

Holland & Knight

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Holland & Knight LLP | www.hklaw.com

Chelsea Maclean
+1 415-743-6979
Chelsea.Maclean@hklaw.com

May 30, 2023

Via E-mail

Mr. Rendell Bustos
Senior Planner
City of San Mateo
330 W 20th Ave
San Mateo, CA 94403

Re: Concar Passage Vesting Tentative Map Extension and Development Agreement
Extension Request
640, 666, 678, 690 Concar Drive; 1820, 1880 S. Grant St.; 1855 S. Delaware St.
APNs 035-242-090, -140, -160, -170, -190, -200, -210, -220

Mr. Bustos:

We represent California Coastal Properties (the "Applicant"), on whose behalf we are submitting the enclosed Planning Application to extend the (i) Vesting Tentative Map associated with Planning Application PA-2018-052, and (ii) the deadline for executing the Development Agreement under Ordinance 2020-13. The property is approximately 14.5 acres located at the southeast corner of Concar Drive and Delaware Street, bounded by Grant Street to the east and SR-92 to the south.

On July 26, 2022, the Zoning Administrator previously approved a 1-year extension for the Vesting Tentative Map (PA-2022-042). The Applicant wishes to extend the Vesting Tentative Map for two additional years, consistent with San Mateo Municipal Code Section 26.48.135. We note that the Zoning Administrator may process a Vesting Tentative Map extension, as was done previously. (San Mateo Municipal Code §26.48.135(b))

Separately, Ordinance 2020-13 provides that the Applicant must execute the Development Agreement by September 30, 2023 so the Applicant wishes to extend this deadline for 2 years as well to correspond with the Vesting Tentative Map extension. The Applicant does not request an extension of the overall term of the Development Agreement. Accordingly, the current 12 year term of the Development Agreement would be reduced to a 10 year term. We understand that an amendment to the authorizing ordinance would require Planning Commission recommendation and City Council approval.

May 30, 2023

Page 2

We request that the Vesting Tentative Map extension is processed independently from the Development Agreement authorization extension and note that the Applicant may elect to withdraw the application for the Development Agreement authorization extension and proceed solely with the Vesting Tentative Map extension.

Enclosed please find the following:

- The Planning Application Form and associated materials; and
- A Letter from the City of San Mateo approving the prior Vesting Tentative Map extension (PA-2022-042).

The Planning Application Deposit Schedule does not include Vesting Tentative Map or Development Agreement extensions so we look forward to receiving your direction on any necessary deposit amount for this Application.

If you have any questions, please do not hesitate to contact us.

Sincerely yours,

HOLLAND & KNIGHT LLP



Chelsea Maclean

Cc: Brian Myers (bmyers@nuquestventures.com)
Dan Young (dyoung@caminoenterprises.com)
Manira Sandhir (msandhir@cityofsanmateo.org)
Mazarin Vakharia (mvakharia@cityofsanmateo.org)

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Chelsea Maclean
+1 415-743-6979
Chelsea.Maclean@hklaw.com

June 15, 2023

VIA EMAIL

Rendell Bustos
City of San Mateo Planning Division
330 W 20th Ave
San Mateo, CA 94403
United States

Re: **Concar Passages Vesting Tentative Map Extension and Development Agreement Extension Request – Supplemental Explanation**
640, 666, 678, 690 Concar Drive; 1820, 1880 S. Grant St.; 1855 S. Delaware St.
APNs 035-242-090, -140, -160, -170, -190, -200, -210, -220

Mr. Bustos:

In connection with the requests to extend the (i) Vesting Tentative Map (VTM) associated with Planning Application PA-2018-052, and (ii) the deadline for executing the Development Agreement (DA) under Ordinance 2020-13 for the Concar Passages project, California Coastal Properties (Applicant) provides the following additional information regarding the reasons for the extension requests.

Background

The property is approximately 14.5 acres located at the southeast corner of Concar Drive and Delaware Street, bounded by Grant Street to the east and SR-92 to the south (Property). The Property has been assembled based on contractual rights from three separate land owners, as described below:

1. Concar Property - Purchase and Sale Agreement and Joint Escrow Instructions dated March 7, 2018
2. Cushman Property - License and Option Agreement dated December 12, 2017, as assigned pursuant to an Assignment and Assumption of License and Option Agreement dated February 12, 2018.

3. DeRose Property - Exchange Agreement and Joint Escrow and Recording Instructions dated December 11, 2019

All contracts create legal and equitable interests. The figure below depicts the properties.



Development Agreement Execution

At the time the entitlements were obtained in 2020¹, the above described transactions were not expected to close for approximately 2 years because of on-going, binding leases between the land owners and the retail tenants (e.g. Ross). At that time, the City Council authorized the City Manager to execute the DA upon notice from the Applicant that the land transactions had closed and the DA could be recorded against the Property. The authorization to execute the DA expires on September 30, 2023. (Ordinance 2020-13)

Current Economic Conditions

For several reasons stemming from the COVID pandemic, the current economic conditions are such that the entitled project is not currently financially feasible, especially due to inflationary construction and financing costs. The Applicant and its financial partners will continue to

¹ On August 17, 2020 the San Mateo City Council adopted Resolution No. 94 (2020) to adopt the Supplement Environmental Impact Report; approve the Site Plan Architectural Review, Site Development Planning Application and VTM) for the development of 952-961 residential units and 40,000 square feet of commercial uses; and introduced an Ordinance to approve a DA. The City Council conducted a second reading of the DA Ordinance on September 8, 2020.

evaluate economic conditions on a quarterly basis to identify a time when conditions become more favorable.

Landowner and City Extensions Requested

Due to the economic conditions, the Applicant is requesting extensions of the VTM (set to expire on August 17, 2023)² and authorization to execute the DA (set to expire on September 30, 2023). The Applicant seeks a 2 year extension. The Applicant does not, however, request an extension of the overall term of the DA. Accordingly, the current 12 year term of the DA would be reduced to a 10 year term.


Concurrently, the Applicant is seeking extensions from the land owners. The Applicant has sought approval rights over the extensions of the retail leases, to the extent feasible.

Conclusion

We hope that this additional information is useful and look forward to working with the City to allow needed flexibility so that the housing project can be delivered successfully.

Sincerely,

HOLLAND & KNIGHT LLP



Chelsea Maclean

Cc: Brian Myers (bmyers@nuquestventures.com)
Dan Young (dyoung@caminoenterprises.com)

² The VTM was initially in effect until August 17, 2022. An extension was granted on July 27, 2022 extending the tentative map until August 17, 2023. (Application # PA-2022-042) The Subdivision Map Act provides that prior to the expiration of a map, upon the application by the subdivider to extend the map, the map shall automatically be extended for 60 days or until the application for the extension is approved, whichever occurs first. (Govt. Code §66463.5(c))



Planning Application Form

Application Request(s):

<input type="checkbox"/> Preliminary Planning Application	<input checked="" type="checkbox"/> Planning Application
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Application Type(s):

<input type="checkbox"/> Single-Family Dwelling Design Review (SFDDR)	<input type="checkbox"/> Special Use Permit (SUP)
<input type="checkbox"/> Site Plan & Architectural Review (SPAR)	<input type="checkbox"/> Site Development Planning Application (SDPA)
<input checked="" type="checkbox"/> Other: <u>Vesting Tentative Map Extension, Development Agreement</u> Extension	<input checked="" type="checkbox"/> Other: <u>Vesting Tentative Map Extension, Development Agreement</u> Extension

Applicant Information:

Name: Brian Myers
Mailing Address: 4 Embarcadero, Suite 1400
City, State, Zip: San Francisco, CA 94111
Daytime Phone: _____
Email: bmyers@nuquestventures.com

Property Owner Information (If different than applicant):

Name:	<u>William Jeffery Atkinson</u>	<u>Stefan Cushman</u>	<u>Frank DeRose</u>
Mailing Address:	<u>C/O Woodmont Real Estate Services</u>	<u>c/o CFT C San Mateo</u>	<u>5182 Lawler Ave</u>
City, State, Zip:	<u>1050 Ralston Ave., Belmont, CA 94002</u>	<u>200 2nd Ave. S. #402, St. Petersburg, FL, 33701</u>	<u>Fremont, CA 94536</u>
Daytime Phone:	<u>(650) 678-1153</u>	<u>(727) 771-3818</u>	<u>(510) 589-0752</u>
Email:	<u>jeff@concar.com</u>	<u>stefan.cushman@gmail.com</u>	<u>frank.deros1@gmail.com</u>

Please provide the above information for each additional property owner or applicant, if applicable, on a separate sheet of paper.

Project and Property Information

Project Address(es): 640, 666, 678, 690 Concar Drive; 1820, 1880 S. Grant St.; 1801, 1855 S. Delaware St.
Assessor Parcel Number(s): 035-242-090, -140, -160, -170, -190, -200, -210, -220
Brief Project Description: Applicant seeks a two-year extension of a previously approved Vesting Tentative Map and other associated Planning Application approvals for Planning Application PA-2018-052, and a two-year extension of the time to enter into a Development Agreement under Ordinance 2020-13 for Concar Passage Mixed- Use Project. The VTM was previously extended once (PA-2022-042).

Questions? Contact: City of San Mateo - Planning Division
Phone: (650) 522-7212 · Email: Planning@cityofsanmateo.org
www.cityofsanmateo.org/939/planning/



Property Owner Authorization

I certify that as the property owner, I authorize the filing of this planning application. I understand that pursuant to the City of San Mateo Municipal Code, conditions of project approval are binding upon both the applicant and the property owner(s). I agree to implement the Planning Application Conditions of Approval subject only to the right to object at public hearing on this application.

Property Owner's Statement

I hereby certify that I am the owner of record of the property described in the above Project Location and that I approve of the requested action herein. I have read the above Deposits and Maximum Job Cost/Charges and understand that the Planning charges reflect the actual staff time spent and other costs associated with the processing of this application(s). I understand that my initial deposit is an estimate of these charges and not a fee, and I agree to abide by the billing policy stated below. I also understand that overdue invoices are subject to San Mateo Municipal Code Section 3.64.020 Penalties and Interest.

A handwritten signature in blue ink, appearing to read "William Jeffrey Atkinson".

Property Owner's Signature

William Jeffrey Atkinson, President

Print Property Owner's Name

5/12/23

Date

Property Owner's Signature

Date

Print Property Owner's Name

I certify that I am authorized by the property owner(s) to file this Planning Application and submit, herewith, this authorization. I understand that pursuant to the City of San Mateo Municipal Code, conditions of project approval are binding upon both the applicant and the property owner(s). I agree to implement the Planning Application Conditions of Approval subject only to the right to object at public hearing on this application.

Authorized Agent's Signature

Date



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Property Owner's Signature



Date

Stefan Cushman, Authorized Signatory of CFT C San Mateo, LLC

Print Property Owner's Name

Property Owner's Signature

Date

Print Property Owner's Name

I certify that I am authorized by the property owner(s) to file this Planning Application and submit, herewith, this authorization. I understand that pursuant to the City of San Mateo Municipal Code, conditions of project approval are binding upon both the applicant and the property owner(s). I agree to implement the Planning Application Conditions of Approval subject only to the right to object at public hearing on this application.



Authorized Agent's Signature



Date




Property Owner Authorization

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Property Owner's Statement

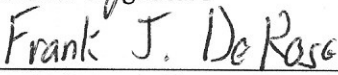
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Property Owner's Signature



Date



Print Property Owner's Name

Property Owner's Signature

Date

Print Property Owner's Name

I certify that I am authorized by the property owner(s) to file this Planning Application and submit, herewith, this authorization. I understand that pursuant to the City of San Mateo Municipal Code, conditions of project approval are binding upon both the applicant and the property owner(s). I agree to implement the Planning Application Conditions of Approval subject only to the right to object at public hearing on this application.

Authorized Agent's Signature

Date



Planning Application Deposit Schedule

Effective from July 1, 2021 to June 30, 2022. A full list of all City fees is included in the City's Comprehensive Fee Schedule:
www.cityofsanmateo.org/1030/Comprehensive-Fee-Schedule

PLANNING APPLICATION DEPOSIT/FEE TYPE	REQUIRED DEPOSIT ¹	✓
Planning Application(s) – Zoning Administrator Decision (Single-Family only or Certificate of Public Convenience and Necessity – Alcoholic Beverages)	\$4,000	<input type="checkbox"/>
Planning Application – SPAR for Fence Exception	\$2,000	<input type="checkbox"/>
Planning Application(s) – Zoning Administrator Decision (other than Single-Family, PCNs, or SPAR Fence Exceptions)	\$6,000	<input type="checkbox"/>
Preliminary Application(s) (Pre-Application) for Large Projects	\$25,000	<input type="checkbox"/>
Planning Application(s) - Planning Commission Decision - if no Formal Pre-Application was required	\$10,000	<input type="checkbox"/>
Planning Application(s) – Planning Commission Decision - if a Formal Pre-Application was required	\$50,000	<input type="checkbox"/>
Planning Application(s) – Planning Commission & City Council Decision	\$100,000	<input type="checkbox"/>
Modifications of Approved Planning Applications – Zoning Administrator Decision	\$3,000	<input type="checkbox"/>
Modifications of Approved Planning Applications – Planning Commission Decision	\$10,000	<input type="checkbox"/>
Annual Review of Development Agreement	\$4,500	<input type="checkbox"/>
Special Use Permit – Day Care Facilities	\$2,000 (<i>flat fee</i>)	<input type="checkbox"/>
Design review by Consulting Architect (required for projects with 6+ units, 10,000+ SF of non-residential, or other projects including some single-family projects as determined by City Resolution)	\$5,000	<input type="checkbox"/>
Other: _____	_____	<input type="checkbox"/>
ENVIRONMENTAL CLEARANCE (CEQA) PROCESSING		
Categorical or Statutory Exemption (Excluding Single-Family and PCNs)	\$500	<input type="checkbox"/>
Initial Study and Negative Declaration	\$5,000 + Consultant Cost	<input type="checkbox"/>
Initial Study and Environmental Impact Report (EIR)	\$10,000 + Consultant Cost	<input type="checkbox"/>
Mandated Federal, State, County Fees (e.g. Fish & Game CEQA Fee, Fish & Game Code 711.4, Negative Declaration, EIR)	As required by State or County Fee Schedule	<input type="checkbox"/>
OTHER SERVICES		
Mailing Labels required for Neighborhood Informational Meeting Notices	\$479 (<i>flat fee</i>)	<input type="checkbox"/>
Staff Time	\$275 per hour	<input type="checkbox"/>
Monitoring of Required Mitigation Measure	Determined per project	<input type="checkbox"/>
Investigation [Fee for properties with code violations before or after PA approval.]	Determined per project	<input type="checkbox"/>
Retrieval of off-site planning application records.	\$170 per box	<input type="checkbox"/>
Research requiring extensive staff time.	Staff time: \$275 per hour	<input type="checkbox"/>
Post Planning Application Project Consultation	Staff time: \$275 per hour	<input type="checkbox"/>
Landscape Unit In-Lieu Fees	\$324.53 per landscape unit	<input type="checkbox"/>
Appeal of Planning Application Decision	\$500 per appeal	<input type="checkbox"/>
Other: _____	_____	<input checked="" type="checkbox"/>

Planning Division (650) 522-7212 • Building Division (650) 522-7172
Housing Division (650) 522-7220 • Code Enforcement Division (650) 522-7150 • General (650) 522-7200



Planning Application Deposit & Processing Costs Form

PLANNING APPLICATION DEPOSITS AND PROCESSING COSTS

1. City Council Resolution directs that Planning charges reflect the actual costs of staff time spent on each project and all direct costs (including but not limited to noticing, copying charges, and consultant staff time) associated with the application. Staff time is charged at the rate of \$275.00 per hour (through 6/30/2022) for all planning applications. The applicant is responsible for paying 100% of the costs of all staff/consultant time and all costs incurred pursuant to any appeal.

Upon submittal of your project, a deposit in the amount indicated in the City Fee Schedule is required for each application type and environmental review track at the time of the submittal. If the total deposit is not expended when the final decision is made on your project, the balance will be refunded to you. If 70% or more of the initial deposit is expended during processing, you will receive an invoice for an additional deposit. All outstanding invoices must be paid prior to any public hearing or issuance of any permits. Prior to submitting a new application, you are required to pay all past due fees.

2. The applicant shall pay the actual cost of any consultant services required to process a planning application. Consultants are used by staff for the preparation of environmental documents, project design review, traffic studies, parking studies or historic resource analysis.
3. SMMC 3.64.020 Penalties and Interest. Any fee imposed by this chapter shall be due and payable within thirty days after the bill is mailed by the City. The fees shall be delinquent if not paid within said thirty days. Any person who fails to remit any fee within the time required shall pay a penalty of ten percent of the amount due, per month to a maximum of three months, plus interest at the rate of 1-1/2 percent per month, or fraction thereof, computed from the delinquent date of the fee until and including the date of payment.

PROPERTY LOCATION

Project Address(es): 640, 666, 678: 690 Concar Drive; 1820, 1880 S. Grant St.; 1801, 1855 S. Delaware St., San Mateo, CA

Assessor Parcel Number(s): 035-242-090, -140, -160, -170, -190, -200, -210, -220

PROPERTY OWNER'S CONTACT INFORMATION FOR FUTURE INVOICES

Name: William Jeffrey Atkinson

Mailing Address: C/o Woodmont Real Estate Services, 1050 Ralston Ave.

City: Belmont

State: CA

Zip: 94002

Email: jeff@concar.com

Phone: (650) 678-1153

PROPERTY OWNER'S SIGNED STATEMENT

I hereby certify that I am the owner of record of the property described in the above Project Location and that I approve of the requested action herein. I have read the above Deposits and Maximum Job Cost/Charges and understand that the Planning charges reflect the actual staff time spent and other costs associated with the processing of this application(s). I understand that my initial deposit is an estimate of these charges and not a fee, and I agree to abide by the billing policy stated above. I also understand that overdue invoices are subject to San Mateo Municipal Code section 3.64.020 Penalties and Interest.

