

**RECOMMENDED  
CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS  
FEBRUARY 24, 2020**

**Planning Application 2017-8042  
360 West Caribbean Drive (Various Addresses)  
(APN's: 110-26-020, 021,022,023,025,027,028,029,030,031)**

**Major Moffett Park Site Development Permit for the development of 1.04 million square feet of office space, parking garage, West Channel improvements and deviations to allow a generator within the front yard 100 West Caribbean Drive and reduced parking and Green Building Incentive of 10% FAR Bonus for LEED Gold with USGBC certification.**

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:

<p><b>GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.</b></p>
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**GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:**

All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and



- approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]
- GC-2. 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. Alternatively, the project applicant may make a pre-payment of 25% of the required Traffic Impact Fee charges to extend the life of the permit for a maximum total of seven (7) years. [SDR] (PLANNING)
- GC-3. ENTITLEMENTS—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 / OFFICE OF THE CITY ATTORNEY]
- GC-6. GREEN BUILDING:  
a) New Buildings: All new buildings shall be constructed to meet LEED Gold and shall be submitted to USGBC for formal certification.



- b) Tenant Improvements: All tenant improvements shall require or facilitate LEED Gold certification for all new tenant improvements. [PLANNING] [COA]

GC-7. SIGNS:

All existing signs shall be removed and all new signs shall require separate permits in conformance with Title 19 of the Sunnyvale Municipal Code. [PLANNING] [COA]

GC-8. ENVIRONMENTAL MITIGATION MEASURES:

The project shall comply with all mitigation measures required in the 100-200 Caribbean Drive Traffic Environmental Impact Report. The Mitigation Monitoring and Reporting Program (MMRP) has been included in the Conditions of Approval as Exhibit 1. The applicant shall be responsible for addressing all required mitigations for each phase of the project. [COA] [PUBLIC WORKS/PLANNING] **MITIGATION MEASURE**

GC-9. APPLICABLE PLANS, POLICIES, AND ENVIRONMENTAL MEASURES:

As prescribed and detailed in the 100-200 Caribbean drive initial study, the project shall comply with applicable plans, policies, and ordinances, including: city development standards and policies; the Sunnyvale climate action plan, California state agency policies and guidelines; citywide, general plan, and Moffett Park Specific Plan policies and guidelines; Sunnyvale municipal code requirements; best management practices; recommendations from project-specific plans and recommendations included in the initial study appendices, and applicable measures previously adopted in the 2016 land use and transportation element Sunnyvale general plan EIR, the 2013 valley water east and west channel flood protection project EIR, and the 2016 Mathilda avenue improvements at SR 237 and us 101 project. [COA] [PLANNING / OFFICE OF THE CITY ATTORNEY]

GC-10. TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM):

The applicant shall submit a Final TDM Plan to include a Trip Reduction Program that results in a reduction of at least: 25% total average daily trips; and, 30% peak hour trips as calculated from the estimated total trip generation utilized in the Transportation Impact Analysis for the project (not including trip reduction credits or credits for previous uses). The TDM plan shall:

- a) Be approved by the Director of Community Development and Director of Public Works, or designees.
- b) Include statements of the number of allowable average daily and peak hour trips;



- c) Include an annual monitoring requirement based on actual driveway counts by a city administered consultant, funded by the property owner;
- d) Include a penalty for non-compliance with the targeted reductions. Said penalty shall be based on a documented calculation of the value per reduced trip of TDM measures proposed in the TDM Plan.
- e) Be adjusted, subject to the same approvals, if targeted reductions are not met.
- f) The developer shall explore the use of a private shuttle service for the project. [COA] [PLANNING/TRANSPORTATION]

GC-11. TRANSPORTATION DEMAND MANAGEMENT PLAN (TDM) COMPLIANCE:

If annual review indicates that the actual average daily trips counts exceed the allowable number of trips identified in the approved plan, the property owner shall cause additional TDM measures to be put into place to reduce project trips. After six months of being notified by the City that annual trips exceeded allowable trips, a recount will be taken per item PS-1 c) above.

- a) If the recount exceeds trips above the allowable trips, then a penalty for non-compliance will be collected.
- b) If the recount exceeds trips for which Traffic Impact Fees were collected, the property owner shall be required to pay the City's then current Traffic Impact Fee for all trips that exceed the number of trips used for the basis of the original Traffic Impact Fee paid for the project. The terms of collection of the additional traffic impact fee shall be finalized in the TDM and subject to review and approval by the City. [COA] [PLANNING/TRANSPORTATION]

GC-12. SHARED PARKING MANAGEMENT AND MAINTENANCE AGREEMENT:

Parking for the entire project is shared through common surface parking areas and structured parking located on the same site as the 200 Caribbean Drive building. The applicant shall prepare a shared parking management and maintenance agreement to be reviewed the City. Upon approval of the agreement, it shall be recorded against both properties. [COA] [PLANNING/ OFFICE OF THE CITY ATTORNEY]

GC-13. SCVWD PEDESTRIAN TRAIL CONCEPT:

Building permit plans shall include the proposed improvements for the West Channel as indicated in the planning application noting "Under Separate Permit/ SCVWD" and shall be subject to SCVWD review and permitting. [COA] [PLANNING/PUBLIC WORKS]

GC-14. 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-15. PUBLIC IMPROVEMENTS:

Developer shall install public improvements as required by Sunnyvale Municipal Code Sections 18.08, including but not limited to, curb & gutter, sidewalks, bikeways, driveway approaches, curb ramps, street pavements, utility connections, meters/vaults, trees and landscaping, traffic signal/signs, striping, street lights, etc.

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 site development plan with sheets C100.1 to C801.2 dated 12/27/19 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.

If the developer desires to phase the off-site improvement construction without completing the entire lot frontage improvements associated with the first building occupancy, a construction phasing plan for off-site improvements shall be submitted for review and approval by the Department of Public Works prior to first building permit issuance. [COA] [PUBLIC WORKS]

GC-16. OFFSITE CONSTRUCTION PHASING PLAN:

The developer shall prepare a detailed offsite construction phasing plan for the subject project. The plan shall be subject to review and approval by the Department of Public Works prior to issuance of the first building permit. The plan shall have both exhibits and narratives that include, but not limited to, construction truck route, public vehicle access, pedestrian access, construction staging, employee parking, limits of work and timeline for each of the phases. [COA] [PUBLIC WORKS]

GC-17. 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 C100.1



to C801.2 dated 12/27/19 are subject to change during the plan check process.

See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links:

<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=24002>

<https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23625>

[SDR] [PUBLIC WORKS]

GC-18. ENCROACHMENT PERMIT:

Prior to any work in the public right-of-way or easement area, 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-19. RECORDATION OF PARCEL MAPS:

This project is subject to, and contingent upon recordation of one or more parcel maps. The submittal, approval and recordation of the parcel map(s) shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. Parcel map(s) shall be recorded prior to issuance of any grading or building permit for the proposed project located on that certain lot as shown on the corresponding parcel map. [COA] [PUBLIC WORKS]

GC-20. COORDINATION OF CONSTRUCTION PROJECTS:

Developer shall coordinate with the City's Wastewater Treatment Plant Project and the Santa Clara Valley Water District's West Channel Flood Wall Project to generally minimize the impact of construction work and construction traffic along the public streets. [COA] [PUBLIC WORKS]

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

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

PS-2. NON-SPECIAL STATUS-SPECIES:



Non-Special Status-Species: Prior to the issuance of grading plans or improvement plans, the Project applicant shall demonstrate to the satisfaction of the Community Development Director that the following notes are shown on the grading and improvement plans: All tree and building removal and initial grading of the site shall occur outside of the migratory bird and raptor breeding season (August 16 through February 28) unless the following requirements are implemented:

- If construction activities are scheduled to occur during the breeding season for non-special-status species (generally between March 1 and August 15), a qualified wildlife biologist shall be retained to conduct the following focused nesting surveys, as follows:
- Tree surveys shall be conducted within the Project site to look for nesting non-special-status migratory birds and raptors.
- In addition, surveys of all buildings shall be conducted to look for nesting non-special-status migratory birds and raptors.
- The surveys shall be conducted between March 1 and August 15 and within one week prior to initiation of construction activities. A summary report of the survey findings shall be submitted to the satisfaction of the Community Development Director. If no active nests are detected during surveys, then no additional mitigation is required.
- If construction activities are scheduled to occur during the breeding season (generally between March 1 and August 15), and if surveys indicate that migratory bird or raptor nests are found in any areas that would be directly affected by construction activities, a no-disturbance buffer shall be established around the site to avoid disturbance or destruction of the nest site until after the breeding season, or after a wildlife biologist determines that the young have fledged (usually late-June to mid-July). The extent of these buffers shall be determined by a qualified wildlife biologist and shall depend on the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors shall be analyzed in order to make an appropriate decision on buffer distances. A summary report of the survey findings with the location of the active nests and required buffer distances shall be submitted to the satisfaction of the Community Development Director. [COA] [PLANNING]

PS-3. BURROWING OWL SURVEY:

Pre-construction surveys for burrowing owls shall be conducted prior to the initiation of all Project activities within suitable burrowing owl habitat (i.e., ruderal/ grassland habitat with burrows of California ground squirrels). A qualified biologist will conduct an initial habitat



survey, mapping areas with burrows (i.e., areas of highest likelihood of burrowing owl activity) and all burrows that may be occupied (as indicated by tracks, feathers, egg shell fragments, pellets, prey remains, or excrement) on the project site. This mapping will be conducted while walking transects throughout the entire project footprint, plus all accessible areas within a 250-foot radius from the project footprint. The centerline of these transects will be no more than 50 feet apart and will vary in width to account for changes in terrain and vegetation that can preclude complete visual coverage of the area. If suitable habitat is identified during the habitat survey, preconstruction surveys will be required. To maximize the likelihood of detecting owls, the preconstruction survey will last a minimum of three hours. The survey will begin 1 hour before sunrise and continue until 2 hours after sunrise (3 hours total) or begin 2 hours before sunset and continue until 1 hour after sunset. Additional time may be required for large project sites. A minimum of two surveys will be conducted (if owls are detected on the first survey, a second survey is not needed). All owls observed will be counted and their location will be mapped. Surveys will conclude no more than 2 calendar days prior to construction. Therefore, the project proponent must begin surveys no more than 4 days prior to construction (2 days of surveying plus up to 2 days between surveys and construction). To avoid last minute changes in schedule or contracting that may occur if burrowing owls are found, the project proponent may also conduct a preliminary survey up to 14 days before construction. This preliminary survey may count as the first of the two required surveys as long as the second survey concludes no more than 2 calendar days in advance of construction. Because Project activities may be phased, these survey efforts may also need to be performed in phases to ensure that burrowing owls are not present in work areas when Project activities commence.

