

**CITY OF SAN MATEO  
RESOLUTION NO. \_\_\_\_ (2022)**

**RESOLUTION APPROVING SITE PLAN AND ARCHITECTURAL REVIEW, SITE DEVELOPMENT PLANNING APPLICATION, AND TENTATIVE PARCEL MAP FOR PROPERTIES LOCATED AT 500 E. 3RD AVENUE, 300-320 S. DELAWARE STREET, 511-525 E. 4TH AVENUE, AND 307-373 S. CLAREMONT STREET FOR CONSTRUCTION OF A SIX-STORY MIXED-USE BUILDING CONSISTING OF 111 RESIDENTIAL UNITS AND 179,560 SQUARE-FEET OF OFFICE USES; SPECIAL USE PERMIT FOR OFF-SITE CONSTRUCTION STAGING FOR A PROPERTY LOCATED AT 402 S. DELAWARE STREET; AND ADOPTING THE MITIGATED NEGATIVE DECLARATION (PA-2021-063, BLOCK 21 MIXED-USE PROJECT)**

WHEREAS, Michael Field of Windy Hill Property Ventures (herein referred to as the “Applicant”) submitted a planning application PA-2021-063 with the Planning Division for a Site Plan and Architectural Review, Site Development Planning Application, and Tentative Parcel Map for properties located at 500 E. 3rd Avenue, 300-320 S. Delaware Street, 511-525 E. 4th Avenue, and 307-373 S. Claremont Street for construction of a six-story mixed-use building consisting of 111 residential units and 179,560 square-feet of office uses; and a Special use permit for off-site construction staging for a property located at 402 S. Delaware street (collectively referred to as “Project”) in the City of San Mateo (“City”); and

WHEREAS, the proposed Project is located within the Downtown Area Plan study area; and

WHEREAS, the San Mateo City Charter and Municipal Code Section 27.06.050 authorizes the City Council to take final action on Site Plan and Architectural Review for buildings exceeding 55 feet in height; and

WHEREAS, the Planning Commission considered the application on May 24, 2022, and recommended approval of the Project to the City Council; 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 circulated an Initial Study and Mitigated Negative Declaration to assess environmental impacts in accordance with CEQA Guidelines 15070 from May 18, 2022 to June 7, 2022; and

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

WHEREAS, the City Council held a public hearing for the Project on June 20, 2022 duly noticed, at which all public comments were considered;

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF SAN MATEO, CALIFORNIA AS FOLLOWS:

1. The City Council finds on the basis of the whole record before it that there is no substantial evidence that the project will have a significant effect on the environment and the Initial Study/Mitigated/Negative Declaration reflects the lead agency's independent judgment and analysis.
2. The custodian of the documents or other material which constitute the record of the proceeding upon which this decision is based is the Community Development Department, located at City Hall, 330 West 20th Avenue, San Mateo, California.
3. The Initial Study/Mitigated/ Negative Declaration for the Block 21 Mixed-Use Project and the Mitigation Monitoring and Reporting program are adopted.

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

1. The Project conforms to applicable policies of the Land Use, Circulation, Urban Design, Housing, Conservation and Open Space, and Noise Elements of the City's General Plan.
  - a. The Project conforms to Policy LU 1.8 of the Land Use Element, which encourages allowance of mixed-use developments that include multi-family dwellings in non-residential land use categories. The Project combines both office uses and multi-family residential uses which also complement the existing commercial uses in the vicinity and in the adjacent downtown core. In conformance with Policies LU 2.4 and 3.1, the Project proposes these uses at high intensities and densities that further the downtown area as the social, cultural, and economic center of the City.
  - b. In conformance with Policies C2.5 and 2.10 of the Circulation Element, a Transportation Impact Analysis and Transportation Demand Management Plan have been prepared for the Project. The Transportation Impact Analysis concludes that the Project will not result in a significant impact caused by increased Vehicle Miles Traveled (VMT). The Applicant has nonetheless agreed to implement a Transportation Demand Management Plan that includes specific trip-reduction measures for the life of the Project. The Project will also install new pedestrian enhancements such as sidewalks, ramps, and streetlights in conformance with Policies C4.4 and C4.5.
  - c. The Project conforms to Policies UD1.3 and UD1.5 in the Urban Design Element, which promote E. 3<sup>rd</sup> Avenue as gateways and focal points of the City. The Project provides a well-designed building and high quality building materials along all frontages, including E. 3<sup>rd</sup> Avenue. The building materials also conform to Policy UD2.3 in that the materials complement the style of Project and incorporate common materials of the area, including stone veneer, glass, and stucco.
  - d. The Project conforms to Policies H2.6, H2.10 and H2.12 of the Housing Element in that the Project includes 111 rental housing units in a mixed-use building at a density that exceeds the base density through State Density Bonus Law. In addition, the project devotes 12 of the total units to the very-low income category and will be responsible for payment of a Commercial Linkage Fee in conformance with the City's below-market-rate inclusionary program and Policy H2.4.

- e. Policy C/OS 6.6 of the Conservation and Open Space Element requires that new developments provide street trees, which this Project conforms to in that a total of 27 new street trees are proposed in conformance to the Street Tree Master Plan.
  - f. The Project conforms to Policies N1.1 and N1.2 of the Noise Element in that an acoustical analysis will be required for the Project at the building permit stage of the process ensuring that interior noise levels will not exceed noise limits. In addition, the Project shall conform to Policy N2.1 in that noise measures and monitoring during construction have been included as conditions of approval.
2. The Project conforms to applicable policies of the City's Downtown Area Plan.
- a. In conformance with Policy 1.3, the Project proposes a high quality building design and appropriate building scale and massing that further promote E. 3<sup>rd</sup> and E. 4<sup>th</sup> Avenues as main connections to the downtown core. The Project also integrates new street trees, widened sidewalks, and sidewalk furnishings at the pedestrian realm to further the pedestrian connectivity to the downtown core at the pedestrian level.
  - b. The Project conforms to Policies II.5 and II.10 in that the Project integrates both commercial and residential uses in the CBD/S zoning district that complements the downtown CBD zone.
  - c. While the Project exceeds the maximum bulk and building height provisions of the Zoning Code via State Density Bonus Law, the Project integrates building setbacks and residential open spaces at the fourth through sixth floors in substantial conformance with Policy III.3.
  - d. In conformance with Policy III.7, the Project prioritizes the pedestrian realm through deep building setbacks at the ground floor particularly along E. 3<sup>rd</sup> Avenue and E. 4<sup>th</sup> Avenue to serve as open space, new landscaping, and bicycle parking at the street-level. The Project also proposes utilities either underground and/or within the building.
  - e. A Parking Demand Study has been prepared for the project, which conforms to Policy V.8 in that the Project, which is within one-half mile of the Downtown Transit Center, includes a reduced parking ratio for office uses.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF SAN MATEO, DOES HEREBY APPROVE THE BLOCK 21 MIXED-USE PROJECT, PA-2021-063 AT 500 E. 3RD AVENUE, 300-320 S. DELAWARE STREET, 511-525 E. 4TH AVENUE, AND 307-373 S. CLAREMONT STREET; AND A SPECIAL USE PERMIT FOR 402 S. DELAWARE STREET; BASED UPON THE FOLLOWING FINDINGS FOR APPROVAL, THE CONDITIONS OF APPROVAL INCLUDED IN EXHIBIT A TO THIS RESOLUTION, AND THE MITIGATION MONITORING AND REPORTING PROGRAM INCLUDED IN EXHIBIT B TO THIS RESOLUTION:

1. The Site Plan and Architectural Review (Municipal Code Section 27.08.030) application for construction of a mixed-use building 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 Project employs a high quality building design with materials that enhance the existing architectural character of the surrounding area;

- ii. The Project provides a cohesive transition between the downtown to the north and west, as well as to the existing residences and commercial businesses to the south and east;
    - iii. The pedestrian improvements create a walkable and inviting pedestrian realm that substantially conform with the City's guidelines relating to sidewalks; and,
    - iv. The Project incorporates new landscaping throughout the project's open space areas to further enhance the pedestrian realm.
  - b. The development will not be detrimental to the harmonious and orderly growth of the City in that:
    - i. The Project provides residential and office uses at high intensities that would complement existing commercial uses in the vicinity and in the downtown core to the west;
    - ii. The Project is consistent with the General Plan and Zoning Code excepting standards modified via State Density Bonus Law; and,
    - iii. The Project is in substantial conformance with the Downtown Area Plan, Bicycle Master Plan, and Citywide Pedestrian Master Plan.
  - 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 Project consists of a new mixed-use building with office uses at a high intensity and residential uses at a high density in an area well-served by public transit;
    - ii. The Project provides new, well-designed housing units, particularly rental housing that provides opportunities for those unable to manage the expense of ownership housing; and,
    - iii. The Project optimizes the project vicinity's development potential for commercial uses furthering the downtown as the economic center of the City.
  - 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. The project will also submit a soils investigation report at the building permit stage ensuring that the building is designed to reduce susceptibility of liquefaction.
  - 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 Plan and Architectural Review (Municipal Code Section 27.64.390(a)) application to locate loading berths on-street and associated Conditions of Approval are approved based on the following findings:
- a. Adequate on-street parking is available along the S. Claremont Street frontage and along the Project's other frontages to accommodate the two proposed loading berths.

- b. The on-street loading berths are intended for temporary loading purposes are located more than 50 feet from any intersections and provide convenient access to the building entrances along S. Claremont Street.
  - c. The street width is adequate to accommodate loading vehicles without impeding use of the sidewalk or local traffic circulation or otherwise be detrimental to public safety.
- 3. 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 32 existing trees, of which 23 are considered 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 enhance the site and pedestrian realm through planting of new street trees along all four frontages of the Project.
  - 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 landscaping, including planting of 27 new street trees, as shown on the project plans, and/or through the payment of a fee to the City's tree planting fund.
- 4. The Tentative Parcel Map (Municipal Code Section 26.56) application and associated Conditions of Approval are approved based on the following findings:
  - a. The Project proposes to merge eleven parcels into one parcel that is consistent with the land use and density permitted by the General Plan and Zoning Code.
  - b. The newly created lot is physically suitable for the future proposed development in that the lot would not constitute hillside development and all existing lots are currently developed and served by required utilities and services.
  - c. The design of the newly created lot will not cause substantial environmental impact nor injure fish or wildlife or their habitat in that it redevelops a site already in urban use with a commercial and residential uses.
  - d. The design of the newly created lot and type of improvements will not cause serious public health problems in that adequate sanitary sewer and storm drain facilities are provided for the project and the project street frontage is improved with sidewalks and will not otherwise constrain the delivery of public services.
  - e. The design of the newly created lot will not conflict with any public utility easements granting access through, or use of, the site in that the Project would remove and abandon all existing easements.
- 5. The Special Use Permit (Municipal Code Section 27.74.020) application for construction staging at 402 S. Delaware Street and associated Conditions of Approval are approved based on the following findings:
  - a. The proposed use of construction staging for a construction project at a separate project site is similar to the specifically allowed use of temporary buildings for construction purposes for a period not to exceed the duration of construction. A condition of approval has been integrated that requires the temporary use of construction staging to be removed no later than the final inspection on the related construction project.

