

RESOLUTION NO. 13-8025

A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA, APPROVING THE REQUESTED REZONING OF THE PROPERTY LOCATED AT 2805 AND 2807 MISSION COLLEGE BOULEVARD FROM PD (ML) (PLANNED DEVELOPMENT) TO PD (PLANNED DEVELOPMENT) TO ALLOW THE USE OF EXISTING INDUSTRIAL BUILDINGS AS FREE STANDING DATA CENTERS

PLN2012-09203 (Rezoning)

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, Matt Tyndall, Quality Investment Properties, Santa Clara LLC (“Applicant”) applied for a Rezoning of a 6.5 acre site located at 2805 and 2807 Mission College Boulevard, Santa Clara (“Project Site”);

WHEREAS, in order to implement the proposed development, the Project Site needs to be rezoned to PD (Planned Development) to facilitate the development of the existing building on both properties into free standing data centers (“Project”) as shown on the Development Plans, attached as Exhibit “Plans”;

WHEREAS, the Project proposes to convert the existing industrial buildings into free standing data centers. The project involves improvements such as installation of backup generators, chillers, and cooling towers to support the data center use;

WHEREAS, pursuant to section 18.112.060 of the City of Santa Clara, a notice of public hearing was posted in at least three conspicuous places within three hundred (300) feet of the affected property, and mailed to property owners within three hundred (300) feet of the Project Site ten days prior to the hearing; and,

WHEREAS, the City Council conducted a duly noticed public hearing on April 9, 2013, during which the Council invited and considered any and all verbal and written testimony offered in favor of and in opposition to the Project.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the City Council hereby finds that the above Recitals are true and correct by this reference makes them a part hereof.

2. That the City Council hereby rezones the Project Site, as shown on Exhibit "Plans" and conditioned in Exhibit "CoA-ReZ", attached hereto and incorporated by this reference, to facilitate the conversion of the existing industrial building into free standing data centers.

3. That the City Council determines that a rezoning is appropriate here and that the following findings exist in support of the rezoning:

A. The existing zoning is inappropriate or inequitable in that the current zoning of the property is very restrictive and does not allow the use of the project site as a free standing data center.

B. The proposed zone change will conserve property values, protect or improve the existing character and stability of the area in question, and will promote the orderly and beneficial development of such area in that the proposal is designed in a manner that is consistent with the adjacent industrial and commercial uses around the site and the proposed improvements include, maintaining most of the mature landscaping on site, providing security fencing and appropriate site lighting.

C. The proposed zone change is required by public necessity, public convenience, or the general welfare of the City, in that the proposal will allow the use of the existing industrial

buildings as free standing data centers. The proposal would serve to expand the options available to local and regional businesses by providing additional leasable data center space in an industrial building that is accessible from a major transit hub and is located on a major arterial street.

D. The proposed zone change would allow imaginative planning and design concepts to be utilized that would be restricted in other zoning districts, in that the current proposal does not involve significant changes to the existing buildings, but provides flexibility in the range of uses allowed to operate within an existing industrial buildings.

4. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara, California, hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

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5. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 9TH DAY OF APRIL, 2013, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Davis, Gillmor, Mahan, Marsalli and O'Neill and Mayor Matthews
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	Kolstad
ABSTAINED:	COUNCILORS:	None

ATTEST:



ROD DIRIDON, JR.
CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Development Plans (Exhibit "Plans")
2. Exhibit "CoA-ReZ" (Conditions of Approval)

FUTURE / RESTORATION OFFICE USE PARKING REQUIREMENTS:

CODE REFERENCE PARKING REQUIREMENTS:

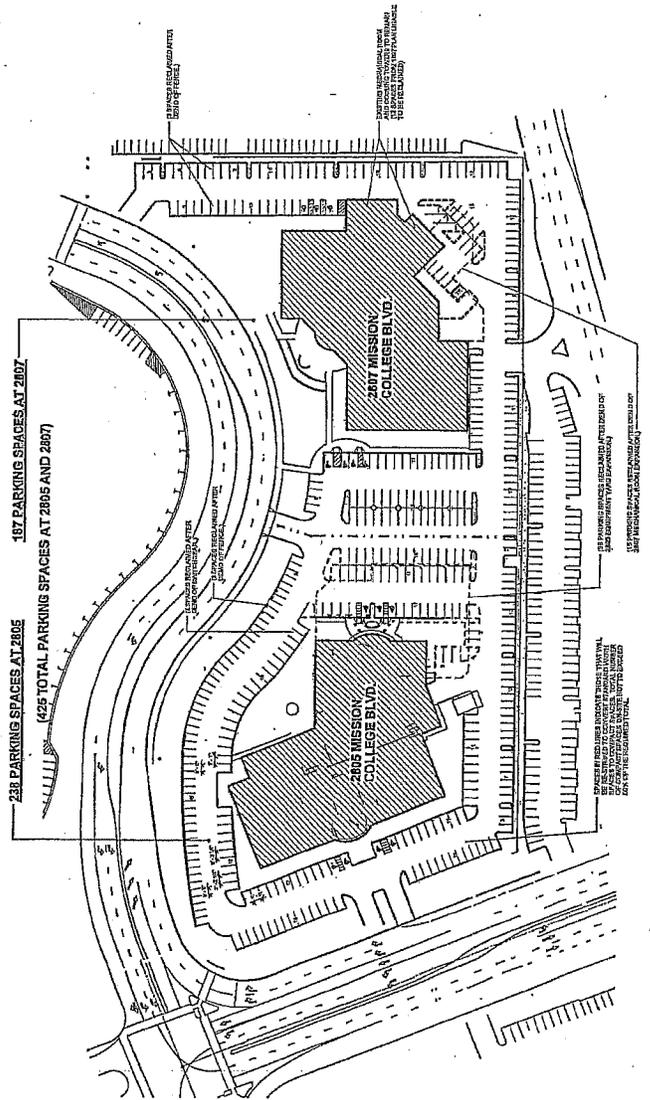
PURSUANT TO THE PROPOSED PD ZONING AMENDMENT, THE FOLLOWING RATIOS WILL APPLY FOR OFFICE USE:

- 2405 MISSION COLLEGE BLVD. (OFFICE USE)
 - OFFICE USE: 1 SPACE PER 300 SF OF GROSS FLOOR AREA.
 - CONTACT SPACES: 1 SPACE PER 170 SF OF GROSS FLOOR AREA.
 - CONTACT SPACES: 80% MAX.
- 2407 MISSION COLLEGE BLVD. (OFFICE USE)
 - OFFICE USE: 1 SPACE PER 300 SF OF GROSS FLOOR AREA.
 - CONTACT SPACES: 1 SPACE PER 170 SF OF GROSS FLOOR AREA.
 - CONTACT SPACES: 80% MAX.

