City of Santa Clara
The Center of What's Possible

CONDITIONS OF APPROVAL

PLN24-00060 5155 Stars and Stripes Boulevard
APNs: 097-01-069, 097-01-039, 104-01-102, 104-03-036, 104-03-037, 104- 03-038 and 104-03-039

Project Description: General Plan Text Amendment, Zoning Code Text Amendment and Amendment to the Master Community Plan for the Related Santa Clara Project (formerly referred to as "City Place") to Introduce a Scheme C Land Use Scenario.

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following conditions of approval shall be applied to the Master Community Plan Scheme C Supplement (MCP). The conditions of approval and obligations cited herein may be altered as necessary and additional specific detailed conditions may be added by the Executive Project Clearance Committee (Exec PCC) to accommodate the specific development Phases provided for in individual Development Area Plans (DAPs) called for under the provisions of the Master Community Plan (MCP). Detailed requirements and conditions specific to any DAP will be applied to the Council's consideration of that DAP approval.

References herein to the term *Parcels* shall be consistent with those five identified in Exhibit 1-4 of the MCP. References herein to the term *Phases* shall be consistent with those six or seven identified in Exhibit 2C-1 or 2-2 of the MCP, as appropriate.

GENERAL

1. Prior to submitting a DAP application, the Master Developer shall submit and secure approval from the Community Development Director of an integrated MCP for Schemes A and B (if the Master Developer will pursue Schemes A or B) or an integrated MCP for Scheme C (if the Master Developer will pursue Scheme C). The integrated MCP shall include only those elements applicable to Schemes A and B or Scheme C, as applicable, and shall also include any changes incorporated into the MCP in accordance with Council approvals. The Master Developer may elect to submit both an integrated MCP for Schemes A and B and an integrated MCP for Scheme C.
   (a)

2. All development, construction and uses shall comply with all applicable codes, regulations, ordinances and resolutions that are not otherwise altered by the specific development entitlements for the project.

3. 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.

4. The project shall comply with the conditions set forth in the Development Agreement and Development and Disposition Agreement in effect between the City of Santa Clara and Related, Santa Clara, LLC.
5. The project shall comply with the mitigation measures included within the Mitigation Monitoring or Reporting Program for the Project, each of which is hereby imposed as a condition of approval.
6. Provide filtration systems for on-site residences and daycare centers as necessary to reduce operational cancer risks and exposure to particulate matter 2.5 microns in diameter or less (PM2.5). This measure only applies to on-site residences and daycare centers. The Project Developer shall implement the following measures, as necessary, to reduce cancer risks to a

level less than BAAQMD project-level thresholds:

(a) Revised Health Risk Assessment (HRA): The Project Developer may choose to reassess the potential on-site cancer risk and PM2.5 concentrations to be experienced by on-site residential receptors and on-site daycare centers later in the design Phase, but prior to occupancy, and to prepare a revised HRA using updated receptor location information and more detailed assessment of risks associated with existing and project operational sources, and submit to the City for review. If the revised HRA demonstrates, to the satisfaction of the City, that the cancer risk and exposure to PM2.5 for all potentially exposed on-site receptors will be less than BAAMQD project-level thresholds, then no additional measures are necessary. If the revised HRA demonstrates, to the satisfaction of the City, that the cancer risk or exposure to PM2.5 for on-site sensitive receptors will be less than presented in the EIR but still over the BAAMQD threshold, then the control effort may be less.

(b) Install filtration systems on ventilation and recirculation systems. Filtration systems shall be installed on ventilation and recirculation systems within on-site residences and the heating, cooling, and ventilation systems that serve daycare centers that are exposed to risks above BAAQMD thresholds due to individual existing sources. All filters must be rated MERV 13 or higher. The Project Developer shall submit a plan for installation and maintenance of all filters in accordance with the manufacturer's recommendations to the City prior to approval of the first building permits.

