

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

**Planning Application 2015-7756
803-833 W. El Camino Real
(APN 165-01-029, 042, and 043)**

SPECIAL DEVELOPMENT PERMIT for a mixed use development on a 2.97 acre site with 49 residential units (40 apartments + 8 attached single family homes + 1 detached single family home), approximately 5,662 square feet of commercial space, and expansion of the adjacent Grand Hotel (51 rooms)

VESTING TENTATIVE MAP to subdivide the 3 existing lots into 11 separate lots. A condominium map is requested for lot #11.

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]

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- GC-2. **USE EXPIRATION:**
The approved Special Development Permit shall expire if the hotel use is discontinued for a period of one year or more. [SDR] (PLANNING)
- GC-3. **PERMIT EXPIRATION:**
The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]
- GC-4. **INDEMNITY:**
The applicant/developer shall defend, indemnify, and hold harmless the City, or any of its boards, commissions, agents, officers, and employees (collectively, "City") from any claim, action, or proceeding against the City to attack, set aside, void, or annul, the approval of the project when such claim, action, or proceeding is brought within the time period provided for in applicable state and/or local statutes. The City shall promptly notify the developer of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith. [COA] [OFFICE OF THE CITY ATTORNEY]
- GC-5. **NOTICE OF 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]
- GC-6. **ON-SITE AMENITIES:**
Swimming pools, pool equipment structures, play equipment 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-7. **BMR OWNERSHIP HOUSING COMPLIANCE:**
This project is subject to the City's Below Market Rate (BMR) Housing requirements as set forth in Sunnyvale Municipal Code Chapter 19.67 and the BMR Program Guidelines, both as may be amended.

- Developer shall enter into a BMR Developer Agreement in a form provided by the City, to be recorded against the property before issuance of building permits or recordation of a final map, whichever occurs first. When dwelling units in the project are made available for sale, the project will provide one Below Market Rate dwelling units for sale and pay a fractional in-lieu fee of **.13 units** in compliance with the BMR requirements set forth in SMC 19.67 and the BMR Program Guidelines. [SDR][HOUSING]
- GC-8. BELOW MARKET RATE PROGRAM/CONDO CONVERSION:
Any future conversion of this apartment project into 8 or more condominium units for sale to individual home buyers will require compliance with SMC 19.67, Below Market Rate Ownership Housing, including the requirement to enter into a BMR Developer Agreement to provide BMR units, as well as compliance with SMC 19.70, regarding condominium conversion. [SDR] [PLANNING]
- GC-9. RECREATION FACILITIES:
The recreation facilities (pool and clubhouse) shall be installed in connection with the first phase and included on the building permit plans for the first phase. [COA] [PLANNING]
- GC-10. EXHAUST AND OPENINGS:
No exhaust fans, doors, windows, or openings, of any kind shall be placed on the wall to the rear or where residential use is to the rear of the proposed building, except as may be required by the City, nor shall any machines or fans be placed on the roof of the building which exhaust dust or odors. [COA] [PLANNING]
- GC-11. 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-12. 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-13. ENCROACHMENT PERMIT:
Prior to any work in the public right-of-way, obtain an encroachment permit with insurance requirements for all public improvements

- including a traffic control plan per the latest California Manual on Uniform Traffic Control Devices (MUTCD) standards to be reviewed and approved by the Department of Public Works. [COA] [PUBLIC WORKS]
- GC-14. 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 extensions and 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.
[COA] [PUBLIC WORKS]
- GC-15. RECORDATION OF FINAL MAP:
This project is subject to, and contingent upon recordation of a final map. The submittal, approval and recordation of the final map shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. Final map shall be recorded prior to any grading or building permit issuance of any building located on that certain lot as shown on the corresponding tentative map. [COA] [PUBLIC WORKS]
- GC-16. RECORDATION OF LOT MERGER/LOT LINE ADJUSTMENT
This project is subject to, and contingent upon recordation of a lot merger/lot line adjustment. The submittal, approval and recordation of the lot merger/lot line adjustment shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. The lot merger/lot line adjustment shall be recorded subsequent to the final map. However, if lot merger/lot line adjustment is not completed there may be additional building restrictions for development of Lot 10. [COA] [PUBLIC WORKS]

PS: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO SUBMITTAL OF BUILDING PERMIT, AND/OR GRADING PERMIT.
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- PS-1. REQUIRED REVISIONS TO PROJECT PLANS:
The plans shall be revised to incorporate following:
- a) For the hotel expansion building, provide additional arched design elements within building openings as well a similar architectural element complementary to the artwork located on the main hotel building facing El Camino Real. [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. BMR STANDARD PERMIT CONDITION:

The developer shall complete a "BMR Standard Conditions Form" provided by the Housing Division and submit it with a site plan to the Housing Division for review before submitting building permit applications for the project. The site plan must describe the number, type, size and location of each unit on the site. This information will be used to complete the Developer Agreement. [SDR] [HOUSING/BMR Administrative Guidelines]

PS-4. WATER HYDRAULIC MODELING

Prior to first off-site improvement plan check submittal, developer shall coordinate with the City for a Water System Hydraulic Modeling analysis to ensure that water main servicing the proposed project would meet various City design guidelines and other statutory requirements for fire, domestic and irrigation flows in terms of pipe size, demands, pressure and velocity.

