

**CITY OF SAN MATEO
RESOLUTION NO. __ (2022)**

**RESOLUTION TO VACATE PROJECT DENIAL AND APPROVE A SITE PLAN AND ARCHITECTURAL REVIEW, SITE
DEVELOPMENT PLANNING APPLICATION, AND VESTING TENTATIVE MAP TO CONSTRUCT A 10 UNIT
RESIDENTIAL CONDOMINIUM BUILDING AND ASSOCIATED PARKING, LANDSCAPING, SIDEWALK
IMPROVEMENTS, AND COMMON AREAS AT 4 WEST SANTA INEZ AVENUE
(APNS 032-075-010 AND 032-075-100)
(PA-2015-104, 4 W. SANTA INEZ AVENUE CONDOS)**

WHEREAS, the owner of certain real property (the “Applicant”) commonly known as 4 West Santa Inez Avenue (APN Nos. 032-075-010 and 032-075-100) (the “Property”) submitted Planning Application PA-2015-104 to the Planning Division for a Site Plan and Architectural Review (SPAR), Site Plan and Site Development Planning Application (SDPA), and a Vesting Tentative Map (VTM) to merge two parcels, remove twenty-two (22) trees with diameters 6-inches or larger, and construct a 10-unit, 15,322 square-foot residential condominium building, and associated parking, landscaping, sidewalk improvements, and common areas on the Property (collectively referred to as the “Project”) in the City of San Mateo (“City”); and

WHEREAS, San Mateo Municipal Code Section 27.06.040 requires final action from the Planning Commission for projects which include Site Plan and Architectural Review for projects of six or more dwelling units; and,

WHEREAS, following duly noticed public meetings held on August 8, 2017, September 26, 2017, and October 10, 2017, the Planning Commission voted to deny the Project; and

WHEREAS, San Mateo Municipal Code Section 27.06.050 requires final action from the City Council for appeals from the decisions of the Planning Commission; and

WHEREAS, on October 20, 2017, the Applicant appealed the Planning Commission denial of the Project to the City Council; and

WHEREAS, on February 5, 2018, the City Council held a duly noticed public hearing and upheld the Planning Commission denial of the Project; and

WHEREAS, on July 12, 2019, the Applicant filed a petition for a writ of administrative mandamus to overturn the City’s denial of the Project; and

WHEREAS, on December 16, 2021, following a published Court of Appeal decision, the Superior Court entered a judgment (“Judgment”) requiring the City to vacate its 2018 denial of the Project and to reconsider the Project; and

WHEREAS, approval of the Applicant’s proposal is considered a project for purposes of the California Environmental Quality Act, Pub. Resources Code §21000, et seq. (“CEQA”); and

WHEREAS, the City finds that the Project is categorically exempt from CEQA in accordance with CEQA Guidelines Section 15332, "In-Fill Development Projects;" and

WHEREAS, the City finds that the Project is consistent with the applicable policies of the General Plan and other applicable policies, as further set forth in Exhibit A; and

WHEREAS, on February 7, 2022, the City Council held a duly noticed public hearing for the Project at which all public comments were considered; and

WHEREAS, all findings are set forth in Exhibit A, and all Conditions of Approval are set forth in Exhibit B.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:

1. CEQA. The City Council finds on the basis of the whole record before it that the Project is categorically exempt from the provisions of CEQA as "infill development" under CEQA Guidelines Section 15332, based on the findings and determinations set forth in Exhibit A, attached hereto and incorporated by reference.
2. Vacation of Project Denial. City Council Resolution No. 18 (2018), which upheld the Planning Commission's denial of the Project and denied the appeal, is rescinded, and the City Council's denial of the Project is vacated.
3. Project Approval. The Project (PA-2015-0104), located at 4 West Santa Inez Avenue (APNs: 032-075-010 and 032-075-100), is approved based on the findings set forth in Exhibit A, and subject to the Conditions Of Approval set forth in Exhibit B, attached hereto and incorporated by reference.

EXHIBIT A - FINDINGS

I. CEQA DETERMINATION

- A. In accordance with CEQA Guidelines Section 15332, the Project qualifies as “infill development” and is therefore categorically exempt from the provisions of CEQA because it satisfies the requirements set forth below.

1. As described below, the Project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as the applicable zoning designation and regulations.
2. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses because the Project site is located within the City limits on an a project site of 0.71 acres.
3. The Project site has no value for endangered, rare, or threatened species because the Project site does not contain nor is located near any riparian habitat or sensitive natural community, or any species identified as a candidate, sensitive, or special status species, nor any species identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

The Project will not have a substantial adverse effect on federally protected wetlands through direct removal, filling, hydrological interruption, or other means, and will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

The Project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, nor will it conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

The Project will not impact any threatened or endangered biological resources. The Project will include the removal of 22 trees, planting 16 trees on the Property and 12 street trees. The Project applicant will pay a fee in lieu for the difference between the number of trees removed and the number of new trees to be planted.

4. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality because a Transportation Impact Analysis (TIA) prepared by the City’s traffic consultant (Hexagon Transportation Consultants) concluded that while the Project is expected to generate 47 net new daily trips with 8 net new peak hour trips, it will not result in the study intersections operating at an unacceptable level of service and will not cause adverse Level of Service (LOS) effects. Furthermore, due to the proximity of the project site to an existing, well-established transit system (Caltrain & SamTrans), the estimated trips may be less than anticipated, thus, the project will have a minimal or less impact to the existing traffic load.

The Project will not conflict with an applicable congestion management program and will not

result in a change in air traffic patterns because the Project will not substantially increase hazards due to a design feature or incompatible uses, result in inadequate emergency access or inadequate parking capacity, conflict with other adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Approval of the Project will not result in any significant effects relating to noise because the Project will not expose persons to or generate noise levels, ground borne vibration, or ground borne noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards, and will not create a substantial permanent increase in ambient noise levels in the project vicinity above existing levels. A substantial temporary or periodic increase in ground borne vibration and ambient noise levels in the Project vicinity above levels existing without the Project may occur, but only during construction. Noise generated during construction would differ depending on the construction phase and the type and amount of equipment used at the construction site. The applicant will be required to abide by the conditions of approval, construction work hours, and comply with the City's Noise Ordinance.

