CITY OF
CUPERTINO

PUBLIC WORKS DEPARTMENT

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Project: 20739 Scofield Dr – Proposed 5-story, 20-unit residential building (ASA-2024-009, 1st Review)

To: Gian Martire, Community Development Dept.

From: Jennifer Chu, Public Works Dept.

Date: 9-11-24

Public Works received the 1st submittal of plans for the subject project and submits the following comments and requirements. Prior to the Hearing, the following action/revision items are to be addressed and provided to the Public Works Department:

Actions/Revisions Required:

TRANSPORTATION COMMENTS

1. The Project shall comply with all relevant requirements and provisions in the City's Transportation Study Guidelines, May 2021 (Guidelines). These guidelines can be found at www.cupertino.gov/vmt. The project may be subject to a Transportation Analysis including, but not limited to, a Vehicle Miles Traveled (VMT) analysis and operational study, to be reviewed and approved by the City's Transportation Manager.

2. If the project meets CEQA VMT screening criteria, please provide a memo documenting the screening results. Refer to Pages 5-7 of the Guidelines.

3. For non-CEQA traffic impacts, please provide a trip generation memo. Additional comments will be forthcoming based on the project tier. Refer to Pages 15-29 of the Guidelines.

ENGINEERING COMMENTS

4. The project is subject to payment of Transportation Impact Fees under the City's Transportation Impact Fee Program (Chapter 14.02 of the Cupertino Municipal

Code). The current fee is $4,215 per unit. These fees are subject to increase per the City's annual fee schedule adjustment.

5. The project is subject to payment of park fees in-lieu of park land dedication under the City's Park Land Dedication Fee (Chapter 13.08 and Chapter 18.24 of the Cupertino Municipal Code) for the new dwelling units. BMR units are waived. The current fee is $54,000 per unit and may be subject to modifications per the City's annual property assessment and latest fee schedule adjustment.

6. Provide a preliminary review letter from a third party reviewer approved by SCVURPPP. The letter shall state that the proposed treatment measures have been sized adequately and that any modifications required during the design phase will not impact the Project's overall site concept.

7. Provide a preliminary loading truck & circulation plan. Plan shall show the proposed loading area, truck circulation pattern and turning radius.

8. Sheet A4.4: Will bins be staged in the public right-of-way? If so, show their locations with accurate dimensions and spacings. Bins shall not block driveway openings or extend wider than a parking space (typically 8' wide). Any proposed parking restrictions on Scofield Drive to accommodate bin staging in the public right-of-way are subject to review and approval by the Public Works Transportation Division.

9. See additional frontage improvement comments below.
   a. Remove the proposed truncated domes at the driveway locations.
   b. Adjust the widths of the parkstrip and sidewalk to comply with City Standard Detail 1-19.
   c. Protect the existing street trees per City Standard Detail 6-4.

10. See comments below for Sheet C1.0.
    a. Clearly show and label all proposed public and private easement on the map (e.g. private ingress/egress easement, public service easement, private storm drain easement, etc).
    b. Show the found monuments used to prepare the map.
    c. Correct the number of units in plan view and Project Data #13.

11. See comments below for Sheet C4.0.
    a. Show the overland release path.
    b. Sheet C6.0 indicates three DMAs that are directing stormwater runoff to three different bioretention areas. Provide additional grading and/or downspout detail information to show how runoff from the roofs will be collected and conveyed to each bioretention area.

c. Indicate the proposed elevation at the top of each bioretention area. Depending on the grade difference at the back of sidewalk, a curb may be required.
d. The plan indicates a swale would be provided along the perimeter of the site. However, Sheet L-1 shows there would be a gravel path in the same location. Please coordinate so both plans are consistent and stormwater runoff can drain towards the street as designed.

12. See comments below for Sheet C5.0.
    a. Show the proposed joint trench route from the transformer location. Above-grade facilities shall be subject to screening requirements as determined by Planning.
    b. Provide a solid cover for the proposed 24′ flat grate drop inlet as untreated stormwater runoff could be introduced prior to discharging into the City storm drain system.
    c. Check the crossing of the proposed 6″ sewer lateral and the private 8″ storm drain pipe as it appears there could be a conflict based on the provided invert elevation. Revise accordingly.

