

**From:** PlanningCommission

**Sent:** Monday, May 19, 2025 2:58 PM

**To:** Tracie Johnson [REDACTED] PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>; Alex Tellez <atellez@santaclaraca.gov>; Kelly Cox <Kcox@santaclaraca.gov>; D. Botelho [REDACTED] Cliff Moore Neighbor [REDACTED] Nick Neighbor [REDACTED] Michael Olejnik <MOlejnik@SantaClaraCA.gov>; Mayor and Council <MAYORANDCOUNCIL@SantaClaraCA.gov>; Brian Bakhtiari [REDACTED]; Lesley Xavier <LXavier@santaclaraca.gov>; Alex Tellez <atellez@santaclaraca.gov>

**Cc:** Alexander Abbe <aabbe@SantaClaraCA.gov>

**Subject:** Johnson FW: PLN24-00392 Solid Waste Management for the Subaru Dealership

PMM  
PC Meeting 5/21/25  
RTC 25-372  
Item 3

Good Afternoon Tracie,

Your email has been received in the Planning Division and by way of my reply I am including the appropriate Planning Division staff for their review. Please note that your comments will be part of the public record on this item.

Thank you for taking the time to provide your input.

Regards,

**Elizabeth Elliott** | Staff Aide II  
Community Development Department | Planning Division  
1500 Warburton Avenue | Santa Clara, CA 95050  
O: 408.615.2450 | D: 408.615.2474

[www.SantaClaraCA.gov](http://www.SantaClaraCA.gov)

---

**From:** Tracie Johnson [REDACTED]

**Sent:** Monday, May 19, 2025 8:17 AM

**To:** PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>; Alex Tellez <ATellez@santaclaraca.gov>; Kelly Cox <Kcox@santaclaraca.gov>; D. Botelho [REDACTED] Cliff Moore Neighbor [REDACTED] Nick Neighbor [REDACTED] Michael Olejnik <MOlejnik@SantaClaraCA.gov>; Mayor and Council <MAYORANDCOUNCIL@SantaClaraCA.gov>; Brian Bakhtiari [REDACTED]

**Subject:** PLN24-00392 Solid Waste Management for the Subaru Dealership

Dear Planning Commission and Staff,

In 2016 the neighbors gave the planning department input as to what would be needed to preserve their quality of life on Cecil Avenue directly behind the new Subaru dealership. One of the concerns that was brought up was trash and garbage pick up. At the time neighbors lobbied to have the Use Permit state that Subaru would not have garbage picked up from Cecil Avenue (P19 Use Permit PLN2016-11888). Neighbors fought hard for this, and it was enacted, due to Subaru's very poor track record of keeping Cecil Avenue clean. The dumpster that used to sit near the sidewalk on the old parking lot (that would become the new dealership) had trash all around it that spilled onto the street, and when the grounds maintenance would come they would initiate blowing in a northerly direction from Stevens Creek and blow all the dirt, leaves and garbage onto Cecil Avenue and leave it in the middle of the street. I witnessed this myself when out walking on several occasions (2013 - 2016).

Their poor track record with managing trash on Cecil Avenue has continued even after the new building was completed; they just shifted their mess next door to behind the old Subaru (now Lincoln). There was walnut trees and ivy that received zero maintenance unless I submitted a code enforcement complaint. I would do this when the sidewalk would become slippery with dead leaves and unsafe in the winter, or the trash was just piling up from employees eating lunch in their cars and throwing their garbage out the windows.

Here is a picture I took in August of 2020 behind old Subaru.



The new Subaru Dealership has a dumpster enclosure that was built near the rear emergency gate, but it has never been used. Instead they keep using the dumpster location at the back of the old dealership site which is now being developed into the Bakhtiari Auto Group's Lincoln Dealership. The area around this dumpster is never cleaned and I have reported it multiple times. This garbage eventually makes it way to the street, and ultimately will travel into our storm drain system and out to the bay. I believe they are applying for the modification to the Subaru's Use Permit/Conditions of Approval because when the Lincoln Dealership business is running full scale they will not be able to transport the Subaru garbage to that location.

Over the years I have reached out to Brian Bakhtiari about issues behind the Subaru Dealership, and he has been communicative, but the problems still persist. Neighbors shouldn't have to keep reminding neighbors to pick up their trash. I also think the City needs to take responsibility for this. All Use Permits/Conditions of Approval should have language that specifies routine grounds maintenance front, back and in the near vicinity of any business. And this contract needs to be worded in a way that is enforceable.

Unfortunately times have changed. When I was a child, shop keepers would regularly step out with a broom and clean around their business. It was a form of pride and they wanted to welcome customers. We have all assumed that businesses would do that in some form on their own. Now days they do not. Unfortunately, in the interest of quality of life and protecting the environment, we have to regulate it in a "Conditions of Approval" or "Use Permit".

All that said, I think Subaru should be allowed to place their dumpster out on Cecil Avenue for pick up. It would be cumbersome and possibly unsafe to roll the dumpster from the back and out onto Stevens Creek. Dumpsters on Stevens Creek could be a hazard for vehicles and bike traffic, and potentially unsafe for the Mission Trails truck to pick up.

Very specific conditions should be attached to this activity. For example,

"The dumpsters will be placed on Cecil Avenue by \_\_\_\_\_ and be returned into the building within \_\_\_\_ minutes of pick up from Mission Trails. The emergency gate will only be opened at the time of placement of dumpsters on Cecil Avenue. The emergency gate will be closed and locked while waiting for the dumpsters to be emptied. It will only be opened to return the dumpsters back into the building and again immediately locked after the dumpsters are brought in. Subaru when bringing the dumpsters back in will pick up/clear any extraneous trash/debris left on the street, curb, sidewalk, landscape strip, driveway apron, and driveway, related to servicing the dumpsters and other trash/debris they may encounter.

Subaru will also have a representative/employee/contractor walk the site and perimeter (Stevens Creek and Cecil Ave) of the Subaru dealership and pick up trash/debris (unless it is unsafe to do so) once daily."

A daily walk through to pick up trash is good for business, the community, community relations, and for our beautiful San Francisco Bay.

Also Subaru's Use Permit/Conditions of Approval document should be reviewed 9 - 12 months after the new Lincoln Dealership has been operational. It is hard to completely predict the impacts of an additional dealership at this location. And the neighbors, the City, and the Bakhtiari Automotive group should have another opportunity to make sure this contract is working for everyone.

Regards,  
Tracie Johnson  
South of Forest Neighborhood

Attachments: Picture behind old Subaru August 2020, Pictures of current dumpster location taken Sunday May 18th, 2025.









**From:** PlanningCommission

**Sent:** Wednesday, May 21, 2025 8:43 AM

**To:** Alex Tellez <atellez@santaclaraca.gov>; PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>; D. Botelho [REDACTED] Cliff Moore Neighbor [REDACTED] Nick Neighbor [REDACTED] Mayor and Council <MAYORANDCOUNCIL@SantaClaraCA.gov>; Kelly Cox <KCox@Santaclaraca.gov>; SOFNA South of Forest [REDACTED] Brian Bakhtiar [REDACTED] Afshan Hamid <AHamid@Santaclaraca.gov>; Lesley Xavier <LXavier@santaclaraca.gov>; Alexander Abbe <aabbe@SantaClaraCA.gov>

**Subject:** Planning Commission Meeting 5/21/25FW: Subaru Use Permit modifications are not acceptable.

Good Morning Tracie,

Your email has been received in the Planning Division and by way of my reply I've included the appropriate Planning Division staff for their review of this item. Please note, your correspondence will be part of the public record on this item.

Thank you for taking the time to provide your input.

Regards,

**ELIZABETH ELLIOTT** | Staff Aide II  
Community Development Department | Planning Division  
1500 Warburton Avenue | Santa Clara, CA 95050  
O : 408.615.2450 Direct : 408.615.2474

---

**From:** Tracie Johnson [REDACTED]

**Sent:** Wednesday, May 21, 2025 7:08 AM

**To:** Alex Tellez <atellez@santaclaraca.gov>; PlanningCommission <PLANNINGCOMMISSION@santaclaraca.gov>; D. Botelho [REDACTED] Cliff Moore Neighbor [REDACTED] Nick Neighbor [REDACTED] Mayor and Council <MAYORANDCOUNCIL@SantaClaraCA.gov>; Kelly Cox [REDACTED] SOFNA South of Forest [REDACTED] Brian Bakhtiar [REDACTED]

**Subject:** Subaru Use Permit modifications are not acceptable.

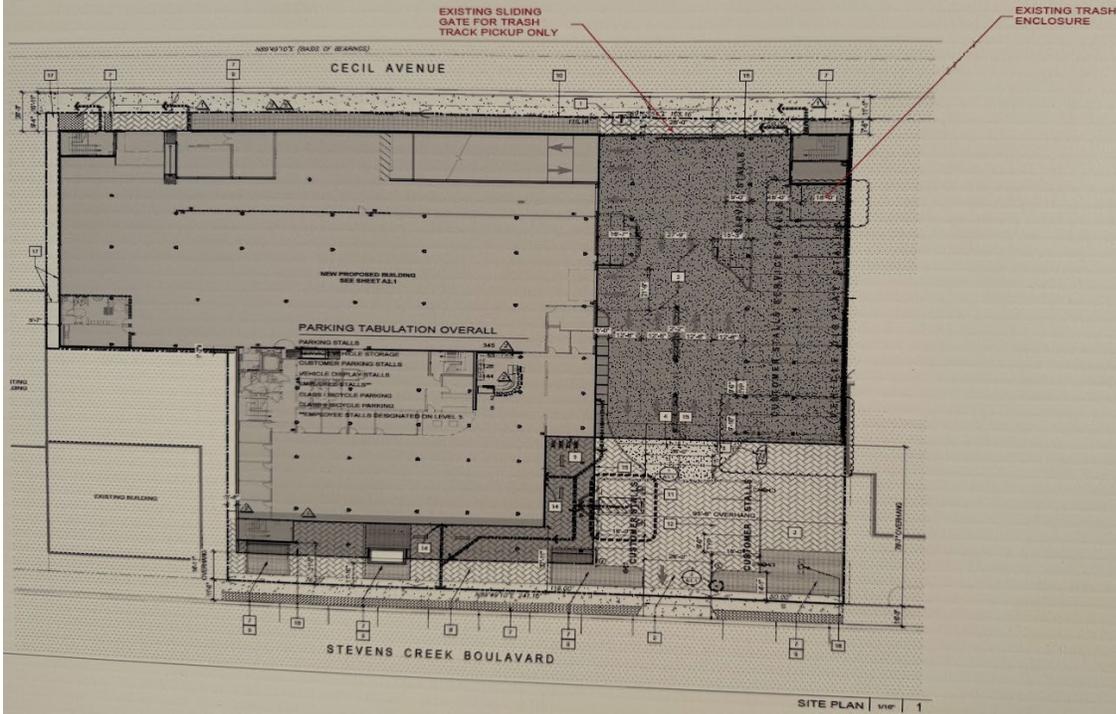
May 21, 2025

Subaru Conditions of Approval Use Permit Modification Request  
Planning Commission Meeting Agenda item 3. 25-372  
PLN24-00392 / 3225 Stevens Creek Blvd.

