

**RECOMMENDED  
CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS  
3/25/2014**

**Planning Application 2012-8014  
645 Almanor Ave.**

**Design Review to allow construction of a 6-story, 172, 675 square foot office R&D building resulting in a 100 FAR and serviced by a new 5-level parking structure.**

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

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

**GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.**

**GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:**

All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

**GC-2. PERMIT EXPIRATION**

The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development.

The project may request an additional one-year extension prior to expiration of the approval.

**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. STORM WATER 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-5. GREEN BUILDING REQUIREMENTS:**

The new office building shall be constructed to meet at least a LEED Gold level or higher (Checklist). All tenants will be required to obtain LEED Gold level or better. The applicant shall consider 'cool roof' as a design feature to accomplish LEED Gold or better level. [COA] [PLANNING] (*cool roof recommended by Planning Commission*)

**GC-6. OFF-SITE IMPROVEMENT PLANS:**

Submit off-site improvement plans separate from the Building on-site improvement plans as the off-site improvement plans are approved through a Public Works Encroachment Permit process. [SDR] [PUBLIC WORKS]

**GC-7. ENCROACHMENT PERMIT:**

Prior to any work in the public right-of-way or public utility easement (PUE), 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-8. PUBLIC IMPROVEMENTS:**

Developer shall install public improvements as required by Sunnyvale Municipal Code Sections 18.08. Install the following improvements: sidewalk (meandering if needed), utility extensions and connections, landscaping, street lights, etc. This includes relocation of the existing City storm drain and sanitary sewer line.

All public improvements shall be designed and constructed in accordance with current City design standards, standard details and specifications, VTA's

Pedestrian Design Guidelines, and Americans with Disabilities Act (ADA) requirements where applicable, unless otherwise approved by the Department of Public Works. [COA] [PUBLIC WORKS] (*VTA guidelines recommended by Planning Commission*)

GC-9. MAXIMUM DEVELOPMENT AREA:

The maximum FAR for the site shall not exceed 100% for the rezoned site (M-S/FAR 100%). [COA] [PLANNING]

GC-10. OTHER AGENCIES

All proposed work on the Hetch Hetchy and Flood channel parcels shall require to be approved by San Francisco Public Utilities Commission (SFPUC) and Santa Clara Valley Water District (SCVWD).

GC-11. TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM) COMPLIANCE:

If annual review indicates that the actual average daily trips counts exceed the allowable number of trips identified in the approved plan, the property owner shall cause additional TDM measures to be put into place to reduce project trips. After six months of being notified by the City that annual trips exceeded allowable trips, a recount will be taken per item PS-1 c) above.

- a) If the recount exceeds trips above the allowable trips, then a penalty for non-compliance will be collected.
- b) If the recount exceeds trips for which Traffic Impact Fees were collected, the property owner shall be required to pay the City's then current Traffic Impact Fee for all trips that exceed the number of trips used for the basis of the original Traffic Impact Fee paid for the project. The terms of collection of the additional traffic impact fee shall be finalized in the TDM and subject to review and approval by the City. [COA] [PLANNING/TRANSPORTATION]

GC-12. BIRD SAFE BUILDING DESIGN GUIDELINES:

The project shall comply at all times with Sunnyvale's Bird Safe Design Guidelines by:

- a) No up-lighting or spots lights allowed;
- b) Shield lighting to cast light down onto area to be illuminated;
- c) Turn lights off at night or incorporate blinds into window treatment to use when lights are on at night;
- d) Create smaller zones in internal lighting layouts to discourage wholesale area illumination.

GC-13. PEERY PARK SPECIFIC PLAN:

The applicant/property owner/occupier of the site shall consider participation in a future Peery Park transportation association. (*recommended by Planning Commission*)

GC-14. 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, and/or adopted city impact fee schedule. [SDR] [PLANNING / OCA]

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

**PS-1. REVIEW OF FINAL DESIGN:**

Final architectural design, site design, exterior building materials, and color schemes are subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

**PS-2. REQUIRED REVISIONS TO PROJECT PLANS [COA] [PLANNING]:**

Submit a Final Landscape plan for review and approval by the Planning Director of Community Development prior to submittal of a building permit. The plan shall include additional trees in the setback area north of the parking structure facing Freeway 101.

