

CITY OF SAN MATEO
RESOLUTION NO. ____ 2021

APPROVING THE PROPOSED SITE PLAN AND ARCHITECTURAL REVIEW MODIFICATIONS (PA-2021-013) TO THE MULTI-FAMILY RESIDENTIAL BUILDING LOCATED AT 480 E. 4TH AVENUE (KIKU CROSSING) AND THE PARKING GARAGE LOCATED AT 400 E. 5TH AVENUE APPROVED AS PART OF THE CITY-OWNED DOWNTOWN AFFORDABLE HOUSING AND PARKING GARAGE SITES PROJECT (PA-2019-033)

WHEREAS, on August 17, 2020, the City-owned Downtown Affordable Housing and Garage Sites project (PA-2019-033) was approved with Resolution No. 93 (2020), and as modified via Site Plan and Architectural Review Modifications (PA-2020-055) on November 16, 2020, the City and MP Downtown Associates L.P. (the “Developer”) have subsequently proposed Site Plan and Architectural Review Modifications (PA-2021-013) to the approved design of the multi-family residential building located 480 E. 4th Avenue and to the parking garage located at 400 E. 5th Avenue; and

WHEREAS, the City and the Developer desire for the Developer to construct a seven-story multi-family residential building located at 480 E. 4th Avenue and parking garage located on 400 E. 5th Avenue, and a pedestrian bridge connecting to the residential building to be constructed at 480 E. 4th Avenue over the adjacent public street (E. 5th Avenue); and

WHEREAS, the proposed modifications are consistent with the required Site Plan and Architectural Review (SPAR) Findings for Approval approved under PA-2019-033; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed modifications to the approved site design do not substantially change the information or conclusions of the Initial Study/Mitigated Negative Declaration (IS/MND) adopted by the City Council on August 17, 2020, and therefore, no additional CEQA review is required; and

WHEREAS, the Planning Commission, held a duly noticed public hearing on the proposed SPAR modification at their May 11, 2021, meeting and recommended approval to the City Council;

WHEREAS, all applicable Conditions of Approval have been attached as Exhibit A and Exhibit B; and

WHEREAS, Exhibit A consists of PA-2019-033 Amended Conditions of Approval, as modified by PA-2020-055 and PA-2021-013, and Exhibit B consists of new PA-2021-013 Additional Conditions of Approval.

WHEREAS, the City Council held a duly noticed public hearing on the Project on May 17, 2021;

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

1. Subject to the conditions of approval described in Section 2, the City Council approves PA-2021-013 pursuant to the project plans approved by the City Council on May 17, 2021, and described below:
 - a. Reduction in total floor area of the multi-family residential building from 234,350 sq. ft. to 211,970 sq. ft., including changes to the floor plan program and bedroom unit mix.
 - b. Modifications to the residential building’s footprint layout and increased setbacks from all four property lines.
 - c. Changes to the exterior elevations including parapet height, finish material layout and window programming of the residential building.

- d. A redesign of the cornice element on the residential building.
 - e. Adjustment to the approved tree planting schedule; street tree count decreased from 11 to 10 trees; onsite tree count on the residential building parcel increased from 30 to 35 trees.
 - f. A 6' tall plexiglass screening element added to the seventh-floor roof deck of the residential building for sound attenuation.
 - g. Modifications to the exterior façade panels, including removing one of four panels and ending the panel located near the stairwell and elevator along 5th Avenue at the second-floor.
 - h. Minor changes to the hardscape design of the plaza and courtyard, and landscape adjustments in coordination with the building footprint and setback changes.
 - i. Minor increase to the provision of common open space.
2. The City Council adopts the Amended Conditions of Approval and the Additional Conditions of Approval described in the administrative report reviewed by City Council on May 17, 2021, attached as Exhibit A and Exhibit B, respectively, to this Resolution.

EXHIBIT A

CITY OF SAN MATEO PLANNING APPLICATION

CONDITIONS OF APPROVAL

PA-2019-033, CITY-OWNED DOWNTOWN AFFORDABLE HOUSING AND PARKING GARAGE SITES,
SPAR (2) + SDPA + SUP

480 E 4TH AVE B, SAN MATEO, CA 94401-3349; 400 E 5TH AVE, SAN MATEO, CA; 480 E 4TH AVE
A, SAN MATEO, CA 94401-3349
PARCEL # 034183060, 033281140
AS APPROVED BY THE CITY COUNCIL ON
AUGUST 17, 2020, AND MODIFIED ON
NOVEMBER 16, 2020 AND MAY 17, 2021

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 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)
- 2 CALGREEN – The buildings 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. (BUILDING)
- 3 * MM NOI-1.1 - Prior to issuance of building permits, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses, in conformance with the City's requirements. A qualified acoustical consultant shall be retained by the project applicant to review mechanical noise as the equipment systems are selected in order to determine specific noise reduction measures necessary to reduce noise to comply with the noise limit of 55 dBA L50 or less at residential property lines, and 60 dBA L50 or less at commercial property lines. Noise reduction measures could include, but are not limited to the following:
 - Selection of equipment that emits low noise levels;
 - Installation of additional noise barriers such as enclosures, and;

- Increased height screening walls to block the line of sight between the noise source and the nearest receptors. (BUILDING)
- 4 * MM NOI-2.1: The project applicant shall incorporate the following mitigation measures into the proposed project (parking garage) to reduce construction vibration impacts to a less than significant level.
- Prior to the issuance of a grading permit, the project applicant shall submit a Construction Vibration Monitoring and Control Plan (Plan) prepared by an acoustical/vibration consultant, structural engineer or other appropriately qualified professional.
 - The Plan shall identify protocols for project construction activities to maintain vibration levels at or below the potential for building damage threshold. The protocols could include continuous vibration monitoring during the phases of construction most likely to generate high vibration levels such as excavation and foundation phases.
 - A pre-construction survey of the storage building along the project garage's property line shall also be conducted. The survey shall include photo or video documentation. The Plan shall adopt a building damage vibration threshold of PPV 0.5 inches per second or identify an alternative threshold as appropriate based on the condition of the building and the actual construction equipment/activities.
 - Because the construction vibration analysis identifies the potential for construction vibration to cause annoyance at the adjacent existing office building at 700 S. Claremont St. (i.e. calculated PPV exceeds 0.10 inches per second), the Plan shall also identify project construction methods to maintain vibration levels below the annoyance threshold. If it is not feasible to limit construction vibration level to below the threshold, the Plan shall specify the expected periods that could result in annoyance and provide protocols for notifying the owner of the office building prior to those activities. (BUILDING)
- 5 * MM HAZ-2.1 - .One or more environmental cleanup plan(s) and a model Health and Safety Plan (HASP), to be adopted by project contractors, shall be approved by an environmental agency of applicable jurisdiction prior to issuance of a grading permit for the proposed construction. The environmental cleanup plan(s) shall establish the measures to safely remove and or mitigate significant environmental health and safety risks (short- and long-term) potentially posed to future site users by the presence of hazardous materials in existing fill, contaminated groundwater, and soil gas beneath the site. Such environmental

mitigation and or remediation approaches and techniques may include, among others, excavation of impacted media for disposal at appropriately permitted landfill facilities, engineered barriers to minimize exposure to hazardous materials. The environmental cleanup plan shall also include truck routes to avoid significant pedestrian, remediation-related truck traffic.

The HASP, which will be adopted and implemented by the general contractor and its subcontractors, will be prepared by an appropriately credentialed individual and outline proper soil and groundwater handling procedures and other health and safety requirements for the protection of workers handling hazardous materials in fill and contaminated groundwater during construction. The HASP shall be consistent with the worker protection requirements of the Cal/OSHA Title 8 regulations for the protection of worker safety. The HASP shall also include measures and protocols for the protection of the public's environmental health which shall include among others: management of stockpiles and on site soils to prevent the mobilization of particulate matter (e.g., through windblown dust, soil tracked-out through trucks or other construction vehicles); and retention of construction water onsite.

