

**STANDARD DEVELOPMENT REQUIREMENTS
AND RECOMMENDED
CONDITIONS OF APPROVAL
INCLUDING MODIFICATIONS BY THE PLANNING COMMISSION ON
JUNE 26, 2017**

Planning Application 2016-7293
1008 E. El Camino Real (APN 313-03-011) and
1314-1320 Poplar Ave. (APN 313-03-013)

**REZONE, SPECIAL DEVELOPMENT PERMIT, VESTING TENTATIVE
PARCEL MAP**

Redevelop the 2.05-acre project site into 108 residential units (rental apartment complex), where 20% of units will be affordable to very low income households. The project includes rezoning the property at 1314-1320 Poplar Ave. (APN 313-03-013) from R-1/ECR (Low Density Residential/Precise Plan for El Camino Real) to C-2/ECR (Highway Business Commercial/Precise Plan for El Camino Real) and deviation requests from the required minimum distance between buildings on the same lot, maximum building height, minimum parking spaces and maximum lot coverage.

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:

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. BELOW MARKET RATE PROGRAM (BMR)/CONDO CONVERSION:

Modified by Planning Commission on June 26, 2017

Any future conversion of this apartment project into 8 or more condominium units for sale to individual home buyers ~~will~~shall require all 22 affordable units remain affordable to very low income households and shall require compliance with SMC 19.67, Below Market Rate

-
- Ownership Housing, including the requirement to enter into a BMR Developer Agreement to provide BMR units, as well as compliance with SMC 19.70, regarding condominium conversion. [SDR] [PLANNING]
Staff recommends original condition.
- GC-7. AFFORDABLE RENTAL HOUSING DEVELOPER AGREEMENT:
Developer's project description indicates Developer's intent to provide 22 very low income rental units (Affordable Rental Units) in lieu of paying the applicable Rental Impact Fee pursuant to SMC 19.75.040. To fulfill this option, Developer/Owner shall sign and submit to the City for recording an Affordable Rental Housing Developer Agreement and Declaration of Restrictive Covenants in a form provided by the City to secure the affordability restrictions applicable to the project in order to waive the otherwise applicable impact fee. This agreement must be recorded before issuance of a building permit or recordation of a final map, whichever occurs first. [COA] [HOUSING]
- GC-8. RECREATION FACILITIES:
If construction of the project will be phased, the recreation facilities (pool and clubhouse) shall be installed in connection with the first phase and included on the building permit plans for the first phase. [COA] [PLANNING]
- GC-9. 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-10. RESIDENTIAL TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:
The project is subject to residential TDM program requirements, and must achieve a minimum of 11 points as provided on the approved TDM program. Verification of compliance is subject to approval by the Director of Community Development prior to occupancy and shall be demonstrated (when applicable) on building permit plans. The Director may require the onsite TDM Coordinator to send to the City annual confirmation that bicycle facilities, wayfinding station, TDM coordination and communication are provided to residents. [COA] [PLANNING]
- GC-11. PUBLIC IMPROVEMENTS:
The developer is required to install, per Sunnyvale Municipal Code Sections 18.08, all public improvements, which may include but not be limited to, curb & gutter, sidewalks, driveway approaches, curb ramps, street pavements, utility extensions and connections, meters/vaults,

trees and landscaping, traffic signage, striping, street lights including associated conduits, wires, pull boxes in order to obtain operating conditions.

All public improvements shall be designed and constructed in accordance with current City design standards, standard details and specifications, and Americans with Disabilities Act (ADA) requirements where applicable, unless otherwise approved by the Department of Public Works.

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

GC-12. 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. Sheets C1.0-C6.0 of Preliminary Grading and Utility Plan dated 03/16/17 is subject to change during the plan check process. [SDR] [PUBLIC WORKS]

GC-13. ENCROACHMENT PERMIT:

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

GC-14. PARCEL MAP RECORDATION:

This project is subject to, and contingent upon the approval of a vesting tentative map and recordation of a Parcel Map. The submittal, approval and recordation of the Parcel Map shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. All existing and proposed property lines, easements, dedications shown on the vesting tentative map are subject to City's technical review and final approval during the parcel map process prior to any grading or building permit. Sheets C1.0-C6.0 of Vesting Tentative Map submittal dated 03/16/17 may be subject to change during plan check process. [COA] [PUBLIC WORKS]

GC-15. GROUND FLOOR AMENITY SPACE:

The main building ground floor area at the El Camino Real frontage shall remain active, common amenity space and the window glazing visible from El Camino Real shall be kept clear, transparent and unobscured.

