. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:
As needed for the school site, install a separate irrigation water service line (separate from the domestic water service line) with a radio-read meter and reduced pressure backflow prevention device. Install backflow preventer enclosure where applicable. All landscape and irrigation systems, located in the public right-of-way shall be connected to the water system metered to the property owner. [SDR] [PUBLIC WORKS]
- EP-12. SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:
This project is required to follow the existing sanitary sewer and storm drain tributary pattern. Any deviations would require additional analysis and be subject to approval by the Director of Public Works as part of the off-site improvement plan review process. This project shall not cause any negative impact on the drainage pattern for adjacent properties. [COA] [PUBLIC WORKS]
- EP-13. UTILITY METER/VAULT:
No new utility meters or vaults shall be located within the new driveway approach areas. All existing or new utility vaults serving the project site shall be located on-site and not within the public utility easement, if any. [COA] [PUBLIC WORKS]

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- EP-14. DRIVEWAY APPROACHES:
Remove and replace existing driveway approaches and install new driveway approaches along the project frontage to comply with Americans with Disabilities Act (ADA) requirements and to conform with City standard details and specifications. All unused existing driveway approaches shall be replaced with new curb, gutter and sidewalk. Demonstrate vision triangle exists for all driveway approaches. [COA] [PUBLIC WORKS]
- EP-15. CURB RAMPS:
Provide suitable ramps and detectable surface warning devices at the Partridge Ave. driveway approach. [COA] [PUBLIC WORKS]
- EP-16. STREET PAVEMENT:
As part of installation of driveway approach at Partridge street parking area, repair failed pavement and apply Type II slurry seal within Partridge street parking area adjacent to the new driveway approach to City's satisfaction, unless otherwise approved by the Director of Public Works with alternatives. [SDR] [PUBLIC WORKS]
- EP-17. SIGNING AND STRIPING PLANS:
Submit a signing and striping plan for the Partridge street parking area in accordance with the latest edition of the CA MUTCD to City for review and approval by the Public Works Department. [SDR] [PUBLIC WORKS]
- EP-18. 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-19. 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-20. JOINT USE AGREEMENT:
Prior to encroachment permit issuance, developer shall execute a Joint Use Agreement as approved by the City Council on December 3, 2013. [COA] [PUBLIC WORKS]
- EP-21. RECORD DRAWINGS:
Record drawings (including street, sewer, water, storm drain and off-site landscaping plans) shall be submitted to the City prior to encroachment permit sign-off. [COA] [PUBLIC WORKS]

- EP-22. PUBLIC WORKS DEVELOPMENT FEES:
Developer shall pay all applicable Public Works fees associated with the project, including but not limited to, off-site improvement plan check and inspection fees, prior to issuance of encroachment permit. Exact fee amount shall be determined at the time of plan review and based upon fee rate then. [COA] [PUBLIC WORKS]
- EP-23. IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:
Developer shall execute an Improvement Agreement and provide improvement securities and/or cash deposit(s) for all proposed public and park improvements prior to any permit issuance. [COA] [PUBLIC WORKS]
- EP-24. OFF-SITE IMPROVEMENT COST ESTIMATE:
Provide an itemized engineer's estimate for all off-site and park improvements conditioned for the entire project. [COA] [PUBLIC WORKS]

PM: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE APPROVAL OF THE FINAL MAP OR PARCEL MAP.

- PM-1. TITLE 18 AND SUBDIVISION MAP ACT:
The City will record a parcel map as shown on the preliminary map dated 10/2/12 by BKF prior to issuance of any grading or Building Permits in accordance with the Joint Use Agreement approved by the City on 12/3/13. 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. [COA] [PUBLIC WORKS]
- PM-2. RESERVATION/ABANDONMENT OF EASEMENTS:
Reservations for parking and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project site shall be delineated on the map or recorded concurrently with the map with a separate instrument, unless otherwise approved by the Director of Public Works. Quitclaim deed is required for abandonment of private easements prior to map recordation. 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]
- PM-3. PARTIAL VACATION OF PARTRIDGE AVENUE:
A portion of the easterly side of the Partridge Avenue street right of way along the frontage of proposed parcel 2 is to be abandoned by the City as shown on the Preliminary Map prepared by BKF dated

10/3/12. This abandonment will be included on the parcel map prepared pursuant to this project.

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

- PF-1. LANDSCAPING AND IRRIGATION:
All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]
- PF-2. PARKING LOT STRIPING:
All parking lot striping, guest spaces, and compact spaces shall be striped as per the approved building permit plans and Zoning standards prior to occupancy. [COA] [PLANNING/ENGINEERING]
- PF-3. COMPLETION OF PUBLIC IMPROVEMENTS:
Developer shall complete all required public and park improvements in accordance with City approved plans, prior to 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. CLIMATE ACTION PLAN – OFF ROAD EQUIPMENT REQUIREMENT:
- a) Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]), or less. Clear signage will be provided at all access points to remind construction workers of idling restrictions.
 - b) Construction equipment must be maintained per manufacturer's specifications.
 - c) Planning and Building staff will work with project applicants to limit GHG emissions from construction equipment by selecting one of the following measures, at a minimum, as appropriate to the construction project:

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

DC-3. DUST CONTROL

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

DC-4. AIR QUALITY

Final construction drawings shall incorporate all air quality 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]

MITIGATION MEASURE (MM 3.2.1A)

WHAT: During construction activities, the applicant and/or its contractor shall ensure that all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors) is California Air Resources Board (CARB) Tier 3 Certified or better.

