

**CITY OF DALY CITY
PLANNING COMMISSION
REGULAR MEETING**

AGENDA

Tuesday, April 01, 2014 - 7:00 PM

Council Chambers, City Hall

Live Telecast: Comcast Channel 27, Astound 26, AT&T U-Verse 99

Webcast: www.dalycity.org/meetings

OPENING OF MEETING:

PLEDGE TO THE FLAG:

ROLL CALL:

MINUTES: Approval of Minutes of March 4, 2014

PUBLIC HEARING:

1. Planned Development PD-12-13-8312, Subdivision SUB-12-13-8315, Use Permit UPR-3-14-8694, Design Review DR-12-13-8319, Environmental Review CEQA-12-13-8313 for consideration of a request by KB Homes South Bay, Inc., to rezone a 4.91-acre property from the current Residential Single Family R-1 and Residential Multiple Family R-3 zones to Planned Development PD-68 for the purpose of subdividing the property and constructing 31 single family residences and 23 townhouses.

APPLICANT: KB Homes South Bay, Inc.

LOCATION: Vacant parcel (no assigned address) located at the western end of Peoria Street, northern end of Lausanne Avenue, and the southern end of Chelsea Court. APN: 003-211-310

ENVIRONMENTAL ASSESSMENT: Mitigated Negative Declaration

PLANNER: Steve Flint, Contract Senior Planner

2. Use Permit UPR-12-13-8329 and Design Review DR-12-13-8330 to construct a mixed-use building consisting of 52 apartments and approximately 2,400 square feet

of street-level retail on a 0.77-acre site. The existing site consists of seven parcels which are proposed for consolidation to a single parcel. APNs: 003-172-130, -140, -150, 0160, -170, -180, and -240

APPLICANT: Mid-Peninsula The Farm, Inc.
LOCATION: 6800, 6818, 6824, 6830, and 6834 Mission Street, and 317, 325, and 331 Miriam Street (APNs: 003-172-130, -140, -150, -160, -170, -180, and -240)
ENVIRONMENTAL ASSESSMENT: Categorically Exempt per CEQA Guidelines Section 16331(a) - Infill Development.
PLANNER: Adam Petersen, Contract Associate Planner

3. General Plan Amendment GPA-3-14-8719 and Zone Change ZC-3-14-8710 - Consideration of a request by the City of Daly City to amend the Sullivan Corridor Specific Plan, BART Station Area Specific Plan and Title 17 (Zoning) of the Daly City Municipal Code as an implementation measure of the General Plan Housing Element,.

APPLICANT: City of Daly City
LOCATION: Amendments to Chapter 17 (Zoning), including additions of Chapters 17.41.1 (Density Bonus) and 17.51 (Reasonable Accommodation in Zoning) - all applicable parcels citywide;
Amendments to Sullivan Corridor Specific Plan text - all parcels designated C-R/O Commercial Retail and Office;
Amendment to Sullivan Corridor Specific Plan map - 1670 and 1698 Bryant Street; others with no assigned addresses (APNs 006-346-080, -130, -140, -150, and -190);
Amendment to BART Station Area Specific Plan map - 7367 and 7395 Mission Street; others with no assigned addresses (APNs 006-251-210, -220, and -230); and
Amendments to Zoning Map - 169 First Avenue (APN 006-252-080), 1050 St. Francis Boulevard (APN 091-211-340)
ENVIRONMENTAL ASSESSMENT: Exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(b)(3)
PLANNER: Michael VanLonkhuysen, Interim Planning Manager

PUBLIC APPEARANCES, STAFF COMMUNICATIONS:

ACQUISITIONS, VACATIONS, ETC. - SECTION 65402(A):

ADJOURNMENT:

Agenda – Planning Commission

Tuesday, April 01, 2014

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Persons with disabilities who require auxiliary aids or services in attending or participating in this meeting should notify the Office of the City Clerk at 991-8078 as early as possible.

Availability of Public Records: All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the City Clerk's Office, City Hall located at 333 90th Street, Daly City, CA during normal business hours, at the same time that the public records are distributed or made available to the legislative body.

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PLANNING COMMISSION
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MINUTES

Tuesday, March 4, 2014 - 7:00 PM

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Live Telecast: Comcast Channel 27, Astound 26, AT&T U-Verse 99

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OPENING OF MEETING:

PLEDGE TO THE FLAG:

ROLL CALL: PRESENT: Edelman, Kelly, Lubiano, Sylvester
 ABSENT: Crump

MINUTES: Approval of Minutes of February 4, 2014

Moved by Commissioner Edelman, seconded by Commissioner Kelly, that the minutes of February 4, 2014 meeting be approved. Motion carried 4-0.

PUBLIC HEARING:

1. Preliminary Plan Review of Planned Development PD-12-13-8312 Environmental Review CEQA-12-13-8313, Subdivision SUB-12-13-8315, and Design Review DR-12-13-8319

Staff report presented by: Steve Flint, Contract Senior Planner

On March 4, 2014, the Planning Commission voted 4–0–1 (Commissioner Crump absent), to recommend the applicant move to the Precise Plan stage of review for Planned Development PD-68, which proposes 54 residential dwelling units on approximately 4.91 acres, in accordance with the Low Density Residential (2.0-14.5 du/ac) designation of the City's General Plan.

The Planning Commission discussed the revisions proposed to this project, which had been previously submitted for Planning Commission review in 2013. The project was reduced from 66 to 54 dwellings, and now consists of 31 single family units and 23 townhouse condominiums.

The overall density was reduced from 13.4 to 11 du/ac. The Commissioners discussed the proposed landscape treatment, traffic and circulation, public facilities, and the environmental review of the project.

Commissioner Kelly expressed concerns regarding the size and extent of landscape screening the proposed plant palette would provide and recommended installing larger specimen trees to accelerate growth of the vegetation. Ray Panek, representing KB Homes, stated that his design team had been considering adding larger plant species and more trees, including certain fast-growing redwood species. Staff concurred with the Commissioner's comments and will include a condition of approval to that effect.

Chair Lubiano asked why an Environmental Impact Report (EIR) was not being prepared for this project. Staff advised that an EIR is required when the project will result in an environmental impact that cannot be mitigated. In this case, mitigation can be provided for all of the potential impacts and a Mitigated Negative Declaration is therefore appropriate.

Robert Tye, a property owner in the adjacent neighborhood, asked what the anticipated duration of construction would be. Ray Panek, representing KB Homes, responded that ideally, if approved, site preparation would occur between April and October, outside of the rainy season. Following site preparation, dwelling units would be built in increments of four units per month, for a period of approximately 14 months, for a total of 22 months.

Calvin Wong, a property owner adjacent to the lower portion of the development on Chelsea Court, submitted an e-mail expressing concerns regarding land sliding, erosion and stormwater affecting the public safety on properties below the project site. Ray Panek, representing KB Homes, stated that the geotechnical engineer on the project was considering the installation of containment fencing during construction and possibly permanently, to prevent rocks and boulders from falling from the project site.

Moved by Commissioner Edelman, seconded by Commissioner Kelly, to close the public hearing. Motion carried 4-0.

Moved by Commissioner Crump, seconded by Commissioner Kelly, to approve Preliminary Plan Review of Planned Development PD-12-13-8312 Environmental Review CEQA-12-13-8313, Subdivision SUB-12-13-8315, and Design Review DR-12-13-8319. Motion carried 4-0.

ACQUISITIONS, VACATIONS, ETC. - SECTION 65402(A):

ADJOURNMENT: The Chair adjourned the meeting at 7:37 p.m.

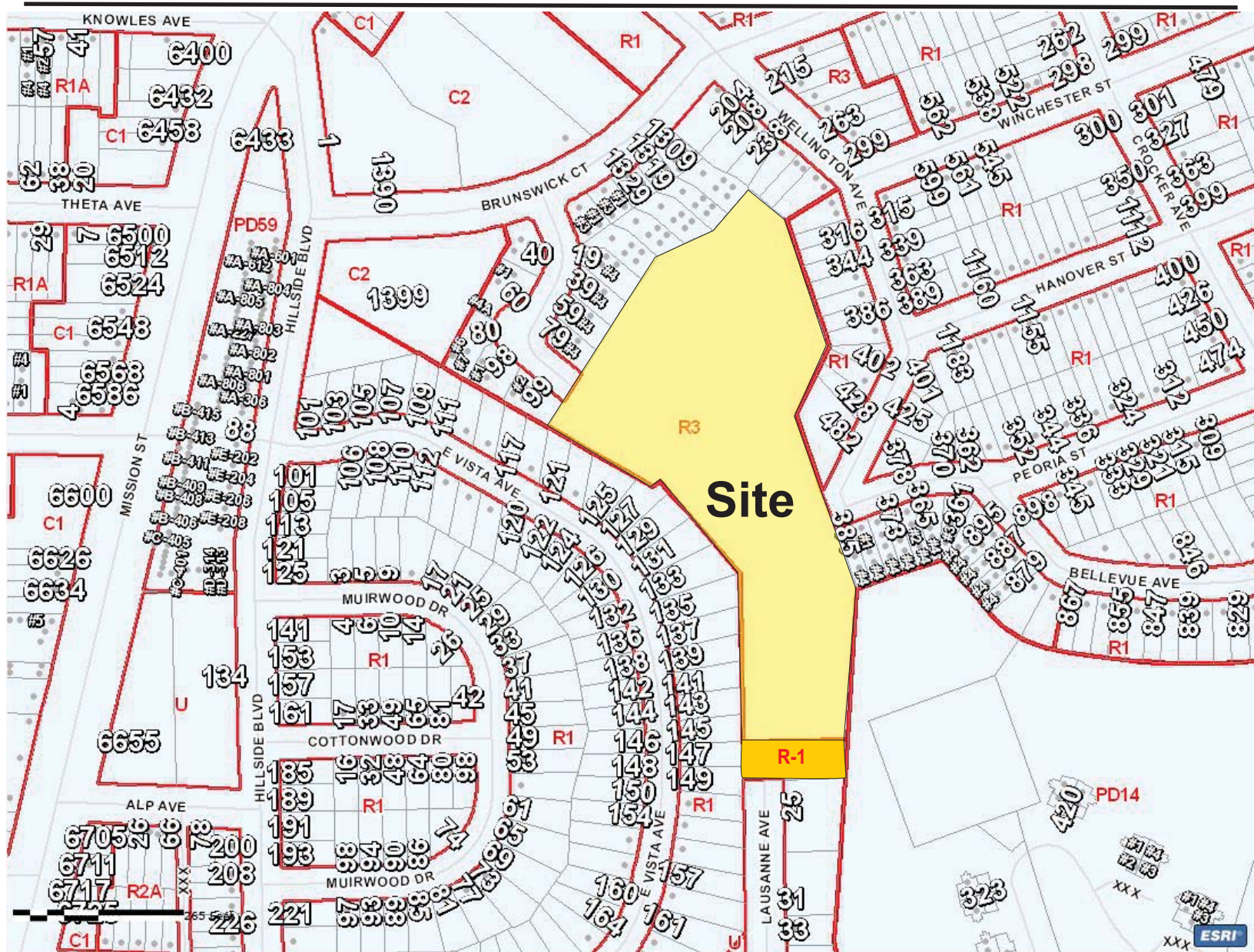
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LOCATION MAP



Preliminary Preliminary Plan Review
PD 12-13-8312, SUB-12-13-8315,
DR-12-123-8319, and CEQA-12-13-8313
Peoria St./Wellington Ave/Chelsea Ct.
31 detached residences and 23 townhouses



BENCHMARK

NATIONAL GEODETIC SURVEY BRASS DISK "M 109", LOCATED AT THE JUNCTION OF SAN JOSE AVENUE – SAGAMORE STREET AND PLYMOUTH AVENUE AT SAN FRANCISCO, 104.7 FEET NORTHEAST OF BENCHMARK "R 1241", IN THE TOP OF THE NORTHWEST EDGE OF THE NORTHWEST SIDEWALK OF SAN JOSE AVENUE, 0.2 FOOT SOUTHEAST OF THE SOUTHEAST FACE OF A BRICK BUILDING FRONT THAT COVERS A PORTION OF THE DISK, 10.0 FEET NORTHWEST OF THE NORTHWEST CURB OF SAN JOSE AVENUE, 62 FEET SOUTH OF THE SOUTH CURB LINE OF SAGAMORE STREET, 35 FEET WEST OF THE EXTENDED CENTER LINE OF PLYMOUTH AVENUE, 0.5 FOOT NORTHEAST OF THE SOUTH CORNER OF A BUILDING OCEAN VIEW INN, 102.5 FEET NORTHEAST OF THE NORTHEAST END OF THE NORTHWEST ABUTMENT OF INTERSTATE HIGHWAY 280 BRIDGE OVER SAN JOSE AVENUE, AND FLUSH WITH THE SIDEWALK.

ELEVATION: 297.45 FEET (NGVD 29)

LEGEND

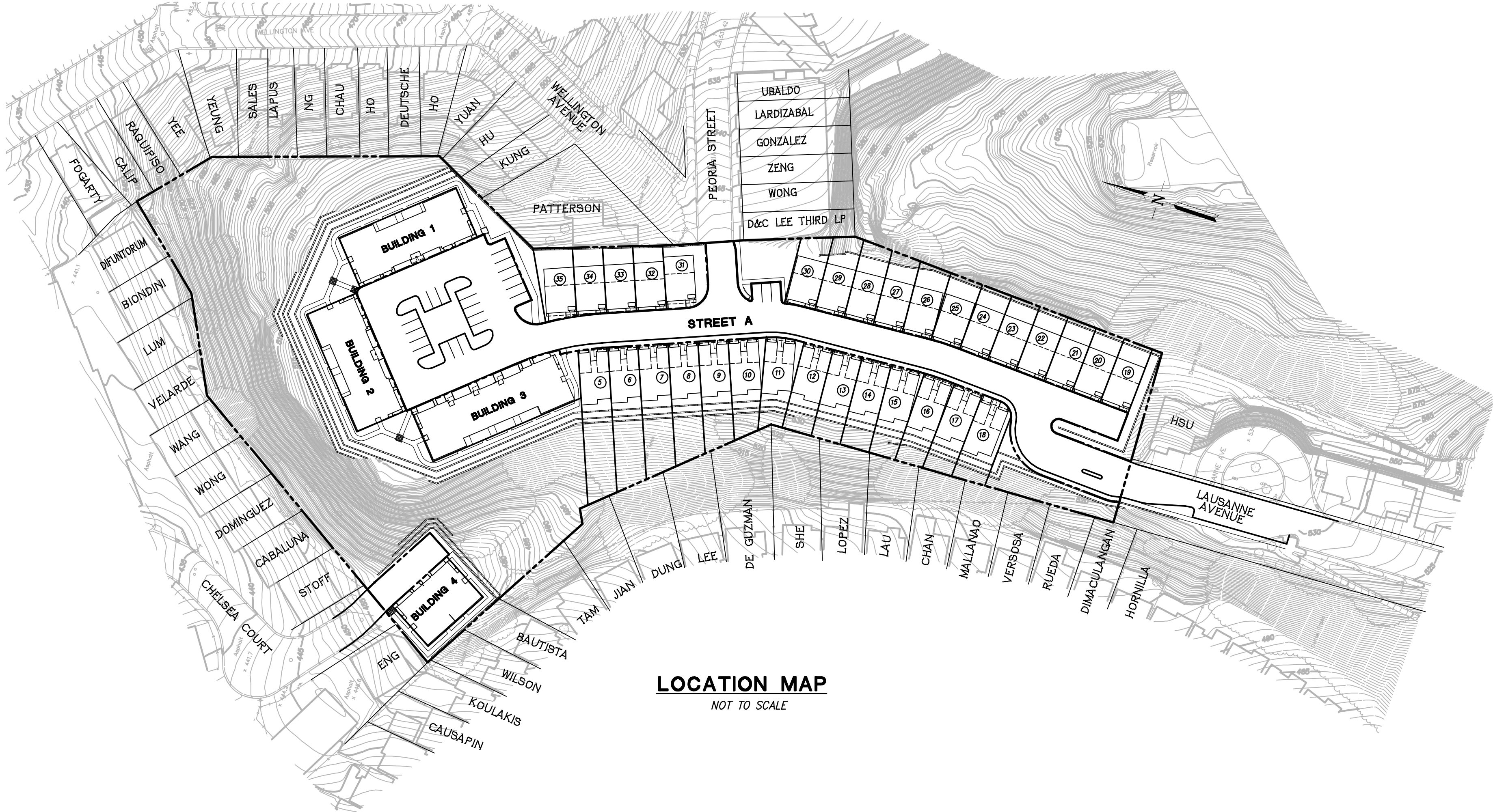
PROPOSED	DESCRIPTION	EXISTING
	TRACT BOUNDARY	
	LOT LINE	
	CENTER LINE	
	RETAINING WALL	
	EASEMENT LINE	
	12"SD	EX 12"SD
	8"SS	EX 8"SS
	8"W	EX 8"W
	8"W(R)	EX 8"W(R)
	RECYCLED WATER	
	CURB & GUTTER	
	SIDEWALK	
	CONCRETE DITCH	
	STORM WATER INLET	
	FIELD INLET	
	AREA DRAIN	
	DIRECTION OF FLOW	
	MANHOLE	
	FIRE HYDRANT	
	BLOW OFF	
	SANITARY SEWER CLEAN OUT	
	SANITARY SEWER LATERAL	
	WATER LATERAL WITH METER	
	WATER VALVE	
	STREET LIGHT	
	MONUMENT	
	TRAFFIC SIGN	
	STREET NAME SIGN	
	FENCE	
	BARRICADE	
	SLOPE	
	HANDICAP RAMP	
	SAVE TREE	20" OAK (S)
	REMOVE TREE	10" OLIVE (R)
	CONTOUR ELEVATIONS	
	SPOT ELEVATION	

ABBREVIATIONS

BNBY	BOUNDARY
BO	BLOW OFF
BW	BOTTOM OF WALL
CL	CENTER LINE
EX	EXISTING
FC	FACE OF CURB
FL	FLOW LINE
GR	GRATE
HP	HIGH POINT
INV	INVERT ELEVATION
LP	LOW POINT
MH	MANHOLE
PL	PROPERTY LINE
PSDE	PRIVATE STORM DRAIN EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RET	CURB RETURN
RW	RIGHT OF WAY
SD	STORM DRAIN
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEAN OUT
STA	STATION
SW	STORM WATER INLET
SWK	SIDEWALK
TC	TOP OF CURB
TW	TOP OF WALL
W	WATER
WLE	WATER LINE EASEMENT
WM	WATER METER

TENTATIVE MAP
WELLINGTON SITE

DALY CITY, SAN MATEO COUNTY, CALIFORNIA
FOR: KB HOME SOUTHBAY



LOCATION MAP
NOT TO SCALE

SHEET INDEX

SHEET NO. DESCRIPTION

CIVIL PLANS

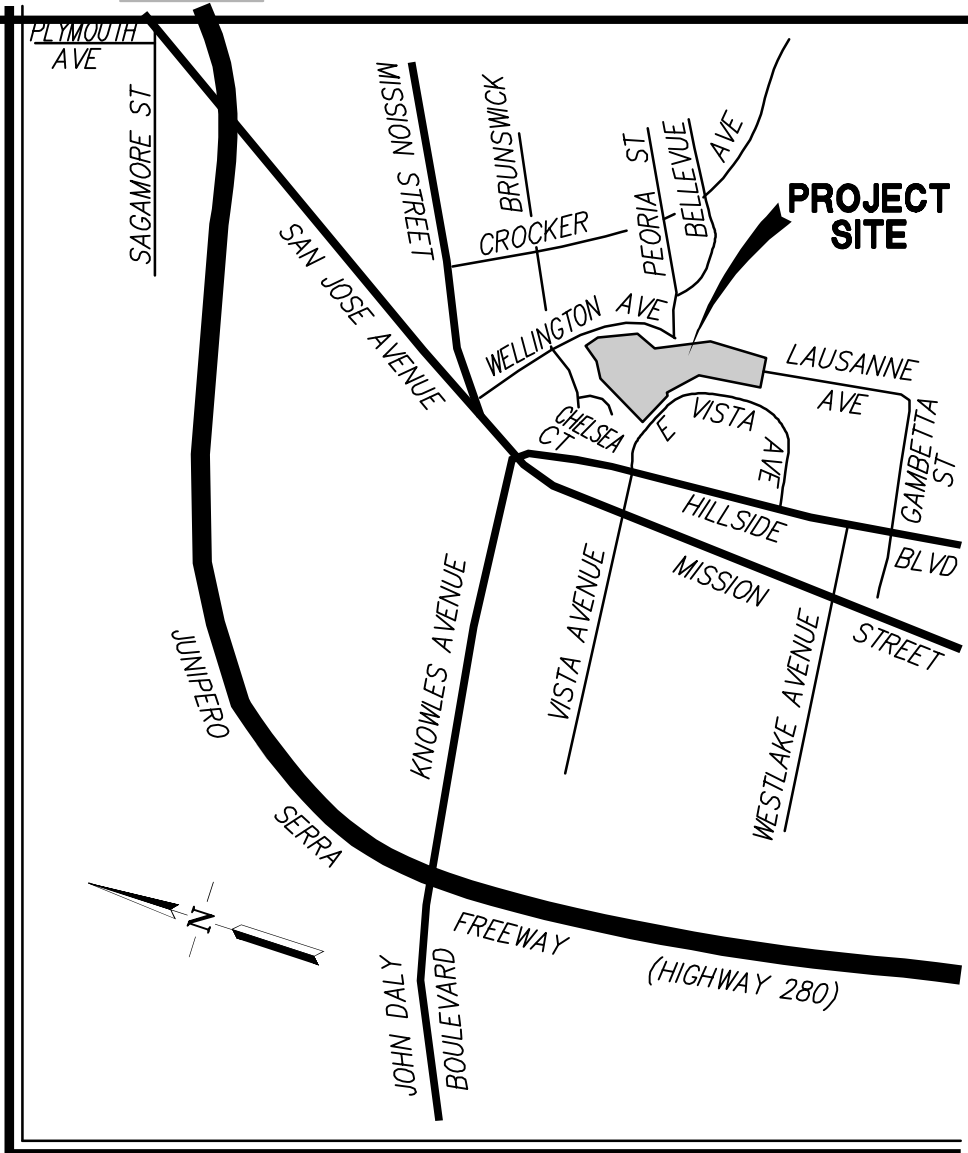
C1	TITLE SHEET
C2	EXISTING CONDITION PLAN
C3	LOTING AND EASEMENT PLAN
C4	PRELIMINARY SITE PLAN
C5	PRELIMINARY GRADING AND DRAINAGE PLAN
C6	PRELIMINARY UTILITY PLAN
C7	PRELIMINARY STORM WATER TREATMENT PLAN
C8	SIGHT DISTANCE PLAN
C9	PRELIMINARY STORM WATER TREATMENT DETAILS

ARCHITECTURAL PLANS

A0.0	BUILDINGS 1-4 PERSPECTIVE
A1.0	BUILDINGS 1-4 ELEVATIONS
A2.0	BUILDING 4 FLOOR PLAN
A2.1	BUILDINGS 1 & 2 FLOOR PLAN
A2.2	BUILDING 3 FLOOR PLAN
A3.0	PLANS 1 & 2 FLOOR PLAN
A3.1	PLAN 3 FLOOR PLAN
A4.0	PLAN 4 ELEVATIONS
A4.1	PLAN 5 ELEVATIONS
A5.0	PLAN 4 FLOOR PLAN
A5.1	PLAN 5 FLOOR PLAN

LANDSCAPE PLANS

L1.0	PRELIMINARY LANDSCAPE PLAN
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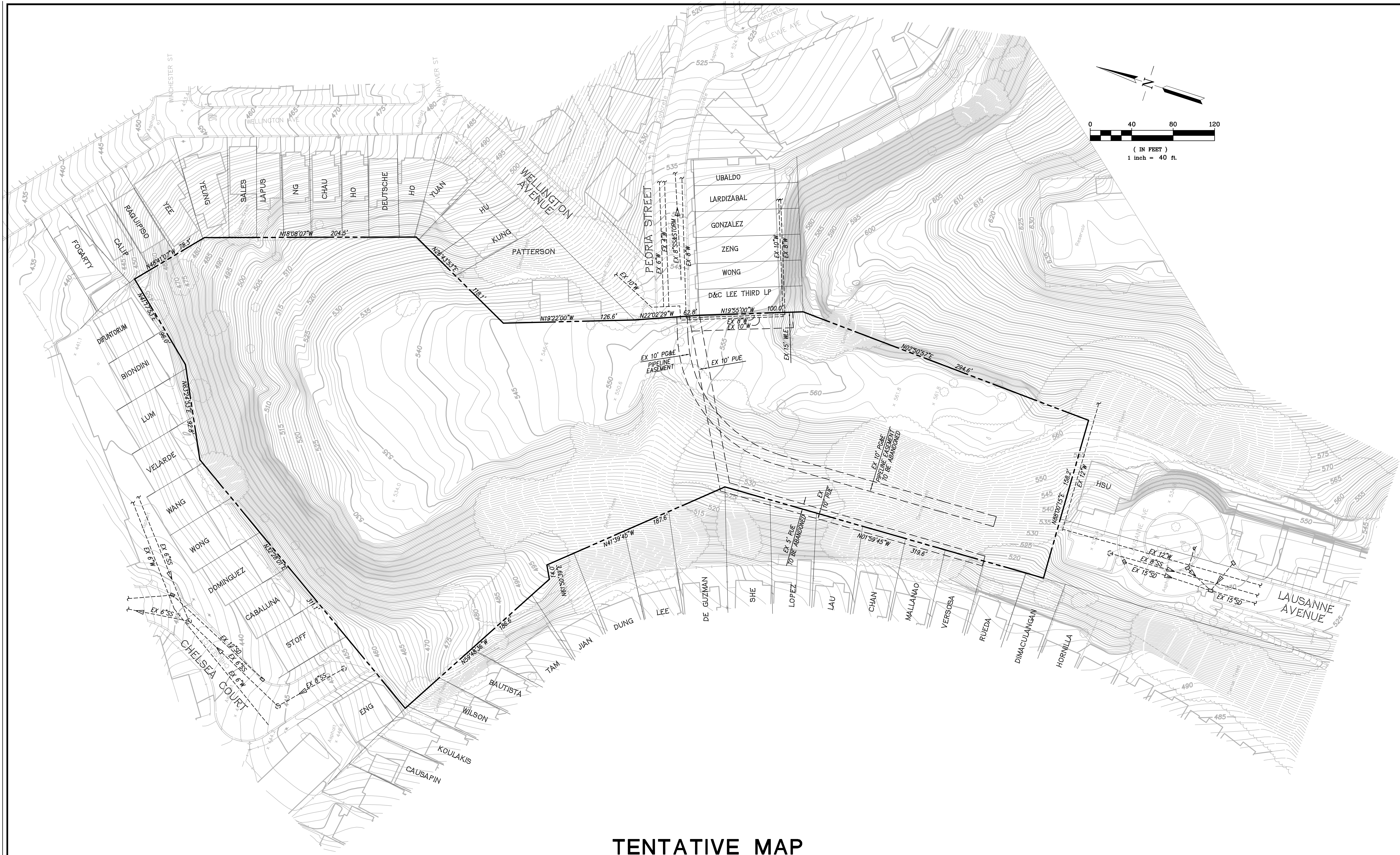
VICINITY MAP
NOT TO SCALE

GENERAL NOTES:

- OWNER: PRIVATE CAPITAL FUND, LLC
4300 STEVENS CREEK BOULEVARD #275
SAN JOSE, CA 95129
- DEVELOPER: KB HOME SOUTH BAY
6700 KOLL CENTER PARKWAY
PLEASANTON, CA 94566
(925) 750-1713
- ARCHITECT: KTG GROUP, INC.
1733 OCEAN AVENUE, SUITE 250
SANTA MONICA, CA 90401
(949) 851-2133
- CIVIL ENGINEER: RUGGERI-JENSEN-AZAR
4690 CHABOT DRIVE, SUITE 200
PLEASANTON, CA 94588
(925) 227-9100
- SOILS ENGINEER: STEVENS, FERRONE & BAILEY
1600 WILLOW PASS COURT
CONCORD, CA 94520
(925) 688-1001
- CURRENT GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (2.1-14.5 DU/AC)
- CURRENT ZONING: LOW DENSITY RESIDENTIAL
- PROPOSED ZONING: R-3 MULTIPLE FAMILY RESIDENTIAL
- APN: 003-211-310
- GROSS SITE AREA: 4.9± ACRES
- TOTAL NO. OF PROPOSED UNITS: 54
- PARKING:
REQUIRED: 108 (2.0 PER UNIT)
PROVIDED: 131 (INCLUDES 23 GUEST STALLS)
- UTILITIES:
WATER: CITY OF DALY CITY
SANITARY SEWER: CITY OF DALY CITY
STORM DRAIN: CITY OF DALY CITY
FIRE: NORTH COUNTY FIRE AUTHORITY
GAS & ELECTRIC: PACIFIC GAS & ELECTRIC
TELEPHONE: AT&T
CABLE TV: COMCAST
- BOUNDARY AS SHOWN IS COMPILED FROM RECORD INFORMATION.
- TOPOGRAPHY SHOWN IS BASED ON AN AERIAL TOPOGRAPHIC MAP PREPARED BY TETRA-TECH IN JUNE 2011.



RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300



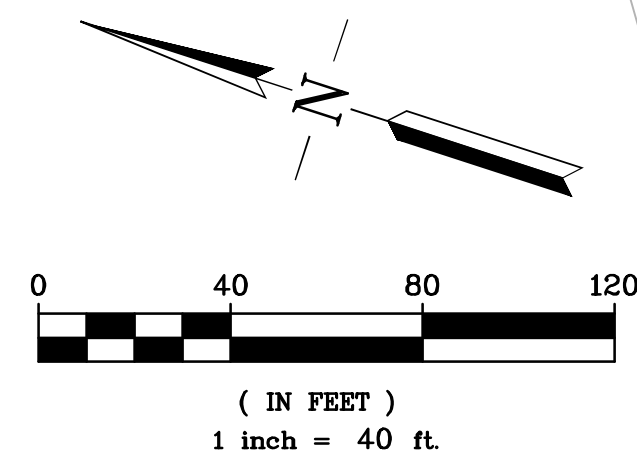
TENTATIVE MAP
EXISTING CONDITION PLAN
WELLINGTON SITE

DALY CITY, SAN MATEO COUNTY, CALIFORNIA

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ENGINEERS ■ PLANNERS ■ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

DATE: DECEMBER 3, 2013

G:\J020201\11060\TENT-MAP\CS-LOTING.DWG 12/2/2013 3:01:26 PM CORY BANNON

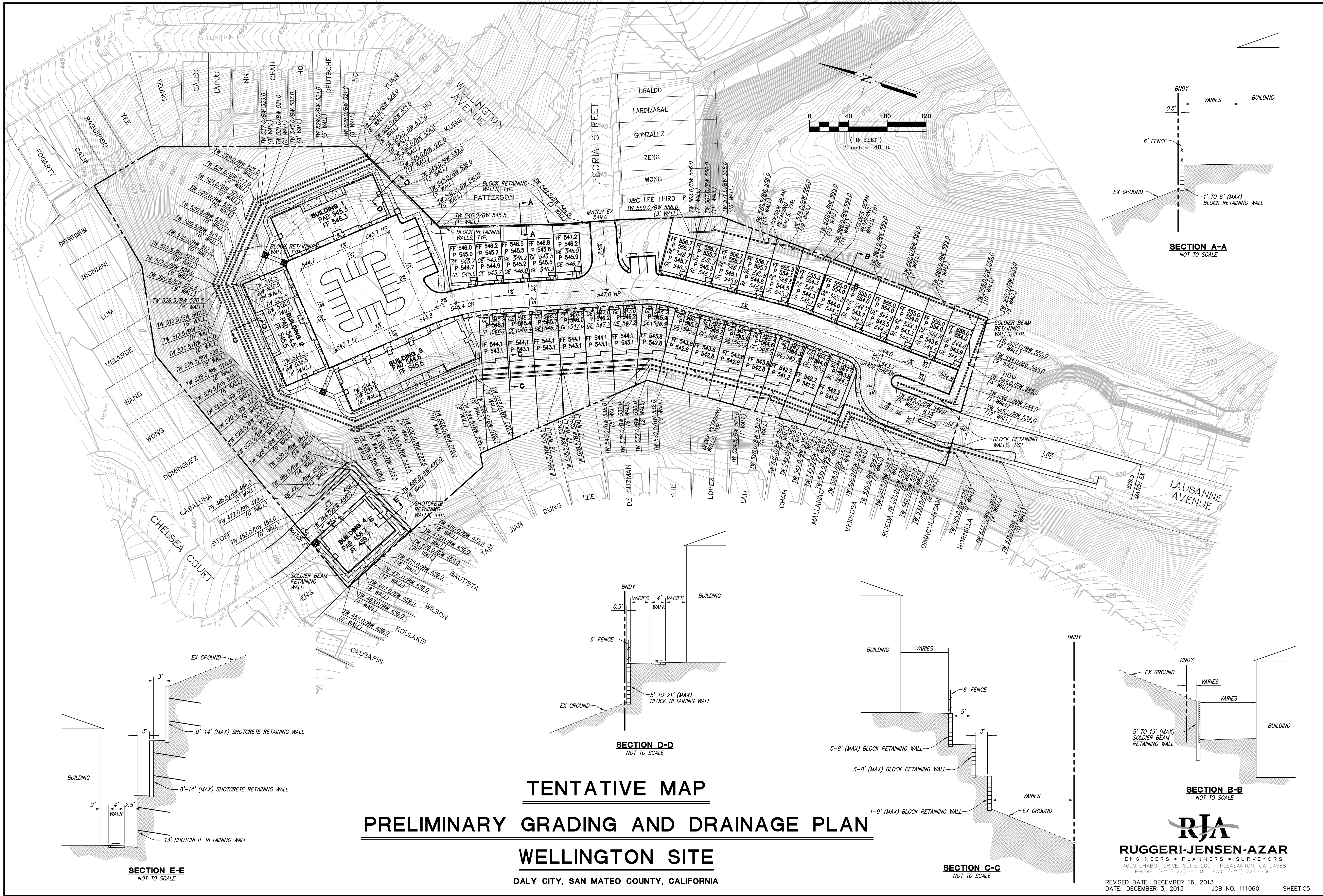


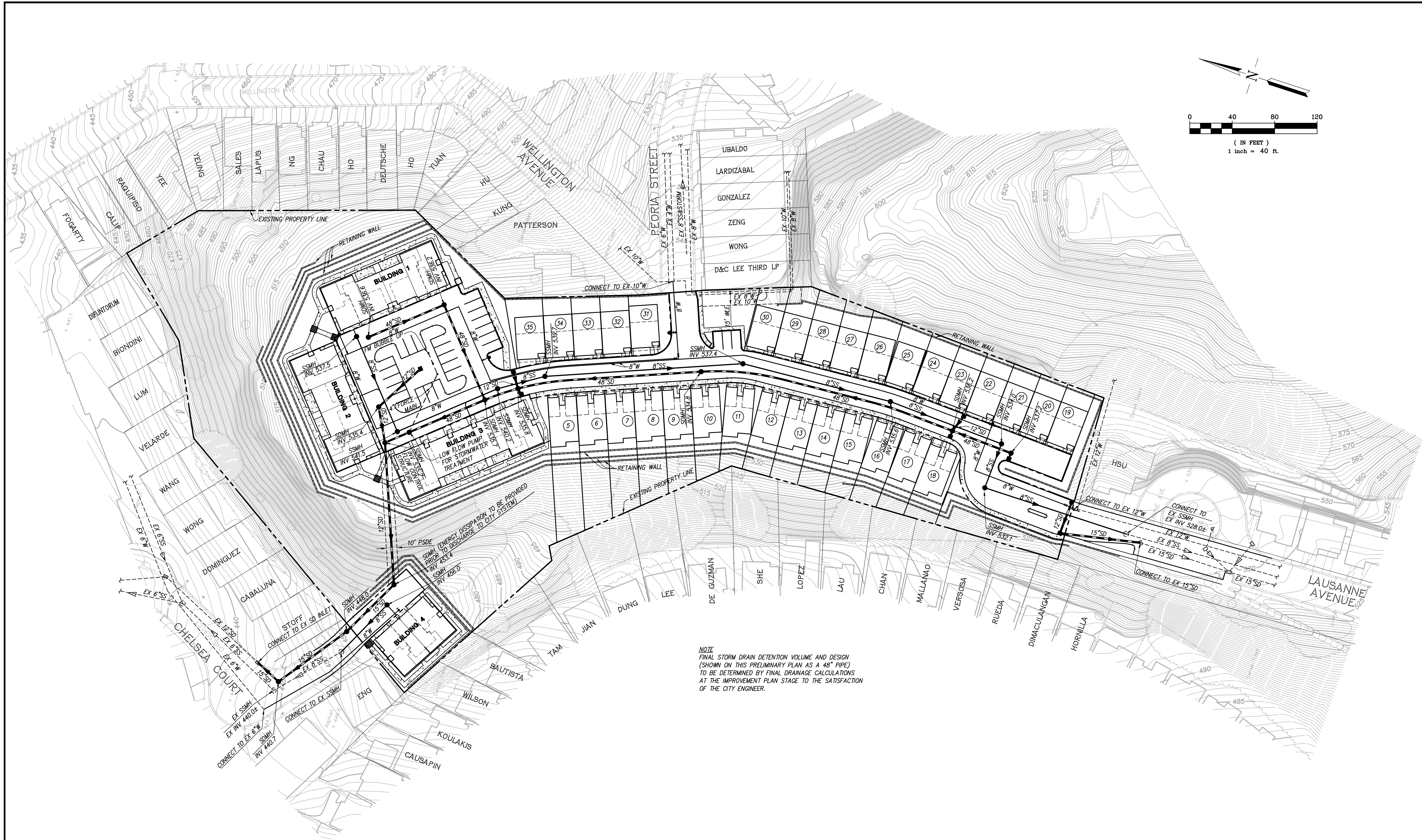
TENTATIVE MAP
LOTING AND EASEMENT PLAN
WELLINGTON SITE
DALY CITY, SAN MATEO COUNTY, CALIFORNIA

RJA
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4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

DATE: DECEMBER 3, 2013 JOB NO. 111060 SHEET C3

LOT AREA TABLE	
LOT NUMBER	AREA (SF)
1	5,534
2	5,534
3	7,643
4	3,231
5	3,628
6	3,382
7	3,116
8	2,850
9	2,584
10	2,404
11	2,247
12	2,149
13	2,169
14	2,188
15	2,241
16	2,222
17	2,153
18	2,355
19	1,643
20	1,643
21	1,643
22	1,643
23	1,643
24	1,676
25	1,750
26	1,787
27	1,807
28	1,889
29	1,900
30	1,766
31	2,105
32	1,560
33	1,588
34	1,624
35	2,024
A	39,474
B	1,985
C	74,922
D	2,280
E	2,127
F	3,049

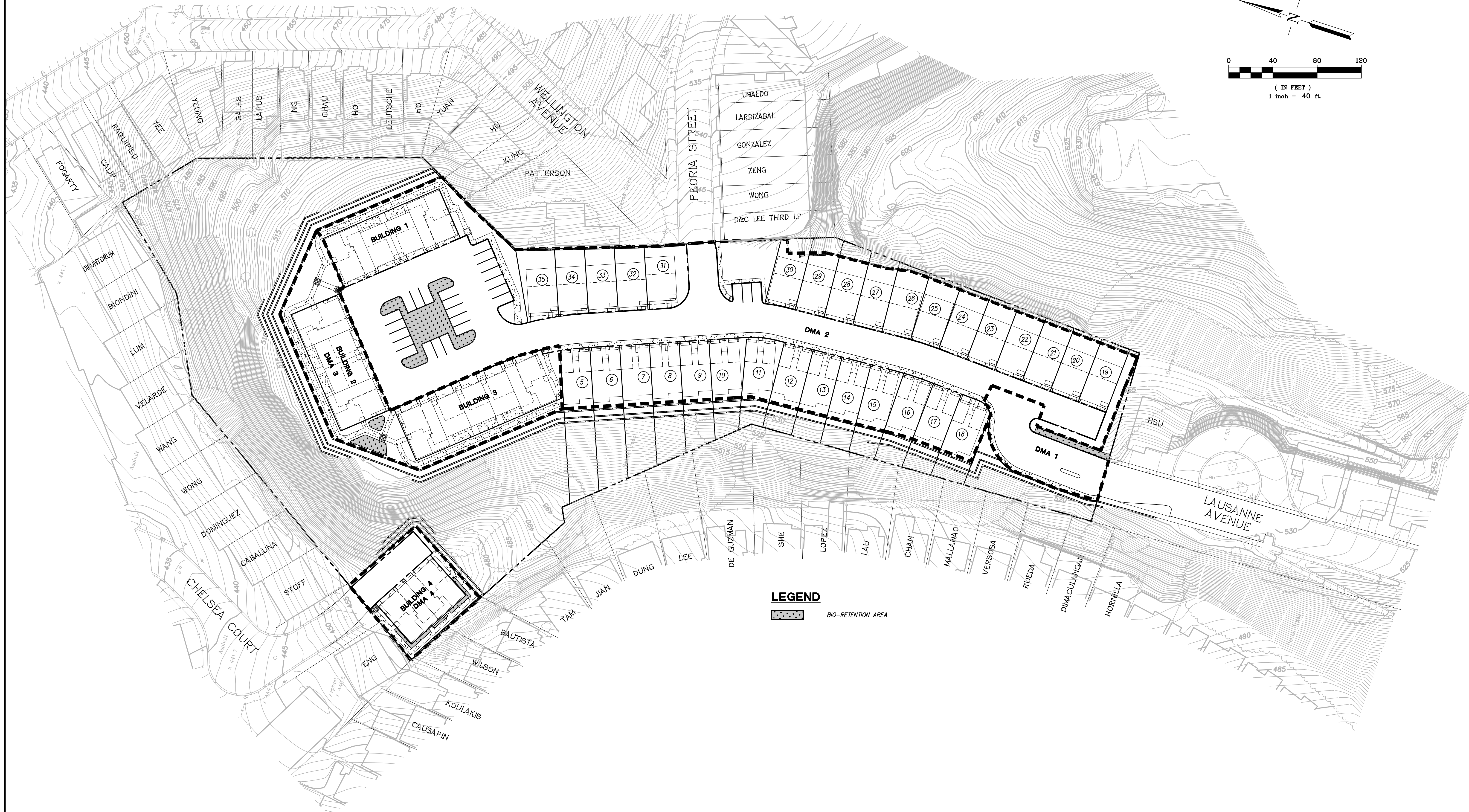
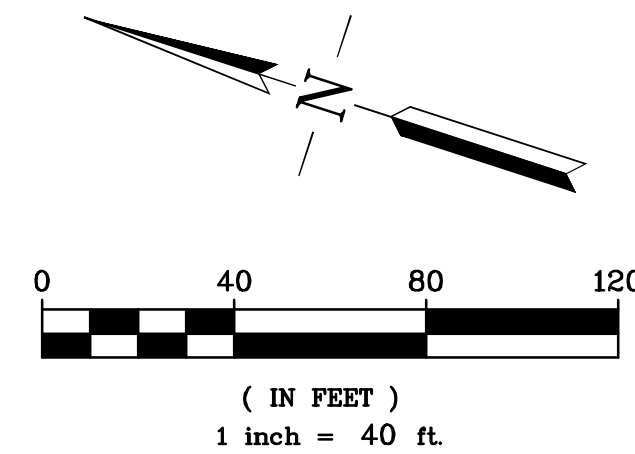




TENTATIVE MAP
PRELIMINARY UTILITY PLAN
WELLINGTON SITE
DALY CITY, SAN MATEO COUNTY, CALIFORNIA

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DATE: DECEMBER 3, 2013 JOB NO. 111060 SHEET C6

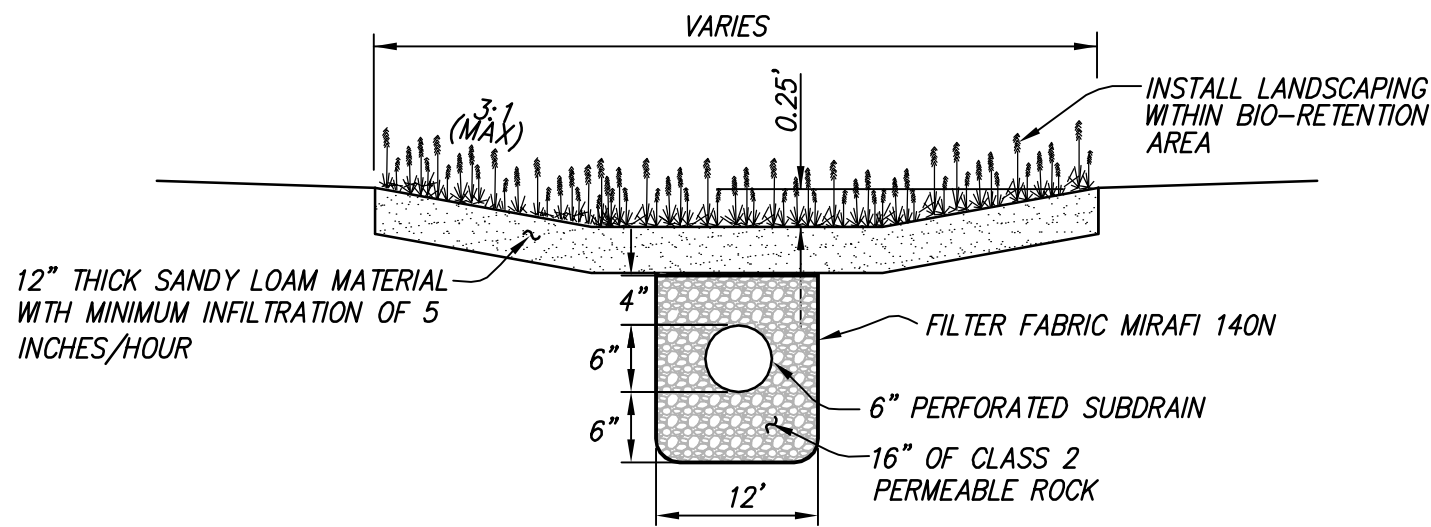


TENTATIVE MAP
PRELIMINARY STORM WATER TREATMENT PLAN
WELLINGTON SITE
 DALY CITY, SAN MATEO COUNTY, CALIFORNIA

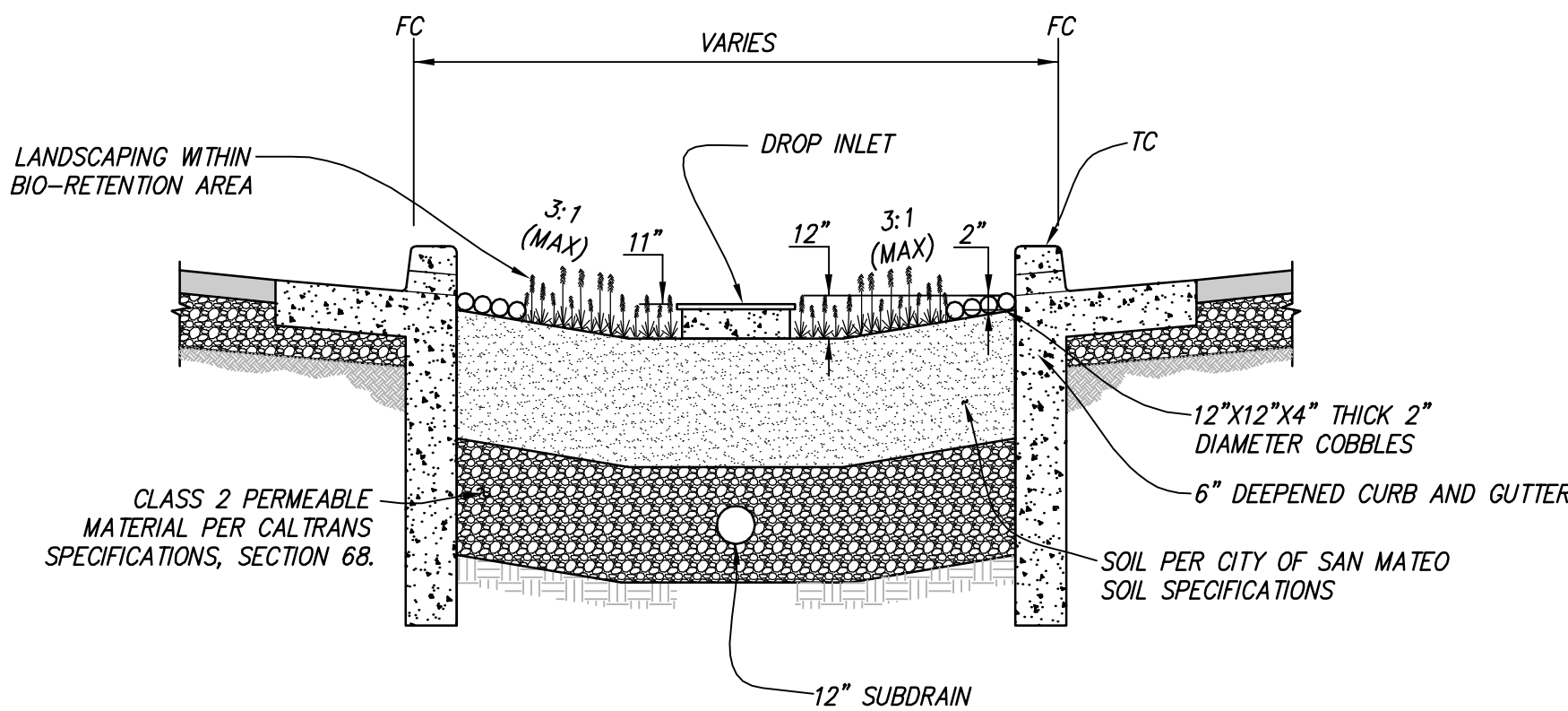
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 PHONE: (925) 227-9100 FAX: (925) 227-9300

DMA#	DMA Area (SF)	% Impervious	Adjusted Unit Basin Storage Volume (in)	Treatment Volume Required (cf)	Treatment Area Bottom (SF)	Runoff Filtered Through Soils (CF)	Storage Volume Required Above Soils (CF)	Ponding Depth at Bio-Retention (in)	Bio-Retention Area vs. Imp Area (%)
1	6,264	65%	0.55	287	250	286	1	0.0	3.99%
2	96,523	68%	0.58	4665	2,146	2593	2072	11.6	2.22%
3	18,638	66%	0.56	870	440	513	356	9.7	2.36%
4	7,102	70%	0.60	355	275	344	11	0.5	3.87%
TOTAL	128,527			6,177	3,111				

- NOTES:
- 90% OF THE DMA AREA IS ASSUMED TO BE IMPERVIOUS.
 - THE ABOVE CALCULATIONS ARE BASED ON THE SAN MATEO COUNTYWIDE WATER POLLUTION PREVENTION PROGRAM C.3 STORMWATER TECHNICAL GUIDANCE, DATED OCTOBER 20, 2010 AND THE FOLLOWING CRITERIA:
 - 0.2 INCHES/HOUR RAINFALL INTENSITY ON 100% IMPERVIOUS AREA.
 - SOIL FOR TREATMENT MEDIUM WITH A 5 INCHES/HOUR INFILTRATION RATE.
 - SIZING FACTOR BASED ON COMBO FLOW VOLUME METHOD PER SAN MATEO COUNTYWIDE WATER POLLUTION PREVENTION PROGRAM C.3 STORMWATER TECHNICAL GUIDANCE.