- b. The proposed use will not adversely affect the general health, safety and/or welfare of the community nor will it cause injury or disturbance to adjacent property by traffic or by excessive noise, smoke, odor, noxious gas, dust, glare, heat, fumes or industrial waste given that the use and operations of the site are required to be in compliance with all applicable Building Codes, Fire Codes, and the Municipal Code. The Project will also be subject to conditions of approval at all times during the construction of the related project pertaining to noise, dust control, and construction work hours.

## **EXHIBIT A**

### **CONDITIONS OF APPROVAL**

PA-2021-063, BLOCK 21 MIXED USE PROJECT (SPAR + SDPA + TENTATIVE PARCEL MAP + SUP)

500 E 3RD AVE, SAN MATEO, CA 94401-3303

PARCEL # 034185200, 034185160, 034185190, 034185140, 034185150, 034185170, 034185040,  
034185030, 034185050, 034185110, 034185120

AS APPROVED BY THE CITY COUNCIL ON

The following conditions of approval apply to the project referenced above. The conditions of approval are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Types of Building permits include Demolition, Shoring/Excavation, Foundation, and Superstructure.

**The following conditions shall be satisfied prior to issuance of a DEMOLITION PERMIT, BUILDING PERMIT FOR SHORING OR FOUNDATION, or SITE DEVELOPMENT PERMIT, whichever is issued first, or prior to the deadline specified in that condition.**

#### **Planning Division (PA)**

- 1 APPROVED PLANNING APPLICATION CONFORMANCE – 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)
- 2 CONDITIONS OF APPROVAL – This complete list of Conditions of Approval shall be reproduced onto the second sheet of all building permit plan sets. (PLANNING)
- 3 PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The applicant shall pay all outstanding planning application fees. (PLANNING)
- 4 PHASING PLAN – The applicant shall submit a complete phasing plan indicating all on-site improvements and off-site infrastructure improvements and their estimated duration of construction. The applicant shall also indicate at what phase each off-site improvement is to be constructed. This plan shall be subject to the review by the Community Development Director or his/her designee. (PLANNING)

- 5 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, pay 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)
- 6 VECTOR CONTROL PLAN – The applicant shall enter into a contract with a pest control specialist and develop a vector control plan to be submitted for review and approval by the Community Development Director and the San Mateo County Mosquito and Vector Control District. The plan shall describe measures which shall be taken by the applicant to prevent rodent and pest infestation to adjacent sites, specify pest control measures, cover all phases of demolition, landscaping removal, and construction plus for a minimum period of six months after the completion of construction. The plan shall also specify that modifications will be developed and implemented should additional pest control measures be required during construction or demolition activity, subject to approval by the Community Development Department Director or his/her designee. (PLANNING)

#### **Building Division (PA)**

- 7 APPLICABLE BUILDING STANDARDS AND LOCAL CODES – All building permit plans shall demonstrate compliance with the applicable California Building Standards Codes and local amendments as adopted by the Building Division at the time of filing the building permit application. (BUILDING)
- 8 BAAQMD JOB NUMBER – The applicant shall submit an asbestos demolition and renovation notification job number (J#) from Bay Area Air Quality Management District. (BAAQMD). (BUILDING)
- 9 DEMOLITION – A building permit for demolition shall be issued in accordance with Section 23.06.100 of the San Mateo Municipal Code, to the satisfaction of the Building Official or his/her designee. (BUILDING)
- 10 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)

- 11 SITE SURVEY – The applicant shall provide a full site survey stamped and signed by a Land Surveyor licensed by the State of California. The survey shall include, but not be limited to: location and dimensions of property lines, location of streets and easements, existing buildings, topographic contour lines, trees/landscape, and other structures. (BUILDING)
- 12 SOILS REPORT AND INVESTIGATION LETTER – The applicant shall submit a stamped, signed, and dated soils investigation report containing design recommendations and integrate recommendations into the plans as-appropriate, to the satisfaction of the Building Official or his/her designee. The applicant shall also submit a letter stamped and signed by the Geotechnical engineer of-record stating the plans and specifications substantially conform to the recommendations in the soil report, subject to the satisfaction of the Building Official or his/her designee. This condition shall be satisfied prior to the issuance of a building permit for shoring/excavation or foundation. (BUILDING)

#### **Fire Department (PA)**

- 13 FIRE FLOW – The applicant shall provide fire flow information to the Fire Plan Checker, which is subject to the review and approval of the Fire Marshal or his/her designee. (FIRE)

#### **Public Works Department (PA)**

- 14 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 \$50,000. 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 (shall 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)
- 15 DOWNTOWN CENTRAL PARKING AND IMPROVEMENT DISTRICT (CPID) PARKING – The applicant shall demonstrate that the parking required by the San Mateo Municipal Code has been fulfilled in accordance with San Mateo Municipal Code Chapter 27.64.100. This condition shall be satisfied prior to the issuance of a building permit for shoring/excavation or foundation. (PUBLIC WORKS)
- 16 ENCROACHMENT PERMITS, BONDS, AND INSURANCE – The applicant shall 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)

17 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. This condition shall be satisfied prior to the issuance of a building permit for shoring and/or excavation. (PUBLIC WORKS)

18 NOTICE OF INTENT – For construction activities that will disturb one (1) acre or more, the project applicant shall obtain coverage under the General Construction Activity Storm Permit (General Construction Permit) issued by the State Water Resources Control Board (SWRCB) for stormwater discharges associated with construction activity. To obtain coverage, the project applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board to obtain coverage under the State General Construction Activity NPDES Permit. Proof of permit shall be provided to the Public Works Department along with a Storm Water Pollution Prevention Plan (SWPPP) prepared by a qualified SWPPP designer prior to issuance of the STOPPP Construction permit. (PUBLIC WORKS)

19 PARCEL MAP – It shall be the applicant's responsibility to have a parcel map, prepared by a person authorized to practice land surveying in California, delineating all parcels created or deleted and all changes in lot lines in conformance with San Mateo Municipal Code Chapter 26.56.

The parcel map shall be approved by the Department of Public Works and recorded with the County Recorder's Office prior to the issuance of any City permits. A parcel map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the parcel map to the title company for recordation.

Prior to the City's release of the parcel map to the title company, the applicant may, at the discretion of the Director of Public Works or designee, be required to submit to the City an electronic copy of the map in PDF and the AutoCAD Version being used by the City at the time of recordation. It is the applicant's responsibility to check with their title company and the County Recorder's Office to determine the time necessary to have the map recorded after City approval. This condition shall be satisfied prior to a building permit for shoring/excavation or foundation. (PUBLIC WORKS)

20 POLYCHLORINATED BIPHENYLS (PCB) SCREENING ASSESSMENT FORM – As per Stormwater Municipal Regional Permit requirements and San Mateo Municipal Code Chapter 7.39, Demolition Permit Applicants shall complete the PCBs Screening Assessment Form located here: <https://www.cityofsanmateo.org/160/Demolition-Requirements> The

Form shall be reviewed and approved by the Director of Public Works or his/her designee.  
(PUBLIC WORKS)

- 21 STORMWATER POLLUTION PREVENTION PERMIT – The applicant shall obtain a Stormwater Pollution Prevention (STOPPP) Construction permit, paying the required fees and posting the required cash deposit, for all work associated with the stormwater pollution prevention program in accordance with San Mateo Municipal Code Chapter 7.39.170. The fee amount will be based upon the City Council resolution in effect at the time the building permit application is made. (PUBLIC WORKS)
- 22 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 and pay the fee based on the most current adopted fee schedule at the time of payment, prior to the issuance of a building permit for shoring and/or excavation. (PUBLIC WORKS)
- 23 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.

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

**The following conditions shall be satisfied prior to issuance of a BUILDING PERMIT FOR THE SUPERSTRUCTURE.**

**Planning Division (PA)**

- 24 ACOUSTICAL ANALYSIS – The applicant shall specify acoustical treatments in the building permit plans for the superstructure in compliance with State Building Codes, the City's Noise Ordinance, and General Plan. The applicant shall also submit an acoustical analysis prepared by a professional acoustical consultant to ensure that the design incorporates controls to reduce interior noise levels to 45 dBA Ldn or lower within the residential units and to 50 dBA Leq(1-hr) or lower within nonresidential interiors subject to the satisfaction of the Community Development Director, or his/her designee. The applicant shall conform with any special building construction techniques noted in the project's acoustical analysis, which may include sound-rated windows and doors, sound-rated wall constructions, and acoustical caulking. The acoustical analysis and building permit plans shall specify the following noise insulation features to reduce interior noise levels to 45 dBA Ldn or less at residential interiors:

(A) Provide a suitable form of forced-air mechanical ventilation, subject to the satisfaction

of the Community Development Director, or his/her designee for all residential units, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards.

(B) Preliminary calculations indicate that residential units facing South Delaware Street would require windows and doors with a minimum rating of 33 to 35 STC with adequate forced-air mechanical ventilation to meet the interior noise threshold of 45 dBA Ldn.

(C) Residential units facing East 3rd Avenue and East 4th Avenue would require windows and doors with a minimum rating of 30 to 31 STC with adequate forced-air mechanical ventilation to meet the interior noise threshold of 45 dBA Ldn.