Dear Planning Commission and Staff,

I will attend the Planning Commission meeting tonight. There are items rewritten in this document that remove noise protections for neighbors and were not a part of the applicants request to place dumpsters on Cecil Avenue for trash/recycle collection.

In reading the Resolution for "Conditional Use Permit of Approval PLN2024-00392" attached to the agenda, It states that Subaru wants "to change Planning Division conditions 6 and 19 to allow the operation of existing roll-up doors during business hours to facilitate trash collection on Cecil Avenue" This is not true. The roll-up doors are not involved in placing the dumpsters onto the street. The dumpster enclosure is located in northeast corner of the building near the sliding iron gate as shown on your project board in red. The dumpsters will need to be rolled out of the large sliding iron gate that is at the East end of the building( this gate is not even mentioned in the document). See photo below or attachment.



**Please note that Development**

And in the details provided in the "CONDITIONS OF REZONE AND USE PERMIT APPROVAL" there are conditions that are not acceptable.

1. "P6. Pedestrian and roll-up doors opening onto Cecil Avenue should remain closed during operation, and be used for emergency ingress/egress, and to facilitate the collection of waste only and shall not be used as a primary entrance to or exit from the site, except as allowed for oil/fluid removal and supply, consistent with Condition P19 below. The roll-up door between the service area and Cecil Avenue should remain closed at all times, except in the event of emergency ingress/egress needs and to facilitate the collection of waste. ~~The roll-up door for the service area that faces east should remain closed except for vehicle ingress/egress in order to minimize noise disturbance to nearby neighbors consistent with the Illingworth & Rodkin noise study recommendations dated July 18, 2016.~~"
2. First, the opening sentence should say "P6 Pedestrian, roll-up doors, and the sliding iron gate opening onto Cecil Avenue should remain closed during operation, and be used for emergency ingress/egress, and to facilitate the collection of waste only and shall not be used as a primary entrance to or exit from the site, except as allowed for oil/fluid removal and supply, consistent with Condition P19 below."
3. Second, the sentence that has the strike through should not be removed. The large enclosed area that the service bay opens into facing East acts like a giant echo chamber and the noise travels into the neighborhood. You can stand four houses away from that area and hear the horns honking inside regularly. Do not remove this sentence. The East facing roll-up doors need to remain closed except when moving vehicles in or out of the service bay area. This has nothing to do with the applicants request to provide the ability to place dumpsters on Cecil for trash/recycle pick up.
4. P8. In the original document states "All employees shall be directed to park on-site, and no employees shall be permitted to park off-site." The new version states "Employees shall be directed to park within designated parking stalls shall be signed or stenciled 'Employee Only' Employees shall be strongly discouraged to park off-site."
5. First, the original version was written this way because employees were parking on Cecil and taking breaks in and around their cars, and leaving cigarette butts, lunch trash, and discarded work gloves all over the street. It was also worded this way because the Lexus dealership provides parking for all employees on the upper level of their building and we wanted to see the same here. As a result Lexus has plenty of street parking for customers and their grounds and vicinity are spotless. In over 20 years of operation I have never filed a code enforcement complaint against them for trash. The new wording of "strongly discouraged from parking off site" means nothing. And the logical way to reach the parking on Cecil Avenue is to use one of the pedestrian doors that is only supposed to be used in emergencies. Your inviting more code enforcement problems with this vague statement.
6. And where are the employees of the new Lincoln Dealership going to park? Most likely on Cecil Avenue. The only mention of parking in their Conditions of Approval is "P13. The automated stacker parking shall be installed and in operation prior to the end of the three year lease for the offsite parking." Fortunately, this document has a provision
7. "P1. The Director of Community Development may refer the use permit to the Planning Commission at any time to consider the initiation of revocation proceedings if the conditions of approval are violated or the operation is inconsistent with the approved proposal. In addition, if complaints are received by the City with respect to this use, staff shall provide a review of the use permit to the Planning Commission within three months for consideration of revocation proceedings.", so there is an opportunity to refine this contract. It has teeth. The Subaru document should include the same language. I request that Parking for Subaru and Lincoln be reevaluated 9 months to a year after the Lincoln Dealership is up and running. There may still be some creative parking solutions to explore.
8. "P19. No loading, unloading, deliveries, vehicle staging, vehicle parking, vehicle/site service, or other site function shall occur on Cecil Avenue or other nearby residential streets, with the exception of oil and other fluid extraction and supply to the business may occur on Cecil Avenue between the hours of 8:00 a.m. to 5:00 p.m. ~~Oil and other fluid extraction and supply on Cecil Avenue shall occur no more than one time per week. The business operator shall maintain a log of activity for the oil and other fluid extraction and supply. Said log shall be furnished to the City upon request.~~"
9. Note that "No ... trash/recycling pick-up..." has been removed from the original document which is appropriate for the applicants filed request. The strike-through on "Said log shall be furnished to the City upon request." This is appropriate if the City has no regulatory obligation to the county or state for this log. ~~"Oil and other fluid extraction and supply on Cecil Avenue shall occur no more than one time per week."~~ This line requires more examination. Once a week maybe be inadequate to run the business, but if you take this out, does that mean they can do fluid extraction and supply five days a week? Can we negotiate this? Maybe they only need twice a week. This activity happens at the West end of the building right in front of homes. And again, this is not related to the applicants request to place trash/recycling dumpsters onto Cecil.
10. There has also been a proposed change to P20. for Subaru which pushes the hour of 6am out to 7am that they can operate portable-generator-powered equipment to wash display vehicles. Although not related to trash, this is a good change for the neighbors.
11. Please do not accept the changes in P6, P8 and P19 that will worsen the quality of life for the neighbors that live behind the Subaru Dealership, and add language to the document that will allow it to be reviewed again 9 -12 months after new neighbor Lincoln is up and running.
12. Regards,
13. Tracie Johnson
14. South of Forest Neighborhood
15. Attachments:
16. 1. Photo of Project Board on Cecil near Subaru
17. 2. This email in letter form
18. 3. Original Subaru Conditions of approval
19. 4. Proposed Subaru Conditions of approval
20. 5. Lincoln Conditions of approval

May 21, 2025

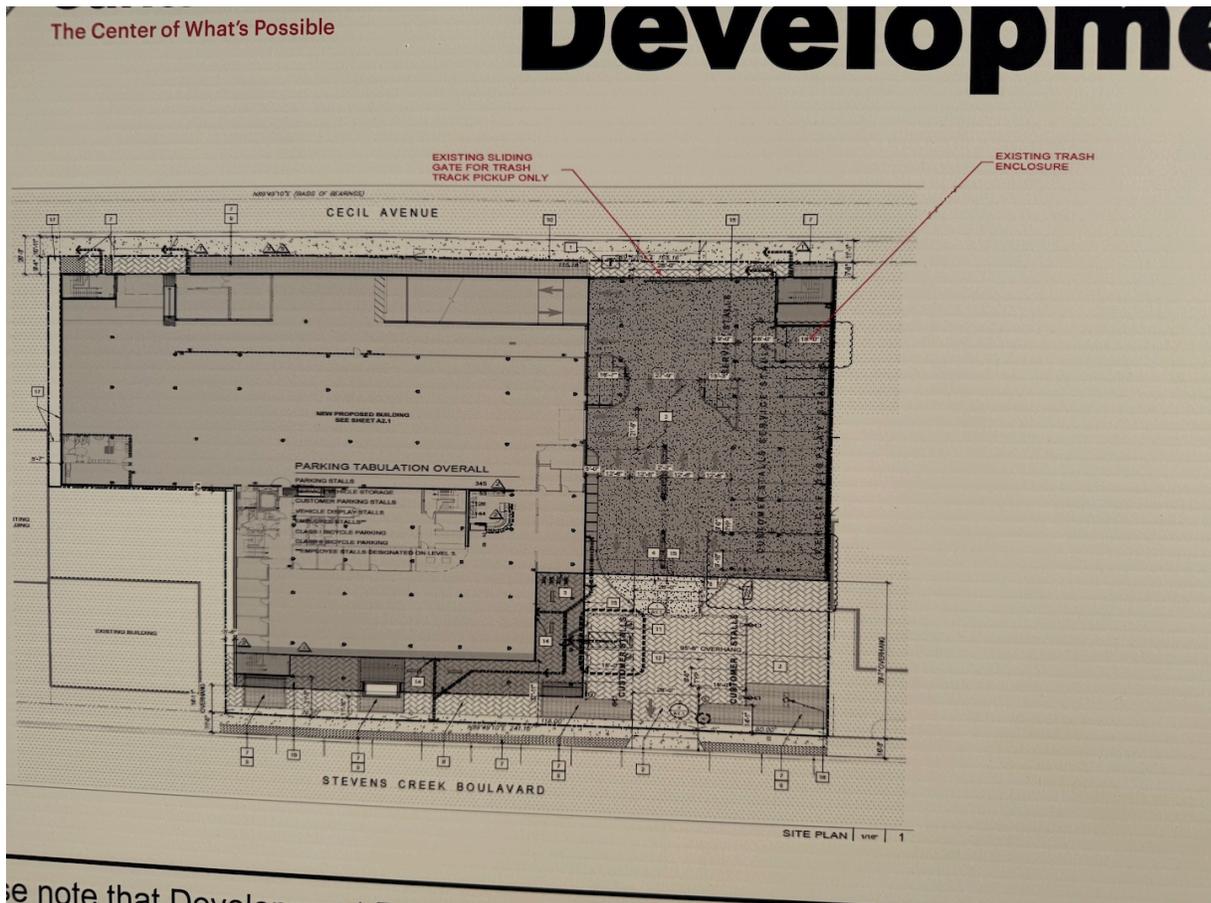
Subaru Conditions of Approval/Use Permit Modification Request  
Planning Commission Meeting Agenda item 3. 25-372  
PLN24-00392 / 3225 Stevens Creek Blvd.

Dear Planning Commission and Staff,

I will attend the Planning Commission meeting tonight. There are items rewritten in this document that remove noise protections for neighbors and were not a part of the applicants request to place dumpsters on Cecil Avenue for trash/recycle collection.

In reading the Resolution for "Conditional Use Permit of Approval PLN2024-00392" attached to the agenda, It states that Subaru wants

"to change Planning Division conditions 6 and 19 to allow the operation of existing roll-up doors during business hours to facilitate trash collection on Cecil Avenue" This is not true. **The roll-up doors are not involved in placing the dumpsters onto the street.** The dumpster enclosure is located in northeast corner of the building near the sliding iron gate as shown on your project board in red. The dumpsters will need to be rolled out of the large sliding iron gate that is at the East end of the building( this gate is not even mentioned in the document). See photo below. And



note that Development D

in the details provided in the " CONDITIONS OF REZONE AND USE PERMIT APPROVAL" there are conditions that are not acceptable.

