



**MEETING OF MAY 16, 2006**

**AGENDA ITEM NO. 6B**

Application I.D.: PA06-0020  
Application Type: Design Review  
Location: 300 El Camino Real  
Applicant: MWM Architects  
Owners: Narges N. Kangarloo and Saeed Ayagh  
APN: 044-173-180  
Zoning: C-3 (Highway Commercial), D-1 (Design Control Combining)  
General Plan Designation: C/H, Commercial/Highway District –  
Environmental Determination: Categorically Exempt, Section 15301, Class 1

**PROJECT DESCRIPTION**

The applicant requests Design Review approval to renovate the exterior façade of an existing restaurant building, upgrade the landscaping and construct a new trash enclosure for property located at 300 El Camino Real.

**RECOMMENDATION**

Staff recommends that the Planning Commission approve the Design Review application subject to the conditions of approval contained on the attached resolution<sup>1</sup>.

**ZONING/GENERAL PLAN DESIGNATION**

The subject site is located within the C-3 (Highway Commercial), and the proposed restaurant is a permitted use within this district. The site is also located within the D-1 (Design Control Combining) District, which was established to provide guidance pertaining to the landscaping, architecture, color palette, signs and all specific design features in the downtown area. The Belmont General Plan currently designates the project site as “Commercial/Highway”. Under this designation, restaurant uses are compatible. The site is located within the Redevelopment

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<sup>1</sup> Please note: This recommendation is made in advance of public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

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**500 Foot Radius Map**

Area, and is subject to the City's Architectural Theme and Treatment Policy (ATTP).

## **PRIOR ACTIONS**

City records indicate that the subject structure was constructed in 1976. Planning files indicate that design review permits were issued for a wall sign and pole sign in 1978, and a façade upgrade and rebate was completed in 1995.

## **SITE CONDITIONS**

The 25,559 square foot lot is flat and is located at the southwest corner of El Camino Real and Anita Avenue. The surrounding uses are:

- North – Commercial retail/office uses
- South – Commercial retail/office uses
- East – Railroad tracks
- West – Vacant property and residential uses

The site is served by El Camino Real (main arterial) and Anita Avenue (local street) to the north. The property is developed with approximately 1,978 square feet of restaurant seating area, 1,062 square feet of kitchen and storage area. The existing site includes parking for 34 cars, and another parking space will be created near the El Camino Real frontage with the removal of a small planting wall. There is approximately 6,100 square feet of landscaping on the site, with a majority (5,336 square feet) of the landscaping located along the western portion of the site adjacent to the parking lot. An existing pole sign is located at the northeast corner of the site.

## **PROJECT ANALYSIS**

The applicants propose to reinstate the former restaurant use (which is permitted by right), modify the exterior façade of the existing building, and construct a trash enclosure to be located northwest of the restaurant building near the loading zone.

### **Existing Design**

The existing façade is a mix of architectural styles and colors, with canvas awnings and landscaping concealing the windows and entry doors. The existing color scheme includes a bright green fascia, mustard-yellow gables, light tan walls and forest green awnings. The existing roof above the main dining area is composition asphalt shingle with a faux stone chimney in the center, while the remainder of the building has a flat roof with a mansard parapet wrapped with asphalt shingles. The building walls include a stone veneer in some places and a geometric plaster motif in other areas that will be removed as part of the renovation.

### **Proposed Design Modifications**

All building elevations will be significantly upgraded to include a new engineered-limestone veneer on windows and doors, a red synthetic clay barrel tile roof, a new arched covered entry with gray metal roofing, dark-stained carved wood doors and window frames, tile accents, and a

new wood trellis framing the east elevation along the El Camino Real street frontage. A new ceramic tile wall fountain is also proposed along the east elevation adjacent to the loading zone. New wood windows would be installed along the south elevation and the existing windows along the north elevation would be converted to three sets of wood-framed French doors with metal canopies above. Plaster accents along the north elevation will add architectural articulation to the front façade, which will be enhanced through new fixtures above each canopy that upright the area. The overall color scheme conveys a Mediterranean palette in earth tones with pastel accent colors on the tiles and colored concrete.