Property Owner's Signature

5/12/23

Date

William Jeffrey Atkinson, President

Print Property Owner's Name

Property Owner's Signature

Date

Print Property Owner's Name



Planning Application Deposit & Processing Costs Form

PLANNING APPLICATION DEPOSITS AND PROCESSING COSTS

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Assessor Parcel Number(s): 035-242-090, -140, -160, -170, -190, -200, -210, -220

PROPERTY OWNER'S CONTACT INFORMATION FOR FUTURE INVOICES

Name: CFT C San Mateo, LLC (owner of 640 Concar Drive/Parcel Number: 035-242-210)

Mailing Address: 200 2nd Ave. S. #402

City: St. Petersburg

State: FL

Zip: 33701

Email: stefan.cushman@gmail.com

Phone: 727-771-3818

PROPERTY OWNER'S SIGNED STATEMENT

I hereby certify that I am the owner of record of the property described in the above Project Location and that I approve of the requested action herein. I have read the above Deposits and Maximum Job Cost/Charges and understand that the Planning charges reflect the actual staff time spent and other costs associated with the processing of this application(s). I understand that my initial deposit is an estimate of these charges and not a fee, and I agree to abide by the billing policy stated above. I also understand that overdue invoices are subject to San Mateo Municipal Code section 3.64.020 Penalties and Interest.

Property Owner's Signature

Date

Stefan Cushman, Authorized Signatory of CFT C San Mateo, LLC

Print Property Owner's Name

Property Owner's Signature

Date

Print Property Owner's Name



Planning Application Deposit & Processing Costs Form

PLANNING APPLICATION DEPOSITS AND PROCESSING COSTS

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PROPERTY LOCATION

Project Address(es): 640, 666, 678, 690 Concar Drive; 1820, 1880 S. Grant St.; 1855 S. Delaware St., San Mateo, CA

Assessor Parcel Number(s): 035-242-090, -140, -160, -170, -190, -200, -210, -220

PROPERTY OWNER'S CONTACT INFORMATION FOR FUTURE INVOICES

Name: Frank J. DeRose

Mailing Address: 5182 Lawler Ave

City: Fremont

State: CA

Zip: 94536

Email: frank.deroserose1@gmail.com

Phone: +1 510-589-0752

PROPERTY OWNER'S SIGNED STATEMENT

I hereby certify that I am the owner of record of the property described in the above Project Location and that I approve of the requested action herein. I have read the above Deposits and Maximum Job Cost/Charges and understand that the Planning charges reflect the actual staff time spent and other costs associated with the processing of this application(s). I understand that my initial deposit is an estimate of these charges and not a fee, and I agree to abide by the billing policy stated above. I also understand that overdue invoices are subject to San Mateo Municipal Code section 3.64.020 Penalties and Interest.

Property Owner's Signature

Frank J. DeRose

Print Property Owner's Name

5/26/2023

Date

Property Owner's Signature

Date

Print Property Owner's Name



Statement of Completion of Required Neighborhood Informational Meeting Notice and Meeting Process

Note: Form is required for all Planning Applications, except for Preliminary Planning Applications

Date of Neighborhood Informational Meeting: Not applicable to Vesting Tentative Map Extension or
Development Agreement Extension

Date of Mailed Notification: _____

In accordance with City requirements, I have completed the required Neighborhood Informational Meeting Notice and meeting process as required in the City Planning Division document titled "Neighborhood Informational Meeting Notice Instructions" for the proposed project located at:

_____.

I hereby certify under penalty of perjury, that the forgoing is true and correct.

Applicant's Signature	Date
Print Applicant's Name	



CITY OF SAN MATEO
COMMUNITY DEVELOPMENT DEPARTMENT

330 W. 20th Avenue
San Mateo, CA 94403
www.cityofsanmateo.org
(650) 522-7000

July 26, 2022

Brian Myers
4 Embarcadero, Suite 1400
San Francisco, CA 94111
Via Email: bmyers@nuquestventures.com

Subject: PA-2022-042, Concar Passage Vesting Tentative Map Extension
640, 666, 690 Concar Drive; 1820, 1880 S. Grant St.; 1855 S. Delaware St.
APNs 035-242-090, -140, -160, -170, -190, -200, -210, -220

Dear Brian:

This letter is a follow up to your Planning Application submittal of June 2, 2022, as referenced above. Enclosed is a copy of the Zoning Administrator's decision to approve the application as well as a copy of the Planning Commission approved Conditions of Approval for Planning Application PA-2018-052. The expiration of the Vesting Tentative Map and associated approvals in Planning Application PA-2018-052 are extended to August 17, 2023 unless appealed within ten (10) calendar days of the date of this approval. You will be contacted if an appeal is filed.

If the approval expires, a new Planning Application must be resubmitted subject to all codes and policies in effect at the time of the new submittal. Please also note that the time within which judicial review may be sought is governed by Code of Civil Procedure Section 1094.6. In addition, the time within which the imposition of fees, dedications, reservations, or other exactions may be challenged is governed by Government Code Section 66020. Please contact me at (650) 522-7211 or via email at rbustos@cityofsanmateo.org for any questions.

Sincerely,

Rendell Bustos, Senior Planner

Enclosure: Decision of the Zoning Administrator and Conditions of Approval (PA-2018-052)

Cc: Project Planner (*Email Distribution*)
Development Review Board Members (*Email Distribution*)
Planning Manager (*Email Distribution*)
Zoning Administrator (*Email Distribution*)
City Clerk (*Email Distribution*)
Bcc: Planning Commission (*Email Distribution*)

CITY OF SAN MATEO
COMMUNITY DEVELOPMENT DEPARTMENT



330 W. 20th Avenue
San Mateo, CA 94403
www.cityofsanmateo.org
(650) 522-7000

DECISION OF THE ZONING ADMINISTRATOR

PA#: PA-2022-042

PA NAME: Concar Passage Vesting Tentative Map Extension

ZONING CLASSIFICATION: TOD

ADDRESS/APN: 640, 666, 690 Concar Drive; 1820, 1880 S. Grant St.; 1855 S. Delaware St.
APNs 035-242-090, -140, -160, -170, -190, -200, -210, -220

PROJECT DESCRIPTION: Extension of one year of a previously approved Vesting Tentative Map and all other associated Planning Application approvals for Planning Application PA-2018-052 for Concar Passage Mixed Use Project in accordance with Government Code Section 66452.6(e) and San Mateo Municipal Code Sections 26.48.135(b) and 27.08.085(d). No changes to the Vesting Tentative Map or to the approved project are proposed.

PLANNING APPLICATION APPROVALS:

 X VESTING TENTATIVE MAP EXTENSION

PROJECT PLANNER: Rendell Bustos

APPROVAL DATE: 07/26/2022

FINDINGS FOR APPROVAL:

I. CEQA CLEARANCE

A Final Supplemental Environmental Impact Report for the subject project (PA-2018-052, Concar Passage Mixed Use Project) was certified by the City Council on August 17, 2020.

II. PLANNING APPROVAL EXTENSION (Municipal Code §27.08.087)

The Vesting Tentative Map and all other associated Planning Application approvals for Planning Application PA-2018-052 are extended to August 17, 2023 based on the finding that the project complies with all applicable zoning, planning, and General Plan regulations and conditions. The original findings and conditions of approval remain applicable to this extension.

ZONING ADMINISTRATOR DECISION:

 X APPROVED

CEQA CLEARANCE: Final Supplemental
Environmental Impact Report certified by the
City Council on August 17, 2020.

CONDITIONS OF APPROVAL: See Attached – Conditions of Approval as adopted on August 17, 2020 in Planning Application PA-2018-052.

SIGNATURE *Julia Klein*
Julia Klein, Deputy Zoning Administrator

DATE: 07/26/2022 *

* This decision is final unless appealed in writing within ten (10) calendar days of the above date.

**CITY OF SAN MATEO
RESOLUTION NO. 94 (2020)**

APPROVING THE SITE PLAN AND ARCHITECTURAL REVIEW (SPAR), SITE DEVELOPMENT PLANNING APPLICATION (SDPA), AND VESTING TENTATIVE MAP TO CONSTRUCT UP TO 961 RESIDENTIAL UNITS, 40,000 SQUARE FEET OF COMMERCIAL SPACE AND ASSOCIATED PARKING, LANDSCAPING ROADWAY IMPROVEMENTS AND COMMON AREAS, AND ADOPT THE ENVIRONMENTAL IMPACT REPORT FOR THE RAIL CORRIDOR PLAN AS REVISED BY THE SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT

WHEREAS, California Coastal Properties has requested construction of up to 961 residential units, 40,000 square feet of commercial space and associate parking, landscaping, roadway improvements and common areas (the "Project");

WHEREAS, San Mateo City Charter and Municipal Code Section 27.06.050 requires final action from the City Council for projects which includes a Development Agreement and which are subject to Planning Commission review under 27.06.040;

WHEREAS, the Planning Commission considered the application on July 28, 2020, and recommended adoption of the Supplemental Environmental Impact Report for the Project (PA-2018-052) and Environmental Impact Report for the Rail Corridor Plan as adequate to analyze the environmental impacts of the project; and

WHEREAS, the Planning Commission recommended approval of the construction of 961 residential units, 40,000 square feet of commercial space associate parking, landscaping, roadway improvements and common areas, subject to the Findings for Approval and Conditions of Approval; and

WHEREAS, the City Council held a public hearing on August 17, 2020, duly noticed, at which all public comments were considered;

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

1. In accordance with CEQA Guidelines Section 15163, a Supplemental Environmental Impact Report has been prepared in accordance with the California Environmental Quality Act, because only minor additions or changes were necessary to make the previous Environmental Impact Report prepared for the Rail Corridor Plan adequate to analyze the impacts of the proposed project.
2. The Planning Commission and City Council have reviewed and considered the information in the Supplemental Environmental Impact Report as well as the Environmental Impact Report prepared for the Rail Corridor Plan prior to recommending approval of the project.
3. The Supplemental Environmental Impact Report and Environmental Impact Report prepared for the Rail Corridor Plan reflect the City's independent judgment and analysis.
4. The Supplemental Environmental Impact Report and Environmental Impact Report prepared for the Rail Corridor Plan concluded that the project would not have any significant effects with the incorporation of the mitigated measures which have been included in the project's Conditions of Approval.
5. 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 on the environment and the Supplemental Environmental Impact Report and Environmental Impact Report prepared for the Rail Corridor Plan reflect the lead agency's independent judgement and analysis.

6. The custodian of the documents or other material which constitute the record of the proceedings upon which this decision is based is the City Clerk, located at City Hall, 330 West 20th Avenue, San Mateo, California.
7. Concar Passage Mixed Use Development Project, PA-2018-052, which includes the following, is approved, based on the Findings for Approval attached as Exhibit A and subject to the Conditions of Approval recommended by staff, attached as Exhibit B:
 - a. Site Plan and Architectural Review for the construction of up to 961 residential units, 40,000 square feet of commercial space associate parking, landscaping, roadway improvements and common areas;
 - b. Site Development Planning Application;
 - c. Vesting Tentative Map for subdivision of land; and
8. This Resolution will take effect upon the effective date of the Ordinance approving the proposed development agreement.

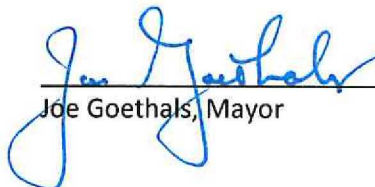
RESOLUTION NO. 94 (2020) adopted by the City Council of the City of San Mateo, California, at a regular meeting held on August 17, 2020, by the following vote of the City Council:

AYES: Council Members Goethals, Rodriguez, Bonilla, Lee and Papan
NOES: None
ABSENT: None

ATTEST:



Patrice M. Olds, City Clerk



Joe Goethals, Mayor

EXHIBIT A

**PA-2018-052, CONCAR PASSAGE MIXED USE PROJECT
(SPAR, SDPA, VESTING TENTATIVE MAP,
DEVELOPMENT AGREEMENT)**

640 CONCAR DR, SAN MATEO, CA 94402-2622; 1855 S DELAWARE ST, SAN MATEO, CA
94402-7012; 1880 S GRANT ST, SAN MATEO, CA 94402-2648; 690 CONCAR DR, SAN MATEO, CA
94402-2622; 1850 S GRANT ST, SAN MATEO, CA 94402-2648; 1820 S GRANT ST, SAN MATEO,
CA 94402-2648; 666 CONCAR DR, SAN MATEO, CA 94402-2622
PARCEL # 035242200, 035242210, 035242170, 035242140, 035242220, 035242160, 035242190

FINDINGS FOR APPROVAL:

- I. Adopt the Supplemental Environmental Impact Report and Environmental Impact Report for the Rail Corridor Plan as adequate to assess the environmental impacts based on the Findings for Approval:**
 1. The Supplemental Environmental Impact Report (EIR) and Environmental Impact Report for the Rail Corridor Plan adequately assess the environmental impacts of the proposed project. Potentially significant impacts have been identified and mitigation measures have been identified and have been incorporated into the proposed project or into conditions of approval which would mitigate impacts to levels which will not cause significant impacts on the environment;
 2. On the basis of the whole record before the City Council, the City Council finds that there is no substantial evidence that the project will have a significant effect on the environment;
 3. Mitigation monitoring has been included as part of the conditions of approval to mitigate and avoid potentially significant impacts on the environment;
 4. In the event that a specific condition of approval as adopted by the City Council with respect to any project-related impact is worded differently than the mitigation measure specified in the EIR, then the condition of approval shall take precedence. Pursuant to CEQA Guidelines Section 15074.1, the conditions of approval will be more effective or equivalent in mitigating or avoiding potentially significant effects and will not cause any potentially significant effect on the environment; and
 5. The Supplemental Environmental Impact Report and Environmental Impact Report for the Rail Corridor Plan that constitute the record of the proceedings are on file at the City of San Mateo Planning Division.
- II. Approve the Site Plan and Architectural Review for the construction of 961 residential dwelling units, 40,000 square feet of commercial space and associated common and open space (San Mateo Municipal Code Section 27.08.030), Finding that:**
 1. The structures, site plan, and landscaping are in scale and harmonious with the character of the neighborhood;
 - a. The building designs, building materials, landscaping, open spaces, and pedestrian amenities create a new transit-oriented, mixed-use development in San Mateo by providing a mixture of uses, pedestrian and bicycle connections, and building designs;
 - b. The design incorporates the San Mateo Rail Corridor Transit-Oriented Development Plan's design guidelines and goals for transit-supportive design and a variety of architectural styles, massing, materials, and detailing;

- c. The design, height, and bulk of the buildings have been designed to integrate into the existing neighborhood, creating a transition between commercial office buildings to the east and west and single-family residences to the north;
 - d. The buildings utilize high quality materials and incorporates an abundance of landscape throughout the project to enhance the site.
2. The development will not be detrimental to the harmonious and orderly growth of the City;
 - a. The project is consistent with the General Plan, Municipal Code, and the San Mateo Rail Corridor Transit-Oriented Development Plan;
 - b. The project increases the amount of multi-family dwelling units, including the provision of affordable dwelling units within the City;
 - c. The project fulfills the goals of focusing growth near the transit corridor to maximize the use of public transit;
 - d. The project provides a complimentary mix of land uses and amenities including employment, housing, commercial services, a park, and open space.
3. The development will not impair the desirability of investment or occupation in the vicinity, and otherwise is in the best interests of the public health, safety, or welfare;
 - a. The 961 dwelling units and 40,000 square feet of commercial space on the project site enhance the existing area by providing additional housing units and neighborhood serving retail and restaurant uses and would not result in any significant impacts regarding public health, safety, or welfare as conditioned; and
 - b. The project will be constructed in compliance with all building codes, fire codes, and the City's building security code.
4. The development meets all applicable standards as adopted by the Planning Commission and City Council, conforms with the General Plan and Zoning Code, and the new construction will be in conformance with the building code and all other relevant City municipal codes requirements;
 - a. Upon approval, the project will conform with the City's General Plan, Municipal Code, and applicable design guidelines; and
 - b. The project substantially complies with the San Mateo Rail Corridor Transit-Oriented Development Plan and includes a variety of building designs, stepbacks, and other architectural enhancements.
5. The development will not adversely affect matters regarding police protection, crime prevention, and security in that the buildings, paths of travel, and parking facilities will be required to conform to the City's current Security Ordinance through Conditions of Approval.

III. Approve the Site Development Permit for the removal of 64 Trees (8 Heritage Trees and 56 Others) and Other Vegetation (San Mateo Municipal Code Section 23.40.040), Finding that:

1. The project will result in the removal of 64 trees, of which eight are considered Heritage Trees. The removal of these trees is necessary to accommodate the development of the proposed project. All trees will be removed and replaced with appropriate landscaping to both enhance the site and create necessary buffers between surrounding properties.
2. All concerns regarding tree removal on the site have been addressed as conditions of approval requiring conformance to the City's landscape regulations, through the provision of extensive on-site landscaping as shown on the project plans, and/or through the payment of a fee to the City's tree planting fund.

