

EXHIBIT C
CONDITIONS OF APPROVAL
PA 10-060, ST. MATTHEWS CATHOLIC MASTER PLAN
1 NOTRE DAME AVENUE
PARCEL NOS. 034-232-340, 350, & 370
RECOMMENDED FOR APPROVED BY PLANNING COMMISSION – June 12, 2012

A. THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, AND/OR SITE DEVELOPMENT PERMIT, AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

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| Planning
Conditions | A1.0 | CONDITIONS OF APPROVAL – Final plans shall include all the Conditions of Approval on sheet 2 of the plans. |
| | A1.1 | NOTICE OF PROJECT RESTRICTIONS – The property owner shall record a Notice of Project Restrictions in the official records of the County of San Mateo and provide proof of such recordation to the City prior to issuance of any City permit |
| | A1.2 | CONFORMANCE WITH APPROVED PLANNING APPLICATION - All building permit drawings and subsequent construction shall substantially conform with the approved planning application, including: drawings, materials samples, building colors, and other items submitted as part of the approved planning application. <u>Any proposed modifications to the approved planning application must be reviewed by the Chief of Planning and/or Zoning Administrator. Modifications to Building Permit plans must be approved prior to construction of the modified improvements.</u> The Chief of Planning and/or Zoning Administrator shall determine whether the proposed modifications substantially conform with the approved planning application, or whether a new planning application must be submitted to permit the proposed project modifications. A new planning application shall be subject to review by the Zoning Administrator, Planning Commission, or City Council. |
| | A1.3 | PAYMENT OF OUTSTANDING PLANNING APPLICATION FEES – The building permit applicant shall check with the Project Planner to determine whether any outstanding planning applications fees exist and those fees shall be paid prior to issuance of any building permits. |
| | A1.4 | NOTICE OF PROJECT RESTRICTIONS – The property owner shall record a Notice of Project Restrictions in the official records of the |

County of San Mateo and provide proof of such recordation to the City prior to issuance of any City permit, allowed special use of the property, or Final Map, as applicable. The Notice of Project Restrictions shall provide a description of the subject property, shall identify the Planning Application name and number and any accompanying subdivision or parcel map, including book and page and recorded document number, if any, and be signed and notarized by each property owner of record and shall state the following:

“This Notice of Project Restrictions is for the purpose of informing interested persons of the fact that development approvals have been given by the City of San Mateo regarding the herein described property and that such approvals are conditioned upon compliance with certain restrictions that run with the land and are binding upon subsequent owners of the property. For more information about the restrictions applicable to this property, contact the Planning Division of the City of San Mateo regarding PA 10-060, St. Matthew Parish Master Plan.

A1.5 TREE PROTECTION - The applicant shall protect all major vegetation designated to remain from damage during construction. Tree protection shall comply with all provisions of the Heritage Tree Ordinance, approved arborist's report, and any requirements imposed by the City. The following tree protection measures shall be shown on building permit drawings:

- a) Protective fencing shall be located at the drip line of existing major vegetation to remain. This protective fencing shall be constructed of solid wood, chain link, or other solid materials subject to approval of the Zoning Administrator.
- b) All recommendations for tree preservation contained in the approved arborist report, and/or additional requirements imposed by the City.

In addition, the following requirements shall be complied with at all times during construction:

- c) Oil, gas, chemicals, or construction materials shall not be stored within the drip line of trees that are designated to be preserved.

- d) Signs, wires, or other types of obstructions shall not be attached to trees.
- e) Trenching under the drip line of trees is to be avoided. If trenching is necessary, trenches are to be hand dug and major roots retained.

All tree protection measures shall be constructed prior to issuance of a grading permit, demolition permit, or building permit. The applicant shall contact the Planning Division to inspect the tree protection measures prior to issuance of any permits on the property.

