

CONDITIONS OF REZONING APPROVAL

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following **conditions of approval** are recommended:

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.
- G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A1. The 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 by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

- C1. 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 Community Development.
- C2. 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.
- C3. Comply with all requirements of Building and associated codes (the CBC, CEC, CMC, CPC, California Green Building Code, the California Energy Code, etc.) current at the time of application for Building Permit, that includes grading and site utility permits.
- C4. It shall be the Developer's responsibility through his engineer to provide written certification that the drainage designs for the subject property will prevent flood water intrusion in the event of a storm of 100-year return period. The Developer's engineer shall verify that the site will be protected from off-site water intrusion by designing the on-site grading and storm water collection system using the 100-year hydraulic grade line elevation provided by the City's Engineering Department or the Federal Flood Insurance Rate Map, whichever is more restrictive. Said certification shall be submitted to the City Building Inspection Division prior to issuance of building permits.
- C5. The Developer shall comply with the Mitigations Monitoring and Reporting Program identified in the 3402 El Camino Real Mixed Use Project Initial Study / Mitigated Negative Declaration, and shall implement it as Conditions of Approval for this project.
- C6. The Developer prepared a Transportation Demand Management (TDM) Plan to reduce vehicle trips. The development must reduce vehicle miles traveled (VMT) of residents and employees by 20 percent, half of which (a 10 percent VMT reduction) must result from TDM measures.
- C7. Each calendar year following final occupancy of the building, an annual review of the TDM plan shall be completed by a qualified third-party consultant, and the third-party consultant shall submit the TDM annual report covering the prior calendar year to the Planning Division for review and approval on or before February 28th of each year, to the satisfaction of the Director of Community Development. The Director of Community Development shall have the authority and discretion to require modification of the TDM

- measures as a means to achieve the identified overall trip reduction targets. If the annual targets are being met or exceeded, the Director of Community Development would have the discretion to require less frequent annual reporting.
- C8. Permitted uses within the commercial space of the project shall be consistent with the Community Commercial (CC), Neighborhood Commercial (CN), and General Office (OG), with the exception of nurseries, preschools, mortuaries, lodges or clubs which shall be prohibited.
 - C9. 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.
 - C10. 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.
 - C11. 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.
 - C12. Commercial, industrial, and multi-family residential buildings must have enclosures for SOLID WASTE and recycling containers. The size and shape of the enclosure(s) must be adequate to serve the estimated SOLID WASTE and recycling needs and size of the building(s) onsite, and should be designed and located on the property so as to allow ease of access by collection vehicles. As a general rule, the size of the enclosure(s) for the recycling containers should be similar to the size of the trash enclosure(s) provided onsite. Roofed enclosures with masonry walls and solid metal gates are the preferred design. Any required enclosure fencing (trash area, utility equipment, etc.) if not see-thru, shall have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures shall be locked.
 - C13. The Final Storm Water Management Plan (SWMP) must be certified by a third-party consultant from SCVURPP's current list of qualified consultants. Five copies of the approval letter from the certified third party review (wet stamped and signed) must be submitted prior to the issuance of grading or building permit.
 - C14. Prior to the issuance final occupancy, the applicant shall enter into Operations and Maintenance (O&M) agreement with the City. The project operator is responsible for the operations and maintenance of the SWMP and STORMWATER BMPs consistent with the O&M agreement throughout the life of the project.
 - C15. A complete landscape plan that includes, type, size and location of all plant species shall be required as part of architectural review of the project. Review and approval of the complete landscape plan, including water conservation calculations and irrigation plan shall be required prior to issuance of building permits. Installation of landscaping is required prior to occupancy permits.
 - C16. Site landscaping shall be maintained in good condition throughout the life of the Development and no trees shall be removed without City review and approval.
 - C17. Trees permitted by the City for removal shall be replaced at a 2:1 ratio with 24-inch box, a 1:1 with 36" box specimen trees reviewed, or equal alternative as approved by the Director of Community Development.
 - C18. Construct a masonry wall at least six-feet in height along property lines abutting residential properties in accordance with Zoning Ordinance requirements or to the satisfaction of the Director of Community Development.