TOTAL GROSS S.F. AT 2405 MISSION COLLEGE BLVD. = 71,691 SF
 OFFICE PARKING RATIO = 1/300
 TOTAL MAXIMUM SPACES REQUIRED = 238

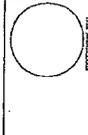
TOTAL GROSS S.F. AT 2407 MISSION COLLEGE BLVD. = 65,353 SF
 OFFICE PARKING RATIO = 1/300
 TOTAL MAXIMUM SPACES REQUIRED = 187

Pending requirements shall be deemed satisfied if the parcels, in the aggregate, provide the total number of spaces required under the parking ratios stated above.



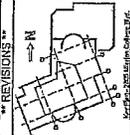
PRELIMINARY
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ONLY

NOT FOR
CONSTRUCTION



CH2M HILL
ARCHITECTURAL
SERVICES

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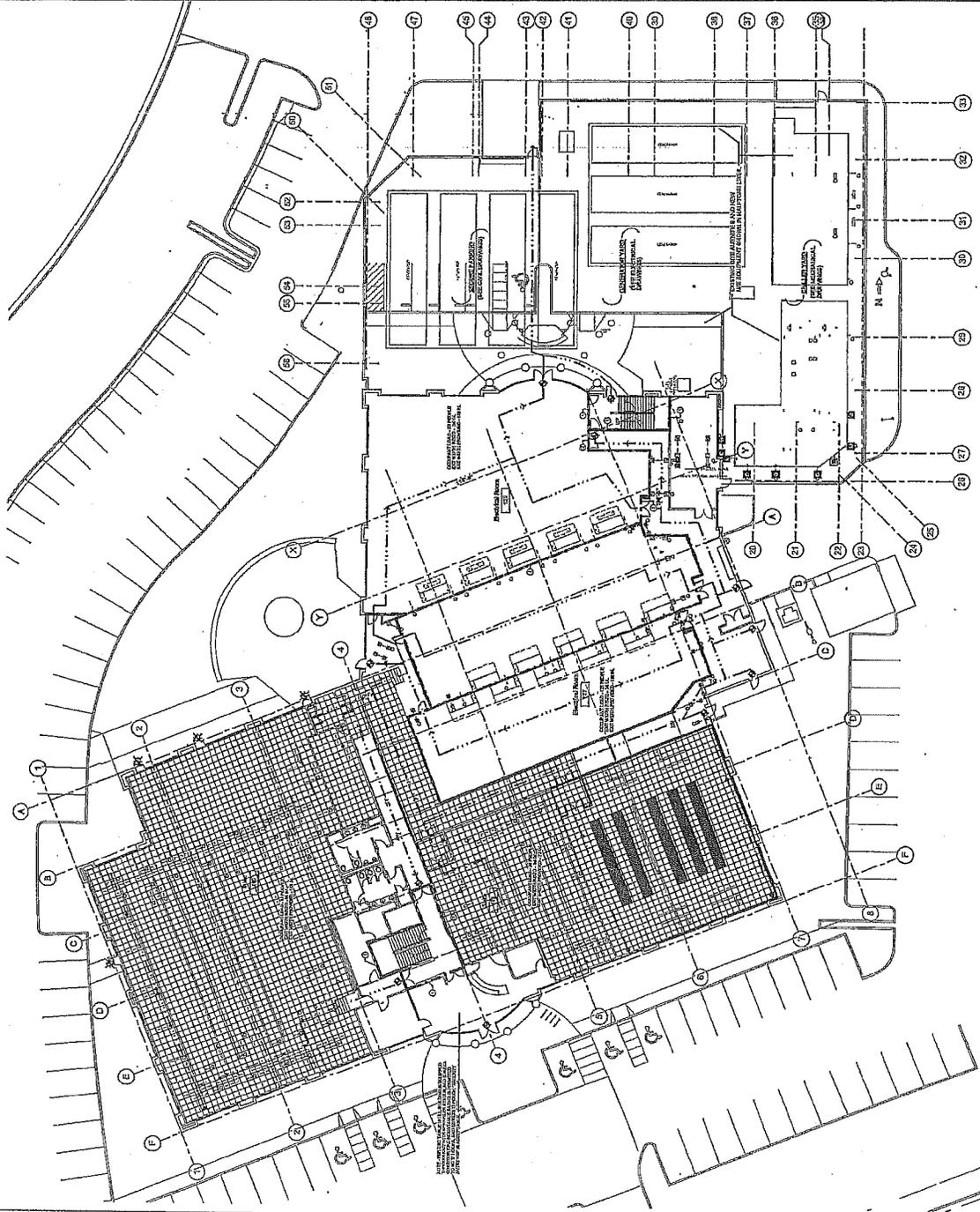
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CH2MHILL
ARCHITECTURAL

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SC2 ARCHITECTURAL
LEVEL 1
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SC2-0100-P12

