

EXHIBIT B
CONDITIONS OF APPROVAL
PA #15-008, San Mateo Executive Office Park
Modification of Approval
(from previously approved PA 11-072)
3000-3155 Clearview Way
PARCEL #041-361-120/130

**As Approved by the Planning Commission on February 12, 2013 with
Modifications Approved by the Planning Commission on May 12, 2015**

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).

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, 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 15-008, San Mateo Executive Office Park Modification.”

 For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report from a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Project Restrictions.

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. 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. 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

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, whichever comes first. Fees for tree removal shall be based on the number of trees to be removed in accordance with City regulations.

A1.5

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.

A1.6

TRANSFORMERS, UTILITIES, BACK FLOW PREVENTOR DEVICES - Final plans shall indicate the location of all PG&E transformers, meter boxes, and back flow preventor 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.

A1.7

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.

A1.8

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 .

A1.9

TRIP REDUCTION WRITTEN ANNUAL COMPLIANCE LETTER - The San Mateo Executive Park shall submit a written letter to the Zoning Administrator of the City Planning Division on an annual basis no later than January 15th of each year that includes a written assessment of compliance with the Trip Reduction Plan by Nelson Nygaard dated January 8, 2013.

A1.10

PRE-CONSTRUCTION CONFERENCE - 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 building owner/developer 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.

A1.11

WHEEL STOPS TO BE INSTALLED IN PARKING SPACES – Wheel stops shall be indicated on the construction plans for parking lot improvements for Building D and shall be installed prior to occupancy for proposed parking spaces for Building D which are adjacent to pedestrian walkways.

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

GREEN BUILDING - This building is considered a covered project as defined in Section 23.70 of the San Mateo Municipal Code. Provide

the Green Building Project Checklist onto a separate plan sheet that is prepared by a Qualified Green Building Professional for review.

A2.2 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 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.

Public
Works
Conditions

A3.0 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.

For project sites which involved land disturbance of one or more acres (Type IV projects): 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.

- A3.1 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.
- A3.2 INSPECT AND REPAIR SANITARY SEWER LATERAL - The applicant shall clean and inspect (via remote TV camera) the sewer lateral from the new project connection to the connection to the City's sanitary sewer mainline, across West Hillsdale Boulevard. 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 inspection shall be conducted within 6-months of obtaining the building permit. The video of the inspection shall be reviewed with the Department of Public Works and any cracked or broken areas of the line shall be repaired by the applicant. All necessary repairs to the sewer shall be completed and approved prior to connection of the project lateral to the sewer.
- A3.3 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.
- A3.4 DRAINAGE - All storm runoff drainage shall be constructed per the Stormwater Report, by Kier & Wright Civil Engineers & Surveyors, dated February 6, 2012, and the approved plans. 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 biotreatment areas and flow through planters, as shown on the approved plans. The permanent structural controls for water quality protection 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.

- A3.5 UNDERGROUND PARKING GARAGE DRAINAGE - Water from the underground parking garage shall not be discharged onto the public street. The applicant shall design a storm system to separate the oil and water and connect to the City's sanitary sewer system. 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.
- A3.6 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.
- A3.7 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.
- A3.8 ADDRESS PLAN - The applicant shall submit to the Public Works Department a final address plan. The plan shall be substantially in conformance with the address plan approved with the planning application. Said submittal shall be approved by the City Engineer prior to the submittal of plans for the Foundation (or first) Building Permit.
- A3.9 EXISTING EASEMENTS - The applicant shall execute the quitclaims for the existing easements, as shown on the approved Vesting Tentative Map, prior to building permit issuance. Documentation of the recorded documents shall be submitted with the building permit plans.
- A3.10 SUBDIVISION MAP - The applicant shall have a subdivision map, prepared by a person authorized to practice land surveying in California, delineating all parcels created or deleted and all changes in lot lines in conformance with San Mateo Municipal Code Section

26.52. The Final Subdivision Map shall be approved by the Department of Public Works and recorded by the County Recorder's Office prior to occupancy. A map guarantee shall be submitted to the City, by the applicant's title company, prior to release of the map to the title company for recordation. Prior to the City's release of the final map to the title company, the applicant may, at the discretion of the City Engineer, be required to submit to the City an electronic copy of the map in either AutoCAD version 14, 2000-2006 (.dwg or .dxf format). 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.

