

CONDITIONS OF APPROVAL
2961 CORVIN DRIVE VESTING TENTATIVE SUBDIVISION MAP

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the project shall be subject to the following **conditions of approval**:

GENERAL

- G1. Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed against the City by reason of its approval of developer's project.
- G2. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.

COMMUNITY DEVELOPMENT

- C1. Obtain required permits and inspections from the Building Official and comply with the conditions thereof. If this project involves land area of 1 acre or more, the developer shall file a Notice of Intent (NOI) with the State Water Resources Control Board prior to issuance of any building permit for grading, or construction; a copy of the NOI shall be sent to the City Building Inspection Division. A storm water pollution prevention plan is also required with the NOI.
- C2. Development shall conform to the Architectural Review for the subject site, including all conditions of approval. Any changes to the previous approvals require review by the Planning Division and may be subject to new approval processes.
- C3. Submit complete landscape plans, including irrigation plan and composite utility and tree layout overlay plan, for Planning Division review and approval with installation of required landscaping prior to the issuance of occupancy and or final building permits. Landscape plan to include type and size of proposed trees. Coordinate with the City Arborist for the type, location, installation and maintenance of large canopy street trees fronting the project site along the public right-of-way. Type and size of tree replacement on project site shall be at the direction of the City Arborist and require Planning Division review and approval. Installation of root barriers and super-soil may be required with the installation of trees where electric, water, and sewer utilities are in proximity.
- C4. The Developer shall comply with the Mitigations Monitoring and Reporting Program (MMRP) identified in the Lawrence Station Area Plan Environmental Impact Report (SCH No. 201502205), and said mitigation measures and MMRP shall be incorporated in the Conditions of Approval for this project.
- C5. Developer shall submit to the City Covenant, Conditions, and Restrictions (CC&Rs) or equivalent instrument assigning and governing perpetual maintenance of building, landscaping, and private on-site infrastructure in good condition for the life of the Project, prior to final of building permits, for the for-sale products. The CC&Rs shall reference the need for an annual report on the attainment of vehicle miles travelled reduction targets, as specified in the conditions herein and subject to the discretion of the Director of Community Development. The annual report may be prepared independent of or in combination with the other developments approved with this permit. Said CC&Rs document shall be recorded along with the Title for each property with the Santa Clara County Recorder's Office.

ENGINEERING

- E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Existing non-standard or non-ADA compliant frontage improvements shall be replaced with current City standard frontage improvements as directed by the City Engineer or his designee.
- E4. Damaged curb, gutter, and sidewalk within the public right-of-way along property's frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.
- E5. Submit public improvement plans prepared in accordance with City Engineering Department procedures which provide for the installation of public improvements. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.
- E6. After City Council approval of the Tentative Subdivision, submit 10 copies of the Final Map, prepared by a Licensed Land Surveyor or a Registered Civil Engineer with Land Surveyor privileges to the Engineering Department. The submittal shall include a title report, closure calculations, and all appropriate fees. The City approved Final Map shall be recorded by developer prior to building permit issuance.
- E7. File and record Final Map for proposed development and pay all appropriate fees prior to issuance of the Building Permit.
- E8. Obtain Council approval of a resolution ordering vacation of existing public easement(s) proposed to be abandoned, through Engineering Department, and pay all appropriate fees, prior to start of construction.
- E9. Dedicate, as required, on-site easements for new sidewalk, storm drain main, storm drain overland release, and any other new utilities by means of parcel/final map or approved instrument at time of development.
- E10. Proposed trees shall be five (5) feet minimum clear of sidewalks. Provide root barrier if trees are planted such that the drip line of the mature trees covers the sidewalk. Root barriers shall be 12' long x 2' deep, and centered on trees.
- E11. Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or ten (10) feet clear of the tree trunk, whichever is greater, to the satisfaction of the Public Works Director.
- E12. Show and comply with City's driveway triangle of safety requirements at all driveways. Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways order to allow an unobstructed view of oncoming traffic.
- E13. Unused driveways in the public right-of-way shall be replaced with City standard curb, gutter, and sidewalk per City Standard Detail ST-12
- E14. All driveways shall be ADA compliant driveways per City standards.
- E15. Provide ADA walkway connecting the proposed buildings to the public sidewalks.
- E16. Provide a minimum 5' wide sidewalk along the Corvin Drive property frontage.
- E17. All traffic striping, messages, and symbols shall be thermoplastic.

- E18. All proposed driveways shall be City standard ST-8 driveways. The minimum width of the driveways shall be 24'.
- E19. All proposed private streets shall accommodate fire truck/engine turning template.
- E20. The project shall comply with the traffic mitigations identified in the Lawrence Station Area Plan (LSAP) EIR/TIA.
- E21. Provide/build a minimum 10' wide bicycle path and a minimum 5' wide pedestrian path through the project site approximately 50' north of the south property line connecting Corvin Dr. to the future Calabazas Creek trail. Provide a 3' wide buffer both north and south of the bike path.
- E22. Provide a minimum 18' wide easement through the project site to accommodate this east-west bicycle and pedestrian connection to the Calabazas Creek trail.
- E23. Install a high visibility "Continental" crosswalk with a Rectangular Rapid Flashing Beacon at the midblock crossing across Corvin Drive per the location of the bicycle and pedestrian connection approximately 50' north of the southern property limit as shown in the Lawrence Station Area Plan with appropriate signage.
- E24. Provide a minimum 12' wide public access easement on the east frontage of the property to accommodate the future Calabazas Creek trail.
- E25. The Developer shall build a minimum 11' wide asphalt concrete trail with minimum 1' shoulder that would serve as the future Calabazas Creek trail along the eastern property frontage parallel to Calabazas Creek. Coordinate the construction of the 11' wide asphalt walkway with minimum 1' shoulder with the 3305 Kifer Road project to the south.
- E26. Provide a minimum 12' wide easement along eastern property frontage parallel to Calabazas Creek to accommodate the Calabazas Creek trail.
- E27. The project shall pay its fair share of the traffic mitigations identified in the Lawrence Station Area Plan EIR/TIA. Developer shall pay their fair share contribution towards the traffic impacts identified in the LSAP TIA/EIR. Developer shall pay their fair share contribution towards the 100% LSAP project mitigation impact at the intersection of Corvin Drive/Central Expressway.
- E28. The project shall be required to prepare a traffic impact analysis (TIA) if the land use is not in conformance with the LSAP.
- E29. Corvin Drive shall include 6' wide bike lanes northbound and southbound, 12' vehicle travel lanes northbound and southbound plus a 12' wide center two way left turn lane.
- E30. Provide a minimum 6' wide sidewalk plus minimum 3' wide planter strip along Corvin Drive property frontage per the requirements of the LSAP. Coordinate width of the planter strip with the Community Development Department. Install "No Parking" signs along Corvin Drive property frontage.
- E31. Slurry seal half width of Corvin Drive along property frontage.
- E32. Final map shall not be accepted prior to emergency vehicle access easement is dedicated from 3305 Kifer Road parcel map.

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