WHEN: The mitigation shall be incorporated into conditions of approval for the Use Permit prior to its final approval by the City's Planning Commission. The conditions will become valid when the Permit is approved and prior to the building permit issuance.

WHO: The applicant is responsible for completing the mitigation measure.

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

AT: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.

AT-1. MAXIMUM CAPACITY:

The use permitted by this application shall comply with the following capacity limits at all times:

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- a) The maximum number of students permitted on-site at any time is 520;
 - b) Any proposed modification to the site's capacity shall be subject to review and approval by the City at a public hearing. [COA] [PLANNING]
- AT-2. HOURS OF OPERATION:
The use permitted as part of this application shall comply with the following hours of operation at all times:
- a) The school hours are limited to 7:00 a.m. to 6:00 p.m., Monday through Friday. Extended hours shall require separate approval by the City. Minor modifications may be approved by the Director of Community Development; major modifications may require approval at a public hearing. The Director of Community Development shall determine whether requested modifications are major or minor.
 - b) Middle school (6th through 8th grade) start time shall be 7:45 a.m.
 - c) Elementary school (K through 5th grade) start time shall be 8:15 a.m.
 - d) Preschool start time shall be 9:00 a.m.
 - e) Intermittent student events and performances are permitted during evening hours and on weekends. The school shall engage the church (across Partridge Avenue) to secure sufficient parking for all participants prior to the event. [COA] [PLANNING]
- AT-3. GOOD NEIGHBOR POLICIES
Observe policies outlined in the "Good Neighbor Tips for Child Care Providers Operating in Residential Neighborhoods" prepared by City of Sunnyvale Youth, Family & Child Care Resources and periodically engage neighbors to address operational concerns and issues for improvement.
- AT-4. 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]
- AT-5. RECYCLING AND SOLID WASTE:
All exterior recycling and solid waste shall be confined to approved receptacles and enclosures. [COA] [PLANNING]

- AT-6. **LOUDSPEAKERS PROHIBITED:**
Out-of-door loudspeakers shall be prohibited at all times except for emergency notification use. [COA] [PLANNING]
- AT-7. **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-8. **PARKING LOT MAINTENANCE:**
The parking lot shall be maintained in accordance with the approved plans and as follows:
- a) Maintain all parking lot striping and marking.
 - b) Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.
 - c) Require signs to direct vehicles to additional parking spaces on-site, as needed. [COA] [PLANNING]
- AT-9. **UNENCLOSED STORAGE (PROHIBITED):**
Unenclosed storage of any kind shall be prohibited on the premises. [COA] [PLANNING]
- AT-10. **SOLID WASTE RECYCLING MANAGEMENT:**
The account holder will be responsible for ensuring adequate services and that all locations, private sidewalks, and streets are kept free of litter and stains. Requirements shall be specified in the approved documents and be submitted for approval by the City. [COA] [PUBLIC WORKS]
- AT-12. **TRANSPORTATION**
Final construction drawings shall incorporate all transportation 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]

MITIGATION MEASURE (MM 3.14.1A)

WHAT: To reduce the conflict point in the drive aisle between the two southern parking lots and to improve the efficiency of the drop-off/pick-up loop, the project applicant shall restrict project site access at the Partridge Avenue driveway to only allow outbound travel during drop-off/pick-up times. The applicant shall place a sign indicating no left or right turns into the parking lot from Partridge Avenue during the specified drop-off and pick-up times on the school property and the public right-of-way to enforce the one-way operation of the driveway.

MITIGATION MEASURE (MM 3.14.1C)

WHAT: The project applicant shall implement the following enforcement strategies:

- Provide at least three staff stationed throughout the project site to facilitate drop-off/pick-up procedures: one along the northern parking lot; one adjacent to the drop-off/pick-up area, and one at the Partridge Avenue driveway.
- Install a “no stopping/passenger loading” sign along the northern parking lot.
- Restrict passenger loading on Dunford Way and Partridge Avenue during peak drop-off and pick-up times.
- Discourage parking in the neighborhood through communication with parents and students.
- Encourage carpooling, walking, and biking to school, to the extent feasible.

MITIGATION MEASURE (MM 3.14.1D)

WHAT: The project applicant shall continually monitor circulation around the immediate area and work with the City and community to identify and resolve issues as appropriate and reasonable. Additionally, the project applicant shall continue to actively communicate with parents about dropoff/pick-up procedures.

WHEN: The mitigation shall be incorporated into conditions of approval for the Use Permit prior to its final approval by the City’s Planning Commission. The conditions will become valid when the Permit is approved and prior to the building permit issuance.

WHO: The developer is responsible for completing the mitigation measure.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the parking management plan. The parking management plan and the associated operation of the parking lot, circulation, and queuing of vehicles on Dunford Way, will be subject to review by the Director of Community Development.

END OF CONDITIONS