Upgrade of existing water main by the developer may be required as determined by the City and shall be incorporated into first off-site improvement plan check submittal. Developer shall receive fair-share credit as determined by the City if upgrades of water main are required. Contact Environmental Services Department/Water Operations at [408-730-2744](tel:408-730-2744) for more information. [COA] [ENVIRONMENTAL SERVICES/PUBLIC WORKS]

PS-5. SANITARY SEWER ANALYSIS

Prior to first off-site plan check submittal, 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. Any mitigation

improvements needed shall be incorporated into the first plan check submittal. [COA] [PUBLIC WORKS]

PS-6. STREETLIGHT PHOTOMETRIC

The developer is required to provide a photometric analysis for Pastoria Avenue (between El Camino Real and Olive Avenue), and Olive Avenue (from Pastoria Avenue to Purisima Avenue) so as to determine that the street lighting meets current City's Roadway Lighting Design Criteria. This should be included in the first submittal of the off-street improvement review process. Lighting fixtures shall be as directed by City staff and the photometric analysis shall not be contingent on on-site fixture selection. Roadway, Sidewalk, intersection, and Crosswalk Illuminance calculations shall be calculated separate from each other.

The roadway and sidewalk illuminance values required to be met for Pastoria Avenue are:

1. Minimum Maintained Average Illuminance ≥ 0.8 fc
2. Uniformity Ratio (Avg/Min) ≤ 4.0
3. Max/Min ratio ≤ 20

The roadway and sidewalk illuminance values required to be met for Olive Avenue are:

1. Minimum Maintained Average Illuminance ≥ 0.8 fc
2. Uniformity Ratio (Avg/Min) ≤ 4.0
3. Max/Min ratio ≤ 20

Marked crosswalks at street intersection should have a minimum average illuminance value ≥ 2.2 fc.

The limits of the photometric analysis shall be for the entire segment required with all streetlights being LED fixtures on both sides of the street (or on one side of the street based upon existing pattern). The photometric analysis shall identify if existing streetlights would need to be relocated and/or new streetlights would need to be installed for the entire street block.

The developer shall upgrade all existing streetlight fixtures along the project frontage to LED fixtures. All LED fixtures shall be of the same make and model as determined from the photometric analysis (current approved manufacturers are Cree BETA and Leotek). Developer shall also relocate existing streetlights or install new ones and upgrade conduit and conductor along the project frontage and side streets based upon City approved photometric analysis, unless otherwise directed by the City.

Replace all existing streetlight conduits, wires and pull boxes with new ones along the entire project frontage per City's current standards. [SDR] [PUBLIC WORKS]

PS-7. SANITARY SEWER VIDEO

The contractor shall make a video copy of the interior of the existing 8" sanitary sewer main on the north side of El Camino Real at the time of initial construction plan review. Upon review of video, City shall determine if the 8" main is to be replaced as part of the plan approval. Replacement or upgrade of 8" sanitary sewer main, if required, to be done at developer's expense.

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

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

BP-1. CONDITIONS OF APPROVAL:

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

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

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

BP-3. NOTICE OF CONDITIONS OF APPROVAL:

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

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

BP-4. BLUEPRINT FOR A CLEAN BAY:

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

BP-5. RECYCLING AND SOLID WASTE 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-6. SOLID WASTE DISPOSAL PLAN:

Detailed recycling and solid waste disposal plans for the mixed-use podium building and hotel shall be submitted separately 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 non-residential projects. [COA] [PLANNING]

BP-7. 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-8. 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 \$54,211.53, prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- b) PARK IN-LIEU - Pay Park In-lieu fees estimated at \$1,844,156.16, prior to approval of the Final Map or Parcel Map. (SMC 18.10). [SDR] [PLANNING]
- c) 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 entire development 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-9. 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-10. EXHAUST AND OPENINGS:

No exhaust fans, doors, windows, or openings, of any kind shall be placed on the wall to the rear or where residential use is to the rear of the proposed building, except as may be required by the City, nor shall any machines or fans be placed on the roof of the building which exhaust dust or odors. The building permit plans shall clearly indicate the location of all exhaust equipment, doors and window and shall be subject to review and approval by the Planning Director. [COA] [PLANNING]

BP-11. 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 El Camino Real. [COA] [PLANNING]

BP-12. DEPARTMENT OF PUBLIC SAFETY REVIEW:

Obtain approval from the Crime Prevention Division of Public Safety Department for crime prevention measures appropriate to the proposed development prior to issuance of a Building Permit. [COA] [PLANNING]

BP-13. BMR DEVELOPMENT AGREEMENT:

Before issuance of building permits or recordation of a final map for the project, whichever occurs first, the developer shall enter into a Development Agreement with the City to establish the method by which the development will comply with the applicable BMR requirements. The form of the Developer Agreement will be provided by the City, with tables regarding unit characteristics and timing of completion to be completed by the Developer, and is subject to the approval of the Community Development Director or his/her designee, consistent with the SMC. The completed Developer Agreement must

be executed by both parties and recorded against the property, and will run with the land.