**PS-3. 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-4. ENVIRONMENTAL MITIGATION MEASURES:**

Prior to submittal of building permit plans, provide documentation of compliance with all relevant environmental mitigation measures noted in the Initial Study of the Mitigated Negative Declaration. [COA] [PLANNING]

- a) Noise – Meet Sunnyvale Code related to construction hours, post signs at project site, notify neighbors, use “quiet” construction methods and equipment, location of noisy equipment, construction equipment to be in good working condition, avoid unnecessary idling, designate a construction noise coordinator.
- b) Biological Resources – Avoidance, Preconstruction Pre-disturbance Survey for nesting birds; and Inhibit Nesting if necessary.
- c) Historic and Cultural Resources (remains) – Inspection by Archeologist, , and if needed, develop an evaluation plan, avoid damaging the resource, preservation, other measures as may be necessary.
- d) Air Quality (during construction) – All exposed surfaces shall be watered 2 times per day, all haul trucks shall be covered, all visible mud or dirt tracks on public roads removed, sweeping of dry powder is prohibited, reduced speed of 15 mph for unpaved areas, minimize idling time, all construction equipment shall be maintained and properly tuned, post signs with contact information and designate a person to respond and take corrective action.

- e) Hazards and Hazardous Materials – Pre-construction ground water sampling and results to be shared with the City, and if needed develop site-specific mitigation plan followed by its implementation; meet Cal OSHA standards at all times.

**BP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).**

**BP-1. CONDITIONS OF APPROVAL:**

Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]

**BP-2. RESPONSE TO CONDITIONS OF APPROVAL:**

A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]

**BP-3. NOTICE OF CONDITIONS OF APPROVAL:**

A Notice of Conditions of Approval shall be filed in the official records of the County of Santa Clara and provide proof of such recordation to the City prior to issuance of any City permit, allowed use of the property, or Final Map, as applicable. The Notice of Conditions of Approval shall be prepared by the Planning Division and shall include a description of the subject property, the Planning Application number, attached conditions of approval and any accompanying subdivision or parcel map, including book and page and recorded document number, if any, and be signed and notarized by each property owner of record.

For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report from a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Conditions of Approval. [COA] [PLANNING]

**BP-4. BLUEPRINT FOR A CLEAN BAY:**

The building permit plans shall include a "Blueprint for a Clean Bay" on one full sized sheet of the plans. [SDR] [PLANNING]

**BP-5. GREEN BUILDING:**

The building permit plans shall demonstrate the project is designed to achieve a US Green Building's Rated Checklist for Gold or higher certification. This Checklist shall be included on plans. [SDR] [PLANNING/BUILDING]

**BP-6. SOLID WASTE MANAGEMENT DESIGN PLAN:**

A detailed recycling and solid waste design plan shall be submitted for review and approval by the Director of Community Development prior to issuance of

a building permit. The solid waste disposal plan and building permit plans shall demonstrate compliance with current City requirements and guidelines. [COA] [PUBLIC WORKS/PLANNING]

BP-7. 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 required solid waste and recycling enclosures shall:

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

BP-8. RECYCLING AND SOLID WASTE CONTAINER:

All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic. The building permit plans shall provide details illustrating compliance with this condition. [COA] [PLANNING]

BP-9. CLEARANCE FROM FEDERAL AVIATION ADMINISTRATION (FAA).

The project as proposed has obtained a No Objection/Clearance Certificate; any modifications to the building height will require clearance from FAA.

BP-10. ROOF EQUIPMENT:

Roof **antennas, equipment**, 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]. (*modifications recommended by Planning Commission*)

BP-11. FEES, BONDS & PAYMENTS:

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 and project's impact on City's intersections, estimated at \$349,666.88 prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- b) HOUSING MITIGATION FEE - Pay Housing Mitigation fee estimated at \$1,638,685.75, prior to issuance of a Building Permit. (SMC 19.22). [SDR] [PLANNING]

- c) ART IN PRIVATE DEVELOPMENT - Post Art in Private Development bond estimated at \$189,942.50, prior to issuance of a Building Permit. [SDR] [PLANNING]
  - (i) 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 development project will be required prior to issuance of a building permit. The bond will not released until completion and installation of the artwork requirement including related landscaping, lighting, base work and commemorative plaque. [PLANNING] [SDR]