The presence of hazardous materials in fill and contaminated groundwater pose soil, soil gas and groundwater management and potential health risks to be addressed as part of the Site development activities. The environmental cleanup plan(s) and or HASP objectives will be to protect environmental health and safety by minimizing exposure to construction workers, nearby residents and/or pedestrians, and future Site users to constituents in the soil, soil gas and groundwater. (BUILDING)

- 6 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)

- 7 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)

- 8 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, 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) The Geotechnical Engineer or Civil Engineer who prepared the soil investigation 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, the Geotechnical Engineer or Civil Engineer who prepared the soil investigation 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)

Fire Department (PA)

- 9 CODE CONFORMANCE - The applicant shall indicate on all building permit plans that all construction shall meet current code standards at the time of building permit submittal. The building permit plans are subject to review and approval by the Fire Marshal or his/her designee prior to issuance of the building permit. (FIRE)

- 10 SUBMITTALS - The applicant shall submit all fire plans in conjunction with the

superstructure building permit plans. The plans are subject to review and approval by the Fire Marshal or his/her designee prior to issuance of the superstructure building permit plans. (FIRE)

- 11 FIRE ALARM SYSTEM - Install a fire alarm system per CFC Chapter 9 and complying with local amendments. Submit under separate fire plan check and permit. Use installation standard NFPA 72. (FIRE)
- 12 COMBINATION SPRINKLER/STANDPIPE - Install a combination fire sprinkler/standpipe system on each level with 2½" x 1½" reducer caps. Submit under separate fire plan check and permit. Use installation standard NFPA 14 and local amendments. (FIRE)
- 13 KEY SWITCH FOR SECURITY GATES - Installed security gates shall be provided with a Fire Department approved lock or key box to allow Fire Department access. The minimum width of the gates shall be 15 feet clear width opening. Automatic operated gates shall be provided with a means to provide access in the event of power loss. Contact the Bureau of Fire Protection and Life Safety for specific requirements. (FIRE)
- 14 HYDRANT CLEARANCE - Maintain a 3-foot clear space 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. (FIRE)
- 15 FIRE ASSEMBLIES AND APPLIANCES - 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. (FIRE)
- 16 DRIVEWAY ACCESS: A Fire Department driveway access serving dwelling/structures 30 ft or less in height shall have a minimum 20 foot unobstructed linear width. A Fire Department driveway access serving dwelling/structures over 35 ft in height shall have a minimum 26 foot unobstructed linear width. These driveways/access roads shall be designated as Fire Lanes with no parking. Driveway /access road shall meet Fire Department standards for surface type, distance, weight loads (68,000 LBS), turn radius (inside turn radius 33 ft and outside turn diameter of 48 ft), grades, and vertical clearance (13ft-6in). The applicant shall provide red curbs, curb lettering or fire lane signs in accordance with local amendments. (FIRE)
- 17 FIRE FLOW - The project shall meet the fire flow rate and duration requirements of the California Fire Code. The fire flow information shall be submitted to the Fire Marshall or his/her designee for review and approval prior to the issuance of the building permit. (FIRE)

- 18 WATER SUPPLY - All city/district owned water systems and on-site water systems shall be looped with two points of connection to the satisfaction of the city engineer. They shall meet the requirements of State Department of Health Services, city Public Works and the Fire Marshal. The water supply information shall be submitted to the Fire Marshal or his/her designee for review and approval prior to the issuance of the building permit. (FIRE)
- 19 PUBLIC HYDRANT - Install 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. (FIRE)
- 20 KEY BOX - Install Knox key box(s) on all buildings to allow for Emergency Services/Fire Department accesses. Contact the Bureau of Fire Protection and Life Safety for specific requirements and location approval. Provide keys as required. (FIRE)
- 21 FIRE SPRINKLER SYSTEM - Install an N.F.P.A. 13 fire sprinkler system complying with local amendments. Provide permanent drain to sanitary sewer for all sprinkler discharge. Submit under separate fire plan check and permit. Separate plan check permit is required for the underground fire service. (FIRE)

Parks and Recreation Department (PA)

- 22 INITIAL SITE INSPECTION - Prior to the issuance of any permits, the Project Arborist shall email a letter with photos to the Contract Arborist verifying that all tree protection measures are properly implemented. Please include the email address of the project contact person. The city Contract Arborist will notify the Building Division whether or not the letter and photos are acceptable. Email address: wfujii@cityofsanmateo.org (PARKS AND RECREATION)

Planning Division (PA)

- 23 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)
- 24 CORNICE REDESIGN - The project design team will provide alternative cornice design options with the final design to be reviewed and approved by the Zoning Administrator. The design shall be more robust in scale and detail to provide added dimensionality. (PLANNING)
- 25 PARKING GARAGE LAYOUT - To accommodate the final parking garage layout, the total number of parking spaces may be reduced by up to 15%, so long as the number of accessible parking spaces required by the California Building Code is maintained. The applicant shall deliver two hundred and thirty-five (235) parking spaces replacing existing public parking spaces and up to two hundred and ninety-two (292) additional public parking spaces prior to occupancy of the residential structure. The final parking layout shall not change the total amount of residential designated parking spaces. The final parking layout will be subject to review and approval by the City Manager. (PLANNING)
- 26 RENT REGULATORY AGREEMENT - Pursuant to Municipal Code Section 27.16.050 and Resolution 121 (2008), the project shall provide below market rate units in conformance with the Disposition, Development and Loan Agreement between the City of San Mateo and MP Downtown San Mateo Associates, L.P.. (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 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

29 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.

- A detailed analysis shall be prepared by a qualified acoustical consultant to determine the noise insulation requirements on a unit-by-unit basis to meet the interior noise level requirement of an Ldn of 45 dBA or less at the dwelling units. The windows and balcony doors in the dwelling units will need to be in the closed position to meet the required interior noise level. This closed window condition will need to be considered by the Mechanical Engineer in their determination of the outdoor air ventilation requirements for the dwelling units. The ventilation system must not compromise the noise reduction provided by the window and wall assembly.

- The applicant shall consider the potential for sleep and activity interference due to single-event noise in the design of the project building. Achieving a single event noise goal would likely require window and exterior wall constructions with higher sound-ratings than needed to meet the code requirement. In addition, the nighttime train and whistle noise shall be disclosed to project residents.

- Analysis of the noise insulation requirements shall be made for the nonresidential spaces such that the interior noise levels would meet the CalGreen requirement of hourly Leq of 50 dBA. The noise insulation requirements in the detailed analysis must be incorporated into the building design.

- The project sponsor shall prepare a design level analysis of the railroad induced vibration levels in the project building. The study shall consider structural design features such as stiffening the floor constructions to avoid resonant frequencies below 25 Hz. If the study indicates that the FTA criteria will be exceeded the study shall identify the areas of the building that are potentially affected.

