

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
MAY 23, 2016**

**Planning Application 2015-7275
1111 Lockheed Martin Way
(APN 110-01-036 and 110-01-038)**

MAJOR MOFFETT PARK SPECIAL DEVELOPMENT PERMIT: to demolish existing buildings and construct five eight-story buildings, three four- and five-story parking structures, and a two-story amenities building resulting in approximately 1.65 million square feet of office use.

DEVELOPMENT AGREEMENT: Introduction of an Ordinance Approving and Adopting a Development Agreement between the City of Sunnyvale and MT II LLC.

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:

<p>GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.</p>

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 or unless an alternative time frame is approved in a development agreement. [SDR] [PLANNING]
- GC-3. INDEMNITY:
The applicant/developer shall defend, indemnify, and hold harmless the City, or any of its boards, commissions, agents, officers, and employees (collectively, "City") from any claim, action, or proceeding against the City to attack, set aside, void, or annul, the approval of the project when such claim, action, or proceeding is brought within the time period provided for in applicable state and/or local statutes. The City shall promptly notify the developer of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith. [COA] [OFFICE OF THE CITY ATTORNEY]
- GC-4. NOTICE OF FEES PROTEST:
As required by California Government Code Section 66020, the project applicant is hereby notified that the 90-day period has begun as of the date of the approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the city as part of the approval or as a condition of approval of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or adopted city impact fee schedule. [SDR] [PLANNING / OCA]
- GC-5. CONFORMANCE WITH PREVIOUS PLANNING PERMIT:
The subject site shall comply with all conditions of approval and requirements of planning application 2015-7275 (General Plan and Rezone to Moffett Park Transit oriented Development). [PLANNING] [COA]
- GC-6. 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-7. DEVELOPMENT AGREEMENT:

If a Development Agreement (DA) is approved as part of the project, the Major Moffett Park Design Review (MMPDR) shall be subject to the terms and conditions of the approved Development Agreement. In the case of any conflicts between the MMPDR conditions of approval and the DA, the DA shall take precedence and the MMPDR conditions shall be modified to be consistent with the DA. [COA] [PLANNING/OCA]

GC-8. ENVIRONMENTAL MITIGATION MEASURES:

The project shall comply with all mitigation measures required in the Moffett Towers II Subsequent Environmental Impact Report. The Mitigation Monitoring and Reporting Program (MMRP) has been included in the Conditions of Approval as Attachment 9. The applicant shall be responsible for addressing all required mitigations for each phase of the project. [COA] [PUBLIC WORKS/PLANNING]

MITIGATION MEASURE

GC-9. PARKING MANAGEMENT PLAN (TEMPORARY):

The applicant shall prepare a temporary parking management plan for each phase of construction clearly indicating parking locations for the new buildings and existing buildings. The plan will need to clearly indicate the total parking provided and construction location. This will only be required in phase where new buildings are constructed adjacent to existing buildings on a site. [COA] [PLANNING]

GC-10. TEMPORARY TRAILERS:

Temporary sales/rental/marketing trailer(s) on the site shall be subject to separate review and approval by the Director of Community Development through an MPP. Plans for temporary trailers (excluding construction trailers) shall include the following: a) Trailers shall be placed on the premises not sooner than the date of final project approval by the City and shall be removed no later than 30 days after the final building is finished; b) Trailer entrances shall be oriented toward the nearest building; c) Area lighting shall be provided in the vicinity of temporary trailers. [COA] [PLANNING]

GC-11. ROOF TOP GARDEN:

The property owner has the option of constructing the roof top garden on Parking Structure A, subject to review and approval by the Director of Community Development. The roof top garden will be in addition to the landscaping already provided. [COA] [PLANNING]

GC-12. HISTORICAL PLAQUES:

The applicant shall install three historical plaques, one at each main pedestrian entrance to the site, commemorating historical significance of the Lockheed Martin site. The applicant shall work with an historic preservation architect to determine plaque size and detailing. [COA] [PLANNING]

GC-13. IMPROVEMENT PLANS:

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

GC-14. ENCROACHMENT PERMIT:

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

GC-15. IMPROVEMENTS:

Developer shall install private improvements meeting public standards 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 improvements shall be designed and constructed in accordance with current City design standards, standard details and specifications, and Americans with Disabilities Act (ADA) requirements where applicable, unless otherwise approved by the Department of Public Works. The site development plan with sheet C-1 to C-18 dated 4/25/16 is subject to change during the plan check process.

If the developer desires to phase the improvement construction without completing the entire lot frontage improvements associated with the first building occupancy, a construction phasing plan for improvements shall be submitted for review and approval by the Director of Public Works prior to first building permit issuance. [COA] [PUBLIC WORKS]

CG-16. CONSTRUCTION PHASING PLAN:

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

CG-17. RECORDATION OF PARCEL MAPS/LOT MERGE/LOT LINE ADJUSTMENT:

This project is subject to, and contingent upon, recordation of one or more parcel map, lot merge or lot line adjustment instrument. The submittal, approval and recordation of the instrument shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. The instruments shall be recorded prior to any grading or building permit issuance of any building located on that certain lot. [COA] [PUBLIC WORKS]

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

PS-1. EXTERIOR MATERIALS REVIEW:

Final exterior building materials and color scheme are subject to review and approval by the Planning Commission/Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

PS-2. PARKING AND CIRCULATION PLAN:

Submit a revised parking and circulation plan subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

PS-3. TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM):

The property owner (or designee) shall submit a TDM Plan to include a trip reduction program that results in a reduction of at least 25% reduction goal for total average daily trips and 30% reduction goal for peak hour trips. This project shall not generate more than 1,043 trips and 947 estimated trips during the morning and afternoon peak hours, respectively. This trip reduction is based on the estimated ITE Trip Generation Handbook [9th] Edition, Land Use Code(s) [760]. The TDM plan shall:

- a) Be consistent with the City's Transportation Demand Management (TDM) Program. Include statements of the number of trips that need to be reduced during daily and AM and PM peak hours.
- b) Include statements of the number of allowable average daily and AM and PM peak hour trips.
- c) Include an annual monitoring requirement based on actual driveway counts by a city administered consultant, funded by the property owner once the project site reaches 75% occupancy.
- d) Include a penalty for non-compliance with the targeted reductions with the said penalty to be determined by the Director of Public Works.
- e) Be approved by the Director of Community Development and the Director of Public Works, or designees.
- f) Be adjusted, subject to the same approvals, if targeted reductions are not met. [COA] [PLANNING]

PS-4. TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN ANNUAL REVIEW AND REPORTING:

The applicant shall comply with the Annual Review and Reporting requirements set forth in the approved TDM program per the Transportation Demand Management (TDM) Program, including applicable fees for the review. [COA] [PLANNING]

PS-5. TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM) COMPLIANCE:

In order to measure compliance, the City will administer annual driveway trip counts. All costs associated with the counts will be paid for by the property-owner (or designee such as tenant, agent, property management); the City will invoice the owner or designee prior to the completion of the counts. The counts will be conducted per the Transportation Demand Management (TDM) Program at the City's discretion. [COA] [PLANNING]

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

- with the maximum allowable trips generated. If there is a pattern of non-compliance no grace periods will be offered.
- b) All non-compliance trips are subject to penalties per the City's Transportation Demand Management (TDM) Program.
 - c) Annual surveys of employees are not required to satisfy the monitoring requirement; however the surveys may provide insight into which programs are effective and which are not, or potentially identify extenuating circumstances unique to the site. [COA] [PLANNING]

