

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
APRIL 10, 2017**

Planning Application 2015-7879

Pathline Park (670, 678, 981-987, 990 Almanor Avenue; 950 Benecia Avenue; 844, 845 Del Rey Avenue; 610, 615-617, 675-677, 720-726, 733-735, 750-752, 760-766, 776, 775-779, 781-785, 788-790 Palomar Avenue; 595 N. Pastoria Avenue; 610-614, 615-617, 650, 740, 750, 749-751, 755-757, 760, 765-767 N. Mary Avenue; and 570, 573-575, 580-585, 959 Maude Court)

Peery Park Plan Review Permit to allow the demolition of 28 existing office and industrial buildings totaling 768,665 sq. ft. and the construction of nine three-story and three four-story office buildings totaling 1,471,400 sq. ft.; a two-story and two one-story amenity buildings totaling 40,000 sq. ft.; one four-level and three six-level above-grade parking structures; a private connector street with public vehicular and pedestrian access; and site and offsite improvements.

Tentative Map to allow 28 existing parcels to be merged into seven parcels, including the abandonment of Maude Court.

The project includes the following deviations from the Peery Park Specific Plan (PPSP):

- Maximum Front Yard Setback: Buildings 2, 3, 8, 11, 12; Amenity A and B; Parking Structure D
- Maximum Building Length: Parking Structure A and B
- Minimum Street-Facing Upper Setback: Building 7 and Parking Structure C

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

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

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

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

GC-2. USE EXPIRATION:

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

GC-3. PERMIT EXPIRATION:

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

Each phase shall be exercised within two years of completion of the prior phase. If not exercised, the square footage above base zoning of the remaining phases will be returned to the City's Peery Park development reserve for use in other projects. An extension may be granted if a written request for an extension of time to exercise subsequent phases is received prior to the expiration date and is approved by the Director of Community Development. See Condition of Approval PS-1 for additional phasing information. [SDR] [PLANNING]

GC-4. INDEMNITY:

The applicant/developer shall defend, indemnify, and hold harmless the City, or any of its boards, commissions, agents, officers, and employees (collectively, "City") from any claim, action, or proceeding against the City to attack, set aside, void, or annul, the approval of the project when such claim, action, or proceeding is brought within the time period provided for in applicable state and/or local statutes. The City shall promptly notify the developer of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action,

or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith. [COA] [OFFICE OF THE CITY ATTORNEY]

GC-5. NOTICE OF FEES PROTEST:

As required by California Government Code Section 66020, the project applicant is hereby notified that the 90-day period has begun as of the date of the approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the city as part of the approval or as a condition of approval of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or adopted city impact fee schedule. [SDR] [PLANNING / OCA]

GC-6. PREVIOUS USES SUPERSEDED:

Once the allowed use as approved for this planning application is exercised, the previously approved planning applications shall be null and void with no further action required by any reviewing authority. [COA] [PLANNING]

GC-7. 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-8. TRANSPORTATION MANAGEMENT ASSOCIATION:

The property owner and future tenants are required to join the Peery Park Transportation Management Association and maintain membership within the organization. [COA] [PLANNING]

GC-9. COMPLIANCE WITH TRAFFIC OPERATIONS STUDY RECOMMENDATIONS:

The applicant shall incorporate all recommendations in the final Traffic Operations Study for the project, subject to the review and approval of the Director of Public Works. [COA] [PUBLIC WORKS]

GC-10. SIGNAGE:

Signage is not approved as part of this permit, including signage shown on Sheets G-A01, G-A02, and GA03 of the plan set. Signage shall be reviewed as part of a separate Master Sign Program. [COA] [PLANNING]

GC-11. TRAFFIC MITIGATION MEASURES:

The project shall pay its fair share contribution towards all traffic mitigation measures identified in the Peery Park Specific Plan Environmental Impact Report (EIR) and associated Transportation

Impact Analysis (TIA) Mitigation Measures. [COA] [PUBLIC WORKS/PLANNING]

GC-12. PUBLIC IMPROVEMENTS:

Developer shall install public improvements as required by the City, including but not limited to, curb & gutter, sidewalks, driveway approaches, curb ramps, street pavements, utility extensions and connections, meters/vaults, trees and landscaping, traffic signs, striping, street lights, etc.

All public improvements shall be designed and constructed in accordance with current City design guidelines, standard details and specifications, and Americans with Disabilities Act (ADA) requirements where applicable, unless otherwise approved by the Department of Public Works. The off-site improvements shown on site development plan on sheets C-1.0 to C-6.3 dated 3/6/17 is subject to change during the plan check process.

The developer is required to complete the installation of all public improvements and other improvements deemed necessary by the Public Works Department, prior to occupancy of the first building, or to the satisfaction of the Public Works Department.

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

GC-13. RESTRICTED LOADING ZONES:

Private bus/shuttle stops and street truck loading shall be prohibited in the public right-of-way. [COA] [PUBLIC WORKS]

GC-14. OFF-SITE IMPROVEMENT PLANS:

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

GC-15. ENCROACHMENT PERMIT:

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

GC-16. EASEMENT DEDICATION:

Per the Peery Park Specific Plan, street dedications (in the form of an easement) shall be required on Mary Avenue and Almanor Avenue. [COA] [PUBLIC WORKS]

GC-17. SIDEWALK EASEMENT:

Sidewalk easements shall be required to accommodate meandering sidewalk to save existing mature street trees. The sidewalk easement shall be dedicated on the parcel map or by separate instrument and shall be recorded prior to building occupancy. [COA] [PUBLIC WORKS]

GC-18. RECORDATION OF PARCEL MAPS:

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

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

PS-1. REQUIRED REVISIONS TO PROJECT PLANS:

The plans shall be revised to address comments from the Planning Commission including the following:

- a) Per the Public Works Department and Planning, remove stairs and elevators from the southwest corner of Parking Structure B and northwest corner of Parking Structure A (to discourage mid-block crossings across Palomar Avenue).
- b) Per the Public Works Department, remove the northernmost driveway approach on Parcel 6 (where Building 11 is located) onto Mary Avenue to remove potential conflicts with the protected bike lane along Mary Avenue.
- c) Per the Public Works Department, remove the driveway approach on Parcel 1 (between Amenity A and Building 2) onto Mary Avenue to remove potential conflicts with the protected bike lane along Mary Avenue.
- d) Per the Community Development Department, relocate the trash enclosure along Mary Avenue north of Building 6 further away from Mary Avenue.
- e) Per the Community Development Department, incorporate the revised building entry exhibit for all office buildings in the project as identified in Attachment 12 of the April 10, 2017 Planning Commission staff report, subject to the review and approval of the Director of Community Development.

