

PRIOR ACTIONS

The existing retail/office buildings were constructed in 1956 and a research of Planning Department records find that site has not been substantially altered since originally developed. The subject lots were established in 1890 as part of the “West Belmont” Subdivision. In 1985, a sign variance and design review permit (PA84-1052) to allow a freestanding sign were approved for the building. Two separate applications for redevelopment of the site were proposed since that time:

- The first application, filed in 1999, was a Preliminary Design Review proposal for a new 17,764 square foot mixed-use building. A review of the Planning Commission minutes from the July 11, 2000 meeting found that the Commission had significant concerns regarding the building’s orientation towards Emmett Street, the building height and consistency with the Downtown Specific Plan (DTSP).
- The second application entailed a Conditional Use Permit, Design Review, Grading Plan and Tree Removal Permit to allow construction of a 17,290 square foot mixed commercial use development.

The above entitlements were approved by the Planning Commission on June 4, 2003. However, those entitlements expired after a proposed time extension was denied.

SITE CONDITIONS

This property is located within the Belmont Redevelopment Area and is subject to the City’s Architectural Theme and Treatment Policy (ATTP). The subject property is located within the “Village Center District” of the Downtown Specific Plan Area (DTSP). The DTSP is an adopted section of the General Plan, and guides the construction of buildings within the district through establishment of specific design/architectural elements and development standards for height and bulk, floor area ratio, landscaping, and parking. The subject site is zoned C-2, General Commercial, with a Design Control Combining District (D-1) overlay; new commercial buildings or additions are conditionally permitted uses within this zoning district. The project is also subject to Design Review (pursuant to the principles set forth in Section 13.5.3 of the Zoning Code) and Grading Plan approval (pursuant to Section 9-27(a)-(h) of the City of Belmont Municipal Code) by the Planning Commission as part of the required project entitlements.

The site consists of a 26,402 square foot lot with the easternmost building, “Building 1” consisting of 3,968 square feet of total floor area and the westernmost building, “Building 2” consisting of 4,765 square feet of total floor area. The total amount of existing floor area is 8,733 square feet. The existing site includes parking for 43 cars, although there is no existing trash enclosure available. There is approximately 500 square feet of landscaping area on the site, with most of the area located around the perimeter of the parking area located behind the buildings. The site is bordered to the south by Emmett Street and the Village Center Safeway, by the Emmett House to the east, a small multi-tenant office/commercial building to the north and a commercial building (bank) to the west. The site is located on the south side of Ralston

Avenue, with a secondary frontage on Emmett Street, between El Camino Real and Sixth Avenue.

PROJECT ANALYSIS

The applicants propose to significantly upgrade the buildings' exterior, and resurface and improve the parking lot and site landscaping and to establish a Master Sign Program. In addition, a new trash enclosure would be constructed in the northeast corner of the parking lot behind Building 1. The existing façade is a plain example 1950's-1960's architectural style, with simple aluminum-framed plate glass windows and doors along the Ralston Avenue frontage, and a low-profile tar-and-gravel hip roof. The sides of the stucco-clad building are not easily viewed from the street or surrounding properties and the rear of the building has fewer architectural features than the primary frontage.

Building Modifications

The most visible frontages, the north and south elevations, are proposed to be significantly improved through the installation of large windows and roof dormers. In addition, the walls on both elevations would be revised to eliminate the existing flat, two-dimensional appearance by projecting a portion of the wall on each building. Along the west elevation, approximately 150 square feet of floor area would be removed which would allow a four-foot clear space along the entire length of the building adjacent to the neighboring property to the west. The revisions to the buildings would require the removal of approximately 420 square feet of floor area.

All building elevations will be significantly upgraded to include:

- New 1"x8" "Hardipanel" lap siding wrapping the entire exterior.
- Increasing the roof slope, thereby raising the building height from approximately thirteen (13) feet at the existing roof peak to nineteen (19) feet.
- Changing the roof material to composition shingle, the style of which will create more depth and texture than the existing flat tar-and-gravel roof.
- Adding dormers with gabled roof elements to the new roofline to create additional architectural interest.
- Constructing a covered breezeway to physically and visually connect both buildings. The breezeway features wood columns at the Ralston Avenue entrance and a flat roof with two 8'x20' skylights.
- Installing four heating, ventilation and air conditioning (HVAC) units near the center of the breezeway, hidden from view by two parapet-type wall elements near each end of the breezeway.
- Installing new and additional windows and architectural "bump-outs" on the front and rear elevations which will open both the south and north elevations to the street. The new elevations will include transoms and wood framing, continuing the style established throughout the Village Center.
- Constructing a new soffit of "Hardipanel" material to wrap the building and breezeway.

The overall color scheme is reflective of the Village Center color scheme, with natural green and earth tones with tasteful pastel accent colors on prominent architectural features.

Parking Lot/Landscaping

The reconstruction of the parking lot will include a significant reduction in the amount of impervious paving. Currently, the 43-space parking lot is paved with asphalt extending nearly the entire width of the property. With approval of the proposed plans, the parking spaces will be surfaced with a pervious pavement to allow runoff to percolate through to the ground beneath the surface, thereby decreasing the amount of runoff that enters into the City’s stormwater system. In addition, the proposal includes construction of a landscaped swale to be located along the eastern side of the building that would drain additional stormwater runoff from the building and site towards an inlet along the Ralston Avenue frontage.

This landscaped biofiltration swale will provide additional percolation to minimize runoff into the City’s storm drains. The landscape area in the rear parking lot will increase from approximately 600 square feet to nearly 3,400 square feet. The existing tree planters and shrubs will be removed and the parking lot redesigned to increase landscaping area. Such improvements will significantly increase the aesthetic value of the customer frontage through new landscaping.

PROJECT DATA

<u>Criteria</u>	Existing	Proposed	Required or Max. Allowed
Lot Size	26,402 sf	No Change	No Change
Slope	Near Level	<2%*	N/A
Parking Spaces	43	37	35
Landscape Area	500 sf +/-	4,210 sf +/- (16%)	3,960 sf (15%)

*NOTE: Grading to improve stormwater drainage.