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BY	SC2
CHECKED	SC2
APPROVED	SC2
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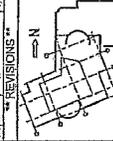
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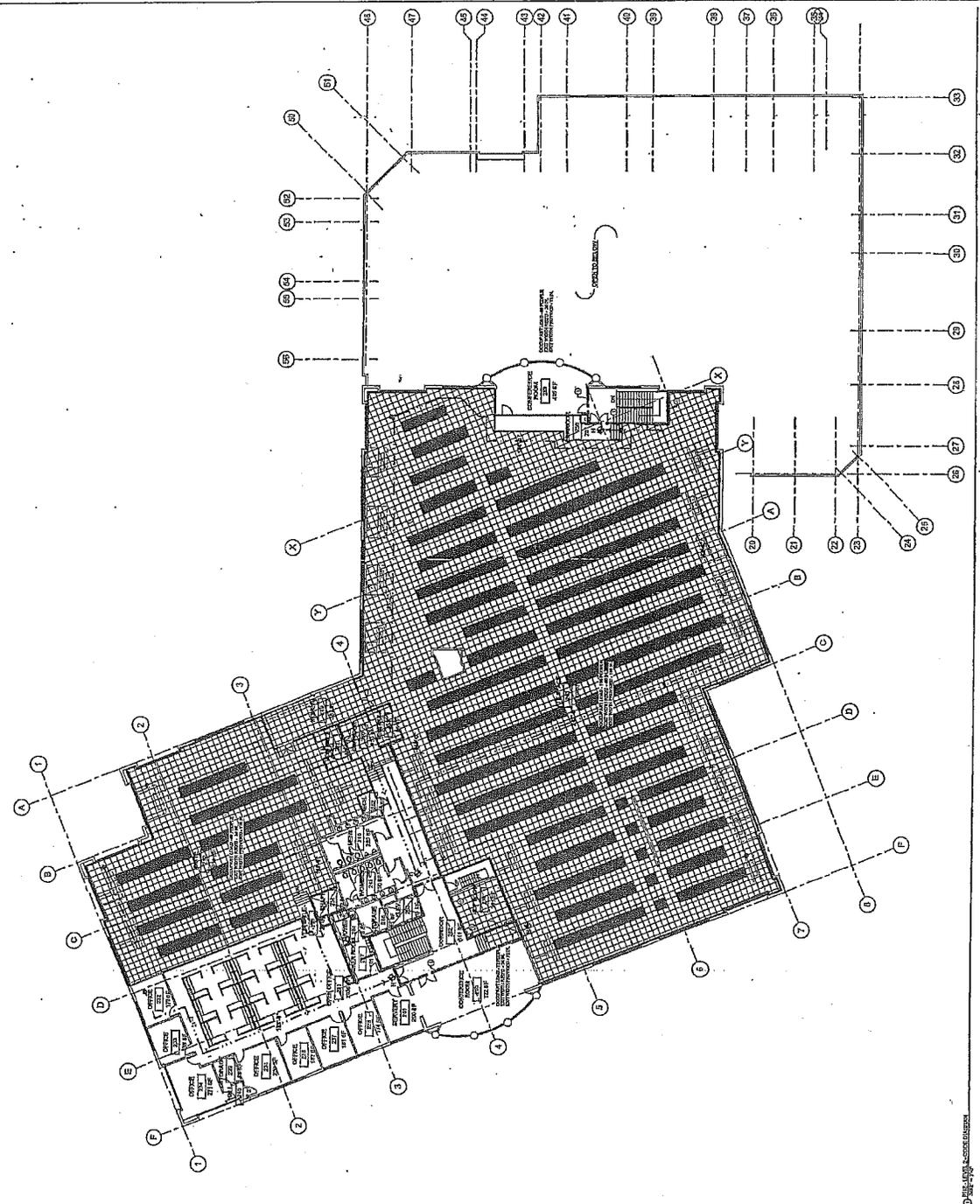
CH2M HILL
FOR THE PROJECT OF THE
SOUTH PLAINS
COMMUNITY CENTER

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CH2M HILL
Civil
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Landscape
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Urban
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CH2M HILL
Civil
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SPECIAL NOTE
 A. REFER TO THE ARCHITECTURAL DRAWINGS FOR THE LOCATION OF THE EXTERIOR ELEVATIONS.
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CH2M HILL
 QUALITY TECHNOLOGY SERVICES

QTS
 Quality Technology Services
 10000 W. CENTRAL EXPRESSWAY, SUITE 100
 DENVER, CO 80231
 TEL: 303.733.1000
 FAX: 303.733.1001
 WWW.QTS.COM

827 ARCHITECTURAL
 EXTERIOR ELEVATIONS

DATE: 11/10/10
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 CHECKED: [Name]
 PROJECT: [Name]

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PROJECT NO: 827-001

DATE: 11/10/10

DRAWN: J. [Name]

CHECKED: [Name]

PROJECT: [Name]

SCALE: 1/8" = 1'-0"

