EXHIBIT B

CONDITIONS OF APPROVAL & MITIGATION MONITORING PROGRAM

PA 07-030 Station Park Green Project (Project)
Specific Plan, Design Guidelines & Development Agreement
1700 and 1790 S. Delaware St.
APN 035-200-180, -060

The responsibility for each Condition of Approval is assigned to either the project applicant for the Specific Plan, Design Guidelines and Development Agreement-ARJAX Railroad Associates II, LLC or Transferee as described in the Development Agreement by and between the City of San Mateo and ARJAX Railroad Associates II, LLC Relative to the Development Known as Station Park Green (Applicant) or is assigned to a subsequent future SPAR applicant (applicant) if this applicant is different from ARJAX Railroad Associates II, LLC or Transferee.

1. CONFORMANCE WITH APPROVED SPECIFIC PLAN AND DESIGN GUIDELINES – All individual development phases of the Project, including planning applications and plans, subdivisions, grading, buildings, and site improvements shall substantially conform to the Station Park Green Specific Plan (Specific Plan) and Station Park Green Design Guidelines (Design Guidelines), both approved by the San Mateo City Council (City Council) on ______, 2011, as determined by the Chief of Planning. (PLANNING)

2. 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. (PLANNING)

3. NOTICE OF PROJECT RESTRICTIONS – The Applicant 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 grading or building 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 07-030-Station Park Green Specific Plan, Design Guidelines and Development Agreement.”

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. (PLANNING)

4. GENERAL – These conditions of approval apply to the Specific Plan and Design Guidelines. Improvements shall be designed and constructed as specified in the Specific Plan, the Design Guidelines, the Station Park Green Development Agreement approved by the City Council on __________, 2011 (Development Agreement), and these conditions of approval. If implementation of the Specific Plan takes place in phases, each phase shall be reviewed and implemented as part of an individual development Site Plan and Architectural Review (SPAR) approval. At this time Site Development Permits for grading and removal of vegetation would be required. If the site is to be subdivided, tentative and final parcel maps and/or tentative and final subdivision maps must be approved along with the SPAR and Site Development Permits. (PUBLIC WORKS)

5. SUBSEQUENT APPROVALS – Subject to the Development Agreement, the City shall retain all discretionary authority to review, approve, deny, and/or approve with conditions subsequent planning applications, including modifications to the Specific Plan and/or the Design Guidelines. Compliance with uniform building codes in effect at the time permits are reviewed shall be required and the issuance of any permit shall not be assurance that successive permits will be issued. (PLANNING, PUBLIC WORKS, BUILDING)

6. MITIGATION MONITORING – The Applicant shall be responsible for compliance with the mitigation measures adopted as part of the Initial Study and Mitigated Negative Declaration for the Project approved by the City Council on __________, 2011, as specified in the corresponding Mitigation Monitoring and Reporting Program (MMRP). The MMRP identifies the time frame and responsible party for implementation and monitoring of each mitigation measure adopted by the San Mateo City Council; and is hereby incorporated in to the conditions of approval in accordance with the California Environmental Quality Act (CEQA), California Public Resources Code Section 21081.6. In the event that a specific condition of approval as adopted by the City Council with respect to any project-related impact is worded differently than the mitigation measure specified in the MND or the Mitigation Monitoring and Reporting Program, then the condition of approval shall take precedence, consistent with CEQA Guidelines Section 15074.1. (PLANNING)

7. FUTURE SITE PLAN AND ARCHITECTURAL REVIEW (SPAR) APPROVALS – Future SPAR approvals shall be subject to the mitigation measures listed in the MMRP. (PLANNING)

8. NOTICE OF SUCCESSORS IN INTEREST – The Applicant shall be responsible for assuring that any successor in interest in the property is informed of the terms and conditions of the Specific Plan, the Design Guidelines, the Development Agreement and these conditions of approval, and that they are required to abide by such terms and conditions. (PLANNING)

9. PENALTY – In accordance with San Mateo Municipal Code (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 Municipal Code Chapter 1.04 (General Penalty), as well as any other available legal remedies. (CITY ATTORNEY)
10. INDEMNIFICATION – Applicant will defend, indemnify, release and hold harmless City, and its elected and appointed officials and employees from any litigation, claim, action or court proceeding brought against any of the foregoing individuals or entities (the Indemnified Parties), the purpose of which is to attack, set aside, void or annul this planning application (except that the indemnification provision of the Development Agreement governs with regard to challenges to the City’s approval of the Development Agreement) (Covered Actions). This indemnification shall include, without limitation, all costs, expenses, attorneys fees and expert witness fees arising out of or in connection with the Covered Actions, as well as all damages, costs or attorney fees that the Indemnified Parties are ordered to pay as a result of Covered Actions. If Developer is required to defend Indemnified Parties in connection with any Covered Claims, the City shall retain the right to approve any and all settlements proposed by Developer, which approval shall not be unreasonably withheld from the Developer. Developer shall also have the right to approve any and all settlements of any such matters proposed by the City and relating to this Agreement or the Project Approvals, which approval shall not be unreasonably withheld from the City. City agrees to cooperate with Developer in the defense of the claim, action, or proceeding. Nothing in these conditions of approval shall be construed to mean that Applicant shall defend, indemnify, release or hold harmless the Indemnified Parties from any claims of personal injury, death or property damage arising from, or alleged to arise from, the maintenance or repair by the Indemnified Parties of land, easements or improvements that have been offered for dedication and accepted by City, or for the Indemnified Parties’ negligence or willful misconduct. (CITY ATTORNEY)

11. BELOW MARKET RATE (BMR) UNITS - Pursuant to Municipal Code Section 27.16.050 and City Council Resolution 121 (2008), the Project shall provide BMR units in conformance with a BMR Agreement(s) between the building permit applicant and the City. (PLANNING)

12. ART IN PUBLIC PLACES – If applicable, based on the valuation of the construction for the overall Project, the Applicant is responsible for compliance with Municipal Code Chapter 23.60 (Art in Public Places), which compliance may include paying 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. If a fee is paid in lieu of dedication, such fee shall be determined pursuant to the Development Agreement based on the approved construction drawings and shall be paid into the Art in Public Places Fund. (BUILDING)

13. VECTOR CONTROL PLAN – Prior to the issuance of grading or building permits, the grading or building permit applicant shall provide a plan for the control and removal of rodents and other pests to prevent infestation of adjacent land uses and surrounding neighborhoods. This plan shall include pest control measures required during all phases of construction authorized by such permit, and also for a period of six months after the completion of construction. The grading or building permit applicant shall be required to conform to the plan, which is subject to review and approval by the City’s Zoning Administrator and the County of San Mateo Office of Environmental Health. (PLANNING)

14. PERMIT FOR REMOVAL OF MAJOR VEGETATION - The grading or building permit applicant shall obtain a Site Development Permit from the Planning Division of the City of San Mateo Community Development Department (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 determined based upon the number of trees to be removed, in accordance with City regulations and the Development Agreement. (PLANNING)

15. **REQUIRED SIGN PERMIT** - All on-site signage shall require a separate permit that is issued through the Building Division of the City of San Mateo Community Development Department (Building Division). All signs shall conform to the standards delineated in Municipal Code Title XXV (Signs). The sign permit applicant shall be responsible for obtaining any separate permits required from the Building Division for such signage. (PLANNING)

16. **TREE REPLACEMENT/IN LIEU FEES** - Each SPAR applicant shall be responsible for planting trees equivalent to the full Landscape Unit (LU) Value of any trees that will be replaced at the Project site pursuant to each SPAR, or comply through payment of an in lieu fee (in an amount to be calculated per the Development Agreement) into the City’s established Tree Impact Fee fund to plant additional trees within the City. *Mitigation - These measures (or their equivalent) shall be incorporated on the plans prior to the issuance of a building permit for the relevant SPAR, and shall be monitored by the Planning Division during demolition and construction activities for the relevant SPAR through routine inspections. (PLANNING)*

17. **ALLERGENIC, TOXIC, AND INVASIVE PLANTS SPECIES** - No plants which are cited on a City-wide list of allergenic, toxic, and invasive plants species shall be installed on site. In the absence of a City-wide list, all plant material lists will be reviewed with the City Landscape Architect to identify and preclude commonly recognized allergenic, toxic, and invasive plant species. (PLANNING/PARKS AND RECREATION)

18. **TIMING OF INTERIOR STREET IMPROVEMENTS** – Interior street improvements shall be designed and constructed as specified in the Specific Plan, the Design Guidelines, the Development Agreement and these conditions of approval. The phasing of certain improvements shall be as specified in these conditions, and reviewed and implemented as part of any individual development SPAR for each Block. The Public Works Director, or his designee, shall have the ability to review and require modification of the phasing of these improvements if it is determined by the Public Works Director or his designee that an alternate phasing plan is preferred.

The Applicant recognizes that a significant portion of the site cannot be occupied until various on-site streets are complete. Construction of streets that are publicly accessible, once required, shall consist of the final street improvements as shown in the Specific Plan. Street construction consists of base, pavement, curb, gutter, pedestrian improvements, and street lighting. On-site street improvements are to be determined by the Public Works Director, or his designee, at the time of the approval of the SPARs for each developed Block. Each Block shall have two or more routes to public rights-of-way for emergency vehicular ingress and egress, and a construction route must be provided during construction. Streets shall be constructed during the corresponding construction of Blocks as follows:

**BLOCK MU-1:** Completion of A Street from Concar Drive to C Street. B Street from South Delaware Street to C Street, and/or the section of C Street along the Block MU-1 frontage will be partially constructed to drivable fire access standards.
**BLOCK MU-2:** Completion of the driveway from Concar Drive to the Block MU-2 parking garage entrance. The remainder of the pedestrian-oriented street from the Block MU-2 garage entrance to C Street, A Street from Concar Drive to C Street, and/or the portion of C Street along the Block MU-2 frontage will be partially constructed to drivable fire access standards.