- C19. Developer is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- C20. Minor changes to the project would be subject to Planning Division review and approval prior to issuance of building permits.
- C21. Construction activity not confined within a building shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and not permitted on Saturdays and Sundays for projects within 300 feet of a residential use. Construction activity confined within a building shall be limited to the hours of 7:00 A.M. to 6:00 P.M. following on weekdays other than holidays, Monday through Friday, inclusive; and within the hours of 9:00 A.M. to 6:00 P.M. following, inclusive, on any Saturday which is not a holiday. Construction activity shall not be allowed on recognized State holidays, as noted in Section 9.10.230 of the SCCC, as amended.
- C22. Provide six percent installed electrical charger and nine percent prewired.
- C23. Work with arborist on appropriate trees with larger canopy along El Camino Real
- C24. Revised condition E.27 to provide the 46 bicycle parking spaces as proposed in the development plan.

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. 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.
- E4. Developer shall provide a complete storm drain study for the 10-year and 100-year storm events. The grading plans shall include the overland release for the 100-year storm event and any localized flooding areas. System improvements, if needed, will be at developer's expense.
- E5. 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.
- E6. 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. The replacement easements shall be dedicated prior abandonment of existing easements.
- E7. With the required Boulevard Style (4' planter strip with 10' sidewalk behind) street frontage improvements, the existing Sanitary Sewer main will be in conflict with the trees to be planted along the planter strip shall be relocated (toward the center of El Camino Real) a minimum of 7.5 feet from the lip of gutter and all other affected utilities shall be relocated to satisfy City's clearance between utilities in accordance with the City Design Criteria.
- E8. Placement of proposed utilities shall meet the City's minimum clearance requirements between utilities to utilities and utilities to tree(s).

- E9. 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.
- E10. Dedicate required any on-site easements for any new public utility/facility/sidewalk, by means of subdivision map or approve instrument at time of development.
- E11. Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk whichever is greater.
- E12. Provide root barriers when the drip line of the mature trees covers the sidewalk. Root barriers for sidewalk protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 1.5' deep, and centered on trees. Root barriers for curb and gutter protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 2' deep, and centered on trees.
- E13. All proposed driveway, sidewalk, walkway, curb & gutter, and curb ramp shall be ADA compliant.
- E14. All traffic striping, messages, and symbols shall be thermoplastic.
- E15. Provide ADA walkway from proposed buildings to public sidewalk.
- E16. Show on site plan and comply City's driveway Triangle of Safety requirement at all proposed driveways. No trees and/or structures obstructing drivers' view are allowed in the Triangle of Safety clearance areas.
- E17. Any work and traffic control plan within the pavement section of El Camino Real is within the State right-of-way jurisdiction and shall require Encroachment Permit from Caltrans.
- E18. Any new driveway curb cut(s) along El Camino Real shall require approval from State (Caltrans).
- E19. Provide pedestrian ADA walkway from proposed buildings to public sidewalk.
- E20. All proposed driveways shall be City standard ST-8 driveways.
- E21. Provide minimum 10' wide sidewalk separated by a 4' landscaping strip buffer along El Camino Real property frontage.
- E22. On street parking is not allowed along El Camino Real project frontage.
- E23. Provide move in/out loading zone on site for residents and business clients.
- E24. Provide trip generation analysis to determine if a TIA is required. Provide traffic operations analysis including queuing analysis for the intersections of El Camino Real/Nobili Avenue, El Camino Real/Flora Vista Avenue and Project driveway. Provide sufficient queuing distance on-site for vehicles entering the parking garage.
- E25. The project shall maintain a minimum throat depth of 50 feet for the driveway on El Camino Real. All throat lengths are measured from the face of curb. The throat depth is currently measuring only about 40 feet, thus deficient by 10 feet.
- E26. Unused driveways in the public right-of-way shall be replaced with City standard curb, gutter, and sidewalk per City Standard Detail ST-12.
- E27. For the current proposed units and retail area, provide the following minimum bicycle parking spaces at the main entrance and/or high visible areas:
 - a. 9,330 SF Retail Area: 1 Class I Bicycle spaces and 4 Class II Bicycle spaces.
 - b. 66 Units: 22 Class I Bicycle spaces and 4 Class II Bicycle spaces.