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- The owners shall disclose the potential vibration effects to residents that may be affected by train passings. (PLANNING)
- 30 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)
- 31 SITE DEVELOPMENT PERMIT FOR REMOVAL OF TREES AND TREE REPLACEMENT/IN LIEU FEES - The following condition of approval would be applied to the proposed project due to the removal of 54 existing trees with diameters of greater than six inches (including four Heritage Trees).
The applicant shall obtain a tree removal permit from the Planning Division for removal of existing trees with a diameter of six inches or larger, prior to the issuance of a Site Development Permit or demolition building permit, whichever is issued first. 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)
- 32 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)
- 33 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

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Mateo Municipal Code Section 27.08.080 Modifications. It is recognized that the final layout and design of parking spaces in the parking garage will be refined as part of the Building Permit submittal. The final parking layout will be subject to review and approval by the City Manager. (PLANNING)

- 34 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 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; however; the final location and required 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)

Police Department (PA)

- 35 SITE FURNITURE- The building permit application plans shall show permanent site furniture accessible to the public designed and installed to prevent 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)
- 36 GARAGE EMERGENCY EGRESS PASSAGEWAY - The garage interior exit passageway shall be for emergency egress only. The building permit application plans shall show doors serving the stairwell feeding into the passageway signed and alarmed as emergency exits only. (POLICE)
- 37 VIDEO SURVEILLANCE –
- a) The applicant shall install and operate for the life of the project a video surveillance system. The information shall be maintained and retrievable for a minimum of 30 days. The captured video material shall be accessible to investigating police personnel through some form of facility management during regular business hours. The applicant shall provide proof of registration of the video surveillance camera system with the City through the City's Neighborhood

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Eyes Security Team web form (<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 vehicle passage into the garages and between different uses in the garage shall additionally be capable of capturing the front and rear of all entering and exiting vehicles that use the garage and be of sufficient quality to identify the make and model of vehicles accessing the garage, 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 lobbies; parking garages, entrances and exits to all parking garages, and changes in garage uses; parking garage emergency egress passageway; driveways; circulation areas; aisles; passageways; recesses; and grounds contiguous to all buildings. This condition is not intended to require Applicant to install pole mount cameras on the property, cameras to view these areas may be installed on the building facing out. (POLICE)

38 BUILDING SECURITY CODE COMPLIANCE - The project plans shall comply with the City's Building Security Code (San Mateo Municipal Code Chapter 23.54). (POLICE)

39 POLICE MEMORIAL MAINTENANCE - The streetlight at the northwest corner of 5th Avenue near S Claremont Street is designated as a police memorial through a sign and the light of the luminaire showing blue. This memorial shall be maintained, or the applicant shall propose an alternative design that provides a sign and blue light, complies with Public Works photometric and through zone requirements, and is reviewed and approved by the Chief of Police and City Engineer or their designees prior to the issuance of the grading, shoring, or superstructure building permit, whichever comes first. (POLICE/PUBLIC WORKS)

40 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, egress passageway, and basement levels. (POLICE)

41 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) and/or wireless "click to enter" systems at the main exterior building entrance(s) and parking garage entrance(s) for secured buildings. These access systems must allow emergency personnel to access all levels of the interior of the building. The access systems must also be installed at exterior gate locations that lead to secured areas of the site, such as interior courtyards. 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)

- 42 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)
- 43 PUBLIC SAFETY COMMUNICATIONS FOR TALL BUILDINGS –The building permit application plans shall show compliance with Security Code SMMC “23.54.020 CITY COMMUNICATION SYSTEMS – HIGH RISE BUILDINGS”, by providing for the following allowances for the placement of emergency communications equipment on the building permit plans:
- a) Enough enclosed space for the equivalent of one dedicated server rack in a locked server room that is clean, dry, and well-ventilated (this does not need to be a fire control room);
 - b) One 4” conduit from the designated server rack through the roof. The conduit shall be provided with wide radius bends, a weatherhead on the roof, and a pull string and ring;
 - c) Authorization to mount antennas on the roof. The maximum allowable distance from the designated server rack to the antenna mounting location shall be 100 feet;
 - d) One 20 amp, 120 VAC dedicated electrical circuit on the building's emergency generator. An uninterruptable power supply (UPS) may be installed by the City if the building is not provided with an emergency generator;
 - e) 12 copper cable pairs to the building's main telephone terminal; and,
 - f) Ground buss bar bonded to the building grounding system.
- This requirement is in addition to the requirement of the California Fire Code to supply a functional emergency responder radio coverage system.
(POLICE)
- 44 PARKING GARAGE SECURITY FOR MIXED USE GARAGES – The building permit application plans shall show:

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- a) Restricted access to the residential portion of the parking garage with electrically operated closures to allow passage of motor vehicles at all times.
- b) The closures, whether overhead, sliding or swinging shall be provided with reopening devices which will function to stop and reopen the closure in case the closure is obstructed when closing.
- c) Openings into the garage which are not for vehicular or human passage shall be provided with security grilles or screens.
- d) Digital keypads and/or wireless "click to enter" systems complying with SECURED BUILDING ACCESS BY EMERGENCY PERSONNEL shall be provided to allow for entry into all portions of the garage at all times.
- e) If egress doors are required by code to connect garage spaces with different uses, the egress doors shall be alarmed and monitored.
- f) Exterior doors or gates providing access into the secure areas of the parking garage shall remain locked at all times, and shall only be accessible through the use of keys, key fob or remote keyless entry system devices furnished to the building residents and shall be equipped with self-closing devices.
- g) All storage, maintenance, and trash rooms within parking garages shall have doors which cannot be locked from the inside, and that close and lock quickly and automatically upon exit.
- h) Parking spaces shall not be numbered to coincide with interior unit numbers.
- i) Lighting in the parking garage shall be in conformance with the Security Ordinance as it applies to SITE LIGHTING. No dark areas shall exist inside the parking garage (POLICE)

Public Works Department (PA)

- 45 STORM DRAIN INLETS AND WATERWAYS - The building permit application plans shall show the marking of the words "No Dumping! Flows to Bay," or equivalent, on all storm inlets surrounding and within the project site using methods approved by the City standards, consistent with the San Mateo Countywide Water Pollution Prevention Program's C.3 requirements (PUBLIC WORKS)
- 46 PERMITS REQUIRED BY OTHER AGENCIES - The applicant is hereby informed that permits or agreements may be required by one (1) or more of the following: Peninsula Corridor Joint Powers Board, Corps of Engineers, Bay Conservation and Development Commission, Fish and Game, and/or the State Lands Commission. If project is within jurisdiction of any of these agencies, verification of permit or waiver of permit must be given to the Public Works Department prior to issuance of any required City permits. If the City is required to be a party to the permit application and a fee is required, the applicant shall reimburse the City for its cost. (PUBLIC WORKS)
- 47 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)

- 48 EROSION CONTROLS - The project will be required to submit 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 per the Municipal Code 23.40.040 (a) as a standard condition of approval prior to issuance of a building and/or grading permit, subject to review and approval of the Public Works Department. Conformance with these measures will reduce soil erosion during construction. 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)
- 49 SITE REMEDIATION TRAFFIC MANAGEMENT PLAN - The Project Applicant shall prepare a Site Remediation Traffic Management Plan (SRTMP) for the transport of hazardous materials in the City's Public Right-of-Way to an off-site disposal location, as part of the site remediation process. Prior to the issuance of a demolition permit or the first permit, the applicant shall submit a SRTMP, with documented approval by the California Department of Toxic Substances Control (DTSC), to the City Engineer for review and approval. The SRTMP shall include elements for the protection of off-site members of the public, such as: designated haul routes for the transport of hazardous materials; temporary traffic control devices; travel time restrictions; and other elements as determined by the DTSC or the City Engineer. All trucks and drivers transporting hazardous materials shall comply with applicable law. The applicant shall obtain all required permits for transport of hazardous materials outside of the City's jurisdiction, as required by applicable law. (PUBLIC WORKS)
- 50 DRAINAGE - Drainage designed into landscaping with the purpose of reducing volume or improving quality of runoff from the site shall be implemented, to extent feasible, subject to the approval of the City Engineer. No increase to the peak discharge shall be permitted downstream. In addition, discharge must conform to any non point source permit issued by the Regional Water Quality Control Board. Drainage improvements made on-site shall conform to standard engineering practices and shall not allow any site drainage to impact adjacent properties. All drainage capacity calculations shall be performed by a licensed Civil Engineer, whose signed engineer's stamp shall appear on the calculations sheets, and shall be submitted to the City for review and approval with the project civil plans. The applicant shall install bioretention areas and a mechanical filter. For projects that include permanent structural controls for water quality protection, the O&M (operation and maintenance) procedures for such control features shall be submitted for review and approval prior to