If burrowing owls are present during the non-breeding season (generally September 1 to January 31), a 250-foot buffer zone shall be maintained around the occupied burrow(s), if feasible. During the breeding season (generally February 1 to August 31), a 250-foot buffer, within which no new Project-related activities will be permissible, will be maintained between Project activities and occupied nest. Owls present between February 1 and August 31 will be assumed to be nesting, unless monitoring evidence indicates that the owls are no longer nesting or the young owls are foraging independently, or only a single owl (rather than a breeding pair) is present after July 1st and there is no evidence that young owls are present. If no active nesting is occurring, the buffer may be reduced or the owls may be relocated prior to August 31, in consultation with the CDFW. [COA] [PLANNING]

PS-4. NON-SPECIAL STATUS-SPECIES:



Prior to the issuance of Grading Plans or improvement plans, the Project applicant shall demonstrate to the satisfaction of the Community Development Director that the following notes are shown on the grading and improvement plans: All tree and building removal and initial grading of the site shall occur outside of the migratory bird and raptor breeding season (August 16 through February 28). [COA] [PLANNING]

PS-5. PALEONTOLOGICAL MONITOR:

A qualified paleontologist shall be retained to monitor the site clearing and grading operations in those areas where buildings will be removed and/or new construction will occur. The paleontologist shall be present on-site to observe site clearing at a representative sample of building removal areas until he/she is satisfied that there is no longer a potential for finding buried resources. In the event that any potentially significant paleontological resources are discovered, the project paleontologist shall stop work inside a zone designated by him/her where additional paleontological resources could be found. A plan for the evaluation of the resource shall be submitted to the Community Development Director for approval. [COA] [PLANNING]

PS-6. ARCHAEOLOGICAL MONITOR:

A qualified archaeologist shall be retained to monitor the site clearing and grading operations in those areas where buildings will be removed and/or new construction will occur. The archaeologist shall be present on-site to observe site clearing at a representative sample of building removal areas until he/she is satisfied that there is no longer a potential for finding buried resources. In the event that any potentially significant archaeological resources (i.e., potential historical resources or unique archaeological resources) are discovered, the project archaeologist shall stop work inside a zone designated by him/her where additional archaeological resources could be found. A plan for the evaluation of the resource shall be submitted to the Community Development Director for approval. Evaluation normally takes the form of limited hand excavation and analysis of materials and information removed to determine if the resource is eligible for inclusion on the California Register of Historic Resources (CRHR). [COA] [PLANNING]

PS-7. SANITARY SEWER ANALYSIS:

A focused sanitary sewer analysis was submitted for review and it was determined that the development will have no impact on the City's existing sanitary sewer main(s). [COA] [PUBLIC WORKS]



**BP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR FOUNDATION BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S). THESE CONDITIONS SHALL ALSO BE COMPLIED WITH DURING CONSTRUCTION APPROVED UNDER ANY SUBSEQUENT SUPERSTRUCTURE PERMITS, IF APPLICABLE.**

**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 & MMRP:**

A written response indicating how each condition and mitigation 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. GREEN BUILDING (LEED GOLD):**

The building permit plans shall demonstrate the project is designed to achieve a minimum of LEED Gold with USGBC certification. In order



to meet the City's LEED incentive requirements, the project shall meet the following requirements:

- a) New Buildings: The new buildings will be constructed to meet LEED Gold certified level. The applicant will obtain LEED CS Gold (core/shell) certification for all buildings once warm shell improvements are complete.
- b) New Tenant Improvements: All future tenants to obtain LEED CI Gold (commercial interior) certification for new tenant improvements.
- c) New Construction: The project will be constructed to meet LEED Gold NC certified level for all improvements [SDR] [PLANNING/BUILDING]

BP-6. BICYCLE SUPPORT FACILITIES:

Indoor shower and locker facilities shall be provided for men and women to meet LEED Gold standards and be subject to review and approval by the Director of Community Development prior to issuance of building permit. In accordance with LEED Gold standards, showers and lockers should be based on FTE count e.g. building square footage/250 = FTE, # of showers = FTE X 0.5%. = 11 showers per building. [COA] [PLANNING]

BP-7. CONSTRUCTION PHASING:

If the applicant chooses to construct the project in phases, then the applicant shall clearly demonstrate compliance with all zoning and required mitigation measures as per the MMRP in each phase of development (i.e., parking, landscaping and shading). The applicant shall provide all documentation prior to issuance of the first building permit of each phase. [COA] [PLANNING]

BP-8. RECYCLING AND SOLID WASTE ENCLOSURE:

The building permit plans shall include details for the installation of a recycling and solid waste enclosure. The required solid waste and recycling enclosure shall:

- a) Match the design, materials and color of the main building.
- b) Be of masonry construction. [COA] [PLANNING]

BP-9. RECYCLING AND SOLID WASTE CONTAINER:

All recycling and solid waste containers shall be metal or State Fire Marshall listed non-metallic. The building permit plans shall provide details illustrating compliance with this condition. [COA] [PLANNING]



BP-10. GENERATOR ENCLOSURE:

The building permit plans shall include details for an enclosure around the generator located on the 100 W. Caribbean Drive site. The enclosure shall be to the highest point of the equipment and shall be include additional landscape screening. [COA] [PLANNING]

BP-11. DEPARTMENT OF PUBLIC SAFETY REVIEW:

Obtain approval from the crime prevention division of public safety department for crime prevention measures appropriate to the proposed development prior to issuance of a building permit. [COA] [PLANNING]

BP-12. SOLID WASTE DISPOSAL PLAN:

The proposed development shall be consistent with the approved Logistics and Operational Solid Waste Plan. The building permit plans shall clearly indicate compliance to the approved plan. Minor modifications require review and approval by the Planning and Public Works Departments. [COA] [PLANNING]

BP-13. ROOF EQUIPMENT:

Roof vents, pipes, flues and mechanical equipment shall be combined and/or collected together behind parapets or screening elements out of public view as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the building. [COA] [PLANNING]

BP-14. 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-15. 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 **\$2,536,756.95**, prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- b) HOUSING MITIGATION FEE - Pay Housing Mitigation fee estimated at **\$5,486,954.80** prior to issuance of a Building Permit. (SMC 19.75). [SDR] [PLANNING]



- c) ART IN PRIVATE DEVELOPMENT - Pay Art in Private Development bond estimated at **\$2,092,399.53**, prior to issuance of a Building Permit; OR

ART IN PRIVATE DEVELOPMENT BOND – A bond, letter of credit, cash deposit or other similar security instrument for 1% of the construction valuation of the entire development project will be required prior to issuance of a building permit. The bond will not be released until completion and installation of the artwork requirement including related landscaping, lighting, base work and commemorative plaque. [PLANNING] [SDR]

BP-16. ART IN PRIVATE DEVELOPMENT REVIEW:

An Art in Private Development application shall be submitted to the Director of Community Development subject for review and approval by the Arts Commission, prior to issuance of a Building Permit. The application shall provide public visible artworks per Chapter 19.52 of the Sunnyvale municipal code. Payment of the Art in Private Development Bond can allow the building permit to be issued. [COA] [PLANNING]

BP-17. COMMUNITY BENEFIT:

To access additional floor area through the City's Green Building program, the project applicant shall complete the following prior to issuance of building permit:

- a) Provide a lump sum of \$2.2 million to the City.
- b) Provide documentation that sales tax revenue generated by the project is properly registered with the State so that the revenue is allocated to the City. [SDR] [PLANNING/ECONOMIC DEVELOPMENT]

BP-18. ENVIRONMENTAL MITIGATION MEASURES:

The project applicant shall demonstrate compliance with the Mitigation and Monitoring Reporting Program (MMRP) as included in Exhibit 1. [COA] [ALL] **MITIGATION MEASURES**

BP-19. LANDSCAPE PLAN:

Landscape and irrigation plans shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements. Landscape and irrigation plans are subject to review and approval by the Director of Community Development through the submittal of a Miscellaneous Plan Permit (MPP). The landscape plan shall include the following elements:

- a) All areas not required for parking, driveways or structures shall be landscaped.