GENERAL PLAN CONFORMANCE

The proposed improvements, Master Sign Program and landscape plan, as conditioned, conform to the land use designation for the site. The proposal is consistent with the General Commercial - Central Business District (CBD) General Plan designation.

ZONING CONFORMANCE

The proposed improvements to the landscape design and façade shall substantially meet the themes identified in the Goals and Objectives of the ATTP. The proposed renovation and site upgrades conform to the C-2 (General Commercial) development standards. The façade improvements are also in conformance with the standards of the “Village Center District” of the Downtown Specific Plan (DTSP) and the ATTP. The proposed improvements change the

westernmost setback from 0' to 3'-8" and the building height from thirteen (13) feet to nineteen (19) feet. Both proposed changes are within the required development standards. The proposed landscape elements meet the zoning district requirements by exceeding the minimum 15% of lot area.

With the increase in landscaping, however, the number of parking spaces will be reduced from 43 to 37. The minimum number of parking spaces required pursuant to the Belmont Zoning Ordinance for a mix of offices and retail uses in the Specific Plan area is one space for each 333 square feet of net floor area. Since the tenant improvement plans have not been submitted as part of this application, a calculation of net floor area is not possible. However, the proposed number of parking spaces meets even the minimum required when calculating by using the gross square footage of 8,313 square feet. Using the one space for each 333 square feet of net square footage calculation, the site must provide a minimum of 25 parking spaces. There will be fewer than 25 parking spaces required if using the net square footage. In summary, and based on existing uses in the Center, 37 spaces are proposed, and 25 spaces are required (based on a gross floor area calculation).

NEIGHBORHOOD OUTREACH

The applicant performed neighborhood outreach as detailed in the Neighborhood Outreach Strategy and summary attached to this report. The applicant reported notifying neighbors within 300 feet of the property and holding a meeting at the site on May 30, 2006. As reported by the applicant, all in attendance viewed the proposed project favorably. It appears that the applicant and project architect were present; three members of the public attended. The applicant has achieved the outreach strategy tasks. The applicant's summary of the meeting is attached.

ENVIRONMENTAL CLEARANCE (CEQA)

The proposed façade, site 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.

CONDITIONAL USE PERMIT

The General Commercial zoning district (C-2) designates the proposed retail/office commercial development as a permitted use. New commercial buildings and additions within this zoning district are subject to Conditional Use Permit approval. Although the building addition will result in a reduction of overall floor area largely due to the reduction of the northwesternmost corner of Building 2 and the reduction of floor area along the northern area of Building 1, the addition of “bump-outs” along the north and south elevations require approval of a Conditional Use Permit. The Commission may grant the Use Permit subject to the following findings:

1. *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 in the vicinity.*

The subject site is located in a mixed-commercial use area of the community. The General Commercial (C-2) zoning district allows retail and office uses by right. However, outpatient medical services require that 10% of all off-street parking spaces be accessible to the disabled. The proposed parking lot contains 37 spaces; two are considered accessible spaces. If outpatient medical services occur on the site, then four (4) accessible spaces are required. Staff recommends the prohibition of outpatient medical services if the number of required accessible parking spaces cannot be provided.

Public services are currently provided to the site, as well as to adjacent commercial uses along Ralston Avenue, El Camino Real and Emmett Street. The project would not significantly increase demand for public services such as schools, fire and police protection and the uses proposed (retail and office) are compatible to other land uses in the general neighborhood. The site is located adjacent to the Emmett House, which is proposed for relocation. The subsequent use of the Emmett House property has not yet been finalized by the Redevelopment Agency.

The project will not place an undue burden on local streets, existing transportation or utilities in the area. Thus, finding number one can be made in the affirmative.

- 2) *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.*

Based on the submitted site plan, sufficient room exists to accommodate the proposed remodeled commercial building, required parking, setbacks and landscaping. If the parking lot can be redesigned to accommodate a minimum of 10% accessible spaces (or four accessible spaces), outpatient medical services can occur on the site. This finding can be made in the affirmative.

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

Office uses are the predominant uses in the current buildings. The proposed project is largely an aesthetic improvement to the buildings, but the applicant has indicated that some or all of the uses will be retail or service-oriented. With the change of use, there may be a change in the traffic patterns. A traffic analysis had been prepared for the previous proposal in 2003 that would have increased the floor area on the site from 8,733 square feet to 17,290 square feet. At the time of that analysis, the study concluded that the proposed development would not result in any significant traffic impacts or contribute to significant cumulative impacts in the area. Based on comments received from City departments, local streets are adequate to accommodate the proposed development. This finding, therefore, can be made in the affirmative.

- 4) *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.*

Approval of the project would not adversely impact surrounding properties, since the proposed commercial building is sited within a mixed-commercial use area and the proposed retail/service commercial/office uses are general compatible with surrounding uses. Any structure built would be constructed to meet all current and applicable Uniform Building Codes and safety codes which would minimize risk to the maximum extent possible. This finding can be made in the affirmative.

DESIGN REVIEW

The proposed façade and landscape improvements for 873-877 Ralston Avenue are required to meet the Design Review Principles in Section 13.5.3 of the City of Belmont Zoning Ordinance. The Downtown Specific Plan (DTSP) imposes additional guidelines for the subject property. 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 extensive new lap siding to replace the existing stucco finish, articulated walls, new and additional windows and doors, a covered breezeway to connect the two buildings, new paint, finishes and additional landscaping. The proposed improvements are consistent with the Architectural Theme and Treatment Policy (ATTP). The ATTP of the Downtown Specific Plan set forth goals and objective that establish 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 from tar-and-gravel to composition shingles and raising the roof and adding dormers. The façade will be re clad with lap siding and painted in a color consistent with the Village Center theme. The existing aluminum-framed windows and doors, a prohibited material in the ATTP, will be replaced with new wood-framed windows and doors with clear glass inserts. The building's texture and overall theme will change significantly with approval of the proposed remodeling. Overall, the architectural features of the proposed building remodel will generally provide appropriate scale, mass, and proportions for the site.