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occupancy and specify the developer or occupant/property manager's responsibility to ensure their ongoing effective operation and maintenance. Such O&M responsibility requirements shall be recorded at the County of San Mateo Recorder's Office. (PUBLIC WORKS)

- 51 POLYCHLORINATED BIPHENYLS (PCB) SCREENING ASSESSMENT FORM - As per Stormwater Municipal Regional Permit requirements and City Code Section 7.39.120, Demolition Permit (DP) Applicants shall complete the PCBs Screening Assessment Form as described within the guidelines included within the Building Demolition Plan Submittal Checklist. The Form shall be reviewed and approved by the City Engineer or his/her designee, prior to issuance of a demolition, site development, or building permit, whichever occurs first. (PUBLIC WORKS)
- 52 INTERIOR FLOOR DRAINS – All interior floor drains shall be plumbed to connect to the sanitary sewer system, and shall not be connected to stormwater collection system per the San Mateo Countywide Water Pollution Prevention Program's C.3 requirements. (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. The improvement plans, specifications and traffic control plans shall be included in the Superstructure building permit submittal and substantially conform to the approved planning application. Any changes to the improvements shall be approved by the Director of Public Works or designee at their sole discretion. Design assumptions and criteria shall be submitted upon request. Project specifications shall be included for review. The traffic control plan shall comply with the most recent version of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and the City's Traffic Control Plan Requirements. Quantities for items below are provided only to determine minimum bonding requirements for the encroachment permit. The encroachment permit for right of way improvements shall include, at a minimum, the following items:
 - (A) STREET TREES - The applicant shall plant street trees to match the City of San Mateo street tree plan in effect at the time of construction. The street tree plans shall be constructed per City Standard Drawings 3-1-847, Tree Planting Details, and 3-1-933, and will include tree grates. (PUBLIC WORKS)
 - (B) SIGNAGE AND STREET MARKINGS - The applicant shall install necessary street markings and signage of a material and design approved by the City

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Engineer, and replace any that are damaged during construction. These include but are not limited to all pavement markings, painted curbs and handicap markings, and

- Lane Restriping and the removal of on-street parking per the Transportation Impact Analysis Condition of Approval,
- "Keep Clear" markings along eastbound 5th Avenue in front of the proposed project driveway,
- Bicycle lane (Class II) striping and signage on both sides of East 5th Avenue from East of the Railroad Tracks to Delaware Street
- Pavement markings for high visibility crosswalks on all approaches at the intersection of Claremont Street and 5th Avenue, and
- Pavement markings and signage for the Bicycle Boulevard on South Claremont Street along the project frontage.

All permanent pavement markings shall be thermoplastic. Color and location of painted curbs, signage and markings 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)

(C) SIDEWALK - The applicant shall replace to existing City standards all sidewalk surrounding the project site. Sidewalk replacement shall be constructed per City Standard Drawing 3-1-141A. At the time the planning application was filed, a minimum of seven thousand four hundred and seventy five (7475) square feet of sidewalk will need to be replaced. This figure is provided only to determine minimum bonding requirements for the encroachment permit.

(PUBLIC WORKS)

(D) CURB RAMPS - The applicant shall construct three (3) curb ramps in accordance with State Standard Drawing No. A88A and one (1) curb extension per the approved Planning Application plans. One (1) curb ramp shall be at the intersection of E. 5th Avenue and S. Claremont Street. The curb extension and two (2) curb ramps shall be at the intersection of E. 4th Avenue and S. Claremont St. The actual ramp "Case" shall be identified on the plans and shall be to the approval of the City Engineer. Design drawings of the curb extension and drainage shall be prepared by a licensed Civil Engineer, and subject to review and approval by the City Engineer or his/her designee. (PUBLIC WORKS)

(E) CURB AND GUTTER - The applicant shall replace to existing City standards all curb and gutter surrounding the project site. New curb and gutter shall be constructed per City Standard Drawing 3-1-141A. At the time of the planning

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application was filed, a minimum of eight hundred and five (805) linear feet of curb and gutter will need to be replaced. This figure is provided only to determine minimum bonding requirements for the encroachment permit.

(PUBLIC WORKS)

(F) DRIVEWAY APPROACH - The applicant shall install one (1) City Standard Commercial driveway approach as shown on the approved plans. The approach shall align with the entrance/exit of the garage. The new commercial driveway approach shall be constructed per City Standard Drawing 3-1-148. (PUBLIC WORKS)

(G) DRIVEWAY REMOVAL - The applicant is to remove the existing driveway approaches located on S. Claremont Street, E. 4th Avenue, and E. 5th Avenue as shown on the approved planning application plans, and replace them with sidewalk, curb and gutter per City Standard Drawing 3-1-141A. The total amount of all sidewalk, curb and gutter to be removed and replace are defined in the separate Sidewalk, and Curb and Gutter conditions. (PUBLIC WORKS)

(H) LOADING ZONE - The applicant shall install a forty (40) foot by ten (10) foot loading zone on E. 4th Avenue as shown on the approved Planning Application plans. Design drawings of the loading zone and drainage shall be prepared by a licensed Civil Engineer, and subject to review and approval by the City Engineer or his/her designee. (PUBLIC WORKS)

(I) SEWER LATERAL - The applicant shall install as a minimum two (2) – eight (8) inch and one (1) – six (6) inch City Standard sewer lateral connections from the property line to the sewer main located in the street right of way per the approved Planning Application Plans on E. 5th Avenue and S. Claremont St. The installation shall be done in accordance with City Standard Drawing 3-1-101. (PUBLIC WORKS)

(J) STORM MANHOLES - The applicant shall install three (3) standard storm manholes on E. 5th Avenue, per approved plans and in accordance with City Standard Drawing No. 3-1-104. (PUBLIC WORKS)

(K) GREEN INFRASTRUCTURE FOR SPECIAL PROJECTS - Applicant seeking Special Project Status exemption to Low Impact Development for C.3 treatment shall provide green infrastructure (GI) to the extent feasible along the project frontage facing public right of way on 4th Avenue, 4th Avenue and Claremont Street, and Claremont Street. Improvements include:

- Interceptor trees,
- Two (2) bioretention areas,
- One (1) curb extension bioretention area,
- Thirty-four (34) linear feet of storm main,

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- Fifty-six (56) linear feet of perforated storm pipe,
- Three (3) overflow catch basins, and
- Three (3) storm drain cleanouts in accordance with the guidance and specifications provided by the San Mateo Countywide Water Pollution Prevention Program, the City of San Mateo GI Plan, or as approved by the City Engineer. This figure is provided only to determine minimum bonding requirements for the encroachment permit. (PUBLIC WORKS)

(L) STREET LIGHTS - STREETLIGHTS/PHOTOMETRIC ANALYSIS - The applicant shall submit a photometric analysis showing the installation of streetlights along the project frontages, to meet the required levels shown below as recommended by the Illuminating Engineering Society (IES) Illuminance Method. 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 along the project frontages. 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 label 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), mast 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 or directed by the City Engineer along the project frontages.

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 developer's responsibility to coordinate with PG&E 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.

