

CITY OF SAN MATEO
RESOLUTION NO. _____(2021)

**DENYING THE APPEAL OF PLANNING COMMISSION DECISION AND
UPHOLDING PLANNING COMMISSION APPROVAL OF PA-2020-043
FOR 1, 2, 3 WATERS PARK DRIVE (MODIFICATION OF PA-2018-013)**

WHEREAS, the City Council approved Planning Application (PA) 2018-013 for the development of 190 dwelling units on February 19, 2019; and

WHEREAS, the approval included the City Council adoption of an Initial Study/Mitigated Negative Declaration (IS/MND) on February 19, 2019; and

WHEREAS, Pulte Homes requested modifications to the approved PA-2018-013 to allow for removal of one townhome, addition of one single family home, and design changes (the “Modifications”); and

WHEREAS, the Planning Commission approved the Modifications on October 27, 2020; and

WHEREAS, the Planning Commission decision was appealed on November 6, 2020; and

WHEREAS, the City Council considered the appeal on January 4, 2021, denied the appeal, and upheld the Planning Commission approval of the Modifications (PA-2020-043), subject to the findings for approval and Conditions of Approval; and

WHEREAS, the City Council held a public hearing for the appeal on January 4, 2021, duly noticed, at which all public comments were considered; and

WHEREAS all applicable Conditions of Approval have been attached as Exhibit A and Exhibit B, as Exhibit A consists of PA-2018-013 Conditions of Approval and Exhibit B consists of PA-2020-043 Conditions of Approval.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY FINDS AND RESOLVES that:

1. **California Environmental Quality Act (CEQA):** The Modifications do not change any of the conclusions in the IS/MND or implicate any of the factors requiring additional environmental review in CEQA Guidelines Section 15162, Subsequent EIRs and Negative Declarations. Therefore, no additional CEQA review is required and the Planning Commission properly relied on, and adopted, the Initial Study/Mitigated Negative Declaration in approving the Modifications. In upholding the Planning Commission’s approval of the Modifications, the City Council has reviewed the Initial Study/Mitigated Negative Declaration prepared for the project and finds that it adequately analyzed the environmental impacts of both the original project and the Modifications.
2. **The Planning Commission’s decision to approve PA-2020-043 Site Plan and Architectural Review Modification (Municipal Code 27.08.030) is upheld based upon the following findings:**

a. Site Plan and Architectural Review (Municipal Code Section 27.08.030): The Project addresses all concerns regarding compatibility with neighborhood character, relationship to the neighborhood, and elements of design and site layout as described in the R1 Single Family Dwelling Design Guidelines as follows:

1. The structures, site plan, and landscaping are in scale and harmonious with the character of the neighborhood;
 - a. The design, height, and bulk of the buildings have been designed to integrate into the existing neighborhood;
 - b. The design of the detached units acknowledge and respect the existing single-family neighborhood to the south, with 15-foot rear yard setbacks abutting the adjacent rear yards; and
 - c. The buildings utilize high quality materials and incorporates an abundance of landscape throughout the project to enhance the site.
2. The development will not be detrimental to the harmonious and orderly growth of the City;
 - a. Upon approval the project is consistent with the City's General Plan and applicable design guidelines;
 - b. The project is compatible with the surrounding neighborhood.
3. The development will not impair the desirability of investment or occupation in the vicinity, and otherwise is in the best interests of the public health, safety, or welfare;
 - a. The project enhances the existing site and would not result in any significant impacts regarding public health, safety, or welfare as conditioned.
 - b. The project will be constructed in compliance with all building codes, fire codes, and the City's building security code.
4. The development meets all applicable standards as adopted by the Planning Commission and City Council, conforms with the General Plan, and will correct any violations of the zoning ordinance, building code, or other municipal codes that exist on the site;
 - a. Upon approval, the project will conform with the City's General Plan, Municipal Code, and applicable design guidelines; and
 - b. The project substantially complies with the City's Multi-Family Design Guidelines and includes a variety of building designs, stepbacks, and other architectural enhancements.
5. The development will not adversely affect matters regarding police protection, crime prevention, and security in that the buildings, paths of travel, and parking facilities will be required to conform to the City's current Security Ordinance through Conditions of Approval.

EXHIBIT A

CITY OF SAN MATEO PLANNING APPLICATION CONDITIONS OF APPROVAL

PA-2018-013, 1, 2, 3 WATERS PARK DRIVE SITE PLAN AND ARCHITECTURAL REVIEW, SITE DEVELOPMENT PLANNING APPLICATION, PLANNED DEVELOPMENT, VESTING TENTATIVE MAP, ZONING RECLASSIFICATION, AND GENERAL PLAN AMENDMENT

1, 2, 3 WATERS PARK DR, SAN MATEO, CA 94403-1137
PARCEL # 035401440, 035401450
AS APPROVED BY THE CITY COUNCIL ON 02/19/2019

The following conditions of approval apply to the project referenced above . The conditions of approval are grouped under specific headings that relate to the timing of required compliance . Additional language within a condition may further define the timing of required compliance .

The following conditions shall be addressed on the construction plans submitted for any DEMOLITION PERMIT, BUILDING PERMIT, or SITE DEVELOPMENT PERMIT, and shall be satisfied prior to issuance of whichever permit is issued first, or if another deadline is specified in a condition, at that time.

Building Division (PA)

- 1 CONSTRUCTION OF SOUND BARRIER - The applicant shall indicate on the building permit plan set to meet the state's outdoor DNL 67 dB criterion and shall construct a noise barrier along U.S. 101 at the south of the project site. The barrier shall extend northward (at the same height) for the full length of the site along U.S. 101. With the extended highway noise barrier, noise levels in the ground level common outdoor use spaces will range from DNL 63 to 65 dB, meeting the City's maximum allowable DNL 67 dB noise criteria. This condition shall be reviewed and approved by the Building Division prior to issuance of a building permit.
(BUILDING)
- 2 PRE-CONSTRUCTION CONFERENCE FOR LARGE PROJECTS- A pre-construction conference shall be held at a time and location agreed upon by the City and applicant for the purpose of reviewing Conditions of Approval and construction-site procedures. The applicant shall be represented by his design and construction staffs, which include any sub-contractors. Departments having conditions of approval for the project will represent the City . This meeting shall be held prior to issuance of the Demolition Permit, Building Permit or Site Development Permit, and shall be satisfied prior to issuance of whichever permit is issued first. (BUILDING)
- 3 SOILS REPORT – The applicant shall provide a stamped, signed, and dated soil investigation report containing design recommendations to the Building Official . The classification shall be based on observation and any necessary tests of materials disclosed by boring or excavations made in appropriate locations . Additional studies may be necessary to evaluate soil strength, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction,

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 2 of 37

seismically induced soil liquefaction, soil instability, and expansiveness.

Additionally, the applicant shall submit a stamped, signed, and dated letter from the Geotechnical Engineer or Civil Engineer who prepared the soil investigation stating the following:

(A) The plans and specifications substantially conform to the recommendations in the soil investigation.

(B) A Geotechnical Engineer or Civil Engineer has been retained to provide soil site observation and provide periodic and final reports to the City of San Mateo.

Prior to final inspection for any building or structure, a Geotechnical Engineer or Civil Engineer shall issue a final report stating the completed pad, foundation, finish grading and associated site work substantially conform to the approved plans, specifications and investigations. (BUILDING)

- 4 * MM HAZ-1 - The project includes the following measures to reduce the risk of hazardous materials release into the environment during building demolition : According to the Phase II Environmental Site Assessment (ESA; Langan, 2018) for the project, lead impacted debris located in the northeastern portion of the site must be properly managed to minimize potential risk. San Mateo County Groundwater Protection Program (GPP) is serving as lead oversight agency overseeing actions related to management of soil with elevated lead . The project would implement one of two possible scenarios to mitigate human contact with lead impacted soil prior to or concurrent with redevelopment:

- remove lead impacted soil from beneath the northeastern parcels planned for single-family homes and manage remaining impacted soil beneath future multi-unit buildings under a deed restriction and under an associated, GPP-approved Operation and Maintenance Plan (OMP), or
- remove all lead impacted soil to obtain unrestricted use approval with no deed restriction needed. A hardscape (i.e., asphalt pavement) or softscape (i.e., soil cover and permeable pavers from landscaping) cover will be required to remain above any lead-impacted soil remaining in place.

An Excavation Plan, or equivalent document, will be required under Scenarios one and two, to describe procedures for proper management and disposition of lead-impacted soil proposed for removal. Additionally, a Soil Management Plan, or equivalent document, will be required under Scenario one to ensure that engineering controls (i.e., hardscape and softscape) are maintained and that

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 3 of 37

disturbance of lead-impacted soil left-in-place will result in proper handling and disposal of waste. The applicant shall submit the required documentation for review and approval by the Planning Division prior to the issuance of any site development, or building permit, whichever occurs first. (BUILDING)

- 5 STC RATING - The applicant shall indicate on the building permit plan set, the necessary information to meet the state's indoor DNL 45 dB criterion to sound-rate the facades. The project will be required to incorporate the window and exterior door STC ratings in accordance with the noise technical report, and as shown on Figures 4.12-2 and 4.12-3 of the Initial Study/Mitigated Negative Declaration. The STC ratings shall be applicable for full window assemblies (glass and frame) rather than just the glass itself.