- b) *Review of proposed exterior color and material application with relationship to adjacent architecture 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 deep greens for the majority of the building color, with rust and off-white as accent and trim colors. The Master Sign Program proposes the rust color as a standard background color for all sign panels. 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 landscaping plan for the site, as conditioned, would enhance the existing landscaping by adding planting areas in the front of the building and throughout the new parking area. The landscaping plan includes the planting of nineteen trees, including four street trees along Ralston Avenue and trees throughout the parking lot, to enhance the aesthetic value of the site. The project does not include the construction of fences, but shrubs are proposed along the perimeter and within the parking lot and under the covered breezeway. Overall, the proposed landscape plan incorporates both greenscape and hardscape elements to provide aesthetic improvements for the project and ensure harmony with adjacent development. A condition of approval requires the final landscaping and irrigation plans to be submitted for review and approval by the Planning Commission.

The proposal also includes construction of a trash enclosure. Specific details of the enclosure design have not been submitted, although the enclosure doors will open up to the parking lot for easy pickup and dropoff. A condition of approval requires the trash enclosure details to be submitted for review and approval by the Planning Commission. Details must include materials, colors, and proper stormwater pollution prevention measures incorporated into the design. The trash enclosure design should be consistent with the remainder of the development. Staff recommends that the details of the trash enclosure be reviewed by the Planning Commission

- 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.*

Section 23.9 of the Belmont Zoning Ordinance provides as follows:

General Requirements. A master sign program is required for all new multiple tenant projects and all building where the entire façade is being remodeled after the effective date of this section. The master sign program shall be subject to review and approval by the Planning Commission.

Currently, there is not a Master Sign Program associated with the Belmont Plaza development. However, the applicants have proposed a Master Sign Program, consistent with Section 23.9.3 of the Zoning Ordinance which states the following:

A master sign program shall be a condition of approval of any planned development, design review, use permit or other application required by the City and shall be processed prior to installation of any signs. Any sign which conforms to an approved sign program may be approved by the Director of Planning and Community Development or his or her designee. Approval of a master sign program does not waive the permit requirements for individual signs.

A Master Sign Program sets generalized requirements that govern the size, shape, design and location of signs within a multi-tenant development. Individual tenants must provide the Community Development Department with specific sign face designs and evidence that the individual sign will meet the standards of the Master Sign Program for review and approval by City staff.²

All conceptual signage proposed as part of a Master Sign Program must comply with Zoning Ordinance regulations for signs in commercial and manufacturing zoning districts as follows:

The aggregate area of signs permitted on any parcel shall not exceed one and six tenths (1.6) square feet of gross surface area for each foot of street frontage. Separate calculations may be made for front, side and rear street frontages and separate signs may be erected on each of these frontages.

Freestanding Signs

²13.5 ADMINISTRATIVE APPROVALS

The Planning Commission may pre-approve color combinations for use on signs and awnings and repainting of existing buildings. The Director of Planning may administratively approve the use of the pre-approved colors provided that the Director of Planning finds that the colors are 1) compatible with buildings on adjacent properties; and, 2) consistent with the applicable design guidelines of the City of Belmont. In addition, the Director of Planning may administratively approve replacement, relocation, and/or additional windows, doors, awnings and minor modifications not adding floor area, provided that the application is consistent with Section 13.5.3. Notice of the administrative approval shall be provided to the City Council and Planning Commission stating the opportunity to file a written appeal. Notice to the Council and Commission may be provided via e-mail. Applications which are found not to meet these criteria and findings shall not be administratively approved and shall be subject to the same procedures requiring Planning Commission review.

The proposed Master Sign Program includes a freestanding identification sign that could have as many as six tenants identified through individual projecting signs hanging from a decorative streetlight. However, Section 23.5.1(a) of the Zoning Ordinance requires that a parcel must have at least one hundred fifty (150) feet of continuous street frontage to be allowed a freestanding sign. The Belmont Plaza site has 105 feet of frontage along Ralston Avenue and 100 feet along Emmett Street. Therefore, the proposed freestanding sign would not be permitted.

Wall Signs

There are two types of exterior wall signs proposed: A rectangular tenant sign with a standard 1'-0" height and variable length (Sign "A"), and another sign that varies in size from 18"-30" in height and varies in length (Sign "B"). The proposal would locate Signs "A" along the east elevation facing the Emmett House property, and would include one Sign "A" along the eastern end of the Ralston Avenue frontage. Although the applicant seeks to allow maximum flexibility for their tenants if Sign "B" is installed, it is not consistent with furthering the goals of a standard style and size of signs within the Village Center area. Staff recommends that Sign "B" in the Master Sign Program be a standard size of 18"x24", that Sign "A" have a standard height of 1'-0" and that all signs be subject to approval by the property owner and the Community Development Department.

- 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 significant modifications to the street frontages through the construction of a connecting breezeway between the two existing buildings, the removal of portions of the building to improve the architectural look of the buildings and changes to the parking lot that increase the amount of landscaping and reduce stormwater runoff. The upgraded landscaping, the construction of a trash enclosure and the significant upgrades to the buildings enhance the physical appearance and harmony of the commercial buildings as well as improve the character of the neighborhood.

The subject site is comprised of four separate lots. Staff recommends that the lots be merged prior to issuance of building permits.

- 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 Ralston Avenue and Emmett Street will continue to be maintained. The main public pedestrian entrance will be improved through the construction of a new covered breezeway highlighted with large skylights. Although six parking spaces would be removed as a result of the parking lot upgrades

and construction of a trash enclosure, the number of spaces still exceeds the minimum required in the 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 of 15% of the gross site area is required to be landscaped. The applicant proposes a site plan with new landscaping on 16% of the site, a significant improvement from the less than 5% of the site currently landscaped. There are seven trees existing on the site: one Mulberry tree (7.8-inch DBH) located in the northwesternmost area of the parking lot and five Flowering Pear trees (ranging from 7-8" DBH). The proposal would include removal of all six existing trees and the planting of eighteen trees. The applicant will be required to pay mitigation fees totaling \$3,000, or \$500 per tree removed, for the loss of the existing trees.

