CONDITIONS OF REZONING APPROVAL

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

GENERAL

G1. If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.

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

ATTORNEY'S OFFICE

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

COMMUNITY DEVELOPMENT

C1. 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.

C2. Submit plans for final architectural review to the Architectural Committee and obtain architectural approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, landscaping, lighting and signage. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Planning and Inspection.

C3. A complete landscape plan that includes type, size and location of all plant species shall be required as part of architectural review of the project. Review and approval of the complete landscape plan, including water conservation calculations and irrigation plan shall be required prior to issuance of building permits. Installation of landscaping is required prior to occupancy permits.

C4. A master sign program shall be required as part of architectural review of the project.

C5. A master outdoor seating plan shall be required as part of architectural review of the project.

C6. 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.

C7. 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.

C8. Incorporate Best Management Practices (BMPs) into construction plans and incorporate post construction water runoff measures into project plans in accordance with the City's Urban Runoff Pollution Prevention Program standards prior to the issuance of permits. Proposed BMPs shall be submitted to and thereafter reviewed and approved by the Planning Division and the Building Inspection Division for incorporation into construction drawings and specifications.

C9. An erosion control plan shall be prepared and copies provided to the Planning Division and to the Building Inspection Division for review and approval prior to the issuance of grading permits or building permits that involve substantial disturbance of substantial ground area.

C10. Commercial, industrial, and multi-family residential buildings must have enclosures for solid waste and recycling containers. The size and shape of the enclosure(s) must be adequate to serve the estimated

solid waste and recycling needs and size of the building(s) onsite, and should be designed and located on the property so as to allow ease of access by collection vehicles. As a general rule, the size of the enclosure(s) for the recycling containers should be similar to the size of the trash enclosure(s) provided onsite. Roofed enclosures with masonry walls and solid metal gates are the preferred design. Any required enclosure fencing (trash area, utility equipment, etc.) if not see-thru, shall have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures shall be locked.

C11. The Final Storm Water Management Plan (SWMP) must be certified by a third-party consultant from SCVURPP's current list of qualified consultants. Five copies of the approval letter from the certified third party review (wet stamped and signed) must be submitted prior to the issuance of grading or building permit.

C12. Prior to the issuance final occupancy, the applicant shall enter into Operations and Maintenance (O&M) agreement with the City. The project operator is responsible for the operations and maintenance of the SWMP and stormwater BMPs consistent with the O&M agreement throughout the life of the project.

C13. Prior to the issuance of building permit, the Developer shall submit to the Planning Division all draft covenant, joint-maintenance, and/or shared-access agreements, for review and approval. Such agreements shall ensure consistent maintenance of all landscaped areas and shared access between adjacent parcels.

C14. The applicant shall comply with the Conditions of Approval and Mitigations Monitoring and Reporting Program (MMRP) identified in the addendum to the Mission Town Center Final Environmental Impact Report.

C15. The Developer/ Owner shall comply with the conditions set forth in the Development Agreement, as may be amended from time to time in accordance with the terms of the Development Agreement.

C16. Prior to issuance of the occupancy permit, the applicant shall prepare and receive approval on a 20 percent vehicle miles traveled (VMT) reduction strategy, 10 percent of which would come from a Transportation Demand Management program (TDM).

C17. Each calendar year following final occupancy of the building, an annual review of the TDM plan shall be completed by a qualified third-party consultant, and the third-party consultant shall submit the TDM annual report covering the prior calendar year to the Planning Division for review and approval on or before February 28th of each year, to the satisfaction of the Director of Community Development. The Director of Community Development shall have the authority and discretion to require modification of the TDM measures as a means to achieve the identified overall trip reduction targets. If the annual targets are being met or exceeded, the Director of Community Development would have the discretion to require less frequent annual reporting. The Developer/ Owner shall develop and implement a Transportation Demand Management (TDM) program and Transportation Management Association program.

C18. The project shall implement the Complete Streets improvements as part of the development which includes minimum 10' sidewalk separated from the face of the curb with minimum 4' landscape strip with shade trees along El Camino Real and Benton Street. In front of retail and commercial uses minimum 4' tree wells with shade trees shall be provided.

C19. The project shall implement the Complete Streets improvements as part of the development which includes minimum 5' sidewalk separated from the face of the curb with minimum 4' landscape strip with shade trees along The Alameda.

C20. The applicant shall incorporate shared parking strategies within the project. At least ten percent of the parking spaces shall be conveniently arranged and assigned to visitors and the general use of the residents and be available for flexible use.

C21. Corner of Benton Street and The Alameda shall provide retail/commercial uses with an integrated public space to enhance the connection to the Downtown. Retail use at this location would provide an appropriate transition between new development and the adjacent retail uses across the intersection of Benton Street and The Alameda.