Per the Code, sound-rated windows are only needed in "habitable" rooms. Therefore, bathrooms/powder rooms and garages do not require sound-rated windows. Where sound-rated windows are needed, an alternative method of supplying fresh air (e.g., mechanical ventilation, z-ducts) will be considered. This condition shall be reviewed and approved by the Building Division prior to issuance of a building permit. (BUILDING)

- 6 SCHOOL FEES - In accordance with California Government Code Section 65996, the applicant shall pay a school impact fee to the School District, to offset the increased demands on school facilities caused by the proposed project. This condition shall be met prior to issuance of a building permit. For avoidance of doubt, school impact fees will be for the respective structures identified in the building permit. (BUILDING)

- 7 HAZARDOUS MATERIALS - As required by state law, an asbestos and lead paint abatement scope of work will be developed prior to issuance of a demolition permit for the structure on the project site. All measures outlined in this scope of work shall be implemented as part of the project. This scope of work shall outline the performance parameters for hazardous remediation standards and regulatory compliance criteria. In addition, any asbestos abatement contractors performing work on the site will be licensed by the State of California. Buildings of the age of those on the project site may contain mercury and/or PCBs. Therefore these hazardous materials shall be found and removed prior to demolition and recycling. This will be verified as part of a final hazardous materials report prepared by a qualified consultant and will be submitted to the Building Division prior to issuance of a demolition permit. (BUILDING)

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 4 of 37

- 8 SITE SURVEY – The applicant shall provide a site survey of entire parcel stamped and signed by a Land Surveyor licensed by the State of California. The survey shall include, but not be limited to, the following: location and dimensions of property line, location of streets and easements, existing buildings, topographic contour lines, trees/landscape, miscellaneous structures, etc. The purpose of the site survey is to accurately verify compliance with items such as setback dimensions, heights of buildings from established contours, compliance with heritage tree ordinance, etc. (BUILDING)
- 9 DEMOLITION - Demolition permit(s) shall be issued in accordance with Section 23.06.100 of the San Mateo Municipal Code. Safeguards during construction shall be provided in accordance with Chapter 33 of the California Building Code. Prior to the permit issuance, a completed Worksheet/Application and a Demolition Plan must be submitted and approved by the Building Official. This form is available at the Building Division Counter. (BUILDING)
- 10 CALGREEN – The building shall be designed to include the green building measures specified as mandatory in the application checklists contained in the California Green Building Standards Code. The applicant shall incorporate the checklist along with a notation on the checklist to specify where the information can be located on the plans, details, or specifications, etc.

Fire Department (PA)

- 11 COMBINATION SPRINKLER/STANDPIPE - For buildings B-1, B-2, B-3, B-4, B-5, and B-6 the applicant shall indicate on the fire plan check building permit the installation of a combination fire sprinkler/standpipe system on each level with 2½" x 1½" reducer caps. The applicant shall use installation standard NFPA 14 and local amendments. The fire plan check building permit plan set shall be reviewed and approved by the City of San Mateo Fire Chief, or his/her designee prior to a issuance of a fire sprinkler permit and shall be complied with at all times during the construction phase of the project. (FIRE)
- 12 FIRE SPRINKLER SYSTEM - The applicant shall indicate on the fire sprinkler building permit the installation of an N.F.P.A. (13 or 13D) fire sprinkler system complying with local amendments. Provide permanent drain to sanitary sewer for all sprinkler discharge. The applicant shall submit under separate fire plan check and permit. Separate plan check permit is required for the underground fire service. NFPA 13D for SFD and Townhomes and NFPA 13 for Block and Row Houses. Townhomes can be 13 system should it provide protection for the entire building not the individual

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 5 of 37

townhomes. The fire sprinkler plan set shall be reviewed and approved by the City of San Mateo Fire Chief, or his/her designee prior to the issuance of a fire sprinkler permit and shall be complied with at all times during the construction phase of the project. (FIRE)

- 13 FIRE ASSEMBLIES AND APPLIANCES - The Fire Sprinkler permit plans shall indicate the final location of fire service backflow preventors, fire department connections and the juncture of fire service lines to the water main grid shall be approved by fire and documented on the Fire Sprinkler plans. It is SMFD's understanding that the UG fire line will be looped in the property. If this is true two sets of backflows, FDC, etc are required. The Fire Sprinkler permit plan set shall be reviewed and approved by the City of San Mateo Fire Chief, or his/her designee prior to the issuance of a fire sprinkler permit. (FIRE)
- 14 PUBLIC HYDRANT - The applicant shall indicate on the building permit plan set the installation of a public hydrant at 300 ft spacing for commercial, industrial, multi-residential and single-family development. All fire hydrants in vicinity to the project site shall be upgraded to a Clow model 960 or equivalent consisting of (2) 2½ inch and (1) 4½ inch outlet. Each hydrant shall be capable of providing a minimum fire flow of 1500 gpm at 20 psi residual pressure. Water supply for fire protection is required to be installed in accordance with California Water Service specifications. The water supply shall be tested, flushed and approved operable PRIOR to any combustible construction materials being placed on the site. Staged construction shall insure that the necessary water supply is maintained from stage to stage in the construction planning. The building permit plan set shall be reviewed and approved by the City of San Mateo Fire Chief, or his/her designee prior to a issuance of a site development permit, or building permit, whichever occurs first and shall be complied with at all times during the construction phase of the project. (FIRE)
- 15 ROOF HATCHES - The applicant shall indicate on the building permit plan set the required roof hatches, which shall be a minimum size of 4 feet by 6 feet. Access to the roof shall be stairs unless approved by Fire Marshal. If there is access to the roof the fire sprinkler standpipes be at roof level. The building permit plan set shall be reviewed and approved by the City of San Mateo Fire Chief, or his/her designee prior to a issuance of a site development permit, or building permit, whichever occurs first, unless approved earlier, and shall be complied with at all times during the construction phase of the project. (FIRE)

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 6 of 37

- 16 HYDRANT CLEARANCE - The applicant shall indicate on the building permit plan set that a 3-foot clear space will be maintained around all fire hydrants and accessible. Hydrants shall be installed, tested, flushed and approved by the fire department prior to any combustible materials brought onto the work site . The building permit plan set shall be reviewed and approved by the City of San Mateo Fire Chief, or his/her designee prior to a issuance of a site development permit, or building permit, whichever occurs first and shall be complied with at all times during the construction phase of the project. (FIRE)
- 17 KEY BOX - For building B-1, B-2, B-3, B-4, B-5, and B-6, the applicant shall indicate on the building permit plan set the installation of Knox key box (s) on all buildings (specifically, box and row houses) to allow for Emergency Services/Fire Department accesses. The building permit plan set shall be reviewed and approved by the City of San Mateo Fire Chief, or his/her designee prior to a issuance of a building permit, whichever occurs first and shall be complied with at all times during the construction phase of the project. The applicant shall contact the Bureau of Fire Protection and Life Safety for specific requirements and location approval. The applicant shall provide keys to access buildings as required . (FIRE)

Planning Division (PA)

- 18 SITE DEVELOPMENT PERMIT FOR REMOVAL OF TREES AND TREE REPLACEMENT/IN LIEU FEES - The applicant shall obtain a Site Development Permit from the Planning Division for removal of existing trees with a diameter of 6 inches or larger, prior to the issuance of a Site Development Permit. The applicant shall plant trees on the project site equivalent to the Landscape Unit (LU) value of trees to be removed or pay a fee in lieu of planting trees at the rate established in the annual Comprehensive Fee Schedule. (PLANNING)
- 19 * MM AQ-1.1 - Prior to the issuance of demolition permits, the project applicant shall submit an Emissions Reduction Plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average of at least 79 percent reduction in DPM exhaust emissions or greater . The plan shall be submitted to the Community Development Director prior to issuance of a demolition permit and shall include the following:
Mobile diesel-powered off-road equipment included in the list below shall, at a minimum, be equipped with CARB-certified Level 3 Diesel Particulate Filters :
 - All Excavators and Tractors /Loaders/Backhoes in Site Preparation Phase
 - All Graders and Rollers in Grading phase

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 7 of 37

- All Rubber Tired Dozers and Rollers (Paving phase)
- All equipment in the Building Construction phase (graders, off-highway trucks, rough terrain forklifts, skid steer loaders, tractor /loaders/backhoes)
- All Off-highway trucks (Site Preparation, Grading, and Building Construction phases)

*MM AQ-1.2 - Alternatively, in lieu of use of Diesel Particulate Filters identified in MM AQ-1.1, the construction contractor may use other measures to minimize construction period DPM emissions to reduce the estimated cancer risk and PM 2.5 exposure below BAAQMD thresholds. For example, use of Tier 4 equipment or alternatively-fueled equipment (i.e., non-diesel or electric), added exhaust devices, or a combination of these measures could meet this requirement. Any alternative measures shall reduce DPM emissions to the same level or greater than MM AQ-1.1. If any of these alternative measures are proposed, the project applicant shall include them in the Emissions Reduction Plan, which shall include specifications of the equipment to be used during construction.