- b) Provide trees at minimum 30 feet intervals along side and rear property lines, except where mature trees are located immediately adjoining on neighboring property.
- c) Deciduous trees shall be provided along southern and western building exposures where possible for passive solar heating purposes.
- d) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- e) Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree of at least 36-inch
- f) Ground cover shall be planted so as to ensure full coverage eighteen months after installation. [COA] [PLANNING]

BP-20. 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-21. 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-22. 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-23. CITY STREET TREES:**

The landscape plan shall including street trees and shall be submitted for review and approval by the City Arborist prior to issuance of building permit. [COA] [ENGINEERING/CITY ARBORIST]

**BP-24. 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 and shall not exceed 18 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.
- f) Lights shall have shields to prevent glare onto adjacent residential properties. [COA] [PLANNING]

BP-25. 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-26. LIGHTING POLE HEIGHTS:

Pole heights shall not to exceed 18 feet and shall be fully shielded. [COA] [PLANNING]

BP-27. PARKING MANAGEMENT PLAN (NONRESIDENTIAL):

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

- a) Employee parking locations shall be away from the building, in parking spaces that are the least used.
- b) Specify the location and term of short-term parking.
- c) Allow the use of valet parking when appropriate on sites with limited parking.
- d) Employees shall be required to park on the site.
- e) Provide adequate signage to direct traffic and pedestrians [COA] [PLANNING]

BP-28. BICYCLE SPACES:

Provide (482 Class I and 196 Class II) bicycle parking spaces per the approved TDM Plan. Clearly indicate the location and the number of bicycle parking spaces on the Building Permit plans. [COA] [PLANNING]

BP-29. BICYCLE SUPPORT FACILITIES:

Indoor shower and locker facilities shall be provided for men and women subject to review and approval by the Director of Community Development prior to issuance of building permit. [COA] [PLANNING]



BP-30. CARPOOL PARKING:

A total of 174 preferential parking spaces shall be reserved and so marked in the closest possible rows adjoining the building (allowing for visitor, disabled and pool van parking) for exclusive use by carpool vehicles carrying at least two employees per vehicle, as noted on the project plans. [COA] [PLANNING]

BP-31. GREEN BUILDING:

The project shall meet the following green building requirements:

- a) Final plans shall incorporate a completed LEED green building checklist demonstrating the new building achieves a minimum LEED Gold level for Core and Shell, as verified by a qualified LEED consultant and shall be submitted to USGBC for formal certification.
- b) Subsequent building permit plans for interior tenant improvements for the new buildings shall incorporate a completed LEED green building checklist demonstrating the project design achieves a minimum LEED Gold level for Commercial Interiors as verified by a qualified LEED consultant and shall be submitted for USGBC for formal certification.
- c) Final plans shall incorporate a completed LEED green building checklist demonstrating the new buildings achieve a minimum LEED Gold level for New Construction, as verified by a qualified LEED consultant and shall be submitted to USGBC for formal certification [COA] [PLANNING]

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) 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-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 using [sunnyvale.wastetracking.com](http://sunnyvale.wastetracking.com) hosted by green halo. As part of the project’s construction specifications, the developer shall track the type, quantity, and disposition of materials generated, and submit these records through the website both periodically and at project completion [COA] [ENVIRONMENTAL SERVICES]

BP-34. 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.
- h) Stress pads shall be the full length of the enclosure and 20' wide for both Building 100 and 200 Trash Enclosures. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-35. 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. The applicant shall provide the compactor models for approval by the City prior to purchase. The applicant shall submit the compactor's rail structure design to the City for review to ensure that the rail structure is built to City Compactor truck rail specifications. Municipal Code 8.16.120 only allows the transportation of solid waste by the City's franchised hauler. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-36. SOLID WASTE SERVICES:

Waste and recycling services shall be maintained under one account for each of the public domestic water meters that serve an occupied building held by the applicant, owner or landlord, unless otherwise approved by the City. The account holder is 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] [FINANCE/ENVIRONMENTAL SERVICES]

BP-37. 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-38. **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-39. **CONSTRUCTION MATERIAL AND STAGING:**  
All construction related materials, equipment, and construction workers parking need to be managed on-site and not located in any public right-of-ways or public easements. [COA] [PUBLIC WORKS]
- BP-40. **PARCEL MAP:**  
This project is subject to, and contingent upon recordation of one or more parcel maps to remove the existing property lines. The submittal, approval and recordation of the parcel map(s) shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. Parcel map(s) shall be recorded prior to any grading or building permit issuance of any building located on that certain lot as shown on the corresponding parcel map. [COA] [PUBLIC WORKS]
- BP-41. **DUAL PLUMBING:**  
With the first Building plan check submittal, the developer shall prepare and submit to the City for review by the City and the State Water Board an Engineering Report for the use of reclaimed water for dual plumbing purposes. Contact Environmental Services Department/Water Operations at 408-730-7561 for further information. [COA] [ENVIRONMENTAL SERVICES]
- BP-42. **EXISTING EASEMENT QUITCLAIM:**  
Prior to building permit issuance, the multiple existing private easements shall be quitclaimed by separate instrument. [COA] [PLANNING/PUBLIC WORKS]



BP-43. BORDEAUX DRIVEWAY RESTRICTED VEHICLE ACCESS:  
Vehicular Access shall be restricted along the private driveway west of the 200 Caribbean building. The installation of signage, mountable curbs and/or bollards are required, or as determined by the Department of Public Works. [COA] [PUBLIC WORKS/TRAFFIC]

BP-44. ON-SITE STRIPING AND SIGNAGE:

The on-site circulation striping and signage for the project shall be in accordance with the recommendations presented in the Transportation Environmental Impact Report (dated November 2019) which includes the following:

- a) The proposed Project shall construct the following driveways with throat lengths as identified:
  - i. N Mathilda Parking Garage Driveway: 310 feet
  - ii. Caribbean Parking Garage Driveway (Full-Access): 475 feet
  - iii. Caribbean Northeast Surface Lot Driveway: 100 feet
  - iv. Borregas Northeast Surface Lot Driveway: 115 feet
- b) The Caribbean Parking Garage Driveway shall be placed at least 960 feet east of the end of the N Mathilda Avenue – Caribbean Drive curve.
- c) No tall obstructions shall be placed within the intersection sight distance triangles of the Project driveways, except objects that meet the criteria outlined in City of Sunnyvale Municipal Code 19.34.060(d).
- d) The proposed Project shall install stop signs on the site's internal roadways at the location shown on Figure 21 (200 West Caribbean Drive) and Figure 22 (100 West Caribbean Drive) on the Traffic Impact Analysis.
- e) Installation of the new signalized Caribbean Parking Garage Driveway will impact the City's Caribbean Drive Parking and Trail Access Enhancement Project. Any impacts to improvements on the north side of Caribbean Drive shall be mitigated by the Project.

All signs and pavement markings shall be per the latest California Manual on Uniform Traffic Control Devices and Caltrans Standard Plans standards. Developer shall include the on-site recommendations in the building plan submittal for City review and approval prior to issuance of building permit. [SDR] [COA] [PUBLIC WORKS/TRAFFIC]



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

EP-1. MOFFETT PARK SPECIFIC PLAN:

This project is in the Moffett Park Specific Plan (MPSP) area, therefore, the developer shall comply with any applicable design requirements as identified in the MPSP 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, which may include street improvement plans, streetscape plans, streetlight plans, signing/stripping plans, erosion control plans, photometric plans per Caltrans Requirements at the new Caribbean Drive intersection west of the channel and at the intersection of Caribbean Drive and Borregas Avenue, 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 C100.1 to C801.2 of the Preliminary Civil Improvement Plans dated 12/27/19 are subject to change during plan check process. See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links:

<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 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. EASEMENT DEED:

This project requires a 14.5'-wide Pedestrian Access Easement (PAE) to accommodate the Class 1 bikeway along the N Mathilda Avenue/Caribbean Drive project frontage and at the intersection of Caribbean Drive and Borregas Avenue and shall be dedicated and recorded on the parcel map. Maintenance of the PAE will be the responsibility of the property owner. This project also requires two Public Storm Drain Easements to accommodate the 24-inch storm drain main and the 48-inch storm drain main and maintenance access



- shall be provided. This project also requires a 20'-wide Pedestrian Access Easement (PAE) along the West Channel. In addition, public utility easements and traffic signal easements, as needed, shall also be dedicated and recorded on the parcel map. All easements shall be kept open and free from trees, bio-retention areas, buildings, structures of any kind except those appurtenances associated with the defined easements. [COA] [PUBLIC WORKS]
- EP-5. EASEMENT ABANDONMENT:  
The Pacific Gas & Electric (PG&E) Easement, unoccupied Public Utility Easement, Ingress & Egress Easements, and Covenant of Easement Trash Facilities shall be quitclaimed and recorded prior to encroachment permit sign-off or prior to building permit issuance over the affected easement. [COA] [PUBLIC WORKS]
- EP-6. UPGRADE OF EXISTING 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, hydrants, valves, inlets and manholes, etc.), shall be upgraded to current City standards and as required by the Department of Public Works. [COA] [PUBLIC WORKS]
- EP-7. UTILITY CONNECTION:  
This project requires connection to all City utilities or private utilities operating under a City or State franchise which provide adequate levels of service. [COA] [PUBLIC WORKS]
- EP-8. UTILITY CONNECTION TO THE MAIN:  
All sanitary sewer laterals connecting to the existing main line shall be at a new or existing sanitary sewer manhole. All storm drain laterals connecting to the main shall be at a new or existing 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 sanitary sewer manholes require Sewpercoat, Mainstay or Sancon calcium aluminate cementitious mortar coating of the interior. [SDR] [PUBLIC WORKS]
- EP-9. POTHOLING OF EXISTING UTILITIES:  
Concurrent with the initial submittal of off-site improvement plans, obtain an encroachment permit for potholing purposes to locate existing utilities. Pothole information shall be used to identify possible