- "P6. Pedestrian and roll-up doors opening onto Cecil Avenue should remain closed during operation, and be used for emergency ingress/egress, and to facilitate the collection of waste only and shall not be used as a primary entrance to or exit from the site, except as allowed for oil/fluid removal and supply, consistent with Condition P19 below. The roll-up door between the service area and Cecil Avenue should remain closed at all times, except in the event of emergency ingress/egress needs and to facilitate the collection of waste. ~~The roll-up door for the service area that faces east should remain closed except for vehicle ingress/egress in order to minimize noise disturbance to nearby neighbors, consistent with the Illingworth & Rodkin noise study recommendations dated July 18, 2016.~~"
- First, the opening sentence should say "P6 Pedestrian, roll-up doors, and the sliding iron gate opening onto Cecil Avenue should remain closed during operation, and be used for emergency ingress/egress, and to facilitate the collection of waste only and shall not be used as a primary entrance to or exit from the site, except as allowed for oil/fluid removal and supply, consistent with Condition P19 below."
- Second, the sentence that has the strike through should not be removed. The large enclosed area that the service bay opens into facing East acts like a giant echo chamber and the noise travels into the neighborhood. You can stand four houses away from that area and hear the horns honking inside regularly. Do not remove this sentence. The East facing roll-up doors need to remain closed except when moving vehicles in or out. This has nothing to do with the applicants request to provide the ability to place dumpsters on Cecil for trash/recycle pick up.
- P8. In the original document states "All employees shall be directed to park on-site, and no employees shall be permitted to park off-site." The new version states "Employees shall be directed to park within designated parking stalls shall be signed or stenciled 'Employee Only' Employees shall be strongly discouraged to park off-site."
- First, the original version was written this way because employees were parking on Cecil and taking breaks in and around their cars, and leaving cigarette butts, lunch trash, and discarded work gloves all over the street. It was also worded this way because the Lexus dealership provides parking for all employees on the upper level of their building and we wanted to see the same here. As a result Lexus has plenty of street parking for customers and their grounds and vicinity are spotless. In over 20 years of operation I have never filed code enforcement complaint against them. The new wording of "strongly discouraged from parking off site" means nothing. And the logical way to reach the parking on Cecil Avenue is to use one of the pedestrian doors that is only supposed to be used in emergencies. Your inviting more code enforcement problems with this vague statement.

- And where are the employees of the Lincoln Dealership going to park? Most likely on Cecil Avenue. The only mention of parking in the Lincoln Conditions of Approval is "P13. The automated stacker parking shall be installed and in operation prior to the end of the three year lease for the offsite parking." Fortunately, this document has a provision
- "P1. The Director of Community Development may refer the use permit to the Planning Commission at any time to consider the initiation of revocation proceedings if the conditions of approval are violated or the operation is inconsistent with the approved proposal. In addition, if complaints are received by the City with respect to this use, staff shall provide a review of the use permit to the Planning Commission within three months for consideration of revocation proceedings.", so there is an opportunity to refine this contract. It has teeth. The Subaru document should include the same language. I request that Parking for Subaru and Lincoln be reevaluated 9 months to a year after the Lincoln Dealership is up and running. There may still be some creative parking solutions to explore.
- "P19. No loading, unloading, deliveries, vehicle staging, vehicle parking, vehicle/site service, or other site function shall occur on Cecil Avenue or other nearby residential streets, with the exception of oil and other fluid extraction and supply to the business may occur on Cecil Avenue between the hours of 8:00 a.m. to 5:00 p.m. ~~Oil and other fluid extraction and supply on Cecil Avenue shall occur no more than one time per week. The business operator shall maintain a log of activity for the oil and other fluid extraction and supply. Said log shall be furnished to the City upon request.~~
- Note that "No ... trash/recycling pick-up..." has been removed from the original document which is appropriate for the applicants filed request. The strike-through on "Said log shall be furnished to the City upon request." This is appropriate if the City has no regulatory obligation to the county or state for this log. ~~"Oil and other fluid extraction and supply on Cecil Avenue shall occur no more than one time per week."~~ This line requires more examination. Once a week maybe be inadequate to run the business, but if you take this out, does that mean they can do fluid extraction and supply five days a week? Can we negotiate this? Maybe they only need twice a week. This activity happens at the West end of the building right in front of homes. And again, this is not related to the applicants request to place trash/recycling dumpsters onto Cecil.
- There has also been a proposed change to P20. for Subaru which pushes the hour of 6am out to 7am that they can operate portable-generator-powered equipment to wash display vehicles. Although not related to trash, this is a good change for the neighbors.
- Please do not accept the changes in P6, P8 and P19 that will worsen the quality of life for the neighbors that live behind the Subaru Dealership, and add language to the document that will allow it to be reviewed again 9 -12 months after new neighbor Lincoln is up and running.

- Regards,
- Tracie Johnson
- South of Forest Neighborhood

## **CONDITIONS OF APPROVAL**

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

### **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**

#### **BUILDING DIVISION**

- BD1. Prior to overall construction permit application, submit to the Santa Clara Building Division, 2 copies of an addressing diagram request, to be prepared by a licensed architect or engineer. The addressing diagram(s) shall include all proposed streets and all building floor plans. The addressing diagram(s) shall conform to Santa Clara City Manager Directive #5; Street Name and Building Number Changes, and Santa Clara Building Division Address Policy For Residential and Commercial Developments. The addressing diagram(s) shall indicate all unit numbers to be based off established streets, not alleys nor access-ways to garages. Allow a minimum of 10 working days for initial staff review. Please note city staff policy that existing site addresses typically are retired. Provide digital pdf printed from design software, not scanned from printed paper sheet.
  - a) Any building or structure that is demolished shall have its address retired and a new address/s shall be issued for the project.
- BD2. The construction permit application drawings submitted to the Santa Clara Building Division shall include a copy of the latest Federal Emergency Management Agency (FEMA) Flood Zone Map: <https://msc.fema.gov/portal/home>. The project drawings shall indicate how the project complies with the Santa Clara Flood Damage Prevention Code.
  - a. FEMA Flood Zone map designations and requirements are based on the map in effect at date of Building Permit issuance.
- BD3. The construction permit application drawings submitted to the Santa Clara Building Division shall include Santa Clara Valley Urban Runoff Pollution Prevention Program Low Impact Development (LID) practices [http://www.scvurppp-w2k.com/nd\\_wp.shtml](http://www.scvurppp-w2k.com/nd_wp.shtml). All projects that disturb more than one acre, or projects that are part of a larger development that in total disturbs more than one acre, shall comply with the Santa Clara Valley Urban Runoff Pollution Prevention Program Best Management Practices (BMP): [http://www.scvurppp-w2k.com/construction\\_bmp.shtml](http://www.scvurppp-w2k.com/construction_bmp.shtml), and shall provide a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). All site drainage and grading permit applications submitted to the Santa Clara Building Division shall include a city of Santa Clara "C3" data form, available on this web page:
  - <https://www.santaclaraca.gov/our-city/departments-g-z/public-works/environmental-programs/stormwater-pollution-prevention> and will be routed to a contract consultant for review.
- BD4. No construction code review or analysis is being done at this time. The construction permit application drawings submitted to the Santa Clara Building Division shall include an overall California Building Code analysis, including; proposed use and occupancy of all spaces (CBC Ch. 3), all building heights and areas (CBC Ch. 5), all proposed types of construction (CBC Ch. 6), all proposed fire and smoke

protection features, including all types of all fire rated penetrations proposed (CBC Ch. 7), all proposed interior finishes fire resistance (CBC Ch. 8), all fire protection systems proposed (CBC Ch. 9), and all means of egress proposed (CBC Ch. 10). -Noncombustible exterior wall, floor, and roof finishes are strongly encouraged.

- During construction retaining a single company to install all fire rated penetrations is highly recommended.
- The grade level lobbies shall be min.1 hour rated all sides and above.
- All stair shafts shall be min. 1 hour rated.
- All elevator shafts shall be min. 1 hour rated.
- All trash chute shafts shall be min. 1 hour rated.
- Recommendation: provide a minimum of two trash chutes; one for recyclables, one for trash, each trash chute to be routed down to a grade level trash collection room.
- Any trash rooms shall be min. 1 hour rated all sides and above.

BD5. The overall project construction permit application shall include the geotechnical, architectural, structural, energy, electrical, mechanical, and plumbing drawings and calculations. Prior to the issuance of the overall project construction permit, a conditions of approval review meeting must be held in city hall, which meeting must be attended by the on-site field superintendent(s). The meeting will not be held without the attendance of the on-site field superintendent(s). The on-site grading permit shall be a separate permit application to the Building Division.

BD6. Temporary Certificates of Occupancy will not be routinely issued and will be considered on a very limited basis only when there is a clear and compelling reason for city staff to consider a TCO. A TCO will be approved only after all applicable City staff have approved in writing; Planning, P.W./ Engineering, Fire Prev., Santa Clara Water, Silicon Valley Power, and any other applicable agencies such as the Santa Clara County Health Dept., with the Building Division being the final approval of all TCO.'s.

BD7. See Title 15 of the Santa Clara City Code for any amendments to the California Building Codes.

BD8. This project is subject to the provisions of the City of Santa Clara 2022 Reach Code, effective January 2022 See Ordinance No. 2034 and/or Title 15 of the Santa Clara City Code.

- Chp. 15.36 – Energy Code for “all electric” provisions for new construction.
- Chp. 15.38 – Green Building Code for additional Electric Vehicle Charging requirements for new construction.

### **HOUSING & COMMUNITY SERVICES DIVISION**

H1. In accordance with the Santa Clara City Code chapter 17.40, this project is subject to the requirements of the Affordable Housing Ordinance which may be met through payment of an impact fee of \$7.20 per square foot.

H2. The fee is determined by the net square footage of the existing building to be demolished minus the square footage of the proposed new construction building multiply by the \$7.20 per square foot. The estimated fees are calculated as follow: 12,138 sq ft (proposed) – 4,800 sq ft (existing to be demolished) x \$7.20 = \$52,833.60. Applicant shall pay impact fees prior to the issuance of the occupancy certificate of the building. Please note, if the proposed building square footage changes, the impact fee will also change.

### **PLANNING DIVISION**

P1. The Director of Community Development may refer the use permit to the Planning Commission at any time to consider the initiation of revocation proceedings if the conditions of approval are violated or the

operation is inconsistent with the approved proposal. In addition, if complaints are received by the City with respect to this use, staff shall provide a review of the use permit to the Planning Commission within three months for consideration of revocation proceedings.