C22. Any existing or proposed SVP above ground equipment shall be removed from the intersection of The Alameda and Benton Street. There shall not be any transformers or above ground equipment on the corner of The Alameda and Benton Street.

C23. Comply with all requirements current at the time of application for building permit (CBC, Cal Green, California Energy Conservation Code (Title 24), CPC, CMC and CEC).

C24. Provide Code analyses with application to Building Inspection. The expanded assembly use has many Building Code and Building Code related requirements which can only be reviewed in detail after permit application is submitted and deemed complete.

C25. 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.

C26. Submit as-built on-site plans prepared by a registered civil engineer showing all utilities serving the subject property.

C27. Provide trash enclosure, the location and design of which shall be approved by the Director of Planning and Inspection prior to issuance of any building permits.

C28. Prior to the issuance of building permits, the Developer shall submit a plan to minimize construction vehicle trips during peak hour traffic conditions to the Planning Division for review and approval.

C29. At the time of the Building Department submittal for plan check, conditions of approval and (MMRP) shall be included in the construction drawing sets.

C30. The Developer/ Owner shall permanently relocate the historic single family home located at 3370 The Alameda adjacent to the exiting historic home on site located at 3410 The Alameda.

C31. Minimum size planted trees shall be 36” box.

C32. On street parking shall not be counted towards on-site parking requirements.

C33. The applicant shall provide a percentage, to be determined as part of the Development Agreement, of affordable units as part of the project.

C34. There is a concern about the proposed fence separating courtyard B from the public The Alameda courtyard. It must not be a solid fence.

C35. The minimum parking requirement for retail/commercial is 4 spaces for each 1000 square feet.

ENGINEERING

E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.

E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.

E3. The sanitary sewer (SS) discharge information (i.e., building use, square footage, point of connection to the public system, and 24-hour average and peak SS flow graphs for the peak day, showing average daily and peak daily SS flows) submitted by the developer was added to the City’s Sanitary Sewer Hydraulic Model (SSHM) to determine if there is enough SS conveyance capacity in the SS trunk system to accommodate the proposed development. The SSHM output indicates that there should be enough SS conveyance capacity to accommodate the proposed development (RMC Report dated May 5, 2015). The SSHM output may change based on pending development applications and future projects. The SSHM output does not guarantee or in any way reserve or hold SS conveyance capacity

until developer has Final Approval for the project. For purposes of this condition, “Final Approval” shall mean the final vote of the City Council necessary for all entitlements to be approved, unless a legal challenge is brought to the Council decisions, in which case the Final Approval shall mean the final disposition of the legal challenge.

E4. Parts of the sidewalk and driveway along El Camino Real will encroach into private property. Property owner will be required to dedicate a sidewalk easement for the sidewalk and driveway portions within private property and pay the easement preparation fee. For more information regarding the easement dedication process and fee please call Hung Luu of our staff at (408) 615-3047.

E5. An Encroachment Agreement is needed for any non-standard private improvements in the public right of way and City easements.

E6. All work with the El Camino Right of Way will require an Encroachment Permit from Caltrans.

E7. Provide a 72” new storm drain main on Benton Street outside the sidewalk and along the alignment of the existing 27’’ storm drain main and along El Camino Real to connect to the new manhole south of Harrison Street. The 72’’ storm drain main is required to maintain the capacity of the existing 60” storm drain main on Sherman which is proposed to be removed. The new 72’’ storm drain line will replace the existing 27” storm drain line along Benton Street. The new 72’’ storm drain line will need to be in operation before the existing 60’’ storm drain main along Sherman Street is vacated.

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. Proposed trees shall be 5’ minimum clear of sidewalks. Provide root barrier if trees are planted such that the drip line of the mature trees covers the sidewalk. Root barriers shall be 12' long x 2' deep, and centered on trees.

E10. Sanitary sewer and storm drain mains and laterals to be removed shall be removed to City standards.

E11. Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or 10’ clear of the tree trunk whichever is greater.

E12. 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.

E13. 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.

E14. Dedicate, as required on-site easements for new public utilities and/or sidewalk by means of a parcel/Final map or approved instrument at time of development.

E15. Show and comply with City’s Driveway Triangle of Safety requirement at all existing and proposed driveways and City’s intersection visibility requirements at all intersections including the intersections of El Camino Real/Benton and Alameda. Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and intersections in order to allow an unobstructed view of oncoming traffic. Contact Traffic Engineering at (408) 615-3000 for further information.

E16. 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.

E17. File and record parcel map for proposed development and pay all appropriate fees prior to Building Permit issuance.

E18. Obtain release of all applicable covenants and pay appropriate processing fees.

