

CONDITIONS OF 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 City approval for name of private street prior to Final Map approval.
- C2. Developer shall submit to the City Covenants, Conditions and Restrictions (CC&Rs) or equivalent instrument assigning and governing perpetual maintenance of the private street in good condition for the life of the Project, prior to issuance of building permits. Said document shall be recorded along with the Title for each property with the Santa Clara County Recorder's Office.

BUILDING

- B1. Prior to overall construction permit application, submit to the Santa Clara Building Division, two copies of an addressing diagram request, to be prepared by a licensed architect or engineer. The addressing diagram(s) shall include all proposed streets and all building floor plans. The addressing diagram(s) shall conform to Santa Clara City Manager Directive #5; Street Name and Building Number Changes, and Santa Clara Building Division Address Policy for Residential and Commercial Developments. The addressing diagram(s) shall indicate all unit numbers to be based off established streets, not alleys nor access-ways to garages. Allow a minimum of 10 working days for initial staff review.

ENGINEERING

- E1. Obtain site clearance through Engineering Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Engineering Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Engineering Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. Submit public improvement plans prepared in accordance with City Engineering Department procedures which provide for the installation of public improvements. Plans

- shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of Subdivision Map and/or issuance of building permits.
- E4. 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.
 - E5. Existing non-standard or non-ADA compliant frontage improvements shall be replaced with current City standard frontage improvements as directed by the City Engineer or his designee.
 - E6. All proposed driveways shall be per City Standard ST-8.
 - 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 Engineering Department. The submittal shall include a title report, closure calculations, and all appropriate fees.
 - E8. File and record Subdivision Map to create parcels for proposed development and pay all appropriate fee(s) prior to Building Permit issuance.
 - E9. Private improvements within public easements included as part of the approved plans shall be approved as part of the Subdivision Map. Details shall be required as part of the approved plans. Private improvements not included as part of the approved plans shall require an easement encroachment agreement after Subdivision Map recordation.
 - E10. In conjunction with installation of off-site improvements, the entire width of Kiely Boulevard along property frontage shall require cape sealing with dig outs.
 - E11. Developer shall provide a 16' minimum clear space along the proposed 15" storm drain line on the property for maintenance of this storm drain line. Place the 15" storm drain line in the center of this clear space. Trees shall not be placed within the 16' clear space.
 - E12. Trees shall be placed such that the drip line of mature trees shall not encroach into the proposed 16' wide storm drain easement or the proposed storm drain main shall be 10' clear of the tree trunks whichever is greater. Other storm drain mains and laterals, sanitary sewer mains and laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk whichever is greater.
 - E13. Private storm drain main connection to public storm drain main shall be gravity flow only. No storm drain force main connection to public storm drain main allowed.
 - E14. Provide root barriers when the drip line of the mature trees covers the sidewalk. Root barriers for sidewalk protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 1.5' deep, and centered on trees. Root barriers for curb and gutter protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 2' deep, and centered on trees.
 - E15. The catch points over the proposed public storm drain main on property shall be standard manholes with grates.
 - E16. 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. Existing storm drain easement shall be vacated after the dedication of replacement easements, including the required overland release storm drain easement with capacity to convey the 100-year storm event with no localized ponding in the public right-of-way.
 - E17. Dedicate, as required, on-site easements for new sidewalk, storm drain main, storm drain overland release, and any other new utilities by means of Subdivision Map or approved instrument at time of development.
 - E18. Provide minimum 5' wide sidewalk with 4' wide landscape strip along Kiely Boulevard frontage.

E19. All proposed sidewalk, walkway, & driveways, shall be ADA compliant City standard.

ELECTRICAL

- EL1. No information provided on submittal. Unable to provide detailed comments
- EL2. 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 (SVP) will do exact design of required substructures after plans are submitted for building permits.
- EL3. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.
- EL4. Electric service shall be underground. See Electric Department Rules and Regulations for available services.
- EL5. Installation of underground facilities shall be in accordance with City of Santa Clara Electric Department standard UG-1000, latest version, and Santa Clara City Code chapter 17.15.050.
- EL6. 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 SVP Standard MS-G7, Rev. 2.
- EL7. 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).
- EL8. If the "legal description" (not "marketing description") of the units is condominium or apartment, then all electric meters and services disconnects shall be grouped at one location, outside of the building or in a utility room accessible directly from the outside. If they are townhomes or single-family residences, then each unit shall have its own meter, located on the structure. A double hasp locking arrangement shall be provided on the main switchboard door(s). Utility room door(s) shall have a double hasp locking arrangement or a lock box shall be provided. Utility room door(s) shall not be alarmed.
- EL9. 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 an 8'-0" apron to a 3'-0", providing the apron is back of a 5'-0" minimum 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.
- EL10. 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 public utility easements (PUE's) or electric easements.
- EL11. Any relocation of existing electric facilities shall be at Developer's expense.
- EL12. Electric Load Increase fees may be applicable.
- EL13. 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)).
- EL14. 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)).
- EL15. 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.
- EL16. Encroachment permits will not be signed off by SVP until Developers Work substructure construction drawing has been completed.
- EL17. All SVP-owned equipment is to be covered by an Underground Electric Easement (U.G.E.E.) This is different than a PUE. Only publicly-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.
- EL18. 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.
- EL19. 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.
- EL20. 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.*
- EL21. SVP does not utilize any sub-surface (below grade) devices in its system. This includes transformers, switches, etc.
- EL22. 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.
- EL23. 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.

EL24. Applicant is advised to contact SVP (CSC Electric Department) to obtain specific design and utility requirements that are required for building permit review/approval submittal. Please provide a site plan to Leonard Buttitta at 408-615-6620 to facilitate plan review.

WATER

- W1. Prior to City's issuance of Building or Grading Permits, the applicant shall provide a dedicated water utility easement around the backflow prevention device on-site. 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 other easements. 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.
- W2. No structures (fencing, foundation, biofiltration swales, etc.) allowed over sanitary sewer and/or water utilities and easements.

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