13. See comments below for Sheet C6.0.
    a. Show how stormwater treatment will be addressed for the impervious surfaces created and/or replaced within the public right-of-way. (Note: This is now a requirement per MRP 3)
    b. Ensure the square footages in the Treatment Control Measure Summary table are consistent with the square footages provided in the C.3 Data Form. Revise accordingly.
    c. Provide a typical detail of the proposed bioretention areas. These facilities shall be designed so that stormwater runoff does not infiltrate into the pavement section of the adjacent sidewalk. A proposed deepened curb and/or an impermeable liner are acceptable methods.
    d. Due to their close proximity to the proposed building, the project geotechnical consultant and structural engineer should review and approve their location and any proposed infiltration, if any. Their recommendations should be reflected in the typical detail.

14. Draft Public Works Project Conditions of Approval are provided below and are included as additional comments.

DRAFT Public Works Project Conditions of Approval. Except for otherwise noted, the following conditions must be completed and/or submitted prior to Final Map recordation.

<u>STREET IMPROVEMENTS & DEDICATION</u>

Roadway dedication in fee title and street improvements along the project frontage will be required to the satisfaction of the Director of Public Works. Street improvements,

grading and drainage plans must be completed and approved prior to Final map approval.

Street improvements may include, but not be limited to, new detached sidewalk, new ADA ramp, driveways, storm drain lateral, street tree installations, and street light and/or pedestrian push button relocation. All improvements must be completed and accepted by the City prior to Building Final Occupancy or Street Improvement Encroachment Permit acceptance whichever comes first.

Additional comments will be provided and shall be incorporated prior to Final Map approval.

ACCEPTANCE OF PROPERTY RIGHTS

The Public Works Director, or his/her designee, shall have the authority to accept all offers of dedications, easements, quitclaims and other property rights and interests on behalf of the City.

CURB AND GUTTER IMPROVEMENTS

Curbs and gutters, sidewalks and related structures shall be installed in accordance with grades and standards as specified by the Director of Public Works. All improvements must be completed and accepted by the City prior to Building Final Occupancy or Street Improvement Encroachment Permit acceptance whichever comes first.

PEDESTRIAN AND BICYCLE IMPROVEMENTS

Developer shall provide pedestrian and bicycle related improvements (e.g. walkway and bicycle racks, etc.) consistent with the Cupertino Bicycle Transportation Plan and the Pedestrian Transportation Plan, and as approved by the Director of Public Works. All improvements must be completed and accepted by the City prior to Building Final Occupancy or Street Improvement Encroachment Permit acceptance whichever comes first.

STREET LIGHTING INSTALLATION

Street lighting shall be installed and shall be as approved by the Director of Public Works. Lighting fixtures shall be positioned so as to preclude glare and other forms of visual interference to adjoining properties, and shall be no higher than the maximum height permitted by the zone in which the site is located.

GRADING

Grading shall be as approved and required by the Director of Public Works in accordance with Chapter 16.08 of the Cupertino Municipal Code. 401 Certifications and 404 permits maybe required. Please contact Army Corp of Engineers and/or Regional Water Quality Control Board as appropriate.

DRAINAGE

Drainage shall be provided to the satisfaction of the Director of Public Works and satisfy any requirements from the environmental analysis. Hydrology and pre- and post-development hydraulic calculations must be provided to indicate whether additional storm water control measures are to be constructed or renovated. The storm drain system may include, but is not limited to, subsurface storage of peak stormwater flows (as needed), bioretention basins, vegetated swales, and hydrodynamic separators to reduce the amount of runoff from the site and improve water quality. The storm drain system shall be designed to detain water on-site (e.g., via buried pipes, retention systems or other approved systems and improvements) as necessary to avoid an increase of the ten percent flood water surface elevation to the satisfaction of the Director of Public Works. Any storm water overflows or surface sheeting should be directed away from neighboring private properties and to the public right of way as much as reasonably possible.

All storm drain inlets shall be clearly marked with the words "No Dumping – Flows to Creek" using permanently affixed metal medallions or equivalent, as approved by the Environmental Programs Division.

Additional comments will be provided and shall be incorporated prior to Final Map approval.