PROJECT NO: 827-001

DATE: 11/10/10

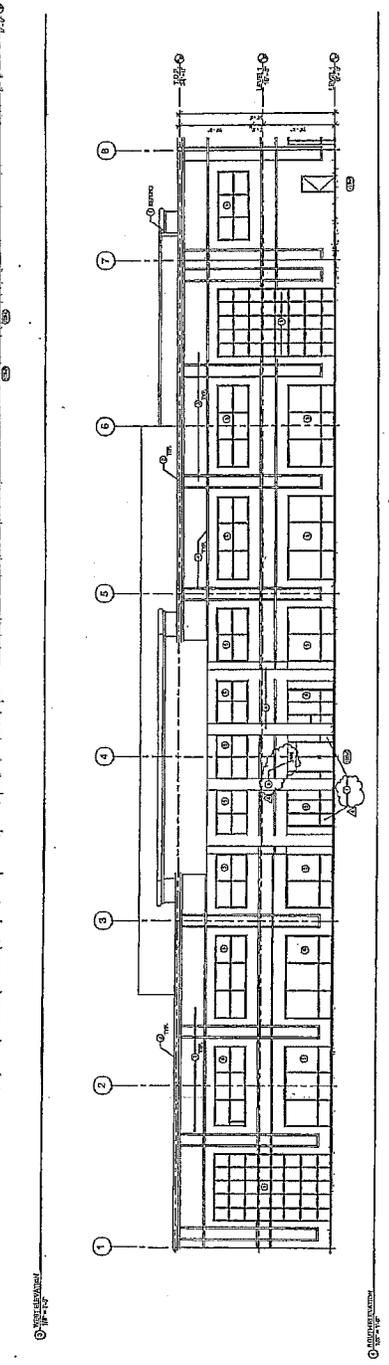
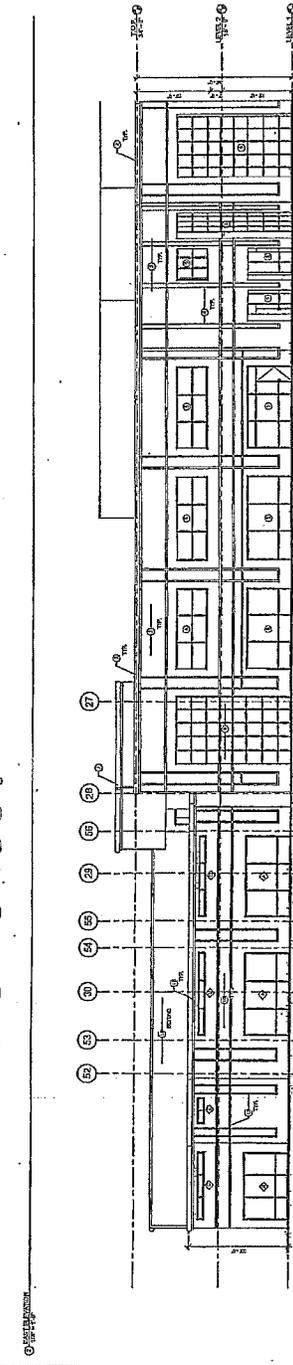
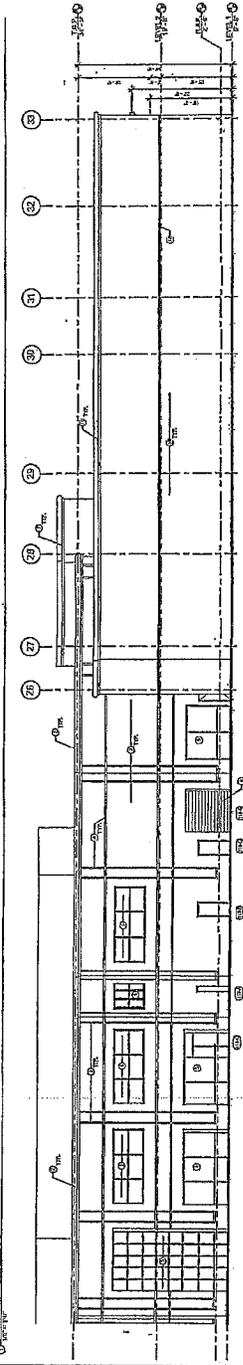
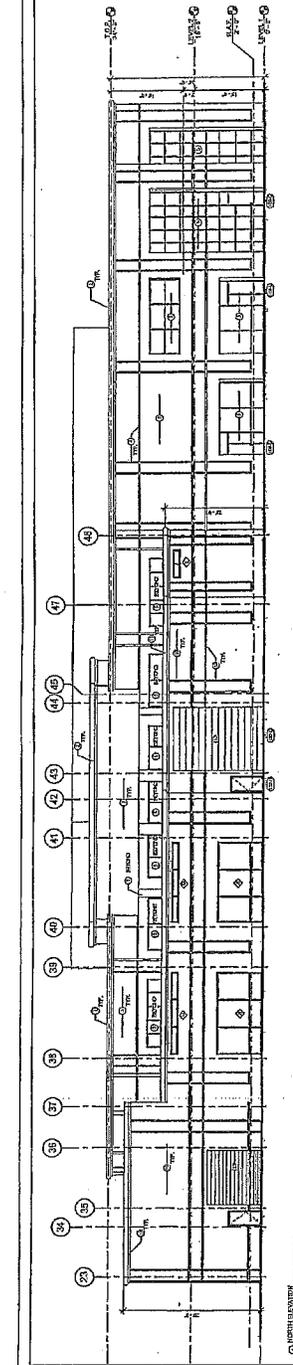
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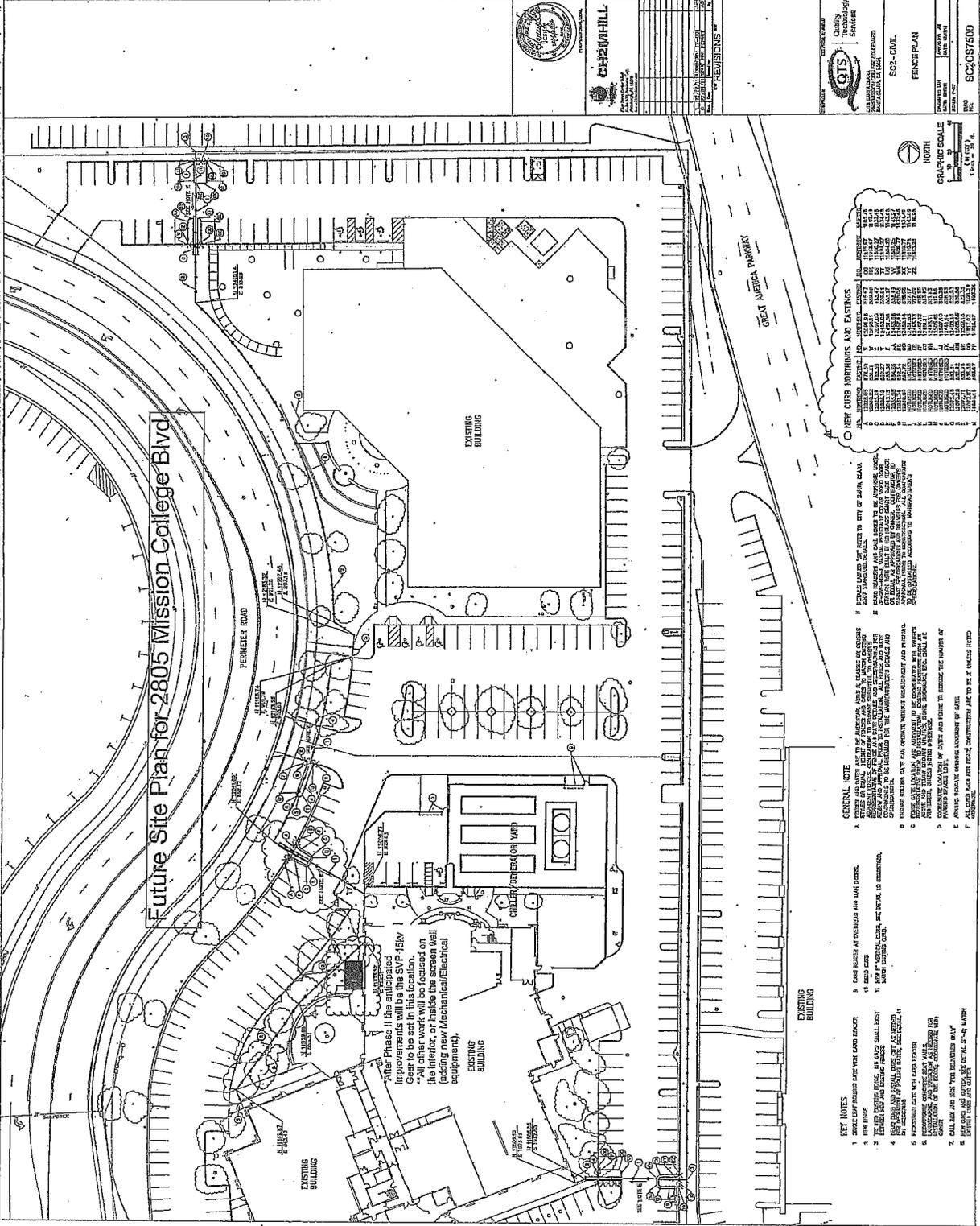
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PROJECT NO: 827-001