- A3.11 **SIDEWALK FEASIBILITY STUDY** - The applicant shall provide funding not to exceed an amount of \$35,000 to fund a sidewalk feasibility study for pedestrian improvements along the project frontage on W. Hillsdale Blvd to connect to the existing sidewalk on the North side of Hillsdale to the East of the project site without crossing Hillsdale Blvd. Prior to issuance of the building permit, the applicant shall pay \$35,000 into an escrow account that the City may use at its discretion to fund the sidewalk feasibility study. Upon payment of this amount, the applicant shall have no further obligation with respect to the sidewalk feasibility study. The scope would include a survey of the impacted area, a preliminary design of the sidewalk and freeway off-ramp (including a preliminary look at slope stability issues), a traffic study analyzing the intersection LOS and a queuing study to analyze any potential impact to State Route 92, and it will include consideration of a bicycle route and outreach to Caltrans. In addition, eliminating the right lane going up the hill on W. Hillsdale Blvd will be analyzed for traffic impacts and the addition of a bicycle lane.
- A3.12 **PEDESTRIAN ACCESS EASEMENT** – If the sidewalk project is determined to be feasible, it is approved by the City and Caltrans, and if funds are budgeted for the improvements, the applicant or owner shall dedicate a pedestrian access easement for pedestrian improvements along the project frontage on W. Hillsdale Blvd. The easement shall be approved by the City Engineer, recorded with the County Recorder's Office, and a recorded copy of the document returned to the City within 6 months from the date on which the City informs the property owner that the City has awarded a bid and funds have been budgeted for the improvements.

Fire Conditions A4.0 ACCESS ROAD: The applicant shall maintain a 20 ft wide all weather surface (paving) for emergency vehicle access through the existing parking lot. This access shall be provided before any construction or combustible storage will be allowed. All traffic calming devices are prohibited on the access road.

Parks & Rec. Conditions A5.0 TREE PROTECTION - All work within the tree protection zone is to be done by hand or hand held equipment. No self propelled equipment is to enter the tree protection zone. Project arborist to monitor on all work performed in the tree protection zone of trees.

A5.1 TREE PROTECTION IMPLEMENTATION – Project arborist to confirm by written report including photographs that tree protection measures have been properly implemented; chain link fencing, mulch, irrigation.

A5.2 TREE PROTECTION MONITORING – Project arborist to perform monthly inspections and submit report to City Arborist.

A5.3 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.

- A5.4 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.

B. 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
- B1.0 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.
 - B1.1 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.
 - B1.2 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 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.

Fire Dept.
Conditions

- B2.0 FIRE SPRINKLER SYSTEM: Install an N.F.P.A. 13fire sprinkler system complying with local amendments. Submit under separate fire plan check and permit. Separate plan check permit is required for the underground fire service. To mitigate providing access around the structure, the sprinkler system Design Density shall be increased to 0.20/1500 square feet.
- B2.1 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.
- B2.2 FIRE ASSEMBLIES AND APPLIANCES – The final location of fire service backflow prevention devices, 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.
- B2.3 FIRE HYDRANT : 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 should insure that the necessary water supply is maintained from stage to stage in the construction planning.
- B2.4 ROOF HATCHES- Required roof hatches shall be a minimum size of 4 feet by 6 feet
- B2.5 ROOF LADDERS – If roof elevations are different by 3 feet or more and where the slope is at or exceeds 1 in. rise over 4 in. run, stationary, interconnected ladder and footpath systems to the roof top shall be provided on building permit plans. The design of these ladders is subject to review and approval by the Fire Marshal. Knox boxes with building access keys shall be provided at locations as specified by the SMFD Fire Marshal
- B2.6 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.

- B2.7 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. Building address signs shall comply with SMFD requirements

C. 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 C1.0 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.
- C1.1 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.
- C1.2 FINANCIAL SECURITIES FOR LANDSCAPING - Prior to issuance of occupancy permit, 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 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.
- C1.3 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).

- | | | |
|-------------------------|------|--|
| Public Works Conditions | C2.0 | STORM WATER MANAGEMENT FACILITIES MAINTENANCE AGREEMENT – The applicant shall execute a maintenance agreement with the City 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. |
| Fire Conditions | C3.0 | 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. |
| | C3.1 | 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, evacuation signs as required, smoke control, generators, HVAC smoke detection as required, elevator recall and building address numbers shall be installed and approved by the fire |
| Parks & Rec. Conditions | C4.0 | TREE PROTECTION FINAL INSPECTION REPORT- Project Arborist to complete a final inspection report with photos after tree protection fencing etc. is removed. |
| Building Conditions | C5.0 | ART IN PUBLIC PLACES – If applicable, based on the valuation of the construction for the project, the applicant shall be required to comply with Section 23.60 of the San Mateo Municipal Code for Art in Public Places or pay a fee in lieu of dedication of public art equal one-half of one percent of the total building valuation, excluding land acquisition and off-site improvement costs. The final fee will be paid into the Art in Public Places Fund and will be determined based on the approved project and construction drawings. The fee shall be paid prior to occupancy. |
| | C5.1 | CHILD CARE DEVELOPMENT FEE – If applicable, based on commercial projects over 10,000 sq. ft. of either: a) new commercial development, b) addition of square footage to existing commercial development, and/or c) commercial tenant improvements requiring a planning approval, the applicant shall be required to comply with City Council Resolution No. 88 – (2005). The final fee will be based on the square footage of the entire project. It shall be paid into the Child Care Development Fund and will be determined based on the approved project |

and construction drawings. The fee shall be paid prior to occupancy.

