

CITY OF SAN MATEO
RESOLUTION NO. ____ (2022)

**RESOLUTION APPROVING SITE PLAN AND ARCHITECTURAL REVIEW AND SITE DEVELOPMENT PLANNING APPLICATIONS FOR THE REMOVAL OF SUBSTANTIAL VEGETATION AND TO CONSTRUCT A NEW OFFICE AND 18-RESIDENTIAL UNIT MULTI-FAMILY MIXED-USE BUILDING WITH ASSOCIATED PARKING, LANDSCAPING, AND COMMON AREAS AT 1 HAYWARD AVENUE APN 034-275-130.
(PA-2019-045, 1 HAYWARD AVENUE MIXED-USE DEVELOPMENT)**

WHEREAS, Lisa Ring of LOR Planning & Environmental Consultant (herein referred to as the “Applicant”) submitted a planning application PA-2019-045 with the Planning Division for a Site Plan and Architectural Review (SPAR) and Site Development Planning Application (SDPA) for the removal of substantial vegetation and to construct a mixed-use building with 4,495 square feet of office use and 18 residential units and associated parking, landscaping, and common areas at 1 Hayward Avenue. (034-275-130) (collectively referred to as “Project”) in the City of San Mateo (“City”); and,

WHEREAS, San Mateo City Charter and 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, 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 under Section 15332 In-Fill Development Projects; and,

WHEREAS, the City finds the Project consistent with the applicable policies of the General Plan and other applicable policies; and,

WHEREAS, the Planning Commission held a public hearing for the Project on May 10, 2022, duly noticed, at which all public comments were considered; and,

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

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

1. The Planning Commission finds on the basis of the whole record before it that the Project will not have a significant effect on the environment and is therefore categorically exempt from the provisions of CEQA under CEQA Section 15332.
 - a. 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.
 - b. The project site is located within an urban setting on a project site less than five acres (0.71 acres).

- c. The project site has no value for endangered, rare, or threatened species. The project will not have a substantial adverse effect on any riparian habitat or sensitive natural community, or on any species identified as a candidate, sensitive, or special status 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, as the site is developed. The project will include the removal of six trees, ranging from approximately 20 to 50 feet in height, and planting of two new trees on the project site. 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, as required under SMMC 13.40.

- d. Approval of the project will not result in any significant effects relating to traffic. AECOM, the City's traffic consultant, prepared a Transportation Impact Assessment (TIA), and Steer, the City's transportation demand management (TDM) consultant, prepared a TDM Plan. The TIA concludes that while the project would generate a net increase in the number of vehicle trips during the weekday AM peak and PM peak hours and a net increase in the Vehicle Miles Traveled (VMT) when compared to the existing uses, it will be reduced to a less than significant level through the project design and incorporated conditions of approval which includes implementation of the TDM Plan.

The TDM plan contains numerous measures to encourage use of alternative transportation modes, including unbundled parking, new resident and employee packets, an on-site TDM coordinator, bike share, etc.

The project will not conflict with an applicable congestion management program and will not result in a change in air traffic patterns. 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. All safety elements will be designed to meet applicable California Building, Fire, Safety and any other requirements.

- e. Approval of the project will not result in any significant effects relating to noise with the incorporation of project conditions of approval. The project, as conditioned, will not expose persons to, or generate, noise levels, groundborne vibration, or groundborne 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.

The project may expect a substantial temporary or periodic increase in groundborne vibration 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 project conditions of approval, construction work hours, and the City's Noise Ordinance.

- f. Approval of the project will not result in any significant effects relating to air quality. The project 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 considerable 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 limited impact on air quality and would not subject customers or employees of nearby businesses, visitors, residents, and/or neighbors to objectionable odors.

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 development. The project conditions of approval would minimize dust and vehicle emissions during grading and construction activities.

- g. Approval of the project will not result in any significant effects relating to water quality. The project 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.

The project will not otherwise substantially degrade water quality or place housing or structures within a 100-year flood hazard area since the project is not located within a 100-year flood plain. The project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam or create inundation by seiche, tsunami, or mudflow since the project is not located in an area of potential inundation as identified in the City's General Plan.

- h. The site is adequately served by all required utilities. 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.

- i. The site is adequately served by all required public services. The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for Fire protection, Police protection, Schools, Parks, or other public facilities. 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.

BE IT FURTHER RESOLVED, BY THE PLANNING COMMISSION OF THE CITY OF SAN MATEO, CALIFORNIA, AS FOLLOWS:

1. The Project conforms to applicable policies of the Land Use Element of the City's General Plan.
 - a. The Project conforms with Policy LU 1.15 which encourages developments that mix commercial retail or office uses with residential. The proposed building consists of office on the ground floor and residential above, which is consistent with this policy.
 - b. The Project conforms with Specific Area Policy PA 5.1 which encourages commercial and high density residential developments between Ninth Avenue and SR 92 with heights between 40 to 55 feet, as delineated on the Building Height and Intensity Plans. The Project, located at 1 Hayward Avenue, is proposing a four-story, office and residential apartment mixed-use building at a height of 42 feet 7-7/8 inches which is within this height range, and the proposed density is 65.34 DU/AC including the additional 6 units as allowed under the State Density Bonus Law.
2. The Project conforms to applicable policies of the Circulation Element of the City's General Plan.
 - a. The Project conforms to Policy C 2.5 of the Circulation Element in that a Transportation Impact Analysis (TIA) has been prepared for this project. The TIA concluded that the Project would generate a net increase of 12 vehicle trips during the weekday AM peak and net increase of 15 vehicle trips during the PM peak hours, and a net increase in the Vehicle Miles Traveled (VMT) when compared to the existing uses as the project would total 14.8 VMT/capita and 22.2 VMT/employee, but the impacts would be reduced to a less than significant level through project design and incorporated conditions of approval which includes implementing the TDM Plan.
 - b. The Project conforms to policies C 2.10 of the Circulation Element in that a Transportation Demand Management (TDM) Plan has been prepared for this project, and the required measures in the TDM Plan will be implemented.
3. The Project conforms to applicable policies of the Housing Element of the City's General Plan.
 - a. The Project conforms to Policy H2.4 of the Housing Element in that the Project provides two out of 18 units as new affordable housing opportunities in conformance with the City's below-market-rate requirements.
4. The Project conforms to applicable policies of the Urban Design Element of the City's General Plan.

- a. The Project conforms to Policy UD 2.1 of the Urban Design Element in that the Project has been reviewed by the City's design consultant and was found to generally comply with the City's Multi-family Design Guidelines, which encourages the preservation and enhancement of neighborhood character through building scale, 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 developments and commercial office buildings that are lower in height to the east and to the south.
 - b. The Project conforms to Policy UD 2.4 of the Urban Design Element in that all on-site parking for the Project will be located underground.
 - c. The Project conforms to Policy UD 2.5 of the Urban Design Element in that the Project will provide 3,260 square feet of open space and 2,550 square feet of usable open space, exceeding the minimum open space requirements.
5. The Project conforms to applicable policies of the Conservation and Open Space Element of the City's General Plan.
- a. The Project conforms to Policies C/OS 6.12 of the Conservation and Open Space Element in that the Project will remove six Heritage trees but will plant two new trees and pay an in-lieu fees for the remainder.
6. The Project conforms to applicable policies of the Noise Element of the City's General Plan.
- a. The Project conforms to Policies N 1.1 and N 1.2 of the Noise Element in that a Noise and Vibration Report has been completed for the Project which provides long-term recommended noise reduction measures and requires an acoustical analysis at later stages of the building permit review process. Additionally, the Project's Conditions of Approval will require noise reduction measures during the construction phase of the Project.

