

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, April 22, 2013 - 7:00 PM
City Hall Council Chambers – 2nd Floor
333 – 90th Street, Daly City, CA 94015

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

Webcast: www.dalycity.org/meetings

DRAFT

For those wishing to address the City Council on any Item on the Agenda or under Public Appearances/Oral Communications, please complete a Speaker Card located at the entrance to the Council Chambers and submit to a Staff Member as early in the meeting as possible.

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

CALL TO ORDER:

PLEDGE TO THE FLAG:

ROLL CALL:

PRESENTATIONS:

Proclaiming Week of April 21-27, 2013 as West Nile Virus and Mosquito and Vector Control Awareness Week

APPROVAL OF AGENDA:

CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and may be approved by one roll call vote of the City Council. There shall be no separate discussion of the matters on the Consent Agenda unless requested by a member of the City Council. If discussion is required, that item will be removed from the Consent Agenda and will be considered separately at the end of the Agenda.

AVAILABILITY OF PUBLIC RECORDS:

All public record 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.

Resolutions:

1. Authorizing Fire Safety Inspector Standby Compensation
2. Setting the Time & Place of the Public Hearing for Daly City's National Pollutant Discharge Elimination System Program Regulatory Fee
3. Authorizing Purchase of the Tactical Equipment for the Daly City Police Department's Special Weapons and Tactics Team
4. Authorizing Solicitation of Bids for 2013-14 Street Slurry Seal and Cape Seal (Original Daly City, Civic Center and Hillside Boulevard) Project
5. Approving Professional Services Agreement for Hillside Park Restoration
6. Setting Time and Place of Public Hearing Regarding Linda Vista Area of Benefit Fiscal Year 2013-2014
7. Requesting Appropriation of \$4,997.31 From Asset Forfeiture Funds for the Purchase of a Replacement Canon Document Scanner
8. Commending BAWSCA on the Occasion of its Tenth Anniversary
9. Adopting the Electronic Communications Policy for Members of the City Council, Commissions, Boards, and Committees

END OF CONSENT AGENDA

PUBLIC HEARINGS:

10. Public Hearing on Claim to Lien Property at 88 Crestline Avenue (APN 008-035-430)

Staff:

Campbell

Recommended Action:

Open/Close Hearing

Adopt Resolution

Roll Call

11. Public Hearing on Claim to Lien Property at 117 / 119 Chester Street (APN 006-481-270)

Staff:

Campbell

Recommended Action:

Open/Close Hearing

Adopt Resolution
Roll Call

12. Planned Development PD-2-10-1726 (PD-66) AND CEQA-3-12-5237, west of Martin Street and Steve Courter Way, APN (005-042-020)

A. EA (Mitigated Neg. Dec.)
B. Findings
C. PD-2-10-1726

Staff:

Mothershead

Recommended Action:

Motion on A
Adopt Resolutions B & C
Roll Call

13. Consideration of the City's HUD Five-Year Consolidated Plan for July 1, 2013 to June 30, 2018 and One -Year Action Plan for Fiscal Year 2013-14

Staff:

ZoBell

Recommended Action:

Open/Close Hearing
Adopt Resolution
Roll Call

COMMUNICATIONS:

14. Use Permit UPR-1-13-6728, Design Review DR-4-12-5412—Gellert Market Place Master Sign Program and Shopping Center Redevelopment

A. EA (Categorical Exemption)
B. Findings
C. UPR-1-13-6728, DR-4-12-5412

Staff:

Naughton

Recommended Action:

Motion on A
Adopt Resolutions B & C
Roll Call

AWARD OF BIDS/CONTRACTS:

15. Award of Construction Contract for the Hickey Boulevard/Callan Boulevard Traffic

Signal Modifications Project

Staff:

Chan

Recommended Action:

Adopt Resolution

Roll Call

ORDINANCES:

16. Second Reading, Ordinance No. 1368, Amending Municipal Code Section 10.23 Re: Parking of Oversized Vehicles

Staff:

Zimmerman

Recommended Action:

Adopt Ordinance

Roll Call

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

NOTE: Speakers are limited to two minutes, unless modified by the Mayor. The Council cannot take action on any matter raised under this item

APPOINTMENTS: Board/Commission Membership Committee Appointments

REPORTS:

17. Council Committee
18. City Council
19. Staff

ADJOURNMENT:



City Council Meeting Agenda Report

Item # _____

Meeting Date: April 22, 2013

Subject: Addition of Fire Safety Inspectors Standby Compensation

Recommended Action

That the City Council adopt the proposed Side Letter detailing the Standby Policy for Fire Safety Inspectors.

Background

North County Fire Authority is staffed with three Fire Safety Inspectors. Standby coverage and standby duty is an essential function of the Fire Safety classification. Currently, there are no formal procedures in place regarding how Fire Safety Inspectors are called back to work to respond to emergencies.

Discussion

In an effort to ensure efficient service to the community, management and the affected labor group agreed upon a Side Letter detailing the written procedures related to standby rotation and the associated compensation.

Fiscal Impact

Inspectors shall be compensated at \$1.80/per hour while assigned to their Standby rotation. Standby hours are as follows:

Monday through Friday: 5:30 p.m. to 7:00 a.m.

Saturday through Sunday: 7:00 a.m. to Monday at 7:00 a.m.

City Holidays: 7:00 a.m. to 7:00 a.m. the day after the City Holiday.

When a Fire Safety Inspector is called into work, he/she will receive a minimum of two hours overtime compensation. Once an Inspector is called and receiving overtime compensation, he/she will not be eligible for the Standby pay during that time period.

Summary/Conclusion

Staff requests that the City Council adopt the proposed Side Letter regarding Standby for Fire Safety Inspectors.

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,

Shawna Maltbie
Director of Human Resources



City Council Agenda Report

Item # _____

Meeting Date: April 22, 2013

Subject: Setting the Time and Place of the Public Hearing for Daly City's National Pollutant Discharge Elimination System Program Regulatory Fee

Recommended Action

It is recommended the City Council set the time and place of a public hearing for 7:00 p.m., Monday, May 13, 2013 to review the local National Pollutant Discharge Elimination System (NPDES) Stormwater Regulatory Fee.

Background

The San Francisco Water Board issued a consolidated Bay Area Municipal Regional Stormwater Permit on October 6, 2009, with an implementation date of December 1, 2009. The permit conditions cover municipal stormwater management activities over the next five years. The City/County Association of Governments continues to administer the General Program components. Each municipality is responsible for achieving specific program activities.

Discussion

Since 1995, Daly City utilized the regulatory fee structure adopted in Ordinance No. 1219 to finance local specific responses as mandated by the Stormwater Program. This fee structure has not been amended or increased at any time in the past 15 years. This fee structure remains as follows for each Assessor Parcel Number:

Single Family/Duplex	\$9.80	Multi-Family (11-20 units)	\$36.76
Unimproved Land	\$4.90	Commercial/Retail/Manufacturing	\$56.84
Multi-Family (3-10 units)	\$19.60	Condominiums	\$4.90

On an annual basis, this local fee generates approximately \$449,000. Its structure is based on the correlation between parcel size, land use and stormwater runoff, with the base fee assigned to single family/duplex parcels as they are the City's predominant land use. To allocate costs proportionately, all other categories of use are assigned a factor compared to single family/duplex and take into account frontage, impervious surface coverage and vehicle trips.

From its prior action, the City Council already authorized continued use of the San Mateo County Flood Control District to collect charges associated with the Countywide NPDES General Program.

Staff is available to provide any additional information desired by the Mayor or City Council members.

Respectfully submitted,

Patrick Sweetland

Director of Water and Wastewater Resources



City Council Agenda Report

Item # _____

Meeting Date: April 22, 2013

Subject: Purchase of the Tactical Communications Industries (TCI) Headset for the Daly City Police Department's Special Weapons and Tactics Team

Recommended Action

Staff recommends Council approve the use of asset forfeiture funds to purchase twenty-two (22) Tactical Communications Industries (TCI) communication headsets for the Daly City SWAT Team.

Background

The Daly City SWAT Team has been using standard patrol style communications in tactical/high-risk operations since the team's inception. For many years, military special operations units and tactical teams throughout the world have turned to a designated communication headset. These headsets enhance operator safety and overall abilities in the demanding environments common with tactical operations. There are many benefits of using a communications headset, but three specific benefits are paramount to operational success, and more importantly the safety of all involved.

The first benefit is the headsets provide hearing protection. In tactical environments, loud noises are common. These noises can be generated from distraction devices, ballistic breaching, and shots fired. The use of standard hearing protection is not an option as it inhibits an operator's ability to communicate and have auditory awareness of the surroundings. These headsets have a built in decibel limiter that shuts down the speaker in the headset to protect the operator's ears.

The second safety benefit the headsets provide is improved radio communication ability. The headset controls distracting outside noises such as the use of the public address system, vehicle engine noise, operator verbal commands, and mechanical noises. By controlling these noises with full ear encapsulation, vital radio communications can be more easily heard through the headset itself.

The final safety benefit is the headsets ability to amplify desired noise levels associated with verbal communication. The headsets have a volume control that allows the operator to set a desired audio level to improve verbal communications in tactical environments.

Discussion

Upon identifying the need for a tactical communications headset, several companies were researched for testing and evaluation. Tactical Communication Industries, Inc. (TCI) was identified as the company that best meets the needs of the Daly City SWAT team. TCI is a leading law enforcement and military supplier that provides industry superior technology and equipment. Their specific headset, the Liberator II, incorporates technology that covers all of the above outlined safety benefits needed by a tactical operator. It provides hearing protection and improved radio/face-to-face communication abilities. TCI is a sole source manufacturer and supplier for the Liberator II.

The purchase of twenty-two headsets would supply the entire SWAT team, as well as provide additional units as needed for Tactical Dispatchers or Hostage Negotiations members on specific operations.

Fiscal Impact

Funding for this purchase is being requested from asset forfeiture money. The one time purchase cost is quoted at \$14,271.98.

Summary/Conclusions

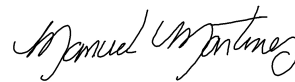
The Daly City SWAT team is a highly trained tactical unit providing a valuable resource to the Police Department in high-risk environments, as well as providing a service to the City of Daly City residents. The TCI tactical communication headsets proposed above are mission essential items. They could make the difference in the success of an operation, and more importantly could protect operators from career ending injuries. The TCI Liberator II is the communication headset that best meets the operational demands of our SWAT team, and will ensure industry leading capabilities moving forward.

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,



Patrick Hensley
Captain



Manuel Martinez Jr.
Chief of Police



City Council Agenda Report

Item # _____

Meeting Date: April 22, 2013

Subject: Authorization to Solicit Bids for 2013-14 Street Slurry Seal and Cape Seal (Original Daly City, Civic Center and Hillside Boulevard) Project

Recommended Action

Staff recommends that the City Council affirm the CEQA determination of a categorical exemption, approve the design documents, and authorize the construction bid invitation for the 2013-14 Street Slurry Seal and Cape Seal (Original Daly City, Civic Center and Hillside Boulevard) project.

Background

Since 1998, Daly City Public Works has undertaken a comprehensive street pavement preventative maintenance program. The “cornerstone” of this program is an annual Street Slurry Seal Project as the single most cost effective means to preserve a pavement’s condition and thereby reduce long term pavement operations and maintenance cost. Street slurry sealing and cape sealing replaces fine aggregate stripped from the pavement surface, reduces water penetration in the roadway base and thereby reduces base failures and the resultant damage that is much more costly to repair. Selection of streets to be surface sealed are based on several factors including the City’s Seven Year Master Plan, the City’s computer based Pavement Management System recommendations, visual observation of streets and other adjacent or associated work such as utility repairs and bike lane installations.

Discussion

This year’s program includes the Original Daly City neighborhood, Civic Center area and Hillside Boulevard. A copy of the plan showing the streets included in this year’s project is attached. The project bid solicitation includes slurry sealing and cape sealing approximately 11.2 miles of City streets, as shown on the attached plan. The project also includes installing signs and pavement markings to designate Class III bike routes on Westlake Avenue, School Street and Hillside Boulevard as approved in the updated pedestrian and bicycle master plan and in compliance with the City’s Complete Streets policy.

The project has been determined to be categorically exempt under Section 15301c, “Existing Facilities.” The construction contract award is tentatively scheduled for a City Council meeting in June 2013. Construction is anticipated to start in July 2013 and be completed by September 2013. The project requires closure of residential streets on the day of scheduled work, which will result in a temporary loss of parking and access on that day. Heavily traveled collector and arterial streets are prohibited from complete closure and the contractor is required, at a minimum, to maintain one lane of traffic in each direction to provide access at all times. Staff recognizes the inconvenience of the street maintenance work to the public and continually strives to improve the public outreach efforts from previous years.

A notification letter will be sent to the residents affected by the slurry seal and cape seal work once the construction contract is awarded approximately 30 days before the start of construction.

Authorization to Solicit Bids for 2013-14 Street Slurry Seal and Cape Seal (Original Daly City, Civic Center and Hillside Boulevard) Project
Meeting Date: April 22, 2013
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Additionally, the contractor will be required to hand deliver a communiqué to the residents three (3) days prior to the scheduled application of a slurry seal or cape seal on the residents' particular street. Parking restrictions will be coordinated with street sweeping and waste collection schedules. The contractor is required to schedule his work to allow street opening by 5:00 p.m. A project website will be created that will allow residents to check on the status of the project and better anticipate the contractor's work schedule.

Five schools have been identified as being in the project area. The school year is scheduled to conclude at these schools on June 7 and recommence the third week of August. Work on the streets that provide access to these schools will be required to end by August 16 prior to schools reopening in order to prevent, or limit, impacts to school activities.

Fiscal Impact

The construction cost for the project is estimated to be \$1,028,000, including contingency and construction inspection. Adequate funds are available for the project in the FY 2013-14 Gas Tax project Account 17-312-618.

Summary/Conclusion

Staff recommends that the City Council affirm the CEQA finding, approve the project design documents, and authorize construction bid invitation for the 2013-14 Street Slurry Seal and Cape Seal (Original Daly City, Civic Center and Hillside Boulevard) project.

Staff is available to provide any additional information desired by the Mayor or City Council Members.

Respectfully submitted,



Shirley Chan
Traffic Engineer

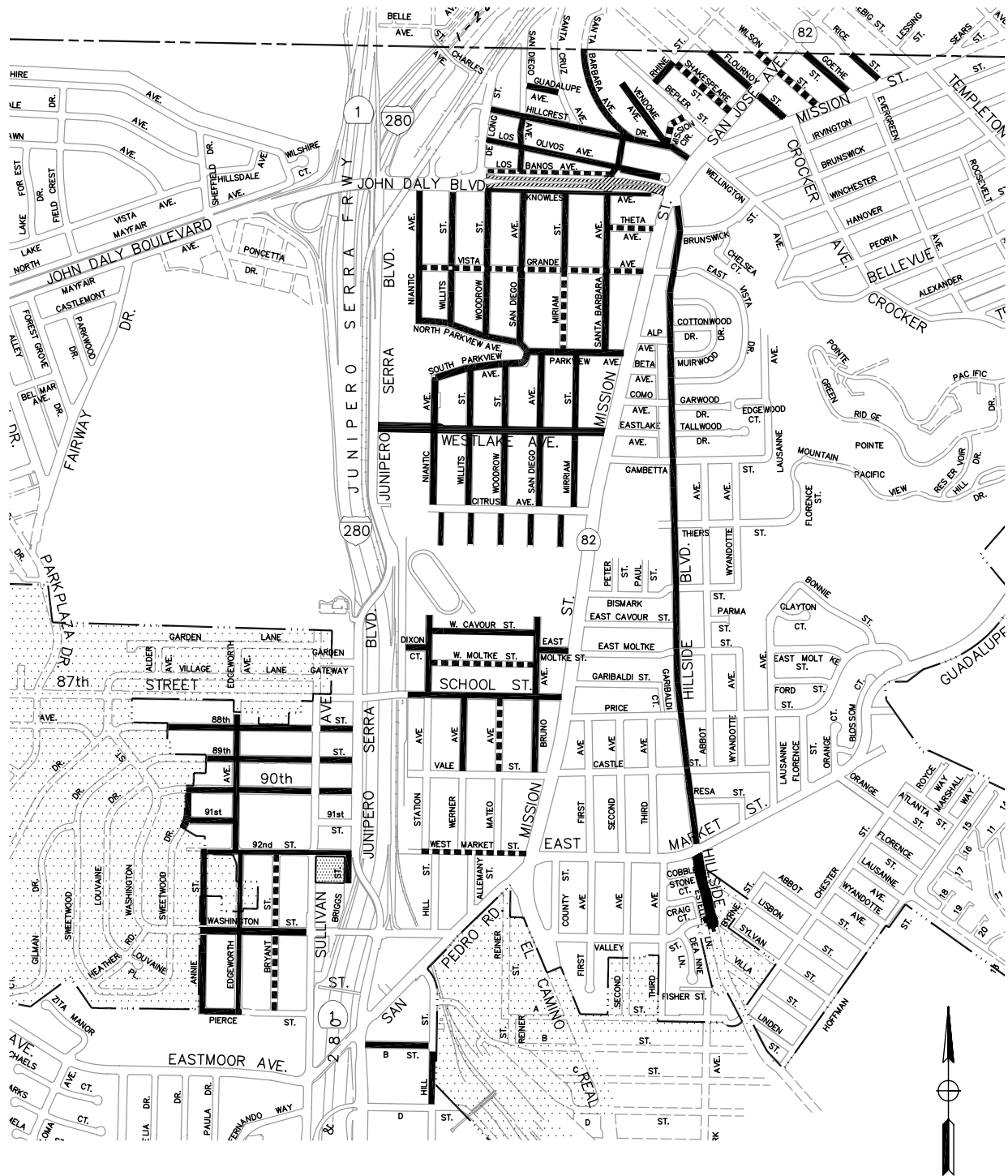


John L. Fuller
Director of Public Works

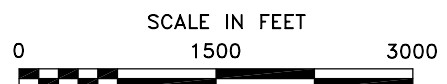
Attachments: Location Map

CITY OF DALY CITY
SAN MATEO COUNTY, CALIFORNIA

PROJECT PLANS FOR CONSTRUCTION OF
2013-14 STREET SLURRY SEAL AND CAPE SEAL



- SLURRY SEAL STREETS (BASE BID)
- == CAPE SEAL STREETS (BASE BID)
- ▨ DEEP-LIFT AREA (ADD ALTERNATE 1)





City Council Agenda Report

Item # _____

Meeting Date: April 22, 2013

Subject: Professional Services Agreement for Hillside Park Restoration

Recommended Action

Staff recommends that the City Council appropriate \$83,500 from Water Fund Balance to fund the design of the Hillside Park Restoration Project and authorize the City Manager to execute an agreement for professional services with URS Corporation of Oakland, California, for design and construction support services for the restoration of Hillside Park in the amount of \$64,650.

Background

Early Tuesday, November 13, 2012, a water main break in the line leading to Reservoir 3 impacted Hillside Park and the surrounding neighborhood. The Hillside Park Slide Repair Project was created in response to the Council's declaration of a local emergency (Resolution No. 12-172). The project to restore the slope above Hillside Park and the water main leading to the reservoir is substantially complete. The next phase of work associated with addressing the impacts of the main break is to restore the upper area of Hillside Park for use by the public.

Discussion

URS Corporation (URS) has been supporting the City in its restoration efforts associated with the hillside washout and slide repair. URS is familiar with the park site and can expeditiously prepare design and construction bid documents for the restoration of the park.

The scope of work with URS includes the following:

- Site topographic survey
- Preparation of the design and construction bid documents for the restoration of the upper park area to include:
 - Re-grading of the site
 - Reestablishment of the central grass area, planting area between the access trails, planting along the southern side of the upper park between the pathways and Lausanne Avenue, including a new irrigation system
 - Reestablishment of the access pathways and extension of the pathways around the perimeter to encompass the central grass area
 - Installation of a maintenance driveway at Bonnie Street
 - Reestablishment of the picnic areas including site furnishings
 - Replanting and hydroseeding the slide repair area northeast of the Upper Park with permanent native planting
- Bidding and construction period assistance on a time and materials basis

It is estimated that the impervious area created or replaced as part of the project will be greater than 10,000 square feet, requiring a site design compliance review for the San Francisco Bay Region -

Municipal Regional Stormwater NPDES Permit. Staff will be contracting with a 3rd party reviewer for the site design compliance certification.

Fiscal Impact

Sufficient funds are available in Water Fund Balance for project design and oversight. Appropriation of funds for construction, construction inspection and contract administration will be requested at a later date. It is also recommended that a new project account be created for this project as it differs in area and scope from the hillside slope restoration project.

Summary/Conclusion

Staff recommends that the City Council appropriate funds from Water Fund Balance and authorize the City Manager to execute an agreement for professional services with URS Corporation of Oakland, California, for design and construction support services for the restoration of Hillside Park in the amount of \$64,650.

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,



Robert Ovadia
Acting City Engineer



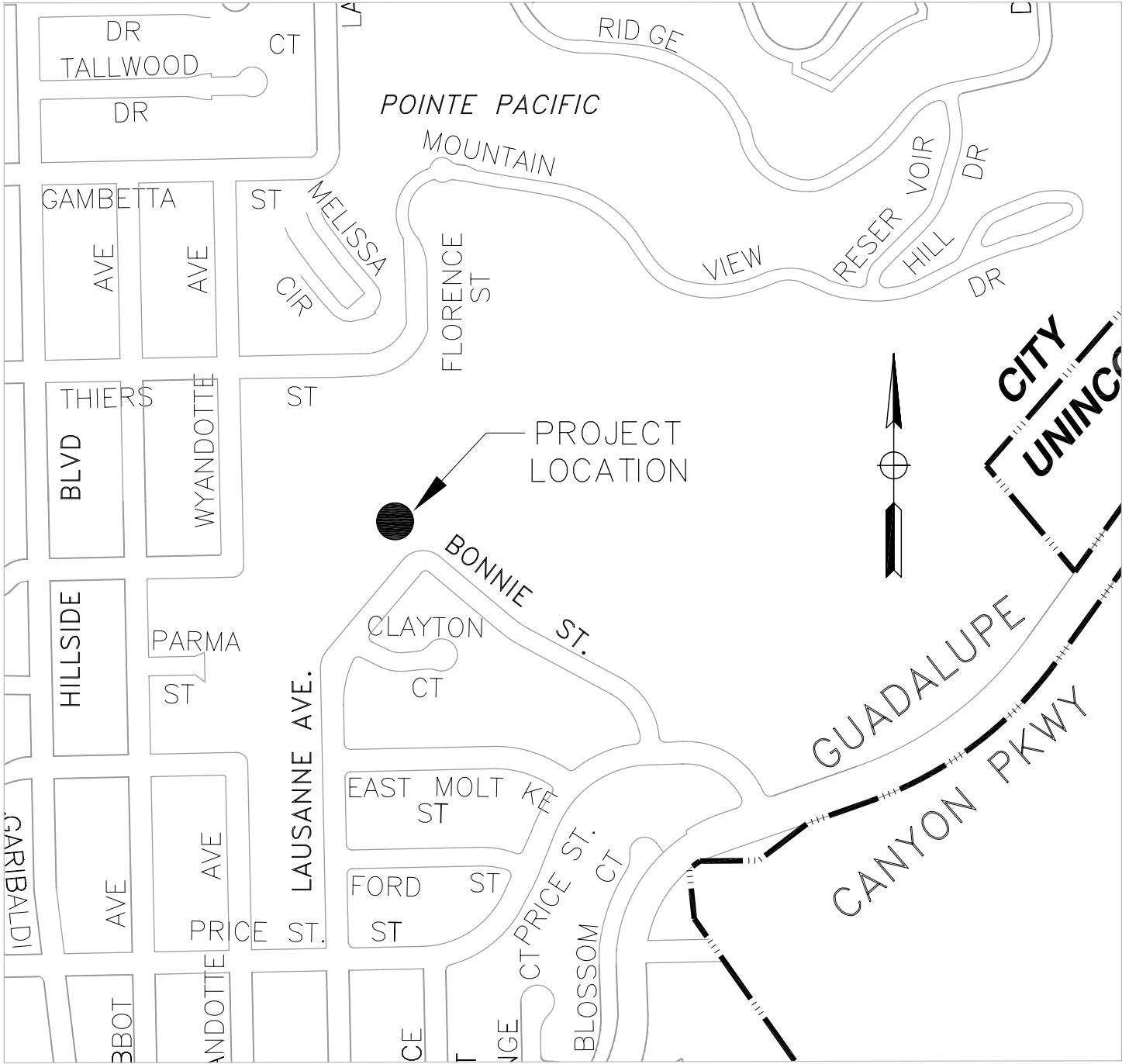
Patrick Sweetland
Director of Water and Waste Water Resources

Attachment: Location Map

CITY OF DALY CITY
SAN MATEO COUNTY, CALIFORNIA

PROJECT LOCATION MAP

HILLSIDE PARK RESTORATION



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City Council Agenda Report

Item # _____

Meeting Date: April 22, 2013

SUBJECT: Setting Time and Place of Public Hearing Regarding Linda Vista Area of Benefit Fiscal Year 2013-2014

Recommended Action

Set May 28, 2013, as the date for public hearing to establish the services and assessments for Linda Vista Area of Benefit for Fiscal Year 2013-2014.