(D) Residential units facing South Claremont Street and located along the interior of the building would achieve interior noise levels of 45 dBA Ldn with standard construction materials and the incorporation of forced-air mechanical ventilation. (PLANNING)

25 BELOW MARKET RATE (BMR) AGREEMENT – In accordance with Municipal Code Section 27.16.050 and Resolution 135 (2010), the applicant shall enter into and record a BMR Affordability Restriction Agreement to provide BMR unit(s) and/or pay a fee in-lieu for fractional unit(s) as outlined in the adopted Comprehensive Fee Schedule. For projects that provide BMR unit(s), the BMR unit(s) shall:

(A) Have exterior design and appearance compatible with and substantially the same as market rate units within the project, including landscaping;

(B) Be distributed throughout the development project as approved by the City;

(C) Have similar access to the unit from the exterior as market rate units;

(D) Contain proportionately the same number of bedrooms as market rate units;

(E) Generally be of comparable size to similar market rate units;

(F) Have access to all on-site amenities;

(G) In phased development projects, be constructed proportionately in each phase; and,

(H) Interior unit amenities shall be, at a minimum, UL or AGA-listed if amenities such as floor covering, appliances, and other fixtures differ from market rate units.

The BMR Affordability Restriction Agreement shall be subject to the satisfaction of the Housing Manager, or his/her designee. (PLANNING)

- 26 CHILD CARE DEVELOPMENT FEE – The applicant shall pay a Child Care Development Fee subject to the rate established in the annual Comprehensive Fee Schedule in effect on January 13, 2022. (PLANNING)
- 27 COMMERCIAL LINKAGE FEE – The applicant shall pay the Affordable Commercial Housing Linkage Fee in accordance with Municipal Code Section 23.61 and Resolution 84 (2016) subject to the rate established in the annual Comprehensive Fee Schedule in effect at the time of building permit issuance. (PLANNING)
- 28 EXTERIOR GLASS MATERIAL SAMPLES – The applicant shall submit physical samples of all proposed exterior glass types, which are identified as G1 and G2 in the approved project plans. Unless intended as spandrel glass concealing structural elements of the building, all exterior glass shall be transparent subject to the review and satisfaction of the Community Development Director, or his/her designee. (PLANNING)
- 29 LOCATION AND SCREENING OF ABOVE GROUND UTILITIES AND EQUIPMENT – All screening for any ground-level utilities, equipment, and other project related operational/utility devices shall be shown on the building permit plans in substantial conformance with the approved planning application. All above ground utilities and equipment shall be screened with landscaping, fencing, and/or other solid materials to the satisfaction of the Community Development Director, or his/her designee. (PLANNING)
- 30 MECHANICAL VENTILATION – All exterior mechanical ventilation designs for subterranean garages shall be shown on the building permit plans in substantial conformance with the approved planning application. All mechanical ventilation shall be incorporated into the building design or landscaped areas and be screened to the satisfaction of the Community Development Director, or his/her designee. (PLANNING)
- 31 REPLACEMENT OF EXISTING AFFORDABLE UNITS – The applicant shall demonstrate conformance to the housing and tenant replacement requirements in accordance with California Government Code 65915(c)(3) as applicable. This includes, but is not limited to, providing the equivalent number of units (six 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%, 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)

32 SCREENING OF ROOFTOP MECHANICAL EQUIPMENT – All rooftop mechanical equipment shall be shown on the building permit plans in substantial conformance with the approved planning application. All equipment shall be painted and/or screened by a solid enclosure or parapet wall with materials compatible with the building design subject to the satisfaction of the Community Development Director, or his/her designee. (PLANNING)

33 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 Municipal Code Section 27.02.180 as follows:

(A) A list of available comparable housing within San Mateo County;

(B) A relocation allowance in the form of cash or check equal to three times the current monthly United States Department of Housing and Urban Development (HUD) Fair Market Rent for a dwelling unit of comparable size and type to the dwelling or room from which the displacement occurs; and,

(C) A payment not to exceed one thousand dollars (\$1,000.00) for actual moving costs and related expenses incurred by the tenant household and substantiated by reasonably probative documentation.

The Planning Division shall be given notice of the initiation of the tenant relocation process, and shall be provided written verification of all compliance with all requirements of this condition subject to the review and approval of the Community Development Director, or his/her designee. (PLANNING)

34 WARNING DEVICES AT GARAGE ENTRANCE – The plans shall specify installation of visual and audio warning devices at the S. Claremont Street driveway to alert drivers and pedestrians when existing or crossing the driveway. Visual warning devices include mirrors, motion-activated or stationary signs, and flashing lights, and audio warning devices include alarms or verbal announcements. The specifications for warning devices shall be subject to the satisfaction of the Director of Public Works or designee. (PLANNING/PUBLIC WORKS)

#### **Building Division (PA)**

35 CALGREEN – The building permit plans shall incorporate the applicable CALGreen Checklist noting the green building measures the project will incorporate in accordance with the California Green Building Standards Code and City of San Mateo Reach Codes subject to the review and approval by the Building Official, or his/her designee. Current City of San Mateo CALGreen checklists are located on Building Division webpage or will be provided by Community Development Department staff, if requested. (BUILDING)

36 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)**

37 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. (FIRE)

38 FIRE CONTROL ROOM – The plans shall show a fire control room with direct access from the exterior of the building subject to the requirements listed in the Fire Department's local Ordinance and subject to the review and approval of the Fire Marshal or his/her designee. (FIRE)

39 FIRE DEPARTMENT SUBMITTALS – The applicant shall submit all plans involving fire systems (including but not limited to fire sprinklers, fire hydrants, and fire alarms) in conjunction with the superstructure building permit plans to the Fire Department. The plans are subject to review and approval by the Fire Marshal or his/her designee. (FIRE)

40 REMOTE POWER DISCONNECT – The plans shall show a key switch/shunt trip to disconnect the building electrical power and/or solar photovoltaic system by Fire Department personnel. The key switch/shunt trip location(s) shall be subject to the review and approval of the Fire Marshal or his/her designee. (FIRE)

#### **Parks and Recreation Department (PA)**

41 STREET TREES – The landscape plans shall specify installation of street trees in accordance with the City of San Mateo Street Tree Master Plan. In accordance with Municipal Code Section 27.71.120(a)(1), 24-inch box shall be the minimum size for street trees planted along public streets and shall include tree grates and root barriers as specified by the City Standard Drawings 3-1-847 and 3-1-933. The landscape plans shall be subject to the review and approval of the Community Development Director, or his/her designee. (CDD ARBORIST)

#### **Police Department (PA)**

42 BUILDING SECURITY CODE COMPLIANCE – The building permit plans shall comply with the City's Building Security Code (San Mateo Municipal Code Chapter 23.54). (POLICE)

43 MIXED USE PARKING GARAGE SECURITY – The building permit plans for the superstructure 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.

(B) Restricted access to the portion of the parking garage intended to service commercial uses outside of standard business hours (restricted hours defined as bank holidays, Saturday, Sunday, and Monday through Friday from 6:00pm to 6:00am, or as specified in a shared use agreement the City is a party to). Outside of standard business hours the portion of the parking garage intended to serve commercial uses shall include electrically operated closures to allow passage of motor vehicles.

(C) 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.

(D) Openings into the garage which are not for vehicular or human passage shall be provided with security grilles or screens.

(E) 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.

(F) If egress doors are required by code to connect garage spaces with different uses, the egress doors shall be alarmed and monitored.

(G) 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.

(H) An access control plan for the shared-use garage spaces complying with SHARED GARAGE ACCESS CONTROL PLAN shall be submitted and approved by the Chief of Police or designee.

(I) 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.

(J) Parking spaces shall not be numbered to coincide with interior unit numbers.

(K) 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)



44 PHOTOMETRIC PLAN SUBMITTAL REQUIREMENT – The building permit plans for the superstructure 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)

45 PUBLIC SAFETY COMMUNICATIONS FOR TALL BUILDINGS – The building permit plans for the superstructure shall show compliance with Security Code SMMC “23.54.020 CITY COMMUNICATION SYSTEMS – HIGH RISE BUILDINGS”, by providing for the following allowances for the placement of emergency communications equipment on the building permit plans:

(A) Enough enclosed space for the equivalent of one dedicated server rack in a locked server room that is clean, dry, and well-ventilated (this does not need to be a fire control room);

(B) One 4” conduit from the designated server rack through the roof. The conduit shall be provided with wide radius bends, a weatherhead on the roof, and a pull string and ring;

(C) Authorization to mount antennas on the roof. The maximum allowable distance from the designated server rack to the antenna mounting location shall be 100 feet;

(D) One 20 amp, 120 VAC dedicated electrical circuit on the building's emergency generator. An uninterruptible power supply (UPS) may be installed by the City if the building is not provided with an emergency generator;

(E) 12 copper cable pairs to the building's main telephone terminal; and,

(F) Ground buss bar bonded to the building grounding system.

This requirement is in addition to the requirement of the California Fire Code to supply a functional emergency responder radio coverage system. (POLICE)

46 SECURED BUILDING ACCESS BY EMERGENCY PERSONNEL – The building permit plans for the superstructure 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)

47 SITE FURNITURE – The building permit plans for the superstructure 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)

48 STAIRWELL & EXTERIOR DOORS – The building permit plans for the superstructure 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)

49 VIDEO SURVEILLANCE SUBMITTAL REQUIREMENT – The building permit plans for the superstructure shall include a plan showing the installation of cameras and approximate viewing fields of surveillance cameras to be reviewed and approved by the Chief of Police or his/her designee. The plan shall include cameras placed to view areas as required by VIDEO SURVEILLANCE STANDARDS, and include select specifications for cameras and storage equipment to ensure compliance with the VIDEO SURVEILLANCE STANDARDS. (POLICE)

#### **Public Works Department (PA)**

50 ADDRESS PLAN – The applicant shall submit to the Public Works Department a final address plan. The plan shall be substantially in conformance with the address plan approved with the planning application. Said submittal shall be approved by the Director of Public Works or designee prior to the issuance of the building permit for the superstructure. (PUBLIC WORKS)

51 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 13H-33X to MH 13H-33X). 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)

52 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 (CB13H-54 to MH 12H-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)

53 DRAINAGE – The building permit plans show drainage designed into landscaping with the purpose of reducing volume or improving quality of runoff from the site shall be implemented, to the extent feasible, subject to the approval of the Director of Public Works or designee. No increase to the peak discharge shall be permitted downstream. In addition, discharge shall 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. The applicant shall install storm drain improvements per the approved plans including but not limited to: installing a new manhole on E.3rd Avenue collecting site flow and street green infrastructure overflow, installing a catch basin on S Claremont Street, and converting an existing catch basin to manhole on E. 4th Avenue. Projects that include permanent structural controls for stormwater treatment, shall 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)