IV. Approve the Vesting Tentative Subdivision Map (San Mateo Municipal Code Section 26.48.060), Finding that:

1. The proposed map is consistent with applicable general and specific plans in that the project site is designated for residential uses.
2. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans in that it meets all zoning standards for TOD, Transit Oriented Development.
3. That the site is physically suitable for the type of development in that the site is currently developed with structures and is served by all required utilities and public services.
4. That the site is physically suitable for the proposed density of development in that the site has a maximum density of 50 dwelling units per acre. However, the applicant is proposing 66.3 dwelling units per acre inclusive of State Density Bonus.
5. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat in that it redevelops a site located in an urban setting which has been previously improved with paving and other development.
6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems in that City's ordinances reduce potential air quality and noise impacts during construction, and the project will also contribute to public improvements roadways and public facilities and will otherwise not constrain the delivery of public services.
7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

V. General Plan Conformity

The project conforms to the following policies of the General Plan:

Land Use Element

- | | |
|----------------|--|
| LU 1.5 | Building Height. Maintain maximum building height limits contained in Appendix C, and as specified in Policy LU 6A.2, closely matched with the Land Use categories and Building Intensity standards. |
| LU 1.6 | Residential Development. Facilitate housing production by carrying out the goals and policies in the Housing Element. |
| LU 1.7 | Multi-Family Areas. Allow multi-family areas to develop at densities delineated on the Land Use Plan. |
| LU 1.8 | Mixed-Use Commercial-Residential. Facilitate housing production by allowing commercial mixed use development which includes multi-family dwellings in all non-residential land use categories except service commercial, manufacturing/industrial and parks/open space. |
| LU 1.10 | Commercial Development. Encourage industrial, service, retail, and office development which is compatible with the desired character of the area and with adjacent residential uses in terms of intensity of use, height, bulk, and design as delineated on the Land Use Plan, Building Height Plan and Building Intensity Plan. Commercial development adjacent to residential areas shall address |

- concerns pertaining to traffic, truck loading, trash/recycling activities, noise, visual impacts, and public safety, including hazardous material storage, fire safety, air pollutant emissions and odors.
- LU 1.15 Mixed Use.** Encourage developments which mix commercial retail and office uses with residential uses at locations and intensities/densities as delineated on the Land Use Plan and Building Intensity Plan.
- LU 2.8 Convenience Retail.** Encourage and preserve convenience retail uses located adjacent to residential neighborhoods.
- LU 2.9 Support Service Uses.** Encourage a variety of support service uses such as restaurants, day care facilities, and markets in locations that are appropriate to provide services to residential neighborhoods and commercial uses.
- LU 3.4 Rail Corridor Transit-Oriented Development Plan (Corridor Plan).** Implement the Corridor Plan to allow, encourage, and provide guidance for the creation of world class transit-oriented development (TOD) within a half-mile radius of the Hillsdale and Hayward Park Caltrain station areas, while maintaining and improving the quality of life for those who already live and work in the area. Development within the plan area shall comply with the policies of the Plan.
- LU 3.5 Transit-Oriented Development (TOD).** Maintain TOD land use designations for areas in direct proximity to the Hillsdale and Hayward Park Caltrain stations.
- LU 4.2 Developer's Contribution Policy.** Require new development to pay on an equitable basis for new or expanded public improvements needed to support the new or changed land use or development.
- LU 4.32 Recycling and Composting.** Support programs to recycle solid waste in compliance with State requirements. Require provisions for onsite recycling for all new development and expand composting of green waste and food scraps, as directed by the City's Climate Action Plan which is an appendix of the General Plan.
- LU 4.4.5 Stormwater Treatment.** Continue to implement the San Mateo Countywide Stormwater Pollution Prevention Program to ensure compliance with the National Pollutant Discharge Elimination System (NPDES) permit.
- PA 5.2 SR 92 Grant Street/Concar Drive/Delaware Street Vicinity.** For properties within the focal area:
1. Allow a concentration of large scale retail, office and hotel uses, as delineated on the Building Height and Intensity Maps.
 2. Requite building setbacks from the street, freeway, and adjoining residential neighborhoods to reduce visual impacts, with greater setbacks required for greater heights.
 3. Permit densities up to 75 units per acre, and heights great than 50 feet but up to a maximum of 75 feet for projects in the area designated in the Land Use Plan (LU-3) as Regional/Community Commercial which is bounded by South Grant Street, US 101, SR 92, and the north property line of the Dunfey Hotel.
 4. Provide development incentives for high density residential development adjacent to the railway.

5. Require that any redevelopment of the Marriott Hotel property address major citizen concerns pertaining to traffic, truck loading, trash/recycling activities, noise, appearance and public safety as part of the site plan and design of a development proposal.
6. Allow transit-oriented development within the Transit-Oriented Development (TOD) area in the vicinity of the Hayward Park station according to the provisions of the San Mateo Rail Transit-Oriented Development Plan.
- 7.

LU 8.4 Sustainable Development. Incorporate Sustainability into existing single family and multifamily housing. Require sustainable features and techniques to address energy and water efficiency in remodels off existing structures.

Circulation Element

- C 2.4 Transportation Fee Ordinance.** Require new developments to pay their proportionate share of the costs for planned on and off site roadway improvements. Utilize a Transportation Fee Ordinance to finance necessary improvement equitably.
- C 2.5 Traffic Studies.** Require site-specific traffic studies for development projects where there may be a substantial impact on the local street system. Traffic impacts caused by a development project are considered to be unacceptable and warrant mitigation if the addition of project traffic results in a cumulative intersection level of service exceeding the acceptable level established in Policy C-2.1; where there may be safety hazards created; or where there may be other substantial impacts on the circulation system.
- C 2.10 Transportation Demand Management (TDM).** Participate in the TDM Program as outlined by the San Mateo City/County Association of Governments (C/CAG). Encourage TDM measures as a condition of approval for development projects, which are anticipated to cause substantial traffic impacts. C/CAG requires the preparation of a TDM program for all new development that would add 100 peak hour trips or more to the regional road network.
- C 2.11 Transportation Demand Management (TDM) in Rail Corridor Transit-Oriented Development Plan (Corridor Plan).** Establish and implement a TDM program consistent with the Corridor Plan policy and program requirements for development within a Transit-Oriented Development (TOD) areas designated by the Corridor Plan, as well as for all properties within the Hillsdale Station Area Plan.
- C 3.2 Caltrain.** Continue the City's strong support of Caltrain as an essential element of the overall circulation system on the Peninsula and in the City. Support the following rail service improvements:
- a. Continue to work with the Joint Powers Board which locally manages and oversees improvement plans for Caltrain.
 - b. Increased service during non-commute periods and increase system capacity.
 - c. Development of a Downtown San Francisco terminal within the vicinity of the Transbay Terminal or Financial District to improve commute service and linkage to other regional transit systems.

- d. Expenditure of Measure A (1/2-cent sales tax) funds and other available funds for grade crossing improvements at existing at grade crossings and where existing grade separations have inadequate vertical clearance above the crossing street.
- e. Caltrain Shuttle Bus Program.
- f. Caltrain's Project 2025 future vision includes three major phases of development: state of good repair, electrification enhancements and post-electrification enhancements. All three phases of the program will provide increased frequency of service to San Mateo and Peninsula residents and commuters.

C 3.3 **Hayward Park Station.** Improve pedestrian and vehicular access to the station. Redevelop the surrounding area with mixed-use and transit-oriented development.

C 5.1 **Parking Standards.**

- a. Review parking requirements periodically to ensure adequate parking supply as a condition of development approval
- b. Review parking requirements periodically to ensure adequate parking supply for change and/or expansion of land use resulting in increased parking demand.

C 4.5 **Pedestrian Enhancements with New Development.** Pedestrian Enhancements with New Development. Continue to require as a condition of development project approval the provision of sidewalks and wheelchair ramps where lacking and the repair or replacement of damaged sidewalks. Require that utility poles, signs, street lights, and street landscaping on sidewalks be placed and maintained to permit wheelchair access and pedestrian use. Increase awareness of existing trails and routes by promoting these amenities to residents.

C 4.4 **Pedestrian Master Plan.** Implement the Pedestrian Master Plan's recommended programs and projects to create and maintain a walkable environment in San Mateo and support the City's sustainable Transportation Actions.

C 4.5 **Pedestrian Enhancements with New Development.** Continue to require as a condition of development project approval of the provisions of sidewalks and wheelchair ramps where lacking and the repair or replacement of damaged sidewalks. Require the utility poles, signs, streetlights, and street landscaping on sidewalks be placed and maintained to permit wheelchair access and pedestrian use. Increase awareness of existing trails and routes by promoting these amenities to residents.

C 4.6 **Pedestrian Safety.** Pedestrian safety shall be made a priority in the design of intersection and other roadway improvements.

C6.6 **Fuel Consumption and Emissions.** Reduce fuel consumption and vehicle emissions for trips originating in or destined for the City of San Mateo by providing incentives for the purchase and use of fuel efficient vehicles such as recharging stations for electric vehicles or preferential parking for carpools, hybrids and alternative fuel vehicles and develop a way to make this action enforceable and by providing discounted parking rates for carpools, hybrids and other vehicles that help reduce CO2 emissions.

A traffic study has been conducted to determine the traffic impact caused by the proposed project. The applicant has agreed to provide the City with a voluntary contribution for future transportation and traffic improvements along the 19th Avenue/Fashion Island Boulevard and South Norfolk Street corridor. The project will also provide transportation demand measures to encourage alternative means of transportation to and from the site. Further, the project proposes adequate vehicular and bicycle parking to meet the demands of future inhabitants.

Urban Design Element

- UD 2.1 Multi-Family Design.** Ensure that new multi-family developments substantially conform to the City's Multi-family and Small Lot Multi-family Design Guidelines that address the preservation and enhancement of neighborhood character through building scale, materials, architectural style, quality of construction, open space, location of parking and lot size.
- UD 2.2 Building Scale.** Ensure that new multi-family developments respect the existing scale of the neighboring buildings by providing a change in the building face at spacings common to existing building by stepping down building height towards the street to more closely match the height of existing buildings.
- UD 2.3 Style and Materials.** Encourage the design of new multi-family developments in areas with a dominant building style or dominant type of exterior building materials to complement the style and incorporate the common materials of the area.
- UD 2.4 Multi-Family Parking.** Encourage new multi-family developments to place parking underground or towards the rear of the parcel to avoid blank, ground floor walls and to screen views of parking from the street.
- UD 2.5 Multi-Family Open Space.** Require that a portion of required open space be useable for passive or active recreation.
- UD 2.6 Orient Buildings Toward the Street.** Encourage commercial development to be located at the street in retail areas to encourage pedestrian activity and the use of on-street parking. Locate required parking towards the sides and rear of the parcels.
- UD 2.7 Respect Existing Scale.** Encourage new development to respect the scale of surrounding buildings by providing breaks in the building face at spacings common to buildings in the area and stepping back the upper floors.
- UD 2.9 Pedestrian Oriented Design.** On retail commercial projects, designate pedestrian activity as a priority through the design and provision of adequate sidewalk widths, locating windows along ground floor street facades, trees, and awnings, and human scale construction materials and features.
- UD 2.14 Sustainable Design and Building Construction.** Require new development and building alterations to conform with the City's Climate Action Plan and subsequent City Council adopted goals, policies, and standards pertaining to sustainable building design and construction.
- UD 2.16 Design and Placement of Solar Access and Panels.** Encourage applicants to incorporate solar energy systems into their projects. Building owners can minimize non-renewable heating and cooling methods and maximize solar heat gain by using solar panels and innovative building design features such as the use of overhangs, having south-facing windows and planting trees that provide shade. Important considerations in the design and placement of solar panels include:

- a) Building placement and adjacencies should be considered such that they do not unreasonably affect the solar access on neighboring residential properties.
- b) Solar panels and other roof-mounted equipment should be integrated into building design so as not to detract from the appearance of a home and reduce obtrusiveness.
- c) Roof mounted solar energy equipment and panel should be located below ridgelines and on sides of roof away from street view wherever possible. Non-glare and non-reflective type panels should be utilized.
- d) The design and placement of roof-mounted solar panels should account for the heights of existing trees and future growth. This applies to both trees on-site and on neighboring properties, including Heritage Trees and street trees.

The proposed project complies with the above policies of the Urban Design Element in that the multi-family building designs will create a cohesive transition between the existing single-family neighborhood to the north and commercial office buildings. The project utilizes high quality materials and complementary designs throughout the site.

Conservation and Open Space Element

C/OS 6.6 New Development Street Trees. Require street tree planting as a condition of all new developments in accordance with the adopted Street Tree Master Plan, El Camino Real Master Plan, or Hillsdale Station Area Plan, as applicable.

C/OS 11.5 Creating Community. Opportunities to come together as a community, to celebrate our heritage, cultures and milestones, and to have social supports available are keys to creating a sense of community.

C/OS 16.5 Development Fees. Assess appropriate fees and taxes to ensure that new development contributes adequate funding to compensate for its impacts on recreation facilities and services.

The project complies with the Conservation and Open Space Element as the project includes open spaces available to the public and proposes to plant new trees, which will line the perimeter of the site and interior open spaces.

Noise Element

N 1.1 Interior Noise Level Standard. Require submittal of an acoustical analysis and interior noise insulation for all "noise sensitive" land uses listed in Table N-1 that have an exterior noise level of 60 dB (Ldn) or above, as shown on Figure N-1. The maximum interior noise level shall not exceed 45 dB (Ldn) in any habitable rooms.

N 1.2 Exterior Noise Level Standard. Require submittal of an acoustical analysis for new parks, play areas, and multi-family common open space (intended for the use and the enjoyment of residents) that have an exterior noise level of 60dB (Ldn) or above, as shown on Figure N-1. Require an acoustical analysis that uses peak hour Leq for new parks and play areas. Require a feasibility analysis of noise reduction measures for public parks and play areas. Incorporate necessary mitigation measures into residential project design to minimize common open space noise levels. Maximum exterior noise should not exceed 67 dB (Ldn) for residential land uses and should not exceed 65 dB (Leq) during the noisiest hour for public park uses.

- N 2.1 Noise Ordinance.** Continue implementation and enforcement of the City's existing noise control ordinance: a) which prohibits noise that is annoying or injurious to neighbors of normal sensitivity, making such activity a public nuisance, and b) restricts the hours of construction to minimize noise impact.
- N 2.2 Minimize Noise Impact.** Protect all "noise-sensitive" land uses listed in Tables N-1 and N-2 from adverse impacts caused by the noise generated on-site by new developments. Incorporate necessary mitigation measures into development design to minimize noise impacts. Prohibit long-term exposure increases of 3 dB (Ldn) or greater at the common property line, or new uses which generate noise levels of 60 dB (Ldn) or greater at the property line, excluding existing ambient noise levels.
- N 2.4 Traffic Noise.** Recognize projected increases in ambient noise levels resulting from traffic increases, as shown on Figure N-2. Promote the installation of noise barriers along highways where "noise-sensitive" land uses listed in Table N-1 are adversely impacted by unacceptable noise levels [60 dB (Ldn) or above]. Require adequate noise mitigation to be incorporated into the widening of SR 92 and US 101. Accept noise increases on El Camino Real at existing development, and require new multi-family development to provide common open space having a maximum exterior noise level of 67 dB (Ldn).

The project complies with the above policies in that the construction activities have measures and monitoring during construction, which are standard conditions of approval for the planning application. The project will be required to adhere to the City's construction work hours and Noise ordinance.

Housing Element

- H 2.5 Distribution of Low-and Moderate-Income Housing.** Attempt to distribute low- and moderate-income housing developments throughout the City. Encourage the mixing of market-rate and low/moderate-income units where feasible.
- H 2.4 Private Development of Affordable Housing.** Encourage the provision of affordable housing by the private sector through:
1. Requiring that a percentage of the units, excluding bonus units, in specified residential projects be affordable.
 2. Requiring construction or subsidy of new affordable housing as a condition for approval of any commercial development which affects the demand for housing in the City.
 3. Providing density bonuses and priority processing for projects which qualify for density bonuses under State law.
- H 2.6 Rental Housing.** Encourage development of rental housing for households unable to afford ownership housing.
- H 2.10 Housing Densities.**
1. Maintain a density range, with densities at the higher end of the range to be considered based on provision of public benefits such as affordable housing, increased open space, public recreational facilities, or off-site infrastructure improvements, or location adjacent or near

(generally within half-mile walking distance) transit nodes; (Note: Related Land Use Element Policy LU 1.4)

2. Ensure that inappropriate densities are not permitted for lots of less than one-half acre.

H 2.12 Mixed Use. Continue the policy of encouraging residential uses in existing commercial areas, or in locating adjacent or near transit nodes, where the residences can be buffered from noise and safety concerns and can provide on-site parking and useable open space. Provide floor area and/or height bonuses for residential development in selected areas in the City.

H 2.13 Transportation Oriented Development (TOD). Encourage well-planned compact development with a range of land uses, including housing, commercial, recreation and open space, in proximity to train stations and other transit nodes. Encourage the maximization of housing density where possible.

H 3.1 Sustainable Housing Development. Incorporate sustainability into existing and future single family and multi family housing:

1. Ensure that all existing and future housing, including both single family and multi family housing, is developed in a sustainable manner.

The project is consistent with the City's Housing Element in that the project will provide additional multi-family and affordable housing units.

San Mateo Rail Corridor Transit-Oriented Development Plan

Pedestrian and Bicycle Connections

POLICY 4.8 Establish consistent, pedestrian friendly streetscape improvement throughout the Plan area.

POLICY 4.9 Develop an area-wide pedestrian and bicycle circulation network which will result in convenient and direct connections throughout the plan area and into adjacent neighborhoods and districts.

POLICY 4.10 Establish safe and convenient pedestrian and bicycle routes where existing barriers currently prohibit connections.

POLICY 4.12 Provide a balanced street system in the Plan area that safely connects Hillsdale and Hayward Park stations to the adjacent and greater community by providing for convenient access by a mix of modes of travel including pedestrian, bicycles, buses, and automobiles both on and off-site.

Hayward Park Station

POLICY 4.15 Ensure the creation of a circulation system at the Hayward Park Station that will accommodate many modes of transit, and fulfills its role of serving the adjacent neighborhood and greater community.