The Emissions Reduction Plan shall be accompanied by a letter signed by a qualified air quality specialist, verifying the equipment included in the plan meets the standards set forth in this mitigation measure. (PLANNING)

- 20 MODIFY ALL REAR FACING WINDOWS - The applicant shall utilize alternative window treatments on all second-story, rear facing windows, which may be either frosted/obscure window glass, clerestory window, or removal of the window. The alternative treatment shall be included in the building permit plan set and shall be approved by the Zoning Administrator as sufficient to satisfy the intent of the Planning Commission prior to the issuance of a building permit and installation will be confirmed prior to issuance of a certificate of occupancy. (Planning)
- 21 TEMPORARY SOUND BARRIER - The applicant shall indicate on the building permit plan set, the location of temporary sound barriers to satisfy Mitigation Measure NOI-1.1. To reduce noise levels at the east and south residential property lines, temporary sound barriers shall be constructed. To be effective, the barriers need to have a minimum height of eight feet, a minimum surface density of three psf, and be continuous from grade to top. The barriers are not required along the entire length of the east and south property lines for the entire duration of construction. They must be located at times and locations where construction is occurring within 30 feet of these property planes. Location of temporary sound barriers are subject to review and approval of the Planning Division prior to the issuance of a demolition, site development, or building permit, whichever is

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 8 of 37

issued first. (PLANNING)

- 22 PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The applicant shall check with the Project Planner to determine whether any outstanding planning applications fees exist and those fees shall be paid prior to the issuance of the first building permit. (PLANNING)
- 23 CONFORMANCE WITH APPROVED PLANNING APPLICATION - All building permit application plans and details, and subsequent construction shall substantially conform with the approved planning application, including: drawings, plans, materials samples, building colors, the written project description, and other items submitted as part of the approved planning application . No signage is approved as part of the planning application; signage is governed by the City’s Sign Ordinance. Documentation of any changes to the approved Planning Application plan set shall be provided at the time of Building Permit application submittal . Any proposed modifications to the approved planning application must be reviewed by the Chief of Planning and/or Zoning Administrator . Modifications to Building Permit plans must be approved prior to construction of the modified improvements . The Chief of Planning and/or Zoning Administrator shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a planning application for a modification of a previously approved planning application is required to be submitted to permit the proposed project modifications, as required by San Mateo Municipal Code Section 27.08.080 Modifications. (PLANNING)
- 24 LOCATION AND FULL SCREENING OF ABOVE GROUND UTILITIES, EQUIPMENT, AND DEVICES INCLUDING TRANSFORMERS AND BACK FLOW PREVENTORS - All ground level utilities, equipment, and other project related operational /utility devices (“Items”) shall be shown on the building permit plans, consistent with the approved planning application plans. All Items shall be fully screened on all four sides from public view by a solid wall or solid wood fence that complies with San Mateo Municipal Code Chapter 27.84 Fences, Trees and Hedges . Landscaping in the form of densely planted tall shrubs may be utilized where placement of a fence is infeasible, subject to review and determination by the Zoning Administrator in the field. These Items shall be setback as far as feasible from street frontages and shall be fully screened with landscaping or other screening material. The building permit plans shall show the location and screening of these items and this condition shall be shall be addressed on the construction plans submitted for any building permit; however, the final location and required

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 9 of 37

screening of all Items shall be reviewed and approved by the Zoning Administrator prior to release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first (PLANNING)

- 25 INTERIOR NOISE LEVELS – The project design shall result in a completed project that complies with the City’s Noise Goals as enumerated in the Noise Element of the General Plan and incorporated here by reference . The applicant shall provide an acoustical analysis, by a licensed acoustical consultant, which shall contain recommendations to ensure the building’s interior LDN levels are in compliance with the levels established in the San Mateo General Plan. A copy of the acoustical analysis shall be submitted as part of the building permit drawings for this project. The applicant shall submit a letter prepared by the person/firm who prepared the acoustical analysis for the project, verifying that all recommendations contained in the analysis have been incorporated into the construction of the project. The letter shall also verify that the project will comply with the noise requirements contained in the City’s General Plan.(PLANNING)
- 26 SCREENING OF ROOFTOP MECHANICAL EQUIPMENT – All rooftop mechanical equipment must be screened by a solid enclosure or parapet wall, in conformance with the approved planning application. Rooftop screening shall be constructed with the same building materials as the building exterior, or other compatible materials as approved by the Chief of Planning and/or Zoning Administrator . (PLANNING)
- 27 VECTOR CONTROL PLAN - Prior to the issuance of a Site Development Permit or demolition building permit, whichever is issued first, the applicant shall implement and conform to, upon review and approval by the Zoning Administrator, a plan for the control and removal of rodents and other pests to prevent infestation of adjacent land uses and surrounding neighborhoods . This plan shall include pest control measures required during all phases of construction, and also for a period of six months after the completion of construction . (PLANNING)
- 28 BELOW MARKET RATE (BMR) OWNERSHIP UNITS AGREEMENT– Prior to the issuance of a Building Permit, pursuant to Municipal Code Section 27.16.050 and Resolution 135 (2010), the applicant shall enter into and record a BMR Affordability Restriction Agreement to provide BMR units . This also includes payment of below market rate program in -lieu fee for fractional units as outlined in the City of San Mateo Comprehensive Fee Schedule. (PLANNING)
- 29 CONDITIONS OF APPROVAL – Final plans shall include all the Conditions of

Approval beginning on sheet 2 of the plans. (PLANNING)

- 30 TRASH AND RECYCLING ENCLOSURES - All ground level trash and recycling enclosures must be screened from public view by a solid wall or solid fence, and/or perimeter landscaping. These facilities shall be designed and located as delineated on the approved planning application drawings. The building permit plans shall show the location and screening of the Enclosure; however; the final location and required screening of all Items shall be reviewed and approved by the Zoning Administrator before issuance of a certificate of occupancy /final of the project. (PLANNING)
- 31 LANDSCAPE IMPROVEMENTS - All landscape plans shall comply with Chapter 27.71 of the Municipal Code. In addition, the following items shall be shown on project plans:
- (A) All planting areas located within or adjacent to open parking areas containing five (5) or more parking spaces shall provide a six-inch-high vertical concrete curb to protect the planting areas. For parking lots containing less than 5 stalls, this requirement may be met by a concrete wheel stop in front of each diagonal or perpendicular stall plus a minimum six-inch-high concrete curb in other areas or approved equal.
- (B) The applicant shall install 288 15-gallon or larger trees of the following variety, as indicated on the landscape plan set: Parkinsonia Florida, Aesculus Californica, Arbutus Marina, Cercis Occidentalis, Continus Coggygria, Magnolia Grandiflora Little Gem, Junierpus Chinensis, Torulosa, Pistachia Chinensis, Quercus Agrifolia, Tristaniopsis Laurina Elegant, and Citrus Eureka .
- (C) A two-inch (2") depth layer of mulch shall be required in all new planting areas except in areas of turfgrass or annuals .
- (D) The applicant shall provide proof of an agreement with a licensed landscape contractor or General Contractor for a Plant Establishment Maintenance Period consisting of three (3) growing season months (March through October) for all proposed landscape areas. All landscaped areas shall be maintained free of litter, debris and weeds. All plantings shall be permanently maintained in a healthy growing condition and whenever necessary, replaced with equivalent plant materials to ensure continued conformance with approved plans. (PLANNING)
- 32 RECORDATION OF CONDITIONS OF APPROVAL – The applicant shall record the

final approved planning application conditions of approval document at the San Mateo County Recorder's Office. The applicant shall submit proof of recordation in the form of a recorded document that includes a confirmation sticker with the recordation evidence. This document shall be recorded prior to the issuance of the demolition permit, building permit, or site development permit, and shall be satisfied prior to issuance of whichever permit is issued first. (PLANNING)

- 33 FENCING REPLACEMENT – Building Permit application plans shall show any existing fencing along the southern and eastern property lines (adjacent to single family residential properties) to be replaced with new fencing that complies with Zoning Code Section 27.84.010 "FENCES—HEIGHT LIMITATION." Fence heights for street intersections and driveways must conform for driveways on the project site as well as for any existing driveway on adjacent properties. Any required building permits for fencing must be obtained from the Building Division. (PLANNING).

Police Department (PA)

- 34 PHOTOMETRIC PLAN SUBMITTAL REQUIREMENT - The building permit application plans shall include a photometric plan showing the installation of lighting fixtures and lighting levels to be reviewed and approved by the Chief of Police or his/her designee. The photometric plan shall include point-by-point lighting levels in foot-candles for the entire plot and ten feet beyond the project property lines. The point-by-point photometric plan shall provide lighting levels on a grid not to exceed five feet by five feet across the entire site. Each point shall report the illuminance to the nearest 0.1 foot-candles. Photometric calculations including maximum foot-candles, average foot-candles, minimum foot-candles, average to minimum uniformity, and maximum to minimum uniformity shall be included on the plan submitted. Select specifications for fixtures selected shall be provided on the photometric plan sufficient to ensure compliance with the SITE LIGHTING STANDARDS. (POLICE)
- 35 SECURED BUILDING ACCESS BY EMERGENCY PERSONNEL - The building permit application plans shall show the detailed specifications for and the installation of telephone entry pads (TEPs), wireless "click to enter" systems, or other access methods approved by the Chief of Police or her/his designee at the main exterior building entrance(s) for multi-family residential secured buildings. These access systems must allow emergency personnel to access all common levels of the interior of the multi-family residential buildings. Access system placement location is subject to the review and approval of the Chief of Police or his/her

designee, prior to the approval of the first building permit for the project. Police access codes shall be as provided by the Chief of Police or his/her designee at the time of installation. (POLICE)

36 STAIRWELL & EXTERIOR DOORS – The building permit application plans shall show the maximum allowable viewing panel in egress doors from stairwells and exterior doors leading to exterior areas, parking garages, and basement levels. This submittal shall be reviewed and approved by the Chief of Police or his/her designee prior to issuance of a building permit. (POLICE)

37 PRIVATELY -OWNED PUBLIC OPEN SPACES, REQUIRED SIGNAGE - The building permit application plans shall show the locations of signage designating which spaces are POPOS and which areas are to remain restricted for the use of development residents. The building permit application plans submitted for approval shall include proposed language designating the different spaces, and any applicable CC&Rs people using the POPOS shall be required to conform to while on the POPOS. (Police)

38 VIDEO SURVEILLANCE –

(A) The project shall install and operate for the life of the project a video surveillance system. The information shall be maintained for a minimum of 30 days. The applicant shall provide proof of registration of the video surveillance camera system with the City through the City of San Mateo Security Camera Registration form available at <https://www.cityofsanmateo.org/forms.aspx?FID=134>).

(B) The cameras in this system shall be megapixel or better CCTV cameras that shall be capable of operating in all lighting conditions anticipated at the project completion. Cameras viewing locations intended to allow routine vehicle passage onto the site shall additionally be capable of capturing the front and rear of all entering and exiting vehicles that use the site and be of sufficient quality to identify the make and model of vehicles accessing the site, clearly read both front and rear license plates of vehicles, and obtain clear facial recognition through the front windshield.

