

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
APRIL 24, 2017**

**Planning Application 2017-7898
830 E. El Camino Real**

Special Development Permit to allow demolition of an existing single story restaurant building and construction of a new 127-room, four-story hotel with underground parking garage and associated site improvements on a 1.49-acre parcel.

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. PERMIT EXPIRATION:

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- The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]
- GC-3. INDEMNITY:
The applicant/developer shall defend, indemnify, and hold harmless the City, or any of its boards, commissions, agents, officers, and employees (collectively, "City") from any claim, action, or proceeding against the City to attack, set aside, void, or annul, the approval of the project when such claim, action, or proceeding is brought within the time period provided for in applicable state and/or local statutes. The City shall promptly notify the developer of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith. [COA] [OFFICE OF THE CITY ATTORNEY]
- GC-4. NOTICE OF FEES PROTEST:
As required by California Government Code Section 66020, the project applicant is hereby notified that the 90-day period has begun as of the date of the approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the city as part of the approval or as a condition of approval of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or adopted city impact fee schedule. [SDR] [PLANNING / OCA]
- GC-5. ON-SITE AMENITIES:
Swimming pools, pool equipment structures, play equipment and other accessory utility buildings, except as otherwise subject to Planning Commission review, may be allowed by the Director of Community Development subject to approval of design, location and colors. [COA] [PLANNING]
- GC-6. STORMWATER MANAGEMENT PLAN:
Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2009-0074, as determined by a completed "Stormwater Management Plan Data Form", and therefore must submit a Stormwater Management Plan as per SMC 12.60.140 prior to issuance of the building permit. [SDR] [PLANNING]
- GC-7. 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 site development plan sheets C0 to C4 dated 5/27/16 are subject to change during the plan check process. [COA] [PUBLIC WORKS]

GC-8. 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-9. 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]

PS: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO SUBMITTAL OF BUILDING PERMIT, AND/OR GRADING PERMIT.
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PS-1. EXTERIOR MATERIALS REVIEW:

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

PS-2. WATER HYDRAULIC MODELING:

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

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

PS-3. SANITARY SEWER ANALYSIS:

Prior to first off-site plan check submittal, developer shall 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:

- 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 in the first plan check submittal. [COA] [PUBLIC WORKS]

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

BP-1. CONDITIONS OF APPROVAL:

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

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

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

BP-3. NOTICE OF CONDITIONS OF APPROVAL:

A Notice of Conditions of Approval shall be filed in the official records of the County of Santa Clara and provide proof of such recordation to

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

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

BP-4. 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 \$131,397.29, prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- b) HOUSING MITIGATION FEE - Pay Housing Mitigation fee estimated at \$563,463.75, prior to issuance of a Building Permit. (SMC 19.22). [SDR] [PLANNING]

BP-5. 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-6. 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-7. LANDSCAPE PLAN:

Landscape and irrigation plans shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter

19.37 requirements. Landscape and irrigation plans are subject to review and approval by the Director of Community Development through the submittal of a Miscellaneous Plan Permit (MPP). The landscape plan shall include the following elements:

- a) All areas not required for parking, driveways or structures shall be landscaped.
- b) Provide trees at minimum 30 feet intervals along side and rear property lines, except where mature trees are located immediately adjoining on neighboring property.
- c) Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be subject to the City’s Tree Replacement Standards.
- d) Ground cover shall be planted to ensure full coverage eighteen months after installation.
- e) Decorative paving as required by the Director of Community Development to distinguish entry driveways, building entries, pedestrian paths and common areas.
- f) Backflow devices and other appurtenances are to include screening and covers as approved by the Director of Community Development. This includes all devices (irrigation, DCDA, etc.) located in the front landscaped areas. Covers should be black, metal mesh with rounded top covers (e.g. “mailbox style”). [COA] [PLANNING]

BP-8. LANDSCAPE MAINTENANCE PLAN:

Prepare a landscape maintenance plan subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]

BP-9. LANDSCAPE BUFFER:

Install and maintain in perpetuity an 8-foot solid masonry wall with 2-foot metal fence topper, along the southeast and southwest property lines(s), measured from the highest adjoining grade and plantings as shown on approved plans dated 4/24/17. [SDR] [PLANNING]

