

**FINAL RECOMMENDED CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS  
AS APPROVED BY THE CITY COUNCIL ON SEPTEMBER 14, 2021 WITH  
MODIFICATIONS AS APPROVED BY THE CITY COUNCIL ON**

**Planning Application 2019-7557**

932 Kifer Road (APN 205-49-005), 950 Kifer Road (APN 205-49-012), 945 Kifer Road (APN 205-40-002), 955 Kifer Road (APN 205-40-001)

**SPECIAL DEVELOPMENT PERMIT** to demolish two existing industrial/office/R&D buildings and three accessory structures and construct two new three-story office/R&D/manufacturing buildings totaling 1,211,000 sq. ft. (including 148,000 sq. ft. of basement space) connected by a pedestrian bridge across Kifer Road; and construct an 11,000 sq. ft. freestanding amenity building for a total combined FAR of 77%. The project also includes a five-level, above ground parking structure with an attached 12,000 sq. ft. central utility plant.

**VESTING TENTATIVE PARCEL MAP** to merge four existing lots into two.

**Planning Application 2022-7369**

**945 Kifer Road (APN 205-40-002), 955 Kifer Road (APN 205-40-001)**

**SPECIAL DEVELOPMENT PERMIT to modify Special Development Permit (2019-7557) pertaining to 945 - 955 Kifer Road (north site) of the Intuitive Surgical corporate campus to add an internal courtyard and reduce total building area by 6,000 square feet (from 364,000 to 358,000 square feet), relocate the previously-approved underground parking to a new above-ground structure on an adjacent site at 2900 Semiconductor Drive in the City of Santa Clara (APN 205-39-028), modify the design of the pedestrian bridge connecting the north and south sites, and other minor building and site modifications.**

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project(s) referenced above. The COAs are specific conditions applicable to the proposed project(s). 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.

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 APPLICATIONS: All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning applications ([2019-7557 and 2022-7369](#)), including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved applications. 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] **[UPDATED]**
- GC-2. ENTITLEMENTS- EXERCISE AND EXPIRATION: The approved entitlements are subject to the time frames specified in the Development Agreement. [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, Development Agreement, and/or adopted city impact fee schedule. [SDR] [PLANNING / OCA]
- GC-5. PREVIOUS USES SUPERSEDED: Once the allowed use as approved for [this through](#) planning applications [2019-7557 and 2022-7369](#) is exercised on any parcel, the previously approved planning applications on that parcel shall be null and void with no further action required by any reviewing authority. [COA] [PLANNING] **[UPDATED]**
- GC-6. DEVELOPMENT AGREEMENT:

- The project is subject to the terms and conditions of the approved Development Agreement (DA). In the case of any conflicts between the conditions of approval and the DA, the DA shall take precedence and the conditions of approval shall be modified to be consistent with the DA. [COA] [PLANNING/OCA]
- GC-7. LSAP OFFICE/R&D DEVELOPMENT CAPACITY ALLOCATION:  
The project shall receive an allocation of 717,169 square feet from the Lawrence Station Area Plan (LSAP) Office/R&D Development Capacity. In the event this entitlement expires, this square footage shall be returned to the Development Capacity for use in other LSAP projects. [COA] [PLANNING]
- GC-8. ON-SITE AMENITIES:  
Swimming pools, pool equipment structures, recreational structures, 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-9. 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-10. VALLEY WATER GROUNDWATER WELLS:  
The sites contain several active and abandoned ground water wells. Any abandoned wells found onsite shall be properly destroyed under a Valley Water permit or registered with Valley Water and protected from damage. Any active wells that will continue to be used shall be protected so that they do not become lost or damaged during development. Active wells that will not be used following development shall be properly destroyed under a permit from Valley Water. If previously unknown wells are found, they shall be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage. [COA] [PLANNING]
- GC-11. COMPLIANCE WITH TRANSPORTATION IMPACT ANALYSIS RECOMMENDATIONS:  
The applicant shall incorporate all recommendations in the final Transportation Impact Analysis (TIA) for the project, dated July 23, 2021, as refined in the Intuitive Surgical Campus Project Fair Share Contribution Memorandum, dated August 2, 2021 and review and approval of the Director of Public Works, subject to the Development Agreement. [COA] [PUBLIC WORKS]
- GC-12. SIGNAGE:  
Signage is not approved as part of this permit. Signage shall be reviewed with a separate sign permit. [COA] [PLANNING]

GC-13. PUBLIC IMPROVEMENTS:

~~Developer shall install public improvements as required by Sunnyvale Municipal Code Sections 18.08, including but not limited to, curb & gutter, sidewalks, driveway approaches, curb ramps, street pavements, utility connections, meters/vaults, trees and landscaping, traffic signal/signs, striping, street lights, etc. in accordance with the Lawrence Station Area Plan (LSAP) and Lawrence Station Sense of Place Plan.~~

~~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 sheets C-sl-01-1-xx-01-PL to C-sl-01-1-xx-15-PL dated 7/31/20 and 11/13/20 is subject to change during the plan check process.~~

~~The developer is required to complete the installation of all public improvements and other improvements required for each building individually, as defined in the Special Development Permit, Vesting Tentative Parcel Map, subject to the Development Agreement, prior to occupancy of each building individually, to the satisfaction of the Public Works Department. Developer shall install public improvements as required by Sunnyvale Municipal Code Sections 18.08, including but not limited to, curb & gutter, sidewalks, driveway approaches, curb ramps, street pavements, utility connections, meters/vaults, trees and landscaping, traffic signal/signs, 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 Sheets C4-100 to C4-702 dated 3/1/2024, prepared by Kier and Wright, are 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. [COA] [PUBLIC WORKS] **[UPDATED]**~~

GC-14. OFFSITE CONSTRUCTION PHASING PLAN:

The developer shall prepare a detailed offsite construction phasing plan for the subject project. The plan shall be subject to review and approval by the Department of Public Works prior to issuance of the first building permit. The plan shall have both exhibits and narratives that include, but not limited to, construction truck route, public vehicle access, pedestrian access, construction staging, employee parking, limits of work and timeline for each of the phases. [COA] [PUBLIC WORKS]

GC-15. 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 C-SL-01-1-XX-01-PL to C-SL-01-1-XX-15-PL dated 7/31/20 and 11/13/20 are subject to change during the plan check process.~~ 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 C4-100 to C4-702 dated 3/1/2024, prepared by Kier and Wright, are subject to change during the plan check process. [SDR] [PUBLIC WORKS] **[UPDATED]**

GC-16. ENCROACHMENT PERMIT:

Prior to any work in the public right-of-way or easement area, 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]

GC-17. RECORDATION OF PARCEL MAPS FOR LOT MERGER:

This project is subject to, and contingent upon recordation of one or more parcel maps. The submittal, approval and recordation of the parcel map(s) 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 Parcel Map are subject to City's technical review and approval during the parcel map process. Parcel map(s) shall be recorded prior to any fine grading or building permit issuance of any building that proposes to be constructed over an existing property line or existing easement. The Phased Vesting Tentative Parcel Map with sheets C-SL-011-XX-01-PL to C-SL-011-XX-05-PL dated 11/13/20 is subject to change during the parcel map check process in conformance with the Subdivision Map Act. [COA] [PUBLIC WORKS]

**PS: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO SUBMITTAL OF BUILDING PERMIT, AND/OR GRADING PERMIT.**

PS-1. REQUIRED REVISIONS TO PROJECT PLANS:

The plans shall be revised as described below with the final details reviewed by City staff prior to building permit submittal:

- a) Onsite walkways that cross drive aisles shall have decorative paving or highly visible striping for safe crossing by pedestrians.
- b) The central utility plant's thermal storage tank shall be painted a matte color to blend with the sky and avoid glare onto neighboring properties.
- c) Paint the recessed shear walls on the front and rear of the parking structure a dark color to give the appearance of a greater setback.

[COA] [PLANNING]

- PS-2. 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-3. 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. Sewer flow data may be required as needed. Any mitigation improvements needed shall be incorporated into the first plan check submittal. [COA] [PUBLIC WORKS]

**MM: THE FOLLOWING CONDITION SHALL BE ADDRESSED AND MITIGATION MEASURES NOTED FOR LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS SEIR – MMRP AS RELEVANT TO THIS PROJECT**

- MM-1. MITIGATION, MONITORING & REPORTING PROGRAM (MMRP):  
The project is subject to the applicable measures in the Mitigation and Monitoring Reporting Program (MMRP) as required in the Lawrence Station Area Plan (LSAP) Update/Intuitive Surgical Corporate Campus Subsequent Environmental Impact Report (SEIR). The MMRP has been included as Exhibit 1. [COA] [PLANNING/PUBLIC WORKS]

**BP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR FOUNDATION BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S). THESE CONDITIONS SHALL ALSO BE COMPLIED WITH DURING CONSTRUCTION APPROVED UNDER ANY SUBSEQUENT SUPERSTRUCTURE PERMITS, IF APPLICABLE.**

- BP-1. CONDITIONS OF APPROVAL:

Final plans shall include all Conditions of Approval included as part of the approved planning application 2019-7557 and 2022-7369 starting on sheet 2 of the plans. [COA] [PLANNING] **UPDATED**

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. 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, prior to issuance of any City permit, or Final map as applicable. City will record the Notice of Conditions.

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. REQUIRED EASEMENTS:

The property owner shall record appropriate easements or covenants running with the land, subject to the review and approval of the Director of Community Development and City Attorney for the following:

- a) Vehicular reciprocal ingress and egress on the shared driveway with 3833/3875/3885 Kifer Road (APN 205-39-026) in the City of Santa Clara;
- b) Public pedestrian and bicycle access easement on the new Class I shared-use path in order to provide access from Kifer Road to the southeast corner of the south site in accordance with the specifications of Condition of Approval PM-5;
- c) The new Class I shared-use path and its associated public access easement is required to connect to the adjacent property at 960 Kifer Road (APN 205-49-008) if and when it redevelops in the future. The property owner shall record an agreement, either on the final map or through a separate legal document, to allow the adjacent property owner to connect to the new Class I shared-use path in order to form one continuous and uninterrupted thoroughfare between the properties, which would connect to an existing shared-use path on 1020 Kifer Road (APN 205-50-047) that outlets to Sonora Court.

e)-;

~~d) Parking space utilization for the south and north site so that employees/visitors can park on one site and access the other site.~~  
[COA/DEVELOPMENT AGREEMENT] [PLANNING/PUBLIC WORKS/OCA]

BP-6. CLASS I SHARED-USE PATH:

The developer shall construct and maintain a Class I shared-use path on the south site per the Lawrence Station Sense of Place Plan.

Construction of the shared-use path requires the minimum provision of specified width dimensions, pathway paving and striping, buffer landscaping and trees, seating/other amenities, and lighting in accordance with the Lawrence Station Sense of Place Plan, Figure 3-2.