Background

The City Council established the Linda Vista Area of Benefit on February 12, 1990, to provide for the maintenance of storm water detention basins and other storm facilities within the Linda Vista and Bay Ridge Subdivisions and the downstream Outfall Channel, through annual Benefit Assessments. It is necessary to re-establish each year the assessment rate for the coming fiscal year.

Discussion

Per the Government code that empowers the City Clerk to proceed, I have set the Hearing for the Linda Vista Assessment District for the Regular City Council Meeting of May 28, 2013, at 7:00 P.M.

All agencies, districts and parties interested will be notified by mail. The Notice of Hearing will also be posted in the Linda Vista Area of Benefit area as well as in City Hall and the public libraries.

Summary/Conclusion

Staff is available to provide any additional information desired by the Mayor or Councilmember.

Respectfully submitted,

Teresa M. Ricci
Assistant City Clerk

Respectfully submitted,

K. Annette Hipona
City Clerk



City Council Meeting Agenda Report Item # _____

Meeting Date: April 22, 2013

Subjects: Request for Appropriation of \$4,997.31 from Asset Forfeiture Funds for the Purchase of a Replacement Canon Document Scanner

Recommended Action

Staff recommends the City Council approve the appropriation of \$4,997.31, from Asset Forfeiture funds, allowing the Police Department to purchase a replacement Canon document scanner for use with the SIRE document storage system.

Background

The Police Department has been utilizing the SIRE document storage system since 2009 to store all documents related to past and current cases. The use of a commercial-grade document scanner is required to digitize the documents.

Discussion

The current SIRE document scanner has become inoperable and is no longer in production. It is over four years old and has exceeded its operational production period based on usage. A comparable replacement scanner from a direct City approved vendor, GovConnection, has been identified.

Fiscal Impact

\$4,997.31 from Asset Forfeiture account. Sufficient funds are available.

Summary/Conclusions

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,

Patrick Hensley
Captain

Manuel Martinez Jr.
Chief of Police

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY
COMMENDING BAWSCA ON THE OCCASION OF ITS TENTH ANNIVERSARY

WHEREAS, the Bay Area Water Supply and Conservation Agency ("BAWSCA") which represents the regional interests of 26 Wholesale Water Agencies that purchase water from the San Francisco Public Utilities Commission will mark its Tenth Anniversary on May 19, 2013; and,

WHEREAS, BAWSCA advocates on behalf of the collective interests of 1.7 million residents of Alameda, Santa Clara and San Mateo Counties to plan for and acquire supplemental water supplies, encourage water conservation and the use of recycled water on a regional basis; and,

WHEREAS, the creation of BAWSCA was the cornerstone of three legislative measures introduced in January 2002 by State Assemblyman Louis J. Papan and State Senator Jackie Speier that provided for the formation of the regional agency, the creation of the San Francisco Regional Water System Financing Authority and establishment of the Wholesale Water System Security and Reliability Act; and,

WHEREAS, on March 25, 2002, the City Council of Daly City formally endorsed all three legislative measures, and on September 24, 2002, the measures were signed by California Governor Gray Davis and became law on January 1, 2003; and,

WHEREAS, on February 24, 2003, the City Council of Daly City unanimously approved becoming a member of BAWSCA and appointed Councilmember Adrienne Tissier to serve as the City representative on the Board of Directors until June 11, 2007 when Councilmember Michael P. Guingona was subsequently appointed and continues to represent Daly City on the BAWSCA Board of Directors; and,

WHEREAS, BAWSCA has sustained its value to member agencies through a variety of projects and programs including the appointment of BAWSCA as the regional representative to negotiate a comprehensive new agreement with the San Francisco Public Utilities Commission leading to the City Council's endorsement of a 25-year Water Supply Agreement that took effect July 1, 2009, and more recently when the City Council authorized BAWSCA to pre-pay debt owed to San Francisco through the successful issuance of bonds in the amount of \$335.8 million on January 31, 2013 providing a net present value savings of approximately \$62.3 million to member agencies;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Daly City congratulates and extends its best wishes to BAWSCA for a job well executed on behalf of its constituents on the occasion of its Tenth Anniversary.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council of Daly City, California, at a regular meeting thereof held on the _____ day of _____, 2013, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers: _____

NOES, Councilmembers: _____

ABSENT, Councilmembers: _____

CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

MAYOR OF THE CITY OF DALY CITY



City Council Meeting Agenda Report

Item # _____

Meeting Date: April 22, 2013

Subject: Adopting the Electronic Communications Policy for Members of the City Council, Commissions, Boards, and Committees

Recommended Action

It is recommended that the City Council adopt a resolution approving the Electronic Communications Policy for members of the City Council, Commissions, Boards, and Committees.

Background/Analysis

The City of Daly City has recently determined that the use of tablet computers such as Apple's iPad, offer a convenient and efficient method of distribution of City Council meeting agendas and related documents. In an effort to go paperless, the City will replace the paper binders (unless otherwise requested) with tablet computers and provide back office software and distribution processes to facilitate their use for City business at meetings.

The attached draft Electronic Communications Policy sets forth the conditions for use of the tablet computers. The draft Electronic Communications Policy addresses issues related to the use of tablet computers during City Council meetings and compliance with the Brown Act and due process requirements. The draft policy also addresses issues related to the California Public Records Act and sets forth the City Council's and Commissioners' commitment to complying with the City's policies and state and federal laws in the use of the tablet computers.

Conclusion

Staff recommends that the City Council adopt this resolution.

Respectfully submitted,

Rose Zimmerman
City Attorney

Attachments: Draft Policy
Draft Resolution

CITY OF DALY CITY
City Council, Boards, Commissions, and Committees
Electronic Communications Policy

I. Purpose:

Use of electronic communication is necessary and useful for City Council, Board, Commission and Committee members in order to improve communication and efficiently perform their City duties.

The purpose of this policy is to insure the proper use of the City's Electronic Media and to set out the policy the City Council, Commission and Board members will follow when using Electronic Media and the City's Electronic Communication System. This policy will also insure that the use of Electronic Media complies with applicable law, including the California Public Records Act and the Brown Act. This policy is applicable to all City Council members, Board members, Commission members, and Committee members.

II. Definitions:

- a. **Electronic Communication System Devices:** products designed to process, transmit, or store information, including but not limited to computers, phones, cell and smart phones, tablets, notebooks, and readers.
- b. **E-Communication:** electronic text or visual communication and attachments distributed via e-mail, websites, instant messaging, text messaging, social media, or comparable services.
- c. **Electronic Media:** a method for processing or transmitting information in electronic form, including E-Communication, software programs and the internet.

III. Procedures:

- a. **Distribution of Agenda Packets:** The distribution of agenda packets to City Council, Board, Commission and Committee members may be in hardcopy or through electronic communication. City Council, Board, Commission and Committee members may also access agendas and agenda packets via Electronic Communication System Devices to view during public hearings and public meetings.
- b. **Use of E-Communications During Meetings:** During City Council, Board, Commission and Committee meetings noticed and open to the public pursuant to the Brown Act, the use of Electronic Communication System Devices by members to access the internet/intranet or receive/send calls, emails, text messages or other communication is not permitted. This prohibition shall not apply to email or text messages from or to family members, family care givers, or other urgent personal or business matters that do not relate to City business.
- c. **Electronic Communication by a Quorum of the City Council, Boards, Commissions, and Committees:** A majority of the members of the City Council, Board, Commission, or Committee shall not send or exchange information about, or engage in, discussions regarding City issues via E-communication, including chat rooms, news groups, on-line forums, web logs (also known as blogs), twitter feeds, or list-serves (collectively referred to as "Internet forums.")
- d. **Public Records Act:** City records, whether paper or electronic, are governed by the public disclosures requirements of the California Public Records Act. Disclosure may be required regardless of who sends or receives a communication or document. Requests for disclosure of

any City records applicable to E-Communication or other electronic records of any user subject to this policy shall be submitted to the City Clerk and forwarded to the City Attorney for review and response.

- e. **Due Process:** The Fourteenth Amendment to the United States Constitution guarantees the right to due process and applies to quasi-judicial matters such as land use decisions and the denial or revocation of permits and licenses. Due process requires that quasi-judicial decisions be made based solely upon information that is on the record at the time of the hearing. Thus, any information relating to the hearing that is received outside of the hearing must be noted on record by the decision maker who received the information at the time of the hearing. This requirement also applies to any such information received during a meeting at which a quasi-judicial hearing will occur. In the event that a message is received by a member of the City Council, Board, Commission or Committee during a meeting regarding a matter that is on the Agenda for said meeting, the content of the message must be disclosed on record at the time the matter is considered.
- f. **Confidentiality:**
 - 1) California law requires that certain information be treated as confidential and not be distributed to others inside or outside the City who do not have authorization to view such information. City Council members may occasionally receive confidential electronic information. Some examples of confidential information are: personnel records, internal investigations, information relating to litigation or potential litigation, attorney-client communication, information relating to labor negotiations, or information relating to confidential real estate negotiations. When Council members receive confidential information, it should be marked "Confidential Information" so that Council and Commission members are alerted to the nature of the information.
 - 2) Confidential information should not be sent or forwarded to individuals or entities not authorized to receive that information and should not be sent or forwarded to City employees not authorized to view such information.
 - 3) Use of Caution: Council, Board, Commission and Committee members shall exercise caution in sending confidential information by E-communication as compared to written memoranda, letters or phone calls, because of the ease with which such information can lose confidentiality by inadvertent or intentional diversion or re-transmission by others.
 - 4) The City Attorney should be contacted concerning any questions about whether a communication is confidential.

IV. Compliance With This Policy

It is the responsibility of every user to insure that he or she is in compliance with this Electronic Communications Policy.

RESOLUTION NO: _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY
ADOPTING THE ELECTRONIC COMMUNICATIONS POLICY FOR MEMBERS OF THE
CITY COUNCIL, COMMISSIONS, BOARDS, AND COMMITTEES

WHEREAS, the City of Daly City has recently determined that the use of tablet computers such as Apple iPad, offer a convenient and efficient method of distribution of City Council meeting agendas and related documents; and

WHEREAS, the City of Daly City strives to preserve the environment and continues to make efforts in reducing the use of paper for City business; and

WHEREAS, the option of using a tablet computer to receive and view agenda packets and other related material, rather than receiving a binder of hard copies, will further the goal of reducing the use of paper for City business; and

WHEREAS, members of the City's Council, Commissions, Boards, and Committees may be unfamiliar with the use of tablet computers and other electronic communication system devices, an Electronic Communications Policy has been created to provide guidance to insure their proper use.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Daly City, that it does hereby approve this resolution to adopt the Electronic Communications Policy for members of the City Council, Commissions, Boards, and Committees.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council of Daly City, California, at a regular meeting hereof held on the 22nd day of April, 2013, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers: _____

NOES, Councilmembers: _____

ABSENT: Councilmembers: _____

CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

MAYOR OF THE CITY OF DALY CITY



City Council Agenda Report

Item # _____

Meeting Date: April 22, 2013

Subject: Public Hearing on Claim to Lien Property at 88 Crestline Avenue (APN 008-035-430)

Recommended Action

Affirm the penalties and fees associated with the code enforcement case at 88 Crestline Avenue to be made a lien on the subject property and adopt a resolution confirming the amount of the lien as provided in Chapter 8.16.400 through 8.16.430 of the Daly City Municipal Code.

Background

This case involves a single-family residence at 88 Crestline Avenue (APN 035-021-430) that obtained a building permit to construct a retaining wall; the permit expired resulting in the subject property creating a potential threat to the adjoining neighbor's property due to the excavation of soil. The Administrative Hearing Board heard the case on September 27, 2007, and ordered the owner (Masahiro Handa) to hire a licensed Engineer to submit plans and obtain a permit to correct the cited violation. To this date, the property owner has not taken any action to correct the violation.

A Notice of Violation was placed on the subject property through the San Mateo County Recorder's Office and will remain on the title to prevent sale or transfer of ownership without addressing the violations. A Notice of Pending Claim of Lien was forwarded to the San Mateo County Recorder's Office so that enforcement fees and penalty fines owed to the City can be collected should the property go into foreclosure or is sold before a lien is recorded.

Discussion

The administrative cost and penalty fines assessed by the Administrative Order totaled \$6,546.00, and a letter requesting payment was mailed to the property owners on February 11, 2011 (Exhibit A). To date, the City has not received any payment for the assessed fees and fines. A lien is required to be recorded on the property with the San Mateo County Recorder's Office to recover the administrative fees and penalties owed to the City of Daly City; thus fees would be received at the time of any future property sale.

Staff is available to provide any additional information desired by the Mayor or City Council Members.

City Council Agenda Report
Public Hearing on Claim to Lien Property at 88 Crestline Ave.
Meeting Date: April 22, 2013
Page 2 of 2

Respectfully submitted,



Kathy Campbell
Code Enforcement Officer



Brian Millar
Director of Economic & Community
Development

Attachment: Exhibit A – Administrative Order Noncompliance Letter



CITY OF DALY CITY

333-90TH STREET

DALY CITY, CA 94015-1895

PHONE: (650) 991-8000

CODE ENFORCEMENT PENDING INSPECTION LETTER

February 11, 2011

Masahiro Handa
88 Crestline Avenue
Daly City, CA 94015

RE: Findings and Order of the Administrative Hearing Board
Property located at 88 Crestline Ave.
Code Case #00158747

Dear Mr. Handa:

As you are aware, an Administrative Hearing regarding your property at 88 Crestline Ave. was conducted on June 24, 2007 in which it was determined that the violations on your property constituted the presence of a public nuisance. A copy of the Board Order was sent to you on October 8, 2007, and a copy is enclosed with this letter for your convenience.

The hearing addressed the construction of an unpermitted backyard retaining wall, and a review of our records indicates that you have failed to follow through on correcting the violation by submitting revised plans and obtaining a permit. Since the violation that was cited continues to exist, an inspection has been scheduled for **Monday, February 28, 2011 at 2:30PM** to assess the current condition of the cited violation. Your presence will be required, so if the scheduled time is not convenient, please call the Code Enforcement Secretary at (650) 991-8260 to reschedule.

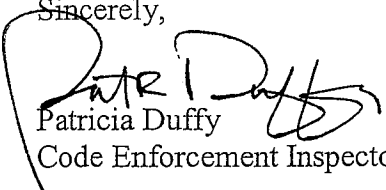
Please be advised that penalties pursuant to the Administrative Order have been assessed at \$500.00 a day since the requirements and timelines stated in the Order were not met and have passed. As a result, the penalty fee has accumulated to the amount of \$5,000.00. In addition, you owe code enforcement fees in the amount of \$1,546.00.

EXHIBIT A

There is also a \$118.00 fee to remove a Notice of Violation from the property record at the San Mateo County's Assessors Office. The total amount of \$6664.00 is due and payable within 30 days to the City of Daly City. An invoice detailing the charges has been enclosed with this letter. *Please include the invoice when making a payment to ensure your payment is charged against your code enforcement fees.* Also, be advised that payment of fees and penalties does not absolve you of the requirements to correct the violation at the subject property.

If you have any questions regarding this matter, you may contact me at (650) 746-8364.

Sincerely,



Patricia Duffy
Code Enforcement Inspector

Enc: Findings & Order of Administrative Hearing
Code Invoice



CITY OF DALY CITY

333-90TH STREET

DALY CITY, CA 94015-1895

PHONE: (650) 991-8000

First Class/Certified Mail

October 8, 2007

Masahiro Handa
88 Crestline Drive
Daly City CA 94015

RE: 88 Crestline Drive – Hearing Results

Dear Mr. Handa:

A hearing regarding your property was conducted on September 27, 2007, to determine if a public nuisance is present on your property, and to consider the assessment of costs and penalties. The Board reviewed the matter and took action deemed necessary, fair and appropriate to assure compliance with all regulations. A copy of the Order is enclosed.

Kindly read this order carefully and assure you take the prescribed action to avoid additional enforcement and penalties.

You failed to attend the hearing; therefore you have forfeited your Administrative Appeal rights.

If you have any questions concerning this matter, you can contact Steven Carr, Building Inspector at (650) 991-8061.

Sincerely,

Patricia Duffy
Code Enforcement Inspector

PD/nt

Cc: Patrick Sweetland, Board Member
Richard Berger, Board Member
Garry McLane, Board Member
Kelly Schott, Deputy City Attorney

EXHIBIT A

**FINDINGS AND ORDER OF THE
DALY CITY ADMINISTRATIVE HEARING BOARD**

SUBJECT PROPERTY: 88 CRESTLINE DRIVE
DALY CITY, CA 94015

PROPERTY OWNERS: MASAHIRO HANDA
MAILING ADDRESS: 88 CRESTLINE DRIVE

HEARING HELD ON: September 27, 2007

FINDINGS

WHEREAS, the Building Department referred this matter to the Administrative Hearing Board pursuant to section 8.16.070, et seq., of the Daly City Municipal Code; **and,**

WHEREAS, the Board determined that the property owner(s) received proper notice and documentation by staff of the violations and required abatement action; **and,**

WHEREAS, the Board reviewed evidence, testimony of staff and the staff report pertaining to property current violations: **and,**

WHEREAS, the property owner Masahiro Handa was not present and therefore lost all appeal rights: **and**

WHEREAS, one or more Municipal Code violations defined as a public nuisance, pursuant to 8.16.030 *et seq.*, are now present and remain unabated after the timeline established for abatement in the staff notice of violation; **and,**

WHEREAS, the property is a public nuisance pursuant to Municipal Code Section 8.16.030 due to violations of the uniform codes, as adopted by Daly City, and Chapter 15 of the Daly City Municipal Code, including construction without permits, expired permits and substandard conditions; **and,**

WHEREAS, pursuant to Daly City Municipal Code section 8.16.150, if this Board determines that a violation occurred which was not corrected within the time period specified in the staff notification of nuisance, the Board shall issue an administrative order which imposes any or all of the following:

- A. An order to correct, including a schedule for correction when appropriate;
- B. Administrative Penalties as provided in section 8.16.160 of the Daly City Municipal Code.
- C. Administrative costs as provided in section 8.16.160 of the Daly City Municipal Code.

ORDER

NOW THEREFORE, HAVING DETERMINED THE PRESENCE OF A PUBLIC NUISANCE AT 88 CRESTLINE AVENUE, THE BOARD HEREBY ORDERS ABATEMENT OF THE VIOLATIONS, AND ASSESSMENT OF ADMINISTRATIVE COSTS AND PENALTIES AS FOLLOWS:

THE OWNER SHALL:

- 1) The owner shall have a licensed Engineer submit revised plans within ten days of receiving this notification and provide a signed copy of the contract to prove that the work was going forward and is concurrent with the Findings and Order.
- 2) Submit any further required revisions within ten days of receiving the plan check comments.

EXHIBIT A

- 3) The licensed Engineer shall obtain permits within five days of being notified that they have been approved and pay all outstanding enforcement fees. = \$ 846.00 per SR #158747
- 4) Failure to comply with Item 1 and 2 will cause the \$700.00 fee for the Board hearing to be paid.
- 5) Complete all work and obtain a final inspection within thirty (30) days.
- 6) Upon failure to comply with any of the above timelines:
 - Be assessed in the amount of \$500/day up to a maximum of \$5,000.
 - The City to secure the services of a California licensed contractor to install retaining walls.
 - The costs of construction to abate the hazard are to be recovered via a tax lien with the next available tax roll.

CITY ACTION:

- 1) Upon non-compliance of the property owner with this order, the City Building Division shall:
 - a) Obtain the services of a contractor to perform the required work at the owner's expense.
 - b) Secure all costs due to the City through a lien on the property and add all City abatement costs to the subject property as a special assessment, which will be collected in a like manner as regular property taxes.

LEGAL ADMONISHMENT

NOTICE is given to the property owner(s) and others holding an interest in the subject property that:

- 1) Failure to abate the violations and complete other requirements as enumerated can result in the imposition of other legal and criminal action, as well as the required vacation/ closure of the subject property until all required work is completed, and/ or the abatement of such violations by City forces at the expense of the owner(s).
- 2) Upon entry of a second or subsequent finding within a two-year period that a condition of property constitutes a public nuisance under Section 8.16.030 of the Daly City Municipal Code, the owner(s) may be liable for treble the costs of abatement.

APPEAL RIGHTS

Pursuant to Daly City Municipal Code section 8.16.300, the owner(s) of the subject property or a business owner receiving an administrative order from this Board may only appeal such order only if they attended the hearing. To exercise this appeal right the owner must file a written appeal request with the City Clerk within ten (10) days of the date of service of the administrative order, with a non-refundable filing fee of \$100 included with the request. The City Clerk will normally set the hearing date within 10-30 days. You should contact the City Clerk for specific information about this process and the required information you must supply in the request.

AFFIRMED BY: _____

Gary McLane, Police Department/ Adm. Board Chair

HEARING BOARD CHAIR ON: 9-27- 2007

EXHIBIT A



City of Daly City
333 90th Street
Daly City, CA 94015
(650) 991-8061

CODE INVOICE

02/10/2011



Case Number: 00158747
Site Address: 88 CRESTLINE AVE
Invoice Date: 02/10/2011
Invoice Number: INV-2-11-517565

Bill To:

HANDA MASAHIRO
88 Crestline ST
Daly City, CA 94015-

Return To:

City of Daly City
333 90th Street
Daly City, CA 94015-

INVOICE FEES

Date	Fee Name	Account Number	Trans Code	Fee Amount
02/10/2011	NOV Release Fee	01-300-341-3797	0615	\$118.00
02/10/2011	Administrative Hearing Board Fee	01-300-341-3797	0615	\$700.00
02/10/2011	Outstanding Enforcement Fee Due	01-300-341-3797	0615	\$846.00
02/10/2011	Outstanding Administrative Hearing Board F	01-300-341-3797	0615	\$5,000.00
Total Fees:				\$6,664.00



City Council Agenda Report

Item # _____

Meeting Date: April 22, 2013

Subject: Public Hearing on Claim to Lien Property at 117 / 119 Chester Street (APN 006-481-270)

Recommended Action

Affirm the penalties and fees associated with the code enforcement case at 117 / 119 Chester Street to be made a lien on the subject property and adopt a resolution confirming the amount of the lien as provided in Chapter 8.16.400 through 8.16.430 of the Daly City Municipal Code.

Background

This case involves a duplex at 117/ 119 Chester Street (APN 006-481-270) that contains construction without permits which involved a non-permitted kitchen added to rooms in the garage area, thereby creating a secondary unit and the garage area was reconfigured. The Administrative Hearing Board heard the case on September 27, 2012, and ordered the owners (Amy Gee) to obtain all necessary building permits and to correct the cited violations. To date, the property owner has not corrected the cited violations.

A Notice of Violation was placed on the subject property through the San Mateo County Recorder's Office and will remain on the title to prevent sale or transfer of ownership without addressing the violations. In addition, a Notice of Pending Claim of Lien was forwarded to the San Mateo County Recorder's Office so that enforcement fees and penalty fines owed to the City can be collected should the property go into foreclosure or is sold before a lien is recorded.