E19. Obtain Council approval of a resolution ordering vacation of the portion of street right-of-way proposed to be abandoned, through the Engineering Department, and pay all appropriate processing fees, prior to start of construction within said proposed to be abandoned street right-of-way. Street Vacation Notification to nearby properties and Public hearing shall be required for Fremont Street and Sherman Street vacation.

E20. Obtain Council approval of a resolution ordering vacation of existing public easement(s) proposed to be abandoned, through Engineering Department, and pay all appropriate fees, prior to start of construction.
E21. Two ADA City Standard curb ramps per corner shall be provided at the northwest and southwest corners of El Camino Real/Benton, southwest and southeast corners of Benton/Sherman, northeast corner of Benton/The Alameda, and northwest and southwest corners of The Alameda/Fremont intersection. Two ADA City Standard curb ramps shall be provided at north side of Benton at Sherman and one curb ramp east side of The Alameda at Fremont. New curb ramps shall be City Standard ST-14 or ST-15.
E22. Standard crosswalks shall be provided to connect/align with existing and new curb ramps. Existing continental style crosswalk at the south side of The Alameda/Fremont intersection shall be removed and replaced with standard crosswalk.
E23. All proposed on-site driveways and paths shall accommodate fire truck/engine turning template.
E24. All traffic striping, messages, and symbols shall be thermoplastic.
E25. Existing non-ADA compliant frontage shall be replaced with current City Standard frontage improvements.
E26. All proposed walkway, sidewalk, driveways and curb ramps shall be ADA compliant.
E27. Provide ADA walkway connecting the buildings to the public sidewalks.
E28. On street parking shall not be counted towards on-site parking requirements.
E29. Show and comply with City's Driveway Triangle of Safety requirement at all existing and proposed driveways and City's intersection visibility requirements at all intersections including the intersections of El Camino Real/Benton and Alameda/Benton.
E30. Provide minimum 4' 6" wide Class II bicycle lane not including the gutter pan width along Benton Street.
E31. The northwest corner of the intersection of El Camino Real/Benton shall be squared off so that the west side face of curb on Benton aligns with the east side face of curb and to reduce crossing distance for pedestrians. Modify and upgrade the traffic signal system at the northwest corner of El Camino/Benton to current standards. Restripe crosswalks to align with the new curb ramps and to make the crossing distance shorter.
E32. All proposed driveways shall be City standard driveways per ST-8 or ST-9.
E33. Two ADA City Standard curb ramps per corner shall be provided at the northwest and southwest corners of El Camino Real/Benton.
E34. Two ADA curb ramps shall be provided at the southeast and southwest corners of Benton/Sherman. One ADA curb ramp each shall be provided at both the northeast and northwest corners of Benton/Sherman for crossing across Benton Street.
E35. Provide bulbout at the northeast corner of The Alameda and Benton St. Two ADA curb ramps shall be provided at the northeast corner of Benton/The Alameda.
E36. Provide one curb ramp at the southeast corner of Alameda and Fremont St for crossing across Alameda St. and one curb ramp at the northwest corner.
E37. Remove existing high visibility crosswalk south of Fremont St. across Alameda St. and replace with standard crosswalk.
E38. Seal pavement cracks and slurry seal entire Benton Street from El Camino Real to The Alameda prior to final striping.
E39. Remove existing PCC pavement on The Alameda between Harrison and Benton St. and replace with AC pavement.
E40. Provide 10 min. sidewalk separated from face of curb by a 4' landscape buffer along El Camino Real and Benton St. property frontages. Provide 5' minimum sidewalk along The Alameda property frontages.
E41. Development shall comply with and implement EIR and TIA identified mitigation measures.
E42. Provide bus duckout/bus pad, passenger pad and bench per VTA standards along Benton St. property frontage just west of El Camino Real.
E43. Provide minimum 11'6" wide vehicle lanes along Benton St.

E44. For currently proposed apartment units and retails, the following minimum bicycle facilities shall be provided at the main entrance or high visible areas:

- 355 Apartments: 118 Class I and 24 Class II bicycle parking spaces.
- 22,078 SF of retail: 1 Class I and 4 Class II bicycle parking spaces.

ELECTRICAL

EL1. Prior to submitting any project for Electric Department review, applicant shall provide a site plan showing all existing utilities, structures, easements and trees. Applicant shall also include a "Load Survey" form showing all current and proposed electric loads. A new customer with a load of 500KVA or greater or 100 residential units will have to fill out a "Service Investigation Form" and submit this form to the Electric Planning Department for review by the Electric Planning Engineer. Silicon Valley Power will do exact design of required substructures after plans are submitted for building permits.

EL2. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.