TYPICAL BIO-RETENTION DETAIL
NOT TO SCALE

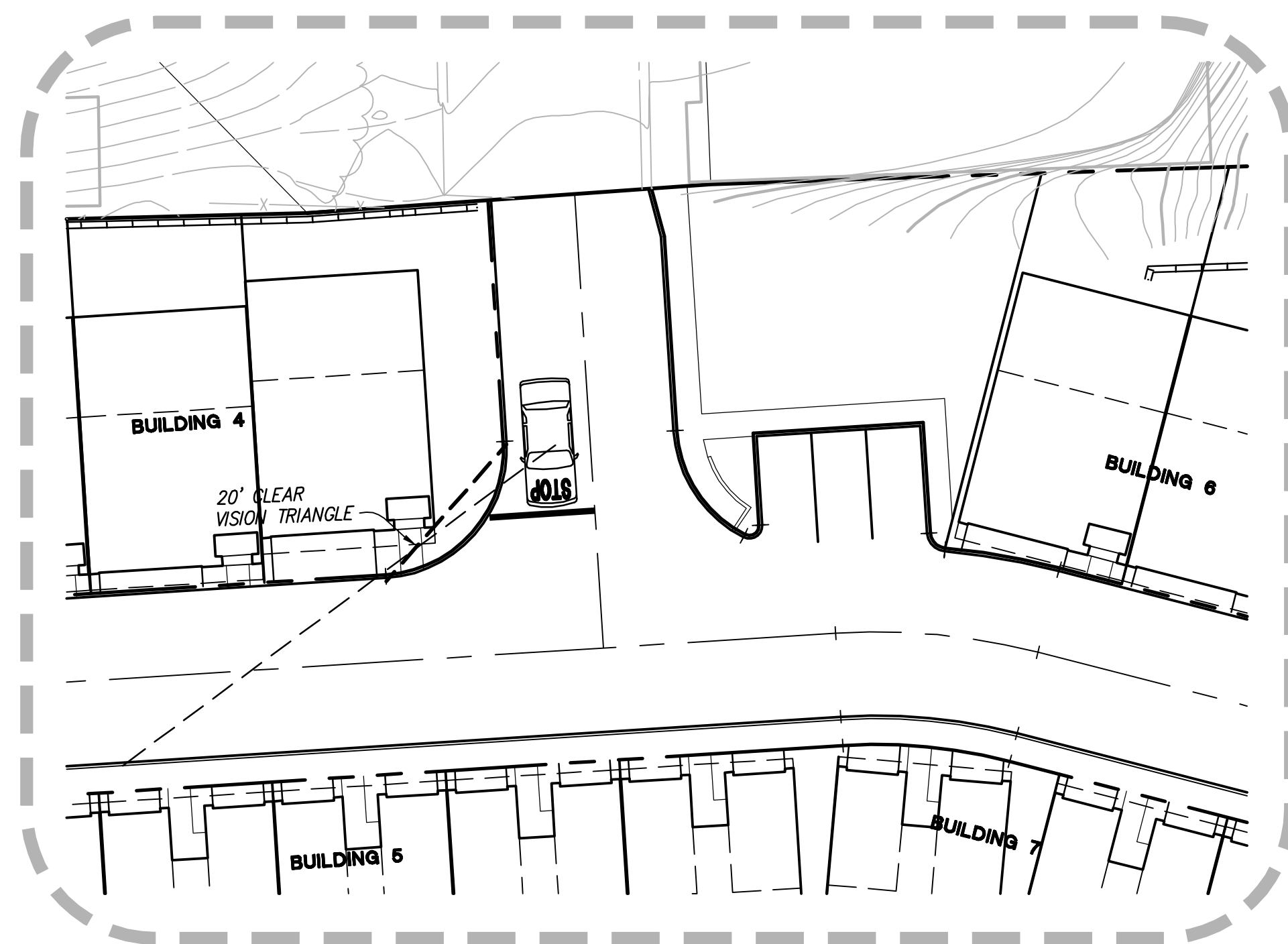
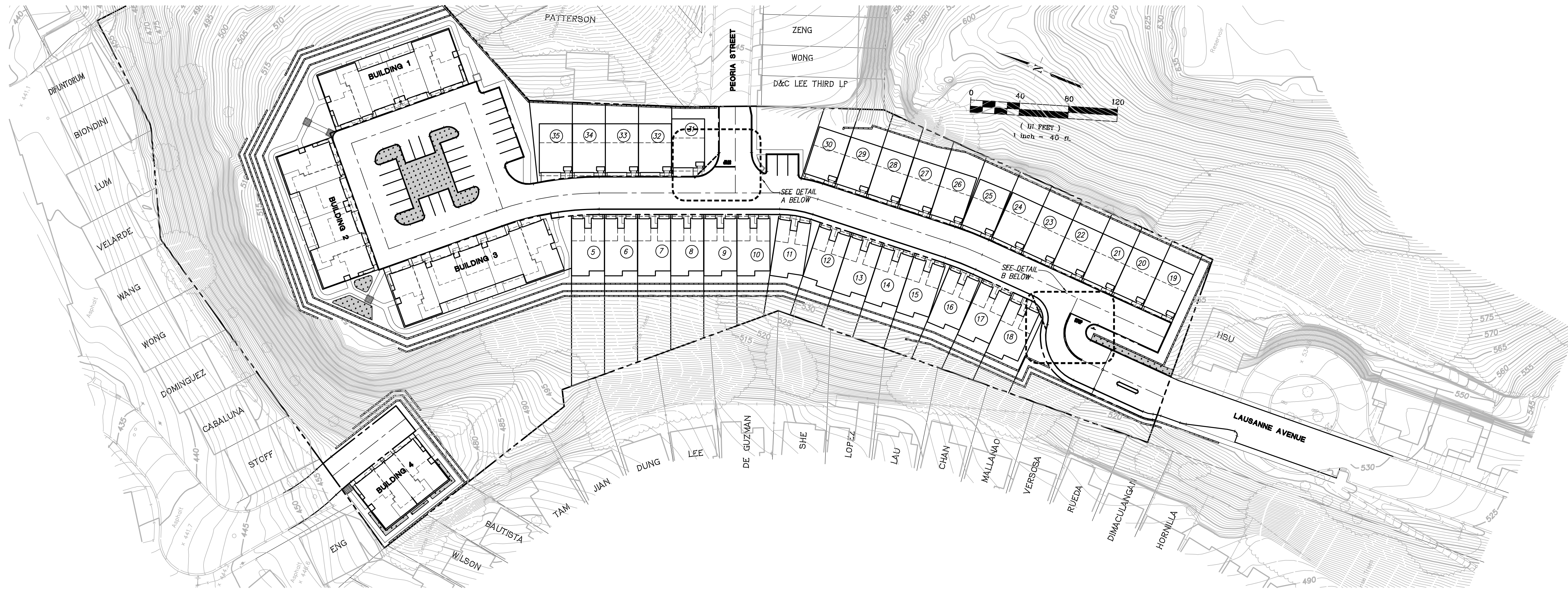


BIO-RETENTION AREA BEHIND CURB DETAIL
NOT TO SCALE

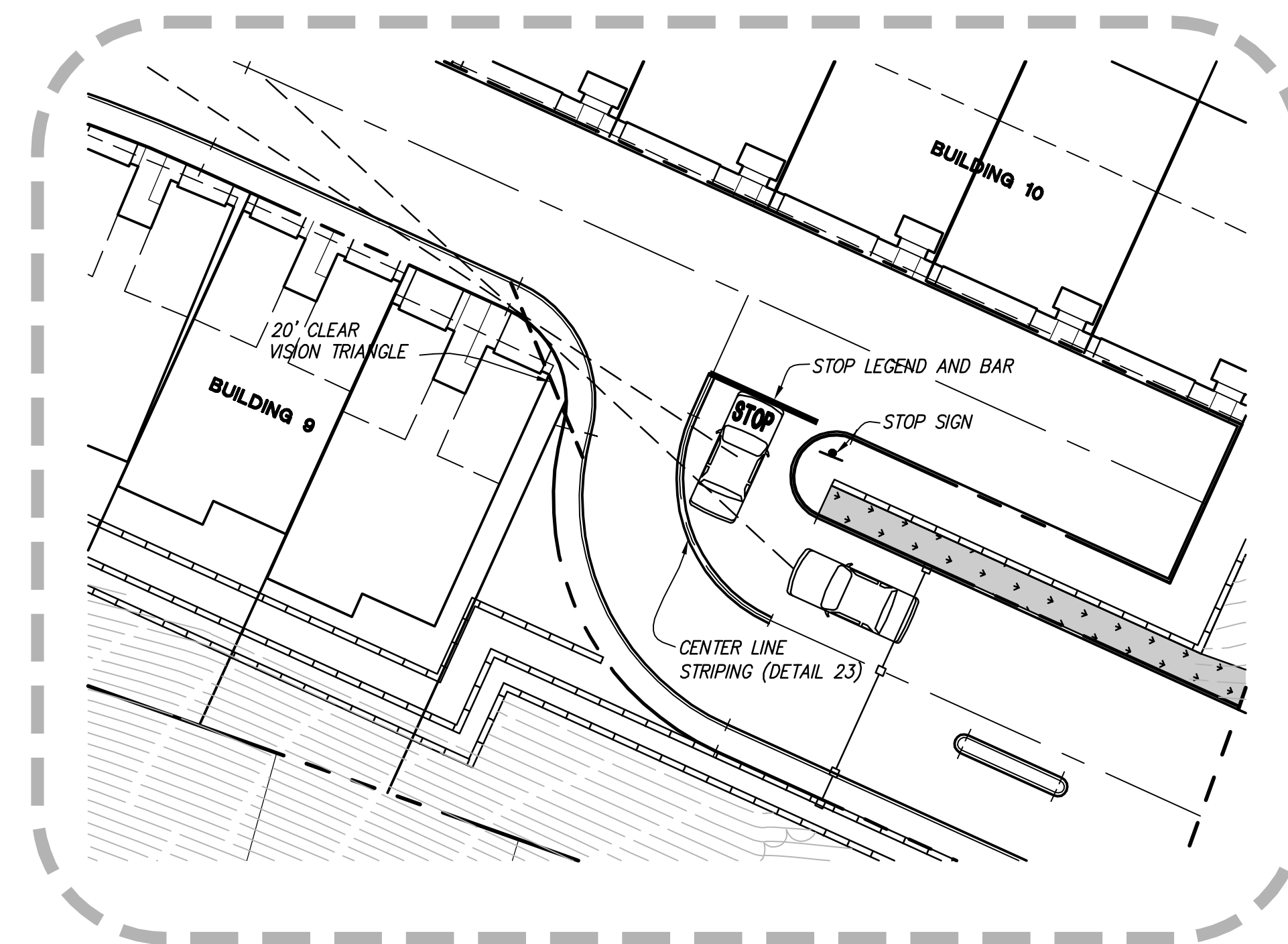
TENTATIVE MAP
PRELIMINARY STORM WATER TREATMENT DETAILS
WELLINGTON SITE

DALY CITY, SAN MATEO COUNTY, CALIFORNIA

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DETAIL A
SCALE: 1" = 20'



DETAIL B
SCALE: 1" = 20'

TENATIVE MAP **SIGHT DISTANCE PLAN** **WELLINGTON SITE** DALY CITY, SAN MATEO COUNTY, CALIFORNIA

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PHONE: (925) 227-9100 FAX: (925) 227-9300



W E L L I N G T O N

BUILDINGS 1-4 PERSPECTIVE



KB Home South Bay Inc.
 6700 Koll Center Parkway
 Pleasanton, CA 94566
 Contact: Ray Panek
 Phone: 925-750-1713

DALY CITY, CALIFORNIA
 K T G Y # 2011-0126 DATE 12.02.2013

Architecture + Planning
 1733 Ocean Ave., Suite 250
 Santa Monica, CA 90401
 ktgy.com
 310 394 2623





LEFT ELEVATION



FRONT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

W E L L I N G T O N



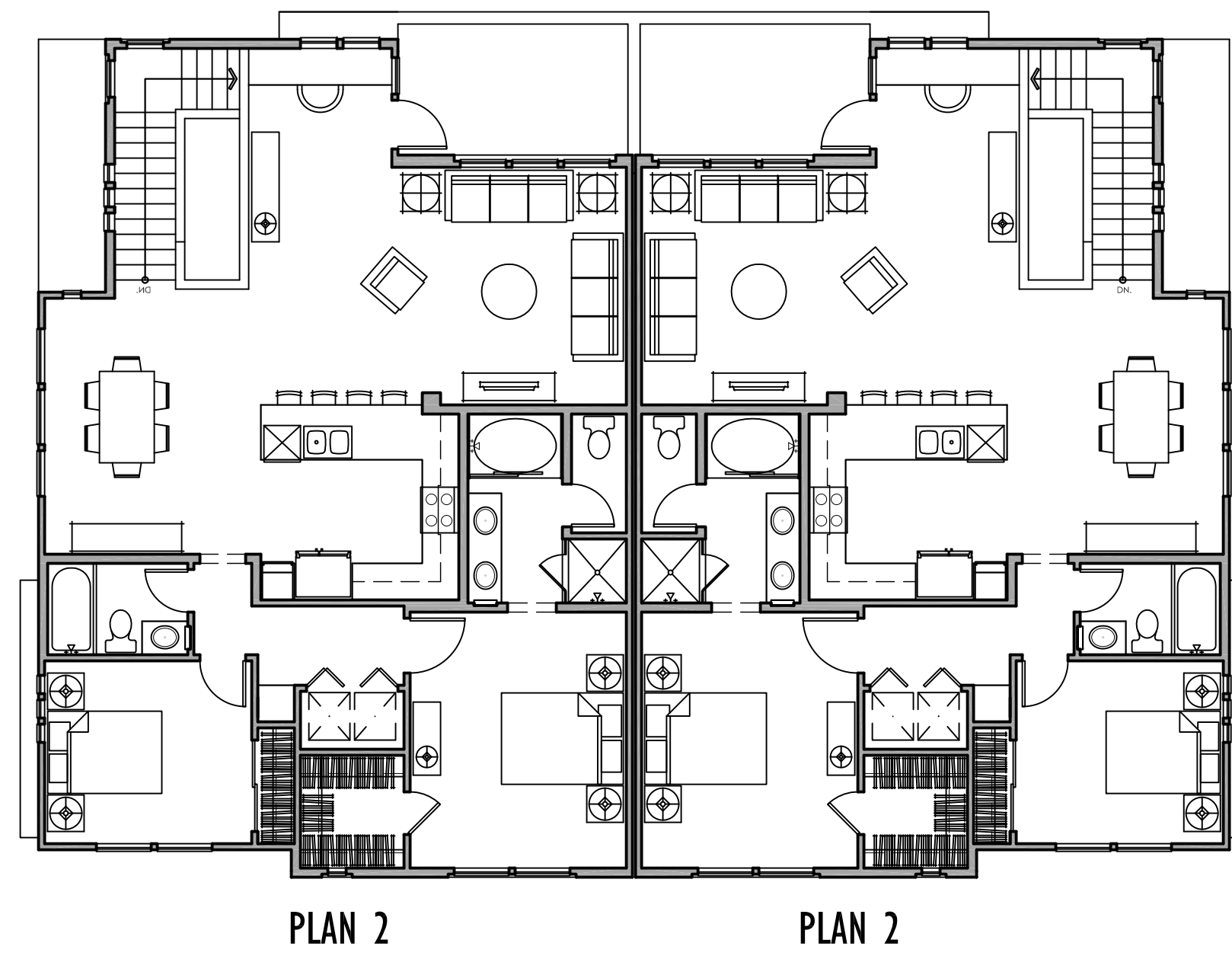
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 Contact: Ray Panek
 Phone: 925-750-1713

BUILDINGS 1-4 ELEVATIONS

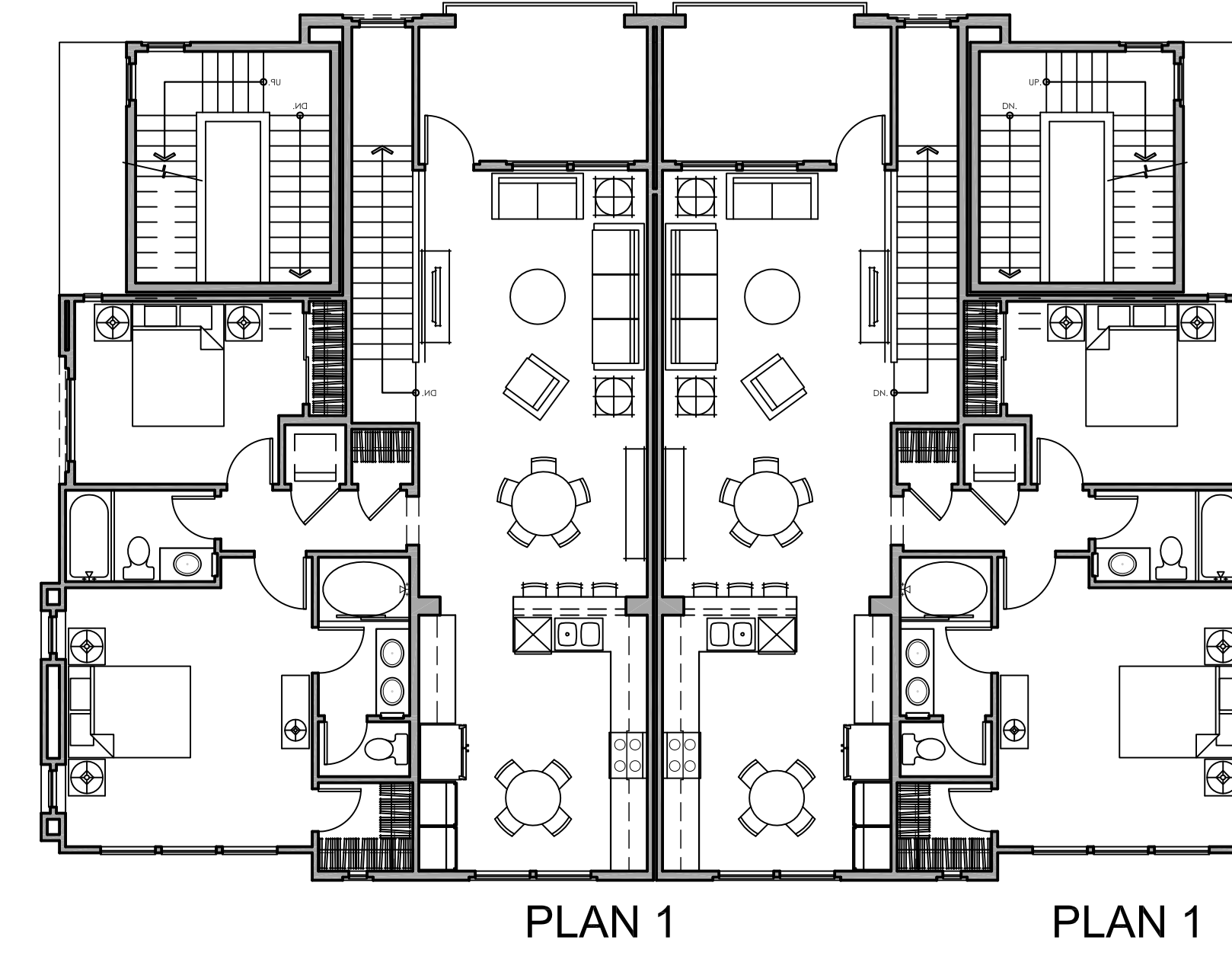
DALY CITY, CALIFORNIA
 K T G Y # 2011-0126 DATE 12.02.2013

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 310 394 2623

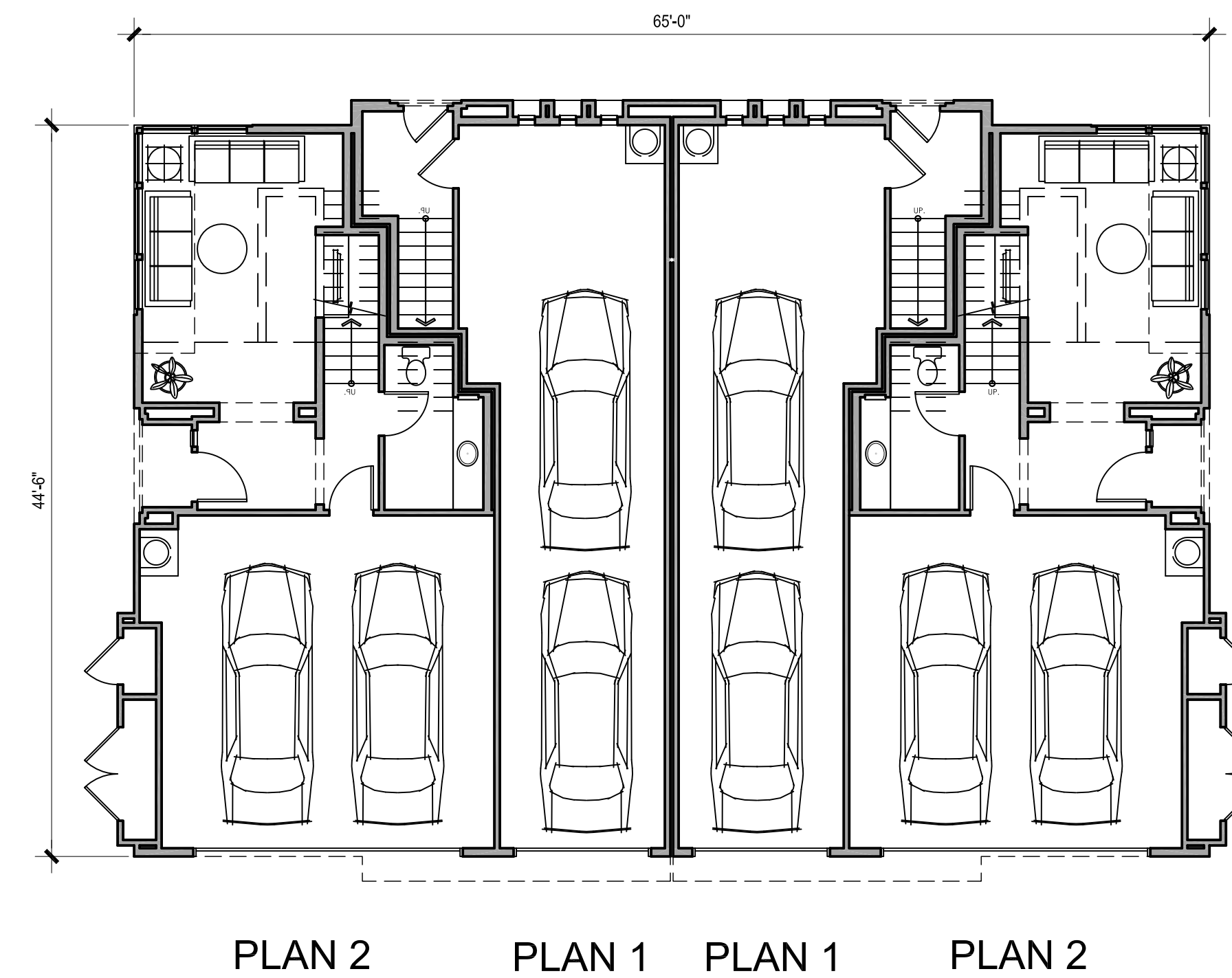




THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

BUILDING 4 - 4 UNITS

DALY CITY, CALIFORNIA
K T G Y # 2011-0126 DATE 12.02.2013

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1733 Ocean Ave., Suite 250
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ktgy.com
310 394 2623

Scale 0 4 8 16

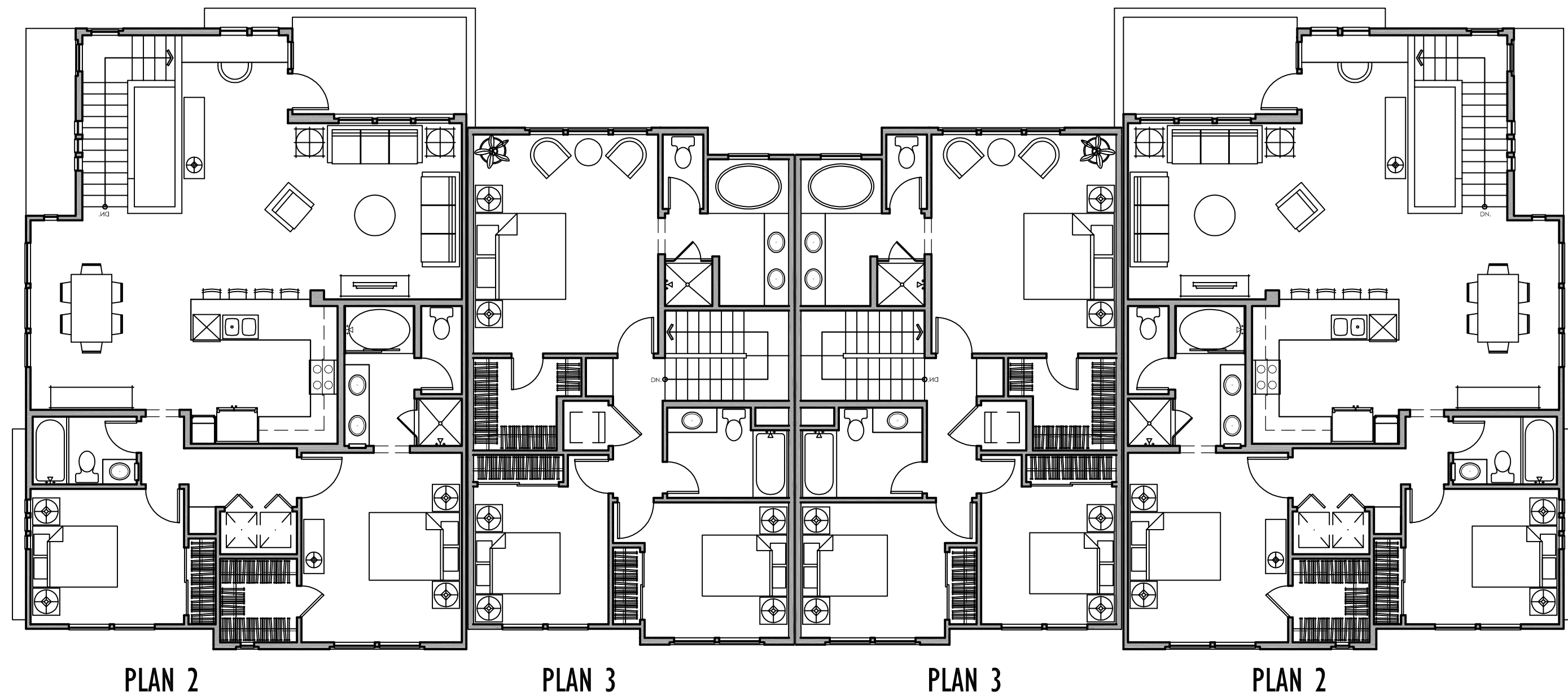
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W E L L I N G T O N

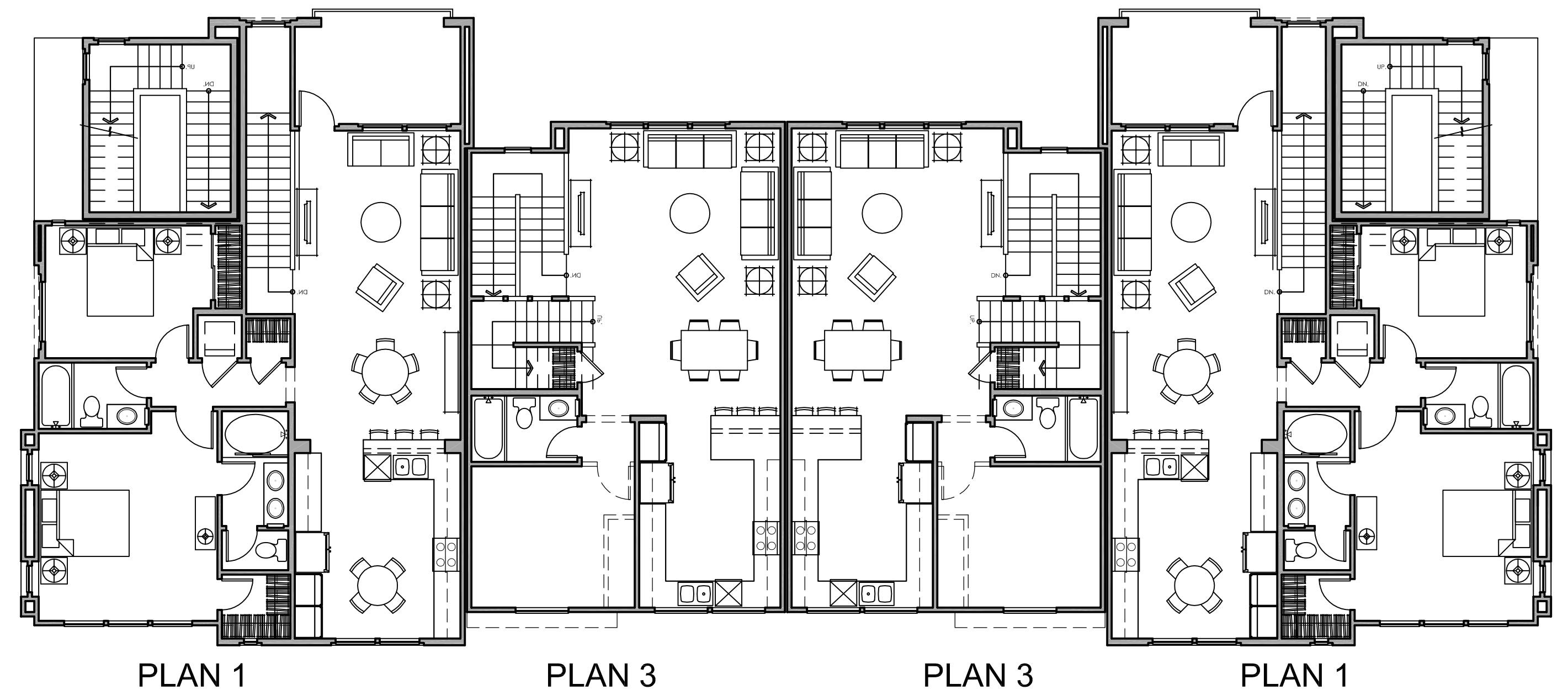


KB Home South Bay Inc.
6700 Koll Center Parkway
Pleasanton, CA 94566
Contact: Ray Panek
Phone: 925-750-1713

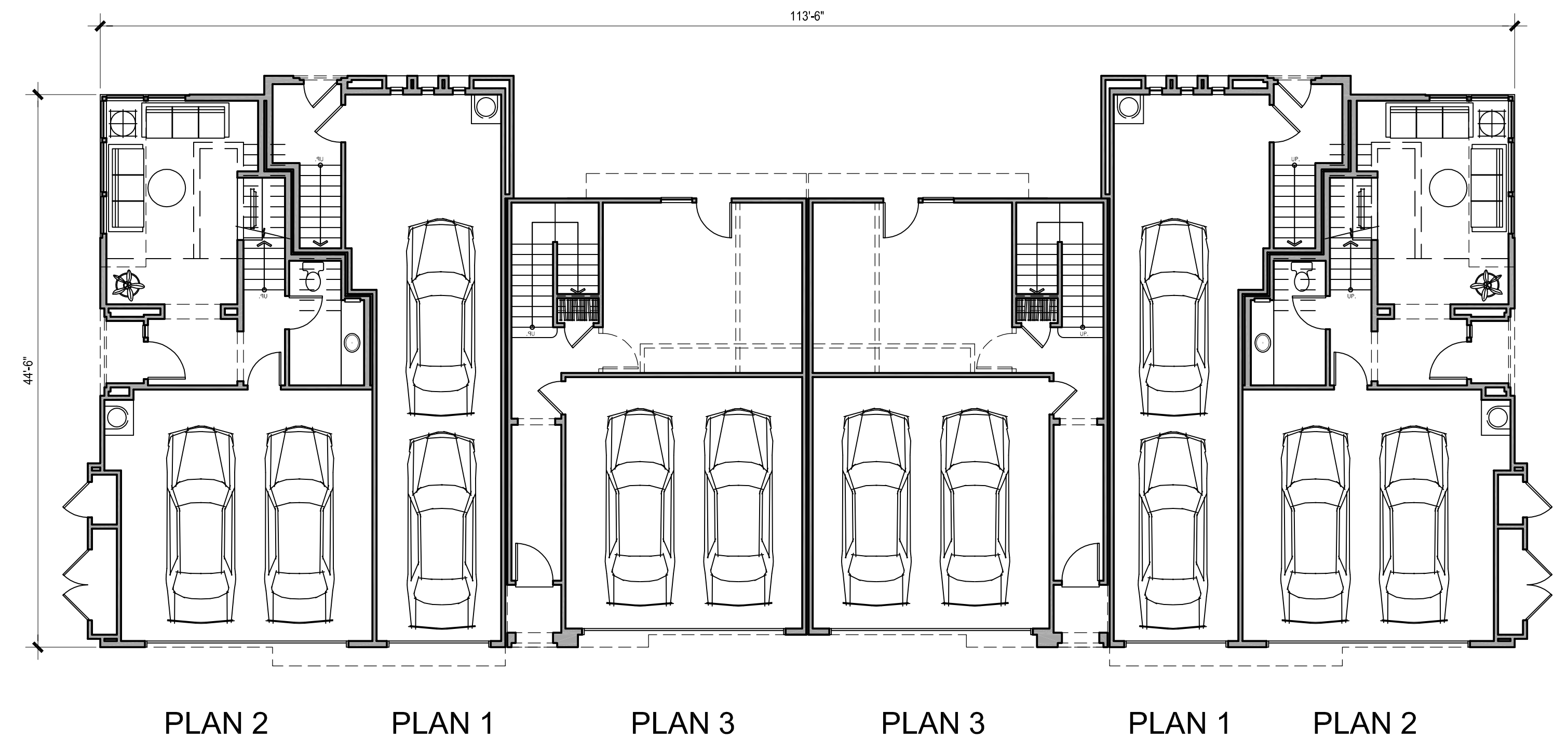




THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

W E L L I N G T O N

BUILDING 1&2 - 6 UNITS

DALY CITY, CALIFORNIA
K T G Y # 2011-0126 DATE 12.02.2013

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Santa Monica, CA 90401
ktgy.com
310 394 2623

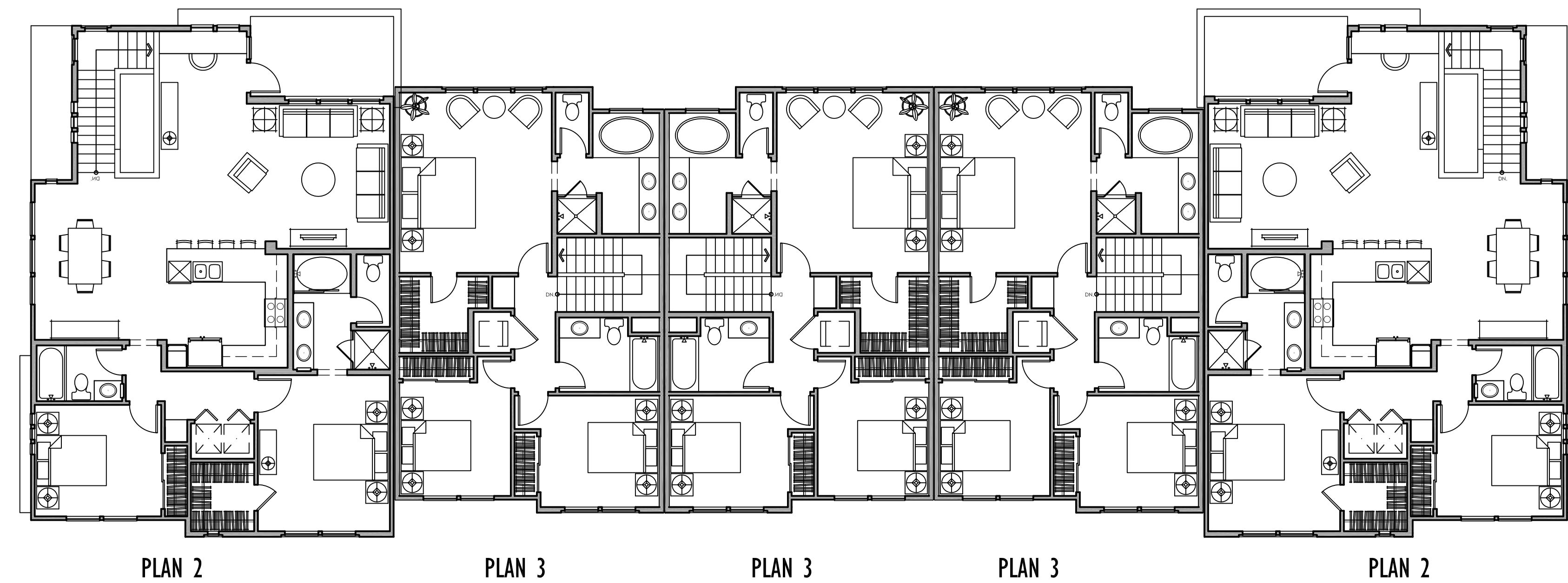
Scale 0 4 8 16

A2.1

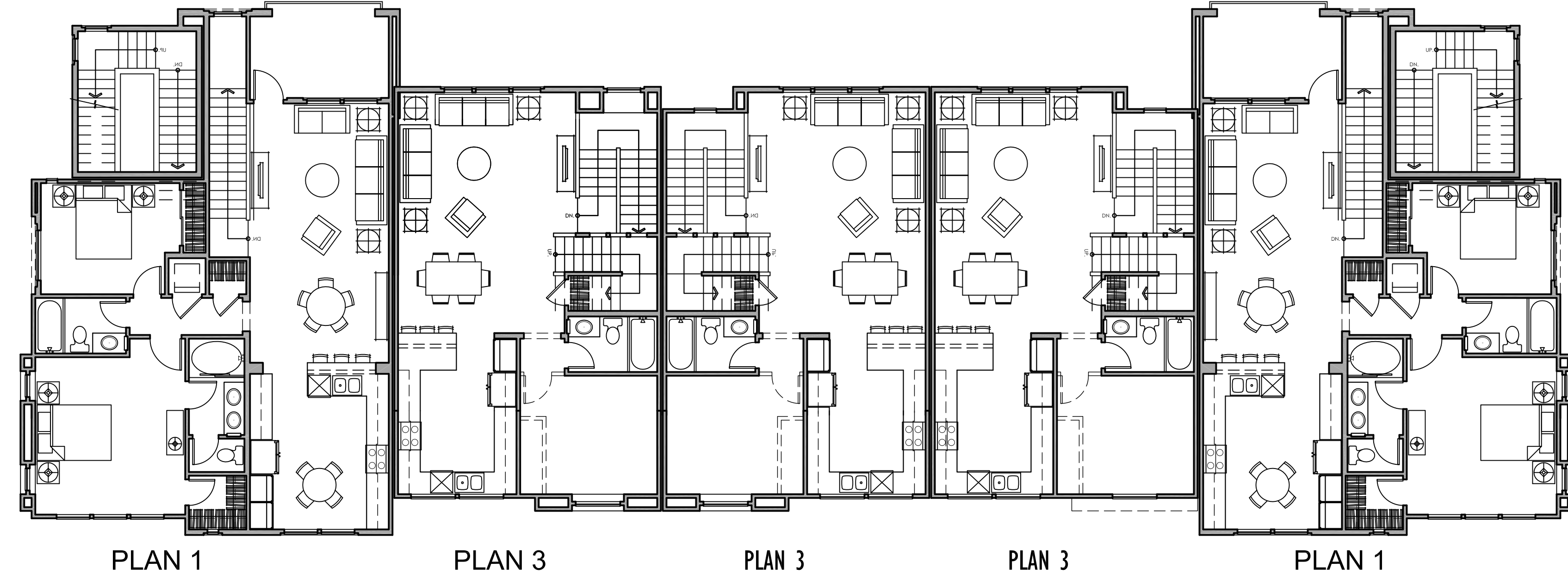


KB Home South Bay Inc.
6700 Koll Center Parkway
Pleasanton, CA 94566
Contact: Ray Panek
Phone: 925-750-1713

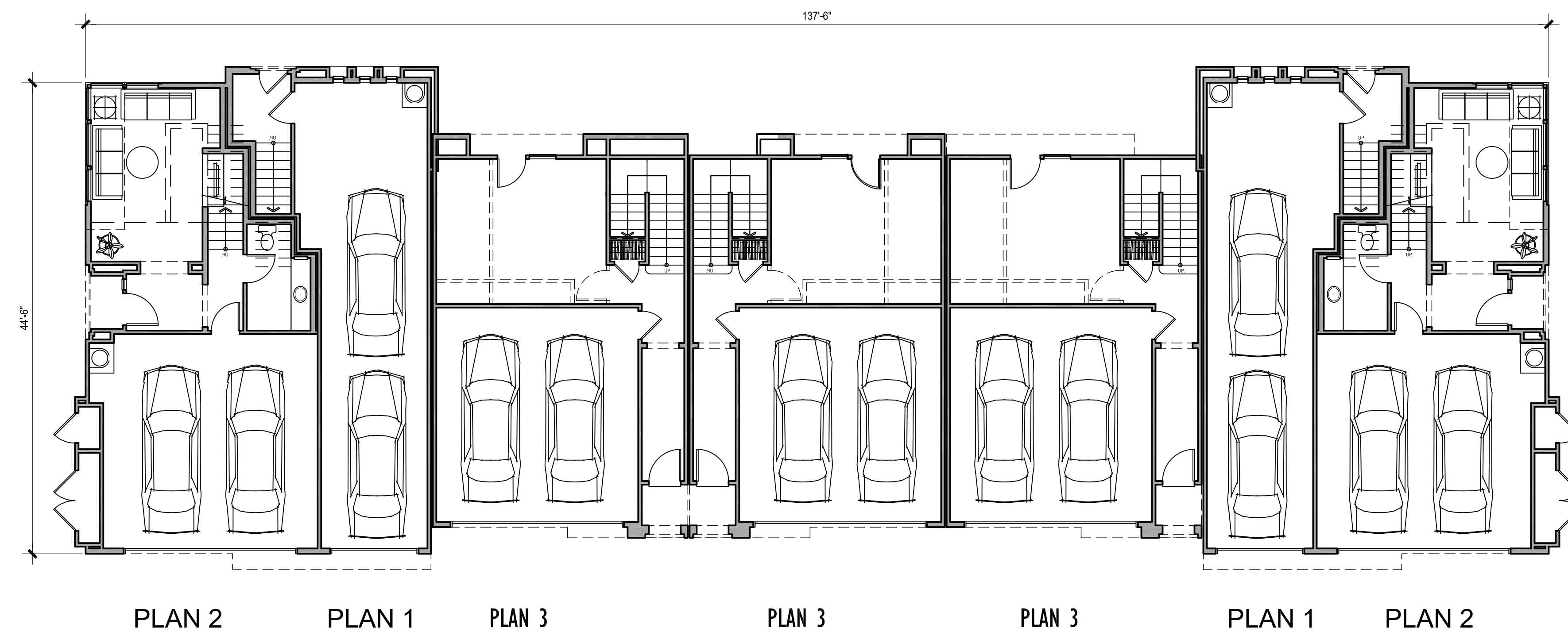




THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

W E L L I N G T O N

BUILDING 3 - 7 UNITS

DALY CITY, CALIFORNIA
K T G Y # 2011-0126 DATE 12.02.2013

Architecture + Planning
1733 Ocean Ave., Suite 250
Santa Monica, CA 90401
ktgy.com
310 394 2623

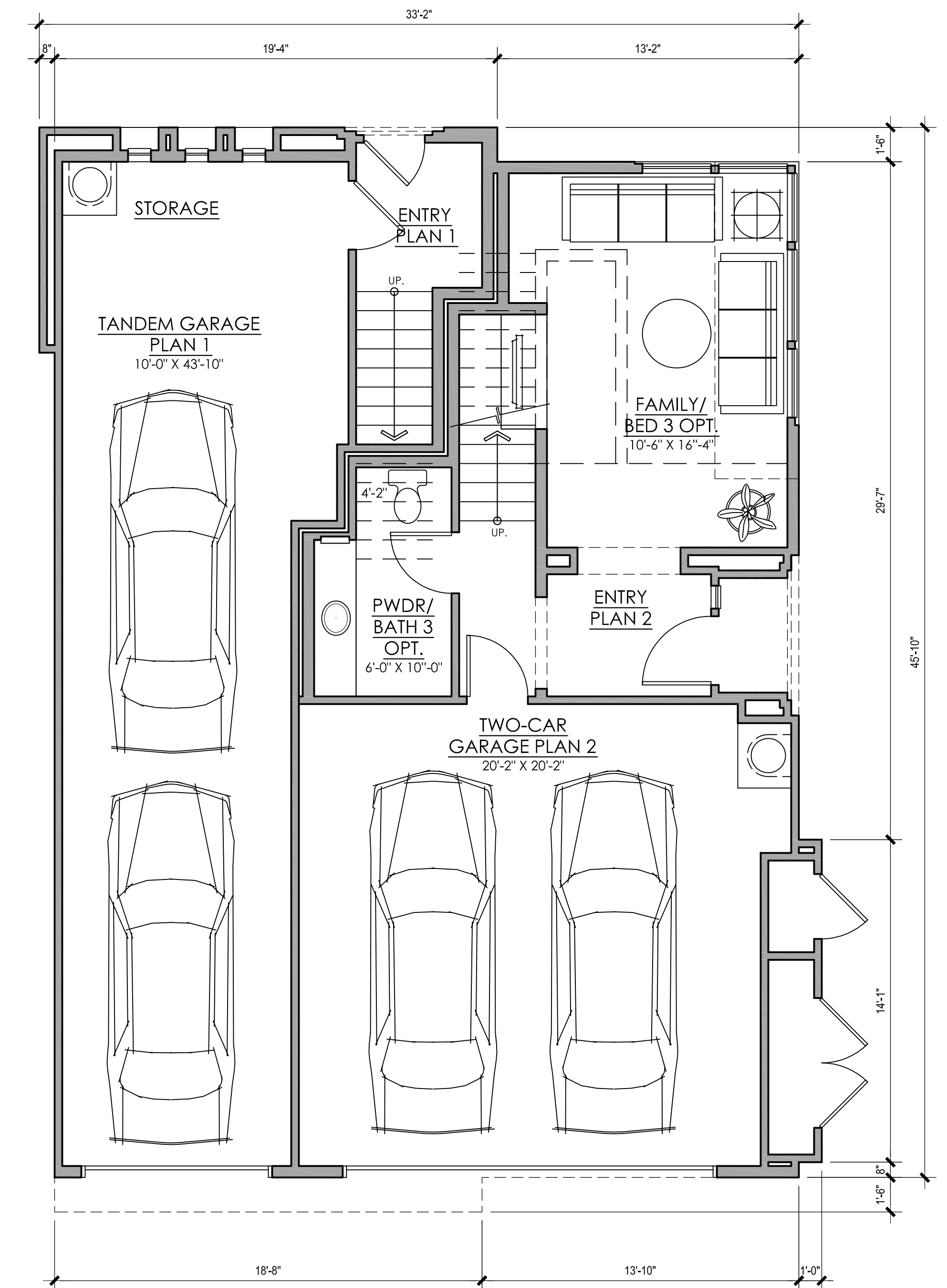
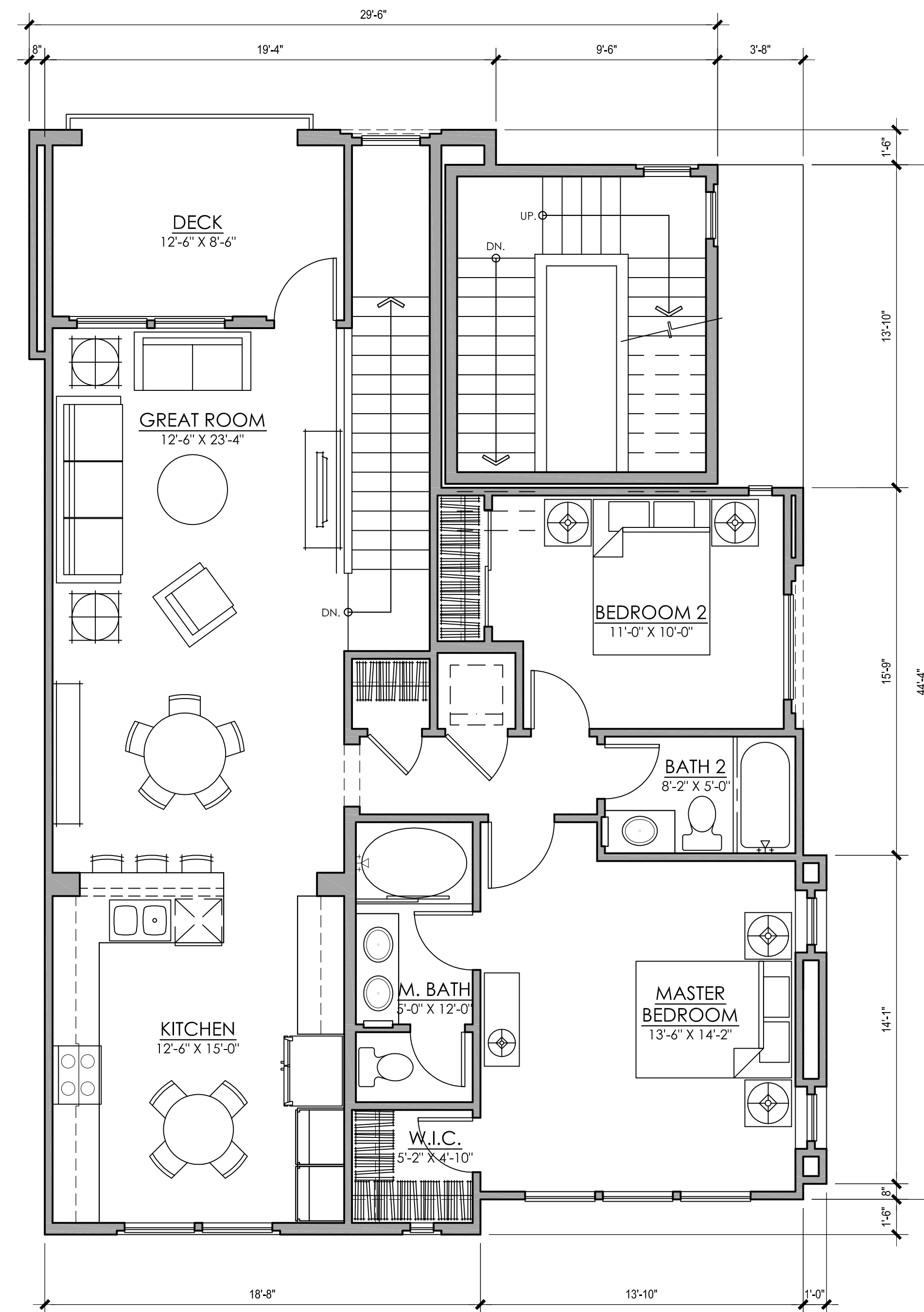
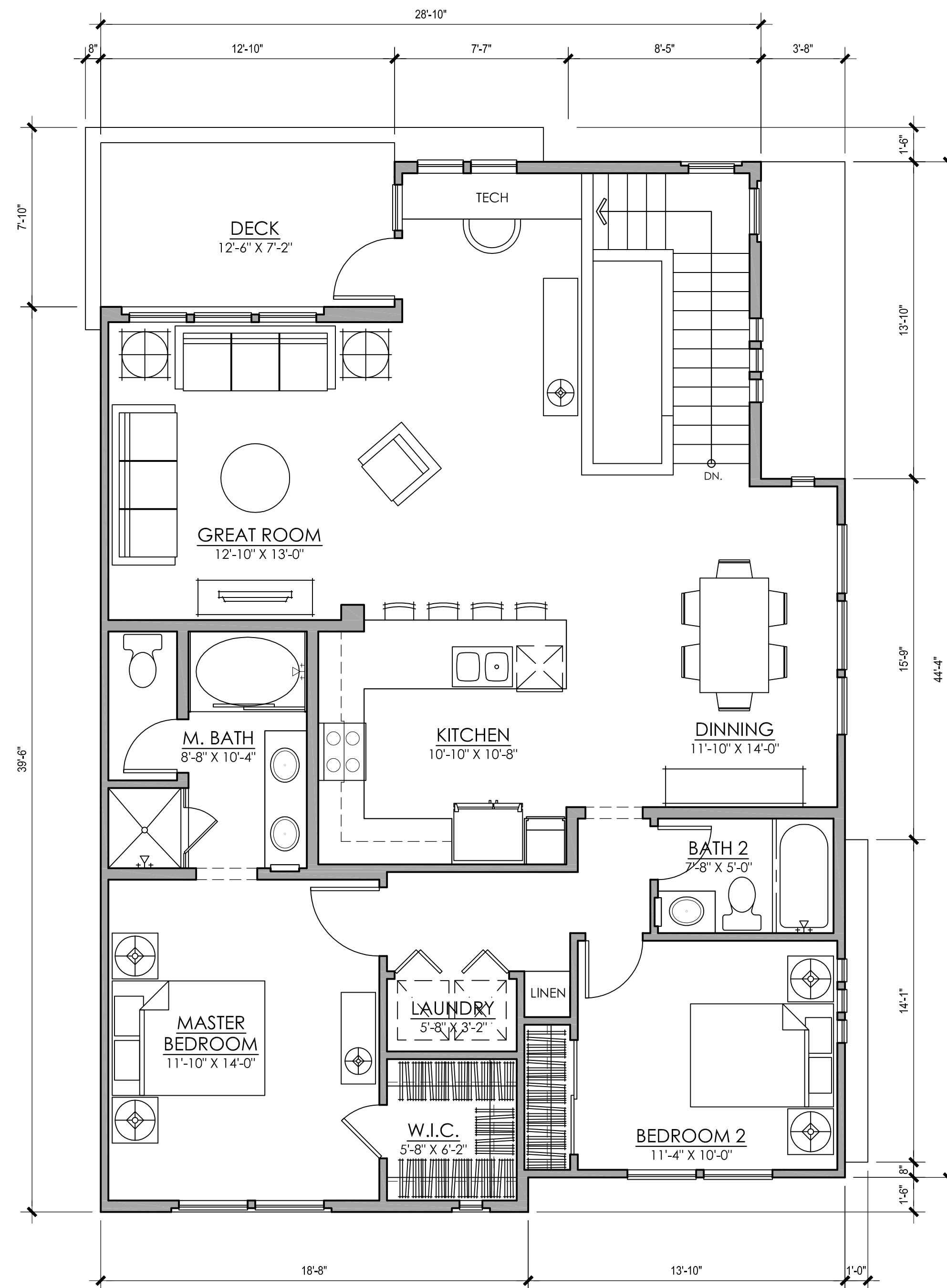
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A2.2



KB Home South Bay Inc.
6700 Koll Center Parkway
Pleasanton, CA 94566
Contact: Ray Panek
Phone: 925-750-1713





W E L L I N G T O N



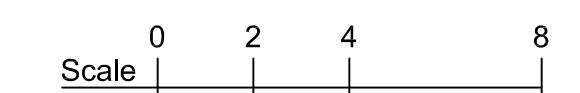
KB Home South Bay Inc.
6700 Koll Center Parkway
Pleasanton, CA 94566
Contact: Ray Panek
Phone: 925-750-1713

PLAN 1 & 2

DALY CITY, CALIFORNIA
K T G Y # 2011-0126 DATE 12.02.2013

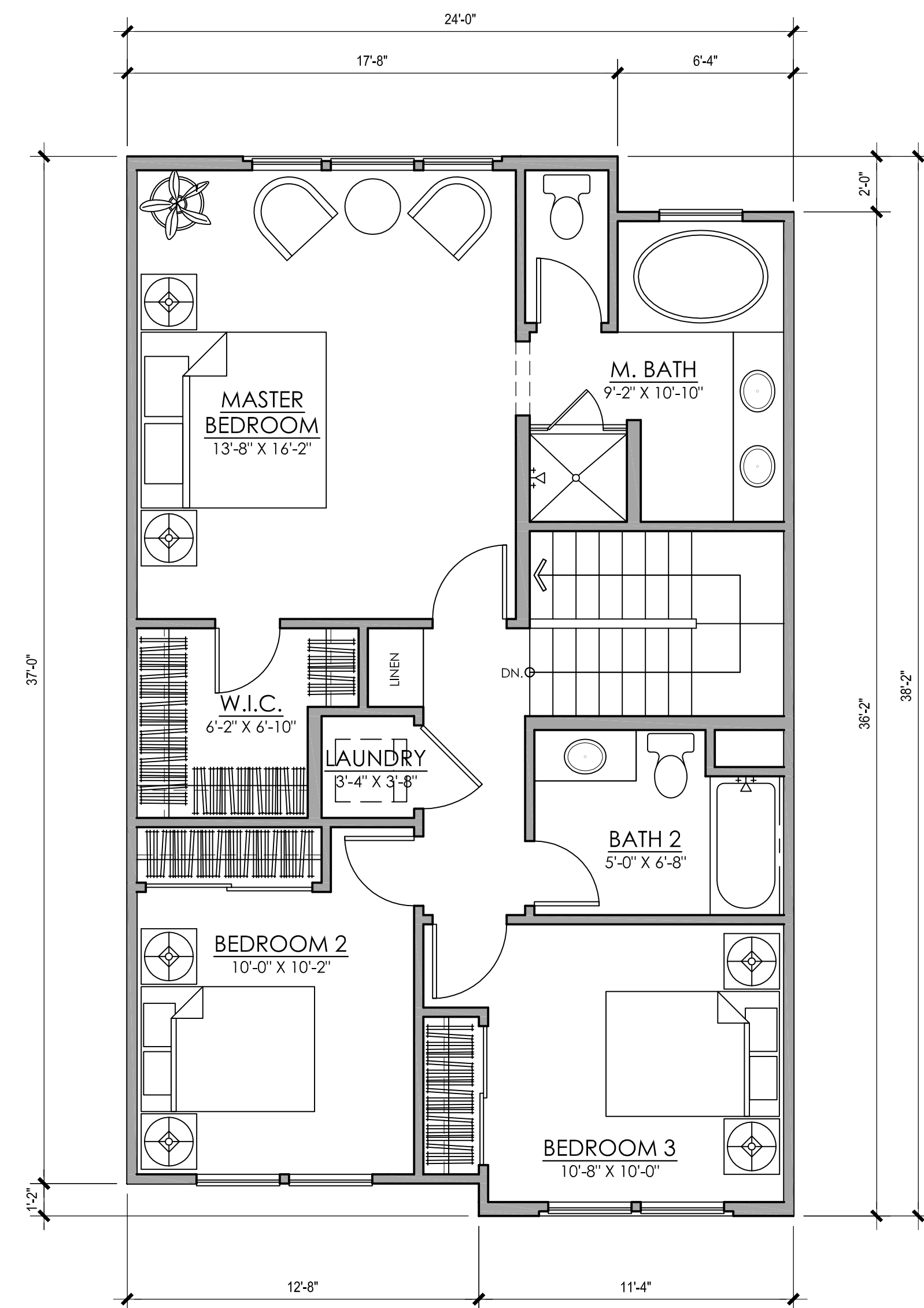
PLAN 1 1,125 sf net 1,190 sf gross
PLAN 2 1,623 sf net 1,750 sf gross

Architecture + Planning
1733 Ocean Ave., Suite 250
Santa Monica, CA 90401
ktgy.com
310 394 2623

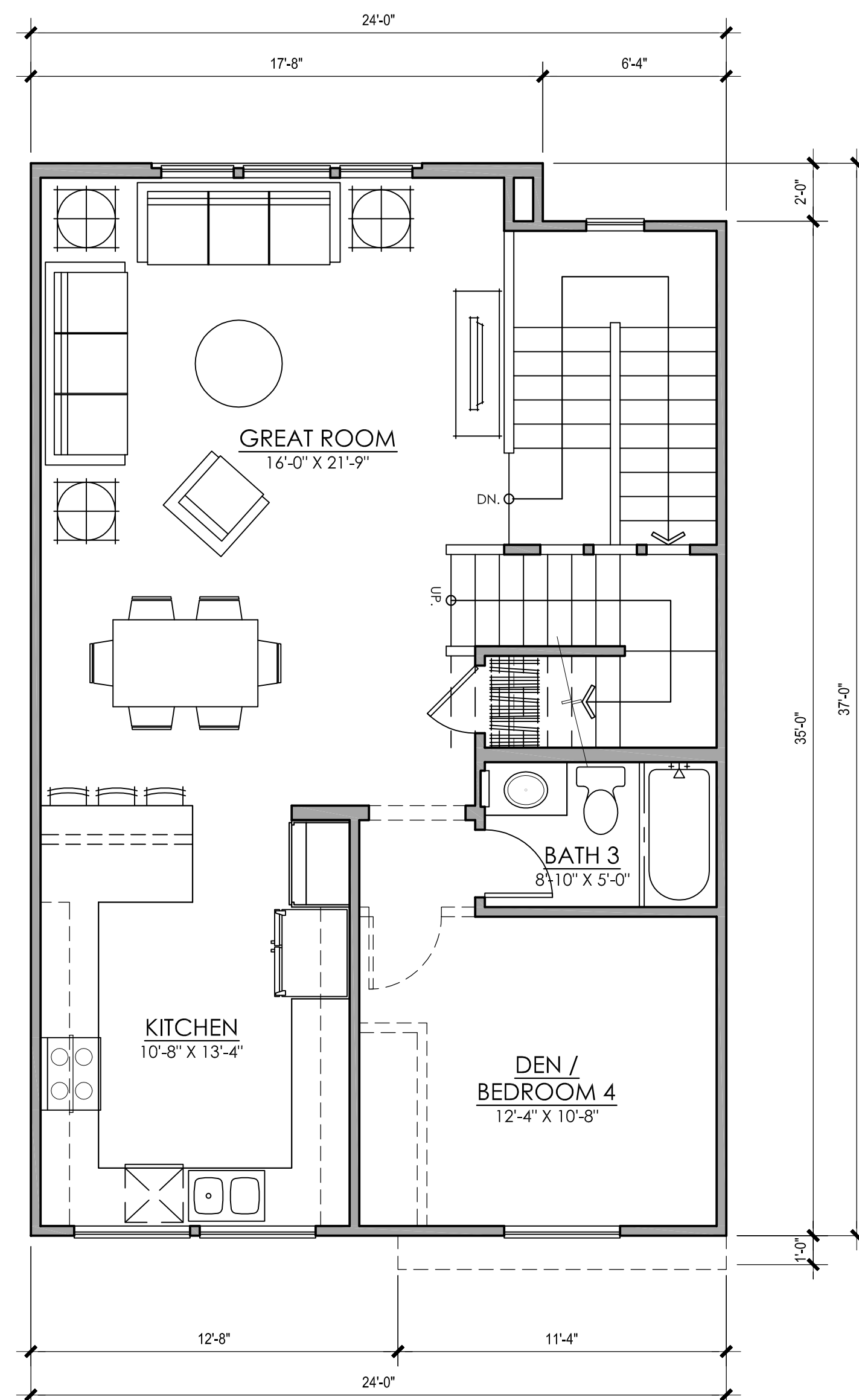


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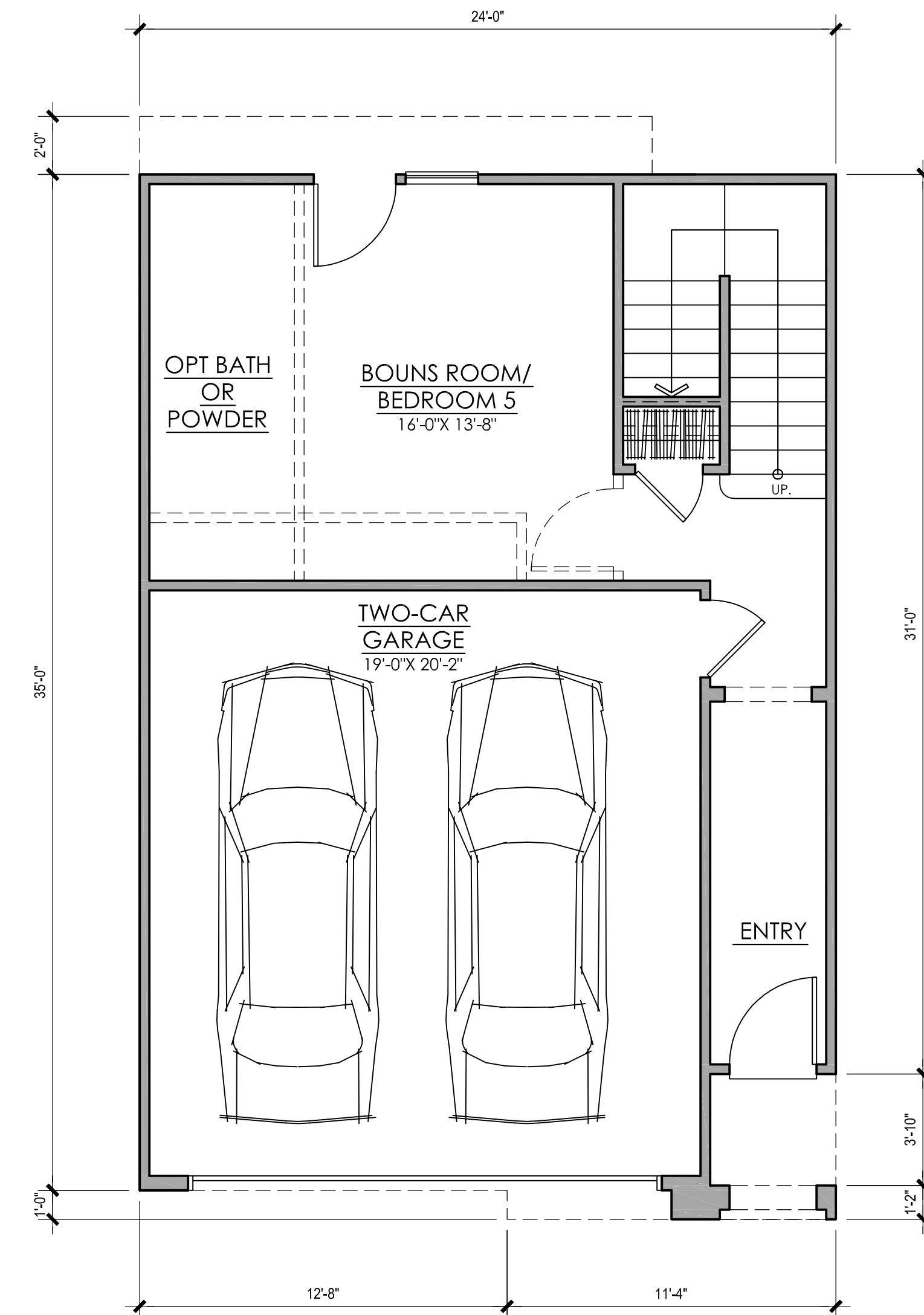