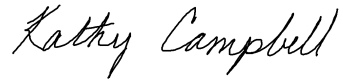
Discussion

The administrative costs were remitted; however, the corrective action required in the Administrative Order was not taken and penalty fines were assessed, which total \$10,000.00. The property owner was sent a letter on November 15, 2012, requesting compliance and payment of the outstanding penalty fines (Exhibit A). To date, the City has not received any payment for the assessed penalty fines. A lien is required to be recorded on the property with the San Mateo County Recorder's Office to recover the administrative fees and penalties owed to the City of Daly City; thus fees would be received at the time of any future property sale.

Staff is available to provide any additional information desired by the Mayor or City Council Members.

City Council Agenda Report
Public Hearing on Claim to Lien Property at 117 / 119 Chester St.
Meeting Date: April 22, 2013
Page 2 of 2

Respectfully submitted,



Kathy Campbell
Code Enforcement Officer



Brian Millar
Director of Economic & Community
Development

Attachment: Exhibit A – Administrative Order Noncompliance Letter dated November 15, 2012



CITY OF DALY CITY

333 - 90TH STREET
DALY CITY, CA 94015-1895
PHONE: (650) 991-8000

November 15, 2012

Amy W. Gee
950 Taraval Street
San Francisco, CA 94116

RE: Administrative Order to Abate Violations property located at 117 / 119 Chester Street (APN 006-481-270) – Code Case-1-10-1097

Dear Ms. Gee:

As you are aware, an Administrative Hearing regarding your property at 117/119 Chester St. was conducted on September 27, 2012, in which the Administrative Hearing Board reviewed the violations on your property and determined the presence of a public nuisance. A copy of the Administrative Order was sent to you on October 9, 2012, and a copy is enclosed with this letter for your convenience.

There has been no action taken by you to comply with the Administrative Order by abating the violations, and penalty fines have accrued. The violations that were cited on your property continue to exist and must be abated. You are required to submit an application for a building permit at City Hall immediately, obtain the permit, and correct the cited violations.

Building permits issued to abate code violations are valid 60 days from the permit issuance date, and all completed work must be inspected and finalized by a city inspector to the satisfaction of the Building Division.

You currently owe \$10,000.00 in penalty fines. This amount is due and payable to the City of Daly City. An invoice detailing the charges has been enclosed with this letter, which must be included when you remit your payment. Failure to immediately pay all associated fees and fines due to the City or enter into a payment plan with the City will result in a lien recorded with the San Mateo County Recorder's Office on the subject property.

Please be advised that payment of fees and fines does not absolve you of the requirement to correct the violations at the subject property. A Notice of Violation has been recorded with the San Mateo County Recorder's Office and will remain on the property until the cited violations

EXHIBIT A

117/119 Chester St. – Administrative Order/Action Required and Payment Due – Code Case-1-10-1097 –
Amy Gee, Property Owner
November 15, 2012
Page 2 of 2

have been abated. Failure to take the appropriate action may result in further code enforcement action. If you have any questions regarding this matter, I may be reached at (650) 991-8261.

Sincerely,

A handwritten signature in cursive script that reads "K. Campbell".

Kathy Campbell
Code Enforcement Officer

Enc: Copy of Administrative Order originally mailed on 10/9/12
Code Invoice

**FINDINGS AND ORDER OF THE
DALY CITY ADMINISTRATIVE HEARING BOARD**

SUBJECT PROPERTY: 117-119 CHESTER ST, CA 94014
APN 006-481-270

PROPERTY OWNER(S): AMY W. GEE

HEARING HELD ON SEPTEMBER 27, 2012

FINDINGS

WHEREAS, the Building Department referred this matter to the Administrative Hearing Board pursuant to section 8.16.070, *et seq.*, of the Daly City Municipal Code; **and,**

WHEREAS, the Board determined that the property owner(s) received proper notice documentation by staff of the violations and required abatement action and appeared at the hearing; **and,**

WHEREAS, the Board reviewed evidence, testimony of staff and the staff report pertaining to property current violations: **and,**

WHEREAS, one or more Municipal Code violations defined as a public nuisance, pursuant to section 8.16.030 *et seq.*, are now present and remain unabated after the timeline established for abatement in the staff notice of violation; **and,**

WHEREAS, the property is a public nuisance pursuant to Municipal Code Section 8.16.030 due to violations of the uniform codes, as adopted by Daly City, and Chapter 15 of the Daly City Municipal Code, including construction without permits and an illegal secondary unit; **and,**

WHEREAS, pursuant to Daly City Municipal Code section 8.16.150, if this Board determines that a violation occurred which was not corrected within the time period specified in the staff notification of nuisance, the Board shall issue an administrative order which imposes any or all of the following:

- A. An order to correct, including a schedule for correction when appropriate;
- B. Administrative Penalties as provided in section 8.16.160 of the Daly City Municipal Code.
- C. Administrative costs as provided in section 8.16.160 of the Daly City Municipal Code.

ORDER

NOW THEREFORE, HAVING DETERMINED THE PRESENCE OF A PUBLIC NUISANCE AT 117-119 CHESTER STREET, THE BOARD HEREBY ORDERS ABATEMENT OF THE VIOLATIONS, AND ASSESSMENT OF ADMINISTRATIVE COSTS AND PENALTIES AS FOLLOWS:

THE PROPERTY OWNER SHALL:

- 1) All occupied/inhabited rooms in the garage area (labeled Unit 117A) shall be vacated immediately and not later than 60 days from the date of the Board Order.
- 2) Within 15 calendar days of the notification date of the Board Order, the owner shall submit a permit application to abate the cited violations.
- 3) Within 60 calendar days of any plans submittal, the owner must complete the plan check process.
- 4) Within 30 days of any plan approval the required permit(s) must be obtained and the scope of work shall include all remedial work required to abate the cited violations.
- 5) Within 60 calendar days of the date of the permit(s) issuance, the owner shall perform all remedial work stated in the scope of work for the permit(s) to be completed and inspected and finalized to the satisfaction of the Building Division.
- 6) Assess the owner \$600.00 code violation fee for an Illegal Secondary Unit and \$1,994.00 administrative fee (to cover costs associated with presenting this case to the Board) and make full payment to the City at the time of resubmittal of plans or have entered into a payment plan with the City through the Finance Department prior to the resubmittal of plans.
- 7) Upon failure to adhere to any stated timeline in the Order of the Administrative Hearing Board, the owner shall be assessed \$1,000.00 a day for each day a violation continues to be present, up to the maximum amount of \$10,000.00.
- 8) The Notice of Violation shall remain on the title of the subject property to prevent sale or transfer of ownership without addressing the violations. To remove the NOV all required abatement shall be completed, inspected and finalized to the satisfaction of the Building Division.
- 9) In the event that the property owner does not comply with this order and pay all associated fees and fines, all cost due to the City shall be secured through a lien recorded on the subject property with the County Recorder which may carry additional charges as set forth by resolution of the City Council.

LEGAL ADMONISHMENT

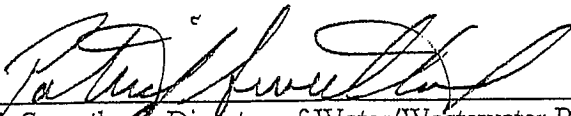
NOTICE is given to the property owner(s) and others holding an interest in the subject property that:

- 1) Failure to abate the violations and complete other requirements as enumerated may result in the imposition of other legal and criminal action, as well as the vacating of the subject property until all required work is completed, and/ or the abatement of such violations by City forces at the expense of the owner(s).
- 2) Upon entry of a second or subsequent finding within a two-year period that a condition of property constitutes a public nuisance under Section 8.16.030 of the Daly City Municipal Code, the owner(s) may be liable for treble the costs of abatement.

APPEAL RIGHTS

Pursuant to Daly City Municipal Code section 8.16.300, the owner(s) of the subject property or a business owner receiving an administrative order from this Board may only appeal such order only if they attended the hearing. To exercise this appeal right the owner must file a written appeal request with the City Clerk within ten (10) days of the date of service of the administrative order, with a non-refundable filing fee of \$100 included with the request. The City Clerk will normally set the hearing date within 10-30 days. You

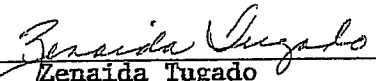
should contact the City Clerk for specific information about this process and the required information you must supply in the request.

AFFIRMED BY: 
Patrick Sweetland, Director of Water/Wastewater Resources Department, Board Chair

HEARING BOARD CHAIR ON: October 8, 2012

FOR OFFICE USE

DATE OF SERVICE 10/9/12 METHOD OF SERVICE: 1st class mail X Cert. Mail Pers. Svc.

BY  TITLE Office Assistant
Zenaida Tugado

COMMENTS: Administrative Hearing Board – 9/27/2012 – 117-119 Chester St – Case-1-10-1097



City of Daly City
333 90th Street
Daly City, CA 94015
(650) 991-8061

CODE INVOICE

11/15/2012

INV-10-12-545275
INV-10-12-545275

Case Number: CASE-1-10-1097

Site Address: 119 CHESTER ST

Invoice Date: 10/31/2012

Invoice Number: INV-10-12-545275

Bill To:

AMY GEE
950 Taraval ST
San Francisco, CA 94116-

Return To:

City of Daly City
333 90th Street
Daly City, CA 94015-

INVOICE FEES

Date	Fee Name	Account Number	Trans Code	Fee Amount
10/31/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
10/31/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
10/31/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
10/31/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
10/31/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
10/31/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/01/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/05/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/05/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/05/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/05/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/06/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/13/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/13/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/13/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/13/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/13/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/13/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/13/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00
11/13/2012	Administrative Hearing Board Penalty	01-300-341-3797	0615	\$500.00

FOR OFFICE USE ONLY



P

PLEASE MAKE CHECK PAYABLE TO: CITY OF DALY CITY

EXHIBIT A

Case Number: CASE-1-10-10

Site Address: 119 CHESTER ST

Invoice Date: 10/31/2012

Invoice Number: INV-10-12-545275

Bill To:

AMY GEE
950 Taraval ST
San Francisco, CA 94116-

Return To:

City of Daly City
333 90th Street
Daly City, CA 94015-

INVOICE FEES

Date	Fee Name	Account Number	Trans Code	Fee Amount
			Total Fees:	\$10,000.00

FOR OFFICE USE ONLY



P

PLEASE MAKE CHECK PAYABLE TO: CITY OF DALY CITY

EXHIBIT A



City Council Meeting Agenda Report

Item # _____

Meeting Date: April 22, 2013

Subject: Planned Development PD-2-10-1726 (PD-66) AND CEQA-3-12-5237, west of Martin Street and Steve Courter Way, APN (005-042-020)

Recommended Action

The Planning Commission recommends the City Council approve Planned Development PD-2-10-1726 (PD-66) and Environmental Assessment CEQA-3-12-5237 that would establish zoning regulations for the development of 16 single family dwellings on a vacant parcel west of the intersection of Martin Street and Steve Courter Way (APN 005-042-020)

Planning Commission Discussion

On March 5, 2013 the Planning Commission voted 4-0 (Edelmen recused) to recommend approval of Planned Development PD-2-10-126 and CEQA-3-12-5237 subject to the findings and the conditions of approval, and the Planned Development Standards as amended by the Planning Commission. Vice Chair Lubiano inquired about the Fire Department's review of the modifications to the previous submittal. Commissioner Sylvester stated his concerns about parking in Daly City in general. Planned Development Standard General Standard #3 was modified by the Planning Commission to more closely align with the language in DCMC17.28.020.

Since the Planning Commission hearing for this project, the General Plan Update has been approved and adopted. Therefore, the General Plan amendment to redesignate this property from Commercial Retail Office to Low Density Residential is no longer required as the updated Land Use Map made that change.

Introduction

The applicants, David Beaumont of CKS Environmental and Tom Carey, representing Birma LLC, submitted an application for a General Plan Amendment and Planned Development for a future 16 lot subdivision of an existing 1.84 acre, undeveloped lot on Martin Street. (Attachment A- Location Map)

The project requires review and approval of multiple land use entitlements in order to be developed. All of the following are applicable: a Planned Development (Zoning District change) from Pre-Planned Development to PD-Planned Development; an environmental review consistent with CEQA; a Subdivision for the proposed 16 lots; and Design Review for consideration of the architectural and landscape designs. At this time the Precise Plan and CEQA environmental assessment are being considered. The applicant intends to submit Subdivision and Design Review applications in the future that will require additional details and Planning Commission and City Council hearings.

Discussion

Members of Birma LLC (formerly Teralena, Inc.) have owned the subject property for over 40 years and have attempted numerous times to develop the site since 1987. Due to a combination of factors, including adverse market conditions, concerns and interests of neighboring property owners, the subject site has not been developed. Although not required for this current application, the applicant has provided documentation chronicling real-estate offers made over the years in an effort to obtain surrounding lands that could potentially be utilized for a larger master planned development project. The City expressed interest in seeing a more coordinated approach to developing this area and there had been proposals to do so by other developers in the past. However, no land use entitlements have been approved for this aggregate area. Therefore, the City has allowed evaluation of this individual project.

The proposed development is located in what previously was the Bayshore Redevelopment Project Area. The Redevelopment Agency granted conceptual approval of a plan for this site, Conceptual Review CR06-7 in April 2007. Although some issues were addressed as a part of the Conceptual Review, the approval of a conceptual review did not relieve the project from meeting City requirements applicable to the project. At the request of the applicant, the Preliminary Plan was brought forward to the Planning Commission on January 4, 2011. The Planning Commission denied the Preliminary Plan because it did not meet City requirements as proposed. Subsequently the applicant worked with City staff and provided a Preliminary Plan that met City requirements, which was supported by the Planning Commission on April 3, 2012 and approved by the City Council on April 23, 2012 allowing the application to move forward to the Precise Plan step under consideration today.

Project Description

The Planned Development project site includes a concept plan for the subdivision and construction of 16 single family residential units. The lots would range in size from approximately 1,500 to 2,150 square feet, with the intent to build one detached single-family dwelling per lot. The proposed building square footages are estimated to be between 1,850 and 2,100 square feet. The site will maintain approximately one acre as private open space to be maintained by a homeowners association (HOA). The project site has topographical constraints due to an overall site elevation differential of approximately 160 feet, or a 33% grade. The lower portion of the project site, nearest Steve Courter Way, is proposed for the residential development and the remaining upper portion of the site is proposed as private open space. Lots 1-4 have direct access from Martin Street while the remaining lots would obtain access from the private drive that meanders up the grade, with some sections at 18% slope, to a terminus at a "Hammerhead T". (Attachment B- Precise Plan)

General Plan, Zoning and Project Density

At the time of the project application, the General Plan Land Use Designation for the subject lot was Commercial Retail and Office. This designation allows for retail, service and office uses. As proposed, the General Plan Land Use Designation needed to be amended to Low Density Residential, which allows a Residential Density Range of 2-14.5 density units per acre. The

proposed density for the conceptual 16-lot single-family residential subdivision is 8.7 dwelling units per acre.

Daly City adopted the updated General Plan on March 25, 2013 and the Land Use Map was amended to change the land use designation from Commercial Retail and Office to Low Density Residential. The proposed changes results in a density and land use that is consistent with existing area conditions and future planned densities for the site and parcels within the immediate vicinity.

The nearby Summit Ridge subdivision has a net density of 7 units per acre on the 10.65 acre site. The residential development consists of 74 single-family residences with lot sizes ranging between 2,500 to 4,750 square feet. The average lot size is 3,245 square feet. The Point Martin Subdivision density and design would be consistent with the existing nearby Summit Ridge neighborhood.

The development standards are based upon the Precise Plan for an established Planned Development District, and constitute the zoning standards for the property, such as allowable uses, maximum number of units, required parking and open space requirements. The proposed Precise Plan includes rear yard setbacks no less than 12 feet along at least two-thirds of the rear building width and will in no case be less than six feet, side yard setbacks no less than required by applicable building and fire codes, and front yard setbacks a minimum of 8 feet from the front property line, (excluding lots 1, 2, 3 and 4 as shown on the Precise Plan, which shall be no less than 17 feet from the street curb line and lot 1 being no less than 12 feet from the street curb line). The setbacks are similar to the nearby Summit Ridge subdivision along nearby Steve Courter Way residences that provide opportunity for a buildable area and match the predominate setback along the Steve Courter Way block frontages. The proposed Precise Plan results in a maximum of 16 single family residential units and any increase in density would not be allowed per the development standards. Staff supports the proposed Zoning amendments, as the change will result in a land use density compatible with existing nearby residential neighborhood densities and the Envision Daly City, General Plan update land use designations. (Attachment D- PD-66 Draft Development Standards)

The project proponents have provided a preliminary architectural rendering and a significant amount of common open space is proposed, maintaining an abundance of vegetation. A detailed discussion of architectural and landscaping design will be provided when the applicant returns for the Major Subdivision and Design Review entitlements.

Parking and Circulation

The proposed private drive aisle width provides a minimum of eight feet in width for each traffic lane. Internal pedestrian circulation is provided by sidewalks and all will be required to be ADA compliant. The proposed Martin Street right-of-way extension is required to meet City standards for a local street and, as proposed, it will not preclude the development of a collector street in the future via connections to adjoining properties. The proposed Hammerhead T design was evaluated in detail by the Fire Department and the applicant made adjustments to the plans to meet Department design standards.

The applicant has proposed two in-garage and two in-driveway parking spaces per unit, resulting in a total of four off-street parking spaces per unit, except lots 6 and 7 which include two in-garage and one in-driveway spaces per unit. The proposed private drive also includes five additional guest parking spaces. Additional parking spaces on the Martin Street frontage may be accommodated. The total number of parking exceeds the minimum number of spaces mandated by the Zoning Ordinance, which requires two spaces for each unit. The proposed circulation plan includes access alignments to neighboring parcels from the proposed Martin Street right-of-way extension that sufficiently demonstrates, in concept, that access could be provided to the neighboring lots.

Utility Providers

The parcel is in an urbanized area with all public services capable of serving the new lots. Utilities to serve the project are in place within the vicinity and at the time of subdivision application additional utility plan details will be required to address any needed infrastructure upgrades including electrical, water, sewer, telephone service and access to public streets.

<i>Utility</i>	<i>Provider</i>
Water	City of Daly City
Sanitary Sewer	Bayshore Sanitation District
Gas & Electric	PG&E
Telephone	AT&T
Cable Television	AT&T Cable Services/Astound
Fire Protection	North County Fire Authority

Future Site Requirements

There are additional design details such as water infrastructure, storm water infrastructure, street improvements, retaining wall design and architectural details, that will be required at the time of the subdivision, design review, final map and building permit application stages. Conditions of approval and the draft planned development standards ensure that necessary details be provided at appropriate stages in order to insure that requirements are met.

Environmental Assessment

CEQA Determination	Mitigated Negative Declaration per Section 15070(a) of the California Environmental Quality Act
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The Planning Commission has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA). An Initial Study was required and completed. There is one mitigation measure that requires nesting bird and raptor surveys prior to construction activities to

mitigate potential impacts to those populations. Staff has determined that subject to the conditions and Mitigation Monitoring and Reporting Program, the project would not have a significant impact on the environment. (Attachment E- Initial Study, MND & MMRP)

Fiscal Analysis

The proposed project will allow for the future subdivision application and the construction of one unit on each of the resulting 16 lots. Prior to the future subdivision project completion and building permit issuance, the applicant will be required to pay park in-lieu fees, building permit, plan check, and AB 1600 development impact fees to the City. Additionally, the value of the new dwelling units will be added to the current assessed value of the subject properties, which will result in additional property tax collection by the County, a portion of which would be distributed to the City. The addition of a unit to each of the resulting parcels would add an incremental demand for City services.

Findings

The Planning Commission finds that the proposed Planned Development PD-2-10-1726 (PD-66), and CEQA-3-12-5237 is 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 zone change would not be injurious or detrimental to property and improvements in the neighborhood or result in substantial environmental damage or disturbance. Additionally, the general site considerations have been incorporated to ensure compatibility with adjacent buildings and to provide an attractive environment. These findings are based in part on the following facts:

General

1. In accordance with Title 17 of the Daly City Municipal Code, as well as applicable State zoning enabling legislation, the Planning Commission conducted a public hearing on April 3, 2012; and the City Council conducted a public hearing on April 23, 2012 approving the preliminary plan for the project and notices of said hearings was by newspaper publication on March 23, 2012, posting and first class mailing to property owners within 300 feet of the site.
2. In accordance with Title 17 of the Daly City Municipal Code, as well as applicable State zoning enabling legislation, the Planning Commission conducted a public hearing on March 5, 2013; notice of said hearing was by newspaper publication on February 22, 2013, posting and first class mailing to property owners within 300 feet of the site.
3. The Planning Commission has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and has determined the project will not have a significant impact on the environment. The Planning Commission affirmed the Environmental Assessment and recommends that a Mitigated Negative Declaration per Section 15070 (a) of the CEQA Guidelines be adopted for this project.

4. The proposed change from Pre-PD (Pre-Planned Development District) to PD-66 (Planned Development 66) will allow for the future subdivision of the lot and the construction of 16 new single family residences. The proposed PD-66 zone is compatible with the zoning districts in the vicinity that include Summit Ridge PD-53 (Planned Development 53), R-1 (Single Family District) and R-3 (Multi Family District).
5. The proposed Planned Development zone change, together with provisions for its improvement, are consistent with the objectives, policies, and general land uses as outlined in the Daly City General Plan. More specifically, the General Plan land use designation for the site is Low Density Residential, which allows up to 14.5 dwelling units per acre. The applicant is proposing to subdivide a single parcel into 16 lots where the proposed density would be 8.7 units per acre.
6. The proposed project is consistent with the General Plan Housing Element Policies that encourage new residential development in suitable locations and maintain and enhance the quality and diversity of Daly City's neighborhoods.
7. The proposed land use conforms to the General Plan Land Use Element, which states that, a pattern of variety in residential densities; types and tenure should be maintained in order to provide housing opportunities.
8. Prior to construction, Major Subdivision and Design Review entitlements must be obtained. 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 project is in compliance with the parking requirements established by the Daly City Zoning Ordinance.

Conditions of Approval

The Planning Commission recommends the approval of PD-2-10-1726 (PD-66), and CEQA-3-12-5237 subject to the following conditions and Daly City General 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. ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT

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 General Plan Amendment and Planned Development 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. A Major Subdivision and Design Review application shall be required prior to any development for the Planned Development subject to the submittal requirements thereof.
4. All CEQA Mitigation Measures shall be met prior to construction activities as outlined in the Mitigation Monitoring Program.
5. The applicant shall submit a stormwater management plan that illustrates full compliance with Section C.3 of Order R-2 NPDES Permit No. CAS612008 with sufficient details as required by the City in order to determine substantial conformance of the Tentative Map to the Final Map, prior to the recordation of the Final Map, with all design details required prior to the issuance of the building permit for the project.
6. The project shall conform to all applicable the City of Daly City General Conditions of Approval.
7. All technical corrections or modifications required by the City Engineer shall be incorporated into the Final Map, and all applicable fees paid prior to approval for recordation.
8. 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.
9. In conjunction with the Major Subdivision and Design Review application, the developer shall furnish to staff, a detailed description of green building measures intended to be incorporated into the development per City Green Building Standards.
10. The applicant shall prepare an agreement to implement a maintenance plan including litter cleanup plan for all open space areas, planters and public sidewalks adjacent to the development. Included in this plan, shall be coordination and scheduling plan for disposal collection of waste and recycling collected in common open space areas.
11. Proposed landscaping shall incorporate Bay Area Friendly species that are drought tolerant and the irrigation systems shall incorporate water efficiency measures. No building permit may be issued until this condition is met.