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION OF THE CITY OF SAN MATEO, DOES HEREBY APPROVE 1 HAYWARD AVENUE MIXED-USE DEVELOPMENT, PA-2019-045 AT 1 HAYWARD AVENUE (034-275-130) BASED UPON THE FOLLOWING FINDINGS FOR APPROVAL TO THIS RESOLUTION AND THE CONDITIONS OF APPROVAL INCLUDED IN EXHIBIT A TO THIS RESOLUTION:

1. The Site Plan and Architectural Review (Municipal Code Section 27.08.030) application and associated Conditions of Approval are approved based on the following findings:
- a. The structures, site plan, and landscaping are in scale and harmonious with the character of the neighborhood in that:
 - i. The building design has varying heights, various wall articulations, and will be constructed with a mix of high quality building materials.
 - ii. The parking will be underground and will not be visible from the street.
 - iii. The project incorporates open space and usable open space that exceeds the minimum open space requirements.

- b. The development will not be detrimental to the harmonious and orderly growth of the City in that:
 - i. The project is consistent with the General Plan and Municipal Code.
 - ii. The project consists of office and 18 multi-family dwelling units, including two affordable units, for the residents of the San Mateo.
 - iii. The development meets the applicable sections of the Multi-family Design Guidelines.
 - c. The development will not impair the desirability of investment or occupation in the vicinity, and otherwise is in the best interests of the public health, safety, or welfare in that:
 - i. The office and 18 unit apartment mixed-use building will improve the surrounding area by providing additional jobs and housing units that are in proximity to highway access, public transit, and proposed bicycle and pedestrian infrastructure.
 - ii. The project will be constructed in compliance with all building codes, fire codes, and the City's building security code.
 - d. The development meets all applicable standards as adopted by the Planning Commission and City Council, conforms with the General Plan, and will correct any violations of the zoning ordinance, building code, or other municipal codes that exist on the site.
 - e. The development will not adversely affect matters regarding police protection, crime prevention, and security in that the buildings, paths of travel, and parking facilities will be required to conform to the City's current Security Ordinance through Conditions of Approval.
2. The Site Development Planning Application (Municipal Code Section 23.40.040) for the removal of major vegetation and associated Conditions of Approval are approved based on the following findings:
- a. The project will result in the removal of six existing trees, of which five qualify as Protected Trees. 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.
 - b. All concerns regarding tree removal on the site have been addressed as conditions of approval requiring conformance to the City's landscape regulations, through the provision of extensive on-site landscaping as shown on the project plans, and/or through tree replants and/or the payment of a fee to the City's tree planting fund.

EXHIBIT A

CITY OF SAN MATEO PLANNING APPLICATION

CONDITIONS OF APPROVAL

PA-2019-045, 1 HAYWARD AVE., SPAR+SDPA

1 HAYWARD AVE, SAN MATEO, CA 94401

PARCEL # 034275130

AS APPROVED BY THE PLANNING COMMISSION ON

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

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

Building Division (PA)

- 1 CHILD CARE DEVELOPMENT FEE – Applicants of commercial projects over 10,000 sq. ft. of either: a) new commercial development, b) addition of square footage to existing commercial development, and/or c) commercial tenant improvements requiring a planning approval shall be required to comply with SMMC 23.65. The final fee will be based on the square footage of the entire project and is to be paid at time of building permit issuance. It shall be paid into the Child Care Development Fund and will be determined based on the approved project and construction drawings. This condition shall be met prior to first building permit issuance. (BUILDING)
- 2 PRE-CONSTRUCTION CONFERENCE FOR LARGE PROJECTS- A pre-construction conference shall be held at a time and location agreed upon by the City and applicant for the purpose of reviewing Conditions of Approval and construction-site procedures. The applicant shall be represented by his design and construction staffs, which include any sub-contractors. Departments having conditions of approval for the project will represent the City. This meeting shall be held prior to issuance of the Demolition Permit, Building Permit or Site Development Permit, and shall be satisfied prior to issuance of whichever permit is issued first. (BUILDING)
- 3 HAZARDOUS MATERIALS - As required by state law, an asbestos and lead paint abatement scope of work shall be developed prior to issuance of a demolition permit for the structure on the project site. All measures outlined in this scope of work shall be implemented as part of the project. This scope of work shall outline the performance parameters for hazardous remediation standards and regulatory compliance criteria. In addition, any asbestos abatement contractors performing work on the site shall be licensed by the State of California. Buildings of the age of those on the project site may contain mercury and/or PCBs. Therefore these

hazardous materials shall be found and removed prior to demolition and recycling. This shall be verified as part of a final hazardous materials report prepared by a qualified consultant and shall be submitted to the Building Division prior to issuance of a demolition permit. (BUILDING)

- 4 CALGREEN – The building shall be designed to include the green building measures specified as mandatory in the application checklists contained in the California Green Building Standards Code. The applicant shall incorporate the checklist along with a notation on the checklist to specify where the information can be located on the plans, details, or specifications, etc.
- 5 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, and miscellaneous structures. The purpose of the site survey is to accurately verify compliance with items such as setback dimensions, heights of buildings from established contours, and compliance with heritage tree ordinance. (BUILDING)
- 6 SOILS REPORT – The applicant shall provide a stamped, signed, and dated soil investigation report containing design recommendations to the Building Official. The classification shall be based on observation and any necessary tests of materials disclosed by boring or excavations made in appropriate locations. Additional studies may be necessary to evaluate soil strength, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction, seismically induced soil liquefaction, soil instability, and expansiveness. Additionally, the applicant shall submit a stamped, signed, and dated letter from the Geotechnical Engineer or Civil Engineer who prepared the soil investigation stating the following:
 - (A) The plans and specifications substantially conform to the recommendations in the soil investigation.
 - (B) The Geotechnical Engineer or Civil Engineer who prepared the soil investigation has been retained to provide soil site observation and provide periodic and final reports to the City of San Mateo.

Prior to final inspection for any building or structure, the Geotechnical Engineer or Civil Engineer who prepared the soil investigation shall issue a final report stating the completed pad, foundation, finish grading and associated site work

substantially conform to the approved plans, specifications and investigations.
(BUILDING)

- 7 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)
- 8 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 and any specific Conditions of Approval. 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)

Fire Department (PA)

- 9 FIRE HYDRANTS - The applicant shall install fire hydrant(s) at spacing per the SMC Fire ordinance. All fire hydrants used for fire flow for the project site shall be upgraded to a Clow model 960 or equivalent consisting of (2) 2½ inch and (1) 4½ inch outlet. Each hydrant shall be capable of providing a minimum fire flow of 1500 gpm at 20 psi residual pressure. Water supply for fire protection is required to be installed in accordance with water purveyor's specifications. The water supply shall be tested, flushed and approved operable PRIOR to any combustible construction materials being placed on the site. Staged construction shall insure that the necessary water supply is maintained from stage to stage in the construction planning. The letter shall be submitted to the Fire Marshal or his/her designee for review and approval before the issuance of a fire sprinkler permit.
(FIRE)
- 10 FIRE SPRINKLER SYSTEM - The applicant shall install a N.F.P.A. 13 fire sprinkler system complying with local amendments. The applicant shall also provide permanent drainage to sanitary sewer for all sprinkler discharge. Fire sprinkler system plans shall be submitted under separate fire plan check and permit. A separate plan check permit is required for the underground fire service. (FIRE)
- 11 FIRE FLOW - The applicant shall meet the fire flow rate and duration requirements of the California Fire Code. The fire flow information shall be submitted to the Fire Marshal or his/her designee for review and approval prior to the issuance of the building permit. (FIRE)