In the event that any Below Market Rate dwelling unit(s) or any portion thereof in the development is destroyed by fire or other cause, all insurance proceeds therefrom shall be used to rebuild such units, which will remain subject to the terms of the Developer Agreement and the BMR requirements. Grantee hereby covenants to cause the City of Sunnyvale to be named an additional insured party to all fire and casualty insurance policies pertaining to said assisted units. [SDR] [HOUSING/BMR Administrative Guidelines]

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.
- c) Provide trees at minimum 30 feet intervals along side and rear property lines, except where mature trees are located immediately adjoining on neighboring property.
- d) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- e) Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree of at least 36-inch box size.
- f) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- g) Provide a fifteen-foot deep band of decorative paving for the width of the private driveway immediately behind the public sidewalk.
- h) Backflow device and other appurtenances are to include screening and covers as approved by the Director of Community Development. This includes all devices (irrigation, DCDA, etc.) located in the front yard landscape areas. Covers should be black, metal mesh with rounded top covers (e.g. “mailbox style”).
- i) The proposed wrought-iron fence and gate located between the podium mixed-use and hotel buildings shall remain unlocked and available for public access during daytime hours (8 a.m. to 9 pm.). [COA] [PLANNING]

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.
- e) As numbered in the provided arborist report, the 16 redwood trees noted as #265-269, 271, 276, 278, 279, 283-286, and 290-292 shall be retained and preserved on-site.
- f) Staff will continue to work with the applicant to further refine the landscape plan to minimize the number of trees to be removed, especially along Olive Avenue. [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 and third party certification, pursuant to SMC 12.60, prior to issuance of building permit. [COA] [PLANNING/PUBLIC WORKS]

BP-19. 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/PUBLIC WORKS]

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) 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-21. CITY STREET TREES:

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-22. 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 18 feet on the interior of the project and 8 feet in height on the periphery of the project near residential uses.
- 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 residential properties. [COA] [PLANNING]

BP-23. 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-24. LIGHTING SPACING:

Installation of lights at a minimum of 50 feet intervals along all private streets. [COA] [PLANNING]

BP-25. PARKING MANAGEMENT PLAN (MIXED USE-PODIUM BUILDING):

A Parking Management Plan is subject to review and approval by the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include the following:

- a) A clear definition of “guest” as proposed by the property manager/homeowner’s association and subject to review and approval by the Director of Community Development.
- b) The property manager/homeowner’s association may specify that 25% to 75% of unassigned spaces be reserved for guest use.
- c) Clearly indicate that the property manager/homeowner’s association shall not rent unassigned spaces, except that a nominal fee may be charged for parking management.
- d) Tenants shall use their assigned parking spaces prior to using unassigned parking spaces.
- e) Prohibit tenants from parking RV’s, trailers, or boats in assigned spaces.

- f) Notify potential residents that number of parking spaces provided for each unit on-site as per the approved plans.
 - g) Employee parking locations shall be away from the building, in parking spaces that are the least used.
 - h) Allow the use of valet parking when appropriate on sites with limited parking.
 - i) Employees shall be required to park on the site.
 - j) Provide adequate signage to direct traffic and pedestrians. [PLANNING] [COA]
- BP-26. PARKING MANAGEMENT PLAN (HOTEL EXPANSION):
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 the following:
- a) Employee parking locations shall be away from the building, in parking spaces that are the least used.
 - b) Specify the location and term of short-term parking.
 - c) Allow the use of valet parking when appropriate on sites with limited parking.
 - d) Employees shall be required to park on the site.
 - e) Provide adequate signage to direct traffic and pedestrians. [COA] [PLANNING]
- BP-27. COMPACT SPACES:
Specify compact parking spaces on the Building Permit plans. All such areas shall be clearly marked prior to occupancy, in accordance with Title 19 of the Sunnyvale Municipal Code. [SDR] [PLANNING]
- BP-28. BICYCLE SPACES (MIXED USE-PODIUM BUILDING):
Provide a minimum 10 Class I bicycle parking spaces for residential uses 2 Class II bicycle spaces for commercial uses (per VTA Bicycle Technical Guidelines) as approved by the Planning Commission. [COA] [PLANNING]
- BP-29. BICYCLE SPACES (HOTEL):
Provide 5 Class I and 2 Class II bicycle parking spaces (per VTA Bicycle Technical Guidelines) as approved by the Planning Commission. Bicycle spaces shall be located at a visible location in front of the hotel building. [COA] [PLANNING]
- BP-30. NOISE REDUCTION:
Final construction drawings shall incorporate all noise mitigation measures as set forth under "Mitigation Measures" in the approved

environmental document and all plans shall be wetstamped and signed by the consultant. [COA] [PLANNING] **Mitigation Measure**

