



MEETING OF AUGUST 15, 2006

AGENDA ITEM NO. 6A

Application I.D.: PA2005-0065

Application Type: Conditional Use Permit to reestablish a Detailed Development Plan and Design Review

Location: 600 Clipper Drive

Applicant: John Osmond

Owners: Broadreach Capital Partners, LLC

APN: 040-360-470

Zoning: PD – Planned Development

General Plan Designation: Eb - Mixed Use Area – East Belmont

Environmental Determination: Adopted Island Park Mixed Use Development - Environmental Impact Report

PROJECT DESCRIPTION

The applicant requests Conditional Use Permit and Design Review approval to reestablish a range of previously permitted uses, including multi-tenancy corporate and commercial offices, biotechnology and medical offices with ancillary laboratory and/or outpatient services, within an existing 157,499 square-foot commercial office building. The proposal includes modifications to the existing parking lot and loading/drop off area as well as a new signage program.

RECOMMENDATION

Staff recommends the Planning Commission approve the Conditional Use Permit and Design Review application subject to the conditions of approval contained on the attached resolution¹.

ZONING/GENERAL PLAN DESIGNATION

The subject property is located in a PD (Planned Development) zoning district. According to Section 12.9 of the Zoning Code, amendments to (and in this case reestablishment of) an approved Detailed Development Plan require approval of a Conditional Use Permit. The site is designated as Mixed Use – East Belmont in the General Plan, and the existing and proposed uses are consistent with the General Plan designation.

¹ 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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300/500-foot Radius Map

PRIOR ACTIONS

The following is a chronological list of prior Planning actions:

- December 11, 1984 – Island Park Planned Development is adopted, and provides for a broad mix of commercial and residential uses for this area, including commercial and professional offices, retail and service centers, and offices with research and development, ancillary laboratory and testing facilities.
- November 16, 1993 – the Planning Commission approves a Conditional Use Permit, Design Review, Detailed Development Plan (DDP), and Grading Plan to allow the construction of the 157,500 square foot commercial office building for the subject site that was to be constructed in two phases.
- August 1993 – City Council adopts resolution to abandon a portion of Clipper Drive that formerly bisected the property.
- 1995 - Construction of Phase I consisting of the 118,735 square-foot building is completed.
- February 15, 1994 – Planning Commission approves a CUP revising the conditions of approval of the original CUP.
- 2000/2001 – The Planning Commission approves a Design review application for a 38,765 square-foot building addition (Phase II) and construction of said addition is completed.
- November 9, 2004 – City Council reviews Preliminary Design Review proposal for redevelopment of the project site with residential uses. The council does not concur with the proposal.
- July 28, 2005 – Community Development Director makes the determination that the original CUP is no longer valid because the building has been vacant for a period in excess of ninety days.

At the June 20, 2006 meeting, the Planning Commission reviewed the proposed entitlements as a study session item. Based on discussion and comments made at that meeting, the applicant has made minor modifications to the project proposal.

SITE CONDITIONS

The 8.6 acre parcel is currently developed with an approximately 157,499 square-foot three-story office building that is presently vacant, but was most recently occupied by Acera and Oral-B. The site also includes a 472 space parking lot and on-site landscaping.

The site is located at the northwesterly corner of Clipper Drive. Surrounding uses include residential properties (California Cottages/Farallons) to the east, the Belmont Sports Complex and Summerfield Suites to the south, and residential properties residing within Foster City to the north.

PROJECT ANALYSIS

The applicant is proposing to reestablish a range of uses for the existing 157,499 square-foot building so that the property owner may pursue new leasing opportunities for the presently

vacant building. The applicant is also proposing to reconfigure the existing “L” shaped entry driveway to create a curved driveway that will accommodate drop-off activities. The driveway reconfiguration would eliminate two parking spaces and replace them with landscaping.

The project also involves modifications to the site landscaping near the reconfigured driveway. There are three existing trees that the applicant would like to remove and replace with eleven 24-inch box *Tristania Conferta* trees. A new planting area is also proposed near the entrance, adjacent to existing on-site parking spaces. No specific plant species are called out for the planter at this time.

The applicant originally proposed to install seven exterior mounted lights onto the building that would improve visibility near and around the building. The location of these seven light fixtures is still indicated on the site plan (sheet A1.2). In response to comments made by Commissioners at the 06/20/06 meeting, the applicant has agreed to remove the exterior lights from the proposal.