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- f) Per the Community Development Department, incorporate the revised building types for Building 6, 7, 11, and 12 as identified in Attachment 13 of the April 10, 2017 Planning Commission staff report, subject to the review and approval of the Director of Community Development.
 - g) Per the Community Development Department, include the glazing on the “picture-frame” elements of the street-facing façade of Garage C façade at the terminus of Palomar Avenue as identified in Attachment 12 of the April 10, 2017 Planning Commission staff report, subject to the review and approval of the Director of Community Development.
 - h) Per the Community Development Department, provide wheel stops for parking spaces that are directly perpendicular to pedestrian walkways.
[COA] [PLANNING/PUBLIC WORKS]

PS-2. PARKING STRUCTURE A AND B HIGHLY ARTICULATED RECESSES:

Prior to submittal of the first building permit in the phases in which Parking Structures A and B are located (as identified in Attachment 14 of the April 10, 2017 Planning Commission staff report), the applicant shall incorporate the highly articulated, street-facing recesses identified in Attachment 12 of the April 10, 2017 Planning Commission staff report into the final parking structure design for Parking Structures A and B. Additionally, the back portion of the recessed wall facing the street shall be treated with darker colors to give the appearance of a greater setback, and a contrasting color added to the 20-foot perpendicular walls. The final design is subject to the review and approval of the Director of Community Development. [COA] [PLANNING]

PS-3. CONSTRUCTION PHASING PLAN:

A construction phasing plan shall be submitted for review and approval by the Director of Community Development to ensure completion of each phase to meet the overall project design concept, required infrastructure, and other site and off-site improvements. The phasing plan shall be submitted prior to submittal of the first building permit within each phase (as identified in Attachment 14 of the April 10, 2017 Planning Commission staff report). Each phase shall be exercised within two years of completion of the prior phase. The phasing plan shall include, but not be limited to the following:

- a) Limits of work and timelines for each of the phases;
- b) Schedule for compliance with conditions of approval;
- c) Schedule for fee payments;
- d) Compliance with all applicable zoning and Peery Park Specific Plan requirements in each phase (e.g. parking and landscaping);
- e) Incorporation of plan elements common to all properties in the phase area;
- f) Compliance with all required mitigation measures in each phase;
- g) Plan for Phase A Offsite Improvements: Project frontage streetscape improvements along Maude Avenue, Mary Avenue, and Benecia Avenue;

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- h) Plan for Phase B and E Offsite Improvements: Project frontage streetscape improvements along Mary Avenue and Almanor Avenue;
 - i) Plan for Phase C and D Offsite Improvements:
 - i. Complete off-site improvements on Palomar Avenue (between east-west connector and Almanor Avenue);
 - ii. Complete off-site improvements on Palomar Avenue (between east-west connector and Del Rey Avenue);
 - iii. Project frontage streetscape and median improvements on Mary Avenue (between Maude Avenue and Almanor Avenue);
 - iv. Complete off-site improvements on Del Rey Avenue;
 - v. Project frontage streetscape improvements on Almanor Avenue; and
 - vi. Public access improvements for the new east-west connector;
 - j) Construction truck routes;
 - k) Public vehicle and pedestrian access;
 - l) Construction staging;
 - m) Employee/contractor parking

PS-4. 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-5. HYDRAULIC ANALYSIS:

Prior to first off-site improvement plan check submittal, developer shall obtain a Hydraulic Analysis by paying a Water System Hydraulic Modeling fee in the amount to be determined by the City to ensure that water main servicing the proposed project meets various City design guidelines and other statutory requirements for fire, domestic and irrigation flows in terms of pipe size, demands, pressure and velocity. Contact Environmental Services Department/Water Operations at 408-730-7560 for more information

Per the Peery Park Specific Plan, the developer shall either be assessed water system impact fees or be required to construct specific water main improvements identified as deficient in the hydraulic analysis and shall be incorporated into the first off-site improvement plan check submittal. If required to construct water improvements, a fee credit may be applied up to the cost of improvements. If construction costs exceed the fee credit, a Reimbursement Agreement may be entered with the Developer by the City. [COA] [ENVIRONMENTAL SERVICES/PUBLIC WORKS]

PS-6. SANITARY SEWER ANALYSIS:

Prior to first off-site plan check submittal, submit a focused sanitary sewer analysis, to be reviewed and approved by the City, identifying the overall project impact to the City's existing sanitary sewer main(s). This includes, but is not limited to, the following:

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- a) A detailed estimate of water consumption in gallons per day or estimate of sanitary sewer discharge in gallons per day; and
 - b) Any incremental impact that will result from the new project in comparison to the existing sewer capacity of the immediate downstream mainline as needed, and allocation of wastewater discharge from the project site to each of the proposed laterals. Any deficiencies in the existing system in the immediate vicinity of the project will need to be addressed and resolved at the expense of the developer as part of the off-site improvement plans. Any mitigation improvements needed shall be incorporated into the first plan check submittal.

Per the Peery Park Specific Plan, the developer shall either be assessed wastewater system impact fees or be required to construct specific wastewater main improvements as determined from the sanitary sewer analysis and shall be incorporated into the first off-site improvement plan check submittal. If required to construct sewer improvements, a fee credit may be applied up to the cost of improvements. If construction costs exceed the fee credit, a Reimbursement Agreement may be entered with the Developer by the City. [COA] [PUBLIC WORKS]

PS-7. STREETLIGHTS:

Prior to first off-site plan check submittal, the developer is required to provide a photometric analysis to determine that the street lighting meets current City's Roadway Lighting Design Criteria. Roadway, sidewalk and crosswalk illuminance calculations shall be calculated separately from each other. Results of the photometric analysis for each roadway shall be reported independently from each other to ensure the photometric values are met for each roadway segment (Do not combine photometric results for all roadways on each sheet and report as 'Roadway Photometric Notes').

The roadway and sidewalk illuminance values required to be met for Mary Avenue, Almanor Avenue, Del Rey Avenue, & Maude Avenue are:

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

The roadway and sidewalk illuminance values required to be met for Palomar Avenue, Benecia Avenue, & New East West Connector are:

- 1. Minimum Average Illuminance ≥ 0.7 fc
- 2. Uniformity Ratio (Avg/Min) ≤ 6.0
- 3. Max/Min ratio ≤ 20

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

Developer shall install new streetlights and remove and replace/upgrade conduits, wires, pull boxes, and conductors (to current City standards) along the project frontages based upon City approved photometric analysis, unless otherwise directed by the City. All LED fixtures shall be of the same make and model (current approved manufacturers are GE and Phillips). Street light fixtures shall be per Peer Park Specific Plan. Peery Park Streetlight Standard Details are found on the City's website http://sunnyvale.ca.gov/Portals/0/Sunnyvale/DPW/LandDevelopment/2017_Peery%20Park_Street_Light_Details.pdf

For photometric analysis: LLF factor to be used is 0.95. The LED fixture should have an efficiency of at least 90 lumen/watts and should have the International Dark-Sky Association (IDA) fixture seal of approval (FSA) and be on their IDA-Approved™ Products list. Along with the photometric analysis the developer shall provide cut sheets for proposed fixture, (i.e. files used to perform analysis), test results from certified independent lab, and electronic copy of the photometric analysis in AGi32 format. All LED fixtures shall have a 10-year warranty.