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. If the “legal description” (not “marketing description”) of the units is condominium or apartment, then 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. If they are townhomes or single-family residences, then each unit shall have it’s own meter, located on the structure. 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. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.
 - EL16. All SVP-owned equipment is to be covered by an Underground Electric Easement (U.G.E.E.) This is different than a PUE. Only publically-owned dry utilities can be in a UGEE. Other facilities can be in a joint trench configuration with SVP, separated by a 1' clearance, providing that they are constructed simultaneously with SVP facilities. See UG 1000 for details.
 - EL17. Proper clearance must be maintained from all SVP facilities, including a 5' clearance from the outer wall of all conduits. This is in addition to any UGEE specified for the facilities. Contact SVP before making assumptions on any clearances for electric facilities.
 - EL18. Transformers and Switch devices can only be located outdoors. These devices MAY be placed 5' from an outside building wall, provided that the building wall in that area meets specific requirements. (See UG 1000 document for specifics) EXAMPLE: If there are any doors, windows, vents, overhangs or other wall openings within 5' of the transformer, on either side, then the transformer MUST be 10' or more away from the building. These clearances are to be assumed to be clear horizontally 5' in either direction and vertically to the sky.
 - EL19. All existing SVP facilities, onsite or offsite, are to remain unless specifically addressed by SVP personnel by separate document. It is the Developers responsibility to maintain all clearances from equipment and easements. Developer to contact SVP outside of the PCC process for clear definitions of these clearance requirements. Developer should not assume that SVP will be removing any existing facilities without detailed design drawings from SVP indicating potential removals. Simply indicating that SVP facilities are to be removed or relocated on conceptual plans does not imply that this action has been approved by SVP.
 - EL20. SVP does not utilize any sub-surface (below grade) devices in it's system. This includes transformers, switches, etc.
 - EL21. All interior meter rooms are to have direct, outside access through only ONE door. Interior electric rooms must be enclosed in a dedicated electric room and cannot be in an open warehouse or office space.
 - EL22. 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 408-615-6620 to facilitate plan review.

WATER

- W1. Applicant has shown the required water main upgrade on the plans. Applicant may schedule a meeting with Water and Sewer Utilities and Public Works to further discuss the water main and sanitary sewer main relocation.
- W2. The applicant shall submit a composite utility plan showing all utilities (including electrical) and landscaping (trees/shrubbery) so that the Water Department can verify conflicts for proposed water services. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area.
- W3. Applicant shall adhere to and provide a note indicating all horizontal and vertical clearances. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a

minimum horizontal clearance of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities).

- W4. Applicant shall submit plans showing proposed water, sanitary sewer, and fire service connected to a public main in the public right-of-way to the satisfaction of the Director of Water & Sewer Utilities. Different types of water use (domestic, fire, irrigation) shall be served by separate water services, each separately tapped at the water main.
- W5. Prior to City's issuance of Building or Grading Permits, the applicant shall provide a dedicated water utility easement around the backflow prevention device onsite. The water utility easement for the water services and all other public water appurtenances shall be a minimum 15 feet wide and be adjacent to the public right-of-way without overlapping any public utility easement. Additionally, the applicant shall submit plans defining existing easements so Water Division can verify if there are any conflicts with proposed easements and water utilities.
- W6. Approved reduced pressure detector assembly device(s) are required on all fire services. The applicant shall submit plans showing existing and proposed fire service upgraded with reduced pressure detector assembly device, as per city standard 17, to the satisfaction of the Director of Water & Sewer Utilities.

POLICE

- PD1. The property should be fenced off during demolition and construction as a safety barrier to the public and deterrent to theft and other crime. Consider not having any screening material on the fence so passing Police Patrol checks will be able to see into the site.
- PD2. Address numbers of the individual residential buildings shall be clearly visible from the street and shall be a minimum of six (6) inches in height and a color contrasting with the background material. Numbers shall be illuminated during hours of darkness. Individual apartment numbers shall be a minimum of six (6) inches in height and a color contrasting to the background material, and either visible from the street or from the center area of the project. Where multiple units/buildings occupy the same property, unit/building addresses shall be clearly visible. A monument sign, preferably at all dedicated entrances to the property, shall be prominently displayed, showing all unit/building numbers, addresses, etc. A map is recommended for large complexes with multiple streets or walkways.
- PD3. Address numbers should be a minimum of twelve (12) inches in height for commercial or industrial buildings. Consider illuminated numbers during the hours of darkness, and in a color that is contrasting to the background material. They shall be clearly visible from the street. Where multiple units or buildings occupy the same property, each unit/building address shall be clearly visible. A monument sign, preferably at all entrances to the property, should be prominently displayed showing all unit/building numbers, addresses, etc. A map is recommended for large complexes with multiple streets or walkways.
- PD4. In a development where there is an alley, driveway, etc. providing a rear entrance or access, the address shall be displayed to both the front and rear of the individual buildings. Where an alley, driveway, etc. provided vehicular access, address numbers shall be clearly visible from that access.
- PD5. Businesses with rear alley entrance doors shall be numbered with the same address numbers or suite numbers as the front doors. Numbers that are a minimum height of 4" are recommended.
- PD6. There shall be positioned near the entrance an illustrative diagram of the complex, which shows the location of the viewer and unit designations within the complex, including separate building designations. This diagram should somehow be illuminated and should be protected by vandal and weather resistant covers.
- PD7. When there is an alley or driveway to the rear of the business or commercial establishment that provides pedestrian or vehicle access, that area should be fenced