Finally, the applicant is also requesting Design Review approval of two new monument signs. The location of these signs and the sign elevation drawings have been provided on sheet A1.2. Both of the monument signs are proposed to be four feet tall and made of poured in place concrete. One of the monument signs would be oriented towards vehicles entering from Clipper Drive, while the other would be located near the southernmost driveway and is intended to provide an opportunity for a separate tenant to occupy the west tower.

PROJECT DATA

Criteria	Existing	Proposed	Required/ Max. Allowed
Lot Size	8.6 acres	No Change	N/A
Slope	<1%	No Change	N/A
FAR	0.420	No Change	0.480
Square Footage	157,499 sq. ft.	No Change	166,398 sq. ft.
Parking	472 spaces	470 spaces	459 spaces (Per DDP)
Building Setback from Clipper Drive	36.5 ft.	No Change	25 ft. (Per DDP)

DISCUSSION

Zoning Conformance - Conceptual and Detailed Development Plans

A Conceptual Development Plan is the core of a PD zone designation. PD designations are assigned only in response to a specific project application, and each PD-zoned site includes a Conceptual Development Plan. The CDP includes a schematic layout of, “land uses, location of buildings, structures and building groups...proposed circulation systems...proposed parks, playgrounds, school sites and other open spaces...proposed landscaping...any existing trees to be removed...proposed off-street parking”.²

Detailed Development Plan (DDP) review for any established Planned Development-zoned property does not occur until after a CDP is approved. The DDP review focuses on

² Belmont Zoning Ordinance, Section 12.3A, excerpts

“...elevations and perspective drawings of all proposed structures...location and type of plant materials...finished grades...off-street parking”.³

The approved CDP established a range of permitted uses and designated this lot to have an FAR of .480, or 166,398 sq. ft. for this subject site. The CDP also established maximum lot coverage, maximum building height, and general on-site parking standards. The previously approved DDP (1993) and CUP permitted a 157,500 square-foot building to be used for multi-tenancy corporate offices, and medical offices with ancillary laboratory and/or outpatient services, and research and development facilities. The applicants’ proposal to reestablish the previously permitted uses and to make minor site design modification complies with both the CDP and the DDP.

General Plan Conformance

The General Plan designates the project site as Mixed Use Area – East Belmont. The proposed office and commercial uses would not change the intended land use for the established Planned Development (broad mix of commercial uses, including commercial and professional offices), and would be in conformance with the mixed-use General Plan designation.

NEIGHBORHOOD OUTREACH

The applicant performed neighborhood outreach as detailed in the Neighborhood Outreach submittal provided for this report (attachment IV). The applicant reported sending a letter to all property owners within 300 feet of the site informing them of the request to re-establish office/commercial/biotechnology uses within the existing building. The applicant provided contact information and reports that no neighbors provided feedback. As of the writing of this report, staff has not received any responses to the public notice. The applicant appears to have achieved the outreach strategy tasks.

ENVIRONMENTAL CLEARANCE (CEQA)

The Island Park Mixed Development Final Environmental Impact Report (EIR) was adopted March 28, 1989. This EIR analyzed full buildout of the Island Park Planned Development, which included 800,000 square feet of office space, 13,000 square feet of commercial space, 350 condominium units, a 350-room hotel, and park facilities. Full buildout of the subject property, as was established by the Conceptual Development Plan, would permit a Floor Area Ratio (FAR) of .480, or 166,398 square feet of commercial/office space. The Detailed Development Plan (DDP) that was approved in 1993, and which the applicant is requesting to reestablish at this time, includes only 157,499 square feet of commercial office space.

When the original DDP was approved in 1993, it was determined that the environmental impacts associated with establishment of 157,499 square feet of commercial/office space were adequately addressed and mitigated as part of the Island Park Mixed Development EIR. Several mitigation measures from the EIR were incorporated as conditions of the 1993 project approval. The applicant is now requesting a Conditional Use Permit to reestablish a Detailed Development Plan, and Design Review approval for minor site modifications. The proposed land use and building intensity are consistent with the originally approved Detailed Development Plan. The

³ Ibid., Section 12.5.A.6, excerpts

environmental analysis and adopted mitigation measures in the Island Park Mixed Development EIR are still applicable to the currently proposed entitlements so long as none of the scenarios listed in Section 15162(1) of the CEQA Guidelines are present.

