

**FINAL  
CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS  
AS APPROVED BY THE CITY COUNCIL ON MAY 9, 2016**

**Planning Application 2015-7936**

539 East Weddell Drive

Use Permit to allow a middle school (grades 6-9) of up to 400 students.

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.

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

<p><b>GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.</b></p>
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**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 Use 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. [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 FEE 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. STORMWATER MANAGEMENT:

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][BUILDING]

GC-7. SIGNS:

All existing/new signs shall be brought into conformance with Title 19 of the Sunnyvale Municipal Code. [PLANNING] [COA]

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. (SMC 13.08.030, SMC 13.08.060 and SMC 13.08.070) [SDR] [PUBLIC WORKS ENGINEERING]

## GC-10. 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 traffic signal/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. [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. 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. MAIN ENTRANCE FOR SCHOOL:

The main entrance of the school shall be relocated to the north side of the building and the east entrance shall be used for emergency ingress/egress only to discourage unsafe passenger loading and unloading on E. Weddell Dr. as recommended in the Transportation Impact Analysis (dated March 2016) for this project. [COA] [PUBLIC WORKS/PLANNING]

BP-6. MODIFY SOUTH DRIVEWAY:

The current driveway is wide enough for two-way traffic. The south driveway shall be modified to emphasize single lane entry such as narrowing the driveway as recommended in the Transportation Impact Analysis (dated March 2016) for this project. [COA] [PUBLIC WORKS/PLANNING]

BP-7. 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;

Waste and recycling diversion systems shall be incorporated into the facilities and tenant improvements. [COA][ENVIRONMENTAL SERVICES/PLANNING]

BP-8. 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-9. 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-10. 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-11. 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 \$61,476.00, prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- BP-12. LANDSCAPE PLAN:  
Landscape and irrigation plans shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements. Landscape and irrigation plans are subject to review and approval by the Director of Community Development through the submittal of a Miscellaneous Plan Permit (MPP). The landscape plan shall include the following elements:
- a) All areas not required for parking, driveways or structures shall be landscaped.
  - b) Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree:
    - 12” to 18” diameter tree to be removed shall be replaced by one 24” box tree or three 15-gallon trees
    - 18” to 24” diameter tree to be removed shall be replaced by one 36” box tree or two 24” box trees
    - Over 24” diameter tree to be removed shall be replaced by one 48” box tree, or two 36” box trees, or four 24” box trees [COA] [PLANNING]

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BP-13. LANDSCAPE MAINTENANCE PLAN:

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

## BP-14. TREE PROTECTION PLAN:

Implement tree protection. The tree protection plan shall also include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:

- a) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- d) The tree protection plan shall be installed prior to issuance of any Building or Grading Permits, subject to the on-site inspection and approval by the City Arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]

## BP-15. 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-16. CONSTRUCTION MATERIAL AND STAGING:

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-17. BICYCLE SPACES:

Provide a minimum of 34 bicycle spaces with a combination of bicycle racks and bicycle corral. The plans will need to clearly indicate the location and type for the project. Select high-quality decorative designs for bicycle racks. [COA] [PUBLIC WORKS/PLANNING]

BP-18. ON-SITE STRIPING AND SIGNAGE:

The on-site circulation striping and signage for the proposed project needs to emphasize one-way circulation. All signs and pavement markings shall be per 2014 CA MUTCD and 2010 Caltrans Standard Plans. Striping and signage as recommended in the Transportation Impact Analysis (dated March 2016) for this project include:

- a) “Do Not Enter” signs at the northern driveway
- b) “No Parking” and “Passenger Loading Only” signs
- c) One-way signs at southern driveway
- d) Pavement arrows at driveways and internal circulation lanes
- e) Fire lane red curb marking or pavement red stripe with white text along northern and western wall and walkways [COA] [PUBLIC WORKS/PLANNING]

BP-19. WALKING AND BICYCLE PLAN:

The applicant shall develop a walking and bicycle plan as recommended in the Transportation Impact Analysis (dated March 2016). The applicant shall develop and distribute a walking and bicycle plan that will designate recommended routes for pedestrians and bicyclists. The plan should encourage use of the existing pedestrian and bicycle facilities in the project area such as the existing sidewalks, bicycle lanes, the greenbelt, and the bicycle/pedestrian bridge over US 101. [COA] [PUBLIC WORKS/PLANNING]

