



CITY OF SAN MATEO

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330 W. 20th Avenue
San Mateo CA 94403
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Agenda Report

Agenda Number: 10

Section Name: {{section.name}}

Account Number: 10-4663

File ID: {{item.tracking_number}}

TO: City Council

FROM: Christina Horrisberger – Interim City Manager

PREPARED BY: Public Works Department

MEETING DATE: July 17, 2023

SUBJECT:

3150 South Delaware Street, Bay Meadows Station 5 Public Improvements – Acceptance

RECOMMENDATION:

Adopt a Resolution to accept public improvements in accordance with the October 19, 2020 Subdivision Improvement Agreement between the City of San Mateo and Bay Meadows Station 5 Investors, LLC for 3150 South Delaware Street, Bay Meadows Station 5.

BACKGROUND:

In September 2020, Bay Meadows Station 5 Investors, LLC (the Subdivider) sought approval and recordation of Parcel Map No. 470 prior to the completion of the required public improvements associated with Planning Application (PA) 17-074, a 183,283 square foot office and 2,378 retail project, located at 3150 South Delaware Street (the Property).

On September 21, 2020, the City Manager approved and authorized the Public Works Director to sign the Subdivision Improvement Agreement (Agreement) with the Subdivider for the Property. The Agreement was executed on October 19, 2020. Parcel Map No. 470 merged two lots into one 2.636-acre lot on the Property. The Agreement addressed the construction of the public improvements that were required as conditions of approval for the project and the tentative parcel map approved under PA 17-074. Prior to the commencement of construction, the Subdivider provided the City with security deposits to guarantee the performance of the work, totaling \$144,774.00 per Section 14 of the Agreement. After this, permits were issued for the construction of the public improvements.

On February 22, 2023, the Public Works Department verified that all relevant planning application conditions of approval and public improvements have been satisfied and closed the construction permits for the public improvements. Upon the Subdivider's satisfactory completion of the public improvements, the improvements require acceptance by City Council per Section 6 of the Agreement. Following acceptance by City Council, Section 14 of the Agreement requires the Subdivider to warranty the work for one (1) year. The maintenance bond on file with the City will remain in effect for one (1) year after the date of acceptance by the City Council. The faithful performance and labor and materials deposits are to be released by the Public Works Department.

BUDGET IMPACT:

The City will assume maintenance responsibilities for all public improvements, unless recorded agreement(s) or Government Code states otherwise. Ongoing costs for maintenance of the new improvements within the City right-of-way will be funded through the Public Works maintenance budget.

ENVIRONMENTAL DETERMINATION:

This acceptance of public improvements is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section

15378(b)(5).) For the underlying, the City Council exercised its independent judgment certifying the Final EIR for the San Mateo Rail Corridor Plan & Bay Meadow Specific Plan Amendment on April 18, 2005 (with respect to the Corridor Plan) and November 7, 2005 (with respect to the Bay Meadows Specific Plan Amendment), and has adopted appropriate CEQA findings related to the Project Approvals. On September 25, 2018, the Planning Commission adopted Addendum #5 to that Final EIR for the Bay Meadows STA 1 and 5 Planning Application Modification (PA17-074).

NOTICE PROVIDED

All meeting noticing requirements were met.

ATTACHMENTS

Att 1 - Proposed Resolution

Att 2 - Subdivision Improvement Agreement

Att 3 - Parcel Map No. 470

STAFF CONTACT

Karen Magallanes, Assistant Engineer

kmagallanes@cityofsanmateo.org

(650) 522-7576

Jay Yu, Engineering Manager

jyu@cityofsanmateo.org

(650) 522-7323