The shared-use path must be constructed along the entire length of the western and southern property lines of the south site and positioned at the southeast corner for future connection with the adjoining property at 960 Kifer Road (APN 205-49-008). [PLANNING/PUBLIC WORKS]

BP-7. GATEWAY SIGN(S):

In lieu of a portion of the Sense of Place fees, the developer shall construct gateway sign(s) per the Lawrence Station Sense of Place Plan by installing up to three LSAP gateway pylon signs consistent with signs described starting on page 34 and depicted in Figure 3-20 of the Lawrence Station Sense of Place Plan, either on private property along the Kifer Road project frontage or new Kifer Road median/other location in the public-right-of-way, as determined by the City. [SENSE OF PLACE] [PLANNING/PUBLIC WORKS/OCA]

BP-8. RECYCLING AND SOLID WASTE ENCLOSURE:

The building permit plans shall include details for the installation of recycling and solid waste enclosures that are consistent with SMC 19.38.030. The solid waste disposal and recycling facilities within the enclosure area or within buildings shall be designed with adequate size, space, and clearance based upon the City's latest guidelines. The required enclosures shall:

- a) Match the design, materials and color of the main building they serve;
- b) Be of masonry construction;
- c) Containers shall be metal or State Fire Marshall-listed non-metallic.
- d) Be screened from public view;
- e) All gates, lids and doors shall be closed at all times;
- f) Shall not conflict with delivery/receiving areas;
- g) Shall be consistent with the approved Solid Waste and Recycling Management Plan;
- h) Solid waste and recycling diversion systems shall be incorporated into the facilities and tenant improvements. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-9. SOLID WASTE DISPOSAL AND RECYCLING DESIGN PLAN:



- A detailed recycling and solid waste disposal and recycling design plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. The solid waste disposal plan and building permit plans shall demonstrate compliance with current City requirements and guidelines for nonresidential projects. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- BP-10. **LOADING AND DELIVERY AREA PLAN:**  
A detailed loading and delivery area plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. The loading and delivery area plan and building permit plans shall demonstrate compliance with current City requirements and guidelines for nonresidential projects. [COA] [PLANNING]
- BP-11. **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-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. Individual exterior mechanical equipment/air conditioning units shall be screened with architecture or landscaping features. [PLANNING] [COA]
- BP-13. *Deleted*
- 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** - Pay Traffic Impact fee for the net new trips resulting from the proposed project, estimated at **\$4,864,188**, prior to issuance of a Building Permit. The actual fee paid will be the adopted fee rate in place at the time of building permit submittal. (SMC 3.50). [SDR] [PLANNING]
  - b) **HOUSING MITIGATION FEE** - Pay Housing Mitigation fee estimated at **\$18,886,494**, prior to issuance of a Building Permit. The actual fee paid will be the adopted fee rate in place at the time of building permit submittal. (SMC 19.75). [SDR] [PLANNING]
  - c) **SENSE OF PLACE FEE** - Pay the Lawrence Station Sense of Place Fee estimated at **\$1,513,227**, prior to issuance of a Building Permit. The actual fee paid will be the adopted fee rate in place at the time of building permit

submittal. Construction of items included in the Sense of Place Fee may be made in lieu of fee payment. [SDR] [PLANNING]

- d) ART IN PRIVATE DEVELOPMENT BOND – A bond, letter of credit, cash deposit or other similar security instrument for 1% of the construction valuation of the project will be required prior to issuance of a building permit. The bond will not be released until completion and installation of the artwork requirement including related landscaping, lighting, base work and commemorative plaque. [PLANNING] [SDR]

BP-15. ART IN PRIVATE DEVELOPMENT REVIEW:

An Art in Private Development application shall be submitted to the Director of Community Development subject to review and approval by the Arts Commission, prior to issuance of a Building Permit. The project shall provide publicly visible artwork along Kifer Road per Chapter 19.52 of the Sunnyvale Municipal Code. [COA] [PLANNING]

BP-16. LANDSCAPE PLAN:

Landscape and irrigation plans shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements. Final 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) Provide trees at minimum 30 feet intervals along side and rear property lines, except where mature trees are located immediately adjoining on neighboring property;
- c) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size;
- d) Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be replaced in accordance with the City’s Tree Replacement standards;
- e) Provide minimum 15-foot wide landscape buffers along all public street frontages;
- f) Ground cover shall be planted so as to ensure full coverage 18 months after installation; and
- g) Decorative paving as required by the Director of Community Development to distinguish entry driveways, building entries, pedestrian paths and common areas.
- h) Recycled water is prohibited for use on trees susceptible to its high salt water content, such as redwood trees.

[COA] [PLANNING]

BP-17. 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. All landscaping within the corner and driveway vision triangles shall be properly

- maintained to ensure vision triangle clearance per Sunnyvale Municipal Code requirements. [COA] [PLANNING]
- BP-18. **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-19. **STORMWATER MANAGEMENT CALCULATIONS:**  
Submit two copies of the City of Sunnyvale Impervious Surface Calculation worksheet prior to issuance of a Building Permit. [COA] [PLANNING]
- BP-20. **STORMWATER MANAGEMENT PLAN:**  
Submit two copies of a Stormwater Management Plan subject to review and approval by Director of Community Development and third party certification, 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-21. **STORM WATER MANAGEMENT PLAN THIRD PARTY CERTIFICATION:**  
Third party certification of the Storm Water Management Plan is required per the following guidance: City of Sunnyvale – Storm Water Quality BMP Applicant Guidance Manual for New and Redevelopment Projects - Addendum: Section 3.1.2 Certification of Design Criteria Third-Party Certification of Storm Water Management Plan Requirements. The third party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/ENVIRONMENTAL SERVICES]
- BP-22. **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-23. CITY STREET TREES:  
The landscape plan shall include 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-24. 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/LED (or illumination with an equivalent energy savings).
  - b) Pole heights to be uniform and compatible with the areas. Light standards shall not exceed 24 feet.
  - 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 properties.[COA] [PLANNING]
- BP-25. ONSITE 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-26. **PARKING MANAGEMENT PLAN:**  
A Parking Management Plan shall be submitted for review and approval by the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include, but not be limited to the following:  
a) Specify locations of car share spaces, electric car charging spaces, and bicycle parking;  
b) Assignment of parking to employees/visitors;  
c) Specify the location and term of short-term parking;  
d) Allow the use of valet parking when appropriate on sites with limited parking;  
e) Employees shall be required to park onsite; and  
f) Provide adequate signage as determined by the Director of Community Development to direct traffic and pedestrians to parking areas.  
[COA] [PLANNING/TRAFFIC]
- BP-27. **TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM):**  
The property owner shall create and implement a TDM Plan to include a trip reduction program that results in daily trip reductions of 20 percent and peak hour trip reductions of 35 percent, per LSAP Policy TDM-P2. The TDM plan shall incorporate a variety of incentives, services, and actions that meet the trip reduction goals.
- Prior to issuance of a building permit, the property owner shall submit and have a TDM Form approved by the Department of Public Works for each project site and shall submit a final TDM plan for the project file. Upon the City's request, the owner shall submit the most up to date TDM Plan to the Department of Public Works; the plan shall be submitted within five (5) calendar days of the City's request. It is the owner's responsibility to maintain an up-to-date and active TDM Plan at all times.
- It is the responsibility of the property owner to inform the City when each site has reached 75% occupancy. The property owner shall also maintain their contact information and the Transportation Coordinator contact information up to date with the Sunnyvale Department of Public Works. [COA/PUBLIC WORKS/TRANSPORTATION]
- BP-28. **BICYCLE SPACES:**  
Provide a minimum of 148 Class I and 50 Class II bicycle parking spaces (per VTA Bicycle Technical Guidelines) as shown on the approved plans, subject to the review and approval by the Director of Community Development. [COA]  
[PLANNING]
- BP-29. **BICYCLE SUPPORT FACILITIES:**

- Indoor shower and locker facilities shall be provided for men and women, subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]
- BP-30. REACH CODES:
- a) Per the Development Agreement, the buildings and structures included in the project shall be all-electric construction (no gas lines). All-electric appliances include heat pump water and space heaters, induction cooktops, electric clothes dryers, among others. Prior to building permit issuance, a qualified green building professional shall confirm that the construction plans achieve all-electric construction.
  - b) Per the Development Agreement, a solar Photo Voltaic (PV) System of approximately ~~13.53.27~~ megawatts shall be installed.
  - c) Per the Development Agreement, electric vehicle (EV) infrastructure shall be installed: 35% of the vehicle parking spaces will have Level 2 EV chargers installed; and, 65% of vehicle parking spaces will have EV capable conduit installed for the future.  
[DEVELOPMENT AGREEMENT] [PLANNING/OCA]**[UPDATED]**
- BP-31. GREEN BUILDING:  
The project shall meet the following green building requirements:
- a) Final plans shall incorporate a completed LEED green building checklist demonstrating the new building achieves a minimum LEED Gold level for Core and Shell, including Design Phase Credits as verified by a qualified LEED consultant and shall be submitted to USGBC for formal certification.
  - b) Subsequent building permit plans for interior tenant improvements for the new building shall incorporate a completed LEED green building checklist demonstrating the project design achieves a minimum LEED Gold level for Commercial Interiors, as verified by a qualified LEED consultant and shall be submitted for USGBC for formal certification. [COA] [PLANNING]
- BP-32. 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 using Sunnyvale.wastetracking.com hosted by Green Halo. As part of the project's construction specifications, the developer shall track the type, quantity, and disposition of materials generated, and submit these records through the website both periodically and at project completion. [COA] [ENVIRONMENTAL SERVICES]
- BP-33. CONSTRUCTION MANAGEMENT PLAN:  
The project applicant shall implement a Construction Management Plan (CMP) to minimize impacts of construction on adjacent 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) Required mitigation measures in the project's Subsequent Environmental Impact Report (SEIR).
  - b) 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.
  - c) Use 'quiet' models of air compressors and other stationary noise sources where such technology exists.
  - d) Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
  - e) 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.
  - f) Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
  - g) 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.
  - h) 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.
  - i) Prohibit unnecessary idling of internal combustion engine-driven equipment and vehicles.
  - j) 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.
  - k) 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. [COA] [PLANNING]
- BP-34. **CONSTRUCTION MATERIAL AND STAGING:**  
All construction-related materials, equipment, and construction worker parking shall be managed onsite and not located in the public rights-of-way or public easements. [COA] [PUBLIC WORKS]
- BP-35. **BIOLOGICAL RESOURCES—BIRD NESTING:**  
In accordance with SEIR Mitigation Measure 3.9.3, all construction and clearing activities shall be conducted outside of the avian nesting season (January 15–August 31), when feasible. If clearing and/or construction activities occur during

the nesting season, preconstruction surveys for nesting raptors, special-status resident birds, and other migratory birds protected by the Migratory Bird Treaty Act shall be conducted by a qualified biologist, up to 3 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds. If an active nest is located within 100 feet (250 feet for raptors) of construction activities, the project applicant shall establish an exclusion zone (no ingress of personnel or equipment at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest). Alternative exclusion zones may be established through consultation with the CDFW and the USFWS, as necessary. The City shall be notified if altered exclusion zones widths are authorized by these agencies prior to the initiation of work. The exclusion zones shall remain in force until all young have fledged. [COA] [PLANNING]

**BP-36. BIOLOGICAL RESOURCES—BAT SURVEY:**

In accordance with SEIR Mitigation Measure 3.9.2, prior to the removal of trees or the demolition of buildings, a bat survey shall be performed by a qualified biologist no more than 3 days prior to the start of construction activities. If bat roosts are identified, the City shall require that the bats be safely flushed from the sites where roosting habitat is planned to be removed. If maternity roosts are identified during the maternity roosting season (typically May to September), they must remain undisturbed until a qualified biologist has determined the young bats are no longer roosting. If roosting is found to occur on-site, replacement roost habitat (e.g., bat boxes) shall be provided to offset roosting sites removed. If no bat roosts are detected, no further action is required if the trees and buildings are removed prior to the next breeding season.

If a female or maternity colony of bats is found on the project site, and the project can be constructed without the elimination or disturbance of the roosting colony (e.g., if the colony roosts in a large oak tree not planned for removal), a qualified biologist shall determine what buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 200 feet from the roost and/or the timing of the construction activities outside of the maternity roost season (after July 31 and before March 1).