The Project will not result in any significant effects relating to air quality because it will not conflict with or obstruct implementation of the applicable air quality plan, violate any air quality standard or contribute substantially to an existing or projected air quality violation, result in a cumulatively consideration net increase of any criteria pollutant, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors affecting a substantial number of people. The Project will have a limited impact on air quality and would not subject customers or employees of nearby businesses, visitors, residents, and/or neighbors to objectionable odors. Additionally, the Project would not result in additional exposure of sensitive receptors to substantial pollutant concentrations in the long term but has the potential to generate dust and other pollutants, during demolition, grading, and construction. However, the impact of dust generated by demolition, grading and/or construction activities is temporary in nature and limited to site preparation and future construction of the new residential development. The City of San Mateo's Public Works Department has included conditions of approval to minimize dust and vehicle emissions during grading and construction activities.

Approval of the Project will not result in any significant effects relating to water quality because it will not violate any water quality standards or waste discharge requirements or substantially deplete groundwater supplies or interfere substantially with groundwater recharge as the site is not serviced by nearby wells, nor will it alter the existing drainage pattern of the site or area, create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems.

5. The site can be adequately served by all required utilities and public services because the Project will be subject to various impact fees, and is located in an urbanized area served by municipal services, therefore it is not anticipated to significantly impact public services or require the additional construction of public facilities as the proposed multi-family residential use can be accommodated with existing levels of service. The Project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, require or result in the construction of new storm water drainage facilities or expansion

of existing facilities. The Public Works department has determined that there is adequate infrastructure capacity serving the site to adequately handle the increases.

II. FINDINGS

A. GENERAL PLAN CONFORMITY.

The Project conforms to the applicable Land Use Element policies of the City's General Plan as outlined below.

1. In accordance with Policies LU 1.6 and LU 1.7, which encourage the facilitation of housing production by carrying out the goals and policies in the Housing Element and seek to allow multi-family areas to develop at densities delineated in the Land Use Plan, the proposed Project creates ten residential units and proposes the maximum dwelling units per acre (du/ac) that is permitted by the General Plan.
2. In accordance with Policy LU 3.3, which encourages residential uses in this area, the Project will redevelop the project site to maximize the development potential of the site, create additional residential housing, achieve and retain the high-density residential character of the North El Camino corridor, and encourage pedestrian activity.
3. In accordance with Specific Area Policy PA 1.1, which seeks to retain the high-density residential character of the area between Peninsula and Tilton Avenues, the Project will redevelop two parcels currently developed with single-family residence to achieve the high-density residential land use as envisioned in the General Plan.

The Project conforms to the applicable Circulation Element policies of the City's General Plan as outlined below.

1. In accordance with Policy C 1.2, which seeks to minimize curb cuts on arterial streets by discouraging the creation of new curb cuts on arterial streets to access new development, reduce the number of existing curb cuts, and take advantage of opportunities to combine driveways, the Project has proposed ingress and egress along West Santa Inez Avenue, thus minimizing driveways along North El Camino Real.
2. In accordance with Policy C 4.5, which requires as a condition of approval the provision of sidewalks and wheelchair ramps where lacking and the repair or replacement of damaged sidewalks, the Project includes new sidewalk infrastructure along W. Santa Inez, El Camino Real, and Engle Road which is consistent with the guidelines of the Pedestrian Master Plan and provides wider sidewalks for pedestrian travel and enhanced wheelchair access.

The Project conforms to the applicable Housing Element policies of the City's General Plan as outlined below:

1. Policy H 1.1 seeks to protect established single and multi-family residential areas by preventing the intrusion of incompatible uses not indicated in the Land Use Element in residential districts; avoiding the overconcentration on individual blocks of non-residential uses defined by the Land Use Element as being "potentially compatible" in residential areas; ensure that adequate buffers

are provided between residential and non-residential uses to provide design computability, protect privacy, and protect residences from impacts such as noise and traffic; and review development proposals for conformance to the City's multi-family design guidelines for sites located in areas that contain substantial numbers of single-family homes to achieve projects more in keeping with the design character of single-family dwellings.

The Project establishes a multi-family use within a designated high density residential area on the border of a single-family zoned residential area and seeks to minimize privacy impacts through landscape buffers, locating balconies away from the single-family residences, and integrates the fourth floor into the roof form of the building to reduce the apparent size and bulk of the structure

2. Policy H 1.9 prohibits the demolition of existing residences until a building permit for new construction has been issued unless health and safety problems exist and to prevent housing stock from becoming health and safety problems through code enforcement efforts.

Two existing single-family residences currently occupy the Project site. They will not be demolished until a planning application for new development has been approved and the corresponding building permit has been issued.

3. Policy H 2.9 seeks to encourage and provide for the development of multi-family housing to create a diversity of available housing types.

The Project will provide housing on an underutilized size and create ten for-sale units of varying size and bedroom quantities to contribute to the diversity of housing types available within the City.

The Project conforms to the applicable Urban Design Element policies of the City's General Plan as outlined below:

1. Policy UD 2.1, Policy UD 2.2 and Policy UD 2.3 seek to ensure new multi-family developments substantially conform to the City's Multi-family and Small Lot Multi-Family Design Guidelines and encourages the preservation and enhancement of neighborhood character through building sale, building height, materials, architectural style, quality of construction, open space, location of parking and lot size.

The design and use of high-quality materials for the proposed four-story building will create a cohesive transition between the existing multi-family residential buildings to the east and south of the Project site along North El Camino Real and the single-family residential development to the west of the project site. The preservation and enhancement of neighborhood character is expressed through an upper floor stepped back and integrated into the roof form of the building, the craftsman inspired architectural style of the structure, building materials, and the underground location of parking.

2. Policy UD 2.4 encourages new multi-family developments to locate parking underground or towards the rear of the parcel to avoid views of parking from the street.

The Project adheres to this policy by locating all visitor and resident parking in an underground parking garage.

The Project conforms to the applicable Conservation and Open Space Element policies of the City's General Plan as outlined below:

1. Policies C/OS 6.2, C/OS 6.3, C/OS 6.6, and C/OS 6.7 require replacement planting when heritage trees are permitted for removal; the protection of heritage trees during construction activities; that all landscaping and improvements adjacent to heritage trees be designed and maintained to be consistent with the continued health of the tree; and encourage the planting of new street trees throughout the City and especially in gateway areas such as, El Camino Real (SR 82).