- 54 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)
- 55 FOOD SERVICE EQUIPMENT CLEANING – The applicant of any food service facilities shall have any sink or other floor mat, container, and equipment cleaning area, connected to a grease interceptor prior to discharging to the sanitary sewer system. The cleaning area shall be large enough to clean the largest mat or piece of equipment to be cleaned. The cleaning area shall be indoors or in a covered outdoor area; either areas being plumbed to the sanitary sewer. Outdoor cleaning areas shall be designed to prevent stormwater run-on from entering the sanitary sewer and to prevent stormwater run-off from carrying pollutants to the site storm drains. Signs shall be posted indicating that all food service equipment washing activities shall be conducted in this area. Regular maintenance and cleaning of the grease interceptor is required. The building permit plans for the superstructure shall show connection to grease interceptors. (PUBLIC WORKS)
- 56 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)
- 57 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)
- 58 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 AND RECREATION)

59 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. Drainage should be directed to adjacent landscaping wherever possible. (PUBLIC WORKS)

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

(C) CURB RAMPS – The applicant shall construct curb ramp(s) in accordance with State Standard Drawing No.A88A along all frontages. The actual ramp "Case" shall be identified

on the plans and shall be approved by the Director of Public Works or designee or designee. The applicant will also contribute towards upgrading all curb ramps along the path of travel from the development to the closest Caltrain station. The applicant will submit a pedestrian and bicyclist "path of travel" route that will be used to determine upgrades needed. (PUBLIC WORKS)

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

(E) 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)

(F) SANITARY AND STORM SEWER MANHOLES – The applicant shall install standard storm and sanitary sewer manhole, per approved plans and in accordance with City Standard Drawing. (PUBLIC WORKS)

(G) STORM WATER CATCH BASIN(S) – The applicant shall install standard storm water catch basins, per approved plans and in accordance with City Standard Drawing. (PUBLIC WORKS)

(H) GREEN INFRASTRUCTURE – In accordance with San Mateo Municipal Code Chapter 7.39, the applicant shall install and maintain green infrastructure (GI) improvements , per approved plan. The improvements shall be in accordance with the guidance and specifications provided by San Mateo Countywide Water Pollution Prevention Program or City of San Mateo GI Plan design and shall be approved by the Director of Public Works or designee or designee. Drainage capacity calculations shall be performed by a licensed Civil Engineer, whose signed Engineer's stamp shall appear on the calculation sheets; and shall be submitted to the City for review and approval with the project superstructure plans. GI improvements shall be maintained by the adjacent property owner and included in the stormwater treatment O&M (operation and maintenance) agreement that is recorded with the County of San Mateo Recorder's Office. (PUBLIC WORKS)

Applicant shall provide green infrastructure to the maximum extent as determined by the Public Works Director or designee at their sole direction, to treat storm water runoff from frontage and public ROW. Sizing and design shall conform to San Mateo Countywide Water Pollution Prevention Program City of San Mateo GI Plan design templates and technical guidance and be approved by the Director. (PUBLIC WORKS)

(I) STREET LIGHT(S) AND INFRASTRUCTURE – The applicant shall submit both a lighting plan and streetlight improvement plan.

Lighting Plan:

The lighting plan shall include a design for lighting all public streets, intersections, sidewalks, pedestrian paths, and bicycle facilities located in the public roadway right-of-way adjacent to the project site. The lighting plan shall be designed to meet the lighting levels recommended in the Illuminating Engineering Society's (IES) Recommended Practice For Design And Maintenance Of Roadway And Parking Facility Lighting (ANSI/IES RP-8-18), and shall be based on photometric analysis prepared using lighting design software. The lighting plan shall show the location and type of all luminaires, luminaire mounting heights, luminaire arm lengths, photometric analysis zones, and all calculated point illuminance values. The analysis in the lighting plan shall utilize the Illuminance Method described in ANSI/IES RP-8-18. Separate analysis zones shall be used for each street, each sidewalk by frontage, and each intersection. Analysis zones and calculation points shall be configured according to the City's standard practice in use at the time the analysis is begun. The analysis zone for each street fronting the project site shall include the entirety of the roadway from curb face to curb face. The design for the lighting plan shall achieve the required lighting levels using the least number of luminaires possible, using a consistent pattern of luminaire placement, and shall include luminaires on both sides of the street if such a pattern reduces the number of luminaires required, unless otherwise approved by the City. The design shall also include pedestrian scale lighting if pedestrian scale lighting is already in use on the block of the project frontage, or if the City's Pedestrian Master Plan recommends pedestrian scale lighting on the project frontage. If lighting levels cannot be met using only pedestrian scale lighting at a minimum spacing of 50 feet, a mixed pattern of pedestrian scale and cobra head style lighting may be used. The design may incorporate existing luminaires. All new luminaires shall be selected from the City's list of standard luminaires at the time of design. Only City owned streetlights within the public right-of-way, or located in an easement on private property, may be used, unless otherwise approved by the City.

The photometric analysis in the lighting plan shall utilize the following parameters for this project as defined in ANSI/IES RP-8-18.

3rd Avenue: Major roadway, High pedestrian activity level

4th Avenue: Major roadway, High pedestrian activity level

Delaware Street: Major roadway, High pedestrian activity level

Claremont Street: Collector roadway, High pedestrian activity level

#### Streetlight Improvement Plan:

The applicant shall implement the lighting plan from their project frontage to the roadway centerline. The applicant shall submit a streetlight improvement plan showing all work necessary to construct the streetlight improvements for which they are responsible to implement. The plan shall include all electrical calculations (i.e. voltage drop) required for design of a functional streetlight system that complies with all applicable codes and standards. The City will provide the applicant with information about the type and approximate location of existing streetlights near the project site that are to be included in the photometric analysis. It shall be the applicant's responsibility to field verify the location of all existing streetlight equipment and infrastructure, including, but not limited to, underground conduits, pull boxes, poles, and electrical service connections, as needed

for the preparation of the photometric analysis and streetlight improvement plans.

The applicant shall prepare all documents needed as attachments to applications to the serving electrical utility for new, or modifications to existing, electrical service connections. The City will submit the application to the serving utility.

The applicant shall pay all fees, permits, dues, etc., associated with implementing the streetlight improvements.

The applicant shall consult with the City for additional guidance on preparing the lighting plan and streetlight improvement plan, prior to beginning preparation of said both plans. (PUBLIC WORKS)

- 61 SEPARATE WATER METERS – When a development includes multiple uses, there shall be a separate water meter for each development use. The building permit plans for the superstructure shall show the separate water meters. (PUBLIC WORKS)
- 62 SEWER CHARGE – 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 San Mateo Municipal Code Chapter 3.54.060. The charge will be based upon the City Council resolution in effect at the time of building permit issuance. The fee shall be collected by the Public Works Department and paid prior to issuance of the first superstructure building permit. The fee shall be based on the fee schedule in effect on January 13, 2022. (PUBLIC WORKS, BUILDING)
- 63 SHARED PARKING AGREEMENT FOR PUBLIC USE – The applicant shall execute a shared parking agreement with the City of San Mateo as approved by the Public Works Director or designee. The applicant shall provide a Parking Operations Plan, outlining how the shared parking arrangement will operate, to the City of San Mateo prior to the issuance of the first permit. The agreement and the Parking Operations Plan shall be subject to approval of the Principal Transportation Planner. This agreement shall be executed prior to the superstructure permit. (PUBLIC WORKS)
- 64 STORM DRAIN INLETS AND WATERWAYS – The building permit plans shall show the marking of the words "No Dumping! Flows to Bay," or equivalent, on all storm inlets surrounding and within the project site using methods approved by the City standards, consistent with the San Mateo Countywide Water Pollution Prevention Program's C.3 requirements (PUBLIC WORKS)
- 65 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)

- 66 TRASH CAPTURE DEVICES – The building permits shall show installation of 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)
- 67 TRIANGULAR AREA OF VISIBILITY – The building permit plans for the superstructure shall show that the installation of landscaping and permanent structures located within the 10' triangular area of visibility at the driveway, and 25' 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)
- 68 UNDERGROUND (OR COVERED) PARKING GARAGE DRAINAGE – The building permit plans for the superstructure shall show that water from the underground (or covered) parking garage shall not be discharged onto the public street. 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)
- 69 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)
- 70 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)

71 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)

72 WILL SERVE LETTER FOR WATER – The applicant shall provide a will-serve letter from Calwater subject to the satisfaction of the Director of Public works or designee. (PUBLIC WORKS)

**The following conditions shall be met prior to RELEASE OF UTILITIES, FINAL INSPECTION, ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY, or ISSUANCE OF A CERTIFICATE OF OCCUPANCY, whichever occurs first.**

**Planning Division (PA)**

73 ACOUSTICAL COMPLIANCE LETTER – The applicant shall submit an acoustical compliance letter to the Project Planner written and signed by the project acoustical consultant indicating all recommendations incorporated into the project to reach compliance with the noise limits listed in Tables N-1 and N-2 of the Noise Element of the General Plan. This letter shall be submitted prior to scheduling the Planning Final Inspection. (PLANNING)

74 ARCHITECTURAL COMPLIANCE LETTER – The applicant shall submit an architectural compliance letter to the Project Planner written, signed, and stamped by the architect or designer of record indicating that all construction is consistent with the approved architectural plans. This letter shall be submitted prior to scheduling the Planning Final Inspection. (PLANNING)

75 LANDSCAPE VERIFICATION LETTER – The applicant shall submit a landscape verification letter to the Project Planner written, signed, and stamped by the project landscape architect indicating that all on-site and off-site landscape improvements (including on-site trees, street trees, shrubs, and irrigation systems) have been installed in compliance with

the approved landscape plans. This letter shall be submitted prior to scheduling the Planning Final Inspection. (PLANNING)

- 76 LANDSCAPING AGREEMENT – The applicant shall provide proof of an agreement with a licensed landscape contractor or General Contractor for the duration of the project’s Plant Establishment Maintenance Period, which consists of three (3) growing season months (March through October) for all proposed landscaped areas. (PLANNING)
- 77 OFF-SITE CONSTRUCTION STAGING – The applicant shall return the lot intended for off-site construction staging at 402 S. Delaware Street (APN: 034186110) to a vacant lot in accordance with Municipal Code Chapter 7.48 prior to scheduling of the Planning Final inspection. (PLANNING)
- 78 PLANNING FINAL INSPECTION – Upon completion of all construction and landscaping, the applicant shall request the Project Planner conduct a Planning Final inspection for verification of compliance with all outstanding conditions of approval. The applicant shall contact the Project Planner to schedule each inspection a minimum of 72 hours in advance of the requested inspection. (PLANNING)

