

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
JANUARY 29, 2019**

Planning Application 2017-7986
824 San Aleso Avenue (APN: 204-02-006)

PEERY PARK SPECIFIC PLAN CONDITIONAL USE PERMIT

to consider location of a high school for 400 students (Summit School). The project includes interior and exterior improvements of an existing industrial building for an educational use, the installation of a tri-level mechanical lift parking structure in the rear serving 22 parking spaces, and a request for adjustment to minimum parking requirements. The project is located in the Peery Park Specific Plan area.

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. ENTITLEMENTS – EXERCISE AND EXPIRATION:
The approved entitlements shall be null and void two years from the date of approval by the final review authority if the approval is not exercised, unless a written request for an extension is received prior to the expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]
- GC-3. ENTITELMENTS – DISCONTINUANCE AND EXPIRATION:
The entitlements shall expire if discontinued for a period of one year or more. [SDR] [PLANNING]
- GC-4. INDEMNITY:
The applicant/developer shall defend, indemnify, and hold harmless the City, or any of its boards, commissions, agents, officers, and employees (collectively, "City") from any claim, action, or proceeding against the City to attack, set aside, void, or annul, the approval of the project when such claim, action, or proceeding is brought within the time period provided for in applicable state and/or local statutes. The City shall promptly notify the developer of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith. [COA] [OFFICE OF THE CITY ATTORNEY]
- GC-5. NOTICE OF FEES PROTEST:
As required by California Government Code Section 66020, the project applicant is hereby notified that the 90-day period has begun as of the date of the approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the city as part of the approval or as a condition of approval of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or adopted city impact fee schedule. [SDR] [PLANNING/OCA]
- GC-6. STORMWATER MANAGEMENT PLAN:
Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2009-0074, as determined by a completed "Stormwater Management Plan Data Form", and therefore must submit a Stormwater Management Plan as per SMC 12.60.140 prior to issuance of the building permit. [SDR] [PLANNING]
- GC-7. PUBLIC IMPROVEMENTS:
Developer shall install public improvements as required by the City, including but not limited to, curb & gutter, sidewalks, driveway approaches, curb ramps, street pavements, utility connections,

meters/vaults, trees and landscaping, traffic signs, striping, street lights, etc.

All public improvements shall be designed and constructed in accordance with current City design guidelines, standard details and specifications, and Americans with Disabilities Act (ADA) requirements where applicable, unless otherwise approved by the Department of Public Works. The off-site improvements shown on site development plan sheets C2 and C3.0, dated 09.17.18 is subject to change during the plan check process.

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

GC-8. OFF-SITE IMPROVEMENT PLANS:

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

GC-9. ENCROACHMENT PERMIT:

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

GC-10. SIGNS:

Any proposed signage requires separate approval by the City prior to installation. [SDR] [PLANNING]

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

PS-1. 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. Any mitigation improvements needed shall be incorporated into the first plan check submittal.

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

PS-2. POTHOLING OF EXISTING UTILITIES:

Prior to the initial submittal of off-site improvement plans, obtain an encroachment permit for potholing purposes to locate existing dry and wet utilities. Use pothole information to identify possible conflict between the location of existing utilities, and proposed connection of gravity utilities. Potholing is to take place in a timely manner so that this does not hold up the initial review of the improvement plans. Initial offsite improvement plans will not be accepted for review without pertinent pothole information included along proposed service lines. [COA] [PUBLIC WORKS]

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

EP-1. PEERY PARK SPECIFIC PLAN:

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

EP-2. COMPLETE OFF-SITE IMPROVEMENT PLAN SET:

A complete plan check set applicable to the project, including street improvement plans, streetlight plans, streetscape plans, traffic signing and striping plans, traffic control plans, photometrics (City provided for reference only), erosion control shall be submitted as part of the first off-site improvement plans, including 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. Pay initial Engineer and Inspection plan review fee with the first off-site improvement plan submittal. See Improvement Plan Checklist and