Section 15162(1) of the CEQA Guidelines establishes that “no subsequent EIR shall be prepared for the project” if the Commission can determine that:

- (1) No substantial changes are proposed in the project that would require major revisions to the previous EIR; and
- (2) No substantial changes have occurred with respect to the circumstances under which the project is undertaken; and
- (3) No new information of substantial importance shows that the project will have new significant effects not addressed in the previous EIR, that previously identified effects will be substantially more severe, that mitigation measures previously found not to be feasible are in fact feasible and would substantially reduce one or more significant effects, or the project proponents decline to adopt new applicable mitigation measures that are considerably different from those analyzed in the previous EIR.

Staff has worked with the City Attorney and the applicant in reviewing the previously certified EIR and other environmental documents that have been prepared for projects in the vicinity. Based on these documents, it has been determined that no new information is available that would suggest a changed circumstance surrounding the project or that would identify new significant impacts.

Staff has reviewed the mitigation measures adopted in the previously certified EIR with respect to ‘Traffic, Circulation, and Parking.’ A majority of these mitigation measures were related to improvements along the site access road (Island Parkway). However, completion of the US Route 101/Ralston Avenue Interchange Modifications Project, which included a new overpass to Island Parkway and improved access to Island Park, has negated the applicability of many of the ‘Traffic, Circulation, and Parking’ mitigation measures. No new applicable mitigation measures that are considerably different from those previously analyzed have been identified, and there are no mitigation measures previously found not to be feasible, but are in fact feasible.

Staff has included a condition of approval establishing that all applicable mitigation measures identified in the Island Park Mixed Development EIR and adopted in the subsequent project approvals listed above under “Prior Actions” continue to apply to the proposed project entitlements.

CONDITIONAL USE PERMIT ANALYSIS

Section 11.5.1 of the Zoning Ordinance requires the following findings be made prior to the issuance of a conditional use permit:

- a) *The location of the proposed use is compatible to other land uses in the general neighborhood and does not place an undue burden on existing transportation, utilities and services of the vicinity.*

The reestablishment of previously permitted uses, including multi-tenancy corporate and commercial offices, biotechnology and medical offices with ancillary laboratory and/or outpatient services, within the existing building is compatible to other land uses in the surrounding area, including residential properties (California Cottages/Farallons) to the east, the Belmont Sports Complex and Summerfield Suites to the south, and residential properties residing within Foster City to the north.

Establishment of these previously approved uses will not place an undue burden on existing transportation, utilities and services in the vicinity and the project impacts have been previously analyzed and mitigated as part of the Island Park Environmental Impact Report. This finding can be made in the affirmative.

- b) *The site is of sufficient size to accommodate the proposed use together with all yards, open spaces, walls and fences, parking and loading facilities, landscaping and such other provisions required by this Ordinance.*

The site has been fully developed in compliance with the Island Park Detailed Development Plan and the previous Design Review approvals in terms of floor area, coverage, height, setbacks, parking, architecture, and landscaping. The landscaping will be modified such that saline-tolerant species will replace existing species that are not thriving, but will be consistent with the approved landscape plan. This finding can be made in the affirmative.

- c) *The site will be served by streets of capacity to carry the traffic generated by the proposed use.*

The site is served by streets with sufficient capacity to carry the additional traffic generated by use of the existing office space for multi-tenancy corporate and commercial offices, biotechnology and medical offices with ancillary laboratory and/or outpatient services. Potential traffic impacts were analyzed in the Island Park Environmental Impact Report and various mitigation measures were adopted. The applicant has met all of the applicable mitigation measures for the project and this finding can be made in the affirmative.

- d) *The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity or the general welfare of the City.*

The conditions of approval of this permit include standards in accordance with the Belmont Zoning Ordinance and the recently adopted Noise Ordinance to ensure land use compatibility with surrounding uses. The proposal to reestablish the Detailed Development Plan and permit a range of previously permitted uses will not adversely affect other properties in the vicinity or the general welfare of the City. This finding can be made in the affirmative.

PLANNED DEVELOPMENT DISTRICT ANALYSIS:

Section 12.4 of the Zoning Code requires that the following findings be made prior to approval of a Conditional Use Permit for any use in a Planned Development District:

- A) *Such use or uses substantially conform to the adopted General Plan of the City of Belmont.*

The proposal to reestablish various corporate and commercial office uses, including biotechnology and medical offices, within the existing building conforms to the goals as outlined in the mixed-use development section of the Belmont General Plan. This finding can be made in the affirmative.