The Project will result in the removal of 22 trees (6-inches or more in diameter), including five (5) heritage trees (2 coast live oak, 1 coast redwood, 1 Canary Island palm, and 1 California pepper). Sixteen (16) 24-inch box trees replacement trees will be planted within the within the property and twelve (12) 36-inch box trees will be planted within the public right-of-way. Replacement species include Crepe Myrtle, Gingko Biloba, Red Norway Maple, and Vine Maple. The remainder of the required planting will be satisfied by paying the in-lieu fee. All proposed street trees are consistent with the species identified in the City's Street Tree Master Plan. A tree protection plan will be implemented for the large Redwood tree on a neighboring property to the northwest.

The Project conforms to the applicable Noise Element policies of the City's General Plan as outlined below:

1. Policies N 1.1 and N 1.2 require an acoustical analysis and interior noise insulation for all "noise sensitive" land uses listed in the Table N-1 that have an exterior noise level of 60 dB (Ldn) and enforcement of the City's existing noise control ordinance which prohibits noise that is annoying or injurious to neighbors of normal sensitivity, constituting a public nuisance, and restricts the hours of construction to minimize noise impacts.

Proposed construction activities have the potential to result in short term noise impacts to nearby residential and business. Noise measures and monitoring during construction, which are standard conditions of approval for the planning application, will be mandatory, and the application will be required to abide by the construction work hours and comply with the City's Noise Ordinance. The Project will also comply with the measures as outlined in the Project's Noise Study to meet construction and post construction interior and exterior noise levels.

B. The Site Plan and Architectural Review (Municipal Code Section 27.08.030) application is approved based on the following findings:

1. The structures, site plan, and landscaping are in scale and harmonious with the character of the neighborhood in that:
 - a. The height, bulk, and wall articulations respect adjacent smaller scaled single-family residences through varied building materials, an imbedded fourth floor into the roof form, projecting bay windows, and recessed wall planes. Trellises add a horizontal element to reduce the appearance of height while neutral colors and high-quality roofing materials

- create a cohesive appearance and compatibility with the surrounding structures. Varying heights and massing provide a transition between high density residential uses along North El Camino Real to the south and east and single-family residential uses to the north and west.
- b. The design of the building and use of high-quality stucco and board and batten horizontal wood siding respect the character of the surrounding neighborhood. The craftsman inspired architectural style respects the traditional homes found within the immediate neighborhood and utilizes a design approach that combines newer construction with an established neighborhood.
 - c. The Project clearly establishes individual identities to living units and a predominant main entryway to the lobby area. Individual living units relate well to the street by providing traditional walkways leading up to each unit entrance from the street.
 - d. Pedestrian improvements create a walkable and inviting pedestrian realm along North El Camino Real consistent with the City's guidelines and policies relating to sidewalks. Twelve proposed street trees along all frontages (Engle Road, El Camino Real, West Santa Inez Avenue) enhance the pedestrian experience while creating a buffer between the street and building. The widened sidewalks create a safe environment where pedestrians can fully utilize the public right-of-way.
2. The Project will not be detrimental to the harmonious and orderly growth of the City in that:
 - a. The Project is consistent with all objective standards contained in the General Plan, Municipal Code and Multi-Family Dwelling Design Guidelines.
 - b. The Project satisfies the Zoning Code standards for density, height, floor area, building setbacks, parcel coverage, vehicular parking, and bicycle parking.
 3. The Project will not impair the desirability of investment or occupation in the vicinity, and otherwise is in the best interests of the public health, safety, or welfare in that:
 - a. The 10-unit condominium building will provide a net benefit to the community and surrounding area by providing additional housing that is in close proximity to highway access, public transit, and bicycle and pedestrian infrastructure.
 - b. The Project will increase the desirability of the vicinity as the property owner's investment in the site represents an improvement to what currently exists.
 - c. The Project will be constructed in compliance with all building codes, fire codes, and the City's building security code.
 4. The Project meets all applicable standards as adopted by the Planning Commission and City Council, conforms with the General Plan, and will correct any violations of the zoning ordinance, building code, or other municipal codes that exist on the site.
 - a. The Project meets the development standards of the R4 zoning district with respect to density, setbacks, floor area, building height, and vehicular parking and bicycle parking.
 - b. The Project complies with the recommendations of the City's Design Review consultant, as conditioned.
 5. The Project will not adversely affect matters regarding police protection, crime prevention, and security in that the buildings, paths of travel, and parking facilities will be required to conform to the City's current Security Ordinance through Conditions of Approval.

C. The Site Development Planning Application (Municipal Code Section 23.40.040) for the removal of major vegetation is approved based on the following findings:

1. The Project will result in the removal of twenty-two (22) trees (6-inches or more in diameter), including five (5) heritage trees (2 coast live oaks, 1 coast redwood, 1 Canary Island palm, and 1 California pepper). The removal of these trees is necessary to accommodate the development of the proposed project. All trees will be removed and replaced with appropriate landscaping to both enhance the site and create necessary buffers between surrounding properties. Sixteen (16) new trees will be planted within the property as well as twelve (12) new street trees within the public right-of-way for a total of twenty-eight (28) trees and a total Landscape Unit (LU) value of 68. The required LU value for the replacement of the trees to be removed is 151.5. A standard condition of approval has been included to address the tree removal and replanting requirements, and payment of any required tree removal in-lieu fees at the current rate established in the annual Comprehensive Fee Schedule.

D. The Vesting Tentative Map (Municipal Code Section 26.48.060) for the merger of two parcels to create one 10,763 square-foot parcel and the creation of a 10-unit condominium building and associated common area are approved based on the following findings:

1. The proposed map is consistent with applicable general and specific plans in that the Property is designated for high density multi-family and the project meets the R4 (Multiple Family High Density) zoning development standards and general plan policies.
2. The design and improvement of the proposed subdivision is consistent with the General Plan in that it meets all zoning standards for R4 High Density Multi-Family land uses.
3. The site is physically suitable for the proposed development in that the Property is flat and all potential environmental impacts are not significant. The Property can be adequately served by all required utilities and public services.
4. The site is physically suitable for the proposed density of the development in that the proposed floor area ratio 0.97 does not exceed the maximum ratio of 1.5.
5. The design of the development will not cause substantial environmental impact nor injure fish or wildlife in their habitat in that the project site is located in urbanized areas.
6. The design of the subdivision or type of improvements is not likely to cause serious public health problems in that City's ordinances reduce potential air quality and noise impacts during construction, and the project will also contribute to public improvements to roadways and public facilities and will otherwise not constrain the delivery of public services.
7. The design of the Project will not conflict with easements because the building envelope and major site improvements will not obstruct or be located on such easements to create a conflict.