EL3. Electric service shall be underground. See Electric Department Rules and Regulations for available services.

EL4. Installation of underground facilities shall be in accordance with City of Santa Clara Electric Department standard UG-1000, latest version, and Santa Clara City Code chapter 17.15.050.

EL5. Underground service entrance conduits and conductors shall be "privately" owned, maintained, and installed per City Building Inspection Division Codes. Electric meters and main disconnects shall be installed per Silicon Valley Power Standard MS-G7, Rev. 2.

EL6. The developer shall grant to the City, without cost, all easements and/or right of way necessary for serving the property of the developer and for the installation of utilities (Santa Clara City Code chapter 17.15.110).

EL7. All electric meters and services disconnects shall be grouped at one location, outside of the building or in a utility room accessible directly from the outside. A double hasp locking arrangement shall be provided on the main switchboard door(s). Utility room door(s) shall have a double hasp locking arrangement or a lock box shall be provided. Utility room door(s) shall not be alarmed.

EL8. If transformer pads are required, City Electric Department requires an area of 17' x 16'-2", which is clear of all utilities, trees, walls, etc. This area includes a 5'-0" area away from the actual transformer pad. This area in front of the transformer may be reduced from a 8'-0" apron to a 3'-0", providing the apron is back of a 5'-0" min. wide sidewalk. Transformer pad must be a minimum of 10'-0 from all doors and windows, and shall be located next to a level, drivable area that will support a large crane or truck.

EL9. All trees, existing and proposed, shall be a minimum of five (5) feet from any existing or proposed Electric Department facilities. Existing trees in conflict will have to be removed. Trees shall not be planted in PUE's or electric easements.

EL10. Any relocation of existing electric facilities shall be at Developer's expense.

EL11. Electric Load Increase fees may be applicable.

EL12. The developer shall provide the City, in accordance with current City standards and specifications, all trenching, backfill, resurfacing, landscaping, conduit, junction boxes, vaults, street light foundations, equipment pads and subsurface housings required for power distribution, street lighting, and signal communication systems, as required by the City in the development of frontage and on-site property. Upon completion of improvements satisfactory to the City, the City shall accept the work. Developer shall further install at his cost the service facilities, consisting of service wires, cables, conductors, and associated equipment necessary to connect a customer to the electrical supply system of and by the City. After completion of the facilities installed by developer, the City shall furnish and install all cable, switches, street lighting poles, luminaries, transformers, meters, and other equipment that it deems necessary for the betterment of the system (Santa Clara City Code chapter 17.15.210 (2).

EL13. Electrical improvements (including underground electrical conduits along frontage of properties) may be required if any single non-residential private improvement valued at $200,000 or more or any series of

non-residential private improvements made within a three-year period valued at $200,000 or more (Santa Clara City Code Title 17 Appendix A (Table III)).

EL14. Non-Utility Generator equipment shall not operate in parallel with the electric utility, unless approved and reviewed by the Electric Engineering Division. All switching operations shall be "Open-Transition-Mode", unless specifically authorized by SVP Electric Engineering Division. A Generating Facility Interconnection Application must be submitted with building permit plans. Review process may take several months depending on size and type of generator. No interconnection of a generation facility with SVP is allowed without written authorization from SVP Electric Engineering Division.

EL15. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.

EL16. All SVP-owned equipment is to be covered by an Underground Electric Easement (U.G.E.E.) This is different than a PUE. Only publically-owned dry utilities can be in a UGEE. Other facilities can be in a joint trench configuration with SVP, separated by a 1' clearance, providing that they are constructed simultaneously with SVP facilities. See UG 1000 for details.

EL17. Proper clearance must be maintained from all SVP facilities, including a 5' clearance from the outer wall of all conduits. This is in addition to any UGEE specified for the facilities. Contact SVP before making assumptions on any clearances for electric facilities.

EL18. Transformers and Switch devices can only be located outdoors. These devices MAY be placed 5' from an outside building wall, provided that the building wall in that area meets specific requirements. (See UG 1000 document for specifics) EXAMPLE: If there are any doors, windows, vents, overhangs or other wall openings within 5' of the transformer, on either side, then the transformer MUST be 10' or more away from the building. These clearances are to be assumed to be clear horizontally 5' in either direction and vertically to the sky.

EL19. All existing SVP facilities, onsite or offsite, are to remain unless specifically addressed by SVP personnel by separate document. It is the Developers responsibility to maintain all clearances from equipment and easements. Developer to contact SVP outside of the PCC process for clear definitions of these clearance requirements. Developer should not assume that SVP will be removing any existing facilities without detailed design drawings from SVP indicating potential removals. Simply indicating that SVP facilities are to be removed or relocated on conceptual plans does not imply that this action has been approved by SVP.