**BLOCK MU-3:** Completion of the driveway entrance from Concar Drive to the Block MU-3 parking garage entrance. The pedestrian-oriented streets between Blocks MU-2 and MU-3 and between MU-3 and MU-4, the emergency vehicle access along the MU-3 frontage adjacent to the Joint Powers Board property, and/or the portion of C Street along the Block MU-3 frontage will be partially constructed to drivable fire access standards.

**BLOCK MU-4:** Completion of either A Street from Concar Drive to C Street, or B Street from South Delaware Street to C Street, as well as C Street on all sides of Block OS-9, and the pedestrian-oriented street between Blocks MU-4 and RE-5. The pedestrian-oriented street between Blocks MU-3 and MU-4, and/or the emergency vehicle access along the Block MU-4 frontage adjacent to the Joint Powers Board property will be partially constructed to drivable fire access standards.

**BLOCK RE-5:** Completion of E Street from Garvey Way to D Street, D Street from E Street to the pedestrian-oriented street between Blocks RE-5 and RE-6, and the pedestrian-oriented street between Blocks RE-5 and RE-6. Emergency vehicle access along the Block RE-5 frontage adjacent to the Joint Powers Board property and/or the pedestrian-oriented street from the emergency vehicle access road to C Street will be partially constructed to drivable fire access standards.

Also, either A or B (to provide a second point of access):

A. B Street from South Delaware Street to C Street and C Street from B Street to the pedestrian-oriented street between Blocks RE-5 and RE-6 will be partially constructed to drivable fire access standards.

B. A Street from Concar Drive to C Street and C Street on all sides of Block OS-9 will be partially constructed to drivable fire access standards.

**BLOCK RE-6:**

Either A or B:

A. Completion of A Street from Concar Drive to C Street, B Street from South Delaware Street to C Street, C Street on all sides of Block OS-9 and the pedestrian-oriented street between Blocks RE-5 and RE-6. Segments of A Street and D Street that are adjacent to the Block RE-6 frontage will be partially constructed to drivable fire access standards.

B. Completion of E Street from Garvey Way to D Street, D Street from E Street to the pedestrian-oriented street between Blocks RE-5 and RE-6, and the pedestrian-oriented street between Blocks RE-5 and RE-6. Segments of A Street and D Street that are
adjacent to the Block RE-6 frontage will be partially constructed to drivable fire access standards.

Also, either 1 or 2 (to provide a second point of access):

1. B Street from South Delaware Street to C Street and C Street from B Street to the pedestrian-oriented street between Blocks RE-5 and RE-6 will be partially constructed to drivable fire access standards.

2. A Street from Concar Drive to C Street and C Street on all sides of Block OS-9 will be partially constructed to drivable fire access standards.

**BLOCK RE-7:** Completion of B Street from South Delaware Street to C Street and either A or B:

A. A Street from Concar Drive to C Street, C Street on all sides of Block OS-9, and the segment of A Street adjacent to the Block RE-7 frontage will be partially constructed to drivable fire access standards.

B. Completion of E Street from D Street to Garvey Way, D Street from E Street to A Street, A Street from C Street to D Street, and C Street from B Street to A Street will be partially constructed to drivable fire access standards.

**BLOCK RE-8:** Completion of E Street from D Street to Garvey Way, as well as D Street from E Street to A Street. B Street from South Delaware Street to C Street, C Street from B Street to A Street, and A Street from C Street to D Street will be partially constructed to drivable fire access standards.

Final on-site street improvements and construction haul routes shall be determined by the Planning Commission and Director of the Public Works Department, or his designee, at the time of the approval of the SPARs for each developed Block and shall be reflected in the relevant conditions of approval. (PUBLIC WORKS)

19. **TIMING OF PUBLIC BENEFITS** – The Applicant is requesting a Development Agreement to extend the entitlements for a ten- (10-) year term. As part of the Development Agreement, the Project shall include certain public benefits. The timing of the public benefits shall be per the Development Agreement. (PUBLIC WORKS, PLANNING)

20. **AESTHETICS DURING CONSTRUCTION** – During construction at the Project site, the Applicant shall be responsible for taking appropriate steps to control dust and maintain the undeveloped portions of the site in a safe and attractive manner. Such measures may include, but are not limited to, screening from public view (at street level) the portions of the property that are neither developed nor undergoing construction in the form of fencing set back from the sidewalk. The screening incorporated during construction should be appropriate for the location on the site and as well as attractive and aesthetically pleasing. Specific measures to maintain aesthetics during construction shall be determined, subject to the review and approval of the Planning Commission and Public Works Department, at the time of approval of each individual SPAR. (PUBLIC WORKS, PLANNING)
21. **FUTURE MULTIPLE MAPS** – If the property is to be divided between multiple owners, then the Applicant shall submit for approval by the City one or more tentative parcel maps and/or tentative maps (*Project Tentative Map*) subdividing the Specific Plan area into Blocks (consistent with the Specific Plan and the Design Guidelines). Each Block may be subdivided further into individual parcels through one or more future tentative parcel maps or tentative maps (*Future Tentative Maps*). Pursuant to the Development Agreement, the Applicant has requested and the City has approved the submittal of multiple final maps for the Project Tentative Map and Future Tentative Maps. Each final map for the Project Tentative Map and Future Tentative Maps shall be prepared by a person authorized to practice land surveying in California, delineating all Blocks created. Each final map shall be able to stand alone and shall provide all necessary public improvements to support the Specific Plan uses proposed on the Blocks or parcels defined by the map. Final maps shall be accompanied by applicable subdivision agreements, improvement plans, estimates and securities (as required), and shall be approved in accordance with the City's subdivision procedures prior to release by the City to the title company for recordation. A subdivision map guarantee shall be submitted to the City prior to the release of the map to the title company for recordation. It is the property owner's responsibility to check with its title company and the County to determine the time necessary to have the map recorded after City approval. *(PUBLIC WORKS)*

22. **UNIFIED CONSTRUCTION MANAGEMENT** – As a condition of approval of the Specific Plan, the Design Guidelines, and of any subsequent SPAR applications, the Applicant shall provide for unified construction management of the Specific Plan area development. Management shall include responsibility for the operation and maintenance of common areas including common parking, common driveways, landscaping, lighting, signage, security, and similar matters of concern. The Applicant shall provide for a construction manager to act as point of contact for the Applicant in resolving construction issues with the City during on-site excavation, grading, drainage, street construction, erosion control measure construction and overall site coordination issues with respect to construction of the development as shown in the Specific Plan area, or for each of the phases or Blocks of land in the Specific Plan area (*Construction Manager*). The Construction Manager shall be responsible for meeting with the City's Public Works Construction Inspector, collecting materials tags for submittal to the City as applicable, supervising all required testing performed during construction activities, providing all testing results to the City, and be the point of contact for any dialogue between the City and the owner. A letter shall be submitted to the City by the Applicant designating the person to serve as the Construction Manager prior to the issuance of the first grading or building permit under this, or subsequent, planning applications. The Construction Manager or his or her designee shall be on-site at all times that construction or demolition activities are underway. Should the Construction Manager change during any phase of construction, the Applicant shall submit a new letter to the City giving notification of change and designating a new person to act as the Construction Manager. This condition is not intended to limit the Applicant to the use of only one contractor for purposes of development of the Project, but simply to ensure that all contractors are fully coordinated.

The Construction Manager shall designate an employee or agent as the construction impacts coordinator, to be responsible for receiving calls from residents or businesses regarding specific construction related complaints, including but not limited to noise, dust, vibration, and ground shaking (*Construction Impacts Coordinator*). The Construction Impacts Coordinator shall be
responsible for taking appropriate measures to reduce or eliminate the construction impacts. A log of complaints and responses shall be kept on file for review by the City. The Construction Impacts Coordinator shall act as a liaison between the residents in the vicinity of the construction and the contractor(s), so perceived issues are addressed as soon as possible. The Construction Impacts Coordinator shall be available during all phases of construction and for six (6) months after completion of construction. A letter shall be submitted to the City by the Applicant designating the person who will serve as the Construction Impacts Coordinator prior to the issuance of the first grading or building permit. Should the Construction Impacts Coordinator change during any phase of construction, the Applicant shall submit a new letter to the City giving notification of the change and designating a new person to act as the Construction Impacts Coordinator.

The Construction Impacts Coordinator shall also be responsible for developing a communications plan to discuss the progress of the Project. This could include the following: preparing and distributing quarterly newsletters to the adjacent neighborhoods discussing the progress of construction and posting a copy on the City’s website, maintaining an email list for newsletter distribution, and posting on-site signage. The communications plan shall be submitted, reviewed and approved by the City. The newsletter shall include the name and phone number for the Construction Impacts Coordinator and be submitted, reviewed and approved by the City prior to the distribution to the neighborhood.

(PUBLIC WORKS, BUILDING, PLANNING)

23. CULTURAL RESOURCES - Although the likelihood of encountering subsurface cultural resources on the Project site is low, the Project includes the following measures to ensure an appropriate response if any resources are determined to exist on the Project site.