#### **Building Division (PA)**

- 79 ART IN PUBLIC PLACES – The applicant shall comply with Section 23.60 of the San Mateo Municipal Code for Art in Public Places. (BUILDING)
- 80 SOIL FINAL REPORT – The Geotechnical Engineer or Civil Engineer who prepared the soil investigation, or an equally qualified professional, 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, to the satisfaction of the Building Official or his/her designee. (BUILDING)
- 81 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)

#### **Fire Department (PA)**

- 82 EMERGENCY RESPONDER RADIO COVERAGE – An Emergency Responder Radio Coverage system may be required for this project. Testing shall occur during construction due to circuit protection requirements that will affect building design. The applicant shall provide

a third-party testing grid report to the Fire Department subject to the review and approval by the Fire Marshal or his/her designee prior to the Fire Final Inspection. (FIRE)

83 FIRE HYDRANTS – The applicant shall install the approved number of public/private fire hydrant(s) spaced as per the Fire Department's local 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) 2-½ inch and (1) 4-½ inch outlets. 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 prior to the Fire Final Inspection. (FIRE)

84 FIRE SPRINKLER SYSTEM – The applicant shall install a fire sprinkler system throughout the structure in accordance with NFPA 13 or the California Fire Code subject to review and approval by the Fire Marshal or his/her designee prior to the Fire Final Inspection. (FIRE)

#### **Public Works Department (PA)**

85 ON-STREET LOADING ZONES – The applicant shall install two loading zones on S. Claremont Street as shown on the approved plans. (PUBLIC WORKS)

86 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 PDF and the AutoCAD Version being used by the City at the time of completion of the work. (PUBLIC WORKS)

87 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 shall reconstruct the street. Limits of the roadway repair shall be curb to curb width of all street frontages including the entire intersections and is subject to the review and approval of the Director of Public Works or designee. (PUBLIC WORKS)

88 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. City will provide a template agreement for use. (PUBLIC WORKS)

- 89 TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM – A Transportation Demand Management (TDM) Program has been prepared for this project (refer to the report prepared by Steer dated June 2022). The property owner or designee shall submit a written letter to the Public Works Director on an annual basis with 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 met prior to the approval of the FINAL MAP or PARCEL MAP.**

**Public Works Department (PA)**

- 90 SUBDIVISION IMPROVEMENT AGREEMENT – If the applicant wishes to have the parcel map approved prior to the completion of the project's public improvements, the applicant shall enter into a subdivision improvement agreement with the City per Gov. Code Section 66462(a) and shall arrange to provide security for the remaining public improvements to be completed. The agreement will be forwarded to the City Council for approval per San Mateo Municipal Code Chapter 3.60. (PUBLIC WORKS)

**The following conditions shall be complied with AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.**

**Planning Division (PA)**

- 91 FRAME/PLANNING ROUGH INSPECTION – Upon completion of all framing and prior to the installation of exterior sheathing and windows, the applicant shall request the Project Planner conduct a Rough Frame inspection to verify items including, but not limited to, window locations, window sizes, and massing. The applicant shall contact the Project Planner to schedule each inspection a minimum of 72 hours in advance of the requested inspection. (PLANNING)
- 92 PALEONTOLOGICAL RESOURCES – In the event of the discovery of paleontological resources (fossils) whether on-site or in the public right-of-way, the applicant shall halt all construction activities within 50 feet of the discovery, notify the Planning Manager and/or Project Planner, and retain a qualified paleontologist to determine the significance of the discovery. The paleontologist shall evaluate the uniqueness of the find, prepare a written report documenting the find and recommending further courses of action, and submit a summary of findings to the Project Planner. The applicant shall incorporate the recommendations of the paleontologist when continuing construction. (PLANNING)

**Building Division (PA)**

- 93 CONSTRUCTION WORK HOURS – Construction shall occur only 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 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 applicant shall conform to the construction work hours to control traffic congestion, noise, and dust unless an exemption is granted in accordance with Municipal Code Section 23.06.061. (BUILDING)
- 94 VIBRATION MITIGATION– The applicant shall designate a disturbance coordinator to receive and investigate claims of excessive vibration during construction. The contact information of such person shall be clearly posted on the construction site. If at any time during the course of construction, complaints are verified that construction activities are causing excessive vibration disturbances to properties in close proximity to the project, the applicant shall provide evidence whether the vibration levels exceed industry standard guidelines established by California Department of Transportation Vibration Guidance Manual. These levels typically reach or exceed peak particle velocity (PPV) of 0.3 in/sec PPV at buildings of normal conventional construction or 0.08 in/sec PPV at historic buildings. The applicant shall implement a vibration mitigation plan to reduce the vibration impact subject to the review and satisfaction of the Building Official, or his/her designee. (BUILDING)

**Fire Department (PA)**

- 95 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. (FIRE)
- 96 BARRICADES ACROSS EMERGENCY ACCESS ROADS – Prior to the installation or use of barricades, fences, or gates across emergency vehicle access roads during construction, the applicant submit plans to the Fire Plan Checker subject to the review and approval of the Fire Marshal or his/her designee. (FIRE)
- 97 DEMOLITION – The applicant shall comply with the California Fire Code Chapter 33 during all phases of construction of the project. (FIRE)
- 98 EGRESS – The applicant shall maintain required egress for all adjacent buildings/properties. (FIRE)

- 99 STANDPIPES – For projects that require standpipes by California Fire Code Section 905.3.1, the applicant shall provide not less than one standpipe for use during construction or demolition. (FIRE)

**Public Works Department (PA)**

- 100 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: <https://www.flowstobay.org/preventing-stormwater-pollution/with-new-redevelopment/construction-best-practices/> (PUBLIC WORKS/BUILDING)
- 101 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)
- 102 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)
- 103 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 shall 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 shall be allowed without prior approval from the Public Works Department. All discharges to the sanitary sewer (contaminated and uncontaminated) require a Waste Discharge Permit and shall comply with the City’s discharge limits. (PUBLIC WORKS)
- 104 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. The haul route for this project shall be: HWY 101, 3RD Avenue, S Claremont Street to 4TH Avenue, or as approved by the Director of Public Works or designee. A letter from the applicant confirming the intention to use this hauling route shall be submitted to the Department of Public Works, and approved, prior to the issuance of any City permits. All material hauling activities including but not limited to, adherence to the approved route, hours of operation, staging of materials, dust control and street maintenance shall be the responsibility of the applicant. All storage and office trailers will be kept off the public right-of-way. Tracking of dirt onto City streets and walks will not be allowed. Entry and exit from the site will use rock or rumble strips to prevent tracking. The applicant shall 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. (PUBLIC WORKS)

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

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

The allowed hours of Public Works construction activities may be waived or modified through an exemption, for limited periods, if the 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 shall 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.

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

(B) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. 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.

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

(D) 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. Wash down of dirt and debris into storm drain systems will not be allowed.

(E) Construction grading activity shall be discontinued in wind conditions that in the opinion of the Public Works Construction Inspector cause excessive neighborhood dust

problems.

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

(G) All vehicle speeds on unpaved roads shall be limited to 15 mph.

(H) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Construction activities shall be scheduled so that paving and foundation placement begin immediately upon completion of grading operation.

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

(J) 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 State of California Manual of Uniform Traffic Control Devices (MUTCD), 2012, and standard construction practices. (PUBLIC WORKS)

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

**Planning Division (PA)**

106 APPROVED PLANNING APPLICATION CONFORMANCE AT ALL TIMES – All physical improvements, uses, and operational requirements authorized by the approved planning application shall, at all times that the use permitted by this planning application occupies the premises, 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)

107 GROUND FLOOR INTERIOR VISIBILITY – Visibility into the building's ground floor shall be maintained in conformance with the Central Claremont Sub Area of the Downtown Area Plan. Building occupants shall not cause obstructed interior views of activity through window film, furniture, equipment, or other visual clutter. (PLANNING)

108 TANDEM PARKING MANAGEMENT – All tandem parking spaces serving commercial uses shall be managed by a valet operator and/or property manager subject to the satisfaction of the Director of Public Works or designee. (PLANNING/PUBLIC WORKS)

**City Attorney (PA)**

109 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)

110 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)

**Police Department (PA)**

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

112 SHARED GARAGE ACCESS CONTROL PLAN – Access to the commercial parking spaces intended for public parking after-hours, as defined in a separate shared use agreement the City is a party to, is preferred through a commercial lobby or dedicated lobby providing similar visibility and security as other proposed lobbies as intended in Municipal Code Section 23.54.030. If the project chooses to provide access to parking spaces for public use through a residential lobby, an access control plan shall be submitted and approved by the Chief of Police or designee. The access control plan shall require, at a minimum:

(A) The residential lobby shall include a staffed access control point during hours of public access to the garage;

(B) Notice shall be posted or provided of the garage hours and either (1) a contact to obtain vehicles after hours or (2) a warning that no after hour access is available;

(C) Spaces off the residential lobby intended for residents only, including by way of example mail rooms, shall include locked doors with access provided only to residents;

(D) Stairs and elevators accessing the shared commercial parking shall not provide service to the residential garage space or residential floors;

(E) Security cameras complying with VIDEO SURVEILLANCE STANDARDS shall provide coverage of the residential lobby, mail room, elevators and stairs accessed through the residential lobby. (POLICE)

113 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)

114 VIDEO SURVEILLANCE STANDARDS – The applicant shall install and operate for the life of the project a video surveillance system subject to the following requirements:

(A) 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) Cameras shall be placed and maintained to view common areas of the property accessible to the public such as lobbies, parking lots, parking garages and entrances and exits to all parking garages, gates dividing different uses inside mixed-use 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.

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

#### **Public Works Department (PA)**

115 POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP) – In accordance with the City's Storm Water Management and Discharge Control Rules and Regulations, San Mateo Municipal Code Chapter 7.39, and the San Mateo Countywide Stormwater Management Plan (SWMP) by reference, the applicant shall:

(A) Owner/occupant shall inspect private stormwater treatment devices and GI features in the public right-of-way at least two (2) times per year and sweep parking lots immediately prior to and once during the storm season.