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- Submittal Checklist both available on City's website:
<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=24002>
<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23625> [COA] [PUBLIC WORKS]
- EP-3. BENCHMARKS:
The off-site improvement plans shall be prepared by using City's latest benchmarks (NAVD88) available on City's website <https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23803> Plans based on NGVD29 will not be accepted. [COA] [PUBLIC WORKS]
- EP-4. UPGRADE OF EXISTING PUBLIC IMPROVEMENTS:
As part of the off-site improvement plan review and approval, any existing public improvements to be re-used by the project, which are not in accordance with current City standards and are not specifically identified in the herein project conditions (such as backflow preventers, sign posts, etc.), shall be upgraded to current City standards and as required by the Department of Public Works. [COA] [PUBLIC WORKS]
- EP-5. UTILITY CONNECTION:
This project requires connection to all City utilities or private utilities operating under a City or State franchise which provide adequate levels of service. [COA] [PUBLIC WORKS]
- EP-6. UTILITY CONNECTION TO THE MAIN:
All sanitary sewer laterals connecting to the existing main line shall be at a new sanitary sewer manhole, or as determined by the Department of Public Works. All storm drain laterals connecting to the main shall be at a new storm drain manhole. Pursuant to City design standards, any new and retrofitted sanitary sewer manholes require Sewpercoat, Mainstay or Sancon calcium aluminate cementitious mortar coating of the interior. [SDR] [PUBLIC WORKS]
- EP-7. EXISTING UTILITY ABANDONMENT:
Developer is responsible for research on all existing utility lines to ensure that there are no conflicts with the project. All existing utility lines (public or private) and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed of to the satisfaction of the City. Existing public facilities within the street right-of-way shall be abandoned per City's Abandonment Notes and procedures, including abandonment by other utility owners. [COA] [PUBLIC WORKS]

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- EP-8. MODIFICATIONS TO EXISTING PUBLIC UTILITIES:
Developer is required to pay for all changes or modifications to existing city utilities, streets and other public utilities within or adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation due to grade change in the sidewalk area, caused by the development. [COA] [PUBLIC WORKS]
- EP-9. DRY UTILITIES:
Submit dry utility plans and/or joint trench plans (PG&E, telephone, cable TV, fiber optic, etc.) to the Public Works Department for review and approval prior to issuance of any permits for utility work within any public right-of-way or public utility easements. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]
- EP-10. WET UTILITIES:
All wet utilities (water, sanitary sewer, storm drain) on private property shall be privately owned and maintained. The fire and domestic water systems shall be privately owned and maintained beyond the meter. [COA] [PUBLIC WORKS]
- EP-11. RE-USE OF EXISTING CITY UTILITY SERVICE LINES:
The re-use of existing City water, storm, and sewer service lines is not allowed. Sheet C3.0 of the Site Plumbing Plan dated 09.19.18 is subject to change during plan check process. [COA] [PUBLIC WORKS]
- EP-12. SEPARATE DOMESTIC/FIRE PROTECTION SERVICE LINE:
Provide separate fire and domestic service lines to each building. Provide separate fire service tap(s) to the street main for any on-site fire hydrants. Install reduced pressure detector assembly (RPDA) behind the street right-of-way for the domestic service line and a double check detector assembly (DCDA) behind the street right-of-way for the fire service line. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]
- EP-13. PUBLIC FIRE HYDRANTS:
Remove and replace the existing fire hydrant barrel along San Aleso Avenue with current City standard Clow-Rich 75. New fire hydrant location shall be per current City standard detail 2B and 2B-2, and located 10-feet clear of any driveway. Public fire hydrant shall be maintained free and clear of all trees, vines, shrubs, bushes, ivy, etc. for a minimum of three feet. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PROTECTION]
- EP-14. WATER METER:
Building shall have its own domestic water service connection to the water main with domestic radio-read water meter and reduced pressure