- B) *Such use or uses are as shown on the approved Conceptual Development Plan for the particular PD District.*

The project is consistent with the approved Detailed Development Plan in terms of floor area, coverage, height, setbacks, parking, architecture, and landscaping. This finding can be made in the affirmative.

DESIGN REVIEW ANALYSIS

The proposed modifications to the parking lot and loading/drop off area 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 parking lot and entry modifications would not impact the existing buildings. The project scope has been modified to eliminate new building mounted light fixtures that would illuminate the parking lot and surrounding property to address potential of-site lighting spillover/glare issues for adjacent residential properties.

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

There are no proposed modifications to the external building color or materials.

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

The project involves modifications to the site landscaping near the reconfigured driveway. There are three existing trees that the applicant proposes for removal and replacement with eleven 24-inch box *Tristania Conferta* trees. A new planting area is also proposed near the entrance, adjacent to existing on-site parking spaces. No specific plant species are called out for the planter at this time. Staff has provided the applicant with lists of saline-tolerant landscaping and all new landscaping will need to be selected from this list and installed prior to building occupancy.

- 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.*

The project scope includes two new monument signs, both of which are proposed to be four feet tall and made of poured in place concrete. One of the monument signs would be oriented towards vehicles entering from Clipper Drive, while the other would be located near the southernmost driveway and is intended to provide an opportunity for a separate tenant to occupy the west tower. The monument signs are consistent with the building architecture and do not utilize colors that would be considered extreme (grey and blue background, stainless steel letters). No internal illumination is proposed.

- 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 proposed entitlements do not involve any modifications to the existing building design. The applicant is proposing to modify the main vehicular entry to create a more functional loading zone for tenants. This will result in the removal of two parking spaces that would be replaced with landscape planters. These modifications are generally compatible with the existing site design and provide additional landscape opportunities for the main entry area that will improve the overall aesthetic as perceived from adjacent properties and the public right-of-way.

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

As noted above, the applicant is proposing minor modifications to the primary vehicular entry in order to create a usable loading and drop-off zone for building tenants and visitors. The reconfigurations would result in the removal of two parking spaces that would be replaced in part with a new landscaping planter. The revised entry is appropriate for the proposed building uses and continues to provide safe vehicular and pedestrian access to the site.

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

A final landscaping and irrigation plan was approved as part of the original Conditional Use Permit to establish the Detailed Development Plan. That plan was reviewed by the San Francisco Bay Conservation and Development Commission. The applicant is proposing to remove three trees located at the primary building entry and replace them with eleven (11) *Tristania Conferta* trees that are more suited for the saline soil conditions at the site. The applicant has been provided a list of saline-tolerant landscaping and all landscaping proposed for the new planters shall be selected from this list and installed prior to building occupancy.

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). Staff reviewed the proposed site modifications and believes the proposal (as conditioned) conforms to all required standards and is generally compatible with neighboring properties.

CONCLUSION AND RECOMMENDATIONS

Based on the foregoing analysis, staff recommends approval of the Conditional Use Permit and Design Review applications with the conditions of approval as specified in Attachment III of this report.

ACTION ALTERNATIVES

1. Continue the project and direct staff to work with the applicant to redesign the site or modify the proposed building uses.
2. Deny the Conditional Use Permit and Design Review applications.

ATTACHMENTS

- I. 300/500-foot Radius Map
- II. Resolution of Approval
- III. Conditions of Approval
- IV. Neighborhood Outreach Materials
- V. CEQA Guidelines Section 15162
- VI. Project plans/materials (Commission only)

CC: Applicant/Property Owner

Respectfully submitted,

Jennifer Walker
Associate Planner

Carlos de Melo
Community Development Director

CC: Applicant/Property Owner

RESOLUTION NO. 2006-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING A CONDITIONAL USE PERMIT AND DESIGN REVIEW
FOR 600 CLIPPER DRIVE
(APPL.NO. PA2006-0019)

WHEREAS, John Osmond on behalf of Broadreach Capital Partners, LLC, requests a Conditional Use Permit and Design Review to reestablish a range of previously permitted uses, including multi-tenancy corporate and commercial offices, biotechnology and medical offices with ancillary laboratory and/or outpatient services, within an existing 157,499 square-foot commercial office building at 600 Clipper Drive; and,

WHEREAS, on August 15, 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 entitlements; and,

WHEREAS, the Planning Commission of the City of Belmont finds that any environmental impacts for the project are sufficiently addressed as part of the Island Park Mixed Development Environmental Impact Report adopted March 28, 1989; and,