(B) The applicant shall pay a Pollution Prevention Inspection fee on a yearly basis for cost associated with, but not limited to, City inspection of the private stormwater treatment facilities, emergency maintenance needed to protect public health or watercourses, and facility replacement or repair in the event that the treatment facility is no longer able to meet performance standards or has deteriorated. The fee shall be based upon the Comprehensive Fee Schedule, established by the City Council, in effect at the time.

(C) Label new and redeveloped storm drain inlets with the phrase "No Dumping – Drains to Bay" plaques to alert the public to the destination of storm water and to prevent direct discharge of pollutants into the storm drain. Template ordering information is available from the Department of Public Works.

(D) All process equipment, oils fuels, solvents, coolants, fertilizers, pesticides, and similar

chemical products, as well as petroleum based wastes, tallow, and grease planned for storage outdoors shall be stored in covered containers at all times. (PUBLIC WORKS)

- 116 TRANSPORTATION DEMAND MANAGEMENT (TDM) PLAN – Once implemented, the Transportation Demand Management Plan shall be monitored and assessed annually for the occupied life of the development. The program shall be recorded with the County. The assessment of compliance with the Transportation Demand Management Plan, including mode split survey results, shall be submitted to Public Works by the end of every calendar year (December 31st). (PUBLIC WORKS)

**The following conditions are MITIGATION MEASURES that mitigate adverse environmental effects identified in the environmental document. Monitoring and reporting procedures are contained within each condition. A change in the condition of approval may affect the validity of the current environmental document, and a new or amended environmental document may be required.**

**Planning Division (PA)**

- 117 COMPLIANCE WITH MMRP – The Mitigation Measures identified in conditions of approval below and in the adopted Mitigation Monitoring And Reporting Program (MMRP) shall be completed in accordance with the timelines for project construction and operation within each mitigation measure. The applicant shall provide documentation demonstrating compliance to the Planning Division. In the event of any inconsistencies between the mitigation measures as set forth in the Mitigated Negative Declaration and the MMRP, the MMRP shall control. (PLANNING)
- 118 MM AIR-3.1 – Prior to issuance of a demolition permit, the applicant shall submit a construction management plan to the Building Division that demonstrates that all cranes, forklifts, generator sets, and welders used in project construction shall be equipped with Tier 4 diesel engines or better (e.g., natural gas generators or electric welders).

Prior to issuance of a demolition permit, the applicant shall also submit an emissions reduction plan to the Planning Division that details the equipment to be used during construction and be signed by a qualified air quality specialist, verifying that the equipment included in the plan meets the standards set forth in this measure.

Alternatively, if use of Tier 4 equipment is not available, the applicant may propose use of 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 53 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment. The use of Tier 3 equipment shall not exceed five percent of all equipment usage (described in terms of total horsepower hours during a phase). Alternatively, the project may also use electrical or non-diesel fueled equipment. All construction vehicles shall be properly maintained and equipped with exhaust mufflers that meet State standards.

The construction management plan and emissions reduction plan are subject to review and approval of the Community Development Director, or his/her designee.  
(BUILDING/PLANNING)

119 MM BIO-1.1 – Prior to the issuance of the first building permit or site development permit for tree removal (whichever occurs first), the applicant shall submit a phasing plan to the City's Planning Division with a schedule of both on-site and off-site demolition and construction activities to review the activities that may occur during the nesting season subject to the satisfaction of the Community Development Director, or his/her designee. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1 through August 31 (inclusive). (PLANNING)

120 MM BIO-1.2 – If any demolition and construction are scheduled during the nesting season, between September 1 and January 31 (inclusive), the applicant shall engage a qualified ornithologist to complete a pre-construction survey for nesting birds to ensure that no nests are disturbed during demolition or construction. During this survey, the ornithologist shall inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests. This survey shall be completed no more than 14 days prior to the initiation of any construction or demolition activities during the early part of the breeding season (February 1 through April 30 inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1 through August 31 inclusive).

If an active nest is found sufficiently close to work areas to be disturbed by construction (typically 300 feet for raptors and 100 feet for other species), the ornithologist, in consultation with the California Department of Fish and Wildlife, shall determine the extent of a construction free buffer zone to be established around the nest to ensure that bird nests shall not be disturbed during project construction.

Prior to the issuance of the first building permit or site development permit for tree removal (whichever occurs first), the ornithologist shall submit a report indicating the results of the survey and any designated buffer zones to the City's Planning Division subject to the satisfaction of the Director of Community Development, or his/her designee should demolition and construction activities occur during the nesting season.  
(PLANNING)

121 MM CUL-2.1 – Prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure, the project applicant shall hire a qualified Professional Archaeologist to develop a Worker's Environmental Awareness Program (WEAP) to train the construction crew on the legal requirements for the treatment of cultural resources as well as procedures to follow in the event of a cultural resources discovery. This training program shall be given to the crew before ground disturbing work commences and shall include handouts to be given to new workers. (PLANNING)

122 MM CUL-2.2 – The applicant shall note on all construction plans that require ground disturbing activities that there is a potential for exposing buried cultural resources including prehistoric Native American burials. (PLANNING)

123 MM CUL-2.3 – If any prehistoric or significant historic period cultural materials are exposed during construction grading and/or excavation whether on-site or off-site, the applicant shall halt all construction activities within 50 feet of the find, and the Professional Archaeologist shall provide identification, evaluation, and further recommendations consistent with CEQA and City of San Mateo requirements.

If the Professional Archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource under CEQA, the applicant shall notify the Community Development Director, or his/her designee, and provide avoidance, preservation in-place, recordation, additional archaeological testing and data recovery measures to reduce impacts to a less than significant level. The applicant shall also complete a formal Archaeological Monitoring Plan (AMP) and/or Archaeological Treatment Plan (ATP) that includes data recovery if significant archaeological deposits are exposed during ground disturbing construction. The applicant shall submit the AMP and/or ATP to the City's Planning Division subject to the satisfaction of the Community Development Director, or his/her designee. Development and implementation of the AMP and ATP and treatment of significant cultural resources will be determined by the applicant in consultation with the California Office of Historic Preservation and the City of San Mateo. (PLANNING)

124 MM CUL-3.1 – In the event that human remains are discovered during excavation and/or grading whether on-site or within the public right-of-way, the applicant shall halt all activity within a 50-foot radius of the find and notify the Community Development Director, or his/her designee. The applicant shall also immediately notify San Mateo County Coroner to have a determination made as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. Treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws (i.e., Native American burials, Chapter 1492, Section 7050.5 to the Health and Safety Code, Sections 5097.94, 5097.98 and 5097.99 of the Public Resources Code). If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines. (PLANNING)

125 MM HAZ-2.1 – To reduce the potential for construction worker and nearby sensitive receptor exposure to hazardous materials (Asbestos Containing Materials (ACMs), lead-based paints, and polychlorinated biphenyls (PCBs)), the applicant shall implement the following measures prior to and during demolition and construction:



(A) Prior to issuance of a demolition permit, the applicant shall submit a PCB Screening Assessment Form to the Building Division. If on-site buildings do contain PCBs that exceed threshold limits, the applicant shall follow applicable federal and state laws, which includes reporting to the Environmental Protection Agency, Regional Water Quality Control Board, and Department of Toxic Substances Control, who may require additional sampling and abatement of PCBs. As required under the Toxic Substances Control Act (TSCA), all building materials containing PCBs at levels greater than 50 parts per million (ppm) shall be removed upon discovery. If demolition is likely to impact such materials, they must be properly characterized by an Environmental Professional (as defined in Title 40 of the California Code of Federal Regulations) and removed in accordance with TSCA regulations.

(B) In conformance with local, state, and federal laws, the applicant shall engage a qualified professional to complete an asbestos building survey and a lead-based paint survey to determine the presence of ACMs and/or lead-based paint on the structures proposed for demolition prior to issuance of a demolition permit. Written findings of the surveys shall be submitted to the Building Division subject to the satisfaction of the Community Development Director, or his/her designee.

(C) The applicant shall retain a registered asbestos abatement contractor to remove and dispose of all potentially friable asbestos-containing materials, in accordance with the National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to the issuance a demolition permit. The applicant shall conduct all construction activities in accordance with California Division of Occupational Safety and Health (Cal/OSHA) standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to Bay Area Quality Management District (BAAQMD) regulations.

(D) Prior to any demolition activities, the applicant shall remove all building materials containing lead-based paint in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring and dust control. The applicant shall dispose any debris or soil containing lead-based paint or coatings at landfills that meet acceptance criteria for the waste being disposed.

(E) Prior to the issuance of a demolition permit, the applicant shall obtain a permit from the San Mateo County Environmental Health Department (CUPA) to remove the fuel underground storage tanks (USTs), dispensers, associated product piping, and underground hoists at the onsite ARCO gasoline service station. Proof of obtainment of this permit shall be submitted to the City's Building Division prior to the issuance of a demolition permit. Removal activities and compliance soil sampling will be conducted by an environmental consultant and environmental contractor under the oversight of the CUPA. If stained soils, free product, and/or elevated petroleum hydrocarbon concentrations are detected in soil at concentrations that exceed applicable ESLs

established by the SF-RWQCB, over-excavation of the contaminated soil may occur at the time of the UST/piping removal, at the direction of the CUPA, and/or potentially during the construction excavation for the subsurface garage.

(F) If previously unknown 'orphan' USTs or piping are encountered during construction excavation activities for the underground parking garage, the applicant shall halt all work, notify the City's Building Division and CUPA, and obtain additional permits to remove the encountered tanks and/or piping. Removals and compliance sampling will be under the oversight of the CUPA. The removal of known or new USTs found during construction, along with any contaminated soil that is removed at that time will be reported to the CUPA in a UST removal report. Remediation Excavation of soil for the construction of the underground parking garage will remove and properly dispose of contaminated soils that may be present beneath the site. If soil contamination at concentrations that exceed applicable ESLs is observed at the base of the construction related excavation, additional localized excavation(s) may occur as a contingency. The excavation depth will likely be limited by the elevation of the water table at the time of construction dewatering and is anticipated to be at most 2 or 3 extra vertical feet. Oversight of remediation shall be provided by the GPP. Implementation of the RMP and SMP will be provided in a Construction Completion Report submitted to the GPP. (BUILDING/PLANNING)

- 126 MM HAZ-2.2 – To reduce the potential for construction worker and nearby sensitive receptor exposure to hazardous materials (petroleum hydrocarbons, chlorinated solvents, lead, and asbestos), the applicant shall incorporate the following measures at all times during the construction phase of the project.

Prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure, the applicant shall obtain a Phase II Environmental Site Assessment following building demolition and site clearance that investigates current soil and groundwater conditions. The applicant shall submit the Phase II Assessment to the City's Planning Division subject to the satisfaction of the Community Development Director, or his/her designee. Prior to excavation, soil samples shall be collected by an Environmental Professional (as defined in Title 40 of the California Code of Federal Regulations) to pre-characterize soil for waste characterization and soil management purposes. Depth discrete soil samples shall be collected at various depths from 0.5 feet below ground surface (bgs) to the maximum depth of the proposed subsurface garage excavation and analyzed for constituents that may be present, such as metals, volatile organic compounds (VOCs), and petroleum hydrocarbons. The soil borings shall be advanced by an environmental professional and an environmental drilling contractor under permit and oversight of the San Mateo County Health - Groundwater Protection Program (GPP).

Groundwater samples shall also be collected from select soil borings to evaluate if vapor intrusion to indoor air is a potential concern and to facilitate submittal of a construction dewatering discharge permit to the sanitary sewer by the general contractor or its subcontractors. Soil vapor samples shall not be necessary because the subsurface garage shall be below the water table and no vadose zone shall remain beneath the building. The

Phase II results shall be provided to the GPP and a Redevelopment Management Plan (RMP) that shall include a Soil Management Plan (SMP). The SMP shall be developed for GPP approval that describes remediation and/or mitigation actions, as necessary, based on the findings of the Phase II. Proof of GPP approval shall be submitted to the Building Division prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure. Because the base of the building foundation shall likely be at or below the water table, a waterproofing barrier shall likely be necessary to mitigate potential water/moisture intrusion. If VOCs such as benzene and perchloroethylene (PCE) are detected in groundwater above the Groundwater Vapor Intrusion Human Health Risk Environmental Screening Levels (ESLs) established by the San Francisco Regional Water Quality Control Board (SF-RWQCB) for residential land use, the selected waterproofing material shall also be required to serve as a VOC vapor intrusion barrier and be installed along the walls and beneath the building foundation to prevent water/moisture and vapor intrusion into the building. (BUILDING/PLANNING)

127 MM HYD-1.1 – The applicant shall implement the following measures to reduce potential impacts to surface waters from contaminated groundwater in the site vicinity:

(A) The applicant shall notify the Regional Water Quality Control Board (RWQCB) prior to any dewatering required by the proposed project.

(B) The applicant shall have a qualified hydrogeologist collect groundwater samples at the project site prior to the issuance of any permits associated with construction activities involving excavation, trenching, or other subsurface activities which could expose construction workers to contaminated groundwater and/or subsurface materials. In order to proceed, a determination must be made by the hydrogeologist that levels of PCE, TCE, and petroleum hydrocarbons (if present in the groundwater) are at an acceptable level that would not pose a risk to the health of construction workers and/or adjacent uses during construction activities, as established by RWQCB Environmental Screening Level thresholds, and submitted to the Director of Community Development or the Director's designee.

(C) The applicant shall dispose any contaminated groundwater that is dewatered from the project site during construction activities in accordance with local and regional requirements for safe transport and disposal of contaminated groundwater. (PUBLIC WORKS/PLANNING)

128 MM NOI-1.1 – The applicant and contractor shall place and operate construction equipment to minimize the impact of construction noise on existing sensitive receptors. Construction equipment shall be well-maintained and used judiciously to be as quiet as possible. Additionally, the applicant and contractor shall incorporate the following best management practices to reduce noise from construction activities on nearby sensitive land uses:

(A) The applicant and/or contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. This construction plan shall be submitted to the Building Division subject to the review and satisfaction of the Community Development Director, or his/her designee prior to the issuance of a demolition permit.

(B) The applicant and/or contractor shall designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that measures be implemented to reduce the noise impact. The applicant and/or contractor shall conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

(C) Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

(D) Use of exceptionally loud equipment such as jackhammers and concrete saws within 35 feet of shared property lines shall be prohibited.

(E) Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

(F) Unnecessary idling of internal combustion engines shall be strictly prohibited.

(G) Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors and property lines. If they must be located within 35 feet of receptors and property lines, adequate muffling (with barriers or enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors.

(H) Construction contractors and subcontractors shall utilize “quiet” air compressors and other stationary noise sources where technology exists.

(I) Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site. (BUILDING/PLANNING)

**EXHIBIT B**

**MITIGATION MONITORING AND REPORTING PROGRAM**

**Block 21 Mixed-Use Project  
PA-2021-063**

**CITY OF SAN MATEO**

**May 2022**

# P R E F A C E

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring and reporting program is to ensure compliance with the mitigation measures during project implementation.

The Initial Study for the *Block 21 Mixed-Use Project* concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval. This Mitigation Monitoring and Reporting Program addresses those measures in terms of how and when they will be implemented.

This document does *not* discuss those subjects for which the Initial Study concluded that the impacts from implementation of the project would be less than significant and for which no mitigation measures would be required.

<b>MITIGATION MONITORING AND REPORTING PROGRAM BLOCK 21 MIXED-USE PROJECT (PA21-063)</b>			
<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
<i>Mitigation Measures</i>			
<b>AIR QUALITY</b>			
<p><b>MM AIR-3.1:</b> Prior to issuance of a demolition permit, the applicant shall submit a construction management plan to the Building Division that demonstrates that all cranes, forklifts, generator sets, and welders used in project construction shall be equipped with Tier 4 diesel engines or better (e.g., natural gas generators or electric welders).</p> <p>Prior to issuance of a demolition permit, the applicant shall also submit an emissions reduction plan to the Planning Division that details the equipment to be used during construction and be signed by a qualified air quality specialist, verifying that the equipment included in the plan meets the standards set forth in this measure (i.e., Tier 4 or better).</p> <p>Alternatively, if use of Tier 4 equipment is not available, the applicant may propose use of 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 53 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment. The use of Tier 3 equipment shall not exceed five percent of all equipment usage (described in terms of total horsepower hours during a phase). Alternatively, the project may also use electrical or non-diesel fueled equipment. All construction vehicles shall be properly maintained and equipped with exhaust mufflers that meet State standards.</p>	Prior to issuance of any demolition or construction permits.	Project applicant/project contractors	Director of Community Development or the Director's designee

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The construction management plan and emissions reduction plan are subject to review and approval of the Community Development Director, or his/her designee.			
<b>BIOLOGICAL RESOURCES</b>			
<p><b>MM BIO-1.1:</b> Prior to the issuance of the first building permit or site development permit for tree removal (whichever occurs first), the applicant shall submit a phasing plan to the City's Planning Division with a schedule of both on-site and off-site demolition and construction activities to review the activities that may occur during the nesting season subject to the satisfaction of the Community Development Director, or his/her designee. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1 through August 31 (inclusive).</p> <p><b>MM BIO-1.2:</b> If any demolition and construction are scheduled during the nesting season, between September 1 and January 31 (inclusive), the applicant shall engage a qualified ornithologist to complete a pre-construction survey for nesting birds to ensure that no nests are disturbed during demolition or construction. During this survey, the ornithologist shall inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests. This survey shall be completed no more than 14 days prior to the initiation of any construction or demolition activities during the early part of the breeding season (February 1 through April 30 inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1 through August 31 inclusive).</p>	<p><b>MM BIO-1.1:</b> Prior to the issuance of the first building permit or site development permit for tree removal.</p> <p><b>MM BIO-1.2:</b> Prior to the issuance of any demolition- or construction-related permits.</p>	Project Applicant; Project Contractor	<p>Director of Community Development or the Director's designee</p> <p>California Department of Fish and Wildlife</p>



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<p>If an active nest is found sufficiently close to work areas to be disturbed by construction (typically 300 feet for raptors and 100 feet for other species), the ornithologist, in consultation with the California Department of Fish and Wildlife, shall determine the extent of a construction free buffer zone to be established around the nest to ensure that bird nests shall not be disturbed during project construction.</p> <p>Prior to the issuance of the first building permit or site development permit for tree removal (whichever occurs first), the ornithologist shall submit a report indicating the results of the survey and any designated buffer zones to the City's Planning Division subject to the satisfaction of the Director of Community Development, or his/her designee should demolition and construction activities occur during the nesting season.</p>			
<b>CULTURAL RESOURCES</b>			
<b>MM CUL-2.1:</b> Prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure, the project applicant shall hire a qualified Professional Archaeologist to develop a Worker's Environmental Awareness Program (WEAP) to train the construction crew on the legal requirements for the treatment of cultural resources as well as procedures to follow in the event of a cultural resources discovery. This training program shall be given to the crew before ground disturbing work commences and shall include handouts to be given to new workers.	Prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure	Project Applicant; Professional Archaeologist	Director of Community Development or the Director's designee

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BLOCK 21 MIXED-USE PROJECT (PA21-063)**

Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
<p><b>MM CUL-2.2:</b> The applicant shall note on all construction plans that require ground disturbing activities that there is a potential for exposing buried cultural resources including prehistoric Native American burials.</p> <p><b>MM CUL-2.3:</b> If any prehistoric or significant historic period cultural materials are exposed during construction grading and/or excavation whether on-site or off-site, the applicant shall halt all construction activities within 50 feet of the find, and the Professional Archaeologist shall provide identification, evaluation, and further recommendations consistent with CEQA and City of San Mateo requirements.</p> <p>If the Professional Archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource under CEQA, the applicant shall notify the Community Development Director, or his/her designee, and provide avoidance, preservation in-place, recordation, additional archaeological testing and data recovery measures to reduce impacts to a less than significant level. The applicant shall also complete a formal Archaeological Monitoring Plan (AMP) and/or Archaeological Treatment Plan (ATP) that includes data recovery if significant archaeological deposits are exposed during ground disturbing construction. The applicant shall submit the AMP and/or ATP to the City's Planning Division subject to the satisfaction of the Community Development Director, or his/her designee. Development and implementation of the AMP and ATP and treatment of significant cultural resources will be determined by the applicant in consultation with the</p>			