If an active nursery roost is documented on-site and the project cannot be conducted outside of the maternity roosting season, bats shall be excluded from the site after July 31 and before March 1 to prevent the formation of maternity colonies. Nonbreeding bats shall be safely evicted under the direction of a bat specialist. [COA] [PLANNING]

**BP-37. FIRE PREVENTION CONDITIONS:**



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

- a) A fully automatic fire sprinkler system, fire alarm system is required.
- b) 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)
- c) Provide two-way communication system per CBC 1007.8.
- d) Comply with CBC 3002.4 for gurney elevator.
- e) Provide stairway to roof.
- f) 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 in an approved space or area within the new structure. (SMC 510.1.1)
- g) 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.
- h) Knox boxes (key boxes) will be required in accordance with Sunnyvale Fire Prevention guidelines.
- i) Provide a written Fire Protection Construction Plan.
- j) Provide an approved electronic "Pre-Fire Survey" map prior to Public Safety Department final recommendation for Certificate of Occupancy.

[COA][FIRE PREVENTION]

**BP-38. BUILDING ADDRESSING:**

The building permit plans shall include the following address information as specified by the Department of Public Safety:

- a) Address numbers shall be easily readable from the street with a minimum of 12" height.
- b) Rear entrance doors shall be numbered with the same address numbers or suite number with a minimum 4" height.
- c) Rooftop addressing (for police helicopter) shall be applied in a contrasting color, with a minimum size of 1'X4' for high-rise buildings.
- d) Industrial and commercial buildings shall have doors clearly marked with numbers corresponding to the appropriate alarm zone.
- e) Each distinct unit within the building shall have its address displayed on or directly above both the front and rear doors. [SDR] [PUBLIC SAFETY]

**BP-39. PARCEL MAP:**

This project is subject to, and contingent upon recordation of one or more parcel maps to remove the existing property line. The submittal, approval and recordation of the parcel map(s) shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. Parcel map(s) shall be recorded prior to any grading or building permit issuance of any building located on that certain lot as shown on the corresponding parcel map. The Phased Vesting Tentative Parcel Map with sheets C-SL-011-XX-01-PL to C-SL-011-XX-05-PL dated 11/13/20 is subject to change during the parcel map check process [COA] [PUBLIC WORKS]

**BP-40. DUAL PLUMBING:**

Per Development Agreement, if there is reclaimed (recycled) water in the project area and if developer elects to dual plumb building facilities, with the first Building plan check submittal, the developer shall prepare and submit to the City for review by the City and the State Water Board an Engineering Report for the use of reclaimed (recycled) water for dual plumbing purposes. Contact Environmental Services Department/Water Operations at 408-730-2744 for further information. [DEVELOPMENT AGREEMENT] [ENVIRONMENTAL SERVICES/PLANNING/PUBLIC WORKS/OCA]

**BP-41. BAAQMD CONSTRUCTION MITIGATION MEASURES**

In accordance with SEIR Mitigation Measure 3.5.3a, prior to the issuance of grading or building permits, the Bay Area Air Quality Management District's (BAAQMD) basic construction mitigation measures from Table 8-1 of the BAAQMD 2011 CEQA Air Quality Guidelines (or subsequent updates) shall be noted on the construction documents, including the following:

- a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c) 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.
- d) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- e) 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.
- f) 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.
- g) 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.

Per SEIR Mitigation Measure 3.5.3b, in the cases where construction projects are expected to exceed the BAAQMD's air pollutant significance thresholds for NO<sub>x</sub>, PM<sub>10</sub>, and/or PM<sub>2.5</sub>, all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, tractors) shall be at least California Air Resources Board (CARB) Tier 3 Certified or better. [COA] [PLANNING]

**BP-42. CONSTRUCTION POLLUTANT MITIGATION PLAN AND CONSTRUCTION-RELATED DISPERSION MODELING**

In accordance with SEIR Mitigation Measure 3.5.5, prior to the issuance of grading permits, a site-specific construction pollutant mitigation plan in consultation with BAAQMD staff shall be provided. A project-specific construction-related dispersion modeling acceptable to BAAQMD shall be used to identify potential toxic air contaminant impacts, including diesel particulate matter. If BAAQMD risk thresholds (i.e., probability of contracting cancer is greater than 10 in 1 million) would be exceeded, mitigation measures shall be identified in the construction pollutant mitigation plan to address potential impacts and shall be based on site-specific information such as the distance to the nearest sensitive receptors, project site plan details, and construction schedule. The City shall ensure construction contracts include all identified measures and that the measures reduce the health risk below BAAQMD risk thresholds. Construction pollutant mitigation plan measures shall include, but not be limited to:

- a) Limiting the amount of acreage to be graded in a single day,
- b) Restricting intensive equipment usage and intensive ground disturbance to hours outside of normal preschool hours,

Notification of affected sensitive receptors one week prior to commencing on-site construction so that any necessary precautions (such as rescheduling or relocation of outdoor activities) can be implemented. The written notification shall include the name and telephone number of the individual empowered to manage construction of the project. In the event that complaints are received, the individual empowered to manage construction shall respond to the complaint within 24 hours. The response shall include identification of measures being taken by the project construction contractor to reduce construction-related air pollutants. Such a measure may include the relocation of equipment. [COA] [PLANNING]

**BP-43. REGIONAL WATER QUALITY CONTROL BOARD APPROVAL OF REMEDIAL ACTION PLAN**

In accordance with SEIR Mitigation Measure 3.8-1, prior to the issuance of grading or building permits, the applicant shall coordinate with the San Francisco Bay Regional Water Quality Control Board (RWQCB) to obtain approval of the project sites' remedial action plan, which shall be implemented

during grading and construction of the project. Deed restrictions, if appropriate, shall be recorded.

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] [PLANNING]

**BP-44. DEWATERING**

In accordance with SEIR Mitigation Measure 3.8-1, if temporary or permanent dewatering is required, prior to the issuance of grading or building permits, the applicant shall provide documentation that the San Francisco Bay RWQCB has approved of discharge to the sewer. Discharge of any groundwater removed from a construction site to the El Camino Storm Drain Channel, Calabazas Creek, or storm drain shall be subject to City Water Pollution Control Permit requirements. [COA] [PLANNING]

**BP-45. ARCHAEOLOGICAL RESOURCES**

In accordance with SEIR Mitigation Measure 3.10.2, prior to the issuance of grading or building permits, the project is required to include information on the improvement plans that if, during the course of grading or construction, cultural resources (i.e., prehistoric or historic sites) are discovered, work will stop in that area and within 100 feet of the find until a qualified archaeologist can [assess] the significance of the find and, if necessary, develop appropriate treatment measures as part of a treatment plan in consultation with the City and all other appropriate agencies. The treatment plan shall include measures to document and protect the discovered resource. Consistent with CEQA Guidelines Section 15126.4(b)(3), preservation in place will be the preferred method of mitigating impacts to the discovered resource. Pursuant to Government Code Section 6254.10, information on the discovered resource shall be confidential. [COA] [PLANNING]

**BP-46. PALEONTOLOGICAL RESOURCES**

In accordance with SEIR Mitigation Measure 3.7.4, prior to the issuance of grading or building permits, the project is required to include information on the improvement plans that if, during the course of grading or construction fossils are discovered, work shall be halted immediately within 50 feet of the discovery, the City of Sunnyvale Community Development Department shall be notified, and the significance of the find and recommended actions must be determined by a qualified paleontologist. In addition, prior to the commencement of project site preparation, all construction personnel shall be informed of the potential to discover fossils and the procedures to follow. [COA] [PLANNING]

**BP-47. CONSTRUCTION TRAFFIC CONTROL PLAN**

In accordance with SEIR Mitigation Measure 3.3.5, prior to the issuance of grading or building permits, a Construction Traffic Control Plan shall be prepared for City review and approval. The plan shall include, but not be limited

to, schedule of construction and anticipated methods of handling traffic for each phase of construction to ensure the safe flow of traffic and adequate emergency access, including maintaining an open lane for vehicle travel at all times. All traffic control measures shall conform to City of Sunnyvale, Santa Clara County, and/or Caltrans standards, as applicable. The improvement plans shall specify the requirement to implement the construction traffic control plan.  
[COA] [PLANNING/PUBLIC WORKS]

**BP-48. TEMPORARY TRAFFIC CONTROL PLAN (TTC)**

In accordance with SEIR Mitigation Measure 3.14-7, prior to the issuance of grading or building permits, a Temporary Traffic Control Plan (TTC) shall be prepared for City review and approval. The plan shall. The TTC shall include all information required on the City of Sunnyvale TTC Checklist and conform to the TTC Guidelines of the City of Sunnyvale. At a minimum, the plan shall include the following elements:

- a) Provide vicinity map including all streets within the work zone properly labeled with names, posted speed limits and north arrow;
- b) Provide existing roadway lane and bike lane configuration and sidewalks where applicable including dimensions;
- c) Description of proposed work zone;
- d) Description of detours and/or lane closures (pedestrians, bicyclists, vehicular);
- e) Description of no parking zone or parking restrictions;
- f) Provide appropriate tapers and lengths, signs, and spacing;
- g) Provide appropriate channelization devices and spacing;
- h) Description of buffers;
- i) Provide work hours/work days;
- j) Dimensions of above elements and requirements per latest CA—MUTCD Part 6 and City of Sunnyvale’s SOP for bike lane closures;
- k) Provide proposed speed limit changes if applicable;
- l) Description of bus stops, signalized and non-signalized intersection impacted by the work;
- m) Show plan to address pedestrians, bicycle and ADA requirement throughout the work zone per CA-MUTCD Part 6 and City of Sunnyvale’s SOP for Bike lane closures;
- n) Indicate if phasing or staging is requested and duration of each;
- o) Description of trucks, including number and size of trucks per day, expected arrival/departure times, truck circulation patterns;
- p) Provide all staging areas on the project site; and
- q) Ensure that the contractor has obtained and read the City of Sunnyvale’s TTC Guidelines and City of Sunnyvale’s SOP for bike lane closures; and
- r) Ensure traffic impacts are localized and temporary.  
[COA][PLANNING/PUBLIC WORKS]

**BP-49. CONSTRUCTION NOISE MITIGATION MEASURES**

In accordance with SEIR Mitigation Measure 3.6.4, the project shall employ site-specific noise attenuation measures during construction to reduce the

generation of construction noise and vibration. These measures shall be included in a noise control plan that shall be submitted for review and approval by the City. Measures specified in the noise control plan and implemented during construction shall include, at a minimum, the following noise control strategies:

- a) Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds;
- b) Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools; and
- c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures.
- d) Noise and vibration reducing pile-driving techniques shall be employed during construction and will be monitored to ensure no damage to nearby structures occurs (i.e., vibrations above peak particle velocity (PPVs) of 0.25 inches per second at nearby structures). These techniques shall include:
  - i) Installing intake and exhaust mufflers on pile-driving equipment;
  - ii) Vibrating piles into place when feasible, and installing shrouds around the pile-driving hammer where feasible;
  - iii) Implementing “quiet” pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
  - iv) Using cushion blocks to dampen impact noise, if feasible based on soil conditions. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon and micarta (a composite material); and
  - v) At least 48 hours prior to pile-driving activities, notifying building owners and occupants within 600 feet of the project area of the dates, hours, and expected duration of such activities.