THIRD FLOOR



SECOND FLOOR



FIRST FLOOR

W E L L I N G T O N

PLAN 3

DALY CITY, CALIFORNIA
K T G Y # 2011-0126 DATE 12.02.2013

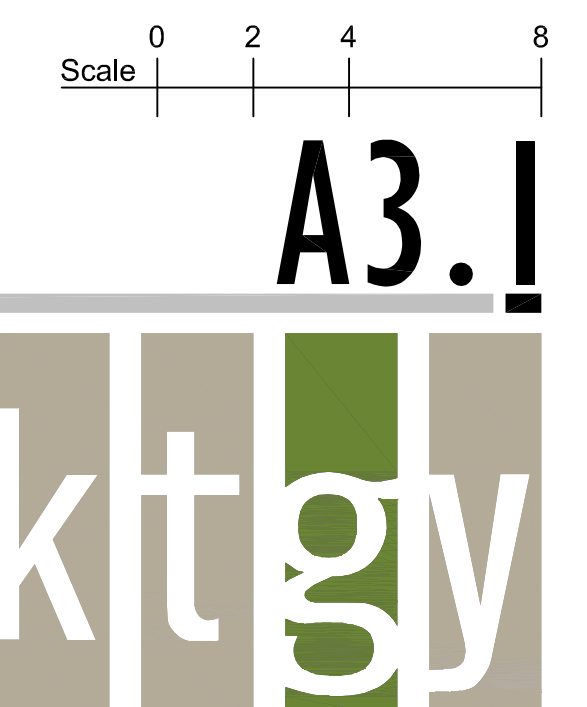
PLAN 3 1,931 sf net 2,050 sf gross

A3.1



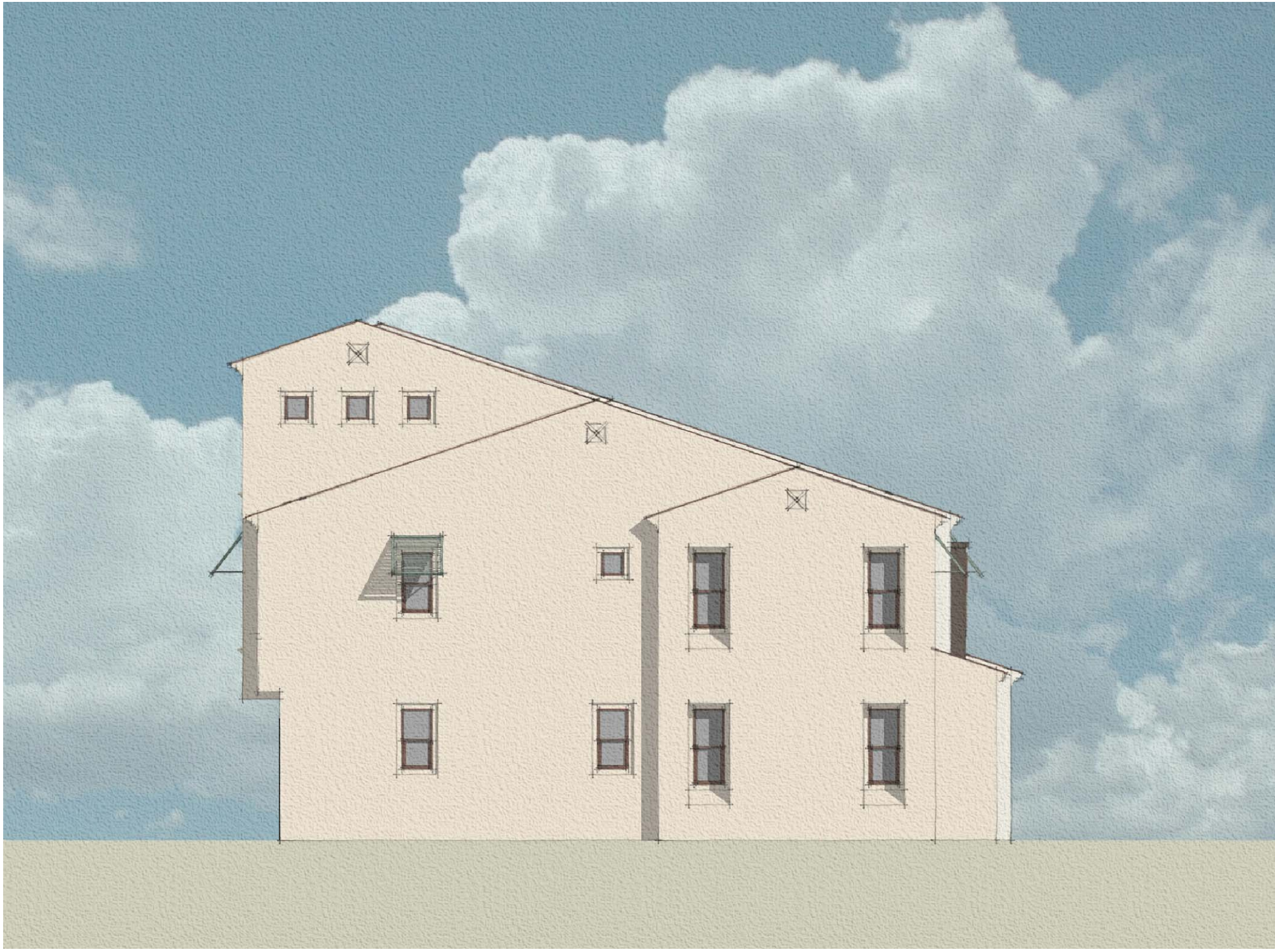
KB Home South Bay Inc.
6700 Koll Center Parkway
Pleasanton, CA 94566
Contact: Ray Panek
Phone: 925-750-1713

Architecture + Planning
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Santa Monica, CA 90401
ktgy.com
310 394 2623





Front Elevation



Typ. Side Elevation



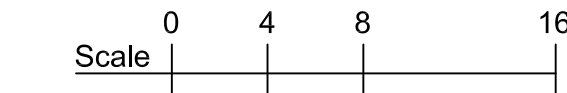
Rear Elevation

W E L L I N G T O N

PLAN 4 ELEVATIONS

DALY CITY, CALIFORNIA
K T G Y # 2011-0126 December 2, 2013

Architecture + Planning
1733 Ocean Ave., Suite 250
Santa Monica, CA 90401
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310 394 2623



A4.0

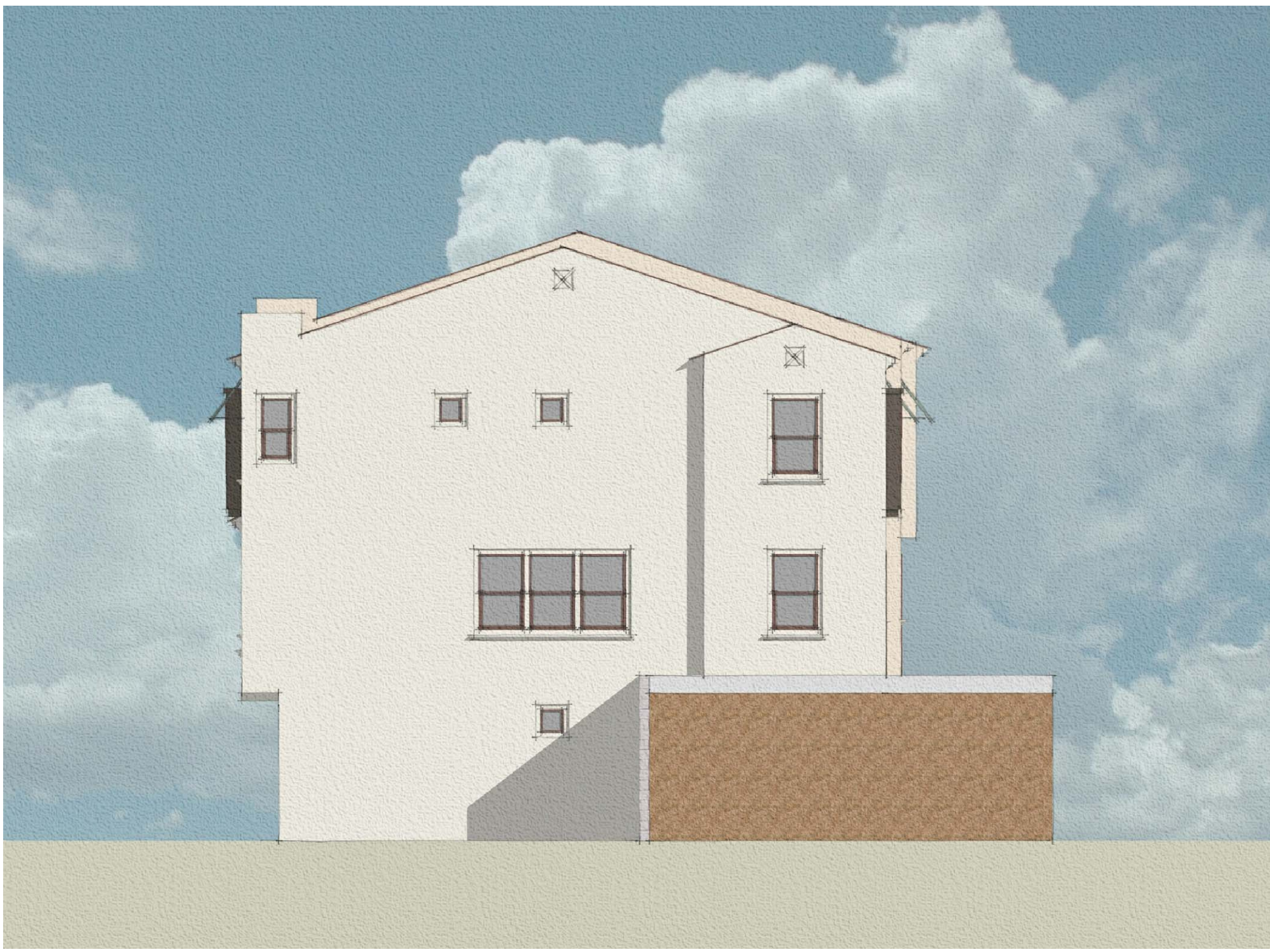


KB Home South Bay Inc.
6700 Koll Center Parkway
Pleasanton, CA 94566
Contact: Ray Panek
Phone: 925-750-1713





Front Elevation



Typ. Side Elevation



Rear Elevation

W E L L I N G T O N

PLAN 5 ELEVATIONS

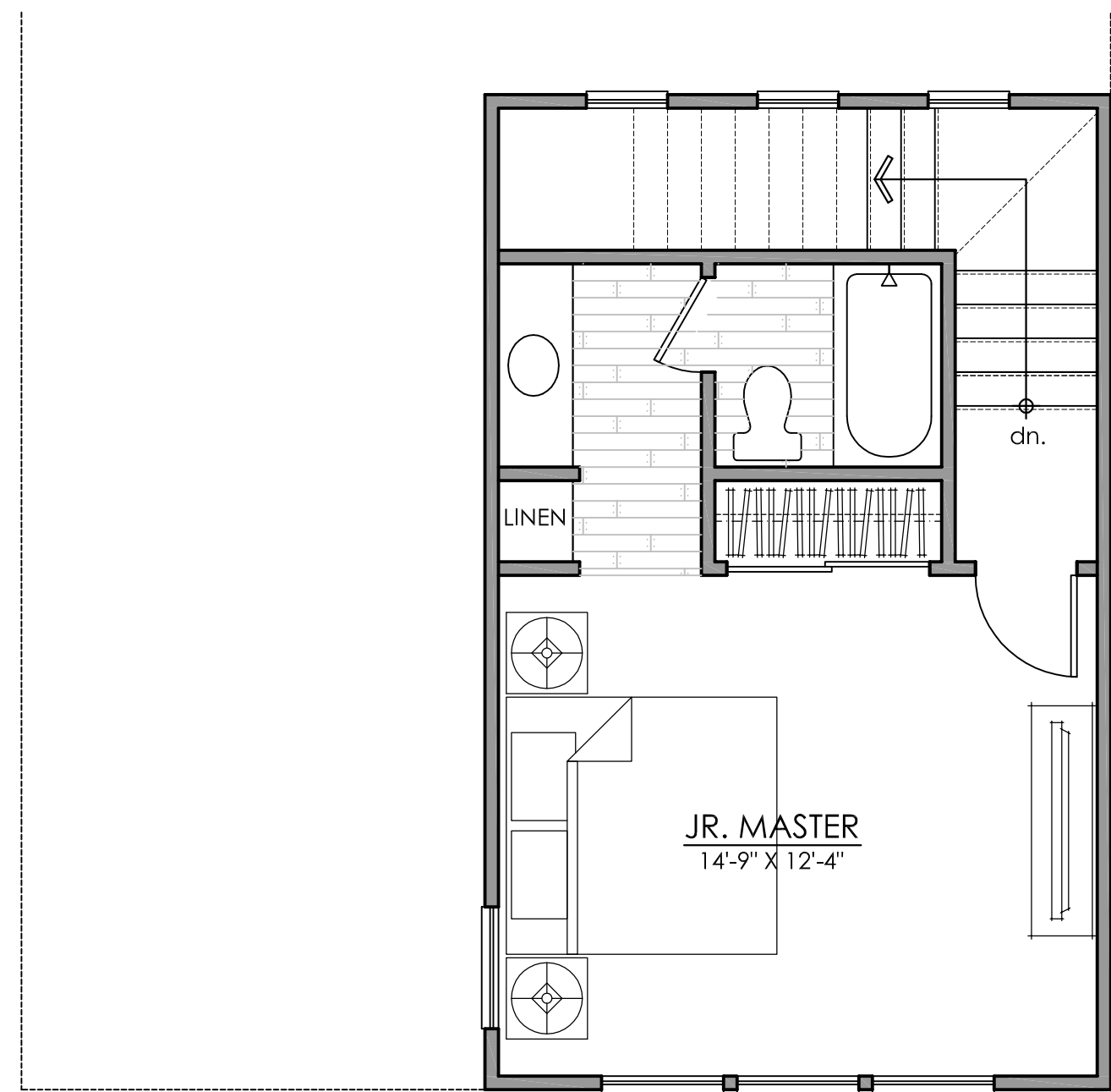
DALY CITY, CALIFORNIA
K T G Y # 2011-0126 December 2, 2013



KB Home South Bay Inc.
6700 Koll Center Parkway
Pleasanton, CA 94566
Contact: Ray Panek
Phone: 925-750-1713

Architecture + Planning
1733 Ocean Ave., Suite 250
Santa Monica, CA 90401
ktgy.com
310 394 2623

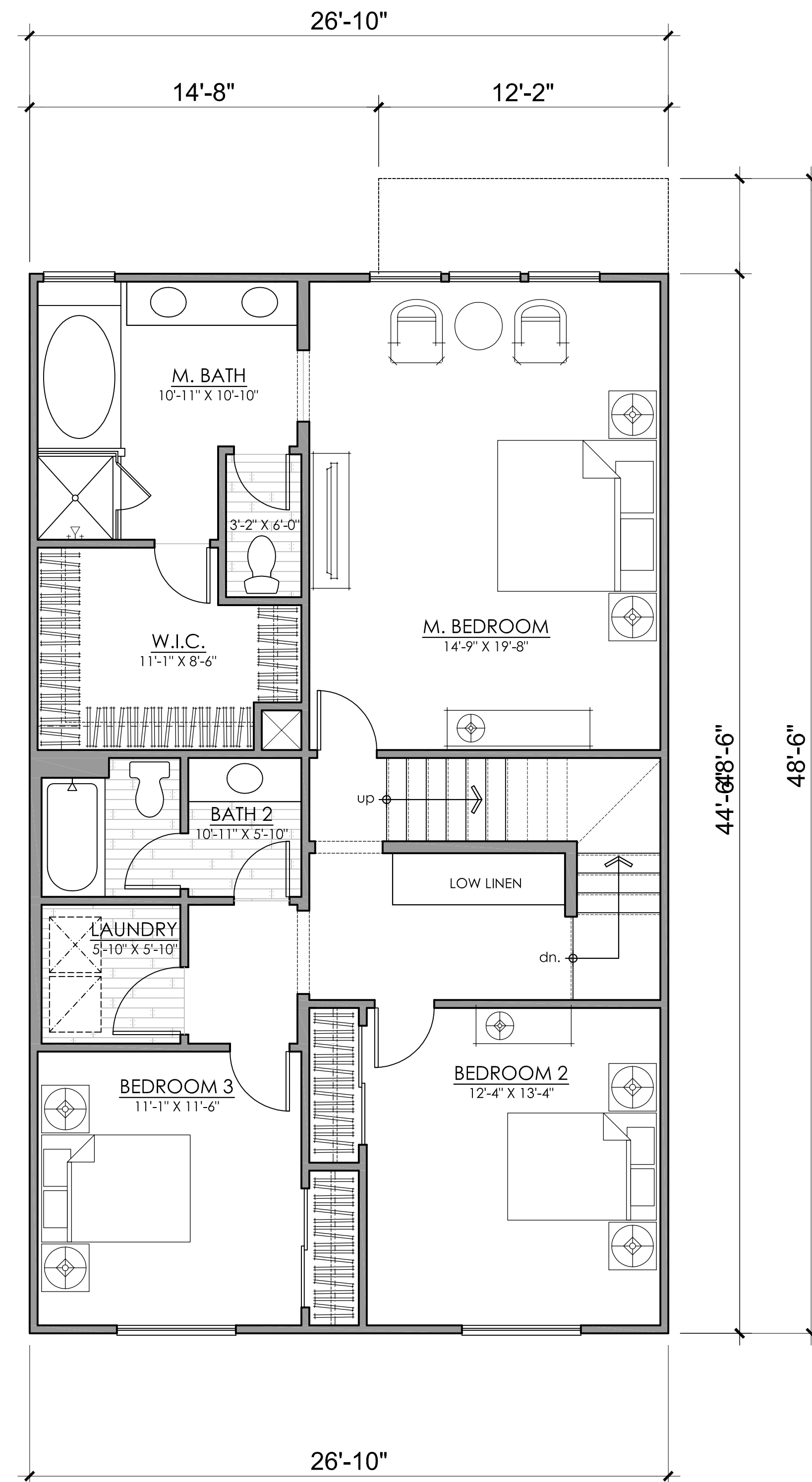




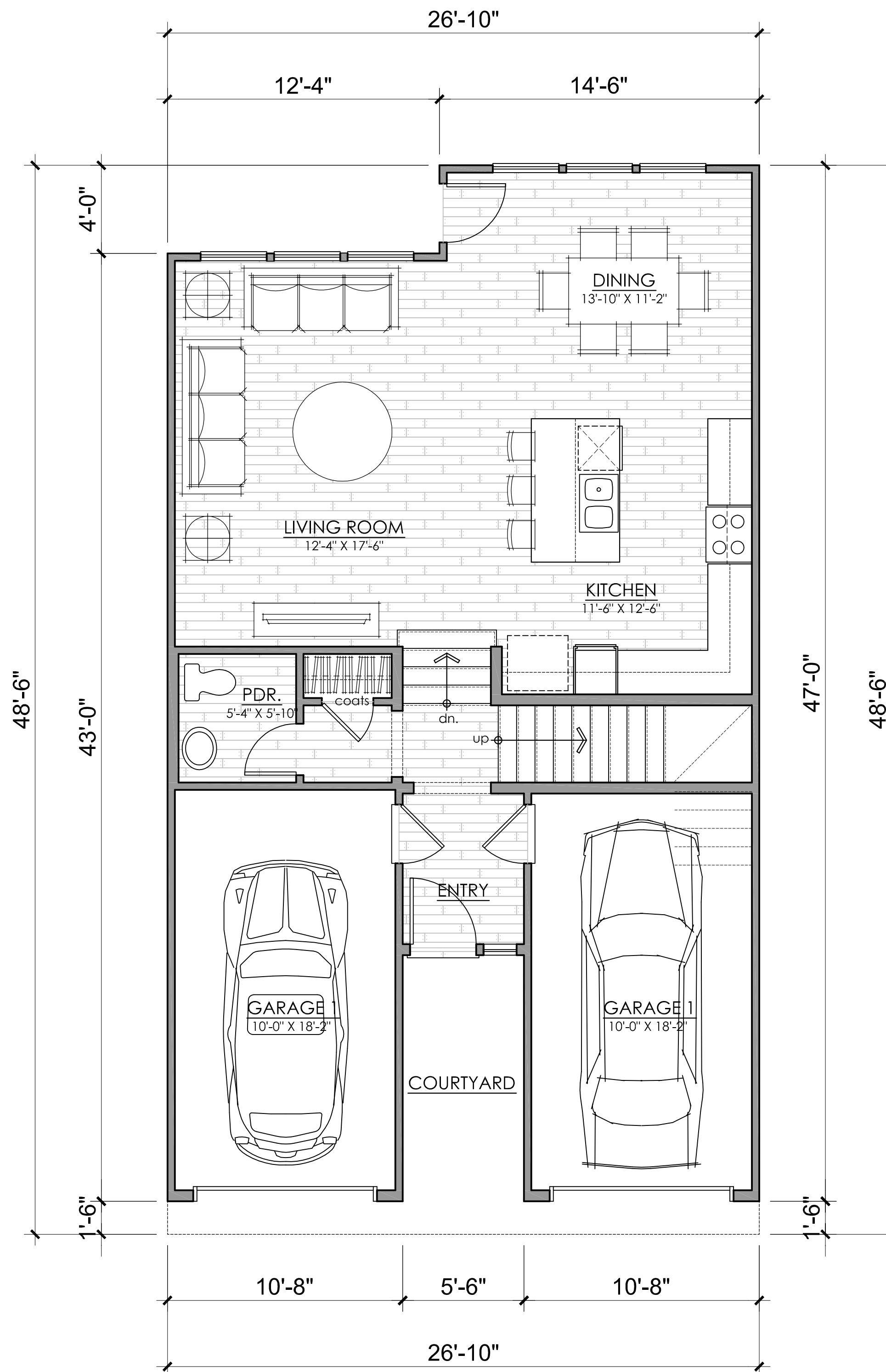
THIRD FLOOR - ALT JR MASTER SUITE
319 SQ. FT.



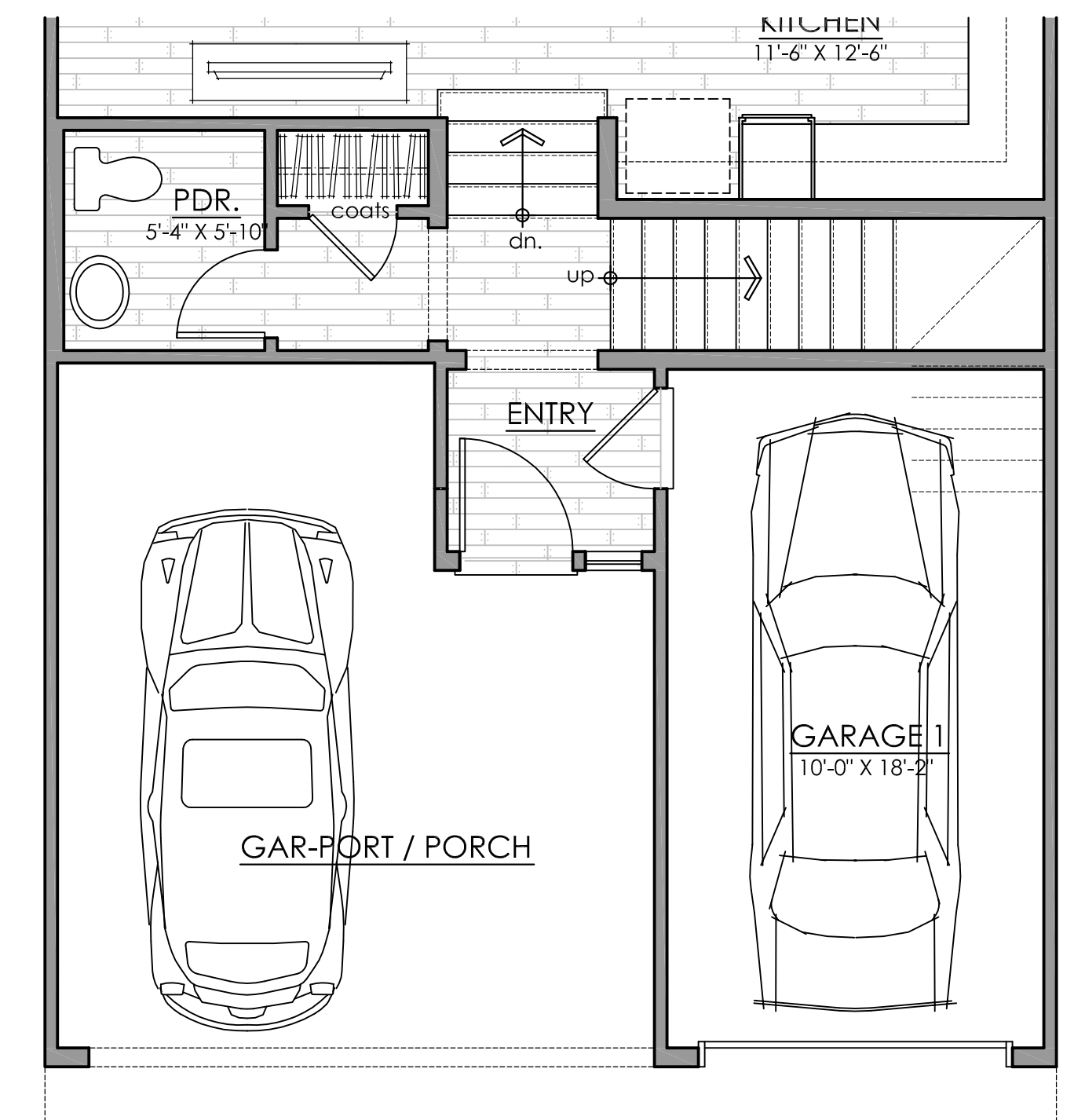
THIRD FLOOR
319 SQ. FT.



SECOND FLOOR
1194 SQ. FT.



FIRST FLOOR
759 SQ. FT.
GARAGE 1
196 SQ. FT.
GARAGE 2
194 SQ. FT.



FIRST FLOOR GAR-PORT / PORCH OPTION

W E L L I N G T O N

PLAN 4 2290 SF

DALY CITY, CALIFORNIA
K T G Y # 2011-0126 DATE 12.02.2013



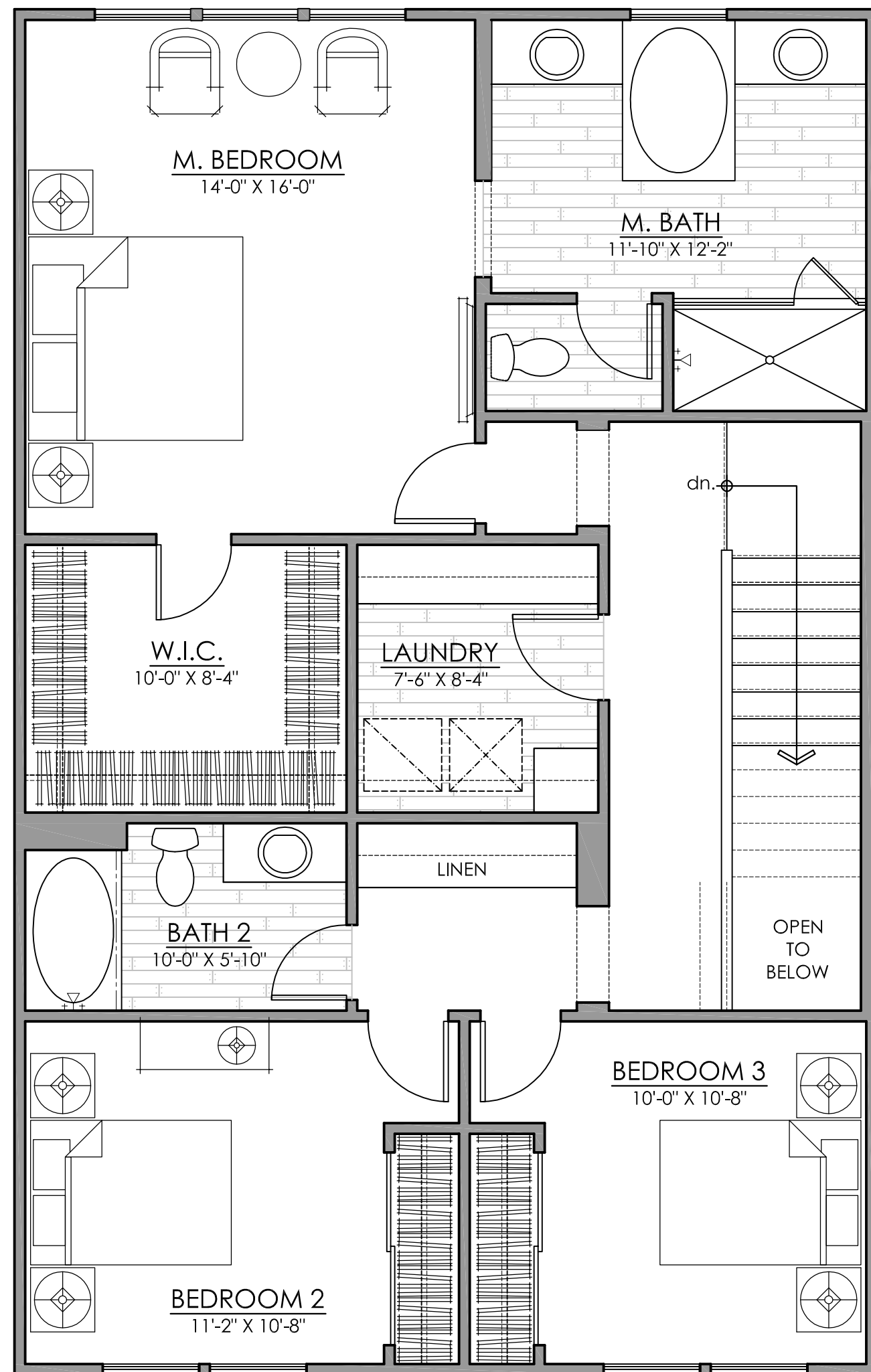
KB Home South Bay Inc.
6700 Koll Center Parkway
Pleasanton, CA 94566
Contact: Ray Panek
Phone: 925-750-1713

Architecture + Planning
1733 Ocean Ave., Suite 250
Santa Monica, CA 90401
ktgy.com
310 394 2623

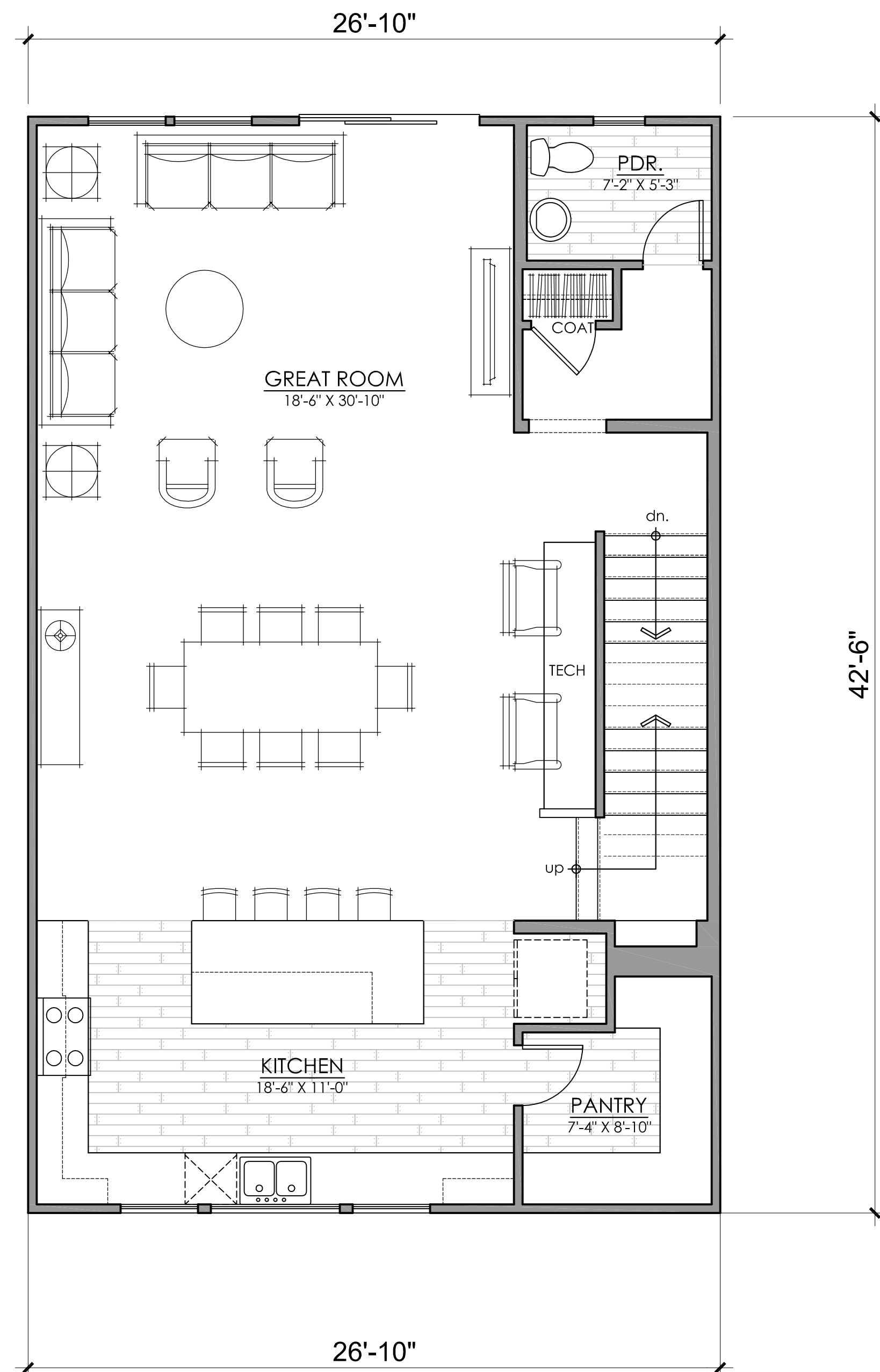
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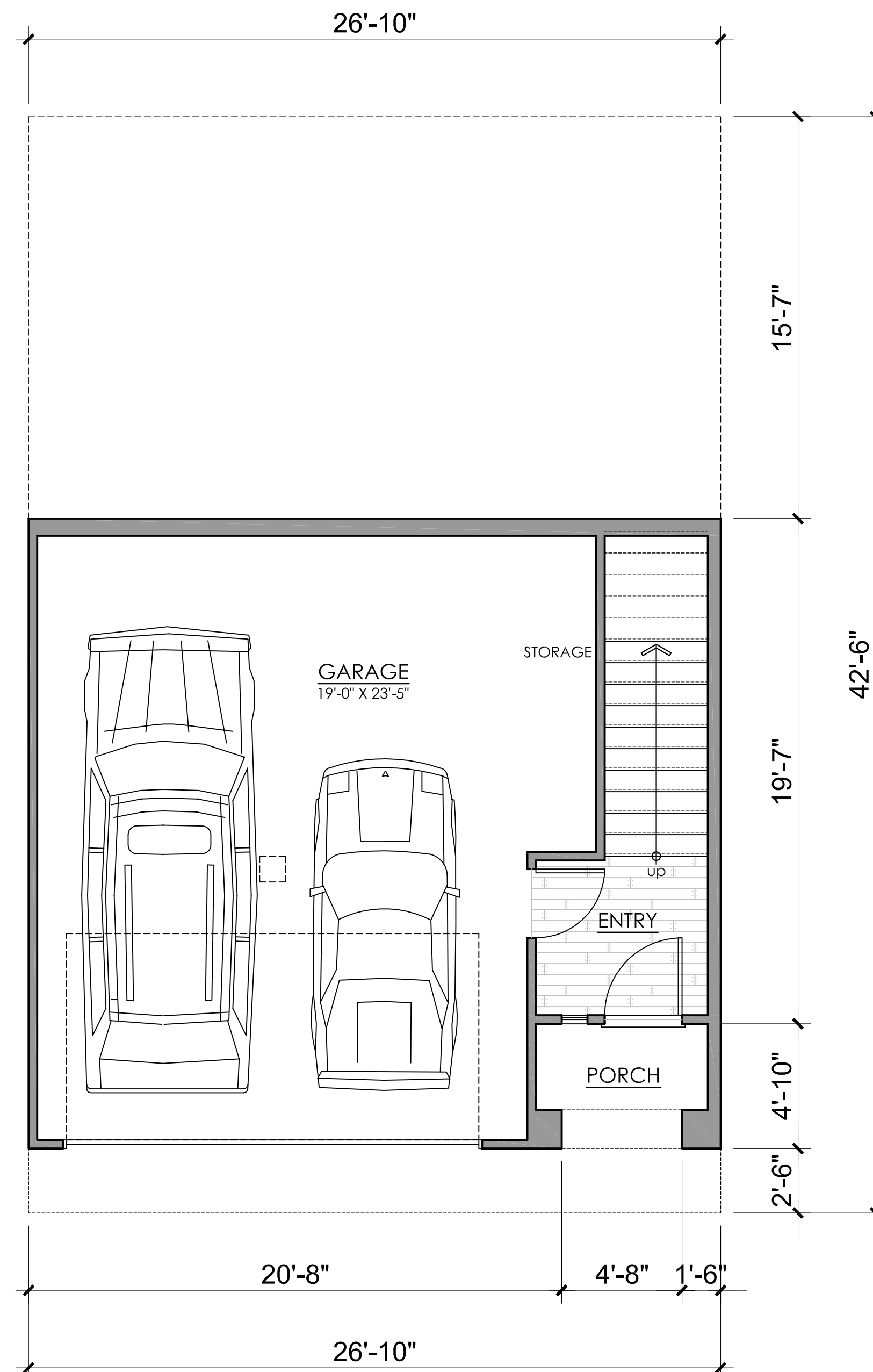




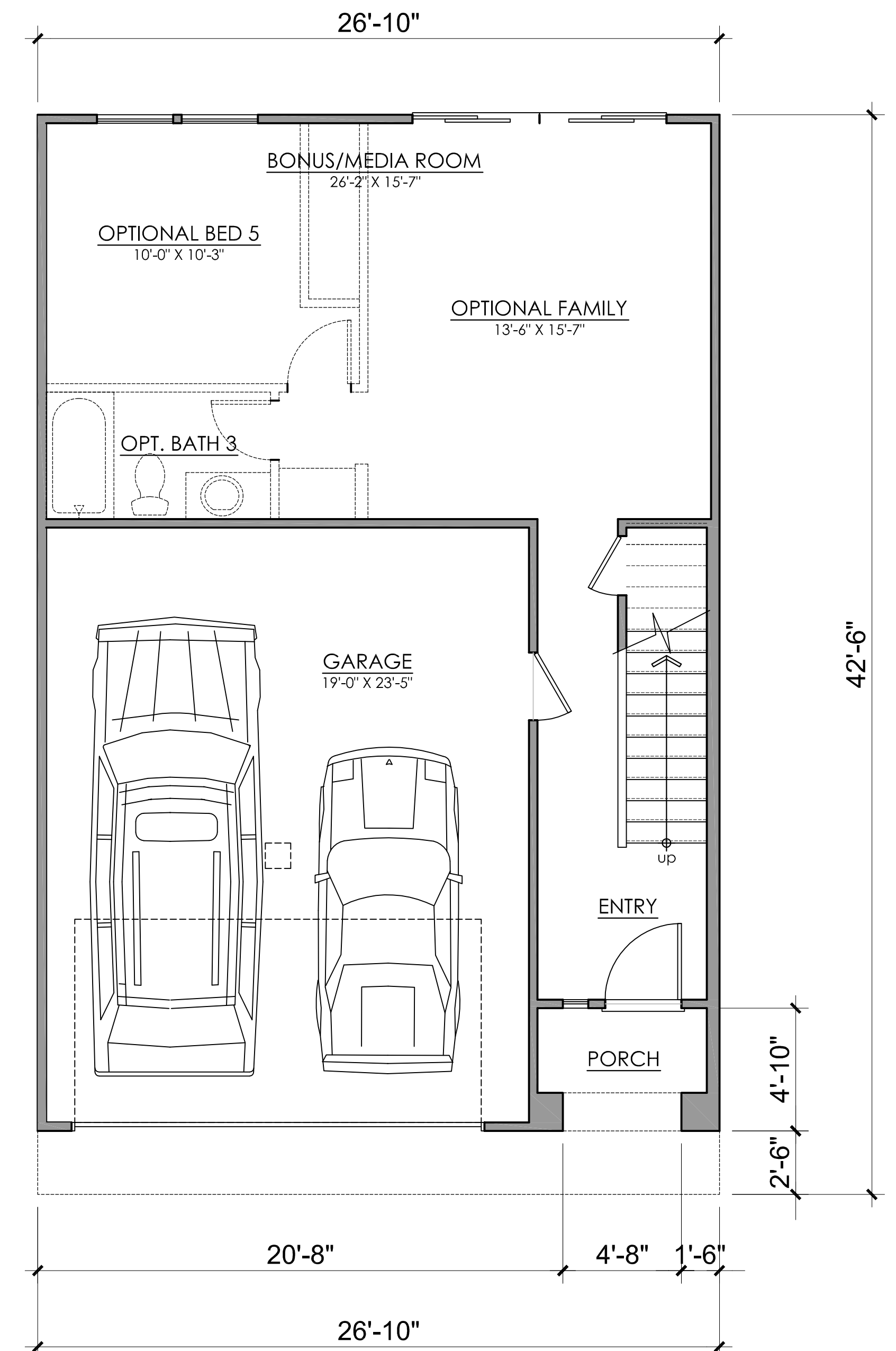
THIRD FLOOR
1077 SQ. FT.



SECOND FLOOR
1140 SQ. FT.



FIRST FLOOR
112 SQ. FT.
GARAGE
508 SQ. FT.



ALTERNATE FIRST FLOOR - LOTS 13-17 ONLY
578 SQ. FT.
GARAGE
461 SQ. FT.

W E L L I N G T O N

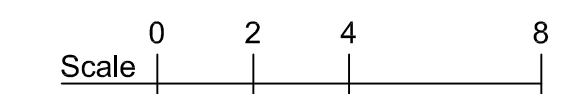


KB Home South Bay Inc.
6700 Koll Center Parkway
Pleasanton, CA 94566
Contact: Ray Panek
Phone: 925-750-1713

PLAN 5 2329 SF (2795SF @ ALT 1ST FLOOR)

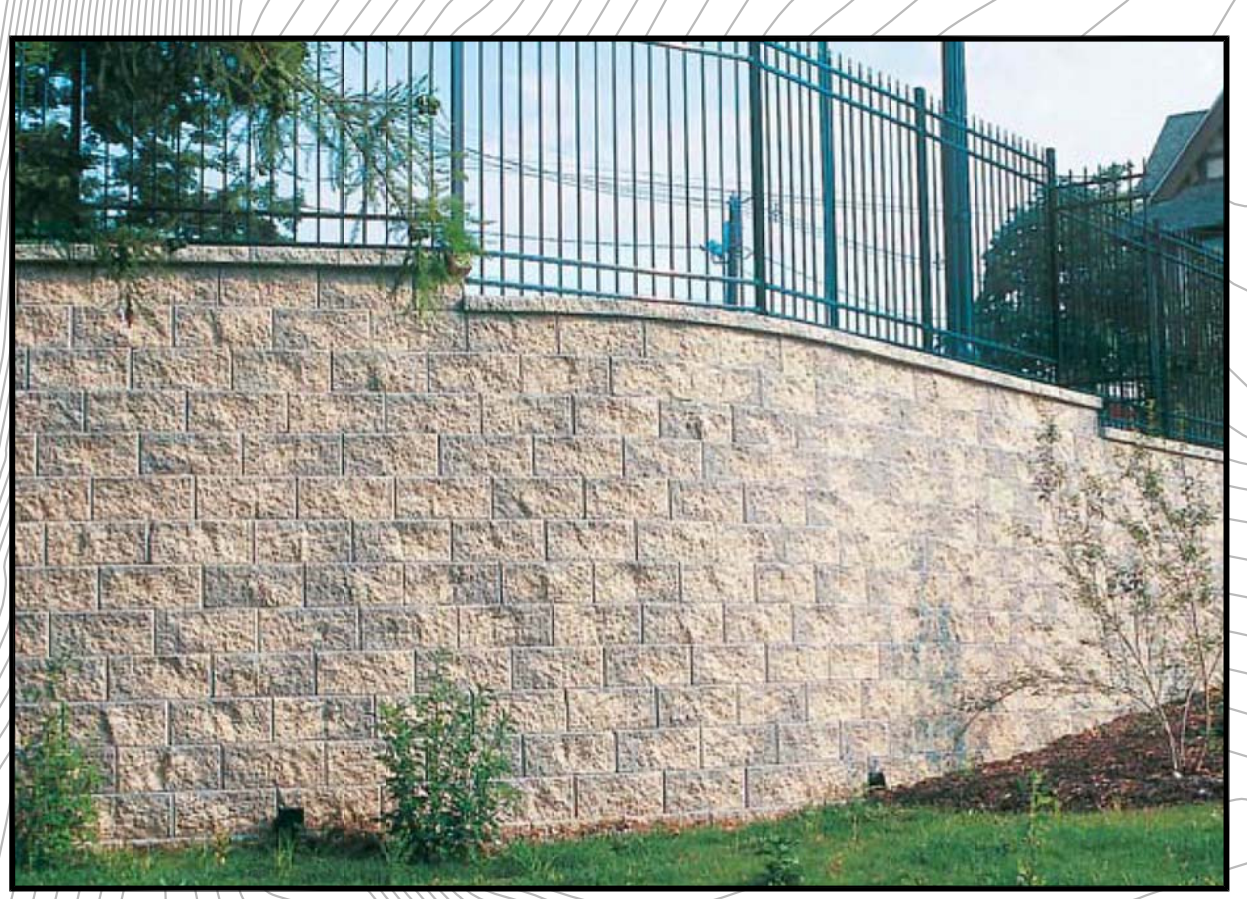
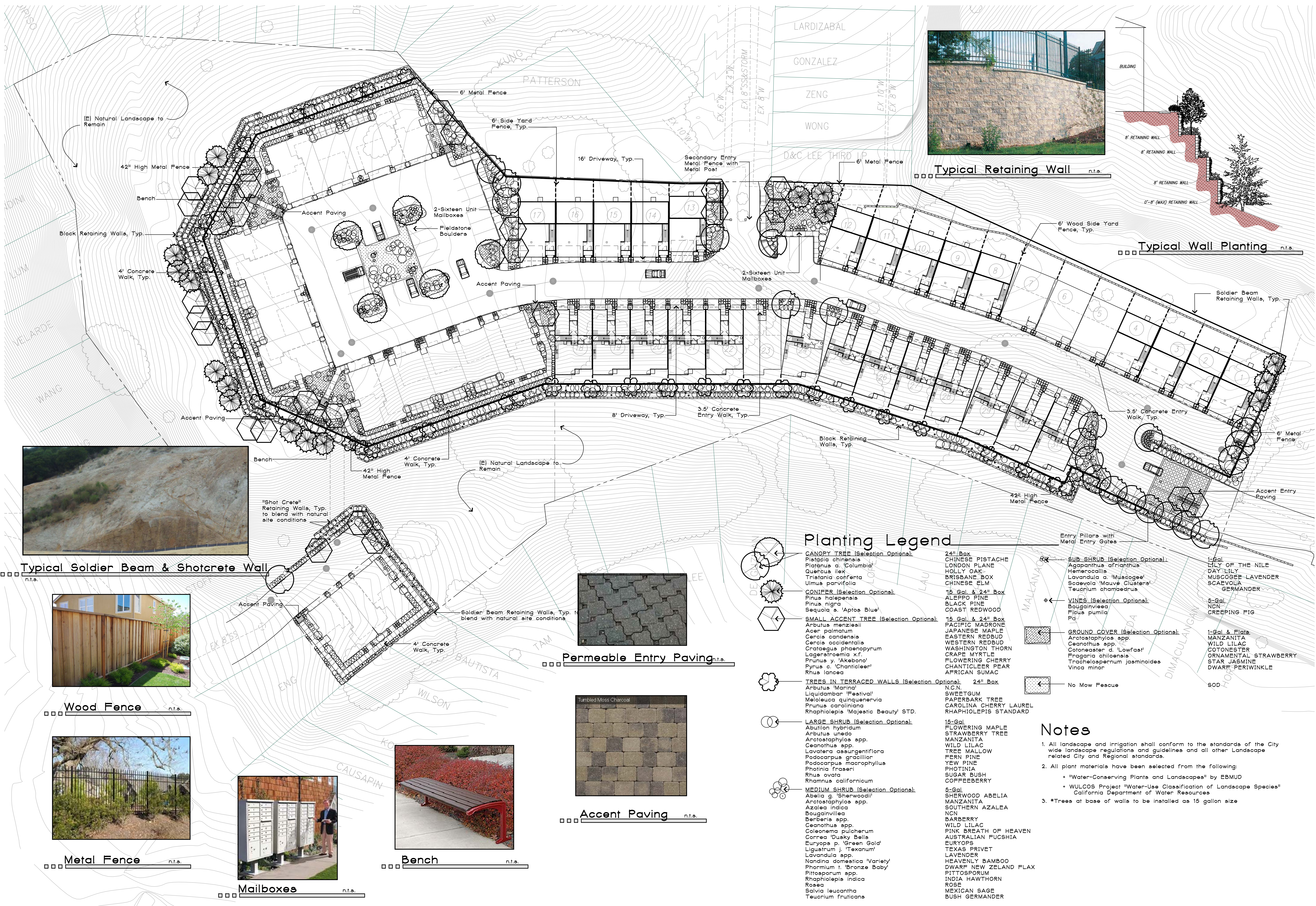
DALY CITY, CALIFORNIA
K T G Y # 2011-0126 DATE 12.02.2013

Architecture + Planning
1733 Ocean Ave., Suite 250
Santa Monica, CA 90401
ktgy.com
310 394 2623

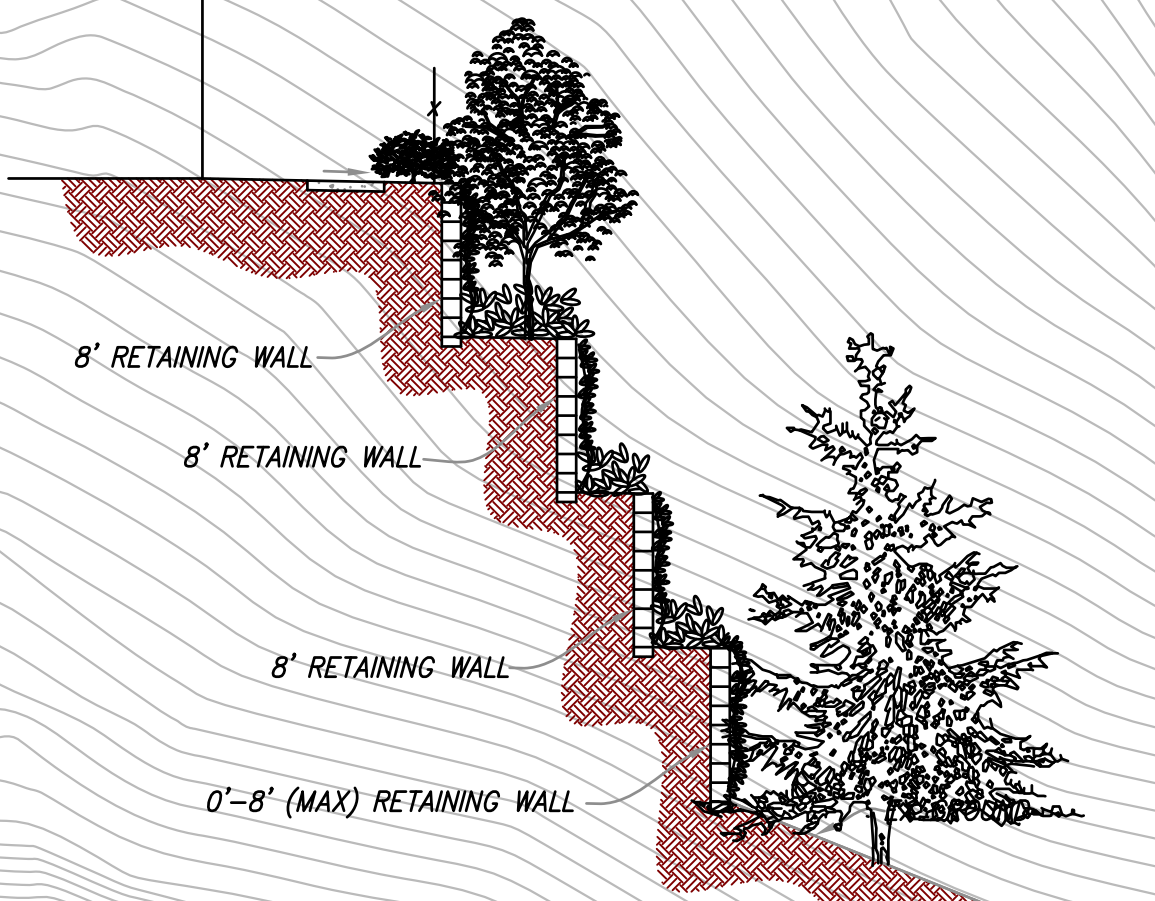


A5.1





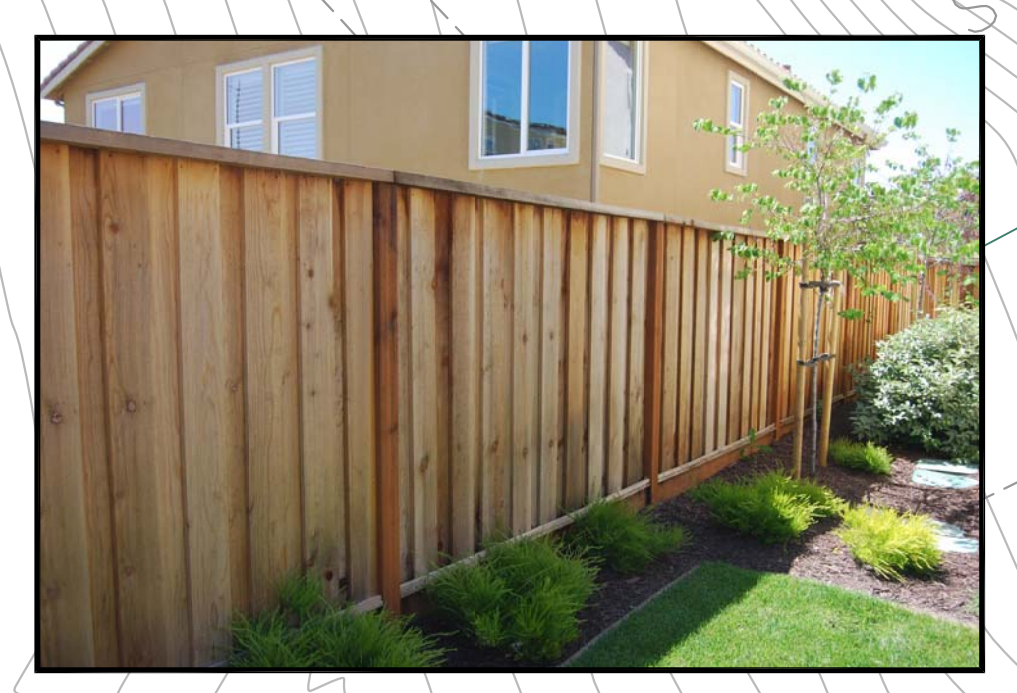
Typical Retaining Wall n.t.s.



Typical Wall Planting n.t.s.



Typical Soldier Beam & Shotcrete Wall n.t.s.



Wood Fence n.t.s.



Metal Fence n.t.s.



Mailboxes n.t.s.



Bench n.t.s.



Permeable Entry Paving n.t.s.



Accent Paving n.t.s.

Planting Legend

- CANOPY TREE (Selection Optional):
 - Pistacia chinensis
 - Platanus a. 'Columbia'
 - Quercus ilex
 - Tristramia conferta
 - Ulmus parvifolia
- CONIFER (Selection Optional):
 - Pinus halepensis
 - Pinus nigra
 - Sequoia s. 'Aptos Blue'
- SMALL ACCENT TREE (Selection Optional):
 - Arbutus menziesii
 - Acer palmatum
 - Cercis canadensis
 - Cercis occidentalis
 - Crataegus phaeopyrum
 - Lagerstroemia x.f.
 - Prunus y. 'Akebono'
 - Pyrus c. 'Chanticleer'
 - Rhus lancea
- TREES IN TERRACED WALLS (Selection Optional):
 - Arbutus 'Marina'
 - Liquidambar 'Festival'
 - Melaleuca quinquenervia
 - Prunus caroliniana
 - Raphiolepis 'Majestic Beauty' STD.
- LARGE SHRUB (Selection Optional):
 - Abutilon hybridum
 - Arbutus unedo
 - Arctostaphylos spp.
 - Ceanothus spp.
 - Lavatera assurgentiflora
 - Podocarpus gracillior
 - Podocarpus macrophyllus
 - Photinia fraseri
 - Rhus ovata
 - Rhamnus californicum
- MEDIUM SHRUB (Selection Optional):
 - Abelia g. 'Sherwoodii'
 - Arctostaphylos spp.
 - Azalea indica
 - Bougainvillea
 - Berberis spp.
 - Ceanothus spp.
 - Coleonema pulcherum
 - Correa 'Dusky Belle'
 - Euryopa p. 'Green Gold'
 - Ligustrum j. 'Texanum'
 - Lavandula spp.
 - Nandina domestica 'Variety'
 - Phormium t. 'Bronze Baby'
 - Pittosporum spp.
 - Raphiolepis indica
 - Rosa
 - Salvia leucantha
 - Teucrium fruticans
- 24" Box:
 - CHINESE PISTACHE
 - LONDON PLANE
 - HOLLY OAK
 - BRISBANE BOX
 - CHINESE ELM
- 15 Gal. & 24" Box:
 - ALPINE PINE
 - BLACK PINE
 - COAST REDWOOD
- 15 Gal. & 24" Box:
 - PACIFIC MADROSE
 - JAPANESE MAPLE
 - EASTERN REDBUD
 - WESTERN REDBUD
 - WASHINGTON THORN
 - CRAB MYRTLE
 - FLOWERING CHERRY
 - CHANTICLEER PEAR
 - AFRICAN SUMAC
- 24" Box:
 - N.C.N.
 - SWEETGUM
 - PAPERBARK TREE
 - CAROLINA CHERRY LAUREL
 - RHAPHIOLEPIS STANDARD
- 15-Gal.
 - FLOWERING MAPLE
 - STRAWBERRY TREE
 - MANZANITA
 - WILD LILAC
 - TREE MALLOW
 - FERN PINE
 - FEW PINE
 - POTINIA
 - SUGAR BUSH
 - COFFEEBERRY
- 5-Gal.
 - SHERWOOD ABELIA
 - MANZANITA
 - SOUTHERN AZALEA
 - NCN
 - BARBERRY
 - WILD LILAC
 - PINK BREATHER OF HEAVEN
 - AUSTRALIAN FUCHSIA
 - EURYOPS
 - TEXAS PRIVET
 - LAVENDER
 - HEAVENLY BAMBOO
 - DWARF NEW ZEALAND FLAX
 - PITTOSPORUM
 - INDIA HAWTHORN
 - ROSE
 - MEXICAN SAGE
 - BUSH GERMANDER
- SUB SHRUB (Selection Optional):
 - Agapanthus africanus
 - Hemerocallis
 - Lavandula s. 'Muscogee'
 - Scaevola 'Mauve Clusters'
 - Teucrium chamaedrus
- VINES (Selection Optional):
 - Bougainvillea
 - Ficus pumila
 - Pa.
- GROUND COVER (Selection Optional):
 - Arctostaphylos spp.
 - Ceanothus spp.
 - Cotoneaster d. 'Lowfast'
 - Fragaria chiloensis
 - Trachelospermum jasminoides
 - Vinca minor
- No Mow Fescue
- 1-Gal. & Flat:
 - MANZANITA
 - WILD LILAC
 - COTONEASTER
 - ORNAMENTAL STRAWBERRY
 - STAR JASMINE
 - DWARF PERIWINKLE
- 1-Gal. & Flat:
 - LILY OF THE NILE
 - DAY LILY
 - MUSCOGEE LAVENDER
 - SCAEVOLA
 - GERMANDER
- 5-Gal. NON:
 - CREeping FIG
- SOD

Notes

- All landscape and irrigation shall conform to the standards of the City wide landscape regulations and guidelines and all other Landscape related City and Regional standards.
- All plant materials have been selected from the following:
 - "Water-Conserving Plants and Landscapes" by EBMUD
 - WULCOS Project "Water-Use Classification of Landscape Species" California Department of Water Resources
- *Trees at base of walls to be installed as 15 gallon size

Michael Van Lonkhuysen

From: cywg <cywg@aol.com>
Sent: Monday, March 03, 2014 7:27 PM
To: Steve Flint
Subject: Planned Development PD-12-13-8312

Hello Steve,

This is a follow up to the conversation we had this afternoon concerning the development above 19 Chelsea Court, Daly City, CA.