- 12 FIRE CONTROL ROOM - An approved fire control room shall be provided for this building. There shall be direct access to the room directly from the exterior of the building. Refer to San Mateo Consolidated Fire Department Fire Code Section 508.2 for details. The fire control room shall be indicated on the building permit set of plans submitted to the Fire Marshal or his/her designee for review and approval prior to the issuance of the building permit. (FIRE)
- 13 CODE CONFORMANCE - The applicant shall indicate on all building permit plans that all construction shall meet current code standards at the time of building permit submittal. The building permit plans are subject to review and approval by the Fire Marshal or his/her designee prior to issuance of the building permit. (FIRE)
- 14 SUBMITTALS - The applicant shall submit all fire plans in conjunction with the superstructure building permit plans. The plans are subject to review and approval by the Fire Marshal or his/her designee prior to issuance of the superstructure building permit plans. (FIRE)

Parks and Recreation Department (PA)

- 15 TREE PROTECTION MEASURES – Prior to issuance of the Demolition Permit, Building Permit, or Site Development Permit, the Tree Protection Plan and Arborist Report shall be reproduced on full-size sheets of permit plans, and shall be completed prior to issuance of whichever permit is issued first. Protected Street Tree #8 shall be shown on a full-size site plan with the location of tree protection measures specified by the Project Arborist. On this same site plan, refer to the sheet(s) where the Tree Protection Plan/Arborist Report can be found in the plan set. (PARKS AND RECREATION)
- 16 SITE DEVELOPMENT PERMIT FOR TREE REMOVAL – The applicant shall obtain a Site Development Permit for tree removal from the Planning Division for removal of existing trees with a diameter of 6 inches or larger at 54” above grade. The Site Development Permit for tree removal shall authorize the applicant to replace on-site and street trees equivalent or greater than the Landscape Unit (LU) value of trees to be removed by planting on-site and street trees, paying a fee in lieu of planting trees at the rate established in the annual Comprehensive Fee Schedule upon permit issuance, or a combination of both. (PLANNING)
- 17 INITIAL SITE INSPECTION - Prior to the issuance of demolition permits, the Project Arborist is to email a letter with photos to the City Planner assigned to this project verifying that all tree protection measures were properly implemented. A schedule of future site inspections may be required when submitting for Building Permits. (PARKS AND RECREATION)

Planning Division (PA)

- 18 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, whichever comes first. (PLANNING)
- 19 TRASH AND RECYCLING ENCLOSURES - All ground level trash and recycling enclosures shall be screened from public view by a solid wall or solid fence, and/or perimeter landscaping. These facilities shall be designed and located as delineated on the approved planning application drawings. The building permit plans shall show the location and screening of the Enclosure; however; the final location and required screening of all Items shall be reviewed and approved by the Zoning Administrator before issuance of a certificate of occupancy/final of the project. (PLANNING)
- 20 BELOW MARKET RATE (BMR) RENTAL UNITS AGREEMENT– Pursuant to Municipal Code Section 27.16.050 and Resolution 135 (2010), the applicant shall enter into and record a Below Market Rate Affordability Restriction Agreement to provide BMR units. This also includes payment of below market rate program in-lieu fee for fractional units as outlined in the City of San Mateo Comprehensive Fee Schedule, as necessary. (PLANNING)
- 21 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)

- 22 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)

- 23 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 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.

(C) A two-inch (2") depth layer of mulch shall be required in all new planting areas except in areas of turfgrass or annuals.

(D) The applicant shall provide proof of an agreement with a licensed landscape contractor or General Contractor for a Plant Establishment Maintenance Period consisting of three (3) growing season months (March through October) for all proposed landscape areas. All landscaped areas shall be maintained free of litter, debris and weeds. All plantings shall be permanently maintained in a healthy growing condition and whenever necessary, replaced with equivalent plant

materials to ensure continued conformance with approved plans. (PLANNING)

- 24 HOUSING – Prior to issuance of the demolition permit, the applicant shall demonstrate conformance to the housing and tenant replacement requirements per California Government Code 65915(c)(3) as applicable. This includes but is not limited to providing at least the same number of units to be made available at affordable rental cost to, and occupied by, persons and families in the same or lower income category as those households in occupancy at the time of planning application submittal. If the income category of the household in occupancy is not known, it shall be presumed that lower income renter households occupied these units in the same proportion of lower income renter households to all renter households within the jurisdiction, which is 47% and equivalent to a maximum of 3 units, as determined by the most recently available data from the U.S. Department of Housing and Urban Development’s Comprehensive Housing Affordability Strategy database. (PLANNING)
- 25 INTERIOR NOISE LEVELS – The project design shall result in a completed project that complies with the City’s Noise Goals as enumerated in the Noise Element of the General Plan and incorporated here by reference. The applicant shall provide an acoustical analysis, by a licensed acoustical consultant, which shall contain recommendations to ensure the building’s interior day-night average sound levels (LDN) are in compliance with the levels established in the San Mateo General Plan. A copy of the acoustical analysis shall be submitted as part of the building permit drawings for this project. The applicant shall submit a letter prepared by the person/firm who prepared the acoustical analysis for the project, verifying that all recommendations contained in the analysis have been incorporated into the construction of the project. The letter shall also verify that the project will comply with the noise requirements contained in the City’s General Plan.(PLANNING)
- 26 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.
The list of available comparable housing units within San Mateo County shall be provided to the existing tenant(s) by the property owner, or the designated property manager, at the time when notice to vacate the unit is given to the existing tenant(s) or upon request by the tenant(s), whichever occurs first. The list of available comparable housing units shall be updated weekly by the property owner, or the designated property manager, until the units are vacated.
The tenant(s) shall also be provided with a relocation allowance in the form of cash or check equal to three (3) months' rent at the tenant's rate that is in effect

on the date of the final planning application approval. The relocation allowance shall be paid to the existing tenant at the time when notice to vacate the unit is given to the existing tenant or upon request by the tenant when relocation expenses are incurred if requested by the tenant. The relocation allowance shall be paid no later than the time the tenant vacates the premises.

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)

- 27 CONDITIONS OF APPROVAL – Final plans shall include all the Conditions of Approval beginning on sheet 2 of the plans. (PLANNING)
- 28 PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The applicant shall check with the Project Planner to determine whether any outstanding planning applications fees exist and those fees shall be paid prior to the issuance of the first building permit. (PLANNING)
- 29 SCREENING OF ROOFTOP MECHANICAL EQUIPMENT – All rooftop mechanical equipment must be screened by a solid enclosure or parapet wall, in conformance with the approved planning application. Rooftop screening shall be constructed with the same building materials as the building exterior, or other compatible materials as approved by the Chief of Planning and/or Zoning Administrator. (PLANNING)
- 30 TRAFFIC NOISE IMPACTS TO THE PROJECT - INTERIOR - As required in the Noise Assessment Study prepared by Edward L. Pack Associates, Inc. dated March 25, 2022, noise insulation features shall be incorporated into the proposed project to reduce interior noise levels to 45 dBA Ldn or less, including but not limited to the following:

All windows and glass doors of living spaces with a direct or side view of El Camino Real (southeast, southwest and northwest facades) may be closed at the occupant's discretion to control interior noise and achieve interior noise standards. At living spaces within 72 ft. of the centerline, install windows and glass doors rated minimum Sound Transmission Class (STC) 35. At living spaces between 72 ft. and 118 ft. of the centerline, install windows and glass doors rated minimum STC 31. These window sound rating apply to all floor elevations. Provide some type of mechanical ventilation for these spaces. All other windows and glass doors of the project may have any type of glass and do not need to be

sound-rated. Refer to Figure 3 in the above-referenced Noise Assessment Study for locations of the recommended noise control windows and glass doors.