Land Use Plan

POLICY 5.1 Establish a Transit Oriented Development (TOD) zone for parcels located within close proximity of the Hillsdale and Hayward Park Caltrain station areas.

Hayward Park Station TOD Overlay Zone

- POLICY 5.9** Provide for multifamily uses to be developed at transit supportive densities within the Hayward Park Station TOD zone.
- POLICY 5.10** Provide for the creation of publicly accessible open space areas within the Hayward Park Station TOD zone.
- POLICY 5.11** Provide for the inclusion of multi-modal transit facilities within the Hayward Park Station TOD zone.
- POLICY 5.12** Provide for the inclusion of neighborhood and commuter serving retail uses and services, including specialty uses that would enhance neighborhood services, within the Hayward Park Station TOD zone.
- POLICY 5.13** Provide for the inclusion of mixed-use community serving retail uses within the Hayward Park Station transit zone.

Public Realm

- POLICY 6.1** An overall sense of continuity and identity should be established throughout the Corridor Plan area by creating a well designed public realm.
- POLICY 6.12** Recognize that variety and contrast in the built environment adds complexity, interest, and vitality, and should be encouraged.
- POLICY 6.13** Encourage the creation of several unique and distinctive neighborhoods and districts within the overall Plan area.
- POLICY 6.16** Create a pattern of buildings predominantly built close to the front property line so that streets are generally defined by building facades.
- POLICY 6.17** Orient building entries to the street and screen structured parking at grade with special perimeter treatments.
- POLICY 6.19** Integrate ground floor neighborhood or commuter serving retail uses into residential neighborhoods or office districts in mixed-use buildings in designated areas.
- POLICY 6.20** Locate commercial uses with the potential to attract many visitors only on permitted sites within the TOD zone.
- POLICY 6.21** Include a combination of city and neighborhood-scaled parks and plazas to serve plan area residents, workers, and visitors of all ages.
- POLICY 6.22** Provide parks for passive and active recreation.

- POLICY 6.31** Create visual and physical access to Hillsdale and Hayward Park stations, by establishing neighborhood patterns that are organized around each station and are transit supportive, safe, and pedestrian-friendly.
- POLICY 6.33** Create interesting streetwalls that define the public realm, establish neighborhood identity, and provide interest at the pedestrian level.
- POLICY 6.34** Promote the development of buildings that contribute to the character and identity of the plan area, encourage walkability, and respond to market demand.
- POLICY 6.35** Encourage sustainable development that includes use of Green Building design practices that make efficient use of resources and prevent pollution and waste.
- POLICY 7.17** The goal of the TDM program is to achieve an overall reduction in new vehicle trips of at least 25 percent Corridor-wide. It is recognized that this reduction will occur over time and that the reduction achieved by individual projects will vary based on the specific characteristics of the project, such as location and proposed uses.
- POLICY 7.18** The City shall form a Transportation Management Association (TMA) with the Corridor. Participation in the TMA shall be required for all new development within the TOD zone, shall be strongly encouraged for all new development within the broader Corridor Plan area, and shall be available to any existing uses outside of the Corridor Plan Area.
- POLICY 7.19** All development projects within the TOD zone shall be required to submit a trip reduction and parking management plan as part of the development application. Parking outside the TOD zone, but within the Corridor Plan area shall be strongly encouraged to submit this trip reduction and parking management information as part of the development application. The zoning shall be modified to established threshold defining projects such as remodeling or additions to existing development within the Corridor Plan area that trigger the TDM requirement.
- POLICY 7.21** Traffic analysis of development projects within the Corridor Plan area shall include development of recommended parking reductions and companion trip reduction programs. The recommendations shall also include appropriate trip generation thresholds for the project.
- POLICY 7.24** Projects that exceed their trip generation threshold shall be required to modify their trip reduction and parking management plan and incorporate TDM measures that are expected to increase trip reduction. Projects may be required to implement market-rate parking permit systems if other trip reduction strategies are ineffective.

EXHIBIT B
CONDITIONS OF APPROVAL
PA-2018-052, CONCAR PASSAGE MIXED USE PROJECT
(SPAR, SDPA, VESTING TENTATIVE MAP, DEVELOPMENT AGREEMENT)

640 CONCAR DR, SAN MATEO, CA 94402-2622; 1855 S DELAWARE ST, SAN MATEO, CA 94402-7012;
1820 S GRANT ST, SAN MATEO, CA 94402-2648; 666 CONCAR DR, SAN MATEO, CA 94402-2622; 1880
S GRANT ST, SAN MATEO, CA 94402-2648; 690 CONCAR DR, SAN MATEO, CA 94402-2622; 1850 S
GRANT ST, SAN MATEO, CA 94402-2648

PARCEL # 035242200, 035242210, 035242170, 035242140, 035242220, 035242160, 035242190
AS APPROVED BY THE CITY COUNCIL ON

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

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

Building Division (PA)

- 1 DEWATERING - The design-level geotechnical report recommends that a dewatering system be implemented during construction such that water levels are maintained at least three feet below the bottom of the excavation prior to and continuously during shoring installation and the backfill process. A dewatering system plan shall be prepared by an experienced dewatering contractor and provided to the geotechnical engineer for review. Survey points to monitor vertical and lateral movements should be installed on the adjacent streets and improvements that are within 100 feet of the proposed excavation. Should excessive settlement or groundwater drawdown be measured, the contractor should be prepared to recharge the groundwater outside the excavation through recharge wells. A recharge program should be submitted as part of the dewatering plan. Geotechnical engineer shall review and approve Dewatering Plan and monitor survey points during construction. Approval letter for Dewatering Plan and Settlement Report for survey points shall be submitted to City of San Mateo Building Official in a timely manner. (BUILDING)
- 2 SOILS REPORT – The applicant shall provide a stamped, signed, and dated soil investigation report containing design recommendations to the Building Official. The classification shall be based on observation and any necessary tests of materials disclosed by boring or excavations made in appropriate locations. Additional studies may be necessary to evaluate soil strength, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction,

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

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

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

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

- 3 CALGREEN – The building shall be designed to include the green building measures specified as mandatory in the application checklists contained in the California Green Building Standards Code. The applicant shall incorporate the checklist along with a notation on the checklist to specify where the information can be located on the plans, details, or specifications, etc.
- 4 DEMOLITION - Demolition permit(s) shall be issued in accordance with Section 23.06.100 of the San Mateo Municipal Code. Safeguards during construction shall be provided in accordance with Chapter 33 of the California Building Code. Prior to the permit issuance, a completed Worksheet/Application and a Demolition Plan must be submitted and approved by the Building Official. This form is available at the Building Division Counter. (BUILDING)
- 5 FOOD SERVICE FACILITIES AND PUBLIC POOLS AND SPAS - All projects including food service or public pools or spas shall be checked and approved by the County of San Mateo Health Department prior to submittal for a building permit. (BUILDING)
- 6 HAZARDOUS MATERIALS - As required by state law, an asbestos and lead paint abatement scope of work will be developed prior to issuance of a demolition permit for the structure on the project site. All measures outlined in this scope of

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work shall be implemented as part of the project. This scope of work shall outline the performance parameters for hazardous remediation standards and regulatory compliance criteria. In addition, any asbestos abatement contractors performing work on the site will be licensed by the State of California. Buildings of the age of those on the project site may contain mercury and/or PCBs. Therefore these hazardous materials shall be found and removed prior to demolition and recycling. This will be verified as part of a final hazardous materials report prepared by a qualified consultant and will be submitted to the Building Division prior to issuance of a demolition permit. (BUILDING)

- 7 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)
- 8 SITE SURVEY – The applicant shall provide a site survey of entire parcel stamped and signed by a Land Surveyor licensed by the State of California. The survey shall include, but not be limited to, the following: location and dimensions of property line, location of streets and easements, existing buildings, topographic contour lines, trees/landscape, miscellaneous structures, etc. The purpose of the site survey is to accurately verify compliance with items such as setback dimensions, heights of buildings from established contours, compliance with heritage tree ordinance, etc. (BUILDING)
- 9 SHORING/SCAFFOLDING - A separate building permit shall be required for all shoring and scaffolding work. Shoring/scaffolding plans, calculations, etc., shall be reviewed and approved by Building Division. The applicant must obtain an encroachment permit from the Public Works Department for scaffolding erected within the public right-of-way. (BUILDING)

Fire Department (PA)

- 10 FIRE SPRINKLER SYSTEM - Install an N.F.P.A. 13 fire sprinkler system complying with local amendments. Provide permanent drain to sanitary sewer for all sprinkler discharge. Submit under separate fire plan check and permit. Separate

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- plan check permit is required for the underground fire service. (FIRE)
- 11 KEY SWITCH FOR SECURITY GATES - Installed security gates shall be provided with a Fire Department approved lock or key box to allow Fire Department access. The minimum width of the gates shall be 15 feet clear width opening. Automatic operated gates shall be provided with a means to provide access in the event of power loss. Contact the Bureau of Fire Protection and Life Safety for specific requirements. (FIRE)
 - 12 SUBMITTALS - The applicant shall submit all fire plans in conjunction with the superstructure building permit plans. The plans are subject to review and approval by the Fire Marshal or his/her designee prior to issuance of the superstructure building permit plans. (FIRE)
 - 13 COMBINATION SPRINKLER/STANDPIPE - Install a combination fire sprinkler/standpipe system on each level with 2½" x 1½" reducer caps. Submit under separate fire plan check and permit. Use installation standard NFPA 14 and local amendments. (FIRE)
 - 14 FIRE ASSEMBLIES AND APPLIANCES - The final location of fire service backflow preventors, fire department connections and the juncture of fire service lines to the water main grid shall be approved by fire and documented on the Fire Sprinkler plans. (FIRE)
 - 15 FIRE FLOW - The project shall meet the fire flow rate and duration requirements of the California Fire Code. The fire flow information shall be submitted to the Fire Marshal or his/her designee for review and approval prior to the issuance of the building permit. (FIRE)
 - 16 DRIVEWAY ACCESS - A Fire Department driveway access serving dwelling/structures 30 ft or less in height shall have a minimum 20 foot unobstructed linear width. A Fire Department driveway access serving dwelling/structures over 35 ft in height shall have a minimum 26 foot unobstructed linear width. These driveways/access roads shall be designated as Fire Lanes with no parking. Driveway /access road shall meet Fire Department standards for surface type, distance, weight loads (68,000 LBS), turn radius (inside turn radius 33 ft and outside turn diameter of 48 ft), grades, and vertical clearance (13ft-6in). The applicant shall provide red curbs, curb lettering or fire lane signs in accordance with local amendments. (FIRE)
 - 17 CODE CONFORMANCE - The applicant shall indicate on all building permit plans

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

- 18 HYDRANT CLEARANCE - Maintain a 3-foot clear space around all fire hydrants and accessible. Hydrants shall be installed, tested, flushed and approved by the fire department prior to any combustible materials brought onto the work site. (FIRE)
- 19 ROOF HATCHES - Required roof hatches shall be a minimum size of 4 feet by 6 feet. (FIRE)
- 20 ELECTRICAL POWER DISCONNECTING MEANS - Provide a key switch to disconnect (shunt) the building electrical power by Fire Department personnel. Contact the Bureau of Fire Protection and Life Safety to coordinate the exact location for such devices. (FIRE)
- 21 FIRE ALARM SYSTEM: Install a fire alarm system per CFC Chapter 9 and complying with local amendments. Submit under separate fire plan check and permit. Use installation standard NFPA 72. (FIRE)
- 22 PUBLIC HYDRANT - Install public hydrant at 250 ft spacing for commercial, industrial, multi-residential and single-family development. All fire hydrants in vicinity to the project site shall be upgraded to a Clow model 960 or equivalent consisting of (2) 2½ inch and (1) 4½ inch outlet. Each hydrant shall be capable of providing a minimum fire flow of 1500 gpm at 20 psi residual pressure. Water supply for fire protection is required to be installed in accordance with California Water Service specifications. The water supply shall be tested, flushed and approved operable PRIOR to any combustible construction materials being placed on the site. Staged construction shall insure that the necessary water supply is maintained from stage to stage in the construction planning. (FIRE)
- 23 KEY BOX - Install Knox key box(s) on all buildings to allow for Emergency Services/Fire Department accesses. Contact the Bureau of Fire Protection and Life Safety for specific requirements and location approval. Provide keys as required. (FIRE)

Parks and Recreation Department (PA)

- 24 TREE REPLACEMENT / IN LIEU FEES – The applicant shall plant trees equivalent to the Landscape Unit (LU) value of trees to be removed or pay a fee in lieu of

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planting trees using the rate in the current Comprehensive Fee Schedule per required LU per the Project Arborist report. (PLANNING, PARKS AND RECREATION)

- 25 **REQUIRED TREE PLANTING** - The approved landscape plan showing the location, quantity, species and specimen size of trees to be planted shall remain unaltered as part of the building permit submittal plan set. If alteration is necessary, the building permit application plans shall specify how it is different from the approved plan, and why. The Required Tree Planting form and in-lieu fees may need to be re-calculated in that event. (PARKS AND RECREATION)

Planning Division (PA)

- 26 **TRASH AND RECYCLING ENCLOSURES** - All ground level trash and recycling enclosures must be screened from public view by a solid wall or solid fence, and/or perimeter landscaping. These facilities shall be designed and located as delineated on the approved planning application drawings. The building permit plans shall show the location and screening of the Enclosure; however; the final location and required screening of all Items shall be reviewed and approved by the Zoning Administrator before issuance of a certificate of occupancy/final of the project. (PLANNING)
- 27 **LANDSCAPE SOIL TESTING** - The applicant must submit a soils report prepared by a Soil Testing Laboratory. The report must analyze the existing soil and recommend any corrective action or soil amendment necessary to make the soil suitable to support the proposed plantings. Any proposed corrective action or soil amendments shall be incorporated into the landscape plans. (PLANNING)
- 28 **LOCATION AND FULL SCREENING OF ABOVE GROUND UTILITIES, EQUIPMENT, AND DEVICES INCLUDING TRANSFORMERS AND BACK FLOW PREVENTORS** - All ground level utilities, equipment, and other project related operational/utility devices ("Items") shall be shown on the building permit plans, consistent with the approved planning application plans. All Items shall be fully screened on all four sides from public view by a solid wall or solid wood fence that complies with San Mateo Municipal Code Chapter 27.84 Fences, Trees and Hedges. Landscaping in the form of densely planted tall shrubs may be utilized where placement of a fence is infeasible, subject to review and determination by the Zoning Administrator in the field. These Items shall be setback as far as feasible from street frontages and shall be fully screened with landscaping or other screening material. The building permit plans shall show the location and screening of these

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items and this condition shall be shall be addressed on the construction plans submitted for any demolition permit, building permit, or site development permit and shall be satisfied prior to issuance of whichever permit is issued first; however; the final location and required screening of all Items shall be reviewed and approved by the Zoning Administrator prior to release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first (PLANNING)

- 29 BELOW MARKET RATE (BMR) RENTAL UNITS AGREEMENT– Pursuant to Municipal Code Section 27.16.050 and Resolution 135 (2010), the applicant shall enter into and record a Below Market Rate Affordability Restriction Agreement to provide BMR units. This also includes payment of below market rate program in-lieu fee for fractional units as outlined in the City of San Mateo Comprehensive Fee Schedule. (PLANNING)
- 30 CONDITIONS OF APPROVAL – Final plans shall include all the Conditions of Approval beginning on sheet 2 of the plans. (PLANNING)
- 31 RECORDATION OF CONDITIONS OF APPROVAL – The applicant shall record the final approved planning application conditions of approval document at the San Mateo County Recorder's Office. The applicant shall submit proof of recordation in the form of a recorded document that includes a confirmation sticker with the recordation evidence. This document shall be recorded prior to the issuance of the demolition permit, building permit, or site development permit, and shall be satisfied prior to issuance of whichever permit is issued first. (PLANNING)
- 32 COMMERCIAL LINKAGE FEE- Applicant agrees to pay the Affordable Commercial Housing Linkage Fee pursuant to Municipal Code Section 23.61 and Resolution 84 (2016) at the time of building permit issuance and in the amount in effect at the time of building permit issuance. (PLANNING)
- 33 MINIMUM AND MAXIMUM HOUSING UNITS AND OFF-STREET PARKING SPACES - The project is approved with a range of 952-961 housing units and a range of 1,205-1,572 off-street parking spaces. The number of housing units in each building may be modified from the approved plans but shall remain within the approved range. The configuration of the housing units and off-street parking spaces in the approved plans are for illustrative purposes only. The applicant will build the project in phases and may submit a planning application modification for any individual phase of development without affecting the approved planning application for the other phases. Consideration of a planning application

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modification for an individual phase of development shall not prevent the issuance of a building permit for any other phase of development. (PLANNING)

- 34 MECHANICAL VENTILATION - All mechanical ventilation for subterranean garages shall be incorporated into the building architecture, structure, or landscape areas as delineated on the approved planning application drawings. (PLANNING)
- 35 VECTOR CONTROL PLAN - Prior to the issuance of a Site Development Permit or demolition building permit, whichever is issued first, the applicant shall implement and conform to, upon review and approval by the Zoning Administrator, a plan for the control and removal of rodents and other pests to prevent infestation of adjacent land uses and surrounding neighborhoods. This plan shall include pest control measures required during all phases of construction, and also for a period of six months after the completion of construction. (PLANNING)
- 36 SITE DEVELOPMENT PERMIT FOR REMOVAL OF TREES AND TREE REPLACEMENT/IN LIEU FEES - The applicant shall obtain a Site Development Permit from the Planning Division for removal of existing trees with a diameter of 6 inches or larger, prior to the issuance of a Site Development Permit or demolition building permit, whichever is issued first. The applicant shall plant trees on the project site equivalent to the Landscape Unit (LU) value of trees to be removed or pay a fee in lieu of planting trees at the rate established in the annual Comprehensive Fee Schedule. (PLANNING)
- 37 LANDSCAPE IMPROVEMENTS - All landscape plans shall comply with Chapter 27.71 of the Municipal Code. In addition, the following items shall be shown on project plans:
- (A) The applicant shall install trees along public streets in accordance with City Standards, the City Street Tree Master Plan, and the approved landscape plans. Street trees that are located in sidewalk areas shall be constructed per City Standard Drawings 3-1-847, Tree Planting Details. The applicant and its successors shall irrigate these street trees at all times that the use permitted under this approval occupies the property. A street tree maintenance easement shall be required if the street trees are to be located on private property and no such easement exists.
- (B) A two-inch (2") depth layer of mulch shall be required in all new planting

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areas except in areas of turfgrass or annuals.