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- backflow prevention devices per current City standards. For water meter sizes three (3) inches or larger, provide meter sizing calculations to Public Works Department for approval of meter size, as part of the off-site improvement plan submittal. If the buildings water demand requires a water meter 3" or larger, installation of dual meters and a cut-in tee are required per City standard detail 12B and 12B-1. Provide separate fire service taps with separate reduced pressure detector assembly in accordance with current City standards. Install new radio-read water meter(s) for each point of connection to the water main. Install new backflow prevention devices on the discharge side of water service line on private property. Backflow preventer locations shown on sheet C3.0 dated 09.19.18 shall be corrected to be located completely on private property and not within any proposed treatment area. Install backflow preventer enclosure where applicable. [SDR] [PUBLIC WORKS]
- EP-15. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:
Install a separate irrigation water service line (separate from the domestic water service line) with a meter and backflow prevention device.
- All landscape and irrigation systems, located in the public park strip area (behind the proposed 6-foot wide attached sidewalk) shall be connected to the water system metered to the property owner. Install new reduced pressure backflow prevention devices on the discharge side of irrigation line on private property. Backflow preventer location shown on sheet C3.0 dated 09.19.18 shall be corrected to be located completely in private right-of-way. Install backflow preventer enclosure where applicable. Backflows must adhere to City's Cross-Connection Program. Backflow inspection permit and tags are required for all backflow devices. [COA] [PUBLIC WORKS]
- EP-16. SANITARY SEWER AND STORM DRAIN MANHOLES:
Install new sanitary sewer and storm drain manholes at the street right-of-way lines for all proposed sanitary sewer laterals and proposed storm drain laterals to be used for the project. [SDR] [PUBLIC WORKS]
- EP-17. SANITARY SEWER VIDEO:
The contractor shall make a video copy of the interior of the new sanitary sewer lateral installed prior to it being put into service. [COA] [PUBLIC WORKS]
- EP-18. SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:
This project is required to follow the existing sanitary sewer and storm drain tributary pattern. Any deviations would require additional analysis and be subject to approval by the Department of Public Works as part of the off-site improvement plan review process. This project

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- shall not cause any negative impact on the drainage pattern for adjacent properties. [COA] [PUBLIC WORKS]
- EP-19. STORM DRAIN DESIGN
Provide storm drain hydrology and hydraulic calculations based upon a 10-year storm event to justify the size of the storm drain lateral flowing full. The project impact to the existing storm drain main shall retain 1' below the lowest public street gutter flow elevation. The new storm drain main line shall be minimum 15 inches diameter. [COA] [PUBLIC WORKS]
- EP-20. CATCH BASIN TRASH CAPTURE DEVICES AND BADGE/STENCILING:
Pursuant to SMC 12.60.130, install full trash capture devices on each on-site storm drain inlet on the project site, prior to connecting to the City's storm drain collection system. The developer shall be responsible for perpetual maintenance of those trash capture devices. All storm drain inlet facilities located in the public right-of-way shall be stenciled and/or have a badge that read "NO DUMPING" as supplied by the Environmental Services Department. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- EP-21. UTILITY METER/VAULT:
No existing or new utility meters or vaults shall be located within the new driveway approach areas. All existing or new utility vaults serving the project site shall be located on-site and not within the public utility easement, if any. [COA] [PUBLIC WORKS]
- EP-22. DRIVEWAY APPROACHES:
Remove existing driveway approaches and install new driveway approaches along the project frontage to comply with Americans with Disabilities Act (ADA) requirements and per City standard details and specifications. All unused existing driveway approaches shall be replaced with new curb, gutter and sidewalk. [COA] [PUBLIC WORKS]
- EP-23. CURB RAMPS:
Remove and replace two (2) existing curb ramps and install new directional curb ramps at southern street corners of San Aleso Avenue and Ahwahnee Avenue intersection, or as deemed necessary by the Department of Public Works. Additional re-grading of asphalt may be required to ensure there are no localized low points and positive surface runoff occurs along the flow line. [COA] [PUBLIC WORKS]
- EP-24. STREETSCAPE IMPROVEMENTS:
Remove existing curb, gutter and sidewalk and install new 2' gutter, curb and 6-foot wide attached sidewalk (measured from the back of curb and gutter, with a minimum 4-foot sidewalk width at existing trees, subject to City approval) along San Aleso Avenue to maintain

three (3) existing street trees. Provide sidewalk transition to conform to existing sidewalks at project limits. [COA] [PUBLIC WORKS]