The City of San Mateo shall require implementation of a monitoring and response procedure during any proposed construction within the Project site in order to avoid adverse effects on potentially significant archaeological resources. Specific steps in the procedure are described below:

- Prior to construction, the construction contractor and subcontractors shall be informed of the legal and regulatory consequences of knowingly destroying cultural resources or removing artifacts, human remains, bottles, and other significant cultural materials from the site. Significant cultural materials include but are not limited to: aboriginal human remains; chipped stone; groundstone; shell and bone artifacts; concentrations of fire-cracked rock; ash and charcoal; shell; bone; and historic features such as privies or building foundations.

- If, during any phase of Project construction, archaeological resources or human remains are discovered, work shall be halted within a 50-foot radius of the find. Work shall not be resumed until the find has been evaluated and potential significance determined by a qualified professional archaeologist.

- If the qualified archaeologist determines that any finds are significant, then representatives of the construction contractor, the City of San Mateo, and the qualified archaeologist shall determine the appropriate course of action. In the event that human remains are discovered, the provisions outlined in CEQA Guidelines Section 15064.5 shall be implemented. This
would require consultation with the Native American Heritage Commission, if the remains are Native American.

- All artifacts or samples collected as part of the initial discovery, monitoring, or mitigation shall be properly preserved, catalogued, analyzed, evaluated, and curated along with the associated documentation in a professional manner consistent with current archaeological standards. (PLANNING)

24. PALEONTOLOGICAL RESOURCES - Should any potentially unique paleontological resources (fossils) be encountered during construction activities, work shall be halted immediately within 50 feet of the discovery. The Planning Division shall be immediately notified, and the applicant shall be responsible for retaining the services of a qualified paleontologist to determine the significance of the discovery. The paleontologist shall evaluate the uniqueness of the find, and prepare a written report documenting the find and recommending further courses of action. Based on the significance of the discovery, the actions may include avoidance, preservation in place, excavation, documentation, recovery, or other appropriate measures as determined by the paleontologist. (PLANNING)

25. FLOOD HAZARD AREA - The property is located within an area designated as Special Flood Hazard Area as identified by the Federal Emergency Management Agency (FEMA). In all areas of special flood hazards the following standards are required:

1. Anchoring:
   a. All new construction shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

2. Construction materials and methods - All new construction and substantial improvement below the base flood elevation for the site shall be constructed:
   a. with flood resistant materials as specified in FEMA Technical Bulletin TB 2-2008, or as amended, and utility equipment resistant to flood damage;
   b. using methods and practices that minimize flood damage;
   c. with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

3. Elevation and floodproofing - Nonresidential construction shall either be elevated to conform with Municipal Code Section 23.33.050(a)(3)(i) or together with attendant utility and sanitary facilities:
   a. be floodproofed below the elevation recommended under Municipal Code Section 23.33.050(a)(3)(i) so that the structure is watertight with walls substantially impermeable to the passage of water, additionally conforming to the standards specified in FEMA Technical Bulletin TB 3-93 and FEMA Technical Bulletin TB 6-93, or as amended;
b. have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

c. prior to the approval of the building permit application, provide a completed floodproofing certificate; and

d. be certified by a registered professional engineer or architect that the standards of this section are satisfied. Such certification shall be provided to the Floodplain Administrator upon completion of the Project.

*Mitigation - These measures (or their equivalent as determined by the Building Official) shall be incorporated on the building plans prior to the issuance of each building permit as applicable, and shall be monitored by the Building Division during demolition and construction activities for such buildings through routine inspections. (BUILDING)

26. GREEN BUILDING - This Project is considered a covered project as defined in Section 23.70 of the Municipal Code. Building permit applicants must provide the Green Building Project and/or LEED Checklist onto a separate plan sheet that is prepared by a Qualified Green Building or LEED Accredited Professional for review. (BUILDING)

27. GREENHOUSE GAS EMISSION REDUCTION MEASURES - The Project design includes measures consistent with Gold-level certification under the USGBC’s Leadership in Energy and Environmental Design for Neighborhood Development Rating System, Pilot, updated June 2007 (LEED-ND) that will lead to reduced greenhouse gas emissions. Formal LEED-ND certification of the Project is not required, however, the following LEED-ND measures relevant to greenhouse gas reduction shall be incorporated into the Project, regardless of whether the Project seeks or achieves LEED-ND certification:

Smart Location & Linkage

- Smart Location (Prerequisite 1)
- Proximity to Water and Wastewater Infrastructure (Prerequisite 2)
- Brownfield Redevelopment (Credit 1) and/or Preferred Location (Credit 3)
- Reduced Automobile Dependence (Credit 4)
- Bicycle Network (Credit 5)
- Housing and Jobs Proximity (Credit 6)

Neighborhood Pattern & Design

- Compact Development (Prerequisite 2)
- Diversity of Uses (Credit 2)
- Walkable Streets (Credit 7)
- Street Network (Credit 8)
- Transit Facilities (Credit 9)
- Access to Surrounding Vicinity (Credit 11)
- Access to Public Spaces (Credit 12)
Green Construction & Technology

- LEED Certified Green Buildings (Credit 1)
- Reduced Water Use (Credit 3)
- Heat Island Reduction (Credit 10)
- Infrastructure Energy Efficiency (Credit 15)
- Recycled Content in Infrastructure (Credit 17)
- Construction Waste Management (Credit 18)

The Project, which shall include these measures (or their equivalent as determined by the Planning Division or Building Division) are expected to reduce natural gas and electrical consumption 17.5% below compliance with Title 24 (2005), however, in any case shall achieve a 25% reduction in greenhouse gas emissions that would otherwise be produced in the absence of such measures by a conventional non-transit oriented development project.

*Mitigation - These measures (or their equivalent as determined by the Planning Division or Building Division) shall be incorporated on the plans prior to the issuance of the relevant permits, and shall be monitored by the Building Division or Planning Division during demolition and construction activities for the Project through routine inspections. (PLANNING, BUILDING)

28. FOOD SERVICE FACILITIES AND PUBLIC POOLS AND SPAS - Any buildings including food service or public pools or spas shall be reviewed and approved by the County of San Mateo Health Department prior to submittal for a building permit. (BUILDING)

29. SITE SURVEY – At the time of SPAR, provide site survey of entire relevant parcel(s) stamped and signed by a Land Surveyor licensed by the State of California. The survey shall include, but not be limited to, the following: location and dimensions of property line, location of streets and easements, existing buildings, topographic contour lines, trees/landscape, miscellaneous structures, etc. The purpose of the site survey is to accurately verify compliance with items such as setback dimensions, heights of buildings from established contours, compliance with heritage tree ordinance, etc. (BUILDING)

30. SOILS REPORT – Accompanying building permit applications, a soil investigation report for the relevant parcel(s) reasonably 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, the building permit applicant shall submit a letter from the geotechnical engineer or civil engineer who prepared the soil investigation report stating the following (signed and stamped):

a) The plans and specifications substantially conform to the recommendations in the soil investigation report; and
b) The geotechnical engineer or civil engineer who prepared the soil investigation report 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 report shall issue a final report stating that the completed pad, foundation, finish grading and associated site work substantially conform to the approved plans, specifications and investigations. (BUILDING)

31. GEOLOGY AND GEOTEchnICAL REPORT - The measures (or their equivalent) identified in the Preliminary Geotechnical Investigation by Ove Arup & Partners California Ltd. dated 2007, and incorporated by reference in the MND, regarding earthwork, foundation support and pavements shall be incorporated as part of the Project. This shall be verified as part of a final geotechnical report(s) that shall be submitted to the Building Division prior to issuance of a building permit, and shall include the following measures (or their equivalent as determined by future investigations):

- Removal of Bay Mud from the site and replacement with structural fill and/or concrete as appropriate for proposed building foundations.

- Since a deep foundation will be required to construct the below grade parking, it is anticipated that a mat foundation will be used to support the proposed buildings. This type of foundation will provide adequate support for the load of the proposed buildings and will be effective in resisting hydrostatic uplift due to groundwater. In addition, a mat foundation will reduce the effects of potential earthquake induced settlement.

- The measures identified in the Preliminary Geotechnical Investigation regarding earthwork, foundation support and pavements, or their equivalent, shall be incorporated as part of the Project, including the use of: Type V sulfate-resistant cement be used for concrete in contact with the site soils to resist soil corrosion; extra cover thickness for foundation concrete to account for the high chlorine content in soil and groundwater; and the use of a waterproofing membrane in the foundations.

Subsequent geotechnical studies shall be prepared as part of the SPAR approvals to construct each phase of the Project. These reports shall include the measures identified in the Preliminary Geotechnical Investigation identified above or their equivalent, and shall provide specific design criteria for each building to be developed. This shall be verified as part of a final geotechnical report and shall be submitted to the Building Division prior to issuance of a building permit for each phase of the Project.

A geotechnical engineer shall be retained to observe site grading and foundation installation during the phases of construction for the Project and to observe compliance with the design concepts, specifications and recommendations in the Preliminary Geotechnical Investigation.