- P2. Any modification to the approved proposal shall require an amendment to the Use Permit subject to Planning Commission review and approval prior to commencement of the proposed changes.
- P3. All lighting shall be shielded to prevent any spillover onto adjacent properties. Developer shall adjust angle, shield, or dimming of the lights should there be spillover of lights onto adjacent properties. Bright white lighting for nighttime outdoor vehicle display shall not occur on the rooftop parking deck. Rooftop lighting shall be subdued and non-white in color (equivalent to low or high pressure sodium light) but adequate for safety as employee/customer parking and vehicle storage.
- P4. All mechanical equipment associated with the ventilation of this building shall be located within the building or on the rooftop, screened from public view, and designed so that building ventilation exhaust areas do not directly face neighboring residential properties
- P5. Parts and supply deliveries shall occur using the Stevens Creek Boulevard driveway, and not Cecil Avenue.
- P6. 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.
- P7. 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.
- P8. The owner or designee is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- P9. Trees permitted by the City for removal shall provide replacement on-site at a ratio of 1:1 with a minimum 15-gallon tree size. (SCC 12.35.090)
- P10. The owner or designee shall ensure that landscaping installation meets City water conservation criteria in a manner acceptable to the Director of Community Development.
- P11. The Project shall comply with all mitigations identified in the Mitigation, Monitoring and Reporting Program for the project.
- P12. The Fire access door to Cecil Avenue shall remain locked and only operate during a fire emergency.
- P13. The automated stacker parking shall be installed and in operation prior to the end of the three-year lease for the offsite parking.

## **FIRE**

- F1. A Phase I environmental assessment is required. A Phase II environmental assessment may be required.
- F2. The 3 high car stacker's sprinkler system will be required to be designed and stamped by a licensed fire protection engineer.
- F3. Overhead power lines will be removed from Cecil Avenue
- F4. Prior to the start of construction, roadways and water supplies for fire protection are required to be installed and made serviceable and maintained throughout the course of construction.
- F5. Prior to any Certificate of Occupancy Issuance (temporary or permanent), fire-life safety systems installations must be fully installed, functional, and approved.
- F6. Prior to Building Permit Issuance, provide documentation from the City of Santa Clara Water & Sewer Department that the minimum required fire-flow can be met. Fire Department fire-flow will be based on the current California Fire Code. The most restrictive departments requirement shall apply.
- F7. Prior to Building Permit Issuance, building plans shall show the required number, location and distribution of fire hydrants for the buildings will be based on the current California Fire Code, Appendix C as amended. The required number of fire hydrants will be based on the fire-flow before the reduction for fire sprinklers. Both public and private fire hydrants may be required.

- F8. Fire apparatus access roadways shall be provided so that the exterior walls of the first story of the buildings are located not more than 150 feet from fire apparatus access as measured by an approved route around the exterior of each building. In addition, aerial apparatus roadways must be located so aerial apparatus will have clear access to the “entire” face/sides of the building. The minimum number of sides is project-specific and depends on the building configuration, building design, occupancy, and construction type, etc. As part of Building Permit Issuance, an alternative materials, design, and methods of construction and equipment permit application will need to be submitted for review and approval incorporating applicable mitigation measures as determined by the fire department for the lack of compliance. Please note acceptable mitigation methods may have been discussed during the planning stage. Those mitigations are not guaranteed until a formal alternate means permit is submitted concurrently with the Building Plans. Conversely, an acceptable mitigation method may not have been discussed and will be evaluated under an alternate means permit at the building permit stage.
- F9. A door shall be installed for fire access to Cecil Avenue.

## **PUBLIC WORKS**

### **ENGINEERING**

- E1. Obtain site clearance through Public Works 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 Public Works 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 submitted within a Single Encroachment Permit to be reviewed and issued by the City Public Works 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/encroachment permit plans prepared in accordance with City Public Works Department procedures which provide for the installation of public improvements directly to the Public Works Department. 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. All work within City of San Jose right-of-way shall require San Jose encroachment permit.
- E5. 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.
- E6. 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.
- E7. Sanitary sewer laterals shall be 6” minimum, have 2% slope and be SDR-26 minimum.
- E8. 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.
- E9. All storm drain mains and laterals, sanitary sewer mains and laterals shall be outside the drip line of mature trees or 10’ clear of the tree trunk whichever is greater.
- E10. 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.

- E11. Dedicate required on-site easements for any new public utilities, sidewalk, storm drain overland release, and/or emergency vehicle access by means of subdivision map or approved instrument at time of development.
- E12. Dedicate sidewalk easements along the project frontage where public sidewalks extend into private property. Sidewalk easements are to be 1' behind proposed back of walk where there is landscaping behind sidewalk. Sidewalk easement where hardscape is behind sidewalk is to be at back-of-walk. Cold joint is required between public sidewalk and private hardscape.
- E13. If requested, Developer/property owner shall prepare and submit for City approval a maintenance plan for all sidewalk, curb and gutter, landscaping and irrigation system improvements installed within the public right-of-way prior to encroachment permit issuance. Such plan shall include at a minimum, maintenance requirements for trees and shrubs, in acknowledgement of developer's/property owner's obligation under Chapter 12.30 and 17.15.
- E14. Stevens Creek Boulevard along the project frontage is currently being paved (rubberized hot mix asphalt) by the City of San Jose. After pavement work is completed, no pavement cuts are permitted per the City pavement moratorium (Ordinance No. 1998) until after December 31, 2028. Refer to <https://www.santaclaraca.gov/our-city/departments-g-z/public-works/maintenance-operations/street-maintenance/pavement-preservation-ordinance> for more information.
- E15. Cecil Avenue along the project frontage is currently being paved (slurry seal). After pavement work is completed, no pavement cuts are permitted per the City pavement moratorium (Ordinance No. 1998) until after December 31, 2026. Refer to <https://www.santaclaraca.gov/our-city/departments-g-z/public-works/maintenance-operations/street-maintenance/pavement-preservation-ordinance> for more information.
- E16. Traffic improvements must comply with the City of Santa Clara Standard Specifications for Public Works Construction.
- E17. Landscape improvements within 10 feet of a driveway must be less than 3 feet or greater than 10 feet per City Standard Detail TR-9.
- E18. All on-site structures must be clear of Driveway and Corner Visibility Clearance Areas per City Standard Detail TR-9.
- E19. Trash collection activities including staging and pick-up shall not block public sidewalks or roadways.
- E20. Bicycle parking shall be 1 Class I spaces (5% of tenant vehicle parking) and 2 Class II spaces (5% of visitor vehicle parking-min 2 spaces) per 2019 California Building Code 5.106.4.
- E21. Class I and Class II bicycle parking, as defined in SCMC 18.74.075, shall be conveniently accessible from the street, within 200 feet of a building entrance and/or highly visible areas.

## **STREETS DIVISION**

### Right of Way Landscape

- L1. Include [City of Santa Clara Tree Protection Standards](#) and [City of Santa Clara Arborist Notes](#) on all improvement plans.
- L2. No cutting of any part of **public right-of-way trees**, including roots, shall be done without securing approval from the City Streets Division. If approved, applicant shall follow all specifications outlined in the permit. Refer to City of Santa Clara Arborist Notes and implement all City of Santa Clara Tree Protection Standards.
- L3. Identified existing mature trees to be maintained. Prepare a tree protection plans for review and approval by the City of Santa Clara prior to any demolition, grading or other earthwork in the vicinity of existing trees on the site.

- L4. Tree replacement ratio shall be 2:1 with minimum box size replacements. If project can't meet the 2:1 replacement ratio, in-lieu fees must be paid prior to issuance of building permit.

#### Solid Waste

- SW1. The applicant shall complete and provide the Post-Construction Solid Waste Generation Estimation and Collection Form, which includes the estimation of trash and recycling materials generated from the project. Use the City's Solid Waste Guidelines for New and Redevelopment Projects as specified by the development type. Contact the Public Works Department at [Environment@SantaClaraCA.gov](mailto:Environment@SantaClaraCA.gov) or (408) 615-3080 for more information. Post Construction Solid Waste Generation and Collection Form to indicate how landscape waste will be addressed (either self-hauled by landscape company or collected in separate yard waste container provided by Mission Trail Waste Systems).
- SW2. The applicant shall provide a site plan showing all proposed locations of solid waste containers, chutes, compactors, trash enclosures and trash staging areas. The site plan shall show the route or access for trash and recycling collectors (trucks) including vertical clearance, turning radius and street/alley widths. All plans shall comply with the City's Solid Waste Guidelines.
- SW3. For projects that involve construction, demolition or renovation of 5,000 square feet or more, the applicant shall comply with City Code Section 8.25.285 and recycle or divert at least sixty five percent (65%) of materials generated for discard 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. Applicant shall create a Waste Management Plan and submit, for approval, a Construction and Demolition Debris Recycling Report through the City's online tracking tool at <http://santaclara.wastetracking.com/>.
- SW4. Prior to obtaining a Temporary or Final Certificate of Occupancy, individual weight tickets for all materials generated for discard or reuse by the project during demolition and construction activities shall be uploaded to Green Halo and submitted for review and approval by Environmental Services. At a minimum two (2) weeks review time is required.
- SW5. This project is subject to the City's Accumulation, Transportation and Disposal of Solid Waste Ordinance (Chapter 8.25 of the Municipal Codes), which requires the handling and disposal of waste by authorized service haulers. Insert the General Notes for the Construction & Demolition (C&D) Waste Management into construction plans in accordance with the City's municipal codes prior to the issuance of a Building or Grading permit. Provide the Green Halo waste online tracking number to Building staff prior to the issuance of a demolition or building permit.
- SW6. This property falls within the City's exclusive franchise hauling area. The applicant is required to use the City's exclusive franchise hauler and rate structure for any hired debris boxes. Prior to the issuance of a Public Works clearance, the project applicant shall complete and sign the Construction and Demolition (C&D) / Waste Management Rules and Regulations Form.
- SW7. All refuse from all residential, commercial, industrial and institutional properties within the city shall be collected at least once a week, unless otherwise approved in writing (SCCC 8.25.120) All project shall submit to the Public Works Department the preliminary refuse service level assessment for approval.

#### Stormwater

- ST1. Prior to City's issuance of Building or Grading Permits, the applicant shall develop a Final Stormwater Management Plan and update:
- C.3 Data Form
  - Special Project Narratives and Worksheet (as appropriate)
  - Erosion and Sediment Control Plan
- ST2. Applicant shall prepare a stormwater management plan/LID report that summarizes the requirements of the C.3 Stormwater Handbook for project implementation. Measures for site design, stormwater treatment, hydromodification management, shall be addressed where applicable (see chapters 4-7 of handbook). O&M, alternative compliance methods, and C.3 appendix items shall be included as needed (see chapters 8-9 and appendices of handbook).

