

CONDITIONS OF TENTATIVE PARCEL MAP APPROVAL

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

GENERAL

- G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A1. The Developer agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorneys' fees, injuries, costs, and liabilities arising from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of developer's project.

COMMUNITY DEVELOPMENT

- C1. Developer shall submit to the City Covenants, Conditions and Restrictions (CC&Rs) or equivalent instrument to the City and record the document prior to recordation of Final Map.
- C2. The project shall comply with the Conditions of Architectural Review approvals (PLN2019-14213) and mitigation measures specified in the Mitigated Negative Declaration adopted by the California Energy Commission for the project.

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 included within a Single Encroachment Permit 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 plans prepared in accordance with City Public Works 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 parcel map and/or issuance of building permits.
- E4. Trees shall not be permitted within public easements.
- E5. Damaged curb, gutter, and sidewalk within the public right-of-way along property's frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.
- E6. Dedicate, as required, on-site easements for new public utilities and/or sidewalk, and emergency vehicle access by means of a Subdivision Map or approved instrument at time of development.

- E7. After City Council approval of the Tentative Map, submit 10 copies of the Subdivision Map, prepared by a Licensed Land Surveyor or a Registered Civil Engineer with Land Surveyor privileges to the Public Works Department. The submittal shall include a title report, closure calculations, and all appropriate fees.
- E8. File and record Subdivision Map to create parcels and pay all appropriate fee(s) prior to issuance of a building permit.
- E9. All driveways shall be replaced with current City standard driveways.
- E10. Provide minimum 5' wide sidewalk with landscape strip along Agnew Road frontage.
- E11. Existing non-ADA compliant frontage shall be replaced with current City Standard frontage improvements.
- E12. All proposed walkway, sidewalk, driveways and curb ramps shall be ADA compliant.
- E13. Driveways should be CSC ST-8 and comply with Driveway's Triangle of Safety.
- E14. Reconstruct driveway adjacent to property on Mission College Boulevard and construct new driveway adjacent to property on Agnew Road for Santa Clara Valley Water District access.

ELECTRIC

- EL1. No cross parcel distribution of temporary, or permanent power can exist between the two parcels either before, during or after construction.
- EL2. SVP substation access from each parcel must be maintained at all times.
- EL3. Proposed Easement (2)
 - a. Shall extend to include ground grid
 - b. Shall apply to entire SVP switchyard across both parcels irrespective of Parcel 1 Owner or Parcel 2 Owner's developments.
- EL4. Proposed Easement (4)
 - a. All SVP equipment (manholes, vaults, pull boxes, conduit, etc.) pending completed and signed developers drawing shall be covered with an underground electric easement per SVP requirements.
- EL5. Proposed Easement (7)