(PLANNING)

- A1.6 FINANCIAL SECURITIES FOR TREE PRESERVATION - The applicant shall submit financial securities to ensure the preservation of existing trees. Tree preservation fees shall be determined by the Landscape Unit (LU) value at the rate established in the annual Comprehensive Fee Schedule. In order to reclaim financial securities, the applicant shall request a final project inspection by the Planning Division. (PLANNING)
- A1.7 PERMIT FOR REMOVAL OF MAJOR VEGETATION - The applicant shall obtain a Site Development Permit from the Planning Division for removal of major vegetation (trees 6" diameter or larger) prior to the issuance of a grading or building permit. Fees for tree removal shall be based on the number of trees to be removed in accordance with City regulations.
- A1.8 ABOVE GROUND UTILITIES, EQUIPMENT, AND DEVICES - All ground level utilities, equipment, and other project related operational devices shall be designed and located as delineated on the approved planning application drawings. These project utilities shall be incorporated into the design of the project and screened from public view by a solid wall or solid fence, and/or perimeter landscaping. Final location and screening shall be reviewed and approved by the Zoning Administrator before installation.
- A1.9 TRANSFORMERS, UTILITIES, BACK FLOW PREVENTOR DEVICES - Final plans shall indicate the location of all PG&E transformers, meter boxes, and back flow preventer devices. These structures shall not be located in any street frontage or private yard area. Locations shall be setback as far as possible from street frontages and shall be fully screened with landscaping or other

screening material.

A1.10 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.

A1.11 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.

A1.12 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:

1. All planting areas shall be protected from common vehicular traffic with an approved barrier designed to withstand reasonable impact from vehicles.
2. An automatic irrigation system shall be provided to adequately water all proposed plantings. Backflow prevention devices shall be located in areas approved as part of the planning application, screened by landscaping and/or incorporated into the design of the project.
3. A two-inch (2") depth layer of mulch shall be required in all new planting areas except in areas of turfgrass or annuals.
4. 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)

- A1.13 LANDSCAPE WATER EFFICIENCY – In conformance with California Code of Regulations Title 23, Division 2, Chapter 2.7 (Model Water Efficiency Landscape Ordinance), the applicant shall provide a Landscape Documentation Package. (PLANNING)
- A1.14 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 planting trees at the rate established in the annual Comprehensive Fee Schedule. (PLANNING)
- A1.15 ALLERGENIC, TOXIC, AND INVASIVE PLANTS SPECIES - No plants which are cited as an allergenic, toxic, or invasive plant species shall be installed on site including, but not limited to, those plants listed by the following sources:
- a) www.pollenlibrary.com – List of “significant allergens” plants by season for California.
 - b) <http://www.ipm.ucdavis.edu> – List of invasive plants.
 - c) <http://webcoist.com/2008/09/16/16-most-unassuming-yet-lethal-killer-plants/> - List of the top 16 most toxic plants.

All proposed plant materials shall be reviewed by the project landscape architect to preclude commonly recognized allergenic, toxic, and invasive plant species, including plants listed by the above sources. The project landscape architect shall provide a written statement that s/he has reviewed the proposed plant materials and that the proposed plant materials do not include commonly recognized allergenic, toxic, and invasive plant species.

- A1.16 *NESTING SEASON - If construction, tree removal, or other project-related activities are scheduled during the nesting season (generally mid-January to mid-July) of protected raptor and migratory birds, a focused survey for active nest sites shall be conducted by a qualified biologist within 15 days prior to the beginning of project-related activities. If nesting birds are found, a 50-foot radius buffer shall be established around the nest and a 300-foot radius buffer in the case of owls and hawks. The buffers shall remain in place until the young have fledged. Another focused survey shall be conducted if there is a lapse of more than 15 days in the project-related work.
(MITIGATION MEASURE)

- A1.17 FINAL MASTER PLAN DOCUMENT – A final Master Plan

document shall be prepared that reflects the final action of City Council with respect to the project, including the final adopted Conditions of Approval and the Special Use Permit Conditions.

**Building
Conditions**

A2.0 SITE SURVEY - Provide 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.