- ST3. The Final Stormwater Management Plan and all associated calculations shall be reviewed and certified by a qualified 3<sup>rd</sup> party consultant from the SCVURPPP List of Qualified Consultants, and a 3<sup>rd</sup> party review letter shall be submitted with the Plan.
- ST4. For projects that disturb a land area of one acre or more, the applicant shall provide a copy of the Notice of Intent (NOI) with WDID number for coverage under the State Construction General Permit. Active projects with a NOI will be inspected by the City once per month during the wet season (October – April).
- ST5. The applicant shall incorporate Best Management Practices (BMPs) into construction plans and incorporate post-construction water runoff measures into project plans. Include the [SCVURPPP Countywide Construction BMPs](#) with the plans.
- ST6. Include the [C.3 Treatment Facilities Construction Notes](#) on the Improvement Plans and/or Stormwater Control Plans.
- ST7. During the construction phase, all stormwater control measures shall be inspected for conformance to approved plans by a qualified 3<sup>rd</sup> party consultant from the SCVURPPP List of Qualified Consultants, and a 3<sup>rd</sup> party concurrence letter on the C.3 facilities construction shall be submitted to the Public Works Department. The City reserves the right to review the 3<sup>rd</sup> party inspection reports on the C.3 stormwater facilities installation.
- ST8. Applicant shall install biotreatment soil media that meets the minimum specifications as set forth in the SCVURPPP C.3 Stormwater Handbook. If percolation rate test of the biotreatment soil mix is not performed on-site, a certification letter from the supplier verifying that the soil meets the specified mix (the date of such document shall not be older than 3 months).
- ST9. As-Built drawing shall be submitted to the Public Works Department prior to building permit final.
- ST10. Permeable Pavement, Media Filter vaults, Interceptor Trees and Trash Full Capture Devices shall be inspected by a 3<sup>rd</sup> party reviewer and/or manufacturer representative for conformance with the details and specifications of the approved plans. All new pervious concrete and porous asphalt pavements should have a minimum surface infiltration rate of 100 in./hr as described in the SCVURPPP C.3 Handbook. A map displaying the number, location and details of full trash capture devices shall be prepared as an attachment to the Operations and Maintenance (O&M) Agreement with the City.
- ST11. Stormwater treatment facilities must be designed, installed, and maintained to achieve the site design measures in accordance to the SCVURPPP C.3 Stormwater Handbook (Chapter 6 and Appendix C).
- ST12. The property owner shall enter into an Operation and Maintenance (O&M) Agreement with the City for all installed stormwater treatment measures and full trash capture devices in perpetuity. Applicants should contact Public Works Dept. - Environmental Services at (408) 615-3080 or [Environment@SantaClaraCA.gov](mailto:Environment@SantaClaraCA.gov) for assistance completing the Agreement. For more information and to download the most recent version of the O&M Agreement, visit <http://santaclaraca.gov/cd> under Stormwater Management. Inspection of permeable pavement, media filter vaults and full trash capture devices is to be done annually by December 31 of each year.
- ST13. Any site design measures used to reduce or resize the size of stormwater treatment measures shall not be installed without the written approval from the City. Any approved changes will require a recertification of design and installation by a qualified 3<sup>rd</sup> party consultant and an amendment of the property's O&M Agreement with the City.
- ST14. For single-family homes and other small projects that create and/or replace 2,500 – 10,000 square feet of impervious surface area, the applicant shall implement at least one of the following site design measures:
- a. Direction of roof runoff into cisterns or rain barrels
  - b. Direction of roof, sidewalk, walkway, patio, driveway, or parking lot runoff into vegetated areas
  - c. Construction of sidewalks, walkways, patios, bike lanes, driveways, and parking lots with permeable surfaces
- Plans shall specify which site design measures are selected for the project and show the direction of flow from impervious surfaces to the selected site design measures. All measures shall meet the design criteria in the 2016 C.3 Stormwater Handbook, Appendix K: Standard Specifications for Lot-Scale Measures for Small Projects.

- ST15. Developer shall install “No Dumping – Flows to Bay” medallions on any storm drains located on private property.
- ST16. All interior floor drains shall be plumbed to the sanitary sewer system and not connected to the City’s storm drain system.
- ST17. Floor drains within trash enclosures shall be plumbed to the sanitary sewer system and not connected to the City’s storm drain system. All trash enclosures must have roofs.
- ST18. All outdoor equipment and material storage areas shall be covered and/or bermed, or otherwise designed to limit the potential for runoff to contact pollutants.
- ST19. Decorative and recreational water features such as fountains, pools, and ponds shall be designed and constructed to drain to the sanitary sewer system only.
- ST20. The use of architectural copper is prohibited.

**SILICON VALLEY POWER**

- SVP1. SVP developers work drawing will be required prior to any building permit or encroachment permit sign off.
- SVP2. Costs associated with undergrounding the overhead pole line are actual costs incurred for material & labor.
- SVP3. Clearances: (Make sure job notes do not conflict with SVP clearance requirements)
  - a. EQUIPMENT
    - i. Ten (10) foot minimum clearance is required in front of equipment access doors. (UG1000 sheet 11)
    - ii. Five (5) foot minimum clearance from pad is required on sides without equipment access doors. (UG1000 sheet 11)
    - iii. Eighteen (18) foot minimum width, shall be provided and maintained on one side of the equipment pad to allow an electric dept. line truck to drive up next to the pad for installation and maintenance of equipment. (UG1000 Sheet 11).
    - iv. Barrier pipes are required only on sides accessible to vehicles. (UG1000 Sheet 12).
      - 1. Thirty (30) inches from side of equipment sides.
      - 2. Forty Eight (48) inches in front of access doors.
        - a. Barrier Pipes in front of access doors shall be removable.
  - b. CONDUITS
    - i. Five (5) foot minimum longitudinal clearance between new conduits or piping systems (open trench installation) and any existing or proposed SVP conduit system. This is for longitudinal. (UG1250 sheet 5)
    - ii. Twelve (12) inch minimum vertical clearance between new conduit/pipes installed perpendicular to existing SVP conduits for open trench installations. (UG1000 sheet 36, UG1250 Sheet 6)
    - iii. Three (3) foot six (6) inches clearance is required from poles for open trench installation. Exceptions are for riser conduit. (UG1250 Sheet 7)
    - iv. Three (3) foot minimum clearance is required between sign posts, barrier pipes or bollards, fence posts, and other similar structures. ( UG1250 sheet 10).
    - v. Five (5) foot minimum from new splice boxes, pull boxes, manholes, vaults, or similar subsurface facilities. (UG1000 sheet 8)
    - vi. Five (5) foot minimum clearance from walls, footings, retaining wall, landscape planter, tree root barrier or other subsurface wall or structure. (UG1250 sheet 9).
    - vii. Five (5) foot minimum clearance is required between fire hydrant thrust block. The thrust block extends 5’ foot on either side of the fire hydrant in line with the radial water pipe connected to the hydrant.

- c. VAULTS/MANHOLES
  - i. Ten (10) foot minimum clearance is required between adjacent Vaults or Manholes.
  - ii. Five (5) foot minimum clearance is required between adjacent conduits.
  - iii. Minimum 36" from face of curb, or bollards required.
- d. Poles (Electrolier, Guy Stub poles, service clearance poles, self-supporting steel poles and lighting poles.)
  - i. Three (3) foot six (6) inches clearance is required from poles for open trench installation. Exceptions are for riser conduit. (UG1250 Sheet 7)
- e. Guy Anchors
  - i. Five (5) foot minimum clearance is required between center of anchor line and any excavation area. (UG1250 sheet 15).
- f. Trees
  - i. OH 1230 for Overhead Lines
  - ii. SD 1235 for Tree Planting Requirements near UG Electric Facilities

SVP4. Reference listed SVP standards for clearances.

- a. Installation of Underground Substructures by Developers
- b. UG1250 – Encroachment Permit Clearances from Electric Facilities
- c. UG0339 – Remote Switch Pad
- d. OH1230 – Tree Clearances From Overhead Electric Lines
- e. SD1235 – Tree Planting Requirements Near Underground Electric Facilities

SVP5. 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.

SVP6. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.

SVP7. Electric service shall be underground. See Electric Department Rules and Regulations for available services.

SVP8. 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.

SVP9. 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.

SVP10. 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).

SVP11. 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.

SVP12. 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.

- SVP13. 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.
- SVP14. Any relocation of existing electric facilities shall be at Developer's expense.
- SVP15. Electric Load Increase fees may be applicable.
- SVP16. 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)).
- SVP17. 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)).
- SVP18. 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.
- SVP19. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.
- SVP20. 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.
- SVP21. 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.
- SVP22. 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.
- SVP23. 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.

- SVP24. SVP does not utilize any sub-surface (below grade) devices in its system. This includes transformers, switches, etc.
- SVP25. All interior meter rooms at ground level 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.
- SVP26. High Rise Metering and Multi-Floor Infrastructure Requirements
- SVP27. Refer to UG0250 – High Density Residential Metering Requirements
- SVP28. Refer to FO-1901 – Fiber Optic Splicing and Testing Methods
- SVP29. In the case of podium-style construction, all SVP facilities and conduit systems must be located on solid ground (aka “real dirt”), and cannot be supported on parking garage ceilings or placed on top of structures.
- SVP30. 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.
- SVP31. In events where electric load demand exceeds 2MVA or service size exceeds 4000 Amps at 480V for a building, the Customer shall take service at 12KV. If electric load for a single metered location service exceeds 4.5MVA, additional 12KV service(s) may be provided. All 12KV utility connection points terminate at the Customer Switchgear. UGEE easement up to the Customer Switchgear is required, along with an 18’ drivable space. 10’ working clearance is required in front of and behind the switchgear. 5’ working clearance is required on the sides of the switchgear (with no panels). Customer 12KV Switchgear must be located outdoors on “real dirt” unless otherwise agreed upon with SVP. SVP owns and maintains the cable/conduit up to the customer switchgear.
- SVP32. In events where electric service is provided at 120/208V or 277/480V the utility connection point is at the secondary compartment of SVP transformers. Customer owns and maintains the cable and conduits up to the SVP transformers.
- SVP33. No cross-parcel distribution is allowed. SVP service points must be within the parcels that they serve.

## **WATER & SEWER**

- W1. Encroachment Permit: Prior to issuance of Building Permits, the applicant shall submit an encroachment permit application and design plans for construction of water utilities that comply with the latest edition of the Water & Sewer Utilities Water Service and Use Rules and Regulations, Water System Notes, and Water Standard Details and Specifications. In addition, prior to the City's issuance of Occupancy, the applicant shall construct all public water utilities per the approved plans. The Water & Sewer Utilities will inspect all public water utility installations and all other improvements encroaching public water utilities.
- W2. Utility Design Plans: Utility Design Plans shall indicate the pipe material and the size of existing water, recycled water and sewer main(s). The plans shall show the nearest existing fire hydrant and the two nearest existing water main line gate valves near the project area. The plans shall show meter and backflow configurations to scale and per City of Santa Clara Water & Sewer Utilities Standard Details. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area. Fire hydrants should be located two feet behind monolithic sidewalk if sidewalk is present; two feet behind face of curb if no sidewalk is present, per City Std Detail 18. The plans shall provide the profile section details for utilities crossing water, sewer, or recycled water mains to ensure a 12” minimum vertical clearance is maintained.