WHEREAS, the Planning Commission hereby adopts the staff report dated August 15, 2006, and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission has considered the applicant's request for a Conditional Use Permit pursuant to the Conditional Use Permit findings of Section 11.5.1 of the Belmont Zoning Ordinance as follows:

e) *The location of the proposed use is compatible to other land uses in the general neighborhood and does not place an undue burden on existing transportation, utilities and services of the vicinity.*

The reestablishment of previously permitted uses, including multi-tenancy corporate and commercial offices, biotechnology and medical offices with ancillary laboratory and/or outpatient services, within the existing building is compatible to other land uses in the surrounding area, including residential properties (California Cottages/Farallons) to the east, the Belmont Sports Complex and Summerfield Suites to the south, and residential properties residing within Foster City to the north.

Establishment of these previously approved uses will not place an undue burden on existing transportation, utilities and services in the vicinity and the project impacts have been previously analyzed and mitigated as part of the Island Park Environmental Impact Report. This finding is affirmed.

f) *The site is of sufficient size to accommodate the proposed use together with all yards, open spaces, walls and fences, parking and loading facilities, landscaping and such other provisions required by this Ordinance.*

The site has been fully developed in compliance with the Island Park Detailed Development Plan and the previous Design Review approvals in terms of floor area, coverage, height, setbacks, parking, architecture, and landscaping. The landscaping will be modified such that saline-tolerant species will replace existing species that are not thriving, but will be consistent with the approved landscape plan. This finding is affirmed.

g) *The site will be served by streets of capacity to carry the traffic generated by the proposed use.*

The site is served by streets with sufficient capacity to carry the additional traffic generated by use of the existing office space for multi-tenancy corporate and commercial offices, biotechnology and medical offices with ancillary laboratory and/or outpatient services. Potential traffic impacts were analyzed in the Island Park Environmental Impact Report and various mitigation measures were adopted. The applicant has met all of the applicable mitigation measures for the project and this finding is affirmed.

h) *The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity or the general welfare of the City.*

The conditions of approval of this permit include standards in accordance with the Belmont Zoning Ordinance and the recently adopted Noise Ordinance to ensure land use compatibility with surrounding uses. The proposal to reestablish the Detailed Development Plan and permit a range of previously permitted uses will not adversely affect other properties in the vicinity or the general welfare of the City. This finding is affirmed.

WHEREAS, the Planning Commission has considered the applicant's request for a Conditional Use Permit in a Planned Development District pursuant to the Use Permit findings in Section 12.4 of the Belmont Zoning Ordinance as follows:

C) *Such use or uses substantially conform to the adopted General Plan of the City of Belmont.*

The proposal to reestablish various corporate and commercial office uses, including biotechnology and medical offices, within the existing building conforms to the goals as outlined in the mixed-use development section of the Belmont General Plan. This finding is affirmed.

D) *Such use or uses are as shown on the approved Conceptual Development Plan for the particular PD District.*

The project is consistent with the approved Detailed Development Plan in terms of floor area, coverage, height, setbacks, parking, architecture, and landscaping. This finding is affirmed.

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 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 parking lot and entry modifications would not impact the existing buildings. The project scope has been modified to eliminate new building mounted light fixtures that would illuminate the parking lot and surrounding property to address potential of-site lighting spillover/glare issues for adjacent residential properties.

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

There are no proposed modifications to the external building color or materials.

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

The project involves modifications to the site landscaping near the reconfigured driveway. There are three existing trees that the applicant proposes for removal and replacement with eleven 24-inch box *Tristania Conferta* trees. A new planting area is also proposed near the entrance, adjacent to existing on-site parking spaces. No specific plant species are called out for the planter at this time. Staff has provided the applicant with lists of saline-tolerant landscaping and all new landscaping will need to be selected from this list and installed prior to building occupancy.

- 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.*

The project scope includes two new monument signs, both of which are proposed to be four feet tall and made of poured in place concrete. One of the monument signs would be oriented towards vehicles entering from Clipper Drive, while the other would be located near the southernmost driveway and is intended to provide an opportunity for a separate tenant to occupy the west tower. The monument signs are consistent with the building architecture and do not utilize colors that would be considered extreme (grey and blue background, stainless steel letters). No internal illumination is proposed.

- 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 proposed entitlements do not involve any modifications to the existing building design. The applicant is proposing to modify the main vehicular entry to create a more functional loading zone for tenants. This will result in the removal of two parking spaces that would be replaced with landscape planters. These modifications are generally compatible with the existing site design and provide additional landscape opportunities for the main entry area that will improve the overall aesthetic as perceived from adjacent properties and the public right-of-way.