(C) The building permit application plans shall show cameras placed to view common areas of the property such as the POPOS, dog park and creek trail, and vehicular and pedestrian access points to the site. Additional cameras may be placed through the site at the Applicant's discretion. Camera placement shall take into account reasonable community privacy concerns and cameras shall not be required to capture visitors to residential structure private entrances or

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 13 of 37

garages (e.g., Townhome or flat units with individual entrances or garages, entrances to single family homes). Cameras may be installed on building facing out. The location of the cameras shall be coordinated with the Police Department. This condition does not require Applicant to install pole mount cameras on the property. (POLICE)

- 39 PRIVATELY -OWNED PUBLIC OPEN SPACES, DESIGNATION - Prior to the first of the following to occur: Release of Utilities, Final Inspection, or Issuance of a Certificate of Occupancy, the applicant shall submit for approval a plan showing which spaces are proposed to be privately-owned public open spaces (POPOS) and which are intended to remain restricted for the use of development residents. (POLICE)
- 40 SITE FURNITURE- The building permit application plans shall show permanent site furniture accessible to the public designed and installed to deter an adult from laying down by installing arm rests not more than 4' apart, or by designing elevation changes 4" or more on horizontal surfaces every 4'. Temporary site furniture shall be secured at the close of each business day. (POLICE)
- 41 BUILDING SECURITY CODE COMPLIANCE - The building permit application plans shall comply with the City's Building Security Code (San Mateo Municipal Code Chapter 23.54). (POLICE)

Public Works Department (PA)

- 42 STORMWATER POLLUTION PREVENTION PERMIT - The applicant must obtain a Stormwater Pollution Prevention (STOPPP) Construction permit, paying the required fees and posting the required cash deposit, for all work associated with the stormwater pollution prevention program (SMMC 7.39). For project sites which involved land disturbance of one or more acres, Type IV projects. In addition, the project applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board to obtain coverage under the State General Construction Activity NPDES Permit. Proof of permit must be provided to the Public works Department prior to issuance of the STOPPP Construction permit. The fee amount will be based upon the City Council resolution in effect at the time the building permit application is made. The permit shall be issued prior to issuance of the first building permit. (PUBLIC WORKS)
- 43 DISCHARGE PLAN - In accordance with the City's Municipal Code (SMMC 7.38.150), the Director of Public Works may approve the discharge of ground waters to the sanitary sewer if the source is deemed unacceptable by State and

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 14 of 37

Federal authorities for discharge to surface waters of the United States, whether pretreated or untreated, and for which no reasonable alternative method of disposal is available. Following the verification of the applicable local, state and/or federal approvals, a Discharge Plan will be approved and monitored by the Public Works Department. The applicant shall submit the Discharge Plan to the Public Works Department for review and approval prior to the issuance of a site development permit. (PUBLIC WORKS)

- 44 ADDRESS PLAN - The applicant shall submit to the Public Works Department an address plan. The plan shall be substantially in conformance with the address plan approved with the planning application. Said submittal shall be approved by the City Engineer prior to the submittal of plans for any building permit and shall be satisfied prior to issuance of any building permit. (PUBLIC WORKS)
- 45 UNDERGROUND UTILITIES - The applicant must install all new, and upgraded, utility service, including telephone, electric power, and other communications lines underground to the building in accordance with City of San Mateo Municipal Code 26.32.020. (PUBLIC WORKS)
- 46 STORM DRAIN INLETS AND WATERWAYS - Per the San Mateo Countywide Water Pollution Prevention Program's C.3 requirements, the applicant shall mark with the words "No Dumping! Flows to Bay," or equivalent, using methods approved by the City standards on all storm inlets surrounding and within the project parcel. (PUBLIC WORKS)
- 47 PARCEL MAP - If the applicant chooses to phase the final maps for this project, a parcel map, prepared by a person authorized to practice land surveying in California, delineating all parcels created or deleted and all changes in lot lines in conformance with San Mateo Municipal Code Section 26.56, will need to be recorded prior to building permits issued that require the removal of lot lines for Building Code compliance. The parcel map shall be approved by the Department of Public Works and recorded with the County Recorder's Office prior to the issuance of any applicable City permits. A parcel map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the parcel map to the title company for recordation. Prior to the City's release of the parcel map to the title company, the applicant may, at the discretion of the City Engineer, be required to submit to the City an electronic copy of the map in the AutoCAD Version being used by the City at the time of recordation. It is the applicant's responsibility to check with their title company and the County

Recorder's Office to determine the time necessary to have the map recorded after City approval. (PUBLIC WORKS)

- 48 GARBAGE/RECYCLE/COMPOSTING STORAGE AND SERVICE – The applicant shall provide an adequate area for the purposes of storing garbage, recycling, composting collection containers for scheduled servicing by the franchise solid waste collection service. The containers may be placed on the street within the loading zone for a maximum of two hours; one hour prior to the scheduled servicing time, and must be removed from the street within one hour after the service. The containers shall be placed at the service location allowing enough room for the truck to safely approach the containers. The collection containers shall be brought to the service area on the day of service and returned to the storage enclosure by the property owner. The containers are not to be in public view or in the public right-of-way prior to, or beyond the scheduled service times. A letter shall be provided from the City's franchise solid waste collection service provider stating that service is available to the project as designed. (PUBLIC WORKS)
- 49 FENCES AND OTHER PERMANENT STRUCTURES WITHIN CITY RIGHT-OF-WAY – The applicant shall locate all project fencing and foundation of a permanent nature within the project's property and out of the City right-of-way whenever possible. If located within the City right-of-way, the applicant shall have a license agreement recorded against the owner's property that indemnifies and holds harmless the City. The license agreement shall also include language in which the applicant agrees to allow access to any utility company wishing to have access to the public right-of-way for existing or new utility installation. The license agreement shall also include language that requires the removal of the fence and foundation, at the owner's expense, should the City desire to use the right-of-way for street, sidewalk or other purposes identified by the City Engineer. The license agreement shall be approved as to form by the City Attorney's Office and shall be recorded against the owner's property prior to the issuance of any City encroachment permit. (PUBLIC WORKS)
- 50 CHARGES FOR PUBLIC WORKS SERVICES - Prior to plan checking, the applicant shall be required to deposit with the City, funds to pay for, at the adopted rate, all engineering, inspection and survey services that may be required during plan check and construction of the project. The amount of the deposit shall be \$5,000. Public Works plan checking of the plans submitted with the building permit plans cannot proceed until the deposit is submitted. The applicant shall be required to

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 16 of 37

increase the deposit, or be billed monthly at the discretion of the City, for any costs in excess of the deposit. If billed monthly, invoices shall not become delinquent (must be paid within 30 days of receipt). Prior to final occupancy the bill shall be paid in full. The City will refund any portion of the deposit not utilized. (PUBLIC WORKS)

51 DEVELOPER CONTRIBUTION TOWARD TRAFFIC IMPROVEMENTS - Prior to issuance of the first building permit, the applicant shall contribute \$250,000 to the City of San Mateo. These funds will be used for future transportation and traffic improvements along 19th Avenue/Fashion Island Boulevard and South Norfolk Street corridor. If these improvements do not commence within two years, the Public Works Department will report back to City Council with an update on utilization of the funds. (PUBLIC WORKS)

52 TRIANGULAR AREA OF VISIBILITY – Landscaping and permanent structures located within the 10' triangular area of visibility at the driveway, and 45' triangular area of visibility at any project corner, shall have a minimum vertical clearance of 7', and/or be less than 3' in height. This includes all PG&E above ground structures and other utility facilities. (PUBLIC WORKS)

53 ENCROACHMENT PERMITS, BONDS, AND INSURANCE - The applicant must obtain an encroachment permit, posting the required bonds and insurance, and provide a one (1) year warranty for all work to be done in the City's right of way. This encroachment permit shall be obtained prior to the issuance of a foundation building permit and prior to any work being done in the City's right of way. The applicant shall have street improvement plans prepared for all work in the public right of way by a licensed civil engineer, whose signed engineer's stamp shall appear on the plans. Prior to issuance of the encroachment permit, the applicant shall submit any applicable pedestrian or traffic detour plans for any lane or sidewalk closures. The detour plan shall comply with Part 6, Temporary Traffic Control, of the State of California Manual of Uniform Traffic Control Devices (MUTCD), 2012, and standard construction practices. Final construction plans and specifications shall be approved by the City Engineer, and released for construction, prior to the issuance of the encroachment permit. Right of way improvements shall include, at a minimum, the following items:

(A) STREET MARKINGS - The applicant shall install necessary street markings of a material and design approved by the City Engineer, and replace any that are damaged during construction. These include but are not limited to all pavement markings, painted curbs and handicap markings. All permanent pavement

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 17 of 37

markings shall be thermoplastic. Color and location of painted curbs shall be shown on the plans and subject to approval by the City Engineer. Any existing painted curb or pavement markings no longer required shall be removed by grinding if thermoplastic, sand blasting if in paint. Once installed, the applicant shall coordinate with City crews to mark any red curb within the proposed City right-of-way with a City seal. (PUBLIC WORKS)

(B) SANITARY SEWER MANHOLE - The applicant shall install one (1) manhole standard sanitary sewer manhole on at the point of connection to the existing sanitary sewer main, per approved plans and in accordance with City Standard Drawing No. 3-1-104. (PUBLIC WORKS)

(C) STORM DRAIN MANHOLE - The applicant shall install one (1) manhole standard storm drain manhole on at the point of connection to the existing storm main, per approved plans and in accordance with City Standard Drawing No. 3-1-104. (PUBLIC WORKS)

(D) STREETLIGHTS/PHOTOMETRIC ANALYSIS - The applicant shall submit a photometric analysis showing the installation of streetlights to meet the required levels shown below as recommended by the Illuminance Engineering Society (IES). The photometric plan shall include point-by-point lighting levels in foot-candles for the entire right-of-way immediately adjacent to the project, starting at the property line. The analysis shall cover three main analysis zones (AZ) the roadway, sidewalk and traffic intersections (may require other zones if applicable).