BP-32. VISION TRIANGLE AND EXTENDED VISION TRIANGLE:

The proposed driveway along Pastoria Avenue and the existing driveways accessing the Grand Hotel shall meet the vision triangle requirements per Sunnyvale Municipal Code Section 19.34.60. The proposed driveway along El Camino Real shall meet the extended vision triangle requirements per Sunnyvale Municipal Code Section 19.34.60. The vision triangle is measured from the ROW line which is located 8' from the face of curb.

BP-33. 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-34. PRE-APPROVED WATER-EFFICIENT LANDSCAPE PLANS:

The developer must install all landscaping and irrigation within the common lots and the private usable open space areas per approved site water-efficient landscape plans, and must submit a Landscaping Certificate of Completion, Irrigation Audit Report and Irrigation Schedule, and Landscaping Maintenance Schedule. Any future changes to the approved landscaped areas or planting changes that may affect the approved landscaping water budget calculations are subject to approval by the Director of Community Development. [COA] [PLANNING]

BP-35. 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-36. TURF BLOCK

Turf block material shall be utilized for the designated truck turn-around area located within the surface parking lot near the S.

Pastoria driveway entrance as shown on the provided landscape plan. This area shall be restricted for parking use.

BP-37. CONSTRUCTION MATERIAL AND STAGING:

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

BP-38. NOISE REDUCTION:

Final construction drawings shall incorporate all noise mitigation measures) as set forth under "Mitigation Measures" in the approved environmental document (referenced "figures" are provided in Attachment 8) and all plans shall be wet-stamped and signed by the consultant. [COA] [PLANNING] **Mitigation Measure**

WHAT:

- 1) For commercial/retail uses, to meet the CALGreen interior noise criterion of $Leq(h)$ 50 dB, the glazing systems will need to achieve the STC ratings shown in Figure 2.
- 2) For residential and hotel uses:
 - a) To meet the project indoor noise criterion of DNL 45 dB, it will be necessary for some of the facades to be sound-rated. We calculated the window and exterior door STC ratings needed to meet the project criterion. These are shown on Figures 3 to 5. For our calculations, we assumed that bedrooms will be carpeted and all other rooms will have hard-surfaced flooring.
 - b) The recommended STC ratings are for full window assemblies (glass and frame) rather than just the glass itself. Tested sound-rated assemblies should be used. For reference, typical one-inch glazing assemblies (two 1/4-inch thick panes with 1/2-inch airspace) achieve an STC rating of 32. Where STC ratings above 33 are required, at least one pane will need to be laminated.
 - c) Where windows need to be closed to achieve an indoor DNL of 45 dB, an alternative method of supplying fresh air (e.g., mechanical ventilation) should be provided. This applies to the project residences and guestrooms with STC ratings shown. This issue should be discussed with the project mechanical engineer.

WHEN: These mitigations shall be converted into conditions of approval for this Special Development Permit prior to its final approval by the Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance. Prior to submittal of a building permit, the applicant will be required to submit a noise analysis showing that residential unit windows and wall construction shall be designed to limit interior noise levels to a

maximum of 45db when all windows and doors are closed. A second study providing evidence of compliance shall be submitted prior to occupancy of units. The compliance report shall comply with the provisions of the current building codes.

WHO: The developer will be responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans. [COA] [PLANNING] **Mitigation Measure**

BP-39. HISTORIC AND PREHISTORIC RESOURCES:

WHAT:

- 1) A qualified archaeologist shall conduct further archival and field study to identify cultural resources. Field study may include, but is not limited to, pedestrian survey, hand auger sampling, shovel test units, or geoarchaeological analyses as well as other common methods used to identify the presence of archaeological resources. Please refer to the list of consultants who meet the Secretary of Interior's Standards at <http://www.chrisinfo.org>.
- 2) If archaeological resources are encountered during construction, work should be temporarily halted in the vicinity of the discovered materials and workers should avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources. Native American resources include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic-period resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.

WHEN: These mitigations shall be incorporated into conditions of approval for the Special Development Permit (SDP) prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance.

WHO: The project property owner shall be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans. [COA] [PLANNING] **Mitigation Measure**

BP-40. AIR QUALITY:

WHAT: Mitigation Measure 1: Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality and fugitive dust-related impacts associated with grading and new construction to a less than significant. The contractor shall implement the following Best Management Practices that are required of all projects:

- 1) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- 2) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- 3) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- 4) All vehicle speeds on unpaved roads shall be limited to 15 mph.
- 5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible, as well, after grading unless seeding or soil binders are used.
- 6) Idling times shall 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]). Clear signage shall be provided for construction workers at all access points.
- 7) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- 8) Post a publicly visible sign 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 Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Mitigation Measure 2: Selection of equipment during construction to minimize emissions. Such equipment selection would include the following:

- 1) All diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent.