PS-6. WATER HYDRAULIC MODELING:

Prior to first improvement plan check submittal, developer shall pay City a Water System Hydraulic Modeling fee in the amount to be determined by the City 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 the first 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 for more information. [COA] [ENVIRONMENTAL SERVICES/PUBLIC WORKS]

PS-7. SANITARY SEWER ANALYSIS:

Prior to first 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 improvement plans. Any mitigation improvements needed shall be incorporated into the first plan check submittal. [COA] [PUBLIC WORKS]

PS-8. WATER SUPPLY:

An approved water supply capable of supplying the required fire flow for fire protection and firefighting operations shall be provided to the premises via a separate fire service main. (SFC 507.1) Provide construction type and square feet of each floor building for fire flow

calculation. Fire flow requirements will be submitted to John Ramirez ESD to run hydraulic modeling for project. [COA] [FIRE DEPARTMENT]

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

BP-1. CONDITIONS OF APPROVAL:

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

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

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

BP-3. NOTICE OF CONDITIONS OF APPROVAL:

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

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

BP-4. BLUEPRINT FOR A CLEAN BAY:

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

BP-5. RECYCLING AND SOLID WASTE ENCLOSURE:

The building permit plans shall include details for the installation of a recycling and solid waste enclosure. The required solid waste and recycling enclosure shall:

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- a) Match the design, materials and color of the main building.
 - b) Be of masonry construction. [COA] [PLANNING]
- BP-6. 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-7. SOLID WASTE DISPOSAL PLAN:
A detailed recycling and solid waste disposal plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]
- BP-8. ROOF EQUIPMENT:
Roof vents, pipes and flues shall be combined and/or collected together on slopes of roof or behind parapets and attempt to setback any flue that extends above a parapet so that it is not seen from the boundaries adjacent properties as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the roof. [COA] [PLANNING]
- BP-9. FEES AND BONDS:
The following fees and bonds shall be paid in full prior to issuance of building permit.
- BP-10. TRANSPORTATION IMPACT FEE - Pay Traffic Impact fee for the net new trips resulting from the proposed project, estimated at \$5,133,517.70, prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING] **MITIGATION MEASURE**
- a) FREEWAY FAIR SHARE CONTRIBUTION- The applicant shall pay a onetime fair share contribution of \$380,000 to mitigate the project impacts to existing freeway segments. The fee shall be paid at the issuance of the first building permit for a structure. [COA] [PLANNING] **MITIGATION MEASURE**
 - b) TRAFFIC IMPACT FAIR SHARE CONTRIBUTION-The applicant shall pay a onetime fair share contribution of \$500,000 for the Interconnected Managed Traffic Control Project to mitigate existing traffic impacts. The fee shall be paid at the issuance of the first building permit for a structure. [COA] [PLANNING] **MITIGATION MEASURE**
 - c) HOUSING MITIGATION FEE - Pay Housing Mitigation fee estimated at \$8,562,774.90, prior to issuance of a Building Permit. (SMC 19.22). [SDR] [PLANNING]

- d) ART IN PRIVATE DEVELOPMENT - Pay Art in Private Development bond estimated at \$1.98 million, prior to issuance of a Building Permit. [SDR] [PLANNING]
- e) 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 shopping center 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-11. ART IN PRIVATE DEVELOPMENT REVIEW:

Applicant shall meet with the Visual Arts Coordinator to discuss Project's art concept, prior to issuance of a Building Permit. [COA] [PLANNING]

BP-12. 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 alongside and rear property lines, except where mature trees are located immediately adjoining on neighboring property.
- d) A total of 1,556 trees shall be planted to include the following: 372 24-inch box trees, 403 36-inch box trees, and 530 48-inch box trees and 230 existing trees.
- 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 box size.
- g) Provide a 10-foot wide landscape buffer along the eastern property line.
- h) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- i) Decorative paving as required by the Director of Community Development to distinguish entry driveways, building entries, pedestrian paths and common areas. [COA] [PLANNING]

BP-13. 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-14. 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-15. 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-16. 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-17. 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-18. 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:

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.

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.

Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.

Covered trash, food waste, and compactor enclosures.

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-19. CITY STREET TREES:

The landscape plan for street trees shall be submitted for review and approval by the City Arborist prior to issuance of building permit. Applicant shall install required street trees of a species determined by the Public Works Department. Obtain approval of a detailed landscape and irrigation plan from the Director of Community Development (SMC 19.37) prior to issuance of a Building Permit. [COA] [PUBLIC WORKS/CITY ARBORIST]

BP-20. EXTERIOR LIGHTING PLAN (ON-SITE):

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 area. Light standards, other than parking lot light, shall be of pedestrian scale and shall not exceed 17 feet in height on the periphery of the project.
- 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) Lights shall have shields to prevent glare.
- f) Lighting plans shall be developed to provide coverage of all parking areas, driveways, and building entrances for safety and security purposes. [COA] [PLANNING]

BP-21. 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-22. LIGHTING POLE HEIGHTS:

Pole heights shall not to exceed 22 feet. [COA] [PLANNING]

BP-23. LIGHTING SPACING:

Light spacing shall comply with approved photometric study. [COA] [PLANNING]

BP-24. PARKING MANAGEMENT PLAN (NONRESIDENTIAL):

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-25. BICYCLE SPACES:

Provide 203 Class 1 (secured) and 67 Class II (unsecured) bicycle parking spaces (per VTA Bicycle Technical Guidelines) as approved by the Director of Community Development. [COA] [PLANNING]

BP-26. BICYCLE SUPPORT FACILITIES:

Indoor shower and locker facilities shall be provided for men and women to meet LEED Platinum standard and shall be subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]

BP-27. CARPOOL PARKING:

A total of 269 preferential parking spaces shall be reserved and so marked in the closest possible rows adjoining the building (allowing for visitor, disabled and pool van parking) for exclusive use by carpool vehicles carrying at least two employees per vehicle. [COA] [PLANNING]

BP-28. GREEN BUILDING (LEED PLANTIUM):

The building permit plans shall demonstrate the project is designed to achieve a minimum of LEED Platinum with USGBC certification. In order to meet the City's LEED incentive requirements, the project shall meet the following requirements:

a) New Buildings: The new buildings will be constructed to meet LEED certified level. The applicant will obtain LEED CS Platinum (core/shell) certification for all buildings once warm shell improvements are complete.

b) New Tenant Improvements: All future tenants to obtain LEED CI Platinum (commercial interior) certification for new tenant improvements. [SDR] [PLANNING/BUILDING]

BP-29. 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-30. 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-31. ENVIRONMENTAL MITIGATION MEASURES:

The project applicant shall demonstrate compliance with the Mitigation and Monitoring Reporting Program (MMRP) for the Moffett Towers II SEIR as included in Attachment 9. [COA] [ALL] **MITIGATION MEASURES**

BP-32. SOLID WASTE DISPOSAL PLAN:

A detailed recycling and solid waste disposal plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. The solid waste disposal plan and building permit plans shall demonstrate compliance with current City requirements and guidelines for non-residential projects. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-33. CONSTRUCTION MATERIAL AND STAGING:

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

BP-34. BUILDING PERMIT ISSUANCE:

Prior to building permit issuance, the multiple existing private easements shall be quitclaimed by separate instruments. [COA] [PLANNING/PUBLIC WORKS]