Roadway analysis shall include the entire roadway width from face of curb to face of curb. The sidewalk analysis shall start at the back of walk to the face of curb. The traffic intersection shall include the entire roadway up to the end of each curb return, on each approach. Each AZ, shall show calculation data such as average, maximum, minimum, uniformity ratio (avg./min) in foot-candle and the number of points. Each AZ shall be clearly labeled and calculations shall be presented in a legible and concise manner. The Light Loss Factor (LLF) used for this analysis shall be .803. A pole and luminaire schedule shall be included in the photometric analysis showing the mounting height (MH), mass arm length (MA) and luminaire type. The selected specifications for the fixtures used for the analysis shall be provided by the City as per the latest City Standard to meet latest greenhouse gas emissions reduction goals. Once the photometric analysis has been completed, the developer shall furnish and install the streetlight improvements outlined by the photometric analysis. If the photometric analysis shows that no additional street lighting is necessary, the developer at a minimum will upgrade the existing streetlight infrastructure in the immediate vicinity to the latest City standard .

The plans submitted by the developer did not show streetlights. In order to determine minimum bonding requirements for the encroachment permit, the approximate quantity of streetlight includes three (3) cobra head streetlights. The applicant shall also submit a full streetlight and electrical plan showing the existing streetlight infrastructure and proposed streetlight infrastructure as dictated by the photometric analysis. The streetlight and electrical plan shall show all electrical conduits, pull boxes, service connections, fuse holders, bus fuses and all other electrical components necessary to construct the improvements. It is the developers responsibility to coordinate with PGE to get the necessary power to these new improvements. If power is to be tapped into an existing streetlight circuit, voltage drop calculations shall be included in the plans. All fees, permits and dues associated with these improvements will be paid for by the developer.

PROJECT ILLUMINANCE REQUIREMENT (PROJECT SPECIFIC)

Roadway (IES Table 2)

- Waters Park Drive
- o Collector – Low Pedestrian Conflict

Sidewalk (IES Table 5)

- Waters Park Drive
- o Low Pedestrian Conflict Area

Intersections (IES Table 9)

- Waters Park Driveway /S Norfolk St.
- o Major/Collector – Low Pedestrian Conflict (PUBLIC WORKS)

(E) STREET BEAUTIFICATION - The applicant shall improve the median island at the frontage of the project. The applicant shall have beautification plans prepared and obtain Public Works Department approval prior to issuance of an encroachment permit. The plans may include new lighting pending photometric analysis. (PUBLIC WORKS)

- 54 CLEAN AND INSPECT SANITARY SEWER - The applicant shall clean and inspect (via remote TV camera) the sewer main from the development's connection to the sewer to the manhole downstream of the project's connection (MH 18N-06X to MH 19N-16X to MH 19N-27X to 19N-13X) prior to issuance of the demolition permit.

Cleaning and inspection shall be performed by a licensed Contractor, to the "Sanitary Sewer Line Cleaning and Video Inspection" specifications provided by Public Works, and be completed prior to building permit issuance. The video and inspection reports shall be reviewed by the Department of Public Works. A second

inspection shall be conducted prior to project close out. If the project causes damage to the existing sewer line, the applicant shall and pay for repairs to the extent directly related to damage caused by the project. The cost of any repairs of preexisting damage shall be reimbursed to the applicant. If the anticipated added sewer capacity requires upgrades or repairs, the applicant shall construct and pay for improvements. The required repairs and method of repair (removal of roots, spot repair, pipe lining, and/or full segment replacement), as determined by the Public Works Department, shall appear on the improvement plans submitted by the applicant for permit plan check. All necessary repairs to the sewer shall be completed and approved prior to connection of the project lateral to the sewer. (PUBLIC WORKS)

The following conditions shall be addressed on the construction plans submitted for A BUILDING PERMIT FOR THE SUPERSTRUCTURE and shall be satisfied prior to issuance of this permit, or if another deadline is specified in a condition, at that time.

Building Division (PA)

- 55 GEOTECHNICAL INVESTIGATION AND REPORT - The project proponent shall implement recommendations in the geotechnical investigation prepared, which includes, but is not limited to the following:
- a) using a rigid mat foundation that is designed to resist the settlement and heave of expansive soil, keeping footing trenches moist so any drying -shrinkage cracks are closed prior to placement of concrete, and/or using footings at normal shallow depths but bottomed on a layer of select fill having a low expansion potential.
 - b) the design-level geotechnical report recommends that a dewatering system be implemented during construction to keep the excavation and working areas reasonably dry. The excavations should be dewatered such that water levels are maintained at least two feet below the bottom of the excavation prior to and continuously during shoring installation and the backfill process.
 - c) retaining a corrosion consultant to provide specific long-term corrosion protection recommendations for buried metal, concrete pipes and foundations. These measures shall be incorporated into the building permit plan set and complied with during the construction phase of the project. (BUILDING)
- 56 DUST CONTROL - Implementation of the following measures, recommended by BAAQMD, as standard conditions of approval would reduce the air quality and fugitive dust-related impacts associated with grading and new construction to a less than significant level.

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 20 of 37

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day . The use of dry power sweeping is prohibited.
 4. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible, as well, after grading unless seeding or soil binders are used .
 6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 8. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints . This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations. (BUILDING)
- 57 PHOTOVOLTAIC SYSTEM - A photovoltaic system or an approved alternative shall be provided for each building in accordance with Section 23.24.040 of the City of San Mateo Municipal Code (BUILDING)

Public Works Department (PA)

- 58 PARK IN-LIEU FEES - The applicant shall pay a fee in-lieu of dedication of lands for park and recreation purposes (park in-lieu fee) (SMMC Chapter 26.64). The final fee shall be determined upon approval of the final map for the park in-lieu fee. The park in-lieu fee shall be paid prior to the release of the final map for recordation. If a project with an approved tentative map is issued a building permit prior to the approval of the final map, the applicant shall be subject to the payment of the fee prior to the issuance of the first building superstructure permit.

(PUBLIC WORKS).

- 59 SANITARY SEWER CONNECTION CHARGE - The applicant shall pay a fee proportional to the project's share of the increase amount of sewage generated by the project, including credits for existing generated sewage. The fee will be based upon the City Council resolution in effect at the time the building permit issuance. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. (PUBLIC WORKS)
- 60 WASTEWATER TREATMENT PLANT PHASE II IMPACT FEE - In order to meet the increased demands on the Wastewater Treatment Plant created by this project, the applicant shall contribute fees toward the Plant expansion based upon the average projected sanitary flow, including credits for existing sanitary flows, as determined under the City Council resolution in effect at the time of building permit issuance. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. (PUBLIC WORKS)
- 61 EROSION CONTROL - The project will be required to provide erosion control measures including silt fences, fiber rolls, proposed cribbing (retaining walls or riprap), terraces, and/or surface protection, required for drainage and erosion control of the property, subject to review and approval by the Public Works Department. The applicant will submit an Erosion and Sediment Control Plan (which includes erosion control measures), if required by the City Engineer or Building Official. (PUBLIC WORKS)

The following conditions shall be met prior to RELEASE OF UTILITIES, FINAL INSPECTION, or ISSUANCE OF A CERTIFICATE OF OCCUPANCY, whichever occurs first, or if another deadline is specified in a condition, at that time.

Building Division (PA)

- 62 ART IN PUBLIC PLACES – The applicant shall be required to comply with Section 23.60 of the San Mateo Municipal Code for Art in Public Places. Applicability is determined based on the valuation of all construction for the project at time of building permit issuance; this will be a cumulative total for all structures within the project. Section 23.60.060 details the allowable methods of compliance, generally described to include the installation of Civic Arts Committee approved artwork to the satisfaction of the Community Development Director, or payment of a fee in lieu of placement of public art, or a combination thereof in an amount that is equal one-half of one percent of the total building valuation, excluding land

acquisition and off-site improvement costs. The in-lieu fee shall be paid into the Art in Public Places Fund. This condition shall be met in accordance with Section 23.60.050 prior to the issuance of a Certificate of Occupancy. (BUILDING)

Fire Department (PA)

- 63 EMERGENCY RESPONDER RADIO COVERAGE (ERRC) - The applicant shall provide third party Emergency Responder Radio Coverage system testing documents of box and row homes for Fire Department review . An ERRC system may be required upon receipt of testing results. The ERRC system testing shall be reviewed and approved by the City of San Mateo Fire Chief, or his/her designee prior to release of utilities, final inspection, or issuance of a Certificate of Occupancy, whichever occurs first. (FIRE)
- 64 FIRE AND LIFE-SAFETY REQUIREMENTS FOR OCCUPANCY - All fire protection systems shall be installed and approved by the Fire Department prior to occupancy. All exits, signage, emergency lighting, rated construction, fire assemblies, fire extinguishers, evacuation signs as required, smoke control, generators, HVAC smoke detection as required, elevator recall and building address numbers. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (FIRE)

Planning Division (PA)

- 65 PLANNING DIVISION INSPECTIONS – The applicant shall notify the project planner for inspections related to construction of all structures, landscaping, and other site improvements. The notification request shall be given at least 72 hours prior to the requested time for inspection. (PLANNING)
- 66 INSTALLATION OF NEW FENCING – At the time of the Planning Division final inspection, all new fencing (if required) must be installed and will be inspected for full compliance with the Code requirements related to height and location . Any required building permits for fencing must be obtained from the Building Division. (PLANNING)
- 67 VERIFICATION OF LANDSCAPE INSTALLATION – The applicant shall submit a letter prepared by the project landscape architect stating that all landscape improvements (including trees, shrubs, and irrigation systems) have been installed in compliance with the approved landscape plans submitted to the City for construction. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first .