A2.1 SOILS REPORT - A soil investigation report satisfactory to the Building Official shall be submitted containing design recommendations. The classification shall be based on observation and any necessary tests of materials disclosed by boring or excavations made in appropriate locations. Additional studies may be necessary to evaluate soil strength, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction, seismically induced soil liquefaction, soil instability, and expansiveness. Additionally submit a letter from the Geotechnical Engineer or Civil Engineer who prepared the soil investigation stating the following (signed and stamped):

- a) The plans and specifications substantially conform to the recommendations in the soil investigation.
- b) The Geotechnical Engineer or Civil Engineer who prepare 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.

**Fire
Conditions**

A4.0 FIRE SPRINKLER SYSTEM: Install an N.F.P.A. 13 fire sprinkler system complying with local requirements. Submit under separate fire plan check and permit. Separate plan check permit is required for the underground fire service.

A4.1 FIRE ALARM SYSTEM: Install a voice/alarm communication fire

alarm system per CFC Chapter 9 section 907.2.1.1 and complying with local requirements. Submit under separate fire plan check and permit. Use installation standard NFPA 72.

- A4.2 FIRE-SAFETY DURING DEMOLITION – Building 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:
 - a. Suitable fire hose, as required by the Fire Chief, shall be maintained at the demolition site. Such hoses shall be connected to an approved water source and shall not impede fire department use of hydrants.
- A4.3 BARRICADES, FENCES, or GATES ACROSS FIRE ACCESS ROADWAYS: The installation or use of barricades, fences, or gates across emergency vehicle access roads shall have prior approval of the fire chief.
- A4.4 SECURITY GATES – If security gates are desired at any entrance to the project the gates shall be provided with a Fire Department approved pad lock or key box to allow Fire Department access. The minimum width of the gates shall be (15’) feet clear opening width. Contact the Bureau of Fire Protection and Life Safety for specific requirements.
- A4.5 KEY BOX – Install Knox key box with building access keys to allow for Emergency Services/Fire Department access. Contact the Bureau of Fire Protection and Life Safety for specific requirements and location approval. Provide keys as required.
- A4.6

BUILDING EGRESS– Adjacent buildings/properties shall not have their required egress restricted or compromised at *any time* during the construction of this project.

**Police
Conditions**

- A5.0 SECURITY ORDINANCE REQUIREMENTS – The building permit plans shall comply with the City’s Security Ordinance; San Mateo Municipal Code 23.54. In particular, the following sections shall apply:

- 1) 23.54.060 - Exterior Security Lighting

The police department would like to review a proposed exterior photometric lighting plan for the revised parking lot. A minimum of 1 foot candle at ground level is required.

2) 23.54.110 – Construction Fencing

San Mateo Police Department recommends that the decision maker approving a planning application condition the approval to require the applicant to install and maintain construction site fencing and/or the use of security lighting and patrols.

Implementation of the Security Ordinance for the Building Permit shall be the responsibility of the Building Division

**Parks &
Rec.
Conditions**

A6.0 TREE PROTECTION PLAN – A Tree Protection Plan as described in SMMC Section 13.52.050 shall be prepared and approved by the City Arborist prior to issuance of any permit. Please note subsection (c) (6), which requires retention of a certified arborist during construction.

B. THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY BUILDING PERMIT AND/OR SITE DEVELOPMENT PERMIT AND/OR SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

(OR IF TO HAVE PHASED BUILDING PERMITS – FOUNDATION/SUPERSTRUCTURE)

**Planning
Conditions**

B1.0 PHASED PROJECTS - Applicant shall submit a complete phasing plan indicating all infrastructure and other site improvements to be installed in conjunction with the construction of a particular building, parcel, or phase of development.

Consistent with the Master Plan proposal, any building permits associated with the construction of the gymnasium structure shall not be issued until the parking improvements have been completed and operational.