*Mitigation - These measures (or their equivalent as determined by the Building Official) shall be incorporated on the building plans prior to the issuance of each building permit as applicable, and shall be monitored by the Building Division during demolition and construction activities through routine inspections. (BUILDING)
32. **HAZARDOUS MATERIALS** - The measures identified in the environmental site analyses incorporated by reference in the MND (or their equivalent) shall be implemented as part of the Project. This shall be verified as part of a final hazardous materials report and shall be submitted to the Building Division prior to the issuance of grading or building permits. The Project shall also include the following mitigation measures:

- The SPAR applicant shall be responsible for notifying the County of San Mateo Health Services Agency regarding the Project, prior to the start of grading on the Project site. Based upon consultation with that agency, the SPAR applicant shall follow any protocol regarding the removal of hazardous materials outlined by that agency, the San Francisco Bay Regional Water Quality Control Board and/or the California Department of Toxic Substances Control. A letter summarizing the required protocol shall be submitted to the Building Division prior to the issuance of a grading permit. These measures shall be implemented prior to the issuance of permits to construct building superstructure.

- Properly designed and readily-available engineered controls (passive vapor barriers), as well as the currently planned underlying parking garage, shall be incorporated into the Project to provide sufficient measures to address potential vapor intrusion concerns at the property, associated with any identified contamination.

- Excavated site soils shall be tested prior to disposal to confirm that the concentration of constituents present in site soils do not exceed hazardous waste criteria under applicable local, state and federal regulations. If the concentration of constituents in the site soils do exceed such hazardous waste criteria, they shall be disposed of as hazardous waste in accordance with applicable local, state and federal regulations.

- As required by state law, an asbestos and lead paint abatement scope of work shall be developed and submitted for approval by the City prior to issuance of demolition permits for the structures on the Project site. All measures outlined in this scope of work shall be implemented as part of the Project. This scope of work shall outline the performance parameters for hazardous remediation standards and regulatory compliance criteria. In addition, any asbestos abatement remediation contractors performing work on the site shall be licensed by the State.

- A scope of work to test equipment in the existing structures for mercury or encapsulated PCBs shall be developed and submitted for approval by the City prior to issuance of a demolition permit for the structures on the Project site. Measures outlined in this scope of work shall be implemented as part of the Project. This scope of work shall outline the performance parameters for hazardous remediation standards and regulatory compliance criteria in accordance with applicable U.S. EPA regulations.

*Mitigation - These measures (or their equivalent as determined by the Building Official) shall be incorporated on the plans prior to the issuance of each SPAR approval as applicable, and shall be monitored by the Building Division during demolition and construction activities through routine inspections. (PLANNING, PUBLIC WORKS, BUILDING)*

33. **DEMOLITION** - Demolition permits shall be issued in accordance with the California Building Code. Prior to permit issuance, a completed Worksheet/Application and a Demolition Plan must
be submitted and approved by the Building Official. This form is available at the Building Division counter. (BUILDING)

34. **PRE-OCCUPANCY INSPECTION** – A minimum of ten (10) days prior to anticipated occupancy of each building, the building permit applicant shall have scheduled final inspections for such building by all Departments administering applicable conditions of approval. (BUILDING)

35. **ACTIVITIES DURING BUILDING CONSTRUCTION** - The following provisions to control traffic congestion, noise, and dust shall be followed during site excavation, grading and construction undertaken in connection with building construction:

A) Applicable BAAQMD Basic and Enhanced Control Measures shall be implemented.

B) Construction activities shall be restricted to the weekday hours between 7:00 a.m. and 7:00 p.m., and may be conducted on Saturday from 9:00 a.m. to 5:00 p.m. and on Sunday from 12:00 p.m. to 4:00 p.m. The hours of construction do not apply to construction work that takes place inside a completely enclosed building that does not exceed the exterior ambient noise level as measured ten (10) feet from the exterior property line. Materials delivery to and from the Project site, including truck arrivals and departures to and from the site, will be prohibited between the weekday hours of 7:30 a.m. to 8:30 a.m. and 4:00 to 5:30 p.m. No work being done under the issuance of a Public Works encroachment permit may be performed on the weekend, unless prior approvals have been obtained from Public Works. Signs outlining these restrictions shall be posted at conspicuous locations on site.

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

1) Permitting extended hours of construction will decrease the total time needed to complete the Project phase 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:

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

b) The contractor or owner of the relevant 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 (3) days prior to the start of the construction activity.

c) 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.
3) 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 would require acceptance by the City of
San Mateo.

The Building Official may revoke the exemption at any time if the contractor or owner of the
relevant 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.

D) All construction vehicles shall be properly maintained and equipped with exhaust mufflers
that meet applicable State standards.

E) 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 Building Officer
cause excessive neighborhood dust problems. Wash down of dirt and debris into storm drain
systems shall not be allowed.

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

*Mitigation - These measures (or their equivalent as determined by the Building Official) shall
be incorporated on the grading or building plans prior to the issuance of each grading or
building permit as applicable, and shall be monitored by the Building Division during
construction through routine inspections. (BUILDING)

36. SCHOOL DISTRICT FEES – All required fees due to the San Mateo-Foster City School District
(School District) shall be paid to the School District and verification of such payment shall be
submitted to the Building Division prior to issuance of building permit. (BUILDING)

37. COMPLIANCE WITH CORRIDOR AREA STREETSCAPE MASTER PLAN – The
landscape/streetscape plans for the Project shall comply with the Specific Plan and the Design
Guidelines. The landscape/streetscape plans for Concar Drive and South Delaware Street shall
comply with the provisions of the forthcoming Corridor Area Streetscape Master Plan regarding
street lighting type, street furniture, bicycle facilities or other such enhancement to the extent
they are not inconsistent with the Specific Plan and the Design Guidelines. Such
landscape/streetscape plans shall show the following two improvements to the satisfaction and
approval of the City Engineer:

A. The sidewalk along South Delaware Street adjacent to the northerly boundary of the Project
site.

B. The sidewalk along Concar Drive adjacent to the easterly boundary of the Project site.
All external bicycle facilities shall include city-standard (or otherwise approved by the Public Works Department) inverted U or similar bike racks as close as possible to each building entry, clear of the pedestrian travel path. (PUBLIC WORKS)

38. CONCAR MID-BLOCK CROSSWALK – The Applicant shall contribute funds toward the cost to construct the mid-block, lighted crosswalk across Concar Drive to be constructed as part of the 92 & Delaware Office Project (PA 09-009), not including the pedestrian bulb improvements along the 92 & Delaware Office Project frontage. The Applicant’s fair share contribution shall be 50% of the such construction cost (which in no case shall exceed $50,000) as approved by the City Engineer, and shall be paid prior to issuance of the first City permit (PUBLIC WORKS)

39. STORMWATER POLLUTION PREVENTION PERMIT - Grading or building permit applicants shall obtain a Stormwater Pollution Prevention (STOPPP) construction permit, paying the required fees and posting the required cash deposit, for all work associated with the stormwater pollution prevention program pursuant to Municipal Code Chapter 7.39 (Stormwater Management and Discharge Control). Subject to the Development Agreement, the fee amount shall be based upon the City Council resolution in effect at the time the building permit application is made. The STOPPP construction permit shall be issued prior to issuance of the first building permit. The STOPPP construction permit 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. *Mitigation - These measures shall be incorporated on the grading or building plans prior to the issuance of each grading or building permit as applicable, and shall be monitored by the Public Works Department during construction through routine inspections. (PUBLIC WORKS)

40. RECYCLING COLLECTION AREA REQUIREMENTS – The Applicant shall be responsible for the construction and maintenance recycling collection areas on the Project site in accordance with City regulations and Standards (Municipal Code §27.86). The areas and dimensions for recycling collection areas included in each Project phase shall meet the standards established by the local recycling collection provider. (PUBLIC WORKS)

41. REFUSE MANAGEMENT PLAN - The Applicant shall be responsible for developing a refuse management plan to describe how trash and recycling pickup will be handled for the Project. The Applicant shall provide information to the City stating that the local refuse company has reviewed and approved the plan, which shall then be submitted to the City for review and approval. (PLANNING)

42. FOOD SERVICE EQUIPMENT CLEANING – Per the County’s C.3 Stormwater Pollution Prevention Program requirements, any building permit application to construct food service facilities shall include a sink or other floor mat, container, and equipment cleaning area, connected to a grease interceptor prior to discharging to the sanitary sewer system. Any such cleaning area shall be large enough to clean the largest mat or piece of equipment to be cleaned, and shall be located indoors or in a roofed outdoor area; either areas being plumbed to the sanitary sewer. Outdoor cleaning areas shall be designed to prevent stormwater run-on from entering the sanitary sewer and to prevent stormwater run-off from carrying pollutants to the site storm drains. Signs shall be posted indicating that all food service equipment washing activities
shall be conducted in this area. Regular maintenance and cleaning of the grease interceptor is required. (PUBLIC WORKS)

43. LOADING DOCKS – Per the County’s C.3 Stormwater Pollution Prevention Program requirements, the Applicant shall be responsible for covering loading docks to minimize run-on to and run-off from the loading area. Roof downspouts shall be positioned to direct stormwater away from the loading area. Water from covered loading dock areas shall be drained to the sanitary sewer. (PUBLIC WORKS)

44. SECURITY FOR PUBLIC ACCESS, OPEN AREAS & FOOTPATHS - Any open areas and footpaths open to potential public access are subject to scrutiny and review for the potential for criminal activity. Such environments will be reviewed at the SPAR level for Crime Prevention Through Environmental Design (CPTED), and may call for further conditions of approval. (POLICE)

45. SECURITY ORDINANCE REQUIREMENTS – The building permit plans shall comply with the City’s Building Security Code (Municipal Code §23.54). In particular, the following sections shall apply:

23.54.060 - Exterior Security Lighting
The Police Department would like to review a proposed exterior photometric lighting plan in conjunction with each SPAR application. A minimum of one (1) foot candle at ground level is required at designated paths of travel.