B. PUBLIC WORKS DEPARTMENT

12. An encroachment permit application shall be required for the project.
13. All public improvements shall be per City standards and/or as per approved PD-66 plans at no cost to the City
14. The centerline on the "Martin Street" alignment as shown on the Precise Plan, shall align with the centerline of Farrier Place. If the street is not constructed to full width, the improvements shall be constructed on the development side of the right-of-way to allow for widening without impacting the properties improved by the current development. The alignment must allow for the improvement to collector street standards with the setback from the right-of-way line on the north side commensurate with the distance provided by the previous development on the west side of Steve Courter Way. Adequate space shall be provided in the right-of-way to accommodate the required ADA pathway behind any future driveways on the north side of the street.
15. Provide ADA connection from Martin Street to Steve Courter Way. ADA access shall be continuous along the south side of Martin Street.
16. Naming of all streets shall be subject to approval of the City. Engineering and Planning Division approval that this condition has been met shall be required prior to building permit issuance.
17. All stormwater detention, treatment system or other C.3 or LID improvements shall be located outside the public right-of-way and maintained by the HOA. HOA documents shall include the required maintenance provisions and attach final O-&-M agreement for stormwater as required. All privately owned and maintained improvements shall be located outside the public right-of-way. There shall be no private improvements within the public right-of-way. A draft HOA agreement draft shall be required at time of subdivision map application.
18. Storm runoff discharged to City mains shall be per pre-development conditions and supported by satisfactory calculations. The storm drain in Martin Street shall be properly sized. An oversized line has the potential to impact the downstream system. Discharge calculations shall be based on connections to existing storm drain at Steve Courter Way. Storm drain connection at Steve Courter Way shall be per City standards. All line bends shall be within manholes.
19. The applicant shall comply with the applicable requirements of the City of Daly City General Conditions of Approval: Use Permits, Variances, Design Reviews, Planned Developments, and

Subdivisions, in effect at the time of subdivision and design review application submittal, final map submittal and/or at the time of building permit application.

20. The applicant shall include all utility service connections as required, site improvements and all proposed work within the right of way on the building permit plans submittal. Engineering Division approval that this condition has been met shall be required prior to building permit issuance.
21. The applicant shall investigate and develop a utility plan in cooperation with the City that includes utility undergrounding along the development frontage.
22. Provide erosion and stormwater pollution prevention plan incorporating the best management practices, including operation and management provisions per the requirements applicable at the time of construction permit application. During the rainy season (Sept 30 to April 15) the developer shall submit a revised erosion control plan every 5 working days.
23. The applicant shall provide specific measures and work plans to prevent pollutants from entering the public storm drain system in compliance with the NPDES regulations. Drainage to the public storm drain system shall be through pipes under the sidewalk, as drainage over the sidewalk is not permitted. The rate of flow to the City's Storm Drain System shall not exceed the predevelopment rate. The development shall provide infiltration or detention for increment of drainage flow for a 10-year/2 hour-frequency storm event. The development shall provide fail-safe emergency drainage conditions for worst-case events that may occur during the life of the project in excess of 100 years.
24. The applicant shall submit grading plans, soil investigation report and stormwater pollution prevention plans at the time of each building permit submittal.
25. All public improvements shall be completed per applicable standards and approved plans at no cost to the City before any occupancy permit may be issued.
26. Submit digital and two hard copies of grading, utilities, sidewalk, street and other improvement plans for City review and approval prior to request for applicable permits. Plans shall include complete details and supporting calculations for on-site and offsite work.

C. WATER AND WASTEWATER RESOURCES DEPARTMENT

27. A full set of plumbing plans shall be required for submittal and review at the time of building permit submittal.
28. The Precise Plan water system layout has been approved conceptually; however, numerous changes to the proposed water system plan will likely be required. Some of these changes may

include but are not limited to water main location, water main connections, valving, hydrant locations, number and location of blow off devices. Future submittals will require additional details sufficient to meet DWR review requirements at the time of subdivision and design review application submittal, final map submittal and/or at the time of building permit application as appropriate and deemed necessary for complete review.

29. All costs associated with any water system improvements required as a result of the proposed construction shall be borne by the applicant.
30. Future submittals will require additional details sufficient to meet Bayshore Sanitation District requirements at the time of subdivision and design review application submittal, final map submittal and/or at the time of building permit application as appropriate and deemed necessary for complete review.

D. FEES AND DEPOSITS

31. All applicable fees for all future applications and fees associated with the development shall be the responsibility of the applicant.

E. FIRE PREVENTION

32. Fire sprinklers that meet NFPA standards are required and shall be included on the building permit plan submittal.
33. Any and all fire alarms required must meet the NFPA standards and shall be determined by the Fire Department upon review of the building permit submittal.
34. Visible addressing shall be required and approved by the Fire Department prior to building permit final.
35. Fire extinguishers shall be installed and approved per Fire Department requirements prior to building permit final.
36. Smoke and CO detectors shall be shown on building permit plans and shall be installed and approved by the Fire Department prior to building permit final.
37. Future plan submittal shall demonstrate conformance to the required fireflows, number(s) and spacing of fire hydrants, and fire apparatus access slope, surface material, width, turnaround, etc.

F. BUILDING DIVISION

38. Building Permit plans will have to be designed to meet 2010 building codes, including California Green Building Standards code.
39. Applicant shall provide a checklist on how this project can achieve the required 50 green building points to the Building Division for the building permit application on or before the building permit application plan review.
40. Cross section elevations for each parcel showing the location of the proposed buildings and required setback from the ascending and descending slope surface shall be required for submittal at the subdivision and design review application stage. All building clearances shall conform to CBC 1808.7. If alternate setbacks are proposed per CBC 1808.7.5, then submittal of written discussion, geotechnical reports and other information shall be required for review and acceptance prior to building permit issuance.
41. Conformance to 3 foot setbacks to finish face of the building from the applicable property lines for fire rating purposes and emergency escape and rescue passageway per CRC Table R302.1(1) and DCMC 15.10.120 is required.
42. Applicant is notified that additional loading for electric vehicles shall be coordinated with PG&E by the applicant.

Recommendation

The Planning Commission forwards to the City Council the following recommendations:

1. Adopt the Findings as outlined herein;
2. Affirm the Environmental Assessment CEQA-3-12-5237 and;
3. Approve Planned Development PD-2-10-1726 (PD-66); as conditioned herein

Staff is available to provide any additional information desired by the City Council.

Respectfully submitted,



Tatum Mothershead
Planning Manager



Brian Millar
Director of Economic and Community
Development

Attachments

Attachment A – Location Map

Attachment B – Proposed Precise Plan

Attachment C – General Plan Zone Change Maps

Attachment D – Draft PD Development Standards

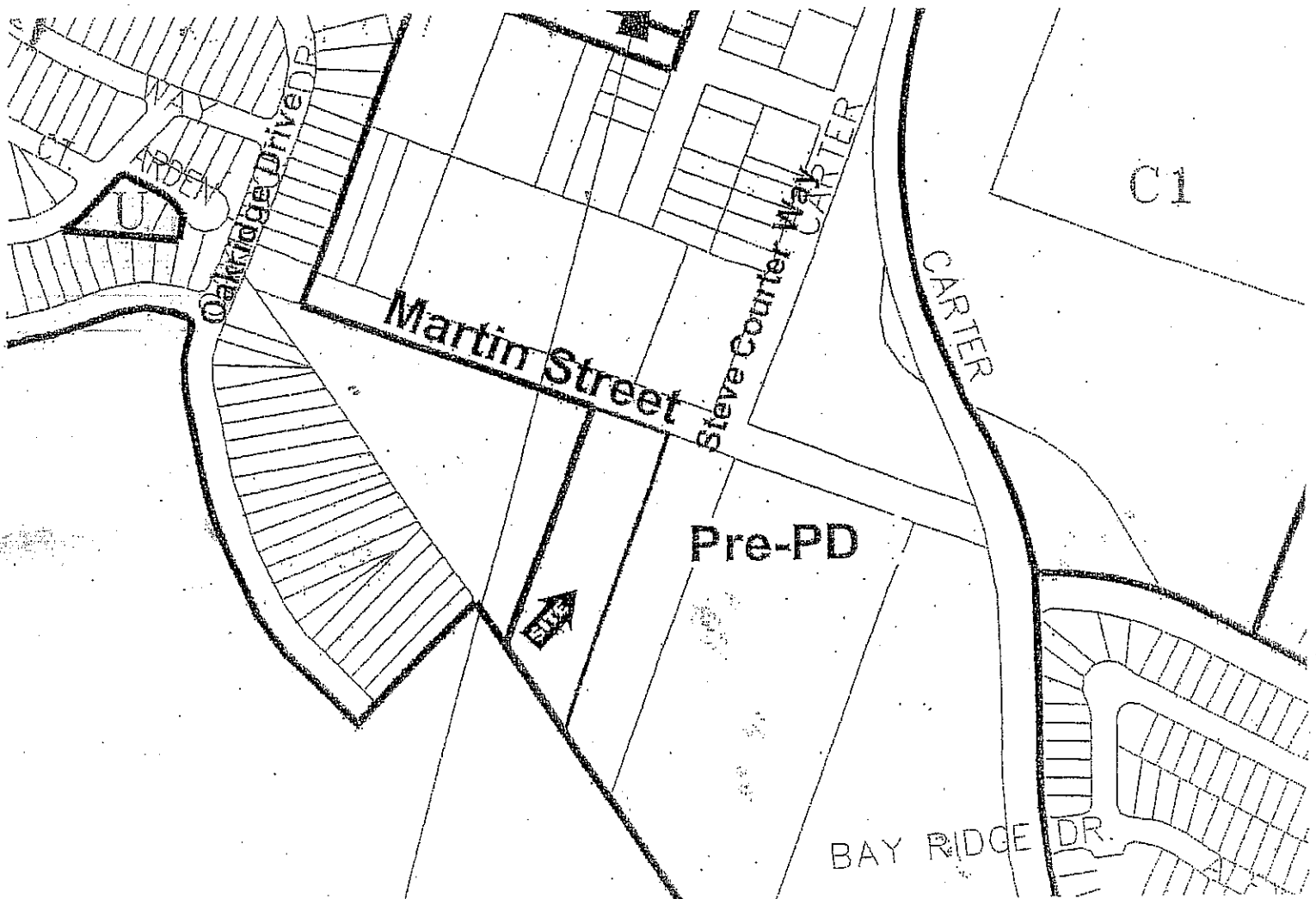
Attachment E – Initial Study, MND & MMP

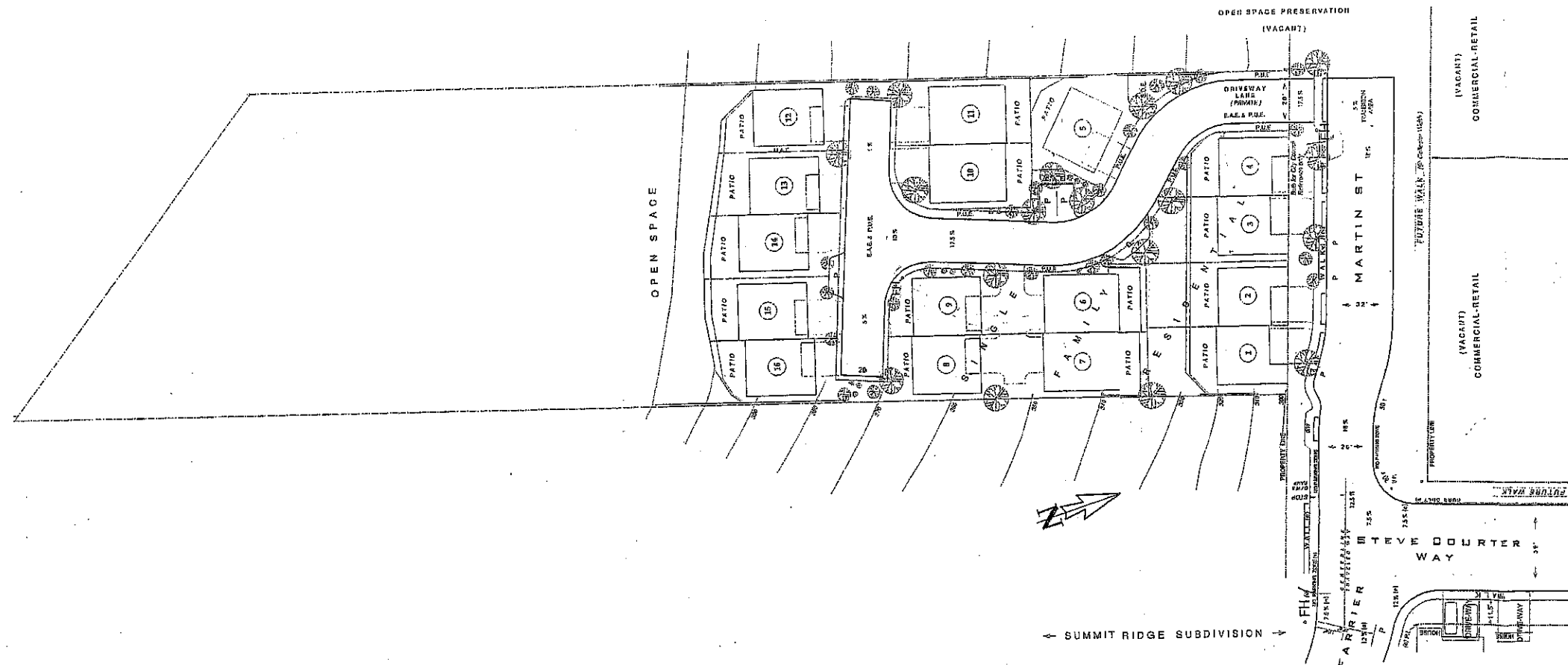
LOCATION MAP- PRECISE PLAN

GPA-2-10-1725 (08-1) PD-2-10-1726 (PD66)

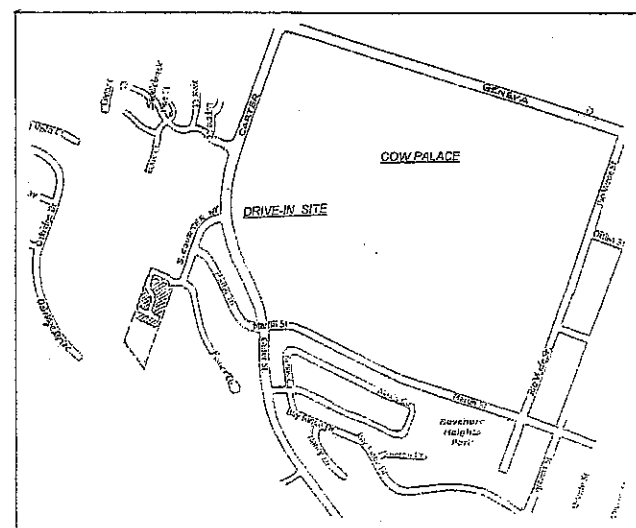
CEQA-3-12-5237

APN 005-042-020





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CITY OF DALY CITY
ECD/PLANNING DIVISION



VICINITY MAP

DALY CITY PLANNED DEVELOPMENT 66 DATA			
GENERAL PLAN & ZONING		PARKING	
ZONING (current)	PRE-PD	PARKING -- Dwellings	32 spaces
ZONING (proposed)	PD (Planned Development)	PARKING -- Guest (offstreet)	30 spaces
GEN. PLAN (current)	Commercial -- Retail	PARKING -- On-Street	8 spaces
GEN. PLAN (proposed)	Residential -- Low Density	PARKING -- TOTAL	70 spaces
DENSITY ANALYSIS		Parking to Unit Ratio	70:16 = 4.38 spaces per Unit
AREA [gross]	2.00 acres	AREA ANALYSIS	
AREA [net]	1.88 acres	Lot Area Coverage	60.00%
AREA of Residential PD	0.91 acres	Lot per Dwelling Unit	1,500 - 2,400 s.f.
DWELLING UNITS	16 units	Height, Bldgs	35 ft.
DENSITY [net]	8.5 per acre	Yards (r)	10 ft.
DENSITY [gross]	8.0 per acre	Estimated Population by proposed residential type	39
BUILDING SETBACKS			
Front yard	Min. 10 ft.		
Side yard	Min. 3 ft. one side		

POINT MARTIN

Daly City, California

PLANNED DEVELOPMENT PD-66 LAND-USE & CIRCULATION PLAN

Parcel : San Mateo County APN # 005-042-020

Developer : BTM Group LLC

Prepared by : CKS Environmental

Designed by : CKS/DB

Sheet 1 of 2
Scale 1 in. = 30 ft.
Rev no. 7 Dec 2011
Precise Plan Submittal DEC 2012

ATTACHMENT B

WATER FIRE FLOW

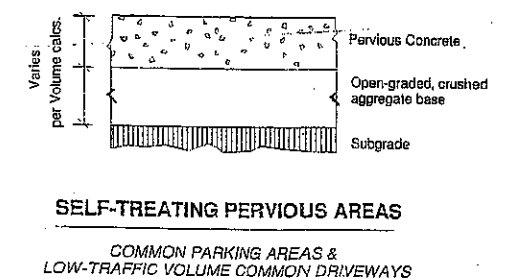
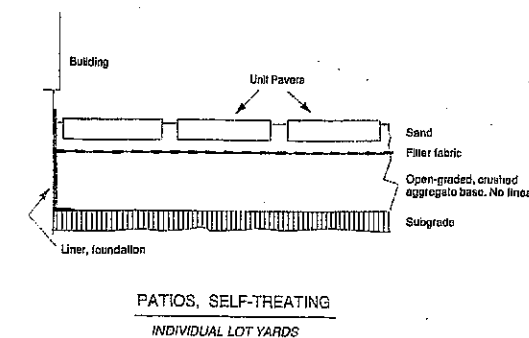
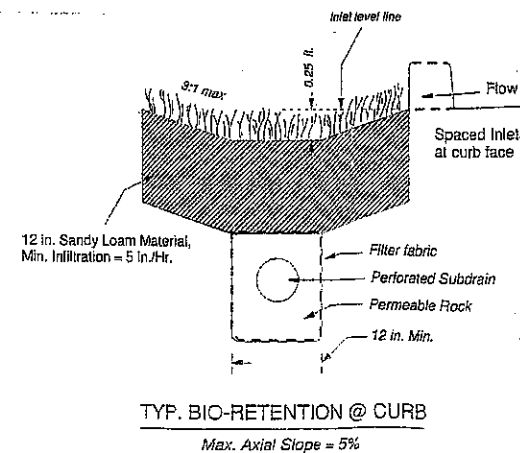
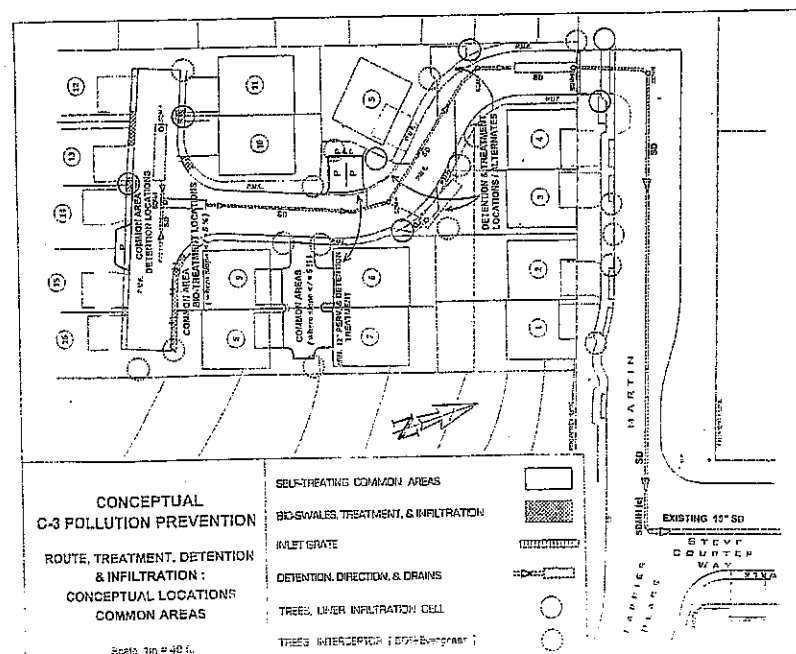
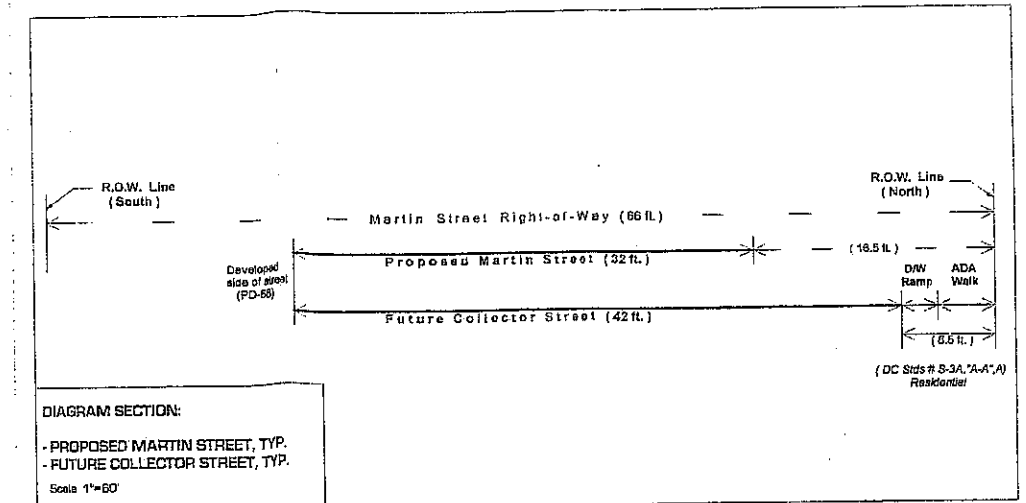
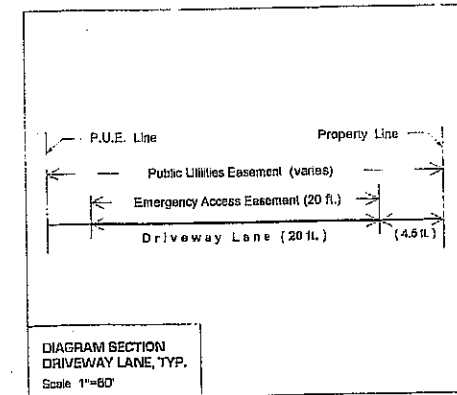
Whereas the Daly City Council authorized Capital Improvements in 2007-2009 to interconnect Reservoirs & Pressure Zones 2B, 8, and 9, which Reservoirs and Zones serve to provide water for domestic consumption and Fire-fighting to the area of the proposed Planned Development PD-66;

Expenditures of funds from the Bayshore Redevelopment Project Area Fund (now governed by successor agency), of which the subject parcel of PD-66 is an enrolled project area tax-assessed parcel, have been made to effect said authorized improvements;

The ISO (Insurance Service Office) improved Fire Flow re-classification of Daly City in 2006, reported after testing and confirmation of the increased fire flow & pressure to hydrants located in the same area of the proposed PD-66 as a result of said authorized improvements, has been recorded with the Daly City Recorder's Office;

Further improvements to water infrastructure in said Area zones have been made, resulting in sufficient pressure and flow to serve the water demands of PD-66 from the existing water main located adjacent to the project site;

Therefore, it is resolved that proposed Water Supply Improvements for PD-66 shall be made pursuant to, and in accordance with, the Daly City Water Master Plan for the Bayshore District and the Master Plan for the Bayshore Project Area. Said water supply shall provide adequate Fire Flows and meet applicable water quality standards.