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

- 38 AFFORDABLE HOUSING IMPLEMENTATION PLAN - The applicant shall provide an affordable housing implementation plan to City's Housing Manager prior to the recordation of the first subdivision map that provides a proportionate share of affordable housing units in each phase prior to Building 5 being available for occupancy. The plan shall provide tenant noticing requirements and for tenant on-site moving services to the new building and shall be approved by the City's Housing Manager prior to the recordation of the first subdivision map. (PLANNING)
- 39 PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The applicant shall check with the Project Planner to determine whether any outstanding planning applications fees exist and those fees shall be paid prior to the issuance of the first building permit. (PLANNING)
- 40 CONFORMANCE WITH APPROVED PLANNING APPLICATION - All building permit application plans and details, and subsequent construction shall substantially conform with the approved planning application as a whole, including: plans, materials samples, building colors, the written project description, and other items submitted as part of the approved planning application. So long as the building plans submitted for building permit issuance show that the number of housing units and off-street parking spaces to be built are within the ranges approved with the planning application, the building permit application will be in conformance with the approved planning application. No signage is approved as part of the planning application; signage is governed by the City's Sign Ordinance. Documentation of any changes to the approved Planning Application plan set shall be provided at the time of Building Permit application submittal. Any proposed modifications to the approved planning application must be reviewed by the Planning Manager and/or Zoning Administrator. Modifications to Building Permit plans must be approved prior to construction of the modified

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improvements. The Planning Manager and/or Zoning Administrator shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a planning application for a modification of a previously approved planning application is required to be submitted to permit the proposed project modifications, as required by San Mateo Municipal Code Section 27.08.080 Modifications. (PLANNING)

- 41 PHASED PROJECTS - The applicant shall submit a final, complete phasing plan consistent with the approved planning application indicating all infrastructure and other site improvements to be installed in conjunction with the construction of a particular building, parcel, or phase of development. (PLANNING)
- 42 INTERIOR NOISE LEVELS – The project design shall result in a completed project that complies with the City's Noise Goals as enumerated in the Noise Element of the General Plan and incorporated here by reference. The applicant shall provide an acoustical analysis, by a licensed acoustical consultant, which shall contain recommendations to ensure the building's interior LDN levels are in compliance with the levels established in the San Mateo General Plan. A copy of the acoustical analysis shall be submitted as part of the building permit drawings for this project. The applicant shall submit a letter prepared by the person/firm who prepared the acoustical analysis for the project, verifying that all recommendations contained in the analysis have been incorporated into the construction of the project. The letter shall also verify that the project will comply with the noise requirements contained in the City's General Plan.(PLANNING)
- 43 SCREENING OF ROOFTOP MECHANICAL EQUIPMENT – All rooftop mechanical equipment must be screened by a solid enclosure or parapet wall, in conformance with the approved planning application. Rooftop screening shall be constructed with the same building materials as the building exterior, or other compatible materials as approved by the Chief of Planning and/or Zoning Administrator. (PLANNING)

Police Department (PA)

- 44 SITE FURNITURE- The building permit application plans shall show permanent site furniture accessible to the public designed and installed to prevent an adult from laying down by installing arm rests not more than 4' apart, or by designing elevation changes 4" or more on horizontal surfaces every 4'. Temporary site furniture shall be secured at the close of each business day. (POLICE)

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- 45 SECURED BUILDING ACCESS BY EMERGENCY PERSONNEL - The building permit application plans shall show the detailed specifications for and the installation of telephone entry pads (TEPs) and/or wireless "click to enter" systems at the main exterior building entrance(s) and parking garage entrance(s) for secured buildings. These access systems must allow emergency personnel to access all levels of the interior of the building. The access systems must also be installed at exterior gate locations that lead to secured areas of the site, such as interior courtyards. Access system placement location is subject to the review and approval of the Chief of Police or his/her designee, prior to the approval of the first building permit for the project. Police access codes shall be as provided by the Chief of Police or his/her designee at the time of installation (POLICE)
- 46 PHOTOMETRIC PLAN SUBMITTAL REQUIREMENT - The building permit application plans shall include a photometric plan showing the installation of lighting fixtures and lighting levels to be reviewed and approved by the Chief of Police or his/her designee. The photometric plan shall include point-by-point lighting levels in foot-candles for the entire plot and ten feet beyond the project property lines. The point-by-point photometric plan shall provide lighting levels on a grid not to exceed five feet by five feet across the entire site. Each point shall report the illuminance to the nearest 0.1 foot-candles. Photometric calculations including maximum foot-candles, average foot-candles, minimum foot-candles, average to minimum uniformity, and maximum to minimum uniformity shall be included on the plan submitted. Select specifications for fixtures selected shall be provided on the photometric plan sufficient to ensure compliance with the SITE LIGHTING STANDARDS. (POLICE)
- 47 PUBLIC SAFETY COMMUNICATIONS FOR TALL BUILDINGS –The building permit application plans shall show compliance with Security Code SMMC "23.54.020 CITY COMMUNICATION SYSTEMS – HIGH RISE BUILDINGS", by providing for the following allowances for the placement of emergency communications equipment on the building permit plans:
- a) Enough enclosed space for the equivalent of one dedicated server rack in a locked server room that is clean, dry, and well-ventilated (this does not need to be a fire control room);
 - b) One 4" conduit from the designated server rack through the roof. The conduit shall be provided with wide radius bends, a weatherhead on the roof, and a pull string and ring;
 - c) Authorization to mount antennas on the roof. The maximum allowable

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distance from the designated server rack to the antenna mounting location shall be 100 feet;

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

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

f) Ground buss bar bonded to the building grounding system.

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

(POLICE)

48 PARKING GARAGE SECURITY FOR MIXED USE GARAGES – The building permit application plans shall show:

(a) Restricted access to the residential portions of the parking garages with electrically operated closures to allow passage of motor vehicles at all times. Required visitor parking shall have unrestricted access at all times.

(b) Restricted access to the portion of the parking garages 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) unless otherwise specified by parking agreements. Outside of standard business hours the portion of the parking garages 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 garages 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 garages 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) All storage, maintenance, and trash rooms within parking garages shall have

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doors which cannot be locked from the inside, and that close and lock quickly and automatically upon exit.

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

(j) 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)

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

50 STAIRWELL & EXTERIOR DOORS – The building permit application plans shall show the maximum allowable viewing panel in egress doors from stairwells and exterior doors leading to exterior areas, parking garages, and basement levels. (POLICE)

Public Works Department (PA)

51 ENCROACHMENT PERMITS, BONDS, AND INSURANCE - The applicant must obtain an encroachment permit, posting the required bonds and insurance, and provide a one (1) year warranty for all work to be done in the City's right of way.

An encroachment permit for Item A below shall be obtained prior to the first building permit and prior to any work being done in the City's right of way. The remaining items below shall be obtained prior to the superstructure building permit.

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

Quantities for items below are provided only to determine minimum bonding requirements for the encroachment permit. The quantities and location of the items below shall match the approved planning application plans to the maximum extent possible. Exact locations and quantities shall be determined during the building permit phase.

The encroachment permit shall include, at a minimum, the following items:

(A) TRAFFIC CONTROL & SITE LOGISTICS PLANS – The applicant shall submit traffic control plans for any impact to the right-of-way, including a pedestrian detour plan. The traffic control plan shall comply with the most recent version of the

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California Manual of Uniform Traffic Control Devices (CA MUTCD) and the City's Traffic Control Plan Requirements.

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

(B) STREET TREES – Except for locations where a tree interceptor is planned, the applicant shall plant street trees to match the City of San Mateo street tree plan in effect at the time of construction. The street tree plans shall be constructed per City Standard Drawings 3-1-847, Tree Planting Details, and will include tree grates. Tree grates not required in planting strips.

(C) STREET MARKINGS - The applicant shall install necessary street markings of a material and design approved by the City Engineer, and replace any that are damaged during construction. These include but are not limited to all pavement markings, painted curbs and handicap markings. All permanent pavement markings shall be thermoplastic. Color and location of painted curbs shall be shown on the plans and subject to approval by the City Engineer. Any existing painted curb or pavement markings no longer required shall be removed by grinding if thermoplastic, sand blasting if in paint. Once installed, the applicant shall coordinate with City crews to mark any red curb within the proposed City right-of-way with a City seal.

(D) SIDEWALK/CURB/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 Standards or as approved by the City Engineer or designee. At the time the planning application was filed, a minimum of twenty-five thousand (25,000) square feet of sidewalk and twenty-five hundred (2,500) linear feet of curb/gutter, will shall be replaced.

(E) CURB RAMPS - The applicant shall construct twenty-nine (29) curb ramps in accordance with State Standard Drawing No. RNSP A88 at the following intersections: S. Delaware/Passage, S. Delaware/Depot, S. Delaware/Concar, Concar/Depot, Concar/S. Grant, S. Grant/Mid-Block Crosswalk, S. Grant/Passage. The actual ramp "Case" shall be identified on the plans and shall be approved by the City Engineer or designee.

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(F) DRIVEWAY APPROACHES - The applicant shall install six (6) City Standard commercial driveway approaches as shown on the approved plans. The new commercial driveway approaches shall be constructed per City Standards or as approved by the City Engineer or designee.

(G) DRIVEWAY REMOVAL - The applicant shall remove the existing driveway approaches located along the project frontage, as shown on the approved planning application plans, and replace them with sidewalk, curb and gutter per City Standards or as approved by the City Engineer or designee.

(H) CONCAR DRIVE MID-BLOCK CROSSWALK REMOVAL - The applicant shall remove the existing mid-block crosswalk located on Concar Drive, as shown on the approved planning application plans. Upon removal, new sidewalk, curb and gutter shall be installed per City Standard or as approved by the City Engineer or designee.

(I) SEWER LATERALS - 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.

(J) STORM DRAIN MAINLINE - The applicant shall replace existing four (4) inch French drain located on Concar Drive from CB 17K:19 to CB 17K:27, and install new twelve (12) inch reinforced concrete pipe (RCP) storm drain mainline. The applicant shall install new twelve (12) inch (RCP) located on S. Grant Avenue. Applicant is required to submit plans and drawings for approval prior to submitting the first building permit. Construction of the new mainline shall be completed prior to issuance of the certificate of occupancy.

(K) SANITARY SEWER MANHOLES - The applicant shall install two (2) standard sanitary sewer manhole on S. Grant Avenue, per approved plans and in accordance with City Standard Drawing No. 3 1 104.

(L) STORM SEWER MANHOLES - The applicant shall install one (1) standard storm sewer manholes on Concar Drive and one (1) on S. Delaware Avenue, per approved plans and in accordance with City Standard Drawing No. 3-1-104.

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(M) STORM WATER CATCH BASINS - The applicant shall install fourteen (14) standard storm water catch basins per approved plans and in accordance with City Standards or as approved by the City Engineer or designee.

(N) GREEN INFRASTRUCTURE - Applicant shall install green infrastructure (GI) improvements including curb extensions and tree interceptors in the public ROW along S. Delaware Street, S. Grant Street, and Concar Drive in general conformance with the planning application. The improvements shall be designed and constructed in accordance with the Green Infrastructure Design Guide provided by San Mateo Countywide Water Pollution Prevention Program or City of San Mateo GI Plan. Design shall be approved by the Director of Public Works or designee.

(O) S. GRANT STREET MID-BLOCK CROSSWALK - Applicant shall install a pedestrian hybrid beacon on S. Grant adjacent to the site's emergency vehicle access lane in general conformance with the planning application. The improvements shall include all necessary poles, mast arms, signal heads, accessible pedestrian signals, and other signal appurtenances to provide a fully functional pedestrian hybrid beacon. The improvements shall also include roadway striping in accordance with CA MUTCD and Caltrans standards, and ADA-compliant pedestrian ramps on both sides of the crosswalk.

(P) BICYCLE IMPROVEMENTS - Applicant shall install bicycle facilities consistent with the Bicycle Master Plan 2020 on all roadways adjacent to the project site in general conformance with the planning application. The bicycle facilities shall provide any transitions necessary facilitate a safe transition to and from existing bicycle facilities, including but not limited to traffic signal modifications, ramps, protected intersections, and roadway striping.

(Q) TRAFFIC SIGNAL AND INFRASTRUCTURE - The applicant shall be responsible for installing a new traffic signal at the Concar Drive/Depot Way intersection and updating the traffic signals at the S. Delaware Street/Concar Drive and S. Grant Street/Concar Drive intersections to the latest standards and requirements. The applicant shall submit all necessary traffic signal design plans, including pole and conductor schedules where necessary, to the City Engineer for review and approval. Plans shall be submitted via PDF and hard copy in 24"x36" size. The

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plans shall show all traffic signal equipment upgrades to comply with latest California Manual on Uniform Traffic Control Devices (CA MUTCD), Caltrans, and City standards and requirements. Improvements shall include, but are not limited to accessible pedestrian signals (APS) and pushbuttons (PPB), emergency vehicle preemption signal equipment, video detection equipment, 12" LED signal diodes, intersection PTZ camera, signal head backplates, internally illuminated street name signs, traffic signal interconnect or fiber optic communications, etc.

During construction, the applicant shall provide equipment submittals, signal timing and/or configuration changes, and testing documentation to the City Engineer for review and approval prior to installation. The developer shall be responsible for development and implementation of any new required signal timing. Where traffic signals within the City of San Mateo right-of-way are owned by other agencies, the developer shall be responsible for obtaining all necessary approvals and permits and pay all fees associated with bringing the traffic signal up to latest standards and requirements. (PUBLIC WORKS)

(R) STREET LIGHTS - STREETLIGHTS/PHOTOMETRIC ANALYSIS - The applicant shall submit a photometric analysis showing the installation of streetlights to meet the required levels shown below as recommended by the Illuminating Engineering Society (IES). The photometric plan shall include point-by-point lighting levels in foot-candles for the entire right-of-way immediately adjacent to the project, starting at the property line. The analysis shall cover three main analysis zones (AZ) the roadway, sidewalk and traffic intersections (may require other zones if applicable). Roadway analysis shall include the entire roadway width from face of curb to face of curb. The sidewalk analysis shall start at the back of walk to the face of curb. The traffic intersection shall include the entire roadway up to the end of each curb return, on each approach. Each AZ shall provide the plotted foot-candle grid and show calculation data such as average, maximum, minimum, uniformity ratio (avg./min) in foot-candle and the number of points. Each AZ shall be clearly labeled and calculations shall be presented in a legible and concise manner. The Light Loss Factor (LLF) used for this analysis shall be .803. A pole and luminaire schedule shall be included in the photometric analysis showing the mounting height (MH), mast arm length (MA) and luminaire type. The selected specifications for the fixtures used for the analysis shall be provided by the City as per the latest City Standard to meet latest greenhouse gas emissions reduction goals. Once the photometric analysis has been completed, the developer shall

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furnish and install the streetlight improvements outlined by the photometric analysis. If the photometric analysis shows that no additional street lighting is necessary, the developer at a minimum will upgrade the existing streetlight infrastructure in the immediate vicinity to the latest City standard or directed by the Engineer.

In order to determine minimum bonding requirements for the encroachment permit, the approximate quantity of streetlights includes twenty-five (25) cobra head (and/or) twenty-five (25) post top.

The applicant shall also submit a full streetlight and electrical plan showing the existing streetlight infrastructure and proposed streetlight infrastructure as dictated by the photometric analysis. The streetlight and electrical plan shall show all electrical conduits, pull boxes, service connections, fuse holders, bus fuses and all other electrical components necessary to construct the improvements. It is the developer's responsibility to coordinate with PG&E to get the necessary power to these new improvements. If power is to be tapped into an existing streetlight circuit, voltage drop calculations shall be included in the plans. All fees, permits and dues associated with these improvements will be paid for by the developer.

PROJECT ILLUMINANCE REQUIREMENT (PROJECT SPECIFIC)

Roadway (IES Table 3)

- S. Delaware Street
 - *Arterial – High Pedestrian Conflict
- Concar Drive
 - *Arterial – High Pedestrian Conflict
- S. Grant Street
 - *Collector – Medium Pedestrian Conflict

Sidewalk (IES Tables 4 and 5)

- S. Delaware Street
 - *High Pedestrian Conflict
- Concar Drive
 - *High Pedestrian Conflict
- S. Grant Street
 - *Medium Pedestrian Conflict

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Intersections (IES Table 8)

- S. Delaware Street/Concar Drive
- *Arterial/Arterial – High Pedestrian Conflict
- S. Grant Street/Concar Drive
- *Arterial/Collector - High Pedestrian Conflict

Crosswalk

- S. Grant

(S) TEMPORARY LIGHTING DURING CONSTRUCTION - In the scenario that a public streetlight is obstructed or removed during construction of the project, the developer is required to provide a photometric analysis consistent with the methodology defined in the STREET LIGHTS – STREETLIGHTS/PHOTOMETRIC ANALYSIS condition described herein to indicate existing and proposed construction lighting conditions. Where lighting levels are reduced, the developer may be required to provide temporary lighting in the near vicinity to provide lighting comparable to its existing condition.