- conflicts between the proposed location of city trees, existing utilities, proposed joint trench, and proposed connection of gravity utilities. Existing and proposed joint trench shall be relocated if in conflict with proposed trees. Potholing is to take place in a timely manner so that this does not hold up the review of the improvement plans. [COA] [PUBLIC WORKS]
- EP-10. 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-11. 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 and bikeway area, caused by the development. [COA] [PUBLIC WORKS]
- EP-12. 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-13. 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-14. 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 Public Works Department. Sheets C100.1 to C801.2 of the Preliminary Civil Improvement Plans dated 12/27/19 are subject to change during plan check process. [COA] [PUBLIC WORKS]
- EP-15: SEPARATE AND INDEPENDENT UTILITY SERVICE LINES:  
Each building shall have separate and independent utility service lines tapped to the main. [COA] [PUBLIC WORKS]
- EP-16. SEPARATE DOMESTIC/FIRE PROTECTION SERVICE LINE:  
Provide separate fire and domestic service lines to each building. Provide separate fire service tap(s) to the street main for on-site fire hydrants. Install reduced pressure detector assembly (RPDA) behind the street right-of-way. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]
- EP-17. PUBLIC FIRE HYDRANTS:  
Remove the existing fire hydrant barrel(s) along Caspian Court and Bordeaux Drive and replace with current City standard Clow-Rich 865. New hydrants along the N Mathilda Avenue/Caribbean Drive and Borregas Avenue frontages shall be installed per the satisfaction of the City's Fire Protection Engineer. The new fire hydrant barrel(s) along the N Mathilda Avenue/Caribbean Drive and Borregas Avenue frontages shall be Clow-Rich 865 per current City standards. New fire hydrant location shall be per current City standard detail 2B and 2B-2. Public fire hydrant shall be maintained free and clear of all trees, vines, shrubs, bushes, ivy, etc. for a minimum of three feet. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PROTECTION]
- EP-18. WATER METER:  
Each building shall have its own domestic water service connection to the water main with domestic radio-read water meter and reduced pressure backflow prevention devices per current City standards. For water meter sizes three (3) inches or larger, provide meter sizing calculations to Public Works Department for approval of meter size, as part of the off-site improvement plan submittal. If the buildings water demand requires a water meter 3" or larger, installation of dual meters and a cut-in tee are required per City standard detail 12B and 12B-1. Provide separate fire service taps with separate reduced pressure detector assembly in accordance with current City standards. Install new radio-read water meter(s) for each point of connection to the water main. Install new backflow prevention devices on the discharge side of



water service line on private property. Install backflow preventer enclosure where applicable. [SDR] [PUBLIC WORKS]

EP-19. IRRIGATION SERVICE LINE AND BACKFLOW PREVENTORS:

This project requires connection to city's existing reclaimed water system for irrigation purpose. 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 areas 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. 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.

Developer shall follow and implement the requirements for reclaimed water usage/identification to comply with California Department of Environmental Health: Title 22 - Division 4 of the Administrative Code.

EP-20. RECLAIMED WATER:

The use of reclaimed water requires a Recycled Water Permit from the City. Contact Environmental Services Department/Water Operations at 408-730-7561 for further information. [SDR] [PUBLIC WORKS]

EP-21. SANITARY SEWER AND STORMDRAIN MANHOLES:

Install new sanitary sewer and storm drain manholes at the street right-of-way lines and not within any public easements, if any for all existing and proposed sanitary sewer laterals to be used for the project. [SDR] [PUBLIC WORKS]

EP-22. SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:

This project is required to follow the existing sanitary sewer and storm drain tributary pattern. Any deviations would require additional analysis and be subject to approval by the Department of Public Works as part of the off-site improvement plan review process. This project shall not cause any negative impact on the drainage pattern for adjacent properties. [COA] [PUBLIC WORKS]

EP-23. 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-24. CATCH BASIN TRASH CAPTURE DEVICES AND BADGE/STENCILING:  
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. All storm drain inlet facilities located in the public right-of-way shall be stenciled that read "NO DUMPING". Stencils may be borrowed and returned by coordinating with the Environmental Services Department by calling 408-730-7738. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- EP-25. 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-26. 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-27. CURB RAMPS:  
Remove and replace all existing curb ramps and install eight new directional curb ramps at the intersection of Caribbean Drive and Borregas Avenue, or as deemed necessary by the Department of Public Works. Two directional curb ramps shall be installed at each corner. Pedestrian push buttons (PPB) at the entire intersection shall be replaced with new Accessible Pedestrian Signal (APS) buttons. Two new directional curb ramps shall be installed at the northwest corner of Borregas Avenue and Caspian Court. A new curb ramp shall be installed at the northern leg of the crosswalk at the new Caribbean Drive intersection west of the channel. 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-28. STREETSCAPE IMPROVEMENTS:  
Along the N Mathilda Avenue/Caribbean Drive frontage, remove the existing curb, gutter and landscaping and install new 1'-wide gutter,



4'-wide landscape strip (measured from the back of curb) and a 10'-wide Class I Bikeway with 2'-shoulders on each side. Provide an ADA compliant sidewalk transition to the existing sidewalk at the south end of the project along N Mathilda Avenue.

Along the Borregas Avenue frontage remove the existing curb, gutter and landscaping and install 1'-wide gutter and 10'-wide sidewalk (measured from the back of curb) with 4'x5' tree wells.

Along the Caspian Court frontage remove the existing curb, gutter and landscaping and install 1'-wide gutter and 10'-wide sidewalk (measured from the back of curb) with 4'x5' tree wells at the back of walk.

Along the Bordeaux Drive frontage remove the existing curb, gutter and landscaping and install 2'-wide gutter and 10'-wide sidewalk (measured from the back of curb) with 4'x5' tree wells. Conform to the existing sidewalk at the south and west ends of the project frontage along Bordeaux Drive. [COA] [PUBLIC WORKS]

EP-29. CLASS I BIKEWAY:

The Bikeway shall be a minimum width of 10' with 2' shoulders for a total width of 14'. Striping and signage shall be installed to direct bicyclists and pedestrians to access the 10'-wide Class I Bikeway. At the channel crossing only, the landscape strip is not required and the Class I Bikeway may be reduced to 8'-wide with 2' shoulders on each side. A bike ramp shall be installed along the N Mathilda Avenue frontage north of the proposed driveway approach that connects the existing Class 2 Bike lane with the Class I Bikeway. [COA] [PUBLIC WORKS]

EP-30. CURB RADIUS:

The developer shall remove the existing curb radius at the northwest corner of Borregas Avenue and Caspian Court and install a new curb radius of 30-feet or as directed by the Department of Public Works. [COA] [PUBLIC WORKS]

EP-31. NEW CARIBBEAN DRIVEWAY INTERSECTION:

Along the median at the new driveway entrance, just west of the Sunnyvale West Channel, the developer shall remove a portion of and modify the existing median to install a westbound left turn lane, a crosswalk and curb ramps on both the northeast and southeast side of this Caribbean Drive/driveway entrance. The median shall be designed to accommodate left turn movement exiting the driveway.

The new Caribbean Drive intersection improvements shall be in accordance with the recommendations presented in the Transportation



Environmental Impact Report (dated November 2019) which includes the following:

- a) The Project shall install a 225 feet westbound left-turn storage pocket at the Caribbean Parking Garage Driveway/ Caribbean Drive intersection (Full-Access/Signalized).
- b) The Caribbean Parking Garage Driveway shall be placed at least 960 feet east of the end of the N Mathilda Avenue – Caribbean Drive curve.
- c) Installation of the new signalized Caribbean Parking Garage Driveway will impact the City's Caribbean Drive Parking and Trail Access Enhancement Project. Any impacts to improvement on the north side of Caribbean Drive shall be mitigated by the Project. [COA] [PUBLIC WORKS]

EP-32. STREET PAVEMENT:

Along the N Mathilda Avenue/Caribbean Drive project frontages, apply Type III slurry seal pavement restoration from lip of gutter to median of street including the intersection at Caribbean Drive/Borregas Avenue or as directed by the Department of Public Works.

Along Caspian Court and Bordeaux Drive project frontages, apply Type II slurry seal pavement restoration from lip of gutter to lip of gutter or as directed by the Department of Public Works.

Along the Borregas Drive project frontage, apply chip seal pavement restoration from lip of gutter to lip of gutter including the intersection and trench limits at Borregas Avenue/Caspian Drive or as directed by the Department of Public Works.

The developer shall apply Type III slurry seal a minimum width of 10' on both sides of the utility cuts along the N Mathilda Avenue/Caribbean Drive project frontages. [SDR] [PUBLIC WORKS]

EP-33. PHOTOMETRIC ANALYSIS:

The developer is required to provide a photometric analysis based upon Safety Light fixtures at the new Caribbean Drive intersection west of the channel and at the intersection of Caribbean Drive and Borregas Avenue so as to determine that the safety lighting meets current Caltrans Requirements, or as deemed necessary by the Department of Public Works.

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

EP-34. TRAFFIC SIGNAL IMPROVEMENTS:



Developer shall install new traffic signal poles and equipment at the intersection of the new driveway entrance just west of the Sunnyvale West Channel along Caribbean Drive. Developer shall modify, replace and upgrade the traffic signals and/or equipment at the intersection of Caribbean Drive/Borregas Avenue and in the median. Traffic Signal Improvements shall be per the latest City Standards and Specifications to accommodate the directional curb ramps, Class 2 Bike Lane, Class I Bikeway and the crosswalks, or as directed by the Department of Public Works. [SDR] [PUBLIC WORKS]

EP-35. STREETLIGHTS:

Developer shall remove and replace with new the existing street lights along the Bordeaux Drive, Caspian Court, and Borregas Avenue project frontages. Submit separate streetlight plans concurrently with the off-site improvement plan 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. [COA] [PUBLIC WORKS]

EP-36. CLASS I BIKEWAY LIGHTING:

Developer shall install pedestrian scale lighting along the Class I Bikeway per City standards. Developer shall maintain bikeway streetlights and repairs shall be provided within 1-week of a reported outage, or as directed by the Department of Public Works. [COA] [PUBLIC WORKS]

EP-37. 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. Along the N Mathilda Avenue/Caribbean Drive frontage, retain/restripe the existing Class 2 bike lane within the roadway. Provide new signage along N Mathilda Avenue/Caribbean Drive directing bicyclists to the Class I Bikeway as an option. Signing and striping for the Class I Bikeway shall be submitted for review as part of the first offsite plan submittal. Along the western side of Borregas Avenue, install 8' wide parking and 6' wide bike lane to match existing conditions. Along Bordeaux Drive, install two 7' wide bike lanes, two 4' wide bike lane buffers, and two 11' wide travel lanes per the Google Bordeaux Drive Bike Lane Project. [SDR] [PUBLIC WORKS]