In addition, the streetlight at the northwest corner of 5th Avenue near S Claremont Street is designated as a police memorial through a sign and the light of the luminaire showing blue. This memorial shall be maintained, or the applicant shall propose an alternative design that provides a sign and blue light, complies with Public Works photometric and through zone requirements, and is reviewed and approved by the Chief of Police and City Engineer or their designees prior to the issuance of the grading, shoring, or superstructure building permit, whichever comes first.

PROJECT ILLUMINANCE REQUIREMENT

Roadway (IES Table 3)

South Claremont Street: Collector - High Pedestrian Conflict

East 4th Avenue: Major - High Pedestrian Conflict

East 5th Avenue: Major - High Pedestrian Conflict

Sidewalk (IES Table 5)

South Claremont Street - High Pedestrian Conflict

East 4th Avenue - High Pedestrian Conflict

East 5th Avenue - High Pedestrian Conflict

Intersections (IES Table 8)

- South Claremont Street & East 4th Avenue

*Collector/Major - High Pedestrian Conflict

- South Claremont Street & East 5th Avenue

*Collector/Major - High Pedestrian Conflict (PUBLIC WORKS)

54 CONDITION #54 HAS BEEN DELETED

55 SEPARATE WATER METERS - When a development includes multiple uses, there shall be a separate water meter for the residential use and a separate water meter for the other development use. This will facilitate the accurate assessment of the Sewer Service Charge, which is based on water use and customer class. (PUBLIC WORKS)

56 COVERED PARKING GARAGE DRAINAGE - The building permit application plans

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shall show that water from the covered parking garage shall not be discharged onto the public street and shall be discharged to the City's sewer system. If required by the City Engineer, The applicant shall design a sewer system to separate the oil and water and connect to the City's sanitary sewer system. The design shall be done by a licensed Civil Engineer who shall provide hydraulic calculations and drawings subject to the approval of the City Engineer. (PUBLIC WORKS)

- 57 PARKING LOTS - The applicant shall submit plans for all required off street parking lots showing proper grading, drainage, and ramps profile. With exception of parking dimensions, the plans shall conform City Standards. Parking dimensions shall substantially conform to the approved Planning Application Plans (PA-2020-055) as determined by the Director of Public Works or his/her designee. Plans shall also include details and specifications of pedestrian striping, pedestrian safety measures (including but not limited to, a pedestrian warning system at the entrance and exit of the garage), bollards and bollard locations, pay stations and pay station locations, type of parking space, and real-time parking occupancy system in coordination with the City. The plans shall be approved by the Director of Public Works or his/her designee prior to the issuance of the Superstructure Building. (PUBLIC WORKS)
- 58 CLEAN, INSPECT AND REPAIR STORM LINE - The applicant shall clean and inspect (via remote TV camera) the storm line from the manhole upstream to the manhole downstream of the project area (MH 13H:17 to MH 13H:03; CB13H:55 to CB13H:60; CB13H:60 to CB13H:23). The video inspection shall be done by a professional video inspection company, to City standards, and be completed prior to building permit issuance. The video of the inspection shall be reviewed with the Department of Public Works and any cracked or broken areas of the line along the project frontage shall be repaired by the applicant at his expense. The required repairs, 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 storm line shall be completed and approved prior to connection from the project site. (PUBLIC WORKS)
- 59 NOTICE OF INTENT - 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 along with a Storm Water Pollution Prevention Plan (SWPPP) prepared by a qualified SWPPP designer prior to issuance of the STOPPP Construction permit. (PUBLIC WORKS)
- 60 UNDERGROUND UTILITIES - The building permit application plans shall show the installation of all new, and upgraded, utility service, including telephone, electric power, and other communications lines underground to the building in

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accordance with City of San Mateo Municipal Code 26.32.020. (PUBLIC WORKS)

- 61 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. (PUBLIC WORKS)
- 62 REMOVAL OF PG&E EASEMENT - The applicant shall quitclaim or revise the language of the 10' wide PG&E easement on 480 East 4th Avenue (Refer to Recorded Document Number 98-103943 recorded on July 1, 1998). (PUBLIC WORKS)
- 63 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 service 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 occupant or property manager. 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)
- 64 TRIANGULAR AREA OF VISIBILITY – The building permit application plans shall show that the installation of landscaping and permanent structures located within the 10' triangular area of visibility at the driveway, and any triangular area of visibility at any project corner meets the requirements of a minimum vertical clearance of 7', and/or are less than 3' in height. This includes all PG&E above ground structures and other utility facilities. (PUBLIC WORKS)
- 65 ADDRESS PLAN - The applicant shall submit to the Public Works Department a final 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 demolition permit, building permit, or site development permit and shall be satisfied prior to issuance of whichever permit is issued first. (PUBLIC WORKS)
- 66 CLEAN, INSPECT AND REPAIR SANITARY SEWER - The applicant shall clean and inspect (via remote TV camera) the mainline sewers from the manholes upstream to the manholes downstream of the project lateral connections on E. 5th Avenue and S. Claremont Street (MH 263:27X to MH 263:38X; MH263:26X to MH263:39X; and MH263:35X to MH263:37X). The video inspection shall be done by a

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professional sanitary sewer video inspection company, to City standards, and be completed prior to building permit issuance. The video of the inspection shall be reviewed with the Department of Public Works and any cracked or broken areas of the line along the project frontage shall be repaired by the applicant at his expense. The required repairs (spray foam-RazoRooter or flushing, or removal of roots, or 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)

- 67 TRASH CAPTURE DEVICES – The applicant shall install trash capture devices in all storm drain inlets around the exterior frontages that lead directly to the off-site storm drain system. Locations of devices are on E. 5th Avenue for both the residential and garage frontages. Devices shall be approved by the City Engineer or designee. Trash capture devices are required on site consistent with the State Water Resources Control Board definition of Full Capture System. All on-site trash capture devices shall be cleaned routinely and maintained by the developer or occupant per the Stormwater Management Facilities Maintenance Agreement. The building permit application plans shall show trash capture devices. (PUBLIC WORKS)
- 68 GREEN INFRASTRUCTURE - Applicant shall install green infrastructure (GI) improvements in the Public sidewalk planter area, including interceptor trees, bioretention areas, a curb extension, and a drainage system (e.g. curb cuts, underdrain/storm lines, overflow catch basins, and cleanouts) per the approved Planning Application plans. The improvements shall be in accordance with the guidance and specifications provided by the San Mateo Countywide Water Pollution Prevention Program, the City of San Mateo GI Plan, or as approved by the City Engineer. Drainage capacity calculations shall be performed by a licensed Civil Engineer, whose signed engineer's stamp shall appear on the calculations sheets, and shall be submitted to the City for review and approval with the project Civil Plans. The developer or occupant/property manager is responsible for the operation and maintenance set forth in the Stormwater Management Facilities Maintenance Agreement. (PUBLIC WORKS)
- 69 GUY WIRE CLEARANCES - The applicant shall provide documentation for required clearances between the guy wire pole and guy wires from the proposed City garage frontage and pedestrian bridge on 5th Avenue. If the applicant cannot show compliance to required clearances, the applicant shall implement an alternate plan as approved by the guy wire pole owner. (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)

- 70 SOLAR PHOTOVOLTAIC SYSTEM - The buildings shall be provided with the solar photovoltaic systems of not less than the minimum wattage required by Section 23.24.030 of the City of San Mateo Municipal Code. (BUILDING)
- 71 PUBLICLY FUNDED RESIDENTIAL BUILDING - Accessibility requirements for a publicly funded residential building shall comply with the provisions of Chapter 11B of the California Building Code. (BUILDING)
- 72 VAPOR BARRIERS/PASSIVE VENTING - The project applicant shall, to the extent required by the Department of Toxic Substances Control (DTSC), install vapor barriers and/or passive venting beneath the proposed residential building on the 480 East 4th parcel to the satisfaction of DTSC. To the extent so required, the applicant shall include the improvement on the project plans prior to approval of the Foundation and/or Superstructure building permit application, whichever comes first. (BUILDING)

