**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
FEBRUARY 13, 2019**

Planning Application 2019-7066
311 South Mathilda Avenue (APN: 165-13-050)

Minor modification to an approved **Vesting Tentative Map (SDP TM #2017-7379)** for 75 residential condominium units and 1 commercial parcel.

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

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

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

GC-1.   CONFORMANCE WITH APPROVED PLANNING APPLICATION:
All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

GC-2.   MAP REQUIRED:
This project is subject to, and contingent upon, the recordation of a Final Map. The submittal, approval and recordation of the Final Map

shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. Pay all required fees for Final Map review and recordation. [COA] [PUBLIC WORKS]

GC-3.   CONDITIONS OF APPROVAL:
All Public Works Department Conditions of Approval (COA) associated with Planning Application 2017-7379 apply to this tentative map application. [COA] [PUBLIC WORKS]

GC-4.   IMPROVEMENTS:
In conjunction with Planning Application 2017-7379 COA GC-11 and GC-12, and not contrary the subject COA, the developer shall install all improvements under Planning Application 2017-7379. [COA] [PUBLIC WORKS]

GC-5.   CONFORMANCE WITH PREVIOUS PLANNING PERMIT:
The subject site shall comply with all conditions of approval and requirements of Planning Application 2017-7379. [COA] [PLANNING]

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

TM-1.   TITLE 18 AND SUBDIVISION MAP ACT:
The submittal, approval and recordation of the final 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-2.   EASEMENT DEDICATION:
This project requires 15-feet street dedication in the form an easement as base upon the Mathilda Avenue Plan Line, adopted on 10/13/2015. [COA] [PUBLIC WORKS]

TM-3.   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-4.   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-5.   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]

TM-6.   COVENANTS, CONDITIONS AND RESTRICTIONS (CC&Rs):
Any proposed deeds, covenants, conditions, restrictions and by-laws relating to the subdivision are subject to review and approval by the City. The CC&R's shall include the following provisions:
a)   All public/private easements pertaining to the project shall be identified and/or defined and made aware to the homeowners in the CC&R's.
b)   The Homeowners Association shall maintain parkstrip landscaping in perpetuity along the public street fronting the project site. (SMC 13.08.370 and 13.08.380)
c)   The developer shall maintain all private utilities and landscaping for a period of three years following installation of such improvements or until the improvements are transferred to a Homeowners Association, following sale of at least 75% of the units, whichever comes first. (Subdivision Agreement)
d)   Homeowners are prohibited from modifying drainage facilities and/or flow patterns of their lots without first obtaining permission from the City.
e)   There shall be provisions of post construction Best Management Practices in the CC&R's in regards to the storm water management. (SMC 12.60.200)
f)   The Homeowners are prohibited from loading and unloading truck parking in Public Right-of-Ways. The Homeowners Association shall arrange appropriate on-site parking spaces for loading and unloading truck as needed.
[COA] [PUBLIC WORKS/PLANNING/CITY ATTORNEY]