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 23 of 37

(PLANNING)

- 68 FILTRATION SYSTEM - The applicant shall install MERV-13 filters in every residential unit in buildings SFD-1, B-1, B-2, and TH-1. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (PLANNING)
- 69 LETTER OF ARCHITECTURAL COMPLIANCE – The designer or architect of record shall submit a stamped and signed letter of compliance that the construction is consistent with the approved building permit plans, prior to scheduling the final Planning Division inspection. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (PLANNING)
- 70 VERIFICATION OF COMPLIANCE WITH ACOUSTICAL ANALYSIS – The applicant shall submit a letter prepared by the person/firm who prepared the acoustical analysis for the project, verifying that all recommendations contained in the analysis have been incorporated into the construction of the project. The letter shall also verify that the project will comply with the noise requirements contained in the City's General Plan. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (PLANNING)
- 71 FINANCIAL SECURITIES FOR ONSITE PRIVATE LANDSCAPING - The applicant shall submit a cost estimate and financial securities in a form and amount satisfactory to the Zoning Administrator sufficient to ensure the installation of all approved onsite private landscape improvements including all new trees. The applicant shall request a follow-up inspection by the Planning Division in accordance with Section 27.71.060 of the Municipal Code in order to reclaim financial securities for landscaping. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (PLANNING)

Police Department (PA)

- 72 PRIVATELY -OWNED PUBLIC OPEN SPACES, ADDRESSING - Prior to the first of the following to occur: Release of Utilities, Final Inspection, or Issuance of a Certificate of Occupancy, the applicant shall submit for approval a plan showing separate and unique address for the proposed creek trail, dog park, and other POPOS. The proposed addresses shall be subject to approval by the Chief of Police or her/his designee, Public Works, and Fire Departments. (POLICE)

(POLICE)

- 73 PRIVATELY -OWNED PUBLIC OPEN SPACES, COVENANTS, CONDITIONS & RESTRICTIONS - Prior to the first of the following to occur: Release of Utilities, Final Inspection, or Issuance of a Certificate of Occupancy, the applicant shall submit for approval by the City including the Chief of Police or her/his designee draft Covenants, Conditions & Restrictions (CC&Rs) applicable to the proposed privately-owned public open spaces. CC&Rs related to the POPOS shall be subject to annual review by the City and Chief of Police or her/his designee. City approved CC&Rs related to the POPOS shall be subject to annual review, and shall be maintained and enforced by the applicant and any successor association or entity responsible for the maintenance of any POPOS. (POLICE)

Public Works Department (PA)

- 74 SUBDIVISION MAP - The applicant shall have a subdivision map, prepared by a person authorized to practice land surveying in California, delineating all parcels created or deleted and all changes in lot lines in conformance with San Mateo Municipal Code Section 26.52. The Final Subdivision Map shall be approved by the Department of Public Works and recorded by the County Recorder's Office prior to the certificate of occupancy. A map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the map to the title company for recordation. Prior to the City's release of the final map to the title company, the applicant may, at the discretion of the City Engineer, be required to submit to the City an electronic copy of the map in the AutoCAD Version being used by the City at the time of recordation. It is the applicant's responsibility to check with their title company and the County Recorder's Office to determine the time necessary to have the map recorded after City approval. (PUBLIC WORKS)
- 75 RECORD DRAWINGS - The applicant shall submit one full set of original record drawings and construction specifications for all off-site improvements to the Department of Public Works. All underground facilities shall be shown on the record drawings as constructed in the field. The applicant shall also provide the City with an electronic copy of the as-builts in the AutoCAD Version being used by the City at the time of completion of the work. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (PUBLIC WORKS)
- 76 TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM – A Transportation Demand Management (TDM) Program has been prepared for this project (refer to

the Hexagon 1 Waters Park Drive Residential Development Transportation Impact Analysis report, dated November 6, 2018). A written letter to the Public Works Director on an annual basis will include an assessment of compliance with the Transportation Demand Management Plan, including mode split survey results, by the end of every calendar year (December 31st). (PUBLIC WORKS)

- 77 UTILITY WILL-SERVE LETTERS - The applicant shall provide will-serve letters from the various utility companies including, but not limited to, domestic water, electric, gas, etc. to ensure adequate service can be provided for the proposed development. (PUBLIC WORKS)
- 78 RESTORATION OF ROADWAY – Due to the anticipated project’s truck traffic the applicant shall grind and overlay with 2-inches of asphalt concrete the roadways anticipated to be damaged as a result of construction activities along Waters Park Drive between property line and S Norfolk Street. If the street abutting the property has been classified as being in a failed condition or a Pavement Condition Index (PCI) of 50 or below, the applicant will be required to reconstruct the street. Limits of the roadway repair shall be Waters Park Drive from property line to S Norfolk Street. The City Engineer shall approve the roadway repair prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (PUBLIC WORKS)
- 79 STORM WATER MANAGEMENT FACILITIES MAINTENANCE AGREEMENT – The applicant shall execute a maintenance agreement with the City’s Director of Public Works as specified in Chapter 7.39.210-230 of the Stormwater Management and Discharge Control ordinance. The agreement shall outline the operation and maintenance (O&M) plan for the permanent storm water treatment facilities. This agreement shall be executed prior to the first occupancy of the building. (PUBLIC WORKS)

The following conditions shall be met prior to the approval of the FINAL MAP or PARCEL MAP, or if another deadline is specified in a condition, at that time.

Planning Division (PA)

- 80 CONDITIONS, COVENANTS, AND RESTRICTIONS (CC&R's) – The applicant shall obtain the City Attorney's approval of the form of the Conditions, Covenants, and Restrictions governing the subdivision for consistency with these Conditions of Approval prior to recordation of final map. While final approval of the CC&R's is controlled by the Bureau of Real Estate (BRE), any changes to the CC&R's required

by the BRE shall be submitted to the City for review prior to recordation of the CC&R's. (PLANNING)

Public Works Department (PA)

- 81 SUBDIVISION IMPROVEMENT AGREEMENT – If the applicant wishes to have the final project map approved prior to the completion of the project's public improvements, the applicant shall enter into a subdivision improvement agreement with the City per Gov. Code Section 66462(a), and shall arrange to provide security for the remaining public improvements to be completed. The agreement will be forwarded to the City Council for approval with final map. (PUBLIC WORKS)

The following conditions shall be complied with AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT, or if another deadline is specified in a condition, at that time.

Building Division (PA)

- 82 * MM NOI-1.2 - The City has Conditions of Approval that limit hours of construction hours from 7:00 a.m. to 7:00 p.m. on Monday through Friday, between 9:00 a.m. and 5:00 p.m. on Saturday, and between 12:00 noon and 4:00 p.m. on Sundays and holidays. The noise report found that the impact would be significant and therefore proposed the additional standard measures to minimize annoyance to neighboring properties:
- Use scrapers in lieu of loaders and hauling trucks as feasible for earth removal.
 - Use a motor grader rather than a bulldozer for final grading.
 - Locate noisy stationary equipment (e.g., generators and compressors) and material unloading and staging areas near the center of the project, away from residential property lines
 - Locate staging and equipment loading areas away from residences. Where feasible, barriers should be used to break line-of-sight with nearby residences.
 - Minimize drop height when loading excavated materials onto trucks.
 - Minimize drop height when unloading or moving materials on site.
 - Require that all construction equipment be in good working order and that mufflers are inspected to be functioning properly. Avoid unnecessary idling of equipment and engines.
 - Use "quiet" gasoline or electric-powered compressors.
 - Use electric forklifts when feasible.

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 27 of 37

- Use electric nailers instead of pneumatic nailers or manual hammers as feasible – especially on the roofs of the two-story single-family homes.
- Power saws should be shielded or enclosed where practical.
- Only use back-up beepers when required by law. Spotters or flaggers should be used in lieu of back-up beepers to direct backing operations when allowable.
- Notify the City and neighbors in advance of the schedule for each major phase of construction and expected loud activities.
- Require posted signs at the construction site that include permitted construction times, a contact for the job site, and a contact number for the City in the event of problems.
- Designate a construction noise coordinator. This coordinator would be available to respond to complaints from neighbors and take appropriate measures to reduce noise.

The applicant shall comply with this condition during the construction phase of the project. (BUILDING)

- 83 BUILDING CONSTRUCTION ACTIVITIES - The following provision to control traffic congestion, noise, and dust shall be followed during site excavation, grading and construction:

Work hours regulated by the San Mateo Municipal Code shall only be permitted between the hours of 7:00 a.m. and 7:00 p.m. on Monday through Friday, between 9:00 a.m. and 5:00 p.m. on Saturday, and between 12:00 noon and 4:00 p.m. on Sundays and holidays. These hours do not apply to construction work that takes place inside a completely enclosed building and does not exceed the exterior ambient noise level as measured 10 feet from the exterior property lines.

The allowed hours of Building construction activities may be waived or modified through an exemption from the hours of work designated in Section 23.06.060 of the San Mateo Municipal Code, for limited periods, if the Building Official finds that:

(A) The following criteria are met:

- (i) Permitting extended hours of construction will decrease the total time needed to complete the project thus mitigating the total amount of noise associated with the project as a whole; or

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 28 of 37

(ii) An emergency situation exists where the construction is necessary to correct an unsafe or dangerous condition resulting in obvious and eminent peril to public health and safety. If such a condition exists, the City may waive any of the remaining requirements outlined below.

(B) The exemption will not conflict with any other conditions of approval required by the City to mitigate significant impacts.

(C) The contractor or owner of the property will notify residential and commercial occupants of property adjacent to the construction site of the hours of construction activity which may impact the area. This notification must be provided three days prior to the start of the construction activity.

(D) The approved hours of construction activity will be posted at the construction site in a place and manner that can be easily viewed by an interested member of the public.