[COA][PLANNING]

**BP-50. BUILDING CODE:**

**At the time of building permit, an in depth review of all applicable building code requirements shall be based on the requirements associated with the code edition enforced at the time of building permit application. (COA) [BUILDING] [NEW]**

BP-51. FIRE PREVENTION CONDITIONS (NORTH SITE):

Prior to building permit issuance for the buildings on the north site (945-955 Kifer Road), the following Fire Prevention conditions shall be satisfied:

- a) Provide an approved NFPA 13 fire sprinkler system per SMC 903.2.
- b) All new buildings are required to be protected throughout by an approved automatic fire sprinkler system in accordance with NFPA 13 (2016 edition). (16.52 SMC & Section 903 CFC).
- c) An approved fire alarm system installed in accordance with the CFC Section 907 and NFPA 72 is required. Such system may also require an occupant notification system be provided throughout the occupancy.
- d) Approved emergency responder radio coverage is required throughout the building and project site. Radio retransmission equipment may be required in areas lacking sufficient coverage. Refer to CFC Section 510 and SMC.
- e) 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).
- f) Trash enclosures, within 5 feet of building exterior walls or overhangs require fire sprinkler protection.
- g) Knox boxes (key boxes) may be required in accordance with Sunnyvale Fire Prevention guidelines.
- h) Prior to any combustible construction or materials on site, provide fire access drives and operational on-site fire protection systems.
- i) Provide a written Fire Protection Construction Plan prior to bringing any combustible material onto the construction site.
- j) Provide an electronic version of the plans to assist with Fire Department "Pre-Fire Survey" maps.

Contact Russell Chung at [rchung@sunnyvale.ca.gov](mailto:rchung@sunnyvale.ca.gov) or (408) 730-7148 for additional questions. (COA) [FIRE] **[NEW]**

BP-52. SOLID WASTE/RECYCLING (NORTH SITE):

The following Conditions of Approval from the Department of Environment Services shall apply to subsequent building permits and operations on-site:

- a) All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.
- b) Property staff are responsible for moving carts from the trash enclosure to the stress pad on service days. Failure to do so will result in no service for garbage and recycling on site.
- c) Subscribe to and pay for the city's at least weekly collection services for collection of food scraps, cardboard, and landfill waste.
- d) Provide education information before or within fourteen days of occupation of the premises to new tenants that describes requirements to source separate recyclable materials and organic materials. Upon occupancy, contact the City's commercial outreach lead in the Department of

Environmental Services, Mary Lindemuth (408-730-7484), to obtain this educational information.

e) Provide pre-collection containers for the collection of source separated recyclable materials and source separated food scraps in all indoor and outdoor areas where landfill containers are provided for staff, for materials generated by that industrial facility. Such containers shall be visible and easily accessible. Such containers do not need to be provided in restrooms. Pursuant to 14 CCR Section 18984.9(b), the containers provided by the responsible party of the commercial business shall have either:

i. A body or lid that conforms with the container colors provided through the collection service provided by city, with either lids conforming to the color requirements or bodies conforming to the color requirements or both lids and bodies conforming to color requirements. The responsible party of the commercial business is not required to replace functional containers, including containers purchased prior to January 1, 2022, that do not comply with the requirements of this subsection prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first.

ii. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant 14 CCR Section 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022

[COA] [ENVIRONMENTAL SERVICES] [NEW]

**EP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED AS PART OF AN ENCROACHMENT PERMIT APPLICATION.**

**EP-1. LAWRENCE STATION AREA PLAN:**

This project is in the Lawrence Station Area Plan (LSAP) area, therefore, the developer shall comply with any applicable design requirements as identified in the LSAP and Lawrence Station Sense of Place Plan, including, but not limited to streetscape improvements in the public right-of-way and public access easements on shared-use paths. [COA] [PUBLIC WORKS]

**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. 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 C-sl-01-1-xx-01-PL to C-sl-01-1-xx-15-PL dated 7/31/20 and 11/13/20 are subject to change during the~~



~~plan check process. See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links:~~

~~<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=24002>~~

~~<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23625>~~ — ~~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. 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 C4-100 to C4-702 dated 3/1/2024, prepared by Kier and Wright, 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>~~

~~[COA][PUBLIC WORKS] **[UPDATED]**~~

EP-3. BENCHMARKS:

~~The improvement plans shall be prepared by using City's latest benchmarks (NAVD88) available on City's website~~

~~<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23803> Plans based on NGVD29 will not be accepted. The improvement plans shall be prepared by using City's latest benchmarks (NAVD88) available on City's website~~

~~<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1590/637997914061100000>. Plans based on NGVD29 will not be accepted.~~

~~[COA] [PUBLIC WORKS] **[UPDATED]**~~

EP-4. UPGRADE OF EXISTING 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 sign posts, etc., shall be upgraded to current City standards and as required by the Department of Public Works. [COA] [PUBLIC WORKS]

EP-5. 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-6. UTILITY CONNECTION TO THE MAIN:

All sanitary sewer laterals connecting to the existing main line shall be at a new sanitary sewer manhole. All storm drain laterals connecting to the main shall

be at 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 new and retrofitted manholes require Sewpercoat, Mainstay or Sancon calcium aluminate cementitious mortar coating of the interior. [SDR] [PUBLIC WORKS]

- EP-7. POTHOLING OF EXISTING DRY UTILITIES:  
Concurrent with the initial submittal of off-site improvement plans, obtain an encroachment permit for potholing purposes to locate existing dry utilities. Use pothole information to identify possible conflict between the proposed location of City trees and existing utilities, proposed joint trench, and proposed connection of gravity utilities. Potholing is to take place in a timely manner so that this does not hold up the review of the improvement plans. [COA] [PUBLIC WORKS]
- EP-8 EXISTING UTILITY ABANDONMENT:  
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 and/or have conflicts with 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 and procedures, including abandonment by other utility owners. [COA] [PUBLIC WORKS]
- EP-9. 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-10. 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 issuance of any permits for utility work within any public right-of-way or public utility easements. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]
- EP-11. 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-12. 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-13: SEPARATE AND INDEPENDENT UTILITY SERVICE LINES:  
Each building shall have separate and independent utility service lines tapped to the main. [COA] [PUBLIC WORKS]
- EP-14. SEPARATE DOMESTIC/FIRE PROTECTION SERVICE LINE:  
Provide separate fire and domestic service lines to each building. Provide separate fire service tap(s) to the street main for on-site fire hydrants. Install reduced pressure detector assembly (RPDA) behind the street right-of-way. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]
- EP-15. PUBLIC FIRE HYDRANTS:  
~~Remove and replace the existing fire hydrant barrel(s) along the Kifer Road project frontage with current City standard Clow Rich 865. New fire hydrant location shall be per current City standard detail 2B and 2B-2. Public fire hydrant shall be maintained free and clear of all trees, vines, shrubs, bushes, ivy, etc. for a minimum of three feet.~~Remove and replace existing fire hydrant (FH) barrels and existing fire hydrant lateral(s) along the entire project frontage with Clow 865 for mains 10" and larger. New fire hydrant laterals and barrels must be located outside of existing and proposed tree driplines, or as determined by Department of Public Works. Hydrants shall be located per City standard detail 2B and 2B-2. Public fire hydrants shall be maintained a minimum of 3 horizontal feet from trees, vines, shrubs, bushes, and other obstacles. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PROTECTION]  
**[UPDATED]**
- EP-16. WATER METER:  
Each building shall have its own domestic water service connection to the water main with domestic radio-read water meter and reduced pressure backflow prevention devices per current City standards. For water meter sizes three (3) inches or larger, provide meter sizing calculations to Public Works Department for approval of meter size, as part of the off-site improvement plan submittal. Provide separate fire service taps with separate reduced pressure detector assembly in accordance with current City standards. Install new radio-read water meter(s) for each point of connection to the water main. Install new backflow prevention devices on the discharge side of water service line on private property. Install backflow preventer enclosure where applicable. [SDR] [PUBLIC WORKS]
- EP-17. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:  
Per Development Agreement, if there is reclaimed (recycled) water in the project area, this project will require connection to city's new reclaimed

(recycled) water system for irrigation purpose. Install a separate irrigation water service line (separate from the domestic water service line) with a meter and backflow prevention device.

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 where applicable. Backflows must adhere to City's Cross-Connection Program. Backflow inspection permit and tags are required for all backflow devices.

As needed, Developer shall follow and implement the requirements for reclaimed (recycled) water usage/identification to comply with California Department of Environmental Health: Title 22 - Division 4 of the Administrative Code. [SDR] [PUBLIC WORKS]

EP-18. RECLAIMED/RECYCLED) WATER:

Per the Development Agreement, in furtherance of the goals of the City's CAP, developer will design, permit, fund and construct a minimum 8-inch recycled water line from the Wolfe Road/Kifer Road intersection to the western property line of 932 Kifer Road, which would serve the Property and potentially other properties in the City. No later than six months from the Effective Date, Landowner shall complete and submit to the City a feasibility analysis and design of the Recycled Water Line.

The use of reclaimed (recycled) water requires a Recycled Water Permit from the City. Contact Environmental Services Department/Water Operations at 408-730-2744 for further information. [DEVELOPMENT AGREEMENT] [PUBLIC WORKS/PLANNING/OCA]

EP-19. SANITARY SEWER AND STORMDRAIN MANHOLES:

Install new sanitary sewer and storm drain manholes 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-20. SANITARY SEWER VIDEO:

The contractor shall make a video copy of the interior of the new sanitary sewer mainline installed prior to it is put into service. [COA] [PUBLIC WORKS]

EP-21. 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 Department 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-22. 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 project impact to the existing storm drain main shall retain 1' below the lowest public street gutter flow elevation. The new storm drain main line shall be minimum 15 inches diameter. [SDR] [PUBLIC WORKS]
- EP-23. CATCH BASIN TRASH CAPTURE DEVICES AND BADGE/STENCILING:  
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. All storm drain inlet facilities located in the public right-of-way shall be stenciled and/or have a badge that read "NO DUMPING". Stencils/badges may be supplied by the Environmental Services Department if needed. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- EP-24. UTILITY METER/VAULT:  
No existing or 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]
- EP-25. 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 per city standard details and specifications. All unused existing driveway approaches shall be replaced with new curb, gutter and sidewalk. The driveway approaches for all signalized driveways shall be a curb return style driveway. The new signalized intersections/driveways are located on Kifer Road at Commercial Street and on Kifer Road at the north site eastern driveway/1020 Kifer Road Driveway.~~  
Remove existing driveway approaches and install new driveway approaches along the project frontage to comply with Americans with Disabilities Act (ADA) requirements and per city standard details and specifications. All unused existing driveway approaches shall be replaced with new curb, gutter and sidewalk. The driveway approaches for all signalized driveways shall be a curb return style driveway. The new signalized intersection/driveway is located on Kifer Road at the eastern driveway/1020 Kifer Road driveway. [COA] [PUBLIC WORKS] **[UPDATED]**
- EP-26. CURB RAMPS:  
Install new directional curb ramps on all corners for all new signalized intersection/driveways. The new signalized intersections/driveways are located on Kifer Road at Commercial Street and on Kifer Road at the north site eastern driveway/1020 Kifer Road Driveway, or as deemed necessary by the Department of Public Works. 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]

EP-27. INSTALL TRAFFIC SIGNAL AT KIFER ROAD AND COMMERCIAL STREET INTERSECTION:

Developer shall design and construct a new eight (8)-phase traffic signal at the intersection of Kifer Road and Commercial Street per current City design guidelines and the California Manual on Uniform Traffic Control Devices standards.

Developer shall be responsible for 88% of the total improvement costs, while remaining 12% of the total improvement cost will be reimbursed by the City through funding source from fair share cost from other Developments that contribute traffic to the Intersection. Developer shall submit to City documentation showing the actual improvement costs after the completion of the proposed improvements. 12% of the total improvement cost will be reimbursed to Intuitive Surgical after completion of the proposed improvements. [COA] [PUBLIC WORKS]

EP-28. TRAFFIC SIGNAL AT THE INTERSECTION OF KIFER ROAD AND ~~THE NORTH SITE~~ EASTERN DRIVEWAY/1020 KIFER ROAD DRIVEWAY:

~~The 1020 Kifer Road Development (Planning Permit #2016-7212), also owned by the property owner for this project, is required to install a new traffic signal at this location per Phase 2 of that project. The traffic signal shall be installed at this intersection prior to building occupancy for the first building associated with this project approval (Planning Permit #2019-7557). The 1020 Kifer Road Development (Planning Permit #2016-7212), also owned by the property owner for this project, is required to install a new traffic signal at this location per Phase 2 of that project. Developer shall design and construct a new eight (8)-phase traffic signal at the intersection of Kifer Road and eastern project driveway per current City design guidelines and the California Manual on Uniform Traffic Control Devices prior to building occupancy.~~  
[COA] [PUBLIC WORKS] **[UPDATED]**

EP-29. ON-SITE TRAVEL LANE WIDTH:

On-site travel lanes within private property connecting the signalized intersection shall be minimum 11 feet wide. [COA] [PUBLIC WORKS]

EP-30. STREETScape IMPROVEMENTS:

Along the Kifer Road project frontage of the North and South side: Install root barrier along the existing sidewalk where the sidewalk is remained in order to protect all existing mature trees.