- W3. Utility Separations: Applicant shall adhere to and provide a note indicating that all horizontal and vertical clearances comply with State and local regulations. 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 and electric 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). No structures (fencing, foundation, biofiltration swales, etc.) allowed over sanitary sewer, potable water and/or recycled water utilities and easements.
- W4. Separate Services: Applicant shall submit plans showing proposed water, recycled water, sanitary sewer, and fire services 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 and recycled water use (domestic, irrigation, fire) shall be served by separate water services, each separately tapped at the water main. Tapping on existing fire service line(s) is prohibited. Approved backflow prevention device(s) are required on all potable water services.
- W5. City Standard Meters and Backflows: All proposed meters and backflows for all water services shall meet the current City of Santa Clara Water & Sewer Utilities Standard Details. Plans shall show meter and backflow configurations to scale.
- W6. Existing Services: The applicant must indicate the disposition of all existing water and sewer services and mains on the plans. If the existing services will not be used, then the applicant shall properly abandon these services to the main per Water & Sewer Utilities standards and install a new service to accommodate the water needs of the project. The applicant shall bear the cost of any relocation or abandonment of existing Water Department facilities required for project construction to the satisfaction of the Director of Water and Sewer Utilities.
- W7. On-Site Storm Drain Treatment: Prior to issuance of Building Permit, the applicant shall submit plans showing any onsite storm water treatment system. The plan shall include a section detail of the treatment system. No water, sewer, or recycled water facilities shall be located within 5-feet of any storm water treatment system.
- W8. Water Usage: Prior to the issuance of Building Permits, the applicant shall provide documentation of water usage so the Water Division can verify the appropriate size of all proposed water meters. Please note that if the existing water services are incapable of supplying the water needs to the site, the existing services shall be abandoned, and new separate dedicated water services shall be provided for each use (domestic and irrigation).
- W9. Prior to issuance of Building Permits, the applicant shall submit plan details for all water features (including but not limited to fountains and ponds) designed to include provisions for operating the system without City potable water supply and capable of being physically disconnected from source of potable water supply during City declared water conservation periods, to the satisfaction of the Director of the Water & Sewer Utilities. Decorative water features may be permanently connected to the City's recycled water supply.
- W10. Easements: 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.
- W11. Underground Fire Permit: Prior to issuance of Building Permits, applicant shall submit an underground fire permit unless otherwise waived by the Fire Department. If fire flow information is needed, applicant shall coordinate with Water and Sewer Utilities Department, for fire flow information at (408)615-2000. A dedicated fire service line, with an approved backflow prevention device, shall be used for on-site fire hydrants. Fire service lines required for commercial and industrial use shall be sized appropriately per fire flow demand and code requirements.

- W12. Record Drawings: Upon completion of construction and prior to the City's issuance of a Certificate of Occupancy, the applicant shall provide "as-built" drawings of the public water utility infrastructure prepared by a registered civil engineer to the satisfaction of the Director of Water & Sewer Utilities Department.
- W13. Water Shortage Response Actions: Pursuant to the City of Santa Clara's Urban Water Management Plan, during times of drought or water shortage, the City implements water shortage response actions in accordance with the level of water shortage declared. All construction activities and all new irrigation connections are subject to the Water Shortage Response Actions in effect at the time of construction and connection of the irrigation service.

Water Shortage Response Actions for Stage 2 and higher include water use restrictions that limit the use of potable water such as:

- a. prohibiting the installation of new potable water irrigation services. new irrigation connections, construction, and dust control.
- b. restrict the use of potable water used for construction and dust control if recycled water is available.

This project is subject to all the requirements and restrictions of the Water Shortage Response Actions in place or adopted during the duration of the project. For more information, visit the City of Santa Clara Water & Sewer Utilities website at [www.santaclaraca.gov/waterconservation](http://www.santaclaraca.gov/waterconservation).

## **CONDITIONS OF REZONE AND USE PERMIT 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.

### **PLANNING AND BUILDING INSPECTION**

- P1. 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.
- P2. The Director of Community Development may refer the use permit to the Planning Commission at any time to consider the initiation of revocation proceedings if the conditions of approval are violated or the operation is inconsistent with the approved proposal. In addition, if complaints are received by the City with respect to this use, staff shall provide a review of the use permit to the Planning Commission within three months for consideration of revocation proceedings.
- P3. Any modification to the approved proposal shall require an amendment to the Use Permit subject to Planning Commission review and approval prior to commencement of the proposed changes.
- P4. Submit plans for Architectural Committee 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, stormwater control, and signage. Changes to the plans, as required by conditions of approval contained herein, shall be provided as part of the architectural review plan set.
- P5. The ground floor plan and building elevations shall be revised on plans submitted for Architectural Review to remove the roll-up door along the Cecil Avenue frontage of the property that accesses the car wash/detail area and modify the floor plan so that internal site circulation to/from this area occurs on-site and not using the public street.
- P6. Pedestrian and roll-up doors opening onto Cecil Avenue should remain closed during operation, and be used for emergency ingress/egress, and to facilitate the collection of waste only and shall not be used as a primary entrance to or exit from the site, except as allowed for oil/fluid removal and supply, consistent with Condition P19 below. The roll-up door between the service area and Cecil Avenue should remain closed at all times, except in the event of emergency ingress/egress needs and to facilitate the collection of waste. ~~The roll-up door for the service area that faces east should remain closed except for vehicle ingress/egress in order to minimize noise disturbance to nearby neighbors,~~

- ~~consistent with the Illingworth & Rodkin noise study recommendations dated July 18, 2016.~~ Prior to approval of plans for Architectural Review, plans shall be revised to label doors opening to Cecil Avenue consistent with this condition, and plans shall note that signage will be posted on-site to inform employees and other users which doors are to remain closed during operations.
- P7. Prior to approval of the plans for Architectural Review, the landscaped setback along Cecil Avenue shall be increased to 10 feet, as required by the Zoning Ordinance for a “through lot” with two front property lines. Alternatively, the applicant shall submit for a minor modification, along with the justification therefor, and request that the building setback be reduced by a maximum of 25% to a minimum setback of 7 feet 6 inches along Cecil Avenue.
- P8. . Employees shall be directed to park within designated parking stalls on-site. The designated parking stalls shall be signed or stenciled “Employee Only”. Employees shall be strongly discouraged to park off-site.
- P9. Prior to approval of the plans for Architectural Review, the plans shall be revised to show the designated locations of all parking spaces required by the Zoning Ordinance to be provided for employees and customers. The Zoning Ordinance calls for 1 employee/customer space per 400 square feet of repair/showroom area (a total of 114 required parking spaces based on the proposed square footage) plus one space for every two non-auto-repair employees. The applicant shall identify the total number of non-auto-repair employees for the dealership as part of the architectural review application. Plans shall be labeled to identify whether parking stalls will serve retail customers, service/repair customers, or inventory purposes.
- P10. The operator shall manage vehicular stacking for the service area such that it does not create back-up onto Stevens Creek Boulevard or otherwise affect vehicular, bike, or pedestrian circulation.
- P11. All lighting shall be shielded to prevent any spillover onto adjacent properties. Developer shall adjust angle, shield, or dimming of the lights should there are spillover of lights onto adjacent properties. Bright white lighting for nighttime outdoor vehicle display shall not occur on the rooftop parking deck. Rooftop lighting shall be subdued and non-white in color (equivalent to low or high pressure sodium light) but adequate for safety as employee/customer parking and vehicle storage.
- P12. The use of announcement or paging speaker systems outside the building is prohibited.
- P13. Use of the 26-foot wide driveway exit to Cecil Avenue shall be minimized. Test drives shall use the Stevens Creek Boulevard driveway for ingress and egress. The solid gate across the 26-foot driveway to Cecil Avenue shall be closed at all times, except in the event of an emergency or in order to facilitate egress from the site by delivery or service trucks for which egress from the Stevens Creek Boulevard exit is problematic. Prior to approval of the plans for Architectural Review, the on-site circulation expected for vehicles and delivery trucks shall be identified.
- P14. The interior service door to the car wash (facing east) shall be closed when the vehicle washing equipment is in operation. The applicant shall present service door and automatic opening device details to the satisfaction of the Architectural Committee to demonstrate that carwash and service area noise impacts on adjoining residences are minimized.
- P15. The floors of the parking structure shall be textured or surfaced to minimize noise from vehicle tires in motion.
- P16. All mechanical equipment associated with the ventilation of this building shall be located within the building or on the rooftop, screened from public view, and designed so that building ventilation exhaust areas do not directly face neighboring residential properties. Auto wash area shall not be open toward residential properties when in operation, to the

- satisfaction of the Director of Planning and Inspection.
- P17. Hours of vehicle sales and service operation are restricted to 7:00 a.m. to 10:00 p.m. every day, including loading and receiving of materials and site circulation. All roll-up doors shall remain closed during these hours.
- P18. Parts and supply deliveries shall occur using the Stevens Creek Boulevard driveway, and not Cecil Avenue.
- P19. No loading, unloading, deliveries, vehicle staging, vehicle parking, vehicle/site service, or other site function shall occur on Cecil Avenue or other nearby residential streets, with the exception of oil and other fluid extraction and supply to the business may occur on Cecil Avenue between the hours of 8:00 a.m. to 5:00 p.m. ~~Oil and other fluid extraction and supply on Cecil Avenue shall occur no more than one time per week. The business operator shall maintain a log of activity for the oil and other fluid extraction and supply. Said log shall be furnished to the City upon request.~~
- P20. The use of portable-generator-powered equipment to wash display vehicles shall not occur before 7:00 A.M. on weekdays, and shall not occur before 8:00 A.M. on weekends.
- P21. Consistent with the Illingworth & Rodkin noise report dated July 18, 2016, utilize service bays furthest from the roll-up doors first, locate the noisier repair/service activities in bays furthest from the roll-up doors, limit sounding of horns and loud car radio use, and emphasize to all dealership staff the neighborhood's sensitivity to noise and the importance of minimizing operational noise impacts to neighbors.
- P22. Obtain Zoning Administrator Minor Modification for proposed building height (above 35 feet).
- P23. 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.
- P24. 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.
- P25. It shall be the developer's responsibility through his engineer to provide written certification that the drainage design 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.
- P26. 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 Architectural Review approval. Post construction stormwater control measures must be certified for compliance with applicable Regional Water Quality Control Board requirements by a third-party certification body. Proposed BMPs shall be submitted to and thereafter reviewed and approved by the Planning Division and the Building Division for incorporation into construction drawings and specifications.
- P27. The project site is located in Seismic Hazard Zone as identified by the State Geologist for potential hazards associated with liquefaction, pursuant to the Seismic Hazard Mapping Act (Div.2 Ch7.8 PRC), and the developer shall prepare and submit a geotechnical hazards investigation report acceptable to the City of Santa Clara Building

- Official prior to issuance of permits.
- P28. An erosion control plan shall be prepared and copies provided to the Planning Division and to the Building Division for review and approval prior to the issuance of grading permits or building permits that involve substantial disturbance of substantial ground area.
- P29. Developer is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- P18. The Project shall comply with all mitigations identified in the Mitigation, Monitoring and Reporting Program for the project.
- P18. This Use Permit will only take effect following the effective date of the City Council's rezoning of the associated easterly 0.28 acre portion of the site from A – Agriculture to CT – Thoroughfare Commercial (City file number PLN2016-11888). Should the City Council not approve the associated rezoning, the Planning Commission's approval of this Use Permit shall be null and void.