BP-12. 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 application shall provide public visible artworks along Almanor Avenue. [COA] [PLANNING]

BP-13. 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 and ensure adequate usable open space. Individual exterior mechanical equipment/air conditioning units shall be screened with architecture or landscaping features. [PLANNING] [COA]

BP-14. LANDSCAPE PLAN:

Landscape and irrigation plans shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements. Landscape and irrigation plans are subject to review and approval by the Director of Community Development through the submittal of a Miscellaneous Plan Permit (MPP). The landscape plan shall include the following elements:

- a) All areas not required for parking, driveways or structures shall be landscaped.
- b) Provide additional trees at maximum 25 feet intervals along the north side of the parking structure to screen its view from 101 Freeway.
- c) Deciduous trees shall be provided along northern exposures for passive solar heating purposes.
- d) Replacement trees shall be native, low-water and large sized species.
- e) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- f) Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree of at least 36-inch size.

- g) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
  - h) Decorative paving as proposed in preliminary landscape plan.
  - i) All new landscaping shall be low-water usage.

*(modifications recommended by Planning Commission)*
- BP-15. LANDSCAPE MAINTENANCE PLAN:  
Prepare a landscape maintenance plan subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]
- BP-16. 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-17. 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-18. STORMWATER MANAGEMENT PLAN:  
Submit two copies of a Stormwater Management Plan subject to review and approval by Director of Community Development, pursuant to SMC 12.60, prior to issuance of building permit. The Stormwater Management Plan shall include an updated Stormwater Management Data Form. [COA] [PLANNING/PUBLIC WORKS/ENVIRONMENTAL SERVICES]
- BP-19. STORMWATER MANAGEMENT PLAN THIRD-PARTY CERTIFICATION:  
Third-party certification of the Stormwater Management Plan is required per the following guidance: City of Sunnyvale – Stormwater Quality BMP



Applicant Guidance Manual for New and Redevelopment Projects - Addendum: Section 3.1.2 Certification of Design Criteria Third-Party Certification of Stormwater Management Plan Requirements. The third-party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/PUBLIC WORKS/ENVIRONMENTAL SERVICES]

**BP-20. 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) Stormdrain 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:
- f) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
- g) Dumpster drips from covered trash and food compactor enclosures.
- h) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
- i) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
- j) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

**BP-21. 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, per City's "WASTE & RECYCLING REPORTING FORM" (electronic copy available) or a similar chart approved by the city. As part of the project's construction specifications, the developer shall track the type, quantity, and disposition of materials generated, and forward a complete report to the department of environmental services, solid waste division both periodically and at project completion [COA] [ENVIRONMENTAL SERVICES]

**BP-22. CITY STREET TREES**

- If required, the landscape plan shall including 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-23. BICYCLE SPACES:  
Provide a minimum of 48 bicycle parking spaces where 36 of these spaces shall be secured spaces. Bicycle parking shall be visible and dispersed in several common areas throughout the site in well-lighted areas, shall not be hidden by vegetation, and in close proximity to building entrances. Select high-quality decorative designs for bicycle racks. [COA] [PLANNING/PUBLIC WORKS] (*modifications recommended by Planning Commission*)
- BP-24. BICYCLE SUPPORT FACILITIES:  
Indoor shower and locker facilities shall be provided for men and women and shall be subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]
- BP-25. PARKING FOR CARSHARE AND ELECTRIC CARS:  
a) Provide a minimum of 5% of all parking spaces to be permanently reserved for the exclusive use of car share vehicles. Car share spaces will be reserved and located close to the buildings and marked appropriately. [SDR] [PLANNING].  
b) Provide pre-wiring for a minimum of Level 2 electric car chargers for a minimum of 3% of the total parking spaces. [SDR] [PLANNING].
- BP-26. WATER METERS:  
Separate metering shall be provided for domestic and irrigation water systems. [SDR] [PLANNING]
- BP-27. TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM):  
a) The applicant shall submit a Draft TDM Plan to include a Trip Reduction Program that results in a reduction of at least: 30% total average daily trips; and, 30% peak hour trips as calculated from the estimated total trip generation utilized in the Transportation Impact Analysis for the project (not including trip reduction credits or credits for previous uses). The TDM plan shall:  
b) Be approved by the Director of Community Development and Director of Public Works, or designees.  
c) Include statements of the number of allowable average daily and peak hour trips;  
d) Include an annual monitoring requirement based on actual driveway counts by a city administered consultant, funded by the property owner;  
e) Include a penalty for non-compliance with the targeted reductions. Said penalty shall be based on a documented calculation of the value per reduced trip of TDM measures proposed in the TDM Plan.  
f) Be adjusted, subject to the same approvals, if targeted reductions are not met.