The applicant proposes new landscaping throughout the parking lot and planting of four Japanese Maple street trees along the Ralston Street frontage. In addition, five planters are proposed under the covered breezeway and would be planted with 15-gallon size *Raphiolepis Indica*. Major planting throughout the parking lot includes the planting of two species of evergreen trees, eleven 24-inch box size Mayten Trees and four 15-gallon size Brazilian Pepper trees.

The proposed landscaping plan will not only incorporate greenscape elements and aesthetic enhancements to the property and Village Center in general, it will provide for considerable stormwater pollution prevention measures to reduce the amount of runoff that enters into the City's stormwater drainage system. Staff recommends that final planting within, and around, the biofiltration swale proposed along the eastern edge of the property be reviewed and approved by the Planning Commission. An irrigation plan was not submitted, and Staff is recommending submittal of an irrigation plan for Planning Commission review prior to issuance of building permits.

Staff has considered the applicant's request for Design Review and finds it generally consistent with the Design Review Ordinance Principles in Section 13.5.3 and guidelines of Section 22 of the Zoning Ordinance design requirements as well as the overall objectives of the Downtown Specific Plan (DTSP) and the Architectural Theme and Treatment Policy (ATTP). Staff reviewed the proposed building façade and parking lot improvements, landscaping, roof treatment, and Master Sign Program and believes the proposal (as conditioned) conforms to all required standards and is generally compatible with neighboring properties, particularly the "Village Center District" of the DTSP.

GRADING PERMIT

The proposed development will require Grading Permit approval by the Public Works Department. In preparation for that permit, the Planning Commission will review the following findings as specified in Section 9-27(a)-(h) of the City of Belmont Municipal Code (Grading).

Specifically, the aforementioned section requires that the Planning Commission review a grading plan if the combined volume of material excavated and/or filled would exceed 500 cubic yards or if the area disturbed by grading would exceed six thousand square feet.

The proposed area to be disturbed is approximately 14,208 square feet. The proposed project will involve 745 cubic yards of earthwork; 715 cy of cut and 30 cy of fill. The majority of the grading will occur as part of the parking lot redesign that will regrade the area to provide better drainage and the reduction of impervious asphalt area. As proposed, asphalt will be limited to the one-way drive aisle and the parking and loading spaces closest to the buildings. Thirty-five of the thirty-seven parking spaces would be constructed of pervious pavement material, and paving would be removed from the side yard areas and replaced with landscaping. The following are the findings required to be affirmed for approval of a Grading Permit.

- a) *The proposed grading will not endanger the stability of the site or any adjacent properties or pose a significant ground movement hazard to adjacent properties.*

The existing site is very flat, with less than a 2% slope from Emmett Street to Ralston Avenue. There is little or no grade difference between the subject site and neighboring properties. Regrading the site to provide for better stormwater drainage will not endanger the stability of the site or adjacent properties and will not pose a hazard. This finding can be made in the affirmative.

- b) *The proposed grading will not significantly increase erosion or flooding affecting the site or other properties and will not degrade riparian habitats, stream channel capacity or water quality.*

The proposed grading plan will not increase erosion, because the increase in pervious area will include significant landscaping. The property is located in an urbanized area, away from riparian habitat and stream channels. The increase in pervious surfaces will ultimately improve stormwater quality because more runoff will percolate through the landscaping and pervious paving material in the parking lot, thereby reducing the amount of stormwater that enters the storm drain system. The applicants, however, have not been specific regarding the pervious paving material used in the parking lot, or the planting used in the biofiltration swale. Staff recommends these materials be specified, reviewed by staff and approved by the Planning Commission. As conditioned, this finding can be made in the affirmative.

- c) *The proposed grading is necessary to allow reasonable use of the site.*

The applicants have proposed grading the site to improve the existing situation by reducing the impervious area and to allow for additional landscaping. Most of the earthwork involves the removal of pavement and establishment of a slight slope to improve drainage. This allows reasonable use of the site. This finding can be made in the affirmative.

- d) *The proposed grading, when completed, will result in a building site that is visually compatible with the surrounding land and accommodates any required off-street parking and retaining wall landscaping.*

The project will involve the major remodeling of the existing buildings through an exterior upgrade and redesign of the parking lot to increase landscaping and pervious area. No retaining walls are necessary or proposed, and the upgrades proposed will be compatible with the adjacent Village Center development. This finding can be made in the affirmative.

- e) *The proposed grading will meet the standards and specifications of Article IV of this chapter.*

The proposed grading plan will be required to meet all the standards and specifications of Article IV, such as complying with the weather limitations of Section 9-31, provision of proper erosion control measures and appropriate compaction. This finding can be made in the affirmative.

- f) *For applications for geologic or geotechnical investigations, the director of public services and the applicant's geotechnical engineer or engineering geologist shall find that the form of vehicular access and methods of excavation are the simplest and least intrusive possible to obtain the geologic information required by the City.*

The subject site is basically flat. According to the City's Engineering Division, no geotechnical or geologic investigation is necessary to evaluate the proposed project. This finding can be made in the affirmative.

- g) *The grading permit is conditioned on issuance of a hauling permit, if required.*

A hauling permit, if required, will be issued at the time of grading permit issuance. This finding can be made in the affirmative.

- h) *The design of the project preserves existing protected trees on the site and trees on adjoining property to the extent possible.*

There are no protected trees on the site. This finding can be made in the affirmative.

CONCLUSION

The proposed landscaping, signage, parking lot and building façade improvements meet the objectives of the General Plan and Zoning Ordinance and enhance the streetscape along Ralston Avenue. Based on the foregoing analysis, staff recommends approval of the Conditional Use Permit, Grading Plan and Design Review application subject to the Conditions of Approval in Attachment III.

ACTION ALTERNATIVES

1. Continue the project and direct staff to work with the applicant to redesign the proposed building façade, parking lot and landscaping improvements.
2. Deny the Conditional Use Permit, Grading Plan and Design Review application.

ATTACHMENTS

- I. 500 foot radius map of project site
- II. Resolution approving the Conditional Use Permit, Grading Plan and Design Review
- III. Conditions of Approval
- IV. Neighborhood Outreach Report
- V. Project plans and submittal materials (Commission only)

Respectfully submitted,

Andrea Ouse, AICP
Consulting Planner

Carlos de Melo
Community Development Director

CC: Applicant/Property Owner

PLEASE NOTE: Attachments IV and V are not included as part of this document. Please contact the Community Development Department at (650) 595-7453 for more information on viewing these attachments.