EP-25. STREET PAVEMENT:

Apply Type II slurry seal from lip of gutter to centerline along the San Aleso Avenue frontage, or as directed by the Department of Public Works. [SDR] [PUBLIC WORKS]

EP-26. PHOTOMETRIC ANALYSIS:

Developer shall be provided the City-approved Photometric Analysis along San Aleso Avenue from Ahwanee Avenue to Mathilda Avenue by the Department of Public Works.

Developer shall install new decorative streetlights and remove and replace/upgrade conduits, wires, pull boxes, and conductors to current City standards along project frontage, based upon City-approved photometric analysis, unless otherwise directed by the City. All LED fixtures shall be of the same make and model (current approved manufacturers are GE and Phillips). Street light fixtures shall be per Peery Park Specific Plan.

All LED fixtures shall have a 10-year warranty.

Submit separate streetlight plans concurrently with the off-site improvement plan review to include installation of new conduits, existing and/or new locations of power source connection and new service pedestal, conductors, pull boxes, voltage drop and load calculations, and any other streetlight equipment as required to be installed by the Developer per latest City standard details and specifications and National Electric Code.

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

EP-28. TRAFFIC CONTROL PLAN:

Submit a traffic control plan with the off-site improvement plans for review and approval. Per the City's Temporary Traffic Control Checklist, the traffic control plan shall include a summary of the traffic control types, dates, times and blocks affected. All construction related materials, equipment, and construction workers parking need to be

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- stored on-site and the public streets need to be kept free and clear of construction debris. [COA] [PUBLIC WORKS]
- EP-29. 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-30. DAMAGE TO EXISTING PUBLIC IMPROVEMENTS:
Developer shall be responsible to rectify any damage to the existing public improvements fronting and adjacent to the project site as a result of project construction to City's satisfaction by the Department of Public Works. [COA] [PUBLIC WORKS]
- EP-31. RED CURB:
Developer shall install 20-feet of red curbing south of the school outbound driveway (northern driveway) on San Aleso Avenue, as determined by the Transportation Impact Analysis and by the Department of Public Works. [COA] [PUBLIC WORKS]
- EP-32. SCHOOL SIGNING AND STRIPING IMPROVEMENTS:
Developer shall install school signing, including two (2) new sign posts on San Aleso Avenue within 500-feet of the school boundary, and yellow high-visibility ladder crosswalk striping improvements required across the south leg at San Aleso Avenue and Ahwanee Avenue, and replace all four legs of existing crossings at the San Aleso Avenue and Mathilda Avenue intersection with yellow high-visibility striping to establish a school zone per State requirements, as determined by the Transportation Impact Analysis and by the Department of Public Works. Existing crosswalk striping shall be grinded, slurry sealed, and yellow high-visibility thermoplastic crosswalk striping shall be installed, as determined by the Department of Public Works. [COA] [PUBLIC WORKS]
- EP-33. SCHOOL CROSSING PUSH BUTTON IMPROVEMENTS ON SAN ALESO AVENUE AND MATHILDA AVENUE:
Developer shall provide two (2) new Polara Navigator Pedestrian Push Button fixture, mounting hardware, and faceplate to the Department of Public Works for future installation when the intersection has the necessary components to utilize this standard feature. Developer shall submit the specification and product sheet of the Polara Navigator for City approval. This material submittal shall include the push button, mounting hardware, and faceplate (sign). [COA] [PUBLIC WORKS]

EP-34. RECORD DRAWINGS:

Stamped and signed hard copy record drawings of the off-site improvements (including off-site street, sewer, water, storm drain and landscaping plans) shall be submitted to the City prior to encroachment permit sign-off. In addition, streetlight record drawings shall be in AutoCAD format. Developer shall pay the record drawing fee. [COA] [PUBLIC WORKS]

