

SUBDIVISION CONDITIONS
APPLICATION NO.: 459-15-TM
1991 SUN-MOR AVENUE

1. **MAP SUBMITTAL:** File a final map for approval and recordation in accordance with the City Code and the California Subdivision Map Act prior to the issuance of any building permit for the property within the subdivision. All existing and proposed easements are to be shown on the map. Submit two black-line copies of the map to the Public Works Department for review together with all items on the Map Checklist concurrent with the Off-Site Improvement Plans.
2. **MAP DOCUMENTS:** Submit a subdivision guarantee, County Tax Collector's letter regarding unpaid taxes or assessments, and subdivision security if there are unpaid taxes or special assessments prior to the approval and recordation of the map.
3. **SOILS REPORT:** Soils and geotechnical reports prepared for the subdivision shall be indicated on the final map. Submit a copy of the report with the final map.
 - a. As required by the State Seismic Hazards Mapping Act, a project site-specific geotechnical investigation shall be conducted by a registered soils/geologist identifying any seismic hazards and recommending mitigation measures to be taken by the project. The applicant, through its registered soils engineer/geologist, shall certify the project complies with the requirements of the State Seismic Hazards Mapping Act. Indicate the location (page number) within the geotechnical report of where this certification is located or provide a separate letter stating such.
4. **FINAL MAP APPROVAL:** The final map shall be signed and notarized by the owner and engineer/surveyor and submitted to the Public Works Department with an 8.5"x11" reduction of the map. In order to place the approval of the final map on the agenda for the City Council, all related materials and agreements must be completed, signed, and received by the Public Works Department 40 calendar days prior to the Council meeting. After City Council approval, the City will sign the map and provide a Xerox Mylar copy. The applicant's title company shall have the County Recorder's Office record the original and endorse the Xerox Mylar copy. The endorsed Xerox Mylar copy and PDF shall be returned to the Public Works Department within one week after recording the map.
5. **SUBDIVISION FEES:** Pay all subdivision fees due in accordance with the rates in effect at the time of payment prior to the approval of the final map.
6. **PARK LAND DEDICATION FEE:** Prior to issuance of any building permits and prior to approval of the final map as applicable, the applicant shall pay the Park Land Dedication Fee (approximately \$15,000 to \$30,000 per unit) for each new residential unit in accordance with Chapter 41 of the City Code prior to the issuance of the building permit. No credits against the Park Land Dedication Fee will be allowed for the private open space and recreational facilities. Provide the most current appraisal or escrow closing statement of the property with the following information to assist the City in determining the current market value of the land: (1) a brief description of the existing use of the property; (2) square footage of the lot; and (3) size and type of each building located on the property at the time the property was acquired.
7. **WATER AND SEWER CAPACITY CHARGES:** The water and sewer capacity charges for residential connections are based on the number and type of dwelling units. There are separate charges for different types of residential categories so that the capacity charges reasonably reflect the estimated demand of each type of connection. The water and sewer capacity charges for nonresidential connections are based on the water meter size, and the building area and building use, respectively. Credit is given for the demand of the improvements that previously existed on the site. Fees need to be paid per the Public Works Fee Schedule prior to Public Works approving the

final map.