7. Prepare and implement a noise control plan to reduce interior noise at sensitive land uses. The Project Developer shall conduct a design-level acoustic study that identifies exterior noise levels for residential and commercial uses on the project site. This study shall take into account existing, project, and reasonably foreseeable future noise sources (such as proposed increases in passenger rail service along the Lafayette Street corridor). Where this study finds that the exterior noise level would exceed the residential compatibility standard of 55 dBA Ldn or the commercial incompatibility standard of 65 dBA Ldn, the Project Developer shall prepare a design-level operational noise control plan to provide acceptable interior noise levels. This plan shall identify all project features and treatments that will be implemented to ensure that the project is in compliance with the interior noise standards listed in the City's General Plan and City Code as well as the standards specified for new construction within the Comprehensive Land Use Plan (CLUP) for Mineta San Jose International Airport (SJC). The study and plan shall be developed by an acoustical design professional. Design features and treatments will be identified to ensure that interior noise levels at new proposed uses are in compliance with the noise standards. The report shall be submitted to the City for review and approval prior to the issuance of building permits for the project. Depending on the noise exposure for a particular site, such treatments may include, but are not limited to, those listed below, as recommended by the acoustical design professional.

   (a) Construction of enclosures around noise-generating mechanical equipment at commercial uses.
   (b) Use of setbacks from noise sources to maximum attenuation of noise over distance.
   (c) Installation of noise-reducing treatments in new buildings, including:
      - High-performance, sound-rated double-glazed windows,
      - Sound-rated doors,
      - Sound-rated exterior wall construction,
      - Special acoustical details for vents,
      - Acoustical caulking at all exterior facade penetrations,
      - Sound-rated roof and ceiling constructions, and
      - Adequate mechanical ventilation so that windows and doors may be kept closed at

the discretion of the building occupants to control environmental noise intrusion.

8. Prepare and implement a vibration control plan to reduce vibration from the Union Pacific Railroad (UPRR) for sensitive land uses. The Project Developer shall prepare a design-level operational vibration control plan that identifies all project features and treatments that would be implemented to ensure that the project is in compliance with the vibration standards recommended by the Federal Transportation Administration (FTA) relative to railway operational vibration associated with UPRR operations. The plan shall be prepared when new uses would be located within the following screening distances, as recommended by FTA (FTA 2006):
    a. Category 1: Buildings where vibration would interfere with interior operations (600 feet).
    b. Category 2: Residences and buildings where people normally sleep (200 feet).
    c. Category 3: Institutional land uses with primarily daytime use (120 feet).

    The plan shall take into account current and future expected passenger and freight rail service levels adjacent to the project site. The plan shall be developed by an acoustical design professional and shall include a detailed investigation of ground-borne train vibration that considers site-specific train vibration source and propagation conditions and the actual building designs. The design features and treatments shall be identified to ensure that vibration levels at new proposed uses are in compliance with FTA standards. The report shall be submitted to the City for review and approval prior to the issuance of building permits for the project. Depending on the vibration exposure for a particular site, such treatments may include, but are not limited to, those listed below, as recommended by the acoustical design professional.

    d. Increased setbacks of noise-sensitive uses from the train track.
    e. Foundation isolation systems to reduce the transmission of vibration into buildings with noise-sensitive uses that are near the tracks.

9. Incorporate flood warnings for access roads for areas vulnerable to flooding. The Project Developer and the City shall coordinate to provide flood warnings for new and existing roadways that provide access to the site and are vulnerable to 100-year flood levels. The Project Developer shall review the City's flood warning and emergency response plan and submit a brief plan for the project that is consistent with the City's plan. The plan shall be submitted to the City's Emergency Services Coordinator in the City's Fire Department for review and approval. The specific frequency of expected flooding on-site access roads shall be determined by the Project Developer and reviewed by the City. Flood warnings may be temporary or permanent, depending on the frequency of expected flooding, as determined by the City. Information about alternative access/egress routes, based on flooding potential and other factors, shall also be provided by the Project Developer to the City's Emergency Services Coordinator in the City's Fire Department for review and approval. If other flood improvements are implemented that remove the flooding risk at the site access roads, then this condition of approval shall no longer be required.