The Building Official may revoke the exemption at any time if the contractor or owner of the property fails to abide by the conditions of exemption or if it is determined that the peace, comfort and tranquility of the occupants of adjacent residential or commercial properties are impaired because of the location and nature of the construction. The waiver application must be submitted to the Building Official ten (10) working days prior to the requested date of waiver. (BUILDING)

- 84 * MM NOI-1.1 To reduce noise levels at the east and south residential property lines, temporary sound barriers shall be constructed. To be effective, the barriers need to have a minimum height of eight feet, a minimum surface density of three psf, and be continuous from grade to top. The barriers are not required along the entire length of the east and south property lines for the entire duration of construction. They must be located at times and locations where construction is occurring within 30 feet of these property planes. Pneumatic nailers shall not be used during construction on the roofs of the two story single-family homes within 30 feet of the residential property planes, as the eight-foot barriers would be ineffective with the noise source at this height. The applicant shall comply with this condition during the construction phase of the project. (BUILDING)

Fire Department (PA)

- 85 PREMISE NUMBER - The applicant shall post an address number on each building at the project site that must be easily visible from the street or fire access road . This address number shall be installed at the start of construction and shall be maintained at all times that the use permitted by this planning application occupies the premises. (FIRE)
- 86 FIRE SAFETY DURING CONSTRUCTION - The project construction shall comply with the requirements of the California Fire Code and shall be indicated on the building permit plan set. All additional fire permits required by the California Fire Code shall be obtained from the Bureau of Fire Protection and Life Safety . The building permit plan set shall be reviewed and approved by the City of San Mateo Fire Chief, or his/her designee prior to a issuance of a demolition permit, site development permit, or building permit, whichever occurs first and shall be complied with at all times during the construction phase of the project. (FIRE)
- 87 BARRICADES, FENCES, or GATES ACROSS FIRE ACCESS ROADWAYS DURING CONSTRUCTION - The installation or use of barricades, fences, or gates across emergency vehicle access roads during construction shall have approval of the City of San Mateo Fire Chief, or his/her designee prior to a issuance of any applicable demolition permit, site development permit, or building permit and shall be complied with at all times during the construction phase of the project. (FIRE)
- 88 FIRE-SAFETY DURING DEMOLITION - Building(s) under construction or demolition shall comply with the California Fire Code and shall be indicated on the building permit plan set. In addition to the requirements of Chapter 14 the following items shall be followed during the demolition of any structure . The building permit plan set shall be reviewed and approved by the City of San Mateo Fire Chief, or his/her designee prior to a issuance of any applicable demolition permit, site development permit, or building permit and shall be complied with at all times during the construction phase of the project.
Where an existing standpipe exists within a building it shall be maintained in operable condition for use by the fire department at all times during construction including during demolition. Such standpipe shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished. (FIRE)
- 89 FIRE STANDPIPE - Where an existing standpipe exists within a building, the

applicant shall maintain the standpipe in operable condition for use by the Fire Department at all times during construction including during demolition. Such standpipe shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished. (FIRE)

Planning Division (PA)

90 PALEONTOLOGICAL RESOURCES - Should any potentially unique paleontological resources be encountered during development activities, work shall be halted immediately within 50 feet of the discovery. The City of San Mateo Planning Division shall be immediately notified, and the applicant shall be responsible for retaining the services of a qualified paleontologist to determine the significance of the discovery. The paleontologist shall evaluate the uniqueness of the find and prepare a written report documenting the find and recommending further courses of action. Based on the significance of the discovery, the actions may include avoidance, preservation in place, excavation, documentation, recovery, or other appropriate measures as determined by the paleontologist. The applicant shall comply with this condition during the construction phase of the project. (PLANNING)

91 ARCHAEOLOGICAL FINDS - In the event of the discovery of archaeological resources, the applicant shall be responsible for halting construction activities, notifying the Chief of Planning, and retaining a qualified archaeologist. The archaeologist will be required to evaluate the uniqueness of the find and to contact local Native American and Historical organizations, and shall recommend a further course of action. The applicant shall comply with this condition during the construction phase of the project. (PLANNING)

92 * MM BIO-1.3 - The following mitigation measures shall be implemented during construction to reduce impacts to nesting birds, and reduce these impacts to a less than significant level.
If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist shall determine the extent of a construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 100 feet for other species), to ensure that nests of species protected by the MBTA and CDFW shall not be disturbed during project implementation. The applicant shall comply with this condition during the construction phase of the project. (PLANNING)

93 * MM BIO-1.2 - The following mitigation measures shall be implemented during

construction to reduce impacts to nesting birds, and reduce these impacts to a less than significant level.

If it is not possible to schedule construction activities between September 1 and January 31 then preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 14 days prior to the initiation of construction. During this survey, the ornithologist shall inspect all trees and other potential nesting habitats (e.g., trees, shrubs, ruderal grasslands, buildings) in and immediately adjacent to the impact areas for nests) The applicant shall comply with this condition during the construction phase of the project. (PLANNING)

94 * MM BIO-1.1 - The following mitigation measures shall be implemented during construction to reduce impacts to nesting birds, and reduce these impacts to a less than significant level. Construction activities (or at least the commencement of such activities) should be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside of the nesting season, all impacts on nesting birds protected under the MBTA and CDFW will be avoided. The nesting season for most birds in San Mateo County extends from February 1st through August 30th). The applicant shall comply with this condition during the construction phase of the project. (PLANNING)

95 * MM BIO-1.4 - The following mitigation measures shall be implemented during construction to reduce impacts to nesting birds, and reduce these impacts to a less than significant level.
In construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are scheduled to be removed by the project may be removed prior to the start of the nesting season (e.g., prior to February 1st). The applicant shall comply with this condition during the construction phase of the project. (PLANNING)

Public Works Department (PA)

96 BEST MANAGEMENT PRACTICES (BMP) – The applicant shall perform all construction activities in accordance with the City’s Storm Water Management and Discharge Control Rules and Regulations (SMMC 7.38.020), and the San Mateo Countywide Water Pollution Prevention Plan (SMCWPPP) by reference. Detailed information can be located at : <http://flowstobay.org/brochures> (PUBLIC

WORKS)

97 * MM HYD-1 - Utility trenches shall be installed with low permeability cutoffs to reduce the risk of inadvertent groundwater flow along permeable bedding or backfill. Placement of the low permeability cutoffs will be determined when utility plans are finalized. The applicant shall comply with this condition during the construction phase of the project. (PUBLIC WORKS)

98 MATERIAL HAULING AND CONSTRUCTION WORKER PARKING - For material delivery vehicles equal to, or larger than two-axle, six-tire single unit truck (SU) size or larger as defined by FHWA Standards, the applicant shall submit a truck hauling route that conforms to City of San Mateo Municipal Code Section 11.28.040 for the approval of the City Engineer. The project sponsor shall require contractors to prohibit trucks from using "compression release engine brakes" on residential streets. The haul route for this project shall be to and from: Highway 101 to E. Hillsdale Blvd to S Norfolk St to project site and project site to E. Hillsdale Blvd to Highway 101. A letter from the applicant confirming the intention to use this hauling route shall be submitted to the Department of Public Works, and approved, prior to the issuance of any City permits. All material hauling activities including but not limited to, adherence to the approved route, hours of operation, staging of materials, dust control and street maintenance shall be the responsibility of the applicant. All storage and office trailers will be kept off the public right-of-way. Tracking of dirt onto City streets and walks will not be allowed. The applicant must provide an approved method of cleaning tires and trimming loads on site. Any job related dirt and/or debris that impacts the public right of way shall be removed immediately. No wash down of dirt into storm drains will be allowed. All material hauling activities shall be done in accordance with applicable City ordinances and conditions of approval. Violation of such may be cause for suspension of work.

The applicant shall provide a construction-parking plan that minimizes the effect of construction worker parking in the neighborhood and shall include an estimate of the number of workers that will be present on the site during the various phases of construction and indicate where sufficient off-street parking will be utilized and identify any locations for off-site material deliveries. Said plan shall be approved by the City Engineer prior to issuance of City permits and shall be complied with at all times during construction. Failure to enforce the parking plan may result in suspension of the City permits. (PUBLIC WORKS)

99 PUBLIC WORKS CONSTRUCTION ACTIVITIES - The following provision to control

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 33 of 37

traffic congestion, noise, and dust shall be followed during all construction -related activities:

A. Construction activities related to the issuance of any Public Works permit shall be restricted to the weekday between 7:00AM and 7:00PM nor shall be allowed to take place within the City right-of-way after 5:00PM. In addition, no work being done under the issuance of a Public Works encroachment permit may be performed on the weekend unless prior approval by Public Works . All earth haul and materials delivery to and from the site will be prohibited between the weekday hours of 4:00PM and 5:30PM. Signs outlining these restrictions shall be posted at conspicuous locations on site, shall be per the City Standard Drawing for posting construction hours, and be kept free of graffiti at all times . Contact the Public Works Department to obtain sample.

The allowed hours of Public Works construction activities may be waived or modified for limited periods through an exemption if the City Engineer finds that :

1) The following criteria are met:

a) Extended hours of construction will decrease the total time needed to complete the project thus mitigating the total amount of noise associated with the project as a whole;

b) Extended hours of construction are required to accommodate design or engineering requirements. Such a need would be determined by the project's design engineer and require approval of the City Engineer; or

c) An emergency situation exists where the construction work is necessary to correct an unsafe or dangerous condition resulting in obvious and eminent peril to public health and safety; and

2) The exemption will not conflict with any other condition of approval required by the City to mitigate significant impacts; and

3) The contractor or property owner will notify adjacent property owners to the construction site of the hours of construction activity that may impact the area . This notification must be provided three days prior to the start of the extended construction activity; and

4) The approved hours of construction activity will be posted at the construction site in a place and manner that can be easily viewed by any interested member of the public.