B1.1 ARCHAEOLOGICAL FINDS - In the event of the discovery of archaeological resources, the applicant shall be responsible for halting construction activities, notifying the Chief of Planning, and retaining a qualified archaeologist. The archaeologist will be required to evaluate the uniqueness of the find and to contact local Native American and Historical organizations, and shall recommend a further course of action.

**Fire
Conditions**

- B4.0 FIRE SPRINKLE SYSTEM: Install an N.F.P.A. 13 fire sprinkler system complying with local requirements. Submit under separate fire plan check and permit. Separate plan check permit is required for the underground fire service.
- B4.1 FIRE ALARM SYSTEM: Install an N.F.P.A. 72 voice/alarm communication fire alarm system in accordance with local requirements.
- B4.2 BARRICADES, FENCES OR GATES ACROSS FIRE ACCESS ROADWAYS: The installation or use of barricades, fences, or gates across emergency vehicle access roads shall have prior approval of the Bureau of Fire Protection and Life Safety. Fences shall not obstruct access to fire hydrants.
- B4.3 SECURITY GATES: If security gates are desired at any entrance to the project the gates shall be provided with a Fire Department approved pad lock or key box to allow Fire Department access. The minimum width of the gates shall be twenty (15') feet clear opening width. Contact the Bureau of Fire Protection and Life Safety for specific requirements.
- B4.4 KEY BOX: Install an approved key box(s) on all building's entrances to allow for Fire Department accesses. Contact the Bureau of Fire Protection and Life Safety for specific requirements, number, mounting locations and height and required keys.
- B4.5 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.
- B4.6 FIRE SAFETY DURING CONSTRUCTION: Buildings under construction shall comply with 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.
- B4.7 BUILDING EGRESS: Adjacent buildings/properties shall not have their required egress restricted or compromised at *any time* during the construction of this project.

C. PLANS SUBMITTED FOR FOUNDATION BUILDING PERMIT AND/OR SITE DEVELOPMENT PERMIT, AND/OR SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S). THESE CONDITIONS SHALL ALSO BE COMPLIED WITH DURING CONSTRUCTION APPROVED UNDER ANY SUBSEQUENT SUPERSTRUCTURE PERMITS, IF APPLICABLE.

Public Works Conditions

C3.0 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. This encroachment permit shall be obtained prior to the issuance of a foundation building permit and prior to any work being done in the City's right-of-way. The applicant shall have street 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. Prior to issuance of the encroachment permit, the applicant shall submit any applicable pedestrian or traffic detour plans 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), 2003, and standard construction practices. Final construction plans and specifications shall be approved by the City Engineer, and released for construction, prior to the issuance of the encroachment permit. Right of way improvements shall include, at a minimum, the following items:

- A. 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. (PUBLIC WORKS)
- B. CURB AND GUTTER - The applicant shall construct new curb and gutter per City Standard Drawing 3-1-141A as shown on the approved plans. (PUBLIC WORKS)
- C. DRIVEWAY APPROACHES - The applicant shall remove and install driveway approaches, as shown on the approved plans along Notre Dame Avenue. (PUBLIC WORKS)

C3.1 STORMWATER POLLUTION PREVENTION PERMIT - The applicant must obtain a Stormwater Pollution Prevention (STOPPP) Construction permit, paying the required fees and posting the required cash deposit, for all work associated with the stormwater pollution prevention program (SMMC 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.

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 prior to issuance of the STOPPP Construction permit. (PUBLIC WORKS)