(PUBLIC WORKS)

- 52 TRIANGULAR AREA OF VISIBILITY – The building permit application plans shall show that the installation of landscaping and permanent structures located within the 10' triangular area of visibility at the driveway, and 45' triangular area of visibility at any project corner meets the requirements of a minimum vertical clearance of 7', and/or are less than 3' in height. This includes all PG&E above ground structures and other utility facilities. (PUBLIC WORKS)
- 53 UNDERGROUND UTILITIES - The building permit application plans shall show the installation of all new, and upgraded, utility service, including telephone, electric power, and other communications lines underground to the building in accordance with City of San Mateo Municipal Code 26.32.020. (PUBLIC WORKS)
- 54 NOTICE OF INTENT - The project applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board to obtain coverage under the State General Construction Activity NPDES Permit. Proof of permit must be provided to the Public Works Department along with a Storm Water Pollution Prevention Plan (SWPPP) prepared by a qualified SWPPP designer prior to issuance of the STOPPP Construction permit. (PUBLIC WORKS)

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- 55 ADDRESS PLAN - The applicant shall submit to the Public Works Department a final address plan which includes the addresses for neighboring properties. The plan shall be substantially in conformance with the address plan approved with the planning application. Said submittal shall be approved by the City Engineer prior to the submittal of plans for any demolition permit, building permit, or site development permit and shall be satisfied prior to issuance of whichever permit is issued first.
(PUBLIC WORKS)

- 56 TIMING OF INTERIOR STREET IMPROVEMENTS – Interior street improvements shall be designed and constructed as specified in PA #18-052 and these Conditions of Approval. The phasing of certain improvements shall be reviewed and approved by the Public Works Director or designee. The Director or designee shall have the ability to review and require modification of the phasing of these improvements if it is determined by the Public Works Director or designee that an alternate phasing plan is preferred.

The Applicant recognizes that a significant portion of the Project Site cannot be occupied until various on-site streets are complete. Construction of streets that are publicly accessible, once required, shall consist of the final street improvements as shown in the approved plans. Street construction consists of base, pavement, curb, gutter, pedestrian improvements, and street lighting. On-site street improvements are to be determined by the Public Works Director, or designee, at the time of the approval of building permits for each developed phase. Each phase shall have two or more routes to public rights-of-way for emergency vehicular ingress and egress, and a construction route must be provided during construction.
(PUBLIC WORKS)

- 57 INTERIOR FLOOR DRAINS – The building permit application plans 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 EROSION CONTROL - The project will be required to provide erosion control measures [including silt fences, fiber rolls, proposed cribbing (retaining walls or riprap), terraces, and/or surface protection, required for drainage and erosion control of the property per the Municipal Code 23.40.040 (a) as a standard

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condition of approval prior to issuance of a building and/or site development permit, subject to review and approval of the Public Works Department. Conformance with these measures will reduce soil erosion during construction. The applicant will submit an Erosion and Sediment Control Plan (which includes erosion control measures), if required by the City Engineer or Building Official. (PUBLIC WORKS)

- 59 SEPARATE WATER METERS - When a development includes multiple uses, with one area designated as restaurant space, there shall be a separate water meter for the restaurant space and a separate water meter for the other development use(s). The building permit application plans shall show the separate water meters. (PUBLIC WORKS)
- 60 PHASED SUBDIVISION MAPS AND EASEMENTS - The Project is proposed to be developed in phases over the next seven (7) years, or as allowed by the term of the 15-year Development Agreement. Since it consists of eight (8) existing parcels and results in six (6) lots in its final configuration, each phase of development, consisting of lot reconfiguration and/or lot line adjustments, shall be subject to its own Final Map. Such map shall be prepared by a person authorized to practice land surveying in California.

The Project area shown on the Tentative Map consists of eight (8) separate parcels and eight (8) different owners of record. Prior to City Council approval of the first Final Map, the final recorded Private Agreement for Development between all private parties shall be submitted to the City's Public Works Department.

Each Final Map shall conform to the sequence of development approved by the City, to achieve the final lot configuration as shown on the Tentative Map. Legal access by the General Public to existing businesses to remain shall not be restricted nor impacted by each phase of development approved for construction without approval from the Department of Public Works.

Each Final Map shall be approved by the City Council prior to issuance of the first building permit for each phase, and each construction permitting package shall include a circulation and traffic handling diagram.

A reciprocal parking easement, together with the rights of ingress and egress,

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between Lots 1, 3, and 5, shall be granted over the entirety of the subterranean level (basement) that is shared. The subterranean level shall not be held in common and subject to divided interests.

Public access easements shall be dedicated to the City on behalf of the Public on each map, in conformance with the Tentative Map and modified as necessary to accommodate proper pedestrian and vehicular access by the general public throughout the multiple phases.

All on-site utilities shall be privately owned and maintained. Should public utilities such as water, sewer, and storm drain be required on-site, they shall be within public utility easements. New, abandoned, or relocated power and communications facilities shall be fully-coordinated with the associated Utility Company prior to approval of each Final Map.

Existing Utilities and Utility Easements: Presence and exact location of all existing utilities within each phase shall be shown on a topographic survey. Existing utility easements shall be shown on the existing boundary sheet of each plan set. If existing public utilities need to be abandoned, such process shall be accompanied by formal easement vacation procedures in conformance with applicable procedures of the Streets and Highways Code (Sections 8310 to 8336) and vacated by map whenever possible. If existing easements conflict with the proposed overall development, they shall be abandoned along with the first phase of development, by separate instrument, following similar applicable sections of the Streets & Highways Code.

A map guarantee shall be submitted to the City, by the applicant's title company, prior to release of each map to the title company for recordation.

Prior to the City's release of each Final Map to the title company, the applicant may, at the discretion of the City Engineer 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. (PUBLIC WORKS)

- 61 FAIR SHARE FOR TRAFFIC IMPROVEMENTS - Prior to issuance of the first building permit, applicant shall pay \$2.2 million to the City for its fair share of necessary

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traffic improvements unless the negotiated development agreement is entered into within three years of project approval. (Public Works)

- 62 POLYCHLORINATED BIPHENYLS (PCB) SCREENING ASSESSMENT FORM - As per Stormwater Municipal Regional Permit requirements and City Code Section 7.39.120, Demolition Permit (DP) Applicants shall complete the PCBs Screening Assessment Form as described within the guidelines included within the Building Demolition Plan Submittal Checklist. The Form shall be reviewed and approved by the City Engineer or his/her designee, prior to issuance of a demolition, site development, or building permit, whichever occurs first. (PUBLIC WORKS)
- 63 CLEAN, INSPECT AND REPAIR STORM LINE - The applicant shall clean and inspect (via remote TV camera) the storm line from the manhole/catch basin upstream to the manhole/catch basin downstream of the project area. This includes, but it not limited to following locations: CB 18K:05 to MH 17K:01 (S. Delaware Street), CB 17K:01 to CB 17K:33 (Concar Drive), MH 17K:02 to CB 17K:38 (S. Grant Street). The video inspection shall be done by a professional video inspection company, to City standards, and be completed prior to building permit issuance. The video of the inspection shall be reviewed with the Department of Public Works and any cracked or broken areas of the line along the project frontage shall be repaired by the applicant at his expense. The required repairs, as determined by the Public Works Department, shall appear on the improvement plans submitted by the applicant for permit plan check. All necessary repairs to the storm line shall be completed and approved prior to connection from the project site. The building permit application plans shall show all storm drain lines to be clean and inspected. (PUBLIC WORKS)
- 64 STORM DRAIN INLETS AND WATERWAYS - The building permit application plans shall show the marking of the words "No Dumping! Flows to Bay," or equivalent, on all storm inlets surrounding and within the project site using methods approved by the City standards, consistent with the San Mateo Countywide Water Pollution Prevention Program's C.3 requirements. (PUBLIC WORKS)
- 65 FENCES AND OTHER PERMANENT STRUCTURES – The applicant shall locate all project fencing and foundation of a permanent nature within the project's property and out of the City right-of-way. (PUBLIC WORKS)
- 66 FOOD SERVICE EQUIPMENT CLEANING – Per the San Mateo Countywide Water Pollution Prevention Program's C.3 requirements, the applicant of any food service facilities must agree to have any sink or other floor mat, container, and

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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 roofed 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. A waste discharge permit is required for operation of a grease interceptor. The building permit application plans shall show connection to grease interceptors.
(PUBLIC WORKS)

- 67 TIMING OF PUBLIC IMPROVEMENTS – Improvements in the public right-of-way shall be designed and constructed as specified in PA #18-052 to the maximum extent possible. Final designs will be determined during the building permit phase. All such designs and construction shall be reviewed and implemented in accordance with the following phasing schedule:

Phase 1 – Construction of improvements on S. Delaware Street (Passage Way to Concar Drive intersection) and on Concar Drive (S. Delaware Street intersection to Depot Way intersection), which includes, but are not limited to street trees, street markings, sidewalk, curb, gutter, curb ramps, driveways, utilities, green infrastructure, bike improvements, traffic signal improvements (S. Delaware/Concar), new traffic signal (Concar/Depot), street lighting and pavement restoration, shall be substantially complete no later than upon issuance of the first certificates of occupancy for Buildings #1 and #2.

Phase 2 – Construction of improvements on Concar Drive (Depot Way intersection to S. Grant intersection) and on S. Grant Street (Concar Drive intersection to Passage Way), which includes, but are not limited to street trees, street markings, sidewalk, curb, gutter, curb ramps, driveways, utilities, green infrastructure, bike improvements, traffic signal improvements (Concar/S. Grant), new mid-block crosswalk (S. Grant), street lighting and pavement restoration, shall be substantially complete no later than upon issuance of the first certificates of occupancy for Buildings #3, #5 and 7-Eleven.

Phase 3 – Restoration of improvements from Phases 1 and 2 shall be substantially

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complete no later than upon issuance of the first certificate of occupancy for Building #4.

(PUBLIC WORKS)

- 68 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 connections. This includes, but it not limited to the following locations: MH 17K:01X to MH 18K:04X (S. Delaware Street), MH 17K:10X to MH 17K:12X (Concar Drive), MH 17K:15X to MH 18K:17X (S. Grant Street). The video inspection shall be done by a professional sanitary sewer video inspection company, to City standards, and be completed prior to building permit issuance. The video of the inspection shall be reviewed with the Department of Public Works and any cracked or broken areas of the line along the project frontage shall be repaired by the applicant at his expense. The required repairs (spray foam-RazoRooter or flushing, or removal of roots, or replacement), as determined by the Public Works Department, shall appear on the improvement plans submitted by the applicant for permit plan check. All necessary repairs to the sewer shall be completed and approved prior to connection of the project lateral to the sewer. The building permit application plans shall show all sanitary sewer lines to be clean and inspected. (PUBLIC WORKS)

- 69 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 initial amount of the deposit shall be \$30,000. 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 when the account reaches a balance of \$5,000. Subsequent deposits shall be \$20,000. Prior to final occupancy the bill shall be paid in full. The City will refund any portion of the deposit not utilized. (PUBLIC WORKS)

- 70 GARBAGE/RECYCLE/COMPOSTING STORAGE AND SERVICE— The applicant shall provide an adequate area for the purposes of storing garbage, recycling, composting collection containers for scheduled servicing by the franchise solid waste collection service. The containers may be placed on the street within the loading zone for a maximum of two hours; one hour prior to the scheduled servicing time and must be removed from the street within one hour after the

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

- 71 DRAINAGE - Drainage designed into landscaping with the purpose of reducing volume or improving quality of runoff from the site shall be implemented, to extent feasible, subject to the approval of the City Engineer. Where necessary, sidewalk drains per City Standard Drawing 3 1 120 shall be provided to direct the water under the sidewalk and through the curb. No increase to the peak discharge shall be permitted downstream. In addition, discharge must conform to any non point source permit issued by the Regional Water Quality Control Board. Drainage improvements made on-site shall conform to standard engineering practices and shall not allow any site drainage to impact adjacent properties. All drainage capacity calculations shall be performed by a licensed Civil Engineer, whose signed engineer's stamp shall appear on the calculations sheets and shall be submitted to the City for review and approval with the project civil plans. Procedures for operation and maintenance (O&M) of permanent stormwater treatment systems constructed within the development and exterior frontages shall be submitted for review and approval prior to occupancy and specify the owner's responsibility to ensure their ongoing effective operation and maintenance. Such O&M responsibility requirements shall be recorded on the property deed. The building permit application plans shall show drainage. (PUBLIC WORKS)
- 72 SHUTTLE PLAN - Applicant to provide route maps and proposed schedule for shuttle service to be provided per project approved TDM Plan. Plan shall include agreement to subsidize existing shuttle service or operations agreement for project-specific shuttle service. (PUBLIC WORKS)
- 73 TRASH CAPTURE DEVICES – Install trash capture devices in all storm drain inlets within the development and around the exterior frontages that lead directly to the off-site storm drain system. Devices shall be approved by the Director or designee. Trash capture devices shall be certified by the State Water Resources Control Board meeting their definition of a Full Capture System. All on-site trash

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capture devices shall be cleaned routinely and maintained by the Owner per the Stormwater Treatment Facilities Maintenance Agreement. The building permit application plans shall show trash capture devices. (PUBLIC WORKS)

- 74 CALTRANS PERMIT - Prior to the issuance of a foundation building permit, the applicant must submit evidence to the Public Works Department of approval by the State of California for the performance of any work within the State right of way. If the City is required to be a party to the permit application and a fee is required, the applicant shall reimburse the City for its cost. The Applicant is encouraged to contact the Caltrans permit office as soon as possible to learn what is required to obtain Caltrans approval and issuance of a State Encroachment Permit. (PUBLIC WORKS)
- 75 UNDERGROUND PARKING GARAGE DRAINAGE - The building permit application plans shall show that water from the underground parking garage shall not be discharged onto the public street. The applicant shall route garage drains to connect to the City's sanitary sewer system. Drains receiving runoff from maintenance areas or storage of fluids for maintenance or janitorial use shall have an oil/water separator connected downstream prior to connection with the City's sanitary sewer. The design shall be done by a licensed Civil Engineer who shall provide hydraulic calculations and drawings subject to the approval of the City Engineer. (PUBLIC WORKS)
- 76 SITE DEVELOPMENT PERMIT-GRADING - The applicant must obtain a site development permit from the Public Works Department for any grading not associated with the construction of building foundations and shall submit to Public Works, for review with the building permit application and construction plans, a site grading and drainage plan prepared by a registered Civil Engineer with all supporting data, including hydraulic calculations, in accordance with requirements of the City's Site Development Code (SMMC 23.40). A deposit and non-refundable fee shall be submitted by the applicant based upon the Comprehensive Fee Schedule, established by the City Council, in effect at the time the building permit application is made. Public Works plan checking of the site grading and drainage plans submitted with the building permit plans cannot proceed until fee and deposit are paid. The applicant shall be required to increase the deposit or be billed monthly at the discretion of the City for any costs in excess of the deposit. If billed monthly, invoices shall not become delinquent (must be paid within 30 days of receipt). Prior to final occupancy, the bill shall be paid in full. The City will refund any portion of the deposit not

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utilized. (PUBLIC WORKS)

- 77 **LOADING DOCKS** – Per the San Mateo Countywide Water Pollution Prevention Program's C.3 requirements, the applicant shall cover loading docks to minimize run-on to and run-off from the loading area. Roof downspouts shall be positioned to direct stormwater away from the loading area. Water from covered loading dock areas shall be drained to the sanitary sewer. The building permit application plans shall show roof downspouts and connection to the sanitary sewer. (PUBLIC WORKS)
- 78 **PARKING LOTS** - The applicant shall submit plans for all required off street parking lots showing proper grading, drainage, ramps profile, and parking dimensions in conformance with City parking standards. The plans shall be approved by the City Engineer prior to the issuance of any City permits. (PUBLIC WORKS)

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

Building Division (PA)

- 79 **GARAGE OPENINGS TO ADJACENT PROPERTY** – The property owner(s) of Buildings 1, 3 and 5 shall enter into a legal agreement for the openings at the property lines between the buildings and shared access to underground and ground floor parking garage and Buildings 1 and 3 above. In addition, deeds conveying the title of properties must include restrictive covenants recorded with San Mateo County Recorder's Office for the proposed openings and shared underground parking access. The Legal Agreement and recorded Deed Restrictions shall be provided to San Mateo Building and Planning Divisions prior to building permit issuance. (BUILDING)
- 80 **PROTECTION OF EXTERIOR WALL OPENINGS AT PROPERTY LINES** - The applicant shall provide the request form for the Alternative Materials, Design and Methods of Construction and Equipment (AMMR) with supporting documents prepared by a registered design professional for fire protection of the openings at the exterior walls located at property lines between Buildings 1, 3 and 5 at garage basement, grade level and upper floors for review and approval by the City of San Mateo Building Division and the San Mateo Consolidated Fire Department. (BUILDING)
- 81 * MM PS-3.1 - Under current policies, the SMFCSD would collect developer fees

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from individual development projects within the Corridor Plan Area to help finance expansion of existing schools, construction of new schools, and the rental of temporary classroom facilities in the Corridor Plan Area.

