

**ATTACHMENT 1
FINDINGS FOR APPROVAL
PA-2018-043, 406 E 3RD AVE. MIXED USE SPAR + SDPA + TENTATIVE PARCEL MAP**

314 S CLAREMONT ST, SAN MATEO, CA 94401-3356; 304 S CLAREMONT ST, SAN MATEO, CA 94401-3356; 306 S CLAREMONT ST, SAN MATEO, CA 94401; 308 S CLAREMONT ST, SAN MATEO, CA 94401-3356; 406 E 3RD AVE, SAN MATEO, CA 94401-3351; 310 S CLAREMONT ST, SAN MATEO, CA 94401-3356
PARCEL # 034182030, 034182040, 034182020, 034182150
AS APPROVED BY THE PLANNING COMMISSION ON

FINDINGS:

- I. Adopt the Mitigated Negative Declaration, including the Mitigation Monitoring or Reporting Program, as adequate to access environmental impacts, Finding that:**
 1. On the basis of the whole record before it, the Planning Commission finds that there is no substantial evidence that the project will have a significant effect on the environment.
 2. The location and custodian of the documents or other material which constitutes the record of proceedings on which this decision is based is the City of San Mateo Planning Division.
 3. Approval of the Mitigated Negative Declaration reflects the independent judgment of the approval authority of the City of San Mateo.

- II. Approve the Site Plan and Architectural Review for the construction of a mixed-use building consisting of 25 residential dwelling units and 103,731 square feet of office (San Mateo Municipal Code § 27.08.030), and one on-street loading zone, Finding that:**
 1. The structures, site plan, and landscaping are in scale and harmonious with the character of the neighborhood in that:
 - a. The height and bulk of the project is within the maximum building height and required street-wall area;
 - b. The design of the building and materials used are high quality and enhances the existing character of the surrounding area;
 - c. The development provides a cohesive transition between the downtown to the north and west, as well as to the existing residences and businesses to the south and east;
 - d. The on-street loading zone adjacent to the site is appropriate for the project and the neighborhood as there are several existing loading zones in the vicinity of the project; and
 - e. The pedestrian improvements create a walkable and inviting pedestrian realm that are consistent with the City's guidelines and policies relating to sidewalks.

2. The development will not be detrimental to the harmonious and orderly growth of the City because:
 - a. The project is consistent with the General Plan, Downtown Area Plan, and Zoning Code and Bicycle Master Plan, Pedestrian Master Plan, and will correct any violations to the Uniform Building Code, Zoning Code, and/or Municipal Codes;
 - b. The project satisfies the Zoning Code standards for height, building lines and setbacks, bicycle and vehicle parking, and open space; and
 - c. Development would be orderly as it would not create an abundance of loading zones in the vicinity of the project or the downtown.
3. The development will not impair the desirability of investment or occupation in the vicinity, and otherwise in the best interests of the public health, safety, or welfare because:
 - a. The project site consists of an existing fast-food restaurant, parking facility, auto-repair, and industrial businesses.
 - b. The proposed project would entail a net benefit to the community with additional housing and offices in an attractive building in the neighborhood, and in a location that is within close proximity to the San Mateo Downtown Caltrain Station;
 - c. The proposed project will increase the desirability of the vicinity as the property owner's investment in the site represents an improvement to what currently exists; and
 - d. The on-street loading zone provide more opportunity to enhance the pedestrian realm by providing wide sidewalks and street trees.
4. The development meets all applicable standards as adopted by the Planning Commission and City Council, conforms to the General Plan, and will correct any violations to the Uniform Building Code, Zoning Code, and or municipal codes in that:
 - a. The project meets the development standards of the CBD/S zoning district with respect to land use, building height, parking, and open space;
 - b. The project complies with the City's Downtown Area Plan policies;
 - c. The project complies with the recommendations of the City's Design Review consultant; and
 - d. The project will be constructed to meet all applicable provisions of the Uniform Building Code.

5. The proposed project will not adversely affect matters regarding police protection, crime prevention, and security in the that the buildings, on site paths of travel, and parking facilities will be required to conform to the City's current Security Ordinance through Conditions of Approval.