EL20. SVP does not utilize any sub-surface (below grade) devices in its system. This includes transformers, switches, etc.

EL21. All interior meter rooms are to have direct, outside access through only ONE door. Interior electric rooms must be enclosed in a dedicated electric room and cannot be in an open warehouse or office space.

EL22. 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.

EL23. 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.

EL24. Electric frontage improvements are required around the entire project.

EL25. A minimum of 4 transformer and 2-3 switches will be required.

WATER

W1. Applicant shall note that Caltrans has indicated that they will be paving El Camino Real from Lawrence Expressway to The Alameda in summer 2019. Applicant shall note that Caltrans may have a moratorium on pavement cuts after the pavement project.

W2. If the applicant would like to inquire about recycled water use, the applicant shall coordinate with Mike Vasquez, Water Compliance Manager. Mike may be reached at (408)-615-2006.

W3. The City recommends the applicant to install sanitary sewer cleanout(s) at the property line.

W4. 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.

W5. Prior to issuance of Building Permit, the applicant shall verify and coordinate with the fire department on the location and number of proposed fire hydrants.

W6. Applicant shall submit plans showing proposed water, sanitary sewer, and fire service connected to a public main in the public right-of-way to the satisfaction of the Director of Water & Sewer Utilities. Different types of water use (domestic, fire) shall be served by separate water services, each separately tapped at the water main.

W7. Approved reduced pressure detector assembly device(s) are required on all fire services. The applicant shall submit plans showing existing and proposed fire service upgraded with reduced pressure detector assembly device, as per city standard 17, to the satisfaction of the Director of Water & Sewer Utilities.

W8. Approved backflow prevention device(s) are required on all potable water services. The applicant shall submit plans showing the location of the approved backflow prevention device(s). Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area.

W9. 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.

W10. The applicant shall adhere to and provide a note indicating all horizontal and vertical clearances. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a minimum horizontal clearance of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities).

W11. The applicant shall submit a composite utility plan showing all utilities (including electrical) and landscaping (trees/shrubbery) so that the Water Department can verify conflicts for proposed water services. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area.

W12. The applicant shall note that the new storm drain mains currently designed/shown on El Camino Real and on Benton Street are too close to the existing water mains on these streets. The designer shall note that the 8' horizontal clearance is measured from the outside edge of the water main to the outside edge of the other main.

W13. Prior to issuance of Building Permits, the applicant shall submit landscape and irrigation plans consistent with City's Rules and Regulations for Water Service to the satisfaction of the Director of Planning. Approved backflow prevention device is required on all irrigation services. Dedicated irrigation service shall be installed for irrigation purposes.

W14. The applicant shall clearly label all water services with the size and the building/use that it is serving. This will allow Water and Sewer Utilities to adequately verify that there is a water service for each of the proposed buildings.

W15. In order to vacate the public streets, applicant must provide a design plan for relocating the existing water mains in the project area and the area surrounding the project. The design shall demonstrate that the revised layout will maintain a looped water distribution system.

W16. The applicant shall bear the cost of any relocation of existing Water Department facilities required for project construction to the satisfaction of the Director of Water and Sewer Utilities.

W17. 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).

POLICE

GENERAL EXTERIOR CONSIDERATIONS

PD1. The property should be fenced off during demolition and construction as a safety barrier to the public and deterrent to theft and other crime. Consider not having any screening material on the fence so passing Police Patrol checks will be able to see into the site.

PD2. Address numbers of the individual residential buildings shall be clearly visible from the street and shall be a minimum of six (6) inches in height and a color contrasting with the background material. Ideally, numbers would be illuminated during hours of darkness so first responders can easily identify the address. Individual apartment numbers shall be a minimum of six (6) inches in height and a color contrasting to the background material, and either visible from the street or from the center area of the project. Where multiple units/buildings occupy the same property, unit/building addresses shall be clearly visible. A monument sign, preferably at all dedicated entrances to the property, shall be prominently displayed, showing all unit/building numbers, addresses, etc. A map is recommended for large complexes with multiple streets or walkways.

PD3. Each distinct unit within the building shall have its address displayed on or directly above both front and rear doors.

PD4. Landscaping should follow the National Institute of Crime Prevention standards. That standard describes bushes/shrubs not exceeding 2' in height at maturity, or maintained at that height, and the canopies of trees should not be lower than 6' in height. Hostile vegetation is encouraged along the fence and property lines and under vulnerable windows.

PD5. Lighting for the project to be at the IES (Illuminating Engineering Society of North America) standards and include the features listed below:

White light source	Pedestrian Scale
Full cut-off or shoebox design	Unbreakable exterior
Tamperproof Housings	Wall mounted lights/10' high

These features increase natural surveillance, support and/or enhance security camera capabilities, and increase Police Patrol effectiveness.