Along the Kifer Road project frontage of the North side: Remove and replace a portion of the sidewalk that is in poor condition, approximately 250 linear feet. The portion of the sidewalk in poor condition will be determined during the off-site improvement plan submittal.

Along the Kifer Road project frontage of the South side: Remove the existing gutter and install new 1-foot gutter and install new 10-foot-wide attached sidewalk with 4'x5' tree well with grate where there are no existing mature trees.

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

EP-31. KIFER MEDIAN IMPROVEMENTS:

~~In lieu of a portion or all of the Sense of Place fees the Developer shall design and construct an approximately 12 foot wide planted median along the Kifer Road project frontage as described starting on page 22 of the Lawrence Station Sense of Place Plan and depicted in Figure 3-8. A 2-foot-wide painted median and chatter bars with vertical separation shall be installed where left turn lanes will be placed at the signalized intersections. The median limits shall be from easternmost project limits to westernmost project limits in accordance with the Lawrence Station Sense of Place Plan. The site development plan with sheets C-sl-01-1-xx-01-PL to C-sl-01-1-xx-15-PL dated 7/31/20 and 11/13/20 is subject to change during the plan check process. [SENSE OF PLAGE] Per Developer Agreement, Developer shall design and construct an approximately 12-foot-wide planted median along the Kifer Road project frontage. A 2-foot-wide painted median and chatter bars with vertical separation shall be installed where left turn lanes will be placed at the signalized intersections. The median limits shall be from easternmost project limits to westernmost project limits in accordance with Lawrence Station Area Plan. The site development plan Sheets C4-100 to C4-702 dated 3/1/2024, prepared by Kier and Wright, are subject to change during the plan check process. [DEVELOPMENT AGREEMENT] - [PUBLIC WORKS/PLANNING/OCA] **[UPDATED]**~~

EP-32. STREET PAVEMENT:

Install type II slurry seal along the Kifer Road project frontage from lip of gutter to lip of gutter. Grind minimum 2 inches of existing asphalt concrete at minimum 10 feet on both sides of trench and 5 feet from curb and gutter and overlay with minimum 2" of new asphalt concrete, unless otherwise approved by the Department of Public Works with alternatives. Developer shall follow City standards for utility trench pavement restoration. [SDR] [PUBLIC WORKS] **[UPDATED]**

EP-33. STREETLIGHTS:

The developer shall install streetlights with a 140-foot spacing along the entire project frontage for Kifer Road. All LED fixtures and streetlight pole types shall be of the same make and model as determined in the Lawrence Station Sense of Place Plan requirements.

The developer shall provide a separate streetlight plan identifying existing streetlights to be removed and new streetlights to be installed along the entire project frontage based on the streetlight spacing provided by the City. The

streetlight plans shall 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 the Developer per latest City standard details and specifications and National Electric Code. The streetlight plans shall be submitted concurrently with the off-site improvement plan review.

The developer shall be responsible to replace all existing streetlight conduits, wires and pull boxes with new ones along the entire project frontage per City's current standards. The developer may be required to connect the new streetlight to the existing unmetered service pedestal or have them install a new one. All LED fixtures shall have a 10-year warranty.

Developer shall comply with City streetlight design guidelines and plan check submittal requirements as provided by the City upon request.

Obtain PG&E's approval for new service pedestal, if required, prior to Encroachment Permit issuance by Public Works Department.

Upon Completion of the streetlight improvements, developer shall provide as-built streetlight plan in pdf and .dwg formats.

[COA] [PUBLIC WORKS]

EP-34. SIGNING AND STRIPING PLANS:

Submit a signing and striping plan in accordance with the latest edition of the CA MUTCD to City for review and approval by the Public Works Department. The lane widths along Kifer Road shall be 5-foot-wide bike lanes, 1.5-foot-wide buffer, 11-foot and 10.5-foot-wide travel lanes and 10-foot wide left turn lanes.

[SDR] [PUBLIC WORKS]

EP-35. TRAFFIC CONTROL PLAN:

Submit a traffic control plan with the off-site improvement plans for review and approval. Per the City's Temporary Traffic Control Checklist, the traffic control plan shall include a summary of the traffic control types, dates, times and blocks affected. All construction related materials, equipment, and construction workers parking need to be stored on-site and the public streets need to be kept free and clear of construction debris. [COA] [PUBLIC WORKS]

EP-36. FAIR SHARE CONTRIBUTION:

Developer shall pay a fair-share contribution of **\$1,370,616** for intersection and freeway improvements as identified in the Intuitive Surgical Transportation Impact Analysis. [COA] [PUBLIC WORKS]

EP-37. BUS PAD AND BUS SHELTER:

Per the Development Agreement and if requested by the VTA prior to issuance of a building permit for the building on the south side of Kifer Road east of Commercial Street, the Developer shall install a bus pad and bus shelter on the



- south side of Kifer Road east of Commercial Street per Santa Clara Valley Transportation Authority's (VTA) latest design standards and VTA *Bus Stop Placement, Closures and Relocations Policy* (<https://www.vta.org/sites/default/files/documents/busstoppolicy.pdf>), or as directed by the Department of Public Works. The estimated cost for a bus pad is \$22,000 and bus shelter is \$15,000. [DEVELOPMENT AGREEMENT] [PUBLIC WORKS/PLANNING/OCA]
- EP-38. CITY STREET TREES:  
The developer shall install required street trees along the project frontage as follows: Kifer Road: Platanus Acerifolia "Columbia" Columbia London Plane. 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. The city tree spacing should be approximately 30 feet apart. A continuous root barrier shall be installed along the existing sidewalk area. No trees are to be planted within 10' of a sanitary sewer lateral and within any existing or proposed Public Utility Easement. [SDR] [PUBLIC WORKS]
- EP-39. 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-40. 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 Department of Public Works. All existing traffic detector loops and conduits shall be protected in place during construction. Any damaged detector loops shall be replaced within 7 days at the expense of the developer. [COA] [PUBLIC WORKS]
- EP-41. ENCROACHMENT AGREEMENT:  
Developer is required to enter and sign an Encroachment Agreement with the City for the private access, ingress, egress and utility use over, across and upon the Private Pedestrian Bridge in Public Right-of-Way. [COA] [PUBLIC WORKS]
- EP-42. APPROVAL FROM OTHER AGENCIES:  
This project requires approval letter/permit from as the following:
1. City of Santa Clara for traffic control plan or any construction impact to their right-of-way.
  2. Various franchised / utility companies for the proposed on-site improvements within existing PUEs, WCEs, PG&E easements prior to any plan submittal. [COA] [PUBLIC WORKS]

EP-43. **RECORD DRAWINGS:**

Stamped and signed hard copy record drawings of the off-site improvements (including off-site street, sewer, water, storm drain and landscaping plans) shall be submitted to the City prior to encroachment permit sign-off. In addition, streetlight record drawings shall be in AutoCAD format & GIS format. Developer shall pay the record drawing fee. [COA] [PUBLIC WORKS]

EP-44. **BUS PAD AND BENCH AT 945 KIFER FRONTAGE:**

Developer shall install a bus pad and bus bench on the north side of Kifer Road per Santa Clara Valley Transportation Authority's (VTA's) latest design standards and VTA design and placement standards. Bus pad and bench locations, as shown on sheet C4-102 Overall Site Plan dated 3/1/2024, prepared by Kier and Wright, are subject to review and approval by the Department of Public Works prior to encroachment permit issuance. [COA] [PUBLIC WORKS] [NEW]

EP-45. **STREET EASEMENT DEDICATION AT EASTERN DRIVEWAY:**

Developer shall dedicate street easement(s) along Kifer Road to accommodate the new curb ramps and sidewalk outside of the existing public right-of-way at the intersection of Kifer Road and the new eastern project driveway. Where these street easements fall within City of Santa Clara right-of-way, obtain approvals from City of Santa Clara and provide a copy of the recorded easement to Sunnyvale Public Works. The easement area as shown on Overall Site Plan sheet C4-102 dated 3/1/2024, prepared by Kier and Wright, is subject to change during the plan check process. [COA] [PUBLIC WORKS] [NEW]

EP-46. **IRREVOCABLE OFFER OF DEDICATION:**

An Irrevocable Offer of Dedication is required for along the Central Expressway project frontage, to accommodate the future Santa Clara County 12-foot-wide auxiliary lane and 6-foot-wide sidewalk improvements (collectively, the "Central Expressway Improvements") dedicated to the City, as shown on sheet C4-102 Overall Site Plan dated 3/1/2024, prepared by Kier and Wright. The 18 feet dedication measures from the face of curb and towards the south along the entire project frontage on Central Expressway. The Irrevocable Offer of Dedication shall not require the Developer or property owner to incur any out-of-pocket costs or expenses in connection with the granting and/or acceptance of the offer of dedication and/or the use or improvement of such area for the future Central Expressway Improvements. If all or any part of the project's off-street automobile parking area, loading area, or any other area required by Code and/or by conditions of approval are eliminated or reduced in size because of such dedication, the project may nonetheless be constructed, and may thereafter be used, maintained, repaired, and/or replaced as contemplated by the herein approved plans. In addition, and for the avoidance of doubt, such dedication and the Central Expressway Improvements shall not reduce the maximum density or floor area otherwise permitted on the property.

The City does not intend to accept the Irrevocable Offer of Dedication until such time that the dedication area is needed to accommodate the widening of Central Expressway and associated frontage improvements. City shall provide minimum 90 days notice to Property Owner upon its intent to accept the offer.

The Irrevocable Offer of Dedication shall be recorded prior to the issuance of encroachment permit, unless otherwise approved by the Department of Public Works.