BP-35. PARCEL MAP/LOT MERGE/LOT LINE ADJUSTMENT:

This project is subject to, and contingent upon recordation of one or more parcel maps, lot merge or lot line adjustment instrument. The submittal, approval and recordation of the instrument shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. The instruments shall be recorded prior to any grading or building

permit issuance of any building located on that certain lot. [COA]
[PUBLIC WORKS]

BP-36. EMERGENCY VEHICLE ACCESS EASEMENT:

Developer shall dedicate, on the parcel map or by separate instrument, a minimum 26'-wide emergency vehicle ingress-egress easement along E Street and over the surface parking areas, excepting areas for parking stalls for fire apparatus access. [COA] [PUBLIC SAFETY/PUBLIC WORKS]

BP-37. DUAL PLUMBING:

With the first Building plan check submittal, the developer shall prepare and submit to the City for review by the City and the State Water Board an Engineering Report for the use of reclaimed water for dual plumbing purposes. Contact Environmental Services Department/Water Operations at 408-730-2744 for further information. [COA] [ENVIRONMENTAL SERVICES]

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

EP-1. COMPLETE 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 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. BENCHMARKS:

The improvement plans shall be prepared by using City's latest benchmarks (NAVD88) available on City's website <http://sunnyvale.ca.gov/Departments/PublicWorks/BenchMarks/RecordDrawings.aspx> [COA] [PUBLIC WORKS]

EP-3. UPGRADE OF EXISTING IMPROVEMENTS:

As part of the improvement plan review and approval, any existing 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-4. MOFFETT PARK SPECIFIC PLAN:

This project is in the Moffett Park Specific Plan (MPSP) area, therefore, the developer shall comply with any applicable design requirements

as identified in the MPSP or as amended and approved by the City.
[COA] [PUBLIC WORKS]

EP-5. UTILITY CONNECTION:

This project requires connection to all City utilities or private utilities operating under a City or State franchise which provide adequate levels of service. [COA] [PUBLIC WORKS]

EP-6. UTILITY CONNECTION TO THE MAIN:

All sanitary sewer laterals connecting to the existing main line shall be 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-7. 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 any existing public easements shall be abandoned per City's Abandonment Notes, including abandonment by other utility owners. [COA] [PUBLIC WORKS]

EP-8. 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-9. DRY UTILITIES:

Submit dry utility plans and/or joint trench plans (PG&E, telephone, cable TV, fiber optic, etc.) to the Public Works Department for review and approval prior to issuance of any permits for utility work within any public right-of-way or public utility easements. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]

EP-10. WET UTILITIES:

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

EP-11. 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 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. Reuses of existing water laterals are not permitted. [COA] [PUBLIC WORKS]
- EP-12. SEPARATE AND INDEPENDENT UTILITY SERVICE LINES:
Each building shall have separate and independent utility service lines tapped to the main. [COA] [PUBLIC WORKS]
- EP-13. 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. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]
- EP-14. FIRE HYDRANTS:
Remove and replace the existing fire hydrant barrel(s) along 11th Avenue and E Street with current City standard Clow-Rich 865. New fire hydrant location shall be per current City standard detail 2B and 2B-2. 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-15. WATER METER:
Each building shall have its own domestic water service connection to the water main with domestic radio-read water meter and reduced pressure backflow prevention devices per current City standards. For water meter sizes three (3) inches or larger, provide meter sizing calculations to Public Works Department for approval of meter size, as part of the improvement plan submittal. If the buildings water demand requires a water meter 3" or larger, installation of dual meters and a cut-in tee are required per City standard detail 12B and 12B-1. Provide separate fire service taps with separate reduced pressure detector assembly in accordance with current City standards. Install new radio-read water meter(s) for each point of connection to the water main. Install new backflow prevention devices on the discharge side of water service line on private property. Install backflow preventer enclosure where applicable. [SDR] [PUBLIC WORKS]
- EP-16. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:
This project requires connection to city's existing reclaimed water system for irrigation purpose. Install a separate irrigation water

service line (separate from the domestic water service line) with a meter and backflow prevention device.

All landscape and irrigation systems, located in the 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.

Developer shall follow and implement the requirements for reclaimed water usage/identification to comply with California Department of Environmental Health: Title 22 - Division 4 of the Administrative Code.

The use if reclaimed water required a Recycled Water Permit from the City. Contact Environmental Services Department/Water Operations at (408) 730-2744 for further information.

[SDR] [PUBLIC WORKS]

EP-17. SANITARY SEWER AND STORMDRAIN MANHOLES:

Install new sanitary sewer and stormdrain manholes at the street right-of-way lines for all existing and proposed sanitary sewer laterals to be used for the project. [SDR] [PUBLIC WORKS]

EP-18. SANITARY SEWER VIDEO:

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

EP-19. 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-20. STORM DRAIN DESIGN

Provide storm drain hydrology and hydraulic calculations based upon a 10-year storm event to justify the size of the storm drain lateral flowing full. The project impact to the existing storm drain main shall retain 1' below the lowest public street gutter flow elevation. The new storm drain main line shall be minimum 15 inches diameter.

EP-21. CATCH BASIN TRASH CAPTURE DEVICES AND
BADGE/STENCILING:

Pursuant to SMC 12.60.130, install full trash capture devices on each of 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]

EP-22. 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-23. STREETLIGHTS:

Provide street lighting photometric analysis to confirm that the project frontage is in accordance with the City's Roadway Lighting Design Criteria. The minimum average illuminance shall be approximately 0.8 fc and the uniformity ratio shall be approximately 4.0.

Remove existing street light fixture and replace with new Cree BXSPA22 73 W, Type II LED fixtures along the north sides of 11th Avenue. Install new Cree BXSPA22 73 W, Type II LED fixtures on both sides of E Street and along the south side of 5th Avenue.

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

Submit separate streetlight plans concurrently with the improvement plan review to include installation of new conduits, existing and/or new locations of power source connection and new service pedestal, conductors, pull boxes, voltage drop and load calculations, and any other streetlight equipment as required to be installed by Developer per latest City standard details and specifications and National Electrical Code. Obtain PG&E's approval for new service pedestal, if required, prior to Encroachment Permit issuance by Public Works Department. [SDR] [PUBLIC WORKS]

EP-24. 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-25. CURB RAMPS:

- Remove and replace all existing curb ramps and install new curb ramps at street corners fronting project site or as deemed necessary by the Director of Public Works. [COA] [PUBLIC WORKS]
- EP-26. STREETSCAPE IMPROVEMENTS:
Remove existing sidewalk and install new 4-foot landscape strip and 6-foot detached sidewalk along the 11th Avenue frontage. Conform and provide sidewalk transition to the existing attached sidewalk at the west end of the project and at E Street to protect the existing grove of trees. Install a 9-foot wide sidewalk with 4'x5' treewells per City detail 9C-2A along E Street.
[COA] [PUBLIC WORKS]
- EP-27. STREET PAVEMENT:
Grind 2" of existing asphalt concrete and overlay with 2" of new asphalt concrete from gutter to median gutter/street centerline on 11th Avenue along the project frontage (or as deemed necessary), unless otherwise approved by the Director of Public Works with alternatives. Install new pavement section per Geotechnical Report recommendations along the entire width of E Street. [SDR] [PUBLIC WORKS]
- EP-28. SIGNING AND STRIPING PLANS:
Submit a signing and striping plan that includes a 7-foot wide bikelane along E Street and a crosswalk on the western leg of the E Street/11th Avenue intersection 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-29. TRAFFIC CONTROL PLAN:
Submit a traffic control plan with the improvement plans for review and approval. All construction related materials, equipment, and construction workers parking need to be stored on-site and the streets need to be kept free and clear of construction debris. [COA] [PUBLIC WORKS]
- EP-30. STREET TREES:
The developer shall install required street trees along the project frontage as follows: 11th Avenue: (to be provided to the developer at a later date); E Street: (to be provided to the developer at a later date). 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 tree spacing should be approximately 35 feet apart. A continuous root barrier shall be installed along the parkstrip area. No trees are to be planted within 10' of a sanitary sewer lateral. [SDR] [PUBLIC WORKS]