PD6. Any required enclosure fencing (trash area, utility equipment, etc.) would preferably be see-thru. If for aesthetic reasons prohibit that, the fencing should have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures should be locked.

PD7. If there is outdoor seating associated with a restaurant or similar business which is near vehicle parking stalls, the outdoor space will be designed to ensure the safety of the public from possible vehicular related incidents.

PD8. If the development includes any benches, these benches should not be longer than 5 feet in length, and should have arm rests at both ends. If the benches are longer than 5 feet in length, there should be a divider (arm rest or similar) in the middle of the bench in addition to the arm rests on both ends. This helps prevent unlawful lodging and/or skateboarding.
Another option to benches could be cubes, knee walls, or other creative types of seating possibilities.

PD9. The developer should install skate stoppers on any low clearance wall of 36 inches in height or lower to prevent vandalism/damage to the wall from skateboarding or similar activities.

PD10. All exterior doors should be adequately illuminated at all hours with their own light source.

PD11. All construction of dwelling units shall conform to the requirements of the Uniform Building Security Code as adopted by the City of Santa Clara City Council.

PD12. Exterior stairs shall be open style whenever structurally possibly, and should be well lit.

PD13. Consider convex mirrors for elevator cabs and at stairwell landings in order to enhance natural surveillance for the user of the elevator.

PD14. Other line of sight obstructions (including recessed doorways, alcoves, etc.) should be avoided on building exterior walls and interior hallways.

RADIO COMMUNICATIONS

PD15. The developer shall meet the City of Santa Clara's guidelines established for radio signal penetration, detailed in the Communications Department's Public Safety Radio System Building Penetration Guidelines. The intended use of telecommunications sites shall be clearly and accurately stated in the use permit. 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.

PD16. Public Safety Radio Systems Penetration Guidelines have been established by the city of Santa Clara Communications Department for radio signal penetration during emergencies. The developer is advised that the project may be required to install equipment for adequate radio coverage for the City Of Santa Clara Radio communications System, including but not limited to Police & Fire emergency services. The developer should contact the director of communications at (408) 615-5571. (for high rises)

PD17. When in the opinion of the fire code official, a new structure obstructs the line of sight of emergency radio communications to existing buildings or to any other locations, the developer of the structure shall provide and install the radio retransmission equipment necessary to restore communications capabilities. The equipment shall be located in an approved space or area within the new structure.

PARKING STRUCTURES

PD18. The parking structure/site should be equipped with a centrally located emergency panic alarm system that reports to a central office. If more than one button/call station is installed, the emergency system should always be in visual distance from another emergency call station.

PD19. "White" light meeting the IES standard should be considered. There should be no "dark" areas inside the structure.

PD20. The interior of the parking structure should be painted a light, highly reflective color. This increases the natural lighting available and can help prevent dark areas that attract criminal activity.

PD21. All entrances to the parking areas (structure, surface, subterranean, etc.) shall be posted with appropriate signage to discourage trespassing, unauthorized parking, etc. (See California Vehicle Code section 22658(a) for guidance).

PD22. Alcoves and other visual obstructions that might constitute a hiding place should be eliminated whenever structurally possible. Pillars, columns, and other open construction should be considered over a solid wall design.

PD23. Consider storage, maintenance, and trash rooms within the parking garage having doors which cannot be locked from the inside and that close and lock quickly and automatically upon exit.

ADDITIONAL INFORMATION

PD24. A Coded Entry System is required for police access to enclosed parking lots and gated communities. This can be accomplished with a coded key pad system or the Police Department Knox Box key system.

PD25. We understand security is a prime concern for the tenants of the project, which necessitates some sort of secure building and admittance process. By having either of these secure access systems for law

enforcement, it will allow us to better respond to emergency situations should they arise in the development. Examples of these systems can be reviewed at the following projects:
2585 El Camino Real (Coded key pad access)
3555 Monroe Street (Knox box key access)

FIRE

Approval Granted with Conditions

F1. Prior to Building Permit Issuance, provide documentation to show the minimum required fire-flow for the building based on the construction type and square footage in accordance with the California Fire Code. Note: Spacing and number of hydrants are based on total fire flow before reduction.