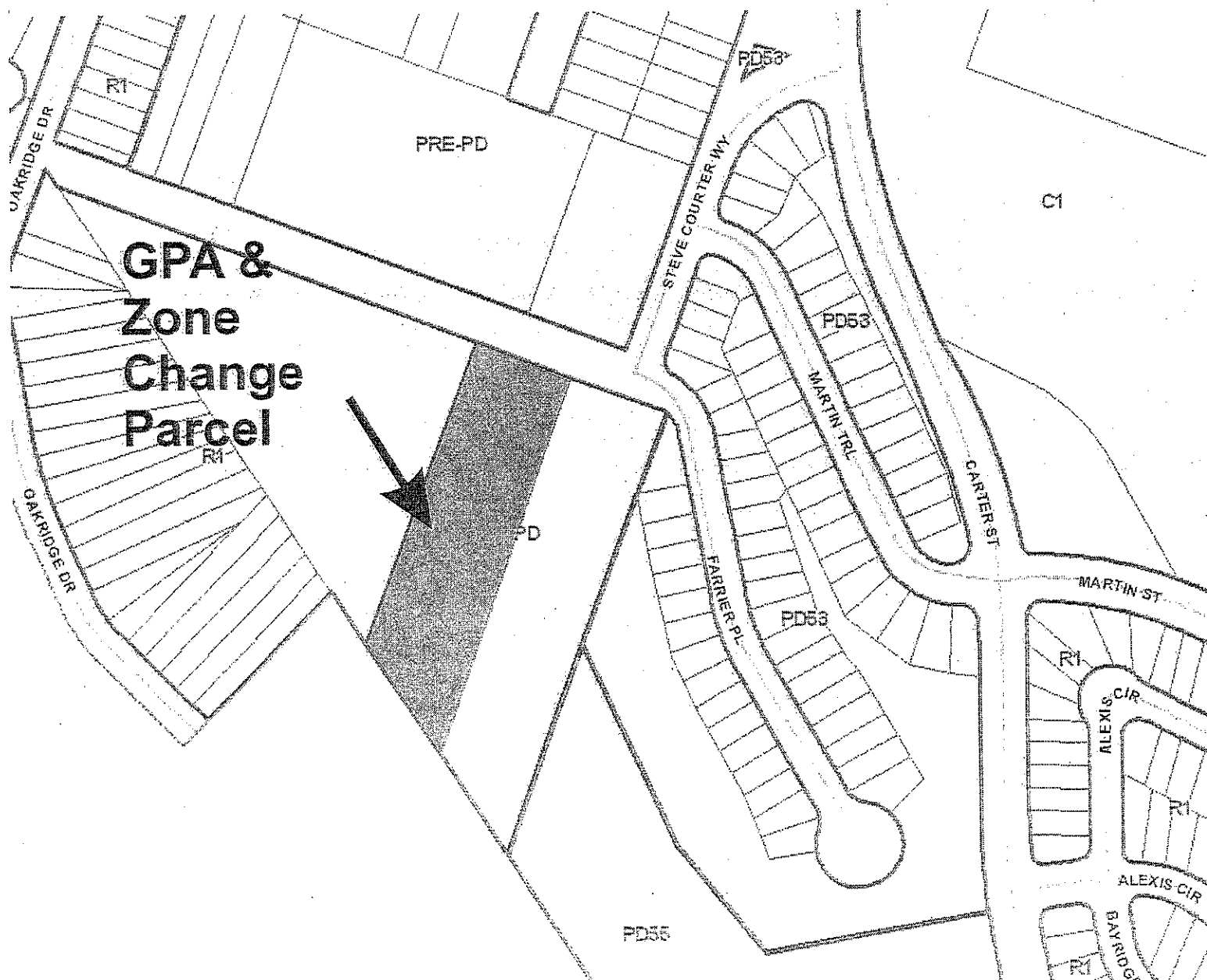


GPA-2-10-1725 (GPA08-1) PD-2-10-1726 (PD66)

CEQA-3-12-5237

GPA & ZONE CHANGE MAP

APN 005-042-040



**AN ORDINANCE OF THE CITY OF DALY CITY AMENDING THE DALY CITY
ZONING MAP - REZONING AND CERTAIN PARCELS TO PLANNED
DEVELOPMENT (PD-66) AND ADOPTING PLANNED DEVELOPMENT STANDARDS.**

One parcel, west of the Intersection of Martin Street and Steve Courter Way (APN 005-042-020),
Daly City, California

Section 1. Findings. The City Council of the City of Daly City finds that, as conditioned, the Planned Development PD-66 to allow the construction for New Construction of sixteen new single family residential structures; and General Plan Amendment to designate the entire project area as Low Density Residential (2-14.5 du/ac), is in compliance with Title 17 (Zoning Ordinance) of the Daly City Municipal Code as well as the General Plan of the City of Daly City, and as to each element of the Daly City General Plan. Approval of the Precise Plan for Planned Development PD-66 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 of Daly City.

BE IT ORDAINED by the City Council of the City of Daly City, as follows:

Section 2. Zoning Reclassification. The zoning as designated upon the "Official Zoning Map" of the City of Daly City, as adopted by Daly City Ordinance 635, and thereafter amended from time to time, is hereby changed, as to the parcel or parcels identified on the attached map (*Attachment "A" Amendment to Daly City Zoning Map – Planned Development PD-66*) incorporated herein by this reference, which hereinafter provides for a change of zoning classification on the "Official Zoning Map" and the establishment of specific standards for development on the subject property. All improvements to the PD-66 site shall comply with the approved Precise Plan and Planned Development Standards hereinafter adopted for PD-66:

**PLANNED DEVELOPMENT STANDARDS
PLANNED DEVELOPMENT ZONE PD-66
PT. MARTIN**

The purpose and intent of these Planned Development Standards is to establish a Planned Development Zoning District for PD-66 for property located west of the intersection of Martin Street and Steve Courter Way (APN 005-042-020).

I. GENERAL

1. Pursuant to Government Code Section 65859.(a), the PD-66 zoning shall become effective April 22, 2013.
2. When these planned development standards conflict with other sections of the Zoning Ordinance, these standards 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.

3. Any modifications to plans approved by the City Council shall be subject to the provisions as set forth in DCMC 17.28.020.
4. 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.
5. HOA & CC&R's shall be prepared for PD-66 for review and approval by the City Attorney prior to the recordation of the Final Map.

II. PERMITTED USES

A. The following uses are permitted as part of Planned Development Zone PD-66.

- 16 single family residential units with associated parking facilities
- Small family day care home
- Home Occupations in accordance with the regulations specified in DCMC Chapter 17.36

B. The following uses may be permitted with an Administrative Use Permit in PD-66.

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, nor more objectionable than a permitted use, such use shall be permitted in the district to the same requirements of the most similarly listed use.

D. Secondary units are not permitted

III. DEVELOPMENT STANDARDS

A. Parking

1. The total number of on-site parking spaces required for the development is 62. Each unit must provide two in-garage and two in-driveway parking spaces per unit, except lots 6 & 7 which shall have 2-in garage and one driveway space. A minimum of four guest parking spaces shall be provided along the private drive. All parking spaces shall conform to plans approved as part of the Precise Plan for PD-66 and shall be maintained in accordance with said plans. All parking space dimensions shall meet DCMC 17.34 code requirements.
3. Garage parking area and driveways may be utilized for parking purposes only, in conformance with plans approved as part of the Precise Plan for PD-66. No living area may be added to the garage level in a way that encroaches or reduces the parking area.

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 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 permit.
 - c. All visible elevations shall be provided with architectural treatment of the same quality and character as the front building elevations.

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 a manner to maintain a site clearance underneath the branches of five feet from grade.
- 4.. Decorative trash and recycling receptacles shall be provided in common open space areas, the number and location of said receptacle shall be in conformance with plans approved by the City Council as part of the Design Review.
6. 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 maintenance and litter control shall be submitted by the applicant and approved by the City prior to recordation of the Final Map for the project. The maintenance plan shall include provisions 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-66 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 routine 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 in receptacles located in common open space areas. 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, Lot Size and Height Limitation

1. There shall be no additional square footage allowed in PD-66 beyond what is permitted through approval of the Precise Plan. Maximum 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.
 - a. The maximum lot coverage for each lot the site shall be no greater than 60% per lot.
 - b. The minimum lot size shall be no less 1,750 except Lot 4 which shall be no less than 1,500 square feet.
 - c. The maximum residential structure square footage shall be no greater than 2,400 square feet, exclusive of garage area.
 - d. Rear yard setbacks shall be no less than twelve (12) feet along two-thirds of the rear building width, and in no case less than six feet. Side yard setbacks shall be no less than required by applicable building and fire codes applicable. Front yard setbacks shall be a minimum of eight feet from the front property line, excluding the lots 1, 2, 3 and 4 as shown on the precise plan, which shall be no less than seventeen feet from the street and lot 1 being no less than twelve feet from the street.
 - e. The maximum building height is 36 feet, as defined in DCMC Section 17.04.010.6 (Building Height).
 - f. Private and common open space areas shall be provided per plans approved by the City Council as part of the Precise Plan for PD-66 and shall remain in perpetuity.

Section 3. Summary Publication: Pursuant to the provisions of Government Code Section 36933, a summary of this Ordinance shall be prepared by the City Attorney. At least five (5) days prior to the Council meeting at which this Ordinance is scheduled to be adopted, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's office a certified copy of this Ordinance. Within fifteen (15) days after the adoption of this ordinance, the City Clerk shall (1) publish the summary, and (2) post in the City Clerk's office a certified copy of the full text of this Ordinance along with the names of those City Council members

voting for and against this ordinance or otherwise voting. This Ordinance shall become effective thirty (30) days from and after its adoption.

Section 4. 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.

Introduced this _____ day of _____, 2013.

Passed and adopted as an Ordinance of the City of Daly City at a regular meeting of the City Council of the City of Daly City held on the _____ day of _____, 2013, by the following vote:

AYES, Councilmembers _____

NOES, Councilmembers _____

Absent, Councilmembers: _____

CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

MAYOR OF THE CITY OF DALY CITY



CEQA Environmental Checklist

PROJECT DESCRIPTION AND BACKGROUND

Project Title:	Planned Development PD-2-10-1726 (PD-66), General Plan Amendment GPA-2-10-1725 (GPA 08-1), Environmental Assessment CEQA-3-12-5237
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 Engfer Assistant Planner 650.991.8160
Project Location:	Vacant Parcel West of the Intersection of Martin Street and Steve Courter Way (APN 005-042-020)
Project sponsor's name and address:	BTM Group, C/O CKS Environmental P.O. Box 927 Pacifica, CA 94044
General plan description:	C-RO Retail Commercial and Office
Zoning:	Pre- Planned Development (Pre-PD)
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.)	General Plan Amendment from Commercial Retail and Office to Low Density Residential, Zone Change from Pre- Planned Development to Planned Development (PD-66) to allow for future subdivision of 16 residences on a 1.84 acre parcel
Surrounding land uses and setting; briefly describe the project's surroundings:	The immediate vicinity of the site includes vacant undeveloped parcels and single family and multi-family properties. The site is bordered to the north, south and west by vacant parcels and is bordered to the east by single-family residential units.
Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):	Bayshore Sanitation District

ATTACHMENT E

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

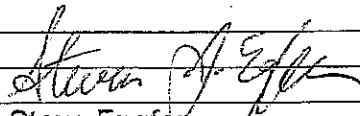
The environmental factors checked below would be potentially affected by this project. Please see the checklist beginning on page 3 for additional information.

☐	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: 2/21/13
Printed Name: Steve Engfer	For:

CEQA Environmental Checklist

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: There are no designated scenic vistas or historic buildings in the project area. The proposed project consists of a change in land use and zoning to allow for low density residential uses from a pre-planned development district to a planned development district. The project incorporates a general plan amendment and zone change that will allow for a future subdivision and the required applicable design review requirements for the future new residential structures will include architectural design requirements with landscaping that would be compatible with the neighborhood. The proposed changes will allow for single family residential development compatible with the nearby visual character and therefore will not degrade the existing character. Lighting appropriate to the neighborhood and building type will be utilized.

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?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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 project site is located in Daly City and is currently zoned Pre-Planned Development and will be changed to a low density single family residential use Planned Development District. The project site is an existing vacant site with primarily residential uses in the immediate vicinity. 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 as "Urban and Built-Up Land" on the San Mateo County Important Farmland 2006 map, prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. 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, within the nearby vicinity of existing residential 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)	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

a) Conflict with or obstruct implementation of the applicable air quality plan?

The most recent clean air plan is the Bay Area 2010 Clean Air Plan that was adopted by BAAQMD in September 2010. The proposed project would not conflict with the latest Clean Air planning efforts since (1) the project would not generate emissions above the BAAQMD thresholds and (2) the project would not involve a new type of land use that is not already in place within the project vicinity. The project, being the construction and use of sixteen new single family dwellings, is too small to incorporate project-specific transportation control measures listed in the latest Clean Air Plan (i.e., Bay Area 2010 Clean Air Plan). Additionally, the project is well below the thresholds of significance as identified in the applicable December 1999 BAAQMD CEQA Guidelines Table #3, Thresholds of significance for project operations.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

The Bay Area is considered a non-attainment area for ground-level ozone and fine particulate matter (PM_{2.5}) under both the Federal Clean Air Act and the California Clean Air Act. The area is also considered non-attainment for respirable particulates or particulate matter with a diameter of less than 10 micrometers (PM₁₀) under the California Clean Air Act, but not the Federal act. The area has attained both State and Federal ambient air quality standards for carbon monoxide. As part of an effort to attain and maintain ambient air quality standards for ozone and PM₁₀, the BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for ozone precursor pollutants (ROG and NOx), PM₁₀ and PM_{2.5}.

Construction activities would include the minor grading and construction of sixteen new single family residences. This type of activity is not anticipated to involve the intensive use of heavy duty construction equipment or use of large equipment for extended periods of time. Since the project would only construct sixteen new single family residences the construction emissions are expected to be below the June 2010 BAAQMD thresholds. The project is well below the thresholds of significance as identified in the applicable December 1999 BAAQMD CEQA Guidelines Table #3, Thresholds of significance for project operations and as identified in the Urbemis 2007 report generated for the project. Therefore, construction period emissions would be less than significant.

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)

Based on the analysis no violation of ambient air quality would result from the project because the project would have emissions that would be below significance thresholds adopted by BAAQMD for evaluating impacts to ozone and particulate matter. The project would not contribute substantially to existing or projected violations of those standards. Carbon monoxide emissions from traffic generated by the project would be less than significant. Congested intersections with a large volume of traffic have the greatest potential to cause high-localized concentrations of carbon monoxide. Air pollutant monitoring data indicate that carbon monoxide levels have been at healthy levels (i.e., below State and Federal standards) in the Bay Area since the early 1990s. As a result, the region has been designated as attainment for the standard. The roadways affected by the proposed project have relatively low traffic volumes compared to the busier intersections in the Bay Area. BAAQMD screening guidance indicates that projects would have a less than significant impact to carbon monoxide levels if project traffic projections indicate traffic levels would not increase at any affected intersection to more than 44,000 vehicles per hour. The intersections affected by the proposed project have much lower traffic volumes. The change in traffic caused by the proposed project upon build out of a future subdivision of 16 residences would result in less than an additional 150 trips per day, therefore be minimal and the project would not cause or contribute to a violation of an ambient air quality standard. The project is well below the thresholds of significance as identified in the applicable December 1999 BAAQMD CEQA Guidelines Table #3, Thresholds of significance for project operations and as identified in the Urbemis 2007 report generated for the project. Therefore, construction period emissions would be less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?

As required; construction BMPs will be incorporated to reduce the potential for sensitive receptors exposure to potential pollution concentrations.

The project being the General Plan and Zoning Amendment would allow for future subdivision application for 16 new lots. Future construction activities would include 16 new single family residential buildings, landscape improvements, utility upgrades, and paved driveway areas. These would not be intensive operations that require the use of large construction equipment for extended periods of time that could expose sensitive receptors to unhealthy air pollutant levels. However, best management practices are necessary during demolition, trenching and grading activities to avoid generation of dust that may affect nearby sensitive receptors. Best management practices for controlling construction period air pollutant emissions are required by existing regulations. The minimal construction activities proposed and relative short duration of these activities would not cause significant exposures Toxic Air Contaminants (TACs) or PM_{2.5}.

The proposed project would not include sources of TACs that would generate air pollutant emissions that would expose sensitive receptors to unhealthy air pollutant levels.

e) Create objectionable odors affecting a substantial number of people?

The proposed project would not generate odors that would result in confirmed odor complaints.

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?	☐	☐	☐	☒

Discussion of Evaluation: The site is a vacant lot located in a sub-area of undeveloped lots that within a predominately built urbanized area of lots that include residential structures and commercial structures where the project will allow for future subdivision and releated proposed improvements being the construction of sixteen new single family residences and landscaping.

There are no 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 located on the subject property.

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.

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.

The biological report entitled "Biological Letter Report for Planned Development PD-66, Dudek, Dated December 28, 2012, recommends an ornithologist conduct a preconstruction survey for native birds and raptors in order to determine if native birds or raptors nesting on, in, or in the vicinity of any project related vegetation removal and therefore mitigate any potential impact effecting the movement of any native resident or migratory fish or wildlife species. In order to be certain that there are none present. Impacts that may result from the development of Martin Street right-of-way may result in fill of a portion of the narrow drainage and associated riparian scrub. Although the feature is previously disturbed from historical and adjacent land uses, if deemed necessary, permits for any fill that would alter or impede the drainage may be required.

The proposed development is not within a Habitat Conservation Plan area, although the San Bruno Mountain HCP boundary is near the project site. The project's design provides an open space separation of approximately two-hundred feet between developed areas of the proposed project and the HCP boundary and as reported in the biological study, the HCP administrator stated that special status species protected by the HCP have been reported an additional several hundred feet further within the HCP preserve. No impact is projected. 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: A qualified ornithologist shall conduct a preconstruction survey for native birds and raptors in order to determine if native birds or raptors nesting on, in, or in the vicinity of any project related vegetation removal. Survey results and any mitigation required by survey must be provided prior to construction activity.

Mitigation: Surveys shall be conducted by a biologist or other qualified professional. Survey reports shall be submitted to the Planning Division for review prior to issuance of grading permit. If drainage 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.

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 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. 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 San Andreas fault, approximately two miles west, the proposed development, along with all of the City of Daly City, engenders risk of seismic instability. Due to its proximity to the San Andreas Fault and the generally seismically active region, severe ground shaking is likely during the life of the structure(s), particularly during a major seismic event.

Another recently discovered fault, named the Mussel Rock fault, located over five miles away and southwest of the San Andreas fault, extending offshore at Mussel Rock, was identified in 1998. Although not extensively studied, this fault is not presently classified as active. Compared to the nearby San Andreas Fault, the Mussel Rock Fault is not currently considered to be a significant seismic hazard for the City of Daly City.

The project site is surrounded 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 changes and future 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:

The State of California is addressing this issue through legislation, policy guidance, and outreach programs. Carbon dioxide (CO₂) is the primary GHG emitted from land use projects, mostly through automobile and energy use.

The BAAQMD adopted GHG emissions-based thresholds in June 2010. These criteria include a "bright-line" emissions threshold at 1,100 metric tons per year and a per-capita threshold of 4.6 metric tons per year per capita for land-use type projects. An emissions threshold of 10,000 metric tons per year was also established for stationary sources. The project will allow for a future 16 lot subdivision and the resultant 16 residential homes are not viewed as stationary sources that would exceed the threshold. The project is well below the thresholds of significance as identified in the applicable December 1999 BAAQMD CEQA Guidelines Table #3, Thresholds of significance for project operations and as identified in the Urbemis 2007 report generated for the project. Therefore, construction period emissions would be less than significant.

The project would not interfere with any plan or regulation intended to reduce GHG emissions.

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?	☐	☐	☐	☒
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: Daly City requires all plans be reviewed for compliance with applicable Building and Fire Department requirements, pursuant to the Uniform Building and Fire Codes, and all other related City requirements as a part of the Building Permit process. The referenced codes prescribe types of construction to protect safety.

A Phase I Environmental Site Assessment by Olson Environmental, Inc. dated June 1, 2012 and an EDR Radius Map report dated May 4, 2012 were performed in general conformance with the scope and limitations of: 1) American Society for Testing and Materials (ASTM) Standards Practice E1527-05, *Standard Practice for Environmental Site Assessments; Phase I Environmental Site Assessments*; 2) The U.S. Environmental Protection Agency, *Standards and*

Practices for All Appropriate Inquiries (AAI). The Phase I Site Assessment included a review of historical land use information for the subject property and surrounding area; review of regulatory agency database report for the subject property and surrounding area; review of files for off-site reported chemical release sites available online; and a walk-through visual assessment and interview with the property owners for specialized knowledge of the site history. The ENVIROSTOR database review found that the site is not listed.

The proposed 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. Currently, there are no hazardous materials 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 two miles of an airport and would not result in a safety hazard for people residing or working in the project area. The site is not located within the vicinity of a private airstrip. The proposed project would not impair implementation or physically interfere with an adopted emergency plan or emergency evacuation plan.

The site 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?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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 NPDES Permit No. CAS612008, of which, the City of Daly City is a Co-Permittee.

The project site is connected to existing improved drainage facilities, and prior to any issuance of permits, the developer will be required to submit a storm drain analysis for existing and proposed improvements; improvements shall be upgraded in compliance with City standards and as required by the impacts of the proposed improvements. 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.

The project will be subject to the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit, intended to control pollution in storm water associated with construction activities. The project would not degrade water quality due to the implementation of BMPs to control pollution in runoff.

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 is 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 and compliance with Order R-2 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 proposal is consistent with the pertinent land use goals, objectives and policies of the General Plan Land Use Element, in particular, the General Plan encourages infill housing development in existing neighborhoods 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 subject site is situated adjacent to single family detached homes, and higher density multifamily units. Residential development is an appropriate use for the subject property given its size and shape, and adjacent uses.

The proposed project is consistent with the following General Plan Housing Element Principles:

- Encourage new residential development in suitable locations.
- Maintain and enhance the quality and diversity of Daly City's neighborhoods.

Furthermore, Objectives 6 and 7 of the General Plan Land Use Element encourage a pattern of residential land uses which provides for a variety and balance of densities, and offers opportunities for a mix of dwellings and tenure type, which this project does.

Existing residential uses 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.

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 are located on the site, nor has the site been used for mineral resource extraction.

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?	☐	☐	☐	☒

) 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?	☐	☐	☐	☒
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Discussion of Evaluation:

Noise generated from the potential future subdivision of sixteen new single family residences in an area of residential uses, would be compatible with existing residential uses in the vicinity and any noise impacts are anticipated to conform to the General Plan Noise Element policy of not more than CNEL 70 dBA, leq in residential areas.

Construction noise will occur during 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 (BMPs). BMPs are required at the time of building permit issuance for all 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 5:00 p.m. Mondays through Saturdays and construction on Sundays and holidays will be prohibited to avoid inconveniencing neighbors. The construction activity is limited in scope and duration and is viewed as a less than significant noise impact with the application of the aforementioned BMP's.

The project site is located in an area where the General Plan noise contours indicate a 60-65 CNEL for the location. The 60-65 CNEL is appropriate for residential uses.

The project site is located within the San Francisco International Airport Land Use Compatibility Plan; however, the site is greater than two miles from the public airport or public use airport (San Francisco International Airport) and due to the distance from the airport to the proposed new residences proposed, no significant exposure to excessive noise levels related to the airport noise impacts is anticipated.

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 as it is the General Plan and Zoning Amendment that would allow for future addition of 16 new single family residences where the average household sizes are less than 3.37. The subject project is limited 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.

The project would allow for the future addition of housing on vacant land and therefore not a significant displacement of housing or people that would necessitate the construction of replacement housing elsewhere.

The project is an improvement of an existing site and will utilize existing site infrastructure. 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?	☐	☐	☐	☒
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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. The project site is located in an area where services are available. 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 not result in a significant increase the use of existing neighborhood park facilities. The project will neither generate nor create any need for additional recreational opportunities or facilities within the City. However, Park in-lieu fees will be paid to offset the incremental increase in demand to the existing and future recreation spaces a the time of future subdivison.

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?	☐	☐	☐	☒
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 result 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: The project will allow for future subdivision and development of 16 lots served by new driveway encroachments and the Engineering Division has reviewed the proposed means of vehicular access and has determined that the driveways effectively provide a safe means of ingress and egress for automobiles without creating a danger to pedestrians.

No conflict with the San Mateo County Congestion Management Agency (CMA) Congestion Management Plan (CMP) is anticipated.

ADA compliant sidewalks will be required along all project frontages.

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 PD and potential future subdivision and 16 new residential units will result in an average daily a trip count of less than 150 per day that would not create a decrease LOS for any nearby public

streets. 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 proposed project would not exceed wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board.

The local solid waste disposal and recycling service provider, Allied Waste Services, will provide services to the future dwellings.