III. Approve the Site Development Planning Application for the removal of four trees 6 inches or more in Diameter (San Mateo Municipal Code §23.40.040), finding that:

The proposed removal of thirteen trees six inches or greater in diameter including three Heritage Tree is necessary to accommodate the development as these trees are located within the development footprint. The tree species proposed for removal include: *Chinese Hackberry*, *Hackberry*, *Crape Myrtle*, *Chinese Elm*, *London Plane*, and *Cajeput*. The removal of these trees will not be detrimental to public welfare or injurious to other property in the vicinity in that the applicant is required to comply with the Zoning Code which requires the full Landscape Unit Value of the existing trees to be removed. Under these provisions, all concerns regarding tree removal have been addressed. In addition to the Landscape Unit Values, the applicant will be replacing three street trees with seven new street trees, which would enhance the pedestrian experience and downtown.

IV. Approve the Tentative Parcel Map to merge four parcels into one parcel (San Mateo Municipal Code §26.56), finding that:

1. The proposed map is consistent with applicable general and specific plans in that the project site is designated for commercial office uses and the project meets CBD/S (Central Business District-Support) Zoning standards and the Downtown Retail Core Support designation of the General Plan.
2. The site is physically suitable for the proposed development in that the site is flat, required open space has been provided, and all potential environmental impacts are less than significant, except for the demolition of the existing potentially-eligible historic structures.
3. The site is physically suitable for the proposed density of the development in that adequate open space areas are provided.
4. That the design of the development will not cause substantial environmental impact nor injure fish or wildlife in their habitat in that the project site is located in an urbanized area.

5. That the design of the project or type of improvements is not likely to cause serious public health problems in that the City's ordinances reduce potential air quality and noise impacts during construction, and the project will also contribute to public improvements to roadways and public facilities and will otherwise not constrain the delivery of public services.
6. That the design of the project will not conflict with easements because the building envelope and major site improvements will not obstruct or be located on such easements to create a conflict.

V. **General Plan Conformity**

The project conforms to the following policies of the General Plan:

Land Use Element

- LU 1.4: Development Intensity/Density. Adopt and maintain the development intensity/density limits as identified on the Land Use Map and Building Intensity Plan, and as specified in Policy LU 6A.2. Development intensity/density shall recognize natural environmental constraints, hazards, traffic and access, necessary services, and general community and neighborhood design. Provide a density and building intensity range, with densities/intensities at the higher end of the range to be considered based on provision of public benefits such as affordable housing, increased open space, public plazas or recreational facilities, or off-site infrastructure improvements.
- LU 1.5: Building Height. Maintain maximum building height limits contained in Appendix C, and as specified in Policy LU 6A.2, closely matched with the Land Use categories and Building Intensity standards.
- LU 1.8: Mixed Use Commercial-Residential. Facilitate housing production by allowing commercial mixed-use development which includes multi-family dwellings in all non-residential land use categories except service commercial, manufacturing/industrial, and parks/open space.
- LU 1.10: Commercial Development. Encourage industrial, service, retail, and office development which is compatible with the desired character of the area and with adjacent residential areas in terms of intensity of use, height, bulk and design as delineated on the Land Use Plan, Building Height Plan and Building Intensity Plan.

Commercial development adjacent to residential areas shall address concerns pertaining to traffic, truck loading, trash/recycling activities, noise, visual impacts, and public safety including hazardous material storage, fire safety, air pollutant emissions and odors.

LU 2.3: Local Employment. Encourage uses, which provide opportunities for employment of all the City's residents, with emphasis placed on major employers that provide high value-added jobs.

LU 2.4 Downtown Plan. Establish downtown San Mateo as the social, cultural, and economic center of the City with a wide range of office, medical, residential, entertainment, and retail uses at high intensities and densities while encourage pedestrian activity and bicycle connectivity to adjacent neighborhoods.

LU 3.1: Downtown Plan. As the social, cultural and economic center of the City, the downtown shall maintain a wide range of office, medical, residential, entertainment, and retail uses at high intensities and densities.

LU 4.2: Developer's Contribution Policy. Require new development to pay on an equitable basis for new or expanded public improvements needed to support the new or changed land use or development.

LU 4.32: Recycling. Support programs to recycle solid waste in compliance with State requirements. Designate an area on a site plan for new multi-family developments exclusively for recycling.

The project is consistent with the above policies in that the development of the office and residential building on the site is consistent with the land use designation, and is in compliance with the height, bulk, and design standards.