23.54.030 – Parking Garage Security
The Police Department, in the interest of public safety, requires that cameras be placed at the vehicular entrances and exits to all parking garages in an effort to prevent auto burglaries, auto theft, and other associated crimes that tend to take place in enclosed garages. The system shall be designed to capture the front and rear of all entering and exiting vehicles that use the garage. The picture quality shall be sufficient to identify the make/model of vehicle, clearly read a front/rear license plate, and obtain clear facial recognition through the front windshield. The system need not be monitored but the captured video material shall be accessible to investigating police personnel through some form of facility management during regular business hours. The information shall be maintained and retrievable for seven (7) days.

Parking garages serving residential uses in 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.

Additional requirements include the following

a) Parking spaces should not be numbered to coincide with interior unit numbers.
b) Digital access pads shall be installed at the primary entrance location of all parking garages. These pads should allow emergency vehicle access into the garages at all times. The pads should be programmed with City input and then administratively distributed to the police and fire departments. These access pads should be installed in consistent locations throughout the Project. Access out of garage - pedestrian access doors should be master key controlled for tenants and be equipped with self-closing devices.

c) All storage, maintenance, and trash rooms within parking garages shall have doors which cannot be locked from the inside, and that close and lock quickly and automatically upon exit.

23.54.070 – Minimum Security Standards for Multiple-Family Dwellings
The Municipal Code enumerates a number of security standards for multiple-family dwellings which shall apply.

23.54.110 – Construction Site Fencing
Prior to approving a to the site development permit for the project the Applicant to install and maintain construction site fencing and/or the use of security lighting and patrols.

Implementation of the Security Ordinance for building permits shall be the responsibility of the Building Division. (POLICE, BUILDING)

46. SANITARY SEWER STUDY – During the relevant SPAR process(es), detailed sewer studies shall be conducted for any connections to tributary sewer mains, short of the main trunk lines in Concar Drive and South Delaware Street to determine capacity and condition. The tributary sewer mains shall be cleaned and inspected (via remote TV camera) from the manhole upstream to the connection to the main trunk line. 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 six (6) months prior to obtaining the building permit. The video of the inspection shall be reviewed with the Public Works Department and necessary repairs to the relevant sewer section from manhole to manhole shall be completed and approved prior to connection of the Project lateral to the sewer. (PUBLIC WORKS)

47. UNDERGROUND UTILITIES WITHIN THE PROJECT SITE - The Applicant shall be responsible for the underground installation of all new and upgraded utility service within the Project site, including telephone, electric power, and other communications lines, in accordance with Municipal Code Section 26.32.020. (PUBLIC WORKS)

48. DRAINAGE - Individual Project phases shall each require SPAR to evaluate the specific design of each for consistency with the National Pollutant Discharge Elimination Systems (NPDES) required by the San Mateo County Water Pollution Prevention Program. In accordance with these requirements, all storm runoff drainage shall be designed to meet the City’s Municipal Regional Stormwater Permit’s C.3. requirements. In addition, discharge must conform to any applicable non-point source permit issued to the City by the San Francisco Bay 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. For Project phases that include permanent structural controls for water quality protection, plans shall include operation and maintenance (O&M) procedures for such control features and specify the responsibility of the relevant property owner to ensure their ongoing effective operation and maintenance. Such O&M responsibility requirements shall be recorded against title to the relevant property. *Mitigation - These measures shall be incorporated on the grading or building plans prior to the issuance of each grading or building permit as applicable, and shall be monitored by the Public Works Department during construction activities through routine inspections. (PUBLIC WORKS)

49. TRIANGULAR AREA OF VISIBILITY – Unless an equivalency is granted by the Public Works Department, landscaping and permanent structures located within the Specific Plan area within the ten-foot (10’) triangular area of visibility at any driveway, and 45’ triangular area of visibility at any Block corner, shall have a minimum vertical clearance of seven feet (7’), and/or be less than three feet (3’) in height. This includes all PG&E above-ground structures and other bulky utility facilities, but excludes street lights and properly maintained street trees. (PUBLIC WORKS)

50. ADDRESS PLAN AND STREET NAMES – At the time of application for a tentative parcel map or tentative map, the map applicant shall submit to the Public Works Department a final address plan regarding any streets proposed as part of such map, including proposed street names. Proposed street names shall be unique to existing City street names and shall be reviewed and approved by the various City departments responsible for assigning street names and providing emergency response. Said submittal shall be approved by the City Engineer prior to the submittal of plans for the foundation (or first) building permit. (PUBLIC WORKS, PLANNING, FIRE)

51. CALTRANS PERMIT - Prior to the issuance of a building permit, the building permit applicant must submit evidence to the Public Works Department of approval by the State of California for the performance of any work within the State right-of-way, if any. If the City is required to be a party to the permit application and a fee is required, the building permit applicant shall reimburse the City for its cost. The building permit applicant is encouraged to contact the Caltrans permit office as soon as possible to learn what is required to obtain Caltrans approval and issuance of a State Encroachment Permit. (PUBLIC WORKS)

52. WASTEWATER TREATMENT PLANT PHASE II IMPACT FEE - In order to meet the increased demands on the Wastewater Treatment Plant created by the Project, each building permit applicant shall contribute fees toward the Plant expansion based upon the average projected sanitary flow. The final fee shall be calculated from the final building plans pursuant to the Development Agreement, and shall be paid prior to issuance of the superstructure building permit. *Mitigation - This measure shall be incorporated on the building plans prior to the issuance of each building permit, and shall be monitored by the Public Works Department. (PUBLIC WORKS)

53. TRANSPORTATION IMPROVEMENT FEE - Each building permit applicant shall pay a fee proportional to the proposed construction’s share of transportation improvements needed to serve cumulative development within the City of San Mateo. The final fee shall be calculated from the final building plans pursuant to the Development Agreement, and shall be paid prior to issuance
of the superstructure building permit. *Mitigation - This measure shall be incorporated on the building plans prior to the issuance of each building permit, and shall be monitored by the Public Works Department. (PUBLIC WORKS)

54. SOUTH TRUNK AREA SEWER IMPROVEMENT FEE - In order to meet the increased demands on the South Trunk Sewer system created by this Project, each building permit applicant shall contribute fees toward the construction cost to increase its capacity based upon the Project's average projected sanitary flow. The final fee shall be calculated from the final building plans pursuant to the Development Agreement, and shall be paid prior to issuance of the superstructure building permit. *Mitigation - This measure shall be incorporated on the building plans prior to the issuance of each building permit, and shall be monitored by the Public Works Department. (PUBLIC WORKS)

55. PARK IN-LIEU/IMPACT FEES -- Residential units included in the Project shall be subject to Municipal Code Section 13.05.070 (Park Impact Fees), unless, alternatively, a final map is obtained and the units are thus subject to Municipal Code Chapter 26.64 (Park In-Lieu Fee). The amounts of the Park Impact Fee and/or the Park In-Lieu Fee, if any, for each project phase including residential units shall be determined pursuant to the Development Agreement, upon approval of the final map for such project phase, in the case of the Park In-Lieu Fee, or prior to the issuance of the building permit for such project phase, in the case of the Park Impact Fee. Any applicable Park In-Lieu Fee shall be paid prior to the release of the Final Map for recordation, and any Park Impact Fee shall be paid prior to the issuance of the building permit. If a project has an approved tentative map but does not have an approved final map prior to the issuance of the building permit, the project shall not be considered to be a subdivision and therefore will be subject only to the payment of the park impact fee upon issuance of the building permit. Credit for the private park and recreation facility space may be available in accordance with SMMC Section 26.64.030. (PARKS AND RECREATION, PUBLIC WORKS).

56. PARK SPACES AND RIGHT OF WAY LANDSCAPING - The park spaces identified in the Specific Plan and the Design Guidelines shall be privately owned and maintained. The Park and The Gardens open spaces shall be accessible to the public. All proposed landscaping within the Specific Plan area, including street trees within rights of way, shall be privately maintained. (PARK AND RECREATION)

57. TIMING OF PARK IMPROVEMENTS - Park improvements shall be designed and constructed as specified in the Specific Plan and the Design Guidelines. All such designs and construction shall be reviewed and implemented as part of the relevant SPAR approvals, in accordance with the following phasing schedule:

The Park (Block OS-9). Construction of The Park and Street C around it shall be substantially complete no later than upon issuance of a certificate of occupancy for the first building at the second of the following Blocks to be developed: MU-1, MU-2, MU-3, MU-4, RE-5, RE-6 and RE-7.

The Gardens (Block OS-12). Construction of The Gardens shall be substantially complete no later than upon issuance of the certificates of occupancy for any building at Block RE-8. The SPAR for The Gardens and Block RE-8 shall be considered together. (PLANNING)
58. **SOIL TESTING FOR LANDSCAPE SUITABILITY** - Due to the history of high salt content found in existing soils adjacent to the Project site, prior to the issuance of a superstructure permit or occupancy, the existing site soils shall be sampled, in one-(1-) foot deep increments to a depth of four (4) feet below existing finished grade at five (5) locations approved by the City’s Landscape Architect, tested, and then a report shall be prepared by the permit applicant, to determine if such soil can be used to support the trees and other plants proposed in the Specific Plan and Design Guidelines in a healthy condition.

The report shall also include written and graphically illustrated recommendations for:

1. The grading of the site such that soils with a high degree of salt or other physical or chemical properties that are unsuitable in supporting such plant growth in a healthy condition and cannot be amended to be made suitable will be removed from areas where roots of proposed trees and other plants would, in otherwise normal soil situations, likely grow during a thirty-(30-.) year period of growth after planting.