Future Site Plan for 2805 Mission College Blvd

After Phase II the anticipated interior space for the Big Sky Center to be used for the following:
 "All other work will be focused on the interior, or inside the screen wall (adding new Mechanical/Electrical equipment)."

- KEY NOTES**
1. SEE EXISTING RECORDS FOR ALL UTILITIES AND EASMENTS.
 2. CALL FOR AND SEE THE RECORDS FOR ALL UTILITIES AND EASMENTS.
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- GENERAL NOTE**
- A. EXISTING AND NEW ARE TO BE MAINTAINED, REPAIRED & REFINISHED AS NECESSARY TO MAINTAIN THE EXISTING CONDITION OF THE PROJECT. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF SAN JOSE, CALIFORNIA, AND THE CALIFORNIA CIVIL CODE, AND ALL APPLICABLE LOCAL ORDINANCES AND REGULATIONS.
 - B. EXISTING TREES SHALL BE MAINTAINED AND PROTECTED TO REMAIN IN PLACE UNLESS OTHERWISE NOTED OTHERWISE.
 - C. EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED TO REMAIN IN PLACE UNLESS OTHERWISE NOTED OTHERWISE.
 - D. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF SAN JOSE, CALIFORNIA, AND THE CALIFORNIA CIVIL CODE, AND ALL APPLICABLE LOCAL ORDINANCES AND REGULATIONS.
 - E. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF SAN JOSE, CALIFORNIA, AND THE CALIFORNIA CIVIL CODE, AND ALL APPLICABLE LOCAL ORDINANCES AND REGULATIONS.
 - F. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF SAN JOSE, CALIFORNIA, AND THE CALIFORNIA CIVIL CODE, AND ALL APPLICABLE LOCAL ORDINANCES AND REGULATIONS.

GRAPHIC SCALE
 1" = 10' (VERTICAL)
 1" = 20' (HORIZONTAL)

GRAPHIC SCALE
 1" = 10' (VERTICAL)
 1" = 20' (HORIZONTAL)

GRAPHIC SCALE
 1" = 10' (VERTICAL)
 1" = 20' (HORIZONTAL)

GRAPHIC SCALE
 1" = 10' (VERTICAL)
 1" = 20' (HORIZONTAL)

CH2M HILL
 CONSULTING ENGINEERS

QTS
 QUALITY TECHNOLOGY SERVICES

SC2 - CIVIL
 FENCE PLAN

SC2-CST600

DATE: 11/11/11
SCALE: AS SHOWN
PROJECT: 2805 MISSION COLLEGE BLVD

Exhibit "CoA-ReZ"
Conditions of Approval

GENERAL

- G1. 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.

PLANNING AND BUILDING INSPECTION

- P1. 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.
- P2. Submit plans for final architectural review to the Planning Division and obtain architectural approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, landscaping, lighting and signage. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Planning and Inspection.
- P3. Developer is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- P4. Provide trash enclosure, the location and design of which shall be approved by the Director of Planning and In Identified existing mature trees to be maintained. Prepare a tree protection plan for review and approval by the City prior to any demolition, grading or other earthwork in the vicinity of existing trees on the site. Inspection prior to issuance of any building permits.
- P5. Construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 300 feet of a residential use and shall not be allowed on recognized State and Federal holidays.
- P6. Prior to issuance of a demolition permit, Developer/Owner shall have an asbestos survey of the proposed site performed by a certified individual. Survey results and notice of the proposed demolition are to be sent to the Bay Area Air Quality Management District (BAAQMD). No demolition shall be performed without a demolition permit and BAAQMD approval and, if necessary, proper asbestos removal.
- P7. An erosion control plan shall be prepared and copies provided to the Planning Division and to the Building Inspection Division for review and approval prior to the issuance of grading permits or building permits that involve substantial disturbance of substantial ground area.
- P8. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- P9. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- P10. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- P11. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- P12. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- P13. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Bay Area Air Quality Management District's phone number shall also be visible to ensure compliance with applicable regulations.
- P14. In the event that prehistoric or historic resources are encountered during construction on the site, all activity within a 50-foot radius of the find will be stopped, the Director of Planning and Inspection will be notified, and a qualified archaeologist or paleontologist will examine the find and make appropriate recommendations. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Planning and Inspection.
- P15. In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the site shall be stopped. The Santa Clara County Coroner will be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.
- P16. Native soil excavated from the upper two to four feet of the site and proposed for off-site disposal shall be appropriately tested for chemicals related to agricultural activities (e.g., persistent pesticides and metals). If contamination is detected, soil materials will be disposed of in accordance with State regulations for hazardous waste. The following measures provide guidelines for contractors to follow during construction activities where they may encounter contaminated soil and groundwater. The project and its contractors will adhere to the measures outlined below:
- All excavations must be coordinated with on-site superintendents. All excavation will be completed in accordance with CAL/OSHA regulations and subcontractor policies and procedures.
 - In the event groundwater is encountered during excavation, the groundwater must be tested to determine if groundwater is contaminated and if so the level of contamination. Any water that is determined to be contaminated must be pumped, transported and disposed of properly by an approved and certified waste disposal company. Proper safety equipment/methods shall be employed by workers involved in the evacuation of contaminated water.
 - Soils from excavations should be used for backfilling trenches. In the event soils are to be off-hauled, they must be tested prior to leaving the site.
 - Prior to the start of any construction activity that involves below ground work (e.g. utility trenching), each contractor shall prepare a Health and Safety Plan (HSP) and Injury and Illness Prevention Plan (IIPP). The purpose of these documents is to provide general guidance to the work hazards that may be encountered during each phase of site construction activities.