[COA] [PUBLIC WORKS] [NEW]

EP-47. PRIVATE BRIDGE VERTICAL CLEARANCE:

The proposed Private Pedestrian Bridge crossing the Public Right-of-Way over Kifer Road shall maintain a minimum of 20' vertical clearance over all vehicular travel lanes within Kifer Road, from curb to curb. [COA] [PUBLIC WORKS] [NEW]

**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 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. [COA] [PUBLIC WORKS]

PM-2. RESERVATION/ABANDONMENT OF EASEMENTS:

Reservation of new 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 Department of Public Works. The Phased Vesting Tentative Parcel Map with sheets C-SL-011-XX-01-PL to C-SL-011-XX-05-PL dated 11/13/20 is subject to change during the parcel map check process. 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. UTILITY COMPANY APPROVAL:

Obtain approval letters from various utility companies for the parcel map in regards to any existing or new easements associated with the project. [COA] [PUBLIC WORKS]

PM-4. EMERGENCY VEHICLE ACCESS EASEMENT:

Developer shall dedicate a minimum 26'-wide emergency vehicle ingress-egress easement over the surface parking areas, excepting areas for parking

stalls. The site development plan with sheets C-sl-01-1-xx-01-PL to C-sl-01-1-xx-15-PL dated 7/31/20 and 11/13/20 and the Phased Vesting Tentative Parcel Map with sheets C-SL-011-XX-01-PL to C-SL-011-XX-05-PL dated 11/13/20 are subject to change during the plan check process. [COA][PUBLIC SAFETY/PUBLIC WORKS]

- PM-5. SHARED-USE PATH EASEMENT:  
Developer shall dedicate a minimum 12-foot-wide public shared-use path easement for bicycle and pedestrian use along the west side and rear side of parcel 205-49-017 and rear side of parcel 205-49-018 in order to connect from Kifer Road to Sonora Court. [COA] [PUBLIC WORKS]
- PM-6. STREET EASEMENT:  
Developer shall dedicate a minimum 1-foot-wide street easement along the Kifer Road project frontage of the South to accommodate new streetscape requirements. The site development plan with sheets C-sl-01-1-xx-01-PL to C-sl-01-1-xx-15-PL dated 7/31/20 and 11/13/20 and the Phased Vesting Tentative Parcel Map with sheets C-SL-011-XX-01-PL to C-SL-011-XX-05-PL dated 11/13/20 are subject to change during the plan check process. [COA] [PUBLIC WORKS]
- PM-7. PUBLIC WORKS DEVELOPMENT FEES:  
Developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees, 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]
- PM-8. SUBDIVISION IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:  
Developer shall execute a Subdivision Improvement Agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to parcel map recordation or any permit issuance, whichever occurs first. [COA] [PUBLIC WORKS]
- PM-9. OFF-SITE IMPROVEMENT COST ESTIMATE:  
Provide an itemized engineer's estimate for all off-site public improvements for the entire project with breakdowns corresponding to each construction phases (in accordance with City approved phasing plan). [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. 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]

PF-2. COMPLETION OF DEVELOPMENT AGREEMENT ITEMS:

All required community benefits, with a construction component, identified in the project's Development Agreement, including, but not limited to, recycled water line extension and bus shelter/pad (if requested by the VTA); verification of all-electric construction by the project's green building professional, installation of solar PV system and electric vehicle infrastructure; and recycled water line shall be completed prior to any building occupancy, unless alternate timing is specified in the DA. [COA] [PLANNING/OCA]

PF-3. NEW PUBLIC EASEMENTS LOCATED ON-SITE:

Any new easements required for public use purpose shall be either shown on the recorded parcel map or on a separate recorded Easement Deed deemed necessary by the Department of Public Works prior to any building occupancy. [COA] [PUBLIC WORKS]

PF-4. LANDSCAPING AND IRRIGATION:

All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]

PF-5. PARKING LOT STRIPING:

All parking lot striping, guest spaces, electric vehicle, and carpool spaces shall be striped as per the approved building permit plans and Public Works standards prior to occupancy. [COA] [PLANNING/PUBLIC WORKS]

PF-6. IRRIGATION METERS:

For commercial and industrial projects, to ensure appropriate sewer billing (water used for irrigation may not be billed for sewer), the developer may provide separate (irrigation and other) intake meters. Such meters could be installed prior to occupancy of the building. [COA] [PLANNING]

PF-7. DUAL PLUMBING – ENGINEERING REPORT:

Per Development Agreement, if there is reclaimed (recycled) water in the project area and if developer elects to dual plumb building facilities, the Engineering Report will be approved by the City and the State Water Board prior to Building Occupancy issuance. [COA] [ENVIRONMENTAL SERVICES/PLANNING/PUBLIC WORKS/OCA]

PF-8. COMPLETION OF SITE REMEDIATION:

Prior to any building occupancy, the applicant shall provide documentation from the San Francisco Bay RWQCB confirming that all required site remediation measures required to occupy any building or site have been completed and shall provide plans for ongoing monitoring, if required, to the satisfaction of the agency. [COA] [PLANNING]

PF-9. COMPLETION OF GARAGE PRIOR TO OCCUPANCY OF OFFICE

BUILDING:

The new office building at 945-955 Kifer Road shall not be granted occupancy, in the form of a Temporary Certificate of Occupancy or a Final Certificate of Occupancy, until such time that the City of Santa Clara has issued a Final or Certificate of Occupancy for the new parking garage at 2900 Semiconductor Drive (APN: 205-39-028). The occupancy of the new office building is restricted in this manner to ensure the employees and visitors to the new office building will have access to the parking spaces in the new parking garage at 2900 Semiconductor Dr. The applicant is responsible for providing the City of Sunnyvale Planning Division and Building Division with evidence of Final or Certificate of Occupancy for the new garage structure prior to the Planning Division final inspection and Building Division final inspection for the office building at 945-955 Kifer Road. [COA]  
[PLANNING/BUILDING] [NEW]

**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]

DC-5. USE OF HIGH-PERFORMANCE RENEWABLE DIESEL:  
Per SEIR Mitigation Measure 3.2-1, the applicant shall require its construction contractors to use high-performance renewable diesel (HPRD) fuel for diesel-powered construction equipment, to the extent available. Any HPRD product that is considered for use by the construction contractor shall comply with California's Low Carbon Fuel Standards. HPRD fuel must meet the following criteria:

- a) Be hydrogenation-derived (reaction with hydrogen at high temperatures) from 100 percent biomass material (i.e., nonpetroleum sources), such as animal fats and vegetables,
- b) Contain no fatty acids or functionalized fatty acid esters, and
- c) Have a chemical structure that is identical to petroleum-based diesel which ensures HPRD will be compatible with all existing diesel engines; it must comply with American Society for Testing and Materials D975 requirements for diesel fuels.

[COA] [PLANNING]

DC-6. COMPLIANCE WITH APPROVED SITE REMEDIATION PLAN:  
Per SEIR Mitigation Measure 3.8-1, the applicant shall comply with all remediation and site management controls as prescribed in the San Francisco Bay RWQCB's approved site remediation plan. [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. DELIVERY HOURS:  
There are no time restrictions on delivery hours unless the loading/unloading area is adjacent to a residential zoning district. In which case, 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-2. RECYCLING AND SOLID WASTE:  
All exterior recycling and solid waste shall be confined to approved receptacles and enclosures. [COA] [PLANNING]
- AT-3. LOUDSPEAKERS PROHIBITED:  
Out-of-door loudspeakers shall be prohibited at all times except during public events and affairs of interest to the general public, and then only on permit from the Department of Public Safety. [COA] [PLANNING]
- AT-4. EXTERIOR EQUIPMENT:  
All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. 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-5. 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-6. PROHIBITED USE OF RECYCLED WATER ON TREES:  
Recycled/reclaimed (recycled) water irrigation is prohibited for use on trees susceptible to the high salt-water content of recycled water, including redwood trees and other species that may be damaged by recycled water. [COA] [PLANNING]
- AT-7. PARKING MANAGEMENT:  
On Site parking management shall conform with the approved parking management plan. As part of the building permit submittal for the new office building at 945-955 Kifer Road (North Site), the applicant shall submit a Parking Management Plan documenting the sharing of parking spaces in the parking structure at 2900 Semiconductor Drive in the City of Santa Clara (PLN 22-00340). The Parking Management Plan shall be subject to the review and approval of the Community Development Director, or their designee, for consistency with planning application 2022-7369. [COA] [PLANNING]  
**[UPDATED]**
- AT-8. PARKING LOT MAINTENANCE:  
Parking lots shall be maintained in accordance with the approved plans and as follows:  
a) Clearly mark all employee and visitor spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.  
b) Maintain all parking lot striping and marking.



c) Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.

d) Require signs to direct vehicles to additional parking spaces on-site, as needed.

[COA] [PLANNING]

AT-9. UNENCLOSED STORAGE:

Unenclosed storage area(s) shall be fully screened to the highest point of any stored or stacked materials, equipment and/or supplies of any kind. The design and method of enclosure is subject to approval by the Director of Community Development. Any modification or expansion of unenclosed uses shall be subject to review and approval by the Director of Community Development.

[COA] [PLANNING]

AT-10. BMP MAINTENANCE:

The project applicant, owner, or landlord 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-11. 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 storm water treatment best management practices contained in the approved Storm Water Management Plan. [SDR] [PLANNING]

AT-12. FUTURE CONVERSION OF AMENITY AND NON-HABITABLE SPACES:

Any proposed future conversion of amenity or non-habitable spaces (including but not limited to, employee restaurants, detached amenity building, central utility plant, unhabitable basement/parking area, and other accessory structures) to office/R&D/industrial floor area shall require, at a minimum, a City planning permit, environmental and transportation analysis, and additional parking in accordance with Chapter 19.35 of the Sunnyvale Municipal Code. The amount of potential converted area is subject to the remaining LSAP Office/R&D/Industrial Capacity at the time. [COA] [PLANNING]

AT-13. TENANT LEASE AGREEMENTS:

Any new lease agreements shall include the following provisions:

a) Tenants shall be notified of their responsibility and shall agree to implement and manage the approved Transportation Demand Management Program.

b) Tenants shall be notified of their responsibility and shall agree to construct all tenant improvements to meet a minimum of LEED Gold standard and maintain facilities consistent with LEED Gold standards and USGBC certification.

[COA] [PLANNING]

AT-14. TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN ANNUAL REVIEW AND REPORTING:

The property owner shall comply with the Annual Review and Reporting requirements set forth in the TDM Program Guidelines, including applicable fees for review. [COA] [PLANNING/TRANSPORTATION]

AT-15. TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM) COMPLIANCE:

In order to measure compliance, the City will administer annual driveway trip counts once the project site(s) reaches 75% occupancy. All costs associated with the counts will be paid for by the property-owner; the City will invoice the owner prior to the completion of the counts. The counts will be conducted per the Transportation Demand Management (TDM) Program at the City's discretion. Delay in funding traffic counts shall be taken into account in determination of trip reduction compliance. Failure to fund traffic counts shall result in application of maximum penalty.

If the first annual driveway trip counts result in more trips than allowable per this section, the property-owner may be given a six-month grace period, at the City's discretion, to adjust their TDM program. At the end of the six-month grace period the City will administer new driveway trip counts at the cost of the property owner. If the site continues to be non-compliant with the maximum allowable trips per this section, the property owner shall pay non-compliance penalties per the City's TDM program in place at the time of the penalties are applied; no additional grace periods will be granted. Such penalties shall be applied every year thereafter that the development is not in compliance with the maximum allowable trips generated.

When sites are found to be non-compliant with the maximum allowable trips, the property owner shall cause the TDM plan to be adjusted. [COA] [PLANNING/TRANSPORTATION]

AT-16. SOLID WASTE/RECYCLING (NORTH SITE):

The following Conditions of Approval from the Department of Environment Services shall apply to subsequent building permits and operations on-site:

- a) All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.
- b) Property staff are responsible for moving carts from the trash enclosure to the stress pad on service days. Failure to do so will result in no service for garbage and recycling on site.
- c) Subscribe to and pay for the city's at least weekly collection services for collection of food scraps, cardboard, and landfill waste.
- d) Provide education information before or within fourteen days of occupation of the premises to new tenants that describes requirements to source separate recyclable materials and organic materials. Upon occupancy, contact the City's commercial outreach lead in the Department of

Environmental Services, Mary Lindemuth (408-730-7484), to obtain this educational information.

- e) Provide pre-collection containers for the collection of source separated recyclable materials and source separated food scraps in all indoor and outdoor areas where landfill containers are provided for staff, for materials generated by that industrial facility. Such containers shall be visible and easily accessible. Such containers do not need to be provided in restrooms. Pursuant to 14 CCR Section 18984.9(b), the containers provided by the responsible party of the commercial business shall have either:
- i. A body or lid that conforms with the container colors provided through the collection service provided by city, with either lids conforming to the color requirements or bodies conforming to the color requirements or both lids and bodies conforming to color requirements. The responsible party of the commercial business is not required to replace functional containers, including containers purchased prior to January 1, 2022, that do not comply with the requirements of this subsection prior to the end of the useful life of those containers, or prior to January 1, 2036, whichever comes first.
  - ii. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that container, or containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the container. Pursuant 14 CCR Section 18984.8, the container labeling requirements are required on new containers commencing January 1, 2022.