EP-38. 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 stored on-site and the public streets need to be kept free and clear of construction debris. [COA] [PUBLIC WORKS]

EP-39. CITY STREET TREES:THE DEVELOPER SHALL INSTALL REQUIRED STREET TREES ALONG THE PROJECT FRONTAGE AS FOLLOWS:

N Mathilda avenue/Caribbean drive: Platanus x Acerifolia 'Columbia' – London plane tree; Borregas avenue: Platanus x Acerifolia 'Columbia' – London plane tree; Caspian drive: Platanus x Acerifolia 'Columbia' – London plane tree; Bordeaux drive: Platanus x Acerifolia 'Columbia' – London plane tree. Street trees and frontage landscaping shall be included in the detailed landscape and irrigation plan subject to review and approval by the department of public works prior to issuance of encroachment permit. New street trees shall be 24-inch box size or 15 gallon size. The city tree spacing should be approximately 35 feet apart. A continuous root barrier shall be installed along the parkstrip area. No trees are to be planted within 10' of a sanitary sewer lateral and within any existing or proposed public utility easement. [SDR] [PUBLIC WORKS]

EP-40. 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-41. 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 streetlight wires, streetlight pull boxes, traffic detector loops, city fiber optics communication, and traffic signal conduits shall be protected in place during construction. Any damaged streetlight conduits, streetlight wires, streetlight pull boxes, traffic detector loops, city fiber optics communication, and traffic signal conduits shall be replaced within 7 days at the expense of the developer. [COA] [PUBLIC WORKS]



EP-42. 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 & GIS format. Developer shall pay the record drawing fee. [COA] [PUBLIC WORKS]

EP-43. APPROVAL FROM OTHER AGENCIES:

This project shall coordinate and receive approval and documentation from the Santa Clara Valley Water District for the widening of the bridge along Caribbean Drive over the Sunnyvale West Channel (Channel) to accommodate the Class I Bikeway and the two new bridges over the Channel including the Public Access Easements (PAEs) over and on the east side of the Channel. Coordinate with the Santa Clara Valley Water District regarding gated vehicular access for maintenance and the necessary easements. [COA] [PUBLIC WORKS]

EP-44. PUBLIC WORKS DEVELOPMENT FEES:

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

EP-45. SUBDIVISION IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:

Developer shall execute a Subdivision Improvement Agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to parcel map recordation or any permit issuance, whichever occurs first. [COA] [PUBLIC WORKS]

EP-46. OFF-SITE IMPROVEMENT COST ESTIMATE:

Provide an itemized engineer's estimate for all off-site public improvements for the entire project with breakdowns corresponding to each construction phase (in accordance with City approved phasing plan). [COA] [PUBLIC WORKS]



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

- PM-1. TITLE 18 AND SUBDIVISION MAP ACT:  
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. [COA] [PUBLIC WORKS]
- PM-2. RESERVATION/ABANDONMENT OF EASEMENTS:  
Reservation of new and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project site shall be delineated on the map or recorded concurrently with the map with a separate instrument, unless otherwise approved by the Department of Public Works. 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]
- PM-3. UTILITY COMPANY APPROVAL:  
Obtain approval letters from various utility companies for the parcel map in regards to any existing or new easements associated with the project. [COA] [PUBLIC WORKS]
- PM-4. EMERGENCY VEHICLE ACCESS EASEMENT:  
Developer shall dedicate a minimum 26'-wide emergency vehicle ingress-egress easement over the surface parking areas, excepting areas for parking stalls. [COA] [PUBLIC SAFETY/PUBLIC WORKS]
- PM-5. PUBLIC WORKS DEVELOPMENT FEES:  
Developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees, off-site improvement plan check and inspection fees, prior to map recordation or any permit issuance, whichever occurs first. The exact fee amount shall be determined based upon the fee rate at the time of fee payment. [COA] [PUBLIC WORKS]
- PM-6. SUBDIVISION IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:  
Developer shall execute a Subdivision Improvement Agreement and provide improvement securities and/or cash deposit(s) for all proposed



public improvements prior to parcel map recordation or any permit issuance, whichever occurs first. [COA] [PUBLIC WORKS]

PM-7. OFF-SITE IMPROVEMENT COST ESTIMATE:

Provide an itemized engineer's estimate for all off-site public improvements for the entire project with breakdowns corresponding to each construction phase (in accordance with City approved phasing plan). [COA] [PUBLIC WORKS]

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

PF-1. LANDSCAPING AND IRRIGATION:

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

PF-2. PARKING LOT STRIPING:

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

PF-3. BAY TRAIL PARKING AGREEMENT:

Prior to occupancy of the first office building, the developer shall enter into a parking agreement with the City permitting public parking restricted to weekday evenings (5:00 p.m. to sunset) and weekends for public access to the Bay Trail.

- a) The public parking area shall be Americans with Disabilities Act
- b) (ADA)-compliant. Prior to final occupancy, the property owner shall provide an ADA compliance report to the satisfaction of the City Engineer.
- c) Public parking for Bay Trail use shall be provided at the project
- d) Site north of the 200 Caribbean building granting pedestrian access to the crosswalk across Caribbean Drive at the new Caribbean Drive intersection west of the channel.
- e) The project shall allow a minimum of 18 onsite parking spaces for public use for access to the Bay Trail. The final location (or alternative meeting the intent of the MPSP) shall be approved by the Director of Public Works in consultation with the Director of Community Development. The property owner shall be responsible for enforcement. Appropriate signs shall be installed and included in the parking management plan, subject to review and approval by



the Director of Community Development. [COA]  
[PLANNING/PUBLIC WORKS]

- PF-4. IRRIGATION METERS:  
For commercial and industrial projects, to ensure appropriate sewer billing (water used for irrigation may not be billed for sewer), the developer may provide separate (irrigation and other) intake meters. Such meters could be installed prior to occupancy of the building. [COA] [PLANNING]
- PF-5. PUBLIC ART:  
The applicant shall install the required public art as per the approved art application. A bond for the art work may satisfy this condition as long as the applicant submits a letter indicating the projected completion date, which will be subject to review by the Director of Community Development.[COA] [PLANNING]
- PF-6. MITIGATION MEASURES:  
The applicant shall provide documentation indicating that all mitigation measures outlined in the MMRP have been addressed and completed as required. [COA] [PLANNING]
- PF-7. DUAL PLUMBING – ENGINEERING REPORT  
The Engineering Report shall be approved by the City and the State Water Board prior to Building Occupancy issuance. [COA] [ENVIRONMENTAL SERVICES]
- PF-8. TDM PLAN:  
The applicant shall submit a Final Transportation Demand Management Plan prior to Building Occupancy issuance for the first office building. [COA] [PLANNING]
- PF-9. PARKING LOT STRIPING:  
All parking lot striping, Bay Trail spaces, guest spaces, and compact spaces shall be striped as per the approved building permit plans and Public Works standards prior to occupancy. [COA] [PLANNING/PUBLIC WORKS]
- PF-10. 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. ENVIRONMENTAL MITIGATION MEASURES:

The project applicant and contractor shall maintain all construction equipment, debris and run-off prevention in compliance with the approved MMRP. [COA] [PLANNING] MITIGATION MEASURE

DC-4. MONITORING

a) Discovery Of Human Remains:

In the event that human remains are discovered, the County Coroner, upon recognizing the remains as being of Native American origin, is responsible to contact the NAHC within 24 hours. The Commission has various powers and duties, including the appointment of a Most Likely Descendant (MLD) to the project. The MLD, or in lieu of the MLD, the NAHC, has the responsibility to provide guidance as to the ultimate disposition of any Native American remains. The MLD shall make recommendations to the Community Development Director regarding the method for exposure and removal of human burials and associated grave goods, and shall advise the Community Development Director regarding the place and method of reburial of these materials.

In the event that a paleontological resource (fossilized invertebrate, vertebrate, plan or micro-fossil) is found during construction, excavation within 50 feet of the find shall be temporarily halted or diverted until the discovery is evaluated. Upon discovery, the Community Development Director shall be notified immediately and a qualified paleontologist shall be retained to document and assess the discovery in accordance with Society of Vertebrate Paleontology's 2010 Standard Procedures for the Assessment and Mitigation of



Adverse Impacts to Paleontological Resources, and determine procedures to be followed before construction is allowed to resume at the location of the find. If the Community Development Director determines that avoidance is not feasible, the paleontologist will prepare an excavation plan for mitigating the project's impact on this resource, including preparation, identification, cataloging, and curation of any salvaged specimens.

b) Discovery of Archaeological Resources:

If prehistoric or historic archaeological resources are encountered during project activities, all work within 25 feet of the discovery should be stopped and a qualified archeologist meeting federal criteria under 36 CFR 61 should be contacted to assess the resources and make recommendations. While prehistoric or historic archaeological resources should be avoided by project activities, if the resources cannot be avoided, they should be evaluated for their potential historic significance in consultation with the City of Sunnyvale. If the resources are recommended to be non-significant, avoidance is not necessary. If the resources are recommended as potentially significant or eligible to the CRHR, they should be avoided. If avoidance is not feasible, project impacts should be mitigated in accordance with the recommendations of the evaluating archaeologist and CEQA Guidelines §15126.4 (b)(3)(C), which require development and implementation of a data recovery plan that would include recommendations for the treatment of the discovered archaeological materials. The data recovery plan should be submitted to the City of Sunnyvale for review and approval. Upon approval and completion of the data recovery program, project construction activity within the area of the find may resume, and the archaeologist will prepare a report documenting the methods of investigation and the findings. The report will be submitted to the City of Sunnyvale. Once the report is reviewed and approved by the City of Sunnyvale, a copy of the report will be submitted to the NWIC. [COA] [PLANNING]

DC-5. 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-6. 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. RECYCLING AND SOLID WASTE:

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

AT-2. LOUDSPEAKERS PROHIBITED:

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

AT-3. 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-4. 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-5. PARKING MANAGEMENT:

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

AT-6. 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-7. UNENCLOSED STORAGE (PROHIBITED):

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

AT-8. 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-9. 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]

AT-10. TENANT LEASE AGREEMENTS:

Any new lease agreements shall include the following provisions:

- a) Tenants shall be notified of their responsibility and shall agree to implement and manage the approved Transportation Demand Management Program.
- b) Tenants shall be notified of their responsibility and shall agree to construct all tenant improvements to meet a minimum of LEED Gold standard (with efforts to achieve LEED Platinum standards) and maintain facilities consistent with LEED Gold standards (or LEED Platinum if feasible) and USGBC certification. [COA] [PLANNING]

**EXHIBITS:**

**1. 360 CARIBBEAN DRIVE MMRP**



## **EXHIBIT 1: 1. 360 CARIBBEAN DRIVE MMRP**

### **4.0 MITIGATION MONITORING AND REPORTING PROGRAM**

#### **4.1 Introduction**

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Google Caribbean Campus Project. The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Transportation Environmental Impact Report (TEIR) and Initial Study for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

#### **4.2 Compliance Checklist**

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the TEIR and the Initial Study prepared for the proposed project. This MMRP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were discussed in the TEIR and Initial Study.