EXHIBIT B

CITY OF SAN MATEO PLANNING APPLICATION

CONDITIONS OF APPROVAL

PA-2015-104, 4 W. SANTA INEZ AVE. CONDOS (SPAR + SDPA + VESTING TENTATIVE MAP)

4 W SANTA INEZ AVE, SAN MATEO, CA 94402-1222; 1 ENGLE RD, SAN MATEO, CA 94402-1143

PARCEL # 032075100, 032075010

AS APPROVED BY THE CITY COUNCIL ON FEBRUARY 7, 2022

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. 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 staff, which include any subcontractors. Departments administering 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)
2. 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)
3. CALIFORNIA BUILDING CODE. The project shall be designed to conform with the current California Building Code.
4. CALGREEN – The building shall be designed to include the green building measures specified in the current California Green Building Standards Code. (BUILDING)
5. SHORING/SCAFFOLDING - A separate building permit shall be required for all shoring and scaffolding work. Shoring/scaffolding plans, calculations, etc., shall be reviewed and approved by Building Division.

The applicant must obtain an encroachment permit from the Public Works Department for scaffolding erected within the public right-of-way. (BUILDING)

6. 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)
7. 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.
 - c. 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 – San Mateo Consolidated (PA)

8. 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)
9. 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)
10. 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)
11. ELECTRICAL POWER DISCONNECTING MEANS: Provide a key switch to disconnect (shunt) the building electrical power by Fire Department personnel. Contact the Bureau of Fire Protection and Life Safety to coordinate the exact location for such devices. (FIRE)

Planning Division (PA)

12. CONFORMANCE WITH APPROVED PLANNING APPLICATION - All building permit drawings and subsequent construction shall substantially conform with the approved planning application, including: drawings, materials samples, building colors, and other items submitted as part of the approved planning application. Documentation of any changes to the approved Planning Application plan set shall be provided at the time of Building Permit submittal. Any proposed modifications to the approved planning application must be reviewed by the Planning Manager or Zoning Administrator. Modifications to Building Permit plans must be approved prior to construction of the modified improvements. The Planning Manager or Zoning Administrator shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a new planning application must be submitted to permit the proposed project modifications. A new planning application shall be subject to review by the Zoning Administrator, Planning Commission, or City Council, with the level of review dependent upon the significance of the modification. (PLANNING)
13. 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)
14. 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)
15. PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The applicant shall pay any outstanding planning application fees prior to the issuance of the first building permit. (PLANNING)
16. 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)

17. RECYCLING COLLECTION AREA REQUIREMENTS—The applicant shall be required to provide and maintain recycling collection areas on the property in accordance with City regulations and standards (Municipal Code §27.86) in effect at the time the vesting tentative map application was deemed complete, as approved by City staff in 2017 and as approved by Recology. The design, location, size, and number of recycling collection areas approved as part of this planning application shall remain as approved in the planning application as long as the use occupies the property, unless an alternate location is authorized by the Chief of Planning and/or Zoning Administrator. (PLANNING)

18. PROOF OF LIABILITY INSURANCE - The applicant shall provide the City and adjacent neighbors at 12 West Santa Inez Avenue and 15 Engle Road with proof of commercial general liability and owner's and contractor's liability insurance of at least one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) aggregate for potential damage caused by construction activities.

The contractor will provide the City and the adjacent neighbors at 12 West Santa Inez Avenue and 15 Engle Road proof of commercial general liability insurance of at least one million dollars (\$1,000,000) per occurrence and two million dollars (\$2,000,000) aggregate for potential damage caused by construction activities. (PLANNING)

19. CONDITIONS OF APPROVAL – Final plans shall include all Conditions of Approval beginning on sheet 2 of the plans. (PLANNING)

20. TENANT RELOCATION ASSISTANCE - Relocation assistance shall be provided to the existing tenant(s) occupying each unit to be demolished at the time the subject planning application is filed, consistent with San Mateo Municipal Code Section 27.02.180 and state law.

The Planning Division shall be given notice of the initiation of tenant relocation process, and shall be provided written verification of all compliance with all requirements of this condition. All relocation assistance shall be paid prior to the issuance of the Building Permit for demolition of the existing residential building(s). (PLANNING)

21. MECHANICAL VENTILATION - All mechanical ventilation for subterranean garages shall be incorporated into the building architecture, structure, or landscape areas as delineated on the approved planning application drawings. (PLANNING)

22. PARKING - The applicant shall provide a minimum of twenty-one (21) parking spaces on-site. Provided

that the applicant continues to satisfy the minimum number of required spaces and the parking standards as required by Chapter 27.64 (Off-Street Parking and Loading) of the San Mateo Municipal Code, a reduction in the number of on-site parking spaces shall be considered a minor modification and shall not be subject to a public hearing.

23. CONFORMANCE WITH AUTOMATED MECHANICAL PARKING STANDARDS – Prior to issuance of a building permit, any proposed mechanical parking system shall either conform with the City’s “Standard Drawings and Specifications” document for off-street parking in effect in 2017, or the current “Standard Drawings and Specification”, adopted via Resolution by the City Council on January 3, 2022, for off-street parking document which includes objective and performance standards for mechanical and automated parking systems.
24. INTERIOR NOISE LEVELS – The project shall comply with the City’s Noise Goals as enumerated in the Noise Element of the General Plan. The applicant shall provide an acoustical analysis, by a licensed acoustical consultant, which shall contain recommendations to ensure the secondary unit’s interior LDN levels not to exceed 45dB as established in the General Plan. A copy of the acoustical analysis shall be submitted as part of the building permit drawings for this project. The applicant shall submit a letter prepared by the person/firm who prepared the acoustical analysis for the project, verifying that all recommendations contained in the analysis have been incorporated into the construction of the project. The letter shall also verify that the project will comply with the noise requirements contained In the City’s General Plan. (PLANNING)
25. 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 applicant shall immediately notify the Planning Division, and 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)
26. SITE DEVELOPMENT PERMIT FOR REMOVAL OF TREES AND TREE REPLACEMENT/IN LIEU FEES— The applicant shall obtain a Site Development Permit from the Planning Division for removal of existing trees with a diameter of 6 inches or larger, prior to the issuance of a Site Development Permit 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)
27. HERITAGE TREE PROTECTION— 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 arboris’s report, and any

requirements imposed by the City. The following tree protection measures shall be shown on building permit drawings:

- a. 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.
- b. 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.
- c. In addition, the following requirements shall be complied with at all times during construction:
 1. Oil, gas, chemicals, or construction materials shall not be stored within the drip line of trees that are designated to be preserved.
 2. Signs, wires, or other types of obstructions shall not be attached to trees.
 3. 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.
 4. Correct Appendix E, Tree Protection Plan – Root Protection, third paragraph. Specify that the "equipment" used to scrape the ground shall be hand-held equipment only. Pneumatic equipment, such as an Air Spade, an Air Knife or a clay spade are acceptable as hand-held equipment. Electrically powered equipment such as a rotary hammer with a clay spade attachment is also acceptable as hand-held equipment.