BP-10. 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-11. STORMWATER MANAGEMENT PLAN:

Submit two copies of a Stormwater Management Plan subject to review and approval by Director of Community Development and third party

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- certification, pursuant to SMC 12.60, prior to issuance of building permit. [COA] [PLANNING/PUBLIC WORKS]
- BP-12. **STORM WATER MANAGEMENT PLAN THIRD PARTY CERTIFICATION:**
Third party certification of the Storm Water Management Plan is required per the following guidance: City of Sunnyvale – Storm Water Quality BMP Applicant Guidance Manual for New and Redevelopment Projects - Addendum: Section 3.1.2 Certification of Design Criteria Third-Party Certification of Storm Water Management Plan Requirements. The third party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/PUBLIC WORKS]
- BP-13. **BEST MANAGEMENT PRACTICES - STORMWATER:**
The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:
- a) Storm drain stenciling. The stencil is available from the City's Environmental Division Public Outreach Program, which may be reached by calling (408) 730-7738.
 - b) Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
 - c) Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
 - d) Covered trash, food waste, and compactor enclosures.
 - e) Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i) Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - ii) Dumpster drips from covered trash and food compactor enclosures.
 - iii) Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - iv) Swimming pool water, spa/hot tub, water feature and fountain discharges if discharge to onsite vegetated areas is not a feasible option.
 - v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-14. EXTERIOR LIGHTING PLAN:

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

- a) Sodium vapor (or illumination with an equivalent energy savings).
- b) Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 18 feet on the interior of the project and 8 feet in height on the periphery of the project near residential uses.
- c) Provide photocells for on/off control of all security and area lights.
- d) All exterior security lights shall be equipped with vandal resistant covers.
- e) Wall packs shall not extend above the roof of the building.
- f) Lights shall have shields to prevent glare onto adjacent residential properties. [COA] [PLANNING]

BP-15. 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-16. PARKING MANAGEMENT PLAN (NONRESIDENTIAL):

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

- a) Designate areas for guest drop-off and pick-up as well as areas loading and deliveries
- b) Specify the location and term of short-term parking.
- c) Allow the use of valet parking for guest parking and/or special events.
- d) Employees shall be required to park on the site.
- e) Provide adequate signage to direct traffic and pedestrians [COA] [PLANNING]

BP-17. BICYCLE SPACES:

Provide a total of 10 bicycle parking spaces (4 secured and 6 unsecured bicycle parking spaces) in accordance to VTA Bicycle Technical Guidelines and as approved by the Director of Community Development. [COA] [PLANNING]

BP-18. GREEN BUILDING:

The plans submitted for building permits shall demonstrate the project meets the minimum standards for CALGreen Mandatory Measures and LEED Silver Level with verification by a LEED AP at the time of building permit submittal. [COA] [PLANNING] [BUILDING].

Subsequent building permit plans for future interior improvements for the new building shall incorporate a completed LEED green building checklist demonstrating the project design achieves a minimum LEED Gold level for Commercial Interiors, with efforts to achieve Platinum level, as verified by a qualified LEED consultant and shall be submitted for USGBC for formal certification [COA] [PLANNING]

BP-19. 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.

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- 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-22. 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-23. RECYCLING AND SOLID WASTE ENCLOSURE:

The building permit plans shall include details for the installation of recycling and solid waste enclosures that are consistent with SMC 19.38.030. The required solid waste and recycling enclosures shall:

- a) Match the design, materials and color of the main building;
- b) Be of masonry construction;
- c) Be screened from view;
- d) All gates, lids and doors shall be closed at all times;
- e) Shall not conflict with delivery/receiving areas;
- f) Shall be consistent with the approved Waste and Recycling Management Plan;
- g) Waste and recycling diversion systems shall be incorporated into the facilities and tenant improvements. [COA] [ENVIRONMENTAL SERVICES/PLANNING]

BP-24. SOLID WASTE DISPOSAL PLAN:

A detailed recycling and solid waste disposal plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. The solid waste disposal plan and

building permit plans shall demonstrate compliance with current City requirements and guidelines for non-residential projects. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-25. STORMWATER MANAGEMENT PLAN:

Submit two copies of a Stormwater Management Plan subject to review and approval by Director of Community Development, pursuant to SMC 12.60, prior to issuance of building permit. The Stormwater Management Plan shall include an updated Stormwater Management Data Form. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-26. STORMWATER MANAGEMENT PLAN THIRD-PARTY CERTIFICATION:

Third-party certification of the Stormwater Management Plan is required per the following guidance: City of Sunnyvale – Stormwater Quality BMP Applicant Guidance Manual for New and Redevelopment Projects - Addendum: Section 3.1.2 Certification of Design Criteria Third-Party Certification of Stormwater Management Plan Requirements. The third-party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/ENVIRONMENTAL SERVICES]

BP-27. CONSTRUCTION MATERIAL AND STAGING:

BP-28. All construction related materials, equipment, and construction workers parking need to be managed on-site and not located in the public right-of-ways or public easements. [COA] [PUBLIC WORKS]

BP-29. BUILDING PERMIT ISSUANCE:

Prior to building permit issuance, the 10' PG&E easement and Building Height easement along the southern project limit shall be quitclaimed by separate instruments and a recorded/conformed copy provided to the City. [COA] [PUBLIC WORKS]

BP-30. PRIVATE STORM DRAIN EASEMENT:

- a) Developer shall dedicate by separate instrument a private storm drain easement for private on-site cross lot storm drainage.
- b) Prior to building occupancy, upon establishment of on-site storm drain system, developer shall provide City with a recorded/conformed copy of the private storm drain easement. [COA] [PUBLIC WORKS]

MITIGATION MEASURES

BP-31. BIOLOGICAL RESOURCES:

Final construction drawings shall incorporate all biological resource mitigation measures as set forth under "Mitigation Measures" in the

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

Mitigation Measure - Biological Resources:

WHAT:

Nesting Birds. If construction occurs during the breeding season (February through August), the site and a surrounding radius of not less than 0.5 miles shall be surveyed by a qualified biologist to verify the presence or absence of nesting birds protected under the federal Migratory Bird Treaty Act and the California Fish and Wildlife Code. Pre-construction surveys shall be conducted within 15 days prior to start of work and shall be submitted to the Building Division. If the survey indicates the potential presences of nesting birds, the applicant shall comply with recommendations of the biologist regarding an appropriately sized buffer around the nest in which no work will be allowed until the young have successfully fledged. The size of the nest buffer will be based on the nesting species and its sensitivity to disturbance.

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

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

HOW: Prior to construction a biological report shall be submitted to the City for verification. The conditions of approval will requires the mitigation measure to be incorporated into the construction plans.

BP-32. **NOISE REDUCTION:**

Final construction drawings shall incorporate all noise mitigation measures as set forth under "Mitigation Measures" in the approved environmental document and all plans shall be wetstamped and signed by the consultant. [COA] [PLANNING]

Noise Mitigation Measure 1 - Interior Noise:

WHAT:

- a) For the proposed Homewood Suites, preliminary calculations indicate that sound-rated windows (STC1 26 or greater) would be required for the rooms with direct line-of-sight to the East El Camino Real (northern building facade) in order to achieve the City's interior noise threshold. Along the eastern and western

facades where the rooms have a direct line-of-sight to East El Camino Real, preliminary calculations indicate that windows would require a minimum STC rating of 24 to 26 for the rooms located within 150 feet of the centerline of East El Camino Real. The rooms along the eastern and western facades located beyond 150 feet from the centerline of East El Camino Real would require adequate forced-air mechanical ventilation with standard construction materials to meet the City's interior noise threshold. The exterior-facing rooms along the southern facade of the building and the rooms along the eastern facade surrounding the outdoor use areas would receive shielding from the building and be setback far enough that standard construction materials would be adequate to meet the City's interior threshold.

- b) Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for all hotel rooms on the project site, so that windows can be kept closed to control noise. Architectural treatment of the air vents and ducts shall be to approval of the Community Development Director.
- c) A qualified acoustical consultant shall review the final site plan, building elevations, and floor plans prior to construction and recommend building treatments to reduce interior noise levels to 45 dBA Ldn. Treatments would include, but are not limited to, sound-rated wall and window constructions, acoustical caulking, protected ventilation openings, etc. Determination of what noise insulation treatments are necessary for exterior facing rooms with direct line-of-sight to East El Camino Real shall be conducted on a room-by-room basis during final design of the project. Results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City, along with the building plans and approved design, prior to issuance of a building permit.