New planters will be constructed along the facades adjacent to the parking lot, increasing the landscaping area by approximately 91 square feet, but increasing the aesthetic value of the customer frontage through new landscaping.

Although new signage is contemplated on the existing plan sets, specific details regarding such items as the materials, lighting and size of the wall signage and renovated pole sign have not been submitted. Staff recommends that a signage program return for review and approval.

**PROJECT DATA**

<u>Criteria</u>	<b>Existing</b>	<b>Proposed</b>	<b>Required or Max. Allowed</b>
<b>Lot Size</b>	25,559 sf	No Change	No Change
<b>Slope</b>	Level	No Change	No Change
<b>FAR</b>	0.16	0.16	1.5
<b>Square Footage</b>	4,067	4,165	38,339
<b>Parking Spaces</b>	34	35	35
<b>Setbacks:</b>			
<b>Front (El Camino Real – East)</b>	4’	No change	0’
<b>Side (Anita Ave. – North)</b>	5’ (min.)	No change	0’
<b>Side (South)</b>	8’	No change	0’
<b>Rear (West)</b>	7’	0’ (new trash enclosure)	9’
<b>Landscape Area</b>	5,994 sf	6,085 sf (24%)	3,834 sf (15%)
<b>Height</b>	28’	No change	40’

**ZONING CONFORMANCE**

The proposed renovation and site upgrades meet the C-3 development standards. The proposed improvements do not change any building heights, but the rear setback will be reduced in the location of the trash enclosure from 7 feet to 0 feet. As proposed, this does not comply with Section 9.7.5 of the Belmont Zoning Ordinance, which requires a “Transitional Yard” to be provided between the C-3 zoned subject property and the adjacent R-2 zoned property to the west. The transitional yard, in accordance with Section 9.7.5, must be equal to the minimum side yard of the adjacent property, which would be 9 feet from the westernmost property line. A condition of approval requires the trash enclosure to be relocated to meet the provisions of the

Belmont Zoning Ordinance. The proposed landscape elements exceed the minimum required according to the zoning district requirements. The subject property is also located in the D-1 Design Control District. Section 22.12 requires Planning Commission review and approval in accordance with the provision of the Section 22, Design Control District, and Section 13, Design Review, of the Zoning Ordinance.

## **GENERAL PLAN CONFORMANCE**

The proposed façade improvements and landscape plan, as conditioned, conform to the land use designation for the site. The proposal is consistent with the C/H Commercial/Highway General Plan designation.

## **NEIGHBORHOOD OUTREACH**

The applicant performed neighborhood outreach as detailed in the Neighborhood Outreach Strategy and summary attached to this report. The applicant reportedly notified neighbors within 300 feet of the property and held a meeting at the site on March 1, 2006. The applicant and project architect were present; no members of the public attended. On March 10th 2006, the applicant reportedly approached the neighbors door-to-door and found no opposition. The applicant has achieved the outreach strategy tasks.

## **ENVIRONMENTAL CLEARANCE (CEQA)**

The proposed façade and landscaping improvements are categorically exempt from the provisions of the California Environmental Quality Act by provision of Section 15301, Class 1:

*“Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.”*

The proposed application does not entail any significant expansion or change of use of the existing structures and results in minor alterations to existing structures and facilities. The project meets the above requirement for CEQA exemption.

## **DESIGN REVIEW**

The proposed building façade and landscape improvements for the proposed restaurant are required to meet the Design Review Principles in Section 13.5.3 of the City of Belmont Zoning Ordinance. The following is an analysis of the applicable standards for the proposed application:

- a) *Review of buildings or structures for scale, mass, proportion, use of materials, relationship to adjacent elements and relationship to the community as a whole.*

The proposed building façade improvements include removal of the faux stone chimney in the center of the main dining area, removal of window glazing and replacement with wood frame windows and French doors, new windows on the El Camino Real frontage and the south

elevation, new barrel-tile roof, new entryway, new wood trellis, new decorative pilasters along the main entry frontage, new plaster finish, new building accent lighting, new engineered-limestone veneer, new landscape planters and a new trash enclosure. These modifications reinforce integrity of building elements and design features and break up the massing of the building.