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.

With the consent and approval of the adjacent property owner, the applicant shall provide a tree protection plan that will be implemented for the large Redwood tree on a neighboring property to the northwest. The applicant shall maintain all tree protection measures and removed said measures from the adjacent property prior to building permit final. (PLANNING)

28. CRACK SURVEY – The applicant shall obtain a crack survey to determine the location and extent of existing cracks at neighboring properties. The crack survey shall include both interior and exterior locations for adjacent properties including 12 West Santa Inez Avenue and 15 Engle Road. The applicant shall propose a crack survey methodology in accordance with industry standards for the approval of the Community Development Director or designee. The applicant shall notify both property owners to set up individual appointments to examine properties per the approved crack survey methodology. If a property owner denies permission to prepare the survey, the applicant shall not be required to do a survey of that property. The applicant shall submit a copy of the existing crack survey report to the City and adjacent neighbors at 12 West Santa Inez Avenue and 15 Engle Road prior to issuance of a demolition permit, building permit, or site development permit of which permit is issued first. The applicant shall also obtain a crack survey as outlined above conducted after construction of the superstructure but prior to building permit certificate of occupancy. The applicant shall submit a copy of the post construction crack survey to the adjacent property owners and the City. The City shall keep a

copy of both surveys on file for informational purposes only. (BUILDING)

29. WEST ELEVATION WINDOWS – Building permits plans shall be revised to change all upper-story windows above the first floor on the west elevation with a sill height of less than 4feet 10-inches, to have obscure glass in the lower sash below 4 feet 10 inches. Sliding windows shall have divided lights and obscure glass on the lower panes below 4 feet 10 inches. Final window designs shall be subject to review and approval of the Zoning Administrator. (PLANNING)
30. LANDSCAPE IMPROVEMENTS - All landscape plans shall comply with Chapter 27.71 of the Municipal Code. In addition, the following items shall be shown on project plans:
- a. All planting areas located within or adjacent to open parking areas containing five (5) or more parking spaces shall provide a six-inch-high vertical concrete curb to protect the planting areas. For parking lots containing less than 5 stalls, this requirement may be met by a concrete wheel stop in front of each diagonal or perpendicular stall plus a minimum six-inch-high concrete curb in other areas or approved equal.
 - b. The applicant shall install twelve (12) 15-gallon or larger English Hawthorn (Engle Road), Hybrid Elm Accolade (El Camino Real), and Ginkgo Biloba - Male Variety (West Santa Inez) street trees along public streets in accordance with City Standards and the City Street Tree Master Plan. Street trees that are located in sidewalk areas shall be constructed per City Standard Drawings 3-1-847, Tree Planting Details. The applicant and its successors shall irrigate these street trees at all times that the use permitted under this approval occupies the property. A street tree maintenance easement shall be required if the street trees are to be located on private property and no such easement exists. A two-inch (2") depth layer of mulch shall be required in all new planting areas except in areas of turfgrass or annuals.
 - c. The applicant shall provide proof of an agreement with a licensed landscape contractor or General Contractor for a Plant Establishment Maintenance Period consisting of three (3) growing season months (March through October) for all proposed landscape areas. All landscaped areas shall be maintained free of litter, debris and weeds. All plantings shall be permanently maintained in a healthy growing condition and whenever necessary, replaced with equivalent plant materials to ensure continued conformance with approved plans. (PLANNING)

Police Department (PA)

31. PARKING GARAGE SECURITY FOR RESTRICTED ACCESS GARAGES- The applicant shall restrict access to the parking garage with electrically operated closures to allow passage of motor vehicles. Required visitor parking shall have unrestricted access. 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. Openings into the garage which are not for vehicular or human passage shall be provided with security grilles or screens. Digital keypads shall be provided to allow for entry by services and emergency services vehicles into the garages at all times. 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. Pedestrian access points exiting out of garage shall also be accessible through the use

of keys furnished to the building residents and shall be equipped with self-closing devices. Parking spaces shall not be numbered to coincide with interior unit numbers. 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. Lighting in the parking garage shall be in conformance with the Security Ordinance as it applies to Exterior Lighting and metal halide, or other bright white light source, shall be utilized. No dark areas shall exist inside the parking garage. (POLICE)

32. SECURED BUILDING ACCESS BY POLICE DEPARTMENT - At the exterior of the main exterior building entrance(s) and parking garage entrance(s) for secured buildings, the applicant shall install telephone entry pads (TEPs). These TEPs must allow the Police Department personnel to access the interior of the building. The TEPs must also be installed at exterior gate locations that lead to secured areas of the site, such as interior courtyards. TEP 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 code must be provided to the Police Department personnel upon install. (POLICE)
33. EXTERIOR SITE LIGHTING STANDARDS- The applicant shall submit a photometric plan in compliance with the Building Security Code "Exterior Security Lighting" (San Mateo Municipal Code Section 23.54.060). The plan shall comply with the requirement of an average of 1 foot-candle with a 4:1 minimum to average ratio and a minimum lighting of 0.3 foot-candle. This lighting standard is applicable to all publicly-accessibly parking lots, driveways, circulation areas, aisles, passageways, recesses, and publicly-accessible grounds contiguous to all buildings. Private, interior courtyards not accessible to the public are not required to meet this standard. 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. The photometric plan shall be approved by the Chief of Police or their designee and 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. Any subsequent building permits that include any site lighting shall also meet these requirements. (POLICE)
34. BUILDING SECURITY CODE COMPLIANCE - The project plans shall comply with the City's Building Security Code (San Mateo Municipal Code Chapter 23.54). (POLICE)

Public Works Department (PA)