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

Planning Conditions D1.0 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.

D1.1 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.

Building Conditions D2.0 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

D3.0 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.

- D3.1 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 Clearview Way to West Hillsdale Boulevard to State Route 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.

- D3.2 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>
- D3.3 AIR QUALITY DURING CONSTRUCTION- The following BAAQMD measures are recommended to minimize the potential health risk resulting from project construction activities at nearby sensitive receptors:
- a) Enforce an idling time limit for diesel powered construction equipment and vehicles of two minutes.
 - b) Require all contractors to only use equipment that is Tier-4 compliant. The Tier 4 standards require that emissions of diesel exhaust particulate matter (DPM) be reduced by 90%. This mitigation measure would require use of late model engines or older engines using retrofit technology such as particulate filters.
 - c) Prohibit use of diesel generators for electric power because on-site distribution of electricity is available.
 - d) Require construction contractors to substitute electric powered devices for diesel powered devices, where feasible.
 - a) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two

times per day.

- b) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- c) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- d) All vehicle speeds on unpaved roads shall be limited to 15 mph.
- e) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- f) Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations. Clear signage shall be provided for construction workers at all access points.
- g) All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- h) Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

D3.4 CONSTRUCTION NOISE – The following measures are recommended to reduce temporary noise generated during construction:

- a) All diesel equipment shall be operated with closed engine doors and should be equipped with factory-recommended mufflers.
- b) Pile-driving activities shall be restricted to between 8:00 a.m. to 5:00 p.m., 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.
- c) Proposed walls or barriers shall be installed as early as possible to help reduce noise from construction activities.
- d) Stationary construction equipment shall be kept beyond 100 feet of existing residences.
- e) Noise attenuation techniques will be employed as needed and feasible to reduce noise levels below 100 dBA L_{eq} in

commercial/industrial areas and below 80 dBA L_{eq} at exterior locations in residential areas. Such techniques may include the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between construction sites and affected uses. Noise attenuation techniques will be verified through measurement of noise levels.

- f) Whenever feasible, electrical power should be used to run air compressors and similar power tools.
- g) Contractors shall use "quiet" models of any conventionally noisy construction equipment such as air compressors, jackhammers and other impact tools, as feasible.
- h) The project sponsor shall require contractors to prohibit trucks from using "compression release engine brakes" on W. Hillsdale Blvd.
- i) Contractors shall designate an employee as the construction noise coordinator and provide an on-site sign that will identify the person and provide a contact number. The coordinator would be responsible for receiving calls from residents or businesses regarding specific construction noise-related complaints. The coordinator would then be responsible for taking appropriate measures to reduce or eliminate noise levels as appropriate. Complaints and the response should be logged and kept on file for review by the City. The construction noise coordinator would act as a liaison between the residents in the vicinity of the construction and the contractor, so perceived noisy activities are addressed as soon as possible.

- | | |
|--------------------|---|
| Fire
Conditions | <p>D4.0 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.</p> <p>D4.1 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.</p> <p>D4.2 PREMISE NUMBER: The applicant shall insure that any and all buildings will be posted with an address number easily visible from the street or fire access road.</p> <p>D4.3 FIRE SAFETY DURING CONSTRUCTION – Buildings under construction shall comply with the requirements of the California Fire</p> |
|--------------------|---|

Code. All additional fire permits required by the California Fire Code shall be obtained from the Bureau of Fire Protection and Life Safety.

D4.4 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.

D4.5 BRUSH CLEARANCE – Maintain 100 foot brush clearance around the building in accordance with the Wildland-Urban interface code. Any green belt area(s) will meet city standards.

D4.6 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. Where a standpipe exists within a building it shall be maintained in operable condition for use by the fire department. Such standpipe shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.

b. 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.

D4.7 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.

D4.8 BUILDING EGRESS– Adjacent buildings/properties shall not have their required egress restricted or compromised at any time during the construction of this project. All new construction shall be protected by fire sprinkler systems complying with NFPA 13.

Police
Conditions

D5.0 REQUIREMENTS FOR PERMIT – In order for Police Department Approval, Applicant shall meet the following conditions as outlined in detail below:

1. Provide an exterior lighting plan showing adequate exterior security lighting as required by the San Mateo Security Ordinance.
2. Provide a lighting plan showing adequate parking garage lighting

as required by the San Mateo Security Ordinance.