- 31 CONFORMANCE WITH APPROVED PLANNING APPLICATION - All building permit plans, details, and subsequent construction shall substantially conform with the approved planning application. This includes but is not limited to plans, materials, project description, and other items submitted as part of the approved planning application. Any proposed modifications to the approved planning application shall be reviewed and approved by the Community Development Director, or his/her designee, prior to construction of the proposed modifications. The Community Development Director, or his/her designee shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a planning application modification is required to be submitted to permit the proposed modifications, as required by Municipal Code Section 27.08.080 Modifications. (PLANNING)
- 32 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)
- 33 EXCAVATED SOILS- Excavated site soils shall be tested prior to disposal to confirm that the concentration of constituents present in site soils do not exceed hazardous waste criteria of local, state and federal regulations. If the concentration of constituents in the project site soils do exceed hazardous waste criteria, they shall be disposed of as hazardous waste in accordance with local, state and federal regulations. The applicant shall submit a copy of the testing report and associated recommendations to the City, as well as a letter prepared by the soils engineer stating that all recommended measures have been adhered to. (PLANNING)

Police Department (PA)

- 34 SITE FURNITURE- The building permit application plans shall show permanent site furniture accessible to the public designed and installed to prevent an adult from laying down by installing arm rests not more than 4' apart, or by designing elevation changes 4" or more on horizontal surfaces every 4'. Temporary site furniture shall be secured at the close of each business day. (POLICE)
- 35 SECURED BUILDING ACCESS BY EMERGENCY PERSONNEL - The building permit application plans shall show the detailed specifications for and the installation of telephone entry pads (TEPs) and/or wireless "click to enter" systems at the main exterior building entrance(s) and parking garage entrance(s) for secured buildings. These access systems must allow emergency personnel to access all levels of the

interior of the building. The access systems must also be installed at exterior gate locations that lead to secured areas of the site, such as interior courtyards. Access system placement location is subject to the review and approval of the Chief of Police or his/her designee, prior to the approval of the first building permit for the project. Police access codes shall be as provided by the Chief of Police or his/her designee at the time of installation (POLICE)

- 36 PARKING GARAGE SECURITY FOR MIXED USE GARAGES – The building permit application plans shall show:
- (a) Restricted access to the residential portion of the parking garage with electrically operated closures to allow passage of motor vehicles at all times. Required visitor parking shall have unrestricted access at all times.
 - (b) The closures, whether overhead, sliding or swinging shall be provided with reopening devices which will function to stop and reopen the closure in case the closure is obstructed when closing.
 - (c) Openings into the garage which are not for vehicular or human passage shall be provided with security grilles or screens.
 - (d) Digital keypads and/or wireless “click to enter” systems complying with SECURED BUILDING ACCESS BY EMERGENCY PERSONNEL shall be provided to allow for entry into all portions of the garage at all times.
 - (e) If egress doors are required by code to connect garage spaces with different uses, the egress doors shall be alarmed and monitored.
 - (f) Exterior doors or gates providing access into the secure areas of the parking garage shall remain locked at all times, and shall only be accessible through the use of keys, key fob or remote keyless entry system devices furnished to the building residents and shall be equipped with self-closing devices.
 - (g) All storage, maintenance, and trash rooms within parking garages shall have doors which cannot be locked from the inside, and that close and lock quickly and automatically upon exit.
 - (h) Parking spaces shall not be numbered to coincide with interior unit numbers.
 - (i) Lighting in the parking garage shall be in conformance with the Security Ordinance as it applies to SITE LIGHTING. No dark areas shall exist inside the parking garage
(POLICE)
- 37 PHOTOMETRIC PLAN SUBMITTAL REQUIREMENT - The building permit application plans shall include a photometric plan showing the installation of lighting fixtures and lighting levels to be reviewed and approved by the Chief of Police or his/her designee. The photometric plan shall include point-by-point lighting levels in foot-candles for the entire plot and ten feet beyond the project property lines. The

point-by-point photometric plan shall provide lighting levels on a grid not to exceed five feet by five feet across the entire site. Each point shall report the illuminance to the nearest 0.1 foot-candles. Photometric calculations including maximum foot-candles, average foot-candles, minimum foot-candles, average to minimum uniformity, and maximum to minimum uniformity shall be included on the plan submitted. Select specifications for fixtures selected shall be provided on the photometric plan sufficient to ensure compliance with the SITE LIGHTING STANDARDS. (POLICE)

- 38 BUILDING SECURITY CODE COMPLIANCE - The project plans shall comply with the City's Building Security Code (San Mateo Municipal Code Chapter 23.54). (POLICE)
- 39 STAIRWELL & EXTERIOR DOORS – The building permit application plans shall show the maximum allowable viewing panel in egress doors from stairwells and exterior doors leading to exterior areas, parking garages, and basement levels. (POLICE)

Public Works Department (PA)

- 40 CLEAN, INSPECT AND REPAIR STORM LINE – The applicant shall clean and inspect (via remote TV camera) the storm line from the manhole upstream to the manhole downstream of the project area (MH 15H-01 to MH 16H-03). The video inspection shall be done by a professional video inspection company, to City standards and the Sewer System Management Plan (SSMP) and be completed prior to issuance of the building permit for the superstructure. The video of the inspection shall be reviewed with the Department of Public Works and any cracked or broken areas of the line along the project frontage shall be repaired by the applicant at his expense. The required repairs, as determined by the Public Works Department, shall appear on the building permit plans for the superstructure submitted by the applicant for permit plan check. All necessary repairs to the storm line shall be completed and approved prior to connection from the project site. The building permit plans for the superstructure shall show all storm drain lines to be clean and inspected. (PUBLIC WORKS)
- 41 UTILITIES – Utility plans shall be submitted as part of the building permit plans for the superstructure and shall show appropriate line types and labels to identify different type of utilities and pipe sizes. Clearly identify both public and private utilities.

The Developer shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television, and communication conduits and

cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures.

Sanitary sewer laterals and/or water meters located in driveways shall have traffic rated boxes and lids.