The TEIR and Initial Study present a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.



The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by City staff. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. City Staff will be responsible for monitoring compliance.

**4.3     MITIGATION MONITORING AND REPORTING PROGRAM**

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.



**Mitigation Monitoring and Reporting Program  
Google Caribbean Campus Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
SUMMARY OF MITIGATION MEASURES IDENTIFIED IN THE INITIAL STUDY						
Air Quality						
<b>MM 3.5.3 from LUTE EIR</b> Prior to the issuance of grading or building permits, the City of Sunnyvale shall ensure that the Bay Area Air Quality Management District’s (BAAQMD) basic construction mitigation measures from Table 8-1 of the BAAQMD 2011 CEQA Air Quality Guidelines (or subsequent updates) are noted on the construction documents.  In the cases where construction projects are projected to exceed the BAAQMD’s air pollutant significance thresholds for NO <sub>x</sub> , PM <sub>10</sub> , and/or PM <sub>2.5</sub> , all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, tractors) shall be at least California Air Resources Board (CARB) Tier 3 Certified or better.	Prior to issuance of a grading permit	Pre-construction	City of Sunnyvale Planning Department			
<b>MM 3.5.5 from LUTE EIR</b> In the case when a subsequent project’s construction span is greater than 5 acres and/or is scheduled to last more than two years, the subsequent project applicant shall be required to prepare a site-specific construction pollutant mitigation plan in consultation with Bay Area Air Quality Management District (BAAQMD) staff prior to the issuance of grading permits. A project-specific construction-related dispersion modeling acceptable to the BAAQMD shall be used to identify potential toxic air contaminant impacts, including diesel particulate matter. If BAAQMD risk thresholds (i.e., probability of contracting cancer is greater than 10 in one million) would be exceeded, mitigation measures shall be identified in the construction pollutant mitigation plan to address potential impacts and shall be based on site-specific information such as	Prior to issuance of a grading permit	Pre-construction	City of Sunnyvale Planning Department			



**Mitigation Monitoring and Reporting Program**  
**Google Caribbean Campus Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>the distance to the nearest sensitive receptors, project site plan details, and construction schedule. The City shall ensure construction contracts include all identified measures and that the measures reduce the health risk below BAAQMD risk thresholds. Construction pollutant mitigation plan measures shall include but not be limited to:</p> <ol style="list-style-type: none"> <li>1. Limiting the amount of acreage to be graded in a single day.</li> <li>2. Restricting intensive equipment usage and intensive ground disturbance to hours outside of normal school hours.</li> </ol> <p>Notifying affected sensitive receptors one week prior to commencing on-site construction so that any necessary precautions (such as rescheduling or relocation of outdoor activities) can be implemented. The written notification shall include the name and telephone number of the individual empowered to manage construction of the project. In the event that complaints are received, the individual empowered to manage construction shall respond to the complaint within 24 hours. The response shall include identification of measures being taken by the project construction contractor to reduce construction-related air pollutants. Such a measure may include the relocation of equipment.</p>						
<p><b>MM 3.5.6 from LUTE EIR</b></p> <p>The following measures shall be utilized in site planning and building designs to reduce TAC and PM<sub>2.5</sub> exposure where new receptors are located within 1,000 feet of emissions sources:</p> <ul style="list-style-type: none"> <li>• Future development that includes sensitive receptors (such as residences, schools, hospitals, daycare centers, or retirement homes) located within 1,000 feet of Caltrain, Central Expressway, El Camino Real, Lawrence</li> </ul>	Prior to issuance of a grading permit	Pre-construction	City of Sunnyvale Planning Department			



**Mitigation Monitoring and Reporting Program**  
**Google Caribbean Campus Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>Expressway, Mathilda Avenue, Sunnyvale-Saratoga Road, US 101, State Route 237, State Route 85, and/or stationary sources shall require site-specific analysis to determine the level of health risk. This analysis shall be conducted following procedures outlined by the BAAQMD. If the site-specific analysis reveals significant exposures from all sources (i.e., health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a hazard Index greater than 10, or annual PM<sub>2.5</sub> exposures greater than 0.8 µg/m<sup>3</sup>) measures shall be employed to reduce the risk to below the threshold (e.g., electrostatic filtering systems or equivalent systems and location of vents away from TAC sources). If this is not possible, the sensitive receptors shall be relocated.</p> <ul style="list-style-type: none"> <li>• Future nonresidential developments identified as a permitted stationary TAC source or projected to generate more than 100 heavy-duty truck trips daily will be evaluated through the CEQA process or BAAQMD permit process to ensure they do not cause a significant health risk in terms of excess cancer risk greater than 10 in one million, acute or chronic hazards with a hazard Index greater than 1.0, or annual PM<sub>2.5</sub> exposures greater than 0.3 µg/m<sup>3</sup> through source control measures.</li> <li>• For significant cancer risk exposure, as defined by the BAAQMD, indoor air filtration systems shall be installed to effectively reduce particulate levels to avoid adverse public health impacts. Projects shall submit performance specifications and design details to demonstrate that lifetime residential exposures would not result in adverse</li> </ul>						



**Mitigation Monitoring and Reporting Program**  
**Google Caribbean Campus Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
public health impacts (less than 10 in one million chances).						
<b>MM 3.5.7 from LUTE EIR</b>  Avoid Odor Conflicts. Coordinate land use planning to prevent new odor complaints.  Consult with the BAAQMD to identify the potential for odor complaints from various existing and planned or proposed land uses in Sunnyvale. Use BAAQMD odor screening distances or city-specific screening distances to identify odor potential.  Prohibit new sources of odors that have the potential to result in frequent odor complaints unless it can be shown that potential odor complaints can be mitigated.  Prohibit sensitive receptors from locating near odor sources where frequent odor complaints would occur, unless it can be shown that potential odor complaints can be mitigated.	Prior to issuance of a grading permit	Pre-construction	City of Sunnyvale Planning Department			
<b>Biological Resources</b>						
<b>MM BIO-1 from VW EIR: Implement Compensatory Mitigation for Temporal Loss of Vegetated Wetlands and Permanent Loss of Vegetated and Unvegetated Wetlands and Other Waters</b>  Mitigation for temporary or permanent impacts on unvegetated aquatic habitat shall be provided at a ratio of 1:1 (1 acre of mitigation for every 1 acre of disturbed) to compensate for the brief temporal loss of functions and values during Project activities. Mitigation for temporary impacts on vegetated wetlands shall be provided at a ratio of 1.2:1. Mitigation for permanent impacts on vegetated wetlands shall	Concurrent with implementation of the Caribbean Campus Project's West Channel improvement work	Pre-construction	City of Sunnyvale and Valley Water District			



**Mitigation Monitoring and Reporting Program**  
**Google Caribbean Campus Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>be provided at a ratio of 2:1. Mitigation shall be provided via creation or restoration of wetlands/other waters.</p> <p>A qualified biologist will develop a Wetland and Jurisdictional Waters Mitigation and Monitoring Plan, which shall contain the following components (or as otherwise modified by regulatory agency permitting conditions):</p> <ol style="list-style-type: none"> <li>1. Summary of habitat impacts and proposed mitigation ratios.</li> <li>2. Goal of the restoration to achieve no net loss of habitat functions and values.</li> <li>3. Location of mitigation site(s) and description of existing site conditions.</li> <li>4. Mitigation design: <ul style="list-style-type: none"> <li>• Existing and proposed site hydrology</li> <li>• Grading plan if appropriate, including bank stabilization or other site stabilization features</li> <li>• Soil amendments and other site preparation elements as appropriate</li> <li>• Planting plan</li> <li>• Irrigation and maintenance plan</li> <li>• Remedial measures/adaptive management, etc.</li> </ul> </li> <li>5. Monitoring plan (including final and performance criteria, monitoring methods, data analysis, reporting requirements, monitoring schedule, etc.). At a minimum, success criteria will include quantifiable measurements of wetland vegetation type (e.g., dominance by native hydrophytes) and extent appropriate for the wetland restoration location, and provision of ecological functions and values equal to</li> </ol>						