I am very concern with this development because the ground could be destabilized causing the rocky ledge above to collapsed down onto the backyard of 19 Chelsea Court!
There is also one large chunk of rock that fell from atop the hill that I had to push to the side.....This could have caused serious injury or death..

Please inform the developer of my concern regarding this development.

Thank you for your time.

I remain,

Calvin Wong, Owner Phone 415 221 3629(H)
Parcel # 003-211-100 415 269 7311(C)
19 Chelsea Court

Mailing address

:
749 20th Ave
San Francisco, CA 94121

**PLANNED DEVELOPMENT STANDARDS
PLANNED DEVELOPMENT ZONE PD-68
PEORIA STREET RESIDENTIAL DEVELOPMENT**

The purpose and intent of these Planned Development Standards is to establish a Planned Development Zoning District (PD-68) for property located western termini of Peoria Street and Wellington Avenue (paper street), the northern terminus of Lausanne Avenue and the southern terminus of Chelsea Court.

I. GENERAL

- A.** In the event that these planned development standards conflict with other sections of the Zoning Ordinance, these standards shall prevail only to the extent of the conflict. Where these planned development standards do not provide regulations, the Zoning Ordinance shall apply as to the most similar land use or standard.
- B.** Any modifications to plans approved by the City Council shall require an amendment of the original PD approval and shall be subject to separate approval by the Planning Commission and City Council. Minor changes to the approved plans due to Code requirements or conditions of approval may be approved by the Planning Division.
- C.** All structures, landscape areas, required facilities and amenities shall be maintained in a neat, safe, and healthful condition, subject to improvement and upgrading of plans as required by this Planned Development approval.
- D.** CC&R's shall be prepared for PD-68 for review and approval by the City Attorney.

II. PERMITTED USES

- A.** The following uses are permitted as part of Planned Development Zone PD-68.
 - 1. 23 residential townhome condominium units with associated parking facilities
 - 2. 31 single family residential units
 - 3. Small family day care home
 - 4. Home Occupations in accordance with the regulations specified in DCMC Chapter 17.36
- B.** The following uses may be permitted with a Use Permit in PD-68.
 - 1. Large family day care homes in accordance with the regulations specified in DCMC Chapter 17.49
- C.** When a use is not specifically listed, it shall be assumed that when the unlisted use is similar to and no more objectionable than a permitted use, such use shall be permitted in the district to the same requirements of the most similarly listed use.

III. DEVELOPMENT STANDARDS

A. Parking

1. The total number of on-site parking spaces required for the residential development is 131, with 62 spaces provided in private garages attached to each single family dwelling unit in conformance with plans approved as part of the Precise Plan for PD-68, and which shall be maintained in accordance with said plans.
2. Garages may be utilized for parking purposes only, in conformance with plans approved as part of the precise plan for PD-68. No living area may be added to the garage level.

B. Architecture/Site Design

1. Architectural design of all new structures and facades, all materials and colors and all landscaping shall comply with plans approved by the City Council as part of the Design Review application.
 - a. Once approved, any major architectural modification shall be subject to approval by a Design Review Committee, except that minor changes may be approved administratively by the Planning Division.
 - b. The design and location of all fencing and walls shall be maintained in accordance with plans approved by the City Council, as part of the Design Review.
 - c. All visible elevations shall be provided with architectural treatment of the same quality and character. The side building elevations of the single family dwellings (Plans 4 & 5) shall be similar to those of Buildings 1 – 4.

C. Landscaping

1. All landscaping improvements shall conform to plans approved by the City Council as part of the Design Review.
2. All landscaping shall conform to DCMC Chapter 17.41 Water Conservation in Landscaping.
3. In general, all shrubs or any vegetation at points of ingress or egress shall be maintained at a height of no greater than 30 inches. Trees must be trimmed in such a manner as to maintain a site clearance underneath the branches of five feet from grade.
4. Landscaping shall be planted at the base of any monument signs and shall be maintained in a healthy growing condition and be replaced as necessary.

5. Site lighting shall be provided in common open space areas and shall be in conformance with plans approved by the City Council as part of the Design Review. Site lighting shall be directed downward to protect adjacent residential neighborhoods from glare.

D. Maintenance

1. A maintenance plan for on-site litter control shall be submitted by the applicant and approved by the City. The litter control maintenance plan shall include provision for on-going maintenance required for the project use. The maintenance plan shall be incorporated into the CC&R's for the project and recorded as part of the PD-68 standards. The maintenance plan shall include the following standards:
 - a. The entire development area shall be maintained in a neat, safe, and healthful condition.
 - b. The applicant shall prepare an agreement to implement a weekly litter cleanup plan for all open areas, planters and public sidewalks adjacent to the development. This plan shall include the coordination of disposal of waste and recycling materials. All waste materials generated by the development, such as cardboard boxes, skids, garbage, litter, etc., must be stored in private receptacles for disposal. No waste material shall be visible at any time. All enclosures should be kept clean and free of odor at all times.

E. Building Area and Height Limitation

1. There shall be no additional square footage allowed in PD-68 beyond what is permitted through approval of the Precise Plan. Minor additions or alterations to square footage for any given designated use (+/- 2%) may be approved by the Planning Division if such changes are to meet specific code requirements and do not affect the overall mass of the buildings.
 - b. The maximum building height for all buildings other the Plan 5 units shall not exceed 36 feet, as defined in DCMC Section 17.04.010.6 (Building Height). Portions of Plan 5 units may exceed 36 feet, but shall not exceed 41 feet, as approved for the Precise Plan.
 - c. Private and common open space areas shall be provided as approved by the City Council as part of the Precise Plan for PD-68 and shall remain in perpetuity.

Section 4. Publication: This Ordinance shall be published according to law. This Ordinance shall become effective thirty (30) days from and after its adoption.

Section 5. Severability: If any section, subsection or sentence of this Ordinance is found by a court of competent jurisdiction to be invalid or unlawful, the City Council finds and declares that the remainder of this Ordinance would be and is enforceable and would have been adopted notwithstanding the finding of invalidity as to any section, subsection or sentence.

INCLUSIONARY HOUSING PLAN

FOR

Wellington Site, Daly City, CA

Developer – KB Home South Bay Inc.

Contact – Ray Panek, Senior Vice President

Date Submitted- January 22, 2014

- 1. The location, structure (attached, semi, attached or detached), proposed tenure, and size of the proposed market rate, commercial space and/or Inclusionary Units and the basis for calculating the number of Inclusionary units.**

Please see the attached spreadsheet and site plan. The proposed development consists of 4 buildings which contain a total of 23 townhouse and stacked flat units and 31 single family detached residences.

- 2. A floor or site plan depicting the location of the Inclusionary Units.**

Please see the attached site plan.

- 3. The income levels to which each Inclusionary Unit will be made affordable.**

Total Units – 54

Affordability Level – 110% AMI

Percentage Affordable Units required – 20%

Number of Affordable Units required – 10.8

In-Lieu Fee payable - \$1,200,000 (4 units and .8 pro-rata unit)

- 4. The mechanisms that will be used to assure that the units remain affordable for the desired term, such as resale and rental restrictions, deeds of trust, and rights of first refusal and other documents.**

Ongoing affordability of the BMR units will be ensured with the recorded Inclusionary Housing Agreement that must be executed by the developer prior to the issuance of a Building Permit. The agreement will stipulate the terms for Initial and future resales of the BMR units and will include forms of all required homebuyer documents including a Resale Restriction, Notice of Affordability Restriction and request for Notice of Default. The City of Daly City will provide a template for the Inclusionary Housing Agreement as well as forms of the required homebuyer documents.

- 5. For phased development, a phasing plan that provides for the timely development of the number of Inclusionary Units proportionate to each proposed phase of the development as required by Section 17.47.050(B) of ordinance.**

Not Applicable.

6. Any alternative means designated in Section 17.47.090 proposed for the development along with information necessary to support the findings required by Section 17.47.090 for approval of such alternatives: and

No alternatives submitted.

7. Any other information reasonably requested by the City Manager to assist with evaluation of the Plan under the standards of the ordinance.

No additional information requested at this time.

revised 1/24/2014

Wellington Site, Daly City
Affordable Unit Distribution

Total units	54
Percent 2 bedroom units	30%
Percent 3 bedroom units	57%
Percent 4 bedroom units	13%
Affordability level	100% AMI
Percentage affordable units required	20%
Number Affordable Units Required	10.8
Pro-rata In-Lieu fee payable	\$1,200,000 in-lieu fee for 4 units plus pro-rata share .8 unit

Project Summary

Plan Type	Bed/Bath	Sq.Ft.	Options	<u>Entire Development</u>		<u>BMR</u>	
				Number	Percent	Number	Percent
1	2/2	1190		8	14.8%	3	30.0%
2	2/2.5	1750	bed 3, bath 3	8	14.8%	2	20.0%
3	3/3,	1931	bed 4,5; bath 4	7	13.0%	1	10.0%
4	3/2.5	2290	opt. jr. master	14	25.9%	2	20.0% in-lieu fee units
5	3/2.5	2329	alt. fir. 1 lots13-17	17	31.5%	2	20.0% in-lieu fee units
				54	100.0%	10	100.0%

Affordable Unit Distribution

building #	plan #	# of units
4	1	1
1	1	1
1	2	1
3	1	1
3	2	1
1	3	1
	total	6

KB Home anticipates entering into an Affordable Housing Agreement (agreement) with the City of Daly City consistent with the affordability levels, type of unit and location of units specified above.

Ongoing affordability of the restricted units would be via an agreement signed by the purchaser of the restricted unit and recorded against that unit. The City of Daly City will provide a template for the Inclusionary Housing Agreement as well as forms of required homebuyer documents.

[illegible]

STANDARD
AND CUTTER

TYPICAL LAUSANNE AVENUE SECTION
NOT TO SCALE

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS • PLANNERS • SURVEYORS
4650 CHAMBERLAIN DRIVE, SUITE 200 • PLEASANTON, CA 94588

PHONE (973) 227-9100	FAX (973) 227-9300
DATE: DECEMBER 3, 2013	JOB NO. 111060 SHEET 04

AFFORDABLE HOUSING
 UNIT LOCATION PLAN.
 REVISED 1/24/14

INCLUSIONARY HOUSING PLAN

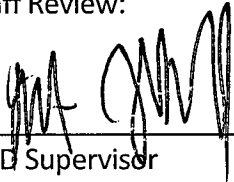
For
Wellington Site, Daly City, CA

Developer: KB HOME South Bay, Inc.
Contact: Ray Panek, Senior Vice President
Date Submitted: January 22, 2014

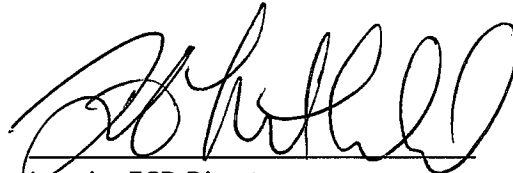
Per 17.47.100B of the City's Inclusionary Housing Ordinance, the City Manager must approve, conditionally approve or reject the Inclusionary Housing Plan within 60 days of the date of a complete application for that approval.

Staff has reviewed this Inclusionary Housing Plan as attached and recommends approval.

Staff Review:

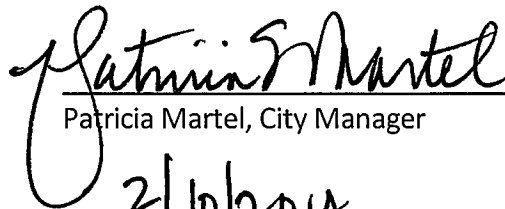


HCD Supervisor



Interim ECD Director

Approved by:



Patricia Martel, City Manager
2/10/2014

Date





ELITE MOTORS

BMW Ford Chevrolet Honda Lincoln Lexus Mercedes-Benz GMC

WE FINANCE

QUICK







City of Daly City

MITIGATED NEGATIVE DECLARATION

Planning Division
333-90th Street
Daly City, CA 94015
(650) 991-8033

The Planning Division of the City of Daly City, California has analyzed the project described below and has determined that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent.

PROJECT DESCRIPTION

NAME: Wellington Residential, 387 Peoria Street (Planned Development PD 12-13-8312, Subdivision SUB-12-13-8315, Use Permit UP 12-14-8694 and Design Review DR-12-13-8319)

APPLICANT: KB Home South Bay, Inc.
Ray Panek
6700 Koll Center Parkway
Pleasanton, CA 94566

AGENT: KB Home South Bay, Inc
Ray Panek
6700 Koll Center Parkway
Pleasanton, CA 94566

LOCATION: One parcel located at the western termini of Peoria Street and Wellington Avenue (paper street), the northern terminus of Lausanne Avenue and the southern terminus of Chelsea Court, Daly City

Assessor's Parcel Number: 003-211-310

DESCRIPTION: Proposed Zone Change from R-1 and R-3 to Planned Development, Major Subdivision, Use Permit and Design Review for a new residential development consisting of 31 single family residences and 23 townhouses; General Plan designation is Low Residential (2.0-14.5 du/ac).

This project includes the installation or construction of infrastructure necessary to the project on the subject property and within the adjacent rights-of-way, as may be required by the project Conditions of Approval.

FINDINGS

As documented in the accompanying Initial Study and Checklist, the proposed project could have a significant effect on the environment, but there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. Therefore, the proposed project will not significantly affect the environment, either in the alteration of the site or by creating short- or long-term adverse impacts.

This Mitigated Negative Declaration was prepared in accordance with the provisions of the California Environmental Quality Act of 1970, as amended, and applicable guidelines. A copy of the Initial Study and Checklist and related material may be obtained at the City of Daly City Planning Division, 333-90th Street, Daly City, CA 94015.

Prepared by: _____



Steve Flint, Senior Planner

March 3, 2014



CEQA Environmental Checklist

PROJECT DESCRIPTION AND BACKGROUND

Project Title:	Peoria Street/Wellington Avenue/Lausanne Avenue/Chelsea Court Residences
Lead agency name and address:	City of Daly City 333 90 th Street ECD Department, Daly City, CA 94015
Contact person and phone number:	Steve Flint Contract Senior Planner 650.991.8160
Project Location:	One parcel located at the western termini of Peoria Street and Wellington Avenue (paper street), the northern terminus of Lausanne Avenue and the southern terminus of Chelsea Court, Daly City Assessor's Parcel Number: 003-211-310
Project sponsor's name and address:	KB Home Ray Panek 6700 Koll Center Parkway Pleasanton, CA 94566
General plan description:	Low Density (2.5-14.5 du/ac)
Zoning:	R-3 Multiple Family Residential District and R-1 Single Family Residential
Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.)	Zone Change to Planned Development, Major Subdivision, Use Permit and Design Review for the new construction of a proposed residential development consisting of 31 single family residences and 23 townhouses
Surrounding land uses and setting; briefly describe the project's surroundings:	The project site is surrounded by predominantly single family residential development with some adjacent multi-family residential.
Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):	None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. Please see the checklist beginning on page 3 for additional information.

☐	Aesthetics	☐	Agriculture and Forestry	☐	Air Quality
☒	Biological Resources	☐	Cultural Resources	☐	Geology/Soils
☐	Greenhouse Gas Emissions	☐	Hazards and Hazardous Materials	☐	Hydrology/Water Quality
☐	Land Use/Planning	☐	Mineral Resources	☐	Noise
☐	Population/Housing	☐	Public Services	☐	Recreation
☐	Transportation/Traffic	☐	Utilities/Service Systems	☐	Mandatory Findings of Significance

DETERMINATION:

On the basis of this initial evaluation:

☐	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
☒	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
☐	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
☐	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required

Signature: 	Date: 02.28.14
Printed Name: Steve Flint	For:

CEQA Environmental Checklist

Dist.-Co.-Rte.

P.M/P.M.

E.A.

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Discussion of Evaluation: The proposed project consists of a Zone Change to Planned Development, Major Subdivision, and Design Review for the new construction of a proposed residential development consisting of 31 single family residences and 23 townhouses.

The undeveloped site is a +/- 4.91 acre property situated at the western termini of Peoria Street and Wellington Avenue (paper street), the northern terminus of Lausanne Avenue and the southern terminus of Chelsea Court. The southernmost portion of the site, previously a separate parcel, was discovered to be zoned R-1, leaving the site with two zoning designations. The portion zoned R-1 is approximately +/- 9,400 square feet and appears to be a historically vacated right-of-way that was zoned R-1 upon vacation. At some point, this parcel came under the same ownership as the rest of the site and the entire +/-4.91 acres are now under one parcel number. The entire split-zoned site will be re-zoned to Planned Development to accommodate the proposed mixed-product development.

Surrounding development consists of predominantly two- and three-story single and multi-family residential buildings along Peoria Street and Bellevue Avenue, one- and two-story single family residential buildings along Wellington Avenue, and Chelsea Court, and one- to three-story single family residential buildings along Lausanne Avenue. The proposed development will have varying building heights, ranging between averages of 34 feet to 36 feet as measured from finished grade, and several series of retaining walls varying in height from 1 to 21 feet in height.

The site is surrounded by urbanized residential uses and will most likely effect existing ocean and lake views for occupants of the multiple-family buildings on the southwest end of Peoria Street. Daly City Municipal Code does not however, have any protections for views and the design complies with the height requirements of the R-3 Multi-Family Residential District, so no mitigation measures are required. The proposal will retain a significant amount of pervious materials, which will enhance the aesthetic of the site and contribute toward retaining the existing rural-like visual character that exists on a portion of the project site. The proposed development will adhere to the R-3 Multiple Family Residential standards, including required setbacks and lot coverage. The project site is very visually prominent, and can be seen from several off-site public vantage points, presenting a challenging design exercise to ensure appropriate site and building treatment while seeking to meet developer project objectives.

The subject buildings represent excellent architectural detail and are subject to Design Review approval, wherein building and site design will be evaluated to ensure that all zoning standards are met. Because the development will have a strong visual presence, it is important to ensure that high quality design is executed at this site. The Planning Commission and/or City Council may wish to further discuss the proposed design concept during the public hearing process as part of the Design Review. The proposed townhome units are considered infill development in an existing fully urbanized residential neighborhood. The proposal is subject to CEQA review because of the Zone Change and to ensure there are no significant effects relating to traffic, noise, air quality, or water quality. No adverse visual impacts are anticipated.

Mitigation: None required.

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Discussion of Evaluation: The site is currently undeveloped and is completely surrounded by

urbanized development. The project site does not fall under the definition of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as defined by the California Resources Agency. The site is categorized on the San Mateo County Important Farmland 2006 map, prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, as Urban and Built-Up Land. The proposed project would not convert farmland to non-agricultural use. There is no Williamson Act contract for the site.

The project site is not considered forest land as defined in Public Resources Code section 12220(g), or timberland as defined in Public Resources Code section 4526. The proposed development will not result in the loss of forest land or conversion of forest land to non-forest use. The site is considered an urban infill development site, surrounded by existing residential and commercial development in a fully urbanized area. The project does not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

Mitigation: None required.

III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Bay Area Air Quality Management District (BAAQMD) adopted, *California Environmental Quality Act Air Quality Guidelines* in June, 2010 (Guidelines), to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the San Francisco Bay Area Air Basin (SFBAAB). The Guidelines provide BAAQMD-recommended procedures for evaluating potential

air quality impacts during the environmental review process consistent with CEQA requirements. Furthermore, the Guidelines contain instructions on how to evaluate, measure, and mitigate air quality impacts generated from land development construction and operation activities.

Operational-Related Impacts: BAAQMD developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether the proposed project could result in potentially significant air quality impacts. These screening levels are generally representative of new development on greenfield sites without any form of mitigation measures taken into consideration. In addition, the screening criteria do not account for project design features, attributes, or local development requirements, such as Green Building requirements, that could also result in lower emissions. For projects that are mixed-use, infill, and/or proximate to transit service, such as this project (approximately 1 mile to Daly City BART), emissions would be less than the greenfield type project that these screening criteria are based on. The screening criteria are found in Table 3-1 of the Guidelines; if all of the screening criteria are met by a proposed project, then the lead agency or applicant would not need to perform a detailed air quality assessment of the project's air pollutant emissions. Furthermore, by meeting all the criteria in Table 3-1, the project would not result in the generation of operational-related criteria air pollutants and/or precursors that exceed the *Thresholds of Significance* found in Table 2-2 of the Guidelines. Operation of the proposed project would therefore result in a less than significant cumulative impact to air quality from criteria pollutant and precursor emissions. The proposed project is a 54 dwelling unit residential infill development, consisting of 31 single family residences and 23 townhomes, located approximately 1 mile from Daly City BART and multiple bus routes located on Mission Street. Table 3-1 *Operational-Related Criteria Air Pollutant and Precursor Screening Level Sizes* lists a Condo/Townhouse, general (non-high-rise) development size of 451 dwelling units (ROG) as the Operational Criteria Pollutant Screening Size threshold; 78 dwelling units as the Operational GHG Screening Size threshold; and 240 dwelling units (ROG) as the Construction-Related Screening Size threshold. The proposed project meets all of the screening criteria listed in Table 3-1.

Community Risk and Hazard Impacts: To assist lead agencies in evaluating air quality impacts at the neighborhood scale, *Thresholds of Significance* have been established for local community risks and hazards associated with Toxic Air Contaminants (TACs) and Fine Particulate Matter (PM_{2.5}) with respect to siting a new source and/or receptor; as well as for assessing both individual source and cumulative multiple source impacts. The Guidelines recommend methods whereby local community risk and hazard impacts from projects for both new sources and new receptors can be determined based on comparison with applicable thresholds of significance and screening criteria and the Guidelines recommend mitigation measures for these impacts.

BAAQMD provides a Risk and Hazard Screening analysis process, to assist lead agencies in deciding whether there should be further environmental review. The process involves identifying emission sources within 1,000 feet of a project's fence line, conducting initial conservative screening, conducting advanced screening for more refined estimates, and conducting refined modeling analysis. Each step of the process either results in an assumption that the project will not have significant impact for risk and hazards and no further analysis is required, or the requirement to pursue the next step in the analysis process. If the risk and hazard estimates are not below the thresholds, after conducting the final step of refined modeling analysis, the project would have to implement risk reduction strategies.

There are three permitted emission sources within 1,000 feet of the project's fence line; the Daly

City Fire Station at 18 Bepler Street, the Daly City War Memorial building at 6555 Mission Street and a dry cleaning business at 6379 Mission Street. After conducting initial conservative screening, by first identifying the estimated PM_{2.5}, cancer risk and hazard index values for the identified permitted sources and comparing the estimates against the CEQA single source thresholds, then looking up PM_{2.5}, cancer risk, and hazard index values for highways and major roadways based on the distance of the roadways from the project and whether the project is east/west or north/south of the roadway, the individual values were compared to the single source thresholds, and then all the sources' values within 1,000 feet of the project were summed and the total compared against the cumulative thresholds.

The Individual Project Thresholds of Risk and Hazards for new receptors is Compliance with a Qualified Community Risk Reduction Plan OR Cancer: >10 in a million; Increased Non-cancer risk: >1.0 Hazard Index (Chronic or Acute); and Ambient PM_{2.5} increase: >0.3 µg/m³ annual average. Both the Daly City Fire Station at 18 Bepler Street, and the War Memorial Building at 6555 Mission Street are sources that only include diesel internal combustion engines (emergency back-up generators) and may therefore utilize the BAAQMD's Diesel Multiplier Calculator to further refine the Cancer Risk. Refined modeling of both these sources brought the single source Cancer Risk to 0.207 in a million and 0.68 in a million, respectively. Both these levels are well below the 10 in a million single source thresholds. The Non-cancer risk for 18 Bepler Street and 6555 Mission Street is 0.023 and 0.007, respectively; and PM_{2.5} levels of 0.0108 and 0.0532, respectively. The dry cleaners located at 6379 Mission Street is a non co-residential dry cleaners and utilizes a Permac Closed-Loop, 30lb system on-site. These types of facilities must phase out use of permac by January 1, 2023. Therefore, the risk from these dry cleaners does not need to be factored in over a 70-year period, but instead should reflect the number of years perc use will continue after the project's residents or other sensitive receptors (such as residents) take occupancy. Assuming the project is entitled in 2012 and construction completed by 2014 for occupancy, the refined modeling for the Cancer Risk from this source resulted in a value of 2.097 in a million, well below the 10 in a million threshold. 6379 Mission Street has a Non-cancer risk value of 0.007 and PM_{2.5} value of 0. All three of the permitted sources within 1,000 feet of the project's fence line are well below the single source thresholds.

The Cumulative Thresholds of Risk and Hazards for new receptors is Compliance with a Qualified Community Risk Reduction Plan OR Cancer: >100 in a million (from all local sources); Non-cancer: >10.0 Hazard Index (from all local sources) (Chronic); and PM_{2.5}: >0.8 µg/m³ annual average (from all local sources). Daly City has not prepared and adopted a Qualified Community Risk Reduction Plan so analysis was based on the latter criteria. Cumulative sums for the project resulted in Cancer Risk of 2.984 in a million (from all local sources); Non-cancer hazard index of 1.739; and PM_{2.5} of 0.105µg/m³. The construction-related thresholds for Risk and Hazards for new receptors are the same as the Operation Thresholds. All of the risk and hazard estimates were below the thresholds and based on this process, the proposed project can assume no significant impact for risk and hazards and no further analyses are needed.

Carbon Monoxide Impacts: The Guidelines contain a preliminary screening methodology that provides lead agencies with a conservative indication of whether the implementation of the proposed project would result in CO emissions that exceed the *Thresholds of Significance* shown in Table 2-1 of the Guidelines. The Guidelines state that a proposed project would result in a less-than-significant impact to localized CO concentrations if the following screening criteria is met: 1. Project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans; 2. The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour; and

3. The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, etc.). According to the *Wellington Residential Transportation Impact Analysis*, prepared by Hexagon Transportation Consultants, Inc. (September 12, 2013), the proposed project would not generate more than 100 net peak hour trips and therefore is consistent with the Congestion Management Plan and all of the aforementioned preliminary screening criteria.

Construction Related Impacts: Construction-related activities are those associated with the building of a project. Construction activities are typically short-term or temporary in duration; however, project-generated emissions could represent a significant impact with respect to air quality and/or global climate change. The Guidelines provide a quantitative analysis, detailed in Chapter 8, that accompany construction-related assumptions and project-specific information assumed in CEQA analyses.

The first step in determining the significance of construction-related criteria air pollutants and precursors is to compare the attributes of the proposed project with the applicable *Screening Criteria* listed in Section 3.5.1 of the Guidelines. If all of the *Screening Criteria* are met, construction of the proposed project would result in a less-than-significant impact to air quality. If not, then construction emissions need to be quantified. The proposed 54-unit project consisting of 31 single family residences and 23 townhouses did not meet all of the criteria, due to unknowns regarding exactly how much material transport (soil import/export) would take place during construction.

The second step in determining the significance of construction-related criteria air pollutants and precursors is to quantify the construction emissions. Staff utilized the BAAQMD's recommended URBEMIS (version 9.2.4) modeling program to quantify construction emissions for the proposed land use development project.

The third step in determining the significance is to compare the unmitigated emissions with the *Thresholds of Significance*. Following quantification of project-generated construction-related emissions via URBEMIS, the total average daily emissions of each criteria pollutant and precursor were compared with the applicable *Thresholds of Significance*. The project-level, construction-related threshold for reactive organic gases (ROG) is an average daily emissions (ADE) of 54 lb/day. Construction emission estimates modeled for 2012-2013 construction years for the proposed 54-unit project consisting of 31 single family residences and 23 townhouses resulted in a combined unmitigated ROG of less than 6.23 lb/day. The project-level, construction-related threshold for Oxides of Nitrogen (NOX) is an ADE of less than 54 lb/day. Construction emission estimates modeled for 2012-2013 construction years for the proposed 54-unit residential project resulted in a combined unmitigated NOX of less than 11.22 lb/day. The project-level, construction-related threshold for respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less (PM₁₀) is an ADE of less than 82 lb/day (exhaust). Construction emission estimates modeled for 2012-2013 construction years for the proposed 54-unit residential project resulted in a combined unmitigated PM₁₀ of less than 0.65 lb/day. The project-level, construction-related threshold for fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less (PM_{2.5}) is an ADE of less than 54 lb/day (exhaust). Construction emission estimates modeled for 2012-2013 construction years for the proposed 54-unit residential project resulted in a combined unmitigated PM_{2.5} of less than 0.59 lb/day.

The daily average emissions of construction-related criteria air pollutants or precursors of the

proposed 54-unit residential development, consisting of 31 single family residences and 23 townhomes did not exceed any of the *Thresholds of Significance*, and the project therefore, would result in a less-than-significant impact to air quality.

All *Basic Construction Mitigation Measures* will be included in the design of the project design and implemented during construction. The project will not include uses or activities expected to create any objectionable odors affecting a substantial number of people. The project will not result in any significant deterioration of air quality.

Mitigation: None required.

IV. BIOLOGICAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☒	☐	☐
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Discussion of Evaluation: The undeveloped site is surrounded by existing development and lies adjacent to the northwestern boundary of the Reservoir Hill area of the San Bruno Mountain Habitat Conservation Plan (HCP).

A Biological Resources Analysis prepared by Olberding Environmental, Inc. in November, 2011 consulted sources for agency status information, including the USFWS (2011a, 2011b) for federally listed species and CDFG (2011a, b) for State of California listed species. Based on information from those sources, Olberding Environmental developed a target list of special-status plants and animals with the potential to occur within or in the vicinity of the Property (Attachment 2, Table 2 of Olberding Environmental, Inc. November 2011. *Biological Resources Analysis for the Wellington Property. San Mateo County, California*. Prepared for KB Homes South Bay, Inc., Pleasanton, California). Potential for occurrence of each special-status or protected plant and animal species was evaluated, by performing soils evaluation, botanical and wildlife surveys, and review of literature and data sources. Ten special-status plant species were identified by CNDDDB as having the potential to occur on the Property based on the presence of suitable habitats and soil types as described in the CNDDDB. However, due to the lack of recent occurrences in the area and marginal habitat types, most of these plants are presumed absent or unlikely to occur on the Property. Only two special-status plants were identified as having the potential to occur on the Property based on recent occurrences and suitable habitats. These include the San Francisco collinsia and seaside tarplant. Botanical surveys performed in April and October of 2011 resulted in a negative finding for these plants. The Olberding report concluded that there are no special-status plant species on the Property.

The applicant contracted with Live Oak Associates, Inc. (LOA) in the Spring of 2011 to ascertain if the previous results from a survey conducted in June of 2006 by Thomas Reid & Associates for special status butterflies known to occur regionally were in fact still valid (TRA 2006). Thomas Reid & Associates Environmental Sciences (TRA) prepared the San Bruno Mountain HCP for the County of San Mateo in 1982 and has been assisting the County with its implementation since that time. The previous analysis in 2006 evaluated the site for five special status butterfly species including the San Bruno elfin (*Callophrys mossii bayensis*: federally endangered); Bay checkerspot butterfly (*Euphydryas editha bayensis*; federally threatened); Mission Blue butterfly (*Plebejus icarioides missionensis*: federally endangered); Callippe silverspot butterfly (*Speyeria callippe callippe*: federally endangered); and monarch butterfly (*Danaus plexippus*: not state or federally listed, but considered a species of local importance). The 2006 analysis among other things, noted that the site was no longer in the range for the Bay checkerspot butterfly (this species has not been observed regionally since 1985 and is considered extirpated from the area). LOA states in the 2011 assessment that the, "tiny, sparse patch of *Plantago erecta* on the site could not possibly support a population of the checkerspot, nor are there additional resources on adjacent parcels." The survey conducted by TRA in 2006 stated there were no resources for the San Bruno elfin or the Callippe Silverspot butterfly, and the trees on site were not suitable habitat for monarch butterflies. LOA 2011 assessment further states that, "these three species are definitely absent from this site and have no potential resources here."

The survey conducted by TRA in 2006 was based on one single survey, conducted during the flight season of the Mission Blue butterfly. In addition to assessing the potential of the aforementioned three species to occur on or near the site, the applicant contracted with LOA in the Spring of 2011 to conduct a series of adult flight season surveys between May and June 2011 that strengthens inferences from the TRA 2006 analysis, regarding the presence/absence of the Mission Blue butterfly on this site. Twelve surveys were conducted within the expected flight period of the Mission Blue butterfly. LOA found that its absence from the subject site is demonstrated by a lack of evidence found during the well-timed twelve survey visits within the Mission Blue butterfly's expected flight season. Furthermore, based on the initial assessment in 2006 and the resulting 2011 survey effort, LOA concludes that, "...the five species of butterfly considered in the original effort (TRA 2006) are in fact absent from the site. Site conditions remain unsuitable for these species and none of them, including the Mission Blue butterfly, were observed during this extensive survey effort."

There are no riparian habitats or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service located on the subject property, however, the San Bruno Mountain Habitat Conservation Area is adjacent to the subject property. The Biological Resources analysis prepared by Olberding in November 2011 states that the subject property contains no areas that exhibited positive indicators of wetland soils, hydrology or vegetation and that based on the results of their reconnaissance survey, the site lacked all criteria used by the US Army Corps of Engineers to determine wetland/waters status. The report goes on to say that there are no areas on the property which qualify as Corps regulated wetlands/waters.

There are no federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) that will be adversely affected through direct removal, filling, hydrological interruption, or other means, by the development of this project, as there are none present near this site.

This project will not interfere with the movement of any native resident or migratory fish, as there are none present on or near this site. The Biological Resources Analysis prepared by Olberding in November 2011 states that foraging habitat for the red-tailed hawk, red-shouldered hawk, barn owl, and great-horned owl exists throughout the Property in the form of annual grassland and conifer habitats. The Analysis also states that one raptor species was determined to have a potential to nest within the trees on the subject site based on suitable habitat types—the Red-Tailed Hawk. No raptor or songbird nests were observed on the site during the April 2011 survey. However, a nesting bird and raptor survey during the nesting season is recommended to be performed prior to the removal of vegetation and/or construction to determine absence or presence of nesting species based on suitable habitats. A mitigation measure has been added to address this issue.

Olberding Environmental, Inc. conducted a follow-up survey on November 12, 2013, with the purpose of identifying any changes in site conditions potentially effecting biological resources since the initial survey was performed on April 6, 2011. The initial survey was completed in association with the preparation of a Biological Resource Analysis Report for the Property. The follow-up reconnaissance-level survey of the Property concluded that site conditions have not changed since the initial survey. Upon inspection of the Property, no special-status species were observed nor were any potentially jurisdictional areas detected. Technical information prepared for the Biological Resource Analysis Report is still valid based on the negative findings for both special-status species and wetlands and waters on the Property. Since the November survey was performed outside of the recognized avian breeding season the mitigation measures in relation to construction-related activities remain applicable. These mitigation measures have been applied to the project.

The site borders the San Bruno Mountain Habitat Conservation Plan (HCP) area, but because it is not located with the boundary of the HCP area, the proposed development is not subject to the provisions of that Plan. There are substantial retaining walls proposed for the southeast corner of the site, which run generally, in a northerly direction, close to the eastern property line. These property lines also denote the boundary of the HCP area. In order to ensure that grading activities and wall construction do not encroach into this area, mitigation measures have been included to address surveyed boundaries and adequate protection of this area.

The City has no tree preservation policies or ordinances. There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan at this site.

Mitigation:

Mitigation Measure 1: If project construction-related activities would take place during the nesting season (February through August), preconstruction surveys for nesting passerine birds within the project site, and the surrounding area of influence of the project site, should be conducted by a competent biologist prior to the commencement of the tree removal or site grading activities. If any bird listed under the Migratory Bird Treaty Act is found to be nesting within the project site or within the area of influence, an adequate protective buffer zone shall be established by a qualified biologist to protect the nesting site. This buffer shall be a minimum of 75 feet from the project activities for passerine birds, and a minimum of 200 feet for raptors (birds of prey). The distance shall be determined by a competent biologist based on the site conditions (topography, if the nest is in a line of sight of the construction and the sensitivity of the birds nesting). The nest site(s) shall be monitored by a competent biologist periodically to see if the birds are stressed by the construction activities and if the protective buffer needs to be increased. Once the young have fledged and are flying well enough to avoid project construction zones (typically by August), the project can proceed without further regard to the nest site.

Mitigation Measure 2: Property boundary survey and adequate protection of HCP boundary line is required prior to commencement of any site clearing and/or grading/or construction activities. No less than monthly inspections shall occur throughout the duration of grading and construction activities to ensure there is no encroachment into the HCP area by grading or construction activities. Should encroachment take place, all activities will be stopped and referred to the County of San Mateo for further action.

V. CULTURAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion of Evaluation: There are no known historical or archaeological resources or sites, as defined by §15064.5, on the subject site or within the immediate vicinity.

There are no known paleontological resources or unique geologic features on the subject site or within the immediate vicinity.

The project area is currently undeveloped but has been disturbed in the past. Historical records indicate the site has remained undeveloped with the exception of quarry operations, that ceased to operate in the late 1940's and 1950's, in the north and central portions of the site, respectively. The site is surrounded entirely by existing development.

The project does not have the potential to cause a physical change, which would affect unique ethnic cultural values. Should evidence of cultural or historic artifacts be uncovered during subsequent development, work shall be halted in the area of the find. An archaeologist or historian, selected by the City, shall be consulted and shall determine the significance of the find; identify feasible mitigation measures to preserve, recover or document the find pursuant to the California Environmental Quality Act; and at that time the City shall specify the measures to be taken.

Mitigation: None required.

VI. GEOLOGY AND SOILS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒

b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Discussion of Evaluation: The site is not within a State of California designated Alquist-Priolo Earthquake Fault Zone, but is located in the San Francisco Bay Area, considered one of the most seismically active regions in the United States. Significant earthquakes have occurred in the Bay Area, and will continue to occur, with intensities varying, depending upon the magnitude of earthquake, the distance of the site from the causative fault, and the type of materials underlying the site.

According to the Safety Element of the Daly City General Plan, the subject site could experience “Very Strong” ground shaking intensity from an earthquake on the San Andreas Fault (3 miles southwest). Otherwise, according to more recent data prepared by the Association of Bay Area Governments (ABAG), “*On Shaky Ground, 2010*,” there are three different types of ground shaking intensities shown in the project area: high, moderately high, and moderate. These intensities are projected from earthquakes on the San Andreas or other faults in the region.

No known active faults or fault traces are known to traverse the subject site. However, due to the proximity of the nearest active fault line, the Serra fault, approximately 1.8 miles southwest, and the San Andreas fault, approximately 3 miles southwest, the proposed development, along with all of the City of Daly City, engenders risk of seismic instability. Due to its proximity to these faults, and the generally seismically active region, severe ground shaking is likely during the life of the structure(s), particularly during a major seismic event.

A geologic and geotechnical investigation report prepared by Stevens Ferrone & Bailey Engineering Company, Inc. for the subject site, lists the ten nearest active faults, with their approximate direction and distance from the site. Only three faults—the Serra, San Andreas, and Seal Cove—are less than 10 miles from the site. They are 1.8 miles, 3 miles, and 7.3 miles respectively, from the site.

The project area is currently undeveloped, yet has been disturbed in the past, due to quarry operations. The project site is surrounded entirely by existing development. Soils reports are typically required wherever future development is intended, prior to grading or issuance of a building permit, as determined by the Building Official and/or City Engineer. The proposed buildings on the site will be subject to the building and safety requirements of the City of Daly City

and the Uniform Building Code of the State of California, and based upon the observed geologic conditions of the site. No significant impact is expected.

Mitigation: No mitigation required beyond compliance with the Uniform Building Code.

VII. GREENHOUSE GAS EMISSIONS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

Discussion of Evaluation: BAAQMD's approach to developing a *Threshold of Significance* for Greenhouse Gas (GHG) Emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions needed to move us toward climate stabilization. If a project would generate GHG emissions above the threshold, it would be considered to contribute substantially to a cumulative impact and would be considered significant. The *Thresholds of Significance* for operational-related GHG emissions for land use development projects are either compliance with a qualified GHG Reduction Strategy; or annual emissions less than 1,100 metric tons per year (MT/yr) of CO₂ e; or 4.6 MT of CO₂ e/SP/yr (residents + employees). Land use development projects include residential, commercial, industrial, and public land use facilities. The City of Daly City has not adopted a qualified GHG Reduction Strategy.

The first step in determining the significance of operational-related GHG emissions is to compare the attributes of the proposed project with the applicable *Screening Criteria* found in Table 3-1 of the *Guidelines*. Projects below the applicable screening criteria would not exceed the 1,100 MT of CO₂e/yr GHG threshold of significance for projects other than stationary sources. The screening criteria developed for greenhouse gases were derived using the default emission assumptions in URBEMIS and using off-model GHG estimates for indirect emissions from electrical generation, solid waste and water conveyance. The proposed project will not have sources of emissions not evaluated in the aforementioned criteria. The Operational GHG Screening Size threshold for a land use type of Condo/townhouse, general in Table 3-1 is 78 dwelling units. The proposed project would result in the new construction of 54 dwelling units and does not exceed the GHG threshold found in Table 3-1.

Additionally, the City of Daly City adopted a Green Building Ordinance in December, 2010 that requires all new residential construction to meet minimum requirements for Build It Green, LEED, or an equivalent third party rating system certification. Compliance with certification requirements of one of the aforementioned third party rating systems will translate into building energy efficiency above what is required by Code, greater resource conservation in the demolition, construction and operation of the site, and healthier interior and exterior materials. According to the U.S. Environmental Protection Agency (EPA), buildings account for 38.9% of the nation's total carbon dioxide emissions—a major contributor to GHG emissions. Mandating

green building practices in new residential construction will result in increased energy efficiency that can ultimately contribute toward lower GHG emissions and other pollutants.

Mitigation: None required.

VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Discussion of Evaluation: As part of the building permit process, all plans are reviewed for compliance with applicable Building and Fire Department requirements, pursuant to the Uniform Building and Fire Codes, and all other related City requirements. The referenced codes prescribe types of construction to protect safety.

A Phase I Environmental Site Assessment was performed by ENGEO, Inc., which was performed in general conformance with the scope and limitations of requirements issued by the U.S. Environmental Protection Agency in 40 CFR Part 312, *Standards and Practices for All Appropriate Inquiries, Final Rule* dated 1 November 2005 ("Final EPA AAI Rule"). These federal regulations prescribe accepted reasonable efforts to identify conditions indicative of releases and threatened releases of hazardous substances on, at, in, or to the Subject Property (40 CFR Part 312.21(c)(1)). The Phase I Site Assessment included a review of local, state, tribal and federal environmental record sources, standard historical sources, aerial photographs, fire insurance maps and physical setting sources. A reconnaissance of the Property was conducted to review site use and current conditions to check for the storage, use, production or disposal of hazardous or potentially hazardous materials and interviews with persons knowledgeable about current and past site use.

The Phase I states that the site reconnaissance and records review did not find documentation or physical evidence of soil or groundwater impairments associated with the use of the property; there exists no documentation of hazardous materials violations or discharges on the property in any regulatory databases maintained by county, state, and federal agencies. Based on the findings in the Phase I environmental assessment, no further environmental studies were recommended.

The proposed 54-unit residential project is not expected to involve the routine transport, use, or disposal of hazardous materials. As such, there would be no risk of significant hazard to the public or the environment involving the release of hazardous materials into the environment. While the construction vehicles would typically use gas and diesel fuel, Best Management Practices (BMPs) would be utilized to ensure that no construction-related fuel hazards occur. No hazardous materials are currently present at the site. The proposed project would not result in the emission of hazardous materials, substances or hazardous waste.

The project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment.

The site is not located within an airport land use plan, and would not result in a safety hazard for people residing or working in the project area. The site is not located within a private airstrip. The proposed project would not impair implementation or physically interfere with an adopted emergency plan or emergency evacuation plan.

The proposed project would ultimately result in the grading of the site and construction of 54 residential units on a +/-4.91 acre site. As previously stated, the site is currently undeveloped. The project area is surrounded on all sides by single-family residential and multi-family residential development. The site is currently in a disturbed state and is not within an area that is subject to wildland fires.

Mitigation: None required.

IX. HYDROLOGY AND WATER QUALITY: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow	☐	☐	☐	☒

Discussion of Evaluation: The project is within the jurisdiction of the San Francisco Bay Regional Water Quality Control Board (RWQCB), but would not result in significant impacts to water quality, as the project will be subject to compliance with Order R-2-2009-0074, NPDES Permit No. CAS612008, of which, the City of Daly City is a Co-Permittee. The subject project will create more than one acre of impervious surface, and therefore, is subject to Order No. 2010-0014-DWQ, NPDES No. CAS000002, the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit, intended to control pollution in storm water associated with construction and land disturbance activities.

There are no known subsurface water supplies in the project area. The surrounding residential areas receive water service from the City of Daly City. The City purchases treated water from the San Francisco Public Utility Commission's Hetch Hetchy water system. The project will not draw on or deplete groundwater supplies.

The development of the property with a 54-unit residential development will result in increased impermeable surfaces, as the existing site is currently undeveloped and consists entirely of permeable surfaces. However, the development will be required to meet pre-development stormwater detention rates, in addition to treatment requirements per Order R-2-2009-0074, NPDES Permit No. CAS612008. The change is consistent with the surrounding neighborhood and is not expected to generate a significant impact.

The project will be connected to existing improved drainage facilities, and prior to any issuance of permits, the developer will be required to submit a final storm drain analysis for existing and proposed drainage improvements; existing improvements shall be upgraded in compliance with City standards and as required by the impacts of the proposed improvements. The developer has submitted a Sewer Flow Study illustrating that the existing system is capable of handling the additional flow of this development. A final Sewer Flow Study shall be provided prior to issuance of any permits illustrating any and all improvements necessary. The developer shall bear all costs for any water and/or sewer infrastructure improvements that may be necessary and will be designed to meet the current edition of the City of Daly City Standard Specifications and Drawings.

Most project construction including grading and excavation will take place in the dry season to minimize immediate erosion/siltation effects, but some construction activities may extend into the winter months, though surface water runoff flows are anticipated to be minimal. Nevertheless, the project will be subject to Order No. 2010-0014-DWQ, NPDES No. CAS000002, the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit, intended to control pollution in storm water associated with construction and land disturbance activities. The project would not degrade water quality due to the implementation of BMPs to control pollution in runoff. These measures would reduce water runoff to a less than significant level.

Permanently installed stormwater treatment facilities will be required to be constructed and maintained post-construction onsite, in compliance with Order R-2-2009-0074, NPDES Permit No. CAS612008. Stormwater treatment measures are engineered systems that remove pollutants before stormwater reaches the storm drain. Examples of stormwater treatment facilities include bioretention areas/rain gardens, flow-through planters, and vegetated swales. Beginning December 1, 2011, Low Impact Development (LID) treatment became the first priority of required systems. LID treatment systems, as defined in Order R-2-2009-0074, NPDES Permit No. CAS612008, are evapotranspiration, infiltration, and/or rainwater harvesting. Where this is infeasible, landscaped based treatment measures (biotreatment) with underdrains may be utilized. All treatment systems must be hydraulically sized to treat stormwater runoff in one of three ways: 1. Volume Hydraulic Design Basis, where the primary mode of action depends on volume capacity; 2. Flow Hydraulic Design Basis, where the primary mode of action depends on flow capacity; or 3. Combination Flow and Volume Design Basis, where a combination of flow and volume capacity is sized to treat at least 80 percent of the total runoff over the life of the project, using local rainfall data. The developer has submitted preliminary plans to address the stormwater treatment requirements; based on results of soils reports, a final treatment design will be prepared for the project site.

Neither the site, nor any portion of Daly City is located within a 100-year flood hazard area. The project would not impede or redirect flood flows. Proposed ground elevations on the subject site are in excess of 200 feet above sea level. There are no impacts from flooding as a result of the proposed project. The project site located on a hillside and upland from the Pacific Ocean, and is not likely subject to the potential effects of a seiche, tsunami (seismic wave) or volcanic hazard. No significant impact upon water resources would be anticipated.

Mitigation: None required. Standard BMPs required for all new development per Order No. 2010-0014-DWQ, NPDES No. CAS000002, and compliance with Order R-2-2009-0074, NPDES Permit No. CAS612008.

X. LAND USE AND PLANNING: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion of Evaluation: The proposed project consists of a Major Subdivision, Use Permit, Zone Change, and Design Review for the new construction of 54 residences. The undeveloped site is a +/- 4.91 acre property situated at the western termini of Peoria Street and Wellington Avenue (paper street), the northern terminus of Lausanne Avenue and the southern terminus of Chelsea Court. The southernmost portion of the site, previously a separate parcel, was discovered to be zoned R-1, leaving the site with two zoning designations. The portion zoned R-1 is approximately +/- 9,400 square feet and appears to be a historically vacated right-of-way that was zoned R-1 upon vacation. At some point, this parcel came under the same ownership as the rest of the site and the entire +/-4.91 acres are now under one parcel number. A zone change is needed to re-zone the R-1 and R-3 portions of the property to P-D Planned Development to allow the proposed single-family development on reduced lot sizes and to allow greater building height than the standard residential standards would allow.

Surrounding development consists of predominantly two- and three-story single and multi-family residential buildings along Peoria Street and Bellevue Avenue, one- and two-story single family residential buildings along Wellington Avenue, and Chelsea Court, and one- to three-story single family residential buildings along Lausanne Avenue.

The proposal is consistent with the pertinent residential land use goals, objectives and policies of the General Plan Land Use Element, in particular, Objectives 6 thru 8. Specifically, the proposal, as conditioned, will contribute to maintaining a pattern of variable and balanced residential densities and opportunities for a mix of dwelling and tenure type, will promote a residential type and density suitable to the existing built environment, and will help strengthen the integrity of the neighborhood.

Existing multi-story residential buildings as previously described in this Study, surround the property. Inasmuch as the proposal is substantially similar to existing land uses in the project vicinity and does not impede circulation between any adjacent properties, it is not foreseeable that the project would physically divide the established neighborhood.

There is no habitat conservation plan or natural community or natural community conservation plan adopted for this site. The San Bruno Mountain Habitat Conservation Plan is adjacent to the southeastern border of the site but the subject site is not within the boundaries of the HCP and is therefore not subject to those regulations.

Mitigation: None Required.

XI. MINERAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion of Evaluation: No known mineral resources that would be of value to the region and the residents of the state are located on the site. According to the Geologic and Geotechnical Investigation and the Phase I reports prepared for the Property, the subject site was utilized as quarry operations that ceased to operate in the late 1940's or 1950's. The development of the subject site with the proposed 66-unit townhouse development would not result in the loss of availability of a locally important mineral resource recovery site, as this site is not delineated as such, on a local general plan, specific plan or other land use plan.

Mitigation: None Required.

XII. NOISE: Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion of Evaluation: According to the Daly City General Plan Noise Element existing and projected noise contour maps, the project site is located in an area with Community Noise Equivalent Level (CNEL) of 60-65. Future noise levels are not expected to decrease for this area. Within this noise contour, a single family and multi-family residential development, such as the proposed project, is considered "Conditionally Acceptable". Per the 2010 California Building Code,

upon submittal for building permit, residential structures that are to be located in areas where the CNEL exceeds 60 db, the applicant will be required to provide an acoustical analysis report that shows topographical relationships of noise sources and dwelling sites, identification of noise sources and their characteristics, predicted noise spectra and levels at the exterior of the proposed dwelling structure considering present and future land usage, basis for the prediction, noise attenuation measures to be applied, and an analysis of the noise insulation effectiveness of the proposed construction showing that the prescribed interior noise level requirements are met.

Construction noise will occur during project construction, as with all new construction projects, resulting in increased exterior noise levels within the project vicinity. Noise levels associated with construction activities such as excavation, ground clearing and finishing work range from 78 to 89 dBA at 50 feet from the noise source (Bolt, Beranek & Newman, "Noise from Construction Equipment and Operation, Building Equipment and Home Appliances", 1971). This impact, however, would be temporary only, limited in area, and would be diminished via implementation of Best Management Practices (BMP's). BMPs are required at the time of building permit issuance for all new development and would reduce any impacts of additional noise level exposure to insignificance. Such BMPs include, as standard conditions of approval for all new construction include requirements for construction vehicles and equipment to be properly muffled. Construction hours will be limited to 8:00 a.m. to 4:30 p.m. Mondays through Saturdays and construction on Sundays and holidays will be prohibited to avoid inconveniencing neighbors.

The project site is not located within an airport land use plan or, within two miles of a public airport or public use airport.

The proposed project is not within the vicinity of a private airstrip.

Mitigation: None required.

XIII. POPULATION AND HOUSING: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion of Evaluation: There exists little chance that the project will induce substantial population growth beyond the roughly 190 people who are expected to reside in the 54 residential dwellings proposed by the project. The subject project is limited roughly to the

property proposed for development and provides no substantial capacity increases to water, sewer, or wastewater facility that would allow the accommodation of additional population growth in the immediate vicinity. The project does not include any improvements to sub-regional or regional roadway networks that would induce population growth. There is no retail or office development associated with the project.

The site is currently undeveloped and would not displace any housing, necessitating the construction of replacement housing elsewhere.

The project would be constructed on a +/-4.91-acre infill site and will utilize or improve existing site infrastructure. The proposed project is a 54-unit residential development located less than 1 mile to the Daly City BART station. Multiple-family residential land uses are consistent with the land uses in the area. No significant impact is expected under this heading.

Mitigation: None required

XIV. PUBLIC SERVICES:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☐	☒
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Discussion of Evaluation: As part of the building permit review process, all departments and agencies responsible for providing services are consulted to determine their ability to provide services to proposed development projects. Such services within the project area may include, but not be limited to, local utilities, service systems such as fire and police protection, schools, maintenance of public facilities including roads, and other governmental services as anticipated by the City's General Plan. Based on distribution of preliminary plans, all applicable agencies have indicated they would be able to provide the needed public services at acceptable service levels to this project. The proposal is further consistent with the current Daly City Water Master Plan, Waste Water Master Plan, other long-range master plans and Capital Improvement Program in terms of future growth anticipated in the project area. The developer will be assessed any necessary fees to cover these services at the time the City issues building permits for the project.

Mitigation: None required.

XV. RECREATION:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion of Evaluation: The proposed project will increase the use of existing neighborhood park facilities. Although the project contains no park areas designated by the General Plan for future construction, the Daly City Municipal Code requires that the applicant pay park fees in lieu of land dedication. The minimal number of new residents to be generated by the project would not contribute to the substantial physical deterioration of existing City recreational facilities. The project will neither generate nor create any need for additional recreational opportunities or facilities within the City.

Mitigation: None required.

XVI. TRANSPORTATION/TRAFFIC: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Discussion of Evaluation: 50 residential units take access from Lausanne Avenue and Peoria Street, while four units will have access from Chelsea Court. The Engineering Division has reviewed the proposed means of vehicular access from Lausanne Avenue, Peoria Street, and Chelsea Court, respectively, and has determined that the driveways at these locations effectively provide a safe means of ingress and egress, respectively for automobiles without creating a danger to pedestrians. On site travel lanes are adequate for the transport of vehicles and emergency access as determined by the Engineering Division, Fire Department, and Allied Waste Management.

Traffic operating characteristics of intersections are described by the concept of level of service (LOS). LOS is a qualitative description of an intersection's performance based on the average delay per vehicle, and ranges from LOS A (free flow or excellent conditions with short delays) to F (congested or overloaded conditions with extremely long delays). LOS A, B, C, and D are considered excellent to satisfactory service levels. LOS E is undesirable and LOS F is unacceptable and both are considered significant adverse impact levels.

Wellington Residential Transportation Impact Analysis was prepared by Hexagon Transportation Consultants, Inc. for KB Home and the City of Daly City, on December 9, 2011, and included evaluations of peak-hour traffic conditions at one unsignalized intersection, one signalized intersection, and three roadway segments in the vicinity of the project site. The study intersections were Crocker Avenue & Peoria Street (unsignalized) and Mission Street & Crocker Avenue (signalized). The study roadway segments were Peoria Street between its western

terminus and Roosevelt Avenue; Bellevue Avenue between Peoria Street and Roosevelt Avenue; and Crocker Avenue between Mission Street and Templeton Avenue. The roadway segments were analyzed using volume to capacity (V/C) ratios.

Traffic conditions at the study locations were analyzed during the AM (7:00 A.M. to 9:00 AM) and PM (4:00 PM to 6:00 PM) peak periods. The Existing (2011), Existing Plus Project, Cumulative No Project, and Cumulative Plus Project transportation scenarios were examined in the study.

Wellington Residential Transportation Impact Analysis developed trip generation for the project based on unit trip rates obtained from the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 8th Edition*, utilizing Residential Condominium/Townhouse (ITE Land Use Code 230). For the proposed project, the townhouse (ITE category 230) trip generation regression equations were used. The proposed project would generate 448 daily, 27 AM peak hour (6 inbound 31 outbound) and 43 PM peak hour (29 inbound 14 outbound) new vehicle trips. The project has since been reduced in size and scale with 43 townhouse units being replaced with 31 single family residences, resulting in even less traffic generation.

As shown in Table ES1 of *Wellington Residential Transportation Impact Analysis*, no study intersection would be significantly impacted by the project either under Existing Plus Project or Cumulative Plus Project conditions. All study intersections would operate at LOS C or better during the AM and PM peak periods. Mission Street & Crocker Avenue (signalized) currently operates at LOS C in the AM peak period and is projected to remain at that level in both the Existing Plus Project, Cumulative No Project, and Cumulative Plus Project scenarios. Mission Street & Crocker Avenue (signalized) currently operates at LOS B during the PM peak period and is projected in the study to remain at that level in Existing Plus Project scenario, and operate at LOS C in Cumulative No Project and Cumulative Plus Project scenarios. Crocker Avenue & Peoria Street (unsignalized) currently operates at LOS B in both the AM and PM peak periods and is projected to remain at that level in Existing Plus Project, Cumulative No Project, and Cumulative Plus Project scenarios. Levels of Service “B”, “C”, and “D” are acceptable traffic conditions according to the Daly City General Plan.

Section 17.34.020.A of the Zoning Ordinance requires that two parking spaces be provided for each proposed residential dwelling unit. In this case, 108 parking spaces would be required for a 54-unit residential development. There is no Code requirement for guest parking spaces however, the developer is proposing to provide 23 guest parking spaces, resulting in a total of 131 parking stalls for the development.

The San Mateo County Congestion Management Agency (CMA) requires that all development projects' transportation studies include an analysis of congestion management plan (CMP) intersections and roadways for projects that generate more than 100 net P.M. peak hour trips. Since the project is expected to generate 43 P.M. peak hour trips, it is in compliance with the CMP and no further analysis is necessary.

There are no air traffic concerns with the proposed project. The proposal does not involve the creation of new areas of circulation within the site that would include sharp curves or dangerous intersections. The project would not result in inadequate emergency access. The proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation policies.

Mitigation: None required.

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Discussion of Evaluation: The project will be required to comply with federal, state, and local statutes and regulations related to solid waste, per the City of Daly City's standards. Electric, gas, water, storm, and sewer lines exist within close proximity of the project site; however, there may be upgrades to existing facilities required, per Department of Water and Wastewater Department, Engineering Division and the North County Fire Authority. All facilities will be required to be constructed in compliance with pertinent Codes and standard specifications. The City of Daly City currently services the area surrounding the project site. Prior to the issuance of any permits, the applicant will be required to submit revised studies illustrating that the existing water, sewer, and stormwater facilities are adequate to serve the development or that their proposed upgrades will be adequate to serve the development. As part of the environmental

review process, all departments and agencies responsible for supplying utilities for this project have indicated their ability to meet the needs of the project. As with all new construction projects, conditions would require all new utility services to be undergrounded.

The proposed project would not exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board. The City of Daly City controls and provides the sewer lines and will ultimately provide all of the water that would serve the subject site. The City has indicated adequate wastewater treatment plant capacity to service the site including ultimate development, and that no adverse impacts to the wastewater system are expected. Water conservation programs, wastewater reclamation and reuse, and increased well production are all methods in which the City could utilize to reduce any uncertainty in the future supply of water.