Developer is required to confirm the location of existing utility lines along the project frontage by potholing. Prior to any potholing, developer shall obtain an encroachment permit and submit a pothole plan for City review and approval. Developer shall provide the pothole results to the Director of Public Works or designee or designee prior to final design. Any utility conflicts shall be the responsibility of the developer to rectify. (PUBLIC WORKS)

- 42 STORM WATER POLLUTION PREVENTION PLAN (SWPPP) – The project applicant shall provide a Storm Water Pollution Prevention Plan (SWPPP) in compliance with Bay Area Stormwater Management Agencies Association (BASMAA) Blueprint for a Clean Bay Best Management Practices to Prevent Stormwater Pollution from Construction-Related Activities. (PUBLIC WORKS)
- 43 STORM DRAIN INLETS AND WATERWAYS – The building permit plans for the superstructure shall show the marking of the words “No Dumping! Flows to Bay,” or equivalent, on all storm inlets surrounding and within the project site using methods approved by the City standards, consistent with the San Mateo Countywide Water Pollution Prevention Program’s C.3 requirements (PUBLIC WORKS)
- 44 FENCES AND OTHER PERMANENT STRUCTURES – The applicant shall locate all project fencing and foundations of a permanent nature within the project’s property and out of the City right-of-way. (PUBLIC WORKS)
- 45 TRIANGULAR AREA OF VISIBILITY – The building permit application plans shall show that the installation of landscaping and permanent structures located within the 10' triangular area of visibility at the driveway, and 45' triangular area of visibility at any project corner meets the requirements of a minimum vertical clearance of 7', and/or are less than 3' in height. This includes all PG&E above ground structures and other utility facilities. (PUBLIC WORKS)
- 46 GARBAGE/RECYCLE/COMPOSTING STORAGE AND SERVICE – The applicant shall provide an adequate area for the purposes of storing garbage, recycling, composting collection containers for scheduled servicing by the franchise solid waste collection service. The containers shall be placed at the service location

allowing enough room for the truck to safely approach the containers. The collection containers shall be brought to the service area and returned to the storage enclosure by the property owner. The containers are not to be in public view or in the public right-of-way prior to, or beyond the scheduled service times. A letter shall be provided from the City's franchise solid waste collection service provider stating that service is available to the project as designed. The building permit plans for the superstructure shall show garbage and recycling areas. (PUBLIC WORKS)

- 47 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 any work being done. (PUBLIC WORKS)
- 48 INTERIOR FLOOR DRAINS – The building permit plans for the superstructure shall show all interior floor drains and shall be plumbed to connect to the sanitary sewer system and shall not be connected to stormwater collection system per the San Mateo Countywide Water Pollution Prevention Program's C.3 requirements. (PUBLIC WORKS)
- 49 TEMPORARY 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)

- 50 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 as described within the guidelines included within the current Building Demolition Plan Submittal Checklist. The Form shall be reviewed and approved by the Director of Public Works or his/her designee. (PUBLIC WORKS)
- 51 CHARGES FOR PUBLIC WORKS SERVICES – Prior to plan checking, the applicant shall be required to deposit with the City, funds to pay for, at the adopted rate, all engineering, inspection and survey services that may be required during plan

check and construction of the project. The amount of the deposit shall be \$20,000. Public Works plan checking of the plans submitted with the building permit plans cannot proceed until the deposit is submitted. The applicant shall be required to increase the deposit at the discretion of the City, for any costs in excess of the deposit. 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)

- 52 UNDERGROUND PARKING GARAGE DRAINAGE – The building permit plans for the superstructure shall show that water from the underground parking garage shall not be discharged into the storm drain system. The applicant shall direct discharge from covered or underground garage to the City's sanitary sewer system. Stormwater runoff from the roof or other exposed areas of the project shall not discharge to these garage drains. The design shall be done by a licensed Civil Engineer who shall provide hydraulic calculations and drawings subject to the approval of the Director of Public Works or designee. (PUBLIC WORKS)
- 53 GRADING AND DRAINAGE PLANS – All grading and drainage plans shall identify the vertical elevation datum, date of survey, and surveyor. Grading plans shall show existing topo and features at least 50' beyond the project boundary. Plan shall show existing topography, label contour elevations, drainage patterns, flow lines, slopes, and all other property encumbrances. (PUBLIC WORKS)
- 54 CALTRANS PERMIT - Prior to the issuance of a foundation building permit, the applicant must submit evidence to the Public Works Department 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)
- 55 ADDRESS PLAN – The applicant shall submit to the Public Works Department a final address plan. Said submittal shall be approved by the Director of Public Works 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)
- 56 UNDERGROUND UTILITIES – The building permit plans for the superstructure shall show the installation of all new, and upgraded, utility services, including telephone, electric power, and other communications lines underground to the building in accordance with City of San Mateo Municipal Code 26.32.020.

Transformers and switch gear cabinets shall be placed on private property or within a utility easement. (PUBLIC WORKS)

- 57 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 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 Owner per the Stormwater Treatment Facilities Maintenance Agreement. The building permit plans for the superstructure shall show trash capture devices. (PUBLIC WORKS)
- 58 SEPARATE WATER METERS - When a development includes multiple uses, there shall be a separate water meter for each development use. This will facilitate the accurate assessment of the Sewer Service Charge, which is based on water use and customer class. (PUBLIC WORKS)
- 59 TIE-BACK AGREEMENT – If the shoring system required to perform the excavation for the project includes tie-backs that encroach into the public right-of-way, the Applicant shall execute and record the City's standard tie-back agreement prior to the issuance of the shoring building permit.
- 60 CLEAN, INSPECT AND REPAIR SANITARY SEWER – The applicant shall clean and inspect (via remote TV camera) the mainline sewer from the manhole upstream to the manhole downstream of the project lateral connection (MH 304-09X to MH 304-14X). The video inspection shall be done by a professional sanitary sewer video inspection company, to City standards and the Sewer System Management Plan (SSMP) and be completed prior to issuance of the building permit for the superstructure. The video of the inspection shall be reviewed with the Department of Public Works and any cracked or broken areas of the line along the project frontage shall be repaired by the applicant at his expense. The required repairs (spray foam-RazoRooter or flushing, or removal of roots, or replacement), as determined by the Public Works Department, shall appear on the building permit plans for the superstructure submitted by the applicant for permit plan check. All necessary repairs to the sewer shall be completed and approved prior to connection of the project lateral to the sewer. The building permit plans for the superstructure shall show all sanitary sewer lines to be clean and inspected. (PUBLIC WORKS)
- 61 WILL SERVE LETTER FOR WATER – A Will Serve Letter from the water company shall be supplied to the Director of Public Works or designee. (PUBLIC WORKS)

- 62 PARKING LOTS – The building permit plans for the superstructure shall include all required off street parking lots, showing proper grading, drainage, ramps profile, and parking dimensions in conformance with City parking standards. (PUBLIC WORKS)
- 63 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 Director of Public Works or designee or designee. 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 submitted as part of the building permit for the superstructure. Projects that include permanent structural controls for stormwater treatment, must comply with requirements of Section C.3 of the Municipal Regional Stormwater Permit for San Mateo County (MRP). 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 with the County of San Mateo Recorder's Office. The building permit plans for the superstructure shall show drainage. (PUBLIC WORKS)

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

Building Division (PA)

- 64 WATER CONSERVATION IN LANDSCAPING - The applicant shall submit a completed Water Conservation in Landscaping Screening Form. If the screening form indicates the project is subject to the Water Conservation in Landscaping Ordinance pursuant to Municipal Code Section 23.72.030, additional documentation prescribed by the screening form shall also be included with the site plan. City of San Mateo Water Conservation in Landscaping forms are located on Building Division webpage. The applicant shall submit the required landscape documentation package with building permit application subject to the review and satisfaction of the Building Official, or his/her designee. (BUILDING)

Fire Department (PA)

- 65 FIRE ALARM SYSTEM- A Fire Alarm system complying with NFPA 72 and CFC 907 is required. (FIRE)

Planning Division (PA)

- 66 NOISE COMPLAINT MANAGEMENT - As required in the Noise Assessment Study prepared by Edward L. Pack Associates, Inc. dated March 25, 2022, the following measures shall be incorporated into the project:

(A) Designate a noise complaint officer who shall be available at all times during construction hours via both phone and email. Signage shall be posted at site entries with contact information (phone and email) for noise complaints, similar to the above-referenced Noise Assessment Study example.