WHEN: This mitigation shall be converted into conditions of approval for this Special Development Permit (SDP) prior to its final approval by the Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance. These permits are required prior to any demolition or construction on site.

WHO: The property owner will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans. [COA] [PLANNING] **Mitigation Measure**

BP-41. HAZARDS AND HAZARDOUS MATERIALS:

WHAT:

- 1) Given the subsurface conditions as reported at the time of case closure of the former Chevron facility, a soil gas sampling program shall be completed in this location.
- 2) Given the historical agricultural use of the Property, it is conceivable that organochlorine pesticides may have been stored or used. Soil sampling with laboratory testing shall be undertaken to check that the near surface soil has not been impacted by past agrichemical use.
- 3) Given the age of the structure on the Property, it is possible that asbestos-containing materials or lead-based paint materials are present. An environmental professional shall be retained to check for asbestos-containing materials and/or lead-based paint.
- 4) The PCE-impacted soil should be excavated in accordance with the SMP prepared for the Property. Within the Soil Characterization Report prepared in 2014, ENGEO defined the lateral extent of the PCE-impacted soil and anticipates that these limits would need to be excavated to a depth of 5 to 6 feet below the ground surface for off-site disposal. With regard to the soil in the area of the 2006 boring S1, we recommend that at the time of soil excavation this area be trenched or 'pot-holed' to extend to at least 10 feet below the ground surface.

Review of the laboratory test results suggests that the soil impacts tend to be near the ground surface. Consequently, as the excavation of the impacted soil will likely extend to the south under the donut shop where the contamination is anticipated, we recommend that excavation sidewall samples be collected. Laboratory testing of the soil could provide additional information with regard to the depth of soil excavation anticipated along the drain line extending under the donut shop.

We recommend that an environmental technician be on site at the time of the soil excavation to observe and monitor the soil removal. A PID should be used to monitor the soil vapors as the excavation proceeds to check for significant variations in the air and as a health and safety check. Soil samples should be collected from the base and sidewalls of the excavation for laboratory testing to confirm that impacted soil exceeding the residential ESLs has been removed.

- 5) Further, with respect to the proposed remedial activity, the proposed excavation beneath the dry cleaners, will require the destruction and removal of a significant portion of the floor slabs within the dry cleaner suite and potentially the donut shop. Prior to the commencement of slab removal activities, perform a review of the foundation elements to confirm that such activities will not undermine the structural integrity of the foundation or the structure as a whole.

WHEN: These mitigations shall be converted into conditions of approval for the Special Development Permit (SDP) prior to its final approval by the Planning Commission. The conditions will become valid when the SDP is approved. Conditions will be applicable during the construction of the project.

WHO: The project contractor/applicant will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans. [COA] [PLANNING] **Mitigation Measure**

BP-42. BIOLOGICAL RESOURCES

WHAT:

- 1) If construction commences anytime during the nesting/breeding season of native bird species (typically February through August), a qualified biologist must conduct a preconstruction survey of the project vicinity for nesting/breeding birds at least 30 days prior to the start of construction activities. The intent of the survey is to determine if active raptor nests or other species protected by the

Migratory Bird Treaty Act are present within the construction zone or within 250 feet of construction zone for raptors and 50 feet of the construction zone for other migratory birds. The survey area must include all trees and shrubs within zones that have the potential to support nesting birds.

- 2) If active nests are found in the area that could be directly affected or are within 250 feet of construction for raptors and 50 feet for other migratory birds, a no-disturbance buffer zone must be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. Once the young have fledged, tree removal and other construction activities may commence.

WHEN: These mitigations shall be incorporated into conditions of approval for the Special Development Permit (SDP) prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance.

WHO: The property owner shall be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans. [COA] [PLANNING] **Mitigation Measure**

BP-43. CONSTRUCTION MANAGEMENT PLAN:

The project applicant shall implement a Construction Management Plan (CMP) to minimize impacts of construction on surrounding 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) 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.
- b) Use 'quiet' models of air compressors and other stationary noise sources where such technology exists.
- c) Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- d) 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.