C.3 REQUIREMENTS

C.3 regulated improvements are required for all projects creating and/or replacing 5,000 S.F. or more of impervious surface, collectively over the entire project site. The developer shall reserve a minimum of 4% of developable surface area for the placement of low impact development measures, for storm water treatment, unless an alternative storm water treatment plan, that satisfies C.3 requirements, is approved by the Director of Public Works.

The developer must include the use and maintenance of site design, source control and storm water treatment Best Management Practices (BMPs), which must be designed per approved numeric sizing criteria. A Storm Water Management Plan and a Storm Water Facilities Operation, Maintenance and Easement Agreement, and certification of ongoing operation and maintenance of treatment BMPs are each required.

All storm water management plans are required to obtain certification from a City approved third party reviewer.

If the Project is subject to (Covenants, Conditions, and Restrictions (CC&R) and Homeowners Association (HOA), CC&R must also include languages pertaining to the stormwater treatment measures.

SUBDIVISION IMPROVEMENT AGREEMENT

The project developer shall enter into a Subdivision Improvement Agreement with the City of Cupertino providing for payment of fees, including but not limited to checking

and inspection fees, storm drain fees, transportation impact fees, park dedication fees and fees for under grounding of utilities. Said agreement and fees shall be executed and paid prior to Final map approval.

Fees:

a.	Checking & Inspection Fees:	Per current fee schedule ($1,302)
b.	Grading Permit:	Per current fee schedule ($1,352)
c.	Tract Map Fee:	Per current fee schedule ($13,687)
d.	Storm Drainage Fee:	Per current fee schedule ($4,584 per AC + $347 per unit)
e.	Transportation Impact Fee:	Per current fee schedule: ($4,215 per new DU)
f.	Encroachment Permit Fee:	Per current fee schedule ($3,551 or 5% of improvement cost)
g.	Park Fees:	Per current fee schedule: $54,000 per new DU (4 BMR units waived)
h.	Storm Management Plan Fee	Per current fee schedule ($2,217)
i.	Street Tree Fee:	By Developer or Per current fee schedule: $513 per tree

Bonds:

a. Faithful Performance Bond: 100% of Off-site and On-site Improvements
b. Labor & Material Bond: 100% of Off-site and On-site Improvement
c. On-site Grading Bond: 100% of site improvements.

The fees described above are imposed based upon the current fee schedule adopted by the City Council. However, the fees imposed herein may be modified at the time of recordation of a final map or issuance of a building permit in the event of said change or changes, the fees changed at that time will reflect the then current fee schedule.

FINAL MAP

A final map will be subject to City Council approval and shall be recorded prior to issuance of building permits. Existing buildings must be demolished prior to recordation of the final map as building(s) cannot straddle between lot lines.

TRANSPORTATION

The Project is subject to the payment of Transportation Impact Fees under City's Transportation Impact Fee Program (Chapter 14.02 of the Cupertino Municipal Code).

Project is also subject to Vehicle Miles Traveled (VMT) analysis as part of environmental reviews per Chapter 17 of the Cupertino Municipal Code. Project shall provide mitigation measure as results of the transportation analysis.

PARKS

The residential units are subject to the payment of parkland fees in-lieu of parkland dedication per Chapter 13.08 and Chapter 18.24 (Include if subdivision is involved) of the Cupertino Municipal Code.

The Below Market Rate (BMR) program manual, which was last amended by City Council on May 19, 2020 per Resolution 20-055, authorizes the waiver of park fees for BMR units. Pursuant to Resolution 20-055, parkland dedication in-lieu fees for the 4 BMR units proposed for this project are hereby waived.

SURVEYS

A Boundary Survey and a horizontal control plan will be required for all new construction to ensure the proposed building will be set based on the boundary survey and setback requirements.

TRASH, RECYCLING AND COMPOST ENCLOSURES

Trash enclosure plans must be designed in accordance with the City's "Public Works Guidelines posted at www.cupertino.org/nowaste, and to the satisfaction of the Environmental Programs Manager. Clearance by the Public Works Department is required prior to obtaining a building permit. (CMC 9.18.210 H & K)

Applicant shall enter into an agreement with the City that indemnifies and holds harmless both the City and the refuse and recycling collection company (Recology) from and against any harm, damage or maintenance that may occur or become necessary to onsite paving stone driveway surfaces.