Fire Department (PA)

- 73 CONSTRUCTION TYPE- Provide the building(s) construction types on the cover sheet. (FIRE)
- 74 GURNEY SIZE ELEVATOR - Provide one gurney size elevator. Refer to the 2016 California Building Code, Section 3002.4.1(a) for reference. (FIRE)
- 75 FIRE CONTROL ROOM - Provide a fire control room for the mid rise building per SMMC 23.28.190. (FIRE)
- 76 TWO WAY COMMUNICATION - A two-way communication system shall be provided at each elevator landing. Refer to 2016 California Fire Code, Section 1009.8. (FIRE)
- 77 EMERGENCY RESPONDER RADIO COVERAGE - Provide third party testing report to the Fire Department. System shall be submitted under a separate permit. (FIRE) (FIRE)

Public Works Department (PA)

- 78 PARK IN-LIEU/IMPACT FEES: The applicant shall pay a park impact fee (SMMC Section 13.05.070) or a fee in-lieu of dedication of lands for park and recreation purposes (park in-lieu fee) (SMMC Chapter 26.64). The final fees shall be determined upon approval of the final map for the park In-lieu fee or prior to the

issuance of each building permit for the park impact fee. The park in-lieu fee shall be paid prior to final inspection or the date the certificate of occupancy is issued for the residential structure, whichever occurs first. 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 park impact fee only prior to the issuance of the first building superstructure permit. (PUBLIC WORKS).

- 79 TRANSPORTATION IMPACT ANALYSIS - The applicant shall implement all conditions per the Transportation Impact Analysis (408 E. 4th Avenue Residential Development Report, General Plan Conformance Transportation Analysis, dated 6/5/2020) and the Transportation Section of the Mitigated Negative Declaration. The design drawings shall be prepared by a Licensed Civil Engineer, and reviewed and approved by the City Engineer prior to issuance of the Superstructure Permit. The conditions are as follows:

RESTRIPING AND RETIMING: Restripe eastbound 5th Avenue with two through lanes. Two through lanes are required east of the proposed project driveway to the Delaware Street intersection. At the Claremont Street intersection, eastbound 5th Avenue would be restriped with one shared left-through lane and one shared through-right lane. At the Delaware Street intersection, eastbound 5th Avenue would be restriped with one left-turn lane and one shared through-right lane. To accommodate the expected volumes under background plus project conditions, the intersection of Delaware Street and 5th Avenue would require signal retiming.

KEEP CLEAR MARKINGS: Install "Keep Clear" markings along eastbound 5th Avenue in front of the proposed project driveway to facilitate vehicles accessing the proposed garage.

IMPLEMENTATION OF CLASS II BIKE LANES ON 5TH AVENUE: Implement Class II bike lanes per the 2020 Bike Master Plan along both sides of 5th Avenue, from East of the Railroad tracks to Delaware Street.

CROSSWALKS: Install high visibility crosswalks at the intersection of Claremont Street and 5th Avenue on all approaches to complete the pedestrian network within the immediate project vicinity.

REMOVAL OF ON-STREET PARKING: Remove all on-street parking along both sides of 5th Avenue from East of the Railroad Tracks to Delaware Street for lane restriping, implementation of bike lanes and sight visibility as outlined in this condition.

(PUBLIC WORKS)

- 80 GROUND LEASE - The applicant shall execute a ground lease, or equivalent agreement, authorizing the location and use of a pedestrian bridge above and across East 5th Avenue, prior to the issuance of the first building permit. (PUBLIC WORKS)
- 81 TRANSPORTATION IMPROVEMENT FEE - The applicant shall pay a fee

proportional to the project's share of transportation improvements needed to serve cumulative development within the City of San Mateo. The fee amount for the residential structure will be based upon the City Council resolution in effect at the time of residential Superstructure building permit issuance. The fee amount for the garage structure will be based upon the City Council resolution in effect at the time of garage Superstructure building permit issuance. The fee shall be collected by the Public Works Department and paid prior to final inspection or the date the certificate of occupancy is issued for the residential structure, whichever occurs first. (PUBLIC WORKS)

82 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. The fee amount for the residential structure will be based upon the City Council resolution in effect at the time of residential Superstructure building permit issuance. The fee amount for the garage structure will be based upon the City Council resolution in effect at the time of garage Superstructure building permit issuance. The fee shall be collected by the Public Works Department and paid prior to final inspection or the date the certificate of occupancy is issued for the residential structure, whichever occurs first. (PUBLIC WORKS)

83 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. The fee amount for the residential structure will be based upon the City Council resolution in effect at the time of residential Superstructure building permit issuance. The fee amount for the garage structure will be based upon the City Council resolution in effect at the time of garage Superstructure building permit issuance. The fee shall be collected by the Public Works Department and paid prior to final inspection or the date the certificate of occupancy is issued for the residential structure, whichever occurs first. (PUBLIC WORKS)

84 PRIVATELY-LEASED PUBLIC PLAZA – The privately-leased plaza shall be accessible to the public, subject to reasonable use limitations, including hours. The applicant shall enter into a ground lease with the City, which sets forth: the hours of public access, the procedures for modifying the hours of public access, the applicant's controls over the plaza, and the applicant's ability to close public access under specified circumstances. Applicant is responsible for maintenance of the plaza. The building permit for the Superstructure shall show design details for features within the plaza, including signage, subject to review and approval by the City Engineer and Zoning Administrator. Signage shall include but not be limited to, hours of public access. (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.

Fire Department (PA)

- 85 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)

- 86 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)
- 87 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)
- 88 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)
- 89 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

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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.
(PLANNING)

- 90 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)

Public Works Department (PA)

- 91 RESTORATION OF ROADWAY – Due to the anticipated project’s truck traffic the applicant shall grind and overlay with 2.5 inches of asphalt concrete the roadways anticipated to be damaged as a result of construction activities within the general area of the project or along the designated haul route. 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 S. Claremont Street, E. 4th Avenue, and E. 5th Avenue for the entire width and length of the roadways along the project frontages. 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)
- 92 TRANSPORTATION MANAGEMENT ASSOCIATION (TMA) – This project is required to participate in the TMA, including annual payment of membership dues, when it has been established by the City and to pay \$15,000 toward the formation of the TMA or for planning and implementation of TDM measures in the Downtown area. The TMA will develop TDM measures and make them available to both existing and future development within the Downtown area. Payment shall be made prior to issuance of the building permit. (PUBLIC WORKS)
- 93 GARAGE LICENSE AND EASEMENT AGREEMENT - The applicant shall execute a garage license and easement agreement, or equivalent documents, with the City of San Mateo for access and use of the dedicated private residential parking within the City-owned garage. This agreement shall be executed prior to occupancy. (PUBLIC WORKS)
- 94 STORMWATER 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 stormwater treatment facilities both on-site and in the Public Right-of-Way (Green Infrastructure) and designate the developer or occupant/property manager as the

responsible party for O&M. The agreement shall be approved by the Director of Public Works, notarized by both parties, and recorded at the County of San Mateo Recorder's office. This agreement shall be recorded prior to the first occupancy of the building. (PUBLIC WORKS)

- 95 TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM – A Transportation Demand Management (TDM) Program has been prepared for this project (refer to the 480 E. 4th Avenue Residential Development Report, Transportation Demand Management Plan, dated 5/21/2020). It is anticipated that property management will continue to modify and refine the TDM program over time to best achieve the trip reduction target, address market conditions, and respond to tenant needs, which may include TDM measures not currently listed in the TDM plan when they may be found to be more effective in reducing vehicle trips. A written letter to the Public Works Director on an annual basis will include an assessment of compliance with the Transportation Management Plan including mode split survey results, by the end of the calendar year (December 31st). Additionally, it shall be a requirement that the developer or their designee participate in the formation of the Downtown Transportation Management Agency (TMA) and make payment towards the formation of the TMA or for planning and implementation of TDM measures in the Downtown area. (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)

- 96 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:

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(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

(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)

97 * MM NOI-1.2: The project applicant shall incorporate the following mitigation measures into the proposed project to minimize the impact of construction noise on existing sensitive receptors.