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

WHO: The Permittee is responsible for completing the mitigation measure.

HOW: Prior to issuance of a building permit, the project applicant shall submit a plans and details for the windows and mechanical ventilation system and a final noise assessment by the certified acoustical engineer demonstrating compliance with the above noise mitigation for review

and approval.

Noise Mitigation Measure 2 - Construction Noise:

WHAT:

- a) Construction and demolition shall be restricted to between the hours of 7:00 am and 6:00 pm on weekdays, and between the hours of 8:00 am and 5:00 pm on Saturdays. No such work will be permitted on Sundays or holidays.
- b) The construction contractor shall prohibit unnecessary idling of internal combustion engines.
- c) The construction contractor shall place all stationary construction equipment so that the emitted noise is directed away from sensitive noise receptors nearest the project site.
- d) The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas so as to maximize the distance between construction related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- e) The construction contractor shall ensure that all construction equipment have appropriate sound muffling devices, which are properly maintained and used at all times such equipment is in operation.
- f) Construction operations must comply with the limits of the City of Sunnyvale Municipal Code.
- g) Keep mobile equipment (haul trucks, concrete trucks, etc.) off of local street as much as possible.
- h) Orient the concrete crusher so that the hopper (noise end) faces away from the noise sensitive receptors.
- i) Use scrapers as much as possible for earth removal, rather than the noisier loaders and hauling trucks.
- j) Use a motor grader rather than a bulldozer for final grading.
- k) Power saws should be shielded or enclosed where practical to decrease noise emissions. Nail guns should be used where possible as they are less noisy than hammering.
- l) Use generators and compressors that are housed in acoustical

enclosures rather than weather enclosures or none at all.

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

WHO: The Permittee is responsible for completing the mitigation measure.

HOW: The conditions of approval will require these mitigations to be incorporated into the construction plans.

Noise Mitigation Measure 3 - Ground Borne Vibrations:

WHAT:

Prior to issuance of a demolition, grading or building permit, the Permittee shall submit a demolition/construction plan for review and approval that would provide means to avoid unduly impacting sensitive receptors from ground borne vibration from the operation of heavy construction equipment. Receiving land uses within 20 feet of the project construction limits shall be indicated on the demolition/construction plan. Viable means of vibration reduction may include but are not limited to restrictions on the type of equipment that may operate within 25 feet of the property line and digging a trench along the property line that would interrupt the ground borne vibration wave to off-site receptors. The applicant shall submit an engineering report and demolition/construction plan and means of compliance with the engineering recommendations to the city for review and approval.

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

WHO: The Permittee is responsible for completing the mitigation measure.

HOW: Prior to issuance of a demolition, grading or building permit, the Permittee shall submit a demolition/construction plan for review and approval.

BP-33. CULTURAL RESOURCES:

Final construction drawings shall incorporate all cultural resource mitigation measures as set forth under "Mitigation Measures" in the approved environmental document and all plans shall be wetstamped and signed by the consultant. [COA] [PLANNING]

Cultural Resource Mitigation Measure 1 - Archeological Resources:

WHAT:

- a) If a significant archeological resource is identified during grading or construction, all earth work shall be halted and the City and project proponent shall seek to avoid damaging effects to the resource. Preservation in place to maintain relationship between the artifact(s) and the archeological context is the preferred manner of mitigating impacts to an archeological site. Preservation may be accomplished by:
 - 1. Planning construction to avoid the archeological site.
 - 2. Incorporating the site within a green space; or other open space element;
 - 3. Covering the site with a layer of chemically stable soil; or
 - 4. Deeding the site into a permanent conservation easement.
- b) When in place mitigation is determined by the City to be feasible, a data recovery plan, which makes provisions for adequate recovery of the scientifically consequential information about the site, shall be prepared and adopted prior to any additional excavation being undertaken. Such studies must be submitted to the California Historical Resources Information Center. If Native American artifacts are indicated, the studies must also be submitted to the Native American Heritage Commission. Identified cultural resources shall be recorded on form DPR 422 (archeological sites). Mitigation measures recommended by these two groups and required by the City shall be undertaken, if necessary, prior to resumption of construction activities. A data recovery plan and data recovery shall not be required if the City determines that testing or studies already completed have adequately recovered the necessary data, provided that the data have already been documented in another EIR or are available for review at the California Historical Resource Information Center [CEQA Guidelines section 15126.4(b)].

