

FINAL
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
Decision Date: June 20, 2013

Planning Application 2013-7310

562 Britton Avenue

Use Permit to allow the addition of two modular classrooms at King's Academy.

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 OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

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

GC-2. USE EXPIRATION:

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

GC-3. PERMIT EXPIRATION:

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

GC-4. PEAK HOUR TRIP BASELINE:

King's Academy shall obtain additional City approval for further increase in students' enrollment. Any and each of the subsequent approvals are subject to its financial share towards the traffic signal improvements at the intersection of Duane Avenue/Britton Avenue. As part of the overall school expansion plan, the City is keeping track of the incremental trips for each of the future project approvals. The proposed project plus previously approved Use Permit 2012-7039 would result in a total of **48 AM peak hour trips**. Once the school's cumulative trip count reaches 100 peak hour trips, the school shall be required to perform a Transportation Impact Analysis (TIA) in accordance with the Congestion Management Program (CMP) requirements.

Note: Future additions to the site may require the applicant to upgrade the following:

DRIVEWAY IMPROVEMENTS: At the time of when school is required to perform TIA and CMP under condition item GC-4, the owner or applicant shall upgrade the existing two driveway approaches along Britton Avenue to city standard detail 6c-3 and the single driveway approach along Duane Avenue to city standard detail 6c-1 in order to comply with the Americans with disability act (ADA). [COA] [PUBLIC WORKS]

This Condition, GC-4, shall be in effect for 5 years from the date of approval of Use Permit 2012-7039 (May 30, 2017) and shall apply to any significant site improvements or additions generating peak hour trips. [COA] [PUBLIC WORKS]

BP: THE FOLLOWING 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. PUBLIC WORKS FEES:

The applicant shall pay the following fees prior to Building Permit Issuance:

- a) The applicant shall pay incremental sewer connection fee and water connection fee based upon the City fee schedule at the time of the fee payment. The fee amount is \$7,221.48 for sanitary sewer and \$870.60 for water based upon the FY 2012-13 fee schedule.
- b) The applicant shall pay a fair share financial contribution in the amount of \$5,270 towards the implementation of the future traffic signal at the intersection of Duane Avenue/Britton Avenue. The requested increase in enrollment of 27 students will result in a financial share of 1.24% of the total signal cost estimate of \$425,000. [COA] [PUBLIC WORKS]

BP-3. 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-4. BUS STOP UPGRADE:

The existing bus stop located on Duane Avenue abutting to the school site shall be upgraded in order to meet current VTA standards and need to be shown on the building plans: Add a minimum 10 feet by 55 feet Portland Cement Concrete (PCC) bus pad and a minimum 8 feet by 40 feet sidewalk adjacent to the bus stop. [COA] [PUBLIC WORKS]

BP-5. ONE-WAY DRIVE AISLE:

Prior to building permit issuance and as part of the building permit review, provide a site plan for City's approval showing implementation of the redesign of the one-way aisle and associated angle parking adjacent to Building M in order to avoid motorists backing out of the school site and impacting the public street, due to current circulation issues that impact public streets. [COA] [PUBLIC WORKS]

BP-6. BICYCLE PARKING:

Prior to building permit issuance and as part of the building permit review, provide a site plan for City's approval showing installation of on-site bicycle parking in accordance with Sunnyvale Municipal Code Chapter 19.46.150. This includes 3 bicycle racks, which results in a total of 17 bicycle parking spaces for King's Academy. [COA] [PUBLIC WORKS/PLANNING]

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

EP-1. ENCROACHMENT PERMIT:

The project shall apply for an encroachment permit including a traffic control plan in accordance with the latest CA MUTCD for any work within the public right-of-way. Storage of all construction related materials, parking and equipment shall take place on site and the public streets shall be maintained free of construction debris. [COA] [PUBLIC WORKS]

DC: THE FOLLOWING 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]

PF: THE FOLLOWING 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. BUS STOP UPGRADE:

The required bus stop upgrade shall be completed within one year of project approval. Applicant shall provide a cash security for the full entire amount of the bus stop improvements to City staff no later than August 15, 2013. Applicant shall obtain from VTA an estimate for all of the required upgrades. The estimate shall be reviewed and approved by City staff prior to submittal of the cash security. Applicant shall notify and involve the City with any future discussions

with VTA in relation to the subject bus stop upgrades. [COA] [PUBLIC WORKS/PLANNING]

PF-2. BICYCLE PARKING UPGRADE:

The required bicycle parking upgrade shall be installed prior to first building occupancy. [COA] [PUBLIC WORKS/PLANNING]

PF-3. ONE-WAY DRIVE AISLE UPGRADE:

The required one-way drive aisle upgrade adjacent to Building M shall be completed prior to first building occupancy. [COA] [PUBLIC WORKS]

AT: THE FOLLOWING CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.

AT-1. RECYCLING AND SOLID WASTE:

All exterior recycling and solid waste shall be confined to approved receptacles and enclosures. [COA] [PLANNING]

AT-2. 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-3. PARKING LOT MAINTENANCE:

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

- a) Clearly mark all employee, student, short term visitor, and compact spaces. This shall be specified on any Building Permit plans required for any improvements 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]