**BP-20. DROP-OFF AND PICK-UP PLAN:**

The applicant shall develop a drop-off and pick-up plan as recommended in the Transportation Impact Analysis (dated March 2016). The applicant shall develop drop-off and pick-up procedures for parents to ensure efficiency, increase safety, and reduce congestion during drop-off and pick-up times to be reviewed and approved by the Director of Community Development. The concern for potential queuing issues is related more to the afternoon pick-up period since this activity includes matching the student to their vehicle, parents arriving early for pick-up, and all students active outside of the school rather than slightly staggered as they are during morning drop-off arrivals. In this regard, pick-up procedures should include some best practices including the following:

- a) Faculty or staff valet assistance entering and exiting vehicles
- b) Monitoring of drop-off zone student congregation to limit conflicts with vehicles
- c) Radio communication between back of vehicle queue and front of queue to provide time for student-vehicle matching
- d) Maintain a pull around to allow vehicles done dropping-off or picking-up to move out of the queue line
- e) Focus pick-up and drop-off to front 2-4 vehicles only. This will limit the conflict space of pedestrians in the vehicle area and also limit back-of-line drop-offs and then accelerated cut-through of campus
- f) Deliveries shall only take place between 30 minutes after last AM bell and 30 minutes before first PM bell
- g) All parking stalls to be coned off half hour prior to student arrival until half hour after the last AM bell and half hour prior to first PM release time until half hour after last PM bell [COA] [PUBLIC WORKS/PLANNING]

**BP-21. PARKING MANAGEMENT PLAN:**

The applicant shall develop a parking management plan for the safety of the students and staff and protection of vehicles and properties when portions of the parking lot are utilized for Physical Education purposes. The parking management plan shall be reviewed and approved by the Director of Community Development. [COA] [PLANNING]

**BP-22. DRIVEWAY AND CORNER SIGHT DISTANCE:**

The proposed project needs to ensure that the site is compliant with driveway and corner (at the horizontal curve) vision triangles per Sunnyvale Municipal Code to ensure proper visibility for ingress/egress from site. [COA] [PUBLIC WORKS/PLANNING]



**EP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED AS PART OF AN ENCROACHMENT PERMIT APPLICATION. ALL WORK MUST BE COMPLETED PRIOR TO OCCUPANCY UNLESS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.**

- EP-1. COMPLETE OFF-SITE IMPROVEMENT PLAN SET:  
A complete plan check set applicable to the project, including street improvement 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. No partial sets are allowed unless otherwise approved by the Director of Public Works. [COA][PUBLIC WORKS]
- EP-2. RE-USE OF EXISTING CITY UTILITY SERVICE LINES:  
The re-use of any existing City utility service lines and appurtenances is subject to City's review and approval. Developer's contractor shall expose the existing facilities during construction for City's evaluation or provide video footage of the existing pipe condition. Developer's contractor shall replace any deficient facilities as deemed necessary by Public Works Department. [COA] [PUBLIC WORKS]
- EP-3. PUBLIC FIRE HYDRANTS:  
Remove and replace the existing fire hydrant barrel(s) along entire project frontage with current city standard Clow-Rich 865. New fire hydrant location shall be per current city standard detail 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-4. STORM DRAIN MANHOLE:  
Install new storm drain manhole at the right-of-way lines for all proposed storm drain lines to be used for the project. [SDR] [PUBLIC WORKS]
- EP-5. SEWER MANHOLE:  
Install new sewer manhole at the street right-of-way lines for all existing and proposed sanitary sewer laterals to be used for the project. [SDR] [PUBLIC WORKS]
- EP-6. SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:  
This project is required to follow the existing sanitary sewer and storm drain tributary pattern. Any deviations would require additional analysis and be subject to approval by the Director of Public Works as part of the off-site improvement plan review process. This project shall not cause any negative impact on the drainage pattern for adjacent properties. [COA] [PUBLIC WORKS]