- g) The developer shall explore the use of a private shuttle service for the project.[COA] [PLANNING/TRANSPORTATION]
- BP-28. TRANSPORTATION DEMAND MANAGEMENT:  
A Draft Transportation Demand Management (TDM) Program shall be submitted for review and preliminary approval by the Director of Community Development and the Director of Public Works Prior to issuance of a building permit for any structure within the approved project. [COA] [PLANNING][PUBLIC WORKS]
- BP-29. EMERGENCY VEHICLE ACCESS EASEMENT:  
Prior to any building permit issuance, the developer, the Santa Clara Valley Water District and the City and County of San Francisco shall offer to the city a dedication of a minimum 26'-wide emergency vehicle ingress-egress easement over the surface parking areas, excepting areas for parking stalls. the subject offer of dedication shall be accepted by the city with recordation of an instrument prior to first building occupancy. [COA][PUBLIC SAFETY/PUBLIC WORKS]
- BP-30. PUBLIC PEDESTRIAN ACCESS EASEMENT  
Prior to any building permit issuance, developer shall offer to the city a public pedestrian access easement to accommodate the required new sidewalk as referenced herein. there shall be provisions in the offer of dedication for the developer to maintain the new sidewalk in perpetuity. [COA] [PUBLIC WORKS]
- BP-31. LOT LINE ADJUSTMENT:  
Prior to building permit issuance of the parking structure, the lot line adjustment between parcels as identified with apn's 165-44-010 and 165-44-011 shall be recorded. [COA] [PUBLIC WORKS]
- BP-32. NEW PARKING STRUCTURE:  
a) Prior to building permit issuance of the new parking structure, the existing 10' PUE and 10' public storm drain easement shall be abandoned in accordance with applicable CA streets and highways code.  
b) Prior to abandonment of those existing public easements, the new public sanitary sewer facilities shall be installed at the final approved location and accepted by the city with recordation of a new 15' public sanitary sewer easement. The proposed public sanitary sewer main as shown on sheet 8 of the preliminary utility plan dated December 12, 2013 shall be revised during the plan check process to be outside of the foundation of the existing billboard sign with appropriate clearance as approved by the city.  
c) After abandonment of the 10' public storm drain easement, the relocated storm drain facilities as shown on sheet 8 of the preliminary utility plan dated December 12, 2013 shall be private storm drain system to be maintained by property owner(s). Developer shall establish private storm drain easement with adjacent property owner to the west for cross-lot drainage, if any.  
[COA] [PLANNING/PUBLIC WORKS]

**BP-33. 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 (or illumination with an equivalent energy savings).
- b) Pole heights to be uniform and compatible with the areas, including the adjacent residential 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-34. 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]

**EP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED AS PART OF AN ENCROACHMENT PERMIT APPLICATION.****EP-1. COMPLETE OFF-SITE IMPROVEMENT PLAN SET:**

A complete plan check set applicable to the project, including street improvement plans, streetlight plans, streetscape plans, traffic signing and striping plans, traffic signal plans, traffic control plans, shall be submitted as part of the first off-site improvement plans, including engineering cost estimates. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Director of Public Works. [COA][PUBLIC WORKS]

**EP-2. UPGRADE OF EXISTING PUBLIC IMPROVEMENTS:**

As part of the off-site improvement plan review and approval, any existing public improvements to be re-used by the project, which are not in accordance with current city standards and are not specifically identified in the herein project conditions (such as backflow preventer and sign post, etc.), shall be upgraded to current City standards and as required by the Director of Public Works. [COA] [PUBLIC WORKS]