- A construction noise logistics plan shall be prepared that specifies hours of construction, noise and vibration minimization measures, posting or notification of construction schedules, and designation of a noise disturbance coordinator who would respond to neighborhood complaints will be required to be in place prior to the start of construction and implemented during construction.
- Construction activities shall be governed by the City's Municipal Code, unless permission is granted with a development permit or other planning approval. All

construction activities will occur within the following times:

- o Weekdays: between 7 am and 7 pm
- o Saturdays: between 9 am and 5 pm
- o Sundays and Holidays: between 12 pm and 4 pm or at other such hours as authorized or restricted by the permit, so long as they meet the following

conditions:

- Hours for work in the City Right-of-Way are more restrictive based on Public Works Condition of Approval.
- All construction equipment shall be equipped with mufflers and sound control devices (e.g., intake silencers and noise shrouds) that are in good condition and appropriate for the equipment.
- Maintain all construction equipment to minimize noise emissions.
- Stationary equipment shall be located on the site so as to maintain the greatest possible distance to the sensitive receptors.
- Unnecessary idling of internal combustion engines should be strictly prohibited.
- Residential uses within 500 feet and commercial or office uses within 200 feet of the project site shall be notified of the construction schedule in writing.
- The construction contractor shall provide the name and telephone number an on-site construction liaison. In the event that construction noise is intrusive to the community, the construction liaison shall investigate the source of the noise and require that reasonable measures be implemented to correct the problem.

(BUILDING)

Fire Department (PA)

98 FIRE SAFETY DURING CONSTRUCTION - Buildings under construction shall comply with the requirements of the California Fire Code. All additional fire permits required by the California Fire Code shall be obtained from the Bureau of Fire Protection and Life Safety. (FIRE)

99 FIRE-SAFETY DURING DEMOLITION - Building(s) under construction or demolition shall comply with the California Fire Code. In addition to the requirements of Chapter 14 the following items shall be followed during the demolition of any structure.

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)

100 FIRE APPARATUS ACCESS - The applicant shall maintain a not less than 20 ft wide clear all weather surface (paving) for emergency vehicle access. This access shall be provided and approved by the fire department before any construction or

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combustible material will be allowed. (FIRE)

- 101 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 prior approval of the City of San Mateo Fire Chief, or his/her designee. (FIRE)
- 102 BUILDING EGRESS: Adjacent buildings/properties shall not have their required egress restricted or compromised at any time during the construction of this project. (FIRE)
- 103 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)

Parks and Recreation Department (PA)

- 104 TREE PROTECTION MEASURES - All required Tree Protection Measures are to remain in place and properly maintained during all phases of construction. The Contractor is to notify the Project Arborist in advance when construction operations are to be performed within the drip line of protected trees. (e.g. trenching, excavation, grade changes) Adjustment of Tree Protection Measures require approval from the Project Arborist. (PARKS AND RECREATION)

Planning Division (PA)

- 105 * MM CUL-2.2 - In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The San Mateo County Coroner shall be notified and make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines. (PLANNING)
- 106 PALEONTOLOGICAL RESOURCES - Should any potentially unique paleontological resources (fossils) 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. (PLANNING)

- 107 * MM BIO-4.1 - Construction activities (or at least the commencement of such activities) should be scheduled to avoid the nesting season to the extent practicable. 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.

* MM BIO-4.2 - If it is not practicable 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 active 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.

* MM BIO-4.3 - 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.

* MM BIO-4.4 - If 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). (PLANNING)

- 108 HERITAGE TREE PROTECTION - The following condition of approval would be applied to the proposed project due to the retention of two Heritage Trees on-site.

- The applicant shall protect all Heritage Trees designated to remain from damage during construction. Tree protection shall comply with all provisions of the Heritage Tree Ordinance, approved Tree Protection Plan contained in the approved project arborist's report, and any requirements imposed by the City. The following tree protection measures shall be shown on building permit

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drawings:

- o All recommendations for tree protection contained in the approved Tree Protection Plan contained in the approved project arborist's report, and/or additional requirements imposed by the City.
- o Protective fencing shall be located at the drip line of existing major vegetation to remain. This protective fencing shall be constructed of solid wood, chain link, or other solid materials subject to approval of the Zoning Administrator.
- o Oil, gas, chemicals, or construction materials shall not be stored within the drip line of trees that are designated to be preserved.
- o Signs, wires, or other types of obstructions shall not be attached to trees.
- o Trenching under the drip line of trees is to be avoided. If trenching is necessary, trenches are to be hand dug and major roots retained.
- o All tree protection measures shall be constructed prior to issuance of a grading permit, demolition permit, or building permit. The Project Arborist shall submit a letter and photos to the Project Planner verifying that all tree protection measures are properly implemented prior to the issuance of the first building permit.
- o All approved and installed Heritage Tree protection measures shall be maintained throughout the period of construction. The Project Arborist shall complete inspections on an as-needed basis during the construction period and shall submit a monthly report of his/her findings in a letter sent by fax or email to the City Planner assigned to this project. (PLANNING)

- 109 * MM CUL-2.1 - Archaeological monitoring shall occur for removal of the asphalt/concrete pavement, potholing, tree removal, and other ground disturbing activities prior to construction. If a sufficient subsurface sample has not been observed and documented by an archaeologist, mechanical presence/absence exploration shall occur to access the stratigraphy for the entire project APE. If this monitoring and trenching effort cannot be considered because of construction deadlines and methods, a suite of mechanical coring at both locations can be implemented as a logistical alternative. The depth would be commensurate with proposed impacts detailed in the vertical component to the Project APE. Given the size of the core samples, the samples may not yield sufficient information to make reliable conclusion as to the intactness of a potential archaeological resource. If archaeological deposits or features that appear eligible to the National Register of Historic Places are identified during exploration, an archaeological research design and work/treatment plan shall be prepared to facilitate archaeological excavation and evaluated any feature or deposit discovered to the National Register. Native American involvement and monitors will be needed for any Native American resources identified.

If buried, or previously unrecognized archaeological deposits or materials of any

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kind are inadvertently exposed during any construction activity, work within 50 feet of the find shall cease until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. Construction and potential impacts to the area(s) within a radius determined by the archaeologist shall not recommence until the assessment is complete and accepted by the Community Development Department. (PLANNING)

Public Works Department (PA)

110 HOLIDAY CONSTRUCTION MORATORIUM – Due to concerns for businesses within the Downtown area during the holiday season (November 20 to January 1), there shall be no construction activities within the right-of-way which would create lane closures, eliminate parking, create pedestrian detours, or other activities that may create a major disturbance as determined by the City Engineer. For purposes of this condition, the limits of the Downtown area shall be defined as: between El Camino Real on the west and Delaware Street on the east, Tilton Avenue on the north, and Fifth Avenue on the south. The prohibition shall also include the 3rd and 4th Avenue corridors between Delaware Street and U.S. 101. (PUBLIC WORKS)

111 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 Project Site: US 101 North/South to 3rd Ave West to Claremont Street to Project Site.