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<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
California Office of Historic Preservation and the City of San Mateo.			
<b>MM CUL-3.1:</b> In the event that human remains are discovered during excavation and/or grading whether on-site or within the public right-of-way, the applicant shall halt all activity within a 50-foot radius of the find and notify the Community Development Director, or his/her designee. The applicant shall also immediately notify San Mateo County Coroner to have a determination made as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. Treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the project site shall comply with applicable State laws (i.e., Native American burials, Chapter 1492, Section 7050.5 to the Health and Safety Code, Sections 5097.94, 5097.98 and 5097.99 of the Public Resources Code). If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.	During construction	Project Applicant; Project Contractor;	Director of Community Development or the Director's designee  San Mateo County Coroner  Native American Heritage Commission
<b>HAZARDS AND HAZARDOUS MATERIALS</b>			
<b>MM HAZ-2.1:</b> To reduce the potential for construction worker and nearby sensitive receptor exposure to hazardous materials (Asbestos Containing Materials (ACMs), lead-based paints, and polychlorinated biphenyls	Prior to issuance of any demolition permits	Project Applicant; Project Contractors	Director of Community Development or

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<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
<p>(PCBs)), the applicant shall implement the following measures prior to and during demolition and construction:</p> <p>(A) Prior to issuance of a demolition permit, the applicant shall submit a PCB Screening Assessment Form to the Building Division. If on-site buildings do contain PCBs that exceed threshold limits, the applicant shall follow applicable federal and state laws, which includes reporting to the Environmental Protection Agency, Regional Water Quality Control Board, and Department of Toxic Substances Control, who may require additional sampling and abatement of PCBs. As required under the Toxic Substances Control Act (TSCA), all building materials containing PCBs at levels greater than 50 parts per million (ppm) shall be removed upon discovery. If demolition is likely to impact such materials, they must be properly characterized by an Environmental Professional (as defined in Title 40 of the California Code of Federal Regulations) and removed in accordance with TSCA regulations.</p> <p>(B) In conformance with local, state, and federal laws, the applicant shall engage a qualified professional to complete an asbestos building survey and a lead-based paint survey to determine the presence of ACMs and/or lead-based paint on the structures proposed for demolition prior to issuance of a demolition permit. Written findings of the surveys shall be submitted to the Building Division subject to the satisfaction of the Community Development Director, or his/her designee.</p> <p>(C) The applicant shall retain a registered asbestos abatement contractor to remove and dispose of all potentially friable</p>			<p>the Director's designee</p> <p>San Mateo County Environmental Health Department</p>

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Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
<p>asbestos-containing materials, in accordance with the National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to the issuance a demolition permit. The applicant shall conduct all construction activities in accordance with California Division of Occupational Safety and Health (Cal/OSHA) standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to Bay Area Quality Management District (BAAQMD) regulations.</p> <p>(D) Prior to any demolition activities, the applicant shall remove all building materials containing lead-based paint in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring and dust control. The applicant shall dispose any debris or soil containing lead-based paint or coatings at landfills that meet acceptance criteria for the waste being disposed.</p> <p>(E) Prior to the issuance of a demolition permit, the applicant shall obtain a permit from the San Mateo County Environmental Health Department (CUPA) to remove the fuel underground storage tanks (USTs), dispensers, associated product piping, and underground hoists at the onsite ARCO gasoline service station. Proof of obtainment of this permit shall be submitted to the City’s Building Division prior to the issuance of a demolition permit. Removal activities and compliance soil sampling will be conducted by an environmental consultant and environmental contractor under the oversight of the CUPA. If stained soils, free product, and/or elevated petroleum hydrocarbon concentrations are detected in</p>			

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Mitigation	Timeframe for Implementation	Responsibility for Implementation	Oversight of Implementation
<p>soil at concentrations that exceed applicable ESLs established by the SF-RWQCB, over-excavation of the contaminated soil may occur at the time of the UST/piping removal, at the direction of the CUPA, and/or potentially during the construction excavation for the subsurface garage.</p> <p>(F) If previously unknown ‘orphan’ USTs or piping are encountered during construction excavation activities for the underground parking garage, the applicant shall halt all work, notify the City’s Building Division and CUPA, and obtain additional permits to remove the encountered tanks and/or piping. Removals and compliance sampling will be under the oversight of the CUPA. The removal of known or new USTs found during construction, along with any contaminated soil that is removed at that time will be reported to the CUPA in a UST removal report. Remediation Excavation of soil for the construction of the underground parking garage will remove and properly dispose of contaminated soils that may be present beneath the site. If soil contamination at concentrations that exceed applicable ESLs is observed at the base of the construction related excavation, additional localized excavation(s) may occur as a contingency. The excavation depth will likely be limited by the elevation of the water table at the time of construction dewatering and is anticipated to be at most 2 or 3 extra vertical feet. Oversight of remediation shall be provided by the GPP. Implementation of the RMP and SMP will be provided in a Construction Completion Report submitted to the GPP.</p>			

<p><b>MM HAZ-2.2:</b></p>	<p>To reduce the potential for construction worker and nearby sensitive receptor exposure to hazardous materials (petroleum hydrocarbons, chlorinated solvents, lead, and asbestos), the applicant shall incorporate the following measures at all times during the construction phase of the project.</p> <p>Prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure, the applicant shall obtain a Phase II Environmental Site Assessment following building demolition and site clearance that investigates current soil and groundwater conditions. The applicant shall submit the Phase II Assessment to the City's Planning Division subject to the satisfaction of the Community Development Director, or his/her designee. Prior to excavation, soil samples shall be collected by an Environmental Professional (as defined in Title 40 of the California Code of Federal Regulations) to pre-characterize soil for waste characterization and soil management purposes. Depth discrete soil samples shall be collected at various depths from 0.5 feet below ground surface (bgs) to the maximum depth of the proposed subsurface garage excavation and analyzed for constituents that may be present, such as metals, volatile organic compounds (VOCs), and petroleum hydrocarbons. The soil borings shall be advanced by an environmental professional and an environmental drilling contractor under permit and oversight of the San Mateo County Health - Groundwater Protection Program (GPP).</p> <p>Groundwater samples shall also be collected from select soil borings to evaluate if vapor intrusion to indoor air is a potential concern and to facilitate submittal of a construction dewatering discharge permit to the sanitary sewer by the general contractor or its subcontractors. Soil vapor samples shall not be necessary because the subsurface garage shall be below the water table and no vadose zone shall remain beneath the building. The Phase II</p>	<p>Prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure</p>	<p>Project Applicant; Project Contractor; Environmental Professional</p>	<p>Director of Community Development or the Director's designee</p> <p>San Mateo County Environmental Health Department</p>
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<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
<p>results shall be provided to the GPP and a Redevelopment Management Plan (RMP) that shall include a Soil Management Plan (SMP). The SMP shall be developed for GPP approval that describes remediation and/or mitigation actions, as necessary, based on the findings of the Phase II. Proof of GPP approval shall be submitted to the Building Division prior to the issuance of any building permit involving excavation, shoring, foundation, or the superstructure. Because the base of the building foundation shall likely be at or below the water table, a waterproofing barrier shall likely be necessary to mitigate potential water/moisture intrusion. If VOCs such as benzene and perchloroethylene (PCE) are detected in groundwater above the Groundwater Vapor Intrusion Human Health Risk Environmental Screening Levels (ESLs) established by the San Francisco Regional Water Quality Control Board (SF-RWQCB) for residential land use, the selected waterproofing material shall also be required to serve as a VOC vapor intrusion barrier and be installed along the walls and beneath the building foundation to prevent water/moisture and vapor intrusion into the building.</p>			
<b>HYDROLOGY AND WATER QUALITY</b>			
<p><b>MM HYD-1.1:</b> On-Site Excavation and Dewatering: The applicant shall implement the following measures to reduce potential impacts to surface waters from contaminated groundwater in the site vicinity:</p> <p>(A) The applicant shall notify the Regional Water Quality Control Board (RWQCB) prior to any dewatering required by the proposed project.</p>	<p>Prior to the issuance of any permits associated with construction activities involving excavation,</p>	<p>Project Applicant; Project Contractor; Project Hydrogeologist</p>	<p>Director of Community Development or the Director's designee</p>



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<p>(B) The applicant shall have a qualified hydrogeologist collect groundwater samples at the project site prior to the issuance of any permits associated with construction activities involving excavation, trenching, or other subsurface activities which could expose construction workers to contaminated groundwater and/or subsurface materials. In order to proceed, a determination must be made by the hydrogeologist that levels of PCE, TCE, and petroleum hydrocarbons (if present in the groundwater) are at an acceptable level that would not pose a risk to the health of construction workers and/or adjacent uses during construction activities, as established by RWQCB Environmental Screening Level thresholds, and submitted to the Director of Community Development or the Director's designee.</p> <p>(C) The applicant shall dispose any contaminated groundwater that is dewatered from the project site during construction activities in accordance with local and regional requirements for safe transport and disposal of contaminated groundwater.</p>	trenching, or other subsurface activities		Regional Water Quality Control Board
<b>NOISE</b>			
<b>MM NOI-1.1:</b> The applicant and contractor shall place and operate construction equipment to minimize the impact of construction noise on existing sensitive receptors. Construction equipment shall be well-maintained and used judiciously to be as quiet as possible. Additionally, the applicant and contractor shall incorporate the following best management practices to reduce noise from construction activities on nearby sensitive land uses:	Prior to the issuance of any demolition permits.	Project Applicant; Project Contractor	Director of Community Development or the Director's designee

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<p>(A) The applicant and/or contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. This construction plan shall be submitted to the Building Division subject to the review and satisfaction of the Community Development Director, or his/her designee prior to the issuance of a demolition permit.</p> <p>(B) The applicant and/or contractor shall designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that measures be implemented to reduce the noise impact. The applicant and/or contractor shall conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.</p> <p>(C) Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.</p> <p>(D) Use of exceptionally loud equipment such as jackhammers and concrete saws within 35 feet of shared property lines shall be prohibited.</p> <p>(E) Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.</p>			

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<b>Mitigation</b>	<b>Timeframe for Implementation</b>	<b>Responsibility for Implementation</b>	<b>Oversight of Implementation</b>
<p>(F) Unnecessary idling of internal combustion engines shall be strictly prohibited.</p> <p>(G) Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors and property lines. If they must be located within 35 feet of receptors and property lines, adequate muffling (with barriers or enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors.</p> <p>(H) Construction contractors and subcontractors shall utilize “quiet” air compressors and other stationary noise sources where technology exists.</p> <p>(I) Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.</p>			

**SOURCE:** City of San Mateo. *Block 21 Mixed-Use Project*. May 2022.