The Architectural Theme and Treatment Policy (ATTP) of the Downtown Specific Plan sets forth goals and objectives that establish basing a coordinated design theme to distinguish Belmont from surrounding communities and to use historic forms used on existing buildings. An objective specified in the ATTP suggests a cohesive theme of building styles derived from Belmont's architectural heritage, while using creative architecture to encourage utilizing forms in attractive and more traditional ways. The existing building is not compatible with the ATTP, because the colors and materials used are generally not consistent with the architectural themes promoted by the Policy. The proposed improvements more closely represent the spirit and intent of the ATTP through the proposed changes to the roof material from asphalt shingles to red barrel tile and removal of bright, intense colors in favor of more muted, earth tones. The façade will be reclad in a combination of plaster and limestone and painted in a color consistent with a Mediterranean theme. The existing aluminum-framed windows, a prohibited material in the ATTP, will be replaced with new wood-framed windows and new French doors. Decorative tile accents and pilasters consistent with a Mediterranean theme are also proposed along the elevation facing the parking lot. The construction of a new covered entryway with colored concrete accents is consistent with the ATTP, as is the wood trellis accent proposed along the El Camino Real frontage. Although the new entryway would include a steel roof, it is considered an accent material and will not detract from the overall aesthetic of the proposed improvements.

Proposed building window treatment includes a multi-pane design with consistent patterns of detailing and wood window surrounds. The window design will to provide depth and visual relief from the exterior plaster wall finish. The windows will be trimmed in a darker wood stain color to enhance the Mediterranean-style theme. Overall, the architectural features of the proposed building remodel generally provide appropriate scale, mass, and proportions for the site.

*b) Review of proposed exterior color and material application with relationship to adjacent architectural of natural elements. The intent with respect to review of color is to avoid the use of extreme color.*

The proposed structure does not include the use of extreme color. The proposed color scheme uses an earth tone (tan) for the stucco wall finish with a lighter accent color (lighter tan) for window trim. The proposed building materials compliment the proposed form of the building.

*c) Review of the proposed location, height, and materials of walls, fences, hedges and screen plantings to ensure harmony with adjacent development or to conceal storage areas, utility installations or other surfacing to prevent dust erosion.*

The landscape plan for the site, as conditioned, would enhance the existing landscaping by adding planting areas around the most visible areas of the building. A condition of approval requires the final landscaping and irrigation plans to be submitted for review and approval by the Planning Commission.

The proposal includes construction of a trash enclosure. As proposed, the enclosure would be constructed of concrete masonry units with a plaster finish, painted to match the building. The doors of the enclosure will be faced away from public view. The location of the trash enclosure must be revised to meet the "Transitional Yard" requirement of 9 feet from the adjacent residentially-zoned property to the west. A condition of approval is recommended to require final design details to be reviewed by the Community Development Department prior to issuance of permits.

*d) Review of location, size, height, lighting and landscaping of signs as specified in the Sign Ordinance, in relation to traffic hazards and the appearance of harmony with the environment. The intent with respect to review of color is to avoid the use of extreme color.*

Proposed signage includes building signage with the restaurant name, Shalizaar, and its logo on the north-facing and east-facing gables. In addition, the applicant has proposed to re-face the existing pole sign. However, the signage cannot be fully evaluated because specific details regarding the signage, including the materials and design of the pole sign have not been submitted. A condition of approval requires submittal of all signage information for review by the Community Development Department prior to issuance of permits. The color palette proposed avoids the use of extreme colors and is compatible with a Mediterranean design theme.

*e) Review of site layout considering the orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood, the appearance and harmony of the buildings with adjacent development and the surrounding landscape.*

The changes to the existing site layout include modifications to the front entry, and construction of a trash enclosure near the western side of the building. The site and building improvements will improve the appearance of the property and the upgraded landscaping, as conditioned, will set the tone for the remainder of the El Camino Real frontage. The proposed landscaping and façade improvements will also enhance the physical appearance and harmony of the commercial building as well as improve the character of the neighborhood.

*f) Review of the layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.*

The project will not revise existing vehicular entrances or exits. Sidewalks along El Camino Real and Anita Avenue serving the site will continue to be maintained. The main public pedestrian entrance will be improved through the construction of a new covered walkway highlighted through the use of colored concrete. An additional parking space will be constructed in front of the restaurant building, adding convenience for restaurant patrons and achieving compliance with the Belmont Zoning Ordinance.