**EP-3. 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-4. UTILITY CONNECTION TO THE MAIN:  
All sanitary sewer laterals connecting to the existing main line shall be with a new sanitary sewer manhole. The sanitary sewer lateral for the new building as shown on sheet 8 of the preliminary utility plan dated December 12, 2013 shall be revised accordingly during the plan check process. All storm drain lateral connecting to the main shall be with 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. [SDR] [PUBLIC WORKS]
- EP-5. 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 to the satisfaction of the Director of Public Works. Existing public facilities within the street right-of-way shall be abandoned per City's Abandonment Notes, including abandonment by other utility owners. [COA] [PUBLIC WORKS]
- EP-6. 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-7. 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 public right-of-way or public utility easements. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]
- EP-8. WET UTILITIES:  
All wet utilities (water, sanitary sewer, storm drain) on-site shall be privately owned and maintained, except those public sanitary sewer and storm drain facilities within the new 20' easement. [COA] [PUBLIC WORKS]
- EP-9. RE-USE OF EXISTING CITY UTILITY SERVICE LINES:  
The re-use of any existing City utility 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-10. SEPARATE AND INDEPENDENT UTILITY SERVICE LINES:  
Each building shall have separate and independent utility service lines. [COA] [PUBLIC WORKS]
- EP-11. 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 double check detector assembly (DCDA) behind the street right-of-way. The water utilities as shown on sheet 8 of the preliminary utility plan dated December 12, 2013 shall be revised accordingly during the plan check process. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]
- EP-12. PUBLIC FIRE HYDRANTS:  
Remove and replace the existing public fire hydrant barrel with current City standard Clow-Rich 75. Public fire hydrant shall be maintained free and clear of all vines, shrubs, bushes, ivy, etc. for a minimum of three feet. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PROTECTION]
- EP-13. WATER METER:  
Install new radio-read water meter(s) for each point of connection to the water main. 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. 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-14. SANITARY SEWER ANALYSIS:  
Submit a focused sanitary sewer analysis 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.  
[COA] [PUBLIC WORKS]
- EP-15. SEWER CLEANOUT:  
Install new sewer cleanouts at the property lines for all existing and proposed sanitary sewer laterals to be used for the project. [SDR] [PUBLIC WORKS]

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- EP-16. **SANITARY SEWER VIDEO:**  
The contractor shall make a video copy of the interior of the new sanitary sewer mainline installed prior to City's acceptance. [COA] [PUBLIC WORKS]
- EP-17. **SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:**  
This project is required to follow the existing sanitary sewer and storm drain tributary pattern. Any deviations would require additional analysis and be subject to approval by the Director of Public Works as part of the off-site improvement plan review process. This project shall not cause any negative impact on the drainage pattern for adjacent properties. [COA] [PUBLIC WORKS]
- EP-18. **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 only shall be located on-site and not within the public utility easement or public right-of-way, if any. [COA] [PUBLIC WORKS]
- EP-19. **STREETLIGHTS:**  
Remove existing HPS light fixtures and replace with new Cree Type II LED fixtures for both streetlights located along Almanor Avenue. [SDR] [PUBLIC WORKS]
- EP-20. **STREETSCAPE IMPROVEMENTS:**  
Remove existing concrete curb and 2' gutter and install new concrete curb and 1' gutter per current City standards along the entire project frontage. Provide gutter transition to conform to existing 2' gutter at project limits per City standard detail 15C-2. Install a 5-foot wide detached sidewalk to meander around existing redwood trees along the project frontage per City detail 9C-5 to tie into existing driveway approach to the east. [COA] [PUBLIC WORKS]
- EP-21. **TRAFFIC CONTROL PLAN:**  
Submit a traffic control plan with the off-site improvement plans for review and approval. 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-22. **CITY STREET TREES:**  
All existing street trees shall remain. The developer shall install additional street trees along the project frontage as follows: Quercus Shumardi "Shumard Oak". 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 street tree spacing should be approximately 35 feet apart. A continuous root barrier shall be installed along the tree side of the new sidewalk area. No trees are to be planted within 10' of a sanitary sewer lateral. [SDR] [PUBLIC WORKS]