Circulation Element

C 2.4: Transportation Fee Ordinance. Require new developments to pay their proportionate share of the costs for planned on and off site roadway improvements. Utilize a Transportation Fee Ordinance to finance necessary improvement equitably.

C 2.5: Traffic Studies. Require site-specific traffic studies for development projects where there may be a substantial impact on the local street system. Traffic

impacts caused by a development project are considered to be unacceptable and warrant mitigation if the addition of project traffic results in a cumulative intersection level of service exceeding the acceptable level established in Policy C-2.1; where there may be safety hazards created; or where there may be other substantial impacts on the circulation system.

- C 2.10: Transportation Demand Management (TDM). Participate in the TDM Program as outlined by the San Mateo City/County Association of Governments (C/CAG). Encourage TDM measures as a condition of approval for development projects, which are anticipated to cause substantial traffic impacts. C/CAG requires the preparation of a TDM program for all new development that would add 100 peak hour trips or more to the regional road network.
- C 2.12: Transportation Demand Management (TDM) in Downtown. Establish and implement a TDM program, a Transportation Management Association (TMA), and other measures to reduce vehicle trips and encourage transit use and promote bicycle and pedestrian accessibility for development within one-half mile of the Downtown transit center.
- C 4.1: Bicycle Master Plan. Implement the Bicycle Master Plan's recommended programs and projects to create and maintain a fully-connected safe and logical bikeways system; support the City's Sustainable Transportation Actions; and coordinate with the countywide system.
- C.4.4: Pedestrian Master Plan. Implement the Pedestrian Master Plan's recommended programs and projects to create and maintain a walkable environment in San Mateo and support the City's Sustainable Transportation Actions.
- C 4.5: Pedestrian Enhancements with New Development. Continue to require as a condition of development project approval the provision of sidewalks and wheelchair ramps where lacking and the repair or replacement of damaged sidewalks. Require that utility poles, signs, street lights, and street landscaping on sidewalks be placed and maintained to permit wheelchair access and pedestrian use. Increase awareness of existing trails and routes by promoting these amenities to residents.
- C 4.7: Pedestrian Safety. Pedestrian safety shall be made a priority in the design of intersection and other roadway improvements.

- C 4.9: Pedestrian and Bicycle Connections. Implement an area-wide pedestrian and bicycle circulation plan which will result in convenient and direct connections throughout the Rail Corridor Transit-Oriented Development Plan (Corridor Plan) area and into adjacent neighborhoods and districts.
- C 5.1: Parking Standards.
- a. Review parking requirements periodically to ensure adequate parking supply as a condition of development approval.
 - b. Review parking requirements periodically to ensure adequate parking supply for change and/or expansion of land use resulting in increased parking demand.
- C 6.5: Transit Oriented Development Areas (TOD). Concentrate future development near rail transit stations in the City's designated TOD areas by collaborating with partners to provide incentives for development and transportation demand management within TOD areas, and encouraging developments within Transit Oriented Development Areas (TOD) to maximize population and employment within allowable zoning limits, consistent with direction from the City's Climate Action Plan.

The project is consistent with the above policies in that the project will be required to pay into relevant transportation fee programs. The project minimizes the driveways along the S. Claremont Street and S. Railroad Avenue frontages by proposing the ingress and egress from one location on E. 3rd Avenue. A Transportation Demand Management program will be implemented and the applicant would be required to help fund the establishment of, and maintain membership in, a Downtown Transportation Management Association.

Urban Design Element

- UD 1.3: Gateways. Develop gateways by creating strong architectural or landscape features exhibiting the character of San Mateo at the following locations: entrances to the Downtown, the north and south ends of El Camino Real (SR 82), US 101 and Third Avenue, US 101 and Hillsdale Boulevard, and Mariner's Island Boulevard and J.Hart Clinton Drive at the border of Foster City.
- UD 1.5: Direct Corridors to Focal Points. Visually improve and direct toward focal points the major corridors of Third Avenue, Fourth Avenue, Hillsdale Boulevard and El Camino Real (SR 82) with the installation of street trees, street lights and consistent building setbacks.