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)?	☐	☐	☒	☐
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 the general Plan designation and zoning necessary for the future development of a previously disturbed vacant lot within a developed neighborhood. The proposed uses are allowed within the proposed PD-66 district. Any future residential structures are viewed as upgrades to the site and are not viewed as cumulatively considerable as infill development compatible to adjacent uses. 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

LIST OF REFERENCES AND CONTACTS

1. City of Daly City. General Plan, Housing, Land Use, & Circulation Elements, Nov. 1987.
 2. City of Daly City. Initial Study and Environmental Assessment, Draft Land Use, Housing, and Circulation Elements of the General Plan, April 1987.
 3. City of Daly City. General Plan, 1994 Safety Element, August 22, 1994.
 4. City of Daly City. General Plan, Noise Element, April 1989.
 5. City of Daly City. General Plan, Resource Management Element, April 1989.
 6. City of Daly City. Zoning Regulations, Title 17, as updated to 5/11.
 7. Bolt, Beranak & Newman. Noise from Construction Equipment & Operation, Building Equipment & Home Appliances, 1971.
 8. State Office of Noise Control. Noise Compatibility Guidelines, Noise Element, 1988.
 9. Association of Bay Area Governments. On Shaky Ground, Earthquakes and Hazards Program, 2010.
 10. Association of Bay Area Governments. Alquist-Priolo Earthquake Fault Zones Map, reproduced with permission, California Geological Survey from CD-ROM 2001-04 (2001), Official Map of Alquist-Priolo Earthquake Fault Zones.
 11. Association of Bay Area Governments. Earthquake Shaking Potential. Derived from Earthquake Shaking Potential for the San Francisco Bay Region. CSSC, CGS, CalEMA, and USGS, 2003.
 12. California Department of Conservation, Office of Land Conservation. California Agricultural Land Evaluation and Site Assessment Model Instruction Manual.
 13. California Department of Conservation, Office of Land Conservation. Compiled by the Farmland Mapping and Monitoring Program (FMMP) pursuant to Section 65570 of the California Government Code. San Mateo County Important Farmland Map 2006, 2008.
 14. California Department of Conservation, Division of Land Resource Protection, Williamson Act Program. San Mateo County Williamson Act 2006, 2006.
 15. California Department of Conservation. State of California Special Studies Zones San Francisco South, Revised Official Map, January 1, 1982.
 16. Jones, A.L., M. Perlmutter, W.B. Monahan, and D. Yun. 2008. Mapping California's Important Bird Areas. Prepared by Audubon California with support from California Polytechnic Institute. Audubon California, Sacramento, CA.
 17. United States Department of Fish and Wildlife Service. National Wetlands Inventory, Wetlands Data.KMZ (Keyhole Markup Language file accessed via Google Earth), May 20, 2010.
 18. City/County Association of Governments of San Mateo County. Final San Mateo County Congestion Management Program 2009, September, 2009.
 19. Olson Environmental Inc. Phase I Environmental Site Assessment, APN 005-042-020 Daly City, San Mateo County California June 1, 2012.
 20. Environmental Data resources Inc. The EDR Radius Map, with Geotrack APN 005-042-020 Daly City, San Mateo County California May 4, 2012.
 21. Institute of Transportation Engineers. TRIP GENERATION, 8TH Edition, Volume 2 of 3, 2008.
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EXHIBITS

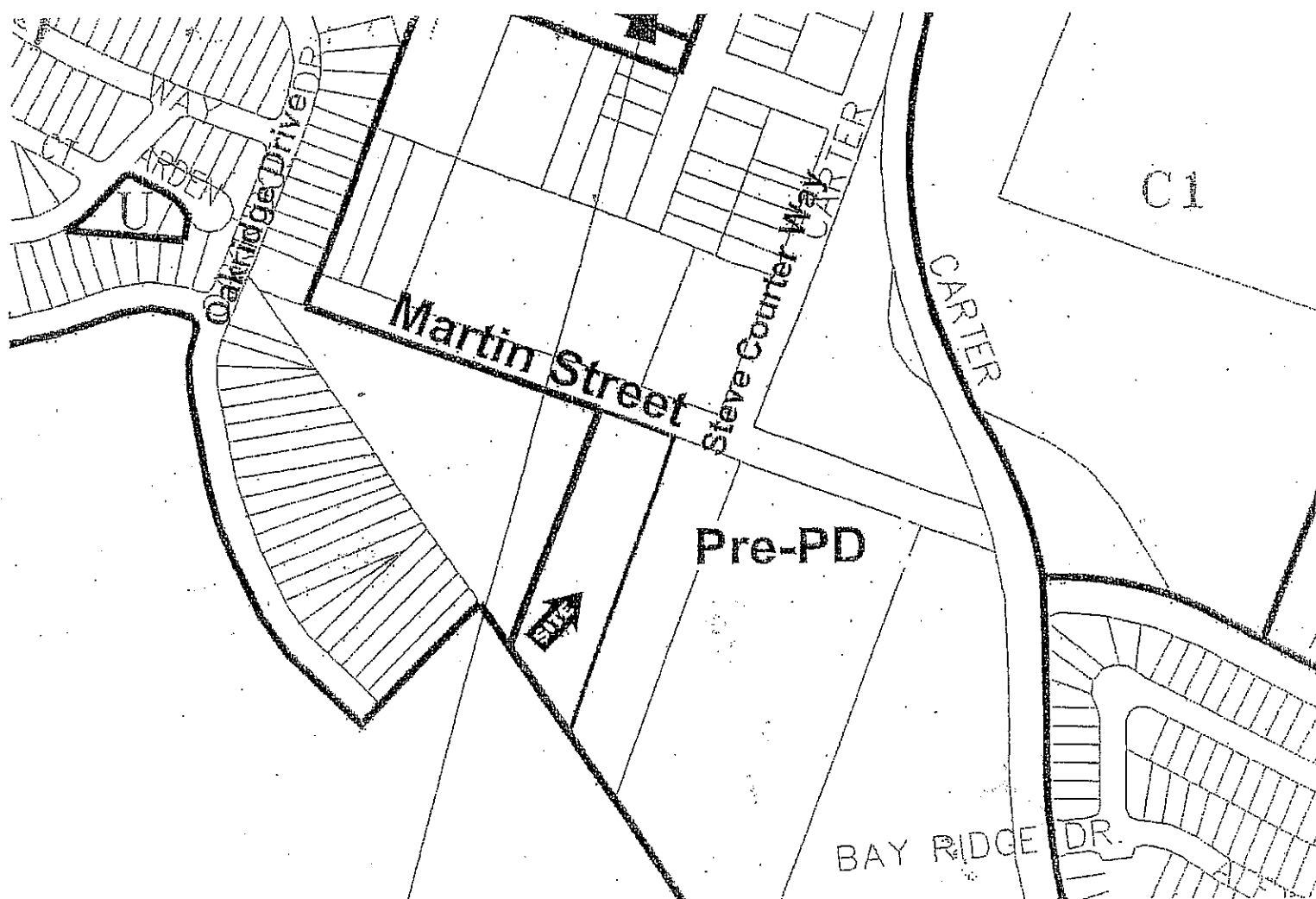
- Site Location Map
- Reduced Plan(s) (8-1/2" x 11")
- Mitigation Monitoring Program

LOCATION MAP- PRECISE PLAN

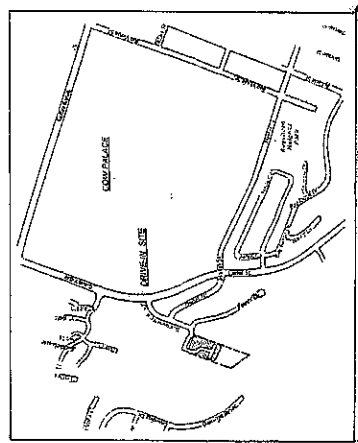
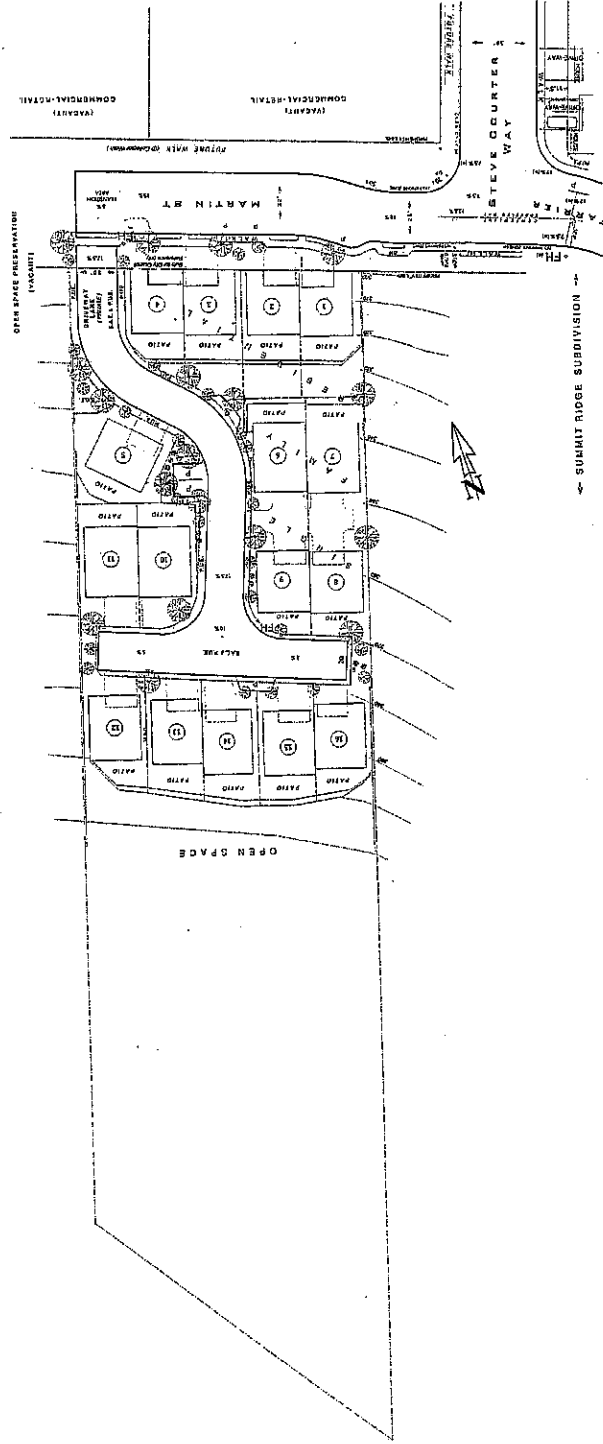
GPA-2-10-1725 (08-1) PD-2-10-1726 (PD66)

CEQA-3-12-5237

APN 005-042-020



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 CITY OF DALY CITY
 ECD/PLANNING DIVISION



DALY CITY PLANNED DEVELOPMENT 66 DATA			
GENERAL PLAN & ZONING		PARKING	
ZONING (current)	PRE-PD	PARKING - Dwellings	32 spaces
ZONING (proposed)	PD (Planned Development)	PARKING - Guest (offstreet)	50 spaces
GEN. PLAN (current)	Commercial - Retail	PARKING - On-Street	6 spaces
GEN. PLAN (proposed)	Residential - Low Density	PARKING - TOTAL	70 spaces
DENSITY ANALYSIS		Parking to Unit Ratio	70/16 = 4.38 spaces per Unit
AREA (gross)	2.00 acres	AREA ANALYSIS	
AREA (net)	1.48 acres	Lot Area Coverage	60.00%
AREA of Residential PD	0.91 acres	Lot per Dwelling Unit	1,200 - 2,400 s.f.
DWELLING UNITS	16 units	Height, Bldgs	35 ft.
DENSITY (net)	8.5 per acre	Yards (f)	10 ft.
DENSITY (gross)	8.0 per acre	Yards (f) - 10' minimum by proposed residential type	30
BUILDING SETBACKS			
Front yard	Min. 10 ft.		
Side yard	Min. 3 ft. one side		

POINT MARTIN
 Daly City, California

PLANNED DEVELOPMENT PD-66
 LAND-USE & CIRCULATION PLAN

Prepared by: Sun Mateo County APN # 005-042-039
 Developer: BTM Group LLC
 Prepared by: CFS Environmental
 Designed by: CFS/DB
 Sheet 1 of 2
 Scale: 1" = 20' ft.
 Revised: 7 Dec 2011
 Project: Plan Submittal DEC 2012

MITIGATION MONITORING AND REPORTING PROGRAM
Planned Development PD-2-10-1726 (PD-66), General Plan Amendment GPA-2-10-1725 (GPA 08-1), Environmental Assessment CEQA-3-12-5237, Vacant Parcel (APN 005-042-020) Daly City, CA

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring/Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
Mitigation Measure 1 Pre-construction surveys are required to be scheduled during breeding season (February 15 to August 31), a qualified ornithologist or qualified biologist shall conduct a preconstruction survey of the work area to determine if any native birds, including raptors, are nesting in or in the vicinity of vegetation to be removed. The preconstruction surveys will be conducted within 7 days prior to the start of work from March through May (since there is a higher potential for birds to initiate nesting during this period), and within 15 days prior to the start of work from June through August. If active nests are found in the work area, the biologist will determine an appropriate sized buffer around the nest and now work shall be allowed until the young have successfully fledged. The size of the nest buffer shall be determined by the biologist, and if necessary in consultation with eh CDFG. Buffer widths dependent the nesting species and its sensitivity to disturbance.	Surveys shall be conducted by a wildlife biologist, raptor biologist or ornithologist 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
Planned Development PD-2-10-1726 (PD-66), General Plan Amendment GPA-2-10-1725 (GPA 08-1), Environmental Assessment CEQA-3-12-5237, Vacant Parcel (APN 005-042-020) Daly City, CA

<u>Mitigation Measure 2:</u> Impacts resulting from the development of Martin Street right-of-way may result in fill of a portion of the narrow drainage and associated riparian scrub. Although the feature is previously disturbed from historical and adjacent land uses, if deemed necessary, permits for any fill that would alter or impede the drainage may be required.	Surveys shall be conducted by a biologist or other qualified professional. Survey reports shall be submitted to the Planning Division for review prior to issuance of grading permit. If drainage 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, Building Division, Engineering Division	Approve or disapprove building and grading permit issuance, and ensure activity conducted on site.	No building or grading permit
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City Council Agenda Report

Item # _____

Meeting Date: April 22, 2013

Subject: Consideration of the City's HUD Five-Year Consolidated Plan for July 1, 2013 to June 30, 2018 and One-Year Action Plan for Fiscal Year 2013-14

Recommended Action

1. Conduct a Public Hearing to obtain citizen comments on the following:
 - a) The draft Five-Year U.S. Department of Housing and Urban Development (HUD) Consolidated Plan for July 1, 2013 to June 30, 2018
 - b) The draft One-Year Action Plan for Fiscal Year 2013-2009;
2. Allocate funds for various CDBG and HOME activities for Fiscal Year 2013-14 (See EXHIBIT A);
3. Approve the City's Five-Year Consolidated Plan and One-Year Action Plan documents for submission to HUD; and
4. Adopt a resolution authorizing the City Manager or her designee to sign the appropriate forms and certifications as part of the City's submission of the Action Plan to HUD.

Background

Consolidated Plan

Beginning on July 1, 1995, the U.S. Department of Housing and Urban Development required that local jurisdictions prepare a Five-Year Consolidated Plan in order to receive Federal funds through the Community Development Block Grant (CDBG), Home Investment Partnership Act (HOME), Emergency Shelter Grant (ESG) and, Housing Opportunities for Persons with AIDS (HOPWA) Programs. Daly City has historically participated in HUD's CDBG and HOME programs. The Five-Year Plan provides long-range guidelines with proposed priorities, strategies and potential activities to address the City's housing and community development needs. For each year during the Five-Year period, the City must also prepare a One-Year Action Plan that describes the specific activities (and associated costs) the City will pursue. Fiscal Year 2013-14 is the first year of the current Five-Year Consolidated Plan.

Citizen Participation

HUD requires citizen participation during the development and review of the Consolidated Five-Year and One-Year Action Plans. This was accomplished at the December 10, 2012 public hearing on housing and community needs as well as through a survey of the City's residents and service providers in November and December of 2012. In addition, a public meeting on community needs was held in November of 2012.

The draft Five-Year HUD Consolidated Plan and the One-Year Action Plan (which is a component of the Five-Year Plan) were made available for public review at local libraries, the Daly City Community Service Center and City Hall from March 22, 2013 through April 22, 2013. Public notification of the availability and description of the draft documents was printed in *The Examiner Peninsula* and posted on the City's website.

Discussion

The draft Five-Year HUD Consolidated Plan consists of the following:

1. Demographic data that provides an overall picture of the housing and community development needs in the City,
2. a five-year strategic plan that brings together needs, available resources, and priority activities,
3. a one-year action plan that lists proposed activities that the City will undertake to address priority needs with anticipated CDBG and HOME funds during FY13-14,

Five-Year Strategic Plan

The following is a summary of the recommended priorities, which are not listed in any order of priority, for the Five-Year strategic plan covering the period from July 1, 2013 through June 30, 2018. This long-range plan serves as a guideline with proposed priorities, strategies, and potential activities to address the City's housing and community development needs.

Priorities for Housing and Homeless Activities

- Maintain and improve housing stock
- Increase supply of affordable housing
- Preserve housing affordability
- Provide Supportive Facilities/Services for Persons with Special Needs
- Assist Low Income First Time Homebuyers
- Preserve Rental Assistance
- Acquire and Rehabilitate Existing Rental Apartments
- Monitor Status and Preserve At-Risk Assisted Housing Inventory
- Provide Supportive Facilities and Services for Homeless Persons

Priorities for Non-Housing Community Development Activities

Economic Development Activities:

- Provide Technical Assistance to Businesses

Capital Improvement Projects:

- Maintain and improve public facilities
- Increase handicapped accessibility

Public Services:

- Provide Support for Services that Provide Food for Low-Income Residents
- Provide Legal Assistance to Low-Income Residents
- Provide Preventative Services to "At-Risk" Low-Income Youth
- Provide Public Services and Facilities for Special Needs Populations
- Affirmatively Further Fair Housing Activities
- Provide Advocacy Services to Seniors

One-Year Action Plan Allocations

In December of 2012, the City Council held a public hearing on housing and community development needs. At this hearing, the City Council considered public input and past projects and programs to assess community development and housing needs in Daly City. As a result, the City Council adopted guidelines for staff and potential applicants on the uses of CDBG and HOME funds for Fiscal Year 2013-14. These guidelines are as follows:

<u>Funding Category</u>	<u>Percentage Range of Appropriation</u>
CDBG Administration	12-20% (20% is HUD allowed maximum)
Public Services	8-15% (15% is HUD allowed maximum)
Capital Improvements	15-50%
Economic Development	2-20%
Housing	20-60%
HOME	
Administration	10%
CHDO	15%
New Housing Construction	75%

CDBG Funding

There is currently no adopted Federal Budget for 2013 or any notification from the U.S. Department of Housing and Urban Development (HUD) regarding the likely allocation of 2013-14 CDBG funds for Daly City. For planning purposes and to fulfill our obligation to adopt a spending plan for 2013-14 by April 2013, it is assumed that the City will receive an allocation of CDBG funds of \$901,955, an amount equivalent to the current fiscal year allocation. Combined

with unspent prior year funds and program income, the City will have an estimated a total of \$1,336,274 for CDBG activities in 2013-14. A summary of the recommended CDBG funding allocations for the One-Year Action Plan is provided in Exhibit A.

In order to allocate CDBG resources to a wide array of projects, staff circulated a Request for Proposal (RFP) to various non-profit organizations, County agencies, and City departments. The City received 30 applications by the January 25, 2013 deadline. Staff undertook preliminary review and evaluation of the applications, which the CDBG Advisory Committee consequently considered. The CDBG Advisory Committee consists of Councilmembers Carol Klatt and Michael Guingona. After reviewing staff's data and analyses, the Committee formulated CDBG and HOME allocation recommendations for Fiscal Year 2013-14.

Restructuring of CDBG Sub-recipient Funding

A variety of factors have changed in the environment of our CDBG program in recent years and the City's ability to utilize the funds in a manner that meets HUD criteria.

- Reductions in the amount of money allocated to Daly City by HUD (27% reduction since 2009)
- Reductions in Housing and Community Development staff who carry out the City's CDBG and HOME funded activities
- Increasing administrative burden imposed by HUD

Given these factors, the following changes are recommended in order to create a more efficient, cost effective and HUD-compliant CDBG program.

Reduce number of subrecipients and establish \$10,000 minimum for CDBG grants.

It is recommended that the number of subrecipient contracts funded under the CDBG program be reduced from 20 to 10, and that the City establish of a minimum grant award of \$10,000. Such a change would be consistent with HUD guidance regarding dollar amounts for sub-grants, which encourages entitlement cities to adopt minimum grant policies. It is also noted that all other CDBG entitlement jurisdictions in San Mateo County have reduced the number of CDBG public service grantees by 50 percent or more in response to increasing HUD administrative burden, reductions in CDBG funding and inability of cities to utilize RDA and General Funds to subsidize CDBG operations costs. The City of South San Francisco has a minimum CDBG grant size of \$10,000. Redwood City and San Mateo have minimum grant sizes of \$15,000.

Limiting the number of organizations funded would enable remaining HCD staff to address the growing administrative requirements imposed by HUD, including thorough analysis of all funding sources provided to a grantee, extensive documentation of client income, and more frequent and extensive monitoring visits to the non-profit organizations funded. As suggested by recent HUD monitoring letters and written notices, staff will need to devote more time than it

has in the past to analysis of sub-grantee financial records, source documents and client income verifications.

Overall, it is estimated that reduction in the number of CDBG public service contracts from 20 to 10 will save approximately 600 hours of staff time per year. These savings are important given the loss of the Community Development Specialist in the Economic and Community Development Department whose time was devoted exclusively to administration of the CDBG program.

Furthermore, it is important to consider the effectiveness, particularly in light of shrinking staff resources, of offering small grants. For example, we currently provide about \$4,360 annually to Shelter Network's Maple Street Shelter. Over the last 2 years, over 75 hours of City staff time has been spent in consultation with Shelter Network and HUD staff regarding various audit and contract compliance issues. It has become apparent to us that the cost to the City of administering small CDBG contracts exceeds the amount of funding actually being provided.

Implement a two-year funding cycle for CDBG subrecipients

In addition to a reduction in the number of CDBG public service contracts funded, it is recommended that the City adopt a two-year cycle for subrecipient funding. Daly City currently is the only entitlement jurisdiction in San Mateo County that utilizes an RFP and proposal review process every year. Going to a two-year cycle would reduce the staff and City Council effort associated with selecting new grantees every year. The change in City priorities and types of activities they wish to fund does not change very much from year to year. Therefore, a 24-month cycle for CDBG funding would save staff time for both the City as well as the affected public service organizations. In the Department of Economic and Community Development alone, transitioning to a two-year funding cycle would save approximately 200 hours of staff time per year.

Recommended 2013-14 CDBG Funding Allocatinos

Requests and the CDBG Advisory Committee's recommendations are discussed below for each of the five (5) CDBG funding categories listed above:

CDBG Administration:

At the Housing and Community Development Needs hearing, City Council set a percentage range between 12-20% for Administration. This activity encompasses the general administration and planning activities for all CDBG activities. Expenses under this category include the salaries for all CDBG staff and related overhead expenses (except those directly related to housing rehabilitation and economic development activities). ***The CDBG Advisory Committee recommends funding at \$192,591,*** which is 20% of the CDBG grant and estimated Fiscal Year 2013-14 program income.

Economic Development:

At the December Needs Hearing, the City Council set a percentage range between 2-20% for Economic Development. ***The Committee recommends funding at \$121,000***, which is 9% of estimated CDBG resources for 2013-14. These funds will be used to fund and administer a contract with Renaissance Entrepreneurship Center, which provides technical assistance, classes, business support services, business consulting, loan packaging, and peer support programs to microenterprises.

Housing:

At the December Public Hearing on Housing and Community Development Needs, the City Council set a percentage range between 20-60% for Housing. ***The Committee recommends funding at \$518,500***, which is 39% of estimated CDBG revenue. The recommended projects are the following:

- 1) City's Residential Rehabilitation Program at \$475,000 – This continuing program provides low-interest rate loans and deferred loans to lower-income residents in Daly City for home repairs that bring properties up to a decent, safe, and sanitary condition. It is estimated that 8 rehab loans and 11 senior minor home repair grants will be made to lower income households in Fiscal Year 2013-14.
- 2) Rebuilding Together/National Rebuilding Day at \$23,500 – Rebuilding Together addresses unsafe and inadequate housing conditions by assisting low-income homeowners, particularly the disabled and elderly, with necessary home repairs. Rebuilding Together will provide comprehensive rehabilitation of at least 8 homes in Fiscal Year 2013-14 utilizing volunteer labor and donations of building material.
- 3) Rebuilding Together/Safe at Home at \$10,000 – the Safe at Home program will provide minor home repair services on a year round basis for low-income homeowners, particularly the disabled and elderly. This program will address emergency minor home repair needs formerly addressed by North Peninsula Neighborhood Services.
- 4) Center for Independence of the Disabled (CID) at \$11,000 – the Housing Accessibility Modification (HAM) Program by CID will eliminate architectural barriers and provide a variety of modifications to make homes safer and more accessible for approximately 15 Daly City disabled and elderly households in Fiscal Year 2013-14.