* MM PS-3.2 - Under current policies, the SMUHSD would collect developer fees from individual development projects within the Corridor Plan Area to help finance expansion of existing schools, construction of new schools, and the rental of temporary classroom facilities in the Corridor Plan Area. (BUILDING)

Fire Department (PA)

- 82 SMOKE CONTROL - Install a smoke control system in compliance with NFPA 92 and San Mateo Municipal Code 23.28.220.(FIRE)
- 83 STAIRWELLS - Provide two full stairwells to the roof per building. Buildings 3, 4 (East building), and 5 do not have two full stairwells to the roof. Roof hatches are permitted for the secondary stairwell, but must measure 4 feet by 6 feet at a minimum. (FIRE)
- 84 FIRE CONTROL ROOM - Each building shall have a fire control room located on the exterior of the building per San Mateo Municipal Code 23.28.190.(FIRE)
- 85 UNDERGROUND FIRE WATER SUPPLY - The underground fire line on Passage street shall have two points of connection to the city mains. (FIRE)

Parks and Recreation Department (PA)

- 86 PUBLIC ACCESSIBLE SPACES - All public accessible spaces proposed by this planning application including but not limited to the Park Plaza, Arts Plaza, and public corridor areas shall not be dedicated the City as a park and shall remain under the private ownership of the development. (PARKS AND RECREATION)

Police Department (PA)

- 87 PUBLIC OPEN SPACES ADDRESSING - Prior to the first superstructure building permit application the applicant shall propose separate and unique address for the proposed public open spaces. The proposed addresses shall be subject to approval by the Chief of Police or his/her designee, Public Works, and Fire Departments. (POLICE)

Public Works Department (PA)

- 88 WASTEWATER TREATMENT PLANT PHASE II IMPACT FEE - In order to meet the increased demands on the Wastewater Treatment Plant created by this project,

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the applicant shall contribute fees toward the Plant expansion based upon the average projected sanitary flow. 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 most current adopted fee schedule at the time of payment. (PUBLIC WORKS)

- 89 SOUTH TRUNK AREA SEWER IMPROVEMENT FEE - In order to meet the increased demands on the South Trunk Sewer system created by this project, the applicant shall contribute fees toward the construction cost to increase its capacity based upon the project's average projected sanitary flow. 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 most current adopted fee schedule at the time of payment. (PUBLIC WORKS)
- 90 TRANSPORTATION IMPROVEMENT FEE - The applicant shall pay a fee proportional to the project's share of transportation improvements needed to serve cumulative development within the City of San Mateo. The applicant may seek a credit against the transportation improvement fee under the circumstances set forth in the Development Agreement. 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 most current adopted fee schedule at the time of payment. (PUBLIC WORKS)
- 91 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/PUBLIC WORKS).
- 92 LICENSE AGREEMENT - The applicant shall execute a license agreement for encroaching into a Public Utility Easement or public right of way, including, but limited to tie-backs, shoring, prior to the issuance of the building permit. The applicant shall have a license agreement recorded against the owner's property

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that indemnifies and holds harmless the City. The license agreement shall also include language in which the applicant agrees to allow access to any utility company wishing to have access to the public right-of-way for existing or new utility installation. The license agreement shall also include language that requires the removal of the encroachment, at the owner's expense, should the City desire to use the right-of-way for street, sidewalk or other purposes identified by the City Engineer. The license agreement shall be approved as to form by the City Attorney's Office and shall be recorded against the owner's property prior to the issuance of any City encroachment permit. (PUBLIC WORKS)

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

Building Division (PA)

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

Fire Department (PA)

- 94 ROADWAY LOAD CAPACITY AND DESIGN - The applicant shall submit a letter from a certified soils or geotechnical engineer stating the final roadway is able to support a load of 68,000 pounds. The letter shall be submitted to the Fire Marshal or his/her designee for review and approval prior to the final inspection. (FIRE)
- 95 FIRE AND LIFE-SAFETY REQUIREMENTS FOR OCCUPANCY - All fire protection systems shall be installed and approved by the Fire Department prior to occupancy. All exits, signage, emergency lighting, rated construction, fire

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assemblies, fire extinguishers, evacuation signs as required, smoke control, generators, HVAC smoke detection as required, elevator recall and building address numbers. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (FIRE)

Planning Division (PA)

- 96 FINANCIAL SECURITIES FOR ONSITE PRIVATE LANDSCAPING - If on-site private landscaping is to be completed after Final Inspection, the applicant shall submit a cost estimate and financial securities in a form and amount satisfactory to the Zoning Administrator sufficient to ensure the installation of all approved on-site private landscape improvements including all new trees. The applicant shall request a follow-up inspection by the Planning Division in accordance with Section 27.71.060 of the Municipal Code in order to reclaim financial securities for landscaping. This condition is not applicable if all on-site private landscaping approved in the applicable building permit is installed prior to Final Inspection. (PLANNING)
- 97 VERIFICATION OF LANDSCAPE INSTALLATION – The applicant shall submit a letter prepared by the project landscape architect stating that all landscape improvements (including trees, shrubs, and irrigation systems) have been installed in compliance with the approved landscape plans submitted to the City for construction. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (PLANNING)
- 98 LETTER OF ARCHITECTURAL COMPLIANCE – The designer or architect of record shall submit a stamped and signed letter of compliance that the construction is consistent with the approved building permit plans, prior to scheduling the final Planning Division inspection. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (PLANNING)
- 99 VERIFICATION OF COMPLIANCE WITH ACOUSTICAL ANALYSIS – The applicant shall submit a letter prepared by the person/firm who prepared the acoustical analysis for the project, verifying that all recommendations contained in the analysis have been incorporated into the construction of the project. The letter shall also verify that the project will comply with the noise requirements contained in the City's General Plan. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first.

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(PLANNING)

- 100 PLANNING DIVISION INSPECTIONS – The applicant shall notify the project planner for inspections related to construction of all structures, landscaping, and other site improvements. The notification request shall be given at least 72 hours prior to the requested time for inspection. (PLANNING)

Public Works Department (PA)

- 101 TRANSPORTATION DEMAND MANAGEMENT PROGRAM – The project must implement a Transportation Demand Management Program using programs in compliance with the San Mateo City/County Association of Governments (C/CAG) Guidelines for Trip Reduction. These programs, once implemented, must be on-going for the occupied life of the development, unless modification of the TDM measures are accepted and approved by the Public Works Director or designee. The C/CAG Guidelines specify the number of trips that may be credited for each TDM measure. The actions included in the plan will include those listed in the approved project Transportation Demand Plan prepared by Nelson/Nygaard Consulting Associates, Inc. dated March 2020, the project Traffic Impact Analysis dated March 2020, or a combination of other actions based on the C/CAG Guidelines, that result in an estimated 36% reduction of project generated trips. The program shall be recorded with the County. The TDM measures listed above shall result in the following trip reduction:

(A) Required Daily Trip Reduction: The daily trip reduction shall be reduced as follows:

(i) A short-term threshold of a 25% daily trip reduction shall begin upon occupancy of the project. This 25% trip reduction will be assessed based on reduction of PM peak hour trips measured annually by driveway counts, and shall be capped at 819 trips during the PM peak hour.

(ii) A long-term threshold of 36.3% daily trip reduction shall be accomplished at full project build-out. The 36.3% trip reduction will be assessed based on reduction of PM peak hour trips measured annually by driveway counts, and shall be capped at 696 trips during the PM peak hour.

(B) Monitoring: The trip reduction requirements shall be monitored and verified by the City and Transportation Management Association (TMA), and shall be reported annually to the City Council. Prior to monitoring, the TMA shall retain a scope of work for the City's review from a consultant experienced with traffic

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monitoring. The method of monitoring will be coordinated through TMA efforts and shall consist of the following:

- (i) Driveway Counts, Queuing and Circulation – PM peak hour driveway counts (covering at least the period 4 PM to 6 PM) conducted annually for at least a five-day period (Monday through Friday). Commencement of the driveway counts shall begin within 60 days of full occupancy and shall be performed annually thereafter. The TMA may conduct supplemental counts to measure progress as necessary. During the collection of driveway count data, a queuing analysis shall also be conducted for both entering and exiting vehicles. A review of the driveway(s) circulation shall also be conducted for conformance with the analysis done in the project traffic impact analysis.
- (ii) Cordon Counts – Cordon counts of major roadways that provide access to the Corridor Plan area to identify cumulative trip reduction trends and determine if the Corridor Plan area is meeting the overall goal of 25% trip reduction.
- (iii) Intersection Counts – Intersection counts along the Delaware corridor to determine change in intersection volume and level of service due to increased development along the corridor and for conformance with General Plan level of service standards.

If the trip thresholds are not met, the building owners shall work with the City and TMA to improve the effectiveness of their TDM program.

(C) Non-Compliance with Trip Reduction Measures: If during review of the annual TMA monitoring it is determined that the project has not met its site trip reduction goal, it will be identified as being in non-compliant status. Notification will be sent to the developer by registered mail indicating this status. Within ninety (90) calendar days of receipt of the non-compliance notice, the developer will be required to submit a revised TDM program that includes more aggressive trip reduction strategies. The revised program is to identify what TDM measures will be replaced and what new measures will be implemented. Review of the revised TDM program will be scheduled for review at the next available Sustainability and Infrastructure Commission meeting. The new TDM measures are to be implemented within ninety (90) calendar days of approval by the Sustainability and Infrastructure Commission. Annual site counts shall take place 12 months after implementation of the revised TDM measures. A second consecutive count period that shows that the project is not meeting its trip reduction goal will trigger a review of the project TDM program by the City's

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Planning Commission which may result in the City implementing stricter or more aggressive trip reduction measures or strategies on behalf of the developer. This does not preclude an earlier meeting with the Sustainability and Infrastructure Commission that may be requested through the adjacent neighborhoods though such meeting shall not alter the 12-month timeframe mentioned above. Planning Commission review will focus on alternative industry standard TDM measures used in the Bay Area or increasing the effectiveness of the TDM measures listed in the project's approved TDM Plan dated March 2020.

Dependent on the make-up of the TMA, it may be necessary to modify the monitoring of the TDM measures outlined above; however, any changes to the monitoring will not change the essence of the requirements and will still ensure that the trip reduction requirements are met. (PUBLIC WORKS)

- 102 RECORD DRAWINGS - The applicant shall submit one full set of original record drawings and construction specifications for all off-site improvements to the Department of Public Works. All underground facilities shall be shown on the record drawings as constructed in the field. The applicant shall also provide the City with an electronic copy of the as-builts in the AutoCAD Version being used by the City at the time of completion of the work. This condition shall be met prior to the release of utilities, final inspection, or issuance of a certificate of occupancy, whichever occurs first. (PUBLIC WORKS)
- 103 RESTORATION OF ROADWAY – Due to the anticipated project's truck traffic, the applicant shall grind and overlay with 0.2 feet of asphalt concrete the roadways damaged as a result of construction activities within the general area of the project or along the designated haul route. If the project degrades the street abutting the property to a Pavement Condition Index (PCI) of less than 50, the applicant shall be required to reconstruct the street.
- Limits of the roadway repair and phasing shall be:
- Phase 1 – Prior to the issuance of a certificate of occupancy for Buildings 1 or 2, the applicant shall grind and overlay the entire width of S. Delaware Street between 19th Avenue and Concar Drive and Concar Drive between S. Delaware Street and Depot Way, including the intersection of S. Delaware Street and Concar Drive.
- Phase 2 – Prior to the issuance of a certificate of occupancy for Buildings 3 or 5, the applicant shall grind and overlay the entire width of Concar Drive between Depot Way and S. Grant Street, including the intersection of Concar Drive and S.

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Grant Street.

Phase 3 – Prior to the issuance of a certificate of occupancy for Building 4, the applicant shall grind and overlay the entire width of S. Grant Street between Concar Drive and 19th Avenue, and shall reconstruct the entire width of Concar Drive between S. Delaware Street and the SR-92 on/off ramps.

The City will contribute \$331,000, received from adjacent developers, for the reconstruction of Concar Drive between S. Delaware and the SR-92 on/off ramps and restoration of S. Delaware Street adjacent to 450 Concar Drive.

In addition to the above requirements, after each phase of the project, the applicant shall repair or replace to a condition equal to or better than the original condition any pavement that has been damaged as a result of his/her operations in preceding phases. The City Engineer can modify the sequence of the above requirements if the phasing of the project changes. (PUBLIC WORKS)

- 104 TRANSPORTATION MANAGEMENT ASSOCIATION (TMA) – A TMA has been established for projects in the Corridor Plan area. All development within the Specific Plan Amendment area is required to participate in the TMA and fund their fair share of the cost of the TMA. The TMA will develop TDM measures and make them available to both existing and future development within the Corridor Plan area. Proof of general membership will be submitted to the City Engineer prior to first occupancy of the building. (PUBLIC WORKS)
- 105 PUBLIC IMPROVEMENTS – The applicant shall install public improvements as outlined in the Condition of Approval ENCROACHMENT PERMITS, BONDS, AND INSURANCE, as shown on approved planning application plans. The final design of public improvements shall be reviewed and approved during the building permit phase by the Director of Public Works or designee. Public Improvements shall be completed prior to Certificate of Occupancy. (PUBLIC WORKS)
- 106 STORM WATER TREATMENT FACILITIES MAINTENANCE AGREEMENT – The applicant shall execute a maintenance agreement with the City's Director of Public Works as specified in Chapter 7.39.210-230 of the Stormwater Management and Discharge Control ordinance. The agreement shall outline the continuous operation and maintenance (O&M) plan for the permanent storm water treatment facilities and GI located along the project frontage in the public ROW and be recorded with the property deed. This agreement shall be executed prior to the first occupancy of the building. (PUBLIC WORKS)

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

Public Works Department (PA)

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

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

Building Division (PA)

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

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

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

(A) The following criteria are met:

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

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

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

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

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

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

109 * MM NOI-1.1 - Modification, placement, and operation of construction equipment are possible means for minimizing the impact of construction activities for the proposed project shall include the following best management practices to reduce noise from construction activities near sensitive land uses:

- Construction activities, including truck traffic coming to and from the construction site for any purpose, shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, Saturdays between 9:00 a.m. and 5:00 p.m., and Sundays and Holidays between 12:00 p.m. and 4:00 p.m., in accordance with the City's Municipal Code, unless permission is granted through the procedure outlined in Municipal Code Section 23.06.061 "Hours of Work Exemption."
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and

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- noise-sensitive receptors nearest the project site during all project construction.
- Use of the concrete saw within 100 feet of shared property lines shall be limited, as feasible.
 - Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
 - Unnecessary idling of internal combustion engines shall be strictly prohibited.
 - Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors. If they must be located near receptors, adequate muffling (with barriers or enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors.
 - Utilize "quiet" air compressors and other stationary noise sources where technology exists.
 - Pile-driving activities shall be restricted to between 8:00 AM to 5:00 PM, Monday through Friday, to limit the intrusiveness of pile driving during the morning and evening hours. This measure is suggested only for construction sites that would use pile drivers within 2,000 feet of residential or sensitive land uses.
 - During pile driving, temporary noise barriers, such as mass loaded construction blankets on temporary fencing or a solid plywood construction barrier, will be placed around the perimeter of construction areas where pile driving is taking place. The placement of these barriers will not allow clear, line of sight openings for site access between the pile driving activities and adjacent land uses. Noise control blanket barriers can be rented and quickly erected.
 - Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
 - The 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.
 - Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g. bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. 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.
- (BUILDING)

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Fire Department (PA)

- 110 PREMISE NUMBER - The applicant shall post an address number on each building at the project site that must be easily visible from the street or fire access road. This address number shall be installed at the start of construction and shall be maintained at all times that the use permitted by this planning application occupies the premises. (FIRE)
- 111 BUILDING EGRESS - Adjacent buildings/properties shall not have their required egress restricted or compromised at any time during the construction of this project. (FIRE)
- 112 FIRE-SAFETY DURING DEMOLITION - Building(s) under construction or demolition shall comply with the California Fire Code. In addition to the requirements of Chapter 14 the following items shall be followed during the demolition of any structure. Where an existing standpipe exists within a building it shall be maintained in operable condition for use by the fire department at all times during construction including during demolition. Such standpipe shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished. (FIRE)
- 113 FIRE APPARATUS ACCESS - The applicant shall maintain a not less than 20 ft wide clear all weather surface (paving) for emergency vehicle access. This access shall be provided and approved by the fire department before any construction or combustible material will be allowed. All required Emergency Vehicle Accessways, including red curbs, curb lettering and fire lane signs shall be maintained at all times that the use permitted by this planning application occupies the premises. (FIRE)
- 114 BARRICADES, FENCES, or GATES ACROSS FIRE ACCESS ROADWAYS DURING CONSTRUCTION - The installation or use of barricades, fences, or gates across emergency vehicle access roads during construction shall have prior approval of the City of San Mateo Fire Chief, or his/her designee. (FIRE)
- 115 FIRE SAFETY DURING CONSTRUCTION - Buildings under construction shall comply with the requirements of the California Fire Code. All additional fire permits required by the California Fire Code shall be obtained from the Bureau of Fire Protection and Life Safety. (FIRE)

Planning Division (PA)

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- 116 PALEONTOLOGICAL RESOURCES - Should any potentially unique paleontological resources (fossils) be encountered during development activities, work shall be halted immediately within 50 feet of the discovery. The City of San Mateo Planning Division shall be immediately notified, and the applicant shall be responsible for retaining the services of a qualified paleontologist to determine the significance of the discovery. The paleontologist shall evaluate the uniqueness of the find, and prepare a written report documenting the find and recommending further courses of action. Based on the significance of the discovery, the actions may include avoidance, preservation in place, excavation, documentation, recovery, or other appropriate measures as determined by the paleontologist. (PLANNING)
- 117 * MM CUL-3.1 - Human graves are often associated with prehistoric occupation sites. If human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity in the vicinity shall be halted and the City Planning Manager and the San Mateo County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of San Mateo shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of San Mateo, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered. (PLANNING)
- 118 * MM BIO-4.1 - Construction activities (or at least the commencement of such activities) should be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside of the nesting season, all impacts on nesting birds protected under the MBTA and CDFW will be avoided. The nesting season for most birds in San Mateo County extends from February 1st through

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August 30th.