The local solid waste disposal and recycling service provider, Allied Waste Services, has reviewed the project and does not anticipate any difficulty meeting the anticipated needs of the project in terms of storage containment, access, and landfill capacity.

Mitigation: None required.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Discussion of Evaluation: The proposed project consists of a Major Subdivision, Use Permit, Zone Change, and Design Review for the new construction of 54 residential dwellings, comprised of 23 townhouse units and 31 single family residences.

The undeveloped site is a +/- 4.91 acre property situated at the western termini of Peoria Street and Wellington Avenue (paper street), the northern terminus of Lausanne Avenue and the southern terminus of Chelsea Court. The southernmost portion of the site, previously a separate parcel, was discovered to be zoned R-1, leaving the site with two zoning designations. The portion zoned R-1 is approximately +/- 9,400 square feet and appears to be a historically vacated right-of-way that was zoned R-1 upon vacation. At some point, this parcel came under the same ownership as the rest of the site and the entire +/-4.91 acres are now under one parcel number. A zone change is therefore needed to re-zone the R-1 portion to R-3, to provide consistency on the zoning map and to allow the proposed development.

The proposed project is compatible with the existing land uses in the area. The proposed project will not have any significant impact under this heading.

Mitigation: None required.

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23. Bay Area Air Quality Management District. *Stationary Source Screening Analysis Tool*, San Mateo May 2011, Google Earth KMZ file, accessed November, 2011.
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30. Olberding Environmental, Inc. November 2011. *Biological Resources Analysis for the Wellington Property, San Mateo County, California*. Prepared for KB Homes South Bay, Inc., Pleasanton, California.
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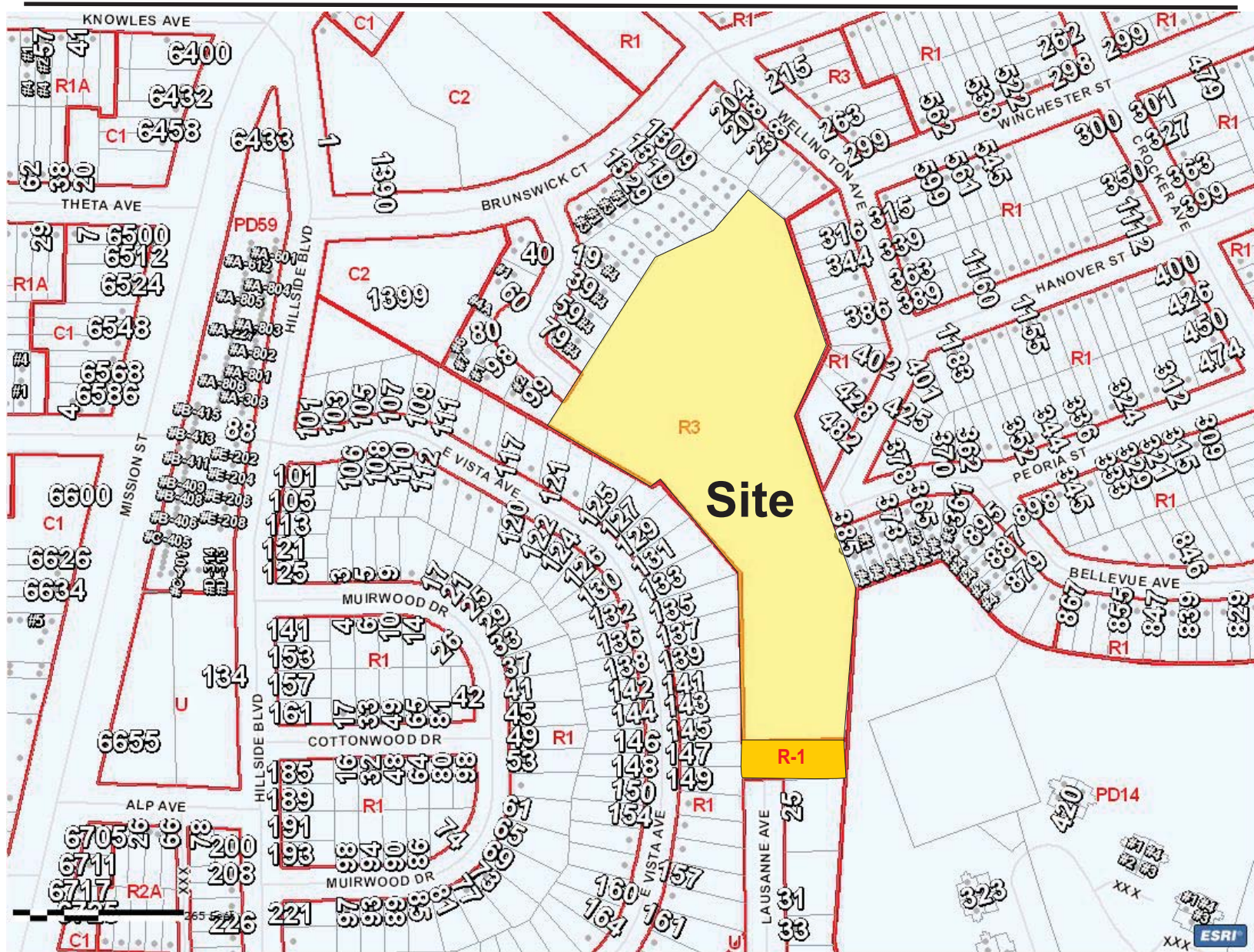
EXHIBITS

- Site Location Map
- Reduced Plan(s) (8-1/2" x 11")
- Mitigation Monitoring Plan
- URBEMIS Environmental Management Software Version 9.2.4. Combined Annual Emissions Reports (Tons/Year) Wellington KB Home 66-Unit Townhome Development, October, 2011.
- Daly City Planning Division. San Mateo County Permitted Sources Map, Permitted Sources within 1,000 feet of the Project Area. October 19, 2011.

LOCATION MAP



Preliminary Preliminary Plan Review
PD 12-13-8312, SUB-12-13-8315,
DR-12-123-8319, and CEQA-12-13-8313
Peoria St./Wellington Ave/Chelsea Ct.
31 detached residences and 23 townhouses



MITIGATION MONITORING AND REPORTING PROGRAM (CEQA-12-13-8313)

**Planned Development PD 12-13-8312, Subdivision SUB-12-13-8315
Use Permit UP 12-14-8694 and Design Review DR-12-13-8319**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring/ Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<u>Mitigation Measure 1</u> ▪ If project construction-related activities would take place during the nesting season (February through August), preconstruction surveys for nesting passerine birds within the project site, and the surrounding area of influence of the project site, should be conducted by a competent biologist prior to the commencement of the tree removal or site grading activities. If any bird listed under the Migratory Bird Treaty Act is found to be nesting within the project site or within the area of influence, an adequate protective buffer zone shall be established by a qualified biologist to protect the nesting site. This buffer shall be a minimum of 75 feet from the project activities for passerine birds, and a minimum of 200 feet for raptors (birds of prey). The distance shall be determined by a competent biologist based on the site conditions (topography, if the nest is in a line of sight of the construction and the sensitivity of the birds nesting). The nest site(s) shall be monitored by a competent biologist periodically to see if the birds are stressed by the construction activities and if the protective buffer needs to be increased. Once the young have fledged and are flying well enough to avoid project construction zones (typically by August), the project can proceed without further regard to the nest site.	Surveys shall be conducted by a wildlife biologist, raptor biologist or other qualified professional. Survey reports shall be submitted to the Planning Division for review prior to issuance of grading permit. If nest protection is required, the applicant shall submit plans to comply with protection recommendations of professional survey report. Inspection of protection buffer is required prior to commencement of site work.	Planning Division, Engineering Division and Building Division	Approve or disapprove building or grading permit issuance.	No building or grading permit	

MITIGATION MONITORING AND REPORTING PROGRAM (CEQA-12-13-8313)

**Planned Development PD 12-13-8312, Subdivision SUB-12-13-8315
Use Permit UP 12-14-8694 and Design Review DR-12-13-8319**

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring/ Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
<u>Mitigation Measure 2:</u> Property boundary survey and adequate protection of HCP boundary line is required prior to commencement of any site clearing and/or grading/or construction activities. No less than monthly inspections shall occur throughout the duration of grading and construction activities to ensure there is no encroachment into the HCP area by grading or construction activities. Should encroachment take place, all activities will be stopped and referred to the County of San Mateo for further action.	Applicant shall submit property boundary survey and detailed plans exhibiting adequate protection from all grading and construction activities from the HCP boundary. Protections must be maintained throughout grading and construction activities.	Planning Division, Building Division, Engineering Division	Approve or disapprove building and grading permit issuance, and ensure activity conducted on site. Should any inspection reveal encroachment into HCP boundary, site work shall be stopped and the County of San Mateo will be contacted for further action.	No building or grading permit	

Urbemis 2007 Version 9.2.4

Summary Report for Annual Emissions (Tons/Year)

File Name: G:\Planning\Jeannie Naughton\PUBLIC HEARINGS\ENTITLEMENTS\SUB-7-11-4269, UPR-7-11-4270, CEQA-7-11-4271, DR-7-11-4272
WELLINGTON KB HOME\CEQA\BAAQMD\Wellington Site Construction Emissions.urb924

Project Name: Wellington 66-Unit Townhome Development

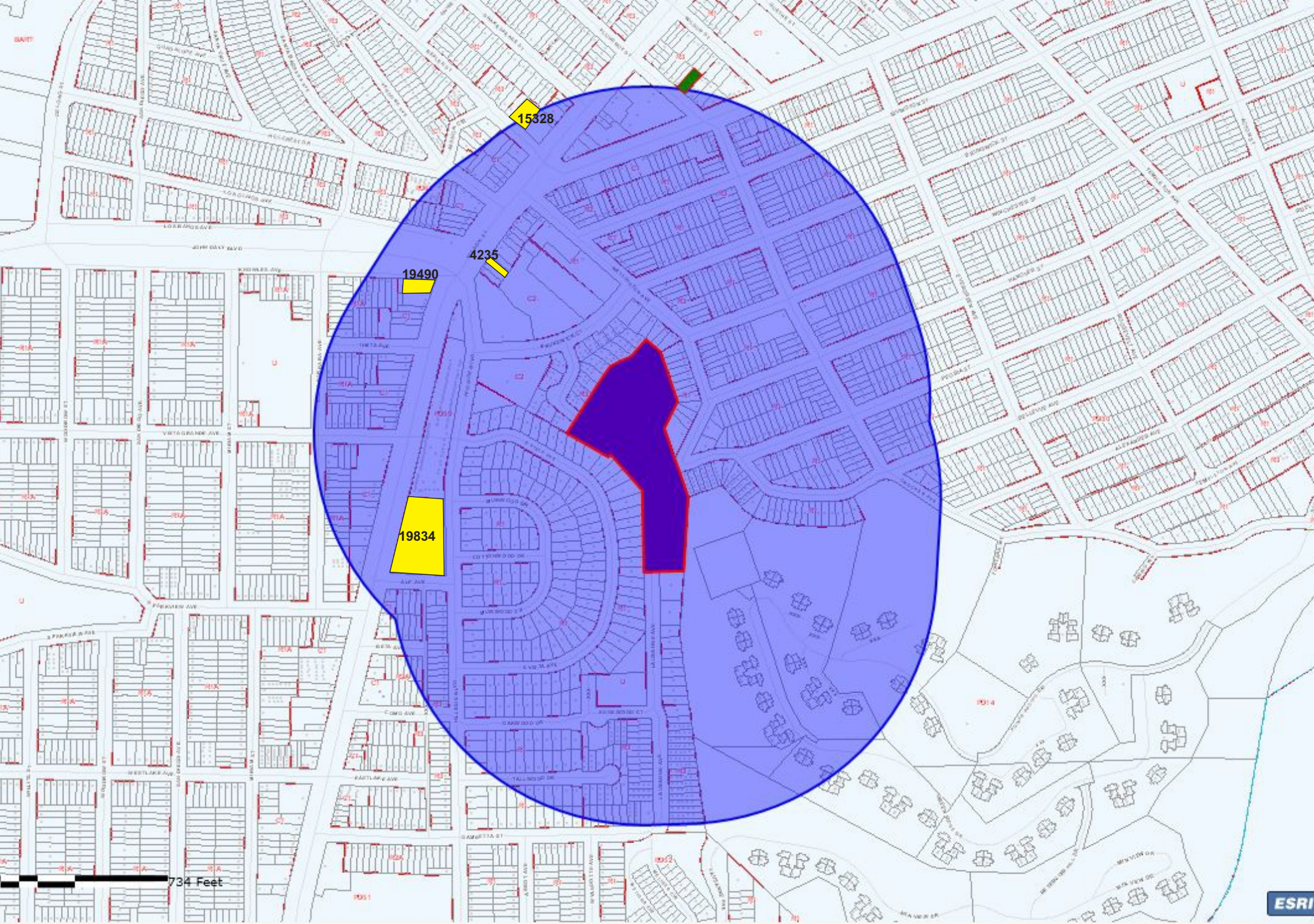
Project Location: San Mateo County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

CONSTRUCTION EMISSION ESTIMATES

[illegible]





Daly City Planning Commission

Agenda Report

333 - 90th Street ♦ Daly City ♦ California ♦ 94015 ♦ 650-991-8033

<u>Meeting Date:</u>	April 1, 2014
<u>Application:</u>	Precise Plan for Planned Development PD 12-13-8312, Subdivision SUB-12-13-8315, Use Permit UP 12-14-8694, Design Review DR-12-123-8319, and Environmental Review CEQA-12-13-8313
<u>Project Planner:</u>	Steve Flint, Contract Senior Planner
<u>Project Location:</u>	One parcel located at the western termini of Peoria Street and Wellington Avenue (paper street), the northern terminus of Lausanne Avenue and the southern terminus of Chelsea Court
<u>Project Description:</u>	Rezoning of the parcel as Planned Development from R-3 Residential Multiple Family and subdivision to allow construction of 31 detached residences and 23 townhouses on 4.91-acre parcel (APN 003-211-310)
<u>Applicant:</u>	KB Home South Bay, Inc. 6700 Koll Center Parkway Pleasanton, CA 94566
<u>Property Owner:</u>	Private Capital Fund, LLC 4300 Stevens Creek Blvd. #275 San Jose, CA 95129
<u>Environmental Assessment:</u>	Mitigated Negative Declaration
<u>Applicable Daly City Municipal Code Provisions:</u>	Title 16 Subdivisions Chapter 17.28 P-D Planned Development District Chapter 17.37 Condominiums and Condominium Conversions Chapter 17.44 Use Permits Chapter 17.45 Design Review Chapter 17.47 Inclusionary Housing

Background

The applicant, KB Homes, has submitted a revised application to develop the presently-vacant parcel generally located at the westerly and northerly ends of Peoria Street and Lausanne Avenue, respectively. A portion of the development site also exists at the southerly end of Chelsea Court (see Attachment A – Location Map). The Planning Commission and City Council last reviewed a proposal for 66 townhomes by the same applicant on the same parcel in August 2013, but the City Council denied the application at that time citing a concern for the project's traffic, parking, and aesthetic impacts.

Due in part to the concerns expressed by the City Council, the applicant has revised the project to reduce the overall number of dwelling units and, more specifically, the number of townhouses on the site. Whereas the previous proposal consisted of 66 townhouses in 11 buildings, the current proposal consists of 23 townhouses in four buildings and 31 single family detached homes, for a total of 54 dwelling units (see Attachment B – Project Plans). All of the single family homes and 19 of the townhouses would be constructed at the upper portion of the site adjacent to Peoria Street and Lausanne Avenue, while four townhouses would be constructed at the end of Chelsea Court. The townhouses at the upper portion of the site would be constructed within three buildings, while the townhouses at the end of Chelsea Court would be constructed within one building.

On March 4, 2014, the Planning Commission considered the Preliminary Plan, including land use, parking, circulation, architecture and design, and site plan. During the public hearing, Robert Tye, a property owner in the adjacent neighborhood, asked what the anticipated duration of construction would be. Ray Panek, representing KB Homes, responded that a period of approximately 22 months was anticipated.

Calvin Wong, a property owner adjacent to the lower portion of the development on Chelsea Court, submitted an e-mail expressing concerns regarding land sliding, erosion and stormwater affecting the public safety on properties below the project site (see Attachment C – Email from Calvin Wong). Ray Panek, representing KB Homes, stated that the geotechnical engineer on the project was considering the installation of containment fencing during construction and possibly permanently, to prevent rocks and boulders from falling from the project site.

The Commission voted to recommend that the City Council allow the project to proceed to the Precise Plan stage, which the City Council considered at its March 24, 2014 meeting.

The following actions by the City are necessary for the project to proceed to the grading and building permit stages:

1. Certification of a Mitigated Negative Declaration for the project;
2. Approval of a Tentative Subdivision Map to create 23 residential condominium units, 31 single family lots, and common area lots on the project site;
3. Approval of Planned Development PD-68 Zoning District for the entire project site

- (see Attachment D – Draft PD-68 Development Standards). The new PD-68 zoning district will replace the current R-1 Single Family Residential and R-3 Multiple Family Residential districts. Development standards and restrictions will be established through the approval of PD-68.
4. Approval of a Use Permit for the creation of condominium units;
 5. Approval of Design Review for architectural character, site design, and landscaping; and
 6. Approval of an Inclusionary Housing Agreement.

Discussion

In an effort to address concerns expressed by the City Council, the applicant has made the following revisions to the project:

- Reduced the overall number of dwelling units from 66 to 54, thereby reducing traffic and parking impacts;
- Reduced the number of buildings containing townhouses, which contributed significantly to the bulk and mass of the previous proposal, from eleven to four;
- Replaced eight buildings containing townhouses with 31 single family homes, which are more characteristic of the adjacent neighborhood;
- Proposed that the rear elevations of 14 single family homes situated adjacent to the existing neighborhood to the west be two stories where the previous townhouse rear elevations were three stories;
- Increased guest parking from 21 spaces to 23 spaces.

Due to the confined shape of the development site, only six of the proposed parcels with single family homes meet the current minimum 3,000 square foot parcel size. The remainder of single family parcels are as small as 1,560 square feet. Similarly, none of the single family lots meet the mandated 33-foot minimum lot width and only five lots meet the maximum 55 percent lot coverage mandated by the R-1 Single Family Residential District. For this reason, the applicant has proposed to rezone the entire site to Planned Development PD-68.

The PD designation allows variations in development standards required in other zoning districts, including building height. All of the townhouse units are less than 36 feet in height, below the maximum allowed in the surrounding R-3 district. Only the single family units on the western edge of the project site will exceed R-3 standards, extending to a height of approximately 41 feet. These units have been situated at the base of an ascending slope to minimize their visibility to the neighborhood.

General Plan, Zoning, and Project Density

The General Plan identifies the land use designation for the subject site as Low Density Residential, which allows between two and 14.5 dwelling units per acre. Given that the proposed development is 54 units on 4.91 acres of land, the resulting project density would be 11 dwelling units per acre. This density is therefore consistent with the current Low Density Residential General Plan land use designation. Furthermore, the development would be appropriate in context with surrounding uses, which include Low Density Residential uses to the south and west, higher density designations such as Medium-Low Density Residential to the east, and commercially zoned properties to the north.

In addition to compliance with the General Plan density allowance, the proposed development would serve to implement the General Plan Housing Element, which encourages the development of infill housing on sites that are underutilized, where residential development represents the highest and best use, and where public infrastructure exists to support the intensity of the proposed development. The Housing Element identifies this site in particular as being capable of providing housing opportunities that contribute to the City's fulfillment of its Regional Housing Need Allocation.

Use Permit

A use permit is required for the townhouse portion of the project consisting of 23 townhomes which will be subdivided as an airspace subdivision with the residential structure commonly owned and maintained by the HOA. Pursuant to Section 17.37.060 (Findings – Use Permit Approval) of the Daly City Zoning Ordinance, the City may approve a use permit for condominiums if it makes the following findings:

1. The townhouse aspect of the project will not have a detrimental effect on sound community planning, the economic, ecological, cultural, aesthetic qualities of the community, and on public health, safety, and general welfare.
 - The proposed residential townhouse project has been designed to be consistent with the Daly City Zoning Ordinance and generally in accordance with aesthetic requirements of the DCMC Chapter 17.45 Design Review (see discussion below under Architectural Design). The design proposed for the 23-unit townhouse development is consistent with the height and intensity of similar projects previously approved and constructed in this neighborhood. There exists no evidence in the public record to demonstrate that the project would be detrimental to the public health, safety, and general welfare.
2. The overall impact on schools, utilities, neighborhood streets, traffic, parking, and other community facilities and resources will not be detrimental.
 - Prior to construction, the applicant will pay fees that mitigate the potential impacts caused by the project related to schools, public facilities, and public utility connection fees. The proposed residential townhouse development is in compliance

with the parking requirements established by the Daly City Zoning Ordinance. In addition to providing the Code required parking for the development, the project will be providing an additional 23 guest parking stalls for the project, resulting in a total of 131 parking stalls.

3. That tenants over the twelve months preceding the filing of any application required for a conversion shall not have been encouraged to vacate in order to bring about the conversion.
 - The proposed residential townhouse project is not a condominium conversion, has no existing residential tenants, and therefore, this finding does not apply.

Parking and Circulation

The applicant has proposed providing two parking spaces per unit and 23 guest parking stalls, resulting in a total of 131 parking spaces. This number exceeds the minimum number of spaces mandated by the Zoning Ordinance, which requires two spaces for each single family and townhouse unit, by approximately 21 percent. Each floor plan will have either a two car side-by-side garage or a two car tandem garage.

Similar to the site plan previously reviewed by the City Council, access to the site would be provided by new private driveway extensions at Peoria Street, Lausanne Avenue, and Chelsea Court. All driveways associated with the project would be privately owned and maintained by a future homeowners association that the developer will establish for the project. As the development consists of no public streets, the developer has proposed vehicular access gates at the Peoria Street and Lausanne Avenue entries. No gate is proposed at the end of Chelsea Court.

According to the Wellington Residential Transportation Impact Analysis, prepared by Hexagon Transportation Consultants September 2013, the volume of trips expected to be generated by this project will not result in a significant impact to the adjacent street network. As shown in Table ES1 of the analysis, no study intersection would be significantly impacted by the project either under Existing Plus Project or Cumulative Plus Project conditions. All study intersections would operate at LOS C or better during the AM and PM peak periods. Mission Street & Crocker Avenue (signalized) currently operates at LOS C in the AM peak period and is projected to remain at that level in both the Existing Plus Project, Cumulative No Project, and Cumulative Plus Project scenarios. Mission Street & Crocker Avenue (signalized) currently operates at LOS B during the PM peak period and is projected in the study to remain at that level in Existing Plus Project scenario, and operate at LOS C in Cumulative No Project and Cumulative Plus Project scenarios. Crocker Avenue & Peoria Street (unsignalized) currently operates at LOS B in both the AM and PM peak periods and is projected to remain at that level in Existing Plus Project, Cumulative No Project, and Cumulative Plus Project scenarios. Levels of Service “B”, “C”, and “D” are acceptable traffic conditions according to the Daly City General Plan.

Project Affordability

The applicant has submitted an affordable housing plan in accordance with the City's Inclusionary Housing Ordinance, which requires 20 percent of all units to be affordable (see Attachment E – Affordable Housing Plan). The Ordinance also allows the payment of a fee in lieu of providing the total amount of affordable units. Based on the 20 percent requirement, a total of 10.8 affordable units are required (54 d.u. x 0.20). In compliance with the provisions of the Ordinance, six of the 23 townhouse units will be sold at Below Market Rate (BMR) and the developer would pay an in-lieu fee equivalent to four units plus a pro rata share of 0.8 of a unit (\$1,200,000). The developer would sell the remaining units of each housing type at market prices. The ordinance also requires that inclusionary units be dispersed throughout a residential development and be comparable in infrastructure (sewer, water and other utilities), construction quality and exterior materials to market rate units. Staff has determined that the affordable housing plan meets the intent of the Ordinance; however, it is at the City Manager's discretion to approve, conditionally approve, or deny the affordable housing plan.

Architectural Design

The project consists of 23 townhouses in four buildings and 31 single family detached homes. The contemporary design incorporates multi-colored, smooth stucco walls, hipped and gable roof designs, and articulated facades, with Spanish Revival-inspired elements such as reddish-brown concrete tile roofs, arched entries, decorative, painted tile, decorative light fixtures which resemble lanterns, and wood entry and garage doors.

Floor plans for the 23 townhouse units would provide 16 three-bedroom units and seven four-bedroom units. All 31 single family homes would provide three-bedroom units although five homes would be offered with a bonus bedroom capability. Each unit will have a ground floor, two car garage, either in a side by side or tandem configuration, and either one or two levels of living area, depending on the Plan type. Although the Code does not require guest parking, 23 guest parking stalls will be provided in this development.

The average overall building height of the development is less than 36 feet, which is comparable to the building heights allowed in the R-3 Multiple-Family Residential zoning district. The maximum height of the single family units located along the descending slopes (Plan 4, Lots 5-18) do not exceed 35 feet in overall height. Portions of the single family units located along the ascending slopes (Plan 5, Lots 19-35) extend up to 41 feet in height, a height allowance that would be permissible within the Planned Development zoning district.

The project site is visually prominent, and can be seen from several off-site public vantage points. The most prominent points of view will be from eastbound traffic on John Daly Boulevard as it reaches the intersection of Mission Street, southbound traffic on Mission Street as it reaches the same intersection, and the intersection of Crocker Street and Hanover Street on the east side of the project.

Photo simulations illustrate how the proposed development will appear from these intersections (see Attachment F – Photosimulations). In response to the prevailing topography of the site, the applicant's development plan utilizes a series of stepped retaining walls situated below and adjacent to the proposed three townhouse buildings on the upper portion of the site. Because the development will have a strong visual presence, it is important that the project exhibit high quality design in architecture and landscaping.

Site Retaining Walls

Site retaining walls will be located along the perimeter of the development site, both on the upper portion accessed from Peoria Street and Lausanne Avenue, and on the lower portion accessed from Chelsea Court. The series of retaining walls will range in height from 1 foot to 21 feet. Several sections of retaining walls will be immediately adjacent to property lines, where the foundations and supporting structures will not encroach onto adjacent properties. The walls will be architecturally treated, using sculpted and stained shotcrete to resemble natural rock.

Landscaping

The applicant has submitted a landscape plan with a proposed plant and tree palette for the project which identifies the installation of an underground irrigation system designed to use water efficiently through conservation practices. During the building permit submittal process, a more detailed plant and tree palette will be created, based on results of soil reports and recommendations for materials that will be most appropriate to the specific project site.

As identified in the landscape plan, large shrubs and trees will be planted on the uppermost tier of retaining walls, with smaller shrubs and vines planted on subsequent wall levels, moving down the hillside. The photo simulations illustrate how the walls are anticipated to look one year and three years after completion. Wall details are best illustrated on the preliminary landscaping plan, where there are photographic examples are provided together with planting details.

Canopy trees are also proposed to border a majority of the site, as well as additional trees proposed for interior portions of the site around common space and the guest parking areas. The natural landscape will remain in its natural state for a majority of the site, where feasible. Ground cover options and no mow fescue are proposed for areas adjacent to the retaining walls at the eastern boundary to provide a low-maintenance, natural looking landscape.

The applicant will be required to establish a home owners association (HOA) for the purpose of infrastructure maintenance, building maintenance, landscape maintenance, and parking enforcement. The HOA membership will consist of all residential parcel owners and will be professionally managed.

Subdivision Requirements

Pursuant to Section 66474 of the Subdivision Map Act, a legislative body of a city or county may approve a subdivision map if it makes the following findings:

1. The proposed subdivision and/or design or improvement must be consistent with applicable general and specific plans.
 - The site is designated as Low Density Residential, which allows for a maximum of 14.5 dwelling units per net acre. The proposed project will result in a density of 11 dwelling units per acre. The density and intensity of the project is consistent with other similar projects in the surrounding vicinity.
2. The site must be physically suitable for the type and density of the proposed subdivision.
 - The subject site is situated at the western termini of Peoria Street and Wellington Avenue (paper street), the northern terminus of Lausanne Avenue and the southern terminus of Chelsea Court, which is characterized by a mixture of multi- and single-family residential, and service commercial uses in the near vicinity. Given the size and shape of the subject property, together with adjacent land uses, a low-density residential development consisting of 23 townhouses and 31 single family residences, is the highest and best use of the subject property.
3. The design of the proposed subdivision or improvements must not cause substantial environmental damage or injure fish or wildlife or their habitat.
 - Staff has determined that the proposed townhome subdivision will not cause significant environmental damage or injure fish, wildlife, or their habitat, given the mitigation measures identified in the Mitigation Monitoring Plan. The proposed project would be constructed in a fully urbanized area on a previously disturbed site that contains no protected or unprotected habitat. Based on the Initial Study prepared, it has been determined that there is no substantial evidence, in light of the whole record that the project may have a significant effect on the environment, given the mitigation measures identified in the Mitigation Monitoring Plan and therefore a Mitigated Negative Declaration will be prepared per CEQA.
4. The design of the proposed subdivision must not cause serious public health problems.
 - The proposed project consists of four, three-story buildings consisting of 23 townhouse units, and 31 single family detached residences with two- and three-story elements, all of which will be subject to Building Code requirements that set forth minimum safety standards for new construction. Other City and State regulations will assure that public health is not at risk.
5. The design of the proposed subdivision or improvements must not conflict with any easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
 - There are two known easements existing on the property owned by Pacific Gas & Electric Company (PG&E) for two gas pipelines. The applicant is working with PG&E to have the utility quitclaim the easement to the applicant (KB Home). Without the

abandonment of this easement, the proposed subdivision or subsequent construction would not be possible. The applicant is moving forward with full understanding that unless PG&E vacates this easement through quitclaim or other means, the Final Map submittal will not be accepted by the City of Daly City. A condition of approval has been added to address this issue. The project would occur exclusive of the public right-of-way and no new easements or encroachments are known to be required at this time.

Utility Providers

The subject property is located within a fully urbanized area with all public services capable of serving the new lots. The City of Daly City has agreed to service the subject development, upon submittal of modeled water analysis by the applicant, illustrating the existing system can meet the demands of the project. Any upgrades in the system deemed necessary will be the applicant's responsibility. Conditions of approval have been added to address this issue. Utilities to serve the project are in place or will be in place prior to construction, within either the Lausanne Avenue, Peoria Street or Chelsea Court public right-of-way and will have the capacity to accommodate additional units. These include electrical, water, sewer, and the availability of telephone service and access to public streets.

<i>Utility</i>	<i>Provider</i>
Water, Sanitary Sewers, Storm Drains	City of Daly City
Gas & Electric	PG&E
Telephone	Pacific Bell
Cable Television	Astound! Cable Services
Fire/Police Protection	North County Fire Authority/City Daly City

Fiscal Analysis & Impacts

The proposed project consists of the entitlements Major Subdivision, Zone Change, Use Permit, and Design Review for the construction of a new 54-unit residential development. Prior to project completion, the project applicant will be required to pay park in-lieu fees, building permit, plan check, and AB 1600 fees to the City. Upon sale of the residential properties, the future owners will pay property tax to the County, a portion of which is distributed to the City. The addition of the residential project to the subject project would add an incremental demand for City services. Per the Parkland Dedications Ordinance, park in-lieu fees would be required for park or recreational purposes.

Environmental Assessment

Staff has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and has, after the completion of an Initial Study, determined the project will not have a significant impact on the environment, and that a Mitigated Negative Declaration may be certified for the project, subject to mitigation measures (see Attachment G – Mitigated Negative Declaration).

Findings

Staff finds that the proposed Planned Development PD 12-13-8312, Subdivision SUB-12-13-8315, Use Permit UP 12-14-8694, Design Review DR-12-13-8319, and Environmental Review CEQA-12-13-8313 are in accordance with Chapter 17 of the Daly City Municipal Code. Approval of the proposed project will not be detrimental to the health, safety, morals, comfort and general welfare of persons residing or working in the vicinity. The proposed project would not be injurious or detrimental to property and improvements in the neighborhood or result in substantial environmental damage or disturbance, given the mitigation measures outlined in the Mitigation Monitoring Plan. These findings are based in part on the following facts:

1. In accordance with Title 17 of the Daly City Municipal Code, as well as applicable State zoning enabling legislation, the Planning Commission will conduct a public hearing on April 1, 2014; notice of said hearing was by newspaper publication, and posting and first class mailing to property owners within 300 feet of the site, on March 21, 2014.
2. Staff has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and, based on the Initial Study prepared, has been determined that there is no substantial evidence, in light of the whole record that the project may have a significant impact, given the mitigation measures outlined in the Mitigation Monitoring Program and therefore a Mitigated Negative Declaration will be prepared per CEQA.
3. The project will minimize the risk to existing public improvements and adjacent private property by providing controlled stormwater runoff from the site to City facilities in full compliance with Order R-2 NPDES Permit No. CAS612008 and Order No. 2010-0014-DWQ, NPDES No. CAS000002, the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit.
4. The site is physically suitable for the type of proposed development. The Daly City portion of the site is designated as Low Density Residential (2.1-14.5) du/ac. The proposed project will result in a density of 11 dwelling units per acre. The density and intensity of the project is generally consistent with other similar projects in the immediate vicinity.
5. The proposed development provides ample parking for residents by providing 131 off-street parking spaces, where only 108 are required. The volume of traffic expected to be generated by this project will not result in a significant impact to the adjacent street network.
6. The proposed development is consistent with Objective 6 of the Land Use Element of the General Plan, which encourages a pattern of residential land use which provides for a variety and balance of densities and offers opportunities for a mix of dwelling and tenure types.
7. The site is physically suitable for the type and density of the proposed development. The parcels are adjacent to fully urbanized areas with all public services capable of being extended to the new development. Within project site area, there is a predominant mix of

residential residential housing types consisting of single family detached and condominium townhouse units, for sale at market rate and below market rate prices.

8. The proposed residential project has been designed in accordance with the Daly City Zoning Ordinance. There exists no evidence in the public record to demonstrate that the project would be detrimental to the public health, safety, and general welfare.
9. The project complies with applicable provisions of Design Review Section 17.45 of the Zoning Ordinance.
10. Prior to construction, the applicant will pay fees that mitigate the potential impacts caused by the project related to schools, public facilities, and public utility connection fees.
11. Architectural considerations have been incorporated in order to ensure the general compatibility of this development with the character of other adjacent buildings. These considerations include, but are not limited to, the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, and colors.

Conditions of Approval

Staff recommends approval of Planned Development PD 12-13-8312, Subdivision SUB-12-13-8315, Use Permit UP 12-14-8694, Design Review DR-12-13-8319, and Environmental Review CEQA-12-13-8313 based on the following conditions as specified by each Department and Division. The applicant shall comply with these conditions prior to or in conjunction with any building permit issuance for the proposed improvements.

A. DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

1. The applicant shall file a declaration of acceptance of all conditions with the City Clerk within thirty (30) days of Council approval. Until said Declaration is filed, the permits shall not be valid for any purpose.
2. The project shall be valid only in conjunction with detailed plans submitted with this project. Any modifications required, due to the Conditions of Approval and minor changes to the plan, must be approved by the Planning Division. Major site or architectural modifications shall be treated as an amendment and shall be subject to review of the Planning Commission and City Council.
3. The tentative subdivision map and use permit approvals granted herein shall be valid for a period of two years. If a final map has not been approved within this timeframe, the applicant shall apply for a time extension.
4. The design review approval granted herein shall be valid for a period of one year. If building permits have not been issued within this timeframe, the applicant shall apply for a time extension.

5. Per the 2010 California Building Code, upon submittal for building permit, residential structures that are to be located in areas where the CNEL exceeds 60 db, the applicant will be required to provide an acoustical analysis report, that shows topographical relationships of noise sources and dwelling sites, identification of noise sources and their characteristics, predicted noise spectra and levels at the exterior of the proposed dwelling structure considering present and future land usage, basis for the prediction, noise attenuation measures to be applied, and an analysis of the noise insulation effectiveness of the proposed construction showing that the prescribed interior noise level requirements are met.
6. Compliance with DCMC Section 17.47.100 is required, and subject to all requirements in DCMC Chapter 17.47 Inclusionary Housing.
7. The applicant will be required to pay park-in-lieu fees, in compliance with DCMC Chapter 16.30 Parkland Dedications. Per DCMC Section 16.30.040.A, the required dedication in the specific case is 0.63 acres. Per DCMC Section 16.30.060, the in-lieu fee shall be based upon said dedication requirement. Per DCMC Section 16.30.090, in-lieu fees are required to be paid to the City of Daly City, prior to approval of the Final Map. The project is subject to full compliance with DCMC Chapter 16.30 Parkland Dedications.
8. The applicant shall survey all property boundaries and adequately protect the northwest portion of the site during grading and construction, so as not to encroach onto neighboring properties. Any encroachment during grading or construction activities will result in all site activity being halted until proper easements have been obtained by affected property owners. This condition is similar to Mitigation Measure 2, where adequate protection must be ensured along the southeastern corner of the property.
9. The applicant must submit evidence of abandonment of easements owned by PG&E on the subject site, prior to or in conjunction with, Final Map submittal.
10. The applicant shall record cross-access and cross-maintenance easements between all townhome owners on the subject site, and across any parcel containing a commonly-maintained facility (e.g., retaining wall). All easements and associated language shall be submitted to the Planning Division for review and approval prior to recordation.
11. If project construction-related activities would take place during the nesting season (February through August), preconstruction surveys for nesting passerine birds within the project site, and the surrounding area of influence of the project site, should be conducted by a competent biologist prior to the commencement of the tree removal or site grading activities. If any bird listed under the Migratory Bird Treaty Act is found to be nesting within the project site or within the area of influence, an adequate protective buffer zone shall be established by a qualified biologist to protect the nesting site. This buffer shall be a minimum of 75 feet from the project activities for passerine birds, and a minimum of 200 feet for raptors (birds of prey). The distance shall be determined by a competent biologist based on the site conditions (topography, if the nest is in a line of sight of the

construction and the sensitivity of the birds nesting). The nest site(s) shall be monitored by a competent biologist periodically to see if the birds are stressed by the construction activities and if the protective buffer needs to be increased. Once the young have fledged and are flying well enough to avoid project construction zones (typically by August), the project can proceed without further regard to the nest site.

Surveys shall be conducted by a wildlife biologist, raptor biologist or other qualified professional. Survey reports shall be submitted to the Planning Division for review prior to issuance of grading permit. If nest protection is required, the applicant shall submit plans to comply with protection recommendations of professional survey report. Inspection of protection buffer is required prior to commencement of site work (Mitigation Measure 1).

12. Property boundary survey and adequate protection of HCP boundary line is required prior to commencement of any site clearing and/or grading/or construction activities. No less than monthly inspections shall occur throughout the duration of grading and construction activities to ensure there is no encroachment into the HCP area by grading or construction activities. Should encroachment take place, all activities will be stopped and referred to the County of San Mateo for further action. Applicant shall submit property boundary survey and detailed plans exhibiting adequate protection from all grading and construction activities from the HCP boundary. Protections must be maintained throughout grading and construction activities (Mitigation Measure 2).
13. The applicant shall reconfigure the rear (west) boundaries of parcels five through 18 so that such boundaries do not include retaining walls or downslope areas. The downslope areas shall instead constitute a single parcel, owned and maintained by the HOA.

Homeowners Association

14. The applicant shall establish a homeowners association (HOA) for the purpose of maintaining all commonly owned private facilities, including, but not limited to, commonly-owned buildings, roads, landscaping, driveways, gates, fencing, retaining walls, stormwater treatment facilities, gates, and other facilities. The HOA shall be responsible for all front-yard landscaping of single-family homes and all parking enforcement.
15. The HOA membership shall consist of all residential parcel owners. The HOA shall be professionally managed by a management company acceptable to the City and the HOA by-laws and initial annual operating budget shall be reviewed and approved by the Planning Division prior to submittal to the California Department of Real Estate.
16. The developer shall submit to the City Attorney, for review and approval, a copy of the Covenants, Conditions, and Restrictions (CC&Rs) that will apply to the development prior to recordation of the Final Map.
17. Prior to the recordation of a Final Map, the developer shall submit a maintenance plan, which clearly specifies methods and standards for performance of common

responsibilities and maintenance for all common areas and equipment and fees to be assessed for such purposes. The maintenance plan shall include a budget acceptable to the City for major repairs and extraordinary expenses.

Architectural Design

18. All pedestrian doors, garage doors, and windows shall receive either EFIS or 2X dimension wood trim, depending on the adjacent surface material.
19. Garage doors shall be of a design and color complimentary to the project, and shall provide greater design interest (lites, sash bars, etc.). This design shall be approved by the Planning Division and indicated on all plans submitted to the Building Division for plan check.
20. Plan Four and Five side elevations shall receive greater design interest (wainscoting, belly band, greater roof overhang, etc.), to the satisfaction of the Planning Division.

Site Design

21. The applicant shall propose a complementary color palette for the shotcrete retaining walls proposed for the site that is compatible with the natural topography of the site and that of adjacent properties, subject to approval by the Director of Economic and Community Development.
22. Gang mailboxes shall receive a decorative and weather-resistant cover, the design of which shall be approved by the Planning Division.
23. The applicant shall provide adequate pedestrian linkages from the project site to all rights-of-ways.
24. The applicant shall install accent paving of a material acceptable to the Planning Division at both project entrances, including the Peoria Street entrance.
25. The applicant shall provide a greater detail for all common areas, which shall provide usable amenities for residents of the development. The applicant shall explore, and the City may require, that the applicant design a tot-lot or similar facility in one the project common areas.
26. The applicant shall provide a detail for all fencing that is to be construction on the project site. Fencing that is determined by the City to be highly visible from off-site locations shall be subject to Planning Division review and may be required to be open metal fencing. Wood fencing that will be visible from off-site location shall be stained dark brown. Any chain link permitted by City shall be vinyl-clad black or dark green.
27. All approved wood fencing proposed between the project and adjacent property shall be commercial-grade (e.g., six-by-six nominal heavy-timber, overlapping fence panels, etc.).

28. The applicant shall submit a detail of the primary and secondary entry gates for the site. The design of these gates shall be subject to approval by the Planning Division.
29. The material for all outdoor seating and furniture, railing, flashing, and any other exterior metals used in the project shall be galvanized and/or capable of resisting rust in the long term.
30. Decorative trash, recycling, and green waste receptacles shall be provided in common open space areas. Receptacles must be pre-approved by Allied Waste prior to submitting location and number plan to the City. The number and location of said receptacles shall be subject to approval by the Director of Economic and Community Development.
31. Site lighting shall be provided in common open space areas and shall be illustrated on final landscaping plans submitted for building permit. Site lighting shall be directed downward to protect adjacent residential neighborhoods from glare, yet provide safety for residents utilizing the common walkways and open space areas. Site lighting shall be subject to the approval of the Director of Economic and Community Development.

Landscaping

32. A detailed landscape plan shall be submitted prior to the issuance of building plans that incorporates a substantial number of large (minimum 36-inch box) specimen trees, in quantities approved by the Planning Division, to ensure adequate screening of the project site. All landscaping shall be installed, inspected and approved prior to the issuance of occupancy permits.
33. Annual inspection of the landscaping shall be conducted for the first five years following construction completion to ensure the landscaping, especially along retaining walls on the northern portion of the site, are adequately maturing in a healthy manner. Should plants be determined to be significantly deficient in growth or health, additional landscaping shall be required to compensate for the lack of vegetation. Annual inspections shall be conducted by the Planning Division. A point of contact within the HOA shall be established to coordinate said annual inspections, and the HOA shall retain responsibility to maintain and, as necessary per the direction of the City, replace landscaping or enhance site and retaining walls.
34. The applicant shall establish an HOA budget item for screen-tree replacement within the first five years for all trees determined by the City to be dead or dying. The applicant shall provide an initial fund for budget item of not less than \$10,000. For this purpose of this Condition of Approval, screen-trees shall be those trees which are installed at the subdivision periphery to screen the project from adjacent right-of-way to the north and west.
35. The landscape plan shall identify an excavation plan for all screen-trees which provide a sufficient trench allowing for root expansion, as determined by the City. Tree trenches shall be inspected by the City for size prior to tree installation.

36. The applicant shall provide establishment, and where necessary, long-term irrigation to all trees, shrubs, and groundcover.
37. The applicant shall triple-stake all trees and this staking shall be subject to initial inspection by the City. Trees shall remain triple-stake through the establishment period and tree staking shall be subject to the annual inspection identified above.

Stormwater Treatment

38. The applicant shall develop and submit a stormwater management plan that illustrates full compliance with Section C.3 of Order R-2-2009-0074 NPDES Permit No. CAS612008. The project must comply with Order No. 2010-0014-DWQ, NPDES No. CAS000002, the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit.
39. The applicant shall receive approval of the stormwater management plan from a third-party reviewer appointed by the City prior to building permit submittal. The applicant shall pay the entire cost of the third-party reviewer.
40. All stormwater treatment facilities shall be inspected during construction to ensure eventual compliance with the stormwater management plan. The applicant shall pay the entire cost of these inspections.
41. The applicant shall enter into a Maintenance Agreement with the City to ensure long-term maintenance and servicing by the Property Owner of stormwater site design and treatment control measures according the approved Maintenance Plan.
42. The applicant shall arrange and pay for final inspection of installed treatment measure by municipality's Special Inspector within 45 days of installation or project construction completion, whichever comes first.

B. DEPARTMENT OF PUBLIC WORKS

43. Lausanne Avenue, Peoria Street, and Chelsea Court connections shall be designed as street extensions (full width) and include pedestrian facilities.
44. All plans submitted for review shall conform to the "City of Daly City General Conditions of Approval: Use Permits, Variances, Design Reviews, Planned Developments, and Subdivisions" dated 1999.
45. The applicant shall provide a soil report in conjunction with the proposed grading and land disturbance plans. Soil report to evaluate impact of dewatering and varying underground water table on surrounding subdivisions.
46. The applicant shall provide street lighting system layout per city standards. Street lights shall be LED or other City approved high efficiency street light.

47. The applicant shall provide minimum road turning radii to satisfy concurrent fire engines and other emergency vehicle requirements.
48. The applicant shall provide safe “site distance” for vehicles backing out of garages and for vehicles making the 90-degree turns on the driveway from the Peoria Street alignment around building 31.
49. The applicant shall provide an energy dissipating structure for storm drain runoff prior to its discharge to City main.
50. The applicant shall provide for periodic clean-out of debris from the detention pipe of the storm drain system.
51. Existing and proposed utility easements and lines are not shown on the site and grading plans. Retaining walls and other structures are not permitted within utility easements or over utility lines.
52. Because access to the development on Lausanne Avenue is controlled and gated, the existing turn-around shall be preserved to permit vehicles not admitted into the subdivision to turn around and go back.
53. The soil report shall address the impact that the site grading may have on the neighboring developed areas. For instance the dewatering associated with major cuts can result in differential settlements of adjacent structures with partial foundations on compressible materials.
54. All improvement plans for roadways shall comply with City Standard Drawing S-25.
55. Provide ADA ramps for access to paths between Buildings 1, 2 and 3 from Peoria Street, and Building 4 from Chelsea Court.
56. Provide ADA compliant sidewalks and curbing along Street ‘A’, connecting to Peoria Street and Lausanne Avenue.
57. The existing drainage system downstream shall be evaluated to ascertain adequate capacity for flows from the existing and future developments during a 10, 25, and 100 year frequency storms. All storm drain facilities required shall be designed for at least a 10-year storm frequency, with duration of two (2) hours, including the required storm water detention reservoir. Developer may be required to undertake improvements or contribute to the cost of improvements of the downstream system to provide adequate drainage capacity and facilities. The cost of all required on and off-site improvements shall be borne solely by the developer.
58. The on-site drainage system shall be designed to detain on-site all flows in excess of the existing flows during a ten year frequency storm. The detention basin shall be equipped with oil and grease traps and be designed to receive water only during peak flows. Normal dry weather flows should remain in the storm drain pipes, bypassing the

detention basins. The flow rate entering City's storm drain system shall not exceed the pre-development condition.

59. Stormwater study: Methodology - Shall conform to City Design Standards. Discharge Rate shall be calculated at the point of connection to City's System. The provided discharge, after detention does not take into account the pipelines and connections downstream of the proposed storage basin at the upper development site, flowing down the steep slope and connecting to City's system on Chelsea Court.
60. Retaining walls shall not be constructed within public rights of way or easements. Any retaining wall supporting or adjoining a City Street or emergency access easement shall be designed for a useful service life of no less than 100 years. Retaining walls built outside but adjacent to any public street right of way or emergency access easement shall require a deed restriction on the property requiring immediate repairs and property maintenance of soil retaining structures at all times and authorizing the City to undertake any required corrective work at property owners full cost. Retaining walls and other grading improvements shall be designed with adequate consideration and provisions for easy future maintenance.
61. All improvements, including on- and off-site improvements, and all public service and utility facilities required to serve the project, shall be completed by the applicant, or shall be incorporated into an Improvement Agreement(s) before issuance of a Building Permit. The improvements shall be consistent with the plans approved by the City Engineer and the Conditions of Approval. All construction shall meet the latest California Building Code, California Fire Code, Daly City Municipal Code and the City Standard Specifications and Drawings. Securities for all required improvements, and applicable fees and charges, shall be submitted with the Building Permits, or submission of the development agreement for approval. The applicant shall obtain all required permits before commencing work. All required improvements shall be constructed at no cost to the City except where specifically agreed to by the City under the provisions of a written agreement. Grading and improvement plan review and approval by the City Engineer are required before any City Permit is issued. The improvement plans shall include details for on-site and off-site improvements for vehicular and pedestrian access, parking, traffic signs and markings, utility service connections, modifications and extension of the City's sewer, water, storm drain, safety lighting, landscaping, and other public service facilities. All utility services shall be underground. Said improvements shall conform to Daly City and affected Agency's standards. Plans shall be accompanied by all required calculations and studies including geotechnical and impact studies to justify design. Submit photo-mylar reproducible (24" x 36"), electronic files (to City AutoCAD Standards) and blueprints as required for City's inspection and filing before permits are issued for construction of improvements. All required improvements shall be constructed at no cost to the City. All improvements shall be completed and functioning and as-built record plans of all improvements submitted in a form acceptable to the City before any occupancy permit is issued or public service improvements are accepted by the City for maintenance.

62. The sanitary sewer system downstream of the development shall be evaluated to ascertain adequate capacity to accept flows from the existing and future developments to the satisfaction of the City Engineer and Department of Water and Wastewater Resources. Developer may be required to undertake capacity improvements of the downstream system to provide required capacities. The cost of all required on and off-site improvements shall be borne by the developer.
63. The applicant shall underground all utilities the presently traverse the site. This undergrounding shall be coordinated with utilities and shall be identified on all site improvement drawings.
64. The applicant shall provide easements for existing water and sewer lines presently located on-site, which serve adjacent properties.

C. DEPARTMENT OF WATER AND WASTEWATER RESOURCES

65. The applicant shall provide the estimated water demand in MGD.
66. The applicant shall provide modeled analysis of the existing Daly City water system to determine a) if the system can provide the domestic needs of the project, b) if the system can provide the fire flow required by the Fire Code. The City's consultant, Brown and Caldwell has current information on the Daly City water system. All costs associated with the development of the model shall be borne by the applicant.
67. All costs associated with any necessary water and sewer infrastructure improvements required to serve the development shall be borne by the applicant.
68. The water system shall be fed from two locations and shall be looped. No dead end mains shall be permitted.
69. Water system shall be designed in accordance with the water model performed by the City's consultant Brown and Caldwell. The water model and consultant's report shall be submitted to DWWP for review prior to approval of the tentative map. Reconfiguration of the water system portrayed on the submitted plan may have impact on the PUE provided. Submit B&C Water Study.
70. Sanitary sewer system shall be designed in accordance with the sanitary sewer model performed by the City's consultant RMC Water & Environment. The sewer model and consultant's report shall be submitted to DWWP for review prior to approval of the tentative map. Reconfiguration of the sewer system portrayed on the submitted plan may have impact on the PUE provided. Submit RMC Sanitary sewer system study.
71. Applicant shall bear the costs of all sewer improvements required as a result of the City's review of the sewer study performed as a requirement for this project.
72. Applicant shall bear all costs associated with all improvements required as a result of the Brown and Caldwell water model/ study.

73. On- and off-site sewer improvements shall be designed in accordance with the Daly City review of the sewer system study performed by the applicant. All costs associated with any improvements shall be borne by the applicant.

D. FIRE DEPARTMENT

74. Fire hydrant – additional fire hydrant(s) required.
75. Fire sprinklers required throughout development per code and ordinance.
76. Fire flow shall meet Fire Code requirements.
77. Fire apparatus access shall meet code requirements along with NCFA specs (width, weight restrictions, slope, turning radius, etc.).
78. Key box for gate access required.
79. Fire flow requirements based on largest structure.
80. Fire alarm as required – install fire alarm in accordance with NFPA 72.

E. BUILDING DIVISION

81. Assumed property lines between buildings shall be provided to check for fire rating and limiting wall or roof projections.
82. The project is subject to California Green Building Code and Daly City Green Building Program.
83. To establish feasibility of proposed tentative map, all site retaining wall, grading, compaction, backfill slope, and associated drainage needs to be designed in accordance with governing code provisions. Provide site specific engineering analysis and design of earth retaining structures assigned to seismic design category “E” complying with CBC 1832.5.1 and ASCE7-05 sections 15.6.1 and 11.8.3. Determine adequacy of retaining wall resisting and added lateral pressure due to earthquake shaking where applicable.
84. Where gravity wall such as keystone, Allan Block and etc. are used, provide engineering design to established required geogrid length behind retaining wall and distance to property line. Terrace retaining wall shall include required terrace distance based on manufacturer’s design and specification.
85. Project requires that an alternate setback and clearance request shall be submitted for review and approval together with a geotechnical investigation report to demonstrate that the intent of California Building Code section 1808.7 (Foundation Walls, Retaining Walls and Embedded Post and Poles) would be satisfied. (Refer to California Building Code Section 1803.5.10 and 1808.7.5.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward to the City Council the following recommended actions:

1. Adopt the Findings as outlined herein;
2. Approve Environmental Review CEQA-12-13-8313, adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project; and
3. Approve Planned Development PD 12-13-8312 (PD-68), Subdivision SUB-12-13-8315, Use Permit UP 12-14-8694, and Design Review DR-12-13-8319, and Conditions of Approval identified herein.

Respectfully submitted,



Steve Flint
Contract Senior Planner



Tatum Mothershead
Interim Director of Economic and
Community Development

Attachments

- Attachment A – Location Map
- Attachment B – Tentative Map, Project Plans
- Attachment C – E-mail from Calvin Wong
- Attachment D – Draft PD-68 Zoning Regulations
- Attachment E – Inclusionary Housing Plan
- Attachment F – Photo Photosimulations
- Attachment G – Mitigated Negative Declaration, Initial Study, and MMRP

LOCATION MAP



Use Permit UPR-12-13-8329

Design Review DR-12-13-8330

6800 Mission Street

Mixed-Use Commercial and Affordable Housing Project



CONSULTANTS

DEVELOPER:
MID-PENINSULA, THE FARM, INC.
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Foster City, CA 94404
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CONTACT: POLO MUNOZ
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CIVIL ENGINEERS:
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CONTACT: BROCK ROBY
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ARCHITECT:
DAHLIN GROUP ARCHITECTURE/PLANNING
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CONTACT: CHRIS APOSTOLOPOULOS
925.251.7200 925.251.7201 FAX
capestolopoulos@dahlingroup.com

LANDSCAPE ARCHITECT:
THOMAS BAAK & ASSOCIATES, LLP
1620 North Main Street, Suite 4
Walnut Creek, CA 94596
925.933.2583 925.933.0242 FAX
CONTACT: RICK STOVER
rstover@tbaak.com

DEVELOPMENT APPLICATION SUBMITTAL FOR:

6800 MISSION STREET

by

MID-PENINSULA, THE FARM, INC.

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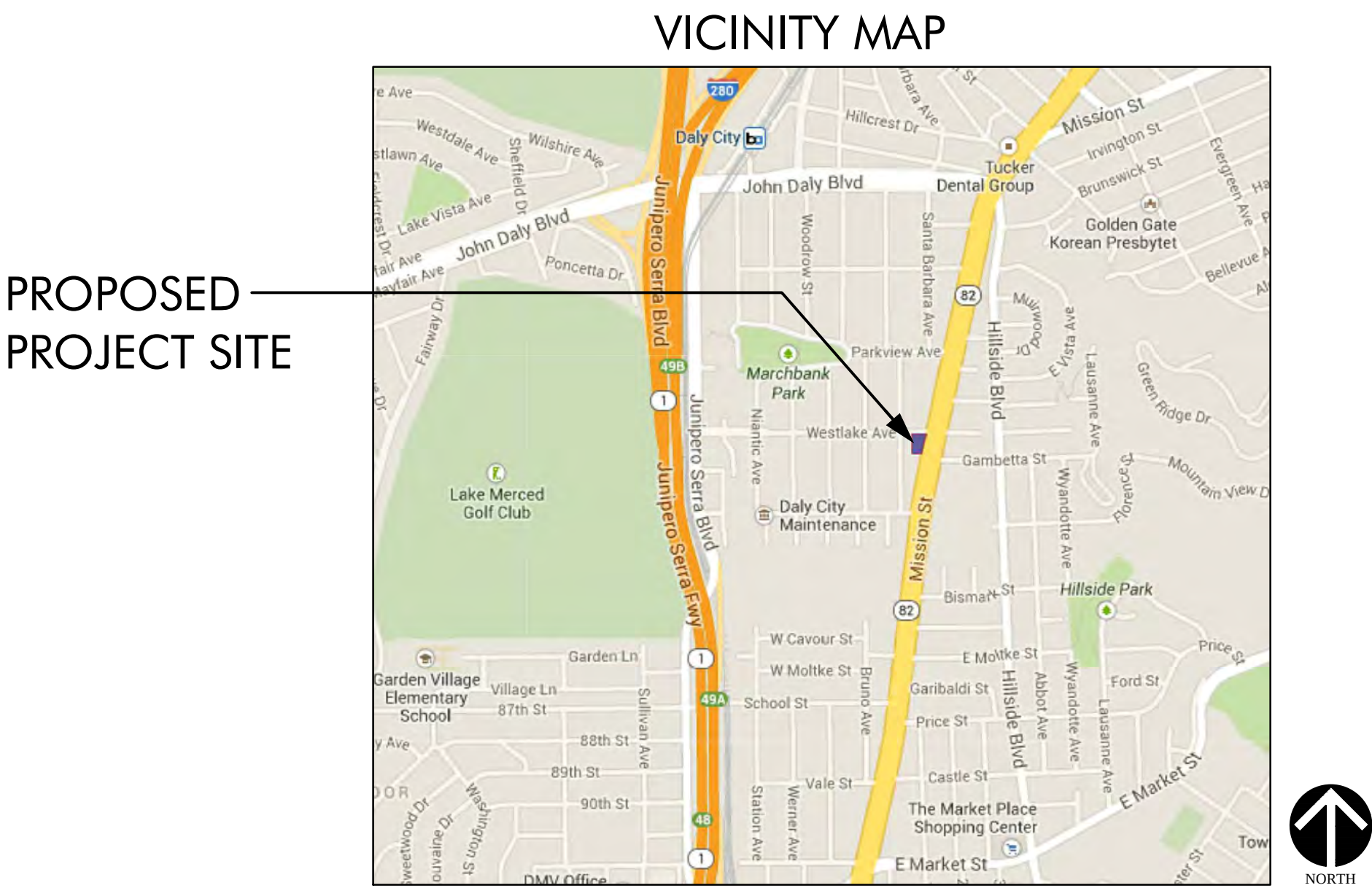
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C3.0	UTILITY PLAN
C4.0	STORM WATER CONTROL PLAN

LANDSCAPE SHEETS

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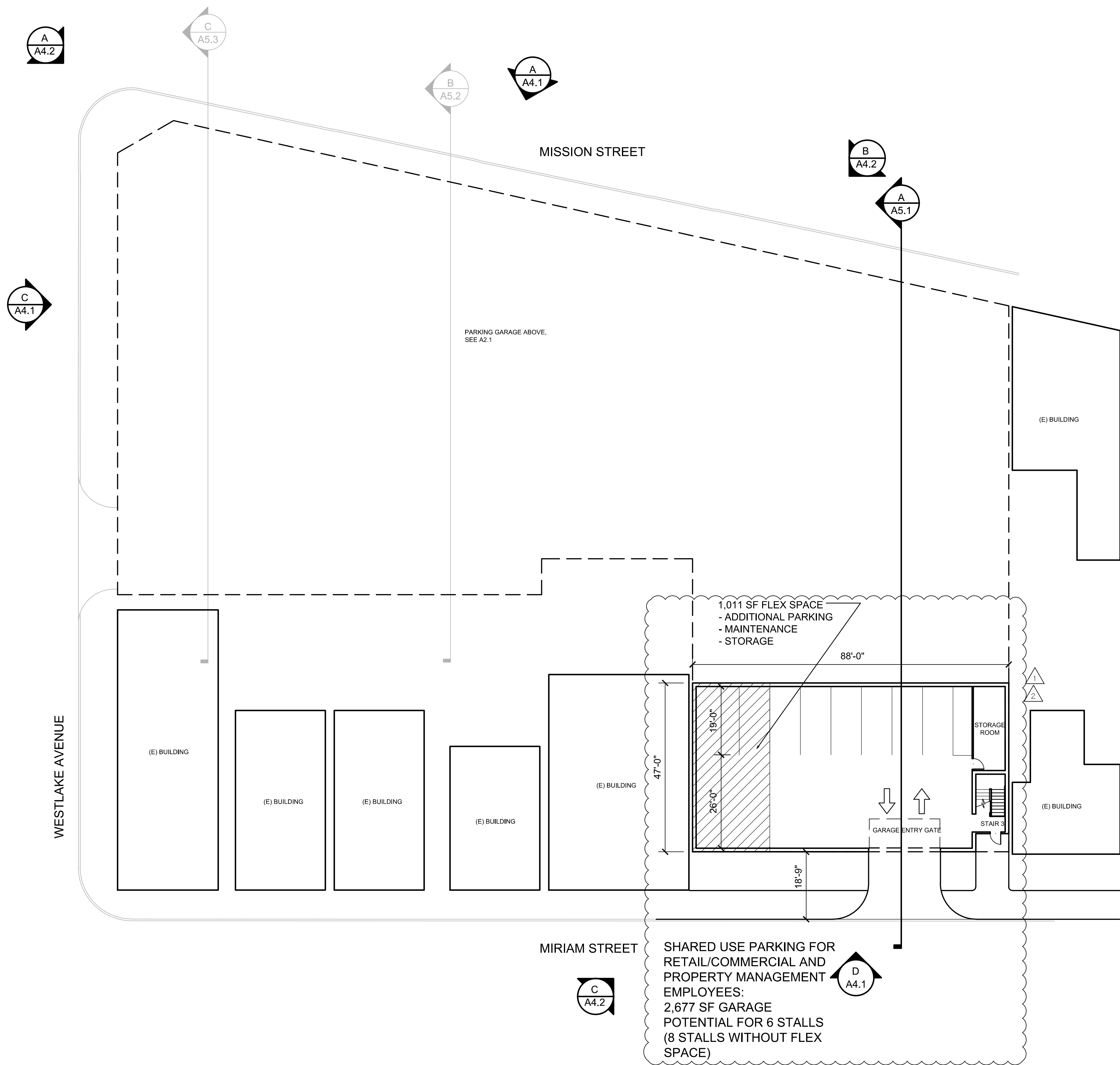
6800 MISSION STREET
DALY CITY, CA
MID-PENINSULA THE FARM, INC.