### **ENGINEERING**

- E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees prior to issuance of the Building Permit. 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, 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. 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.
- E4. After City Council approval of the Tentative Parcel Map, submit 10 copies of the Parcel 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 Parcel Map shall be recorded by developer prior to building permit issuance.
- E5. File and record Parcel Map for proposed development and pay all appropriate fees prior to Building Permit issuance.
- E6. 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.
- E7. Sanitary sewer (SS) cleanout shall be installed at or near property line per City standard detail SS-1 for proposed SS lateral.
- E8. Proposed trees shall be 5' minimum clear of sidewalks. 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.

- E9. Storm drain and sanitary sewer laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk.
- E10. 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.
- E11. 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.
- E12. Remove existing driveways and replace with ADA compliant driveways along the property frontages per City standards.
- E13. With the requirement to install the "Boulevard Style" frontage improvements (4-foot park strip with trees, and 10-foot sidewalk) along Stevens Creek Blvd, property owner will be required to dedicate sidewalk and utility easements for portions of sidewalk and any public utility within private property and pay the easement preparation fee. For more information regarding the easement contact Nelson Damian at 408-615-3000.
- E14. Unused driveways in the public right-of-way shall be replaced with City standard curb, gutter, and sidewalk per City Standard Detail ST-12.
- E15. All proposed walkway, sidewalk, driveways, and curb ramps shall be ADA compliant.
- E16. Show and comply City's Driveway Triangle of Safety requirement at all proposed driveways including the Parking Garage driveways. No trees and/or structures obstructing drivers' view are allowed in the Triangle of Safety areas.
- E17. Provide pedestrian ADA walkway from proposed buildings to public sidewalk.
- E18. Proposed driveways on Stevens Creek Blvd. and Cecil Avenue shall be per City standard detail ST-8.
- E19. On-street parking shall not be counted toward on-site parking requirements.
- E20. Provide 2 Class I and 8 Class II bicycle parking spaces at main entrance and/or high visible area.

### **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 overhead. See Electric Department Rules and Regulations for available services.
- EL4. Electric service shall be underground. See Electric Department Rules and Regulations for available services.
- EL5. 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.
- EL6. Overhead services shall be installed per City of Santa Clara Electric Department standard OH-550, MS-G6, and MS-G7 latest revision.

- EL7. 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 Std. MS-G7, Rev. 2.
- EL8. 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).
- EL9. 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.
- EL10. 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.
- EL11. 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.
- EL12. Any relocation of existing electric facilities shall be at Developer's expense.
- EL13. Electric Load Increase fees may be applicable.
- EL14. 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 developer's 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)).
- EL15. 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 Chapter 17.15, Appendix A (Table III)).
- EL16. 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.
- EL17. 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. The applicant shall maintain 12" of vertical clearance at water service crossing with other utilities, and all required horizontal clearances from water services: 10' from sanitary sewer utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 5' from gas utilities, and 10' from landscaping. If applicant installs root barriers, clearance from landscaping reduces to 5'.
- W2. Prior to issuance of Building Permits, the applicant shall provide details for a sanitary sewer manhole on the property line for sanitary sewer services greater than 6".
- W3. Prior to the issuance of Building or Grading Permits, the applicant must indicate the disposition of all existing water services on the plans. The applicant must properly abandon all existing water services on the property that will not be used per Water & Sewer Utilities standards.
- W4. Prior to the issuance of Building Permits, the applicant shall provide fixture unit counts so the Water Division can verify the appropriate size of all proposed water meters.
- W5. The applicant shall revise plans so that water meter and the back flow preventer are located behind the side walk in a landscaping area. Additionally, the proposed water and fire services layout shall comply with City Standards 11 and 16.
- W6. Prior to issuance of Building Permits, the applicant shall submit plans indicating that the proposed water utilities will be installed per City Standard Details 11 (water service with reduced pressure backflow prevention device), 16 (fire service with double check detector assembly), and 18 (fire hydrant assembly). The applicant shall include the applicable City Standard Details on the plans. Note that the standard details can be found on the City of Santa Clara website under Water and Sewer Utilities Technical Documents.
- W7. Prior to the issuance of building permit, applicant shall review the plan set, address discrepancies, and submit plans consistently showing the location of the proposed and existing utilities. Please note that there are several utility discrepancies between sheet L-2 (composite plan) and sheet C5.2 (utility plan).
- W8. The applicant shall label the sizes and type for the water main along Stevens Creek Boulevard. Additionally, the applicant shall label the sizes of the water laterals. Note that the applicant shall correct the discrepancies on sheet C5.2 (utility plan) involving callouts.
- W9. Prior to issuance of Building Permits, the applicant shall enlarge the scale of sheet L-2 (composite utility plan), such that utility conflicts can be identified. At its current scale, sheet L-2 is very difficult to read.

### **POLICE**

- PD1. The business operator shall strictly adhere to the business hours as stated in the use permit.
- PD2. The developer shall provide a minimum average illumination of one-foot candle in parking areas and in all common pedestrian or landscaped areas of the development, subject to adjustments by the Police Chief in consultation with Silicon Valley Power and Planning Department as necessary for the project to meet LEED Certification, or equivalent, objectives. The illumination should be deployed in fixtures that are both weather and vandal resistant.
- PD3. Address numbers should be a minimum of twelve (12) inches in height for commercial or industrial buildings. The numbers shall be illuminated during the hours of darkness, and in a color that is contrasting to the background material. They shall be clearly visible from the street.
- PD4. The entrance to the driveway and parking area should be posted with appropriate signage to discourage trespassing, unauthorized parking, etc. (See California vehicle Code section 22658(a) for guidance.

- PD5. Developer shall provide trash enclosure fencing that is either see through or has a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these trash enclosures should remain locked.
- PD6. Landscaping should be of the type and situated in locations to maximize visibility from the street while providing the desired degree of aesthetics. Security planting materials are encouraged along fence and property lines and under vulnerable windows to discourage criminal penetration.
- PD7. All exterior doors should be adequately illuminated at all hours with their own light source.
- PD8. All business or commercial establishments, of whatever nature, should have a comprehensive internal security plan, tailored to the specific use. This should include, but not limited to, employee security during working hours, after hours security, disaster preparation, etc. You may contact the Community Services Unit, Santa Clara Police Department, 601 El Camino Real, Santa Clara, CA 95050, Attn: CSU Sergeant, should you have questions or need advice on this matter.
- PD9. 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, vehicle parking area, etc. Contact Alarm Administrator at Santa Clara Police Department for further details (408) 4615-4700.

## **FIRE**

- F1. At time of Building Permit Application, submit documentation showing that the minimum required fire-flow in accordance with California Fire Code, Appendix B, and Table B105.1 can be met for the construction type and square footage of the building. A maximum reduction of 50% in fire-flow is allowed with the installation of an automatic fire sprinkler systems designed in accordance with California Fire Code. The resulting fire-flow shall not be less than 1,500 gallons per minute for the prescribed duration. From the hydrant flow data (current within one year) provide a hydraulic calculation that this fire flow can be met at a residual pressure of 20 psi.
- F2. At time of Building Permit Application, the Design Team shall submit an Alternate Means and Method Application (AMMA) Permit to mitigate the lack of fire department access. The mitigation shall include an increase in sprinkler density from 0.15 gpm/sq. ft. to 0.2 gpm/sq. ft. for all areas of the buildings and parking garage. Additional standpipe locations will also be required where deemed appropriate.

## **STREETS**

- ST1. Submit a solid waste collection plan to meet the requirements. Please contact Street Department at 408-615-3080 for guideline.
  - a. Solid Waste enclosure must provide a minimum unobstructed inside opening of 12' and have minimum inside dimensions of 18.5' by 10.5'.
- ST2. Developer must have 3<sup>rd</sup> party verification of C.3 packet and storm water management plan, 3<sup>rd</sup> party inspection of stormwater treatment devices at time of installation, and Inspection and Maintenance agreement with the Street Division (we provide boiler plate). Document must be printed single-sided and be notarized. For more information, call 408-615-3080.
- ST3. Projects with active building permits over 1 acre in size must maintain a SWPPP and are to be inspected once a month during the wet season (October – April) – fees, subject to change, are \$162.63 per inspection.

- ST4. 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.
- ST5. The Developer is to supply and install City street trees per City specifications; spacing, specie, and size to be determined by City Arborist.
- ST6. 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.
- ST7. 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).