RESOLUTION NO. 2006- __

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT APPROVING
A CONDITIONAL USE PERMIT, GRADING PERMIT AND
DESIGN REVIEW AT 873-877 RALSTON AVENUE
(APPL. NO. PA2006-0086)

WHEREAS, Peter Jordan, applicant, and Ralston Associates, owners, request a Conditional Use Permit, Grading Permit and Design Review approval to allow a Master Sign Program, exterior façade, parking lot and landscaping improvements to the two existing commercial buildings at 873-877 Ralston Avenue; and,

WHEREAS, on September 19, 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 Conditional Use Permit, Grading Permit and 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 September 19, 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:

- 1) *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 in the vicinity.*

The subject site is located in a mixed-commercial use area of the community. The General Commercial (C-2) zoning district allows retail and office uses by right. However, outpatient medical services require that 10% of all off-street parking spaces be accessible to the disabled. The proposed parking lot contains 37 spaces; two are considered accessible spaces. If outpatient medical services occur on the site, then four (4) accessible spaces are required. The Planning Commission believes the prohibition of outpatient medical services if the number of required accessible parking spaces cannot be provided.

Public services are currently provided to the site, as well as to adjacent commercial uses along Ralston Avenue, El Camino Real and Emmett Street. The project would not significantly increase demand for public services such as schools, fire and police protection and the uses proposed (retail and office) are compatible to other land uses in the general neighborhood. The site is located adjacent to the Emmett House, which is proposed for relocation. The subsequent use of the Emmett House property has not yet been finalized by the Redevelopment Agency.

The project will not place an undue burden on local streets, existing transportation or utilities in the area. Thus, finding number one can be made in the affirmative.

- 2) *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.*

Based on the submitted site plan, sufficient room exists to accommodate the proposed remodeled commercial building, required parking, setbacks and landscaping. If the parking lot can be redesigned to accommodate a minimum of 10% accessible spaces (or four accessible spaces), outpatient medical services can occur on the site. This finding can be made in the affirmative.

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

Office uses are the predominant uses in the current buildings. The proposed project is largely an aesthetic improvement to the buildings, but the applicant has indicated that some or all of the uses will be retail or service-oriented. With the change of use, there may be a change in the traffic patterns. A traffic analysis had been prepared for the previous proposal in 2003 that would have increased the floor area on the site from 8,733 square feet to 17,290 square feet. At the time of that analysis, the study concluded that the proposed development would not result in any significant traffic impacts or contribute to significant cumulative impacts in the area. Based on comments received from City departments, local streets are adequate to accommodate the proposed development. This finding, therefore, can be made in the affirmative.

- 4) *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.*

Approval of the project would not adversely impact surrounding properties, since the proposed commercial building is sited within a mixed-commercial use area and the proposed retail/service commercial/office uses are general compatible with surrounding uses. Any structure built would be constructed to meet all current and applicable Uniform Building Codes and safety codes which would minimize risk to the maximum extent possible. This finding can be made in the affirmative.

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

- 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 extensive new lap siding to replace the existing stucco finish, articulated walls, new and additional windows and doors, a covered breezeway to connect the two buildings, new paint, finishes and additional landscaping. The proposed improvements are consistent with the Architectural Theme and Treatment Policy (ATTP). The ATTP of the Downtown Specific Plan set forth goals and objective that establish 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 from tar-and-gravel to composition shingles and raising the roof and adding dormers. The façade will be re clad with lap siding and painted in a color consistent with the Village Center theme. The existing aluminum-framed windows and doors, a prohibited material in the ATTP, will be replaced with new wood-framed windows and doors with clear glass inserts. The building's texture and overall theme will change significantly with approval of the proposed remodeling. Overall, the architectural features of the proposed building remodel will generally provide appropriate scale, mass, and proportions for the site.

b) *Review of proposed exterior color and material application with relationship to adjacent architecture 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 deep greens for the majority of the building color, with rust and off-white as accent and trim colors. The Master Sign Program proposes the rust color as a standard background color for all sign panels. 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 landscaping plan for the site, as conditioned, would enhance the existing landscaping by adding planting areas in the front of the building and throughout the new parking area. The landscaping plan includes the planting of nineteen trees, including four street trees along Ralston Avenue and trees throughout the parking lot, to enhance the aesthetic value of the site. The project does not include the construction of fences, but shrubs are proposed along the perimeter and within the parking lot and under the covered breezeway. Overall, the proposed landscape plan incorporates both greenscape and hardscape elements to provide aesthetic improvements for the project and ensure harmony with adjacent development. A condition of approval requires the final landscaping and irrigation plans to be submitted for review and approval by the Planning Commission.

The proposal also includes construction of a trash enclosure. Specific details of the enclosure design have not been submitted, although the enclosure doors will open up to the parking lot for easy pickup and dropoff. A condition of approval requires the trash enclosure details to be submitted for review and approval by the Planning Commission. Details must include materials, colors, and proper stormwater pollution prevention measures incorporated into the design. The trash enclosure design should be consistent with the remainder of the development. A condition of approval has been included that requires the details of the trash enclosure to be reviewed by the Planning Commission

- 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.*

Section 23.9 of the Belmont Zoning Ordinance provides as follows:

General Requirements. A master sign program is required for all new multiple tenant projects and all building where the entire façade is being remodeled after the effective date of this section. The master sign program shall be subject to review and approval by the Planning Commission.

Currently, there is not a Master Sign Program associated with the Belmont Plaza development. However, the applicants have proposed a Master Sign Program, consistent with Section 23.9.3 of the Zoning Ordinance which states the following:

A master sign program shall be a condition of approval of any planned development, design review, use permit or other application required by the City and shall be processed prior to installation of any signs. Any sign which conforms to an approved sign program may be approved by the Director of Planning and Community Development or his or her designee. Approval of a master sign program does not waive the permit requirements for individual signs.