F2. F1 In lieu of providing fire access per Section 503.1.1, as well an lieu of aerial apparatus access, the following is required in the form of an AMMR: A) Provide one additional Class I exterior standpipe connection running down the exterior wall of the building; (2) 2-1/2" FHV's at 3'0" A.F.F. as indicated on the attached exhibit. This is part of the overall standpipe system. B) Fire sprinkler density for all residential unit fire sprinkler calculations shall be increased to 0.15 gpm/ft^2 (up from 0.10 gpm/ft^2). C) Provide Four (4) access points to the roof level. D) Provide a class "B", single channel voice evacuation system throughout the property in place of the code required temporal 3 horn tone. This variance does not need to meet the survivability requirements of a class "A" system, a two hour rated audio riser or the emergency two way communication system, The modified voice evacuation and notification system shall be an extension of the building fire alarm system in accordance with California Fire Code and the project design documents.

F3. Prior to Building Permit Issuance, construction documents for proposed fire apparatus access, location of fire lanes and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the Fire Prevention and Hazardous Materials Division.

F4. Prior to the Start of Construction Fire protection water supplies shall be installed and made serviceable prior to the time of construction or prior to combustible materials being moved onsite, unless an approved alternative method of protection is approved by the Fire Prevention and Hazardous Materials Division.

F5. Provisions shall be made for Emergency Responder Radio Coverage System (ERRCS) equipment, including but not limited to pathway survivability in accordance with Santa Clara Emergency Responder Radio Coverage System Standard.

F6. Traffic calming devices are not permitted on any designated fire access roadway, unless approved by the Fire Prevention & Hazardous Materials Division.

Hazardous Materials Closure, Site Mitigation, Demolition Application:

F7. Facility closure permit(s) shall be obtained from the Fire Department. Copies of Phase I and Phase II environmental reports to be provided. Plan of removal of any hazardous materials, hazardous waste, and tanks shall be provided. Final report to be completed at the end of this scope of work.

F8. Demolition permit(s) and plans for the existing structures will need to be obtained from the Fire Department and the Building Department, respectively. Final report with manifests to be provided at the end of this scope of work.

F9. There is currently an active assessment and remedial action case that is being overseen by the San Francisco Bay Regional Water Quality Control Board (SARWQCB, Case #43S1197). Assessment and remediation work to be coordinated with the future development work (including grading activities, foundation, utilities, etc.). Please continue the communication with the Fire Department on the status of the remedial activities.

STREETS

STORMWATER

ST1. Projects that create and/or replace 10,000 sq. ft. or more of impervious area (Regulated Projects) shall develop a Stormwater Management Plan and complete the SCVURPPP C.3 Data Form.

ST2. Stormwater Management Plans and any associated calculations shall be reviewed and certified by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants. A copy of the consultant's approval letter shall be provided to the Public Works Department, Street Division.

ST3. Stormwater Control Measures shall be inspected upon installation for conformance to plans by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants. A copy of the consultant's approval letter shall be provided to the Public Works Department, Street Division.

ST4. Property owners shall enter into an Inspection and Maintenance (I&M) Agreement with the City for all installed Stormwater Control Measures in perpetuity. Applicants shall contact Karin Hickey at 408-615-3097 to complete the agreement. The most recent version of the I&M Agreement can be found on the City's website at http://santaclaraca.gov/government/departments/public-works/environmental-programs/urban-runoff-pollution-prevention/stormwater-resources

ST5. Project proponents shall purchase and install full trash capture devices on the property, which must be maintained by the property owner in perpetuity. Maintenance of full trash capture devices shall be addressed in the Inspection and Maintenance agreement.

ST6. Developer shall install an appropriate stormwater pollution prevention message such as "No dumping – flows to bay" on any storm drains on private property upon construction.

ST7. Projects claiming LID reduction credits for Special Project status shall provide a narrative description of the technical, economic, or other infeasibility of treating 100% of the project's stormwater runoff via on-site LID treatment measures.

ST8. Projects with active building permits over 1 acre in size shall file a Notice of Intent (NOI) with the California State Water Resources Control Board and develop a Stormwater Pollution Prevention Plan (SWPPP). Active projects will be inspected by the City once a month during the wet season (October - April).

SOLID WASTE

ST9. Projects greater than 5,000sqft shall recycle at least 50% of construction and demolition waste. Applicant shall track and report on project recycling. This may be done through the City's online tracking tool at http://santaclara.wastetracking.com.

ST10. In the event of new zoning designation, project proponents shall contact the Street Division at 408-615-3080 to verify if property falls within exclusive franchise area. If so, this may result in having to use the City's exclusive franchise hauler and rate structure for solid waste services.

ST11. Pre-treatment devices and tallow bins shall be installed at all food establishments. Tallow bins shall be placed within a trash enclosure when possible. If enclosure is not sized to include the tallow bin(s), a separate dedicated enclosure with drainage to sanitary sewer shall be provided.