- C3.2 STORM DRAIN INLETS AND WATERWAYS - Per the San Mateo Countywide Water Pollution Prevention Program's C.3 requirements, the applicant shall mark with the words "No Dumping! Flows to Bay," or equivalent, using methods approved by the City standards on all storm inlets surrounding and within the project parcel. (PUBLIC WORKS)
- C3.3 UNDERGROUND UTILITIES - The applicant must agree to install all new, and upgraded, utility service, including telephone, electric power, and other communications lines underground to the building in accordance with City of San Mateo Municipal Code 26.32.020. (PUBLIC WORKS)
- C3.4 DRAINAGE - Drainage structures designed into landscaping with the purpose of reducing volume or improving quality of runoff from the site is encouraged, subject to the approval of the City Engineer. No increase to the peak discharge shall be permitted downstream. In addition, discharge must conform to any non-point source permit issued by the Regional Water Quality Control Board. Drainage improvements made on-site shall conform to standard engineering practices and shall not allow any site drainage to impact adjacent properties. All drainage capacity calculations shall be performed by a licensed Civil Engineer, whose signed engineer's stamp shall appear on the calculations sheets, and shall be submitted to the City for review and approval with the project civil plans. The applicant shall install bio-retention areas. For projects that include permanent structural controls for water quality protection, plans shall include O&M (operation and maintenance) procedures for such control features and specify the owner's responsibility to ensure their ongoing effective operation and maintenance. Such O&M responsibility requirements shall be recorded on the property deed. (PUBLIC WORKS)
- C3.5 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)
- C3.6 CHARGES FOR PUBLIC WORKS SERVICES - Prior to plan checking, the applicant shall be required to deposit with the City, funds to pay for, at the adopted rate, all engineering, inspection and survey services that may be required during plan check and construction of the project. The amount of the deposit shall be \$5,000.00. Public Works plan checking of the plans

submitted with the building permit plans cannot proceed until the deposit is submitted. The applicant shall be required to increase the deposit, or be billed monthly at the discretion of the City, for any costs in excess of the deposit. If billed monthly, invoices shall not become delinquent (must be paid within 30 days of receipt). Prior to final occupancy the bill shall be paid in full. The City will refund any portion of the deposit not utilized. (PUBLIC WORKS)

D. THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR BUILDING SUPERSTRUCTURE PERMIT AND/OR SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT.

Public Works Conditions

- D3.0 WASTEWATER TREATMENT PLANT PHASE II IMPACT FEE - In order to meet the increased demands on the Wastewater Treatment Plant created by this project, the applicant shall contribute fees toward the Plant expansion based upon the average projected sanitary flow, as determined under the City Council resolution in effect at the time the building permit application is made. The fee shall be paid prior to issuance of the superstructure building permit. (PUBLIC WORKS)
- D3.1 TRANSPORTATION IMPROVEMENT FEE - The applicant shall pay a fee proportional to the project's share of transportation improvements needed to serve cumulative development within the City of San Mateo. The fee amount will be based upon the City Council resolution in effect at the time the building permit application is made. The fee shall be paid prior to issuance of the superstructure building permit. (PUBLIC WORKS)
- D3.2 SANITARY SEWER INCREASE CHARGE - The applicant shall pay a fee proportional to the project's share of the increase amount of sewage generated by the project. The fee will be based upon the City Council resolution in effect at the time the building permit application is made. The fee shall be paid prior to issuance of the superstructure building permit. (PUBLIC WORKS, BUILDING)

E. THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS AND/OR SHALL BE MET PRIOR TO RELEASE OF UTILITIES OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

Planning Conditions

- E1.0 PLANNING DIVISION INSPECTIONS – The applicant shall be responsible for notifying 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.

- E1.1 LETTER OF 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.
- E1.2 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. If required by State law, the applicant shall also submit a “Certificate of Completion” consistent with California Code of Regulations Title 23, Division 2, Chapter 2.7 (Model Water Efficiency Landscape Ordinance).
- E1.3 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.

**Building
Conditions**

- E2.0 PRE-OCCUPANCY INSPECTION – A minimum of 10 days prior to anticipated occupancy, the applicant shall have scheduled final inspections by all Departments requiring conditions of approval.

**Public
Works
Conditions**

- E3.0 PARKING MANAGEMENT PROGRAM – The project must implement a Parking Management Program using programs included in the Parking Management Plan and further outlined in Hexagon Transportation Consultants, Inc.’s Parking and Traffic Analysis Report, dated June 28, 2011. These programs, once implemented, must be on-going for the occupied life of the development. The program shall be recorded in a manner deemed appropriate by the City Attorney. Following are the proposed programs:

1: Install pedestrian countdown signal heads at the El Camino Real & Ninth Avenue intersection to facilitate pedestrian crossings of El Camino Real and use of the Pacific Western Bank overflow parking lot (included in Parking Management Plan).