GC-16. AFFORDABLE RENTAL HOUSING RESTRICTION:

Twenty-two (22) residential units within the development shall remain rental units affordable to and occupied by, or made available for occupancy by very low income households for a period of at least 55 years. Units shall be dispersed throughout the complex, with precise locations to be identified in the Affordable Rental Housing Agreement to be recorded prior to Building Permit Issuance.

Staff recommends adding this condition.

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

PS-1. REQUIRED REVISIONS TO PROJECT PLANS:

Modified by Planning Commission on June 26, 2017

The plans shall be revised to address the following, and are subject to review and approval by the Director of Community Development prior to submittal of a building permit:

- a) Redesign the main building's side elevations to minimize tall blank walls through the utilization of materials, architectural details and/or articulation of building wall planes.
- b) Break up the ground floor design at the main building's front elevation by providing substantial insets in building planes, variations in height, and color or material/texture changes or other design elements. Set back all five bays along the ground floor of the project's front elevation. Incorporate artwork into the project's frontage.
- c) Reduce massing at the two front "tower" elements of the main building, such as stepping back upper stories, accentuating the main entry corner, and/or the use of materials, textures and other design elements. Incorporate hip roofs instead of gable roofs into the front towers.
- d) Submit a color/materials samples board and architectural details for final review.
- e) Improve the pedestrian realm with lighting and additional seating, coordinating as possible with the Valley Transportation Authority (VTA).
- f) Soften the proposed front elevation and enhance the side elevations of the main building.

[COA] [PLANNING]

PS-2. HYDRAULIC MODELING:

Prior to first off-site improvement plan check submittal, developer shall pay City a fee, in an amount determined by 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 may receive fair-share credit as determined by the City if upgrades of water main are required. Contact Environmental Services Department/Water Operations at 408-730-7560 for more information. [COA] [ENVIRONMENTAL SERVICES/PUBLIC WORKS]

PS-3. SANITARY SEWER ANALYSIS:

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

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. Sewer flow monitoring data may be required as needed. 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-2. 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-3. 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-4. 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-5. 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-6. FEES AND BONDS:

The following estimates are calculated as of April 2017 (Fiscal Year 2016-2017 rates). Actual amounts due are calculated at building permit submittal and must be paid before the building permits may be issued. Fees are subject to increase every fiscal year.

- a) **TRANSPORTATION IMPACT FEE** - Pay Traffic Impact fee for the net new trips resulting from the proposed project, **estimated at \$81,379**, prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- b) **PARK IN-LIEU** - Pay Park In-lieu fees **estimated at \$1,972,353.24**, prior to approval of the Final Map or Parcel Map. (SMC 18.10). [SDR] [PLANNING]
- c) **RENTAL IMPACT FEE** – Pay Rental Housing Impact Fee at the rate in effect at the time payment is to be made (currently \$17.50) per net new habitable square foot within the project, prior to issuance of a Building Permit (SMC 19.75.040). This fee may be satisfied in full or part through the provision of Affordable Rental Units within the project pursuant to 19.75.040(d)(1) if an Affordable Housing Developer Agreement has been recorded prior to issuance of Building Permits pursuant to 19.75.040(d)(5). [SDR] [PLANNING]

BP-7. 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-8. 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-9. BMR DEVELOPMENT AGREEMENT:

~~Before issuance of building permits for the project, the developer shall~~ enter into a Development Agreement with the City to establish the method by which the development will comply with the applicable BMR requirements. The form of the Developer Agreement will be provided by the City, with tables regarding unit characteristics and timing of completion to be completed by the Developer, and is subject to the approval of the Community Development Director or his/her designee, consistent with the SMC. The completed Developer Agreement must be executed by both parties and recorded against the property, and will run with the land.

In the event that any Below Market Rate dwelling unit(s) or any portion thereof in the development is destroyed by fire or other cause, all insurance proceeds therefrom shall be used to rebuild such units, which will remain subject to the terms of the Developer Agreement and the BMR requirements. Grantee hereby covenants to cause the City of Sunnyvale to be named an additional insured party to all fire and casualty insurance policies pertaining to said assisted units. [SDR] [HOUSING/BMR Program Guidelines]

BP-10. LANDSCAPE PLAN:

Modified by Planning Commission on June 26, 2017

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. The landscape plan shall include the following elements:

- a) All areas not required for parking, driveways and circulation, or structures shall be landscaped.
- b) Use permeable decorative paving for driveways and pedestrian plazas greater than 6 feet wide as provided on Sheet C4.0 and landscaping plans dated 3/15/17.
- c) Provide a 20-foot wide landscape buffer with a 10-foot tall decorative masonry wall with solid piers to break up the wall surface along the property lines shared with lower density residential uses to the south and southwest. Plant 48-inch box evergreen trees at minimum 20 feet intervals. Wherever the grade differential is one foot or higher, a concrete or masonry retaining wall shall be installed.
- d) Any "protected trees", (as defined in SMC 19.94) approved for removal, shall be replaced, at a minimum, with a specimen tree as follows:
 - i) 12-inch to 18-inch diameter tree shall be replaced with one 24-

inch box or three (3) 15-gallon trees;

- ii) 8-inch to 24-inch diameter protected trees shall be replaced with one (1) 36-inch box tree or two (2) 24-inch box trees; and
- iii) Over 24-inch diameter protected trees shall be replaced with one (1) 48-inch box tree, two (2) 36-inch box trees or four (4) 24-inch box trees.
- e) Ten percent (10%) of trees planted shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- f) Backflow device 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 yard landscape areas. Covers should be black, metal mesh with rounded top covers (e.g. "mailbox style").
- g) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- h) Incorporate native large species trees along El Camino Real to provide a more sufficient canopy and allocate appropriate planter space to support these trees, as feasible.
- i) Prioritize long-term success over immediate effect in the selection of tree or plant size at installation.

[COA] [PLANNING]

BP-11. 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. Any landscaping within the driveway vision triangles shall be properly maintained to ensure vision triangle clearance per Sunnyvale Municipal Code requirements. [COA] [PLANNING]

BP-12. TREE PROTECTION PLAN:

Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. Two copies are required to be submitted for review. The tree protection plan shall include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:

- a) An inventory shall be taken of all existing trees on the plan including the valuation of all 'protected trees' by a certified arborist, using the latest version of the "Guide for Plant Appraisal" published by the International Society of Arboriculture (ISA).
- b) All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.
- c) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during 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-13. 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-14. STORMWATER MANAGEMENT PLAN:

Submit two copies of a Stormwater Management Plan subject to review and approval by Director of Community Development and third party certification, pursuant to SMC 12.60, prior to issuance of building permit. [COA] [PLANNING/PUBLIC WORKS]

BP-15. 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-16. 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-17. 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 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-18. 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-19. PARKING MANAGEMENT PLAN (RESIDENTIAL MULTI-FAMILY):

Modified by Planning Commission on June 26, 2017

A final Parking Management Plan is subject to 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) A clear definition of “guest” as proposed by the property manager and subject to review and approval by the Director of Community Development.
- b) The property manager may specify that 25% to 75% of unassigned spaces be reserved for guest use.
- c) Clearly indicate that the property manager shall not rent unassigned/guest spaces, except that a nominal fee may be charged for parking management.
- d) Tenants shall use their assigned parking spaces prior to using unassigned parking spaces.
- e) Prohibit tenants from parking RV’s, trailers, or boats in assigned spaces.
- f) Notify potential residents that number of parking spaces provided for each unit on-site as per the approved plans.
- g) Ensure vehicular ingress and egress will occur primarily at the El Camino Real driveway as opposed to the Poplar Avenue driveway.

[PLANNING] [COA] *Staff recommends original condition.*

- BP-20. COMPACT SPACES:
Specify compact parking spaces on the Building Permit plans. All such areas shall be clearly marked prior to occupancy, in accordance with Title 19 of the Sunnyvale Municipal Code. [SDR] [PLANNING]
- BP-21. BICYCLE SPACES:
Provide a minimum of 102 Class I (secured/long-term) bicycle parking spaces and 20 bike rack/short-term spaces per Citywide Design Guidelines and as approved by the Director of Community Development. Clearly indicate the location and the number of bicycle parking spaces on the Building Permit plans. [COA] [PLANNING]
- BP-22. SOLAR ASSISTED HOT WATER:
Solar-assisted hot water shall be provided for all swimming pools and spas and provide 70% of hot water needs for summer months. [SDR] [PLANNING]
- BP-23. GREEN BUILDING:
The plans submitted for building permits shall demonstrate the project achieves a minimum of 110 points on the Green Point Rated checklist, or the minimum points required effective at the time of building permit submittal. The project plans shall be accompanied with a letter from the project's Green Point Rater/LEED AP verifying the project is designed to achieve the required points. [COA] [PLANNING] [BUILDING]
- BP-24. CONSTRUCTION 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/BUILDING]

Mitigation Measure – Construction Noise

WHAT:

- (1) Provide a temporary noise barrier along the project site boundaries adjacent to residential uses.
- (2) Project construction activities should be limited to daytime hours unless conditions warrant that certain construction activities occur during evening or early morning hours (i.e. extreme heat);
- (3) All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specifications. Mobile or fixed "package" equipment (e.g., arc welders, air compressors) shall be equipped with shrouds and noise-control features that are readily available for that type of equipment.