PARKS AND RECREATION

PR1. Neighborhood & Community Parkland Dedication. Santa Clara City Code Chapter 17.35 requires new residential developments to provide adequate park and recreational land and/or pay a fee in-lieu of parkland dedication pursuant to the Quimby Act (Quimby) and/or Mitigation Fee Act (MFA). Any in lieu fees imposed under this Chapter shall be due and payable to the City prior to issuance of a building permit for each dwelling unit. The General Plan parks, open space and recreation goals that apply to this development include 5.9.1G-1 through G-4 that recommend that new parks and recreational opportunities be provided with the new development. Policies 5.9.1 P-1 through P-21 also apply particularly those that indicate new parks should serve the needs of the surrounding neighborhood and overall community.

PR2. Mitigation Fee Act. This memo assumes the Project is not a subdivision and the Mitigation Fee Act provisions will apply. The project will generate an estimated 795 new residents (2.24 persons/household x 355 units). Based on the Mitigation Fee Act standard of 2.53 acres/1000 residents, the amount of public parkland required for this Project to mitigate impact of the new resident

demand is approximately 2.0119 acres. The equivalent fee due in lieu of parkland dedication is therefore $7,457,306.

PR3. Application for Credit. According to City Code Chapter 17.35, projects may submit a written request for up to 50% credit for eligible on-site private parkland and recreation amenities dedicated to Active Recreational Uses provided all requirements of Chapter 17.35 are met and provided such amenities are found to be in the public interest. The development must contain at least four (4) of the eight (8) elements itemized in Chapter 17.35. The combined area of these Active Recreational Uses must equal a minimum of 0.75 acres, or 32,670sf per Section 17.35.070(g)(1). The calculation shall not include features required to be included by zoning and building codes and other applicable laws, including but not limited to yards, court areas, setbacks, decorative landscape area required with residential site design, etc. Said facilities and improvements shall be constructed prior to the issuance of a certificate of use and occupancy for the units that are receiving the credit.

PR4. Dwelling Unit Tax Calculation. According to City Code Chapter 3.15, a dwelling unit tax is also due based upon the number of units and additional bedrooms. The tax is due upon application and refundable if Project is not approved. The Project mix includes 192 one bedroom units, and 163 two bedroom units: [$15 x 355 bedrooms) + ($5 x 163 additional bedrooms)] for a total DUT of $6,140. The loft & den spaces are not included as bedrooms. If these spaces are converted to bedrooms at a later date, additional Tax is required prior to occupancy.

PR5. Public Parkland Dedication. The proposed mini park does not include a minimum of 4 of the 8 elements contained in City Code Chapter 17.35. Based on size, shape and location criteria, it does not meet the definition of a neighborhood park nor is it of a size that would be conducive to active recreational uses. Be that as it may, the community in this neighborhood is requesting a public space in this development. The preference would be to have, at a minimum, a 1 acre neighborhood park. However, due to the size, shape and location of the proposed public space, the City may be agreeable to accept the developer proposed space as a **public park easement should Developer agree to maintain the 0.1428 acre space in perpetuity**. Language will be needed for the easement, as well as for public access to the easement.

PR6. Private Parkland & Recreation Amenities. According to City Code 17.35, projects may submit a written request for up to 50% credit for eligible on-site private parkland and recreational amenities dedicated to active community recreational uses provided the development contains at least four (4) of the eight (8) elements itemized in the City Code, are of the acceptable size(s), shape(s), and location(s), and the elements equal a minimum of 0.75 acres, or 32,670sf of space. The calculation of these private areas cannot include features required to be included by zoning, building codes and other applicable laws such as court areas, setbacks, decorative landscape, etc. The on-site private parkland and recreational amenities eligible for 50% credit is 0.8514 acres, or **0.4257 acres**. Final calculations will depend upon the actual number and type of units and the mix of parkland dedicated, on-site private parkland & recreational amenities, and remaining fee due, at the discretion of the City.

PR7. Fees Due In Lieu of Parkland Dedication. The remaining fee equivalent to the parkland dedication deficit, after credit (see item #2 above) is: **$5,572,832**. In Lieu fees imposed under this Chapter shall be due and payable to the City prior to issuance of a building permit for each dwelling unit.

PR8. Dwelling Unit Tax. The amount due upon application is **$6,140**. The loft and den spaces are not included as bedrooms. If these spaces are converted to bedrooms at a later date, additional DUT is required prior to occupancy.

PR9. This department requests an updated Sheet L-4.0 to reflect the current square footage as discussed with Developer today (10-24.2017).

PR10. Plans for the proposed public park easement space shall be presented to the Parks & Recreation Commission. It is advised that his happen prior to the proposed City Council meeting.

PR11. **Summary of Total Fees Due:** $5,572,832 + $6,140 = **$5,578,972**