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EP-25. SEPARATE WATER SERVICES:

Fire service and domestic service shall be separate (other than residential). [COA] [PUBLIC WORKS]

EP-26. TRASH ENCLOSURE REQUIREMENTS:

A maximum number of three service pick-up days per week is required for the subject building. A minimum of two 3-CY garbage bins and one 4-CY recycling bin is required for the proposed trash enclosure. Developer shall pay for a pull-out fee as required for Specialty service if a front-load garbage truck cannot access the enclosure directly. [COA] [PUBLIC WORKS]

EP-27. PUBLIC WORKS DEVELOPMENT FEES:

The developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees and off-site improvement plan check and inspection fees, prior to map recordation or any permit issuance, whichever occurs first. The incremental sewer connection fee is estimated at **\$231,768.60** and the incremental water connection fee is estimated at **\$24,338.18** based upon available project data and fiscal year 2013-14 rate. The actual fee amount would be based upon the fee structure/rate at the time of fee payment. [COA] [PUBLIC WORKS] (SMC 18.16)

EP-28. COMPLETION OF PUBLIC IMPROVEMENTS:

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

EP-29. COMPLETE OFF-SITE IMPROVEMENT PLAN SET:

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

EP-30. MATHILDA AVENUE TURN POCKET:

Developer shall design and construct modifications to the left turn pocket on NB Mathilda Avenue to WB Maude Avenue prior to occupancy of the first building. The turn pocket shall be an extension of the double left turn lanes resulting in two left lanes from the current beginning of the single lane turn pocket to the intersection. Design of the turn pocket shall be done in coordination with existing City projects to add bicycle lanes to Mathilda and to make traffic

signal safety improvements at the intersection. Schematic design drawings and cost estimates shall be provided to the City for approval prior to production of detailed improvement plans. A performance bond guaranteeing completion of the turn pocket improvements shall be provided to the City prior to issuance of building permits. Detailed improvement plans and cost estimates shall be provided to the City for approval. Construction of the extended turn pocket shall be paid for by the developer and completed prior to occupancy of the first building. This project will be added to the list of projects to be paid for with Traffic Impact fees (TIF) and, if approved, the design and construction costs (including related traffic control costs) for this left turn pocket project will be a credit towards the developer's required TIF payment. If the cost of the improvements exceeds the developers TIF requirement, a reimbursement agreement could be developed for Council consideration. [COA][PUBLIC WORKS]

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

BP-1. CONDITIONS OF APPROVAL:

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

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

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

BP-3. NOTICE OF CONDITIONS OF APPROVAL:

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

For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report from a title insurance company indicating that the record owner(s) are