Capital Projects:

The City Council set a percentage range between 15-50% for Capital Projects. ***The CDBG Advisory Committee recommends funding at \$397,919***, which is 30% of estimated CDBG revenue. The recommended projects are listed below:

Section 108 Loan Payments for Construction of the Bayshore Community Center at \$397,919 - Construction of the Bayshore Community Center was complete in early 2006. The Bayshore Community Center includes a multi-purpose room, exercise facility, activity rooms, and a public library in the primarily low-income Bayshore neighborhood. The center is intended to serve as a focal point with recreational activities, services, information and facilities for neighborhood youths. The City utilized a HUD Section 108 Loan to finance \$4.5 million of the Center's \$11 million construction costs. The City is using CDBG funds for repayment of the loan.

The following capital improvement proposals are not recommended for funding under the CDBG program:

City of Daly City Public Works is requesting \$200,000 to finance the construction of approximately 15 curb cuts in various city locations designated by the Community Accessibility and Mobility Plan (CAMP).

Public Service Programs/Projects:

The City Council set a percentage range of 8-15% for Public Services. The CDBG Advisory Committee recommends funding the Public Services category at \$105,500, which is within the maximum allowed by HUD for Public Services. As a general rule, a minimum grant amount of \$10,000 is recommended. The following projects are recommended for funding:

North Peninsula Food Pantry and Dining Center is requesting \$15,000 to continue providing hot meals three times a week to lower income families and individuals to meet emergency food needs. The Dining Center is estimated to serve 7,600 hot meals. CDBG funds will be allocated towards the purchase of meals. ***The CDBG Advisory Committee recommends funding of \$5,000.***

Family Crossroads of InnVision Shelter Network is requesting \$20,000 for continuation of support in its efforts in helping homeless families. The program, located in Daly City, provides temporary shelter as well as counseling to arrest the cycle of homelessness by helping homeless families to obtain stable incomes, jobs, and housing. Family Crossroads is projected to serve as many as 15 households (or 60 persons) during Fiscal Year 2013-14. CDBG funding will be used for salary and benefits for Family Crossroads staff. ***The CDBG Advisory Committee recommends funding of \$16,000.***

Human Investment Project/Shared Homes is requesting \$15,000 to continue the Homesharing Help and Information Program. The program matches those having housing to share with others

needing a place to live at an affordable price. The program shall assist an estimated 16 households in Fiscal Year 2013-14 with affordable housing placements. HIP utilizes CDBG funds for staff costs. ***The CDBG Advisory Committee recommends funding of \$12,000.***

Legal Aid Society of San Mateo County/Homesavers Program is requesting \$20,000 to continue its Homesavers Program for Daly City. The Homesavers Program provides legal services to low income Daly City residents with a focus on tenant/landlord disputes and outreach to the Filipino community. This funding will be allocated to staff salary/benefits. Homesavers will benefit approximately 158 Daly City households. ***The CDBG Advisory Committee recommends funding of \$12,000.***

Peninsula Family Service is requesting \$34,000 to continue their childcare services. The program provides subsidized care to children (ages 2 months through 12 years of age) of lower income families. The program shall serve approximately 265 Daly City children during Fiscal Year 2013-14. CDBG funding is used for staff salaries. ***The CDBG Advisory Committee recommends funding of \$22,000.***

Project Read is requesting \$30,000 to continue training community members as tutors who volunteer to teach basic reading and writing skills to English speaking adults over the age of 16 who have very limited or no basic reading and writing skills. It is projected that approximately 55 Daly City residents will be assisted in Fiscal Year 2013-14. Project Read will use CDBG funds for staff salaries. ***The CDBG Advisory Committee recommends funding of \$20,000.***

John's Closet of the John Papan Memorial Scholarship Fund is requesting \$6,825 in continued CDBG funding for the purchase of clothing (e.g., shoes, pants, socks, underwear) and hygiene kits to lower income children ages 3 through 13. This program has been successful over the years in securing many "in-kind" donations of clothing, as well as coordinating a number of volunteers. About 240 children will be assisted in Fiscal Year 2013-09. ***The CDBG Advisory Committee recommends funding of \$5,000.***

Project Sentinel is requesting \$9,015 to continue its fair housing program which includes the following: educating the public and the housing industry that housing discrimination is illegal, informing the community that assistance is available to those encountering discrimination, investigating cases where complaints have been alleged, providing information on housing issues to the community by publishing "Rent Watch," and maintaining a housing hotline for information and referral. In addition, Project Sentinel provides extensive landlord/tenant information and referral in areas other than fair housing. Fair housing activities are mandatory under the CDBG Program. Project Sentinel will assist at least 14 Daly City households with cases involving discrimination in Fiscal Year 2013-14. The organization will use CDBG funds for salaries and administrative expenses. ***The CDBG Advisory Committee recommends funding of \$7,500.***

Daly City Youth Health Center/Pathways for Success is requesting \$15,000 for its mentor program. The program matches "at-risk" youth with volunteer mentors who work with them to achieve academic, personal, and employment goals. The Daly City Youth Health Center projects serving 10 Daly City youth through this program in Fiscal Year 2013-14. CDBG funds will be used for salaries and operating expenses. *The CDBG Advisory Committee recommends funding of \$6,000.*

The following public service proposals are not recommended for funding under the CDBG program:

Ombudsman Services of San Mateo County, Inc. is requesting \$10,000 to provide advocacy, information, and assistance to senior residents of long-term care facilities in Daly City. Ombudsman Services will provide assistance by conducting monitoring visits of facilities and investigating complaints.

Samaritan House/Safe Harbor No. County Shelter is requesting \$10,000 to provide an emergency shelter for single adults with offerings of counseling, case management and basic health care. The shelter is located in South San Francisco by the airport.

Spring Street Shelter, sponsored by the Mental Health Association of San Mateo County, is requesting \$5,000 to continue covering the costs associated in providing an emergency shelter with support services, located in Redwood City, for the homeless mentally ill. The program assists clients to become re-established in the community.

Community Overcoming Relationship Abuse (CORA)/ Client Services is requesting \$5,000 to assist low-income women and their children experiencing domestic violence with counseling, safety and legal information and referral assistance to be provided in Daly City.

Maple Street Self-Sufficiency Shelter, sponsored by Shelter Network of San Mateo County, is requesting \$5,000 to provide year-round emergency shelter and transitional housing for homeless individuals. The shelter will also include on-site continuum of care services such as assisting clients in finding jobs and locating permanent housing, providing case management and counseling, and helping individuals in transition save money. The shelter, which is located in Redwood City, helps to fill a large gap in the countywide need for emergency shelter.

Daly City Friendship Center, sponsored by the Mental Health Association of San Mateo County, is requesting \$4,500 to continue funding staff salaries. This program provides social, recreational, and educational activities for persons with mental illnesses in a safe and supportive environment. The program also fills a need for positive daytime activities and provides a sense of normalcy for clients.

The Service League of San Mateo County is requesting \$5,000 to provide case management for 3 Daly City clients housed in transitional living facilities operated by Service League. CDBG funds will be used for staff salaries and benefits.

HUD Five-Year Consolidated Plan for FY 2013-18 and One-Year Action Plan for FY13-14
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Health Mobile/Dental Care Services is requesting \$10,000 to provide dental care to low-income youth who would not otherwise have access to these services.

HOME Funding

As with CDBG funds, there is no adopted Federal Budget for 2013 or any notification from the U.S. Department of Housing and Urban Development (HUD) regarding the likely allocation of 2013-14 HOME funds to Daly City. It is estimated that the City's allocation of HOME funds for 2013-14 will be approximately \$250,000. HOME funds may only be used for activities that result in the creation of new affordable housing.

A summary of the recommended HOME funding allocations for the One-Year Action Plan is summarized in the table below.

Category/Project	Project Amount (\$)	% of PJ* Grant	Federal Limit %
Administration/Planning			
Administration/Planning	25,000		
Subtotal	25,000	10%	10%
Fiscal Year 2013-09 Projects			
Housing Development	225,000		
Subtotal	225,000		
TOTAL Fiscal Year 2013-14 HOME FUNDS	225,000		

* Participating Jurisdiction

- 1) **HOME Administration at \$25,000** - Encompasses the general administration and planning for all HOME activities. This amount is 10% of the new HOME grant for Fiscal Year 2013-14.
- 2) **Housing Development at \$225,000** - This will be used for pre-development and construction costs of affordable housing. Prior to actual expenditure of funds, project details and a specific funding request will be presented to the Council for review and approval.

Summary/Conclusion

The CDBG Advisory Committee's recommendations for Fiscal Year 2013-14 are eligible uses of CDBG and HOME funds and represent an opportunity for the City to help lower income Daly City families and individuals. Your approval of the HUD Five-Year Consolidated Plan and the Fiscal Year 2013-14 One-Year Action will enable staff to formalize CDBG and HOME

recommendations and proceed with implementation of the housing and community development activities described above.

To date, we have received no written correspondence or verbal comments from the public regarding the recommended allocations or the draft Five-Year Consolidated Plan and One-Year Action Plan.

Staff is available to provide additional information desired by the Mayor or Council Members.

Respectfully submitted,



Betsy Zobell
Housing and Community Development Supervisor



Brian Millar
Director of Economic & Community
Development

EXHIBIT A: Summary of 2013-14 CDBG Allocations

	Project Total	Category Total
Categories & Projects		
General Administration		192,591
General Administration	192,591	
Economic Development		121,000
City Microenterprise Assistance Program Delivery	25,000	
Renaissance Entrepreneurship Center/Entrepreneurship Training	96,000	
Capital Improvements		397,919
Section 108 Loan Payments (P & I)	397,919	
Sidewalk Ramps*	-	
Housing		518,500
North Peninsula Neighborhood Services/House Helpers	-	
Rebuilding Together/National Rebuilding Day	23,500	
Rebuilding Together/Safe at Home*	10,000	
Residential Rehab	475,000	
CID/Housing Accessibility Modification (HAM) Program	10,000	
Public Services		105,500
Community Overcoming Relationship Abuse/Client Services*	-	
Daly City Youth Health Center/Pathways for Success	6,000	
Health Mobile/Dental Care Services	-	
Human Investment Project/Homesharing (HIP)	12,000	
InnVision Shelter Network/Family Crossroads	16,000	
InnVision Shelter Network/Maple St. Shelter		
John's Closet	5,000	
Legal Aid/Homesavers	12,000	
Mental Health Assoc of SMC/Daly City Friendship Center		
Mental Health Assoc of SMC/Spring Street Shelter		
North Peninsula Food Pantry & Dining Center	5,000	
Ombudsman Services of San Mateo County	-	
Peninsula Family Service	22,000	
Project Read	20,000	
Project Sentinel/ Fair Housing	7,500	
Samaritan House/Safe Harbor Shelter	-	
Service League/Case Management for Hope House Programs	-	
TOTAL EXPENSES	-	1,335,510



City Council Meeting Agenda Report

Item # _____

Meeting Date: April 22, 2013

Subject: Use Permit UPR-1-13-6728, Design Review DR-4-12-5412—Gellert Market Place Master Sign Program and Shopping Center Redevelopment

Recommended Action

Approve the Use Permit and Design Review, subject to the Findings and Conditions as outlined herein.

Planning Commission Discussion

On April 2, 2013, the Planning Commission voted 5-0 to recommend that the City Council approve Use Permit UP-1-13-6728 and Design Review DR-4-12-5412 with revised conditions of approval. The following issues were raised at the meeting:

- *Commissioner Kelly referenced the newly adopted Bicycle and Pedestrian Master Plan and asked staff to confirm that there was direct pedestrian access to the project site from Gellert Boulevard. Staff referred to the site plan and confirmed that there is direct pedestrian access from Gellert Boulevard to the project. The applicant, Kenneth Rodrigues, further explained the improved pedestrian connectivity throughout the site.*
- *Commissioners Kelly, Crump, and Sylvester expressed concern regarding the on-site circulation for the project, especially during the holiday shopping season. The applicant, Kenneth Rodrigues, responded that the existing building is sited significantly west of, and offset from, the adjacent Ross building, creating a misaligned drive aisle, and that there is currently only one option to turn into the site once a vehicle turns off of Gellert Boulevard. The new site configuration will add a second ingress/egress option once vehicles have turned into the site off Gellert Blvd., the new building will be sited to align with the adjacent Ross building, and the internal drive aisles will be aligned to accommodate a traditional retail parking lot circulation pattern. These improvements will significantly improve on-site circulation. The Planning Commission was satisfied with this explanation, however; Chair Crump directed staff to bring a formal item to the Traffic Safety Committee to explore opportunities to signalize the project's ingress/egress driveway on Gellert Boulevard.*
- *Staff recommended that condition of approval number seven, regarding design of a date at the loading dock area, be deleted from the conditions of approval, as it was not applicable to the project. The Planning Commission adopted the entitlements with the modified conditions of approval.*

Introduction

Serramonte Plaza is an existing regional retail shopping center located at the southeast corner of Gellert Boulevard and Serramonte Boulevard and currently contains +/- 124,300 SF of retail

commercial space, including retailers Sports Authority, Office Depot and a furniture store. The property was originally developed in 1970 as Brueners Home Furnishings. Remodeling in 1990 added Circuit City in the northerly portion of the building and in 1994 Brueners Home Furnishings was removed and replaced with Sports Authority and Office Depot.

Discussion

The applicant, Kenneth Rodrigues and Partners, Inc., on behalf of Daly City Partners, LLC, is proposing to redevelop the existing shopping center with three separate, one story retail pad buildings ranging in size from 4,500 SF to 6,600 SF at the western end of the site, and a one story +/- 63,200 SF building at the eastern end of the site. As a result of demolition of the larger retail spaces and reconstruction of smaller spaces, there will be a +/-43,400 SF reduction in retail space on the site. 369 surface parking stalls are proposed for the project, resulting in a 77 stall increase from the existing 292 stalls on site. The shopping center will be renamed Gellert Market Place and the applicants are intending to complete the project by October 1, 2014.

Signage

The objective of a Master Sign Program (MSP) is to encourage high quality, unique signage that is consistently and uniformly integrated into the architectural design of the center. The proposed MSP, *Gellert Market Master Sign Program Graphics and Signage Criteria* (Attachment B—MSP) will ensure appropriate tenant identification, allow for corporate branding, all while being executed in a manner that provides a cohesive design aesthetic. The MSP requires that all tenants submit their proposed drawings to the landlord for approval prior to applying for their sign permits with the City. Westlake and Serramonte Shopping Centers follow the same process for tenant signage, and it has proven successful in achieving cohesive sign programs for the respective shopping centers.

The MSP contains design requirements for eight sign types, ranging from the major pylon sign located at the northeastern corner of the site, to service door signage. Specific requirements for building mounted (fascia) signage are outlined, including fabrication details. Prohibited sign types include lower-quality signage types, such as plastic face box-type signs, and any signs that contain exposed conduit, tubing, raceways or crossovers. The MSP contains provisions for installation, maintenance, and general notes, whereby the Landlord reserves the right to allow deviations from the MSP, as long as they are in compliance with the Daly City Sign Code, DCMC Chapter 17.32.

Design Review

In addition to adoption of a Master Sign Program for Gellert Market Place, the shopping center will be completely redeveloped (Attachment C— Building Plans). The existing site contains a +/- 124,300 SF, one story retail building at the easterly portion of site, surrounded by surface parking, and a pylon sign at the northeasterly corner of the site. The existing building will be demolished and replaced with a +/- 63,200 SF, one story retail building that will contain a grocery store, and two retail tenant spaces. Three, new smaller retail pads ranging in size from 4,500 SF to 6,600 SF will be located at the western portion of the site. The Major Retail building will have a maximum height of 40 feet at the entry of the grocery tenant space at the northern end of the building. The majority of the Major Retail building will be 25 feet in height, with articulated front facades of

varying heights for the three tenant spaces, on the west side of the building. Pads 1-3 at the western portion of the site will be predominantly 18 feet in height, with articulated rooflines reaching a maximum height of 25 feet. All building heights are in compliance with maximum allowable building heights in the C-1 Light Commercial District. The existing pylon sign located at the northeastern corner of the site will be refurbished to be in line with the design concept for the center signage (Attachment B—Master Sign Program). The overall size of the pylon will not change.

The contemporary design of the Major Retail building will incorporate smooth stucco finish, modern aluminum entry canopies, articulated rooflines and roof types, and a variety of colors to make the building appear as a series of distinct buildings, yet part of a cohesive design concept. On the north elevation of the Major Retail building, decorative architectural elements such as corrugated metal panels will break up the large expanse of stucco and add interest to what would otherwise be a large, stark wall. The smaller Pads 1-3 will also incorporate smooth stucco finish, modern aluminum entry canopies, and flat roofs in articulated heights, anodized aluminum storefront systems, and variety of colors. The overall paint scheme includes a combination of cool and warm colors that add variety and distinction to the various buildings and building sections, yet all colors are complementary and work cohesively together.

The surface parking area will be reconfigured to provide 77 additional parking stalls, new biotreatment areas will be added to accommodate stormwater treatment requirements, and new landscaping will be installed throughout the site. The total on-site parking requirement for the proposed development is 270 spaces and the project will be providing 369 spaces, a surplus of 99 spaces. The applicant has submitted a memo from their traffic consultant (Attachment D—Traffic Memo) illustrating that trip generation for the proposed uses on site will not cause a significant number of new trips during the weekday mid-day peak period or during the Saturday mid-day peak period. Therefore, no traffic impacts are anticipated for this project.

The applicant has submitted a landscape plan with a proposed plant and tree palette for the project which will incorporate an irrigation system that will be designed to make efficient use of water through conservation practices. During the building permit submittal process, a more detailed plant and tree palette will be created, based on results of the soil reports and recommendations for materials that will be most appropriate to the specific project site. The selection of appropriate, native plants will utilize the natural conditions of the Bay Area watershed and encourages Bay-friendly practices that foster soil health, conserve water, and reduces waste and prevents pollution. In an attempt to ensure that all new landscaping installed in the City not only complies with the Municipal Code, but also follows a progressive best management approach to landscaping techniques, proposals are reviewed for conformance with the Bay-Friendly Landscape Guidelines. The plant and tree palette is conceptual in nature at this point; therefore staff is recommending a condition of approval that would require the final plant and tree palette to be in compliance with the recommendations in the Bay-Friendly Landscape Guidelines. The condition will also specific that no landscaping material may be swapped out for non-plant material, such as decorative rock. This will ensure the appropriate use of plants that match the microclimate and soil conditions of the site, selection of plants that can grow to their natural size in the space allotted to them, and will avoid the planting of invasive species.

New site retaining walls will be added along the northerly property line, to accommodate the location of Pad 1, located at the northwest corner of the site and the expansion of the parking and driveway aisle on the north side of the new Major Retail building. The new retaining walls will vary in height to match the topography of the site, reaching a maximum height of 25 feet, as measured from finished grade at Serramonte Boulevard, toward the northeast portion of the site. They will be finished with natural rock material or keystone blocks, depending on results of soils reports, to blend in with the landscaped slope. Creeping fig vines will be installed adjacent to the walls to further soften the appearance. The northern slope adjacent to Serramonte Boulevard will be re-vegetated following construction of the new retaining wall. The existing retaining walls located on the west side of the site will remain intact.

Two loading areas will be located on the east side of the Major Retail building. Trash enclosures will be located throughout the site; one will be located in between Pads 2 and 3, one between Pads 3 and 1, and two located on the east side of the Major Retail building. Each trash enclosure will be finished with architectural treatments to match the materials of the respective retail buildings. A wireless facilities equipment area is shown on the northeast portion of the site. All facilities must be properly screened from view and any relocations of existing equipment will require screening as approved by the Director of Economic and Community Development.

Several biotreatment areas and pervious paver parking areas are illustrated on the preliminary stormwater control plan sheet of the plan set, to meet the requirements of the Municipal Regional Permit (MRP). Bioretention areas are landscaping features adapted to treat stormwater runoff from a development site. They function as soil and plant-based filtration devices that remove pollutants through a variety of physical, biological, and chemical treatment processes. Bioretention areas will detain low flows of runoff, are low maintenance and reliable once established, and can act as a landscaping feature, such as the ones proposed. The actual functional design of the bioretention areas and the parking areas containing pervious pavers will be prepared by the project civil engineer and will accompany irrigation plans upon submittal of the construction set for building permits. A third party reviewer will be plan checking the ultimate design to ensure compliance with the MRP.

Environmental Assessment

CEQA Determination	Categorically Exempt per CEQA Guidelines Section 15302(b)
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Fiscal Analysis

The proposed project consists of four new commercial buildings and site improvements. Prior to project completion, the applicant will be required to pay building permit, plan check and AB1600 fees to the City. Additionally, the value of the new commercial uses will be added to the current assessed value of the subject property, which will result in additional property tax collection by the County, a portion of which would be distributed to the City. Ongoing retail sales tax will also result in additional tax revenue distributions to the City.

Findings

The Planning Commission finds that, as conditioned, the proposed Use Permit UPR-1-13-6728 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-4-12-5412, 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 conducted a public hearing on April 2, 2013; notice of said hearing was by newspaper publication on March 22, 2013 posting and first class mailing to property owners within 300 feet.
2. In accordance with Title 17 of the Daly City Municipal Code, as well as applicable State zoning enabling legislation, the City Council will conduct a public hearing on April 2, 2013; notice of said hearing was by newspaper publication on April 12, 2013 posting and first class mailing to property owners within 300 feet.
3. 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 15302(b), replacement or reconstruction of a commercial structure with a new structure of substantially the same size, purpose, and capacity.
4. The subject use is consistent with the General Plan and the C-1 zoning standards and, together with the provisions for its design and operation, would not be detrimental to the health, safety, morals, comfort and general welfare of the neighborhood.
5. The project complies with applicable provisions of Design Review Section 17.45 of the Zoning Ordinance.
6. 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.
7. 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.

Conditions of Approval

The Planning Commission recommends approval of Use Permit UPR-1-13-6728 and Design Review DR-4-12-5412 subject to the following conditions and Daly City General 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. ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT

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 General Plan Amendment and Planned Development 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 project shall conform to all applicable City of Daly City General Conditions of Approval.
4. The applicant shall 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.
5. Property Owner shall enter into a Maintenance Agreement with the municipality to ensure long-term maintenance and servicing by the Property Owner of stormwater site design and treatment control measures according the approved Maintenance Plan.
6. 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.
- ~~7. Upon building permit submittal, the applicant shall illustrate the use of durable materials for the loading dock area gates, in a complimentary color scheme to the building façade color palette. Chain link fencing shall not be permitted. Colors and materials shall be subject to approval by the Director of Economic and Community Development.~~
8. 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.

9. 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.
10. Enhanced landscaping shall be added in front of retaining wall sections exceeding 15 feet in height, along the northern property line, as approved by the Director of Economic and Community Development.
11. 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.
12. Violation of these conditions could be cause for revocation of the Use Permit. 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.
13. The Use Permit and Design Review shall be valid for a period of one year from the date of City Council approval. The approval shall terminate if a building permit has not been obtained and construction commenced within one-year of City Council approval of the project.
14. 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 provisions for on-going maintenance required for the project use. 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 shall be kept clean and free of odor at all times.
15. All trash enclosures shall be finished with high quality finishes matching the architectural elements of the retail buildings. All materials shall be detailed on plans submitted for building permit.
16. All rooftop mechanical and HVAC equipment shall be properly screened from view of public right of way. Details of screening shall be shown on building permit plan set.
17. Site lighting details shall be provided for all surface parking areas and common open space areas subject to approval by the Director of Economic and Community Development.
18. All wireless/cellular facilities must be screened by materials approved by the Director of Economic and Community Development. Any equipment areas relocated as part of this project

must submit screening details to be approved by the Director of Economic and Community Development prior to installation.

B. PUBLIC WORKS DEPARTMENT

19. Drainage shall include full trash capture.
20. The drainage inlets receiving runoff from parking lots shall be fitted with carbon filters properly maintained according to the manufacturers recommendations for the removal of a minimum of 80% of suspended and dissolved hydrocarbon impurities.

