

CONDITIONS OF APPROVAL

The DAP Phase 1 project shall continue to comply with all Conditions of Planned Development – Master Community (PD-MC) Zoning Approval (City Council Resolution 16-8339) and all adopted mitigation measures under the approved MMRP, unless specifically superseded by any of these conditions.

The DAP Phase 1 project will comply with all applicable codes, regulations, standards, ordinances, and resolutions in effect at the time of each DAP 1 plan submission, to the extent applicable under the MCP, DA, DDA and other Project approvals. The following **conditions of approval** are recommended:

GENERAL

- G1. Prior to issuance of a building permit for each building, Developer will submit plan(s) for review and approval by the Community Development Director detailing the following:
- a. minimum building setbacks and lot coverage for each building;
 - b. detailed streetscape and landscape plans, including elements of landscape zones described in the MCP;
 - c. shared outdoor space elements, if any, to the extent known;
 - d. public art installation locations, if any, to the extent known;
 - e. onsite loading/unloading zones for all anticipated uses, including but not limited to delivery vehicles, trash pick-up, ride-share services, bicycle parking facilities, commuter buses, and/or private shuttles;
 - f. access and circulation plans for all entrances and exits to parking garages; and
 - g. bicycle facilities and amenities.

COMMUNITY DEVELOPMENT

- C1. The Residential Serviced Apartments on Block 5C, as residential dwelling units to be constructed under Land Use Scheme A of the Master Community Plan (the land use scheme selected by the Master Developer), are required to be used for more than 30 days under a written contract such that they shall not meet the City's definition of Transient Occupancy in SCCC 3.25.020(g).
- C2. Prior to commencement of grading activities, a review meeting conducted by the City and attended by all on-site field superintendent(s) will be held.
- C3. **This Condition of Approval shall replace Condition of Approval P15 from the Master Community (PD-MC) Zoning Approval (included by reference herein under City Council Resolution 16-8339).** The Comprehensive Sign Program required by the MCP for Parcels 4 and 5 shall be considered concurrently with and approved or conditionally approved as a part of the DAP for Phase 2 by the City Council. 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.

ENGINEERING

- E1. Replace existing curb ramps at the northeast and northwest corners of the intersection of Tasman Drive/Centennial Boulevard with two ADA compliant curb ramps at each corner.
- E2. Sidewalks along Tasman Drive between the Avenue A and Avenue C shall be a minimum of 12 feet wide with an additional 5-foot landscape strip with street trees and irrigation.

- E3. Storm drain mains and laterals, and sanitary sewer mains and laterals, shall be outside the drip line of mature trees or 10 feet clear of the tree trunk, whichever is greater. Provide root barriers when the future drip line of the project installed trees will cover 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.
- E4. In conjunction with installation of off-site improvements, the applicant shall perform pavement reconstruction for the entire north side of Tasman Drive along the Project frontage.
- E5. Relocate existing Valley Transportation Authority (VTA) bus stops that are affected by the proposed site access during construction and/or in final condition, as necessary based upon consultation between Developer, City, and VTA.
- E6. The detailed design and construction of streets and sidewalks (including landscape strips) of DAP 1 shall be in substantial conformance with the MCP, to the satisfaction of the Director of Public Works, recognizing the changes in street configuration and site design that have been made between conceptual MCP and the DAP.
- E7. The detailed design and construction of **Station Road** at the intersection of Station Road and Avenue C (including length of the left turn pocket) shall be approved by the Director of Public Works.
- E8. Detailed traffic signal and intersection design at the intersections of Stars and Stripes Drive/Centennial Boulevard and Avenue C/Station Road shall be approved by the Traffic Division of the Department of Public Works.
- E9. Developer and City shall cooperate to establish time limits for parking along the public roadways with parking including Avenue A, Avenue C and Stars and Stripes Drive.
- E10. **This Condition of Approval shall replace Condition of Approval E2 from the Master Community (PD-MC) Zoning Approval (included by reference herein under City Council Resolution 16-8339).** 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. However, 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.

WATER

- W.1 If, during the design process, deficiencies are identified in the existing water and/or sanitary sewer system resulting specifically from the projected additional demands or loads from the DAP 1 development, prior to issuance of the first building permit for a building within DAP 1, the developer shall submit design documents which correct the identified deficiencies in a manner consistent with City and/or other applicable regulatory standards. Any and all water and recycled water distribution systems in the proposed DAP 1 area, including areas within the 100-foot zone area of the landfill area, shall be subject to State Department of Drinking Water requirements and approval to the extent specifically required by State law.

FIRE

- F1. The maximum fire flow reduction for the development for installation of fire sprinklers will be limited to 50-percent. The number of fire hydrants will be based on the based fire-flow without fire sprinkler reduction.
- F2. The streets that travel over the below-grade Tasman Garage (such as Centennial and Avenue C between Stars and Stripes and Tasman) shall be capable of supporting multiple 100k lb. fire trucks on any area of such streets.
- F3. The Fire Department connections shall be on the street front for which the building street name is assigned. The final location will be determined by the Fire Department.

STREETS

- ST1. **This Condition of Approval shall replace Condition of Approval P11 from the Master Community (PD-MC) Zoning Approval (included by reference herein under City Council Resolution 16-8339):** 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 a 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).
- ST2. Prior to issuance of the first building permit, a Stormwater Management Plan shall be completed for the DAP 1 area. Developer at its cost shall relocate the existing bioretention swale along the east side of the City garage structure to a location mutually acceptable to City and Developer.