**Mitigation Monitoring and Reporting Program**  
**Google Caribbean Campus Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
<p>or exceeding those in the wetlands and waters that are impacted.</p> <p>6. Contingency plan for mitigation elements that do not meet performance or final success criteria.</p> <p>The Applicant shall implement the Wetland and Jurisdictional Waters Mitigation Monitoring Plan. Monitoring shall be conducted annually to document whether the success criteria are achieved, and to identify any remedial actions that must be taken if the identified success criteria are not met. Monitoring shall continue until the mitigation has been determined to be successful per project permit requirements (i.e., success criteria are achieved).</p>						
<p><b>MM BIO-2 from VW EIR: Conduct Fish Removal during Project Site Dewatering Activities</b></p> <p>Prior to dewatering activities in tidal reaches, a qualified biologist shall use nets to exclude fish from the construction area. During a falling tide, a block net (mesh size shall not exceed 9.5 mm to ensure that longfin smelt are adequately excluded from this area but do not become entangled) shall be placed at the upper end of the reach to be dewatered. Subsequently, qualified biologists shall walk from the upper to lower end of the reach with a net stretched across the channel to encourage fish to move out of the construction area. When the lower end of the construction area is reached, a second block net shall be installed to isolate the construction reach. This procedure shall be repeated a minimum of three times per dewatered tidal reach to assure no green sturgeon, steelhead, or longfin smelt remain within the construction area. Subsequently, a qualified biologist will supervise the controlled dewatering of the Project reach. Fish exclusion barriers shall be left in place until project construction activities in a reach</p>	<p>Prior to issuance of a grading permit for the Caribbean Campus Project's West Channel improvement work.</p>	<p>Pre-construction</p>	<p>City of Sunnyvale and Valley Water District</p>			



**Mitigation Monitoring and Reporting Program**  
**Google Caribbean Campus Project**

Mitigation Measure	Implementation Phase	Monitoring Phase	Enforcing Agency	Verification of Compliance		
				Initials	Date	Remarks
are complete. Upon the completion of construction activities, all temporary diversion structures will be removed and flows gradually restored to the channel. Following restoration of flow to the channel, the fish exclusion barriers shall be removed under the supervision of a qualified biologist.						
<p><b>MM BIO-3 from VW EIR: Conduct Pre-Construction Surveys for Western Pond Turtles</b></p> <p>A qualified biologist shall conduct a survey for western pond turtles and their nests within 48 hours prior to commencement of work within the channel banks in any given area where water is present. If a western pond turtle is found in an area where it could be injured or killed by Project activities, the qualified biologist will relocate the turtle to an appropriate site outside the Project area (e.g., the Lockheed Channel or North Moffett Channel.</p> <p>If an active western pond turtle nest is detected within the activity area, a 25 foot-buffer zone around the nest will be established and maintained during the nesting season (April 1 through August 31). The buffer zone will remain in place until the young have left the nest, as determined by a qualified biologist.</p> <p>Following the initial survey, a construction crewmember who has been trained to identify western pond turtles by a qualified biologist shall conduct a survey of the in-channel activity area each morning prior to the onset of construction activities. If a turtle is located, all work in the vicinity shall immediately cease, and a qualified biologist shall be contacted. Work within the area shall not resume until the turtle has been relocated or has moved out of the area where it could be impacted.</p>	Prior to issuance of a grading permit for the Caribbean Campus Project's West Channel improvement work	Pre-construction	City of Sunnyvale and Valley Water District			



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<b>MM BIO-4 from VW EIR: Pre-Construction Surveys for Nesting Birds</b> Pre-construction surveys for nesting birds shall be conducted by a qualified biologist to ensure that no nests will be disturbed during Project implementation. Surveys shall be conducted no more than one week prior to the initiation of construction activities in any given area; because construction may be phased, surveys will be conducted prior to the commencement of each phase of construction. The survey can be limited to the portions of the Project Work Area where construction activities will occur as well as a 250-foot buffer for raptors and a 50-foot buffer for non-raptors. The Project Work Area includes the entire footprint of the Caribbean Campus Project's West Channel improvement area. During each survey, the ornithologist will inspect all trees and other potential nesting habitats (e.g., shrubs, ruderal grasslands, wetlands, and buildings) in and immediately adjacent to the impact areas for nests. If a lapse in Project-related work of one week or longer occurs, another focused survey will be conducted before Project work can be reinitiated.	Prior to issuance of a grading permit for the Caribbean Campus Project's West Channel improvement work	Pre-construction	City of Sunnyvale and Valley Water District			
<b>MM BIO-5 from VW EIR: Implement Buffer Zones for Nesting Birds</b> If an active nest is found sufficiently close to the [West Channel Area] (i.e., within 250 feet for raptors or 50 feet for non-raptors), a qualified biologist will determine the extent of a disturbance-free buffer zone to be established around the nest (typically 50 feet for non-raptors and 250 feet for raptors), to ensure that no nests of species protected by the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code will be disturbed during Project implementation. The buffer distance is measured as the straight-line distance between an active	Prior to issuance of a grading permit for the Caribbean Campus Project's West Channel improvement work	Pre-construction	City of Sunnyvale and Valley Water District			



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<p>nest and the activity, taking both horizontal and vertical distance into account. No new Project-related activities (i.e., activities that were not ongoing when the nest was established; for example, routine maintenance activities would not be considered “new”) shall be performed within the buffer until the young have fledged or the nest has been determined to be inactive by a qualified ornithologist.</p> <p>Reductions in the standard buffers (i.e., to buffers less than 50 feet for non-raptors and less than 250 feet for raptors) may be allowed where circumstances suggest the birds will not abandon the active nest with a reduced buffer size. A qualified biologist will determine whether reducing the buffer is likely to substantially increase disturbance of nesting birds, taking into account the presence or absence of dense vegetation, type of construction work, topography, or structures that would block Project activities from view; the life history and behavior of the bird species in question; and the nature of the proposed activity. If a reduced buffer is implemented, the biologist shall monitor bird behavior in relation to work activities. At a minimum, the biologist will monitor the baseline behavior of the birds for at least 30 minutes prior to the commencement of the activity (to determine the birds’ behavior in the absence of the activity) and for at least one hour immediately following the initiation of the activity, when response by the nesting birds to the novel activity is expected to be greatest. If the birds exhibit abnormal nesting behavior which may cause reproductive failure (e.g., nest abandonment and loss of eggs and/or young), such as agitated/defensive flights and vocalizations directed towards Project personnel, birds standing up from a brooding position, birds flushing from the active nest, or cessation of provisioning of young with food, the</p>						



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disturbance-free buffer shall immediately be adjusted out to the standard buffer distance (250 feet for raptors and 50 feet for non-raptors) until the birds have resumed their normal behavior (e.g., incubation or feeding of young). After 2 hours with all work confined to the area outside the standard buffer, work would again be attempted in the area within the reduced buffer, and the process would be repeated to determine if the birds have habituated to the activity. If the process is repeated three times without the birds indicating that they are habituating to the activity, then the standard buffer will be maintained until the next day, when the process above would again be attempted. If the birds do not indicate that they are habituated to Project activities during the initial 2 days of attempting work within a reduced buffer, the standard buffer shall be implemented. Project activities within the reduced buffers shall not resume until the [Applicant] has consulted with the California Department of Fish and Wildlife (CDFW) and both the qualified biologist and CDFW confirm that the birds' behavior has normalized, or until the nest is no longer active.						
<b>MM BIO-6 from VW EIR: Conduct Pre-Construction Surveys for Burrowing Owls</b> Pre-construction surveys for burrowing owls shall be conducted prior to the initiation of all Project activities within suitable burrowing owl habitat (i.e., ruderal/ grassland habitat with burrows of California ground squirrels). A qualified biologist will conduct an initial habitat survey, mapping areas with burrows (i.e., areas of highest likelihood of burrowing owl activity) and all burrows that may be occupied (as indicated by tracks, feathers, egg shell fragments, pellets, prey remains, or excrement) on the project site. This mapping will be conducted	Prior to issuance of a grading permit for the Caribbean Campus Project's West Channel improvement work.	Pre-construction	City of Sunnyvale and Valley Water District			



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while walking transects throughout the entire project footprint, plus all accessible areas within a 250-foot radius from the project footprint. The centerline of these transects will be no more than 50 feet apart and will vary in width to account for changes in terrain and vegetation that can preclude complete visual coverage of the area. If suitable habitat is identified during the habitat survey, preconstruction surveys will be required. To maximize the likelihood of detecting owls, the preconstruction survey will last a minimum of three hours. The survey will begin 1 hour before sunrise and continue until 2 hours after sunrise (3 hours total) or begin 2 hours before sunset and continue until 1 hour after sunset. Additional time may be required for large project sites. A minimum of two surveys will be conducted (if owls are detected on the first survey, a second survey is not needed). All owls observed will be counted and their location will be mapped. Surveys will conclude no more than 2 calendar days prior to construction. Therefore, the project proponent must begin surveys no more than 4 days prior to construction (2 days of surveying plus up to 2 days between surveys and construction). To avoid last minute changes in schedule or contracting that may occur if burrowing owls are found, the project proponent may also conduct a preliminary survey up to 14 days before construction. This preliminary survey may count as the first of the two required surveys as long as the second survey concludes no more than 2 calendar days in advance of construction. Because Project activities may be phased, these survey efforts may also need to be performed in phases to ensure that burrowing owls are not present in work areas when Project activities commence. This measure applies						



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to the staging areas as well as the Project areas along the [West Channel Area].						
<b>MM BIO-7 from VW EIR: Implement Buffer Zones for Burrowing Owls</b> If burrowing owls are present during the non-breeding season (generally September 1 to January 31), a 250-foot buffer zone shall be maintained around the occupied burrow(s), if feasible. If maintaining such a buffer is not feasible, a reduced buffer and monitoring may be implemented as described under MM BIO-8, or else the owls should be passively relocated as described in MM BIO-9 below. During the breeding season (generally February 1 to August 31), a 250- foot buffer, within which no new Project-related activities will be permissible, will be maintained between Project activities and occupied nest. Owls present between February 1 and August 31 will be assumed to be nesting, unless monitoring evidence indicates that the owls are no longer nesting or the young owls are foraging independently, or only a single owl (rather than a breeding pair) is present after July 1st and there is no evidence that young owls are present. If no active nesting is occurring, the buffer may be reduced or the owls may be relocated prior to August 31, in consultation with the CDFW.	Prior to issuance of a grading permit for the Caribbean Campus Project's West Channel improvement work.	Pre-construction	City of Sunnyvale and Valley Water District			
<b>MM BIO-8 from VW EIR: Monitor Owls during Construction</b> Any owls occupying the Project Area are likely habituated to frequent human disturbances throughout the year in the form of maintenance activities and recreational use of the levee maintenance roads. As a result, they may exhibit a tolerance of greater levels of human disturbance than owls in more natural settings, and work within the standard 250-foot buffer during the nesting season may be able to proceed without disturbing the owls. Therefore, if nesting owls are determined to be	Prior to issuance of a grading permit for the Caribbean Campus Project's West Channel improvement work.	Pre-construction	City of Sunnyvale and Valley Water District			