35. 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. Where necessary, sidewalk drains per City Standard Drawing 3-1-120 shall be provided to direct the water under the sidewalk and through the curb. 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 flow through planters to meet the Municipal Regional Permit (MRP) C.3 requirements. 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 occupancy and specify the owner's responsibility to ensure their ongoing effective operation and maintenance. Such O&M responsibility requirements shall be recorded on the property deed. (PUBLIC WORKS)

36. POLYCHLORINATED BIPHENYLS (PCB) SCREENING ASSESSMENT FORM – As per Stormwater Municipal Regional Permit requirements and San Mateo Municipal Code Chapter 7.39, Demolition Permit Applicants shall complete the PCBs Screening Assessment Form located below: The Form shall be reviewed and approved by the Director of Public Works or his/her designee.
<https://www.cityofsanmateo.org/160/Demolition-Requirements>
37. TRASH CAPTURE DEVICES – Install trash capture devices in storm drain systems that lead directly to the off-site storm drain system or outfall. Devices shall be approved by the Director of Public Works 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 property owner per the Stormwater Treatment Facilities Maintenance Agreement. The building permit plans for the superstructure shall show trash capture devices. (PUBLIC WORKS).
38. CHARGES FOR PUBLIC WORKS SERVICES - Prior to plan checking, the applicant shall deposit with the Public Works Director or designee, funds to pay for, at the adopted rate, all engineering, inspection and survey services that may be required during plan check and construction of the project. The amount of the deposit shall be \$10,000.00. Public Works plan checking of the plans submitted with the building permit plans cannot proceed until the deposit is submitted. The applicant shall be required to increase the deposit, or be billed monthly at the discretion of the City, for any costs in excess of the deposit. If billed monthly, invoices shall not become delinquent (must be paid within 30 days of receipt). Prior to final occupancy the bill shall be paid in full. The City will refund any portion of the deposit not utilized. (PUBLIC WORKS)
39. UNDERGROUND UTILITIES – The applicant must install all new, and upgraded, utility service, including telephone, electric power, and other communications lines underground to the building in accordance with City of San Mateo Municipal Code 26.32.020. (PUBLIC WORKS)
40. FINAL MAP – The applicant shall have a final map, prepared by a person authorized to practice land surveying in California, delineating all parcels created or deleted and all changes in lot lines in conformance with San Mateo Municipal Code Chapter 26.52.

The final subdivision map shall be approved by the Department of Public Works prior to City Council approval and recorded by the County Recorder's Office prior to the first building permit. A map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the map to the title company for recordation.

Prior to the City's release of the final map to the title company, the applicant may, at the discretion of the Director of Public Works designee, be required to submit to the City an electronic copy of the map in PDF and the AutoCAD Version being used by the City at the time of recordation. It is the applicant's responsibility to check with their title company and the County Recorder's Office to determine the time necessary to have the map recorded after City approval. (PUBLIC WORKS)

41. 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 or easements prior to starting work. (PUBLIC WORKS)
42. TRAFFIC CONTROL & SITE LOGISTICS PLANS – The applicant shall submit traffic control plans for any impact to the right-of-way for each phase of operation, including pedestrian and bicycle detour plans as applicable. 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.

A site logistics plan is required for each phase of operation. The plan, at a minimum, shall include estimated timeframes for implementation, duration, construction operations. (PUBLIC WORKS)

43. PUBLIC IMPROVEMENTS - An Encroachment Permit shall be required for all public improvements in the public right-of-way or easements. All public improvements shall be completed prior to the Certificate of Occupancy.

The developer shall repair or replace all existing improvements not designated for removal and all new improvements that are damaged or removed because of developer's operations. Developer shall request a walk-through with the Public Works Construction Inspector before the start of construction to verify existing conditions.

The applicant shall have improvement plans prepared for all work in the public right of way or easements by a licensed civil engineer, whose signed engineer's stamp shall appear on the plans. The improvement 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. All design assumptions and criteria shall be submitted. Project specifications shall be included for review.

All work shown on the improvement plans shall be inspected and approved by Public Works.

Quantities for items below are provided only to determine minimum bonding requirements for the encroachment permit. The building permit plans for the superstructure shall show the following public improvements in the public right of way:

- 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. All street trees shall have a root barrier to prevent damage to adjacent sidewalk. The street tree plans shall be constructed per City Standard Drawings 3-1-847, Tree Planting Details, and will include tree grates.
- b. 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.
- c. CURB RAMPS – The applicant shall construct two (2) curb ramp(s) in accordance with State Standard Drawing No. A88A at the corners of Engle Road and N. El Camino Real and W. Santa Inez and N. El Camino Real. The actual ramp "Case" shall be identified on the plans and shall be approved by the Director of Public Works or designee or designee.
- d. DRIVEWAY APPROACH – The applicant shall install one (1) City Standard Commercial driveway approach as shown on the approved plans. The new commercial driveway approach shall be constructed per City Standard Drawing 3-1-148.
- e. DRIVEWAY REMOVAL – The applicant is to remove the existing driveway approach located on Engle Road as shown on the approved planning application plans, and replace it with sidewalk, curb and gutter per City Standard Drawing 3-1-141A. Public Works estimates that approximately one hundred twenty-five (125) square feet of sidewalk and twenty-five (25) lineal feet of curb and gutter will be necessary to replace the existing driveway approach. These amounts are in addition to the amount of sidewalk that are required to be removed and replaced as defined by the separate Sidewalk condition.
- f. SEWER LATERAL – The applicant shall install as a minimum two six (6) inch City Standard sewer lateral connections from the property line to the sewer main located in the street right of way. The installations shall be done in accordance with City Standard Drawing 3-1-101.
- g. SANITARY SEWER MANHOLES – The applicant shall install two (2) standard sanitary sewer manhole on W. Santa Inez and Engle Road, per approved plans and in accordance with City Standard Drawing No. 3-1-104).
- h. STORM WATER CATCH BASIN CONNECTIONS – The applicant shall install two (2) standard storm water connections to catch basins on N. El Camino Real. Connections shall be per Caltrans approved plan.
- i. STREET LIGHTS - STREETLIGHTS/PHOTOMETRIC ANALYSIS - The applicant shall submit a photometric analysis to the Public Works Director or designee showing lighting levels along the project frontages, to meet the required levels for continuous roadways, intersections, and sidewalks as recommended by the Illuminating Engineering Society (IES) in publication RP-8-18. The photometric analysis shall include calculation zones for City owned streets, City owned sidewalks, and City owned intersections fronting the project. The photometric analysis shall also include a calculation zone for any public sidewalk along El Camino Real fronting the project. Roadway calculation zones shall extend across the entire width of the street from curb face to curb face and include a minimum of two longitudinal grid lines per travel lane and one longitudinal grid line within areas used for on-street parking. Lateral grid lines shall be a maximum of 15 feet apart. Sidewalk calculation zones shall extend from the back of sidewalk to the face of curb and include a single line of calculation points along the center of the sidewalk. Calculation points shall be no more than 6 feet apart. Intersection calculation zones