8. **STREET AND PARCEL DEDICATIONS:** Provide the following dedications in fee as required by the Public Works Director:
 - 'A' Street with 60' right-of-way and 50' cul-de-sac;
 - Extension of Sun-Mor Avenue with 60' right-of-way and 50' cul-de-sac; and
 - Parcel A, a 20' wide parcel connecting from Yorkshire Way to 'A' Street, to be used for public utilities, bicycle and pedestrian access, and emergency vehicular access.
9. **EASEMENT FOR SURFACE DRAINAGE RELEASE AND PUBLIC UTILITIES:** Dedicate a 24' wide public easement for surface drainage release and public utilities (water, sanitary sewer, and storm drain mains) from Sun-Mor Avenue to 'A' Street. The dedication statement on the final map shall specify the following: (1) the easement shall be kept free and clear of any obstructions, including, but not limited to, berms, trees, large shrubs, and structures of any kind; (2) the permanent swale for surface drainage release and surface elevation within the easement shall not be altered without the written consent of the Public Works Director; and (3) the property owner shall be responsible for replacing the landscaping and other surface improvements that are removed by the City to repair, replace, or maintain the City's underground utilities within the easement. These restrictions and requirements shall also be stated within the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision highlighted shall be submitted to the Public Works Department for review and approval.
10. **KENTMERE COURT STORM DRAIN EASEMENT:** Dedicate a 20' public storm drain easement for the existing 24" storm main from the end of Kentmere Court to Stevens Creek to replace the vacated 20' storm drain easement along the northerly property boundary.
11. **TEMPORARY PUBLIC AND EMERGENCY VEHICLE ACCESS EASEMENT:** Pedestrian, bicycle, and emergency vehicle access is currently provided from Yorkshire Way to Martens Avenue within existing easements across the property. A 20' wide temporary easement shall be dedicated to maintain the pedestrian, bicycle, and emergency vehicle access during construction. The improvement plans shall address how access will be provided and maintained during all phases of construction. Limited closures (each seven days or less) may be considered to allow for the construction of Parcel A and 'A' Street. The proposed phasing and closures shall be included with the first submittal of the improvement plans.
12. **VACATIONS:** The following easement and/or rights shall be removed from the property for the development:
 - Cul-de-sac street dedications (593 M 42)
 - 59'x19' street easement at the end of Sun-Mor Avenue (6074 OR 240)
 - 10' public service easement adjacent to Martens Avenue (593 M 42)
 - 20' emergency vehicle access easement (593 M 42)
 - 10' pedestrian and bike path easement (593 M 42)
 - Rights of pedestrian and vehicular ingress and egress relinquished (593 M 42)
 - 15' sewer, storm drain, and waterline easement (5300 OR 306)
 - Portion of the 15' storm drainage easement along the southerly property boundary (593 M 42)
 - 20' storm drain easement along the northerly property boundary by Stevens Creek (3818 OR 479)
 - 1' County of Santa Clara easement (6074 OR 239)

The 15' sewer, storm drain, and waterline easement on Lot 2 shall be abandoned by separate instrument by the City upon acceptance of the relocated sanitary sewer main. All other City easements may be abandoned on the final map subject to written approval by the utility companies as applicable. The 1' County of Santa Clara easement

shall be abandoned by separate instrument by Santa Clara County, and a copy of the recorded quitclaim document must be provided to the City prior to the approval of any building permit and prior to approval of the final map.

13. **UTILITY COMPANY APPROVALS:** Dedicate public streets and/or utility easements as required by the utility companies and as approved by the Public Works Director. All street and public utility easement dedications are to be shown on the final map. The subdivider shall submit two copies of the map to PG&E, AT&T (SBC), and Comcast for their review and determination of easement needs. The public service easement dedications must be approved by the utility companies prior to the approval of the final map.
14. **CC&Rs:** Covenants, Conditions, and Restrictions (CC&Rs) for the development, together with a completed CC&R checklist, shall be submitted to and approved by the City Attorney's Office and the Community Development Department prior to approval and recordation of the map. The said covenants shall include and stipulate all of the standard provisions which are shown on the attached sheet. The checklist and proposed CC&Rs shall be annotated to show exactly where each of the standard provisions have been incorporated into the CC&R document.
15. **CC&Rs, BIORETENTION AREAS WITHIN PARK STRIPS:** The Covenants, Conditions, and Restrictions (CC&Rs) shall state the restrictions for the bioretention areas within the park strip of the new public streets for C.3 stormwater treatment of the public street runoff in accordance with the City's "Stormwater Quality Guidelines for Development Projects," and that the ongoing routine maintenance of each bioretention area shall be the responsibility of the property owner with frontage along the park strip in which the bioretention area is located. If a property owner fails to maintain the frontage bioretention area, the City can perform the work and proceed to collect the cost from the property owner. A copy of the CC&Rs with this provision highlighted shall be submitted to the Public Works Department for review and approval.
16. **CC&Rs, EASEMENT FOR SURFACE DRAINAGE RELEASE AND PUBLIC UTILITIES:** The Covenants, Conditions, and Restrictions (CC&Rs) shall specify the following restrictions and requirements for the surface drainage release and public utility easement over Lots 4 and 7: (1) the easement shall be kept free and clear of any obstructions, including, but not limited to, berms, trees, large shrubs, and structures of any kind; (2) the permanent swale for surface drainage release and surface elevation within the easement shall not be altered without the written consent of the Public Works Director; (3) Delineators shall be provided and maintained on the private fences to mark the presence of the utility mains with the side-yard easement; and (4) the property owner shall be responsible for replacing the landscaping and other surface improvements that are removed by the City to repair, replace, or maintain the City's underground utilities within the easement. A copy of the CC&Rs with this provision highlighted shall be submitted to the Public Works Department for review and approval.
17. **CC&Rs, GARBAGE PICK UP:** The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision stating that the homeowners are responsible for bringing their garbage cans, totes, and recycling containers to the curb along the public street on garbage collection days. An exhibit indicating the location of the bins on pick-up day shall be included. A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Public Works Department for review and approval.
18. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the subdivision and as required by Chapters 27 and 28 of the Mountain View City Code. These improvements include, but are not limited to, the following: new curb, gutter, and sidewalk along the project frontage on Martens Avenue; new public streets and respective C.3 stormwater treatment, landscaping, and irrigation; new pedestrian, bicycle, and emergency vehicle access path; streetlights; water, sewer, and storm drainage facilities; fire hydrants; joint trench utilities; and relocation of the existing 12" sanitary sewer main.
 - a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the approval of the final map. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a letter of credit (150 percent) or cash security (100 percent) securing the installation and warranty of