- UD 2.1: Multi-Family Design. Ensure that new multi-family developments substantially conform to the City's Multi-family and Small Lot Multi-Family Design Guidelines that address the preservation and enhancement of neighborhood character through building scale, materials, architectural style, quality of construction, open space, location of parking and lot size.
- UD 2.2: Building Scale. Ensure that new multi-family developments respect the existing scale of the neighboring buildings by providing a change in the building face at spacings common to existing buildings and by stepping down building height towards the street to more closely match the height of existing buildings.
- UD2.3: Style and Materials. Encourage the design of new multi-family developments in areas with a dominant building style or dominant type of exterior building materials to complement the style and incorporate the common materials of the area.
- UD 2.4: Multi Family Parking. Encourage new multi-family developments to place parking underground or towards the rear of the parcel to avoid blank, ground floor walls and to screen views of parking from the street.
- UD 2.5: Multi-Family Open Space. Require that a portion of required open space be useable for passive or active recreation.
- UD 2.6: Orient Buildings Toward the Street. Encourage commercial development to be located at the street in retail areas to encourage pedestrian activity and the use of on-street parking. Locate required parking towards the side and rear of parcels.
- UD 2.7: Respect Existing Scale. Encourage new commercial development to respect the scale of surrounding buildings by providing breaks in the building face at spacings common to buildings in the area and by stepping back upper floors.
- UD 2.9: Pedestrian Oriented Design. On retail commercial projects, designate pedestrian activity as a priority through the design and provision of adequate sidewalk widths, locating windows along ground floor street facades, trees and awnings, and human scale construction materials and features.

UD 2.14: Sustainable Design and Building Construction. Require new development and building alterations to conform with the City's Sustainable Initiatives Plan and subsequent City Council adopted goals, policies, and standards pertaining to sustainable building construction.

The proposed project complies with the above policies of the Urban Design Element in that the building will contribute to establishing a new presence along E. 3rd Avenue and enhance this gateway into the downtown. The project will also provide physical improvements to visually enhance the corridor with landscape improvements, pedestrian-scale improvements, and public open spaces.

Housing Element

H 2.5: Distribution of Low- and Moderate-Income Housing. Attempt to distribute low- and moderate-income housing developments throughout the City. Encourage the mixing of market-rate and low/moderate-income units where feasible.

H 2.6: Rental Housing. Encourage development of rental housing for households unable to afford ownership housing.

H 2.9: Multi-Family Location. Provide for the development of multi-family housing to create a diversity of available housing types.

H2.10: Housing Densities.

1. Maintain a density range, with densities at the higher end of the range to be considered based on provision of public benefits such as affordable housing, increased open space, public recreational facilities off-site infrastructure improvements, or location adjacent or near (generally within a half-mile walking distance) transit nodes (Note: Related to Land Use Element Policy LU 1.4)

2. Ensure that in appropriate densities are not permitted for lots of less than one-half acre.

H 2.12: Mixed Use. Continue the policy of encouraging residential uses in existing commercial areas, or in location adjacent or near transit nodes, where the residences can be buffered from noise and safety concerns and can provide adequate on-site parking and usable open space. Provide floor area and/or height bonuses for residential development in selected areas of the City.

- H 2.13: Transportation Oriented Development (TOD). Encourage well-planned compact development with a range of land uses, including housing, commercial, recreation and open space, in proximity to train stations and other transit nodes. Encourage the maximization of housing density where possible.

The project is consistent with the City's Housing Element in that the project will provide housing within the area in a way that promotes mixed use commercial space with residential development in close proximity to a major transit stop.

Conservation and Open Space Element

- C/OS 6.6: New Development Street Trees. Require street tree planting as a condition of all new developments in accordance with the adopted Street Tree Master Plan.
- C/OS 6.7: Street Tree Planting. Encourage the planting of new street trees throughout the City.
- C/OS 16.5: Development Fees. Assess appropriate fees and taxes to ensure that new development contributes adequate funding to compensate for its impacts on recreation facilities and services.

The project includes on-site trees, on-site heritage trees, and street trees. The removal of these trees will not be detrimental to public welfare or injurious to other property in the vicinity in that the applicant is required to comply with the Zoning Code which requires the full Landscape Unit Value of the existing trees to be removed and replaced. Further, seven new street trees will be planted as part of this project.