Provide documentation that construction staff has been informed of the following requirement. In the event that subsurface cultural resources are otherwise encountered during approved ground disturbing activities for a project area construction activity, work in the immediate vicinity shall be temporally halted in the vicinity of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archeologist has evaluated the situation and provided appropriate recommendations. Project personnel should not collect cultural resources. Native American resources include chert or obsidian flakes, projectile points, mortars, and

pestles; and dark friable soil containing shell and bone dietary debris, heat affected rock, of human burials. Historic- period resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells privies.

If human remains are found, special rules set forth in State Health and Safety Code section 7050.5 and CEQA Guidelines section 15126.49(b) shall apply.

WHEN: These mitigation measures shall be converted into conditions of approval prior to the final approval by the Planning Commission. The conditions will become valid when the entitlement is approved. Conditions will be applicable during the grading and construction of the project.

WHO: The Permittee is responsible for completing the mitigation measure.

HOW: The conditions of approval require these mitigations measures to be incorporated into the grading and construction plans. Provide on-site instructions to building personnel from certified archeologist.

BP-34. HAZARDOUS MATERIALS MITIGATION:

Final construction drawings shall incorporate all hazardous mitigation measures as set forth under “Mitigation Measures” in the approved environmental document and all plans shall be wetstamped and signed by the consultant. [COA] [PLANNING]

Hazardous Materials Mitigation Measure 1 - Soils:

WHAT: Prior to excavation soils samples must be taken and analyzed by a qualified licensed professional. All recommendations and all required case management by outside agencies shall be completed by the Permittee.

WHEN: This mitigation measure shall be converted into conditions of approval prior to the final approval by the Planning Commission. The conditions will become valid when the entitlement is approved. Conditions will be applicable during the grading and construction of the project.

WHO: The Permittee is responsible for completing the mitigation measure.

HOW: The conditions of approval require these mitigations measures to be incorporated into the grading and construction plans.

Hazardous Materials Mitigation Measure 2 - Lead Based Paint and Asbestos

WHAT: Hazardous building materials surveys shall be conducted by a qualified and licensed professional for all structures. All loose and peeling lead-based paint and asbestos-containing material shall be abated by certified contractor(s) in accordance with local, state, and federal requirements. All other hazardous materials shall be removed from buildings prior to demolition in accordance with California Department of Industrial Relations, Division of Occupational Safety and Health regulations. The completion of the abatement activities shall be documented by a qualified environmental professional(s) and submitted to the City for review with applications for issuance of construction and demolition permits.

WHEN: This mitigation measures shall be converted into conditions of approval prior to the final approval by the Planning Commission. The conditions will become valid when the entitlement is approved. Conditions will be applicable during the grading and construction of the project.

WHO: The property owner is responsible for completing the mitigation measure.

HOW: The conditions of approval require these mitigations measures to be incorporated into the grading and construction plans.

BP-35. AIR QUALITY MITIGATION:

Final construction drawings shall incorporate all air quality mitigation measures as set forth under "Mitigation Measures" in the approved environmental document and all plans shall be wetstamped and signed by the consultant. [COA] [PLANNING]

Air Quality Mitigation Measure 1 - Construction Period Emissions

What: The Project shall demonstrate compliance with all applicable regulations and operating procedures prior to issuance of demolition, building or grading permits, including implementation of the following BAAQMD "Basic Construction Mitigation Measures:"

- a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- b) All haul trucks transporting soil, sand, or other loose material

off-site shall be covered.

- c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d) All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- g) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- h) Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- i) All diesel-powered off road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. Note that the construction contractor could use other measures to minimize construction period DPM emission to reduce the predicted cancer risk below the thresholds. The use of equipment that includes CARB-certified Level 3 Diesel Particulate Filters¹³ or alternatively- fueled equipment (i.e., non-diesel) would meet this requirement. Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant.

When: These mitigations shall be incorporated into the conditions of

approval for the Special Development Permit (SDP) prior to its final approval by the Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance.

Who: The Permittee shall be solely responsible for implementation and maintenance of these mitigation measures.