ENGINEERING

E1. Developer is responsible for cost of relocation or modification of any public facility necessary to accommodate subject development, unless the cost of relocation or modification of a utility is the responsibility of a franchisee under a franchise agreement. Planned changes to existing facilities shall be included with and described in proposed infrastructure plans required at the time of DAPs.

E2. Following approval of Tentative Maps and/or Vesting Tentative Maps by Council, the Developer shall file Final Maps for approval and recordation to the satisfaction of the Director of Public Works prior to the issuance of building permits for the DAP, except as follows:

a. For DAP 1, a Tentative Map or Vesting Tentative Map shall be approved by Council prior to the

issuance of building permits for buildings located on property covered by DAP 1, and a Final Map approved to the satisfaction of the Director of Public Works shall have been filed for recordation covering property on which the building is located prior to the issuance of any certificate of occupancy for any building within DAP 1.

b. For DAP 2, a Tentative Map or Vesting Tentative Map shall be approved by Council prior to the issuance of building permits for buildings located on property covered by DAP 2, and a Final Map approved to the satisfaction of the Director of Public Works shall have been filed for recordation covering property on which the building is located prior to the issuance of any certificate of occupancy for any building within DAP 2.

E3. Infrastructure plans that are submitted with the DAP application shall address infrastructure needs for the entire phase where the DAP infrastructure needs must rely on, may be affected by, or may affect any future phase(s) of development. The submitted DAP infrastructure plans in that case shall provide not less than conceptual plans for or a description of the design of the infrastructure in the future phase(s), to the satisfaction of the Director of Public Works. 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. The Sanitary sewer (SS) laterals from Parcel 1 and Parcel 2 shall connect to the westernmost 42" SS main in Lafayette Street. The SS laterals from Parcel 3 and Parcel 4 shall connect to the 42" SS main running between the two parcels from Great America Parkway to Lafayette Street. Parcel 5 shall be connected to the 12" SS main in Stars and Stripes Drive. The City shall determine available SS capacity for each main as of the time of project entitlements, including each DAP or DAP Amendment, and the Developer shall construct facility improvements to accommodate the maximum MCP development. The Developer may be reimbursed for design and construction costs above its fair share costs.

E5. Execute Covenant(s) Running with the Land to assume maintenance responsibility for non-standard street improvements within public rights-of-way prior to the City's acceptance of said improvements. Non-standard street improvements include, but are not limited to, curb return type driveway(s).

E6. Obtain site clearance through the Engineering Department prior to issuance of building pe1mits. 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.

TRAFFIC

TR1. If the Lick Mill Boulevard extension north of Tasman Drive is constructed as a 4-lane minor arterial road before the Developer implements the proposed Scheme C development, the Developer shall modify Lick Mill Boulevard from a 4-lane minor arterial road to a 2-lane collector street, in accordance with the street design guidelines specified in the Tasman East Specific Plan. The anticipated changes would involve lane reconfigurations to reduce travel lanes, potential improvements at the northern terminus of Lick Mill Boulevard, the addition of on-street parking, and the implementation of traffic-calming features within the existing public rights-of-way.

ELECTRIC

EL1. DAP infrastructure plans and documents that address the electrical distribution system shall specify on-site private electric facilities and off-site public electric facilities to address the needs of the particular DAP and, conceptually, the needs of the overall phase which contains that DAP. To the extent that development of any particular DAP or phase may affect service to other phases, a conceptual plan or description of those needs shall be included in the application.

EL2. On-site infrastructure is the Developer's responsibility. The Developer shall install the substructures required to meet Silicon Valley Power (SVP) design requirements. SVP will install all cable and equipment facilities. The Developer will pay for any and all costs associated with installation of these facilities.

EL3. Developer shall provide the City easements and all rights of way for electric facilities and access for all facilities located on private streets or within structure boundaries.