EP-31. DAMAGE TO EXISTING IMPROVEMENTS:

Developer shall be responsible to rectify any damage to the existing 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-32. RECORD DRAWINGS:

Record drawings (including street, sewer, water, storm drain and landscaping plans) shall be submitted to the City prior to encroachment permit sign-off. [COA] [PUBLIC WORKS]

EP-33. 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, improvement plan check and inspection fees, prior to encroachment permit issuance. The exact fee amount shall be determined based upon the fee rate at the time of fee payment. [COA] [PUBLIC WORKS]

EP-34. SUBDIVISION/IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:

Developer shall execute an Subdivision/Improvement Agreement and provide improvement securities and/or cash deposit(s) for all proposed improvements prior to encroachment permit issuance. [COA] [PUBLIC WORKS]

EP-35. IMPROVEMENT COST ESTIMATE:

Provide an itemized engineer's estimate for all improvements along the project frontage for the entire project with breakdowns corresponding to each construction phases (in accordance with City approved phasing plan). [COA] [PUBLIC WORKS]

PM: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE APPROVAL OF THE PARCEL MAP/LOT MERGE/LOT LINE ADJUSTMENT OR FIRST BUILDING OCCUPANCY.

PM-1. TITLE 18 AND SUBDIVISION MAP ACT:

The submittal, approval and recordation of the parcel map/lot merge/lot line adjustment shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 subdivision requirements. [COA] [PUBLIC WORKS]

PM-2. RESERVATION/ABANDONMENT OF EASEMENTS:

Reservation of new and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project site shall be delineated on the map or recorded concurrently with the map by a separate instrument, unless otherwise approved by the Director of Public Works. Quitclaim deed is required for abandonment of private easements prior to map/lot merge/lot line adjustment recordation. All easements shall be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easements. [COA] [PUBLIC WORKS]

PM-3. UTILITY COMPANY APPROVAL:

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

PM-4. EMERGENCY VEHICLE ACCESS EASEMENT:

Developer shall dedicate, on the parcel map or by separate instrument, a minimum 26'-wide emergency vehicle ingress-egress easement over the surface parking areas, excepting areas for parking stalls and E Street. [COA][PUBLIC SAFETY/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, carpool and compact spaces shall be striped as per the approved plans and Public Works standards. [COA] (PLANNING/PUBLIC WORKS)

PF-3. DUAL PLUMBING – ENGINEERING REPORT

The Engineering Report shall be approved by the City and the State Water Board prior to Building Occupancy issuance. [COA] [ENVIRONMENTAL SERVICES]

PF-4. NEW PUBLIC EASEMENTS LOCATED ON-SITE:

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

PF-5. COMPLETION OF IMPROVEMENTS:

Developer shall complete all required improvements in accordance with City approved plans, prior to any building occupancy. [COA] [PUBLIC WORKS]

DC: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.

DC-1. BLUEPRINT FOR A CLEAN BAY:

The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

DC-2. 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. 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. LOUDSPEAKERS PROHIBITED:

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

AT-4. EXTERIOR EQUIPMENT:

All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure. Individual air conditioning units shall be screened with architecture or landscaping features. [COA] [PLANNING]

AT-5. LANDSCAPE MAINTENANCE:

All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition. Trees shall be allowed to grow to the full

- genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices. [COA] [PLANNING]
- AT-6. PARKING MANAGEMENT:
On-Site parking management shall conform with the approved parking management plan. [COA] [PLANNING]
- AT-7. 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-8. 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-9. 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]

MITIGATION MONITORING AND REPORTING PROGRAM

In compliance with CEQA Guidelines § 15097 (a), when significant effects are identified in an EIR, the Lead Agency is required to adopt a program for reporting or monitoring mitigation measures that were adopted or made conditions of approval for the proposed project. The monitoring program is designed to ensure that the mitigation measures and project revisions identified in the EIR are implemented. Moreover, the monitoring program is designed to ensure that mitigation measures to be monitored or the subject of reporting are fully enforceable through permit conditions or defined agreements.

Applicable mitigation measures of the certified, program-level Moffett Park Specific Plan EIR are included as Appendix A to this document.

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Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
4.1 Aesthetics			
Mitigation Measure 4.1-3a: Glare Reduction. Glare Reduction: All exterior windows and glass used on building surfaces shall be non-reflective or treated with a non-reflective coating.	Project Applicant shall submit building plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of building permits.
Mitigation Measure 4.1-3b: Exterior Lighting Location Requirements. Exterior Lighting Location Requirements: All exterior lighting proposed as part of the Project's required exterior lighting plan shall be constructed and located in such a manner that it cannot be mistaken for airport approach or runway lights by pilots. Exterior lighting shall also be consistent with the City's Bird Safe Building Design Guidelines.	Project Applicant shall submit building plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of building permits.
4.2 Air Quality			
Mitigation Measure 4.2-1a: BAAQMD Basic and Additional Construction Mitigation Measures. BAAQMD Basic and Additional Construction Mitigation Measures: Prior to issuance of any Grading or Demolition Permit, the City Engineer and the Chief Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that the following basic and enhanced construction mitigation measures shall be implemented: <ul style="list-style-type: none"> Water all active construction areas to maintain 12 percent soil moisture. All grading shall be suspended when winds exceed 20 miles per hour. 	Project Applicant shall submit plans for review and approval. Construction contractor implements measures during construction.	Community Development Department (Planning Division)	Prior to issuance of any grading or demolition permit.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<ul style="list-style-type: none"> • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. • Hydroseed or apply non-toxic soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more). • Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.). • 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. Install sandbags or other erosion control measures to prevent silt runoff to public roadways. • Wind breaks and perimeter sand bags shall be used to minimize erosion. • The amount of simultaneously disturbed surface shall be minimized as much as possible. • Site access points from public roadways shall be paved or treated to prevent track-out. • Replace vegetation in disturbed areas as quickly as possible. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. • Idling times shall be minimized either by shutting equipment off when not in use or 			