- (4) All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, state, or local agency shall comply with such regulations while in the course of project activity;
 - (5) Electrically powered equipment shall be used instead of pneumatic or internal combustion-powered equipment, where feasible;
 - (6) Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors;
-
- (7) The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only; and
 - (8) No project-related public address or music system shall be audible at any adjacent noise-sensitive receptor.

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

WHO: The project property owner/developer 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 construction plans.

BP-25. INTERIOR NOISE REDUCTION:

Final construction plans shall incorporate the following noise measures to achieve compliance with the City's interior noise level standard of 45 dB Ldn with a margin of safety:

- a) All windows of the 1st – 4th floor buildings adjacent to East El Camino Real shall have an STC rating of 32.
- b) Mechanical ventilation (air conditioning) shall be provided for all residences to allow the occupants to close doors and windows as desired to achieve compliance with the applicable interior noise level criteria.

BP-26. HISTORIC AND CULTURAL RESOURCES:

Final construction drawings shall incorporate all mitigation measures related to historic and cultural resources as set forth under "Mitigation Measures" in the approved environmental document and as noted below. [COA] [PLANNING]

Mitigation Measure – Historic and Cultural Resources

WHAT:

- (1) Contact the local Native American tribes regarding traditional, cultural and religious heritage values.
- (2) A qualified archaeologist shall conduct further archival and field

study to identify cultural resources. Field study may include, but is not limited to, pedestrian survey, hand auger sampling, shovel test units, or geoarchaeological analyses as well as other common methods used to identify the presence of archaeological resources. Please refer to the list of consultants who meet the Secretary of Interior's Standards at <http://www.chrisinfo.org>.

- (3) ~~If archaeological resources are encountered during construction,~~ work shall be temporarily halted in the vicinity of the discovered materials and workers shall not alter the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel shall 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, or 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 or privies.
- (4) Any identified cultural resources shall be recorded on DPR 523 historic resource recordation forms.

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

WHO: The project property owner/developer 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 construction plans.

BP-27. **AIR QUALITY – DUST CONTROL MEASURES:**

Final construction drawings shall incorporate all air quality mitigation measures as set forth under “Mitigation Measures” in the approved environmental document and as noted below. [COA]
[PLANNING/BUILDING]

Mitigation Measure – Dust Control Measures

WHAT: The construction contractor shall reduce construction-related air pollutant emissions by implementing BAAQMD's basic fugitive dust control measures, including:

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

- (3) 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.
- (4) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- (5) 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.
- ~~(6) A publicly visible sign shall be posted 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.~~

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

WHO: The project property owner/developer 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 construction plans.

BP-28. AIR QUALITY – BASIC EXHAUST EMISSIONS REDUCTION MEASURES:

Final construction drawings shall incorporate all air quality mitigation measures as set forth under "Mitigation Measures" in the approved environmental document and as noted below. [COA]
[PLANNING/BUILDING]

Mitigation Measure – Basic Exhaust Emissions Reduction

WHAT: The construction contractor shall implement the following measures during construction to reduce construction-related exhaust emissions:

- (1) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- (2) 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.

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

WHO: The project property owner/developer 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 construction plans.

BP-29. AIR QUALITY – ENHANCED EXHAUST EMISSIONS REDUCTION MEASURES:

Final construction drawings shall incorporate all air quality mitigation measures as set forth under “Mitigation Measures” in the approved environmental document and as noted below. [COA] [PLANNING]

Mitigation Measure – Enhanced Exhaust Emissions Reduction

WHAT: The construction contractor shall implement the following measures during construction to further reduce construction-related exhaust emissions:

- (1) Where access to alternative sources of power are available, portable diesel engines shall be prohibited; and
- (2) All off-road equipment shall have:
 - a. Engines that meet or exceed either USEPA or CARB Tier 2 off- road emission standards, and
 - b. Engines that are retrofitted with a CARB Level 3 Verified Diesel Emissions Control Strategy (VDECS). Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such are available.

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

WHO: The project property owner/developer 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 construction plans.