How: The conditions of approval will require these mitigation measures to be incorporated into the constructions plans and followed throughout project construction.

- BP-36. DEPARTMENT OF PUBLIC SAFETY REVIEW:
Obtain approval from the Crime Prevention Division of Public Safety Department for crime prevention measures appropriate to the proposed development prior to issuance of a Building Permit. [COA] [PLANNING]

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

- EP-1. PRECISE PLAN FOR EL CAMINO REAL:
This project is in the Precise Plan for El Camino Real area, therefore, the developer shall comply with any applicable design requirements as identified in the Precise Plan 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, streetscape plans, traffic signing and striping 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-3. EASEMENT DEEDS:
This project requires a minimum of 13' street right-of-way measured from the face of the curb and a 15' pedestrian realm measured from the face of the curb. Developer shall provide an additional 5' wide street dedication in the form of easement and 2' wide pedestrian realm easement dedication. All easements shall be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easements. Developer shall execute the easement deeds prior to encroachment permit issuance. [COA][PUBLIC WORKS]
- EP-4. EASEMENT VACATION:

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- The existing slope easement shall be vacated in accordance with applicable CA Streets and Highways Codes. [COA] [PUBLIC WORKS]
- Prior to building permit issuance, the existing landscape easement shall be vacated in accordance with applicable CA Streets and Highway Codes or by administrative resolution of vacation by the City. [COA] [PUBLIC WORKS]
- EP-5. 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,RecordMapsandRecordDrawings.aspx> [COA] [PUBLIC WORKS]
- EP-6. UPGRADE OF EXISTING PUBLIC IMPROVEMENTS:
As part of the off-site improvement plan review and approval, any existing public improvements to be re-used by the project, which are not in accordance with current city standards and are not specifically identified in the herein project conditions (such as backflow preventer and sign post, etc.), shall be upgraded to current City standards and as required by the Director of Public Works. [COA] [PUBLIC WORKS]
- EP-7. UTILITY CONNECTION:
This project requires connection to all City utilities or private utilities operating under a City or State franchise which provide adequate levels of service. [COA] [PUBLIC WORKS]
- EP-8. UTILITY CONNECTION TO THE MAIN:
All sanitary sewer laterals connecting to the existing main line shall be with a new sanitary sewer manhole. All storm drain lateral connecting to the main shall be with a new storm drain manhole, except where a pipe to pipe connection is permitted if the mainline is 36" or larger, or a junction structure is permitted where the point of connection is within close vicinity of an existing down-stream manhole. 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-9. EXISTING UTILITY ABANDONMENT/RELOCATION:
Developer is responsible for research on all existing utility lines to ensure that there are no conflicts with the project. All existing utility lines (public or private) and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed to the satisfaction of the 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-10. MODIFICATIONS TO EXISTING PUBLIC UTILITIES:

Developer is required to pay for all changes or modifications to existing city utilities, streets and other public utilities within or adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation due to grade change in the sidewalk area, caused by the development. [COA] [PUBLIC WORKS]

EP-11. WET UTILITIES:

All wet utilities (water, sanitary sewer, storm drain) on 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-12. 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 City's evaluation or provide video footage of the existing pipe condition. Developer's contractor shall replace any deficient facilities as deemed necessary by the Department of Public Works. Sheet 3 of Conceptual Utility Plan dated 05/25/16 is subject to change during plan check process. [COA] [PUBLIC WORKS]

EP-13. SEPARATE DOMESTIC/FIRE PROTECTION SERVICE LINE:

Provide separate fire and domestic service lines to each building. Provide separate fire service tap(s) to the street main for on-site fire hydrants. Install reduced pressure detector assembly (RPDA) behind the street right-of-way. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]

EP-14. PUBLIC FIRE HYDRANTS:

Remove and replace the existing fire hydrant barrel(s) along entire project frontage with current City standard Clow-Rich 75. 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-15. WATER METER:

Each building shall have its own domestic water service connection to the water main with domestic radio-read water meter and reduced pressure backflow prevention devices per current City standards. For water meter sizes three (3) inches or larger, provide meter sizing calculations to Public Works Department for approval of meter size, as part of the off-site improvement plan submittal. If the buildings water