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<p>reducing the maximum idling time to two minutes. Clear signage shall be provided for construction workers at all access points.</p> <ul style="list-style-type: none"> 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. Post a publicly visible sign with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations. 			
<p>Mitigation Measure 4.2-1b: BAAQMD Architectural Coatings Mitigation Measures. Prior to issuance of any Building Permit, the Chief Building Official and Project LEED Accredited Professional shall confirm that the Building Plans and specifications include the following BAAQMD additional construction mitigation measures:</p> <ul style="list-style-type: none"> Use low volatile organic compounds (VOC) (i.e., reactive organic gases [ROG] coatings beyond the BAAQMD requirements [i.e., Regulation 8, Rule 3: Architectural Coatings]). VOC content of architectural coatings shall not exceed 50 grams per liter during Project construction. 	Project Applicant shall submit plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of any building permit.
<p>Mitigation Measure 4.2-1c: NO_x Reduction Measures: The following measures shall be implemented during construction to reduce NO_x</p>	Project Applicant shall submit plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of any building permit.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<p>related emissions. They shall be included in the Grading Plan, Building Plans, and contract specifications. Contract specification language shall include the following:</p> <ul style="list-style-type: none"> • All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NO_x.¹ • All contractors shall use equipment that meets the California Air Resources Board's most recent certification standard for off-road heavy duty diesel engines. • The idling time of diesel powered construction equipment shall be minimized to two minutes. • The Project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction Project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NO_x reduction and 45 percent PM reduction compared to the most recent California Air Resources Board fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available. • Utilize existing power sources (i.e., electrical power) when available. This measure would 			

¹ Best Available Control Technology (BACT) is defined as technology, verified by CARB, for an off-road vehicle that achieves reductions in emissions at the highest applicable classification level for diesel emission control strategies. A summary of CARB-verified diesel emission control strategies may be found at <http://www.arb.ca.gov/diesel/verdev/vt/cvt.Htm>. Where this policy requires BACT, this requirement can be satisfied by a factory installed equivalent device, such as a diesel particulate filter.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
minimize the use of higher polluting gas or diesel generators.			
4.3 Biological Resources			
Mitigation Measure 4.3-4(a): Bird Safe Design Guidelines. Prior to the issuance of any building permits, the Project applicant shall demonstrate to the satisfaction of the City Community Development Director, that the proposed building design incorporates appropriate design features included in the City's Bird Safe Building Design Guidelines, so long as they do not conflict with the Project objective of constructing an energy efficient building designed to meet LEED Platinum certification. In addition, the applicant will be required to work with the future tenants to implement a "Lights Out" Program. A Lights Out program encourages building owners, managers and tenants to ensure that any and all unnecessary lighting is turned off during specific months of the year during peak bird migratory periods, such as the program sponsored by the Golden Gate Audubon Society.	Project Applicant shall submit building plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of building permits.
Mitigation Measure 4.3-4(b): Migratory Birds and Raptors. Prior to the issuance of Grading Plans or improvement plans, the Project applicant shall demonstrate to the satisfaction of the Community Development Director that the following notes are shown on the grading and improvement plans: All tree and building removal and initial grading of the site shall occur outside of the migratory bird and raptor breeding season (August 16 through February 28) unless the following requirements are implemented: <ul style="list-style-type: none"> If construction activities are scheduled to occur 	Project Applicant shall submit construction plans for review and approval. Project Applicant retains qualified biologist to conduct surveys subject to City approval.	Community Development Department (Planning Division) Community Development Department (Building Safety Division), biologist	Prior to issuance of a grading permit or approval of improvement plans. Prior to commencement of grading or construction.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<p>during the breeding season for non-special-status species (generally between March 1 and August 15), a qualified wildlife biologist shall be retained to conduct the following focused nesting surveys, as follows:</p> <ul style="list-style-type: none"> • Tree surveys shall be conducted within the Project site to look for nesting non-special-status migratory birds and raptors. • In addition, surveys of all buildings shall be conducted to look for nesting non-special-status migratory birds and raptors. • The surveys shall be conducted between March 1 and August 15 and within one week prior to initiation of construction activities. A summary report of the survey findings shall be submitted to the satisfaction of the Community Development Director. If no active nests are detected during surveys, then no additional mitigation is required. • If construction activities are scheduled to occur during the breeding season (generally between March 1 and August 15), and if surveys indicate that migratory bird or raptor nests are found in any areas that would be directly affected by construction activities, a no-disturbance buffer shall be established around the site to avoid disturbance or destruction of the nest site until after the breeding season, or after a wildlife biologist determines that the young have fledged (usually late-June to mid-July). The extent of these buffers shall be determined by a qualified wildlife biologist and shall depend on the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors shall be analyzed in order to make an appropriate decision on buffer distances. A summary report of 			

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
the survey findings with the location of the active nests and required buffer distances shall be submitted to the satisfaction of the Community Development Director.			
Mitigation Measure 4.3-5. Tree Preservation. Prior to the issuance of a grading permit the applicant shall demonstrate, to the satisfaction of the City Community Development Director, that the removal of the protected trees as defined by the City Code has been mitigated through the planting of new trees at a 3:1 ratio on the Final Landscape Plan.	Project Applicant shall submit landscape plans for review and approval.	Community Development Department (Planning Division)	Prior to issuance of building permits.
4.4 Cultural Resources			
Mitigation Measure 4.4-1: Level II Historic American Buildings Survey (HABS): Prior to the issuance of any demolition permit, grading permit, approval or improvement plans, or any other permit authorizing construction on the Project site, the Project Applicant shall submit to the satisfaction of the Community Development Director, a Historic American Buildings Survey (HABS) Level II recordation document prepared for Buildings 150, 151, and 152 of the Lockheed Martin Space Systems Company (LMSSC) Plant One Complex. The HABS documents shall be prepared by a qualified architectural historian, historic architect, or historic preservation professional who satisfies the Secretary of the Interior's Professional Qualification Standards for History, Architectural History, or Architecture, pursuant to 36 CFR 61. The HABS documents shall include a historical narrative on the architecture and history of the buildings; their architect, occupants and the activities conducted within them during their time of occupancy, and shall record the existing appearance of the buildings in professional large format HABS photographs. In addition, any existing	Qualified historic architect or historic preservation professional prepares and submits Level II HABS recordation document.	Community Development Department (Planning Division)	Confirm submittal and approval prior to issuance of demolition permit grading permit, approval or improvement plans, or any other permit authorizing construction on the Project site.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<p>and available historic photographs as well as design and/or as-built drawings shall be compiled, reproduced, and incorporated into the recordation document. The building exterior, representative interior spaces, character-defining features, as well as the property setting and contextual views shall be documented. All documentation components shall be completed in accordance with the Guidelines for Architectural and Engineering Documentation (HABS standards). Original copies of the report shall be submitted to the National Park Service, the Library of Congress, and the City of Sunnyvale Community Development Department. The HABS Level II recordation document shall consist of the following:</p> <ol style="list-style-type: none"> 1. Drawings: select existing drawings, where available, should be photographed with large-format negatives or photographically reproduced on Mylar. 2. Photographs: photographs with large-format negatives of exterior and interior views, or historic views, where available. 3. Written data: history and description. 			
<p>Mitigation Measure 4.4-2a: Archaeological Monitor. Prior to the issuance of any grading permits or improvement plans, the Project Applicant shall provide to the satisfaction of the Community Development Director a letter of proof that a qualified archaeologist has been retained to monitor the site clearing and grading operations in those areas where buildings will be removed and/or new construction will occur. The consulting archaeologist shall be responsible for the following:</p> <ul style="list-style-type: none"> • Contract with a Native American monitor to be involved with the site clearing and grading operations; 	<p>Qualified cultural resources specialist conducts archaeological monitoring during grading activities to appropriate protocols.</p> <p>Qualified cultural resources specialist submits data recovery plan (if necessary) to the City of Sunnyvale and to the Regional Information Center at Sonoma State University.</p>	<p>Community Development Department (Planning Division)</p> <p>Community Development Department (Planning Division)</p>	<p>Confirm construction monitoring prior to issuance of grading permits or improvement plans.</p> <p>Confirm receipt of materials within approximately one year of completion of the field work.</p>