BP-30. AIR QUALITY – ARCHITECTURAL COATINGS:

Final construction drawings shall incorporate all air quality mitigation measures as set forth under “Mitigation Measures” in the approved environmental document and as noted below. [COA] [PLANNING]

Mitigation Measure – Architectural Coatings

WHAT: Paints and solvents with a VOC content of 100 grams per liter or less for interior and 150 grams per liter or less for exterior surfaces shall be used.

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

WHO: The project property owner/developer 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 construction plans.

BP-31. AIR QUALITY – WOOD-BURNING DEVICES:

Final construction drawings shall incorporate all air quality mitigation measures as set forth under “Mitigation Measures” in the approved environmental document and as noted below. [COA] [PLANNING]

Mitigation – Wood-burning Devices

WHAT: Clean-burning (e.g., natural gas or propane) USEPA-certified stoves and inserts shall be used in the new housing construction.

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

WHO: The project property owner/developer 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 construction plans.

BP-32. 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) Mitigation measures for construction noise reduction set forth in condition of approval BP-25.
- c) Mitigation measures for air quality set forth in condition of approval BP-28, BP-29 and BP-30.
- d) Use 'quiet' models of air compressors and other stationary noise sources where such technology exists.
- e) Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- f) 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.
- g) Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
- h) 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.
- i) 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.
- j) Prohibit unnecessary idling of internal combustion engine-driven equipment and vehicles.
- k) 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.
- l) 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-33. 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-34. SOLID WASTE DISPOSAL AND RECYCLING DESIGN PLAN:
A detailed solid waste disposal and recycling design 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 residential/multi-family projects. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- BP-35. SOLID WASTE AND RECYCLING ENCLOSURE:
The building permit plans shall include details for the installation of recycling and solid waste enclosures that are consistent with SMC 19.38.030. The solid waste disposal and recycling facilities within the enclosure area or within buildings shall be designed with adequate size, space and clearance based upon City's latest guidelines. The required 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 Solid Waste and Recycling Management Plan;
 - g) Solid waste and recycling diversion systems shall be incorporated into the facilities and tenant improvements. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- BP-36. SHARED ACCESS EASEMENT:
Developer shall provide the City with recorded document for a shared access easement for benefit of APN 313-03-009 shall be dedicated for driveway use prior to the issuance of the building permit. [COA] [PUBLIC WORKS]
- BP-37. MAINTENANCE AGREEMENT:

-
- Developer shall execute a Maintenance Agreement for perpetual maintenance of private driveway encroaching in the public right-of-way along Pastoria Avenue. The subject Maintenance Agreement shall be recorded prior to map recordation and/or encroachment permit. [COA] [PUBLIC WORKS]
- BP-38. ON-SITE PRIVATE WATER METER(S)
The developer shall install individual private water meters for each residence, and for each ancillary building on-site. [COA] [BUILDING]
- BP-39. 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 as updated Stormwater Management Data Form. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- BP-40. 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-41. 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-42. UNDERGROUND UTILITIES:
All utilities shall be undergrounded per Sunnyvale Municipal Code Chapter 19.38.095. [COA] [PLANNING/PUBLIC WORKS]
- BP-43. TRANSPORTATION OPERATIONS ANALYSIS – ONSITE CIRCULATION:
The applicant shall include the following site modifications in the construction plans as recommended in the Transportation Operations Analysis by Kimley Horn (dated March 2017):
- a) Install traffic control devices (signage and striping) to prohibit vehicles from making left turns out at the Poplar Avenue driveway, to be reviewed and approved by Department of Public Works.
 - b) Install appropriate blind corner mirrors and/or signage to warn drivers on parking garage ramp and east-west drive aisle of possible conflicts on-site.

- c) Install signage to warn pedestrians not to use east-west drive aisle as a walkway. Key fob access to the gated entry on Poplar Avenue shall be given to all residents without assessing additional fees.

[SDR] [PUBLIC WORKS]

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

EP-1. COMPLETE OFF-SITE IMPROVEMENT PLAN SET:

A complete plan check set applicable to the project, which may include street improvement plans, streetscape plans, streetlight plans, photometric analysis, signing/striping plans, erosion control plans, traffic signal plans and traffic control plans shall be submitted as part of the first off-site improvement plans, including on-site and off-site engineering cost estimate. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Department of Public Works. Sheets C1.0-C6.0 of Preliminary Grading and Utility Plan dated 03/16/17 is subject to change during plan check process. Checklist for Off-Site Improvement Plan preparation is available on the City website at

<http://sunnyvale.ca.gov/Portals/0/Sunnyvale/DPW/LandDevelopment/Improvement-Plan-Checklist.pdf> [COA] [PUBLIC WORKS]