(COA) [ENVIRONMENTAL SERVICES] [NEW]

AT-17. MULTI-AGENCY COORDINATION (NORTH SITE):

The following Condition of Approval shall run with the property at 945-955 Kifer Road (north site) for as long as the uses authorized in planning application 2022-7369 remain on the property. Planning application 2022-7369 includes required implementation of off-site improvements consisting of a new above-ground garage at 2900 Semiconductor Drive in the City of Santa Clara and ingress/egress circulation improvements to/from Central Expressway. The applicant shall work with the City of Sunnyvale, City of Santa Clara and the County of Santa Clara to ensure project related parking and roadway improvements are implemented consistent with the approved planning applications 2019-7557 and as modified through planning application 2022-7369. The applicant shall be responsible for communicating any changes to north site (945-955 Kifer Road) and on the adjacent parcel (2900 Semiconductor Drive) with all three agencies to ensure consistent implementation. For reference, the new garage is known as planning application PLN 22-00340 in the City of Santa Clara. (COA) [PLANNING] [NEW]

**CONTINUES ON NEXT PAGE**

Exhibit 1 – The Lawrence Station Area Plan (LSAP) Update/Intuitive Surgical Corporate Campus Project Mitigation Monitoring and Reporting Program follows on the next page.

**Lawrence Station Area Plan Update/Intuitive Surgical Corporate Campus Project  
Final Subsequent Environmental Impact Report  
Mitigation Monitoring and Reporting Program**

**1. Statutory Requirement**

When a lead agency makes findings on significant environmental effects identified in an environmental impact report (EIR), the agency must also adopt a “reporting or monitoring program for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment” (Public Resources Code Section 21081.6(a) and California Environmental Quality Act Guidelines Section 15091(d) and Section 15097). The Mitigation Monitoring and Reporting Program (MMRP) is implemented to ensure that the mitigation measures and project revisions identified in the EIR are implemented. Therefore, the MMRP must include all changes in the proposed project either adopted by the project proponent or made conditions of approval by the lead agency or a responsible agency.

**2. Administration of the Mitigation Monitoring and Reporting Program**

The City of Sunnyvale (City) is the lead agency responsible for the adoption of the MMRP. The City is responsible for implementing, verifying, and documenting compliance with the MMRP, in coordination with other identified agencies. According to CEQA Guidelines Section 15097(a), a public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity that accepts the delegation. However, until mitigation measures have been completed, the lead agency remains responsible for ensuring that implementation of the measures occurs in accordance with the program.

**3. Mitigation Measures and Reporting Program**

Table A-1 is structured to enable quick reference to mitigation measures and the associated monitoring program based on the environmental resource. The numbering of mitigation measures correlates with numbering of measures found in the impact analysis sections of the Draft EIR.

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
<b>Air Quality</b>				
<b>MM 3.5.3a</b>	<p>Prior to the issuance of grading or building permits, the City of Sunnyvale shall ensure that the BAAQMD's basic construction mitigation measures from Table 8-1 of the BAAQMD 2011 CEQA Air Quality Guidelines (or subsequent updates) are noted on the construction documents. These basic construction mitigation measures include the following:</p> <ol style="list-style-type: none"> <li>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.</li> <li>2. All haul trucks transporting</li> </ol>	<ul style="list-style-type: none"> <li>• Plan approval</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to issuance of grading or building permits</li> <li>• During construction</li> </ul>	<ul style="list-style-type: none"> <li>• City of Sunnyvale (plan check)</li> <li>• Project applicant (during construction)</li> </ul>

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>soil, sand, or other loose material off-site shall be covered.</p> <p>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.</p> <p>4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).</p> <p>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.</p>			



**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>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.</p> <p>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</p>			

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	ensure compliance with applicable regulations.			
<b>MM 3.5.3b</b>	In the cases where construction projects are projected to exceed the BAAQMD air pollutant significance thresholds for NOX, PM10, and/or PM2.5, all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors) shall be at least CARB Tier 3 Certified or better.	<ul style="list-style-type: none"> <li>• Plan approval</li> <li>• Site inspection</li> </ul>	<ul style="list-style-type: none"> <li>• Requirements to be identified on construction/improvement plans</li> <li>• During construction</li> </ul>	<ul style="list-style-type: none"> <li>• Project applicant (during construction)</li> <li>• City of Sunnyvale (plan check and during construction)</li> </ul>
<b>MM 3.2-1</b>	The applicant shall require its construction contractors to use high-performance renewable diesel (HPRD) fuel for diesel-powered construction equipment, to the extent available.	<ul style="list-style-type: none"> <li>• Plan approval (applicable to ISI project only)</li> <li>• Site inspection (applicable to ISI project only)</li> </ul>	<ul style="list-style-type: none"> <li>• Requirements to be identified on construction/improvement plans.</li> <li>• During construction</li> </ul>	<ul style="list-style-type: none"> <li>• Project applicant (during construction)</li> <li>• City of Sunnyvale (during construction)</li> </ul>

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>Any HPRD product that is considered for use by the construction contractor shall comply with California’s Low Carbon Fuel Standards. HPRD fuel must meet the following criteria:</p> <ul style="list-style-type: none"> <li>• be hydrogenation-derived (reaction with hydrogen at high temperatures) from 100 percent biomass material (i.e., nonpetroleum sources), such as animal fats and vegetables,</li> <li>• contain no fatty acids or functionalized fatty acid esters, and</li> <li>• have a chemical structure that is identical to petroleum-based diesel which ensures</li> </ul>			

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>HPRD will be compatible with all existing diesel engines; it must comply with American Society for Testing and Materials D975 requirements for diesel fuels.</p>			
<p><b>MM 3.5.5</b></p>	<p>In the case when a subsequent project's construction is span greater than five acres and is scheduled to last more than two years, the subsequent project shall be required to prepare a site-specific construction pollutant mitigation plan in consultation with the BAAQMD staff prior to the issuance of grading permits. A project-specific construction-related dispersion modeling acceptable to BAAQMD shall be used to identify</p>	<ul style="list-style-type: none"> <li>• Plan approval</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to issuance of grading permit</li> </ul>	<ul style="list-style-type: none"> <li>• City of Sunnyvale (plan check)</li> <li>• Project applicant (during construction)</li> </ul>

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>potential toxic air contaminant impacts, including diesel particulate matter. If BAAQMD risk thresholds (i.e., probability of contracting cancer is greater than 10 in 1 million) would be exceeded, mitigation measures shall be identified in the construction pollutant mitigation plan to address potential impacts and shall be based on site-specific information such as the distance to the nearest sensitive receptors, project site plan details, and construction schedule. The City shall ensure construction contracts include all identified measures and that the measures reduce the health risk below BAAQMD risk thresholds.</p>			

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>Construction pollutant mitigation plan measures shall include, but not be limited to:</p> <ol style="list-style-type: none"> <li>1. Limiting the amount of acreage to be graded in a single day,</li> <li>2. Restricting intensive equipment usage and intensive ground disturbance to hours outside of normal preschool hours,</li> <li>3. Notification of affected sensitive receptors one week prior to commencing on-site construction so that any necessary precautions (such as rescheduling or relocation of outdoor activities) can be implemented.</li> </ol>			

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>The written notification shall include the name and telephone number of the individual empowered to manage construction of the project. In the event that complaints are received, the individual empowered to manage construction shall respond to the complaint within 24 hours. The response shall include identification of measures being taken by the project construction contractor to reduce construction-related air pollutants. Such a measure may include the relocation of equipment.</p>			

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
<b>MM 3.5.6</b>	<p>The following measures shall be utilized in site planning and building designs to reduce TAC and PM2.5 exposure where new receptors are located within 1,000 feet of emission sources:</p> <ul style="list-style-type: none"> <li>• Future development with the LSAP that includes sensitive receptors (such as residences, schools, hospitals, daycare centers, or retirement homes) located within 1,000 feet from Caltrain and/or stationary sources shall require site-specific analysis to determine the level of health risk. This analysis shall be conducted following procedures</li> </ul>	<ul style="list-style-type: none"> <li>• Plan approval</li> </ul>	<ul style="list-style-type: none"> <li>• Incorporate during site planning and building design</li> <li>• Prior to Planning approval</li> </ul>	<ul style="list-style-type: none"> <li>• City of Sunnyvale</li> </ul>



**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>outlined by BAAQMD. If the site-specific analysis reveals significant exposures from all sources (i.e., health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a hazard Index greater than 10, or annual PM2.5 exposures greater than 0.8 µg/m<sup>3</sup>) measures shall be employed to reduce the risk to below the threshold (e.g., electrostatic filtering systems or equivalent systems and location of vents away from TAC sources). If this is not possible, the sensitive receptors shall be relocated.</p> <ul style="list-style-type: none"> <li>• Future nonresidential</li> </ul>			

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>developments projected to generate more than 100 heavy-duty trucks daily will be evaluated through the CEQA process or BAAQMD permit process to ensure they do not cause a significant health risk in terms of excess cancer risk greater than 10 in one million, acute or chronic hazards with a hazard Index greater than 1.0, or annual PM2.5 exposures greater than 0.3 µg/m3.</p>			
<b>Archaeological, Historical, and Tribal Cultural Resources</b>				
<b>MM 3.10.2</b>	<p>All subsequent projects within the LSAP plan area shall be required to include information on the improvement plans that if, during the course of grading or</p>	<ul style="list-style-type: none"> <li>• Plan approval</li> </ul>	<ul style="list-style-type: none"> <li>• Information to be included on construction and improvement plans.</li> <li>• During construction</li> </ul>	<ul style="list-style-type: none"> <li>• City of Sunnyvale (plan check)</li> <li>• Project applicant (if resources found)</li> </ul>

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>construction, cultural resources (i.e., prehistoric or historic sites) are discovered, work will stop in that area and within 100 feet of the find until a qualified archaeologist can [assess] the significance of the find and, if necessary, develop appropriate treatment measures as part of a treatment plan in consultation with the City and all other appropriate agencies. The treatment plan shall include measures to document and protect the discovered resource. Consistent with CEQA Guidelines Section 15126.4(b)(3), preservation in place will be the preferred method of mitigating impacts to the</p>			

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>discovered resource. Pursuant to Government Code Section 6254.10, information on the discovered resource shall be confidential.</p>			
<b>Biological Resources</b>				
<b>MM 3.9.2</b>	<p>Prior to the removal of trees or the demolition of buildings, a bat survey shall be performed by a qualified biologist no more than 3 days prior to the start of construction activities. If bat roosts are identified, the City shall require that the bats be safely flushed from the sites where roosting habitat is planned to be removed. If maternity roosts are identified during the maternity roosting season (typically May to</p>	<ul style="list-style-type: none"> <li>• Preconstruction surveys</li> </ul>	<ul style="list-style-type: none"> <li>• No more than 3 days prior to building demolition and/or tree removal</li> </ul>	<ul style="list-style-type: none"> <li>• Project applicant (survey and protection measures)</li> <li>• City of Sunnyvale (document compliance)</li> </ul>

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>September), they must remain undisturbed until a qualified biologist has determined the young bats are no longer roosting. If roosting is found to occur on-site, replacement roost habitat (e.g., bat boxes) shall be provided to offset roosting sites removed. If no bat roosts are detected, no further action is required if the trees and buildings are removed prior to the next breeding season.</p> <ul style="list-style-type: none"> <li>• If a female or maternity colony of bats is found on the project site, and the project can be constructed without the elimination or disturbance of the roosting colony (e.g., if the colony roosts in a large oak tree not</li> </ul>			