(B) Notify, in writing, all residential and noise sensitive commercial neighbors within 300 ft. of the site of construction. The notification shall contain the name, phone number and email address of the noise complaint officer. A flyer may be placed at the doors of the residences.

(C) A log of all complaints shall be maintained and submitted to the city every other month. The logs shall contain the name and address of the complainant, the date and time of the complaint, the nature/description of the noise source, a description of the remediation attempt or the reason remediation could not be attempted. (PLANNING)

Public Works Department (PA)

- 67 SANITARY SEWER CONNECTION CHARGE – The applicant shall pay a charge proportional to the project's share of the increased amount of sewage generated by the project, as established by the ordinance in effect at the time of planning application submission. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. The fee shall be based on the fee schedule in effect on January 13, 2022. (PUBLIC WORKS)

- 68 SOUTH TRUNK AREA SEWER IMPROVEMENT FEE – In order to meet the increased demands on the South Trunk Sewer system created by this project, the applicant shall contribute fees toward the construction cost to increase its capacity based upon the project's average projected sanitary flow, as established by the ordinance in effect at the time of planning application submission. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. The fee shall be based on the fee schedule in

effect on January 13, 2022. (PUBLIC WORKS)

- 69 PARK IN-LIEU/IMPACT FEES – The applicant shall pay a park impact fee (SMMC Section 13.05.070) or a fee in-lieu of dedication of lands for park and recreation purposes (park in-lieu fee) (SMMC Chapter 26.64). The final fee shall be determined upon approval of the final map for the park in-lieu fee or prior to the issuance of the building permit for the park impact fee. The park in-lieu fee shall be paid prior to the release of the final map for recordation and the park impact fee shall be paid prior to the issuance of the building permit. If a project with an approved tentative map is issued a building permit prior to the approval of the final map, the applicant shall be subject to the payment of the park impact fee only prior to the issuance of the first building superstructure permit. (PARKS)
- 70 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, as established by San Mateo Municipal Code Chapter 27.13. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. The fee shall be based on the fee schedule in effect on January 13, 2022. (PUBLIC WORKS)
- 71 PEDESTRIAN ACCESS EASEMENT – The owner shall dedicate a pedestrian access easement, as delineated in the approved planning application plans. The easement shall be approved by the Director of Public Works or designee, recorded with the County Recorder's Office, and a recorded copy of the document returned to the City prior to the release of the building permit for the superstructure. The building permit plans for the superstructure shall show all easements. (PUBLIC WORKS)
- 72 WASTEWATER TREATMENT PLANT PHASE II IMPACT FEE – In order to meet the increased demands on the Wastewater Treatment Plant created by this project, the applicant shall contribute fees toward the Plant expansion based upon the average projected sanitary flow, as established by City Council Resolution No. 24 (2006). The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. The fee shall be based on the fee schedule in effect on January 13, 2022. (PUBLIC WORKS)
- 73 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 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)

(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. (PUBLIC WORKS)

(C) CURB RAMP – The applicant shall construct one (1) curb ramp in accordance with State Standard Drawing No. A88A. The actual ramp "Case" shall be identified

on the plans and shall be approved by the Director of Public Works or designee or designee. (PUBLIC WORKS)

(D) CURB AND GUTTER – The applicant shall replace to existing City standards all curb and gutter surrounding the project site. New curb and gutter shall be constructed per City Standard Drawing 3-1-141A. (PUBLIC WORKS)

(E) DRIVEWAY APPROACH – The applicant shall install one (1) City Standard commercial driveway approach as shown on the approved planning application plans. The new commercial driveway approach shall be constructed per City Standard Drawing 3-1-148. (PUBLIC WORKS)

(F) DRIVEWAY REMOVAL – The applicant shall remove the existing driveway approaches located El Camino Real as shown on the approved planning application plans, and replace them with sidewalk, curb and gutter per City Standard Drawing 3-1-141A (PUBLIC WORKS)

(G) SEWER LATERAL – The applicant shall install as a minimum a six (6) inch City Standard sewer lateral connection from the property line to the sewer main located in the street right of way. The installation shall be done in accordance with City Standard Drawing 3 1 101. (PUBLIC WORKS)

(H) STREETLIGHTS/PHOTOMETRIC ANALYSIS - The applicant shall submit a photometric analysis showing the installation of new post top streetlights along the project frontages, to meet the required levels shown below as recommended by the Illuminating Engineering Society (IES) Illuminance Method. The photometric plan shall include point-by-point lighting levels in foot-candles for the entire sidewalk area immediately adjacent to the project. The analysis shall include two sidewalk analysis zone (AZ), one per frontage , and may require other zones if applicable. The sidewalk analysis shall start at the back of the pedestrian access easement boundary to the face of curb along the El Camino frontage and start at the back of walk to the face of curb along the Hayward Avenue frontage. The sidewalk AZs shall show calculation data such as average, maximum, minimum, uniformity ratio (avg./min) in foot-candle and the number of points. Each AZ shall be clearly labeled, and calculations shall be presented in a legible and concise manner. The Light Loss Factor (LLF) used for this analysis shall be .803. A pole and luminaire schedule shall be included in the photometric analysis showing the mounting height (MH), mast arm length (MA) and luminaire type for all existing and proposed street lights included in the analysis. The selected specifications for

the fixtures used for the analysis shall be provided by the City as per the latest City Standard to meet latest greenhouse gas emissions reduction goals. Once the photometric analysis has been completed, the developer shall furnish and install the post top streetlight improvements outlined by the photometric analysis. The final quantity and location of new post top streetlights will be determined by the photometric analysis.

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 poles, luminaires, conductors, conduits, pull boxes, service connections, electrical enclosures, fuse holders, bus fuses and all other electrical components necessary to construct the improvements. The specifications for the light pole and fixture shall be provided by Public Works. It is the developer's responsibility to prepare all plans, calculations, and documents and 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 shall 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.

PROJECT LIGHTING DESIGN CRITERIA

IES Table 16-2 Recommended Values for Medium Pedestrian Activity Areas
(RP-8-18)

El Camino Real & Hayward Avenue –Sidewalks: Medium Pedestrian Conflict

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)

- 74 WATER CONSERVATION IN LANDSCAPING – In accordance with the City's Water Conservation in Landscaping Ordinance in Municipal Code Section 23.72.030, a licensed landscape architect, a licensed landscape contractor, or a certified irrigation designer shall complete the "Certification of Completion" in the City of San Mateo Water Conservation in Landscaping form. Upon completion of the work, the certification of completion shall be submitted to the City's Building Inspector subject to the review and approval of the Building Official, or his/her designee.
(BUILDING)

- 75 ART IN PUBLIC PLACES – The applicant shall be required to comply with Section 23.60 of the San Mateo Municipal Code for Art in Public Places. Applicability is determined based on the valuation of all construction for the project at time of building permit issuance; this will be a cumulative total for all structures within the project. Section 23.60.060 details the allowable methods of compliance, generally described to include the installation of Civic Arts Committee approved artwork to the satisfaction of the Community Development Director, or payment of a fee in lieu of placement of public art, or a combination thereof in an amount that is equal one-half of one percent of the total building valuation, excluding land acquisition and off-site improvement costs. The in-lieu fee shall be paid into the Art in Public Places Fund. This condition shall be met in accordance with Section 23.60.050 prior to the issuance of a Certificate of Occupancy. (BUILDING)

Fire Department (PA)