EL4. The Developer entered into the Esperança Substation Agreement (the "Existing Substation Agreement") with the City of Santa Clara, dated December 3, 2019. Under the Existing Substation Agreement, up to 27 MVA of electrical capacity ("Available Capacity") is allocated for the Developer's use from Esperança Substation in connection with the project described therein. In addition, SVP and Developer are in discussions to amend the Existing Substation Agreement to among other things increase the Available Capacity by an additional 6.5MVA, which amendment will be subject to both City Council approval and such other SVP requirements including but not limited to Conditions of Approval EL.6 through EL.10 (the "Pending Amendment"). If the Developer requires electrical capacity or modifies the development after approval of the Pending Amendment, a further amendment to the Existing Substation Agreement and/or a new substation agreement will be necessary to accommodate such additional capacity or project modifications. In such instances, Conditions of Approval EL 6 through EL 10, along with any other conditions reasonably required by Silicon Valley Power (SVP), shall apply.

EL 5. SVP is currently conducting a distribution system impact system study (In Progress SIS). Developer submitted an application for the In Progress SIS in October 2024. This In Progress SIS does not include (and will not include) any data center loads in Parcels 1 and 2.

EL 6. If Developer modifies the project described in the In Progress SIS or requires capacity above the Available Capacity, additional requirements will be required based on SVP's evaluation of the modified development and its estimated load. In such case, the Developer shall submit an updated project description to SVP with such additional information as SVP may require. If SVP determines a new or amended system impact report is required based on the new project description or request for additional capacity, Developer shall submit an application for a new or amended system impact study (either distribution and transmission, or both) or other study as required, enter into a deposit agreement as required by SVP, and pay for the cost of these studies.

EL 7. In connection with EL 6, if the modified development's estimated load exceeds 13.5 MVA for any parcel (or such lower amount as may be determined by SVP), SVP will require a transmission system impact study which will assess the following:

a. System capacity of SVP's electric transmission system to serve the proposed load.
b. System capacity of PG&E's electric transmission system to serve proposed load.
    i. This is determined by studies performed by the California Independent System Operator (CAISO) in its yearly Transmission Planning Process (TPP).
    ii. Any mitigation measures identified, and/or construction schedules required by PG&E to the Developer's proposed load ramp. Any PG&E identified mitigations and/or construction schedules are not controlled by SVP nor is SVP responsible for any delays caused by these project schedules. Cost, if applicable, shall be borne solely by Developer.
c. Determine if developer's load ramp can be accommodated

EL.8 In connection with EL. 6, if SVP determines sufficient electric capacity is available for modified development or request for additional capacity under a system impact study (either distribution and transmission, or both) or such other study required by SVP, Developer shall secure an amendment to the Existing Substation Agreement (which would include the Pending Amendment) and, for any such requests after the Pending Amendment, a subsequent amendment and/or a new substation agreement,

in either case, on terms and conditions required by Silicon Valley Power in order to secure interim electric capacity and electric capacity for the modified development. Such amendment to the Existing Substation Agreement and/or new agreement shall contain the amount of allocated capacity and load ramp. The Developer will fully fund the design and construction of electric infrastructure improvements required by SVP in connection with the development.

EL.9 If SVP determines no electric capacity is available for Developer's request for additional capacity, no additional electric capacity shall be provided by SVP. If SVP determines that the modified development (or request for additional capacity) must be studied in the CAISO Transmission Planning Process (TPP), the Developer shall pay the CAISO System Impact Study Fee and any other CAISO fees and costs

EL.10 Pre-Design Work - If applicable, the Developer shall enter into a deposit agreement (in a form required by SVP) with the City, outlining the Developer's funding obligations for pre-design work related to the substation and/or distribution or transmission infrastructure necessary to support the development or any modifications thereto. Developer shall be responsible for the cost of the ampacity and grounding study (performed by SVP) for their Developer's distribution system incorporated into the pedestal design of the development. The requirements from the ampacity and grounding study shall be incorporated in the slab and pier construction on the parcels with landfill.

EL.11 The Development shall not encroach on SVP's Underground 230kV Line trench such that it is accessible with an 18' drivable surface over its entire alignment. Areas around manholes will require additional space. Any proposed development encroachments or changes (including, but not limited to, new electrical equipment, substructures, new streets, changes in grading and cover, landscaping and bioretention) will require additional analysis by SVP to ensure the capacity rating of the 230 kV line is not negatively impacted.

EL.12 These approvals do not grant Developer's project any electric power for its project.