Obtain PG&E's approval for new service pedestal, if required, prior to Encroachment Permit issuance by Public Works Department. [COA] [PUBLIC WORKS]

PS-8. MARY AVENUE MEDIAN:

Prior to first off-site plan check submittal, the developer is required to submit an exhibit depicting the proposed street geometric layout of the Mary Avenue, to be reviewed and approved by the City. [COA] [PUBLIC WORKS]

MM: THE FOLLOWING CONDITION SHALL BE ADDRESSED AND MITIGATION MEASURES NOTED FOR PPSP PROGRAM EIR – MMRP AS RELEVANT TO THIS PROJECT

MM-1. PEERY PARK SPECIFIC PLAN – MITIGATION, MONITORING & REPORTING PROGRAM (MMRP):

The project applicant shall demonstrate compliance with the Mitigation and Monitoring Reporting Program (MMRP) as required in the Peery Park Specific Plan Environmental Impact Report (EIR) and Transportation Impact Analysis (TIA) Mitigation Measures. [COA] [PLANNING/PUBLIC WORKS]

BP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR FOUNDATION BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S). THESE CONDITIONS SHALL ALSO BE COMPLIED WITH DURING

CONSTRUCTION APPROVED UNDER ANY SUBSEQUENT PERMITS, IF APPLICABLE.

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. AVIGATION EASEMENT:

Per the Airport Land Use Commission, the project shall provide an Avigation Easement to be dedicated to the United States Government to be consistent with Moffett Federal Airfield Comprehensive Land Use Plan (CLUP) to be recorded with Santa Clara County. [COA] [PLANNING, ALUC]

BP-6. COMMUNITY BENEFITS PROGRAM:

Submit a final Community Benefits Plan, subject to review and approval by the Director of Community development, prior to Building Permit issuance. Project shall complete all the benefits noted in the proposed Community Benefits Program prior to final occupancy as determined by the Director of Community Development. [COA] [PLANNING]

BP-7. REQUIRED PLANNING DIVISION EASEMENTS:

The property owner shall record appropriate easements running with the land, subject to the review and approval of the Director of Community Development for the following:

- a) Vehicular reciprocal ingress and egress on the shared driveway with 928/930 Benecia Avenue (APN 165-40-013);
- b) Public pedestrian and vehicular access easement on the new east-west connector street;
- c) Allowance for future connection to the new east-west connector street and associated reciprocal ingress/egress from off-site properties [e.g. extension of street through respective Pastoria Avenue property(ies) upon redevelopment];
- d) Parking space utilization for all parcels in the project area [e.g. employees/visitors in Parcel 1 (as identified on the tentative map) can park on Parcel 2 (as identified on the tentative map), and vice versa]. [COA] [PLANNING]

BP-8. 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 solid waste disposal and recycling facilities within the enclosure area or within buildings shall be designed with adequate size, space, and clearance based upon the City's latest guidelines. The required solid waste and recycling enclosures shall:

- a) Match the design, materials and color of the main building they serve.
The final exterior appearance of the trash enclosures shall be subject to the review and approval of the Director of Community Development;
- b) Be of masonry construction;
- c) Containers shall be metal or State Fire Marshall-listed non-metallic.
- d) Be screened from public view;
- e) All gates, lids and doors shall be closed at all times;
- f) Shall not conflict with delivery/receiving areas;
- g) Shall be consistent with the approved Solid Waste and Recycling Management Plan;
- h) Solid waste and recycling diversion systems shall be incorporated into the facilities and tenant improvements. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-9. SOLID WASTE DISPOSAL AND RECYCLING 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 nonresidential projects. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-10. LOADING AND DELIVERY AREA PLAN:

A detailed loading and delivery area plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. The loading and delivery area plan and building permit plans shall demonstrate compliance with current City requirements and guidelines for nonresidential projects. [COA] [PLANNING/TRAFFIC]

BP-11. ROOF EQUIPMENT:

Roof vents, pipes and flues shall be combined and/or collected together on slopes of roof or behind parapets out of public view as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the roof. [COA] [PLANNING]

BP-12. FEES AND BONDS:

The following fees and bonds shall be paid in full prior to issuance of building permit.

- a) TRANSPORTATION IMPACT FEE - Pay Traffic Impact fee for the net new trips resulting from the proposed project, estimated at **\$1,887,195.40**, prior to issuance of a Building Permit. The actual fee paid will be the adopted fee rate in place at the time of building permit submittal. (SMC 3.50). [SDR] [PLANNING]
- b) HOUSING MITIGATION FEE - Pay Housing Mitigation fee estimated at **\$10,698,642.50**, prior to issuance of a Building Permit. The actual fee paid will be the adopted fee rate in place at the time of building permit submittal. (SMC 19.75). [SDR] [PLANNING]
- c) ART IN PRIVATE DEVELOPMENT BOND – A bond, letter of credit, cash deposit or other similar security instrument for 1% of the construction valuation of the 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]
- d) PERRY PARK SPECIFIC PLAN FEES – Prior to issuance of a building permit, pay the following fees estimated below:
 - (i) Peery Park Specific Plan Fee at 0.082% of the total construction value of the project. **Pursuant to previous payment of up-front PPSP costs (see October 16, 2012 and June 25, 2013 City Council PPSP staff reports), a \$300,000 credit towards this fee shall be given to the first office core and shell building permit fee (or permit as determined by the Director of Community Development).**
 - (ii) Peery Park Specific Plan Infrastructure Fee – Wastewater at a rate of \$3.12 per net new square feet, estimated for the project at **\$2,192,533.20**.
 - (iii) Peery Park Specific Plan Infrastructure Fee - Water at a rate of \$6.90 per net new square feet. estimated for the project at **\$4,848,871.50**.