A Master Sign Program sets generalized requirements that govern the size, shape, design and location of signs within a multi-tenant development. Individual tenants must provide the Community Development Department with specific sign face designs and evidence that the individual sign will meet the standards of the Master Sign Program for review and approval by City staff.

All conceptual signage proposed as part of a Master Sign Program must comply with Zoning Ordinance regulations for signs in commercial and manufacturing zoning districts as follows:

The aggregate area of signs permitted on any parcel shall not exceed one and six tenths (1.6) square feet of gross surface area for each foot of street frontage. Separate calculations may be made for front, side and rear street frontages and separate signs may be erected on each of these frontages.

Freestanding Signs

The proposed Master Sign Program includes a freestanding identification sign that could have as many as six tenants identified through individual projecting signs hanging from a decorative streetlight. However, Section 23.5.1(a) of the Zoning Ordinance requires that a parcel must have at least one hundred fifty (150) feet of continuous street frontage to be allowed a freestanding sign. The Belmont Plaza site has 105 feet of frontage along Ralston Avenue and 100 feet along Emmett Street. Therefore, the proposed freestanding sign would not be permitted.

Wall Signs

There are two types of exterior wall signs proposed: A rectangular tenant sign with a standard 1'-0" height and variable length (Sign "A"), and another sign that varies in size from 18"-30" in height and varies in length (Sign "B"). The proposal would locate Signs "A" along the east elevation facing the Emmett House property, and would include one Sign "A" along the eastern end of the Ralston Avenue frontage. Although the applicant seeks to allow maximum flexibility for their tenants if Sign "B" is installed, it is not consistent with furthering the goals of a standard style and size of signs within the Village Center area. The Planning Commission believes that Sign "B" in the Master Sign Program be a standard size of 18"x24", that Sign "A" have a standard height of 1'-0" and that all signs be subject to approval by the property owner and the Community Development Department.

- 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 significant modifications to the street frontages through the construction of a connecting breezeway between the two existing buildings, the removal of portions of the building to improve the architectural look of the buildings and changes to the parking lot that increase the amount of landscaping and reduce stormwater runoff. The upgraded landscaping, the construction of a trash enclosure and the significant upgrades to the buildings enhance the physical appearance and harmony of the commercial buildings as well as improve the character of the neighborhood.

The subject site is comprised of four separate lots. The Planning Commission believes that the lots shall be merged prior to issuance of building permits.

- 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 Ralston Avenue and Emmett Street will continue to be maintained. The main public pedestrian entrance will be improved through the construction of a new covered breezeway highlighted with large skylights. Although six parking spaces would be removed as a result of the parking lot upgrades and construction of a trash enclosure, the number of spaces still exceeds the minimum required in the 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 of 15% of the gross site area is required to be landscaped. The applicant proposes a site plan with new landscaping on 16% of the site, a significant improvement from the less than 5% of the site currently landscaped. There are seven trees existing on the site: one Mulberry tree (7.8-inch DBH) located in the northwesternmost area of the parking lot and five Flowering Pear trees (ranging from 7-8" DBH). The proposal would include removal of all six existing trees and the planting of

eighteen trees. The applicant will be required to pay mitigation fees totaling \$3,000, or \$500 per tree removed, for the loss of the existing trees.

The applicant proposes new landscaping throughout the parking lot and planting of four Japanese Maple street trees along the Ralston Street frontage. In addition, five planters are proposed under the covered breezeway and would be planted with 15-gallon size *Raphiolepis Indica*. Major planting throughout the parking lot includes the planting of two species of evergreen trees, eleven 24-inch box size Mayten Trees and four 15-gallon size Brazilian Pepper trees.

The proposed landscaping plan will not only incorporate greenscape elements and aesthetic enhancements to the property and Village Center in general, it will provide for considerable stormwater pollution prevention measures to reduce the amount of runoff that enters into the City's stormwater drainage system. A condition of approval requires that the final planting within, and around, the biofiltration swale proposed along the eastern edge of the property be reviewed and approved by the Planning Commission. An irrigation plan was not submitted, and a condition of approval requires submittal of an irrigation plan for Planning Commission review prior to issuance of building permits.

WHEREAS, the Planning Commission has considered the applicant's request for Design Review and finds it generally consistent with the Design Review Ordinance Principles in Section 13.5.3 and guidelines of Section 22 of the Zoning Ordinance design requirements as well as the overall objectives of the Downtown Specific Plan (DTSP) and the Architectural Theme and Treatment Policy (ATTP). The Planning Commission has reviewed the proposed building façade and parking lot improvements, landscaping, roof treatment, and Master Sign Program and believes the proposal (as conditioned) conforms to all required standards and is generally compatible with neighboring properties, particularly the "Village Center District" of the DTSP.

WHEREAS, the Planning Commission has considered the applicant's request for a Grading Permit pursuant to the Grading Ordinance of Section 9-27 of the Belmont Municipal Code as follows:

a) *The proposed grading will not endanger the stability of the site or any adjacent properties or pose a significant ground movement hazard to adjacent properties.*

The existing site is very flat, with less than a 2% slope from Emmett Street to Ralston Avenue. There is little or no grade difference between the subject site and neighboring properties. Regrading the site to provide for better stormwater drainage will not endanger the stability of the site or adjacent properties and will not pose a hazard. This finding can be made in the affirmative.

b) *The proposed grading will not significantly increase erosion or flooding affecting the site or other properties and will not degrade riparian habitats, stream channel capacity or water quality.*

The proposed grading plan will not increase erosion, because the increase in pervious area will include significant landscaping. The property is located in an urbanized area, away from riparian habitat and stream channels. The increase in pervious surfaces will ultimately improve stormwater quality

because more runoff will percolate through the landscaping and pervious paving material in the parking lot, thereby reducing the amount of stormwater that enters the storm drain system. The applicants, however, have not been specific regarding the pervious paving material used in the parking lot, or the planting used in the biofiltration swale. A condition of approval requires that these materials be specified, reviewed by staff and approved by the Planning Commission. As conditioned, this finding can be made in the affirmative.