*g) Review of site landscaping including adequacy of irrigation plans, size and location of plant materials, and protection of existing plant materials.*

A minimum 10% of the gross site area is required for landscaping of the site. The applicant proposes a site plan with new landscaping on 24% of the site. The applicant proposes new landscaping and decorative features in close proximity to the existing building. New features include the landscape planters along the front of the building and upgraded landscaping around the publicly-visible perimeter of the building. The parking lot planting is not proposed to be upgraded, except in the landscaped island closest to the restaurant entrance. Staff recommends the final landscaping and irrigation plans be reviewed and approved by the Planning Commission. The proposed landscape plan incorporates greenscape elements and trellis enhancements to provide aesthetic improvements for the building; however, other areas of the site have not included necessary upgrades to the landscaping. All landscaped areas shall be properly irrigated with an automated watering system.

Staff has considered the applicant's request for Design Review and finds it generally consistent with the Design Review Ordinance Principles (Section 13.5.3) and design requirements as well as the overall objectives of the ATTP. Staff reviewed the proposed building façade improvements, landscaping, lighting, roof treatment, and signage and believes the proposal (as conditioned) conforms to all required standards and is generally compatible with neighboring properties.

## **CONCLUSION AND RECOMMENDATION**

Based on the foregoing analysis, staff recommends approval of the Design Review application with the conditions of approval as specified in Attachment III.

## **ACTION ALTERNATIVES**

1. Continue the project and direct staff to work with the applicant to modify the request.
2. Deny the Design Review application. The Commission will identify specific facts to support a denial, and a resolution would be returned to the Commission for final action.

## **ATTACHMENTS**

- I. 500 Foot Radius Map (follows on page 2)
- II. Resolution approving Design Review
- III. Conditions of Project Approval
- IV. Neighborhood Outreach Strategy materials
- V. Applicant's plans and submittal materials (Commission only)

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Respectfully submitted,

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Andrea Ouse, AICP  
Consulting Planner

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Carlos de Melo  
Community Development Director

cc: Applicant  
Property Owners

***PLEASE NOTE:***

**Attachments IV and V are not included as part of this document – please contact the Community Development Department at (650) 595-7417 for further information on these attachments.**

RESOLUTION NO. 2006-\_\_

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT  
APPROVING DESIGN REVIEW AT 300 EL CAMINO REAL  
(APPL.NO. PA2006-0020)

WHEREAS, MWM Architects, applicant, and Narges Kangarloo and Saeed Ayagh, owners, request Design Review approval to allow exterior façade and landscaping improvements to the existing commercial structure for a restaurant use at 300 El Camino Real; and,

WHEREAS, on May 16, 2006, the Planning Commission, following notification in the prescribed manner, conducted a public hearing, at which hearing the Commission considered public testimony and a staff report on the aforementioned requested Design Review entitlement; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be categorically exempt pursuant to the California Environmental Quality Act, Section 15301, Class 1 (a); and,

WHEREAS, the Planning Commission hereby adopts the staff report dated May 16, 2006 and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission has considered the applicant's request for Design Review pursuant to the Design Review Ordinance Principles of Section 13.5.3 of the Belmont Zoning Ordinance, and ATTP as follows:

*h) Review of buildings or structures for scale, mass, proportion, use of materials, relationship to adjacent elements and relationship to the community as a whole.*

The proposed building façade improvements include removal of the faux stone chimney in the center of the main dining area, removal of window glazing and replacement with wood frame windows and French doors, new windows on the El Camino Real frontage and the south elevation, new barrel-tile roof, new entryway, new wood trellis, new decorative pilasters along the main entry frontage, new plaster finish, new building accent lighting, new engineered-limestone veneer, new landscape planters and a new trash enclosure. These modifications reinforce integrity of building elements and design features and break up the massing of the building.

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accents and pilasters consistent with a Mediterranean theme are also proposed along the elevation facing the parking lot. The construction of a new covered entryway with colored concrete accents is consistent with the ATTP, as is the wood trellis accent proposed along the El Camino Real frontage. Although the new entryway would include a steel roof, it is considered an accent material and will not detract from the overall aesthetic of the proposed improvements.