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<ul style="list-style-type: none"> The archaeologist shall be present on-site to observe site clearing at a representative sample of building removal areas until he/she is satisfied that there is no longer a potential for finding buried resources; In the event that any potentially significant archaeological resources (i.e., potential historical resources or unique archaeological resources) are discovered, the Project archaeologist shall stop work inside a zone designated by him/her where additional archaeological resources could be found; and, A plan for the evaluation of discovered resources shall be submitted to the Community Development Director for approval. Evaluation normally takes the form of limited hand excavation and analysis of materials and information removed to determine if the resource is eligible for inclusion on the California Register of Historic Resources (CRHR). 			
Mitigation Measure 4.4-2b: Discovery of Archaeological Resources. If prehistoric or historic archaeological resources are encountered during project activities, all work within 25 feet of the discovery should be stopped and a qualified archeologist meeting federal criteria under 36 CFR 61 should be contacted to assess the resources and make recommendations. While prehistoric or historic archaeological resources should be avoided by project activities, if the resources cannot be avoided, they should be evaluated for their potential historic significance in consultation with the City of Sunnyvale. If the resources are recommended to be non-significant, avoidance is not necessary. If the resources are recommended as potentially significant or eligible to the CRHR, they should be	<p>Qualified cultural resources specialist conducts archaeological monitoring during grading activities to appropriate protocols.</p> <p>Qualified cultural resources specialist submits data recovery plan (if necessary) to the City of Sunnyvale and to the Regional Information Center at Sonoma State University.</p>	<p>Community Development Department (Planning Division)</p> <p>Community Development Department (Planning Division)</p>	<p>Confirm construction monitoring prior to issuance of grading permits.</p> <p>Confirm receipt of materials within approximately one year of completion of the field work.</p>

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
avoided. If avoidance is not feasible, project impacts should be mitigated in accordance with the recommendations of the evaluating archaeologist and CEQA Guidelines §15126.4 (b)(3)(C), which require development and implementation of a data recovery plan that would include recommendations for the treatment of the discovered archaeological materials. The data recovery plan should be submitted to the City of Sunnyvale for review and approval. Upon approval and completion of the data recovery program, project construction activity within the area of the find may resume, and the archaeologist will prepare a report documenting the methods of investigation and the findings. The report will be submitted to the City of Sunnyvale. Once the report is reviewed and approved by the City of Sunnyvale, a copy of the report will be submitted to the NWIC.			
Mitigation Measure 4.4-2b: Discovery of Human Remains. In the event that human remains are discovered, the County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the NAHC within 24 hours. The Commission has various powers and duties, including the appointment of a Most Likely Descendant (MLD) to the project. The MLD, or in lieu of the MLD, the NAHC, has the responsibility to provide guidance as to the ultimate disposition of any Native American remains. The MLD shall make recommendations to the Community Development Director regarding the method for exposure and removal of human burials and associated grave goods, and shall advise the Community Development Director regarding the place and method of reburial of these materials.	Construction contractor stops work and notifies County Coroner, if human remains are encountered. If remains are of Native American origin, contact Native American Heritage Commission.	Community Development Department (Planning Division), County Coroner, Native American Heritage Commission	Field monitoring during grading.
Mitigation Measure 4.4-3a: Paleontological Monitor. A qualified paleontologist shall be retained	Qualified paleontological resource specialist conducts monitoring during grading activities to	Community Development Department (Planning Division)	Confirm construction monitoring prior to issuance of

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
to monitor the site clearing and grading operations in those areas where buildings will be removed and/or new construction will occur. The paleontologist shall be present on-site to observe site clearing at a representative sample of building removal areas until he/she is satisfied that there is no longer a potential for finding buried resources. In the event that any potentially significant paleontological resources are discovered, the project paleontologist shall stop work inside a zone designated by him/her where additional paleontological resources could be found. A plan for the evaluation of the resource shall be submitted to the Community Development Director for approval.	appropriate protocols. Qualified paleontological resource specialist submits recovery plan (if necessary) to the City of Sunnyvale.	Community Development Department (Planning Division)	grading permits. Confirm receipt of materials within approximately one year of completion of the field work.
Mitigation Measure 4.4-3b: Halt Construction and Evaluate Resource. In the event that a paleontological resource (fossilized invertebrate, vertebrate, plant or micro-fossil) is found during construction, excavation within 50 feet of the find shall be temporarily halted or diverted until the discovery is evaluated. Upon discovery, the Community Development Director shall be notified immediately and a qualified paleontologist shall be retained to document and assess the discovery in accordance with Society of Vertebrate Paleontology's 2010 Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources, and determine procedures to be followed before construction is allowed to resume at the location of the find. If the Community Development Director determines that avoidance is not feasible, the paleontologist will prepare an excavation plan for mitigating the project's impact on this resource, including preparation, identification, cataloging, and curation of any salvaged specimens.	Qualified paleontological resource specialist conducts monitoring during grading activities to appropriate protocols. Qualified paleontological resource specialist submits recovery plan (if necessary) to the City of Sunnyvale.	Community Development Department (Planning Division) Community Development Department (Planning Division)	Confirm construction monitoring prior to issuance of grading permits. Confirm receipt of materials within approximately one year of completion of the field work.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
4.5 Geology and Soils			
Mitigation Measure 4.5-1a: Foundations. The proposed 8-story office buildings, and parking structures shall be supported on deep foundations consisting of augured cast-in-place piles. In order to reduce the potential for settlements due to liquefaction impacting pile foundations, each pile shall extend to a depth of at least 50 feet below grade or to the depth determined in the Final Geotechnical Report.	Project Applicant shall submit building plans for review and approval.	Public Works Department (Engineering Services Division)	Prior to issuance of building permits.
Mitigation Measure 4.5-1b: Implement Recommendations of Geotechnical Report. The Project Applicant shall implement all of the recommendations of the Project geotechnical report, and any associated updates or revisions, related to review of plans and specifications for proposed buildings; demolition observation and testing; construction observation and testing; site demolition, clearing, and preparation; subgrade preparation; subgrade stabilization; material for fill; compaction requirements; trench backfill; site drainage; foundations; concrete slabs and pedestrian pavements; vehicular pavements; and retaining walls.	Project Applicant shall submit grading plans for review and approval.	Public Works Department (Engineering Services Division)	Prior to issuance of a grading permit or approval of improvement plans.
Mitigation Measure 4.5-1c: Geological Monitor. A professionally licensed geotechnical engineer shall be retained by the Project Applicant to observe the geotechnical aspects of the grading and earthwork for general conformance with the geotechnical report recommendations, including site preparation, selection of fill materials, and the placement and compaction of fill. The Project plans and specifications shall incorporate all recommendations contained in the Geotechnical Report.	Project Applicant shall evidence that a professionally licensed geotechnical engineer has been retained to observe grading and earthwork.	Public Works Department (Engineering Services Division)	Prior to issuance of a grading permit or approval of improvement plans.
Mitigation Measure 4.5-3a: Compaction. In accordance with the recommendations of the Project	Project Applicant shall submit grading plans for review and approval.	Public Works Department (Engineering Services Division)	Prior to issuance of a grading permit or approval of