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- (iv) Peery Park Specific Plan Sense of Place Fee at a rate of \$2.41 per net new square feet estimated for the project at **\$1,693,591.35. The City may give credits for installation of sense of place improvements, including pilot protected intersection improvements at Mary/Maude Avenue, subject to the approval of the Director of Public Works.**
 - (v) Peery Park Specific Plan traffic mitigation measure fees calculated based on fair share contribution is **\$843,004** as noted in MMT-2a, 2b and 3 in the PPSP Mitigation and Monitoring Program (MMRP). In addition, the Mathilda Avenue Signal Interconnect Project fair share contribution is **\$1,925,000.**

BP-13. MECHANICAL EQUIPMENT (EXTERIOR):

Detailed plans showing the locations of individual exterior mechanical equipment/air conditioning units shall be submitted and subject to review and approval by the Director of Community Development prior to issuance of building permits. Proposed locations shall have minimal visual and minimal noise impacts to neighbors and ensure adequate usable open space. Individual exterior mechanical equipment/air conditioning units shall be screened with architecture or landscaping features. [PLANNING] [COA]

BP-14. ART IN PRIVATE DEVELOPMENT REVIEW:

An Art in Private Development application shall be submitted to the Director of Community Development subject to review and approval by the Arts Commission, prior to issuance of a Building Permit. The project shall provide publicly visible artwork per Chapter 19.52 of the Sunnyvale Municipal Code. [COA] [PLANNING]

BP-15. 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) New tree planting will be of a species that matures in large trees to provide screening;
- b) All areas not required for parking, driveways or structures shall be landscaped;
- c) Provide trees at minimum 30 feet intervals along side and rear property lines, except where mature trees are located immediately adjoining on neighboring property;
- d) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size;

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- e) Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be replaced in accordance with the City’s Tree Replacement standards;
 - f) Provide minimum 15-foot wide landscape buffers along all public street frontages;
 - g) Ground cover shall be planted to ensure full coverage 18 months after installation;
 - h) Decorative paving as required by the Director of Community Development to distinguish entry driveways, building entries, pedestrian paths and common areas; and
 - i) Screening trees/shrubs behind the parking structures (where they adjoin with neighboring properties) shall be of a species to grow to substantially screen the mass of the parking structures. [COA] [PLANNING]

BP-16. LANDSCAPE MAINTENANCE PLAN:

Prepare a landscape maintenance plan subject to review and approval by the Director of Community Development prior to issuance of building permit. All landscaping within the corner and driveway vision triangles shall be properly maintained to ensure vision triangle clearance per Sunnyvale Municipal Code requirements. [COA] [PLANNING]

BP-17. 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 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-18. 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-19. 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/ENVIRONMENTAL SERVICES]

BP-20. 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/ENVIRONMENTAL SERVICES]

BP-21. BEST MANAGEMENT PRACTICES - STORMWATER:

The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:

- a) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
- b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
- c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- d) Covered trash, food waste, and compactor enclosures.
- e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - ii) Dumpster drips from covered trash and food compactor enclosures.
 - iii) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.

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- 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-22. CITY STREET TREES:

The landscape plan shall include street trees and shall be submitted for review and approval by the City Arborist prior to issuance of building permit. [COA] [ENGINEERING/CITY ARBORIST]

BP-23. EXTERIOR LIGHTING PLAN:

Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for review and approval by the Director of Community Development. Driveway and parking area lights shall include the following:

- a) Sodium vapor/LED (or illumination with an equivalent energy savings).
- b) Pole heights to be uniform and compatible with the areas. Light standards shall not exceed 24 feet.
- c) Provide photocells for on/off control of all security and area lights.
- d) All exterior security lights shall be equipped with vandal resistant covers.
- e) Wall packs shall not extend above the roof of the building.
- f) Lights shall have shields to prevent glare onto adjacent properties.
- g) Install lights at a minimum of 50-foot intervals along the new private street. [COA] [PLANNING]

BP-24. ONSITE 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-25. PARKING MANAGEMENT PLAN:

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, but not be limited to the following:

- a) Specify locations of car share spaces, electric car charging spaces, and bicycle parking;
- b) Assignment of parking to tenants/employees/customers;
- c) Specify the location and term of short-term parking;
- d) Allow the use of valet parking when appropriate on sites with limited parking; and

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- e) Provide adequate signage as determined by the Director of Community Development to direct traffic and pedestrians to parking areas [COA] [PLANNING/TRAFFIC]
- BP-26. **TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM):**
The property owner shall create and implement a TDM Plan to include a trip reduction program that results in reduction goals of at least 35% for AM peak hour trips and 35% for PM peak hour trips. This project shall not generate more than 1,366 AM trips and 1,258 PM trips during the morning and afternoon peak hours, respectively, for the site. This trip reduction is based on the estimated ITE Trip Generation Handbook [9th] Edition, Land Use Code(s) 710 and 760. The TDM plan shall incorporate a variety of incentives, services, and actions that meet the trip reduction goals.
- Prior to issuance of a building permit, the property owner shall submit and have a TDM Form approved by the Department of Public Works for each project site and shall submit a TDM plan for the project file. Upon the City's request, the owner shall submit the most up to date TDM Plan to the Department of Public Works; the plan shall be submitted within five (5) calendar days of the City's request. It is the owner's responsibility to maintain an up-to-date and active TDM Plan at all times.
- It is the responsibility of the property owner to inform the City when each site has reached 75% occupancy. The property owner shall also maintain their contact information and the Transportation Coordinator contact information up to date with the Sunnyvale Department of Public Works. [COA/PUBLIC WORKS/TRAFFIC]
- BP-27. **BICYCLE SPACES:**
Provide 195 Class I and 106 Class II bicycle parking spaces (per VTA Bicycle Technical Guidelines) as shown on the approved plans, subject to the review and approval by the Director of Community Development. [COA] [PLANNING]
- BP-28. **BICYCLE SUPPORT FACILITIES:**
Indoor shower and locker facilities shall be provided for men and women, subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]
- BP-29. **CARPOOL PARKING:**
A total of 248 (5 percent of all parking spaces) 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-30. NOISE REDUCTION:

Final construction drawings shall incorporate all noise mitigation measures as set forth under “PPSP Mitigation Measures” in the approved environmental document and the project environmental noise assessment. Prior to building permit issuance, the project environmental noise consultant shall review the construction plans and confirm that the plans demonstrate consistency with the City’s General Plan and Moffett Federal Airfield Comprehensive Land Use Plan (CLUP) noise standards. [COA] [PLANNING]

BP-31. GREEN BUILDING:

The project shall meet the following green building requirements:

- a) Final plans shall incorporate a completed LEED green building checklist demonstrating the new building achieves a minimum LEED Gold level for Core and Shell, as verified by a qualified LEED consultant and shall be submitted to USGBC for formal certification.
- b) Subsequent building permit plans for interior tenant improvements for the new buildings shall incorporate a completed LEED green building checklist demonstrating the project design achieves a minimum LEED Gold level for Commercial Interiors, as verified by a qualified LEED consultant and shall be submitted for USGBC for formal certification [COA] [PLANNING]

BP-32. 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-33. CONSTRUCTION MANAGEMENT PLAN:

The project applicant shall implement a Construction Management Plan (CMP) to minimize impacts of construction on surrounding residential uses to the extent possible. The CMP shall be subject to review and approval by the Director of Community Development prior to issuance of a demolition permit, grading permit, or building permit. The CMP shall identify measures to minimize the impacts of construction including the following:

- a) Measures to control noise by limiting construction hours to those allowed by the SMC, avoiding sensitive early morning and evening

hours, notifying residents prior to major construction activities, and appropriately scheduling use of noise-generating equipment.