- EP-7. 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. Upon completion of the streetlight improvements, developer shall provide record drawings to the City in AutoCAD format.) [COA] [PUBLIC WORKS]
- EP-8. 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-9. 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. [COA] [PUBLIC WORKS]
- EP-10. 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-11. OFF-SITE IMPROVEMENT COST ESTIMATE:  
Provide an itemized engineer's estimate for all off-site and park improvements conditioned for the entire project. [COA] [PUBLIC WORKS]
- EP-12. IMPLEMENT SCHOOL SPEED LIMIT ZONE:  
The applicant shall install School Speed Limit signs 500 feet away from the school along E Weddell Drive as recommended in the Transportation Impact Analysis (dated March 2016). For eastbound traffic, the sign should be installed west of Morse Avenue and west of Kiel Court for westbound traffic.  
  
Along with installation of School Speed Limit signs, 35 MPH Speed Limit sign (R2-1) should be installed west of Kiel Court for eastbound traffic and installed west of Morse Avenue for westbound traffic to indicate the end of the school zone. [COA] [PUBLIC WORKS]

**EP-13. INSTALL SCHOOL CROSSWALKS:**

The applicant shall install school crosswalks within the vicinity of the school as recommended in the Transportation Impact Analysis (dated March 2016). School crosswalks shall be yellow high-visibility ladder markings with corresponding advance markings per 2014 CA MUTCD.

The following existing crosswalks shall be updated to be school crossing:

- a) All crosswalks at the intersection of N. Fair Oaks Avenue and E. Weddell Drive, after obtaining approval from Caltrans
- b) North leg of Kiel Court and E. Weddell Drive

The following crosswalks shall be installed:

- c) North leg of Morse Avenue and E. Weddell Drive (new curb ramps required). [COA] [PUBLIC WORKS]

**EP-14. INSTALL RECTANGULAR RAPID FLASHING BEACON CROSSWALK:**

To improve safety at mid-block crossings, Rectangular Rapid Flashing Beacon (RRFB) crosswalk shall be installed as recommended in the Transportation Impact Analysis (dated March 2016) at the following locations:

- a) Existing mid-block crossing at Morse Avenue and John W. Christian Greenbelt. Since this is likely the preferred east-west travel route for students, the crossing of Morse Avenue is recommended for enhancement as an RRFB installation.
- b) A mid-block crossing at E. Weddell Drive and John W. Christian Greenbelt. This crosswalk will be constructed as part of the 520 E. Weddell Drive project, only if approved by the SFPUC. The school project shall add additional striping and/or signage to this crossing, subject to review and approval by the City, to comply with school crossing requirements rather than the proposed non-school crossing by the 520 E. Weddell Drive project. Applicant shall coordinate with Palisade Builders, Inc., field construction manager, Mr. Brandon McClellan, at phone number: 650-444-0643 for construction schedule. [COA] [PUBLIC WORKS]

**EP-15. INSTALL PEDESTRIAN RAMPS:**

A pedestrian ramp shall be installed on the northwest corner at the intersection of Morse Avenue and E Weddell Drive as recommended in the Transportation Impact Analysis (dated March 2016). [COA] [PUBLIC WORKS]

**EP-16. INSTALL SCHOOL SIGNS AND STRIPING:**

The applicant shall install school signage and striping per 2014 CA MUTCD at the locations shown in Figure 25 as recommended in the Transportation Impact Analysis (dated March 2016). Signage and striping to be installed include:

- a) School Crossing Ahead Sign
- b) School Zone Signs
- c) 'SLOW SCHOOL XING' pavement marking [COA] [PUBLIC WORKS]

EP-17. INSTALL NO STOPPING SIGNS:

To prevent on-street parking and loading adjacent to the school, no stopping signage shall be installed along the curb adjacent to the school property as recommended in the Transportation Impact Analysis (dated March 2016). [COA] [PUBLIC WORKS]

EP-18. REPLACE NO PARKING SIGNS:

No Parking signs on the north/west side of E. Weddell Drive between Kiel Court and Morse Avenue shall be replaced with No Stopping signs to prevent parents attempting to temporarily park or conduct drop-off and pick-up activities as recommended in the Transportation Impact Analysis (dated March 2016). The existing sign posts may remain, the static signs mounted on the existing posts are recommended for replacement. [COA] [PUBLIC WORKS]