- EP-23. 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-24. DAMAGE TO EXISTING PUBLIC IMPROVEMENTS:  
Developer shall be responsible to rectify any damage to the existing public improvements fronting and adjacent to the project site as a result of project construction to City's satisfaction by the Director of Public Works. [COA] [PUBLIC WORKS]
- EP-25. APPROVAL FROM OTHER AGENCIES:  
This project requires approval from the Santa Clara Valley Water District and City and County of San Francisco, including a dedication of a minimum 26' wide emergency vehicle ingress-egress easement over the surface parking areas, excepting areas for parking stalls. [COA] [PUBLIC WORKS]
- EP-26. RECORD DRAWINGS:  
Record drawings (including street, sewer, water, storm drain and off-site landscaping plans) shall be submitted to the City prior to encroachment permit sign-off. [COA] [PUBLIC WORKS]
- EP-27. UTILITY COMPANY APPROVAL:  
Obtain approval letters from various utility companies in regards to any existing or new easements associated with the project. [COA] [PUBLIC WORKS]
- EP-28. 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 encroachment permit issuance. The incremental sewer connection fee is estimated at \$342,483.79 and the incremental water connection fee is estimated at \$35,483.79 based upon available project data. Applicant shall pay Public Works Planning Application Review Fee of \$340.00 prior to City Council approval of the project. The exact fee amount shall be determined based upon the fee rate at the time of fee payment. [COA] [PUBLIC WORKS]
- EP-29. IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:  
Developer shall execute an Improvement Agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to encroachment permit issuance. [COA] [PUBLIC WORKS]
- EP -30 OFF-SITE IMPROVEMENT COST ESTIMATE:  
Provide an engineer's estimate for all off-site public improvements for the entire project, including the permanent relocation of the storm drain and



sanitary sewer main at the proposed parking structure location. [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. LANDSCAPING AND IRRIGATION:  
All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]
- PF-2. PARKING LOT STRIPING:  
All parking lot striping shall be striped as per the approved plans and standards. [COA] (PLANNING)
- PF-3. 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-4. PUBLIC STREET REPAIR:  
Any changes to or deficiencies in the adjacent public streets as a result of project construction are to be rectified at the expense of the developer. [COA] [PUBLIC WORKS]
- PF-5. TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM):  
The applicant shall submit a final TDM Plan to include a Trip Reduction Program that results in a reduction of at least: 30% total average daily trips; and, 30% peak hour trips as calculated from the estimated total trip generation utilized in the Transportation Impact Analysis for the project (not including trip reduction credits or credits for previous uses) and shall meet all the conditions noted for the Draft TDM Plan.

**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. FIRE ACCESS:

Prior to any combustible construction or materials on-site, provide fire access drives and operational on-site fire protection systems if applicable (Chapter 14 CFC). [SDR] [PUBLIC SAFETY-FIRE PREVENTION]

**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:

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. SOLID WASTE RECYCLING MANAGEMENT:

Waste and recycling services shall be maintained under a master account held by the applicant, owner or landlord. The account holder will be responsible for ensuring adequate services and that all locations, private sidewalks and private streets are kept free of litter and stains. Requirements shall be specified in the approved documents and be submitted for approval by the City. [COA] [PUBLIC WORKS]

AT-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. PARKING LOT MAINTENANCE:

The parking lot shall be maintained in accordance with the approved plans and as follows:

- a) Clearly mark all employee, customer, and compact 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.
  - e) Clearly mark all compact spaces as per approved plans. [COA] [PLANNING]
- AT-7. UNENCLOSED STORAGE (REVIEW REQUIRED):  
All unenclosed materials, equipment and/or supplies of any kind shall be maintained within an approved enclosed area. Any stacked or stored items shall not exceed the height of the enclosure. [COA] [PLANNING]
- AT-8. UNENCLOSED STORAGE (PROHIBITED):  
Unenclosed storage of any kind shall be prohibited on the premises. [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, landlord, or HOA, 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. TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM):  
The applicant shall submit a final TDM Plan to include a Trip Reduction Program that results in a reduction of at least: 30% total average daily trips; and, 30% peak hour trips as calculated from the estimated total trip

generation utilized in the Transportation Impact Analysis for the project (not including trip reduction credits or credits for previous uses) and shall meet all the conditions noted for the Draft TDM Plan.

AT-13. Comply with LEED requirements for building and tenant occupancy.

AT -14. Comply with Bird Safe Design Guidelines.