Noise Element

- N 2.1: Noise Ordinance. Continue implementation and enforcement of the City's existing noise control ordinance: a) which prohibits noise that is annoying or injurious to neighbors of normal sensitivity, making such activity a public nuisance, and b) restricts the hours of construction to minimize noise impact.
- N 2.3: Minimize Commercial Noise. Protect land uses other than those listed as "noise sensitive" in Table N 1 from adverse impacts caused by the on-site noise generated by new developments. Incorporate necessary mitigation measures into development design to minimize noise impacts. Prohibit new uses which generate

noise levels of 65 dB (LDN) or above at the property line, excluding ambient noise levels.

Construction activities have the potential to result in short term noise impacts to nearby businesses, however, sensitive noise receptors are not located within the project vicinity. Noise measures and monitoring during construction, which are standard Conditions of Approval, will be mandatory, and the applicant will be required to abide by construction work hours and comply with the City's Noise Ordinance. The proposed land use itself will not produce significant noise.

VI. Downtown Area Plan Conformity

- Policy I.1: Downtown core High Density/Intensity Development. Encourage the development of mixed-use high density residential projects and high intensity commercial projects within the Downtown Retail Core.
- Policy I.3: Entryways. Establish the 3rd & 4th Avenue corridors as a main entry and connection to the Downtown core areas and utilize the natural landscaping of San Mateo Creek and Central Park to define the boundaries of the downtown. Create major entry features to the City at: (1) 3rd/4th Avenues from El Camino, (2) from the north and south of B Street to the retail core, and (3) from east of the railroad tracks.
- Policy II.5: Downtown Retail Core Support. Provide adequate commercial uses to both support traditional downtown (CBD) uses as well as serve adjacent residential neighborhoods.
- Policy II.6: Neighborhood Commercial Uses. Provide adequate neighborhood commercial support for existing and new residential development.
- Policy II.8: Office Development. Encourage the establishment of offices within the Downtown Retail Core and surrounding commercially designated areas.
- Policy II.10: Mixed Use Commercial-Residential. Facilitate housing production by allowing multi-family dwellings as part of mixed-use developments in all downtown commercial service commercial and parks/open space in the General Plan.
- Policy III.3: Building Bulk. Control the bulk of tall buildings to provide maximum sunlight exposure to sidewalks, streets, and open space; and to allow views through and

out of the Downtown in a manner consistent with the City's Building Height and Bulk Plan.

Policy III.7: Pedestrian Access – Pedestrian Safety is a Priority in the Pedestrian improvements should incorporate the following concepts to develop a consistent pedestrian-friendly environment:

- a. Pedestrian access to peripheral garages should provide a safe and attractive walking environment.
- b. Sidewalks should be well maintained and be widened as opportunity becomes available to provide a pedestrian boulevard experience that might include elements such as outdoor dining.
- c. Vertical street elements should be minimized to improve pedestrian access.
- d. Continue practice of using pedestrian scale lights in the Downtown.
- e. Monitor the placement of utilities and other similar items to ensure that they do not adversely affect pedestrian movement and safety

Policy V.7: Downtown Plan Parking Standards. Maintain reduced parking requirements within the Downtown Plan area for non-residential uses. Explore new technologies to increase parking availability and/or efficiency.

Policy V.8: Parking for Projects Within One-Half Mile of the Downtown Transit Center. On a case-by-case basis, consider parking reductions for projects within 0.5 mile of the Downtown Transit Center.

Policy VIII.2: Transportation Demand Management (TDM). Required participation in TDM measures, such as car/van pooling, car sharing, staggered work hours and transit use, as a condition of approval for projects anticipated to generate significant parking and traffic impacts.

Policy VIII.4: Support Sustainable Transportation Initiatives. Implement Downtown Area Plan policies calling for use of Transportation Demand Management (TDM) measures, establishment of a Transportation Management Association (TMA), and other measures to reduce vehicle trips and encourage transit use and promote bicycle and pedestrian accessibility.

The project complies with the above Downtown Area policies in that the project consists of a new mixed-use building with residential and office uses. The project is located in the 3rd Avenue gateway, which the proposed building will contribute to a more prominent entry into the downtown. Sidewalk amenities will be improved with outdoor seating and new landscaping. The building design incorporates a high amount of step-backs, articulation, and a variety of materials. The project also will participate in a Transportation Management Association and a Transportation Demand Management Plan.