- e) Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
- f) 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.
- g) 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.
- h) Prohibit unnecessary idling of internal combustion engine-driven equipment and vehicles.
- i) 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.
- j) 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.
- k) Comply with Climate Action Plan and Dust Control measures contained in DC-3 and CD-4. [COA] [PLANNING]

BP-44. GREEN BUILDING:

The plans submitted for building permits shall demonstrate the project achieves a minimum of 110 points (incentive to increase building height to 60 feet) on the Green Point Rated checklist, or the minimum points required effective at the time of building permit submittal. The project plans shall be accompanied with a letter from the project’s Green Point Rater/LEED AP verifying the project is designed to achieve the required points. [COA] [PLANNING] [BUILDING]

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. FINAL MAP COMPLIANCE WITH VESTING TENTATIVE MAP:

The final map shall substantially the same as the vesting tentative map. Any alteration of the vesting tentative map after the vesting tentative map is approved is subject to additional approval by the City and may require an additional public hearing. [COA][PUBLIC WORKS]

EP-3. BENCHMARKS

The off-site improvement plans shall be prepared by using City's latest benchmarks available on City's website <http://sunnyvale.ca.gov/Departments/PublicWorks/BenchMarks,RecordMapsandRecordDrawings.aspx> unless otherwise approved by the City engineer.[COA][PUBLIC WORKS]

EP-4. 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-5. PRECISE PLAN FOR EL CAMINO REAL:

This project is in the Precise Plan for El Camino Real area; therefore, the developer shall comply with any applicable design requirements as identified in the plan or as amended and approved by the city including but not limited to pedestrian realm and upgrade of existing bus stop (with minimum 10'x55' PCC bus pad and bench). A bus shelter shall be constructed if required by Valley Transportation Authority. [COA] [PUBLIC WORKS]

EP-6. BICYCLE ENHANCEMENTS:

Shall be per city requirements including but not limited to a 6'-wide bicycle lane along a portion of Pastoria Avenue and a 5'-wide green bicycle lane striping. Detector for bicycle system will be required.

EP-7. 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-8. UTILITY CONNECTION TO THE MAIN:

All sanitary sewer laterals connecting to the existing main line shall be with a new sanitary sewer manhole. 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-9. 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-10. 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-11. WET UTILITIES:

All wet utilities (water, sanitary sewer, storm drain) on-site shall be privately owned and maintained. [COA] [PUBLIC WORKS]

EP-12. RE-USE OF EXISTING CITY UTILITY SERVICE LINES:

Re-use of existing water service lines are not permitted. The re-use of any existing sanitary sewer lateral and appurtenances is subject to City's review and approval. Developer's contractor shall expose the existing sanitary sewer 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:

Residential duets and single family home along Olive Avenue shall have independent utility service lines (domestic water and sanitary sewer) tapped to the main. During the design phase, DPW is to evaluate placing the proposed sewer main on private property.

Residential apartment units and retail (mixed-podium) shall have their independent respective service utility lines (domestic water, irrigation, and sanitary sewer) tapped to the main.

Hotel buildings shall have their independent respective utility service lines (domestic water, irrigation, and sanitary sewer) tapped to the main. [COA] [PUBLIC WORKS]

EP-14. SEPARATE FIRE PROTECTION SERVICE LINE:

Provide separate fire from domestic water service lines for residential apartment units and retail (mixed-podium) and hotel expansion buildings. Install reduced pressure detector assembly (RPDA) behind the street right-of-way. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]

EP-15. ON-SITE FIRE HYDRANTS:

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-16. PUBLIC FIRE HYDRANTS:

Remove and replace the existing fire hydrant barrel(s) along El Camino Real, with current City standard Clow-Rich 75. Install new Clow-Rich 75 fire hydrant along Olive Avenue and new Clow-Rich 865 fire hydrants along Pastoria Avenue. 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. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PROTECTION]

EP-17. WATER METER:

Residential Duets and Single Family Home: Install new radio-read water meter(s) for each point of connection to the water main.

Apartments (Mixed-Podium): Install new master radio-read water meter for point of connection to the water main.

Retail (Mixed-Podium): Install new master radio-read water meter(s) for point of connection to the water main. If water demand requires a 2" water meter or smaller, one service hot tap with one water meter is required. For water meter sizes three (3) inches or larger a cut-in tee shall be required with dual meters. Provide meter sizing calculations to Public Works Department for approval of meter size and subject to City Detail 12B-1, as part of the off-site improvement plan submittal. Install new reduced pressure backflow prevention devices on the discharge side of water service line on private property. Install backflow preventer enclosure where applicable.

EP-18. HOTEL: Install new radio-read water meter(s) for point of connection to the water main. [SDR] [PUBLIC WORKS]

- EP-19. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:
Mixed-use podium and Grand Hotel expansion requires separate connection to city's existing water system for irrigation purpose. Install a separate irrigation water service line (separate from the domestic water service line) with a meter and reduced pressure 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. [SDR] [PUBLIC WORKS]
- EP-20. SEWER MANHOLE:
Install new sewer manhole at the street right-of-way lines for all proposed sanitary sewer laterals 6" or larger. [SDR] [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 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-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.
- EP-23. TRASH CAPTURE DEVICES AND BADGE/STENCILING:
Pursuant to SMC 12.60.130, install full trash capture device 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" as supplied by the Environmental Services Department. [COA][PLANNING/ENVIRONMENTAL SERVICES/PUBLIC WORKS]
- 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. 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-26. STREETLIGHTS PHOTOMETRIC:

The developer is required to provide a photometric analysis for Pastoria Avenue (between El Camino Real and Olive Avenue), and Olive Avenue (from Pastoria Avenue to Purisima Avenue) so as to determine that the street lighting meets current City's Roadway Lighting Design Criteria. This should be included in the first submittal of the off-street improvement review process. Lighting fixtures shall be as directed by City staff and the photometric analysis shall not be contingent on on-site fixture selection. Roadway, sidewalk, intersection, and crosswalk luminance calculations shall be calculated separate from each other.