Conditions E13 through E37 shall apply at the detailed design level unless SVP alters or waives any requirement in writing.

EL.13 **Utility Plan -** Electric Utility Infrastructure must be included in Civil Composite Drawings (C4) with horizontal profiles showing clearances.

a. Show existing infrastructure and easements.
b. Show new proposed infrastructure and easements per markups that will be provided once a utility plan is submitted.
c. Show all the trees.
d. Show all the electrical rooms for each building.

EL.14 **Initial Information:** Developer shall provide a site plan showing all existing utilities, structures, easements, and trees. Developer shall also include a detailed panel schedule showing all current and proposed electric loads.

EL.15 **Work Drawing:** Developer shall have a work drawing created for the site by either an SVP estimator or through the design process. All SVP standards and clearance requirements must be met, or variance approvals must be granted by SVP. The Developers' work drawing shall include but is not limited to: SVP substructure for primary, low voltage, streetlight, and fiber facilities. SVP facilities may extend off-site to the nearest utility connection point to tie in with existing infrastructure as deemed necessary by SVP.

EL.16 **Encroachment Permit:** Prior to issuance of Building Permits, the Developer shall submit an encroachment permit application with an ***approved*** SVP Developers Work Drawing for construction of

electric utilities that comply with the latest edition of SVP Standards and Rules and Regulations, Electric Notes, and Electric Standard Details and Specifications

EL.17 **Applicants Switchgear:** Development's main switchgear with SVP meters must meet EUSERC standards and be approved by SVP's meter shop prior to ordering. Switchgear for 12KV gear must have batteries sized for 4 hours of operation, no capacitive tripping, and 2 sets of relays, CTs, & PTs for each main. All double ended switchgear with a tie breaker must include a kirk-key interlock scheme and an SVP provided warning label for the operation of the main tiebreaker.

EL.18 **AMI/Fiber Building Requirements:** All projects implementing high rise metering and multi-floor infrastructure requirements shall meet the requirements outlined in UG 0250 & FO1901.

EL.19 **Easements**: Prior to the City's issuance of Building or Grading Permits, the Developer shall provide a dedicated underground electric utility easement (U.G.E.E) around the electric onsite facilities. The electric utility easement shall be a minimum of 10 feet wide around conduit and 5' minimum around equipment and vault/manhole pads. Additionally, the Developer shall submit plans defining existing easements so SVP can verify if there are any conflicts with new proposed easements or improvements. The Developer shall grant to the City, without cost, all easements and/or rights of way necessary for serving the development and for the installation of utilities (Santa Clara City Code chapter 17.15.110).

EL.20 **Coordination Study:** For any services taken at 12KV, a coordination study will need to be conducted by the Developer prior to energizing the service for the development.

EL.21 **Developer Switchgear:** Developer's switchgear will be inspected on site by SVP to ensure compliance with approved switchgear drawings. Electric meters and main disconnects shall be installed per Silicon Valley Power Standard MS-G7, Rev. 2.

EL.22 **Electric Facilities:** Prior to the City's issuance of occupancy, the Developer shall construct all electric utilities per the approved SVP Developers Work Drawing. SVP will inspect all electric utility installations and all other improvements encroaching on electric facilities.

EL.23 **Municipal Fees:** Prior to electric service energization, all applicable fees per the City of Santa Clara's Municipal Fee Schedule at time of energization shall be paid by the Developer.

EL.24 **Costs & Expenses:** Unless expressly stated otherwise or covered by a fee to be paid by the Developer, Developer shall be responsible for all costs and expenses associated with fulfilling these conditions of approval.

EL.25 **Access:** SVP will require 24-hour unobstructed access to all SVP equipment which includes: manholes, transformers, vaults, switches, meters, indoor electrical rooms with SVP owned equipment etc.

EL.26 **SVP Rules and Regulations:** Developer shall comply with all applicable SVP rules, regulations, standards, guidelines, and requirements, as may be amended from time to time.