EP-2. UPGRADE OF EXISTING PUBLIC IMPROVEMENTS:

As part of the off-site improvement plan review and approval, any existing public improvements to be re-used by the project, which are not in accordance with current City standards and are not specifically identified in the herein project conditions (such as backflow preventers, sign posts, etc.), shall be upgraded to current City standards and as required by the Department of Public Works. [COA] [PUBLIC WORKS]

EP-3. BENCHMARKS:

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

EP-4. 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-5. UTILITY CONNECTION TO THE MAIN:

-
- All sanitary sewer laterals connecting to the existing main line shall be at a new sanitary sewer manhole. All storm drain laterals connecting to the main shall be at a new storm drain manhole, except where a pipe to pipe connection is permitted if the mainline is 36" or larger, or a junction structure is permitted where the point of connection is within close vicinity of an existing down-stream manhole. Pursuant to City design standards, any new and retrofitted manholes require Sewpercoat, Mainstay or Sancon calcium aluminate cementitious mortar coating of the interior. [SDR] [PUBLIC WORKS]
- EP-6. 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 of to the satisfaction of the City. Existing public facilities within the street right-of-way shall be abandoned per City's Abandonment Notes and procedures, including abandonment by other utility owners. [COA] [PUBLIC WORKS]
- EP-7. 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-8. DRY UTILITIES:
Submit dry utility plans and/or joint trench plans (PG&E, telephone, cable TV, fiber optic, etc.) to the Public Works Department for review and approval prior to the issuance of any permits for utility work within any public right-of-way or public utility easements. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]
- EP-9. 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-10. 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. Sheets C1.0- C6.0 of Preliminary Grading and Utility Plan dated 03/16/17 is subject to change during plan check process. [COA] [PUBLIC WORKS]
- EP-11. PUBLIC FIRE HYDRANTS:
Remove and replace the existing fire hydrant barrel(s) along the entire project frontage with current City standard Clow-Rich 75. New fire hydrant locations 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-12. DUAL CONNECTION WATER SERVICE SYSTEM:
Provide two domestic water points of connections along El Camino Real, with two separate radio-read domestic master water meters and two separate reduced pressure detector assembly (RPDA). In addition, provide one fire service (serve retail and residential) with fire service meter(s) and RPDA in accordance with current City standards or as approved by Department of Public Works. [COA] [PUBLIC WORKS]
- EP-13. WATER METER:
Install new master radio-read water meter(s) and RPBFP(s) at each point of connection to the water main. For water meter size three (3) inch or larger, provide meter sizing calculations to the Department of Public Works for approve of meter size. Sheets C1.0-C6.0 of Preliminary Grading and Utility Plan dated 03/16/17 is subject to change during plan check process. [COA] [PUBLIC WORKS]
- EP-14. IRRIGATION SERVICE LINE:
Install a separate irrigation water service line (separate from the domestic/fire water service line) with a water meter and reduced pressure backflow prevention device and enclosure.
- All landscape and irrigation systems, located in the public park strip areas shall be connected to the water system metered to the property owner.[COA] [PUBLIC WORKS]
- EP-15. SEWER MANHOLE:
Install new sewer manhole at the street right-of-way lines for all existing and proposed sanitary sewer laterals 6" and larger that are to be used for the project. Existing and proposed sanitary sewer laterals 4" and smaller shall have cleanouts installed at the street right-of-way lines. Sheets C1.0-C6.0 of Preliminary Grading and Utility Plan dated

-
- 03/16/17 is subject to change during plan check process. [SDR] [PUBLIC WORKS]
- EP-16. 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-17. 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 subject to approval by the Public Works Department 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-18. 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 lateral shall be 12 inches and the main line shall be minimum 15 inches diameter in the public right-of- way. [COA] [PUBLIC WORKS]
- EP-19. CATCH BASIN TRASH CAPTURE DEVICES:
Pursuant to SMC 12.60.130, install full trash capture devices 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-20. UTILITY METER/VAULT:
No existing or new utility meters or vaults shall be located within the new driveway approach. 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-21. TRANSPORTATION OPERATIONS ANALYSIS:
The applicant shall include the following site modifications as recommended in the Transportation Operations Analysis by Kimley Horn (dated March 2017):
- d) Install traffic control devices (signage and striping) to prohibit vehicles from making left turns out at the Poplar Avenue driveway, to be reviewed and approved by Department of Public Works.
 - e) Install appropriate blind corner mirrors and/or signage to warn drivers on parking garage ramp and east-west drive aisle of possible conflicts on-site.