OPERATIONS & MAINTENANCE AGREEMENT

Developer shall enter into an Operations & Maintenance Agreement with the City prior to Final Map approval. The Agreement shall include the operation and maintenance for non-standard appurtenances in the public road right-of-way that may include, but is not limited to, landscaping, street trees, sidewalk, pavers, and street lights.

UNDERGROUND UTILITIES

Developer shall comply with the requirements of the Underground Utilities Ordinance No. 331 and other related Ordinances and regulations of the City of Cupertino, and shall coordinate with affected utility providers for installation of underground utility devices. Developer shall submit detailed plans showing utility underground provisions. Said plans shall be subject to prior approval of the affected Utility provider and the Director of Public Works.

TRANSFORMERS & CABINETS

Electrical transformers, telephone cabinets and similar equipment shall be placed in underground vaults. The developer must receive written approval from both the Public Works Department and the Community Development Department prior to installation of any above ground equipment. Should above ground equipment be permitted by the City,

equipment and enclosures shall be screened with fencing and landscaping such that said equipment is not visible from public street areas, as determined by the Community Development Department. Transformers shall not be located in the front or side building setback area.

WATER BACKFLOW PREVENTERS

Domestic and Fire Water Backflow preventers and similar above ground equipment shall be placed away from the public right of way and site driveways to a location approved by the Cupertino Planning Department, Santa Clara County Fire Department and the water company.

BEST MANAGEMENT PRACTICES

Utilize Best Management Practices (BMPs), as required by the State Water Resources Control Board, for construction activity, which disturbs soil. BMP plans shall be included in grading and street improvement plans.

NPDES CONSTRUCTION GENERAL PERMIT

When and where it is required by the State Water Resources Control Board (SWRCB), the developer must obtain a Notice of Intent (NOI) from the SWRCB, which encompasses preparation of a Storm Water Pollution Prevention Plan (SWPPP), use of construction Best Management Practices (BMPs) to control storm water runoff quality, and BMP inspection and maintenance.

EROSION CONTROL PLAN

Developer must provide an approved erosion control plan by a Registered Civil Engineer. This plan should include all erosion control measures used to retain materials on site. Erosion control notes shall be stated on the plans.

WORK SCHEDULE

Every 6 months, the developer shall submit a work schedule to the City to show the timetable for all grading/erosion control work in conjunction with this project.

TRAFFIC CONTROL PLAN

The developer must submit a traffic control plan by a Registered Traffic Engineer to be approved by the City. The plan shall include a temporary traffic control plan for work in the right of way as well as a routing plan for all vehicles used during construction. All traffic control signs must be reviewed and approved by the City prior to commencement of work. The City has adopted Manual on Uniform Traffic Control Devices (MUTCD) standards for all signage and striping work throughout the City.

STREET TREES

Street trees shall be planted within the Public Right of Way to the satisfaction of the Director of Public Works and shall be of a type approved by the City in accordance with Ordinance No. 125.

FIRE PROTECTION
Fire sprinklers shall be installed in any new construction to the approval of the City.

SANTA CLARA COUNTY FIRE DEPARTMENT
A letter of clearance for the project shall be obtained from the Santa Clara County Fire Department prior to issuance of building permits. Clearance should include written approval of the location of any proposed Fire Backflow Preventers, Fire Department Connections and Fire Hydrants (typically Backflow Preventers should be located on private property adjacent to the public right of way, and fire department connections must be located within 100' of a Fire Hydrant).

FIRE HYDRANT
Fire hydrants shall be located as required by the City and Santa Clara County Fire Department as needed.

SAN JOSE WATER SERVICE COMPANY CLEARANCE
Provide San Jose Water Service Company approval for water connection, service capability and location and layout of water lines and backflow preventers prior to Final Map approval.

DEDICATION OF UNDERGROUND WATER RIGHTS
Developer shall "quit claim" to the City all rights to pump, take or otherwise extract water from the underground basin or any underground strata in the Santa Clara Valley.

SANITARY DISTRICT
A letter of clearance or sign off of street improvement plans for the project shall be obtained from the Cupertino Sanitary District prior to Final Map approval.

UTILITY EASEMENTS
Clearance approvals from the agencies with easements on the property (including PG&E, AT&T, and San Jose Water Company, and/or equivalent agencies) will be required prior to Final Map approval.