EP-19. INTERSECTION IMPROVEMENTS:

The applicant shall add any additional striping (e.g. yellow high visibility crosswalk striping) or signage to the N. Fair Oaks Avenue and E. Weddell Drive intersection to meet compliance with treatment as a school crossing as recommended in the Transportation Impact Analysis (dated March 2016). [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, guest spaces, and compact spaces shall be striped as per the approved building permit plans and Zoning standards prior to occupancy. [COA] [PLANNING/ENGINEERING]
- PF-3. **COMPLETION OF PUBLIC IMPROVEMENTS:**  
Developer shall complete all required public and park improvements in accordance with City approved plans, prior to building occupancy. [COA] [PUBLIC WORKS]
- PF-4 **CROSSING GUARD:**  
A crossing guard shall be considered to be stationed at the intersection of N. Fair Oaks Avenue and E. Weddell Drive as recommended in the Transportation Impact Analysis (dated March 2016), subsequent to the school being open for a few months and students and parents learning their preferred routes. Prior to building occupancy, the school shall fund an estimate amount of \$3,500.00 for city-administered engineering study to determine if a crossing guard is warranted. [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. **CLIMATE ACTION PLAN – OFF ROAD EQUIPMENT REQUIREMENT:**
- a) 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.
  - b) Construction equipment must be maintained per manufacturer's specifications.
  - c) 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:
    - i. Substitute electrified or hybrid equipment for diesel- and gasolinepowered equipment where practical.

- ii. Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.
- iii. Avoid the use of on-site generators by connecting to grid electricity or utilizing solar-powered equipment.
- iv. 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-3. 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.

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

AT-1. MAXIMUM CAPACITY:

The use permitted by this application shall comply with the following capacity limits at all times:

- a) The maximum number of students permitted on-site at any time is 400 for the first year and 300 students for the years after;
- b) Any proposed modification to the site's capacity shall be subject to review and approval by the City at a public hearing. [COA] [PLANNING]

AT-2. HOURS OF OPERATION:

The use permitted as part of this application shall comply with the following hours of operation at all times:

- a) The school hours are limited to 7:00 a.m. to 6:00 p.m., Monday through Friday. Extended hours shall require separate approval by the City. Minor modifications may be approved by the Director of Community Development; major modifications may require approval at a public hearing. The Director of Community Development shall determine whether requested modifications are major or minor.
- b) Middle school (6<sup>th</sup> through 8<sup>th</sup> grade) start time shall be 8:00 a.m.
- c) 9th grade start time shall be 9:00 a.m. for one year.
- d) Intermittent student events and performances are permitted during evening hours and on weekends. The school shall engage the adjacent churches and other nearby properties to secure sufficient parking for all participants prior to the event. [COA] [PLANNING]

## AT-3. MODULAR CLASSROOMS

The modular classrooms shall be removed from the south parking lot after the first year of school operations.

## AT-4. 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-5. RECYCLING AND SOLID WASTE:

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

## AT-6. LOUDSPEAKERS PROHIBITED:

Out-of-door loudspeakers shall be prohibited at all times except for emergency notification use. [COA] [PLANNING]

## AT-7. 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-8. PARKING LOT MAINTENANCE:

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

- a) Maintain all parking lot striping and marking.
- b) Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.
- c) Require signs to direct vehicles to additional parking spaces on-site, as needed. [COA] [PLANNING]

## AT-9. UNENCLOSED STORAGE (PROHIBITED):

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

## AT-10. SOLID WASTE RECYCLING MANAGEMENT:

The account holder will be responsible for ensuring adequate services and that all locations, private sidewalks, and streets are kept free of litter and stains. Requirements shall be specified in the approved documents and be submitted for approval by the City. [COA] [PUBLIC WORKS]

## AT-11. TRANSPORTATION STUDY

The project applicant shall fund a transportation study two years after the school has been in operation. The scope of the study shall include an analysis of the traffic surrounding the school, effectiveness of the drop off and pick up plan, and identification of any traffic or pedestrian safety deficiencies. The applicant shall be responsible for implementing improvements recommended by the study. [COA]  
[PUBLIC WORKS]

**END OF CONDITIONS**