The City Engineer may revoke the exemption at any time if the contractor or property owner fails to abide by the conditions of exemption or if it is determined that the peace, comfort and tranquility of the occupants of adjacent properties are impaired because of the location and nature of the construction . The waiver

application must be submitted to the Public Works Construction Inspector ten (10) working days prior to the requested date of waiver .

B) All construction vehicles should be properly maintained and equipped with exhaust mufflers that meet State standards .

C) Newly disturbed soil surfaces shall be watered down regularly by a water trucks or by other approved method maintained on site during all grading operations . Construction grading activity shall be discontinued in wind conditions that in the opinion of the Public Works Construction Inspector cause excessive neighborhood dust problems. Wash down of dirt and debris into storm drain systems is not allowed.

D) Construction activities shall be scheduled so that paving and foundation placement begin immediately upon completion of grading operation .

E) All aggregate materials transported to and from the site shall be covered in accordance with Section 23114 of the California Vehicle Code during transit to and from the site.

F) Prior to issuance of any permit, the applicant shall submit any applicable pedestrian or traffic detour plans, to the satisfaction of the City Engineer, for any lane or sidewalk closures. The detour plan shall comply with Part 6, Temporary Traffic Control, of the State of California Manual of Uniform Traffic Control Devices (MUTCD), 2012, and standard construction practices. (PUBLIC WORKS)

100 CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP) – Construction BMPs shall be implemented for reducing the volume of runoff and pollution in runoff to the maximum extent practicable during site excavation, grading, and construction . In accordance with the City’s standards, these BMPs will include, but will not be limited to:

- Avoid or minimize excavation and grading activities during wet weather, unless the City approves a winter erosion control plan submitted by the applicant .
- Use effective, site-specific erosion and sediment control methods during the construction periods. Provide temporary cover of all disturbed surfaces to help control erosion during construction. Provide permanent cover as soon as is practical to stabilize the disturbed surfaces after construction has been completed.
- Protect existing storm drain inlets in the project area from sedimentation with filter fabric fences gravel bags block and gravel filters .
- Cover and stabilize stockpiled soil and materials with tarps, geotextile fabric, hydroseeding and/or erosion control blankets
- Install berms or silt fencing around stockpiled materials to prevent stormwater

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 35 of 37

runoff from transporting sediment off-site

The applicant shall comply with this condition during the construction phase of the project. (PUBLIC WORKS)

The following conditions shall be complied with AT ALL TIMES that the use permitted by this planning application occupies the premises.

City Attorney (PA)

101 INDEMNIFICATION – The applicant will defend, indemnify, and hold harmless the City of San Mateo, its elected and appointed officials, employees, and agents from and against any costs, claims, or liabilities arising out of the approval of this planning application, including, without limitation, any award of attorney fees that might result from third party challenge. If applicant is required to defend the City, the City shall retain the right to select the counsel who shall defend the City.

(CITY ATTORNEY)

102 PENALTY – In accordance with San Mateo Municipal Code section 27.02.210-Violations of Planning Application Conditions, any violation of any of the conditions of approval is unlawful and will subject the applicant to the penalties set forth in Chapter 1.04-General Penalty of the San Mateo Municipal Code as well as any other available legal remedies. (CITY ATTORNEY)

Fire Department (PA)

103 EMERGENCY VEHICLE ACCESS - The applicant shall maintain an EVA access throughout the project and shall be complied with at all times the project occupies the premise. (FIRE)

Planning Division (PA)

104 CONFORMANCE WITH APPROVED PLANNING APPLICATION AT ALL TIMES - All physical improvements, uses, and operational requirements authorized by the approved planning application shall substantially conform at all times that the use permitted by this planning application occupies the premises with the approved planning application, including: drawings, plans, materials samples, building colors, the written project description, and other items submitted as part of the approved planning application. Any proposed modifications to the approved planning application must be reviewed by the Chief of Planning and/or Zoning Administrator. The Chief of Planning and/or Zoning Administrator shall determine whether the proposed modifications substantially conform with the approved

planning application, or whether a planning application for a modification of a previously approved planning application is required to be submitted to permit the proposed project modifications, as required by San Mateo Municipal Code Section 27.08.080 Modifications. (PLANNING)

Police Department (PA)

105 BUILDING SECURITY CODE COMPLIANCE - The project shall comply with the City's Building Security Code (San Mateo Municipal Code Chapter 23.51). (POLICE)

106 SITE LIGHTING STANDARDS- Exterior security lighting in compliance with the Building Security Code "Exterior Security Lighting" (San Mateo Municipal Code Section 23.54.060) shall be provided and maintained at all times that the use permitted by this planning application occupies the premises. Site lighting shall comply with the requirement of an average illuminance of 1 foot-candle, a minimum illuminance of 0.3 foot-candle, and a uniformity ratio not to exceed 4:1 average to minimum. Light sources shall be capable of producing a "bright white" light with a color temperature between 3000K and 4000K and a color rendering index (CRI) of at least 65 unless otherwise approved. This lighting standard is applicable to all parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to all buildings. The lighting system shall be so designed as to limit light spill beyond property lines and to shield the light source from view from off site. (POLICE)

107 PRIVATELY -OWNED PUBLIC OPEN SPACES, PRIVATE PATROL OPERATOR - Prior to the Certificate of Occupancy and at all times the use permitted by this planning application occupies the premises, the applicant and any successor association or entity responsible for the maintenance of proposed POPOS shall hire and retain a private patrol operator. The private patrol operator shall be authorized by the applicant and any successor associations or entities to investigate and enforce any Covenants, Conditions & Restrictions, and shall be authorized to enforce trespass laws of the State of California and City of San Mateo. The private patrol operator shall be responsible for the initial responses to nuisance complaints in the POPOS related to violations of applicant or successor CC&Rs. (POLICE)

Public Works Department (PA)

108 POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP) – In accordance with the City's Storm Water Management and Discharge Control Rules and Regulations (SMMC 7.38.020), and the San Mateo Countywide Stormwater Management Plan (SWMP) by reference, the applicant shall:

City of San Mateo Planning Application

Conditions of Approval

PA-2018-013, 1, 2, 3 Waters Park Drive Site Plan and Architectural Review, Site Development Planning Application, Planned Development, Vesting Tentative Map, Zoning Reclassification, and General Plan Amendment

As Approved on 02/19/2019

Page 37 of 37

- A. Owner/occupant shall inspect private storm drain facilities at least two (2) times per year and sweep parking lots immediately prior to and once during the storm season.
- B. The applicant shall pay a fee on a yearly basis for cost associated with, but not limited to, biannual inspection of the private storm drain facilities, emergency maintenance needed to protect public health or watercourses, and facility replacement or repair in the event that the treatment facility is no longer able to meet performance standards or has deteriorated. The annual fee shall be in the amount of \$500 with an annual increase, if necessary to recover the City's costs of inspection, in the amount of any CPI increase.
- C. Label new and redeveloped storm drain inlets with the phrase "No Dumping – Drains to Bay" plaques to alert the public to the destination of storm water and to prevent direct discharge of pollutants into the storm drain. Template ordering information is available from the Department of Public Works.
- D. All process equipment, oils fuels, solvents, coolants, fertilizers, pesticides, and similar chemical products, as well as petroleum based wastes, tallow, and grease planned for storage outdoors shall be stored in covered containers at all times.
(PUBLIC WORKS)

*** MITIGATION MEASURE** - *This measure mitigates adverse environmental effects identified in the environmental document. Monitoring procedures are contained within the condition of approval. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.*

EXHIBIT B

CITY OF SAN MATEO PLANNING APPLICATION
CONDITIONS OF APPROVAL
PA-2020-043, 1 WATERS PARK, SPAR MODIFICATION

1, 2, 3 WATERS PARK DR 100, SAN MATEO, CA 94403-1149

PARCEL # 035401440, 035401450
AS APPROVED BY THE CITY COUNCIL ON

The following conditions of approval apply to the project referenced above. The conditions of approval are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance.

The following conditions shall be addressed on the construction plans submitted for any DEMOLITION PERMIT, BUILDING PERMIT, or SITE DEVELOPMENT PERMIT, and shall be satisfied prior to issuance of whichever permit is issued first, or if another deadline is specified in a condition, at that time.

Planning Division (PA)

- 1 CONFORMANCE WITH APPROVED PLANNING APPLICATION PA-2018-013 - All Conditions of Approval in Planning Application PA-2018-013 approved by the City Council on February 19, 2019 shall still apply. (PLANNING)
- 2 TRASH ENCLOSURE LOCATION - Prior to issuance of any future building permits, related permit plans shall illustrate the trash enclosure located at the northwest corner of the site, as approved by the City Council on February 19, 2019 and as indicated on the PA 2020-043 plans provided to the Planning Commission on October 27, 2020, subject to the satisfaction of the Community Development Director. (PLANNING)
- 3 BICYCLE PARKING- Prior to issuance of superstructure permit, revised plans shall be shown indicating the adequate number and dimensions of short-term and long-term bicycle parking spaces, in accordance to the standards in SMMC 27.64.262. (PLANNING)

The following conditions shall be complied with AT ALL TIMES that the use permitted by this planning application occupies the premises.

Public Works Department (PA)

- 4 RESIDENTIAL PARKING PERMIT PROGRAM (RPPP) - The residential development shall at no time be eligible for residential parking permits for any RPPP program established in the adjacent residential neighborhoods. (PUBLIC WORKS)

City of San Mateo Planning Application
Conditions of Approval
PA-2020-043, 1 Waters Park, SPAR Modification
As Approved on
Page 2 of 2

** **MITIGATION MEASURE** - This measure mitigates adverse environmental effects identified in the environmental document. Monitoring procedures are contained within the condition of approval. A change in the condition may affect the validity of the current environmental document, and a new or amended environmental document may be required.*