EL.27 **SVP Equipment Clearances:**

a. **Access Doors:** Ten (10) foot minimum clearance in front of equipment access doors.
b. **Pad Sides:** Five (5) foot minimum clearance from pad on sides without access doors.
c. **Truck Access:** Eighteen (18) foot minimum width on one side of the equipment pad for truck access.
d. **Barrier pipes:** (on sides accessible to vehicles)
    i. Thirty (30) inches from equipment sides.
    ii. Forty-Eight (48) inches in front of access doors. (use removable bollards)

EL.28 **SVP Conduit Clearances:**

a. **Longitudinal**: Five (5) foot minimum between new conduits/piping and existing/proposed SVP conduits.
b. **Vertical**: Twelve (12) inch minimum between new conduit/pipes perpendicular to existing SVP conduits.

c. **Poles/Posts**: Three (3) foot six (6) inches clearance required from poles (electrolier, guy stub, service clearance, self-supporting steel, and light poles), except for riser conduits. This is reduced to a three (3) foot minimum for posts (signposts, barrier pipes, bollards, fence posts, and other similar posts).
d. **Longitudinal**: Five (5) foot minimum between new conduits/piping and existing/proposed SVP conduits
e. **Vertical**: Twelve (12) inch minimum between new conduit/pipes perpendicular to existing SVP conduits
f. **Poles/Posts**: Three (3) foot six (6) inches clearance required from poles (electrolier, guy stub, service clearance, self-supporting steel, and light poles), except for riser conduits. This is reduced to a three (3) foot minimum for posts (signposts, barrier pipes, bollards, fence posts, and other similar posts).

EL.29 **SVP Vault/Manhole Clearances:**

a. **Conduits:** Five (5) foot minimum to tree root barrier or other subsurface wall or structure.
b. **Equipment:** Five (5) foot minimum to tree root barrier. The tree canopy drip line cannot be over the SVP equipment.
c. **Subsurface Facilities:** Five (5) foot minimum to any electric department facilities. Any existing trees in conflict will have to be removed.
d. **Easements:** No trees shall be planted in SVP's U.G.E.E or P.U.E's.

EL.30 **Transformer & Switch Placement:** these devices and pads may only be located outdoors. Clearances to buildings are defined in UG1225. All projects are to assume mineral oil fluid, unless otherwise approved by SVP.

EL.31 **SVP Standards.** Developer shall comply with the following SVP standards (as may be amended or supplemented).

a. UG1000 - 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
f. UG1225 – Pad mounted Equipment Clearances and Protection
g. UG0250 – High Density Residential Metering Requirements
h. FO-1901 – Fiber Optic Splicing and Testing Methods
i. SVP Rules and Regulations – Latest Edition

EL.32 **SVP Standards, Miscellaneous:**

a. 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.
b. No splice boxes are allowed between the SVP utility connection point and the Developer's main switch board.
c. SVP does not utilize any sub-surface (below grade) devices in its system. This includes transformers, switches, etc.

EL.33 **Meter Locations:**

a. 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.

EL.34 **Underground Service Entrance**

a. (277/480V Service or Lower) Underground service entrance conduits and conductors shall be "privately" owned, maintained, and installed per City Building Inspection Division Codes to the SVP defined utility connection point.
b. (12KV Service) SVP terminates cable on the Developer owned switchgear.
c. No cross-parcel distribution is allowed. SVP service points must be within the parcels that they serve.

EL.35 **Code Sections:**

a. The Developer shall provide and install electric facilities per Santa Clara City Code chapter **17.15.210.**
b. 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.**
c. The Developer shall perform, 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 Developer will dedicate the improvement to the City subject to City's acceptance of the work. The Developer shall further install at its cost the service facilities, consisting of service wires, cables, conductors, and associated equipment necessary to connect Developer to SVP's electric grid. After completion of the facilities installed by the 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 per Santa Clara City Code chapter **17.15.210 (2).**

EL.36 **Existing Facilities:**

a. All existing SVP facilities, onsite or offsite, are to remain unless specifically addressed by SVP personnel in a separate document. It is the Developer's responsibility to maintain all clearances from equipment and easements. 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.
b. Any relocation of existing electric facilities shall be at Developer's expense.