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<p>geotechnical report, all fill and scarified surface soils shall be uniformly compacted to at least 90% relative compaction at a moisture content near the laboratory optimum, except for the native expansive clays. The native expansive clays shall be compacted to between 87% and 92 % relative compaction at a moisture content at least 3% over optimum. Fill shall be placed in lifts no greater than 8 inches in uncompacted thickness. Each successive lift shall be firm and relatively non-yielding under the weight of construction equipment.</p> <p>In pavement areas, the upper 6 inches of subgrade and full depth of aggregate base shall be compacted to at least 95% relative compaction, except for the native clays. Aggregate base and all import soils shall be compacted at a moisture content near the laboratory optimum moisture content.</p> <p>If there are updates or revisions to the Project geotechnical report, the above mitigation requirements shall be revised to match the updated recommendations as necessary.</p>			improvement plans.
<p>Mitigation Measure 4.5-3b: Abandonment of Existing Utilities. In accordance with the recommendations of the project geotechnical report, the project sponsor shall ensure that existing utilities are completely removed from all building areas. A utility may only be abandoned in place if it would not pose and unacceptable risk, and if approved by the geotechnical engineer. If abandoned in place, the utility must be completely backfilled with grout or sand-cement slurry and the ends outside of the building area must be capped with concrete. Trench fills must also be removed and replaced with</p>	Project Applicant shall submit grading plans for review and approval.	Public Works Department (Engineering Services Division)	Prior to issuance of a grading permit or approval of improvement plans.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
engineered fill with the trench side slopes flattened to at least 1:1. If there are updates or revisions to the project geotechnical report, the above mitigation requirements shall be revised to match the updated recommendations as necessary.			
Mitigation Measure 4.5-3c: Corrosion Protection Engineer. In accordance with the recommendations of the preliminary geotechnical report, a corrosion protection engineer shall be consulted about appropriate corrosion protection methods for buried metallic materials on the project site prior to site grading and construction.	Project Applicant shall submit grading plans for review and approval.	Public Works Department (Engineering Services Division)	Prior to issuance of a grading permit or approval of improvement plans.
4.7 Hazards and Hazardous Materials			
Mitigation Measure 4.7-2, Hazardous Building Materials Surveys and Abatement: Prior to demolition of each building, the Project applicant shall incorporate into contract specifications the requirement that the contractor(s) have a hazardous building materials survey completed by a Registered Environmental Assessor or a registered engineer. This survey shall be completed prior to any demolition activities associated with the Project. If any friable asbestos-containing materials or lead-containing materials are identified, adequate abatement practices, such as containment and/or removal, shall be implemented in accordance with applicable laws prior to demolition. Specifically, asbestos abatement shall be conducted in accordance with Section 19827.5 of the California Health and Safety Code, as implemented by the BAAQMD, and Title 8 CCR Section 1529 and Sections 341.6 through 341.14, as implemented by Cal/OSHA. Lead-based paint abatement shall be conducted in accordance with Cal/OSHA's Lead in Construction Standard.			

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
Any PCB-containing equipment, fluorescent light tubes containing mercury vapors, and fluorescent light ballasts containing DEHP shall also be removed and legally disposed of in accordance with applicable laws including 22 CCR Section 66261.24 for PCBs, Title 22 CCR Section 66273.8 for fluorescent lamp tubes, and 22 CCR Division 4.5, Chapter 11 for DEHP.			
<p>Mitigation Measure 4.7-3: Soil and Groundwater Remediation. Prior to the issuance of any grading plans, or approval of improvement plans in lieu of grading plans, the Project Applicant shall demonstrate to the satisfaction of the City's Public Works Director, that a soil remediation and management plan for the Project site has been approved by the California Regional Water Quality Control Board (RWQCB). The soil remediation and management plan shall include a description of cleanup activities for soil and soil gas containing chemicals in concentrations exceeding cleanup goals established by the California Environmental Protection Agency California Human Health Screening Levels (CHHSLs) and the RWQCB Environmental Screening Levels (ESLs). The clean-up activities shall include:</p> <ul style="list-style-type: none"> • Investigation to define preliminary extents of contamination in soil and soil gas. • Excavation of unsaturated-zone soil above cleanup goals. • Collection of excavation confirmation sampling to confirm achievement of cleanup goals. • Demonstration of compliance with RWQCB Site 			

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<p>Cleanup Requirements Order No. 00-124.</p> <p>The specific elements of the Project cleanup shall consist of:</p> <ul style="list-style-type: none"> • Sampling and analysis plan (SAP) and methods to define preliminary soil excavation extents. The soil remediation and management plan SAP shall provide a dynamic process for defining the limits of contamination in soil at the Project site. This approach shall provide site-specific criteria for streamlining and accelerating decision making events for the soil removal / excavation plan. The SAP shall define sampling objectives, present initial sampling locations rationale; describe field methods and procedures; present the analytical methods and procedures; and data reporting procedures. • Excavation and offsite disposal of soil and debris containing chemicals exceeding site cleanup goals. The planned limits of soil excavation will be based on the existing site data and the data from the SAP implementation. • Stockpiling of excavated soil and debris in prepared onsite areas. • Loading of excavated soil and debris into containers (e.g., trucks, bins, rail cars) for offsite disposal. • Collecting and analyzing confirmation soil samples to confirm achievement of cleanup goals. The confirmation sample results will be approved by the RWQCB prior to initiating backfill in any corresponding excavation area. • Importing backfill soil and possible reuse of excavated soil found be clean. Soil would be tested to ensure that it does not contain 			

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
chemicals of concern exceeding site cleanup goals prior to bringing new material onsite or reusing excavated soil. The planned excavation is anticipated to be only of unsaturated soil. If dewatering of excavations to facilitate soil excavation below groundwater table, is needed, dewatering activities shall be consistent with the waste discharge requirements of the RWQCB Groundwater General Permit, RWQCB Order No. R2-2012-0060 and NDPES No. CAG912004.			
4.9 Land Use			
Mitigation Measure 4.9-1a: Avigation Easement Dedication. As a condition of development approval, the Project applicant shall dedicate an avigation easement to the County of Santa Clara. The avigation easement shall be similar to that shown as Exhibit 1 in Appendix A of the Moffett Federal Airfield CLUP.	Project Applicant shall dedicate an avigation easement to County of Santa Clara.	Community Development Department (Planning Division)	Prior to issuance of building permits.
Mitigation Measure 4.9-1b: Federal Aviation Administration (FAA) Notification. As a condition of development approval, the Project Applicant shall notify the Federal Aviation Administration (FAA) as required by FAR Part 77, Subpart B on FAA Form 7460-1, Notice of Proposed Construction or Alteration.	Project Applicant shall provide proof of notification to the FAA per FAR Part 77, Subpart B on FAA Form 7460-1, Notice of Proposed Construction or Alteration.	Community Development Department (Planning Division)	Prior to issuance of building permits.
4.10 Noise			
Mitigation Measure 4.7-1: Construction Noise. Prior to the issuance of demolition permits or ground disturbing activities (whichever occurs first), the Contractor shall demonstrate to the satisfaction of the City of Sunnyvale Community Development Department that the proposed project complies with the following: <ul style="list-style-type: none">Construction contracts specify that all construction	Project Applicant follows appropriate protocols, as necessary. Construction contractor complies with procedures during construction.	Community Development Department (Building Safety Division) Community Development Department (Building Safety Division)	Prior to issuance of Grading Permits. Conduct periodic site visits during construction.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<p>equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.</p> <ul style="list-style-type: none"> Property occupants located adjacent to the project boundary shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet shall also be posted at the project construction site. All notices and signs shall be reviewed and approved by the City of Sunnyvale Community Development Department prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints. The Contractor shall provide evidence that a construction staff member will be designated as a Noise Disturbance Coordinator and will be present on-site during construction activities. The Noise Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Noise Disturbance Coordinator shall notify the City within 24-hours of the complaint and determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement reasonable measures to resolve the complaint, as deemed acceptable by the Community Development Department. All notices that are sent to residential units immediately surrounding the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator. 			