3. Show a plan providing physical security measures showing access control to the parking structure during non-business hours, as required by the San Mateo Security Ordinance and detailed below.

D5.1 LIGHTING of EXTERIOR - Lighting in the adjacent public access area and footpaths should be consistent with current lighting standards for already completed adjacent buildings and existing footpaths and areas of public access. The following San Mateo Municipal Security Ordinance covers the requirements for External Security Lighting:

23.54.060 EXTERIOR SECURITY LIGHTING.

(a) Parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to all commercial and multifamily residential buildings shall be provided with lighting sufficient to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness and provide a safe, secure environment for all persons, property, and vehicles on site. Such lighting shall be equipped with vandal-resistant covers.

(1) All exterior doors shall be provided with their own light source and shall be adequately illuminated at all hours to make clearly visible the presence of any person on or about the premises and provide adequate illumination for persons exiting the building.

(2) Business premises, while closed after dark, must be sufficiently lighted by use of interior night lights equipped with motion detectors to make clearly visible the presence of any person within the premises.

(3) Exterior door, perimeter, parking area and canopy lights shall be controlled by photocell or timer and shall be left on during hours of darkness or diminished lighting.

(b) The lighting required in subsection (a) of this section shall be installed according to project specific illumination levels prescribed and a lighting plan reviewed and approved by the Police Department and the Building Official. Review and approval shall be based upon criteria including but not limited to:

- (1) The nature and use of the area within the development;
- (2) The type of area in which the development is located;
- (3) The hours of use of the area to be lighted;
- (4) The frequency of use of the area to be lighted;
- (5) Existing lighting in the area; and
- (6) Past Criminal or crime related incidents in the area.

D5.2 LIGHTING of PARKING GARAGES - Lighting in the planned parking

garage should be in conformance with the Security Ordinance as it applies to parking garages. In particular, it should be noted that this area of San Mateo has a propensity for being accessed at off hours for skateboarders and reckless drivers to access the open paved areas to perform skate tricks or do “donuts.” Attention should be paid to controlling access points to the parking garage for this reason.

D5.3 **PARKING GARAGE ACCESS HOURS** - If access to this parking garage is not planned to be restricted during working hours, measures should be taken to control access during non-working hours (gate or other security measures to prevent access for skateboarders or drivers).

D5.4 **PARKING GARAGE SECURITY** - If the access to this garage is planned to be restricted, the following measures applicable to secured parking garages should be considered:

23.54.030 **PARKING GARAGE SECURITY.** Parking garages serving residential uses shall be provided with electrically operated closures to allow passage of motor vehicles, except that required visitor parking shall have unrestricted access. 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. Openings into the garage which are not for vehicular or human passage shall be provided with security grilles or screens. Digital keypads shall be provided to allow for entry by services and emergency services vehicles. Exterior doors or gates providing access to the secure areas of the parking garage shall remain locked at all times, and shall only be accessible through the use of keys furnished to the building residents.

D5.5 **PUBLIC SAFETY COMMUNICATIONS ACCESS for TALL BUILDINGS** - Although the proposed building is not at least five stories as specified in Security Code SMMC “23.54.020 CITY COMMUNICATION SYSTEMS – HIGH RISE BUILDINGS”, the general location of this building in a relatively high-altitude area could provide significant ease to emergency communications concerns by providing for the following allowances for the placement of emergency communications equipment:

- Clean, dry and well-ventilated (this does not need to be a “fire control room”)
- Enough enclosed space for the equivalent of “one server rack” in a “server room”
- One 4” conduit to the roof (wide radius bends)

- Authorization to mount antennas on the roof
- One 20 Amp 120 VAC dedicated electrical circuit on the building's emergency generator
- Otherwise SMPD will install a UPS (Uninterrupted Power Supply) unit.
- 12 copper cable pairs to the building's main telephone terminal
- Ground buss bar bonded to the building grounding system
- 24x7 Access for maintenance purposes.

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

- Public Works Conditions E1.0 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 with an annual increase, if necessary to recover the City’s costs of inspection, in the amount of any CPI increase.
 - 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.

- | | |
|--------------------|---|
| Fire
Conditions | E2.0 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. |
| | E2.1 FIRE LANE DESIGNATION – Fire lanes are required to be installed in interior access roadways in locations where vehicle parking would encroach on the not less than twenty (20’) foot clear width required for Fire Department Vehicle access. The use of approved signs or curb delineation shall be reviewed and approved by the Bureau of Fire Protection and Life Safety. Traffic calming devices are prohibited. |
| | E2.2 BRUSH CLEARANCE – Maintain 100 foot brush clearance around the building in accordance with the Wildland-Urban interface code. Any green belt area(s) will meet city standards. |
| City
Attorney | E3.0 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. |
| | E3.1 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. |