1ST ENTITLEMENT SUBMITTAL	12-13-13
2ND ENTITLEMENT SUBMITTAL	2-10-14
3RD ENTITLEMENT SUBMITTAL	3-26-14



JOB NO. 552.011
DATE 3-26-14

T1.1



6800 MISSION STREET
3/26/2014

GROSS FLOOR AREAS

TYPE	FLOOR 0	FLOOR 1	FLOOR 2	FLOOR 3	FLOOR 4	FLOOR 5	PROJECT TOTAL
Residential Living			5795	14272	14272	10915	45254
Residential Decks			511	1158	1158	933	3760
Common Spaces			4243				4243
Corridors			2740	2454	2454	2390	10038
Vertical Circulation	161	561	482	455	455	519	2633
Utility		567	1060	393	393	365	2778
Storage	241	356	280	294	294	525	1990
Retail			2230				2230
Parking Garage	2677	31059					33736
Flex Space	1011						1011
Podium Open Space			10510				10510
TOTAL FLOOR	4090	32543	27851	19026	19026	15647	118183

SITE DATA

ACREAGE: 0.77
DENSITY: 65 DU/ACRE

TYPICAL UNIT SQUARE FOOTAGE (INCLUDING DECKS):
UNIT 1 (1-BD): 20 @ 578 SF EACH
UNIT 2 (2-BD): 13 @ 868 SF EACH
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AVAILABLE STREET RETAIL PARKING: 12 STALLS (7 ADDED)

RESIDENTIAL UNITS: 52
20 x 1-BD (FLATS)
16 x 2-BD (16 FLATS)
16 x 3-BD (16 FLATS)

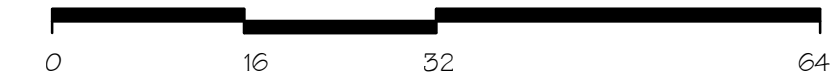
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TOTAL SPACES REQUIRED= 25% DEDUCTION 71 SPACES

GARAGE PARKING PROVIDED: 85 SPACES
WESTLAKE GARAGE: 79 SPACES
MIRIAM GARAGE: 6 SPACES

6800 MISSION STREET
DALY CITY, CA
MID-PENINSULA THE FARM, INC.

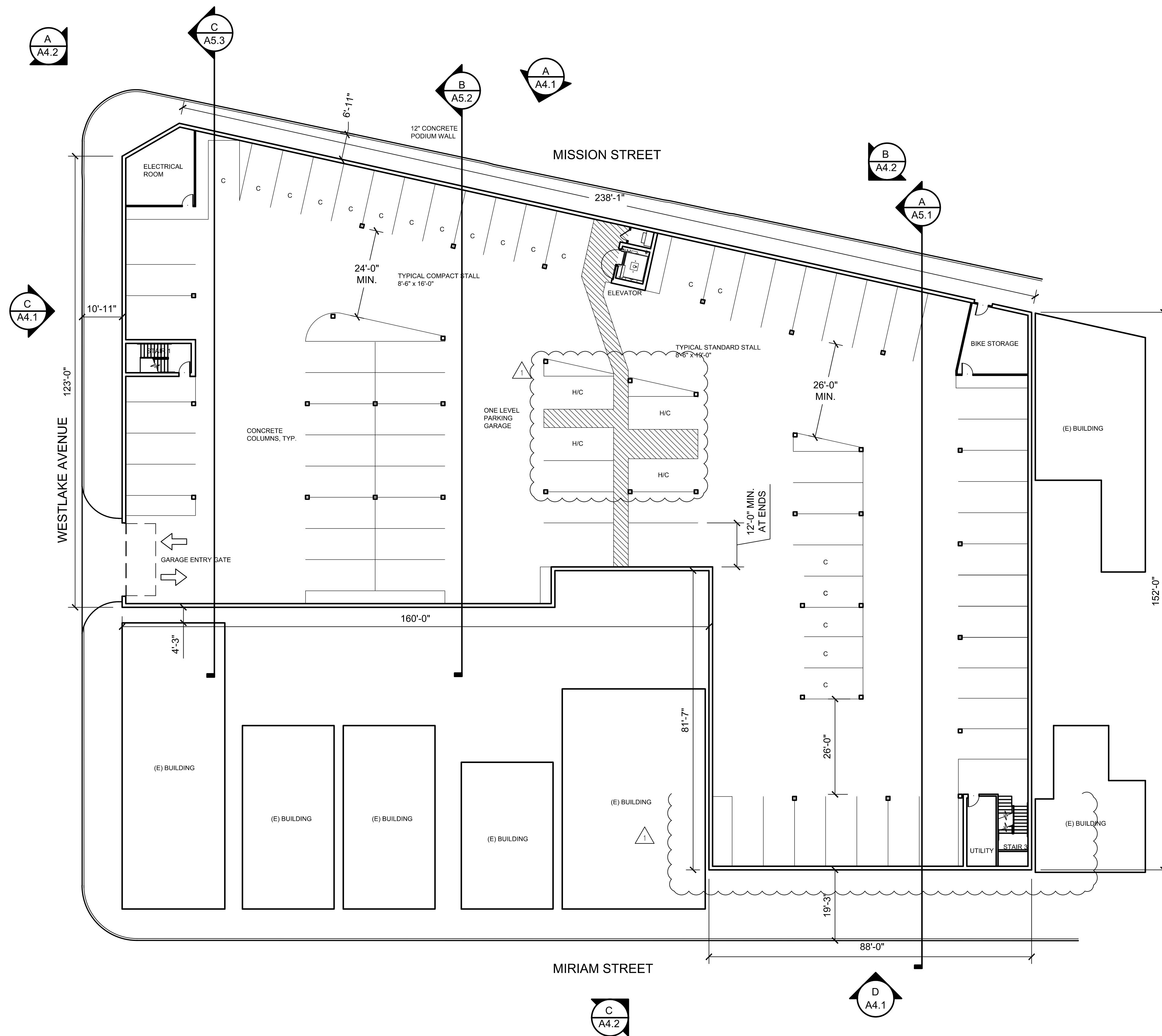
FLOOR 0 - MIRIAM STREET LEVEL

1ST ENTITLEMENT SUBMITTAL	12-13-13
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3RD ENTITLEMENT SUBMITTAL	3-26-14



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A2.0



6800 MISSION STREET
3/26/2014
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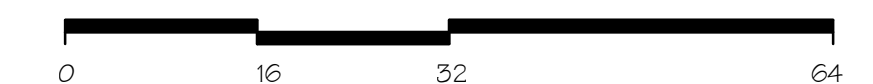
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WESTLAKE GARAGE: 79 SPACES
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6800 MISSION STREET
DALY CITY, CA
MID-PENINSULA THE FARM, INC.

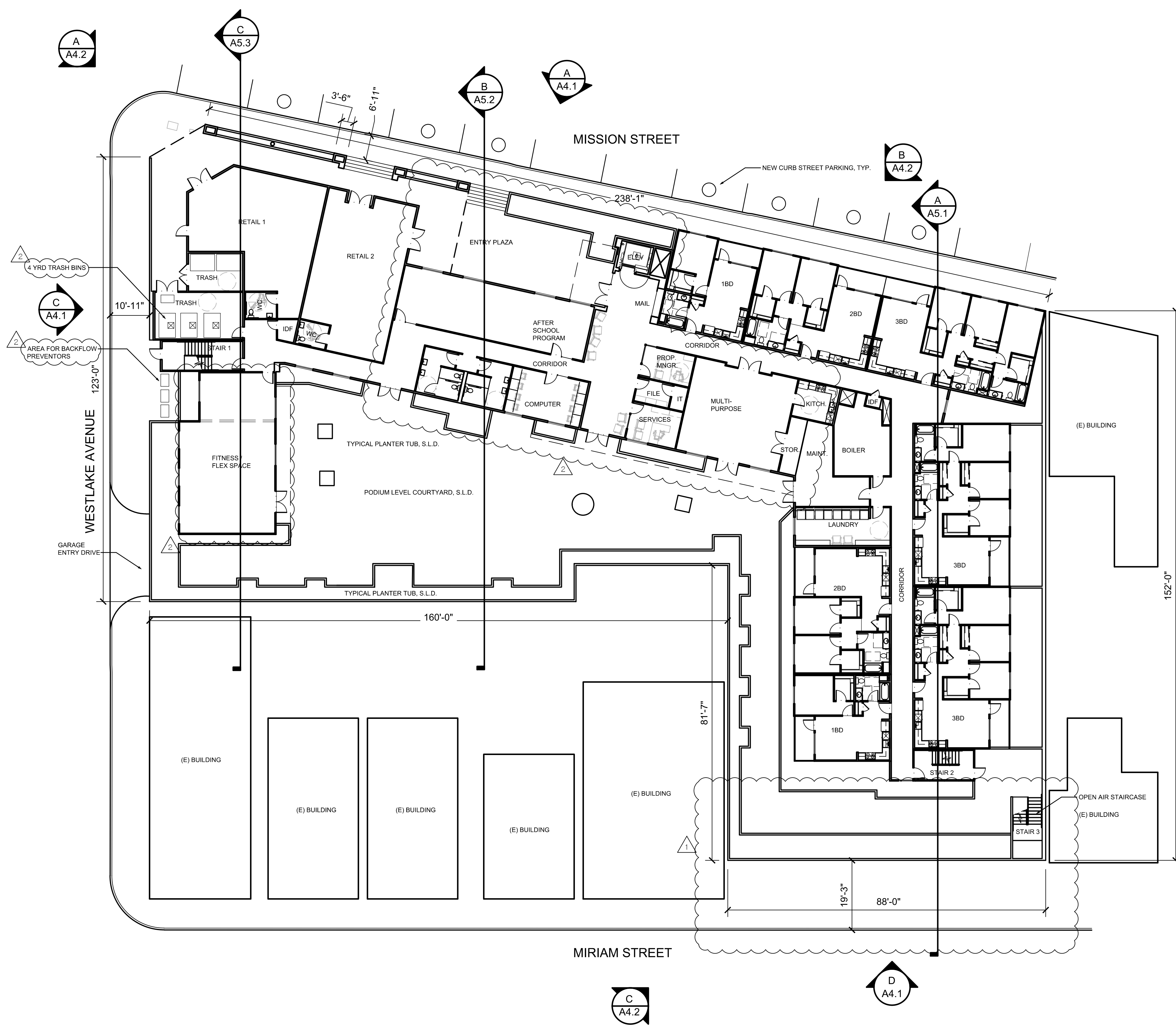
FLOOR 1 - GARAGE LEVEL

1ST ENTITLEMENT SUBMITTAL 12-13-13
2ND ENTITLEMENT SUBMITTAL 2-10-14
3RD ENTITLEMENT SUBMITTAL 3-26-14



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DATE 3-26-14

A2.1



6800 MISSION STREET
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6800 MISSION STREET
DALY CITY, CA
MID-PENINSULA THE FARM, INC.

FLOOR 2 - PODIUM LEVEL

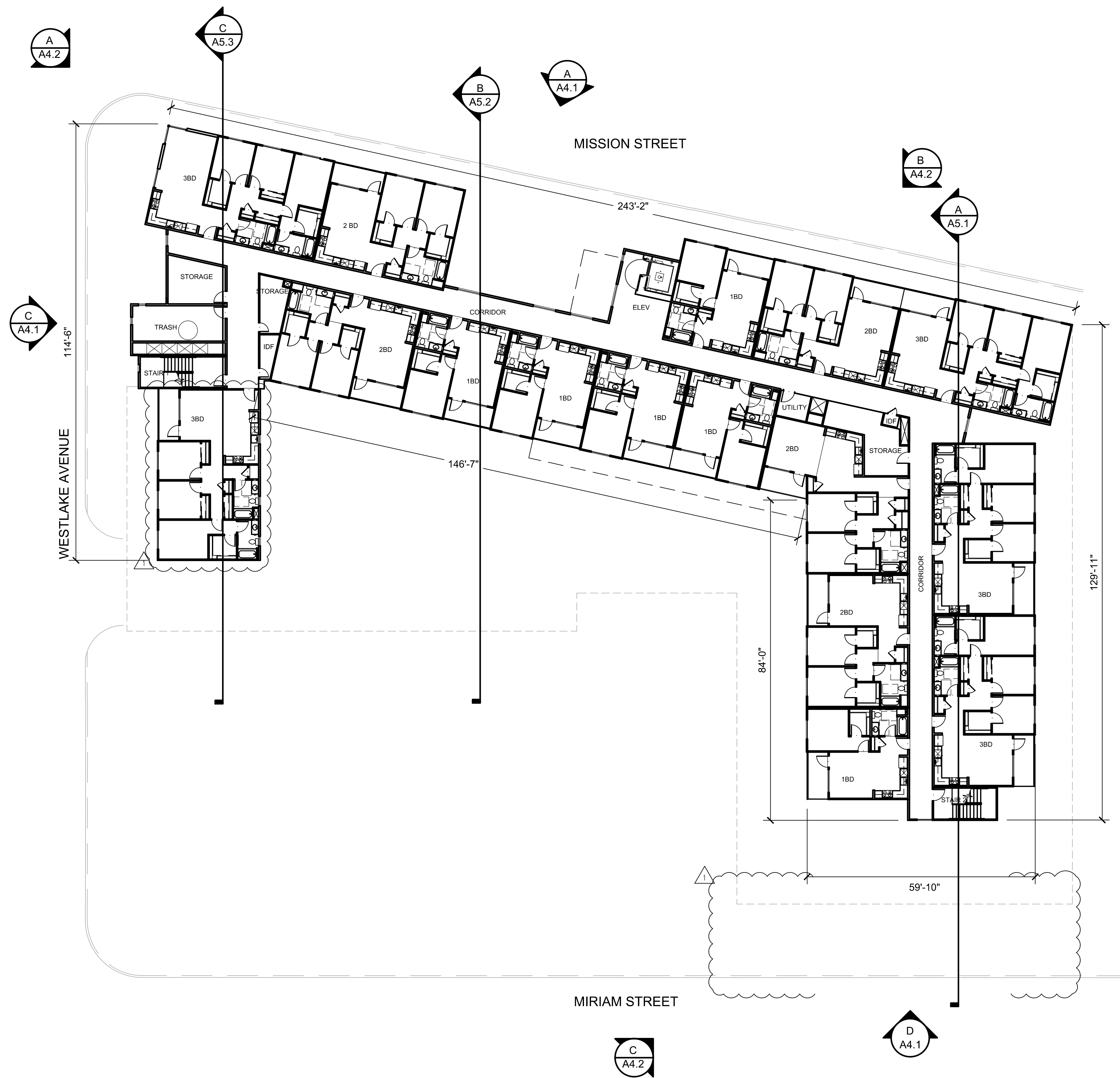
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- 3RD ENTITLEMENT SUBMITTAL3-26-14



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JOB NO. 552.011
DATE 3-26-14

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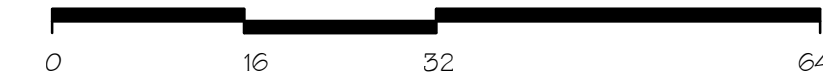
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3/26/2014							
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MIRIAM GARAGE: 6 SPACES	

6800 MISSION STREET
DALY CITY, CA
MID-PENINSULA THE FARM, INC.

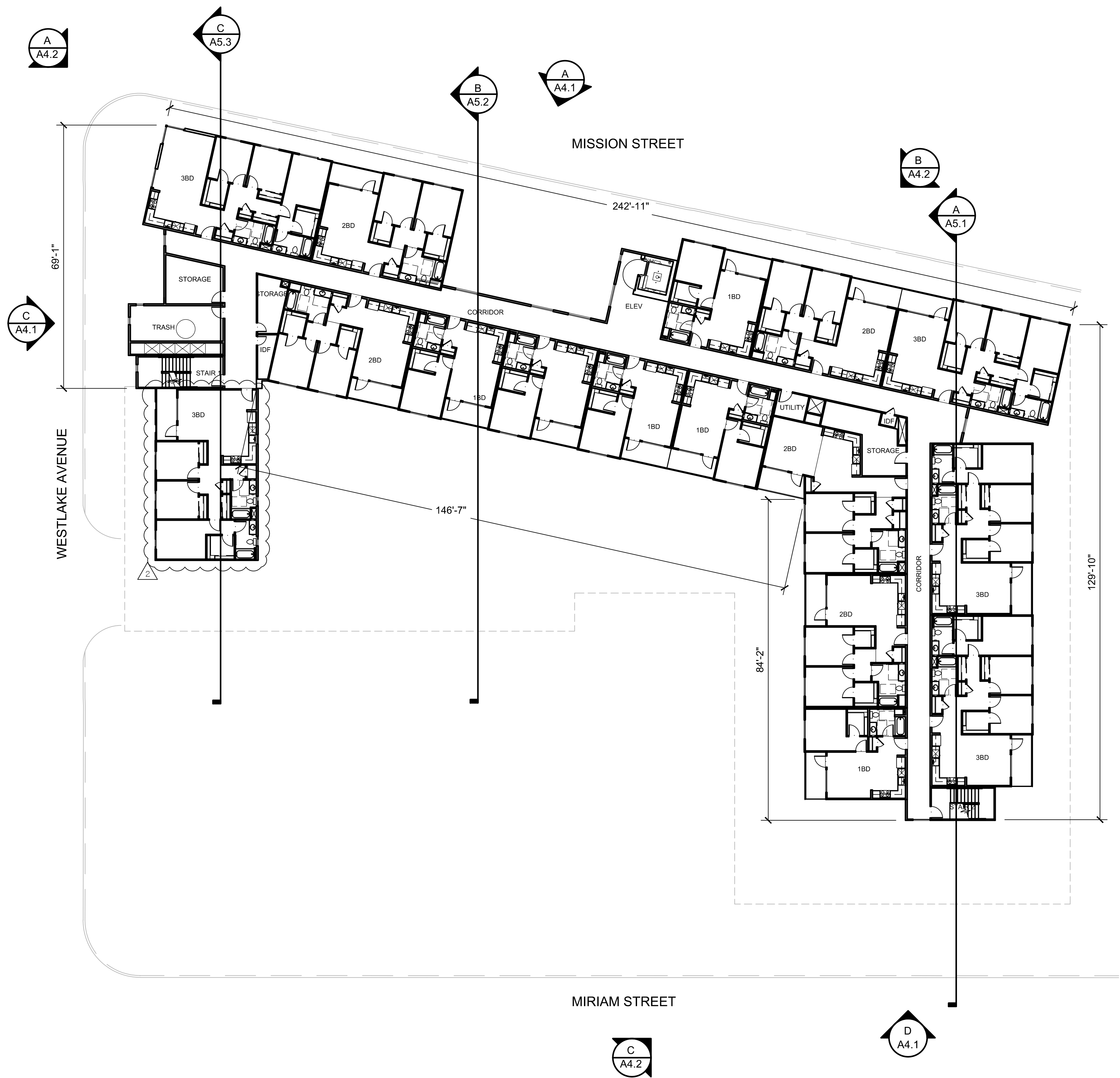
FLOOR 3 - RESIDENTIAL

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2ND ENTITLEMENT SUBMITTAL	2-10-14
3RD ENTITLEMENT SUBMITTAL	3-26-14



JOB NO. 552.011
DATE 3-26-14

A2.3



6800 MISSION STREET							
3/26/2014							
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6800 MISSION STREET
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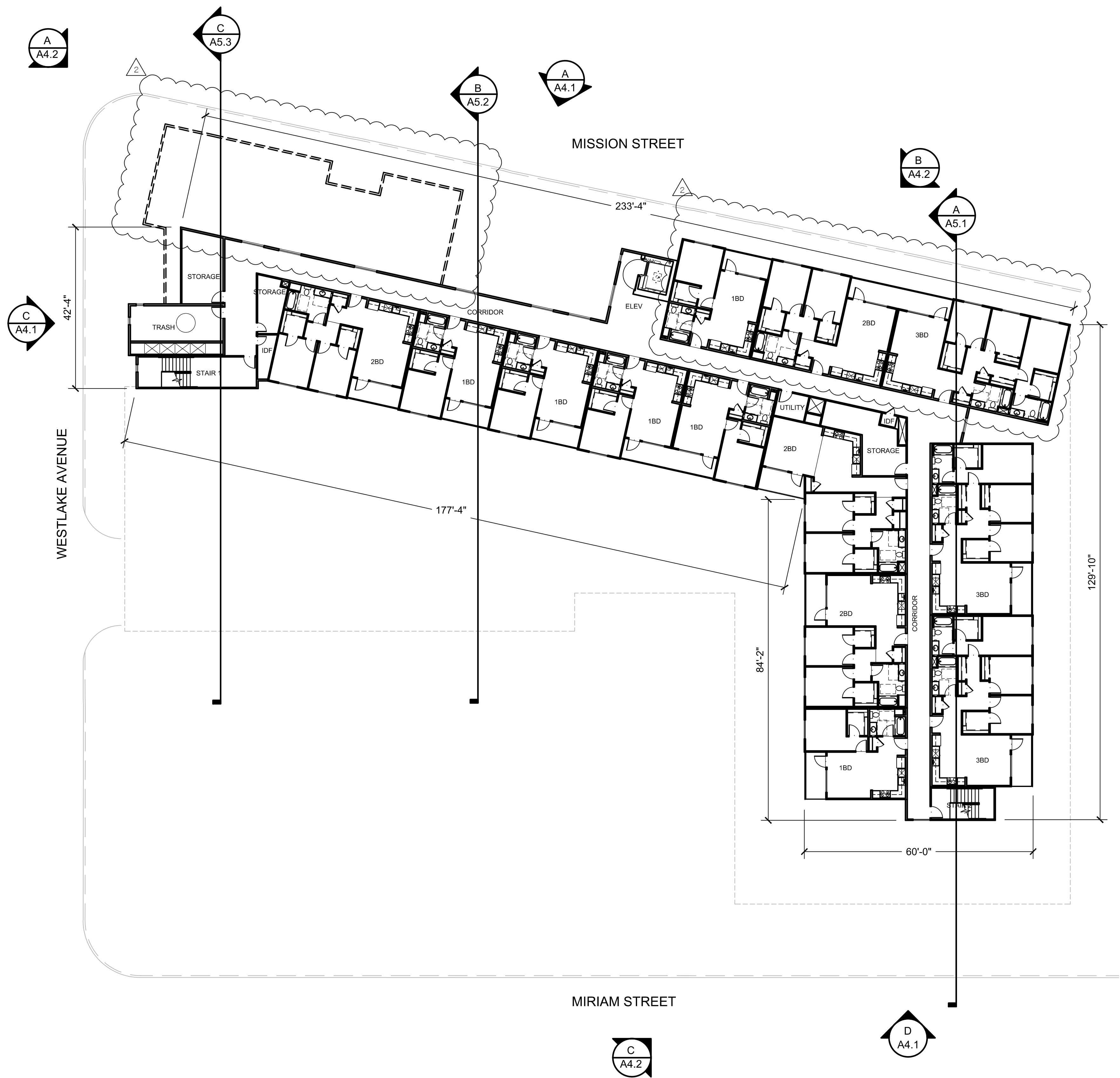
FLOOR 4 - RESIDENTIAL

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2ND ENTITLEMENT SUBMITTAL	2-10-14
3RD ENTITLEMENT SUBMITTAL	3-26-14



JOB NO. 552.011
DATE 3-26-14

A2.4



6800 MISSION STREET							
3/26/2014							
GROSS FLOOR AREAS							
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DALY CITY, CA
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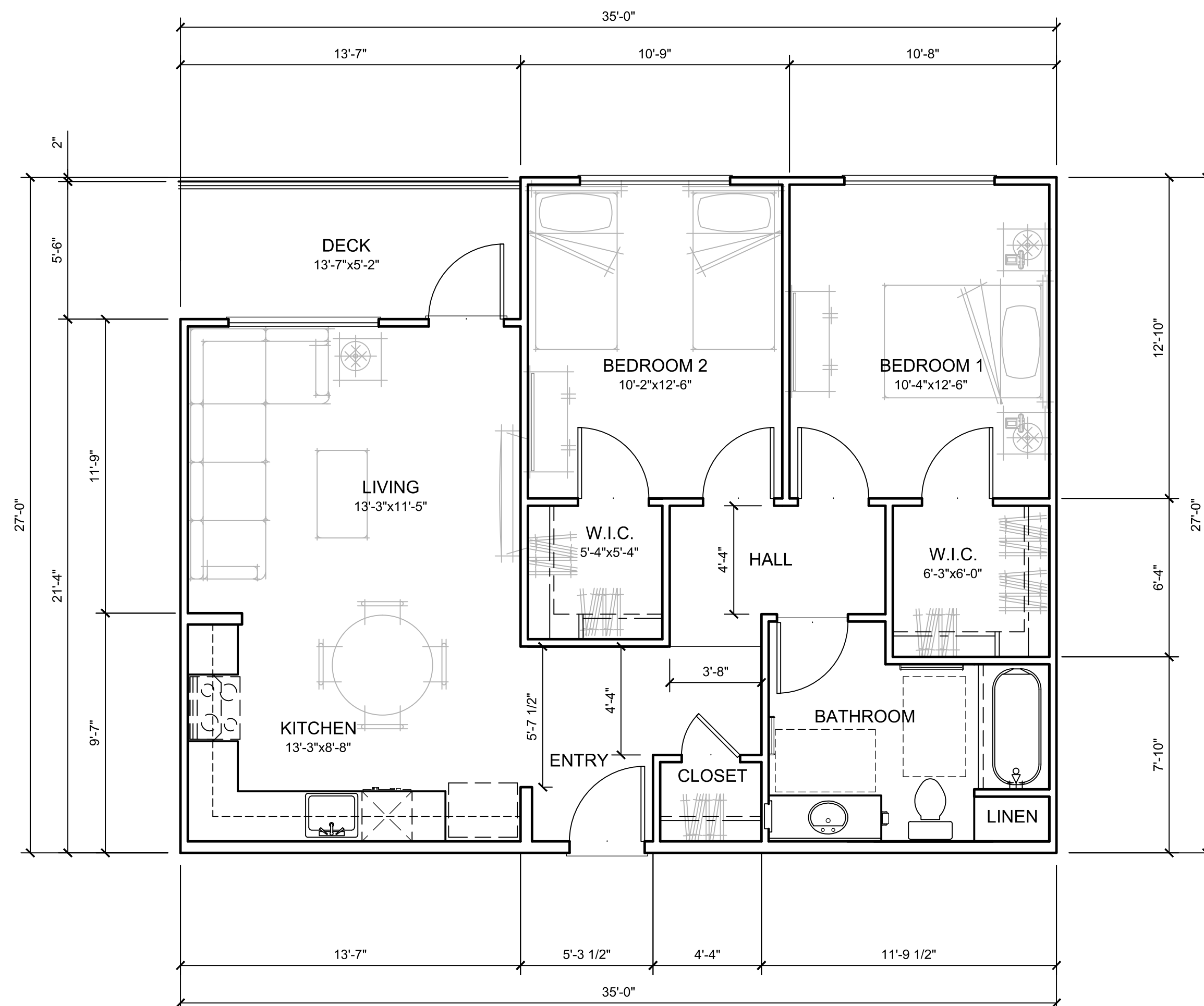
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3RD ENTITLEMENT SUBMITTAL	3-26-14

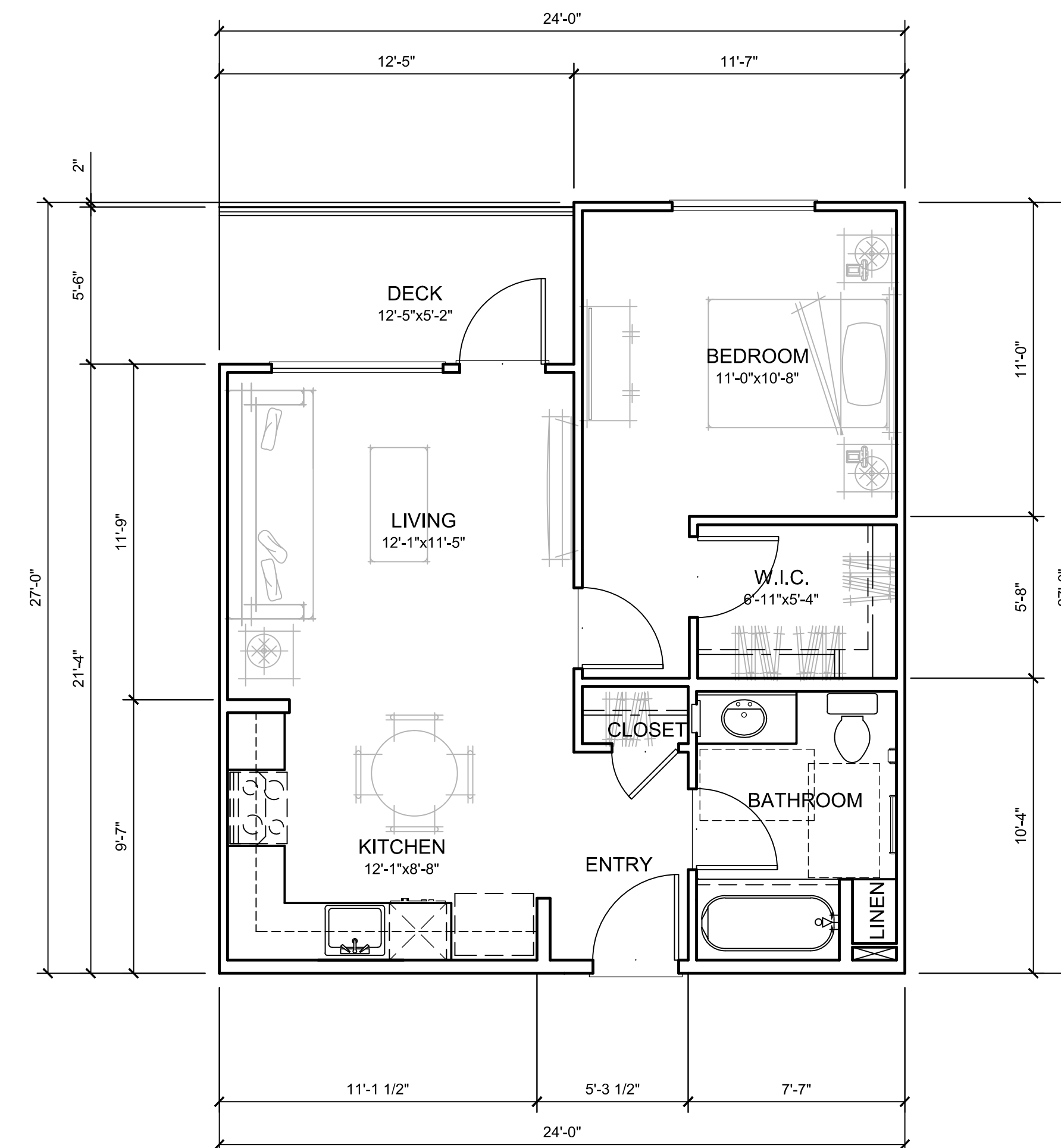


JOB NO. 552.011
DATE 3-26-14

A2.5



UNIT 2: 2-BEDROOM PLAN, TYPICAL
LIVING: 868 SF
DECK: 75 SF

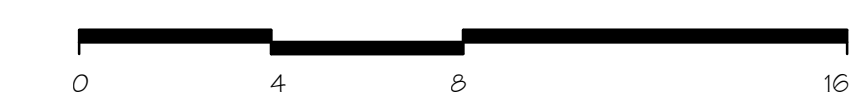


UNIT 1: 1-BEDROOM PLAN, TYPICAL
LIVING: 578 SF
DECK: 68 SF

6800 MISSION STREET
DALY CITY, CA
MID-PENINSULA THE FARM, INC.

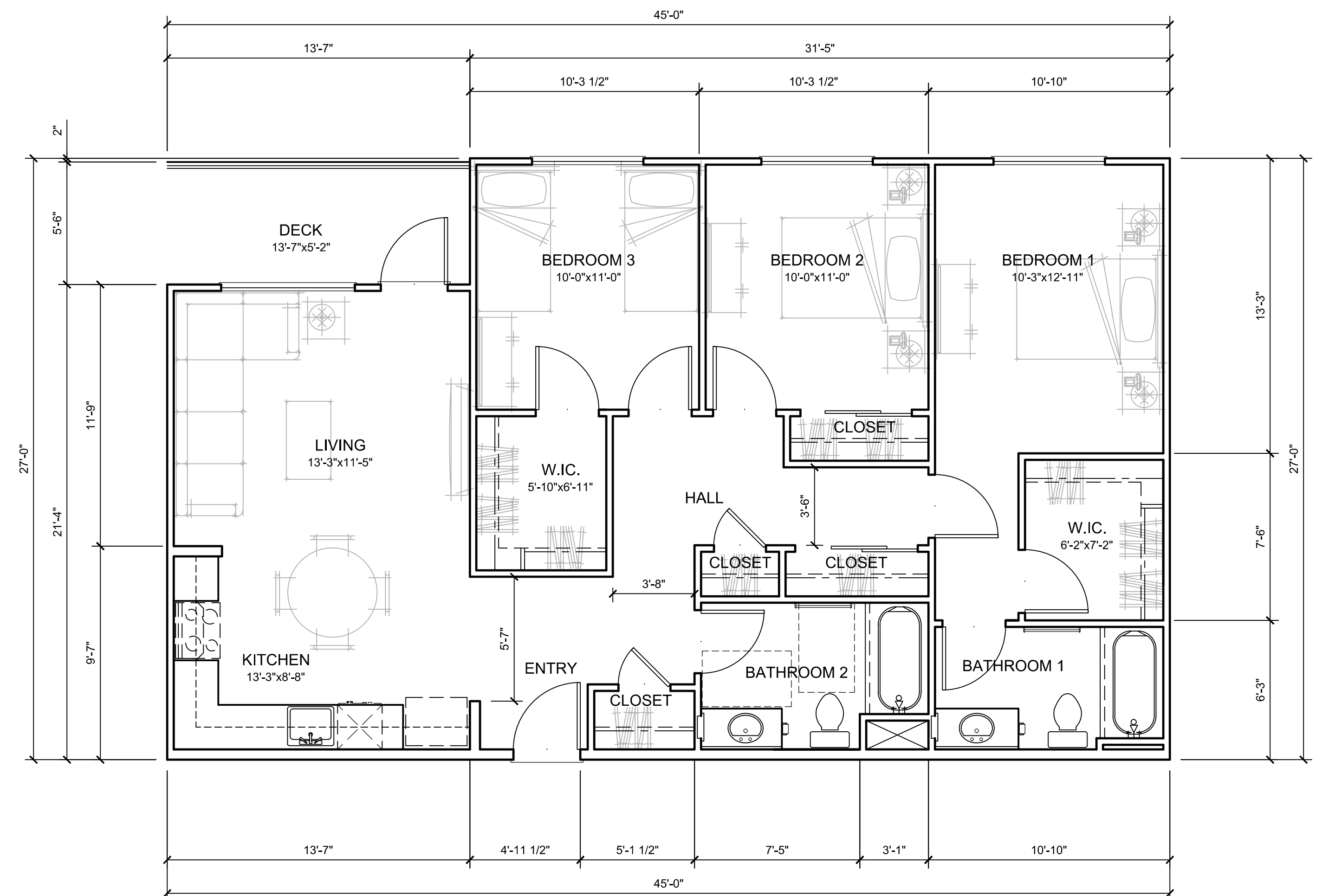
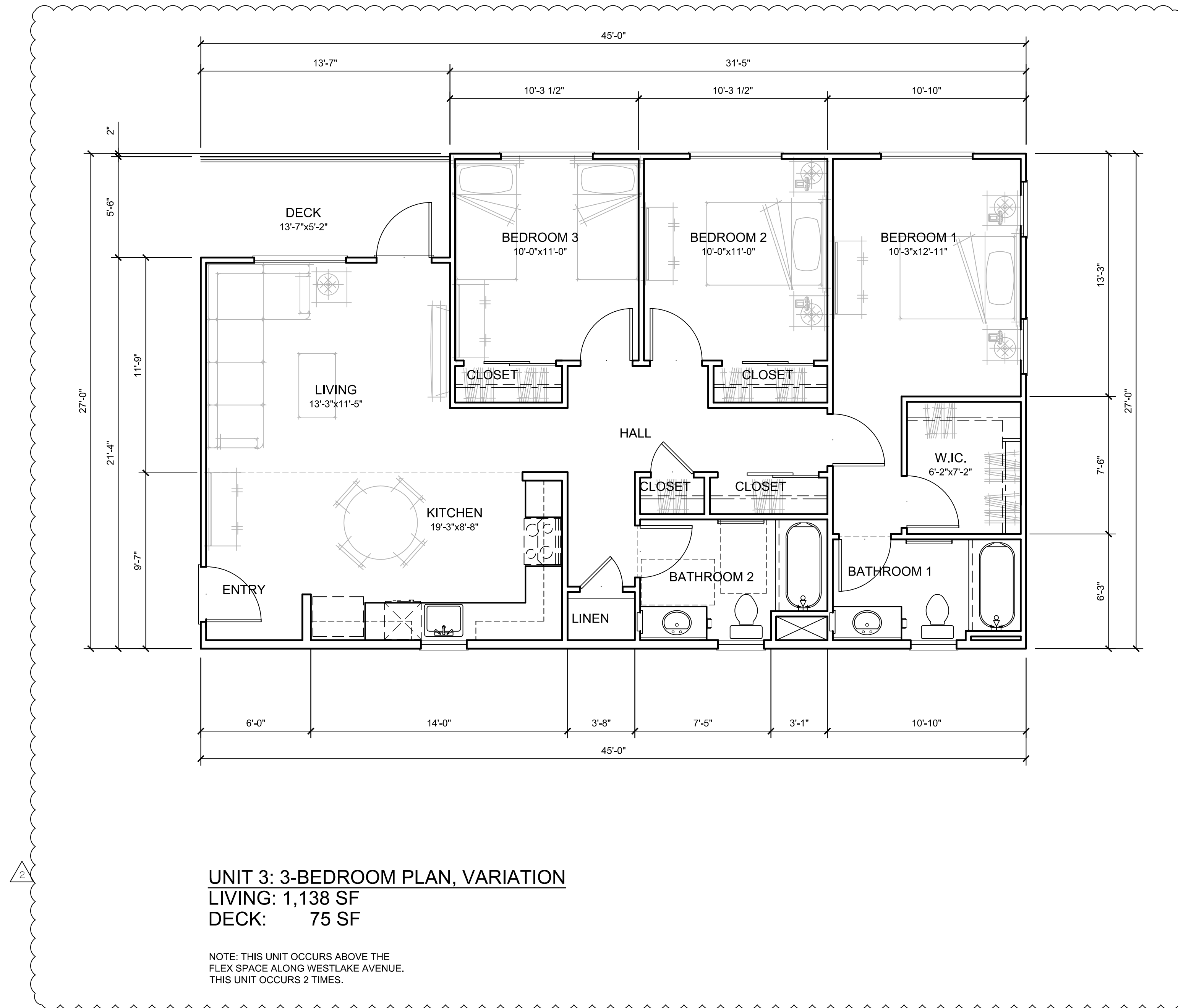
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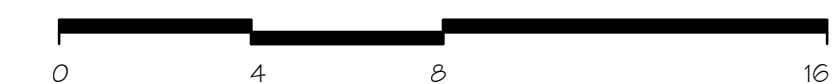
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6800 MISSION STREET
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 MID-PENINSULA THE FARM, INC.

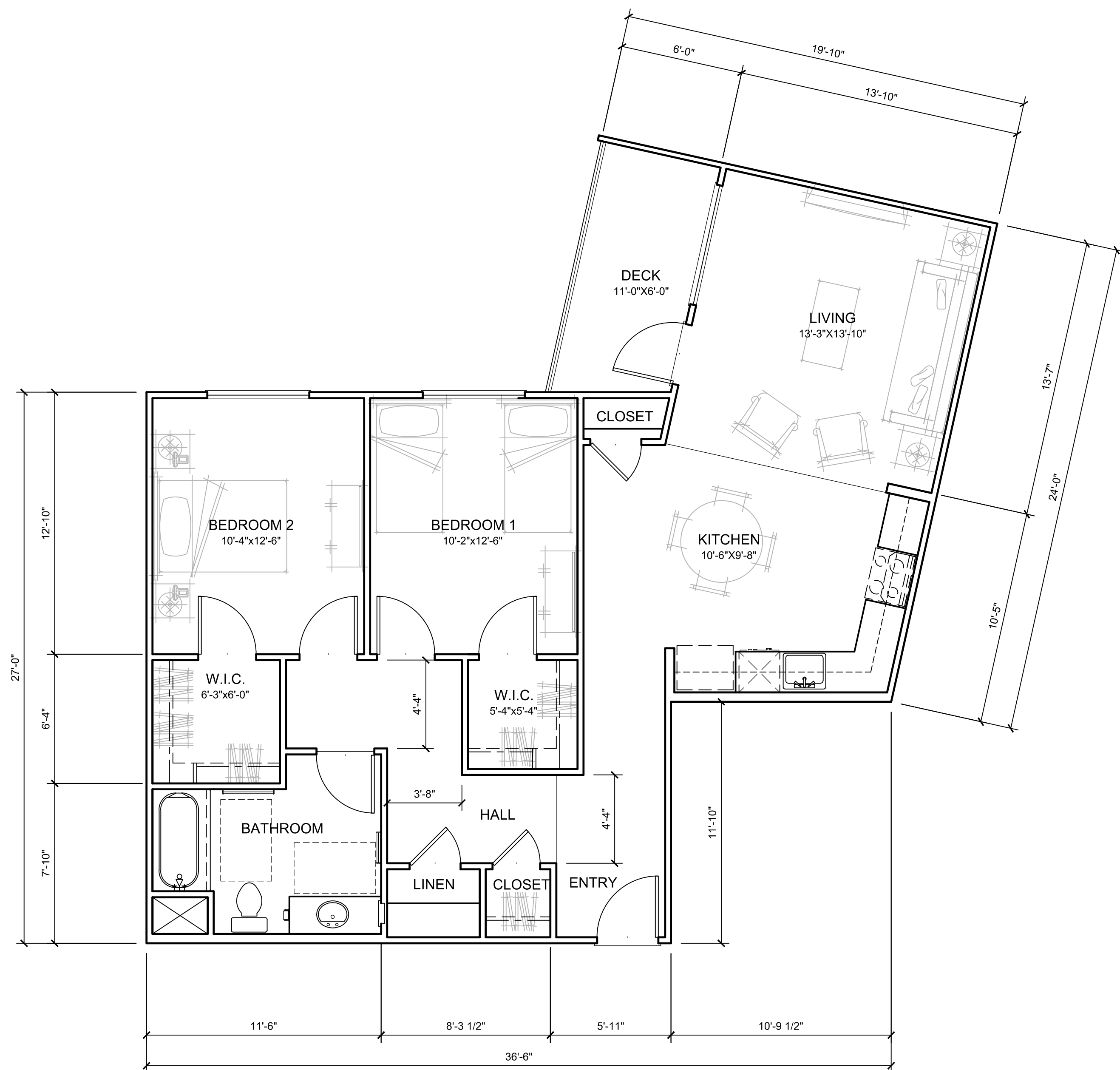
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JOB NO. 552.011
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A3.2



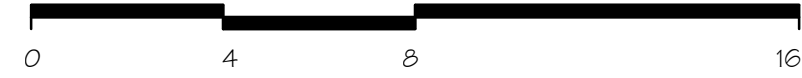
UNIT 4: 2-BEDROOM PLAN
LIVING: 1,022 SF
DECK: 72 SF

NOTE: THIS UNIT OCCURS AT INSIDE
CORNER OF BUILDING FACING COURTYARD.
THIS UNIT OCCURS 3 TIMES

6800 MISSION STREET
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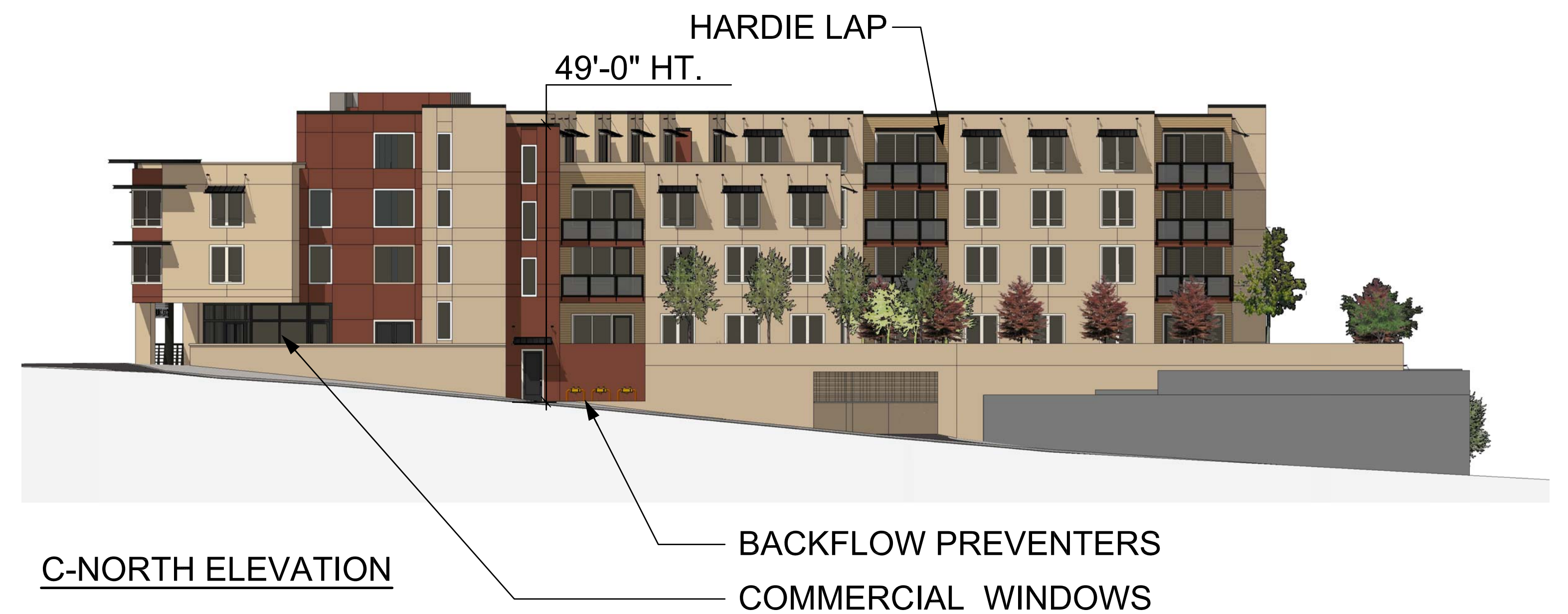
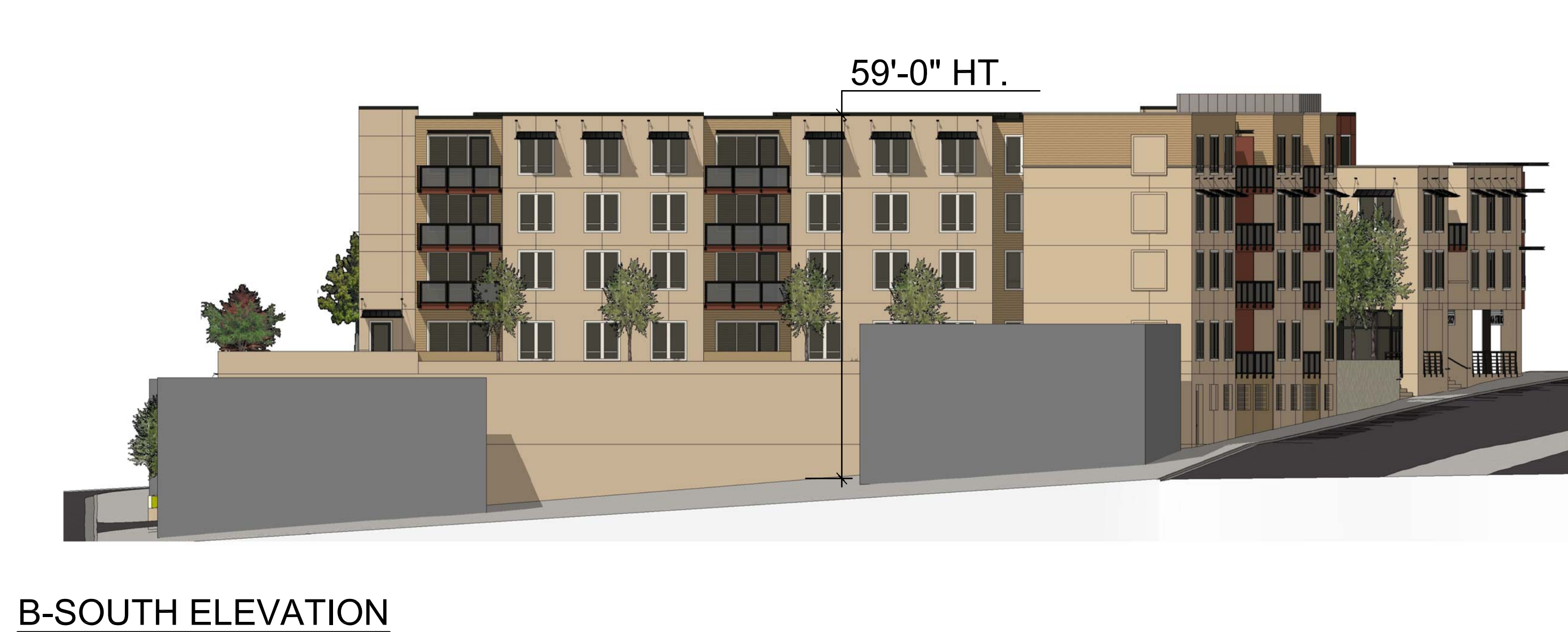
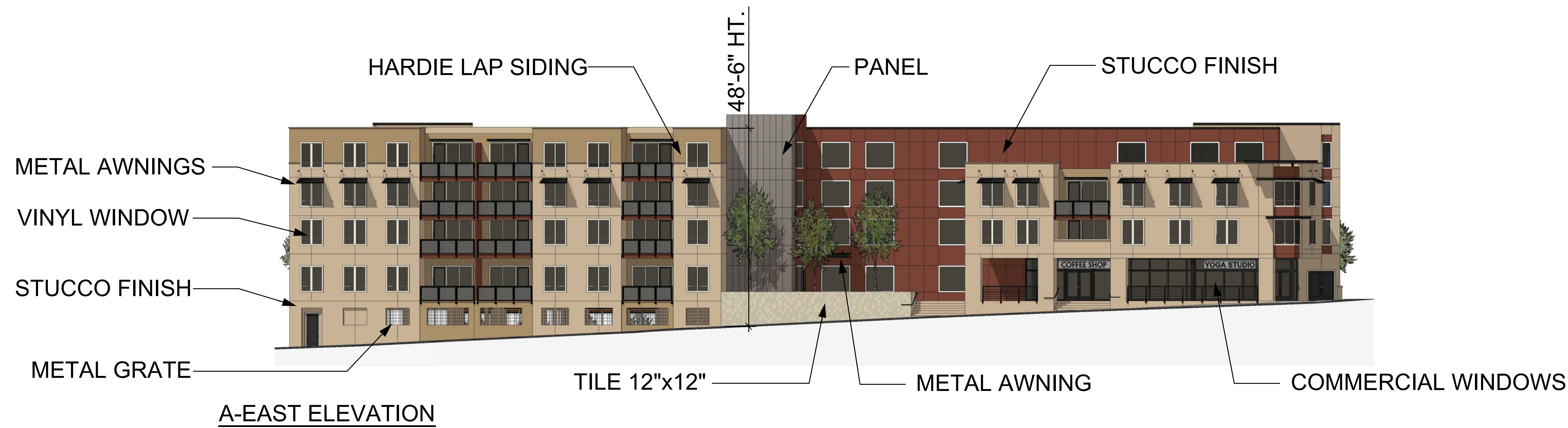
UNIT PLAN 4

1ST ENTITLEMENT SUBMITTAL	12-13-13
2ND ENTITLEMENT SUBMITTAL	2-10-14
3RD ENTITLEMENT SUBMITTAL	3-26-14



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A3.3



NOTE:
ELEVATION HEIGHTS
ARE FROM FINISH GRADE
AT MIDPOINT OF
ELEVATION TO TOP OF
ROOF PARAPET

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ELEVATIONS

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A: MISSION & WESTLAKE CORNER



B: VIEW FROM MISSION



C: VIEW FROM MIRIAM

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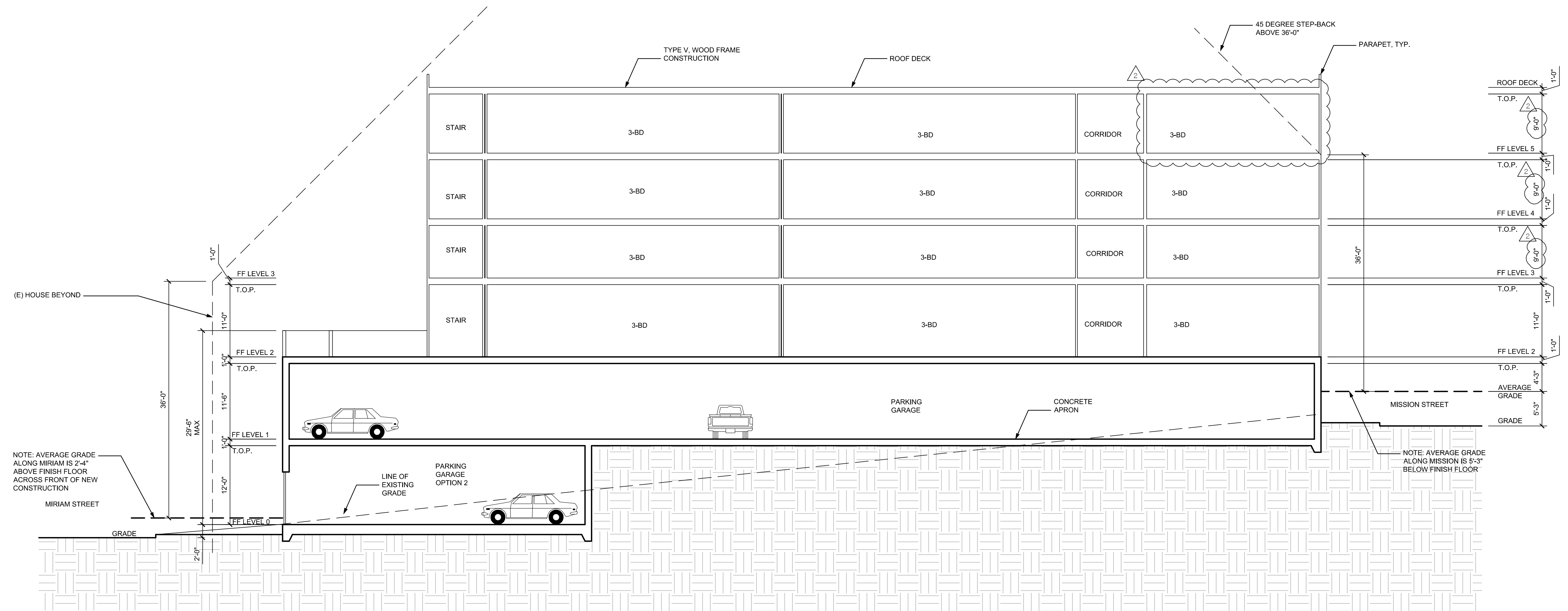
PERSPECTIVES