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<ul style="list-style-type: none"> During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. Pursuant to the Municipal Code Chapter 16.08, construction activities shall occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, 7:00 a.m. and 5:00 p.m. on Saturdays, and shall be prohibited on Sundays and holidays or as approved by the Chief Building Official. 			
4.12 Public Services and Utilities			
Mitigation Measure 4.11-1: Fire and Police Protection. Concurrent with Project entitlements, the Project applicant shall enter into a binding agreement (such as a Development Agreement) with the City of Sunnyvale regarding the addition of public safety personnel within the City.	Project Applicant enters into binding agreement with City.	Community Development Department (Planning Division)	Prior to issuance of building permits.
4.13 Transportation and Traffic			
Mitigation Measure 4.13-1a: Existing Plus Project Payment of Traffic Impact Fee. Prior to occupancy of the Project (or each phase if a phased project), the Project Applicant shall, to the satisfaction of the Public Works Director, provide evidence that a fair share payment has been made to the City of Sunnyvale for the Mathilda Avenue / SR 237 interchange improvements project via payment of the City's Traffic Impact Fee (TIF). This project is identified in the Valley Transportation Plan (VTP) 2040 as project ID #H33. These improvements would include: <ul style="list-style-type: none"> Realigning the westbound SR 237 off-ramp with the Moffett Park Drive/Mathilda Avenue intersection 	The Project Applicant shall make a Traffic Impact Fee payment to the City.	Public Works Department (Transportation and Traffic Division)	Confirm payment received prior to issuance of building permits.

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<ul style="list-style-type: none"> Removal of the WB SR 237 on-ramp Construction of a southbound Mathilda Avenue to northbound US Highway 101 diagonal on-ramp <p>The following intersections require fair share payments for the Mathilda Avenue / SR 237 interchange improvements project under the Existing Plus Project scenario:</p> <ul style="list-style-type: none"> N Mathilda Avenue / W Moffett Park Drive (AM Peak) N Mathilda Avenue / WB SR 237 Ramps (PM Peak) N Mathilda Avenue / Ross Drive (PM Peak) 			
<p>Mitigation Measure 4.13-1b: Fair Share Payment For Freeway Improvement Projects. Prior to occupancy of the Project (or each phase if a phased project), the Project Applicant shall, to the satisfaction of the Public Works Director, provide evidence that a fair share payment has been made to the Santa Clara Valley Transportation Agency (VTA) towards freeway improvement projects as listed in the Valley Transportation Plan (VTP) 2040. The VTP 2040 has identified multiple freeway improvement projects designed to add capacity to the freeways in Santa Clara County. Included in this list are projects specifically related to the impacted freeway segment. The following improvement would apply to the impacted freeway segment: VTP 2040 project ID #H5: Build new express lanes on SR 237 from Mathilda Avenue to SR 85.</p> <p>The following segment requires a fair share payment under the Existing Plus Project Scenario:</p>	<p>The Project Applicant shall make a fair share payment for freeway improvement projects to the Santa Clara Valley Transportation Agency.</p>	<p>Public Works Department (Transportation and Traffic Division)</p>	<p>Confirm payment received prior to issuance of building permits.</p>

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<ul style="list-style-type: none"> Eastbound SR 237 between US Highway 101 and Mathilda Avenue (Existing Plus Project AM Peak) 			
<p>Mitigation Measure 4.13-1c: Payment of Traffic Impact Fee. Prior to occupancy of the Project (or each phase if a phased project), the Project Applicant shall, to the satisfaction of the Public Works Director, provide evidence that a fair share payment has been made to the City of Sunnyvale for the Mathilda Avenue / SR 237 interchange improvements project via payment of the City's Traffic Impact Fee (TIF). This project is identified in the Valley Transportation Plan (VTP) 2040 as project ID #H33. These improvements would include:</p> <ul style="list-style-type: none"> Realigning the westbound SR 237 off-ramp with the Moffett Park Drive/Mathilda Avenue intersection Removal of the WB SR 237 on-ramp Construction of a southbound Mathilda Avenue to northbound US Highway 101 diagonal on-ramp <p>The following intersections require fair share payments for the Mathilda Avenue / SR 237 interchange improvements project under the Existing Plus Background Plus Project scenario:</p> <ul style="list-style-type: none"> N Mathilda Avenue / W Moffett Park Drive (AM Peak) N Mathilda Avenue / WB SR 237 Ramps (AM and PM Peak) N Mathilda Avenue / EB SR 237 Ramps (AM 	<p>The Project Applicant shall make a Traffic Impact Fee payment to the City.</p>	<p>Public Works Department (Transportation and Traffic Division)</p>	<p>Confirm payment received prior to issuance of building permits.</p>

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<p>and PM Peak)</p> <ul style="list-style-type: none"> N Mathilda Avenue / Ross Drive (AM and PM Peak) 			
<p>Mitigation Measure 5.4-1a: Fair Share Payment For Interconnected Managed Traffic Control Project. Prior to occupancy of the Project (or each phase if a phased project), the Project Applicant shall, to the satisfaction of the Public Works Director, provide evidence that a fair share payment has been made to the City of Sunnyvale towards a project that would implement a fully coordinated and interconnected managed traffic control system along Mathilda Avenue to improve signal operations. This improvement will include installing fiber optic lines and conduit to upgrade the existing infrastructure along Mathilda Avenue. The fair share contributions for the intersection shall be based off of the following fair share calculations:</p> <ul style="list-style-type: none"> N Mathilda Avenue / Innovation Way: PM peak period 	<p>The Project Applicant shall make a fair share payment to the City towards an Interconnected Managed Traffic Control Project for North Mathilda Avenue.</p>	<p>Public Works Department (Transportation and Traffic Division)</p>	<p>Confirm payment received prior to issuance of building permits.</p>
<p>Mitigation Measure 5.4-1b: Payment of Traffic Impact Fee. Prior to occupancy of the Project (or each phase if a phased project), the Project Applicant shall, to the satisfaction of the Public Works Director, provide evidence that a fair share payment has been made to the City of Sunnyvale for the Mathilda Avenue / SR 237 interchange improvements project via payment of the City's Traffic Impact Fee (TIF). This project is identified in the Valley Transportation Plan (VTP) 2040 as project ID #H33. These improvements would include:</p> <ul style="list-style-type: none"> Realigning the westbound SR 237 off-ramp with the Moffett Park Drive/Mathilda Avenue intersection Removal of the WB SR 237 on-ramp 	<p>The Project Applicant shall make a Traffic Impact Fee payment to the City.</p>	<p>Public Works Department (Transportation and Traffic Division)</p>	<p>Confirm payment received prior to issuance of building permits.</p>

Mitigation Measure	Implementation Procedure	Monitoring/Reporting Responsibility	Monitoring/Reporting Schedule
<ul style="list-style-type: none">Construction of a southbound Mathilda Avenue to northbound US Highway 101 diagonal on-ramp			