- If excavation de-watering is required, the ponded water will be sampled and analyzed prior to pumping to evaluate discharge alternatives. Pursuant to RWQCB Resolution 88-160, the preferred use of the ponded water is recycling or on-site reuse. If the pumped water is to be used for on-site dust control, concentrations of contaminants of potential concern (COPC) will be compared to the lower of the RWQCB's Environmental Screening Levels (ESLs) for fresh or estuarine surface water. If the concentrations detected exceed the ESLs, then RWQCB's staff will be consulted prior to using pumped water for on-site dust control. Discharge to the sanitary sewer or storm sewer, if any, will be performed under an approved permit from the City of Santa Clara or RWQCB, respectively. If required, water will be treated prior to discharge.
- P17. Prior to issuance of a grading permit, the applicant shall be required to submit copies of an Erosion Control Plan to the City's Department of Public Works.
- P18. The development shall comply with City of Santa Clara ordinances, including erosion- and dust-control during site preparation and grading, and maintaining adjacent streets free of dirt and mud during construction.
- P19. The proposed development shall comply with the municipal National Pollutant Discharge Elimination System permit issued to the City of Santa Clara.
- P20. Every tree that is removed shall be replaced with two 24 inch box trees.
- P21. Uses on the site shall be limited to office, free-standing data centers, and minor manufacturing/assembly activities contained wholly within the building and which involve strictly limited use of storage of hazardous materials and wastes. Accessory, secondary or small scale supporting retail uses that serve local employees and visitors are also permitted within this development.
- P22. At such time as the existing buildings are no longer used as data centers, the applicant shall restore the parking to comply with the following minimum requirements:

	Area	Parking Ratio	Number of Spaces
2805 Mission College Blvd	71,661 sq.ft.	1:301	238
2807 Mission College Blvd	65,353 sq.ft.	1:350	187
Aggregate Requirements	137,014 sq.ft.	1:322	425

The minimum parking ratio for any portions of the existing buildings converted to light industrial uses shall be one space per 750 feet. The above parking standards apply to the existing buildings on the project site. Redevelopment of the project site with substantially new structures will require compliance with the then applicable development and parking standards as well as code requirements applicable at the time of the filing of that application.

- P23. Parking requirements shall be deemed satisfied if the site containing the existing buildings at 2805 and 2807 Mission College Boulevard provides, in the aggregate, the total number of spaces required under the parking ratios stated in Conditions P22; provided, however, that the properties must either (a) remain under common ownership; or (b) be made subject to a binding reciprocal parking easement.

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. The sanitary sewer (SS) discharge information (i.e., building use and square footage, and average and peak sanitary sewer flows) submitted by the developer was added to the City's Sanitary Sewer Hydraulic Model (SSHM). The SSHM output indicates that there should be enough SS conveyance capacity to accommodate the proposed development. The SSHM output may change based on pending development applications and future projects. The SSHM output does not guarantee or in any way reserve or hold SS conveyance capacity until developer has Final Approval for the project. For purposes of this condition, "Final Approval" shall mean the final vote of the City Council necessary for all entitlements to be approved, unless a legal challenge is brought to the Council decisions, in which case the Final Approval shall mean the final disposition of the legal challenge.
- E4. Provide 9 class I bicycle lockers and 3 class II bicycle rack spaces for 2805 Mission College Blvd.
- E5. Replace curb ramp at Mission College Blvd./Perimeter Road with current City standard ST-9 ramp.
- E6. Driveways shall be City standard ST-5 driveway.

ELECTRICAL

- EL1. Prior to submitting any project for Electric Department review, applicant shall provide a site plan showing all existing utilities, structures, easements and trees. Applicant shall also include a "Load Survey" form showing all current and proposed electric loads. A new customer with a load of 500KVA or greater or 100 residential units will have to fill out a "Service Investigation Form" and submit this form to the Electric Planning Department for review by the Electric Planning Engineer. Silicon Valley Power will do exact design of required substructures after plans are submitted for building permits.
- EL2. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.
- EL3. Electric service shall be underground. See Electric Department Rules and Regulations for available services.
- EL4. Installation of underground facilities shall be in accordance with City of Santa Clara Electric Department standard UG-1000, latest version, and Santa Clara City Code chapter 17.15.050.
- EL5. Underground service entrance conduits and conductors shall be "privately" owned, maintained, and installed per City Building Inspection Division Codes. Electric meters and main disconnects shall be installed per Silicon Valley Power Standard MS-G7, Rev. 2.
- EL6. The developer shall grant to the City, without cost, all easements and/or right of way necessary for serving the property of the developer and for the installation of utilities (Santa Clara City Code chapter 17.15.110).