c) *The proposed grading is necessary to allow reasonable use of the site.*

The applicants have proposed grading the site to improve the existing situation by reducing the impervious area and to allow for additional landscaping. Most of the earthwork involves the removal of pavement and establishment of a slight slope to improve drainage. This allows reasonable use of the site. This finding can be made in the affirmative.

d) *The proposed grading, when completed, will result in a building site that is visually compatible with the surrounding land and accommodates any required off-street parking and retaining wall landscaping.*

The project will involve the major remodeling of the existing buildings through an exterior upgrade and redesign of the parking lot to increase landscaping and pervious area. No retaining walls are necessary or proposed, and the upgrades proposed will be compatible with the adjacent Village Center development. This finding can be made in the affirmative.

e) *The proposed grading will meet the standards and specifications of Article IV of this chapter.*

The proposed grading plan will be required to meet all the standards and specifications of Article IV, such as complying with the weather limitations of Section 9-31, provision of proper erosion control measures and appropriate compaction. This finding can be made in the affirmative.

f) *For applications for geologic or geotechnical investigations, the director of public services and the applicant's geotechnical engineer or engineering geologist shall find that the form of vehicular access and methods of excavation are the simplest and least intrusive possible to obtain the geologic information required by the City.*

The subject site is basically flat. According to the City's Engineering Division, no geotechnical or geologic investigation is necessary to evaluate the proposed project. This finding can be made in the affirmative.

g) *The grading permit is conditioned on issuance of a hauling permit, if required.*

A hauling permit, if required, will be issued at the time of grading permit issuance. This finding can be made in the affirmative.

h) *The design of the project preserves existing protected trees on the site and trees on adjoining property to the extent possible.*

There are no protected trees on the site. This finding can be made in the affirmative.

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, Grading Plan and Design Review application to allow exterior façade, parking lot and landscaping improvements and a Master Sign Program to the two existing commercial buildings at 873-877 Ralston Avenue, 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 September 19, 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 GRADING PERMIT AND DESIGN REVIEW 873/877 RALSTON AVENUE (APPL. NO.2006-0086)

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. 2006-0086 and date-stamped August 24, 2006 (Master Sign Program date-stamped May 31, 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. 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. The Master Sign Program shall be revised to remove any existing or proposed freestanding signs and shall indicate that Sign "B" in the Master Sign Program be a standard size of 18"x24". Sign "A" shall have a standard height of 1'-0", but may vary in length.
5. Outpatient medical services are considered prohibited uses, unless the required amount of accessible parking for the disabled can be provided to the satisfaction of the Building Official.
6. The materials used for the pervious paving in the parking lot and the planting used in the biofiltration swale shall be reviewed and approved by the Planning Commission prior to the issuance of permits.

7. All final 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.
8. In accordance with the City of Belmont Master Fee Schedule, the applicants shall deposit fees into the City's Tree Planting and Establishment Fund to mitigate the loss of the trees from the subject site. Payment shall be made prior to the issuance of a grading permit.
9. 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.
10. Landscaping shall be installed or bonded for installation prior to occupancy.
11. Prior to the issuance of building permits, the four parcels that comprise the project site shall be merged to the satisfaction of the City Engineer.
12. 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.
13. A coordinated lighting plan, meeting the standards of the Belmont Zoning Code and the ATTP, shall be submitted to the Planning Commission for review and approval prior to issuance of building permits.
14. Roof equipment shall be properly screened from view from neighboring properties. The screening shall mitigate noise from the roof equipment, and shall meet the standards of the most recent Noise Ordinance prior to issuance of building permits.
15. 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.
16. 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.
17. 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.

18. 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.
3. Parking layout must be revised to meet accessibility requirements, to be approved by the Building Official prior to the issuance of permits. Access aisle for van-accessible space must be on the passenger side, and any outpatient facilities require 10% of all parking spaces be accessible.

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. New sidewalk, curb and gutter shall be installed in accordance with the Department of Public Works approved standards. (Brick pavers)
 2. A commercial driveway approach shall be installed in accordance with Department of Public Works approved standards. (Brick pavers)
 3. Roof leaders and site drainage shall be directed to the City stormwater drainage system. A dissipator box or other energy reduction method shall be used.
 4. 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]).
 5. 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.
6. To control sheet flow from parking areas and plazas, vegetated filter strips shall be designed and installed parallel to contributing surfaces.
 7. The developer shall incorporate the following Best Management Practices (BMPs) for stormwater quality protection into site design to the extent that conditions allow. (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):
 - a) For walking and light traffic areas, permeable pavements shall be used where feasible. Typical pervious pavements include pervious concrete, porous asphalt, turf block, brick pavers, natural stone pavers, concrete unit pavers, crushed aggregate (gravel), cobbles and wood mulch.
 - b) Parking lots shall include hybrid surfaces (pervious material for stalls only), concave medians with biofilters (grassy swales), and landscaped infiltration/detention basins as feasible.
 - c) The landscape design shall incorporate biofilters, infiltration and retention/detention basins into the site plan as feasible.
 - d) For outdoor work areas including garbage, recycling, maintenance, storage, and loading, applicable stormwater controls include siting or set back from drainage paths and water ways, and provision of roofing and curbs or berms to prevent run on and run off. If the area has the potential to generate contaminated run off, structural treatment controls for contaminant removal (such as debris screens or filters) shall be incorporated into the design.
 8. 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.
 9. Wastewater from vehicle and equipment washing operations shall not be discharged to the storm drain system. Any wastewater discharges to the sanitary sewer are subject to approval by the Public Works Department.
 10. Applicant shall provide receptacles for recycling. Containers shall segregate glass, plastic and aluminum containers and paper. Property manager shall ensure these materials are recycled, such as by adding them to the regular recycle stream for on-site pick up by BFI or by returning them for redemption.
- 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. Property owner/applicant shall apply for and obtain a grading permit from the Department of Public Works. The grading permit fee is based on the total amount of earth moved including cut and fill.
3. Construction activity resulting in a land disturbance of 10,000 square feet or more, or less than one acre but part of a larger development shall obtain the Construction Activities Storm Water General Permit (General Permit) from the State Water Quality Control Board ((916) 341-5537 or link to the following website: <http://www.scrwb.ca.gov/stormwtr/construction.html>). The State requires a completed Notice of Intent to comply (NOI) package and a Storm Water Pollution Prevention Plan (SWPPP) prepared in accordance with Section A of the General Permit prior to the commencement of soil disturbing activities. The State will issue a Waste Discharge Identification (WDID) number within 10 business days after it receives a complete NOI package (original signed NOI, vicinity map, and check). Applicant shall also submit copies of the NOI and SWPPP to the City for review and approval. Throughout the project life, the SWPPP shall be revised as necessary to accommodate site changes during to construction.
4. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.
5. The owner/applicant shall submit a grading plan prepared by a California-registered Civil Engineer in accordance with City Grading Ordinance, Chapter 9, Section 3 of the City Code, with a grading permit application, for approval by the Department of Public Works and Building Division prior to any grading or clearing being performed on-site.
 - a) The applicant should note that if the proposed grading meets one or more of the criteria outlined in Section 9-23 of the City Code, a Planning Commission review will be required. Caution: If the total grading quantity changes after Planning Commission approval, a new grading approval may be required. The applicant may choose to complete the grading plan and calculations early in the planning process to limit delays in scheduling this review. (See Section 9-28 of City Code for review process). The plan shall incorporate the following restrictions:
 - b) All soils stockpiled on the site during construction shall be covered or otherwise protected from wind and water erosion.
 - c) During construction, erosion and sedimentation control plans shall be implemented in order to retain sediments on-site.
 - d) Site grading and finished construction shall be designed and executed in such a manner as to avoid diverting runoff onto other properties.