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- demand requires a water meter 3" or larger, installation of dual meters and a cut-in tee are required per City standard detail 12B and 12B-1. Provide separate fire service taps with separate reduced pressure detector assembly in accordance with current City standards. Install new radio-read water meter(s) for each point of connection to the water main. Install new backflow prevention devices on the discharge side of water service line on private property. Install backflow preventer enclosure where applicable. [SDR] [PUBLIC WORKS]
- EP-16. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:
Install a separate irrigation water service line connected to the City's water main (separate from the domestic water service line) with a meter and reduced pressure backflow prevention device. Install backflow preventer enclosure where applicable.
- All landscape and irrigation systems, located in the public park strip areas shall be connected to the water system metered to the property owner. [SDR] [PUBLIC WORKS]
- EP-17. 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 lines to be used for the project. [SDR] [PUBLIC WORKS]
- EP-18. SANITARY SEWER VIDEO:
The contractor shall make a video copy of the interior of the new sanitary sewer lateral installed prior to it is put into service. [COA] [PUBLIC WORKS]
- EP-19. SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:
This project is required to follow the existing sanitary sewer and storm drain tributary pattern. Any deviations would require additional analysis and be subject to approval by the 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-20. STORM DRAIN DESIGN
Provide storm drain hydrology and hydraulic calculations based upon a 10-year storm event to justify the size of the storm drain lateral flowing full. The new storm drain service line shall be minimum 12 inches diameter in the public right-of-way. [COA] [PUBLIC WORKS]
- EP-21. CATCH BASIN TRASH CAPTURE DEVICE:
Pursuant to SMC 12.60.130, install full trash capture device on the project site, prior to connecting to the City's storm drain collection

system, the developer shall be responsible for perpetual maintenance of those trash capture devices. [COA] [PLANNING/ENVIRONMENTAL SERVICES/PUBLIC WORKS]

EP-22. UTILITY METER/VAULT:

No existing or new utility meters or vaults shall be located within the new driveway approach areas. All existing or new utility vaults serving the project site shall be located on-site and not within the public utility easement, if any. [COA] [PUBLIC WORKS]

EP-23. DRY UTILITIES:

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

EP-24. DRIVEWAY APPROACHES:

Remove existing driveway approaches and install new driveway approaches along the project frontage to comply with Americans with Disabilities Act (ADA) requirements and per city standard details and specifications. All unused existing driveway approaches shall be replaced with new curb, gutter and sidewalk. [COA] [PUBLIC WORKS]

EP-25. STREETSCAPE IMPROVEMENTS:

Remove existing concrete sidewalk along El Camino Real project frontage and install a new 12-foot wide attached concrete sidewalk (excluding the 0.5' curb) with 4'x5' tree wells. Provide ADA compliant sidewalk transition to conform to existing sidewalk. [COA] [PUBLIC WORKS]

EP-26. SIGNING AND STRIPING PLANS:

Submit a signing and striping plan in accordance with the latest edition of the CA MUTCD to City for review and approval by the Public Works Department. [SDR] [PUBLIC WORKS]

EP-27. CITY STREET TREES:

The developer shall install required street trees along the E. El Camino Real project frontage as follows: Quercus Shumardii – Shumard Oak Street trees and frontage landscaping shall be included in the detailed landscape and irrigation plan subject to review and approval by the Department of Public Works prior to issuance of encroachment permit. New street trees shall be 24-inch box size or 15 gallon size. The city tree spacing should be approximately 35 feet apart. A continuous root barrier shall be installed along both sides of the parkstrip area. No trees

are to be planted within 10' of a sanitary sewer lateral. [SDR] [PUBLIC WORKS]

EP-28. 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-29. DAMAGE TO EXISTING PUBLIC IMPROVEMENTS:

Developer shall be responsible to rectify any damage to the existing public improvements fronting and adjacent to the project site as a result of project construction to City's satisfaction by the Director of Public Works. All existing traffic detector loops and conduits shall be protected in place during construction. Any damaged detector loops shall be replaced within 7 days at the expense of the developer. [COA] [PUBLIC WORKS]

EP-30. APPROVAL FROM OTHER AGENCIES:

This project requires an encroachment permit from Caltrans for roadway improvements along El Camino Real. [COA] [PUBLIC WORKS]

EP-31. VTA COORDINATION:

Developer shall coordinate with the Valley Transportation Authority (VTA) of the project and implement any improvements required by VTA, included but not limited to new VTA bus stop location and temporary VTA bus stop location during construction, subject to City's concurrence, as part of the encroachment permit process. The developer shall provide to the City written documentation from VTA acknowledging the project and/or implementing any VTA requirements during construction. VTA contact is Rodrigo Carrasco, Services & Operations Planning, (408) 321-7072. [COA] [PUBLIC WORKS]

EP-32. 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 recorded with a separate instrument, unless otherwise approved by the Department of Public Works. Quitclaim deed is required for abandonment of private easements. 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]

EP-33. 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. Developer shall also provide record drawings to the City in AutoCAD format. [COA] [PUBLIC WORKS]

EP-34. PUBLIC WORKS DEVELOPMENT FEES:

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

EP-35. IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:

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

EP-36. OFF-SITE IMPROVEMENT COST ESTIMATE:

Provide an itemized engineer's estimate for all off-site public improvements for the entire project. [COA] [PUBLIC WORKS]

PF: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS AND/OR SHALL BE MET PRIOR TO RELEASE OF UTILITIES OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

PF-1. LANDSCAPING AND IRRIGATION:

All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]

PF-2. PARKING LOT STRIPING:

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

PF-3. MITIGATION MEASURES:

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

MM 1 – Noise: Documentation that a 65 dbL has been achieved for the specified areas of the project (Acoustical Engineer). [COA] [PLANNING]
Mitigation Measure

PF-4. COMPLETION OF PUBLIC IMPROVEMENTS:

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

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

DC-1. BLUEPRINT FOR A CLEAN BAY:

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

DC-2. TREE PROTECTION:

All tree protection shall be maintained, as indicated in the tree protection plan, until construction has been completed and the installation of landscaping has begun. [COA] [PLANNING]

DC-3. CLIMATE ACTION PLAN – OFF ROAD EQUIPMENT REQUIREMENT:

OR 2.1: Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]), or less. Clear signage will be provided at all access points to remind construction workers of idling restrictions.

OR 2.2: Construction equipment must be maintained per manufacturer's specifications.

OR 2.3: Planning and Building staff will work with project applicants to limit GHG emissions from construction equipment by selecting one of the following measures, at a minimum, as appropriate to the construction project:

- a) Substitute electrified or hybrid equipment for diesel- and gasoline-powered equipment where practical.
- b) Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.
- c) Avoid the use of on-site generators by connecting to grid electricity or utilizing solar-powered equipment.
- d) Limit heavy-duty equipment idling time to a period of 3 minutes or less, exceeding CARB regulation minimum requirements of 5 minutes. [COA] [PLANNING]

DC-4. DUST CONTROL:

At all times, the Bay Area Air Quality Management District's CEQA Guidelines and "Basic Construction Mitigation Measures Recommended for All Proposed Projects", shall be implemented. [COA] [PLANNING]

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

AT-1. DELIVERY HOURS:

Delivery hours for the approved use shall comply with SMC 19.42.030:

- a) Delivery hours are limited to daytime (period from 7:00 a.m. to 10:00 p.m. daily) only.
- b) Nighttime delivery (period from 10 p.m. to 7:00 a.m. daily) is prohibited. [SDR] [PLANNING]

AT-2. RECYCLING AND SOLID WASTE:

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

AT-3. LOUDSPEAKERS PROHIBITED:

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

AT-4. EXTERIOR EQUIPMENT:

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

AT-5. LANDSCAPE MAINTENANCE:

All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices. [COA] [PLANNING]

AT-6. PARKING MANAGEMENT:

On-Site parking management shall conform with the approved parking management plan. [COA] [PLANNING]

AT-7. PARKING LOT MAINTENANCE:

The parking lot shall be maintained in accordance with the approved plans and as follows:

- a) Clearly mark all employee, customer, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
- b) Maintain all parking lot striping and marking.
- c) Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.
- d) Require signs to direct vehicles to additional parking spaces on-site, as needed.
- e) Clearly mark all compact spaces as per approved plans. [COA] [PLANNING]

AT-8. UNENCLOSED STORAGE (PROHIBITED):

Unenclosed storage of any kind shall be prohibited on the premises. [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]