- b) Use 'quiet' models of air compressors and other stationary noise sources where such technology exists.
- c) Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- d) Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from residences or other noise-sensitive land uses.
- e) Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
- f) Route all construction traffic to and from the project site via designated truck routes where possible. Prohibit construction-related heavy truck traffic in residential areas where feasible. Obtain approval of proposed construction vehicle truck routes from the Department of Public Works.
- g) Manage construction parking so that neighbors are not impacted by construction vehicles. When the site permits, all construction parking shall be on-site and not on the public streets.
- h) Prohibit unnecessary idling of internal combustion engine-driven equipment and vehicles.
- i) Notify all adjacent business, residents, and noise-sensitive land uses of the construction schedule in writing. Notify nearby residences of significant upcoming construction activities at appropriate stages in the project using mailing or door hangers.
- j) Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. [COA] [PLANNING]

BP-34. CONSTRUCTION MATERIAL AND STAGING:

All construction-related materials, equipment, and construction worker parking shall be managed onsite and not located in the public rights-of-way or public easements. [COA] [PUBLIC WORKS]

BP-35. BIOLOGICAL RESOURCES—BIRD NESTING:

Construction activities shall avoid the nesting season to the extent feasible.

- a) If construction would commence anytime during nesting/breeding season of native bird species (typically February through August in the region), a qualified biologist shall conduct a preconstruction survey of the project vicinity for nesting/breeding birds at least 30

days prior to the start of construction activities. The survey shall determine if active raptor nests or other species protected by the Migratory Bird Treaty Act are present within the construction zone or within 250 ft. of construction for raptors and 50 ft. of the construction zone for other migratory birds. The survey area shall include all trees and shrubs within that zone that have the potential to support nesting birds.

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

BP-36. APPROVAL FROM SFPUC

This project requires approval letter/permit from the City and County of San Francisco Public Utilities Commission (SFPUC) for construction next to and on their facility. [COA][PUBLIC WORKS/PLANNING]

BP-37. FIRE PREVENTION CONDITIONS:

Prior to building permit issuance, the following Fire Prevention conditions shall be satisfied:

- a) 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)
- b) Provide an AMMR request for non-compliance with CFC 503.1.1 for garages with no access.
- c) An approved automatic fire sprinkler system, fire alarm system including an occupant notification system and Class I standpipe system shall be required per CFC Chapter 9 and Sunnyvale amendments.
- d) All buildings shall have approved radio coverage for emergency responders in accordance with Section 510 of the California Fire Code as amended by SMC. Radio retransmission equipment may be required in areas lacking sufficient coverage.
- e) Wherever a new structure obstructs the line of sight emergency radio communications to existing buildings or to any other locations, the developer of the structure is required to provide and install radio retransmission equipment necessary to restore communication capabilities. Such equipment shall be located in an approved space or area within the new structure. (SMC 510.1.1)
- f) Public garages consisting of two or more floors, including below grade levels, are required to be equipped throughout with approved emergency call boxes in accordance with the following:

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- i. A dedicated phone line is required for each call box.
 - ii. Call boxes shall be located at exit discharges - exterior of stairwells and approximately every 100 feet of travel distance (200' apart) for areas between exit discharges.
 - iii. Call boxes shall be accessible for all users.
 - g) Trash enclosures, within 5 feet of building exterior walls or overhangs require fire sprinkler protection.
 - h) Knox boxes (key boxes) will be required in accordance with Sunnyvale Fire Prevention guidelines. Provide Knox box at Northeast gate, office building at front door and garage.
 - i) Prior to any combustible construction or materials on site, provide fire access drives and operational on-site fire protection systems.
 - j) Provide a written Fire Protection Construction Plan.
 - k) Provide an approved electronic version of plans to assist with Fire Department "Pre-Fire Survey" maps.

BP-38. BUILDING ADDRESSING:

The building permit plans shall include the following address information as specified by the Department of Public Safety:

- a) Address numbers shall be easily readable from the street with a minimum of 12" height.
- b) Rear entrance doors shall be numbered with the same address numbers or suite number with a minimum 4" height.
- c) Rooftop addressing (for police helicopter) shall be applied in a contrasting color, with a minimum size of 1'X4' for high-rise buildings.
- d) Industrial and commercial buildings shall have doors clearly marked with numbers corresponding to the appropriate alarm zone.
- e) Each distinct unit within the building shall have its address displayed on or directly above both the front and rear doors.

BP-39. PARCEL MAP:

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

BP-40. EXISTING EASEMENT QUITCLAIMS:

Prior to building permit issuance, various existing private easement that will conflict with proposed building construction shall be quitclaimed by separate recorded document. Applicant shall provide City with recorded documentation of quitclaimed private easements. [COA] [PLANNING/PUBLIC WORKS]

BP-41. EAST-WEST CONNECTOR:

Roadway improvements for the east-west connector shall include bike lanes. [COA] [PUBLIC WORKS]

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

EP-1. PEERY PARK SPECIFIC PLAN:

This project is in the Peery Park Specific Plan (PPSP) area, therefore, the developer shall comply with any applicable off-site design requirements as identified in the PPSP or as amended and approved by the City. [COA] [PUBLIC WORKS]

EP-2. 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 control plans, photometrics, erosion control shall be submitted as part of the first off-site improvement plans, including on-site and off-site engineering cost estimate. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Department of Public Works. Checklist for off-site improvement plan preparation is available on the City's website <http://sunnyvale.ca.gov/Portals/0/Sunnyvale/DPW/LandDevelopment/Improvement-Plan-Checklist.pdf>. [COA] [PUBLIC WORKS]

EP-3. BENCHMARKS:

The off-site 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>. Plans based on NAVD29 will not be accepted. [COA] [PUBLIC WORKS]

EP-4. UPGRADE OF EXISTING PUBLIC IMPROVEMENTS:

As part of the off-site improvement plan review and approval, any existing public improvements to be re-used by the project, which are not in accordance with current City standards and are not specifically identified in the herein project conditions (such as backflow preventers, sign posts, etc.), shall be upgraded to current City standards and as required by the Department of Public Works. [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 at a new sanitary sewer manhole. All storm drain laterals connecting to the main shall be at 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. Pursuant to City design standards, any new and retrofitted manholes require Sewpercoat, Mainstay or Sancon calcium aluminate cementitious mortar coating of the interior. [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 of to the satisfaction of the City. Existing public facilities within the street right-of-way shall be abandoned per City's Abandonment Notes and procedures, 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 private property shall be privately owned and maintained. The fire and domestic water systems shall be privately owned and maintained beyond the meter. [COA] [PUBLIC WORKS]

EP-11. RE-USE OF EXISTING CITY UTILITY SERVICE LINES:

The re-use of existing City water service lines is not allowed. Re-use of existing City sanitary sewer and storm drain service lines and appurtenances is subject to City's review and approval. Developer's contractor shall expose the existing facilities during construction for

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- 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. Sheet C.1 to C2.5 of Conceptual Grading, Drainage & Utility Plan dated 3/6/17 is subject to change during plan check process. [COA] [PUBLIC WORKS]
- EP-12. 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 any on-site fire hydrants. Install reduced pressure detector assembly (RPDA) behind the street right-of-way for the domestic service line and a double check detector assembly (DCDA) behind the street right-of-way for the fire service line. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]
- EP-13. PUBLIC FIRE HYDRANTS:
Remove and replace the existing fire hydrant barrel(s) with current City standard Clow-Rich 75 (for 8" water mains) or Clow-Rich 865 (for water mains 10" and larger). New fire hydrant location shall be per current City standard detail 2B and 2B-2. Public fire hydrant shall be maintained free and clear of all trees, vines, shrubs, bushes, ivy, etc. for a minimum of three feet. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PROTECTION]
- EP-14. WATER METER:
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 off-site 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-15. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:
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 public park strip areas shall be connected to the water system metered to the property

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- owner. Install new reduced pressure backflow prevention devices on the discharge side of irrigation line on private property. Install backflow preventer enclosure where applicable. [COA] [PUBLIC WORKS]
- EP-16. **SANITARY SEWER AND STORMDRAIN MANHOLES:**
Install new sanitary sewer and storm drain manholes at the street right-of-way lines for all existing and proposed sanitary sewer laterals and proposed storm drain laterals to be used for the project. [SDR] [PUBLIC WORKS]
- EP-17. **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-18. **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 Department 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-19. **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. [COA] [PUBLIC WORKS]
- EP-20. **CATCH BASIN TRASH CAPTURE DEVICES AND BADGE/STENCILING:**
Pursuant to SMC 12.60.130, install full trash capture devices on each on-site storm drain inlet on the project site, prior to connecting to the City's storm drain collection system. The developer shall be responsible for perpetual maintenance of those trash capture devices. All storm drain inlet facilities located in the public right-of-way shall be stenciled and/or have a badge that read "NO DUMPING" as supplied by the Environmental Services Department. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- EP-21. **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-22. 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-23. 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 Department of Public Works. [COA] [PUBLIC WORKS]

EP-24. STREET LIGHTS:

Remove all existing street lights and replace with Peery Park decorative street lights. Placement of street lights will be based off photometric analysis to be reviewed and approved by the City. [COA] [PUBLIC WORKS]

EP-25. RECLAIMED WATER:

Reclaimed water facilities shall not be included as part of this project. [COA] [PUBLIC WORKS]

EP-26. STREETSCAPE IMPROVEMENTS:

Almanor Avenue: Remove existing curb, gutter and sidewalk and install new concrete curb, 2' wide gutter, 5' wide parkstrip (measured from the back of curb) and 6' wide detached sidewalk. Install city street trees in the parkstrip and meander the sidewalk along the property frontage as needed to save existing mature trees. Curb extension will not be implemented on Almanor Avenue.

Palomar Avenue: Remove existing curb, gutter and sidewalk. Existing parking shall be removed and new concrete curb, 2' wide gutter shall be extended with 5' parkstrip and 6' wide detached sidewalk or as determined by the Department of Public Works. Street width & curb extension shall be reviewed and approved by the Department of Public Works.

Del Rey Avenue: Remove existing curb, gutter and sidewalk and install new concrete curb, 2' wide gutter, minimum 5' wide parkstrip (measured from the back of curb) and 6' wide detached sidewalk. Install city street trees in the parkstrip and meander the sidewalk along the property frontage as needed to save existing mature trees. Curb extension will not be implemented on Del Rey Avenue.

Benecia Avenue: Remove existing curb, gutter and sidewalk. Existing parking shall be removed and new concrete curb, 2' wide gutter shall be extended with 5' parkstrip and 6' wide detached sidewalk. Street

width & curb extension shall be reviewed and approved by the Department of Public Works.

Maude Avenue: Install new concrete curb, 2' wide gutter, and 6' monolithic sidewalk as determined by the Department of Public Works.

Mary Avenue: Remove existing curb, gutter and sidewalk along and install new concrete curb, 2' wide gutter, 6' wide monolithic sidewalk (measured from back of curb) or as approved by the Department of Public Works. [COA] [PUBLIC WORKS]

EP-27. PASTORIA AVENUE STREETSCAPE IMPROVEMENTS:

Pastoria Avenue: Existing curb and gutter shall remain in place. Applicant shall pay Sense of Place Fee identified in the Peery Park Specific Plan towards future Pastoria Avenue Streetscape Improvements. [COA] [PLANNING/PUBLIC WORKS]

EP-28. MARY AVENUE ROADWAY IMPROVEMENTS:

Based on the conceptual Mary Avenue Bike Design layout dated 2/17/17, Applicant shall design and install roadway improvements on Mary Avenue consisting of but not limited to two travel lanes (in each direction, street parking, buffer zone (including rubber curb delineators), bike lanes, and median. Upon issuance of the first building phase with off-site public improvements along Mary Avenue, the entirety of Mary Avenue (Maude Avenue to Almanor Avenue) shall be constructed to its ultimate roadway configuration. [COA] [PUBLIC WORKS]

EP-29. MARY AVENUE LANE CONFIGURATION/STRIPING:

Upon issuance of the first building phase with off-site public improvements along Mary Avenue, the existing striping on Mary Avenue (Maude Avenue to Almanor Avenue) shall be removed in its entirety and the ultimate lane configuration shall be place along that project frontage only in thermoplastic stripe. The remaining striping of Mary Avenue shall be interim paint striping until such time that thermoplastic striping is install when the other building phases, with Mary Avenue off-site public improvements, are issued. [COA] [PUBLIC WORKS]

EP-30. MARY AVENUE AND MAUDE AVENUE INTERSECTION IMPROVEMENTS:

A.) PILOT BICYCLE PROTECTION IMPROVEMENTS

Developer shall install temporary bicycle protection components at this intersection to facilitate safe movement for bicycles. Components may include but not be limited to painted striping and rubber curb islands/delineators, to be reviewed and approved by the City. This pilot

installation is eligible for fee credit/reduction as part of the Developer's fair share contribution to the Peery Park Sense of Place Fee. A cost estimate shall be provided to the City for review and approval prior to any fee credit/reduction. [COA] [PLANNING/PUBLIC WORKS]

B.) TRAFFIC SIGNAL IMPROVEMENTS

Traffic signal modifications at this intersection for improved traffic signal, bicycle & pedestrian video detection capabilities as well as other ADA required improvements affected by the Mary Avenue median improvements shall be required as necessary. Modifications shall be designed and constructed in accordance with current City design guidelines. [COA] [PLANNING/PUBLIC WORKS]

EP-31. MAUDE AVENUE RE-STRIPING:

Developer shall re-stripe Maude Avenue from project frontage to the intersection of Mary Avenue due to the removal of Maude Court. [COA] [PLANNING/PUBLIC WORKS]

EP-32. STREET PAVEMENT:

Apply Type II slurry seal along the entire project frontage of Mary Avenue and Almanor Avenue, from lip of gutter to lip of gutter along Mary Avenue, or as deemed necessary by the Department of Public Works.

Apply Type II slurry seal along the entire project frontage of Palomar Avenue, from new lip of gutter to new lip of gutter, or as directed by the Department of Public Works.

Apply Type II slurry seal along the entire project frontage of Maude Avenue, from lip of gutter to centerline of street, or as deemed necessary by the Department of Public Works.

Type II slurry seal along along Benecia Avenue and Del Rey Avenue shall be evaluated at the time improvement plans are submitted to determine the extent and limit as determined by the Department of Public Works.

At the end of each project phase, streets pavements shall be evaluated by the Department of Public Works to determine if additional street restoration is required (i.e, re-application of Type II slurry seal). [SDR] [PUBLIC WORKS]

EP-33. DECORATIVE PAVEMENT:

Any and all proposed decorative pavement shall not be located within the City right-of-way. [COA] [PUBLIC WORKS]

EP-34. SIGNING AND STRIPING PLANS:

Submit a signing and striping plan in accordance with the latest edition of the CA MUTCD to City for review and approval by the Public Works Department. Newly installed travel and bike lane lines shall be replaced at current locations, or as directed to by the Department of Public Works. [SDR] [PUBLIC WORKS]

EP-35. RED CURBS:

Red curbs shall be required at all intersections and approaches from the crosswalk or limit line to 20' past the curb return (excluding curb ramps, driveways, fire hydrants, and existing posted restrictions. [SDR] [PUBLIC WORKS]

EP-36. TRAFFIC CONTROL PLAN:

Submit a traffic control plan with the off-site improvement plans for review and approval. All construction related materials, equipment, and construction workers parking need to be stored on-site and the public streets need to be kept free and clear of construction debris. [COA] [PUBLIC WORKS]

EP-37. CITY STREET TREES:

The developer shall install required street trees along the project frontage for all streets as follows: Quercus Shumardii – Shumard Red Oak;). Per 12/6/16 field meeting with City arborist, alternative City street trees may be considered upon review and approval by City. Street trees and frontage landscaping shall be included in the detailed landscape and irrigation plan subject to review and approval by the Department of Public Works prior to issuance of encroachment permit. New street trees shall be 24-inch box size or 15 gallon size. The city tree spacing should be approximately 35 feet apart. A continuous root barrier shall be installed along the parkstrip area. No trees are to be planted within 10' of a sanitary sewer lateral. [SDR] [PUBLIC WORKS]

EP-38. PROTECTION OF EXISTING TREES:

No utility trench shall be allowed within 15' radius of an existing mature tree. Boring, air spade or other excavation method as approved by the City Arborist shall be considered to protect existing mature tree. Consult with the City Arborist prior to adjusting locations of utility lines. [SDR] [PUBLIC WORKS]

EP-39. DAMAGE TO EXISTING PUBLIC IMPROVEMENTS:

Developer shall be responsible to rectify any damage to the existing public improvements fronting and adjacent to the project site as a result of project construction to City's satisfaction by the Department 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-40. APPROVAL FROM OTHER AGENCIES:

This project requires approval letter/permit from the City & County of San Francisco/SFPUC for construction in their right-of-way [COA] [PUBLIC WORKS]

EP-41. VTA COORDINATION:

Developer shall notify VTA of the proposed plans to determine if any VTA lines will be impacted during construction. Developer shall work with VTA directly on these improvements. VTA contact is Rodrigo Carrasco/Michael Catangay, Service & Operations Planning (408) 321-7072. Developer shall City of written evidence of this communication. [COA] [PUBLIC WORKS]

EP-42. RECORD DRAWINGS:

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

EP-43. PUBLIC WORKS DEVELOPMENT FEES:

Developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees, off-site improvement plan check and inspection fees, prior to map recordation or any permit issuance, whichever occurs first. The exact fee amount shall be determined based upon the fiscal year fee schedule rate at the time of fee payment. [COA] [PUBLIC WORKS]

TM: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE APPROVAL OF THE FINAL MAP OR PARCEL MAP.
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TM-1. NEW STREET NAMING:

The name of the new east-west street shall be named in accordance with the official Street Name System, as selected by the Community Development Department. [COA] [PLANNING]

TM-2. TITLE 18 AND SUBDIVISION MAP ACT:

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

TM-3. EASEMENT DEDICATION:

Per the Peery Park Specific Plan, street dedications (in the form of an easement) shall be required on Mary Avenue (3' or 5') and Almanor Avenue (1' wide). [COA] [PUBLIC WORKS]

TM-4. SIDEWALK EASEMENT:

Sidewalk easements shall be required to accommodate meandering sidewalk to save existing mature street trees. The sidewalk easement shall be dedicated on the parcel map or by separate instrument and shall be recorded prior to building occupancy. [COA] [PUBLIC WORKS]

TM-5. EAST WEST CONNECTOR EASEMENT DEDICATION:

Public easements shall be dedicated for the East West Connector street which may include but not be limited to: Public Access Easement, Public Utility Easement & Emergency Vehicle Access Easement. [COA] [PUBLIC WORKS]

TM-6. RESERVATION/ABANDONMENT OF EASEMENTS:

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

TM-7. IRREVOCABLE OFFER OF DEDICATION:

A.) FUTURE MARY AVENUE EXTENSION:

An Irrevocable Offer of Dedication for the future Mary Avenue extension as shown on the Tentative Parcel Map shall be recorded prior to or concurrently with parcel map being filed for record. Pursuant to finalization of the Mary Avenue Overcrossing project, Offer of Dedication will be accepted by the City. [COA] [PLANNING/PUBLIC WORKS]

B.) EAST-WEST CONNECTOR EXTENSION:

An Irrevocable Offer of Dedication for public pedestrian and vehicular access easement for the future connection of the east-west connector street to Pastoria Avenue shall be recorded prior to or concurrently with parcel map being filed for record. Pursuant to redevelopment along Pastoria Avenue, Offer of Dedication will be accepted by the City. [COA] [PLANNING/PUBLIC WORKS]

TM-8. UTILITY COMPANY APPROVAL:

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

TM-9. EMERGENCY VEHICLE ACCESS EASEMENT:

Developer shall dedicate emergency vehicle ingress-egress easement over the surface parking areas, excepting areas for parking stalls as determined by the Department of Public Works. [COA][PUBLIC SAFETY/PUBLIC WORKS]

- TM-10. SUBDIVISION AGREEMENT AND IMPROVEMENT SECURITIES:
Developer shall execute a Subdivision Agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to parcel map recordation or any permit issuance, whichever occurs first. [COA] [PUBLIC WORKS]
- TM-11. OFF-SITE IMPROVEMENT COST ESTIMATE:
Provide an itemized engineer's estimate for all off-site public improvements for the entire project with breakdowns corresponding to each construction phases (in accordance with City approved phasing plan). [COA] [PUBLIC WORKS]
- TM-12. CONDITIONS, COVENANTS, AND RESTRICTIONS (CC&RS):
Any proposed deeds, covenants, restrictions and by-laws relating to the subdivision are subject to review and approval by the City prior to map recordation. [COA] [PLANNING/PUBLIC WORKS/OCA]

<p>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.</p>
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- PF-1. TIMING OF OFF-SITE IMPROVEMENTS:
All required off-site improvements shall be completed for each phase (as identified in Attachment 14 of the April 10, 2017 Planning Commission staff report) prior to final occupancy of any building/parking structure within that phase. Any requested modifications shall be subject to the review and approval of the Director of Public Works. [COA] [PLANNING/PUBLIC WORKS]
- PF-2. NEW PUBLIC EASEMENTS LOCATED ON-SITE:
Any new easements required for public use purpose shall be either shown on the recorded parcel map or on a separate recorded Easement Deed deemed necessary by the Department of Public Works prior to any building occupancy. [COA] [PUBLIC WORKS]
- PF-3. LANDSCAPING AND IRRIGATION:
All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]
- PF-4. PARKING LOT STRIPING:

All parking lot striping, carpool and compact spaces shall be striped in accordance with City standards. [COA] (PLANNING)

PF-5. IRRIGATION METERS:

For commercial and industrial projects, to ensure appropriate sewer billing (water used for irrigation may not be billed for sewer), the developer may provide separate (irrigation and other) intake meters. Such meters could be installed prior to occupancy of the building. [COA] [PLANNING]

PF-6. NOISE REDUCTION VERIFICATION:

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

PF-7. COMPLETION OF PROPOSED COMMUNITY BENEFITS:

Developer shall complete all the required Community Benefits improvements in accordance with approved plans prior to any building Final Permit/Occupancy. [COA] [PLANNING]

PF-8. MASTER SIGN PROGRAM:

A Master Sign Program for the entire project is required to be submitted and approved by the Director of Community Development prior to final occupancy of any core and shell permits. [COA] [PLANNING]

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/STRUCTURE MAINTENANCE:

Parking lots and structures shall be maintained in accordance with the approved plans and as follows:

- a) Clearly mark all employee and customer 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. [COA] [PLANNING]

AT-8. UNENCLOSED STORAGE:

Unenclosed storage area(s) shall be fully screened to the highest point of any stored or stacked materials, equipment and/or supplies of any kind. The design and method of enclosure is subject to approval by the Director of Community Development. Any modification or expansion of unenclosed uses shall be subject to review and approval by the Director of Community Development. [COA] [PLANNING]

AT-9. 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-10. BMP RIGHT OF ENTRY:

The project applicant, owner, landlord, or HOA, shall provide access to the extent allowable by law for representatives of city, the local vector control district, and the Regional Water Quality Control Board, strictly for the purposes of verification of proper operation and maintenance for the storm water treatment best management practices contained in the approved Storm Water Management Plan. [SDR] [PLANNING]

AT-11. TENANT LEASE AGREEMENTS:

Any new lease agreements shall include the following provisions:

- a) Tenants shall be notified of their responsibility and shall agree to implement and manage the approved Transportation Demand Management Program.
- b) Tenants shall be notified of their responsibility and shall agree to construct all tenant improvements to meet a minimum of LEED Gold standard and maintain facilities consistent with LEED Gold standards and USGBC certification. [COA] [PLANNING]

AT-12. TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN ANNUAL REVIEW AND REPORTING:

The property owner shall comply with the Annual Review and Reporting requirements set forth in the TDM Program Guidelines, including applicable fees for review. [COA] [PLANNING/TRANSPORTATION]

AT-13. TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM) COMPLIANCE:

In order to measure compliance, the City will administer annual driveway trip counts once the project site(s) reaches 75% occupancy. All costs associated with the counts will be paid for by the property-owner; the City will invoice the owner prior to the completion of the counts. The counts will be conducted per the Transportation Demand Management (TDM) Program at the City's discretion. Delay in funding traffic counts shall be taken into account in determination of trip reduction compliance. Failure to fund traffic counts shall result in application of maximum penalty.

If the first annual driveway trip counts result in more trips than allowable per this section, the property-owner may be given a six-month grace period, at the City's discretion, 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. If the site continues to be non-compliant with the maximum allowable trips per this section, the property owner shall pay non-compliance penalties per the City's TDM program in place at the time of the penalties are applied; no additional grace periods will be granted. Such penalties shall be applied every year thereafter that the development is not in compliance with the maximum allowable trips generated.

When sites are found to be non-compliant with the maximum allowable trips, the property owner shall cause the TDM plan to be adjusted. [COA] [PLANNING/TRANSPORTATION]

AT-14. BIRD-SAFE DESIGN MEASURES:

Building glass shall be maintained at low reflectivity levels (such as 25% or less). Taller-growing trees shall be placed a minimum of 15 feet away from window glazing.

AT-15. SPACE FOR MOBILE VENDORS ON PASTORIA AVENUE SURFACE PARKING LOTS:

Space shall be reserved in surface parking lots on Pastoria Avenue for mobile vendors (e.g. food trucks) per the PPSP's vision for the Mixed Industry Core on Pastoria Avenue.