- 76 REMOTE POWER DISCONNECT - 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. The key switch location shall be submitted to the Fire Marshal or his/her designee for review and approval prior to the final inspection. (FIRE)
- 77 EMERGENCY RESPONDER RADIO COVERAGE - An Emergency Responder Radio Coverage system may be required for this building. Testing should occur prior to construction due to circuit protection requirements that will affect building design. A third party testing grid report shall be provided to the San Mateo Consolidated Fire Department before the final inspection. (FIRE)

Planning Division (PA)

- 78 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)
- 79 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)

- 80 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)
- 81 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)

Public Works Department (PA)

- 82 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)
- 83 STORM WATER TREATMENT FACILITIES MAINTENANCE AGREEMENT – The applicant shall execute a maintenance agreement with the City's Director of Public Works or designee as specified in San Mateo Municipal Code Chapter 7.39 of the Stormwater Management and Discharge Control ordinance and the San Mateo Countywide Water Pollution Prevention Program C.3 Program Technical Guidance. The agreement shall outline the continuous operation and maintenance (O&M) plan for the permanent storm water treatment facilities including irrigation and landscape maintenance of Green Infrastructure elements constructed in the public right-of-way and shall be recorded with the County Recorder's Office. This agreement shall be executed prior to the first occupancy of the building. (PUBLIC WORKS)
- 84 RESTORATION OF ROADWAY – Due to the anticipated project's truck traffic, the applicant shall grind and overlay with 2.5 inches of asphalt concrete of 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 Hayward Avenue for the entire length of the project frontage and width of the roadway. The Director of Public Works or designee 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)

- 85 TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM – A Transportation Demand Management Program has been prepared for this project (refer to the "1 Hayward Avenue TDM Plan" report, dated March 2022) and shall be implemented by the applicant. A written letter to the Public Works Director on an annual basis shall include an assessment of compliance with the Transportation Demand Management Plan, including mode split survey results, by the end of every calendar year (December 31st). (PUBLIC WORKS)

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

Building Division (PA)

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

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

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

(A) The following criteria are met:

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

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

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

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

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

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

Fire Department (PA)

- 87 EGRESS - Adjacent buildings/properties shall not have their required egress restricted or compromised at any time during the construction of this project.
(FIRE)
- 88 STANDPIPES - In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction or demolition.
(FIRE)
- 89 DEMOLITION - Building(s) under construction or demolition shall comply with the California Fire Code Ch. 33 during all phases of construction of the project. (FIRE)
- 90 ADDRESS NUMBERS - The applicant shall post temporary address numbers on each building at the project site that must be easily visible from the street or fire access road during all phases of construction of the project. (FIRE)

Parks and Recreation Department (PA)

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

Planning Division (PA)

- 92 CONSTRUCTION PHASE NOISE AND VIBRATION IMPACTS - As required in the Noise Assessment Study prepared by Edward L. Pack Associates, Inc. dated March 25, 2022, the following measures shall be incorporated into the proposed project to reduce demolition and construction noise:

OPERATIONAL AND SITUATIONAL CONTROLS

- (A) All work on site shall be restricted to 7:00 AM to 7:00 PM weekdays, 9:00 AM to 5:00 PM Saturdays and 12:00 PM to 4:00 PM Sundays and Holidays, per the requirements of the City of San Mateo Noise Ordinance.
(B) All construction noise control measures currently imposed on the project, if any, shall be maintained unless the measures outlined herein are more restrictive.
(C) Minimize material movement along the north side of the site.
(D) Locate stockpiles adjacent to neighbors to help shield people from on-site noise generation as much as possible.
(E) Music shall not be audible off site.
(F) Dirt berming and stockpiling materials whenever possible to help reduce noise to sensitive receptor locations.
(G) Keep mobile equipment (haul trucks, concrete trucks, etc.) off of local streets near residences as much as possible.
(H) Keep vehicle paths graded smooth as rough roads and paths can cause significant noise and vibration from trucks (particularly empty trucks) rolling over rough surfaces.

INTERIOR WORK

- (I) For interior work, the windows of the interior spaces facing neighbors where work is being performed shall be kept closed while work is proceeding.
(J) Noise generating equipment indoors shall be located within the building to utilize building elements as noise screens.

EQUIPMENT

- (K) Earth Removal: Use scrapers as much as possible for earth removal, rather than the noisier loaders and hauling trucks.
- (L) Backfilling: Use a backhoe for backfilling, as it is quieter than either dozers or loadres.
- (M) Ground Preparation: Use a motor grader rather than a bulldozer for final grading. Utilize wheeled equipment rather than track equipment, with the exception of work within the vibration distances shown in the above-referenced Noise Assessment Study Table V.
- (N) Building Construction: Nail guns shall be used where possible rather than manual hammering.
- (O) Generators and Compressors: Use generators, compressors and pumps that are housed in acoustical enclosures rather than weather enclosures or none at all.
- (P) Utilize temporary power service from the utility company in lieu of generators wherever possible.
- (Q) All stationary equipment shall be rated no higher than 90 dBA at 25 ft. under the equipment's most noisy condition.
- (R) Circular saws, miter/chop saws and radial arm saws shall be used no closer than 50 ft. from any residential property line unless the saw is screened from view by any and all residences using an air-tight screen material of at least 2.0 lbs./sq. ft. surface weight, such as 3/4" plywood.
- (S) Use electrically powered tools rather than pneumatic tools whenever possible.
- (T) Use quiet or "new technology" equipment.
- (U) Quiet exhaust noise by use of improved mufflers. All internal combustion engines used at the project site shall be equipped with a type of muffler recommended by the vehicle manufacturer.
- (V) All equipment shall be in good mechanical condition so as to minimize noise created by faulty or poorly maintained engines, drive-trains and other components. Worn, loose or unbalanced parts or components shall be maintained or replaced to minimize noise and vibration.
- (W) Utilize wheeled equipment rather than tracked equipment.
- (X) Use the lowest vibration inducing equipment when within the distance limits shown in Table VII of the above-referenced Noise Assessment Study. Small grading and earth moving equipment, such as "Bobcat" size equipment shall be used. (PLANNING/BUILDING)

- 93 CONSTRUCTION EMISSIONS CONTROL - As required in the Air Quality & Greenhouse Gas Assessment prepared by Illingworth & Rodkin, Inc. dated November 4, 2021, the project shall include the following measures to minimize air quality impacts that may occur during construction:

- (A) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded

areas, and unpaved access roads) shall be watered two times per day.

(B) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

(C) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

(D) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).

(E) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

(F) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

(G) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

(H) Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

(I) All mobile construction equipment larger than 25 horsepower used at the site shall meet U.S. EPA Tier 4 emission standards for particulate matter (PM10 and PM2.5), if feasible, otherwise:

(1) If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA Emission standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 40 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination)

(2) Use of electrical or non-diesel fueled equipment. (PLANNING)

- 94 SENSITIVE RECEPTOR EXPOSURE CONTROL - As required in the Air Quality & Greenhouse Gas Assessment prepared by Illingworth & Rodkin, Inc. dated November 4, 2021, the project shall include the following measures to minimize air quality impacts that may occur during the operation of the project:
- (A) Install air filtration in the residential buildings on the project site. Air filtration

devices shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors (i.e., residents), this ventilation system, whether mechanical or passive, shall filter all fresh air that would be circulated into the dwelling units.