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*i) Review of proposed exterior color and material application with relationship to adjacent architectural of natural elements. The intent with respect to review of color is to avoid the use of extreme color.*

The proposed structure does not include the use of extreme color. The proposed color scheme uses an earth tone (tan) for the stucco wall finish with a lighter accent color (lighter tan) for window trim. The proposed building materials compliment the proposed form of the building.

*j) Review of the proposed location, height, and materials of walls, fences, hedges and screen plantings to ensure harmony with adjacent development or to conceal storage areas, utility installations or other surfacing to prevent dust erosion.*

The landscape plan for the site, as conditioned, would enhance the existing landscaping by adding planting areas around the most visible areas of the building. A condition of approval requires the final landscaping and irrigation plans to be submitted for review and approval by the Planning Commission.

The proposal includes construction of a trash enclosure. As proposed, the enclosure would be constructed of concrete masonry units with a plaster finish, painted to match the building. The doors of the enclosure will be faced away from public view. The location of the trash enclosure must be revised to meet the "Transitional Yard" requirement of 9 feet from the adjacent residentially-zoned property to the west. A condition of approval is recommended to require final design details to be reviewed by the Community Development Department prior to issuance of permits.

*k) Review of location, size, height, lighting and landscaping of signs as specified in the Sign Ordinance, in relation to traffic hazards and the appearance of harmony with the environment. The intent with respect to review of color is to avoid the use of extreme color.*

Proposed signage includes building signage with the restaurant name, Shalizaar, and its logo on the north-facing and east-facing gables. In addition, the applicant has proposed to re-face the existing pole sign. However, the signage cannot be fully evaluated because specific details regarding the signage, including the materials and design of the pole sign have not been submitted. A condition of approval requires submittal of all signage information for review by

the Community Development Department prior to issuance of permits. The color palette proposed avoids the use of extreme colors and is compatible with a Mediterranean design theme.

*l) Review of site layout considering the orientation and location of buildings and open spaces in relation to the physical characteristics of the site, the character of the neighborhood, the appearance and harmony of the buildings with adjacent development and the surrounding landscape.*

The changes to the existing site layout include modifications to the front entry, and construction of a trash enclosure near the western side of the building. The site and building improvements will improve the appearance of the property and the upgraded landscaping, as conditioned, will set the tone for the remainder of the El Camino Real frontage. The proposed landscaping and façade improvements will also enhance the physical appearance and harmony of the commercial building as well as improve the character of the neighborhood.

*m) Review of the layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.*

The project will not revise existing vehicular entrances or exits. Sidewalks along El Camino Real and Anita Avenue serving the site will continue to be maintained. The main public pedestrian entrance will be improved through the construction of a new covered walkway highlighted through the use of colored concrete. An additional parking space will be constructed in front of the restaurant building, adding convenience for restaurant patrons and achieving compliance with the Belmont Zoning Ordinance.

*n) Review of site landscaping including adequacy of irrigation plans, size and location of plant materials, and protection of existing plant materials.*

A minimum 10% of the gross site area is required for landscaping of the site. The applicant proposes a site plan with new landscaping on 24% of the site. The applicant proposes new landscaping and decorative features in close proximity to the existing building. New features include the landscape planters along the front of the building and upgraded landscaping around the publicly-visible perimeter of the building. The parking lot planting is not proposed to be upgraded, except in the landscaped island closest to the restaurant entrance. Staff recommends the final landscaping and irrigation plans be reviewed and approved by the Planning Commission. The proposed landscape plan incorporates greenscape elements and trellis enhancements to provide aesthetic improvements for the building; however, other areas of the site have not included necessary upgrades to the landscaping. . All landscaped areas shall be properly irrigated with an automated watering system.

WHEREAS, the Planning Commission finds the applicant's request for Design Review is generally consistent with the Design Review Ordinance Principles (Section 13.5.3) and design requirements of the ATTP. The Planning Commission reviewed the proposed building façade improvements, landscaping, lighting and roof treatment and believes the proposal (as conditioned) conforms to all required standards and is generally compatible with neighboring properties.

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony herein above set forth.