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

As noted above, the applicant is proposing minor modifications to the primary vehicular entry in order to create a usable loading and drop-off zone for building tenants and visitors. The reconfigurations would result in the removal of two parking spaces that would be replaced in part with a new landscaping planter. The revised entry is appropriate for the proposed building uses and continues to provide safe vehicular and pedestrian access to the site.

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

A final landscaping and irrigation plan was approved as part of the original Conditional Use Permit to establish the Detailed Development Plan. That plan was reviewed by the San Francisco Bay Conservation and Development Commission. The applicant is proposing to remove three trees located at the primary building entry and replace them with eleven (11) *Tristania Conferta* trees that are more suited for the saline soil conditions at the site. The applicant has been provided a list of saline-tolerant landscaping and all landscaping proposed for the new planters shall be selected from this list and installed prior to building occupancy.

WHEREAS, the Planning Commission finds the applicant's request for Conditional Use Permit is consistent with the required findings pursuant to Section 11.5.1 and 12.4 of the Belmont Zoning Ordinance (BZO), and request for Design Review approval is consistent with the required principles pursuant to Section 13.5.3 of the BZO. The Planning Commission reviewed the proposed use, site modifications, and landscaping 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 Conditional Use Permit and Design Review to reestablish a range of previously permitted uses

within an existing commercial office building at 600 Clipper Drive, 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 August 15, 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 CONDITIONAL USE PERMIT AND DESIGN REVIEW 600 CLIPPER DRIVE (APPL. NO.2006-0019)

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. 2006-0019 and date-stamped February 21, 2006. 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, 4th 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. 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.
4. 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.
5. 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.
6. All applicable mitigation measures identified in the Island Park Mixed Development Environmental Impact Report (adopted March 28, 1989), and adopted in the subsequent project approvals shall continue to apply to the project.

7. All on-site landscaping shall be in compliance with the previously approved landscape plan prior to building occupancy. The applicant shall be required to install saline-tolerant landscaping within the proposed landscape planters near the modified vehicle entry. Any existing trees that are in poor condition and in need of replacement shall be replaced with a saline-tolerant species per the list provided to the applicant by the Community Development.
8. The plans submitted for building permit plan check shall be modified such that no portion of the six-inch curb proposed at the new loading and drop off area and around the new landscape planter will impact the adjacent parking spaces.

Building Division

1. Prior to any construction, the applicant or a designated representative shall obtain all of the required building permits for the project. Plans shall conform to approved plans and shall show building materials and color scheme.

II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE SOUTH COUNTY FIRE DEPARTMENT:

1. Fire Department access roads meeting the requirements of the South County Fire Protection Authority. Minimum unobstructed width is 20 feet, minimum unobstructed vertical clearance shall be 13 ½ feet, and the surface shall be capable of supporting 61,000 pounds. Road shall be all weather, asphalt, or concrete. Identification of fire lanes is also required. A forty-foot outside and twenty-one foot inside turning radius shall be provided. Grade to the road shall not exceed 15%. Maximum dead end shall not exceed 150 feet.
2. The required fire-flow (gallons of water-per-minute) required for this project is not met. The fire-flow shall be in accordance with the 2001 CFC, Appendix III-A. (500 GPM req.)
3. An approved automatic fire sprinkler system meeting the requirements of the South County Fire Protection Authority current ordinance and that includes standpipes, shall be provided.
4. Address numbers shall be illuminated and visible on all buildings. Rear addressing is/may also be required. Size of lettering and illumination shall meet South County Fire Standards.

III. 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. A commercial driveway approach shall be installed in accordance with Department of Public Works approved standards.
 2. Prior to issuance of a sign permit, the Public Work Department shall review the dimensions of the proposed signs. The plans shall indicate that the monument signs do not block the "line of site" at the point of vehicular egress.
- 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. 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.
 3. 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.
 4. Streets and parking lots must be swept immediately prior to and once during the storm season. Records of street cleaning shall be reported to the Department of Public Works on an annual basis on or before June 30 of each year.
- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.
1. 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.
 2. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These includes, but are not limited to, the following:

- a. Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
- b. Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.
- c. Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.
- d. Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
- e. Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
- f. Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
- g. Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
- h. Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
- i. Limit construction access routes and stabilize designated access points.
- j. Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.

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:

Jennifer Walker, Associate Planner

Date