	1ST ENTITLEMENT SUBMITTAL	12-13-13
△	2ND ENTITLEMENT SUBMITTAL	2-10-14
△	3RD ENTITLEMENT SUBMITTAL	3-26-14



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A4.2



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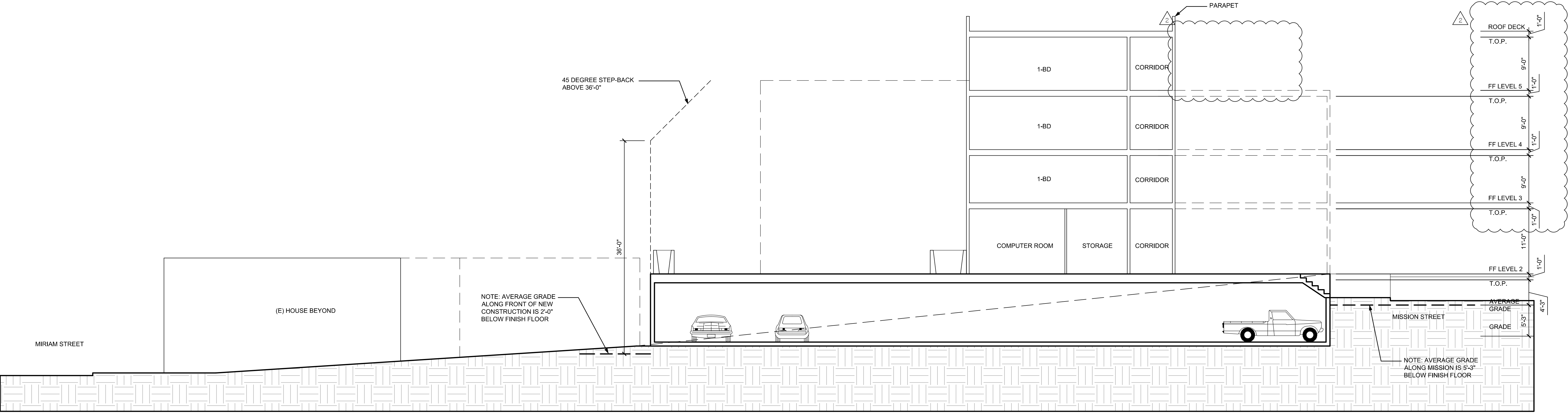
SECTION A-A

	1ST ENTITLEMENT SUBMITTAL	12-13-13
①	2ND ENTITLEMENT SUBMITTAL	2-10-14
②	3RD ENTITLEMENT SUBMITTAL	3-26-14



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A5.1



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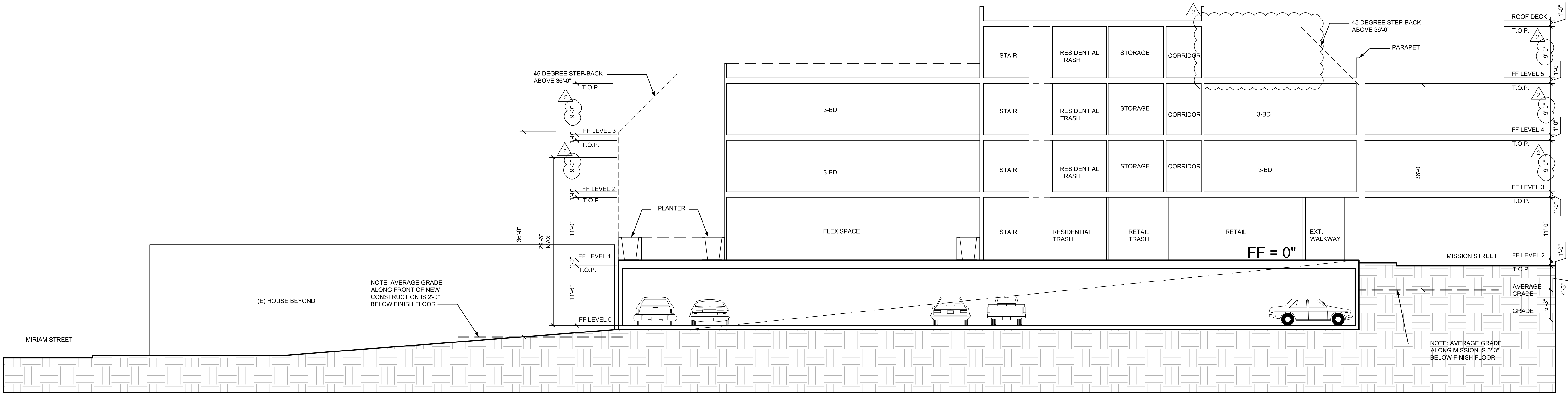
SECTION B-B

1ST ENTITLEMENT SUBMITTAL	12-13-13
2ND ENTITLEMENT SUBMITTAL	2-10-14
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A5.2



6800 MISSION STREET
DALY CITY, CA
MID-PENINSULA THE FARM, INC.

SECTION C-C

1ST ENTITLEMENT SUBMITTAL	12-13-13
2ND ENTITLEMENT SUBMITTAL	2-10-14
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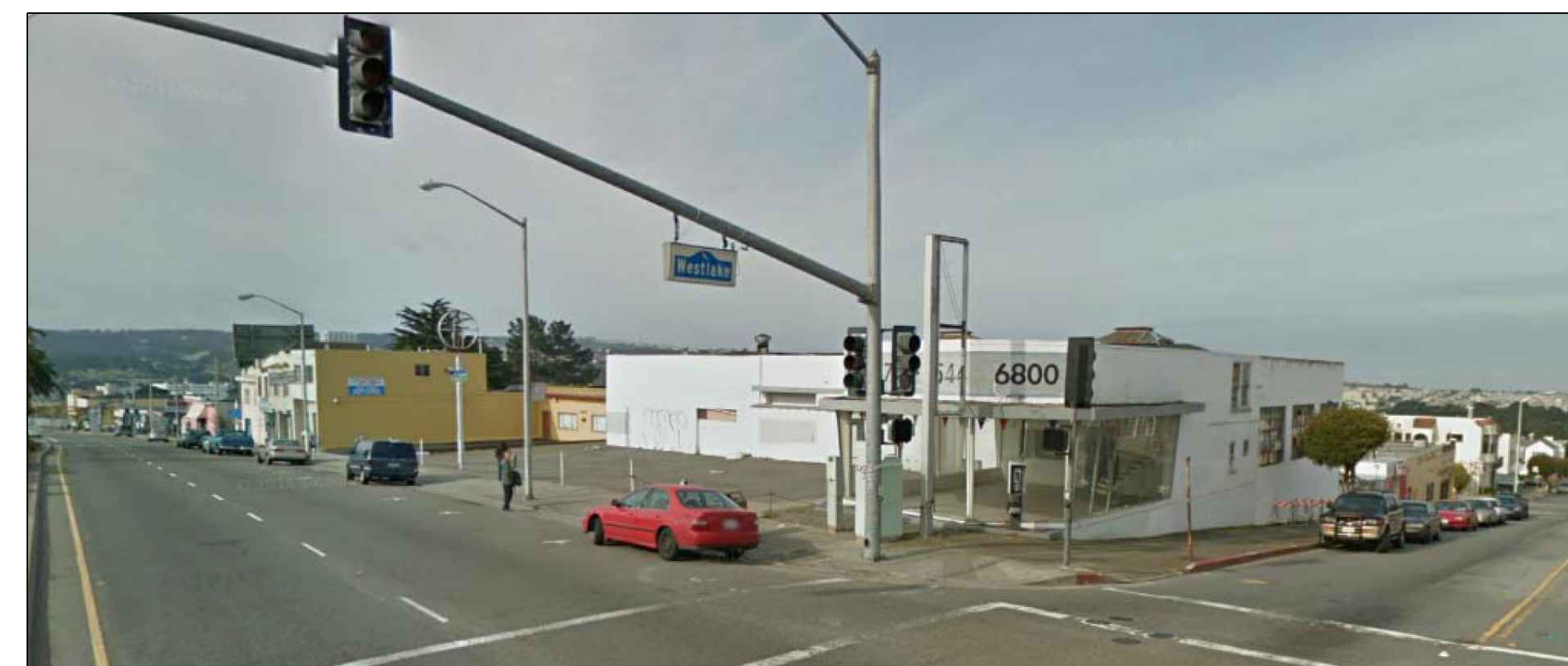
A5.3



A: MISSION TO WEST



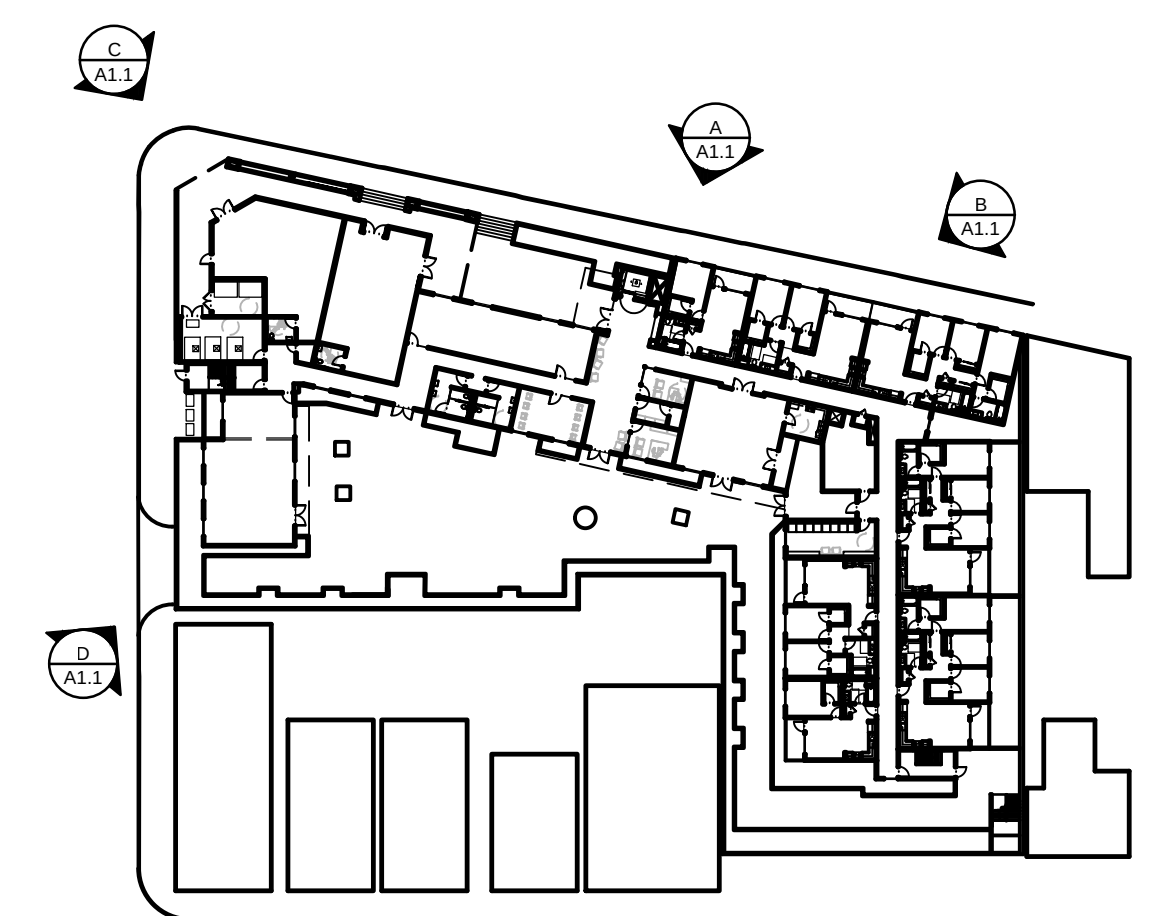
B: MISSION TO NORTH



C: MISSION & WESTLAKE TO SOUTHWEST



D: WESTLAKE TO SOUTHEAST



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MID-PENINSULA THE FARM, INC.

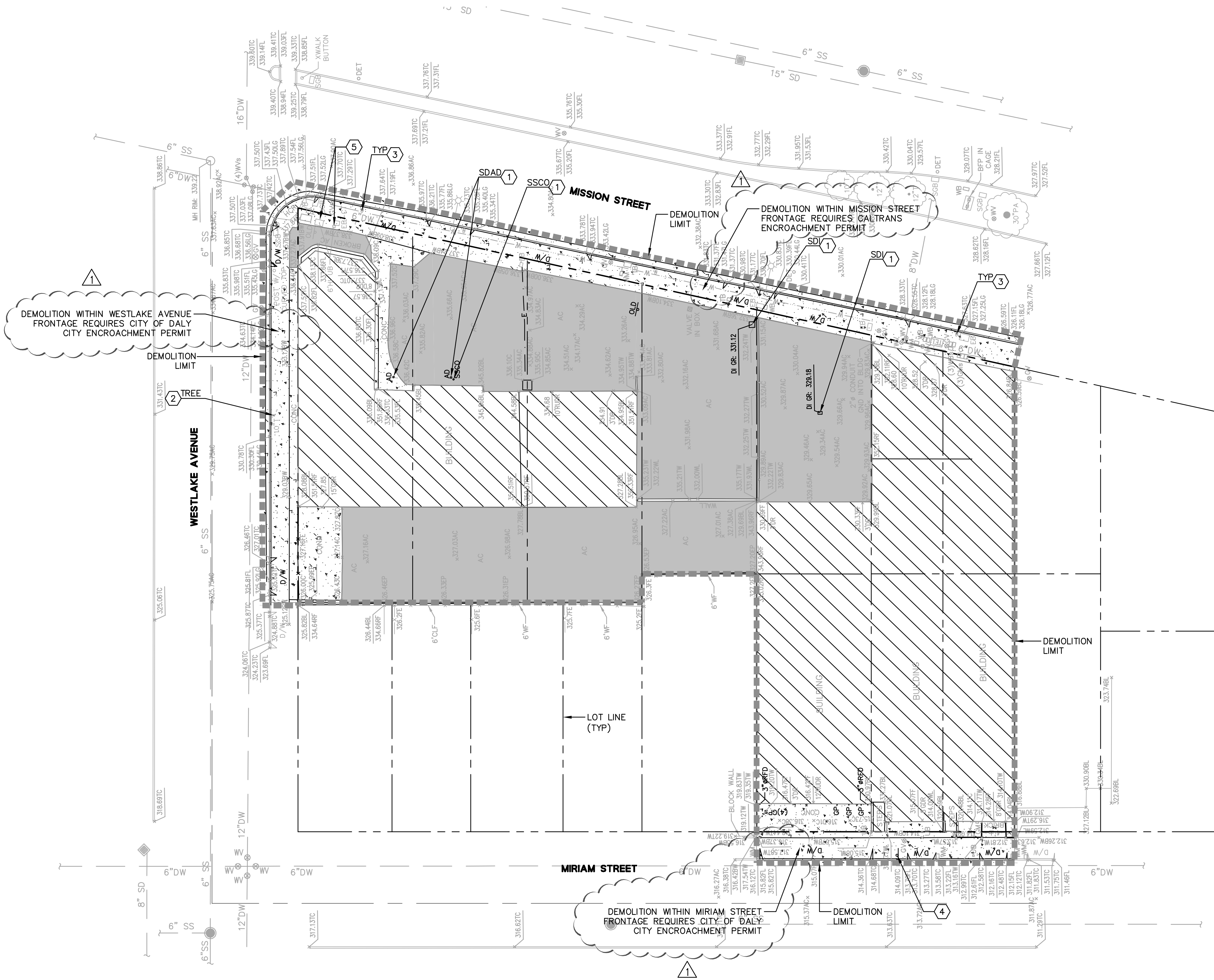
EXISTING SITE PHOTOS

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A7.1



DEMOLITION SYMBOLS:

- 1 EXISTING TO BE REMOVED
- 2 EXISTING TO REMAIN
- 3 PARKING METER TO BE PROTECTED IN PLACE
- 4 SIGN TO BE RELOCATED
- 5 TRAFFIC CONTROLLER AND METER PEDESTAL TO REMAIN

DEMOLITION LEGEND:

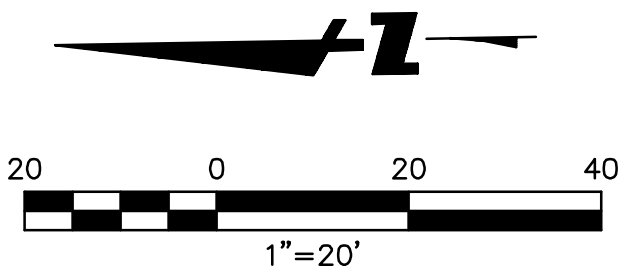
- DEMOLITION LIMIT (SEE NOTE 1)
- BUILDING DEMOLITION
- REMOVE CONCRETE SECTION, CURB, AND GUTTER
- REMOVE ASPHALT SECTION

DEMOLITION NOTES:

- WITHIN LIMIT OF DEMOLITION, REMOVE ALL ASPHALT, AGGREGATE BASE, CONCRETE, TOPSOIL, ORGANIC MATERIAL, BUILDING STRUCTURES, AND MISCELLANEOUS ITEMS UNLESS OTHERWISE NOTED ON PLANS. EXCAVATE TO PAD ELEVATION OR SUBGRADE DEPTH FOR NEW ASPHALT OR CONCRETE SECTIONS.
- WORK WITHIN PUBLIC RIGHT-OF-WAY REQUIRES AN ENCROACHMENT PERMIT FROM THE CITY OF DALY CITY AND CALTRANS.
- PROTECT ALL EXISTING UNDERGROUND UTILITIES UNLESS OTHERWISE NOTED ON THE PLAN.

ABBREVIATIONS:

AC	ASPHALT CONCRETE
BL	BUILDING
BW	BACK OF WALK
CLF	CHAIN LINK FENCE
DR	DOOR
DW	DOMESTIC WATER
D/W	DRIVEWAY
EX	EXISTING
FE	FENCE
FL	FLOW LINE
GP	GUARD POST
LG	LIP OF GUTTER
RF	ROOF
SD	STORM DRAIN
SDAD	STORM DRAIN AREA DRAIN
SDI	STORM DRAIN INLET
SS	SANITARY SEWER
SSCO	SANITARY SEWER CLEANOUT
TC	TOP OF CURB
TW	TOP OF WALL
TYP	TYPICAL
WV	WATER VALVE



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BKF
ENGINEERS / SURVEYORS / PLANNERS
4670 WILLOW ROAD, SUITE 250
PLEASANTON, CA 94588-3323
TEL: (925) 396-7700
FAX: (925) 396-7799

1ST ENTITLEMENT SUBMITTAL	12-13-13
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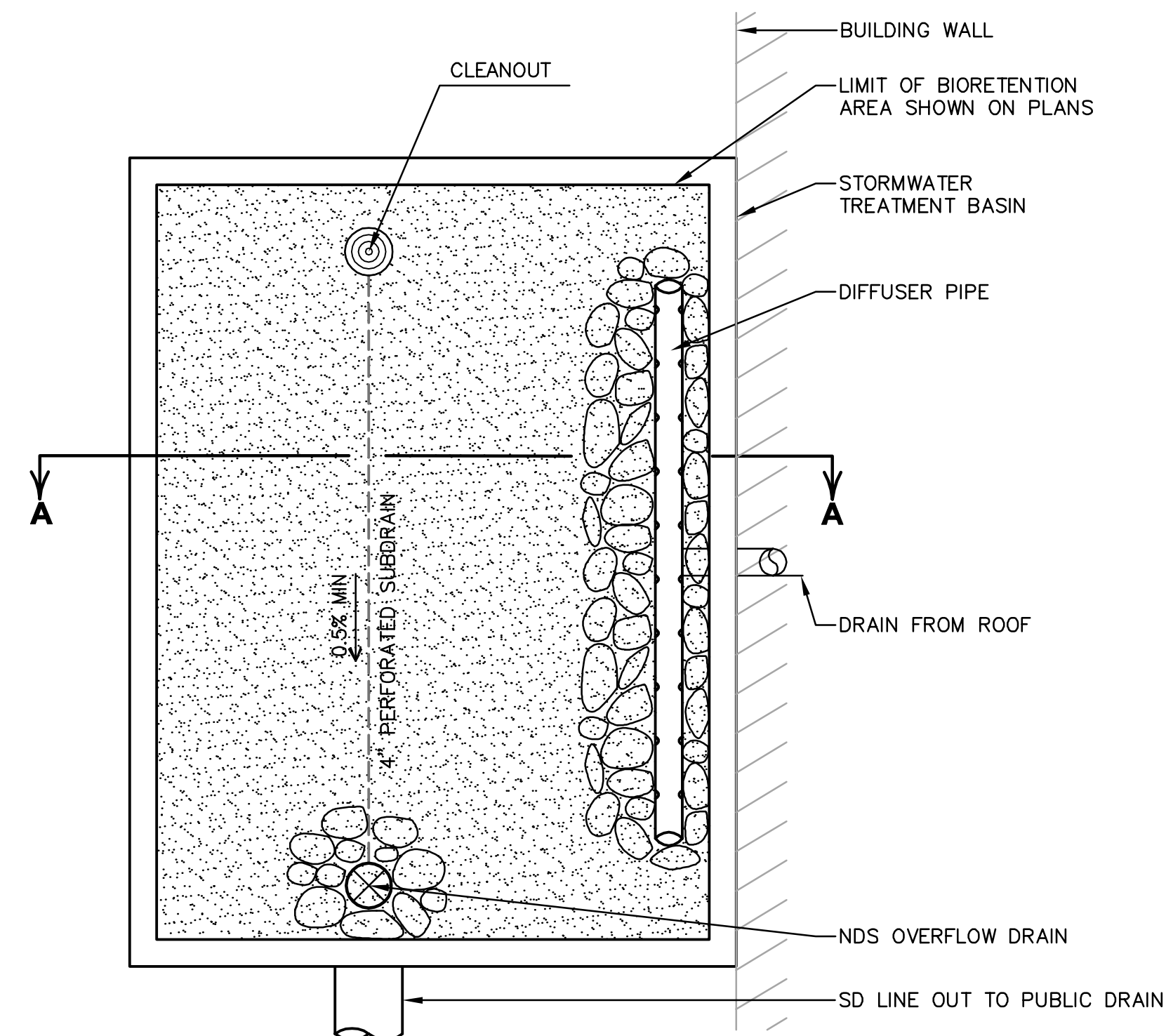
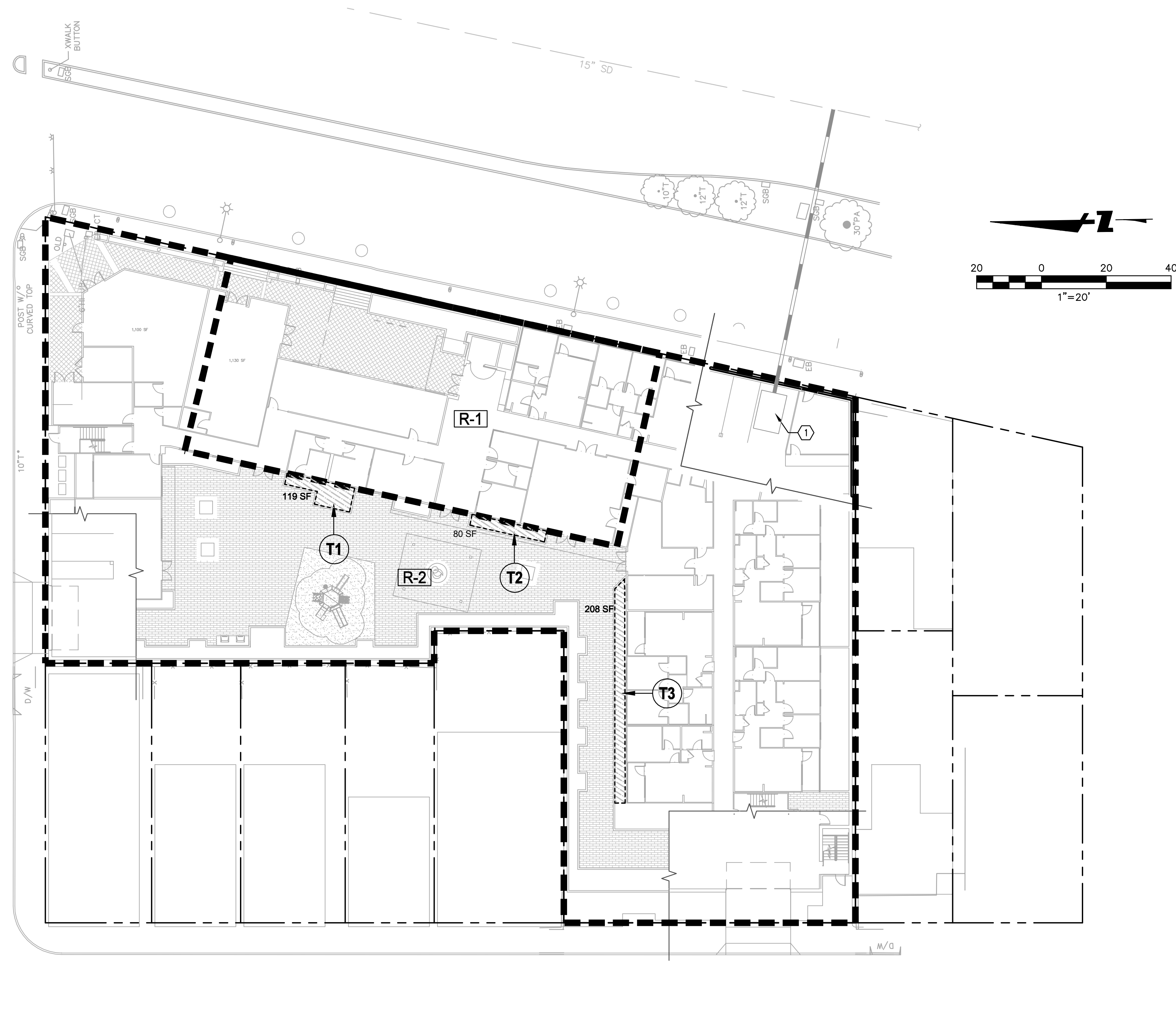


EXISTING CONDITIONS
& DEMOLITION PLAN

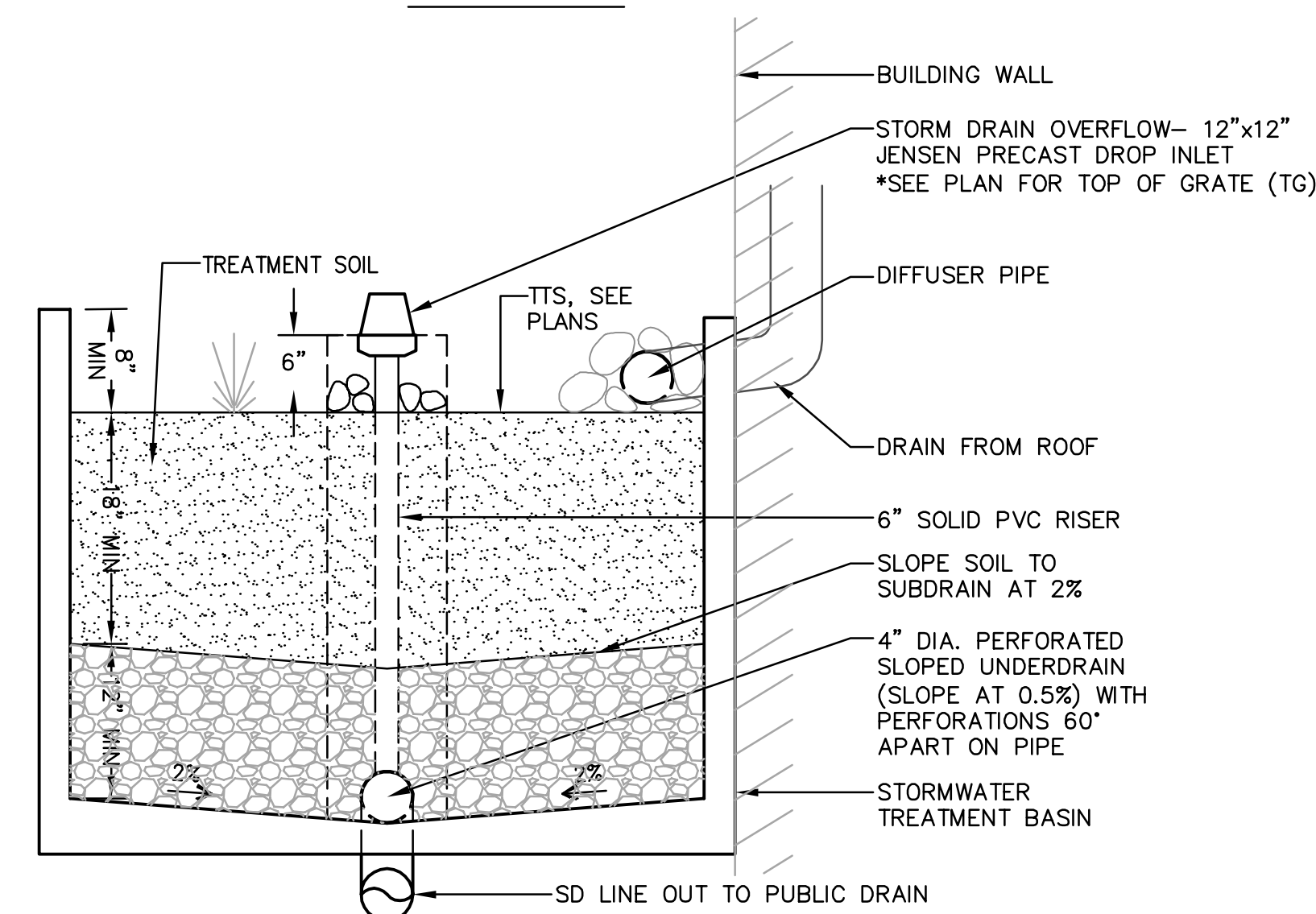
JOB NO.	552.011
DATE	3-26-14

C1.0

C3.0



PLAN VIEW



SECTION A-A

STORMWATER TREATMENT LEGEND:

- DRAINAGE AREA BOUNDARY
- T# TREATMENT AREA DESIGNATION
- P# DRAINAGE AREA DESIGNATION
- BIORETENTION AREA

STORMWATER TREATMENT KEYNOTES:

- 1 STORMWATER TREATMENT VAULT

STORMWATER TREATMENT NOTES:

- 1. REQUIRED BMP EFFECTIVE TREATMENT AREA IS 4% OF DRAINAGE AREA
- 2. SEE BIORETENTION AREA DETAIL, THIS SHEET, FOR BMP TREATMENT AREA DETAILS.
- 3. THE PROJECT WILL UTILIZE 75% C.3 CREDIT TO PROVIDE TREATMENT WITH A FILTER VAULT. THE REMAINING 25% WILL UTILIZE LID TREATMENT.

	IMPERVIOUS AREA			PERVIOUS AREA
	ROOF (SF)	PAVEMENT (SF)	TOTAL (SF)	TOTAL (SF)
EXISTING	15,276	16,484	31,760	2,523

STORMWATER TREATMENT AREA SIZING TABLE (4% METHOD)							
DRAINAGE AREA DESIGNATION	DRAINAGE AREA (SF)	PERCENT OF TOTAL AREA	REQUIRED 4% TREATMENT AREA (SF)	TREATMENT AREA DESIGNATION	PROVIDED TREATMENT AREA (SF)	CUMMULATIVE TREATMENT AREA (SF)	EXCESS TREATMENT AREA (SF)
R-1	8,583	25%	343	T1	119	407	64
				T2	80		
				T3	208		
R-2	25,700	75%	-	Treatment Vault	-	-	-

NOTES:

- 1. SEE LANDSCAPE PLANS & SPECIFICATIONS FOR PLANTING MATERIALS WITHIN BIORETENTION AREAS
- 2. PLACE 4" MIN. DIA. APPROVED NOYO COBBLE (OR APPROVED EQUIVALENT) FLUSH WITH CHANNEL SURFACE AROUND ALL STRUCTURES WITHIN BIORETENTION AREA (OVERFLOW DRAINS, SIGNS, LIGHT POSTS, IRRIGATION BOXES, ETC.), EXTENDING 12" FROM EDGE OF STRUCTURE. TREATMENT SOIL TO BE UNCOMPACTED AT FINAL CONDITION. KEEP HEAVY EQUIPMENT OUT OF TREATMENT AREAS.
- 3. EXPOSED PVC PIPE WITHIN BIORETENTION AREAS, SUCH AS SDO, SHALL BE PAINTED BLACK.
- 4. PONDING DEPTH OF ALL BIORETENTION AREAS SHALL BE 6".

BIORETENTION AREA

NTS

STORMWATER CONTROL PLAN

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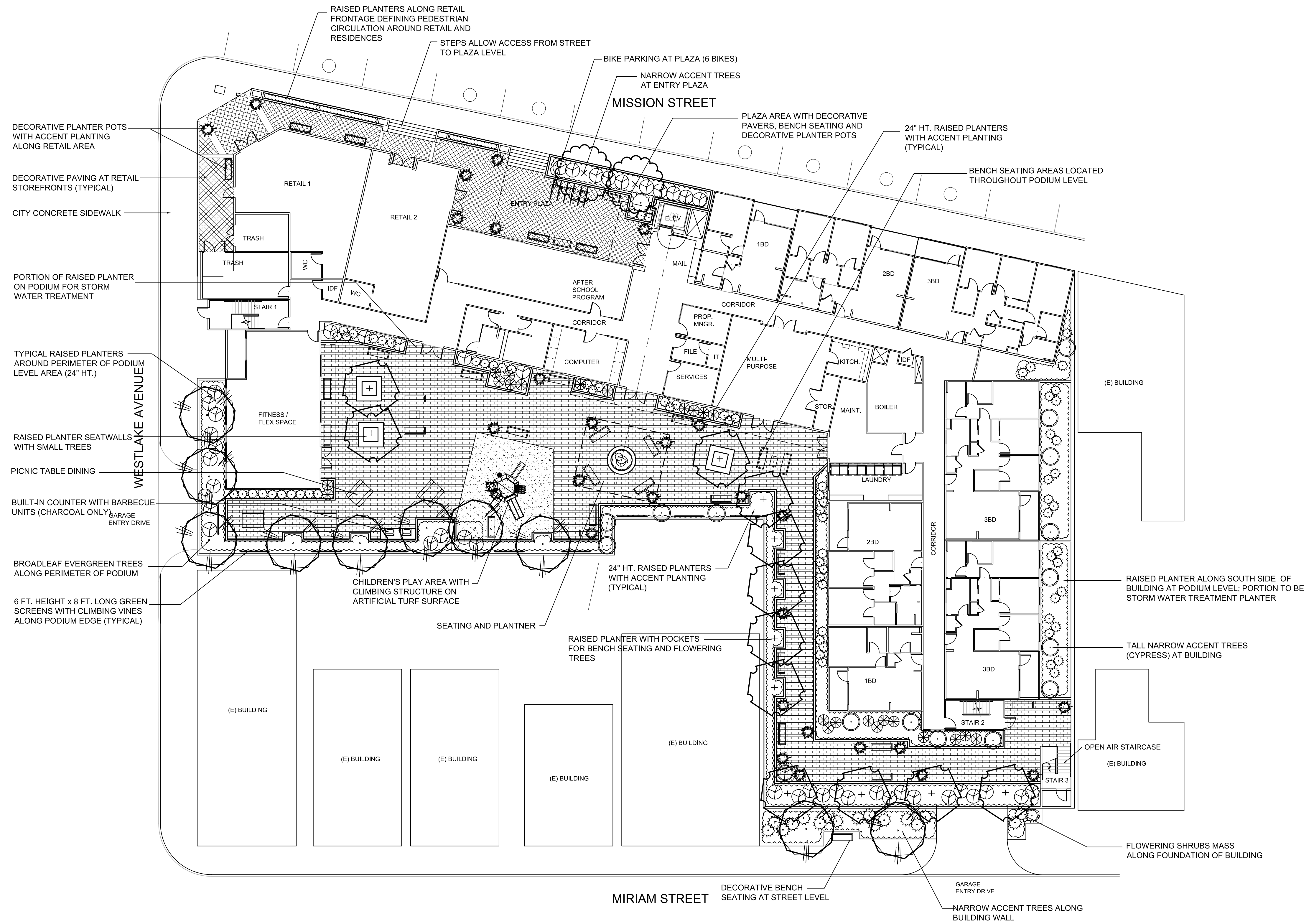
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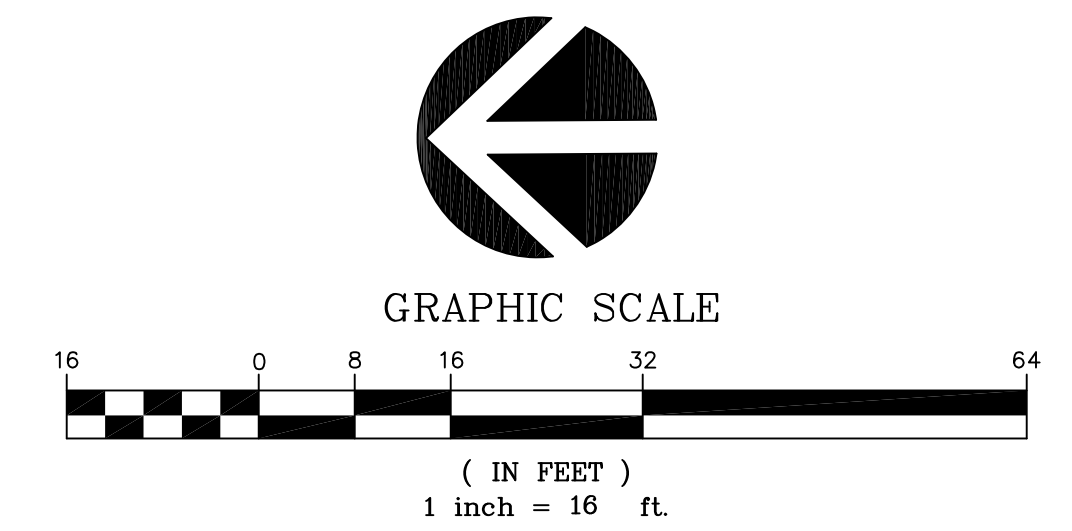
1ST ENTITLEMENT SUBMITTAL
2ND ENTITLEMENT SUBMITTAL
3RD ENTITLEMENT SUBMITTAL

12-13-13
2-10-14
3-26-14

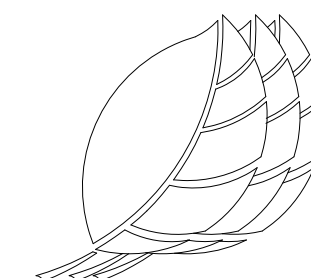
DAHLIN
group



PRELIMINARY LANDSCAPE PLAN



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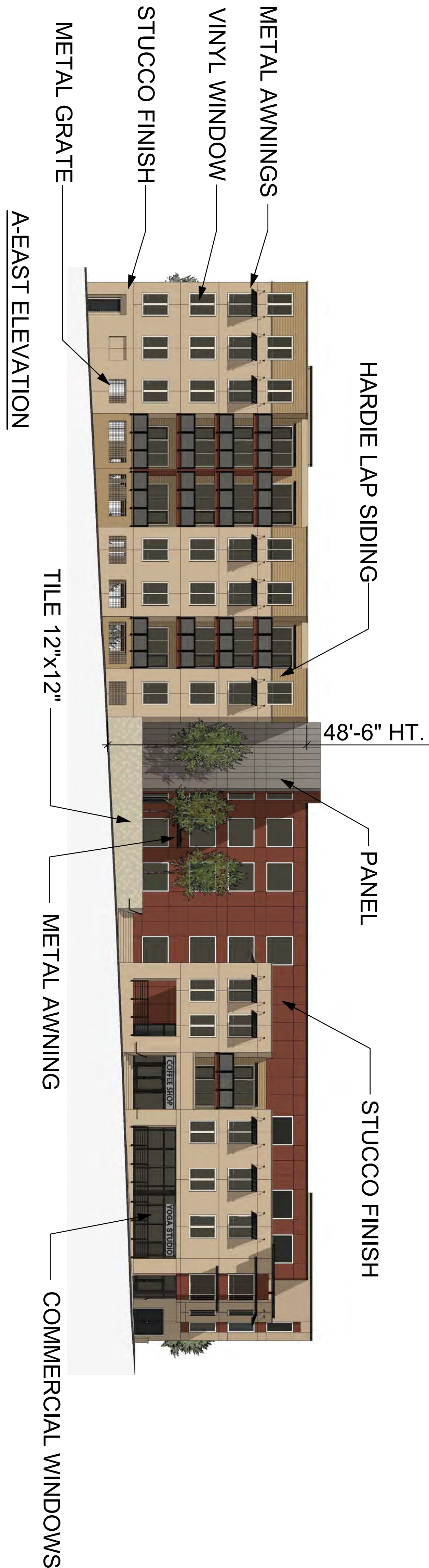
 **Thomas Baak & Associates, LLP** ♦
Landscape Architects
1620 North Main Street, Suite 4
Walnut Creek, CA 94596
Ph: 925.933.2583

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L-1



59'-0" HT.



B-SOUTH ELEVATION



49'-0" HT.



29'-0" HT.



D-WEST ELEVATION

NOTE:
ELEVATION HEIGHTS
ARE FROM FINISH GRADE
AT MIDPOINT OF
ELEVATION TO TOP OF
ROOF PARAPET

6800 MISSION STREET
DALY CITY, CA
MID-PENINSULA THE FARM, INC.

ELEVATIONS

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A4.1



Daly City Planning Commission Agenda Report

333 - 90th Street ♦ Daly City ♦ California ♦ 94015 ♦ 650-991-8033

<u>Meeting Date:</u>	April 1, 2014
<u>Application:</u>	Use Permit UPR-12-13-8329 Design Review DR-12-13-8330
<u>Project Planner:</u>	Adam Petersen, Contract Associate Planner
<u>Project Location:</u>	6800, 6818, 6824, 6830, and 6834 Mission Street, and 317, 325, and 331 Miriam Street (existing addresses) (APNs 003-172-240, -130, -140, -150, -160, -170, and -180)
<u>Project Description:</u>	Use Permit and Design Review to allow a mixed-use building on a 0.77 acre site with 52 affordable residential dwelling units and approximately 2,400 square feet of commercial space
<u>Applicant:</u>	Mid-Peninsula, The Farm, Inc. 303 Vintage Park Drive, Suite 250 Foster City, CA 94404
<u>Property Owners:</u>	Mid-Peninsula, The Farm, Inc. 303 Vintage Park Drive, Suite 250 Foster City, CA 94404 and Daly City Housing Development Finance Agency 333 90 th Street Daly City, CA 94015
<u>Environmental Assessment:</u>	Categorically Exempt per CEQA Guidelines Section 15332 – In-fill Development
<u>Applicable Daly City Municipal Code Sections:</u>	Chapter 17.18 – C-1 Light Commercial District Chapter 17.34 – Off-Street Parking and Loading Chapter 17.44 – Use Permits Chapter 17.45 – Design Review

Background

The applicant, Mid-Peninsula, The Farm, Inc., is requesting approval of Use Permit UPR-12-13-8329 and Design Review DR-12-13-8330 to construct a mixed-use building on a 0.77-acre site located between Mission and Miriam Streets, directly south of Westlake Avenue (see Attachment A – Location Map). The proposed building would contain 52 affordable residential dwelling units and approximately 2,400 square feet of street-level commercial space (see Attachment B – Project Plans). The site, which consists of seven parcels and slopes downhill from the north and east, is surrounded by a mixture of urban uses, consisting of housing, office, and commercial uses. The site is presently occupied by a vacated automobile dealership, office, and service commercial uses. The project includes the demolition of these existing buildings.

The site is zoned C-1 Light-Commercial with a General Plan Land Use designation of Commercial – Mixed Use. Because the proposed building contains residential dwelling units, a use permit is required. In November 2006, the City Council approved a use permit and subdivision to allow construction of a seven-story mixed-use building consisting of 36 condominiums and approximately 5,900 square feet of street-level retail on a smaller 0.42-acre portion of the subject site, fronting on the Mission Street/Westlake Avenue intersection. This project was never constructed.

Project Description

The applicant requests Use Permit and Design Review approval to construct a four-story mixed-use structure at the southwest corner of Mission Street and Westlake Avenue. The mixed-use building would be 121,623 square feet on a 0.77 acre site. The building would contain 52 residential units, commercial uses, podium open space, and parking. The multiple components of the project are summarized in the following table:

Use	Area/Units
Residential Living	45,246 sq ft / 52 units
Common Spaces	2,480 sq ft
Commercial Uses	2,230 sq ft
Parking Garage	39,350 sq ft
Open Space	10,510 sq ft
Misc. Spaces – decks, corridors, storage, etc.	21,807

At the Mission Street frontage, the building would be four stories tall. The residential component of the project would be located on the Mission Street level and three stories higher. Residential units are comprised of 19 one-bedroom, 17 two-bedroom, and 16 three-bedroom units, with each floor containing a mixture of these units. Commercial uses would be located on the street level at the northeast corner of the project site, adjacent to the intersection of Mission Street and Westlake Avenue. The applicant has not specified the commercial tenants at this stage of the project.

South of these commercial spaces, along Mission Street, is an entry plaza. The entry plaza is flanked by landscaping, with two trees on the exterior perimeter along Mission Street in a raised planter, and decorative landscaping in the same raised planter that is wrapped along the interior

of the courtyard. The applicant has proposed bench seating cantilevered out from the planter, parking for six bicycles, and decorative pavers. This entry plaza would provide access to the residential component of the project.

The project includes sub-podium parking at two levels. One garage is accessed from Miriam Street and provides eight parking spaces. The entrance to the Miriam Street garage is setback approximately 19 feet from Miriam Street. To the left of the garage entrance the applicant proposes decorative bench seating with landscaping and two accent trees. To the right of the garage is a raised planter with flowering shrubs. The second garage is accessed from Westlake Avenue and provides 79 parking spaces. Each of these garages is located below the Mission Street first floor of the building.

The building fronts on Mission Street and Westlake Avenue, as well as a lower-level garage on Miriam Street. The structure flanks and encloses an open space courtyard area, which is situated on top of the building's garage, providing common open space area for building residents. The courtyard features a variety of amenities, including an overhead trellis, picnic tables, and children's play area with climbing structure on artificial turf.

This podium level courtyard is not accessible from Westlake Avenue, Miriam Street, or Mission Street. The entry way corridor leading from Mission Street provides access to the open space area. The podium open space area is flanked with landscaping. The applicant proposes installing broadleaf evergreen trees in raised planters with seat walls around the perimeter of the podium. Along the building, the applicant has wrapped the planters along the façade of the building facing the patio and proposes to use them to treat stormwater. These planters include accent shrubs. This landscaping is extended to the south side of the building, where a planter contains cypress trees and other shrubs along its perimeter.

The podium level courtyard faces towards an existing commercial building located on the southeast corner of Miriam Street and Westlake Avenue, and four residences located to the west. It is setback from the commercial building by approximately four feet and more than 32 feet from the residences. The mixed-use building is proposed for construction on the property line.

Use Permit

Pursuant to Daly City Municipal Code (DCMC) Chapter 17.018.010B, residential uses in the C-1 Light Commercial zone require use permit approval. Accordingly, staff has evaluated the project pursuant to the Title 17 (Zoning) and offers the following analysis:

Parking

The project supplies more than the parking required by the Zoning Ordinance through the provision of 87 parking spaces. The following table presents a summary of the Zoning Ordinance parking requirement and parking provision within the proposed building:

Use	Square Footage / Units	Requirement Factor	Total Parking Requirement	Affordability Discount	Total Parking Required
Commercial	2,230 square feet	1 space per 300 square feet	7.4		7.4
Residential	19 One Bedroom Units	1.5 spaces per unit	28.5	25% (94.5 x .25)	70.8
	33 Two and Three Bedroom Units	2 spaces per unit	66		
Total			101.9 spaces	- 23.6	78

Without parking reductions for affordability, the project would require approximately 101.9 parking spaces. However, pursuant to Zoning Code Section 17.34.020C, housing complexes designed and intended for the exclusive occupancy by low-income persons or families shall provide at least three-fourths the normally required number of off-street parking spaces. This provision reduces the required parking by approximately 23.6 spaces, resulting in the total parking requirement of 78 spaces. The project provides 87 parking spaces, which exceeds this requirement.

The Zoning Ordinance provides that multi-family residential projects may designate up to 20 percent of their parking as “small car only.” The project provides one more parking space than may be permitted for “small car only” parking. Accordingly, staff has included a condition requiring that one compact space be converted to a full size space.

It is anticipated that the parking garage accessed from Westlake Avenue will be used for resident parking, while the garage accessed from Miriam Street will provide parking for commercial use employees. Mission Street contains metered parking which will allow customers of the commercial uses to park on the street. Further, the removal of driveways along Mission Street will increase the amount of street parking.

Building Height

The maximum allowed in the C-1 Light Commercial zone is 36 feet. The building height calculation is taken from an average of the building mid-point, at each of the four building elevations. Pursuant to the Zoning Ordinance, the maximum building height envelope is then tapered at 45-degree angle from the 36th foot, allowing for buildings that are taller than 36 feet, so long as they are recessed toward the site interior.

As proposed, the average building height of the proposed mixed-use structure is 46 feet (see Attachment C – Building Height), exceeding the maximum building height average by 10 feet. For this reason, the applicant has requested a development concession for the project. The merits and requirements for this concession are provided in a consolidated *Density Bonus Allowance* discussion on page six of this staff report, which also addresses the density bonus sought.

Open Space Requirements

The project complies with the Zoning Code standards for open space. The Zoning Code requires 150 square feet of open space per dwelling unit. With 52 dwelling units, the project would require 7,800 square feet of open space. The project provides 10,510 square feet of open space on the podium area and therefore satisfies this requirement.

Development Intensity

The General Plan Future Land Use Map designates the project site as C-MU Commercial Mixed-Use, which anticipates residential intensification along the Mission Street Corridor. As described in the General Plan Land Use Element, the floor area ratio (FAR) for land uses within the corridor typically ranges between 1.0 and 6.0. The proposed building with 121,623 square feet on a 33,541 square foot development site represents a 3.6 FAR, well below the 6.0 FAR anticipated by the General Plan.

The project's proposed density is 65 dwelling units per acre (65 du/ac). As the General Plan establishes no maximum residential density for properties with the Commercial Mixed-Use designation, the maximum allowable density is largely driven by building height. As discussed in the *Density Bonus Allowance* discussion on page six of this staff report, staff estimates that a strict adherence to the mandated 36-foot building height would result in the removal of the proposed fourth floor, which provides 13 units, resulting in the project only providing 39 units total. For this reason, the applicant has requested a density bonus for the project. Because the project would provide upwards of 20 percent of the total number of units to low-income households, the project qualifies for a 35 percent density bonus under State law, thereby permitting the proposed 52 units in the project.

Building Design and Color

The overall design of the building represents a modern architectural style. The applicant proposes walls composed of cement board along the main elevations. The top floor is recessed, and the siding is cement board/wood plank siding. To the left of the entry way on Mission Street is a large column with vertical and horizontal striping that provides a character defining feature. The applicant has included a metal eyebrow feature over the entry of the building as well. Metal awnings are proposed over the windows, while larger windows provide light to hallways in the building. Units have balconies/decks, and these decks are enclosed with a metal railing. These decks front Mission Street and also the raised podium open space area on the interior of the building.

As has been the case with previous development proposals at this Mission/Westlake corner property, staff has required architectural enhancements to the corner building elevation which emphasize the building entrance at the corner and visually oriented the building design to the intersection. To address this requirement in the current proposal, the project architect has proposed cantilevered awnings at corner building elevation facing the Mission/Westlake intersection. This architectural treatment is acceptable to staff and will assist in ensuring the building architecture provides important urban design elements that are characterized by existing corner building on Mission Street, such as the Schoolhouse Station building.

The applicant has proposed a color scheme that is warm and contains distinct earthy tones that provides both contrast and balance each other, and are acceptable to staff. The color scheme reflects cues from Daly City's War Memorial Community Center and Library located down the street from the proposed project. A warm "Armadillo Egg" color that is reddish in tone is used on the setback building entrance and also on portions of the corner feature on Mission Street and Westlake Avenue. This color provides identity to key features and focal points of the building without being obtrusive. The proposed "Cozy Wool" color, which has an off-white/beige tone, is located around the "Armadillo Egg" and provides a balance. A tan tone called "French Oak" provides an earthy contrast to the "Cozy Wool" and frames the upper portions of the building. Grey is used on a panel feature located adjacent to the entrance and identifies a key design feature of the building. The entry courtyard on Mission Street is framed with tiles in an "Antique Ivory" color, which blends well with the "Cozy Wool" located on either side, and black awnings frame the windows of the building.

Density Bonus Allowance

Pursuant to State Density Bonus Law, the City is required to grant a density bonus and at least one development concession to projects that provide at least 10 percent of their total number of units to low- and very-low income households, where the concession is necessary to prevent the project from being built at the otherwise allowed density. All of the proposed units would be affordable to these income groups.

As proposed, the average building height of the mixed-use structure is 46 feet, where the stated Zoning Ordinance maximum in the C-1 Light Commercial zone is 36 feet. This represents a 10-foot average building height deviation. Staff estimates that a strict adherence to the mandated building height would result in the removal of the proposed fourth floor, which provides 13 units, resulting in the project only providing 39 units total.

Because the project would provide 100 percent of the total number of units to low-income households, the project qualifies for a 35 percent density bonus under State law. This bonus factor, applied to the 39 units which would otherwise be allowed, results in a total of 52 permissible units. Similarly, the City must provide at least one concession to allow for the construction of this many units. The applicant has requested that the City grant only one concession, which is the 10-foot average building height deviation. In compliance with State law, staff recommending both the density bonus allowance and building height concession. The Planning Commission should be aware that the C-MU Commercial Mixed-Use General Plan designation presently provides no maximum density.

Mission Street Urban Design Plan

The proposed building is subject to the provisions of the Mission Street Urban Design Plan. The Plan specifies public improvements, design/architectural guidelines, and implementation measures for Daly City's historic center. The project was evaluated against the Plan's urban design concepts and was found to fulfill these concepts in the following ways:

1. The Plan identifies service commercial uses at the street-level with residential uses at the upper levels for this specific property. The proposed project is consistent with these uses.

2. The Plan encourages buildings with minimal setbacks, consistent with other buildings located on Mission Street. The subject building is located along the property lines of Mission Street and Westlake Avenue, similar to other buildings located immediately south of the project.
3. The Plan calls for “bulbing” out of sidewalks at street corners. Although sidewalk bulbing is not represented in the project drawings, staff has recommended a Condition of Approval that the applicant construct a sidewalk bulb-out the southwestern corner of Mission Street and Westlake Avenue sidewalk, similar to bulb-out construction recently completed at Mission Street intersection to the north of the project.
4. The building’s bulk and mass have been reduced by implementing push-and-pull elements. This design feature gives the appearance of smaller parts, including those located at a recessed entry way, porches, and protruding columns.
5. The building implements horizontal components that define a bottom, mid, and top layer. The bottom section along Mission Street is defined by windows along the frontage of the commercial component, an enclosed brick patio at the entrance of the residential and windows and plaster walls at the residential component. The mid-section is defined by concrete plaster walls and awnings over windows, while the top section is set back and contains a horizontal siding material that lends a unique appearance and contrast to the bottom and mid-section.

With regard to street trees, the Plan states that new trees should be planted where sidewalk widths and utility locations allow. Staff evaluated the installation of the trees on the Mission Street sidewalk, which measures about seven feet in width. Installation of street trees would require a minimum width of three feet, which would reduce the sidewalk width to approximately four feet. Furthermore, a cast iron water pipe exists at a depth of five feet below the location where trees would be planted. For these reason, it was determined that the resulting width of the sidewalk, and depth and fragile material of water pipe make planting trees along the sidewalk possibly infeasible. If the City determines this to be the case, the recommended Conditions of Approval require that the applicant replace the public sidewalk adjacent to the new building and that the City may require, in addition to the bulb-out at the Mission/Westlake intersection, a mid-block tree bulb-out near the residential entrance to the project.

Environmental Assessment

The proposed building is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, (State CEQA Guidelines) Section 15332 – In-fill Development. Section 15332 makes specific findings that must be made in order to qualify for this exemption.

Findings

Staff finds that, as conditioned, the proposed Use Permit UPR-12-13-8329 is in compliance with Title 17 (Zoning) of the Daly City Municipal Code. Approval of the proposed project would not be detrimental to the health, safety, morals, comfort and general welfare of persons residing in or

working in the neighborhood, or be injurious or detrimental to the property and improvements in the neighborhood or the general welfare of the city. Approval of the proposed Design Review DR-12-13-8330, as conditioned herein, is in the best interest of the public health, safety, and general welfare of the community, and that the general site, architecture, and landscape considerations have been incorporated to insure compatibility with adjacent buildings and to provide an attractive environment. These findings are based on the following facts:

1. In accordance with Title 17 of the Daly City Municipal Code, as well as applicable State zoning enabling legislation, the Planning Commission will conduct a public hearing on April 1, 2014; notice of said hearing was by newspaper publication on March 21, 2014;
2. The proposed mixed-use building is consistent with the General Plan. The Land Use Element designates the project site as C-MU Commercial Mixed-Use, which anticipates residential intensification along the Mission Street. Furthermore, the floor area ratio (FAR) for the proposed building, 3.6 FAR, is within the FAR range allowed by General Plan Land Use Element, i.e., between 1.0 and 6.0 FAR, and, with 65 dwelling units per acre, also complies with the General Plan, which expresses no maximum density;
3. The proposed mixed-use building complies with applicable provisions of the Title 17 (Zoning) of The Daly City Municipal Code, include Chapter 17.18 – C-1 Light Commercial District, Chapter 17.34 – Off-Street Parking and Loading, Chapter 17.44 – Use Permits, and Chapter 17.45 – Design Review;
4. The proposed mixed-use building complies with the Zoning Ordinance parking requirement. The proposed number of parking spaces exceeds the number of spaces required by the City's Zoning Ordinance for a completely affordable mixed-use building in the C-1 Light Commercial zone;
5. The proposed mixed-use building complies with the Zoning Ordinance maximum height allowance, not exceeding 36 feet at property lines and encompassing the maximum height envelope established by a 45-degree plane extending outward from the 36-foot height elevation at the property line;
6. The proposed mixed-use building complies with the open space requirements of the Zoning Ordinance, providing 10,510 square feet of open space where 7,800 square feet is required;
7. The proposed mixed-use building merits use permit approval, as the building would be compatible with existing adjacent uses, adequate utility and infrastructural capacity exists within close proximity to serve the site, and the provision of parking is substantial and, as designed, would not have a detrimental impact to the adjacent neighborhood;
8. General architectural considerations have been incorporated in order to ensure the compatibility of this development with its design concept and the character of on-site signage. These considerations include, but are not limited to, the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, and colors;

9. Because the project would provide upwards of 20 percent of the total number of units to low-income households, the project qualifies for a 35 percent density bonus under State law.
10. Because the project would provide upwards of 20 percent of the total number of units to low-income households, the project qualifies for a development concession, 10-foot average building height, under State law.
11. General landscape considerations of Chapter 17.41, Landscaping, will be provided to ensure visual relief, to complement buildings and structures and to provide an attractive environment for the enjoyment of the public; and
12. Staff has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and has determined the project is Categorically Exempt per Section 15332, in-fill development.

Conditions of Approval

Staff recommends the Planning Commission forward a recommendation of approval to the City Council for Use Permit UPR-12-13-8329 and Design Review DR-12-13-8330, subject to the following Conditions of Approval. Minor deviations from the conditions of approval may be approved by the Planning Division. Significant deviations will require review and approval by the Planning Commission and City Council.

A. DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

General

1. The applicant shall file a Declaration of Acceptance of the conditions of approval with the City Clerk within thirty (30) days of City Council approval. Until said declaration is filed, the approvals of Use Permit UPR-12-13-8329 and Design Review DR-12-13-8330 shall not be valid for any purpose.
2. The project shall be valid only in conjunction with detailed plans submitted with this project. Any modifications required, due to the Conditions of Approval, and minor changes to the plan, must be reviewed and approved by the Planning Division prior to the change. Major site or architectural modifications shall be treated as an amendment and shall be subject to review by the Planning Commission and City Council.
3. The approvals granted herein shall be valid for a period of one year. If building permits have not been issued within this timeframe, the applicant shall apply for a time extension.

Building and Site Design

4. The applicant shall, prior to building permit submittal, provide a sign program for Planning Division review and approval. The final building elevation design shall consider sign placement and plans submitted for building permit approval shall reflect such placement.

