



Approved Conditions for Special Development Permit Number 2004-0534 located at 750 & 775 East El Camino Real per City Council on October 12, 2004.

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 of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. The conditions of approval shall be reproduced on the first page of the plans submitted for Building Permits. Indicate where each condition is met within the plan set.
2. Any major site and architectural plan modifications shall be treated as an amendment of the original approval and shall be subject to approval at a public hearing before the Planning Commission, except that minor changes of the approved plans may be approved administratively by the Director of Community Development.
3. Execute a Special Development Permit document prior to issuance of the building permit.
4. If not exercised, this Special Development Permit shall expire two years after the date of approval by the final review authority.
5. Further modifications to the architecture shall be incorporated as followed and subject to the review and approval of the Director of Community Development:
 - a) The walls facing El Camino Real and corners of the buildings shall be modified in an effort to add improved presence from the public right of way.
 - b) The scale of the projecting blue entry feature of the larger tenant building shall be reduced to improve visual mass of the structure.
 - c) The corners of the building shall incorporate a rounded element to soften the effect.
6. Obtain approval of and record a Lot Line Adjustment prior to issuance of a Building Permit approved site plans.
7. Submit a detailed garbage disposal plan to the Director of Community Development for review and approval. Provide a trash enclosure that is a minimum of 6 feet high and enclosed on all four sides, of a design, approved by the Director of Community Development and a location approved by the

Director of Public Works prior to issuance of a Building Permit. Install enclosure prior to occupancy.

8. The landscape and irrigation plans shall be submitted to the Director of Community Development for approval prior to issuance of a Building Permit. Landscaping shall be planted and the irrigation system installed prior to occupancy. The landscape plan shall include the following elements:
 - a. Provide separate water meters for domestic and irrigation systems.
 - b. Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
 - c. All areas not required for parking, driveways or structures shall be landscaped.
 - d. Of all new planting, 70% shall be water wise varieties.
 - e. Of new trees installed, a minimum of 10% shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
 - f. 50% shading coverage within 15 years of all paved areas.
 - g. Install a 12 to 14-foot high fence of mixed material SUCH AS masonry or wood with landscaping along the rear property line between the two buildings.
9. Submit exterior lighting plan, including fixture and pole designs, for approval by the Director of Community Development prior to issuance of a Building Permit. Driveway and parking area lighting shall include the following:
 - a. Sodium vapor (or illumination with an equivalent energy savings).
 - b. Provide photo cells for on/off control of all security and area lights.
 - c. All exterior security lights shall be equipped with vandal-resistant covers.
 - d. Wall packs shall not extend above the roof or parapet of the building.
 - e. Wall packs shall not be placed on the roof of the building.
 - f. All exterior lighting shall not cast surface illumination beyond the project boundary. Commercial lighting shall not cast glare on the residential portion of the project.
 - g. All detached and attached spot and flood lighting fixtures shall be shielded to prevent exposure to surrounding public vantage points, and glare or overcast of illumination on to adjacent public areas, streets, residential areas, and private properties surrounding the use.
 - h. The height of the light poles shall be 15 feet.
10. Bicycle parking shall be provided per VTA Guidelines.
11. Obtain approval of a Master Sign Program from the Director of Community Development.

12. Consult with the Crime Prevention Division of the Public Safety Department for crime prevention measures appropriate to the proposed development prior to issuance of a Building Permit. Incorporate features recommended by crime prevention or explain why the features cannot be incorporated, subject to review and approval of the Director of Community Development.
13. Obtain a Development Permit from the Department of Public Works for all proposed off-site improvements.
14. Any proposal for telecommunication antennas shall conform to the Sunnyvale Municipal Code (Chapter 19.54). At no time shall telecommunication antennas including dish antennas be visible above the roof parapet. All antennas shall be camouflaged and incorporated into the design of the buildings except for those exempt by the Municipal Code.
16. Comply with the art in private development requirements as noted in Sunnyvale Municipal Code 19.52 for art approval, installation and maintenance including the following requirements:
 - a. Developers must allocate an amount for artwork equal to one percent of the construction valuation of the project, based on the building permit valuation provided by the chief building official. In the event of multi-phased development, valuation shall be based on the cost of all phases, even though all phases may not be completed at the same time.
 - b. No building permit will be issued for any building, expansion, or portion thereof, pursuant to Sunnyvale Municipal Code section 19.52.060 until a permit for required artwork has been issued pursuant to Sunnyvale Municipal Code section 19.52.060.
17. A bond, letter of credit, cash deposit or other similar security instrument for 1% of the construction valuation of the development project will be required prior to applying for 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.
18. Out-of door loudspeakers shall be prohibited.
19. No vehicles or trailers shall be advertised for sale or rent on the site and no vehicle sales, leasing or rentals shall be conducted at the site.
20. No inoperable vehicles shall be stored out-of-doors at the site for more than 24 hours.