EP-35. 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 any permit issuance. The exact fee amount shall be determined based upon the fiscal year fee schedule rate at the time of fee payment. [COA] [PUBLIC WORKS]

EP-36. IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:

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

EP-37. OFF-SITE IMPROVEMENT ESTIMATE:

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

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

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

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

MITIGATION MEASURE

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. 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 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]

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- BP-6. **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 non-residential projects. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- 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. **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 \$345,609.89, prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
 - b) **PERRY PARK SPECIFIC PLAN FEES** – Prior to issuance of a building, calculate and pay the following fees estimated below (current values shown – adjusted yearly to reflect cost of living changes):
 - i. Peery Park Specific Plan Fee at 0.082% of the total construction value of the project;
 - c) **TRAFFIC IMPACT FAIR SHARE CONTRIBUTION** - Pay the fair share contribution of \$168,067.00 for Mathilda Avenue Signal Interconnect project referenced in the Peery Park Near Term Mathilda Commons TIA. The fee shall be paid at the issuance of the first building permit for a structure.
- BP-9. **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-10. **LANDSCAPE PLAN:**
Landscape and irrigation plans shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter

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

- a) New tree planting will be of a species that matures in large trees to provide screening.
- b) All areas not required for parking, driveways or structures shall be landscaped.
- c) Provide trees at minimum 30 feet intervals alongside and rear property lines, except where mature trees are located immediately adjoining on neighboring property.
- d) Deciduous trees shall be provided along north and southern exposures for screening purposes.
- e) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- f) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- g) Landscape plan shall include the details of the proposed fencing/wall to be installed on the property.

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. [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 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.

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- 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 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-14. 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-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) Stormdrain 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.

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- 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. EXTERIOR LIGHTING PLAN:

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

- a) Sodium vapor/LED or illumination with an equivalent energy savings.
- b) Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 8 feet.
- c) Provide photocells for on/off control of all security and area lights.
- d) All exterior security lights shall be equipped with vandal resistant covers.
- e) Wall packs shall not extend above the roof of the building. [COA] [PLANNING]

BP-17. ON-SITE 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-18. BICYCLE SPACES:

Provide 40 Class I/Class II bicycle parking spaces (per VTA Bicycle Technical Guidelines) as approved by the Director of Community Development. [COA] [PLANNING]

BP-19. 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 latest CA MUTCD and Caltrans Standard Plans. Striping and signage for this project include:

- a) "Do Not Enter" signs at the northern driveway

- b) Stop signs and markings at the northern driveway
- c) One-way signs at the southern driveway
- d) Pavement arrows at driveways and internal circulation lanes [COA]
[PUBLIC WORKS/PLANNING]

BP-20. WALKING AND BICYCLE PLAN:

The applicant shall develop a walking and bicycle plan. 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-21. 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 July 2018). 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. 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) Implement a 5-car drop-off system, where as soon as 5 vehicles leave, the next set of 5 cars would enter the drop-off zone.
- e) Focus pick-up and drop-off to front five vehicles only. This will limit the conflict space of pedestrians in the vehicle area and also limit back-of-line drop-offs.
- f) Discourage cutting through of parking lots of private properties to access project site.
- g) Deliveries shall only take place between 30 minutes after last AM bell and 30 minutes before first PM bell
- h) Student parking to be limited to permit parking, and students pulling out of parking spaces should be monitored by staff.
- i) Prohibit students and families from parking offsite. [COA] [PUBLIC WORKS/PLANNING]

BP-22. NOISE REDUCTION:

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

BP-23. CONSTRUCTION MANAGEMENT PLAN:

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

- a) Measures to control noise by limiting construction hours to those allowed by the SMC, avoiding sensitive early morning and evening hours, notifying residents prior to major construction activities, and appropriately scheduling use of noise-generating equipment.
- b) Use ‘quiet’ models of air compressors and other stationary noise sources where such technology exists.
- c) Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- d) Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from residences or other noise-sensitive land uses.
- e) Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
- f) Route all construction traffic to and from the project site via designated truck routes where possible. Prohibit construction-related heavy truck traffic in residential areas where feasible. Obtain approval of proposed construction vehicle truck routes from the Department of Public Works.
- g) Manage construction parking so that neighbors are not impacted by construction vehicles. When the site permits, all construction parking shall be on-site and not on the public streets.
- h) Prohibit unnecessary idling of internal combustion engine-driven equipment and vehicles.
- i) Notify all adjacent business, residents, and noise-sensitive land uses of the construction schedule in writing. Notify nearby residences of significant upcoming construction activities at appropriate stages in the project using mailing or door hangers.
- j) Designate a “disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The

disturbance coordinator will determine the cause of the noise complaint and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. [COA] [PLANNING]

- BP-24. **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-25. **DRIVEWAY THROAT LENGTH:**
The project shall maintain a minimum driveway throat length of 25 feet for the driveways on San Aleso Avenue, or as approved by the Public Works Department. All throat lengths are measured from face of curb or as approved by the Transportation & Traffic Manager. [COA] [PUBLIC WORKS]
- BP-26. **DRIVEWAY SIGHT DISTANCE:**
The proposed project needs to ensure that the site is compliant with driveway vision triangles per Sunnyvale Municipal Code to ensure proper visibility for ingress/egress from site. [COA] [PUBLIC WORKS]
- BP-27. **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-28. **UNDERGROUND UTILITIES:**
All existing overhead lines and utilities along the south side of the property shall be undergrounded per Sunnyvale Municipal Code Chapter 19.38.095. [COA] [PLANNING/PUBLIC WORKS]
- BP-29. **GREEN BUILDING:**
The plans submitted for building permits shall demonstrate the project achieves CAL Green Mandatory Measures and the minimum points for LEED silver, required effective at the time of building permit submittal. The project plans shall be accompanied with a letter from the project's

LEED AP verifying the project is designed to achieve the required LEED points. [COA] [PLANNING] [BUILDING]

BP-30. RESIDENTIAL PARKING PERMIT STUDY:

A preferential parking study for the nearby residential neighborhoods may be required if, during the first five years of operation it is determined by the Director of Community Development and the Director of Public Works, that there are off-site parking issues related to the school impacting the residential neighborhoods. The applicant will provide a \$35,000.00 cash deposit prior to occupancy to fund the study and implementation. [COA] [PLANNING / PUBLIC WORKS]

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

PF-1. LANDSCAPING AND IRRIGATION:

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

PF-2. PARKING LOT STRIPING:

All parking lot striping, carpool, clean air vehicle, visitor, staff, and student parking spaces shall be striped as per the approved plans and Public Works standards. [COA] [PLANNING/ENGINEERING]

PF-3. COMPLETION OF PUBLIC IMPROVEMENTS:

Developer shall complete all required public improvements 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:

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

OR: 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. MAXIMUM CAPACITY:

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

- (1) The maximum number of students permitted on-site at any time is 400 students;
- (2) 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) Intermittent student events and performances are permitted during evening hours and on weekends. The school shall engage the adjacent properties to secure sufficient parking for all participants prior to the event, or stagger the event time to provide sufficient parking. [COA] [PLANNING]

AT-3. AUTOMATED MECHANICAL PARKING OPERATION ONGOING MAINTENANCE AND STATUS REPORT REQUIREMENT:

The use of the automated mechanical parking shall comply with the following:

- a) The mechanical parking lift shall only be utilized by school staff and teachers.
- b) Students shall be prohibited from operating or utilizing the mechanical parking lift.
- c) Parking in and out of the mechanical parking shall be restricted to the hours before and after the peak drop off and pick up time, when there are no vehicles in queue in the drop off and pick up loop.
- d) The mechanical parking shall be maintained and kept in good operational condition at all time.
- e) The applicant shall enter into a maintenance agreement with the manufacturer of the parking system. [COA] [PLANNING]

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

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- 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]

END OF CONDITIONS