- e) Restrictions and recommendation of the Geologic and Soils report as approved by the City's Geologist.
- 6. The owner/applicant shall submit a dust control plan for approval by the Department of Public Works. To reduce dust levels, exposed earth surfaces shall be watered as necessary. The application of water shall be monitored to prevent runoff into the storm drain system. Spillage resulting from hauling operations along or across any public or private property shall be removed immediately. Dust nuisances originating from the contractor's operations, either inside or outside of the right-of-way shall be controlled.

Utilities

- 7. *The owner/applicant shall perform a video inspection of the sewer lateral from the house/building to the sewer main, submit the inspection to the Department of Public Works for review and make any necessary repairs to the lateral.*
- 8. Applicant shall install the sanitary sewer connection in accordance with Department of Public Works approved standards and pay the applicable sewer connection fee.
- 9. 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.
- 10. 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.

NPDES Stormwater Construction Controls

- 11. The applicant shall submit an erosion and sedimentation control plan describing Best Management Practices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system. The plan shall include the following items:
 - a) *A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.*
 - b) Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and Sedimentation Control Field Manual (available from: Friends of the San Francisco Estuary, P.O. Box 791, Oakland, CA 94604-0791).

- c) Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.
- d) Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.
- e) Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.
- f) Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).
- g) Notes, specifications, and/or attachments describing the construction, operation and maintenance of erosion and sediment control measures, including inspection frequency; methods and schedule for grading, excavation, filling clearing of vegetation and storage and disposal of excavated or cleared material; types of vegetative cover and mulch, including methods and schedules for planting and fertilization; and provisions for temporary and permanent irrigation.

NPDES Stormwater Permanent Controls and Best Management Practices

12. *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.*
13. The property owner shall install, operate, and maintain all permanent stormwater quality protection measures included in the approved project plan using qualified personnel. The property owner/applicant must keep a maintenance and inspection schedule and record to ensure that the treatment control measures continue to operate effectively. Records must be provided to the Department of Public Works, on an annual basis, on or before June 30 of each year.
14. *The developer shall provide to the first residents/occupants/tenants practical information materials (as furnished by the City) on good housekeeping for hazardous products, proper use and disposal of hazardous products, and prohibited discharge practices.*
15. *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.*
16. *The property owner/association 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.*

17. The phrase “No Dumping-Drains to Bay” or equal phrase shall be labeled on new storm drain inlets by stenciling, branding, plaque or casting.
18. 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.
19. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning washwater) shall be discharged to the storm drain system, the street or gutter.
20. The property owner shall install, operate, and maintain all permanent stormwater quality protection measures included in the approved project plan using qualified personnel. The property owner/applicant must keep a maintenance and inspection schedule and record to ensure that the treatment control measures continue to operate effectively. Records must be provided 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 property owner/applicant shall apply for and obtain an administrative permanent encroachment agreement from the Department of Public Works, for placement of non-standard materials (i.e., brick pavers) within the public right-of-way.
2. After the City permits are approved but before beginning construction, the owner/applicant shall hold a preconstruction conference with Building and Public Works Department staff and other interested parties. The developer shall arrange for the attendance of the construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.
3. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.
4. All construction and related activities which require a City 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., 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.

Grading and Drainage

5. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code. Soil or other construction materials shall not be stockpiled in the public

right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.

6. 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..
7. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.

Additional Conditions:

- 1) Participate in the cost for replacing sidewalk with brick pavers fronting the property on Ralston Ave. The participating cost shall be equal to the portion of work fronting this property awarded in the contract for "CCN 468 – Redevelopment Agency Sidewalk Improvement Project."
- 2) Replace driveway approach and sidewalk per City standards brick paver details.
- 3) The owner shall enter an Operation and Maintenance Agreement with the City to guarantee the annual inspection and maintenance of all storm water pollution prevention control measures per State regulation requirements.
- 4) Applicant shall apply for Hauling permit prior to the issuance of any construction or grading permits. The designated haul route to be limited to El Camino Real and Emmett Avenue.
- 5) No staging, storage, loading or unloading of material will be allowed on Ralston Avenue.
- 6) No lane closure will be allowed on Ralston Avenue without prior approval from the Public Works Department and Police Department.
- 7) Curb drain on Ralston Avenue will not be allowed. Revise grading and drainage plan.
- 8) Show all easements within property. No structure shall encroach onto the easement areas.

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

1. An approved 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.

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

1. The proposed covered breezeway and the parking lot must be properly lit and shall be approved by the Planning and Police Departments. A lighting plan shall be submitted, reviewed and approved prior to issuance of building permits.

Certification of Approved Final Conditions:

Carlos de Melo, Community Development Director

Date