NOW, THEREFORE, BE IT RESOLVED the Planning Commission approves the Design Review application to allow exterior façade and landscaping improvements to the existing commercial structure for a restaurant use at 300 El Camino Real, subject to the conditions attached as Exhibit "A".

\* \* \* \* \*

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on May 16, 2006 by the following vote:

AYES,  
COMMISSIONERS: \_\_\_\_\_  
NOES,  
COMMISSIONERS: \_\_\_\_\_  
ABSENT,  
COMMISSIONERS: \_\_\_\_\_  
ABSTAIN,  
COMMISSIONERS: \_\_\_\_\_  
RECUSED,  
COMMISSIONERS: \_\_\_\_\_

\_\_\_\_\_  
Carlos de Melo  
Planning Commission Secretary

## EXHIBIT "A"

### CONDITIONS OF PROJECT APPROVAL DESIGN REVIEW 300 EL CAMINO REAL (APPL. NO.2006-0020)

#### I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

#### Planning Division

1. Construction shall conform to the plans on file in the Planning Division for Appl. No. 2006-0020 and date-stamped February 22, 2006 (and as further conditioned with additional design/landscaping enhancements outlined in Conditions I.A.3, 4, 5, and 6). The Director of Community Development may approve minor modifications to the plans.
2. All construction and related activities which require a City building permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, and 10:00 a.m. to 5:00 p.m. on Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4<sup>th</sup> of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.
3. Signage plans shall be prepared and submitted to the Community Development Department for review and approval prior to issuance of any permits. All signage shall meet the guidelines set forth in the ATTP and the Belmont Zoning Ordinance.
4. All landscaping and irrigation plans shall be submitted for review and approval to the Planning Commission prior to issuance of building permits. Landscaping plans shall include a schedule of all existing and proposed species and size of proposed plantings. Proposed species shall be compatible with the Belmont climate.
5. Final design plans for the trash enclosure shall be submitted for review and approval by the Community Development Department prior to issuance of building permits. The location of the trash enclosure shall meet the requirements of Section 9.7.5 of the Belmont Zoning Ordinance.
6. Landscaping shall be installed or bonded for installation prior to occupancy.

7. The hours of business operation for the commercial building for the site shall be limited to 7:00 A.M. to 11:00 P.M. consistent with Section 5.2.2 (k) of the Zoning Ordinance.
8. Prior to issuance of building permits, the property owner shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that he/she has read, understands and agrees to these conditions of approval.
9. In accordance with the Belmont Zoning Ordinance, the permit(s) granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.
10. In the event that this approval is challenged by a third party, the property owner and all assignees will be responsible for defending against this challenge, and agrees to accept responsibility for defense at the request of the City. The property owner and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.
11. Prior to the issuance of building permits for the project, the applicant shall facilitate review of potential location of any backflow preventer equipment associated with the development with representatives of the Public Works and Community Development Departments, South County Fire Authority, and Mid Peninsula Water District to address aesthetic and design issues for such equipment.

#### Building Division

1. Prior to any construction, the applicant or a designated representative shall obtain all of the required building permits for the project.
  2. Prior to issuance of any permits for the project, the applicant shall provide a list of construction and demolition recycling service providers to the Building Official
- II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:
- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

1. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs or video of before condition are recommended.
  2. Roof leaders and site drainage shall be directed to the City stormwater drainage system.
  3. Roof downspout systems shall be designed to drain into designated, effective infiltration areas or structures (refer to the Bay Area Stormwater Management Agencies Association (BASMAA) Start at the Source Design Guidance Manual for Stormwater Quality Protection [available from BASMAA@ 510-622-2465]).
  4. To control concentrated flow, drainage from paved surfaces, including streets, parking lots, driveways, and roofs, shall be routed through swales (also known as vegetated channels), buffer strips, or sand filters prior to discharge into the storm drain system. Sand filters shall be inspected and cleaned on a biannual basis. The property owner or association shall be responsible for inspections and maintenance.
  5. Food service facilities (including restaurants and grocery stores) shall have a sink or other floor mat, container, and equipment cleaning area, which is connected to a grease interceptor prior to discharging to the sanitary sewer system. The cleaning area shall be large enough to clean the largest mat or piece of equipment to be cleaned. The cleaning area shall be indoors or in a roofed area outdoor; both areas must be 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 storm drain. Signs shall be posted indicating that all food service cleaning of the grease interceptor is required and may be subject to periodic inspections conducted by municipal staff.
  6. Runoff from trash enclosures, recycling areas, and/or food compactor enclosures, or similar facilities shall not discharge to the storm drain system. Trash enclosure areas shall be designed to avoid run-on to the trash enclosure area. If any drains are installed in or beneath dumpsters, compactors, and tallow bin areas serving food service facilities, the drains shall be connected to a grease removal device and/or treatment devices prior to discharging to the sanitary sewer.
  7. A curb ramp shall be installed at the corner of Anita Avenue and El Camino Real complying with the applicable Caltrans standard. All required permits shall be obtained from Caltrans and the Public Works Department.
- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.