21. Any proposed fencing and/or walls are subject to approval as to design and location by the Director of Community Development.
 - a. Install and maintain an 8-foot solid, decorative masonry wall, measured from the highest adjoining grade, of a design approved by the Director of Community Development along the south property line. Wherever there is a grade differential, a concrete or masonry retaining wall shall be installed. Gate for pedestrian access is required.
24. All existing on-site, existing street frontage and proposed overhead utilities shall be undergrounded prior to occupancy of either commercial or residential site.
 - a. A copy of an agreement with affected utility companies for undergrounding of existing overhead utilities which are on-site or within adjoining rights-of-way shall be provided to the Director of Community Development prior to issuance of a Building Permit or a deposit in an amount sufficient to cover the cost of undergrounding shall be made with the City. Undergrounding shall include above-ground transformers and other utility boxes.
25. No unenclosed storage shall be allowed including materials and equipment.
26. The applicant shall contact the City's Environmental Division prior to issuance of a Building Permit regarding water pollution control measures (related to sanitary sewer and storm discharge) to be incorporated into the project construction, design and operation. Incorporate features recommended by the environmental division or explain why the features cannot be incorporated, subject to review and approval of the Director of Community Development
27. Certified Stormwater plans must be recorded with the property deed. The owner is responsible for maintaining the stormwater BMPs.
28. Install additional signage and post as needed on El Camino Real along the frontage of the site that shall state: "No Parking Any Time" on El Camino Real Ave.
29. The project is subject to a Transportation Impact as required by Sunnyvale Municipal Code Section 3.50.050.
30. A sound mitigation study shall be conducted within six months after building occupancy.

Approved Conditions - Tentative Map

A. Planning Division

1. The Tentative Map shall be valid for a period of two years, measured from the date of approval by the final review authority.
2. The Tentative Map shall be applicable only in conjunction with a valid Special Development Permit.
3. Building Permits for the lot or lots within a recorded Final Map may be issued only in accordance with a valid Special Development Permit.
4. Any proposed Deeds, Covenants, restrictions and By-Laws relating to the subdivision shall be submitted for review and approval by the Director of Community Development and the City Attorney.
5. At the expense of the subdivider, City forces shall install such street trees as may be required by the Public Works Department.

B. Building Safety Division

1. Obtain Grading Permits as required (MCS 16.12.010).
2. Provide soils report prepared by a licensed soils laboratory (Res. 193-76).
3. Seal and cap all septic tanks and irrigation systems in accordance with Building Safety regulations.

C. Public Works

1. The tentative map approval is subject to and contingent upon a Lot Line Adjustment application to be approved by the Public Works Department and to be recorded prior to or concurrently with Parcel Map approval.
2. This project requires a CC&R for reciprocal access and parking between the two lots and the adjacent property to the east. Maintenance responsibility for on-site improvements (e.g., paving, landscaping, common utility facilities, etc.) shall be clearly defined.
3. Obtain approval from Caltrans for modifications to the existing curbs within the public right of way.
4. The preliminary utility plan and grading and drainage plan is subject to City's review and approval during the plan check process. No refuse drain should be

at the trash enclosure area. No refuse drain should be connected to sanitary sewer line without City's approval.

5. Calculations of water consumption and sanitary sewer discharge will be required during the project design phase. The developer shall pay for all changes or modifications to the public utilities caused by the development.
6. All on-site water, sanitary sewer and storm drain facilities shall be privately owned and maintained.
7. Contact utility companies for their review/approval requirements and/or procedures.
8. Any existing deficient public improvements (sidewalk, traffic sign and post, etc.) shall be upgraded to current City standards.
9. Record a Final Map.
10. Connect to all City utilities or private utilities operating under a City franchise which provides adequate levels of service.
11. Obtain Public Works approval of plans for utility line extensions, utility connections, meter locations, driveways, sidewalks, etc.
12. Construct all public improvements prior to occupancy.
13. Existing and proposed on-site and street frontage electrical, telephone and cable TV services shall be placed underground or removed prior to occupancy (MC 19.46.060).

D. Fire Prevention

1. Comply with the Sunnyvale Fire Prevention Code (MC 2099-84; Title 19 of Calif. Admin. Code Sec. 1.12(l); UFC 1982 Edition).
2. The water supply for fire protection and fire fighting systems shall be installed and operational prior to any combustible construction on the site (MC 16.52.170).

E. Other Public Agencies

1. Pay School Tax fees prior to issuance of a Building Permit.