- and locked after hours. A 'Knox Box' or key coded system shall be used for police and fire emergency access.
- PD8. Landscaping should follow the National Institute of Crime Prevention standards. That standard describes bushes/shrubs not exceeding 2' in height at maturity, or maintained at that height, and the canopies of trees should not be lower than 6' in height. Hostile vegetation is encouraged along the fence and property lines and under vulnerable windows.
- PD9. Lighting for the project to be at the IES (Illuminating Engineering Society of North America) standards and include the features listed below:
- White light source
 - Full cut-off or shoebox design
 - Tamperproof Housings
 - Pedestrian Scale
 - Unbreakable exterior
 - Wall mounted lights/10'
- PD10. These features increase natural surveillance, support and/or enhance security camera capabilities, and increase Police Patrol effectiveness.
- PD11. Any required enclosure fencing (trash area, utility equipment, etc.) would preferably be see thru. If for aesthetic reasons prohibit that, the fencing should have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures should be locked.
- PD12. If the development includes any benches, these benches should not be longer than 5 feet in length, and should have arm rests at both ends. If the benches are longer than 5 feet in length, there should be a divider (arm rest or similar) in the middle of the bench in addition to the arm rests on both ends. This helps prevent unlawful lodging and/or skateboarding. Another option to benches could be cubes, knee walls, or other creative types of seating possibilities.
- PD13. The developer should install skate stoppers on any low clearance wall of 36 inches in height or lower to prevent vandalism/damage to the wall from skateboarding or similar activities. This can be accomplished by design and/or materials.
- PD14. All exterior doors should be adequately illuminated at all hours with their own light source.
- PD15. All construction of dwelling units shall conform to the requirements of the Uniform Building Security Code as adopted by the City of Santa Clara City Council.
- PD16. Exterior stairs shall be open style whenever structurally possible, and should be well lit. This helps in creating natural surveillance and limiting the locations where criminal activity can take place.
- PD17. Consider convex mirrors for elevator cabs and at stairwell landings in order to enhance natural surveillance for the user of the elevator and stairs.
- PD18. Other line of sight obstructions (including recessed doorways, alcoves, etc.) should be avoided on building exterior walls and interior hallways.
- PD19. **PARKING STRUCTURES**
- PD20. The parking structure/site should be equipped with a centrally located emergency panic alarm system that reports to a central office. This system should have the ability to be monitored 24/7 should it be activated in an emergency. If more than one button/call station is installed, the emergency system should always be in visual distance from another emergency call station. The call station should also be clearly marked so emergency personnel can rapidly find it should their response be needed.
- PD21. "White" light meeting the IES standard should be considered. There should be no "dark" areas inside the structure.
- PD22. The interior of the parking structure should be painted a light, highly reflective color. This increases the natural lighting available and can help prevent dark areas that attract criminal activity.
- PD23. All entrances to the parking areas (structure, surface, subterranean, etc.) shall be posted with appropriate signage to discourage trespassing, unauthorized parking, etc. (See California Vehicle Code section 22658(a) for guidance).

- PD24. Alcoves and other visual obstructions that might constitute a hiding place should be eliminated whenever structurally possible. Pillars, columns, and other open construction should be considered over a solid wall design.
- PD25. Consider storage, maintenance, and trash rooms within the parking garage having doors which cannot be locked from the inside and that close and lock quickly and automatically upon exit.
- PD26. A Coded Entry System is required for police access to enclosed parking lots and gated communities. We understand security is a prime concern for the tenants of the project, which necessitates some sort of secure building and admittance process. By having either of these secure access systems for law enforcement, it will allow us to better respond to emergency situations should they arise in the development. Examples of these systems can be reviewed at the following projects:
- 2585 El Camino Real (Coded key pad access)
 - 3555 Monroe Street (Knox box key access)

SPECIAL BUSINESS PERMITS

- PD27. Applicant shall contact the Santa Clara Police Department 'Intelligence' unit (408-615-4849) for entertainment permit requirements.
- PD28. Applicant shall contact the Santa Clara Police Department 'Intelligence' unit (408-615-4849) for Alcohol Beverage Control (ABC) licensing review.
- PD29. The business shall undergo a 6 month and 1 year review, including a check for ABC violations and police service calls.
- PD30. The applicant shall strive to create an atmosphere that will neither attract nor cater to the underage crowd.
- PD31. All business or commercial establishments, of whatever nature, should have an electronic intruder alarm system installed. The system should cover the interior and perimeter of structures determined to be a value target. Also, consideration should be given to exterior areas that are or contain value targets, such as a product display lot, company vehicle parking area, etc.
- PD32. The installation and use of interior and exterior security cameras and recording devices is highly encouraged.