2. Applicant shall install the sanitary sewer connection in accordance with Department of Public Works approved standards and pay the applicable sewer connection fee.
  3. If PG&E is requiring the developer to put in the gas and/or electrical connection, then the developer must submit plans for the encroachment to the Department of Public Works.
  4. All plans shall conform to the requirements of the City NPDES stormwater discharge permit and the San Mateo Stormwater Pollution Prevention Plan (STOPPP). The project plans shall include permanent storm water quality protection measures. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses to be conducted on-site to effectively prohibit the discharge of pollutants with storm water run-off. A Maintenance and Operation Agreement shall be prepared by applicant incorporating the conditions of this section.
  5. All landscaping shall be maintained and shall be designed with efficient irrigation systems to reduce runoff, promote surface filtration and minimize the use of fertilizers, herbicides and pesticides.
  6. The property owner shall implement a trash management and litter control program including emptying trash receptacles in common areas, noting trash disposal violations by homeowners or business, and notifying violators.
  7. The phrase "No Dumping-Drains to Bay" or equal phrase shall be labeled on new storm drain inlets by stenciling, branding, plaque or casting.
  8. All on-site drain facilities must be inspected twice a year and cleaned immediately prior to the rainy season (prior to October 15) and once again during the rainy season. Results of inspection and cleaning shall be reported to the Department of Public Works on an annual basis on or before June 30 of each year.
  9. Restaurants and kitchens shall be designed with contained areas for cleaning and outdoor washdown connected to the sanitary sewer. Areas designated for grease storage for recycle or disposal pickup shall be contained.
  10. Trash enclosures and dumpster areas must be covered and protected from roof and surface drainage. Drains within the trash enclosure will be connected to the sanitary sewer system.
  11. Loading docks shall be covered, surrounded by berms or cubs or otherwise constructed to prevent drainage onto or from the area. Water used for washing and accumulated waste shall be diverted to the sanitary sewer.
- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.
1. Failure to comply with any permit condition may result in a "Stop Work" order or other penalty.
  2. A portion of the proposed work may be within the State of California right-of-way. The applicant shall contact the California Department of Transportation (Caltrans) to obtain an encroachment permit for this portion of the work.

12. The owner/applicant shall ensure that applicable Best Management Practices (BMPs) from the San Mateo Stormwater Pollution Prevention Program (STOPPP) are followed to prevent discharge of soil or any construction material into the gutter, stormdrain system or creek.
13. Filters shall be installed at all catch basins throughout the site to the satisfaction of the Public Works Department.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE SOUTH COUNTY FIRE PROTECTION AUTHORITY:

1. An automatic fire sprinkler system meeting the requirements of the South County Fire Protection Authority current ordinance shall be provided.
2. Address numbers shall be illuminated and visible on all new buildings. Rear addressing is/may also be required. Size of lettering and illumination shall meet South County Fire Standards.
3. Submit fire flow information to South County Fire. Contact Mid-Peninsula Water at 650-591-8944 for fire flow information.

IV. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT:

1. All activities shall be subject to the requirements of the Belmont Noise Ordinance.
2. No debris boxes or building materials shall be stored on the street.
3. Flag persons shall be positioned at both ends of blocked traffic lanes.
4. 24-hour written notice to the Police Department is required before any lane closure.

Certification of Approved Final Conditions:

\_\_\_\_\_  
Carlos de Melo, Community Development Director

\_\_\_\_\_  
Date