-
- f) Install signage to warn pedestrians not to use east-west drive aisle as a walkway. Key fob access to the gated entry on Poplar Avenue shall be given to all residents without assessing additional fees.
[SDR] [PUBLIC WORKS]
- EP-22. DRIVEWAY APPROACHES:
Remove existing driveway approaches and install new driveway approaches along the project frontage to comply with Americans with Disabilities Act (ADA) requirements and City standard details and specifications. All unused driveway approaches shall be replaced with new curbs, gutters, and sidewalks per current City standards. [SDR] [PUBLIC WORKS]
- EP-23. STREETSCAPE IMPROVEMENTS:
Modified by Planning Commission on June 26, 2017
Along project frontage on El Camino Real, remove existing concrete curb, gutter and sidewalk and install new concrete curb and 2' gutter per current City standards. Install an attached 12' wide sidewalk with 4'x5' tree wells. Add a park strip instead of tree wells, as feasible.

Along project frontage on Poplar Avenue, remove existing concrete curb, gutter and install a 10' wide sidewalk with 4'x5' tree wells. Add a park strip instead of tree wells, as feasible. [SDR] [PUBLIC WORKS] ***Staff recommends original standard development requirement.***
- EP-24. DECORATIVE PAVEMENT:
Any and all proposed decorative pavement and vertical curb pertaining to on-site development shall not be located within the City right-of-way.
[COA] [PUBLIC WORKS]
- EP-25. STREETLIGHTS:
The project shall install one streetlight (including associated conduits, wires, pull boxes) close to the proposed driveway on Poplar Avenue to maintain illuminance 1.0 fc. All streetlight fixtures shall meet the City's current standards. All LED fixtures shall be manufactured by GE, Phillips, or approved equal and meet the current City of Sunnyvale LED roadway lighting specifications. Streetlight location shall be reviewed and approved by Department of Public Works.
[COA] [PUBLIC WORKS]
- EP-26. PARKING:
Parking will not be permitted along El Camino Real frontage as well as within 20' south of the southerly driveway curb return and 20' north of the northerly driveway curb return along Poplar Avenue frontage. Installation of signage is subject to review and approval by Director of Public Works. [COA] [PUBLIC WORKS]

-
- EP-27. 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. [COA] [PUBLIC WORKS]
- EP-28. TRAFFIC CONTROL PLAN:
Submit a traffic control plan with the off-site improvement plans for review and approval. All construction related materials, equipment, and construction workers parking need to be stored on-site and the public streets need to be kept free and clear of construction debris. [COA] [PUBLIC WORKS]
- EP-29. SLURRY SEAL:
Developer shall be responsible to install Type II slurry seal on Poplar Avenue from lip of gutter to lip of gutter along project frontage, Sheets C1.0-C6.0 of Preliminary Grading and Utility Plan dated 03/16/17 is subject to change during plan check process. [COA] [PUBLIC WORKS]
- EP-30. CITY STREET TREES:
The developer shall install required street trees within the public right-of-way along the project frontage as follows: El Camino Real: Quercus shumardii - Shumard Oak and Poplar Avenue: Quercus x morehus - Oracle 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 spaced approximately 35 feet apart. No street trees are to be planted within 10' of a sanitary sewer lateral. Sheets C1.0-C6.0 of Preliminary Grading and Utility Plan dated 03/16/17 is subject to change during plan check process. [SDR] [PUBLIC WORKS]
- EP-31. 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-32. 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 Public Works Department. 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-33. APPROVAL FROM OTHER AGENCIES:

This project requires approval letter from Cal Water for water services off Poplar Avenue,

This project requires a permit from CalTrans for work within El Camino Real.

Developer shall notify VTA of the proposed plans to determine if any VTA improvements are necessary and if any VTA lines will be impacted during construction. Developer shall work with VTA directly on these improvements. VTA contact is Rodrigo Corresco, Service & Operations Planning (408) 321-7072. Provide the City of Sunnyvale with VTA response letter. [COA] [PUBLIC WORKS]

EP-34. RECORD DRAWINGS:

Stamped and signed record drawings of the off-site improvements 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] (SMC 13.08.160(a))

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

TM-1. PARCEL MAP COMPLIANCE WITH VESTING TENTATIVE MAP:

The parcel map shall be substantially the same as the vesting tentative map. Any alteration of the vesting tentative map after the vesting tentative map is approved is subject to additional approval by the City and may require a public hearing. Sheets C1.0-C6.0 of Vesting Tentative Map submittal dated 03/16/17 is subject to change during plan check process. [COA] [PLANNING/PUBLIC WORKS]