- EL7. All electric meters and services disconnects shall be grouped at one location, outside of the building or in a utility room accessible directly from the outside. A double hasp locking arrangement shall be provided on the main switchboard door(s). Utility room door(s) shall have a double hasp locking arrangement or a lock box shall be provided. Utility room door(s) shall not be alarmed.
- EL8. If transformer pads are required, City Electric Department requires an area of 17' x 16'-2", which is clear of all utilities, trees, walls, etc. This area includes a 5'-0" area away from the actual transformer pad. This area in front of the transformer may be reduced from a 8'-0" apron to a 3'-0", providing the apron is back of a 5'-0" min. wide sidewalk. Transformer pad must be a minimum of 10'-0 from all doors and windows, and shall be located next to a level, drivable area that will support a large crane or truck.
- EL9. All trees, existing and proposed, shall be a minimum of five (5) feet from any existing or proposed Electric Department facilities. Existing trees in conflict will have to be removed. Trees shall not be planted in PUE's or electric easements.
- EL10. Any relocation of existing electric facilities shall be at Developer's expense.
- EL11. Electric Load Increase fees may be applicable.
- EL12. The developer shall provide the City, in accordance with current City standards and specifications, all trenching, backfill, resurfacing, landscaping, conduit, junction boxes, vaults, street light foundations, equipment pads and subsurface housings required for power distribution, street lighting, and signal communication systems, as required by the City in the development of frontage and on-site property. Upon completion of improvements satisfactory to the City, the City shall accept the work. Developer shall further install at his cost the service facilities, consisting of service wires, cables, conductors, and associated equipment necessary to connect a customer to the electrical supply system of and by the City. After completion of the facilities installed by developer, the City shall furnish and install all cable, switches, street lighting poles, luminaries, transformers, meters, and other equipment that it deems necessary for the betterment of the system (Santa Clara City Code chapter 17.15.210 (2)).
- EL13. Electrical improvements (including underground electrical conduits along frontage of properties) may be required if any single non-residential private improvement valued at \$200,000 or more or any series of non-residential private improvements made within a three-year period valued at \$200,000 or more (Santa Clara City Code Title 17 Appendix A (Table III)).
- EL14. Non-Utility Generator equipment shall not operate in parallel with the electric utility, unless approved and reviewed by the Electric Engineering Division. All switching operations shall be "Open-Transition-Mode", unless specifically authorized by SVP Electric Engineering Division. A Generating Facility Interconnection Application must be submitted with building permit plans. Review process may take several months depending on size and type of generator. No interconnection of a generation facility with SVP is allowed without written authorization from SVP Electric Engineering Division.
- EL15. Applicant is advised to contact SVP (CSC Electric Department) to obtain specific design and utility requirements that are required for building permit review/approval submittal. Please provide a site plan to Leonard Buttitta at 408-261-5469 to facilitate plan review.

WATER

- W1. Since the water facilities need a 24 hour access, the applicant provide two Knox Box keys to the Water Department. One set of keys will remain with the Operations and Maintenance division, while the second set of keys will be with Electric Control.
- W2. This property is presently served by the City of Santa Clara water system.

- W3. Public water mains, services, and hydrants are situated within easements along the eastern portion of the property. These water facilities and their easements are to remain and shall be protected.
- W4. The two public fire hydrants along the eastern portion of the property are to be painted white to indicate they are being maintained by City of Santa Clara forces.
- W5. Since the restricted-access gate for the building at 2805 Mission College Boulevard is built across the public utility easement, the property owner shall enter into an "Agreement and Covenant Running with the Land (private construction over public easement)" with the City to address issues such as liability, access to facilities behind the restricted-access gate, responsibility for removal is necessary, etc. Such an agreement shall be recorded against the property prior to issuance of the final occupancy permit.

FIRE

Occupancy Classifications:

- F1. State the occupancy classification in accordance with the 2010 California Building Code for each building or areas.

Fire Department Emergency Access:

- F2. Approved fire apparatus access roads shall have a minimum 20-foot width, have a minimum 13 ½-foot vertical clearances and have a minimum 36-foot inside turning radius.
- F3. Adjacent private emergency access roads from lands adjoining a property required to have access shall not be considered unless such access is designated as a "shared Emergency Access Easement" (E.A.E.). **Note: When parcels are subdivided, E.A.E. will most likely be required.**
- F4. In new buildings, or buildings expanded by more than 20%, or buildings in which a change in occupancy classification occurs where adequate interior emergency radio communication is not possible, a system or equipment that will provide emergency radio coverage acceptable to the Fire Code Official shall be installed (SCMFEC 511.1)

Water Supply:

- F5. Private fire hydrants and mains capable of supplying the required fire flow shall be installed when any portion of the building protected is in excess of 150 feet from a water supply, as measured by an approved route around the exterior of the facility or building. On-site fire hydrants and mains capable of supplying the required fire flow shall be provided. Fire flow for hydrants shall be in accordance with Appendix B and C of the 2010 CFC. **Show all existing and proposed on-site and city fire hydrants on the site plan at time of Building Permit application.**
- F6. New raised floor areas: Either an automatic sprinkler system, carbon dioxide extinguishing system, or inert agent fire extinguishing system for the protection of the area below the raised floor in an information technology equipment room or information technology equipment area shall be provided (2010 NFPA 13, 21.14.2.3).
- F7. Data centers: A sprinkler design hazard of Ordinary Group 1 is recommend for above ceiling spaces in the data center areas. In rooms where batteries are to be stored, an Ordinary Group 1 design is required.
- F8. When underground fire service mains are required, submit separate plans, fees and fire flow calculations to the Fire Department for separate review and permit. Each parcel or building may require separate fire service. (NOTE: Stamped and wet signed Civil drawings shall be submitted in conjunction with shop quality drawings by the installing "A" or "C-16" licensed contractor).

- F9. Any development providing any combination of six (6) or more fire hydrants, fire sprinkler or standpipe services, shall not be served by a dead end water main, but rather served by a looped service with two separate feeds containing fire department connections (FDCs), post indicator valves (PIVs) and private fire hydrants. When a FDC pressurizes fire service mains including private hydrants, the hydrant intended to be used by the fire department must be a hydrant directly connected to the public water main (i.e., a city hydrant). Each fire sprinkler system shall be provided with an independent FDC when the fire service main includes fire hydrants and sprinkler systems. The FDC and PIV shall be located on the street fronting each building. The FDC shall be located within 50 feet of a city (public) fire hydrant, plus on the same side of the road as the fire hydrant(s).
- F10. In private underground piping systems, any dead end pipe, which supplies both sprinkler and hydrants, shall be not less than eight (8) inches in diameter.

Required Fire Protections/ Detection Systems and Equipment:

- F11. Modifications to the existing sprinkler system will require a separate permit to be applied for directly to the Fire Department.
- F12. An "Above Ground Tank" permit shall be applied to directly to the Fire Department for the installation of the diesel generators.
- F13. Modification or installation of a fire alarm system will require a separate permit directly with SCFD.

Battery Systems:

- F14. Battery systems with more than 50 gallons electrolyte capacity (or 1,000 pounds for lithium ion and lithium metal polymer) will require Fire Department permit(s).