2: Provide a bike parking area for Sunday Masses (included in

Parking Management Plan).

3: In conjunction with the parking lot reconstruction, St. Matthew should discourage parishioners from parking in the neighborhood, through implementation of the following measures (included in Parking Management Plan):

- A. Establish a parking committee to oversee parking functions
- B. Publish a parking guide for parishioners
- C. Establish a parking patrol during Sunday Mass to discourage neighborhood parking

4: Open the school gate on Notre Dame at 2:30 PM and post a traffic control volunteer on Notre Dame to insure that vehicles do not block the street.

5: Implement a Parking and Traffic Management Plan during the annual Carnival event. The plan could include a combination of the following (included in Parking Management Plan):

- A. Lease and secure several hundred parking spaces (e.g. 300-400 spaces) at off-site locations.
- B. Lease shuttle buses and hire shuttle drivers.
- C. Develop a logistical plan for shuttling visitors to and from the Carnival.
- D. Develop and implement a thorough directional signage plan to ensure that cars are directed to the proper parking areas.
- E. Provide advance notice of parking and shuttle arrangements for the event such as:
 - 1. Issuing informational flyers to parishioners, staff, volunteers, event participants, and vendors;
 - 2. Provide information in newsletters;
 - 3. Post information on St. Matthew's website; and
 - 4. Provide information through other means of advertising for the event.
- F. Use traffic control personnel to direct traffic to off-site parking areas and prevent cars from parking on adjacent neighborhood streets.
- G. Hire traffic enforcement officers to monitor parking on adjacent residential streets.

The above measures should be implemented as identified by the annual approval process for the Carnival, which is either through the City's Temporary Use Permit process or approval through the City's Special Community Events.

In addition should the agreement with Trans World Assurance Company for the 40 off-site spaces at the Pacific Western Bank be terminated, the applicant shall seek to secure an agreement with another nearby commercial building(s) with available off-hour parking in order to make up for the lost spaces. This

will include, but not be limited to, discussions with the owners of properties at 901 S. El Camino Real (Paul Ching Hui) and 500 S. El Camino Real (Westlake DMD LLC). The applicant shall keep the City Planning Division advised of this effort. (PUBLIC WORKS, PLANNING)

STORM WATER MANAGEMENT FACILITIES MAINTENANCE AGREEMENT – The applicant shall execute a maintenance agreement with the City’s as specified in Chapter 7.39.210-230 of the Stormwater Management and Discharge Control ordinance. The agreement shall outline the operation and maintenance (O&M) plan for the permanent storm water treatment facilities. This agreement shall be executed prior to the first occupancy of the building. (PUBLIC WORKS)

Fire Conditions

- E3.1 Management and Discharge Control ordinance. The agreement shall outline the operation and maintenance (O&M) plan for the permanent storm water treatment facilities. This agreement shall be executed prior to the first occupancy of the building. (PUBLIC WORKS)
- E4.0 **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.
- E4.1 **Key BOX:** Mount key box and provide all required keys to building, other areas of access and equipment. Contact the Bureau of Fire Protection and Life Safety for specific requirements and location approval.
- E4.2 **ELECTRICAL POWER DISCONNECTING MEANS:** An approved key switch shall be provided to disconnect (shunt) electrical power by Fire Department personnel. Contact the Bureau of Fire Protection and Life Safety to coordinate the exact location for such devices.
- E4.3 **FIRE AND LIFE-SAFETY REQUIREMENTS FOR OCCUPANCY:** All fire protection systems shall be installed and approved by the fire department. All exits, signage, emergency lighting, rated construction, fire assemblies, fire extinguishers (installed within recessed cabinets), evacuation signs as required, HVAC smoke detection as required and building address numbers (6”H x 2” stroke) shall be installed and approved by the fire department before clearance for certificates of occupancy.

F. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.

Building Conditions

- F2.0 **BUILDING CONSTRUCTION ACTIVITIES** - The following provision to control traffic congestion, noise, and dust shall be followed during site excavation, grading and construction:

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, for limited periods, if the Building Official finds that:

- a) The following criteria are met:
 - 1) 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
 - 2) 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.

Public Works Conditions

F3.0 PUBLIC WORKS CONSTRUCTION ACTIVITIES - The following provision to control traffic congestion, noise, and dust shall be followed during site excavation, grading and construction:

- A) Construction activities related to the issuance of any Public Works permit shall be restricted to the weekday between 7:00 a.m. and 7:00 p.m. Please note, however, that no work shall be

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

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

- 1) 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.
- 2) The exemption will not conflict with any other condition of approval required by the City to mitigate significant impacts.
- 3) The contractor or owner of the property will notify residential and commercial occupants of property adjacent to the construction site of the hours of construction activity which may impact the area. This

notification must be provided three days prior to the start of the extended construction activity.

- 4) 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.

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), 2003, and standard construction practices. (PUBLIC WORKS)

F3.1 MATERIAL HAULING AND CONSTRUCTION WORKER PARKING - For material delivery vehicles equal to, or larger than two-axle, six-tire single unit truck (SU) size or larger as defined by FHWA Standards, the applicant shall submit a truck hauling route that conforms to City of San Mateo Municipal Code

Section 11.28.040 to the approval of the City Engineer. The haul route for this project shall be: **Site to South El Camino Real to Highway 92**. 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 enforced during construction. Failure to enforce the parking plan may result in suspension of the City permits. (PUBLIC WORKS)

F3.2 BEST MANAGEMENT PRACTICES (BMP) – The applicant shall perform all construction activities in accordance with the City’s Storm Water Management and Discharge Control Rules and Regulations (SMMC 7.38.020), and the San Mateo Countywide Stormwater Management Plan (SWMP) by reference. Detailed information can be located at: <http://www.flowstobay.org/documents/business/construction/SWPPP.pdf> (PUBLIC WORKS)

**Fire
Conditions**

F4.0 FIRE APPARATUS ACCESS: Maintain a 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.

F4.1 HYDRANT CLEARANCE: Maintain a 3 ft 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.

F4.2 PREMISE NUMBER: The applicant shall insure that any and all buildings will be posted with an address number easily visible from the access road.

F4.3 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.

- F4.5 PROGRAM SUPERINTENDENT: The owner shall designate a program superintendent that shall be responsible for the fire prevention program and shall develop and maintain an approved pre-fire plan in cooperation with the fire department. The fire department shall be notified of changes affecting any information in the pre-fire plans.

G. THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.

Planning Conditions G1.0 SPECIAL USE PERMIT CONDITIONS – The Special Use Permit Conditions developed to limit the uses and activities on the site shall be complied with at all times, until such time as they may be formally modified by action of the Planning Commission.

Public Works Conditions G3.0 POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP) – In accordance with the City’s Storm Water Management and Discharge Control Rules and Regulations (SMMC 7.38.020), and the San Mateo Countywide Stormwater Management Plan (SWMP) by reference, the applicant shall:

- A. Owner/occupant shall inspect private storm drain facilities at least two (2) times per year and sweep parking lots immediately prior to and once during the storm season.
- B. The applicant shall pay a fee on a yearly basis for cost associated with, but not limited to, biannual inspection of the private storm drain facilities, emergency maintenance needed to protect public health or watercourses, and facility replacement or repair in the event that the treatment facility is no longer able to meet performance standards or has deteriorated. The annual fee shall be in the amount of \$500.00.
- 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.

City Attorney G7.0 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 property owner 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.

G7.1 INDEMNIFICATION – Property owner 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 property owner is required to defend the City, the City shall retain the right to select the counsel who shall defend the City.

* **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.