2. Improving the quality of soil, if possible, to anticipated critical depths and horizontal reach of tree root penetration for the healthy growth of trees and other plants over thirty (30) years.

3. Drainage within planting areas so that water does not become trapped, at anticipated depths of tree root penetration and horizontal reach, to the detriment of the trees and other plants.

4. Any modifications to the plant palette identified in the Design Guidelines if necessary so that plants, soil and drainage conditions are compatible.

All soil sampling and testing shall be performed by a recognized soil and plant laboratory specializing in landscape and horticultural suitability and the report shall be prepared by the approved soil and plant laboratory, arborist and landscape architect.

**(PARKS AND RECREATION AND PLANNING)**

59. **TRANSPORTATION DEMAND MANAGEMENT TRIP REDUCTION** – The Project shall implement a Transportation Demand Management (TDM) Program using programs in compliance with the San Mateo City/County Association of Governments (C/CAG) Guidelines for Trip Reduction. These programs, once implemented, must be on-going for the occupied life of the Project. The C/CAG Guidelines specify the number of trips that may be credited for each TDM measure. The actions included in the TDM plan shall include those listed in the Trip Reduction Plan (First-Class Tele-Commuting Opportunities; Carsharing, Shuttle Service; Neighborhood-Serving Retail; Bicycle Storage; Unbundled Parking; Shared Parking; Transportation Management Association participation; Transportation Kiosk; Improved Transit Stop; and Transportation Coordinator) prepared for the Project by Nelson/Nygaard Consulting Associates (**Nelson/Nygaard**) in the TDM Program dated August 12, 2010 (**Project TDM Program**), the Traffic Impact Analysis of the Project by Hexagon Transportation Associates Inc. (**Hexagon**) dated June 7, 2010, and the Shared Parking Analysis of the Project by Nelson/Nygaard and Hexagon dated April 30, 2010, or a combination of other actions based on the C/CAG Guidelines, that result in a short-term 25% reduction from current Institute of
Transportation Engineers (ITE) standards of Project-generated trips and an ultimate 26% to 36% trip reduction from current ITE standards, depending on the mix of rental and for-sale housing developed as part of the Project, as well as the development option implemented in build-out of the Project. The Project’s required trip reduction shall be reduced as follows:

A) **Short Term** – A 25% peak hour trip reduction from current ITE standards shall begin upon occupancy of the first Project phase constructed and accounts for each subsequent Project phase such that the cumulative reduction continues to meet the 25% short-term trip reduction goal. A trip reduction plan shall be prepared for each phase of the Project as part of SPAR to ensure that the short-term trip reduction target can be met.

B) **Long Term** – Total build-out of the Project shall result in a 26% to 36% trip reduction from current ITE standards depending on the mix of rental and for-sale housing developed as part of the Project as well as the development option implemented per the Station Park Green TDM Program – Final Plan, Nelson Nygaard & Associates, August 12, 2010 and the Project Traffic Impact Analysis dated June 7, 2010

60. **TRANSPORTATION DEMAND MANAGEMENT MONITORING AND COMPLIANCE**

- The trip reduction requirements shall be monitored and verified by City staff and shall be reported annually to the Public Works Commission and City Council. Prior to monitoring, the City and the Transportation Management Association (TMA) shall obtain a scope of work for review from a consultant experienced with traffic monitoring. Funding of the monitoring and reporting for cordon counts, intersection counts and surveys shall be provided by the TMA. Funding for the monitoring of the Project vehicular access points to verify compliance with the Project’s trip reduction goal shall be provided by the Applicant.

A) **Monitoring** – The method of monitoring shall be determined by the City and shall consist of the following required Project-specific traffic counts and optional corridor counts:

- Driveway or Garage Counts, Queuing and Circulation – PM peak hour vehicular access point (covering at least the period 4 PM to 6 PM) shall be conducted annually for at least a five- (5-) day period (Monday through Friday) to determine accurate site trip generation values. Commencement of the counts shall begin within sixty (60) days of occupancy of 50% or more of the first Block and shall be performed annually thereafter. Counts are to be funded by the relevant property owners and be based on the number of Project vehicular access points. The City or TMA may conduct supplemental counts as necessary to accurately define Project trip reduction. During the collection of driveway count data, a queuing analysis shall also be conducted for both entering and exiting vehicles. A review of the driveway(s) circulation shall also be conducted for conformance with the analysis done in the Traffic Impact Analysis of the Project by Hexagon.

If the vehicular access point counts from the Project are stable for a period of three (3) years following full build out of the Specific Plan area, annual counts may be extended to every three (3) years. If the counts change more than ten-percent (10%) after such three-(3-) year period, counts shall go back to being done annually.

- Cordon Counts – Cordon counts of major roadways that provide access to the Corridor
Plan area may be used to identify cumulative trip reduction trends and determine if development within the Corridor Plan area is meeting the overall goal of 25% trip reduction from current ITE standards.

- Intersection Counts – Intersection counts along South Delaware Street may be used to determine change in intersection volume and level of service due to increased development along within the Corridor and for conformance with General Plan level of service standards.

- Transportation Surveys – Transportation Surveys may be used as a means to identify driver behavior as related to the TDM measures adopted for each individual Project phase. It is intended that such surveys be used when appropriate to clarify anomalies or questions that may arise during the review of the annual traffic count program.

Dependent on the participants in the TMA, it may be necessary to modify the monitoring of the TDM measures outlined above. However, any changes to the monitoring shall not change the essence of the requirements and shall still ensure that the trip reduction requirements are met.

B) Non-Compliance with the Trip Reduction Measures – If during review of the annual TMA monitoring it is determined that the Project has not met its required site trip reduction, the Project shall be identified as being in non-compliance status. Notification shall be sent by registered mail to the Applicant, the SPAR applicants, the Transportation Coordinator and the Owners' Association representative indicating this status. Within ninety (90) calendar days of receipt of such non-compliance notice, the Applicant shall be required to submit a revised TDM program to City staff and the TMA that includes more aggressive trip reduction strategies. The revised program shall identify what TDM measures are proposed to be replaced and what new measures are proposed to be implemented. Review of the revised TDM program shall be scheduled for review at the next available Public Works Commission meeting. The new TDM measures are to be implemented within ninety (90) calendar days of approval by the Public Works Commission. Annual site counts shall take place during the regularly scheduled annual count program.

A second consecutive count period that shows that the Project is not meeting its trip reduction target shall trigger a requirement to again revise the TDM program within ninety (90) calendar days. This revised TDM program will be reviewed by the Public Works Commission. Upon approval of this revised TDM program by the Public Works Commission, a public hearing will be scheduled for review of the plan by the City Council. Either review by the Public Works Commission or City Council may result in the City implementing stricter or more aggressive trip reduction measures or strategies on behalf of the Applicant. Public Works Commission and City Council reviews shall focus on alternative industry-standard TDM measures used in the San Francisco Bay Area, or increasing the effectiveness of the TDM measures listed in the Nelson/Nygaard Project TDM Program.

If necessary, the final step in TDM plan program modification may require the use of GO Passes, changing the shuttle program to better meet user's preferences, unbundling more
parking and/or increasing the cost of the unbundled parking, and/or charging for employee/visitor parking.

C) Vehicle Trip Cap – At no time during the construction or build-out of the project can the trips generated by the project exceed the trip projected in the Traffic Impact Analysis of the Project by Hexagon dated June 7, 2010

*Mitigation - These measures (or their equivalent as determined by the City Engineer or his or her designee) shall be incorporated on the building plans prior to the issuance of each building permit, and shall be monitored by the Public Works Department during the operation of the Project through routine inspections. (PUBLIC WORKS)

61. TRANSPORTATION MANAGEMENT ASSOCIATION (TMA) – The Project shall participate in the TMA formed to manage projects within the Corridor Plan area. As a participant, the Project would be required to share the costs to fund annual TMA administration and management and share the costs of programs and services provided to participants. The TMA could conduct and coordinate annual trip generation monitoring, which would be paid for through the annual membership fees. *Mitigation – The Applicant shall participate in the TMA, and such participation shall be monitored by the Public Works Department during the operation of the Project through routine inspections. (PUBLIC WORKS)

62. SHARED PARKING STUDY – At all phases of the Project, the SPAR applicant shall prepare and submit to City staff a shared parking study to determine that the Project will continue to provide parking on site in accordance with the parking standards specified in the Specific Plan. The shared parking study shall be prepared by a qualified parking consultant, and shall be subject to the review and approval of the Planning Division and the Public Works Department. *Mitigation - This measure shall be incorporated in the SPAR approval for each Project phase and shall be monitored by the Planning Division and the Public Works Department. (PLANNING, PUBLIC WORKS)

63. RECORD DRAWINGS - The building permit applicant shall submit to the Public Works Department one full set of original Mylar record drawings and construction specifications for all off-site improvements, if any, prior to the issuance of any occupancy permits associated with such improvements. All underground facilities shall be shown on the record drawings as constructed in the field. The building permit applicant shall also provide the City with an electronic copy of the as-builts in either AutoCAD version 14 or 2000 - 2006 (.dwg or .dxf format). (PUBLIC WORKS)