shall include the area bound by the faces of the curbs on each corner and the outermost crosswalk lines or, if there is no marked crosswalk, the outermost edge of the area pedestrians are expected to use to cross the street. Calculation points within the intersection shall be in a grid that matches the spacing of points used for the intersecting streets. The Average Maintained Pavement Illuminance, Average to Minimum Uniformity Ratio, and Maximum to Minimum Uniformity Ratio shall be calculated using the Illuminance Method and the results reported in foot-candles (fc). A Light Loss Factor (LLF) of 0.803 shall be applied to all fixtures to account for reduction in lighting efficacy over time. The results shall be submitted to the City in the form of a plan sheet showing a scale drawing of the project site and the adjacent calculation zones. Individual grid points and point illuminance values shall be displayed on the plan. The plan shall include a schedule of luminaires showing type, wattage, total LLF, mounting height, and arm length. The plan shall include a results table showing the calculated maintained average illuminance and uniformity ratios for each calculation zone. The plan shall include all necessary labels and dimensions for review of the analysis by the City, which at a minimum shall include street names, calculation zone names, and grid spacing dimensions. The analysis shall include nearby lights that are not within the project frontage but which contribute light to the various calculation zones. Calculation zones shall be extended to the nearest light beyond the project frontage if doing so leads to a more accurate analysis. The applicant must consult with City staff prior to performing the photometric analysis. The City will provide information about existing streetlights in the vicinity of the project, including IES files for use in computer modeling for the photometric analysis.

Calculations shall utilize the following parameters:

STREET	IES CLASSIFICATION	PEDESTRIAN ACTIVITY LEVEL	PAVEMENT TYPE
El Camino Real	Major	Medium	R2/R3
City Arterial	Major	Medium	R2/R3
City Collector	Collector	Medium	R2/R3
City Local	Local	Low	R2/R3

If needed as determined by the Public Works Director or designee, based on the results of the photometric analysis, the applicant shall propose streetlighting improvements to raise lighting to the required levels.

All new streetlights proposed by the project shall be selected from the City's list of standard streetlights current at the time of analysis.

El Camino Real is identified in the City's Pedestrian Master Plan for inclusion of pedestrian scale (post top) lighting. The applicant shall install at least one pedestrian scale light along the project's El Camino Real frontage.

The applicant shall also submit a full streetlight and electrical plan showing the existing streetlight infrastructure and proposed post top 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 shall be the applicant's responsibility to trace the circuits. It is the applicant'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. The final streetlight design, including the placement and total number of new post top streetlights, shall be approved by the City Engineer. Lighting improvements on El Camino Real shall also be approved by Caltrans if necessary.

- j. STREET MARKINGS – The applicant shall install necessary street markings of a material and design approved by the Director of Public Works or designee and replace any that are damaged during construction. These include but are not limited to all pavement markings, painted curbs and handicap markings. All permanent pavement markings shall be thermoplastic. Color and location of painted curbs shall be shown on the plans and subject to approval by the Director of Public Works or designee. 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)

- 44. STORM DRAIN INLETS AND WATERWAYS - Per the San Mateo Countywide Water Pollution Prevention Program's C.3 requirements, the applicant shall mark with the words "No Dumping! Flows to Bay," or equivalent, using methods approved by the City standards on all storm inlets surrounding and within the project parcel. (PUBLIC WORKS)
- 45. ADDRESS PLAN - The applicant shall submit to the Public Works Director or designee 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 Public Works Director or designee 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)
- 46. TRIANGULAR AREA OF VISIBILITY – Landscaping and permanent structures located within the 10' triangular area of visibility at the driveway shall have a minimum vertical clearance of 7', and/or be less than 3' in height. This includes all PG&E above ground structures and other utility facilities. (PUBLIC WORKS)
- 47. UNDERGROUND (COVERED) PARKING GARAGE DRAINAGE - Water from the underground (covered) parking garage shall not be discharged onto the public street. The applicant shall design a storm 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)

48. CALTRANS PERMIT - Prior to the issuance of a foundation building permit, the applicant must submit evidence to the Public Works Director or designee of approval by the State of California for the performance of any work within the State right of way. 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. The Applicant is encouraged to contact the Caltrans permit office as soon as possible to learn what is required to obtain Caltrans approval and issuance of a State Encroachment Permit. (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.

Public Works Department (PA)

49. The construction plans shall conform to the current California Building Code.
50. 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 will be based upon the City Council resolution in effect at the time the building permit issuance. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. (PUBLIC WORKS)
51. 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 will be based upon the City Council resolution in effect at the time of building permit issuance. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. (PUBLIC WORKS)
52. WASTEWATER TREATMENT PLANT PHASE II IMPACT 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 will be based upon the City Council resolution in effect at the time of building permit issuance. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. (PUBLIC WORKS)
53. PARK IN-LIEU FEES – The applicant shall pay a park in-lieu fee instead of dedication of lands for park and recreation purposes (park in-lieu fee) (SMMC Chapter 26.64). The final fee shall be determined upon approval of the final map for the park in-lieu fee. The park in-lieu fee shall be paid prior to issuance of the first building superstructure permit. (PUBLIC WORKS).

Fire Department – San Mateo Consolidated (PA)

54. A Fire Control Room shall be provided for this project. Refer to San Mateo Consolidated ordinance for more information.

- 55. A Knox brand key switch to shut off the PV system shall be provided in the Fire Control Room.
- 56. A third-party test shall be conducted to determine if the building shall require an Emergency Responder Radio Coverage System.