The roadway and sidewalk illuminance values required to be met for Pastoria Avenue are:

1. Minimum Maintained Average Illuminance ≥ 0.8 fc
2. Uniformity Ratio (Avg/Min) ≤ 4.0
3. Max/Min ratio ≤ 20

The roadway and sidewalk illuminance values required to be met for Olive Avenue are:

1. Minimum Maintained Average Illuminance ≥ 0.8 fc
2. Uniformity Ratio (Avg/Min) ≤ 4.0
3. Max/Min ratio ≤ 20

Marked crosswalks at street intersection should have a minimum average illuminance value ≥ 2.2 fc.

The limits of the photometric analysis shall be for the entire segment required with all streetlights being LED fixtures on both sides of the street (or on one side of the street based upon existing pattern). The photometric analysis shall identify if existing streetlights would need to be relocated and/or new streetlights would need to be installed for the entire street block.

The developer shall upgrade all existing streetlight fixtures along the project frontage to LED fixtures. All LED fixtures shall be of the same make and model as determined from the photometric analysis (current approved manufacturers are Cree BETA and Leotek). Developer shall also relocate existing streetlights or install new ones and upgrade conduit and conductor along the project frontage and

side streets based upon City approved photometric analysis, unless otherwise directed by the City. Replace all existing streetlight conduits, wires and pull boxes with new ones along the entire project frontage per City's current standards. [SDR] [PUBLIC WORKS]

EP-27. 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. [COA] [PUBLIC WORKS]

EP-28. PASTORIA DRIVEWAY ACCESS

The driveway entrance to the surface parking lot off S. Pastoria Avenue shall be limited to right-in and right-out turn access. Appropriate signage and striping shall be installed. [COA] [PUBLIC WORKS]

EP-29. CURB RAMPS:

Remove all existing curb ramps and install new ADA compliant curb ramps. [COA] [PUBLIC WORKS]

EP-30. STREETSCAPE IMPROVEMENTS:

Remove existing concrete curb and 2' gutter and install new concrete curb and 2' gutter per current City standards along the entire project frontage.

- a) El Camino Real: Install new 12' wide sidewalk with 4'x5' tree wells. Transition new sidewalk to existing sidewalk at project conforms.
- b) Pastoria Avenue: Install new 10' wide sidewalk with 4'x5' tree wells along frontage from El Camino Real to Olive Avenue, excepting a portion of frontage (~60') located near the Olive Avenue intersection shall have new 5' wide sidewalk installed
- c) Olive Avenue: Install new 6' wide attached sidewalk. Transition new sidewalk to existing sidewalk at project conforms.
- d) Median on Pastoria Avenue: Extend median island as approved in TM3 – Preliminary Site Plan. [COA] [PUBLIC WORKS]

EP-31. STREET PAVEMENT:

Olive Avenue and Pastoria Avenue: Type II slurry seal the entire length and width from lip of gutter to lip of gutter along project frontage. Additional pavement rehabilitation may be necessary dependent upon damage to the street during construction.

El Camino Real: The developer shall submit the public improvement plans to the California Department of Transportation (Caltrans) for review and approval of Type II slurry seal improvements or as directed by Caltrans. The limits of slurry seal shall be from the lip of gutter to

- the median along project frontage. A Caltrans encroachment permit is required and a copy submitted to the city. [SDR] [PUBLIC WORKS]
- EP-32. 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. [SDR] [PUBLIC WORKS]
- EP-33. CITY STREET TREES:
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 35 feet apart. A continuous root barrier shall be installed along both sides of the parkstrip area. No trees are to be planted within 10' of a sanitary sewer lateral.
- The developer shall install required street trees along the project frontage as follows:
- a) El Camino Real as brachychiton acerifolius – Australian Flame Tree
 - b) Pastoria Avenue as quercus kelloggii – California Black Oak
 - c) Olive Avenue: alcedrus decurrens – Incense Cedar [SDR] [PUBLIC WORKS]
- EP-34. 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. Driveway design for the duets and single family home along Olive Avenue shall be designed to avoid damage to protected trees. To ensure appropriate measures are taken to ensure the health and preservation of the existing redwood trees, a certified arborist shall be on-site when construction occurs around such trees. [SDR] [PUBLIC WORKS]
- EP-35. 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. 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-36. APPROVAL FROM OTHER AGENCIES:

This project requires approval letter from CalTrans and VTA. [COA]
[PUBLIC WORKS]

EP-37. 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]

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

TM-1. FINAL MAP COMPLIANCE WITH VESTING TENTATIVE MAP:

The final map shall substantially the same as the vesting tentative map. Any alteration of the vesting tentative map after the vesting tentative map is approved is subject to additional approval by the City and may require an additional public hearing. [COA][PUBLIC WORKS]

TM-2. TITLE 18 AND SUBDIVISION MAP ACT:

The submittal, approval and recordation of the final 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]

TM-3. 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 Director of Public Works. Quitclaim deed is required for abandonment of private easements prior to map recordation. All easements shall be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easements. [COA] [PUBLIC WORKS]

TM-4. DEDICATIONS:

This project requires dedications as follows:

El Camino Real: 5' street dedication in form of an easement and a 15' Pedestrian Realm Easement.

Pastoria Avenue: 11' street dedication in form of an easement as based upon City approved roadway geometry.

[COA] [PUBLIC WORKS]

TM-5. UTILITY COMPANY APPROVAL:

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

TM-6. 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]

TM-7. SUBDIVISION AGREEMENT AND IMPROVEMENT SECURITIES:

Developer shall execute a Subdivision Agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to final map recordation or any permit issuance, whichever occurs first. [COA] [PUBLIC WORKS]

TM-8. COST ESTIMATE:

Provide an itemized engineer's estimate for all off-site public improvements and on-site private improvements for the entire project. [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. COMPACT SPACES:

All such areas shall be clearly marked prior to occupancy, as indicated on the approved building permit plans. [COA] [PLANNING]

PF-3. PARKING LOT STRIPING:

All parking lot striping, carpool and compact spaces shall be striped as per the approved plans and Public Works standards. [COA] [PLANNING/ENGINEERING]

PF-4. 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-5. NOISE REDUCTION VERIFICATION:

Acoustical tests shall demonstrate that an interior Ldn scale (day and night average noise level) of 45 dBA is met on the finished units. Such test results shall be furnished to the Director of Community Development prior to occupancy of the units. [COA] [PLANNING]
Mitigation Measure

PF-6. MITIGATION MEASURES:

Documentation indicating that the following mitigation measures have been satisfied shall be provided to the Director of Community Development prior to release of occupancy or utilities:

MM 1 – Noise: Documentation that a 65 Ldl has been achieved for the specified areas of the project (Acoustical Engineer).

Refer to the building permit plans for the Mitigation Monitoring Plan or Negative Declaration, attached to the approved building permit plans. [COA] [PLANNING] *Mitigation Measure*

PF-7. BMR COMPLETION 60 ADVANCE DAY NOTICE:

The Developer/Owner must provide a written “Notice of Intent to Sell” to the Affordable Housing Manager for each BMR unit(s) to be provided in the development sixty days (60) prior to the request for a certificate of occupancy or receipt of a DRE report for the unit, whichever is later. Upon receipt of this Notice, the Housing Division will inform the developer of the current maximum BMR sales price applicable to the unit, based on number of bedrooms, as published in the Administrative Procedures and updated annually. The developer must also request and pass a site inspection by the Affordable Housing Manager to verify that the BMR units have been completed in compliance with the BMR Development Agreement. [COA] [HOUSING]

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]

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

AT-1. HOURS OF OPERATION:

The commercial use permitted as part of this application shall comply with the following hours of operation at all times:

- a) The hours of operation are limited to 6:00 a.m. to midnight for standard hours of operation, excluding short duration sales

events which may have extended hours. Hours extending beyond midnight shall require approval of the Director of Community Development through a Miscellaneous Plan Permit. [COA] [PLANNING]

AT-2. 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-3. RECYCLING AND SOLID WASTE:

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

AT-4. LOUDSPEAKERS PROHIBITED:

Out-of-door loudspeakers shall be prohibited at all times. [COA] [PLANNING]

AT-5. 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-6. 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-7. PARKING MANAGEMENT:

On-Site parking management shall conform with each of the approved parking management plans. [COA] [PLANNING]

AT-8. 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.
- f) Garage spaces shall be maintained at all times so as to allow for parking of vehicles [COA] [PLANNING]

AT-9. OFF-STREET PARKING:

Off-street parking for both residents and guests shall be maintained at all times in accordance with approved plans. [COA] [PLANNING]

AT-10. RECREATIONAL VEHICLE STORAGE PROHIBITED:

Unenclosed storage of any vehicle intended for recreation purposes, including land conveyances, vessels and aircraft, but excluding attached camper bodies and motor homes not exceeding 18 feet in length, shall be prohibited on the premises. [COA] [PLANNING]

AT-11. 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-12. 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-13. FIRE DEPARTMENT ACCESS:

A Knox system (key switch) shall be provided and maintained for all locked gates in accordance with Fire Prevention requirements. [COA] [PUBLIC SAFETY-FIRE PREVENTION]