(B) The ventilation system shall be designed to keep the building at positive pressure when doors and windows are closed to reduce the intrusion of unfiltered outside air into the building. (PLANNING)

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

Public Works Department (PA)

- 96 BEST MANAGEMENT PRACTICES (BMP) – The applicant shall perform all construction activities in accordance with the City’s Storm Water Management and Discharge Control Rules and Regulations (SMMC 7.39), and the San Mateo Countywide Water Pollution Prevention Plan (SMCWPPP) by reference. Detailed information can be located at:
<https://www.flowstobay.org/preventing-stormwater-pollution/with-new-redevelopment/construction-best-practices/> (PUBLIC WORKS)
- 97 MATERIAL HAULING – 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 Chapter 11.28.040 for the approval of the Director of Public Works or designee. The project sponsor shall require contractors to prohibit trucks from using “compression release engine brakes” on residential streets. A letter from the applicant detailing the proposed haul route shall be submitted to the Department of Public Works, and approved, prior to the issuance of any City permits. All material hauling activities including but not limited to, adherence to the approved route, hours of operation, staging of materials, dust control and street maintenance shall be the responsibility of the applicant. All storage and office trailers shall be kept off the public right-of-way. Tracking of

dirt onto City streets and walks will not be allowed. Entry and exit from the site shall use rock or rumble strips to prevent tracking. 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. Use of a sweeper is permissible as long as it operates dry (no water used, only vacuum). 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.

- 98 GROUND WATER DISCHARGE – In accordance with the Director of Public Works Groundwater Discharge Policy, discharge of contaminated groundwater to the sanitary sewer is only allowed on a temporary basis and will not be permitted for a period greater than 6 months. Discharges for longer than 6 months must obtain an NPDES permit from the State Water Board to discharge to the storm drain system. Discharge of uncontaminated groundwater to the storm drain is permissible if the applicant can provide analytical data to support the claim. No discharge to the storm drain is allowed without prior approval from the Public Works Department. All discharges to the sanitary sewer (contaminated and uncontaminated) require a Waste Discharge Permit and must comply with the City's discharge limits. (PUBLIC WORKS)
- 99 ARCHITECTURAL COPPER – Per the San Mateo Countywide Water Pollution Prevention Program's requirements, the applicant shall follow the specific best management practices for the installation of the Architectural Copper. For detailed information please distribute the flyer to all construction personnel involved in the fabrication and installation of the Architectural Copper that is located at:
<http://flowstobay.org/files/newdevelopment/flyersfactsheets/ArchitecturalcopperBMPs.pdf> (PUBLIC WORKS/BUILDING)
- 100 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,

shall be prohibited between the weekday hours of 4:00 p.m. to 5:30 p.m. Signs outlining these restrictions shall be posted at conspicuous locations on site. The signs shall be per the City Standard Drawing for posting construction hours. The sign shall be kept free of graffiti at all times. Contact the Public Works Department to obtain sample City Standard sign outlining hours of operation.

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

(i) The following criteria are met:

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

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

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

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

(iii) 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.

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

The Director of Public Works or designee 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.

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

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

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

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

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

- 101 CONSTRUCTION WORKER PARKING – 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 Director of Public Works 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)

- 102 PENALTY – In accordance with San Mateo Municipal Code section 27.02.210-Violations of Planning Application Conditions, any violation of any of the conditions of approval is unlawful and will subject the applicant to the penalties set forth in Chapter 1.04-General Penalty of the San Mateo Municipal Code as well as any other available legal remedies. (CITY ATTORNEY)
- 103 INDEMNIFICATION – The Applicant shall defend (with counsel approved by City), indemnify, and hold harmless the City, its elected and appointed officials, employees, and agents, from and against any claim, action, or proceeding (including without limitation any appeal or petition for review thereof) against the City or its elected and appointed officials, employees, and agents, related to an approval of the Project, including without limitation any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods (“Challenge”). The City may (but is not obligated to) defend such Challenge as the City, in its sole discretion, determines appropriate, all at the Applicant’s sole cost and expense. The Applicant shall bear any and all losses, damages, injuries, liabilities, costs, and expenses (including, without limitation, staff time and in-house attorney fees on a fully-loaded basis, attorney fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge (“Costs”), whether incurred by the Applicant, City, or awarded to any third party, and shall pay to the City upon demand any Costs incurred by the City. No modification of the Project, any application, permit, certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the Applicant’s indemnity obligation. Per Government Code Section 66474.9, the Applicant’s indemnification obligation with respect to any Challenge concerning a subdivision (tentative, parcel, or final map application or approval) shall be limited to actions brought within the time period provided for in Government Code Section 66499.37, unless such time period is extended for any reason. The City shall promptly notify the Applicant of any such claim, action, or proceeding, and shall cooperate fully in the defense. (CITY ATTORNEY)

Planning Division (PA)

- 104 SENSITIVE RECEPTOR EXPOSURE CONTROL - As required in the Air Quality & Greenhouse Gas Assessment prepared by Illingworth & Rodkin, Inc. dated November 4, 2021, the project shall include the following documents to ensure that the receptor exposure reduction measures are implemented and maintained for the life of the project:
- (A) An ongoing maintenance plan for the buildings' heating, ventilation, and air conditioning (HVAC) air filtration system shall be required that includes regular filter replacement.
 - (B) A use agreement and other property documents that require:
 - (1) Cleaning, maintenance, and monitoring of the affected buildings for air flow leaks,
 - (2) Assurance that new owners or tenants are provided information on the ventilation system, and including provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed. (PLANNING)
- 105 CONFORMANCE WITH APPROVED PLANNING APPLICATION AT ALL TIMES - All physical improvements, uses, and operational requirements authorized by the approved planning application shall substantially conform at all times that the use permitted by this planning application occupies the premises with the approved planning application. This includes but is not limited to plans, materials, project description, and other items submitted as part of the approved planning application. Any proposed modifications to the approved planning application shall be reviewed and approved by the Community Development Director, or his/her designee, prior to construction of the proposed modifications. The Community Development Director, or his/her designee shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a planning application modification is required to be submitted to permit the proposed modifications, as required by Municipal Code Section 27.08.080 Modifications. (PLANNING)

Police Department (PA)

- 106 SITE LIGHTING STANDARDS- Exterior security lighting in compliance with the Building Security Code "Exterior Security Lighting" (San Mateo Municipal Code Section 23.54.060) shall be provided and maintained at all times that the use permitted by this planning application occupies the premises. Site lighting shall comply with the requirement of an average illuminance of 1 foot-candle, a minimum illuminance of 0.3 foot-candle, and a uniformity ratio not to exceed 4:1 average to minimum. Light sources shall be capable of producing a "bright white" light with a color temperature between 3000K and 4000K and a color rendering

index (CRI) of at least 65 unless otherwise approved. This lighting standard is applicable to all parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to all buildings. The lighting system shall be so designed as to limit light spill beyond property lines and to shield the light source from view from off site. (POLICE)

107 VIDEO SURVEILLANCE –

(a) The applicant shall install and operate for the life of the project a video surveillance system. The information shall be maintained and retrievable for a minimum of 30 days. The captured video material shall be accessible to investigating police personnel through some form of facility management during regular business hours. The applicant shall provide proof of registration of the video surveillance camera system with the City through the City's Neighborhood Eyes Security Team web form (<https://www.cityofsanmateo.org/forms.aspx?FID=134>).

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

(c) The building permit application plans shall show cameras placed to view common areas of the property such as lobbies, parking garages, changes in parking garage uses, entrances and exits to all parking garages, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to all buildings. This condition is not intended to require Applicant to install pole mount cameras on the property, cameras to view these areas may be installed on the building facing out. (POLICE)

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