I:\PLANNING\2015\Project Files Active\PLN2015-11350 3215 Stevens Creek Boulevard (Use Permit)\CC\Conditions of Approval - 3215 Stevens Creek Blvd (PLN2015-11350).doc

## CONDITIONS OF REZONE AND USE PERMIT 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.

### **PLANNING AND BUILDING INSPECTION**

- P1. 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.
- P2. The Director of Community Development may refer the use permit to the Planning Commission at any time to consider the initiation of revocation proceedings if the conditions of approval are violated or the operation is inconsistent with the approved proposal. In addition, if complaints are received by the City with respect to this use, staff shall provide a review of the use permit to the Planning Commission within three months for consideration of revocation proceedings.
- P3. Any modification to the approved proposal shall require an amendment to the Use Permit subject to Planning Commission review and approval prior to commencement of the proposed changes.
- P4. Submit plans for Architectural Committee 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, stormwater control, and signage. Changes to the plans, as required by conditions of approval contained herein, shall be provided as part of the architectural review plan set.
- P5. The ground floor plan and building elevations shall be revised on plans submitted for Architectural Review to remove the roll-up door along the Cecil Avenue frontage of the property that accesses the car wash/detail area and modify the floor plan so that internal site circulation to/from this area occurs on-site and not using the public street.
- P6. Any pedestrian and roll-up doors opening onto Cecil Avenue shall remain closed during operation, shall be used for emergency ingress/egress only, and shall not be used as a primary entrance to or exit from the site, except as allowed for oil/fluid removal and supply, consistent with Condition P19 below. The roll-up door between the service area and Cecil Avenue shall remain closed at all times, except in the event of emergency ingress/egress needs. The roll-up door for the service area that faces east shall remain closed except for vehicle ingress/egress in order to minimize noise disturbance to nearby neighbors, consistent with the Illingworth & Rodkin noise study recommendations dated July 18, 2016. Prior to approval of plans for Architectural Review, plans shall be



- P18. Parts and supply deliveries shall occur using the Stevens Creek Boulevard driveway, and not Cecil Avenue.
- P19. No loading, unloading, deliveries, trash/recycling pick-up, vehicle staging, vehicle parking, vehicle/site service, or other site function shall occur on Cecil Avenue or other nearby residential streets, with the exception of oil and other fluid extraction and supply to the business may occur on Cecil Avenue between the hours of 8:00 a.m. to 5:00 p.m. Oil and other fluid extraction and supply on Cecil Avenue shall occur no more than one time per week. The business operator shall maintain a log of activity for the oil and other fluid extraction and supply. Said log shall be furnished to the City upon request.
- P20. The use of portable-generator-powered equipment to wash display vehicles shall not occur before 6:00 A.M. on weekdays, and shall not occur before 8:00 A.M. on weekends.
- P21. Consistent with the Illingworth & Rodkin noise report dated July 18, 2016, utilize service bays furthest from the roll-up doors first, locate the noisier repair/service activities in bays furthest from the roll-up doors, limit sounding of horns and loud car radio use, and emphasize to all dealership staff the neighborhood's sensitivity to noise and the importance of minimizing operational noise impacts to neighbors.
- P22. Obtain Zoning Administrator Minor Modification for proposed building height (above 35 feet).
- P23. 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.
- P24. 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.
- P25. It shall be the developer's responsibility through his engineer to provide written certification that the drainage design 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.
- P26. 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 Architectural Review approval. Post construction stormwater control measures must be certified for compliance with applicable Regional Water Quality Control Board requirements by a third-party certification body. Proposed BMPs shall be submitted to and thereafter reviewed and approved by the Planning Division and the Building Division for incorporation into construction drawings and specifications.
- P27. The project site is located in Seismic Hazard Zone as identified by the State Geologist for potential hazards associated with liquefaction, pursuant to the Seismic Hazard Mapping Act (Div.2 Ch7.8 PRC), and the developer shall prepare and submit a geotechnical hazards investigation report acceptable to the City of Santa Clara Building Official prior to issuance of permits.
- P28. An erosion control plan shall be prepared and copies provided to the Planning Division and to the Building Division for review and approval prior to the issuance of grading permits or building permits that involve substantial disturbance of substantial ground area.

- P29. Developer is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- P18. The Project shall comply with all mitigations identified in the Mitigation, Monitoring and Reporting Program for the project.
- P18. This Use Permit will only take effect following the effective date of the City Council's rezoning of the associated easterly 0.28 acre portion of the site from A – Agriculture to CT – Thoroughfare Commercial (City file number PLN2016-11888). Should the City Council not approve the associated rezoning, the Planning Commission's approval of this Use Permit shall be null and void.

### **ENGINEERING**

- E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees prior to issuance of the Building Permit. 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, 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. 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.
- E4. After City Council approval of the Tentative Parcel Map, submit 10 copies of the Parcel 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 Parcel Map shall be recorded by developer prior to building permit issuance.
- E5. File and record Parcel Map for proposed development and pay all appropriate fees prior to Building Permit issuance.
- E6. 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.
- E7. Sanitary sewer (SS) cleanout shall be installed at or near property line per City standard detail SS-1 for proposed SS lateral.
- E8. Proposed trees shall be 5' minimum clear of sidewalks. 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.
- E9. Storm drain and sanitary sewer laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk.
- E10. 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.

- E11. 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.
- E12. Remove existing driveways and replace with ADA compliant driveways along the property frontages per City standards.
- E13. With the requirement to install the "Boulevard Style" frontage improvements (4-foot park strip with trees, and 10-foot sidewalk) along Stevens Creek Blvd, property owner will be required to dedicate sidewalk and utility easements for portions of sidewalk and any public utility within private property and pay the easement preparation fee. For more information regarding the easement contact Nelson Damian at 408-615-3000.
- E14. Unused driveways in the public right-of-way shall be replaced with City standard curb, gutter, and sidewalk per City Standard Detail ST-12.
- E15. All proposed walkway, sidewalk, driveways, and curb ramps shall be ADA compliant.
- E16. Show and comply City's Driveway Triangle of Safety requirement at all proposed driveways including the Parking Garage driveways. No trees and/or structures obstructing drivers' view are allowed in the Triangle of Safety areas.
- E17. Provide pedestrian ADA walkway from proposed buildings to public sidewalk.
- E18. Proposed driveways on Stevens Creek Blvd. and Cecil Avenue shall be per City standard detail ST-8.
- E19. On-street parking shall not be counted toward on-site parking requirements.
- E20. Provide 2 Class I and 8 Class II bicycle parking spaces at main entrance and/or high visible area.

#### **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 overhead. See Electric Department Rules and Regulations for available services.
- EL4. Electric service shall be underground. See Electric Department Rules and Regulations for available services.
- EL5. 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.
- EL6. Overhead services shall be installed per City of Santa Clara Electric Department standard OH-550, MS-G6, and MS-G7 latest revision.
- EL7. 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 Std. MS-G7, Rev. 2.
- EL8. 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).
- EL9. 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.
- EL10. 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.
- EL11. 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.
- EL12. Any relocation of existing electric facilities shall be at Developer's expense.
- EL13. Electric Load Increase fees may be applicable.
- EL14. 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 developer's 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)).
- EL15. 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 Chapter 17.15, Appendix A (Table III)).
- EL16. 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.
- EL17. 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. The applicant shall maintain 12" of vertical clearance at water service crossing with other utilities, and all required horizontal clearances from water services: 10' from sanitary sewer utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 5' from gas utilities, and 10' from landscaping. If applicant installs root barriers, clearance from landscaping reduces to 5'.
- W2. Prior to issuance of Building Permits, the applicant shall provide details for a sanitary sewer manhole on the property line for sanitary sewer services greater than 6".
- W3. Prior to the issuance of Building or Grading Permits, the applicant must indicate the disposition of all existing water services on the plans. The applicant must properly

abandon all existing water services on the property that will not be used per Water & Sewer Utilities standards.

- W4. Prior to the issuance of Building Permits, the applicant shall provide fixture unit counts so the Water Division can verify the appropriate size of all proposed water meters.
- W5. The applicant shall revise plans so that water meter and the back flow preventer are located behind the side walk in a landscaping area. Additionally, the proposed water and fire services layout shall comply with City Standards 11 and 16.
- W6. Prior to issuance of Building Permits, the applicant shall submit plans indicating that the proposed water utilities will be installed per City Standard Details 11 (water service with reduced pressure backflow prevention device), 16 (fire service with double check detector assembly), and 18 (fire hydrant assembly). The applicant shall include the applicable City Standard Details on the plans. Note that the standard details can be found on the City of Santa Clara website under Water and Sewer Utilities Technical Documents.
- W7. Prior to the issuance of building permit, applicant shall review the plan set, address discrepancies, and submit plans consistently showing the location of the proposed and existing utilities. Please note that there are several utility discrepancies between sheet L-2 (composite plan) and sheet C5.2 (utility plan).
- W8. The applicant shall label the sizes and type for the water main along Stevens Creek Boulevard. Additionally, the applicant shall label the sizes of the water laterals. Note that the applicant shall correct the discrepancies on sheet C5.2 (utility plan) involving callouts.
- W9. Prior to issuance of Building Permits, the applicant shall enlarge the scale of sheet L-2 (composite utility plan), such that utility conflicts can be identified. At its current scale, sheet L-2 is very difficult to read.

#### **POLICE**

- PD1. The business operator shall strictly adhere to the business hours as stated in the use permit.
- PD2. The developer shall provide a minimum average illumination of one-foot candle in parking areas and in all common pedestrian or landscaped areas of the development, subject to adjustments by the Police Chief in consultation with Silicon Valley Power and Planning Department as necessary for the project to meet LEED Certification, or equivalent, objectives. The illumination should be deployed in fixtures that are both weather and vandal resistant.
- PD3. Address numbers should be a minimum of twelve (12) inches in height for commercial or industrial buildings. The numbers shall be illuminated during the hours of darkness, and in a color that is contrasting to the background material. They shall be clearly visible from the street.
- PD4. The entrance to the driveway and parking area should be posted with appropriate signage to discourage trespassing, unauthorized parking, etc. (See California vehicle Code section 22658(a) for guidance.
- PD5. Developer shall provide trash enclosure fencing that is either see through or has a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these trash enclosures should remain locked.
- PD6. Landscaping should be of the type and situated in locations to maximize visibility from the street while providing the desired degree of aesthetics. Security planting materials are encouraged along fence and property lines and under vulnerable windows to discourage criminal penetration.
- PD7. All exterior doors should be adequately illuminated at all hours with their own light source.





**From:** Mark Przyborowski [REDACTED]

**Sent:** Wednesday, May 14, 2025 2:15 PM

**To:** Colleen Trostle <[CTrostle@SantaClaraCA.gov](mailto:CTrostle@SantaClaraCA.gov)>

**Subject:** Re: Mission Trail service at Stevens Creek Subaru - 3225 Stevens Creek Blvd

Good Afternoon,

Yes, I understand that Subaru wants to move their dumpsters closer to where they generate trash and recycling. Currently, their bins are staged and serviced down the street on Cecil - which isn't practical for running a business. They need to have their bins located on their property.

There really are only two places their bins can go - the front of the property or the back of the building by Cecil.

The front of the property on the Stevens Creek side is very congested with traffic on Stevens Creek and with customers going in and out of the main driveway.

The access will be constantly blocked. Customer staging bins out front on Steven's creek will pose a safety hazard. The containers will block the line of sight for cars leaving or entering from Stevens Creek. Also, the garbage truck will block a lane of traffic. This level of traffic/congestion makes it unsafe for us to service the bins in the front of the property.

One method we use in situations like this is utilizing what we call "push/pull service".

This is performed with a smaller truck which would be able to safely access bins from behind the property off of Cecil.

Ideally, we would like to be able to service the bins on site. Our driver would enter from Cecil, empty the bins on Cecil, return the bins to customer and leave.

This process is the quickest, most efficient, and safest way to serve this customer.

Mission Trail already accesses several stops on that stretch of Cecil as access is only available from the back side of Stevens Creek.

For these reasons, we support the plan of being able to access and service Subaru's bins from the back of their property.