64. RESTORATION OF PUBLIC IMPROVEMENTS - Each grading and building permit applicant shall be responsible for repairing or replacing all existing public improvements not designated for removal which are damaged or removed as a result of work undertaken pursuant to such permit. Improvements such as, but not limited to, curbs, gutters, sidewalks, driveways, signs, pavements, raised pavement markers, thermoplastic pavement markings, or signs shall be repaired and replaced to a condition no worse than their original condition. Each grading and building permit applicant shall also be responsible for protecting all underground utilities within the right-of-way, or on-site easement, intended to remain operational at the end of work undertaken in accordance with such permits. The grading or building permit applicant shall request a walk-through with the City Engineer or his or her designee prior to the start of
construction to verify existing conditions. Which existing improvements to be repaired or replaced shall be at the direction of the City Engineer or his or her designee, provided that these damages did not exist during the pre-construction walk-through. (PUBLIC WORKS)

65. STORM WATER MANAGEMENT FACILITIES MAINTENANCE AGREEMENT - The applicant for stormwater management discharge control permits regarding the Project shall execute a maintenance agreement with the City as specified in Municipal Code Chapter 7.39 (Stormwater Management and Discharge Control). The agreement shall outline the O&M plan for the permanent storm water treatment facilities. This agreement shall be executed prior to the first occupancy of any building at the Project site. (PUBLIC WORKS)

66. PUBLIC WORKS CONSTRUCTION ACTIVITIES - The following provision to control traffic congestion, noise, and dust shall be followed during site excavation, grading and construction undertaken in connection with construction outside the footprint of buildings:

A) Construction activities related to the issuance of any Public Works Department permit shall be restricted to the weekday between 7:00 a.m. and 7:00 p.m. 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 Department encroachment permit may be performed on the weekend unless prior approvals have been granted by the Public Works Department. Earth haul and materials delivery to and from the site, including truck arrivals and departures to and from the site, shall 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.

B) 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 shall decrease the total time needed to complete the Project phase 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 phase'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 shall not conflict with any other condition of approval required by the City to mitigate significant impacts.
3) The contractor or owner of the property shall 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 (3) days prior to the start of the extended construction activity.

4) The approved hours of construction activity shall 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.

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

D) 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 shall not be allowed.

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

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

G) Prior to issuance of any permit, the applicant shall submit any applicable pedestrian or traffic detour plans, to the reasonable satisfaction of the City Engineer, for any lane or sidewalk closures. To the extent feasible, the applicant shall retain access along Concar Drive during construction or will provide for an alternative access to the Hayward Park Train Station. 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.

*Mitigation - These measures (or their equivalent as determined by the Public Works Department) shall be incorporated on the plans prior to the issuance of the relevant permit, and shall be monitored by the Public Works Department during construction through routine inspections. (PUBLIC WORKS)*

67. NOISE - The following measures or their equivalent shall be included in each Project phase as identified in the Noise Study prepared for the Project to reduce potentially significant air quality impacts to a less-than significant level:
Long-Term Operational Noise

- The City of San Mateo Day-Night Sound Level standard interior noise exposure limit of 45 dB Ldn can be met through the use of STC 25-40 (Sound Transmission Class) acoustically rated windows and doors at the perimeter of the buildings facades exposed to South Delaware Street and Concar Drive. Additional mass may need to be added to the buildings, as well. Mechanical ventilation shall also be required, as these windows would need to be in a closed position to provide the required transmission loss.

- Mechanical equipment at commercial use must be controlled to 65 dB Ldn at the residential property line. This can typically be achieved by proper location and orientation of equipment and the incorporation of duct silencers, acoustic louvers, building parapets, and mechanical penthouses, or enclosed mechanical equipment rooms.

Phasing

- A qualified acoustical engineer shall be retained to prepare subsequent acoustical studies as part of the SPAR approvals to construct each phase of the Project. These reports shall include the measures identified in the acoustical report identified above and shall provide specific design criteria for each building to be developed. This shall be verified as part of a final acoustical report and shall be submitted to the Building Division prior to issuance of a building permit for each phase of the Project.

- The installation of these measures and resulting noise mitigation levels shall be verified by qualified acoustical engineer in the field and shall be reported in writing to the Building Division prior to occupancy for the building.

Construction Impacts

- All diesel equipment shall be operated with closed engine doors and should be equipped with factory-recommended mufflers.

- 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.

- Proposed walls or barriers shall be installed as early as possible to help reduce noise from construction activities.

- Stationary construction equipment shall be kept beyond 100 feet of existing residences.

- Noise attenuation techniques shall 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 shall be verified through measurement of noise levels.
• Whenever feasible, electrical power should be used to run air compressors and similar power tools.

• Contractors shall use "quiet" models of any conventionally noisy construction equipment such as air compressors, jackhammers and other impact tools, as feasible.

• Contractors shall designate an employee as the construction noise coordinator and provide an on-site sign that shall 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.

*Mitigation - These measures (or their equivalent as determined by the Building Official) shall be incorporated on the building plans prior to the issuance of each building permit as applicable, and shall be monitored by the Building Division during construction through routine inspections. (BUILDING)

68. AIR QUALITY - The following measures are included in the Project to reduce potentially significant air quality impacts to a less-than significant level.

a) Water all active construction areas at least twice daily.

b) Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.

c) Pave, apply water three (3) times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.

d) Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.

e) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

f) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).

g) Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).

h) Limit traffic speeds on unpaved roads to 15 mph.

i) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.

j) Replant vegetation in disturbed areas as quickly as possible.
*Mitigation - These measures (or their equivalent as determined by the Building Official) shall be incorporated on the building plans prior to the issuance of each building permit as applicable, and shall be monitored by the Public Works Department during construction through routine inspections. (PUBLIC WORKS)

69. 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 building permit applicant shall submit a truck hauling route that conforms to Municipal Code Section 11.28.040 to the approval of the City Engineer. The haul route for this Project shall be: To: Eastbound - Highway 92 to South Delaware Street to Site. Westbound - Highway 92 to Concar Drive to Site. From: Eastbound - Site to South Delaware Street to Highway 92. Westbound - Site to Concar Drive to Highway 92. A letter from the building permit applicant confirming the intention to use this hauling route shall be submitted to the Public Works Department, and approved, prior to the issuance of any building 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 building permit applicant. All storage and office trailers shall be kept off the public right-of-way. Tracking of dirt onto City streets and walks shall not be allowed. The building permit 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 shall 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 building permit 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 shall be present on the site during the various phases of construction and indicate where sufficient off-street parking shall be utilized and identify any locations for off-site material deliveries. Said plan shall be approved by the City Engineer prior to issuance of building permits and shall be enforced during construction. Failure to enforce the parking plan may result in suspension of the City permits.

*Mitigation - These measures shall be incorporated on the building plans prior to the issuance of each building permit, and shall be monitored by the Public Works Department during construction through routine inspections. (PUBLIC WORKS)

70. WASTEWATER DISCHARGE - Wastewater potentially generated during site construction through dewatering activities may, after sufficient testing as determined by the Public Works Department, be discharged to the municipal sanitary sewer and shall meet all applicable local, state and federal regulations for such discharge. *Mitigation - This measure shall be incorporated on the building plans prior to the issuance of each building permit as applicable, and shall be monitored by the Public Works Department during construction through routine inspections. (PUBLIC WORKS)

71. BEST MANAGEMENT PRACTICES (BMP) - Grading and building permit applicants shall perform all construction activities in accordance with the current BMP Construction Manual, Municipal Code Chapter 23.40 (Site Development Code) and the San Mateo Countywide Water Pollution Prevention Plan by reference. Detailed information can be located at:
72. POST CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP) – In accordance with Municipal Code Chapter 7.39 (Stormwater Management and Discharge Control) and the San Mateo Countywide Water Pollution Prevention Program, incorporated herein by this reference:

A. Property owner 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 property owner 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 determined for each individual SPAR.

C. The property owner shall 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 Public Works Department.

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.

*Mitigation - These measures (or their equivalent as determined by the Public Works Department) shall be incorporated on the plans prior to the issuance of each SPAR approval as applicable, and shall be monitored by the Public Works Department after construction through routine inspections. (PUBLIC WORKS)

73. REQUIRED WATER SUPPLY FOR FIRE PROTECTION – The adequacy of all fire hydrants adjacent to that portion of the Project site subject to an individual SPAR shall be determined by fire flow testing. Each hydrant shall be capable of providing a minimum fire flow of 1500 gpm at 20 psi residual pressure. If a fire-flow test demonstrates the necessity of replacing a fire hydrant, it shall be upgraded to a Rich Corona, Jones, or one of comparable quality with two 2 1/2 inch and one 4 1/2 inch outlets with national standard threads. This note shall be included in the SPAR plans. Water supply for fire protection shall be installed in accordance with the San Mateo Fire Department and the California Water Service specifications. The water supply shall be installed and inspected by the California Water Service and the San Mateo Fire Department. The water supply shall be 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. (FIRE)

74. THIRTY- (30) FOOT DRY BRUSH CLEARANCE – Dry brush must be cleared from around the buildings for thirty feet (30’) in all directions. Any green belt area(s) shall meet City standards. (FIRE)
75. **FIRE-SAFETY DURING DEMOLITION** – Buildings under construction or demolition shall comply with the requirements with Article 87 of the California Fire Code, 1998 edition. In addition to the requirements of Article 87, the following steps shall be taken during the demolition of any structure on site:

A. The Fire Chief shall be notified regarding any fire sprinkler system that is affected by the demolition.

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.