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<p>present on the site, and Project activities cannot feasibly avoid disturbance of the area within 250 feet of the occupied nest construction activities within the non-disturbance buffer will be allowed during the breeding season if the following criteria are met:</p> <ul style="list-style-type: none"> <li>• the nest is not disturbed, and</li> <li>• the project proponent develops an avoidance, minimization, and monitoring plan that will be approved by the CDFW prior to project construction, and that is based on the following criteria. <ul style="list-style-type: none"> <li>○ A qualified biologist monitors the owls for at least 3 days prior to construction to determine baseline nesting and foraging behavior (i.e., behavior without construction).</li> <li>○ The same qualified biologist monitors the owls during construction and finds no change in owl nesting and foraging behavior in response to construction activities.</li> <li>○ If there is any change in owl nesting and foraging behavior as a result of construction activities, these activities will cease within the 250-foot buffer. Construction cannot resume within the 250-foot buffer until the adults and juveniles from the occupied burrows have moved out of the project site.</li> <li>○ If monitoring indicates that the nest is abandoned prior to the end of nesting season and the burrow is no longer in use by owls, the non-disturbance buffer zone may be removed. The biologist will excavate the burrow to prevent reoccupation after receiving approval from the CDFW.</li> </ul> </li> </ul>						



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<p>Construction activities within the non-disturbance buffer during the non-breeding season will be allowed if the following criteria are met in order to prevent owls from abandoning important overwintering sites. Alternatively, the owl(s) may be passively evicted during the non-breeding season (see Mitigation Measure BIO-9).</p> <ul style="list-style-type: none"> <li>A qualified biologist monitors the owls for at least 3 days prior to construction to determine baseline foraging behavior (i.e., behavior without construction).</li> <li>The same qualified biologist monitors the owls during construction and finds no change in owl foraging behavior in response to construction activities.</li> <li>If there is any change in owl nesting and foraging behavior as a result of construction activities, these activities will cease within the 250-foot buffer.</li> <li>If the owls are gone for at least one week, a qualified biologist may excavate usable burrows to prevent owls from re-occupying the site. After all usable burrows are excavated, the buffer zone may be removed and construction may continue.</li> </ul>						
<p><b>MM BIO-9 from VW EIR: Passively Relocate Burrowing Owls</b> If construction will directly impact occupied burrows, a qualified biologist will passively evict owls from burrows during the nonbreeding season (September 1 to January 31). No burrowing owls will be evicted during the nesting season (February 1 through August 31) except with the CDFW's concurrence that evidence demonstrates that nesting is not actively occurring (e.g., because the owls have not yet begun nesting early in the season, or because young have already fledged late in the season). Eviction will occur through the use of one-way doors inserted into the occupied burrow and all</p>	Prior to issuance of a grading permit for the Caribbean Campus Project's West Channel improvement work.	Pre-construction	City of Sunnyvale and Valley Water District			



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<p>burrows within impact areas that are within 250 feet of the occupied burrow (to prevent occupation of other burrows that will be impacted). One-way doors will be installed by a qualified biologist and left in place for at least 48 hours before they are removed. The burrows will then be backfilled to prevent re-occupation.</p> <p>Although relocation of owls may be necessary to avoid the direct injury or mortality of owls during construction, relocated owls may suffer predation, competition with other owls, or reduced health or reproductive success as a result of being relegated to more marginal habitat. However, the benefits of such relocation, in terms of avoiding direct injury or mortality, would outweigh any adverse effects.</p>						
<p><b>MM BIO-10 from VW EIR: Restoration of Temporary Impact Areas</b></p> <p>Impacted ruderal/grassland habitat in the Project Work Areas will be restored onsite at a minimum ratio of 2:1 (2 acres of mitigation for every 1 acre disturbed) and shall be included in the Wetland and Jurisdictional Waters Mitigation and Monitoring Plan.</p>	Concurrent with implementation of the Caribbean Campus Project's West Channel improvement work	Pre-construction	City of Sunnyvale and Valley Water District			
<p><b>MM BIO-11 from VW EIR: Compensatory Mitigation for Burrowing Owls</b></p> <p>If direct impacts of occupied breeding habitat cannot be avoided (see MM BIO-8), compensatory mitigation will be provided in the form of habitat preservation and/or management. All ruderal/nonnative grasslands located within the portion of the Project Work Area located north of Caribbean Drive are considered occupied breeding habitat, because (1) burrowing owls have been widely documented to occupy the grassland habitats on the old landfills surrounding the City of Sunnyvale Recycling Center and Water Pollution</p>	Prior to issuance of a grading permit for the Caribbean Campus Project's West Channel improvement work	Pre-construction	City of Sunnyvale and Valley Water District			



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<p>Control Plant (WPCP), (2) known occupied habitat in these areas is contiguous with potentially suitable burrowing owl habitat within the Project Site, and (3) burrows and associated surrounding habitat are essential ecological requisites for burrowing owls throughout the year (CDFG 2012). Habitat compensation shall be provided for all Project impacts that result in a permanent loss of ruderal/non-native grasslands north of Caribbean Drive at a ratio of 2:1, on an acreage basis.</p> <p>Additional habitat compensation will be provided in the event that any burrowing owls require relocation from suitable nesting habitat. Mitigation will consist of preservation and/or management of owl habitat at a ratio of 9.75 – 19.5 acres of suitable habitat for every pair (or single owl, if unpaired) that must be relocated from these areas, in accordance with California Burrowing Owl Consortium (1993) guidelines. The amount of mitigation habitat provided will depend on whether the mitigation habitat is occupied by burrowing owls (9.75 acres), adjacent to occupied habitat (13.0 acres), or suitable but unoccupied (19.5 acres). Compensatory mitigation is not required in the unlikely event that owls require relocation from portions of the channels south of Caribbean Drive, as these areas do not provide suitable breeding habitat.</p> <p>Mitigation may be provided via the management of suitable habitat either existing lands or lands that are acquired, purchase of credits in a mitigation bank (if one is available), or contribution of funds toward the management of the required amount of suitable habitat owned by another entity (e.g., partnering with the City of Sunnyvale to manage habitat on the old landfills north of Caribbean Drive). The mitigation site must be located in Santa Clara County, or in areas of San Mateo or Alameda counties adjacent to San Francisco Bay, so that the</p>						



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<p>mitigation supports the maintenance of the South San Francisco Bay burrowing owl populations. If the Applicant provides habitat mitigation either on existing lands or on lands that are acquired for mitigation purposes, a habitat mitigation and monitoring plan (HMMP) will be prepared detailing the following:</p> <ol style="list-style-type: none"> <li>1. the areas to be preserved for owls;</li> <li>2. the methods for managing on-site habitat for owls and their prey (including vegetation management to maintain low-statured herbaceous vegetation);</li> <li>3. methods for enhancing burrow availability within the mitigation site (potentially including the provision of artificial burrows, although long-term management for ground squirrels will be important as well); and</li> <li>4. measures to minimize adverse effects of development on owls on the site; and a monitoring program and adaptive management program; and</li> <li>5. performance indicators and success criteria, including the maintenance of ground squirrel burrows at a density similar to densities on the old landfills that currently support burrowing owls, and the maintenance of low-statured herbaceous vegetation.</li> </ol>						
<p><b>MM BIO-13 from VW EIR: Avoid Construction during Bat Maternity Season</b></p> <p>During the maternity season (April 1 through July 31), a 100-foot buffer, within which no new, construction-related activities shall occur, will be maintained around the [Google Caribbean Campus West Channel Flood Control Improvements Area (West Channel Area)]. Modification of the headwalls at, and any other work within 100 feet of, this bridge shall occur outside the maternity season (i.e., this work will occur</p>	Concurrent with implementation of the Caribbean Campus Project's West Channel improvement work	Pre-construction	City of Sunnyvale and Valley Water District			



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between August 1 and March 31) so no non-flying young will be present and any bats using the bridge will be able to disperse if they cannot tolerate this disturbance.						
<b>Noise</b>						
<b>MM 3.6.3 from LUTE EIR</b>  New development and public projects shall employ site-specific noise attenuation measures during construction to reduce the generation of construction noise and vibration. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the City. Measures specified in the Noise Control Plan and implemented during construction shall include, at a minimum, the following noise control strategies: <ul style="list-style-type: none"> <li>• Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds;</li> <li>• Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools; and</li> <li>• Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures.</li> <li>• Noise and vibration reducing pile-driving techniques shall be employed during construction and will be monitored</li> </ul>	Prior to issuance of a grading permit	During construction	City of Sunnyvale			



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<p>to ensure no damage to nearby structures occurs (i.e., vibrations above peak particle velocity (PPVs) of 0.25 inches per second at nearby structures). These techniques shall include:</p> <ul style="list-style-type: none"> <li>- Installing intake and exhaust mufflers on pile-driving equipment;</li> <li>- Vibrating piles into place when feasible, and installing shrouds around the pile- driving hammer where feasible;</li> <li>- Implementing “quiet” pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;</li> <li>- Using cushion blocks to dampen impact noise, if feasible based on soil conditions. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon and micarta (a composite material); and</li> <li>- At least 48 hours prior to pile-driving activities, notifying building owners and occupants within 600 feet of the project area of the dates, hours, and expected duration of such activities.</li> </ul>						



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