FIRE

- F1. Prior to issuance of "any" Building Permit, Phase II environmental testing of the site is required, and the testing results shall be submitted to our Office for review.
- F2. Prior to Building Permit Issuance, provide documentation that the minimum required fire-flow for the building based on the construction type and square footage in accordance with the California Fire Code, Appendix B, Table B105.1 can be met.
- F3. Prior to Building Permit Issuance, schematic plans for the underground fire services shall be incorporated into the civil plans (i.e., public fire hydrants, private fire hydrants, underground fire service(s), etc.
- F4. Prior to the issuance of the Building Permit, schematic plans for the emergency vehicle apparatus access roads are required to be incorporate into the civil plans. Roadways shall comply with all of the following requirements, or an alternative materials or methods must be approved:
- F5. Plans must show that all portions of an exterior wall of the first story of the building is located not more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building.
- F6. Plans must show that aerial apparatus access roadways have a "minimum" width of 26 feet. Aerial access roadways shall be located a minimum of 15 feet and a maximum of 30 feet from the protected building, and positioned parallel to one entire sides of the building. The side of the building shall be approved by the Fire Prevention and Hazardous Materials Division.

- F7. Plan must show that roadways have a “minimum” unobstructed vertical clearance of not less than 13 feet 6 inches.
- F8. Plan must show that roadways are designed to support a gross vehicle weight of 75,000-pounds.
- F9. Plans must show roadways have a “minimum” inside turning radius of 36 feet.
- F10. An emergency vehicle access agreement (EVAE) is required with the adjacent property to the west of the site.
- F11. Traffic calming devices are not permitted on any designated fire access roadway, unless approved.
- F12. At time of Building Permit Issuance, the Design Team shall submit an Alternate Means and Method Application (AMMA) Permit to mitigate the lack of fire department access (hose pull reach) at the back of the property. The mitigation will be as follows:
- F13. Increase the sprinkler density for the residential portion only from a 0.1 GPM/sq. ft. to a 0.15 GPM/sq. ft. to include the attic spaces where coverage is required.
- F14. Provide a full voice evacuation system throughout the building.
- F15. Prior to Building Permit Issuance, construction details must be incorporate into the building permit set for the installation of Emergency Responder Radio Coverage System (ERRCS) equipment, including but not limited to location of equipment room, routing of cable/fiber, pathway survivability, etc. in accordance with Santa Clara Emergency Responder Radio Coverage System Standard.
- F16. Prior to Building Permit Issuance, construction details must be incorporated into the building permit set for emergency escape and rescue windows in compliance with California Fire Code Section 1030. The location, dimension, and detail for the pathways shall be incorporated into the Building Permit Set. There are no mitigations for lack of access to the emergency escape windows. In order to avoid emergency escape & rescue windows the residential units would require a minimum of Type IIIA construction.
- F17. Prior to the Start of Construction, fire protection water supplies shall be installed and made serviceable prior to the time of construction or prior to combustible materials being moved onsite, unless an approved alternative method of protection is approved.

STREETS

SOLID WASTE

- ST1. Applicant to comply with City Code Section 8.25.285 and recycle or divert at least fifty percent (50%) of materials generated for discards by the project during demolition and construction activities. No building, demolition or site development permit shall be issued unless and until applicant has submitted a construction and demolition debris materials check-off list. After completion of project, applicant shall submit a construction and demolition debris recycling report as stipulated by ordinance, or be subject to monetary, civil, and/or criminal penalties. This may be done through our online tracking tool at <http://santaclara.wastetracking.com/>.
- ST2. In the event of new zoning designation, project proponents shall contact the Street Division at 408-615-3080 to verify if property falls within exclusive franchise area. If so, this may result in having to use the City’s exclusive franchise hauler and rate structure for SOLID WASTE services.
- ST3. Pre-treatment devices and tallow bins shall be installed at all food establishments. Tallow bins shall be placed within a trash enclosure when possible. If enclosure is not sized to include the tallow bin(s), a separate dedicated enclosure with drainage to sanitary sewer shall be provided.
- ST4. Garbage collection trucks shall be provided a minimum outside turning radius of 40 feet and vertical clearances of 14.5 feet in drive mode and 20 feet in service mode.
- ST5. The level of service for multi-family residential garbage shall be calculated at a rate of no less than 20 gallons per unit.