the off-site and on-site common improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available through the Internet at:

https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security are available at the Public Works Department. Any changes to the standard agreement will require an additional one- to three-week processing time with the City Attorney's Office.

- b. **INSURANCE:** Provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the final map. The insurance coverage amounts are a minimum of One Million Dollars (\$1,000,000) Commercial General Liability, Automobile Liability, and Workers' Compensation. The insurance requirements are available from the Public Works Department.
19. **OFF-SITE IMPROVEMENT PLANS:** Prepare public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, and the conditions of approval of the subdivision. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. A traffic control plan indicating the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. Improvement plans (10 sets), Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. The improvement plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 black-line sets, 1 Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the approval of the final map. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.
20. **INFRASTRUCTURE QUANTITIES:** Submit a completed construction cost estimate form indicating the quantities of the improvements with the submittal of the improvement plans. The construction cost estimate is used to estimate the cost of improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate is to be prepared by the civil engineer preparing the improvement plans and stamped and signed.
21. **UNDERGROUNDING OF OVERHEAD SERVICES:** All new and existing electric, telephone, and cable television services serving the subdivision are to be placed underground (including transformers). All on-site overhead utilities shall be underground and joint utility poles shall be removed. The undergrounding of the new and existing electric, telephone, and cable television services are to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the subdivision.
22. **JOINT UTILITY PLANS:** Submit joint utility plans showing the location of the proposed electric, gas, telephone, and cable television conduits and vaults. These plans shall be combined with and made part of the improvement plans. Dedicate public utility easements that are necessary for the common utility on the final map.
23. **UNDERGROUNDING OF OVERHEAD LINES:** Underground existing overhead telephone, electric, and cable television facilities on the property, including the removal of the joint utility pole within the street easement at the end of Sun-Mor Avenue. The undergrounding work shall be constructed in conjunction with any applicable off-site improvements and completed prior to issuance of a Certificate of Occupancy for any new unit. All poles fronting the property are to be removed. Prior to approval of the final map, subdivider shall sign an underground utility agreement and provide a performance bond or other suitable guarantee securing performance of the work in the estimated amount of the cost of underground work until such time as prepaid or secured contracts are entered

into by the subdivider with PG&E, AT&T (SBC), and Comcast that provides for all of the required underground work.

24. **SURFACE DRAINAGE:** Each residential lot shall be designed to drain toward the streets. The drainage paths for the privately owned lots shall be designed such that the drainage paths do not cross the common property lines.
25. **CONSISTENCY WITH OTHER APPROVALS:** This map shall be consistent with all requirements of the Planned Unit Development and Development Review Permit, Application No. 458-15-PUD. All conditions of approval imposed under that application shall remain in full force and effect and shall be met prior to approval of the final map.
26. **APPROVAL EXPIRATION:** If the map is not completed within twenty-four (24) months from the date of this approval, this map shall expire.