* MM BIO-4.2 - If it is not possible to schedule construction activities between September 1 and January 31 then preconstruction surveys for nesting birds shall be conducted by a qualified ornithologist to ensure that no nests will be disturbed during project implementation. These surveys shall be conducted no more than 14 days prior to the initiation of construction. During this survey, the ornithologist shall inspect all trees and other potential nesting habitats (e.g., trees, shrubs, ruderal grasslands, buildings) in and immediately adjacent to the impact areas for nests.

* MM BIO-4.3 - If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist shall determine the extent of a construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 100 feet for other species), to ensure that nests of species protected by the MBTA and CDFW shall not be disturbed during project implementation.

* MM BIO-4.4 - If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are scheduled to be removed by the project may be removed prior to the start of the nesting season (e.g., prior to February 1st).
(PLANNING)

119 * MM CUL-2.1 - Archaeological monitoring of all earth moving activities that occur within two sensitive stratigraphic zones for the entire Concar Passage Project Area. At three feet below surface and lower, an archaeological monitor shall observe the interface between fill and Bay Mud for any shelly deposits within the top two feet of the mud. Furthermore, at one foot above the interface with the bottom of the Bay Mud layer and the underlying clay, an archaeological monitor shall examine the soils down to two feet or more into the underlying clay. A sufficient soil sample shall be screened throughout the property.

* MM CUL-2.2 - During monitoring, the archaeological monitor can stop or redirect work to other locations to temporarily and expediently explore for potential features. Archaeological monitoring will continue until a sufficient sample of soil has been examined to either identify any archaeological deposit(s) or to clear the project. In the event that buried, or previously unrecognized

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

* MM CUL-2.3 - If archaeological deposits or features that appear potentially eligible to the California Register of Historical Resources are identified during any stage of monitoring, an archaeological research design and work plan shall be prepared. This plan will require approval by the City before the archaeological deposits or features can be excavated.

* MM CUL-2.4 - If Native American resources are identified, consultation with local Native Americans shall be conducted. A Native American monitor shall assist with additional efforts.

* MM CUL-2.5 - If unearthed, all features, archaeological deposits, and cultural material will be excavated according to current archaeological standards detailed in the approved research design and treatment plan.

* MM CUL-2.6 - All features, archaeological deposits, and cultural material will be cleaned, analyzed and evaluated for their eligibility to the California Register of Historical Resources. An archaeological report will be prepared discussing methods and documenting all finds. The City will need to approve this report.

* MM CUL-2.7 - The parcel owner is fiscally responsible for the curation of all artifacts deemed archival by current archaeological standards, with the exception of any human remains and associated burial goods. The archaeologist will prepare the artifacts and dietary remains in archival quality bags with artifact identification tags, provide two copies of a final artifact catalog for the items submitted, and two copies of the final archaeological report. Any additional requirements by the curation facility must be addressed.
(PLANNING)

Public Works Department (PA)

120 GROUND WATER DISCHARGE- Discharge of groundwater shall be in accordance

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with the State Water Board General Permit for Construction Activities. In accordance with the City's Municipal Code, Discharge of Ground Water (SMMC 7.38.150), the Director of Public Works may approve the discharge of ground waters to the sanitary sewer only when such source is deemed unacceptable by State and Federal authorities for discharge to surface waters of the United States, whether pretreated or untreated, and for which no reasonable alternative method of disposal is available. Following the verification of the applicable local, state and/or federal approvals, a Discharge Plan will be approved and monitored by the Public Works Department. (PUBLIC WORKS)

- 121 POST-CONSTRUCTION STORMWATER RUNOFF TREATMENT - The project shall comply with all City of San Mateo's ordinances, policies, and processes regarding the post-construction treatment of stormwater runoff. Specifically, an O&M agreement between the applicant and City shall be recorded with the property title prior to issuance of grading or building permits for project construction, to ensure compliance with City of San Mateo and MRP requirements.

The project shall implement site design and source control BMPs for minimizing the volume of runoff and pollution in runoff to the extent practicable, per the MRP. These BMPs shall include the following:

- Discharging to landscaped areas is preferred;
 - Minimize impervious surfaces and increase use of permeable pavement where feasible;
 - Locate all storm drain inlets to be stenciled with, "No Dumping! Flows to Bay" to discourage illegal dumping;
 - Locate and design trash enclosures and materials handling areas in covered areas; and
 - Use effective, site-specific erosion and sediment control methods during post-construction periods.
- (PUBLIC WORKS)

- 122 ACCESS DURING CONSTRUCTION - Connection through the project area for pedestrians and bicyclists, and in particular direct access to the Hayward Park Station from completed portions of the project, shall be maintained during construction to the extent that it can be provided safely and without interference with construction activities. An access plan shall be submitted for approval with the first building permit, which could be subsequently modified by future building permits, as needed. This access plan should consider connections through and

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around the project area.
(PUBLIC WORKS)

- 123 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. or as indicated on the encroachment permit. 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. to 5:30 p.m. Signs outlining these restrictions shall be posted at conspicuous locations on site. The signs shall be per the City Standard Drawing for posting construction hours. The sign shall be kept free of graffiti at all times. Contact the Public Works Department to obtain sample City Standard sign outlining hours of operation. The allowed hours of Public Works construction activities may be waived or modified through an exemption, for limited periods, if the City Engineer finds that:

(i) The following criteria are met:

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

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

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

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

(iii) The contractor or owner of the property will notify residential and commercial occupants of property adjacent to the construction site of the hours

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of construction activity which may impact the area. This notification must be provided three days prior to the start of the extended construction activity.

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

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

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

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

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

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

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

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delivery vehicles equal to, or larger than two-axle, six-tire single unit truck (SU) size or larger as defined by FHWA Standards, the applicant shall submit a truck hauling route that conforms to City of San Mateo Municipal Code Section 11.28.040 for the approval of the City Engineer. The project sponsor shall require contractors to prohibit trucks from using "compression release engine brakes" on residential streets. The haul route for this project shall be: To project Site - Highway 92 westbound, Concar Drive exit, project site OR Highway 92 eastbound, Delaware Street exit, left onto S. Delaware Street, project site. From project Site – Project site, westbound Concar Drive, left onto Highway 92 westbound OR Project site, southbound S. Delaware Street, left onto Highway 92 eastbound. A letter from the applicant confirming the intention to use this hauling route shall be submitted to the Department of Public Works, and approved, prior to the issuance of any City permits. All material hauling activities including but not limited to, adherence to the approved route, hours of operation, staging of materials, dust control and street maintenance shall be the responsibility of the applicant. All storage and office trailers will be kept off the public right-of-way. Tracking of dirt onto City streets and walks will not be allowed. The applicant must provide an approved method of cleaning tires and trimming loads on site. Any job related dirt and/or debris that impacts the public right of way shall be removed immediately. No wash down of dirt into storm drains will be allowed. All material hauling activities shall be done in accordance with applicable City ordinances and conditions of approval. Violation of such may be cause for suspension of work.

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

- 125 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:

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<https://www.flowstobay.org/wp-content/uploads/2020/04/posterside1.pdf> and
<https://www.flowstobay.org/wp-content/uploads/2020/04/posterside2.pdf> (PUBLIC WORKS)

- 126 * MM HYD-2.1 - A detailed, design-level geotechnical investigation shall be completed and shall address the need for dewatering during construction. Project construction shall follow the recommendations of the investigation as stated below:
- To construct the basement of the buildings, groundwater would need to be temporarily lowered to a depth of at least three feet below the bottom of the planned excavation. The method of dewatering will depend to an extent on the method of shoring. The dewatered level shall be maintained at that depth until sufficient building weight is available to resist the hydrostatic uplift pressure of the groundwater at its design elevation.
 - If dewatering wells are installed within the excavation, the wells shall be properly sealed through the floor slabs upon abandonment to reduce the potential for water leakage.
 - Dewatering the site shall remain as localized as possible. Widespread dewatering could result in subsidence of the area around the site due to increases in effective stress in the soil. Nearby streets and other improvements shall be monitored for vertical movement and groundwater levels outside the excavation shall be monitored through wells while dewatering is in progress.
 - The geotechnical report recommends a recharge program to be submitted as part of the dewatering plan, so that the contractor is prepared to recharge the groundwater outside the excavation through recharge wells, should excessive settlement or groundwater drawdown be measured.
- (PUBLIC WORKS)
- 127 CONSTRUCTION BEST MANAGEMENT PRACTICES - Construction BMPs shall be implemented for reducing the volume of runoff and pollution in runoff to the maximum extent practicable during site excavation, grading, and construction. In accordance with the City's standards, these BMPs will include, but will not be limited to:
- Avoid or minimize excavation and grading activities during wet weather, unless the City approves a winter erosion control plan submitted by the applicant.
 - Use effective, site-specific erosion and sediment control methods during the construction periods. Provide temporary cover of all disturbed surfaces to help control erosion during construction.

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- Provide permanent cover as soon as is practical to stabilize the disturbed surfaces after construction has been completed.
- Protect existing storm drain inlets in the project area from sedimentation with filter fabric fences gravel bags block and gravel filters.
- Cover and stabilize stockpiled soil and materials with tarps, geotextile fabric, hydroseeding and/or erosion control blankets.
- Install berms or silt fencing around stockpiled materials to prevent stormwater runoff from transporting sediment off-site.
- The applicant shall obtain a Stormwater Pollution Prevention Program (STOPPP) Construction permit, paying the required fees and posting the required cash deposit, for all work associated with the stormwater pollution prevention program (San Mateo Municipal Code Section 7.39). The fee amount will be based upon the City Council resolution in effect at the time the building permit application is made. The permit shall be issued prior to issuance of the first building permit.
- In accordance with the City's Municipal Code (SMMC 7.38.150) and Groundwater Discharge Policy Memo to the Director, dated July 8, 2016, the Director of Public Works may approve the discharge of ground waters to the sanitary sewer if the source is deemed unacceptable by State and Federal authorities for discharge to surface waters of the United States, whether pretreated or untreated, and for which no reasonable alternative method of disposal is available. Following the verification of the applicable local, state and/or federal approvals, a Discharge Plan shall be approved and monitored by the Public Works Department.
(PUBLIC WORKS)

- 128 ARCHITECTURAL COPPER – Per the San Mateo Countywide Water Pollution Prevention Program's requirements, the applicant shall follow the specific best management practices for the installation of the Architectural Copper. For detailed information please distribute the flyer to all construction personnel involved in the fabrication and installation of the Architectural Copper that is located at:
<http://flowstobay.org/files/newdevelopment/flyersfactsheets/ArchitecturalcopperBMPs.pdf> (PUBLIC WORKS/BUILDING)

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

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City Attorney (PA)

- 129 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)
- 130 INDEMNIFICATION – The applicant will defend, indemnify, and hold harmless the City of San Mateo, its elected and appointed officials, employees, and agents from and against any costs, claims, or liabilities arising out of the approval of this planning application, including, without limitation, any award of attorney fees that might result from third party challenge. If applicant is required to defend the City, the City shall retain the right to select the counsel who shall defend the City. (CITY ATTORNEY)

Planning Division (PA)

- 131 CONFORMANCE WITH APPROVED PLANNING APPLICATION AT ALL TIMES - All physical improvements, uses, and operational requirements authorized by the approved planning application shall substantially conform at all times that the use permitted by this planning application occupies the premises with the approved planning application as a whole, including: plans, materials samples, building colors, the written project description, and other items submitted as part of the approved planning application. Any proposed modifications to the approved planning application must be reviewed by the Planning Manager and/or Zoning Administrator. The Planning Manager and/or Zoning Administrator shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a planning application for a modification of a previously approved planning application is required to be submitted to permit the proposed project modifications, as required by San Mateo Municipal Code Section 27.08.080 Modifications. (PLANNING)
- 132 CHILD CARE FACILITY - For the life of the project, an on-site child care facility shall be provided as described in the approved planning application. (PLANNING)

Police Department (PA)

- 133 VIDEO SURVEILLANCE –
- (a) The applicant shall install and operate for the life of the project a video surveillance system. The information shall be maintained and retrievable for a

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

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

(c) The building permit application plans shall show cameras placed to view common areas of the property such as public open spaces, lobbies, parking lots, parking garages and entrances and exits to all parking garages, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to all buildings. Additional cameras may be placed throughout the site at the Applicant's discretion. Camera placement shall take into account reasonable community privacy concerns and cameras shall not be required to capture residential private entrances. 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 buildings facing out. (POLICE)

- 134 RESPONSIBLE BEVERAGES SERVICE TRAINING - The applicant shall require that employees and supervisors responsible for the sale or service of alcoholic beverages complete Responsible Beverage Service training provided by the California Department of Alcoholic Beverage Control, or a service provider listed with ABC. (POLICE)
- 135 COVENANTS, CONDITIONS & RESTRICTIONS AND RULES - Prior to release of utilities the applicant shall submit for approval by the City including the Chief of Police or his/her designee draft Covenants, Conditions & Restrictions (CC&Rs) and Rules applicable to the proposed privately-owned public open spaces. CC&Rs and Rules related to the public open spaces shall be subject to annual review by the City and Chief of Police or her/his designee. City approved CC&Rs and Rules related to the public open spaces shall be subject to annual review, and shall be

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maintained and enforced by the applicant and any successor association or entity responsible for the maintenance of any public open spaces. (POLICE)

- 136 EXTERIOR ALCOHOLIC BEVERAGE ADVERTISING - No exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages shall be allowed. (POLICE)
- 137 GENERAL 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. General site lighting (excluding the 7-Eleven portion) 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)
- 138 SIGNAGE, OFF-SALE ALCOHOL LOCATIONS – On locations providing off-sale of alcoholic beverages, the applicant shall install and maintain prominent, permanent signs in English and Spanish stating "NO OPEN ALCOHOLIC BEVERAGES ARE ALLOWED ON THIS PREMISE" (SMMC 10.04.090) and "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES." Minimally these signs shall be posted near the front entrance to the store, facing the parking lot serving the store, and facing the alley to the east of the store. (POLICE)
- 139 PRIVATE PATROL OPERATOR - The applicant and any successor association or entity responsible for the maintenance of proposed public open spaces shall hire and retain a private patrol operator. The private patrol operator shall be authorized by the applicant and any successor associations or entities to investigate and enforce any Covenants, Conditions & Restrictions and Rules, and shall be authorized to enforce trespass laws of the State of California and City of San Mateo. The private patrol operator shall be responsible for the initial responses to nuisance complaints in the public open spaces related to violations of applicant or successor CC&Rs and Rules. (POLICE)

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- 140 CONVENIENCE STORE WINDOW OBSTRUCTIONS – Convenience store windows shall not be obstructed by advertising, furniture, or equipment that obstructs view into the store from the outside between 3'6" and 6'0" above the higher of finish floor or finish grade. (POLICE)
- 141 OPEN SPACES, REQUIRED SIGNAGE - Prior to release of utilities the applicant shall submit for approval by the City including the Chief of Police or her/his designee a plan showing the locations of signage designating which spaces are public open spaces and which areas are to remain restricted for the use of development residents. The plan submitted for approval shall include proposed language designating the different spaces, and any applicable CC&Rs and Rules people using the public open spaces shall be required to conform to while on the public open spaces. Approved signs shall be installed and maintained with at all times that the use permitted by this planning application occupies the premises. (POLICE)
- 142 7-ELEVEN 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. The 7-Eleven site shall comply with the most restrictive of the recommendations of Illuminating Engineering Society (IES) Standard G-1-16, 7-Eleven corporate practices, or the requirements GENERAL SITE LIGHTING. 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)
- 143 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)
- 144 CONVENIENCE STORE INDIVIDUAL ALCOHOLIC BEVERAGE CONTAINER SALES –

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- (a) No sales of alcoholic beverages in containers of less than 16 oz shall be allowed. Containers of alcoholic beverages less than 16 oz shall only be sold in manufacturer pre-packaged multi-unit containers.
- (b) Beer, malt beverages, and wine coolers shall not be sold in individual containers containing more than 24 oz. (POLICE)

Public Works Department (PA)

- 145 ON-SITE QUEUING – The applicant shall ensure that vehicular queues in the retail parking lots do not extend into the travel lanes along S. Delaware. Should consistent queuing into the public right-of-way occur, the applicant shall identify and implement methods to resolve the queuing subject to approval by the City Engineer or designee. (PUBLIC WORKS)
- 146 SPECIAL EVENT PARKING REQUIREMENT – The applicant/occupant shall submit a Special Event permit application to the City annually for all planned special events at the project site. Any events not included in the annual permit application shall be submitted separately. The special event application shall identify specific off-site parking agreements that have been established for each event to ensure no parking overflow onto City streets. This stipulation shall remain in place for the life of the project. (PUBLIC WORKS)
- 147 TRANSPORTATION DEMAND MANAGEMENT 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 is submitted to Public Works as part of the Rail Corridor TMA Annual Report. (PUBLIC WORKS)
- 148 POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP) – In accordance with the City's Storm Water Management and Discharge Control Rules and Regulations (SMMC 7.39), and the San Mateo Countywide Stormwater Management Plan (SWMP) by reference, the applicant shall:
 - A. Owner/occupant shall inspect private stormwater treatment facilities at least two (2) times per year and sweep parking lots immediately prior to and once during the storm season.
 - B. The applicant shall pay a fee on a yearly basis for cost associated with, but not limited to, biannual inspection of the private 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

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able to meet performance standards or has deteriorated.

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)

- 149 RESIDENTIAL PARKING PERMIT PROGRAM (RPPP) - Per the adopted Residential Parking Permit Program (RPPP) Policy and Procedures (September 2019), Concar Passage residents shall not be eligible to obtain permits for any RPPP program in the project vicinity given the provision of partially unbundled parking. The applicant shall be responsible for costs associated with the creation of the RPPP should a program be established in the 19th Avenue Park neighborhood, based on valid parking generators associated with the Concar Passage project. (PUBLIC WORKS)

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