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

Building Division (PA)

- 57. ART IN PUBLIC PLACES – The applicant shall be required to comply with Section 23.60 of the San Mateo Municipal Code for Art in Public Places. This condition shall be met in accordance with Section 23.60.050 prior to the issuance of a Certificate of Occupancy. (BUILDING)

Planning Division (PA)

- 58. 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)
- 59. 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 on-site 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)
- 60. 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)
- 61. 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)

62. VERIFICATION OF LANDSCAPE INSTALLATION – The applicant shall submit a letter prepared by the project landscape architect stating that all landscape improvements (including trees, shrubs, and irrigation systems) have been installed in compliance with the approved landscape plans submitted to the City for construction. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (PLANNING)

Public Works Department (PA)

63. STORM WATER TREATMENT FACILITIES MAINTENANCE AGREEMENT – The applicant shall execute a maintenance agreement with the City’s Director of Public Works as specified in Chapter 7.39.210-230 of the Stormwater Management and Discharge Control ordinance. The agreement shall outline the operation and maintenance (O&M) plan for the permanent storm water treatment facilities. This agreement shall be executed prior to the first occupancy of the building. (PUBLIC WORKS)
64. RECORD DRAWINGS - The applicant shall submit one full set of original record drawings and construction specifications for all off-site improvements to the Department of Public Works. All underground facilities shall be shown on the record drawings as constructed in the field. The applicant shall also provide the City with an electronic copy of the as-builts in the AutoCAD Version being used by the City at the time of completion of the work. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (PUBLIC WORKS)
65. RESTORATION OF ROADWAY – Due to the anticipated project’s truck traffic the applicant shall grind and overlay with 0.20 feet 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 the property frontage along Engle Road and W. Santa Inez Avenue. 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)

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

Public Works Department (PA)

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

The following 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)

67. BUILDING CONSTRUCTION ACTIVITIES - In order to control traffic congestion, noise, and dust, and pursuant to the San Mateo Municipal Code, site excavation, grading and construction 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 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. 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.
- c. The exemption will not conflict with any other conditions of approval required by the City to mitigate significant impacts.
- d. 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.
- e. 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.
- f. 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. Any other building construction hour agreements between property owners and adjacent property owners shall adhere to the City's Code.(BUILDING)

Fire Department (PA)

68. 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)

69. 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)

Planning Division (PA)

70. HERITAGE TREE PROTECTION MEASURES – All approved and installed Heritage Tree protection measures shall be maintained throughout the period of construction. The Contractor shall 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 requires approval from the Project Arborist. The Project Arborist shall complete inspections on an as-need 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)
71. TEMPORARY CONSTRUCTION PRIVACY FENCE –A solid temporary construction privacy fence shall be constructed on the adjacent property at 12 West Santa Inez Avenue and 15 Engle Road at the location identified by the property owner(s) and agreed upon by the applicant. If a property owner denies permission to construct the fence on their property, the applicant shall not be required to construct a temporary fence on that side. The temporary fence shall be chain link with a solid screening material. The fence shall be installed prior to the issuance of building permits and shall remain in place until construction is completed. The privacy fence shall adhere to Sections 27.84.010 and 23.54.110 of the San Mateo Municipal Code. (PLANNING)

Public works Department (PA)

72. GROUND WATER DISCHARGE –In accordance with the City’s Municipal Code, Discharge of Ground Water (SMMC 7.38.150), the Director of Public Works may approve the discharge of ground waters to the sanitary sewer only when such 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)
73. 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.

- b. 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:
- c. 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. 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.
 - iii. 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.
 - a. The exemption will not conflict with any other condition of approval required by the City to mitigate significant impacts.
 - b. 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 extended construction activity.
 - c. 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 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 Public Works Construction Inspector ten (10) working days prior to the requested date of waiver.
 - d. All construction vehicles should be properly maintained and equipped with exhaust mufflers that meet State standards.
 - e. 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)

74. BEST MANAGEMENT PRACTICES (BMP) – The applicant shall perform all construction activities in accordance with the City's Storm Water Management and Discharge Control Rules and Regulations (SMMC 7.38.020), and the San Mateo Countywide Water Pollution Prevention Plan (SMCWPPP) by

reference. Detailed information can be located at: <http://flowstobay.org/brochures> (PUBLIC WORKS)

75. 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 haul route for this project shall be:

- a. Site to N. El Camino Real to Peninsula Avenue to Highway 101 or Site to N. El Camino Real to Highway 92.

A letter from the applicant confirming the intention to use this hauling route shall be submitted to the Public Works Director or designee, 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 Public Works Director or designee 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)

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

City Attorney (PA)

76. 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)
77. 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 a third-party challenge. If the applicant is required to

defend the City, the City shall retain the right to select the counsel who shall defend the City. (CITY ATTORNEY)

Planning Division (PA)

78. AUTOMATED MECHANICAL PARKING OPERATION ONGOING MAINTENANCE AND STATUS REPORT REQUIREMENT - The Property Management or Homeowners Association (HOA) representative shall maintain the mechanical parking system and keep them operational at all times. The HOA shall enter into a maintenance agreement with the manufacturer of the parking system for the maintenance of all the system on the project site. As part of the contract with the manufacturer, the HOA shall sign up for the maximum level of maintenance service provided by the manufacturer.

The HOA shall be required to provide training in the use and operation of the mechanical parking system in accordance with the manufacturer's standards. This training shall be provided to all occupants and owners of the building in perpetuity.

The HOA shall submit the maintenance agreement and an Annual Report no later than December 31st annually to the Zoning Administrator. The maintenance agreement shall be with the manufacturer of the installed mechanical parking system or a comparable mechanical parking system maintenance firm. The maintenance plan shall outline the yearly maintenance requirements and safety checks necessary to keep the mechanical parking system in proper working order. Remote monitoring shall be provided at all times in the event of an emergency, a one-hour response time should be provided to the extent practicable. The Annual Report shall provide a detailed report on the mechanical parking system operation, including but not limited to, any maintenance problems, operational issues, vehicular accidents, queueing, and resident complaints.

Emergency contact information and maintenance service contact information shall be posted visibly.
(PLANNING)

Public Works Department

79. POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP) – In accordance with the City's Storm Water Management and Discharge Control Rules and Regulations (SMMC 7.38.020), and the San Mateo Countywide Stormwater Management Plan (SWMP) by reference, the applicant shall:
- a. Owner/occupant shall inspect private storm drain facilities at least two (2) times per year and sweep parking lots immediately prior to and once during the storm season.
 - b. The applicant shall pay a fee on a yearly basis for cost associated with, but not limited to, biannual inspection of the private storm drain facilities, emergency maintenance needed to protect public health or watercourses, and facility replacement or repair in the event that the treatment facility is no longer able to meet performance standards or has deteriorated. The annual fee shall be in the amount of \$500.00 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)