- ST6. The applicant shall provide a site plan showing all proposed locations of SOLID WASTE containers, enclosure locations and street/alley widths to the Street Department. Applicant to comply with City Development Guidelines for SOLID WASTE Services as specified by development type.
- ST7. All new SOLID WASTE enclosures shall meet the following specifications:
- Enclosure shall be covered and all dumpster drips shall drain to the sanitary sewer.
 - Entrance shall have a slope with a minimum gradient of 2 percent but no greater than 4 percent to prevent outside STORMWATER runoff from entering the enclosure. STORMWATER inside enclosure(s) shall drain into the sanitary sewer.
 - Enclosure shall have a minimum 10-inch wide, 3-inch tall curb along interior walls or 6-inch diameter bollards or angle irons to prevent wall damage.
 - A double, swinging gate with bollards or J-hooks shall be installed at the front of the enclosure to provide a minimum of 120-degree swing area and a minimum unobstructed inside opening of 12 feet.

STORMWATER

- ST8. STORMWATER Control Measures shall be inspected during construction for conformance to plans by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants. A copy of the consultant's approval letter shall be provided to the Public Works Department, Street Division.
- ST9. Property owners shall enter into an Inspection and Maintenance (I&M) Agreement with the City for all installed STORMWATER Control Measures in perpetuity. Applicants shall contact Karin Hickey at 408-615-3097 or KaHickey@santaclaraca.gov to complete the agreement. The most recent version of the I&M Agreement can be found on the City's website at <http://santaclaraca.gov/government/departments/public-works/environmental-programs/urban-runoff-pollution-prevention/STORMWATER-resources>
- ST10. Developer shall install an appropriate STORMWATER pollution prevention message such as "No dumping – flows to bay" on any storm drains on private property upon construction.
- ST11. 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 STORMWATER pollution prevention plan (SWPPP) is also required with the NOI, and active projects will be inspected by the City once a month during the wet season (October - April).
- ST12. 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.
- ST13. All outdoor equipment and materials storage areas shall be covered and/or bermed, or designed to limit the potential for runoff to contact pollutants.
- ST14. Interior floor drains shall be plumbed to the sanitary sewer system and shall not be connected to storm drains.

PARKS AND RECREATION

- PR1. Santa Clara City Code Chapter 17.35 requires new residential developments to provide adequate park and recreational land and/or pay a fee in-lieu of parkland dedication pursuant to the Quimby Act (Quimby) and/or Mitigation Fee Act (MFA). Any in lieu fees

imposed under this Chapter shall be due and payable to the City prior to issuance of a building permit for each dwelling unit. The General Plan parks, open space and recreation goals that apply to this development include 5.9.1G-1 through G-4 that recommend that new parks and recreational opportunities be provided with the new development. Policies 5.9.1 P-1 through P-21 also apply particularly those that indicate new parks should serve the needs of the surrounding neighborhood and overall community. The closest neighborhood park to the Project is more than a mile away.

- PR2. Mitigation Fee Act. This condition assumes the Project is not a subdivision and the Mitigation Fee Act provisions will apply. The project will generate an estimated 148 new residents (2.24 persons/household x 66 units). Based on the Mitigation Fee Act standard of 2.53 acres/1000 residents, the amount of public parkland required for this Project to mitigate impact of the new resident demand is approximately 0.3740 acres. The equivalent fee due in lieu of parkland dedication is therefore \$1,488,675. Final calculations will depend upon the actual number and type of units and the mix of parkland dedicated and remaining fee due at the discretion of the City. Given the size of this parcel it is unlikely that the Developer will be able to accommodate a neighborhood park. Any in lieu fees imposed under this Chapter shall be due and payable to the City prior to issuance of a building permit for each dwelling unit.
- PR3. Dwelling Unit Tax Calculation. According to City Code Chapter 3.15, a dwelling unit tax is also due based upon the number of units and additional bedrooms. The Project mix includes 24 one bedroom units, and 36 two bedroom units and 6 three bedroom units: [\$15 x 66 bedrooms) + (\$5 x 48 additional bedrooms)] for a total DUT of \$1,230.

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