EL.37 **Generators:** 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. The 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 the SVP Electric Engineering Division.

WATER

WI. Each DAP submittal shall indicate all service connections and facilities for potable and recycled water and sanitary sewer facilities to serve the development area. To the extent necessary, plans shall include conceptual plans to serve the remainder of the Phase or future Phases that will rely on these facilities, to the satisfaction of the Director of the Water and Sewer Utilities.

W2. Prior to issuance of Building Permits, the Developer shall submit plans for water service to each individual building parcel, site and/or building to be connected to a public main in the public right-

of-way to the satisfaction of the Director of Water & Sewer Utilities. Additionally, different types of water use (domestic, irrigation, fire) shall be served by separate water services.

Plans shall also indicate locations of proposed fire hydrants.

FIRE DEPARTMENT

FD1. When in the opinion of the fire code official, a new structure obstructs emergency radio communications to existing buildings or to any other locations, the Developer shall resolve the deficiency to the satisfaction of the Fire Department, which may include requirements to provide and install radio retransmission equipment necessary to restore communications capabilities. Any required equipment shall be located in a space or area within a new structure approved by the Fire Department.

FD2. Each DAP application shall include proposed access routes for emergency service vehicles. Plans may be required to include the entire Phase in which the DAP is included and may necessitate conceptual plans for access through or to future Phases to the extent that may be necessary to the satisfaction of the Fire Chief.

FD3. Construction and final development in each Phase and DAP shall comply with applicable fire standards, codes, and policies, including emergency access requirements.

FD4. The Developer shall provide a replacement Fire Station in accordance with the Disposition and Development Agreement.

POLICE

PD1. The Developer shall include, for each building, design specifications that meet the City of Santa Clara's guidelines established for radio signal penetration, as detailed in the Communications Department's Public Safety Radio System Building Penetration Guidelines. The intended use of telecommunications sites/equipment shall be clearly and accurately stated in the building documentation. The signal, of whatever nature, of any communications facility or system, shall in no way whatsoever interfere with or affect any police communication or police communication system.

PARKS AND RECREATION

PRl. The Developer shall comply with the City's Park and Recreational Land Ordinance (SCCC Ch. 17.35), subject to conformance with and as otherwise satisfied by the provisions of the MCP, Development Agreement and Disposition and Development Agreement, to the satisfaction of the City Manager.

STREET DEPARTMENT

STl. Submit copies of complete landscape and automatic irrigation plans for all public rights-of-way for review and comment by City staff. The Developer is to supply and install City street trees per the MCP and City specifications. Spacing, specie, and sizes of street trees shall be subject to approval of the City Arborist.

ST2. Special Urban Runoff Stormwater Pollution Prevention requirements apply. Provide the Street Department with information to evaluate proposed stormwater pollution prevention improvements for each Phase.

ST3. Developer shall comply with City Development Guidelines for Solid Waste Services in each Phase, as specified by development type.

PLANNING AND BUILDING INSPECTION

Pl. DAP applications for partial Phases as described in the MCP may be required to include conceptual plans and information for areas outside of the DAP boundaries that address site access for the provision of safety and service by City forces, as well as related utility facilities, and schematic or concept plans addressing such items as open space and parks that may be constructed in future Phases on abutting sites.

P2. Tentative Subdivision Map, Vesting Tentative Subdivision Map and/or Parcel Map applications consistent with the intent and obligations of the MCP, Development Agreement and Disposition and Development Agreement, and consistent with any parcel(s) indicated in the submission of the DAP, shall be approved by City Council prior to issuance of building permits for development within any Phase, Sub Phase or DAP within the area of that map application. Maps shall define development sites and provide for the dedication or disposition of public streets, utilities and parks/open space, to the satisfaction of the City.

P3. The Developer will be required to prepare acoustical analyses and implement noise insulation features in building construction as required by the Mitigation Monitoring and Reporting Program.

P4. The Developer shall be required to incorporate within the residential tenant lease agreements notification of the occurrence of aircraft traffic noise over the project site.

P5. The Developer shall convey an avigation easement to the City of San Jose on behalf of the San Jose International Airport.