5. The parking garage at Miriam Street shall be designed to ensure that all vehicles exiting the garage do so in forward motion. The design shall discourage backing into Miriam Street.
6. All rooftop mechanical equipment shall be screened from the view of all adjacent public rights-of-way by screenwalls, painting, and similar treatments acceptable to the Planning Division. The Division may require screenwalls for equipment located within 20 feet of the rooftop parapet wall.
7. The parapet wall shall receive a visually distinctive cap detailed on all construction drawings submitted to the Building Division for review.
8. All window and storefront framing shall be aluminum or similar-quality material.
9. Concrete walls constructed adjacent to residential lots shall receive permanent decorative treatment (e.g., integral color) approved by the Planning Division. The method of treatment shall be identified on construction drawings submitted to the Building Division.
10. The design of the overhead trellis in the podium-level courtyard shall be approved by the Planning Division.
11. The applicant shall supply a cut-sheet for all decorative trellises at the building elevation.
12. The applicant shall supply a cut-sheet for all decorative bench seating to the City prior to installation.
13. The applicant shall submit a manufacturer cut-sheet for the upper story balcony railing along Mission Street to the Planning division for review and approval to confirm that it is opaque in nature prior to building permit issuance.
14. The material for all trellises, outdoor seating and furniture, railing, flashing, and any other exterior metals used in the project shall be galvanized and/or capable of resisting rust in the long term.
15. All stucco applications to the building shall be medium dash stucco finish and this requirement shall be detailed on all construction drawings submitted to the Building Division for review.
16. The applicant shall provide greater detail for the podium-level courtyard ground surface prior to building permit issuance. At a minimum, the courtyard shall receive attractive paving material, patterned and color concrete, decorative pavers, and similar treatments.
17. Backflow preventers shall be concealed and/or screened from public view to the satisfaction of the Daly City Community and Economic Development Director prior to issuance of building permit.

18. Backflow preventers, check devices, and other visible mechanical equipment shall be painted black, dark green, red (if required by the Fire Department), or other color complimentary to the building design.
19. Proposed landscaping shall incorporate Bay Area Friendly species that are drought tolerant and the irrigation systems shall incorporate water efficiency measures. All landscaping must be in compliance with DCMC Chapter 17.41 Water Conservation in Landscaping. No landscaped areas shown on the preliminary plan approved by the City Council shall be changed to non-landscaped material such as decorative rock. Alternative plant and tree species may be approved by the Planning Division if it can be shown they would be more appropriate for the site. No building permit may be issued until this condition is met.
20. All trees shall be 15-gallon minimum, a variety approved by the City, and triple-staked. All landscaping shall provide establishment irrigation.

Operational Requirements

21. The proposed development shall provide on-site property management at all times.
22. The applicant shall submit a parking management plan to City prior to final building inspection and shall manage the building consistent with the plan. The plan shall identify six parking spaces for access by retail/commercial and on-site management employees.
23. The applicant shall install and maintain operable an audible warning system at the Westlake Avenue garage entrance. The system shall be capable of volume control.
24. The buildings and site shall remain clean and clear of all graffiti, debris, and other visual nuisances at all times. The building and site shall be periodically cleaned, as needed, to prevent discoloration and debris accumulation.
25. The applicant shall provide evidence that they have contracted with Allied Waste to have the provider remove the bins for refuse collection and have the bins returned to the designated waste collection area upon being emptied prior to Certificate of Occupancy.

Off-Site Improvements

26. Unless determined to be infeasible by the City Engineer, the applicant shall install a pedestrian bulb-out at the southwest corner of Mission Street and Westlake Avenue, prior to final building inspection. The bulb-out shall conform to City standards for constructing such bulb-outs.
27. The applicant shall install street trees along the entirety of the Mission Street and Westlake Avenue frontages. These trees shall be sized as 15-gallon minimum, planted at twenty-foot intervals, and shall receive establishment irrigation. This establishment irrigation shall be identified in building plans submitted for a building permit. Street tree

- grates shall be installed as required by the Engineering Division. The Planning and Engineering Division shall approve all tree placements. The trees shall be of a variety approved by the City and triple-staked.
28. If the City determines that planting street trees in the Mission Street right-of-way is not feasible, the City may require, in addition to the bulb-out at the Mission/Westlake intersection, two mid-block tree bulb-outs with bench near the residential entrance to the project.
 29. The applicant shall apply and receive approval for a Caltrans encroachment permit for the installation of sidewalk/crosswalk "bulb-outs" consistent with Daly City Public Works Department requirements at the southwest corner of the Mission Street/Westlake Avenue intersection.
 30. The applicant shall slurry seal over any trenching and after utility work is complete to the satisfaction of the Daly City Public Works Department, up to the full right-of-way width of the frontage of the project along Mission Street, Westlake Avenue, and Miriam Street.
 31. In addition to replacing cobra-head lighting, the applicant shall install decorative pedestrian streetlights similar to those at the Top of the Hill at the time of any sidewalk replacement.

Stormwater Treatment

32. The applicant shall develop and submit a stormwater management plan that illustrates full compliance with Section C.3 of Order R-2-2009-0074 NPDES Permit No. CAS612008. The project must comply with Order No. 2010-0014-DWQ, NPDES No. CAS000002, the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit.
33. The applicant shall receive approval of the stormwater management plan from a third-party reviewer appointed by the City prior to building permit submittal. The applicant shall pay the entire cost of the third-party reviewer.
34. All stormwater treatment facilities shall be inspected during construction to ensure eventual compliance with the stormwater management plan. The applicant shall pay the entire cost of these inspections.
35. The applicant shall enter into a Maintenance Agreement with the City to ensure long-term maintenance and servicing by the Property Owner of stormwater site design and treatment control measures according the approved Maintenance Plan.
36. The applicant shall arrange and pay for final inspection of installed treatment measure by municipality's Special Inspector within 45 days of installation or project construction completion, whichever comes first.

Lot Merger

37. The property owner shall record a lot merger for the seven parcels that currently constitute the site. The merger shall be recorded prior to the issuance of a Building Permit.

B. BUILDING DIVISION

38. The applicant shall be aware that this project will be reviewed based on 2013 California Building, Electrical, Mechanical, Plumbing, Energy and Calgreen Code
39. The applicant shall provide allowable area and number of story calculations for the proposed podium / wood frame building.
40. The courtyard shall be provided with a minimum two exits that leads directly to a public way. No fence will be allowed at the podium level of the building.
41. Bedroom windows located at the North and South side of the building shall open into an area that leads directly to a public way.

C. ENGINEERING DIVISION

42. Dimensions of "T"-Patch shall be the depth of the trench/3 plus 12" as measured from the edge of the trench.
43. The applicant shall apply for an encroachment permit for work on Mission Street and within Caltrans right-of-way prior project construction.
44. The driveway widths along Westlake Avenue and Miriam Street shall comply with the minimum requirements of the Daly City Municipal Code (plan shows 20 ft.).
45. The applicant shall replace signal loops on Westlake Avenue, if damaged during project construction. This work will require an encroachment permit from Caltrans.
46. The applicant shall underground all utilities.
47. The applicant shall install new curb, gutter, and sidewalk along the entire frontage of the property on Mission Street, Westlake Avenue, and Miriam Street.
48. All plans submitted for review shall conform to the "City of Daly City General Conditions of Approval: Use Permits, Variances, Design Reviews, Planned Developments, and Subdivisions" dated 1999.

D. FIRE DEPARTMENT

49. The project applicant shall install full sprinkler system per CFC Chapter 9 Section 903.

50. The project applicant shall install standpipe system per CFC Chapter 9 Section 905.
51. The project shall be required to provide fire flows of 6,500 gpm per 2013 CFC appendix B Table B105.1.
52. The applicant shall provide portable fire extinguishers per CFC Chapter 9 Section 906 prior to Certificate of Occupancy.
53. A rescue air system per DCMC 914.3.8 and plumbing code Appendix F may be required dependent on height of highest floor of human occupancy.
54. The applicant shall install fire alarms per 2013 CFC Chapter 9 Section 907 prior to Certificate of Occupancy.
55. The applicant shall install an alarm panel at a location approved by the Daly City Fire Chief prior to Certificate of Occupancy.
56. The applicant shall provide fire department connections for sprinkler and standpipe systems on the Mission Street side of the building subject to the approval of the Fire Chief prior to the issuance of building permit.
57. The applicant shall install stairway identification signs subject to approval by the Fire Chief prior to Certificate of Occupancy.

E. DEPARTMENT OF WATER AND WASTEWATER RESOURCES

58. The applicant shall abandon (dig up and remove) all existing services at the main prior to building demolition.
59. The applicant shall abandon (dig up and remove) all existing sewer laterals at the main prior to building demolition.
60. All services shall be connected to the water main on Westlake Avenue.
61. The building shall be designed to allow for 3 reduced pressure principle backflow devices, fire, domestic and irrigation, on the Westlake Ave side of the project. Devices must be located on private property, immediately after the water meter and clearly visible from Westlake Ave.
62. The applicant shall prepare a capacity study of the sewer system for flow monitoring to determine if capacity is available for proposed flows from the project to the nearest trunk main prior to issuance of building permits.
63. All costs associated with any water system improvements required by the City, shall be borne by the applicant.
64. All costs associated with any sewer system improvements required by the City, shall be

borne by the applicant.

65. There is an existing eight-inch cast iron water main fronting the property on Mission Street. Deep excavation in proximity of this main may require its relocation. All cost associated with the relocation of the Mission Street main, if required, shall be borne by the applicant.

Recommendations

Staff recommends that the Planning Commission forward to the City Council the following:

1. Adopt the Findings as outlined herein;
2. Affirm the Environmental Assessment;
3. Approve Use Permit UPR-12-13-8329 and Design Review DR-12-13-8230, subject to the Conditions of Approved outlined herein.

Staff is available to provide any additional information desired by the Planning Commissioners.

Respectfully submitted,



Adam Petersen
Contract Associate Planner



Tatum Mothershead
Interim Director of Economic and Community
Development

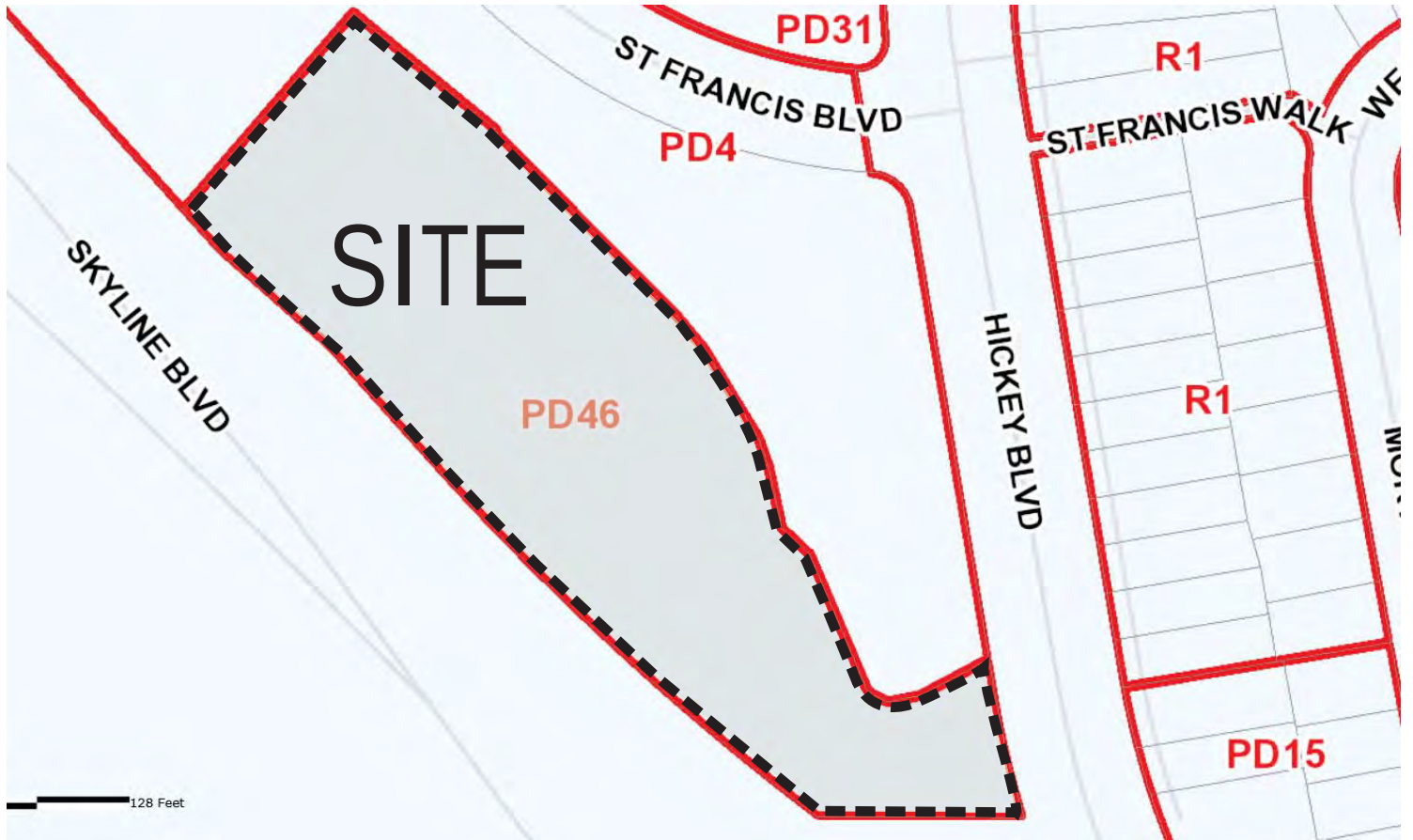
Attachments

Attachment A – Location Map
Attachment B – Project Plans
Attachment C – Building Height



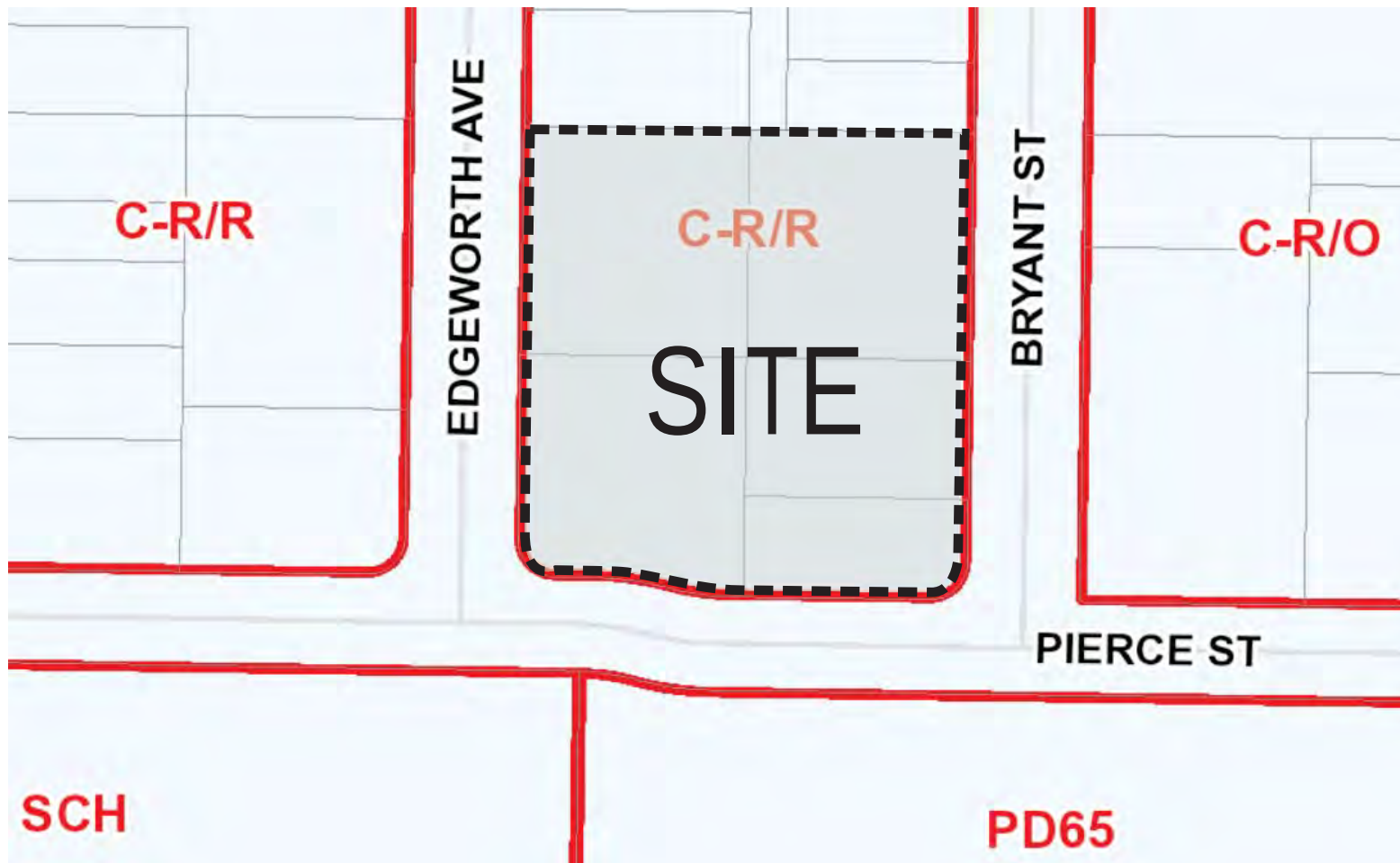
Amendments to Zoning Map –
169 First Avenue (APN 006-252-080); 1.02 acres

Proposed rezoning area from ID Interim District
to R-3 Multiple Family Residential



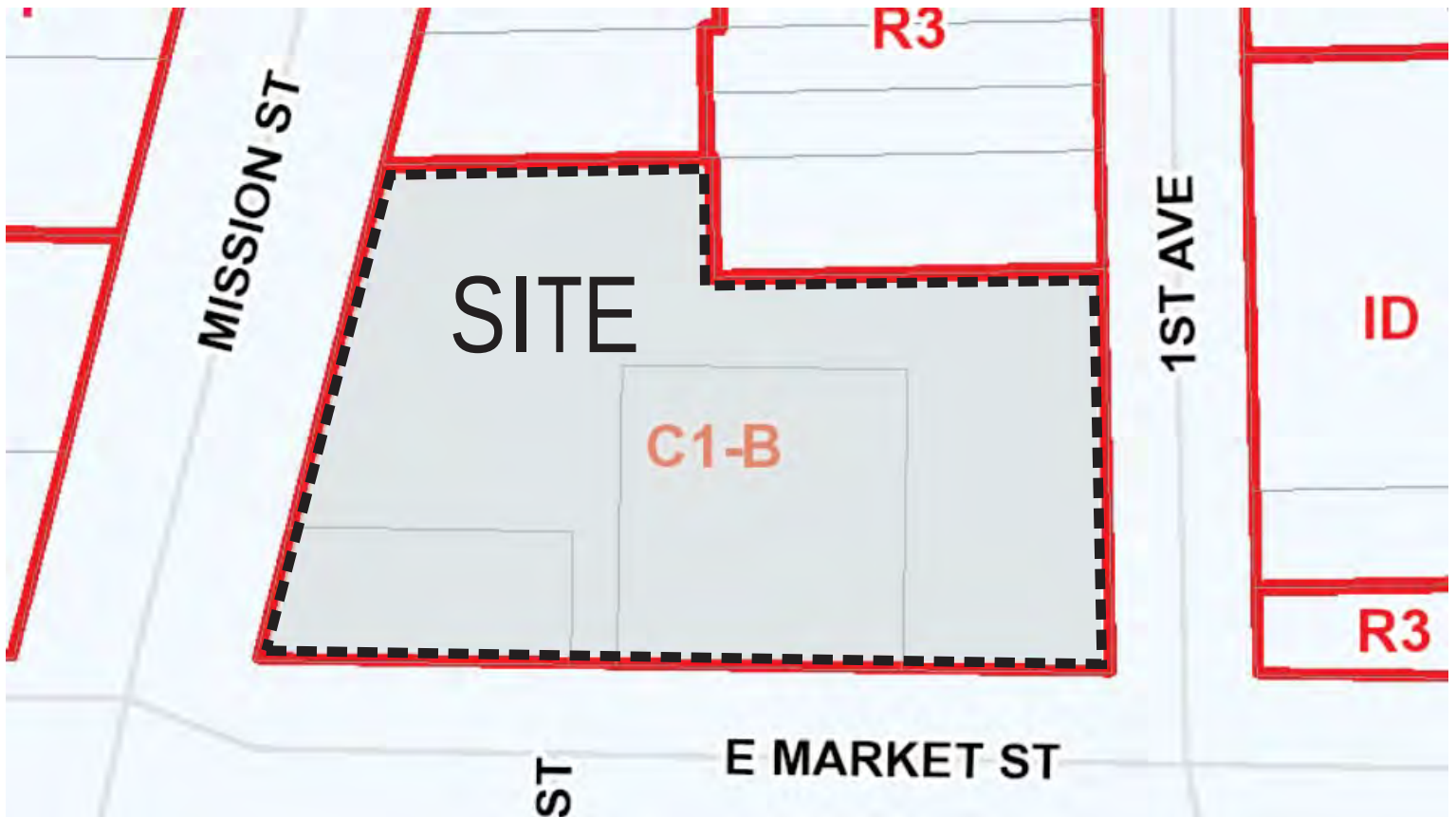
Amendments to Zoning Map –
1050 St. Francis Boulevard (APN 091-211-340);
2.49 acres

Proposed rezoning area from PD46 to PD46A



Amendment to Sullivan Corridor Specific Plan map – 1670 and 1698 Bryant Street; others with no assigned addresses; 1.38 acres (APNs 006- 346-080, 130, 140, 150, and 190)

Proposed redesignation of area from C-R/R Residential Retail Commercial to C-R/O Retail and Office Commercial



Amendment to BART Station Area Specific Plan map – 7367 and 7395 Mission Street; others with no assigned addresses; 1.73 acres (APNs 006-251-210, -220, and -230);

Proposed redesignation of area from Neighborhood Commercial to Neighborhood Commercial Residential Above

17.21.030 Specific plan designations and regulations

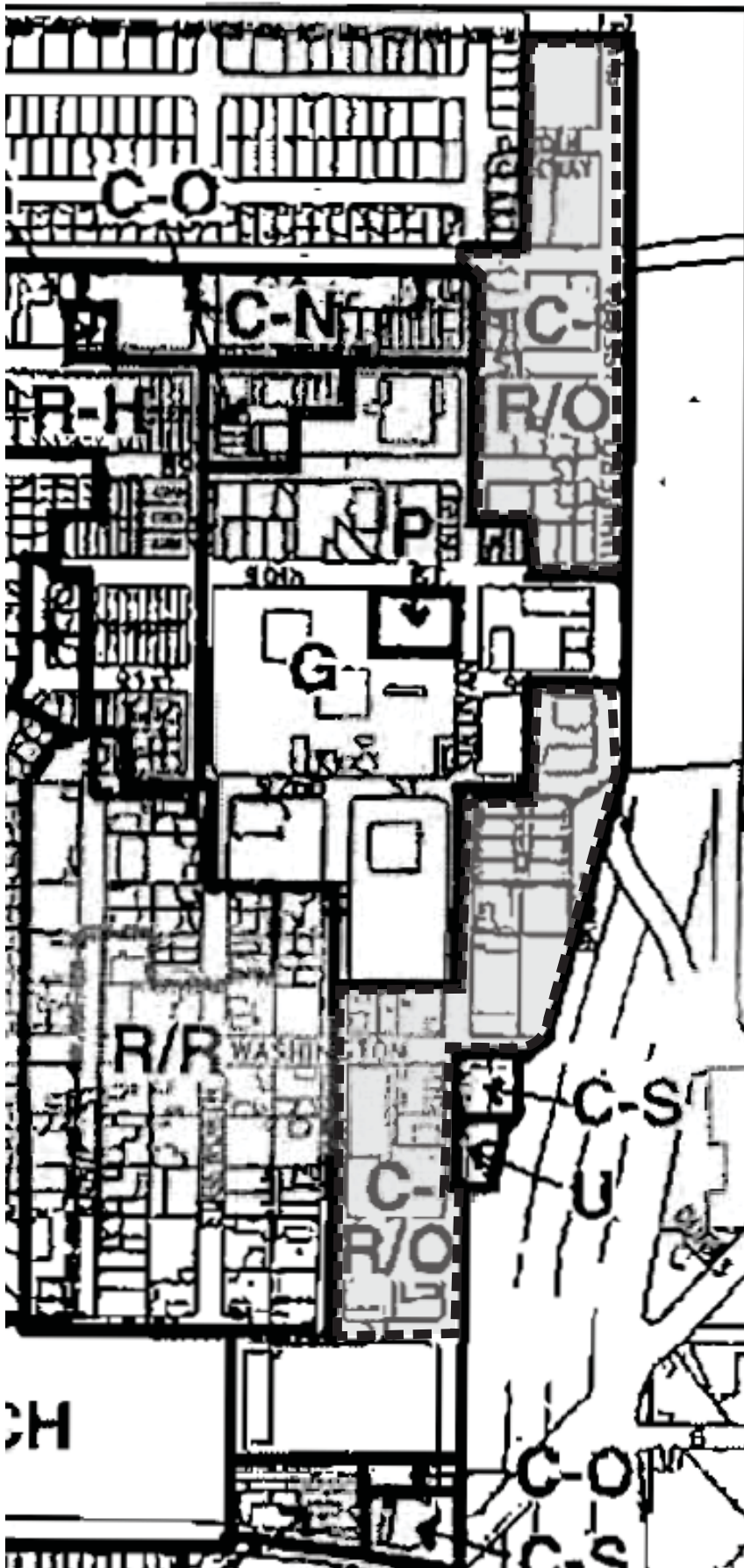
C-R/O								
Retail and Office Commercial								
1. Uses Permitted	2. Use Permit	3. Maximum Height (feet)	4. Minimum Lot Area (sq. ft.)	5. Minimum Lot Width (feet)	6. Minimum Front Yard (feet)	7. Minimum Side Yard (feet)	8. Minimum Rear Yard (feet)	9. Lot Area Per Dwelling Unit (sq. ft.)
A. General merchandise stores, drug stores and pharmacies, restaurants and coffee shops, delicatessens and sandwich shops, specialty ethnic food stores, florists, gift shops, barber shops and beauty shops, art stores and galleries.	No*	Floor Area Ratio: 5.0 to 1.0	2,500-3,000 ^a	25-33 ^a	3;sup\sup;	None	None	500 ^c
B. Medical, dental and health services, banks and financial institutions, real estate and insurance offices, legal offices, printing and photocopying services, administrative, business and professional offices.	No*							
C. Automotive dealers and auto retail, hardware and building materials, hotels, motels and other lodging, drinking establishments, liquor stores, entertainment uses, any use with drive-through facilities, health and fitness center.	Yes*							
D. Any residential uses.	Yes*							
E. Any residential uses in mixed-use building where residential density exceeds 20 du/ac.	No*							

[a. See Section 17.38.040](#)

b. Buildings shall provide setbacks of at least three feet from street facing property lines except where retail frontage with entries from the adjacent sidewalks are provided.

c. Except that there shall be no more than four dwelling units for the first 2,500 square feet of lot area; thereafter, one additional dwelling unit shall be permitted for each additional 500 square feet of lot area.

* Examples of permitted and conditional uses include uses specified and other similar uses as determined by the director of economic and community development.



Map of C-R/O Designation Area

Chapter 17.08 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

17.08.010 Table of uses.

1. Uses Permitted	2. Use Permit	3. Maximum Height (feet)	4. Minimum Lot Area (sq. ft.)	5. Minimum Lot Width (feet)	6. Maximum Lot Coverage	7. Minimum Front Yard (feet)	8. Minimum Rear Yard (feet)	9. Lot Area Per Dwelling Unit (sq. ft)
A. Single-family dwelling, home occupation in accordance with the regulations specified in Chapter 17.36, park, playground; <u>transitional housing</u>; <u>supportive housing</u>^e Secondary dwelling in accordance with the standards and requirements specified in Section 17.40.100, small family day care home	No	30	3000-2500 ^a	33-25 ^(a)	50%—55%	15	10	3000-2500 ^c
B. Accessory building	Yes	15						
C. Large family day care homes in accordance with the regulations specified in Chapter 17.49	Yes ^d	30						
D. Day care center, accessory use, dwelling group, golf course (not including driving range or miniature golf)	Yes							
E. Public utility facilities and public service uses, including: pumping stations, fire stations, reservoirs, public utility buildings and uses, railroad or rapid transit facilities or other public buildings or use								
F. Community service uses, including: community center (publicly owned), library, schools (elementary, junior high, high, but not including trade, business or other similar schools)								
G. Church	Yes	50	10,000	100				

a. See Section 17.38.040
b. See Section 17.38.060
c. See Section 17.38.050
d. Administrative use permit required pursuant to Chapter 17.49
e. Subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

Chapter 17.47.1 – DENSITY BONUS

Chapter 17.47.1 – DENSITY BONUS

Sections:

17.47.1.010 - Purposes.

17.47.1.020 - Applicability.

17.47.1.030 - Definitions.

17.47.1.040 - Incentives and Concessions.

17.47.1.050 - Incentives and Concessions Waivers and Modifications of Development Standards.

17.47.1.060 - Application Procedure.

17.47.1.070 - Density bonus agreement.

17.47.1.010 - Purpose.

The purposes of this Chapter are as follows:

- A. To implement the housing element of the Daly City General Plan, which identifies increasing affordable housing production as a primary objective;
- B. Providing increased residential densities for projects that guarantee that a portion of the housing units will be affordable to very low, low, or moderate-income households, provide senior citizen housing, or include child care facilities.
- C. To comply with the State density bonus law (California Government Code section 65915);

17.47.1.020 - Applicability.

The provisions of this section apply to the construction of five or more housing units that satisfy one or more of the following criteria:

- A. At least ten percent of the total units are designated for low income households.
- B. At least five percent of the total units are designated for very low income households.
- C. A senior citizen housing development, as defined in Section 51.3 and 51.12 of the Civil Code.
- D. At least ten percent of the total units in a condominium project as defined in subdivision (f) of, or in a planned development as defined in subdivision (k) of, Section 1351 of the Civil Code, are designated for moderate income households, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase.

Title 17 - ZONING

Chapter 17.47.1 – DENSITY BONUS

17.47.1.030 - Definitions.

The following terms are defined for purpose of this Chapter:

- A. “Density bonus” means a density increase, in the amount prescribed by Government Code section 65915, over the otherwise maximum allowable residential density as of the date the application is accepted as complete.
- B. “Low income household” has the meaning set forth in Health and Safety Code section 50079.5 and is a household whose income is equal to or less than eighty percent of the area median income, as published by the California Department of Housing and Community Development.
- C. “Moderate income household” has the meaning set forth in Health and Safety Code section 50093 and is a household whose income is equal to or less than one hundred twenty percent of the area median income, as published by the California Department of Housing and Community Development.
- D. “Senior citizens” means qualifying residents as defined in Section 51.3 of the Civil Code.
- E. “Very low income household” has the meaning set forth in Health and Safety Code section 50105 and means a household whose income is equal to or less than fifty percent of the area median income, as published by the California Department of Housing and Community Development.

17.47.1.040 – Bonus, Incentives, and Concessions.

- A. When an applicant seeks a density bonus and/or concessions as prescribed by Government Code section 65915, the City will grant the density bonus and number of incentives or concessions required by that section unless it makes one of the following findings:
 - (1) The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.3 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Section 65915(c) of the Government Code.
 - (2) The concession or incentive would have a specific adverse impact, as defined in Government Code Section 65589.5 (d)(2), upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.
- B. The following incentives and concessions are deemed not to have the adverse impact set forth in section 17.47.1.040(A)(2) above:
 - (1) Reduced setbacks so long as the project remains consistent with the City’s General Plan and any applicable design guidelines;

Title 17 - ZONING

Chapter 17.47.1 – DENSITY BONUS

- (2) Increased maximum lot coverage so long as the project remains consistent with the City's General Plan and any applicable design guidelines;
 - (3) Increased maximum building height so long as the project remains consistent with the City's General Plan and any applicable design guidelines;
 - (4) Reduction in parking standards beyond that set forth in Government Code section 65915(p); and.
 - (5) In addition to the additional density bonus provided in accordance with Government Code section 65915(g) for land donations within $\frac{1}{4}$ mile of an applicant's project, provision of the additional density bonus set forth in Government Code section 65915(g) for land dedicated to the City that is located within $\frac{1}{2}$ mile of the applicant's project so long as the applicant demonstrates to the City's satisfaction that building the requisite number of affordable units on-site is infeasible and there is an identified source of funding for the very low income units.
- C. The City will not, however, provide any direct financial assistance, waive fees or dedication requirements, or provide publicly owned land for a housing development as an incentive or concession.

17.47.1.050 - Incentives and Concessions Waivers and Modifications of Development Standards.

- A. Proposal. In accordance with Government Code section 65915(e), an applicant may propose waiver or modification of development standards if they would physically preclude the construction of a development meeting the criteria of section 65915(b) at the densities or with the concessions or incentives permitted by section 65915.
- B. Grounds for Denial. In accordance with Government Code section 65915(e), the City may deny an applicant's request to waive or modify the City's development standards in any of the following circumstances:
- (1) The application does not conform with the requirements of this section or Government Code section 65915.
 - (2) The applicant fails to demonstrate that the City's development standards physically preclude the utilization of a density bonus on a specific site.
 - (3) The waiver or reduction would have a specific, adverse impact, as defined in Government Code section 65589.5(d)(2), upon health, safety, or the physical environment, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.
 - (4) The waiver or reduction would have an adverse impact on any real property that is listed in the California Register of Historical Resources.

Title 17 - ZONING

Chapter 17.47.1 – DENSITY BONUS

17.47.1.060 - Application Procedure.

- A. An applicant requesting a density bonus, incentive or concession, or waiver or modification of development standards, in accordance with this section must submit the request with any application for a planning approval. The request must include the following information:
- (1) the number of proposed affordable housing units;
 - (2) the specific incentive(s) or concession(s) sought, if any;
 - (3) the specific waiver or modification to development standards sought, if any;
 - (4) if seeking an incentive or concession, documentation required by the Director of Economic and Community Development, or his or her designee, regarding the necessity of the incentive or concession in order to provide affordable housing costs or rents;
 - (5) if seeking a waiver or modification of development standards, documentation required by the Director of Economic and Community Development, or his or her designee, regarding the necessity of the waiver or modification, including documentation demonstrating that the City's development standards physically preclude the utilization of a density bonus;
 - (6) if requesting a density bonus based on land donation in accordance with Government Code section 65915(g), the applicant must submit information sufficient to permit the City to determine that the proposed donation conforms with the requirements of section 65915(g) and this Code;
 - (7) if requesting a density bonus based on the provision of a child care facility, the applicant must:
 - (a) provide the location of the proposed child care facility and the proposed operator.
 - (b) agree to operate the child care facility for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable;
 - (c) agree to have contracted with a child care facility operator for operation of the child care facility before the first building permit is issued; and
 - (d) agree that the child care facility will be in operation when the first certificate of occupancy is issued.
- B. Action on Application. The body with approval authority for the planning approval sought will approve, deny or modify the incentive or concession as a part of the overall project approval.

Title 17 - ZONING

Chapter 17.47.1 – DENSITY BONUS

17.47.1.070 - Density bonus agreement.

Prior to the issuance of a building permit for any dwelling unit in a development for which a density bonus has been awarded, the developer must enter into the City's standard density bonus agreement. The density bonus agreement will run with the land, be binding upon successors in interest, and be recorded with the County Recorder.

Density Bonus Tables from California Government Code Section 65915

PROJECTS WITH UNITS FOR LOW-INCOME HOUSEHOLDS

<u>Percentage Low-Income Units</u>	<u>Percentage Density Bonus</u>
10	20
11	21.5
12	23
13	24.5
14	26
15	27.5
17	30.5
18	32
19	33.5
20	35

PROJECTS WITH UNITS FOR VERY LOW-INCOME HOUSEHOLDS

<u>Percentage Very Low-Income Units</u>	<u>Percentage Density Bonus</u>
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35

PROJECTS WITH UNITS FOR SENIOR CITIZENS

20 percent of the number of senior housing units.

Chapter 17.51 - REASONABLE ACCOMMODATION IN ZONING

Chapter 17.51.1 – REASONABLE ACCOMMODATION IN DEVELOPMENT REGULATIONS

Sections:

17.51.010 - Purpose.

17.51.020 – Eligibility for Accommodation Request.

17.51.030 - Notice to the Public of Availability of Accommodation Process.

17.51.040 - Requesting Reasonable Accommodation.

17.51.050 - Reviewing Authority.

17.51.060 - Required Findings.

17.51.070 - Written Decision on the Request for Reasonable Accommodation.

17.51.080 - Appeals.

17.51.010 - Purpose.

The purpose of this Chapter is to provide individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use, zoning, and building regulations, policies, practices, and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.

17.51.020 – Eligibility for Accommodation Request.

An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment. A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning or building regulation, policy, practice or procedure acts as a barrier to fair housing opportunities.

17.51.030 – Notice to the Public of Availability of Accommodation Process.

Notice of the availability of reasonable accommodation shall be prominently displayed at public information counters in the planning, zoning and building departments, advising the public of the availability of the procedure for eligible individuals. Forms for requesting reasonable accommodation shall be available to the public in the Planning and Building and Safety departments.

17.51.040 – Requesting Reasonable Accommodation.

- A. In order to make housing available to an individual with a disability, any eligible person as defined in Section 17.51.020 may request a reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures.
- B. Requests for reasonable accommodation shall be in writing and provide the following information:
 - (1) Name and address of the individual(s) requesting reasonable accommodation ;

Title 17 - ZONING

Chapter 17.51 - REASONABLE ACCOMMODATION IN ZONING

- (2) Name and address of the property owner(s);
 - (3) Address of the property for which accommodation is requested;
 - (4) Description of the requested accommodation and the regulation(s), policy or procedure for which accommodation is sought; and
 - (5) Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.
- C. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- D. A request for reasonable accommodation in regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.
- E. If an individual needs assistance in making the request for reasonable accommodation, the jurisdiction will provide assistance to ensure that the process is accessible.

17.51.050 – Reviewing Authority.

- A. Requests for reasonable accommodation shall be reviewed by the Director of the Department of Economic and Community Development (“Director”), using the criteria set forth in Section 17.51.060.
- B. The Director shall issue a written decision on a request for reasonable accommodation within thirty (30) days of the date of the application and may either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth in Section 17.51.060.
- C. If necessary to reach a determination on the request for reasonable accommodation, the Director may request further information from the applicant consistent with fair housing laws, specifying in detail the information that is required. In the event that a request for additional information is made, the thirty (30) day period to issue a decision is stayed until the applicant responds to the request.

17.51.060 – Required Findings.

The written decision to grant, grant with modifications, or deny a request for reasonable accommodation shall be consistent with fair housing laws and based on the following factors:

- (1) Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;
- (2) Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws;

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Chapter 17.51 - REASONABLE ACCOMMODATION IN ZONING

- (3) Whether the requested accommodation would impose an undue financial or administrative burden on the jurisdiction and;
- (4) Whether the requested accommodation would require a fundamental alteration in the nature of the jurisdiction's land use and zoning or building program.

17.51.070 – Written Decision on the Request for Reasonable Accommodation

- A. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the reviewing authority's findings on the criteria set forth in Section 17.51.060. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below. The notice of decision shall be sent to the applicant by certified mail.
- B. The written decision of the Director shall be final unless an applicant appeals it to the City Council.
- C. If the Director fails to render a written decision on the request for reasonable accommodation within the thirty (30) day time period allotted by Section 17.51.050, the request shall be deemed granted.
- D. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

17.51.080 – Appeals.

- A. Within thirty (30) days of the date of the Director's written decision, an applicant may appeal an adverse decision to the City Council. Appeals from the adverse decision shall be made in writing.
- B. If an individual needs assistance in filing an appeal on an adverse decision, the jurisdiction will provide assistance to ensure that the appeals process is accessible.
- C. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- D. Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.



Daly City Planning Commission Agenda Report

333 - 90th Street ♦ Daly City ♦ California ♦ 94015 ♦ 650-991-8033

<u>Meeting Date:</u>	April 1, 2014
<u>Application:</u>	General Plan Housing Element Implementation (2014) General Plan Amendment GPA 3-14-8719 and Zone Change ZC-3-14-8710
<u>Project Planner:</u>	Michael Van Lonkhuysen, Interim Planning Manager
<u>Project Location:</u>	Amendments to Chapter 17 (Zoning), including additions of Chapters 17.41.1 (Density Bonus) and 17.51 (Reasonable Accommodation in Zoning) – all applicable parcels citywide; Amendments to Sullivan Corridor Specific Plan text – all parcels designated C-R/O Commercial Retail and Office; Amendment to Sullivan Corridor Specific Plan map – 1670 and 1698 Bryant Street; others with no assigned addresses (APNs 006-346-080, -130, -140, -150, and -190); Amendment to BART Station Area Specific Plan map – 7367 and 7395 Mission Street; others with no assigned addresses (APNs 006-251-210, -220, and -230); and Amendments to Zoning Map – 169 First Avenue (APN 006-252-080) 1050 St. Francis Boulevard (APN 091-211-340)
<u>Project Description:</u>	Amendment to the Daly City Municipal Code – Title 17 (Zoning), the Sullivan Corridor Specific Plan, and the BART Station Area Specific Plan
<u>Applicant:</u>	City of Daly City 333 90 th Street Daly City, CA 94015
<u>Environmental Assessment:</u>	Exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(b)(3)
<u>Applicable Daly City Municipal Code Sections:</u>	Chapter 17.04 – Definitions Chapter 17.06 – Zoning Districts Chapter 17.08 – R-1 Single Family Residential District Chapter 17.15 – BART Commercial District Chapter 17.18 – C-1 Light Commercial District Chapter 17.21 – SC Sullivan Corridor Specific Plan District Chapter 17.34 – Off-Street Parking and Loading Chapter 17.45 – Design Review Chapter 17.47.1 – Density Bonus (new) Chapter 17.51 – Reasonable Accommodation in Zoning (new)

Background

The Housing Element is one of seven State-mandated elements of the General Plan, and includes goals, policies, and programs addressing existing and future housing conditions and needs in Daly City. The City adopted the Housing Element for the 2009-2014 Regional Housing Need Allocation (RHNA) cycle in March 2013. The City is now in the process of updating the Housing Element for the 2013-2021 RHNA cycle and is preparing the document for eventual review by the State Department of Housing and Community Development (HCD).

In response to suggestions from jurisdictions, HCD has made significant changes to how it reviews Housing Elements. One of these changes is that certain parts of the Housing Element will be eligible for less HCD scrutiny in a process called “Streamlined Review.” Under Streamlined Review, HCD staff will focus on changes to the City’s existing Housing Element, rather than reviewing the entire document. Streamlined Review is critical to the schedule for Housing Element review by HCD and eventual adoption, which must occur prior to January 2015.

In order to qualify for Streamlined Review, there several steps the City must take in fulfillment of the Housing Element adopted for the 2009-2014 RHNA cycle, including the following:

1. Rezone the parcels identified in the Element that needed to be rezoned to meet the adequate sites inventory identified in the element (see Tasks HE-6.2 through HE-6.6 on pages 106 and 107 of the Housing Element, viewable at www.dalycity.org/gp);
2. Amend the Sullivan Corridor Specific Plan to identify the allowance of emergency shelters as a permitted land use, i.e., without the requirement for a use permit, on properties designated C-R/O Commercial Retail and Office by the Specific Plan, and establish regulations for such facilities (see Task HE-14.2 on page 110 of the Housing Element);
3. Add Chapter 17.41.1 – Density Bonus to the Daly City Municipal Code, providing procedures that provide density and construction incentives for developments containing housing units that will be permanently affordable to very low, low, or moderate-income households, or provide senior citizen housing (see Task HE-14.4 on page 109 of the Housing Element);
4. Add Chapter 17.51 – Reasonable Accommodation in Zoning to the Daly City Municipal Code, providing procedures and permit requirements for administrative relief from the Zoning Ordinance, where necessary, to accommodate the siting, funding, development, and use of housing by people with disabilities (see Task HE-15.3 on page 110 of the Housing Element);

In addition to these amendments, HCD has communicated to the City that immediate implementation of Housing Element Tasks 14.3, 14.4, and 16.2 is necessary. These tasks relate to amending the R-1 Single-Family Residential District to identify transitional housing and supportive housing as allowed uses in any residential zone without the requirement for a use permit, and providing an updated definition of “Family” in the Zoning Ordinance consistent with State and federal fair housing laws.

Rezoning to Meet Adequate Sites Inventory

The City of Daly City is requesting approval to rezone sites on the Zoning Map and redesignate sites in the Sullivan Corridor Specific Plan and BART Station Area Specific Plan, as implementation measures of the General Plan Housing Element. The specific actions requested are as follows:

1. Amend the Zoning Map to rezone the 1.02-acre property located at 169 First Avenue from ID Interim District to R-3 Residential Multiple Family (see Attachment A – 169 First Avenue Rezone Area).
2. Amend the Zoning Map to rezone the 2.49-acre property located at 1050 St. Francis Boulevard from PD 46 to PD 46A, thereby removing the 36 dwelling unit maximum presently imposed by the PD 46 zoning. The maximum density shall instead reflect the permitted General Plan Medium Density designation currently attributable to the site, i.e., 35 dwelling units per acre (see Attachment B – 1050 St. Francis Boulevard Rezone Area).
3. Amend the Sullivan Corridor Specific Plan to redesignate five parcels totaling 1.38-acres (1670 and 1698 Bryant Street; others with no assigned addresses) situated north of Pierce Street between Bryant Street and Edgeworth Avenue from the C-R/R Residential Retail Commercial specific plan designation to the C-R/O Retail and Office Commercial designation (see Attachment C – 1670 and 1698 Bryant Street Redesignation Area).
4. Amend the BART Station Area Specific Plan to redesignate three parcels totaling the 1.73-acres (including 7367 and 7395 Mission Street; others with no assigned addresses) situated north of East Market Street between Mission Street and First Avenue from the Neighborhood Commercial specific plan designation to the Neighborhood Commercial Residential Above designation (see Attachment D – 7367 and 7395 Mission Street Redesignation Area). This redesignation essentially provides for a modification in development regulations consistent with the current C-1 Light Commercial zoning that exists along Mission Street. For example, the current designation allows for not more than two stories, or 35 feet, while the new designation would allow for three stories, or 45 feet.

In accordance with State law, the above rezonings and Specific Plan amendments must result in each of the sites having the following qualities: 1) development is by-right; 2) each site is large enough to accommodate 16 dwelling units; and 3) the minimum allowed density for each site is 20 dwelling units per acre. Also, State law requires that at least half these be zoned exclusively for residential development, i.e., they may not be mixed-use in nature.

To meet these requirements, it is necessary for the City to amend the Sullivan Corridor Specific Plan and development regulations in Chapter 17.21 – SC Sullivan Corridor Specific Plan District to allow mixed-use development exceeding 20 dwelling units/acre without the requirement for a use permit for parcels in the Specific Plan Area subject to the C-R/O Retail and Office Commercial designation. Staff has therefore prepared an amendment to Chapter 17.21.030 – Specific Plan Designations and Regulations, which contains development regulations, pertaining to C-R/O Commercial Retail and Office designated parcels, that identifies this allowance (see Attachment E – Revised C-R/O Commercial Retail and Office Land Use Regulations).

Allowance of Emergency Shelters

In 2007, the State Legislature adopted SB 2, amending the state's Government Code to require that every California jurisdiction have at least one identified zoning district in which emergency shelters are allowed without the requirement of a use permit. The Housing Element identified parcels designated C-R/O Commercial Retail and Office in the Sullivan Corridor Specific Plan Area as the most appropriate to allow emergency shelters and committed the City, in Policy HE-14, to amending the Zoning Ordinance and Sullivan Corridor Specific Plan appropriately.

In compliance with the requirements of SB2, the following amendments are necessary to the Zoning Ordinance and Sullivan Corridor Specific Plan:

1. Add the definition of "Emergency Shelter," as defined in the Health and Safety Code Section 50801(e), to Chapter 17.04 – Definitions, which is: "Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay."
2. Add "Emergency Shelters" as a permitted use, i.e., without the requirement for a use permit, in the area designated C-R/O Commercial – Retail and Office by the Sullivan Corridor Specific Plan (see Attachment F – Map of C-R/O Designation Area).
3. Add "Emergency Shelters" to Chapter 17.34 – Off-Street Parking and Loading, requiring 0.75 covered or uncovered parking spaces per employee for emergency shelters. This parking requirement considers the proximity of the C-R/O Commercial Retail and Office District to public transit (BART, SamTrans, Seton Shuttle) and is consistent with recently adopted regulations for Emergency Shelters adopted San Mateo County for unincorporated parcels around the Colma BART Station.
4. Amend Chapter 17.45.120 (Design Review) Applicability to specifically exclude Emergency Shelters in the C-R/O Designation Area from the City's Design Review requirements.

In its review of the Housing Element, HCD determined that the amendment would fulfill the requirements of SB 2. The City Council specifically considered this amendment to the Sullivan Corridor Specific Plan during its consideration of the updated Housing Element when it adopted the Housing Element in March 2013.

Allowance of Transitional and Supportive Housing

These proposed amendments to the R-1 Residential Single Family District relate to identifying "Transitional Housing" and "Supportive Housing" as allowed uses in any residential zone without the requirement for a use permit and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone.

HCD required the inclusion of Housing Element Tasks HE-14.3 and HE.4, requiring that the City amend the Zoning Ordinance to allow these uses, in accordance with State law. According to HCD, the City must allow transitional and supportive housing in all zones allowing residential uses and are not subject to any restrictions (e.g., occupancy limit) not imposed on similar dwellings (e.g., single family homes and apartments) in the same zone in which the transitional housing and supportive housing is located. For example, transitional housing located in an apartment building in a multifamily zone is permitted in the same manner as an apartment building in the same zone and supportive housing located in a single family home in a single family zone is permitted in the same manner as a single family home in the same zone.

Transition and supportive housing are interrelated. Transitional housing is a type housing used to facilitate the movement of homeless individuals and families to permanent housing. A homeless person may live in a transitional apartment for up to two-years while receiving supportive services that enable independent living. Supportive housing is permanent rental housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives.

In compliance with Housing Element Tasks HE-14.3 and HE-14.4, and the California Health and Safety Code, Chapter 17 (Zoning) would be amended as follows:

1. A new definition for “Transitional Housing” would be added to Chapter 17.04 as follows: “Buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted units to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.”
2. A new definition for “Supportive Housing” Supportive Housing would be added to Chapter 17.04 as follows: “Housing with no limit on length of stay, that is occupied by the target population as defined in subdivision (d) of Section 53260, and that is linked to on- or off-site services that assist the supportive housing residents in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.”
3. A new definition for “Target Population” would be added to Chapter 17.04 as follows: “Adults with low-income having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act Division 4.5 (commencing with Section 4500 of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people.”
4. “Transitional Housing” and “Supportive Housing” would be added as a permitted uses, i.e., without the requirement for a use permit, to the R-1 Single Family Residential District, with a footnote that indicates that these uses are, “Subject only to those restrictions that apply to other residential dwellings of the same type in the same zone” allowance (see Attachment G – Revised R-1 Single Family Residential Land Use Regulations).

Staff is proposing a change only in the R-1 zone because the City's zoning is hierarchical in nature, meaning that the R-2 and R-3 zones allow all the uses in the R-3 zone by right. The allowance would also apply to all Planned Development zones which allow residential uses.

Density Bonus Provisions

State density bonus law requires local governments to provide density bonuses and other incentives to developers of affordable housing who commit to providing a certain percentage of dwelling units to persons whose incomes do not exceed specific thresholds. Housing Element Task HE-12.4 commits the City to developing a Density Bonus Ordinance consistent with State law. The text of the City's draft ordinance is provided in Attachment H – Draft Text of Chapter 17.47.1 – Density Bonus.

Essentially, the draft ordinance establishes that a residential project of five or more units that provides affordable or senior housing at affordability levels specified in the State Government Code Section 65915 are eligible for a density bonus allowing more dwelling units than would otherwise be allowed on the site by the General Plan and Zoning Ordinance. The amount of the density bonus for each affordability level and for senior housing development is also prescribed by the Government Code Section 65915, which is included in the Ordinance by reference. Attachment I – Density Bonus Schedule provides an overview of the amount of density bonus a developer could expect based on affordability to very-low and low-income household, and development exclusively for occupancy by senior citizens.

In addition to the density bonus provision, the draft ordinance identifies the incentives and concessions for which developers of affordable housing may be eligible, depending on the affordability level within the project. These include setback reductions, increased lot coverage, increased building height, and reduction in parking standards. The number of incentives or concessions is similarly dictated by State law and varies from one to three incentives depending on the level of project affordability.

Reasonable Accommodation Provisions

Federal and state housing laws require that cities and counties provide flexibility or even waive certain land use regulations when it is necessary to eliminate barriers to housing opportunities for people with disabilities. An example of such a request might be to reduce the front yard setback to place a ramp in a front yard to provide access to a person using a wheelchair from the street to the front door. Task HE-15.3 commits the City to amending the Zoning Ordinance to establish clear procedures to ensure that development regulations contain flexibility to accommodate the special needs of the disabled.

In response to this requirement, the City is proposing a reasonable accommodation procedure allowing the Director of the Department of Economic and Community Development to review and grant reasonable accommodation requests using criteria identified. Central to the decision to grant the request is whether the requested accommodation would impose an undue financial or administrative burden on the jurisdiction, or would require a fundamental alteration in the nature of the jurisdiction's land use and zoning or building program. If the Director can find that the

request does not, and is necessary to make housing available to an individual with disabilities protected under the fair housing laws, the Director may grant the request for reasonable accommodation in accordance with specific findings. The text of the City's draft ordinance is provided in Attachment J – Draft Text of Chapter 17.51 – Reasonable Accommodation in Zoning.

Revision to Definition of “Family”

This proposed amendment will align the City's definition of “Family” with the definitions found in the State's Health and Safety Code, the Federal Fair Housing Amendments Act of 1988, and the California Fair Housing and Employment Act. HCD required the inclusion of a Housing Element task to amend the existing definition in the Housing Element to ensure compliance with these laws. The existing definition of "Family" in Chapter 17 is “a person or group of persons related by blood, marriage or adoption living together as a single housekeeping unit as distinguished from a group occupying a hotel, club, fraternity, sorority or boardinghouse. A family shall be deemed to include necessary employees.”

The proposed change to Chapter 17.04 – Definitions is actually three-part consisting of the following amendments:

1. The definition of “Family” would be revised to read as follows: “One or more persons living together as a single housekeeping unit in a dwelling unit.”
2. A new definition for “Single Housekeeping Unit” would be added as follows: “One person or two or more individuals living together sharing household responsibilities and activities, which may include, sharing expenses, chores, eating evening meals together and participating in recreational activities and having close social, economic and psychological commitments to each other”; and
3. A new definition for “Dwelling Unit” would be added as follows: “Any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more persons living together as a single housekeeping unit, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.”

Of fundamental significance to these changes is the elimination of the distinction between related and unrelated persons living together within a dwelling unit. The City's ability to regulate the ability of unrelated persons living together is preempted by California Constitution privacy clauses, which are intended to prevent infringement upon on an individual's right to choose with whom he or she lives.

Environmental Assessment

Because the above actions do not constitute approval of actual construction, will not result in a direct or reasonably foreseeable indirect physical change in the environment, and were evaluated as part of the Daly City General Plan Environmental Impact Report (EIR), no further environmental review under CEQA is required.

Findings

Staff finds General Plan Amendment GPA 3-14-8719 and Zone Change ZC-3-14-8710 in compliance with General Plan Housing Element and Title 17 (Zoning) of the Daly City Municipal Code. Approval of the proposed amendments would not be detrimental to the health, safety, morals, comfort and general welfare of persons residing in or working in Daly City, injurious or detrimental to the property and improvements in Daly City, or detrimental to the general welfare of the city. Approval of the proposed amendments are in the best interest of the public health, safety, and general welfare of the community. These findings are based on the following facts:

1. The City Council adopted the Daly City General Plan on March 25, 2013, including the Housing Element implementing the 2009-2014 Regional Housing Need Allocation (RHNA 4);
2. The State Department of Housing and Community Development (HCD) has certified that the Housing Element complies the statutory requirements of State housing element law (Article 10.6 of the California Government Code), conditional upon the City implementing pertinent policies and tasks identified in the Element;
3. The City is currently developing an updated Housing Element in compliance with the 2013-2021 Regional Housing Need Allocation (RHNA 5) and desires Streamlined Review from HCD;
4. The City, in recognition of prerequisites for Streamlined Review, has prepared amendments to the Daly City Municipal Code – Title 17 (Zoning), the Sullivan Corridor Specific Plan, and BART Station Area Specific Plan, which are required as pertinent implementation measures of the 2013 Housing Element;
5. The amendments to the Zoning Map, Sullivan Corridor Specific Plan, and BART Station Area Specific Plan are consistent with Housing Element Tasks HE-4, HE-5, HE-6.2, and HE-6.3, the General Plan Land Use Element, and California Government Code Sections 65580-65589.8;
6. The amendment to Chapter 17.21 – SC Sullivan Corridor Specific Plan District to allow mixed-use development on parcels designated C-R/O Retail and Office Commercial by the Sullivan Corridor Specific Plan is consistent with the Specific Plan allowance of residential uses on parcels within this designation;
7. The amendments to the Chapter 17 (Zoning) relating to Emergency Shelters, Transitional Housing, and Supportive Housing, are consistent with Housing Element Tasks HE-14.1, HE-14.2, HE-14.3, and HE-14.4, California Government Code Section 65583, and Health and Safety Code Sections 50800-50806.5;

8. The amendment to the Chapter 17 (Zoning) adding Chapter 17.47.1 – Density Bonus is consistent Housing Element Task HE-12.4 and California Government Code Sections 65915-65918;
9. The amendment to the Chapter 17 (Zoning) adding Chapter 17.51 – Reasonable Accommodation in Zoning is consistent with Housing Element Task HE-15.3, the California Government Code Section 65583(c)(3), the Federal Fair Housing Amendments Act of 1988, and the California Fair Employment and Housing Act; and
10. The amendments to Chapter 17.04 – Definitions relating to the definition of “Family” is consistent with Housing Element Tasks HE-16.2, the California Health and Safety Code, the Federal Fair Housing Amendments Act of 1988, and the California Fair Housing and Employment Act.

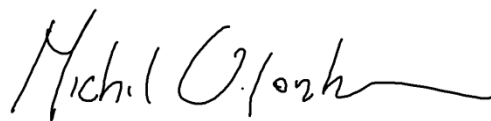
Recommendations

Staff recommends that the Planning Commission forward to the City Council the following recommendation:

1. Adopt the Findings as outlined herein;
2. Approve General Plan Amendment GPA 3-14-8719 and Zone Change ZC-3-14-8710, amending the Daly City Municipal Code – Title 17 (Zoning), the Sullivan Corridor Specific Plan, and the BART Station Area Specific Plan, as described in this staff report.

Staff is available to provide any additional information desired by the Planning Commissioners.

Respectfully submitted,



Michael Van Lonkhuysen
Interim Planning Manager



Tatum Mothershead
Interim Director of Economic and
Community Development

Attachments

- Attachment A – 169 First Avenue Rezone Area
- Attachment B – 1050 St. Francis Boulevard Rezone Area
- Attachment C – 1670 and 1698 Bryant Street Redesignation Area
- Attachment D – 7367 and 7395 Mission Street Redesignation Area
- Attachment E – Revised C-R/O Commercial Retail and Office Land Use Regulations
- Attachment F – Map of C-R/O Designation Area
- Attachment G – Revised R-1 Single Family Residential Land Use Regulations
- Attachment H – Draft Text of Chapter 17.47.1 – Density Bonus
- Attachment I – Density Bonus Schedule
- Attachment J – Draft Text of Chapter 17.51 – Reasonable Accommodation in Zoning