Dumpster Storage:

- F15. Rubbish containers: Containers that are 1.5 cubic yards (40.5 cubic feet) or more shall not be stored in buildings or placed within 5 feet of combustible walls, openings, property lines or combustible roof eave lines unless protected by approved fire sprinklers (CFC 304.3.3). Exceptions may apply. If a roof over the trash enclosure is to be provided, then it shall be of non-combustible construction.

Spill Prevention Control and Countermeasure Plan

- F16. Businesses that store more than 1,320 gallons (accumulative for 55 gallons and larger in drums and/or tanks on a contiguous property) of petroleum products aboveground must prepare a Spill Prevention Control and Countermeasure (SPCC) plan. If the business has over 10,000 gallons of petroleum products, the SPCC must be signed by a professional engineer. If the business has between 1,320 and 10,000 gallons the owner/operator can self-certify the SPCC plan (additional requirements apply for self-certification).

For businesses that currently do not have a SPCC plan, the SPCC plan must be signed and a copy kept on-site prior to using/filling the tank/equipment. Have the SPCC plan available to the Fire Department at time of inspection.

SPCC Plan requirements are found in Title 40, Code of Federal Regulations, Part 112. Information regarding SPCC plan preparation and submittal requirements is available on the Internet at <http://www.calepa.ca.gov/CUPA/Aboveground/FactSheetSPCC.pdf> (H&SC §2527005(c)).

Fire Safety During Construction:

- F17. **At the time of permit application, submit a construction "Fire Safety Plan"** to the Fire Department for review and approval. The "Fire Safety Plan" shall address fire protection (i.e., access roads, water mains, on-site fire hydrants, fire extinguishers and standpipes) be installed and made serviceable prior to the time of construction. Include in the safety plan the location of fire extinguishers, fire hydrants (public and private), storage of combustible construction materials, propane tanks, and "NO

SMOKING” signs. Plus the Safety plan shall address the how the following items will be used: temporary heating devices, temporary electrical wiring, cutting/welding and other open-flame devices. See “Standards for Construction site fire Safety” handout or website at www.unidocs.org/fire

Fire Department (Required on plans/ drawings at the time of application)

- F18. **At the time of Building Permit application**, submit Civil Drawings that denote existing and proposed locations of fire hydrants, underground sectional valves, fire department connections and post indicator valves for fire department review and approval.
- F19. Prior to combustible materials being brought onto the site, approved fire apparatus access roads shall be constructed. These shall be capable of supporting the imposed fire apparatus load (**75,000 lbs.**) and have a FD approved all-weather driving surface.
- F20. Construction materials shall not obstruct access roads, access to buildings, hydrants or fire appliances.
- F21. Combustible construction in excess of 100 feet from the street shall not commence until emergency access roads; underground fire service lines and permanent on-site hydrants are in service and have been tested, flushed and approved by the Fire Department.
- F22. During construction of a building and until permanent fire-extinguishers have been installed, portable fire extinguishers are required within 50 feet travel distance to any part of the building in accordance with California Fire Code and the Santa Clara Municipal Fire and Environmental Code.
- F23. General Permit Storm Water Discharges Associated with Construction Activity-Water Quality through the State (order 99-08-DWQ) shall be adhered to regarding non-point source issues on construction sites. (i.e., prevention of paints, debris, etc. from going down storm drains). The Permit is issued by the State Water Resources Control Board. Information regarding the permit can be found at www.waterboards.ca.gov/stormwtr/index.html.
Internal-combustion-powered construction equipment shall be used as follows; (a) Equipment shall not be refueled while in operation, (b) Exhausts shall be piped to the outside of the building.

POLICE

- PD1. Provide a minimum illumination of one-foot candle in carport, parking areas and in all common pedestrian or landscaped areas of the development. The illumination should be deployed in fixtures that are both weather and vandal resistant.
- PD2. Address numbers of the individual units shall be clearly visible from the street and shall be a minimum of six (6) inches in height and of a color contrasting with the background material. Numbers shall be illuminated during the hours of darkness.
- PD3. A Knox Box or Coded Entry System is required for Police access to enclosed parking lots and gated communities.
- PD4. PD4. Any required enclosure fencing (trash area, utility equipment, etc.) if not see through, should have a six (6) inches opening along the bottom for clear visibility. Any gates or access doors to these enclosures should be locked.

STREET

Landscape:

- ST1. No cutting of any part of City trees, including roots, shall be done without following city tree preservation specifications and securing approval and direct supervision from the City Arborist at 408-615-3080
- ST2. No cutting of any part of private trees, including roots, shall be done without direct supervision of a certified arborist (Certification of International Society of Arboriculture).

ST3. Identified existing mature trees to be maintained. Prepare a tree protection plan for review and approval by the City prior to any demolition, grading or other earthwork in the vicinity of existing trees on the site.

ST4. All landscaping and irrigation systems shall meet City standard specifications.

Stormwater:

ST5. Since this project involves disturbing a land area of one acre or more, the developer shall file a Notice of Intent (NOI) with the State Water Resources Control Board for coverage under the State Construction General Permit (Order No. 2009-0009-DWQ) 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.

ST6. Incorporate **Best Management Practices (BMPs)** into construction plans and incorporate post construction water runoff measures into project plans in accordance with the City's Urban Runoff Pollution Prevention Program standards prior to the issuance of permits. Proposed **BMPs** shall be submitted to and thereafter reviewed and approved by the Planning Division and the Building Inspection Division for incorporation into construction drawings and specifications.

ST7. An erosion control plan shall be prepared and copies provided to the Planning Division and to the Building Inspection Division for review and approval prior to the issuance of grading permits or building permits that involve substantial disturbance of substantial ground area.

ST8. It is recommended that the applicant consider a pretreatment unit to remove sediment, trash and/or gross pollutants upstream of any proposed media filters.

ST9. All post construction structural controls shall require property owner to execute with City a Stormwater Treatment Measures Inspection and Maintenance Agreement.

ST10. Special Urban Runoff Stormwater Pollution Prevention requirements apply. Set up meeting with the Street Department to discuss requirements. Contact Dave Staub at 408-615-3080.

Solid waste:

ST11. Applicant to comply with City Development Guidelines for Solid Waste Services as specified by development type.

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