(FIRE)

76. **EMERGENCY VEHICLE ACCESS ROADWAY** - All-weather access roads shall be provided and maintained on site during construction. These access roads shall be provided prior to the start of any combustible framing. Such roads shall have an all-weather driving surface capable of supporting a vehicle-laden weight of sixty-five thousand (65,000) pounds, be not less than twenty (20) feet in unobstructed width, have an outside turning radius of not less than forty-eight (48) feet, an inside turning radius of not more than twenty (20) feet, and a minimum of thirteen (13) feet, six (6) inches of vertical clearance. (FIRE)

77. **APPROVAL FOR USE OF BARRICADES, FENCES, OR GATES ACROSS FIRE ACCESS ROADWAYS** – The use of barricades, fences, or gates across emergency vehicle access roads shall have prior approval of the Bureau of Fire Protection and Life Safety. (FIRE)

78. **KEY SWITCH FOR SECURITY GATES** – If security gates are proposed at any entrance to the Project the gates shall be provided with a Fire Department-approved key switch or lock to allow Fire Department access. The minimum width of the gates shall be twenty (20') feet clear opening width. Contact the Bureau of Fire Protection and Life Safety for specific requirements. (FIRE)

79. **FIRE LANE DESIGNATION** – Fire lanes are required to be installed in interior access roadways in locations where vehicle parking would encroach on the twenty- (20-) foot clear width required for Fire Department Vehicle access. The use of approved fire lane signs or curb delineation shall be reviewed and approved by the Bureau of Fire Protection and Life Safety. (FIRE)

80. **SECURITY KEY-LOCK BOX** – All buildings shall include approved key lock boxes to allow for San Mateo County Office of Emergency Services/City of San Mateo Fire Department accesses. Contact the Bureau of Fire Protection and Life Safety for specific requirements and location approval. (FIRE)

81. **AUTOMATIC FIRE-EXTINGUISHING SYSTEM** – Buildings shall be provided with monitored Automatic Fire-Extinguishing Systems. Each building shall be provided with its own individual main shutoff valve. For multi-story buildings, floor control valves with class III hose connections shall be provided. Separate application and permits are required to be obtained by a contractor licensed to perform such work. (FIRE)
82. **FIRE ALARM SYSTEM** – Buildings shall be provided with a Fire Alarm System in accordance with the California Fire Code. Separate application and permits are required to be obtained by a contractor licensed to perform such work. (FIRE)

83. **ELECTRICAL POWER DISCONNECTING MEANS** – A key switch shall be provided to disconnect electrical power by Fire Department personnel. It may be required to provide an electrical shunt switch if the main service disconnect is not readily accessible as defined by the National Electrical Code. Contact the Bureau of Fire Protection and Life Safety to coordinate the exact location for such devices. (FIRE)

84. **FIRE SAFETY DURING CONSTRUCTION** – Buildings under construction shall comply with the requirements with Article 87 of the California Fire Code, 1998 edition. All additional fire permits required by Article 87 shall be obtained from the Bureau of Fire Protection and Life Safety. (FIRE)

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

86. **RESIDENCES WITHIN 500 FEET OF HIGHWAY 92** -- Building permit applications for new residences to be constructed within 500 feet of Highway 92 shall include mechanical ventilation to residences with filtration units to remove fine particulate. An appropriate design parameter or specification would be that the air-handling system have an efficiency of no less than 70% in removing particles less than 0.3 microns in diameter. *Mitigation - These measures (or their equivalent as determined by the Building Official) shall be incorporated on the building plans prior to the issuance of each building permit as applicable, and shall be monitored by the Building Division during construction through routine inspections. (BUILDING)*

87. **ACCESS DURING CONSTRUCTION** -- Connection through the Specific Plan Area for pedestrians and bicyclists, and in particular direct access to the Hayward Park Station from completed portions of the Project, shall be maintained during construction to the extent that it can be provided safely and without interference with construction activities. An access plan shall be submitted for approval with the first SPAR, which could be subsequently modified by future SPARs as needed. This access plan should consider connections through and around the Plan Area, as well as existing connections such as the bicycle and pedestrian connection to 16th Avenue in order to facilitate and improve the connection from the immediate area to the Hayward Park Train Station. (PUBLIC WORKS)

88. **STATION AREA PLAN** -- The figures in the Specific Plan and Design Guidelines show an Emergency Vehicle Access Easement at the southwestern portion of the Plan Area, along the boundary of the adjacent JPB property. It is the ultimate goal of the Specific Plan and Design Guidelines to integrate the Plan Area seamlessly with the adjacent JPB property by providing for direct adjacency of buildings and the connection of vehicular, bike and pedestrian ways. Seamless integration and direct connection between and through these two properties will facilitate and improve the circulation for the entire Hayward Park TOD Zone. The Applicant and all owners of parcels within the Specific Plan Area shall participate as stakeholders in the
development of a Station Area Plan regarding land use in the immediate Hayward Park Station area, and pedestrian and bicycle connections to the station and through the area. Integration of the properties could include the placement of buildings, as well as pedestrian and bikeway amenities fronting directly onto the JPB property, or a new street that continues “E” Street through to Concar Drive. The Station Area Plan will also address items such as appropriate wayfinding signage, fence and gate locations, station drop-off/pick-up locations, through bike and pedestrian connections, and other issues related to the smooth functioning of the future station area once its design becomes more developed. In no event shall the Applicant or any owner of parcels within the Specific Plan Area be required to alter designs or improvements in a way that would increase the cost or timing of design, construction, or occupancy of any portion of the Station Park Green Project. (PLANNING, PUBLIC WORKS).

89. RECYCLED WATER FOR WATER FEATURES -- Applicants for the relevant SPAR approvals shall investigate the feasibility of using recycled water, such as captured rainfall and/or treated wastewater, for use in all water features included in Open Space Blocks. (PLANNING).

90. PORK-CHOP ISLAND RECONSTRUCTION-- The development within the Corridor Plan area will generate additional pedestrian trips at the Concar Drive/South Delaware Street intersection. The southwest quadrant of the intersection contains a pork chop island which allows free right-turn movement from eastbound Concar to southbound South Delaware Street. To promote pedestrian crossing safety in this intersection quadrant, Public Works recommends the removal of the pork chop island and reconstruction of the southwest intersection quadrant. The Station Park Green Project will generate twenty-three percent (23%) of all new trips generated by the development contributing pedestrians to the intersection. The estimated cost of this improvement is $265,000. Accordingly, the Applicant shall fund twenty-three percent (23%) of the $265,000 cost of the pork chop island reconstruction improvements, or $60,950.00. This amount will be paid prior to the issuance of the first project building permit to the approval of the City Engineer. (PUBLIC WORKS)

91. CONCAR BIKE PATH – The applicant shall grant a surface easement and design a Class I Bike Path along the Project’s Concar Drive frontage between South Delaware Street and the Hayward Park Train Station. The portion of the path adjacent to MU-1 between South Delaware Street and A Street (opposite the SR 92 ramps) shall be eight- (8-) feet wide with two- (2-) foot clear shoulders for a total path width of twelve (12) feet. The portion of the bike path adjacent to MU-2 and MU-3 between A Street (SR92 ramps) and the Hayward Park Train Station property shall be ten- (10-) feet wide with two- (2-) foot clear shoulders for a total path width of fourteen (14) feet.

The path will be located along the Concar Drive retail frontage of the Project. The functionality of the path and its adjacency to the retail frontage was reviewed by Alta Planning + Design in their memorandum titled Station Park Green – Concar Drive Pathway Activity Estimates and Analysis dated December 13, 2010. For the two adjacent uses to be compatible (bike path and retail frontage), the report provides recommendations that shall be considered during the SPAR regarding Blocks MU-1, MU-2 and MU-3 as follows, to the approval of the Planning Commission and City Engineer:

1. Provide for a safe interface between the bike path and the proposed retail use.
2. Design attention at the A Street intersection to ensure proper vehicle speeds and pathway visibility, such as small curb radii, enhanced crosswalks, and pedestrian countdown signals.
3. No centerline striping.
4. Path shoulders shall be paved to increase the usable width of the pathway. Paving near street trees shall be permeable and designed to protect tree health.
5. Enforcement of slower speeds through site-specific design treatments, signage and education (or encouragement of alternate facilities) for recreational and other fast non-motorized users.

The report also provides recommendations for specific intersection design features that shall be incorporated into the design of the Class I Bike Path at the intersection of A Street (SR 92 ramps) and Concar Drive. These elements shall be included and reviewed during the SPAR application for the buildings adjacent to this intersection to the approval of Planning Commission and the City Engineer:

1. A 30-foot setback from the A Street/Concar Drive and South Delaware Street/Concar Drive intersections for all obstructive vertical landscaping, street furniture, and on-street parking to ensure proper sight distance for motorists and path users.
2. Wide curb ramps – preferably eight (8) feet to match the minimum paved path width – at the exit and entrance points to the pathway.
3. Special treatment of the A Street intersection crossing, such as stamped thermoplastic or concrete detailing, to improve connectivity and differentiate the pathway from a standard sidewalk.
4. Pedestrian countdown signals at the intersection of A Street (opposite the SR 92 ramps) and Concar Drive. This will require modification of the signal equipment on the north side of the A Street/Concar Drive intersection to include pedestrian actuation.
5. A curb extension, into the parking lane, for the mid-block crossing of Concar Drive between the MU-2 and MU-3 sites.

During the SPAR application for the buildings adjacent to the intersection of MU-1, the design of the northwest side of the Concar/Delaware corner to shall consider pathway visibility, appropriate ramping, design, and signage (as necessary) to the approval of the Planning Commission and the City Engineer.

(PUBLIC WORKS, PLANNING)