P6. Obtain required permits and inspections from the Building Official and comply with the conditions thereof, based upon approved DAPs. Submittal of plans shall be consistent with a predetermined address numbering scheme based upon Phases identified in the MCP, to the satisfaction of the Building Official.

P7. The Developer shall file a Notice of Intent (NOI) with the State Water Resources Control Board prior to issuance of any permit for grading or construction in accordance with an approved DAP, or as otherwise permitted or required under the obligations and rights of the Disposition and Development Agreement. A copy of the NOI shall be sent to the City Building Inspection Division. A stormwater pollution prevention plan is also required with the NOI.

P8. Along with the submission of the first DAP within any Phase, a landscape and lighting concept plan for that Phase shall be provided and agreed upon by the Developer and the City. Landscaping and lighting concepts shall address public areas and street frontage areas, as well as open space and park areas within the Phase.

P9. The Developer shall employ green building standards and materials in the site design and construction of structures within each DAP, designed to meet USGBC LEED standards for new construction, in accordance with the approved MCP.

Pl 0. The project will be required to comply with the City's Urban Runoff Pollution Prevention Program, including best management practice measures for construction and post-construction activity, including reducing runoff to public storm drain facilities from rooftops and paved surfaces.

P11. Prior to the issuance of a grading or building permit, the Developer shall provide the Streets Division of Public Works third-party certification that the stormwater control plan meets applicable C.3 requirements, along with an Operations and Maintenance Agreement approved by the City for post-construction maintenance of C.3 devices/measures. Each DAP phase shall meet its C.3 requirements on its own merit. If a banking system is to be created to achieve compliance for the entire project's full implementation, the applicant shall first create area treatment surplus (credit) during the earlier DAP phase(s) to be used by subsequent project phase(s).

P12. Trees removed shall be replaced at a ratio of two new trees for every one removed tree. Any trees not replaced at the 2:1 ratio shall be subject to in-lieu payments consistent with City policy. The developer shall be responsible for maintaining a master accounting of all tree removals, tree replacements, and in-lieu fee payments and shall provide such information with each DAP submittal and upon the City's request.

P13. The Developer shall prepare a Construction Management Plan (CMP) for review and approval prior to the issuance of initial grading or building permits for development within any Phase, Sub Phase or DAP. To the extent that information is known, a CMP may address some or all construction within the DAP or Phase, such that a CMP may not be required for each permit as called for in the adopted Mitigation Monitoring or Reporting Program.

P14. Construction activity not confined within an enclosed building shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 8:00 a.m. to 6:00 p.m. Saturdays for construction within 300 feet of a residential use. Construction activity shall not be allowed on Sundays or recognized State and Federal holidays.

P15. The Comprehensive Sign Program required by the MCP for Parcels 4 and 5 shall be considered and approved or conditionally approved by the City Council before the issuance of the first building permit (for buildings excluding below grade Tasman garage) for development undertaken pursuant to the DAP for Phase 1 or Phase 2. The Comprehensive Sign Program required by the MCP for Parcels 1 and 2 shall be submitted with the initial DAP submission for Parcel 1 or 2, whichever is submitted first, and shall be considered concurrently with and approved or conditionally approved as a part of the applicable DAP by the City Council.

KEY:

G = General
P = Planning Division
BD = Building Division
H = Housing & Community Services Division
F = Fire Department
PR = Parks & Recreation Department
PD = Police Department
E = Engineering Division
Streets Division (Landscape, Solid Waste, and Stormwater)
L = Landscape
SW = Solid Waste
ST = Stormwater
SVP = Silicon Valley Power
W = Water & Sewer Department

ACKNOWLEDGEMENT AND ACCEPTANCE OF CONDITIONS OF APPROVAL

Permittee/Property Owner

The undersigned agrees to each condition of approval and acknowledges and hereby agrees to use the project property on the terms and conditions set forth in this permit.

Signature: _____

Printed Name: _____

Relationship to Property: _____

Date: _____

Pursuant to Santa Clara City Code 18.128.100, the applicant shall return this document to the Department, properly signed and dated, within 30-days following the date of the Acknowledgement.