TM-2. TITLE 18 AND SUBDIVISION MAP ACT:

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

TM-3. 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 shall be delineated on the map or recorded concurrently with the map with a separate instrument. (SMC 18.16.010 (c), Subdivision Map Act §66475 and §66499.20-1/2 for public easements) Quitclaim

-
- deed is required for abandonment of private easements prior to map recordation. All easements shall be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easements. [COA] [PUBLIC WORKS]
- TM-4. EMERGENCY VEHICLE ACCESS EASEMENT:
This project requires a minimum 26'-wide dedication of an emergency vehicle ingress and egress easement on and over private roadways. [COA] [PUBLIC SAFETY/PUBLIC WORKS]
- TM-5. STREET DEDICATION EASEMENT:
El Camino Real: This project requires a 5' wide street dedication in form of an easement. Future right-of-way line is dimensioned 13' from the face of curb along El Camino Real.
- TM-6. PEDESTRIAN REALM EASEMENT:
This project requires a dedication of a 2' wide Pedestrian Realm Easement. [COA] [PUBLIC WORKS]
- TM-7. MAINTENANCE AGREEMENT:
Developer shall execute a Maintenance Agreement for perpetual maintenance of private driveway encroaching in the public right-of-way along Pastoria Avenue. The subject Maintenance Agreement shall be recorded prior to map recordation and/or encroachment permit. [COA] [PUBLIC WORKS] [COA] [PUBLIC WORKS]
- TM-8. UTILITY COMPANY APPROVAL:
Obtain map approval letters from the utility companies in regards to any existing or new easements associated with their facilities. [COA] [PUBLIC WORKS]
- TM-9. PUBLIC WORKS DEVELOPMENT FEES:
The developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees and off-site improvement plan check and inspection fees, prior to map recordation or any permit issuance, whichever occurs first. The exact fee amount shall be determined based upon the fee rate at the time of fee payment. [COA] [PUBLIC WORKS]
- TM-10. SUBDIVISION AGREEMENT AND IMPROVEMENT SECURITIES:
The developer shall execute a subdivision agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to map recordation or any permit issuance, whichever occurs first. Provide an itemized engineer's estimate for all off-site public improvements for the entire project for determination of security amount. [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. COMPACT SPACES:

All such areas shall be clearly marked prior to occupancy, as indicated on the approved building permit plans. [COA] [PLANNING]

PF-3. 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-4. NOISE REDUCTION VERIFICATION:

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

PF-5. AFFORDABLE RENTAL UNITS DEVELOPER AGREEMENT:

If Developer has opted to provide Affordable Rental Units within the project rather than pay the applicable Rental Housing Impact Fee consistent with 19.75.040(d)(1), Housing staff shall verify that the Developer has complied with GC-7 (Affordable Rental Housing Developer Agreement) and that the required affordable rental units have been marketed and made available for rent upon project completion in compliance with the recorded Developer Agreement. [COA] [HOUSING]

PF-6. COMPLETION OF PUBLIC IMPROVEMENTS:

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

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. SOLID WASTE RECYCLING MANAGEMENT:
Waste and recycling services for residential uses shall be maintained under a master account held by the applicant, owner or landlord. 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] [ENVIRONMENTAL SERVICES]
- AT-4. LOUDSPEAKERS PROHIBITED:
Out-of-door loudspeakers shall be prohibited at all times. [COA] [PLANNING]
- AT-5. 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-6. 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-7. PARKING MANAGEMENT:
On-Site parking management shall conform with the approved parking management plan. [COA] [PLANNING]
- AT-8. 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-9. UNENCLOSED STORAGE (PROHIBITED):
Unenclosed storage of any kind shall be prohibited on the premises. [COA] [PLANNING]
- AT-10. OFF-STREET PARKING:
Off-street parking for both residents and guests shall be maintained at all times in accordance with approved plans. [COA] [PLANNING]
- AT-11. PARKING LOT MAINTENANCE:
The parking lot shall be maintained as follows:
- a) Garage and carport spaces shall be maintained at all times so as to allow for parking of vehicles.
 - b) Clearly mark all assigned, guest, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
 - c) Maintain all parking lot striping and marking.
 - d) Maintain parking lot lighting and exterior lighting to ensure that the parking lot is maintained in a safe and desirable manner for residents and/or patrons. [COA] [PLANNING]
- AT-12. 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-13. 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]