From Project Site: Project Site to Claremont Street to 4th Avenue to US 101 North or South, or as approved by the City Engineer.

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)

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

(A) Construction activities related to the issuance of any Public Works permit shall be restricted to the weekday between 7:00 a.m. and 7:00 p.m. Please note, however, that no work shall be allowed to take place within the City right-of-way after 5:00 p.m. In addition, no work being done under the issuance of a Public Works encroachment permit may be performed on the weekend unless prior approvals have been granted by Public Works. Earth haul and materials delivery to and from the site, including truck arrivals and departures to and from the site, will be prohibited between the weekday hours of 4:00 p.m. 5:30 p.m. Signs outlining these restrictions shall be posted at conspicuous locations on site. The signs shall be per the City Standard Drawing for posting construction hours. The sign shall be kept free of graffiti at all times. Contact the Public Works Department to obtain sample City Standard sign outlining hours of operation. The allowed hours of Public Works construction activities may be waived or modified through an exemption, for limited periods, if the City Engineer finds that:

(i) The following criteria are met:

(a) 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

(b) Permitting extended hours of construction are required to accommodate design or engineering requirements, such as a large concrete pour. Such a need would be determined by the project's design engineer and require approval of the City Engineer.

(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. If such a condition exists, the City may waive any of the remaining requirements outlined below.

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

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(iii) The contractor or developer 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 extended construction activity.

(iv) 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 developer 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 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 will not be 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)

- 113 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:
<https://www.flowstobay.org/preventing-stormwater-pollution/with-new-redevelopment/construction-best-practices/> (PUBLIC WORKS)

The following conditions shall be complied with AT ALL TIMES that the use permitted by this

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planning application occupies the premises.

City Attorney (PA)

- 114 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)
- 115 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)

Fire Department (PA)

- 116 DESIGNATED EMERGENCY VEHICLE ACCESS - All required Emergency Vehicle Accessways, including red curbs, curb lettering and fire lane signs shall be maintained at all times that the use permitted by this planning application occupies the premises. (FIRE)

Planning Division (PA)

- 117 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)

- 118 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, Railroad Avenue sidewalk adjacent to the residential structure, 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, except for the portion of the Railroad Avenue sidewalk adjacent to the residential structure. (POLICE)

- 119 PUBLIC SAFETY COMMUNICATIONS FOR TALL BUILDINGS, ACCESS AND SECURITY - The applicant shall allow 24 hour, 7 day per week access to the dedicated public safety communications radio server rack and antenna(s) for maintenance purposes at all times that the use permitted by this planning application occupies the premises. If the City installs radio equipment, applicant shall take reasonable measures to secure and safeguard City equipment from theft or vandalism. (POLICE)

Public Works Department (PA)

- 120 POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP) – The project shall comply with all City of San Mateo’s ordinances, policies, and processes regarding the post-construction treatment of stormwater runoff. Specifically, a Stormwater Management Plan (SWMP) will be developed, prior to issuance of building permits for project construction, to ensure compliance with City of San Mateo and Municipal Regional Permit (MRP) requirements. The SWMP will meet the criteria for stormwater protection outlined in the San Mateo Countywide Water Pollution Prevention Program C.3 Stormwater Technical Guidance. The project shall implement site design and source control BMPs for minimizing the volume of runoff and pollution in runoff to the extent practicable, per the MRP. These BMPs may include the following:
- Disconnected downspouts that are directed into landscape areas;
 - Minimization of impervious surfaces and increased use of permeable pavement where feasible;
 - Location of all storm drain inlets to be stenciled with, “No Dumping! Flows to Bay” to discourage illegal dumping;
 - Location and design of trash enclosures (all shall be covered) and materials handling areas;
 - Use of effective, site-specific erosion and sediment control methods during post-construction periods. (PUBLIC WORKS)

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121 PUBLIC SIDEWALK ON PRIVATE PROPERTY - The portion of private property at the corner of 5th Avenue and Claremont Street within the 25' corner sight triangle as shown on the approved Planning Application plans shall be accessible to the Public. The land shall be kept free and clear of all obstructions and paved per City sidewalk and current accessibility standards. (PUBLIC WORKS)

122 HYDROLOGY AND WATER QUALITY - The following conditions, based on RWQCB requirements and City of San Mateo Standard Conditions of Approval, shall be implemented by the project in order to reduce potential construction-related water quality impacts:

- Construction best management practices (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:
 - o Avoid or minimize excavation and grading activities during wet weather, unless the City approves a winter erosion control plan submitted by the applicant.
 - o 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.
 - o Provide permanent cover as soon as is practical to stabilize the disturbed surfaces after construction has been completed.
 - o Protect existing storm drain inlets in the project area from sedimentation with filter fabric fences gravel bags block and gravel filters.
 - o Cover and stabilize stockpiled soil and materials with tarps, geotextile fabric, hydroseeding and/or erosion control blankets
 - o Install berms or silt fencing around stockpiled materials to prevent stormwater runoff from transporting sediment off-site
- The applicant shall comply with the Stormwater Pollution Prevention Program Construction (SWPPC) permit requirements and prepare a Stormwater Pollution Prevention Plan (SWPPP) (San Mateo Municipal Code Section 7.39).
- The project does not propose substantial excavation and is not expected to encounter groundwater; however, groundwater levels at the site are relatively shallow and the project could require dewatering of subsurface groundwater during construction. 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 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. (PUBLIC WORKS)

123 POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP) – In accordance

City of San Mateo Planning Application
Conditions of Approval

PA-2019-033, City-Owned Downtown Affordable Housing and Parking Garage Sites, SPAR (2) + SDPA + SUP

As Approved on August 17, 2020, And Modified on November 16, 2020, And May 17, 2021

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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:

A. Developer or occupant/property manager 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 \$261.00 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-2021-013, 480 E. 4TH AVENUE (KIKU CROSSING) AND 400 E. 5TH AVENUE (PARKING GARAGE) – SITE PLAN AND ARCHITECTURAL REVIEW MODIFICATION

480 E 4TH AVE A, SAN MATEO, CA 94401-3349; 400 E

5TH AVE A, SAN MATEO, CA 94401-3349

PARCEL # 034183060

AS APPROVED BY THE CITY COUNCIL ON 5/17/2021

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.

Parks and Recreation Department (PA)

- 1 Prior to Building Permit issuance, the arborist report/tree protection plan shall be reproduced on one or more full-size sheets of the plan set, consistent with the arborist report/tree protection plan submitted for PA-2019-033. (PARKS AND RECREATION)
- 2 Prior to Building Permit issuance, the site plan containing tree protection measures shall be incorporated into the full plan set, consistent with the site plan containing tree protection measures submitted for PA-2019-033. (PARKS AND RECREATION)

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.

Public Works Department (PA)

- 3 UTILITY CLEARANCES AND UTILITY BOXES – Plans shall show compliance with required clearances between proposed an existing utilities and utility appurtenances. Proposed utility boxes and vaults shall be shown out of the Public Right-of-Way to the maximum extent feasible. The proposed utility box locations shall be refined during the Building Permit stage and reviewed and approved by the Director of Public Works prior to Superstructure Building Permit issuance for each structure. The applicant's Licensed Surveyor shall prepare Plat and Legal Descriptions for required easements on the parcels for review and approval. (PUBLIC WORKS)

City of San Mateo Planning Application

Conditions of Approval

PA-2021-013, 480 E. 4th Avenue (Kiku Crossing) and 400 E. 5th Avenue (Parking Garage) – Site
Plan and Architectural Review Modification

As Approved on 5/17/2021

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** **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.*