**TABLE A-1**  
**LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>planned for removal), a qualified biologist shall determine what buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 200 feet from the roost and/or the timing of the construction activities outside of the maternity roost season (after July 31 and before March 1).</p> <ul style="list-style-type: none"> <li>• If an active nursery roost is documented on-site and the project cannot be conducted outside of the maternity roosting season, bats shall be excluded from the site after</li> </ul>			

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>July 31 and before March 1 to prevent the formation of maternity colonies. Nonbreeding bats shall be safely evicted under the direction of a bat specialist.</p>			
<b>MM 3.9.3</b>	<p>All construction and clearing activities shall be conducted outside of the avian nesting season (January 15–August 31), when feasible. If clearing and/or construction activities occur during the nesting season, preconstruction surveys for nesting raptors, special-status resident birds, and other migratory birds protected by the Migratory Bird Treaty Act shall be conducted by a qualified biologist, up to 3 days</p>	<ul style="list-style-type: none"> <li>• Preconstruction surveys for work done between January 15 and August 31</li> </ul>	<ul style="list-style-type: none"> <li>• No more than 3 days prior to tree removal and/or site preparation involving removal of vegetation</li> </ul>	<ul style="list-style-type: none"> <li>• Project applicant (survey and protection measures)</li> <li>• City of Sunnyvale (document compliance)</li> </ul>

**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds. If an active nest is located within 100 feet (250 feet for raptors) of construction activities, the project applicant shall establish an exclusion zone (no ingress of personnel or equipment at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest). Alternative exclusion zones may be established through</p>			



**TABLE A-1  
LSAP UPDATE/INTUITIVE SURGICAL CORPORATE CAMPUS PROJECT MITIGATION MONITORING AND REPORTING PROGRAM**

Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>consultation with the CDFW and the USFWS, as necessary. The City shall be notified if altered exclusion zones widths are authorized by these agencies prior to the initiation of work. The exclusion zones shall remain in force until all young have fledged.</p>			
<b>Geology and Soils</b>				
<b>MM 3.7.4</b>	<p>All subsequent projects within the LSAP plan area shall be required to include information on the improvement plans that if, during the course of grading or construction fossils are discovered, work shall be halted immediately within 50 feet of the discovery, the Sunnyvale Community Development</p>	<ul style="list-style-type: none"> <li>• Plan approval</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to issuance of grading permit</li> <li>• During construction</li> </ul>	<ul style="list-style-type: none"> <li>• City of Sunnyvale (plan check)</li> <li>• Project applicant (if fossils discovered)</li> </ul>

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Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>Department shall be notified, and the significance of the find and recommended actions must be determined by a qualified paleontologist. In addition, prior to the commencement of project site preparation, all construction personnel shall be informed of the potential to discover fossils and the procedures to follow.</p>			
<b>Hydrology and Water Quality</b>				
<b>MM 3.8.3</b>	<p>Prior to approving any subsequent projects in the LSAP at any location where fill is placed in the FEMA AO zone to elevate the ground surface above the base flood elevation, the project applicant shall submit a hydraulic analysis prepared by a California-</p>	<ul style="list-style-type: none"> <li>• Plan approval (<i>only applicable to development within FEMA AO zone</i>)</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to issuance of grading permit</li> </ul>	<ul style="list-style-type: none"> <li>• City of Sunnyvale (plan check)</li> <li>• Project applicant</li> </ul>

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	<p>registered professional engineer for City Engineer review and approval. The analysis shall, at a minimum, identify: (1) the specific locations where changes in water surface elevations due to fill encroachment could occur; and (2) drainage improvements that will be used to ensure placement of fill will not increase flood hazards in areas not previously subject to flooding during occurrence of the base flood discharge.</p>			
<b>Hazards and Hazardous Materials</b>				
<b>3.8-1</b>	<p>The City shall require that a Phase I ESA is prepared and submitted with any application for new development or redevelopment within the adopted LSAP boundary. The Phase I ESA shall be prepared</p>	<ul style="list-style-type: none"> <li>• Review of Phase I and/or Phase II ESA</li> <li>• Site inspection</li> </ul>	<ul style="list-style-type: none"> <li>• Phase I and II (if identified as necessary by the Phase I) at the time development application is submitted</li> <li>• Responsible agency approval of applicant's site management controls prior to</li> </ul>	<ul style="list-style-type: none"> <li>• Project applicant (Phase I/Phase II)</li> <li>• City of Sunnyvale (document compliance)</li> </ul>

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Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>by a qualified professional registered in California and in accordance with ASTM E1527-13 (or the most current version at the time a development application is submitted for the project).  If determined necessary by the Phase I ESA, a Phase II ESA shall be conducted to determine the lateral and vertical extent of soil, groundwater, and/or soil vapor contamination, as recommended by the Phase I ESA.  The City shall not issue a building permit for a site where contamination has been identified until remediation or effective site management controls appropriate for the use of the site have been</p>		<p>grading and building permit issuance</p> <ul style="list-style-type: none"> <li>• Site inspection during construction</li> </ul>	

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<b>Mitigation Measure</b>	<b>Requirements of Measure</b>	<b>Compliance Method</b>	<b>Verification/Timing</b>	<b>Responsible Party</b>
	<p>completed, consistent with applicable regulations and to the satisfaction of the City of Sunnyvale, DTSC, or San Francisco Bay RWQCB (as appropriate) before initiation of construction activities. Deed restrictions, if appropriate, shall be recorded. If temporary dewatering is required during construction or if permanent dewatering is required for subterranean features, the City shall not issue an improvement permit or building permit until documentation has been provided to the City that the San Francisco Bay RWQCB has approved the discharge to the sewer. Discharge of any</p>			

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	<p>groundwater removed from a construction site within the adopted LSAP and to the El Camino Storm Drain Channel, Calabazas Creek, or storm drain shall be subject to Water Pollution Control Permit requirements.</p> <p>If the Phase I ESA determines there are no RECs, no further action is required.</p> <p>However, the City shall ensure any grading or improvement plan or building permit includes a statement if hazardous materials contamination is discovered or suspected during construction activity, all work shall stop immediately until a qualified professional has determined an appropriate course of action.</p>			

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<b>MM 3.3.5</b>	Before issuance of a permit for a specific development project or before approving a City-initiated roadway improvement identified in the LSAP, the City shall determine whether project construction activities have the potential to affect traffic conditions on roadways as a result of construction of the development project or roadway improvement(s). If there is the potential the activities could impair or inhibit emergency response or evacuation, a Construction Traffic Control Plan shall be prepared for City review and approval. The plan shall include, but not be limited to, schedule of construction and	<ul style="list-style-type: none"> <li>• Plan approval</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to building permit issuance</li> </ul>	<ul style="list-style-type: none"> <li>• City of Sunnyvale (plan check and inspection)</li> <li>• Project applicant (prepare plan)</li> </ul>

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Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>anticipated methods of handling traffic for each phase of construction to ensure the safe flow of traffic and adequate emergency access, including maintaining an open lane for vehicle travel at all times. All traffic control measures shall conform to City of Sunnyvale, Santa Clara County, and/or Caltrans standards, as applicable. The City shall ensure final approved plans for private development projects specify the requirement, as appropriate, to implement the construction traffic control plan.</p>			
<b>Noise and Vibration</b>				
<b>MM 3.6.4</b>	<p>Subsequent projects in the LSAP shall employ site-specific noise attenuation measures during</p>	<ul style="list-style-type: none"> <li>• Plan approval</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to issuance of grading and/or building permits</li> </ul>	<ul style="list-style-type: none"> <li>• City of Sunnyvale (plan check and inspection)</li> <li>• Project</li> </ul>



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Mitigation Measure	Requirements of Measure	Compliance Method	Verification/Timing	Responsible Party
	<p>construction to reduce the generation of construction noise. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the City of Sunnyvale Building Services Division. Measures specified in the Noise Control Plan and implemented during construction shall include, at a minimum, the following noise control strategies:</p> <ul style="list-style-type: none"> <li>• Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and</li> </ul>			<p>applicant (during construction)</p>

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	<p>acoustically attenuating shields or shrouds;</p> <ul style="list-style-type: none"> <li>• Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dB. External jackets on the tools themselves shall be used</li> </ul>			

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	<p>where feasible; this could achieve a reduction of 5 dB. Quieter procedures, such as use of drills rather than impact tools, shall be used; and</p> <ul style="list-style-type: none"> <li>• Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures.</li> <li>• Noise reducing pile-driving techniques shall be employed during Project construction. These techniques shall include: <ul style="list-style-type: none"> <li>○ Installing intake and exhaust mufflers on</li> </ul> </li> </ul>			

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	<p>pile-driving equipment;</p> <ul style="list-style-type: none"> <li>○ Vibrating piles into place when feasible, and installing shrouds around the pile- driving hammer where feasible;</li> <li>○ Implement “quiet” pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</li> <li>○ Use cushion blocks to dampen impact noise,</li> </ul>			

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	<p>if feasible based on soil conditions. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon and micarta (a composite material); and</p> <ul style="list-style-type: none"> <li>○ At least 48 hours prior to pile-driving activities, the applicant shall notify building owners and occupants</li> </ul>			

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	within 600 feet of the Project area of the dates, hours, and expected duration of such activities.			
<b>Transportation and Traffic</b>				
<b>MM 3.14-7</b>	Before construction or issuance of building permits, the developer or the construction contractor for the ISI project shall prepare a temporary traffic control plan (TTC) to the satisfaction of the City of Sunnyvale Division of Transportation and Traffic and subject to review by all affected agencies. The TTC shall include all information required on the City of Sunnyvale TTC Checklist and conform to the TTC Guidelines of the City of Sunnyvale.	<ul style="list-style-type: none"> <li>• Plan approval (applicable to ISI project only)</li> </ul>	<ul style="list-style-type: none"> <li>• Prior to construction of issuance of building permits</li> </ul>	<ul style="list-style-type: none"> <li>• City of Sunnyvale (plan check)</li> <li>• Project applicant (prepare plan)</li> </ul>

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	<p>At a minimum, the plan shall include the following elements:</p> <ul style="list-style-type: none"> <li>• provide vicinity map including all streets within the work zone properly labeled with names, posted speed limits and north arrow;</li> <li>• provide existing roadway lane and bike lane configuration and sidewalks where applicable including dimensions;</li> <li>• description of proposed work zone;</li> <li>• description of detours and/or lane closures (pedestrians, bicyclists, vehicular);</li> <li>• description of no parking zone or parking restrictions;</li> <li>• provide appropriate tapers and lengths, signs, and spacing;</li> </ul>			

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	<ul style="list-style-type: none"> <li>• provide appropriate channelization devices and spacing;</li> <li>• description of buffers;</li> <li>• provide work hours/work days;</li> <li>• dimensions of above elements and requirements per latest CA—MUTCD Part 6 and City of Sunnyvale’s SOP for bike lane closures;</li> <li>• provide proposed speed limit changes if applicable;</li> <li>• description of bus stops, signalized and non-signalized intersection impacted by the work;</li> <li>• show plan to address pedestrians, bicycle and ADA requirement throughout the work zone per CA-MUTCD</li> </ul>			



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	<p>Part 6 and City of Sunnyvale’s SOP for Bike lane closures;</p> <ul style="list-style-type: none"> <li>• indicate if phasing or staging is requested and duration of each;</li> <li>• description of trucks, including number and size of trucks per day, expected arrival/departure times, truck circulation patterns;</li> <li>• provide all staging areas on the project site; and</li> <li>• ensure that the contractor has obtained and read the City of Sunnyvale’s TTC Guidelines and City of Sunnyvale’s SOP for bike lane closures; and</li> <li>• ensure traffic impacts are localized and temporary.</li> </ul>			

END OF MMRP