C. WATER AND WASTEWATER RESOURCES DEPARTMENT

21. All water system modifications required by the City shall be borne by the applicant.
22. Any sewer system modifications required by the City as a result of this project shall be borne by the applicant.
23. The design of the new shopping center shall not allow for any additional pressure to be placed on the existing 16 inch water main located at the foot of the retaining wall. Any new retaining wall constructed shall not infringe upon the City's ability to maintain their infrastructure.

D. FIRE PREVENTION

24. The locations of hydrants shall to conform to CFC Appendix C for spacing and distance.

F. BUILDING DIVISION

25. Maximum floor area calculation for existing building and proposed building shall be provided on the cover page of construction plans.
26. The applicant shall identify setback or clearance between Gellert Market Place and the existing Ross building when submitting plans for building permits.

Recommendation

The Planning Commission forwards to the City Council the following recommendations:

1. Adopt the Findings as outlined herein;
2. Affirm the Environmental Assessment;
3. Approve Use Permit UPR-1-13-6728; and
4. Approve Design Review DR-4-12-5412; as conditioned herein

Staff is available to provide any additional information desired by the Mayor or City Council Members.

Respectfully submitted,



Jeannie Naughton, AICP
Associate Planner



Brian Millar
Director of Economic and Community
Development

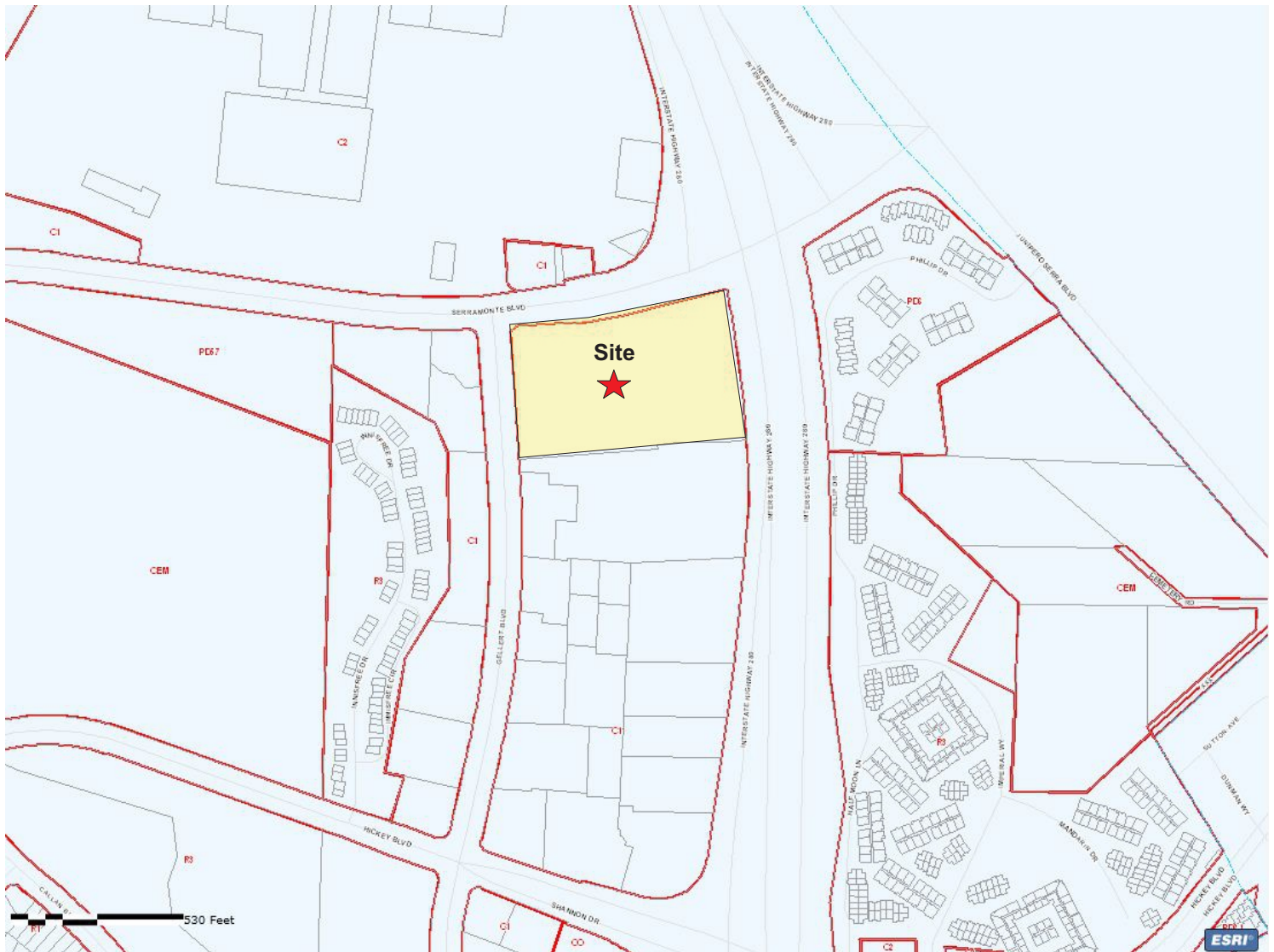
Attachments

Attachment A – Location Map
Attachment B – Master Sign Program
Attachment C – Building Plans
Attachment D – Traffic Memo

LOCATION MAP



Use Permit UPR-1-13-6728
Design Review DR-4-12-5412
301 Gellert Boulevard
Master Sign Program and Center Redevelopment
City Council Review



Gellert Marketplace
Daly City, California

Master Sign Program
GRAPHICS AND SIGNAGE CRITERIA

March 12, 2013

Introduction. This document including attached Addendum # 1 Building Mounted Sign Drawings and Addendum # 2 Free Standing Sign Drawings establish the guidelines and criteria ("Criteria") for the design, implementation and regulation of project and Tenant signage at Gellert Marketplace Retail Center ("Shopping Center") in Daly City, California. These sign criteria ("Criteria") have been established to preserve and enhance the appearance of the Shopping Center. The objectives are to encourage high quality and unique signage, which is an integral part of the architecture of the Shopping Center, on a uniform, consistent and compatible basis as to quality and architectural character. The intent of these Criteria is to insure that Tenant signage in the Shopping Center is designed and executed in a manner which will achieve these objectives while providing appropriate identification of Tenants and Tenant's businesses, including incorporation of corporate identification where consistent with these Criteria. The design of all graphics will be carefully considered in relation to the site architecture and landscaping, as well as to the specific context of the location within the project.

The design fabrication, installation and maintenance of all sign, including but not limited to style and placement of lettering, size, color, materials and methods of illumination shall be subject to the prior written approval of the Landlord as provided in this Criteria. Any installed non-conforming or unapproved sign, or non-maintained sign must be brought into conformance at the non-conforming Tenant's expense.

SECTION A. SUBITTALS & APPROVALS

1. Submittal to Landlord. Prior to sign fabrication and applying for City approval of permits, each Tenant shall submit to the Landlord for approval at least three (3) complete sets of detailed design and shop drawings including the following:

- a. Elevation of STOREFRONT illustrating the proposed sign design and all dimensions as they relate to the storefront elevation of Tenant's premises;
- b. Fully dimensioned and scaled SHOP DRAWINGS. Sign elevation must specify exact dimensions, copy layout, materials, colors, means of attachment, illumination, electrical specifications and all other details of construction. Section through the letter and/or sign panel shall show the dimensioned projection of the face of the letter and/or sign panel and the illumination. Letters and logo plaques must be accurately dimensioned and spaced.
- c. Approval or disapproval of sign submittals shall remain the sole right of the Landlord or his chosen representative. If submittals are disapproved, then Tenants must submit revised plans until Landlord's approval is obtained.

2. City Submittal. A full set of final plans must be approved by the Landlord **prior** to permit application submittal or sign fabrication. Following Landlord's approval of propose signage, Tenant or his agent must submit to the City of Daly City applications for all permits for fabrication and installation by sign contractor.

Tenant and its sign contractor shall not be permitted to commence installation of the exterior sign unless all of the following conditions have been met:

- a. A stamped set of final drawings reflecting the Landlord's and the City's approval shall be obtained from each party;
 - b. The Landlord must receive the sign installer's and/or sign company's Certificate of Insurance as set forth herein;
3. Each Tenant shall be responsible for the fulfillment of all requirements of these Criteria and of government agencies with jurisdiction and approved specifications.
4. All City approvals and permits for signs and their installation shall be obtained by the Tenant or their Representative, at their sole expense.
5. All design; Tenant shall perform installation and other work required herein at Tenant's sole cost and expense.
6. No other signage except for that described herein is permitted. Unless a specific type of signage or advertising medium is specifically allowed under these Criteria, it is considered disallowed until the prior written approval of Landlord is obtained.
7. The Landlord reserves the right to revise the Criteria in accordance with the City of Daly City Sign Ordinance. These Criteria may be revised at any time if so required by any government agency having jurisdiction over its contents.
8. If in the event Tenant wishes to change it's exterior sign at anytime during the term of its lease, then Tenant must comply with the requirements set forth herein and any future modifications, revisions or changes which have been made to the Criteria for the Shopping Center after the execution of its Lease Agreement.

SECTION B. DESIGN REQUIREMENTS

Part I: Sign Types

1. Type 1 – Major Pylon Sign – Addendum 2 “A” sign

One (1) Type 1 double faced illuminated pylon sign 60'- 0" high in general accordance with the approved design and as shown on the project site plan. Sign shall be as approved by the City of Daly City and Landlord.

2. Type 2 – Multi-Tenant Monument Sign – Addendum 2 “B-1” & B-2 signs

One single- faced sign and one double-faced illuminated monument sign 15' high in general accordance with the approved design and as shown on the project site plan. Sign shall be as approved by the City of Daly City and Landlord.

3. Type 4 – Major Tenant Identification Signs – Addendum 1 “D” signs

Tenants located the large 61,277 square foot retail building shall install internally illuminated individual channel letter signs in general accordance with the approved design. Sign design shall be approved by the City of Daly City and Landlord.

4. Type 5 – Business Identification Signs (Pads 1, 2 & 3) Addendum 1 “E” signs

Each Pad and Shop tenant is allowed two (2) signs of illuminated letters on the building fascia as directed by the Landlord. End cap tenants are allowed a maximum of three (3) signs. Signs may consist of internally illuminated letters; 5” deep for face lit letters or 3” deep for halo-illuminated letters. Signs will be a maximum of 24” high and logos shall be a maximum of 30” high. An additional 6” will be allowed for ascenders and /or descenders. Signs consisting of stacked copy will be limited to 30” combined overall height with a maximum letter height of 15”. The length of wall signs shall not exceed 75% of the length of the building frontage.

The maximum allowed square footage shall not exceed two (2) square feet per lineal foot of wall frontage on each elevation. Square footage cannot be transferred from one elevation to another.

5. Type 6 – Typical Storefront Vinyl Lettering

Each tenant entry shall be identified with a suite number or address on the upper portion of their entry in 3” high white vinyl lettering. Each tenant shall be permitted to place upon or adjacent to their entrance, no more than 144 square inches of vinyl lettering. Lettering shall not exceed 2” in height, indicating store name, hours of business, credit card information, emergency telephone numbers etc.

7. Type 7 – Service Door Signage

Each Tenant who has a non-customer door for receiving merchandise may have uniformly applied on said door in a consistent location directed by Landlord, in three-inch (3”) high letters, the Tenant’s suite number. Font and color of these numerals shall be consistently specified and approved by Landlord. This application may vary at the Landlord’s discretion based upon an application on a wood/glass door versus a metal door.

8. Type 8 – Under Canopy Signs - Addendum 1 “G” signs

This space has been intentionally left blank.

Additional Notes

1. The area of signs is the area of the smallest rectangle that can be drawn around the entire sign, as provided by the City of Daly City Sign Ordinance.
2. Stores that have a tower element may utilize the tower as well as the fascia to satisfy its signage requirements, subject to these Criteria.
3. Maximum sign height and width may be limited by architectural conditions at sign's location. The width of any sign shall not exceed 75 percent of the wall, fascia or sign niche on which it is located.

PART II: General Requirements for Fascia Signs

1. The lettering style shall be the choice of the Tenant with approval of the Landlord.
2. Graphic/decorative elements or lettering may be used in addition to the lettering described above.
3. Logos will be permitted on an individual basis.
4. No sign maker's labels or other identification will be permitted on the exposed surface of signs, except those required by the City building department, which shall be located in an inconspicuous location.
5. Creativity is encouraged with regard to style, size, position, length and other design characteristics, but final approval shall be subject to Landlord's sole discretion. Alternative signs to those described above may be permitted if the quality of the design and construction is acceptable to Landlord.
6. Fabrication
 - a. The fabricator shall be responsible for the quality and delivery of all materials and workmanship required for the execution of this contract. It is desirable that the fabricators for work herein have in-house a broad knowledge, diverse shop and field experience, flexibility, coordinating ability, skilled craftsmen and physical plant necessary to produce quality products equivalent to or better than similar type products in use in the industry. These general requirements apply equally to the contractor and to his subcontractors.
 - b. Contractors shall be responsible for providing all subcontractors with complete and up-to-date drawings, specifications, message schedules and other information issued by the project manager.

- c. The fabricator may make recommendations and/or changes to the details as shown on the drawings, if Landlord approves such recommendations in writing prior to shop drawings or fabrication of prototypes or samples.
- d. All electrical signs shall bear the UL label
- e. The sign contractor shall be responsible for the fulfillment of all the requirements and specifications, completing the installation in a workmanlike manner, and cleaning up, patching and painting any surfaces damaged by the installation.
- f. All sign fabrication work shall be of excellent quality. All logo images and typestyles shall be accurately reproduced. Lettering that approximates typestyles shall not be acceptable. Landlord reserves the right to reject any fabrication work deemed to be below standard.
- g. Signs must be made of durable rust-inhibited materials that are appropriate and complimentary to the building.
- h. Registered Trademark symbols ® must be cut out of 0.125" aluminum finish to match sign and pinned off face of building.
- i. Finished surfaces of metal shall be free from oil canning and warping. All sign finishes shall be free of dust, ripples, weld marks, orange peel, drips and runs, and shall have uniform surface conforming to the highest standards of the industry.
- j. All signage lighting should be concealed and light leaks will not be permitted.
- k. The fabricator shall base his proposal on the performance of all services, including all labor, materials and equipment for the complete fabrication and installation of the product at he agreed upon schedule.
- l. Where thickness and/or sizes are not specified, fabricator shall determine said measurements taking into account structural integrity as well as aesthetics. All acrylic sheeting used, if any, is to be of sufficient thickness and weight to prevent concave surfaces.
- m. All metals to be painted with the highest quality automotive polyurethane paint (preferably Matthews Paint, or equal quality alternative), unless otherwise specified. Tenant is required to execute a sign painting application that yields the longest life with the least likelihood of paint fading and peeling. Paint must withstand exterior weather conditions, and be sprayed to a smooth finish, not brushed on.
- n. Details on drawings indicate a design approach for sign structures but do not necessarily include all fabrication details required for the complete structural integrity of the signs, including consideration for static, dynamic and erection loads during

handling, erecting and service at the installed locations, nor do they necessarily consider the preferred shop practices of the individual general sign contractors. Therefore, it shall be the responsibility of the fabricator to perform the complete structural design of the signs and to incorporate all the reasonable safety factors to protect the Landlord and sign fabricator against public liability. Designs, which survive rational engineering analysis and conform to all applicable national and local codes, will be acceptable.

- o. Written dimensions on the drawings shall take precedence over scaled dimensions. Fabricator shall verify and be responsible for all dimensions and conditions shown by these drawings and shall be responsible for confirming all field dimensions and conditions prior to beginning fabrication.
- p. Fabricator shall notify the designer of any discrepancies in the drawings or graphics dimensions or conditions, and/or changes required in construction details. All discrepancies shall be brought to the attention of the Landlord.
- q. Sign fabricator's responsibility for deviations in submittals from requirements of contract documents or these design development drawings is not relieved by Landlord's review of submittals unless the Landlord give written acceptance of specific deviations.
- r. A deviation shall be construed to mean a minor change to the sequence indicated on the drawings or specifications. A deviation is not intended to allow substitutions or product options.
- s. In addition to notifying the Landlord in writing of deviation, such deviations shall be circled on the shop drawings.
- t. Sign fabricator shall guarantee entire display for (1) one year from the date of installation against defects in material workmanship. Defective parts shall be replaced without charge.

7. Prohibited Signs

The following signs are provided as examples of prohibited signage applications and not an all-exclusive listing. Signs prohibited by Landlord that do not conform to the Criteria are not limited to those set forth below.

- a. No signs shall be permitted perpendicular to the face of the building;
- b. No off-Premises signage;
- c. No "A" frame sign

- d. No plastic face box-type cabinets signs or luminous-vacuum formed type plastic letters;
- e. No signs using exposed fastenings;
- f. No paper, cardboard, cloth, form core, gatorboard, inflatable or styrofoam signs, stickers or decals, painted lettering or decals hung around, on or behind storefronts;
- g. No flying signs such as blimps or kites designed to be kept aloft by mechanical, chemical or hot air means;
- h. No stationary or walking sandwich boards or costumed or non-costumed persons shall be utilized for advertising outside of Tenant's premises. No balloons, flags or marketing tents are allowed;
- i. No blade signs or transparent signs of any nature;
- j. No sign which emits odor, noise or visible matter other than light;
- k. No signs identifying secondary businesses except where specifically approved by Landlord;
- l. No signs which move, swing, rotate, flash, blink, scintillate, fluctuate or have animated light areas;
- m. No signage including the project name except as a part of the Tenant's trade name or insignia;
- n. No exposed conduit, tubing, raceways or crossovers shall be permitted;
- o. No person shall exhibit, post or display or cause to be exhibited, posted or displays upon any sign, anything obscene, indecent or immoral nature or unlawful, as determined in the sole discretion of Landlord;
- p. No person shall install or maintain or cause to be installed or maintained any sign which simulates or imitates in size, color, lettering or design any traffic sign or signal, or which make use of the words, "STOP", "LOOK", "DANGER", or any other words, phrases, symbols or characters in such a manner to interfere with, mislead or confuse traffic;
- q. No sign shall be installed, relocated or maintained so as to prevent free ingress to or egress from any door;

- r. No signs on or affixed to trucks, automobiles, trailers or other vehicles, which advertise, identify, or provide direction to a use or activity not related to the lawful making of deliveries of merchandise or rendering of services from such vehicles;
- s. No external displays (other than holiday decorations) which consist of unshielded light bulbs, open or strings of open light bulbs;
- t. No simulated materials (i.e., wood grained plastic laminates) or wall coverings;
- u. No internally illuminated awnings with or without signage; no cloth awnings will have signage applied to their surfaces;
- v. In no case shall the wording of signs describe prices, or any type of advertising except as part of the occupant's trade name or insignia;
- w. No temporary signs of any nature may be used or installed without Landlord's approval;
- x. Unprofessional hand-lettered sign in public view from the storefront are prohibited. Absolutely no signs are permitted to be taped to the storefront or any other visible surface; and
- y. Any sign that is not in conformance with this Criteria.

SECTION C. INSTALLATION AND USAGE

1. Signs shall be centered in respect to Tenant's storefront or in the event the rooflines of the adjacent building do not permit the sign to be centered as such, shall be centered in respect of the Tenant's entry door into the shop.
2. Notwithstanding the maximum square footage allowed for copy area allowances, signs and typography in all cases shall appear balanced and in scale within the context of the sign space and the building as a whole. All signs shall fit comfortably into designated architectural spaces; leaving sufficient margin and negative space on all sides. Thickness, height and color of sign lettering shall be visually balanced and in proportion to other signs on the building.
3. All Tenants' signage will be controlled by a Landlord approved time clock with operational hours determined by the Landlord for consistency of presentation.
4. All penetrations of the building structure required for sign installation shall be neatly sealed in a watertight condition and properly maintained.
5. All attachments, conduit, conductors, transformers and other equipment shall be concealed.
6. Electrical service to all signs shall be on Tenant's meters or on house meter per Landlord's discretion and shall be part of Tenant's construction and operational costs

7. All conduit, raceways, crossovers, wiring ballast boxes, transformers and other equipment necessary for sign connection shall be concealed. All bolts, fastenings and clips shall consist of enameling iron with porcelain enamel finish; stainless steel, anodized aluminum, brass or bronze; or carbon-bearing steel with painted finish. No black iron materials of any type shall be permitted.
8. Threaded rods or anchor bolts shall be used to mount sign letters, which are spaced out from background panel. All mountings connections shall be encased in PCB pipe or similar application in the same color as the wall to which the sign is mounted. Spacer sleeves shall be utilized for rigidity and must be painted to match the building color.
9. All lighting must match the exact specifications of the approved working drawings.
10. Tenant's sign installation and/or sign fabrication contractor (whichever are applicable or required) shall carry workman's compensation and public liability insurance against damage suffered or don by any and all persons and/or property while engage in the construction or erection of signs in the amount of \$1,000,000 per occurrence. Evidence of this insurance must be provided to Landlord prior to installation naming the Landlord as additional insured.
11. Locations of signs shown on the plans are for general information. The fabricator shall confirm each sign location with the Landlord and general contractor.
12. Ladders, installation equipment and installation crews are not permitted to lean on building and storefront. All installation equipment must be freestanding type to avoid contact with or damage to building or storefront. Rubber wheeled lifts must have wheel padding oar must roll over planking to prevent marks on paving areas. Vehicles are not permitted on pedestrian walkways.
13. The installation crew is responsible for removing all debris and cleaning the work area after installation is complete.
14. The installation crew must check sign to ensure proper operation and illumination.
15. Tenant shall be responsible for the performance of its sign contractor.

SECTION D. MAINTENANCE

1. Tenant shall maintain its sign in good working order and repair to include replacement of damaged or burned our neon or LED light source at Tenant's sole cost and expense. In the event Landlord notifies Tenant of an existing defect and Tenant fails to cure said defect within ten days after notification. Landlord may cause the defect to be repaired. Tenant hereby agrees to reimburse Landlord for the cost of any such repairs within ten days after the receipt of an invoice setting forth those costs incurred by Landlord, plus an overhead charge of 10%.

2. Upon termination or expiration of the lease, Tenant hereby agrees to remove its sign and repair any holes or damage to the fascia and restore the fascia to its original condition at Tenant's cost and expense to Landlord's sole satisfaction with three (3) days of expiration of term or earlier termination of Tenant's lease. If hole and fascia repairs after sign removal reveal any evidence of prior mounted signage, Tenant may be required to remove and replace plaster and repaint to the original condition before Tenant signage installation, if directed by Landlord. If tenant does not repair the wall surface to Landlord's sole satisfaction, then Landlord shall have the right to perform the repairs at tenant's expense.
3. Landlord reserves the right to periodically hire an independent electrical engineer at Tenant's sole expense, to inspect the installation of all tenant's signs. Tenants will be required to have any discrepancies and/or code violations corrected at Tenant's expense. Landlord may correct any code violations, requests for sign removals, or discrepancies not corrected within ten (10) days of notice, at Tenant's sole expense, including an overhead charge of 10%.
4. Contractors installing signs are to be qualified, insured and licensed by the State of California and are to have a current City business license.

SECTION E. GENERAL NOTES

1. All signs must be installed and operational prior to new Tenant opening for business per Landlord's discretion.
2. Except as provided herein, no advertising placards, banners, pennants, names, insignia, trademarks, or other descriptive material shall be affixed or maintained upon the glass panes and supports of the store windows and doors or upon the exterior walls of the building.
3. One row of letters is strongly advised, but two rows of letters are allowable if approved by Landlord, provided their maximum total height does not exceed the maximum allowable height provided herein. If Landlord approves two rows of letters, the second row shall be at a vertical height less than the first row of letters.
4. All signs shall be reviewed for conformance with these Criteria and overall design quality. Approval or disapproval of sign submittals based on aesthetics of design shall remain the sole right of the Landlord.
5. Landlord's approval may be withheld in its sole discretion. Landlord's right to deviate from the Criteria set forth herein (1) is clearly and unequivocally subject to and limited to strict conformance with the City of Daly City Sign Ordinance, and (2) shall not obligate Landlord to deviate from the Criteria on subsequent Tenant signage submissions under the "theory of precedence".



Serramonte Blvd. @ Gellert Blvd.
Daly City, CA

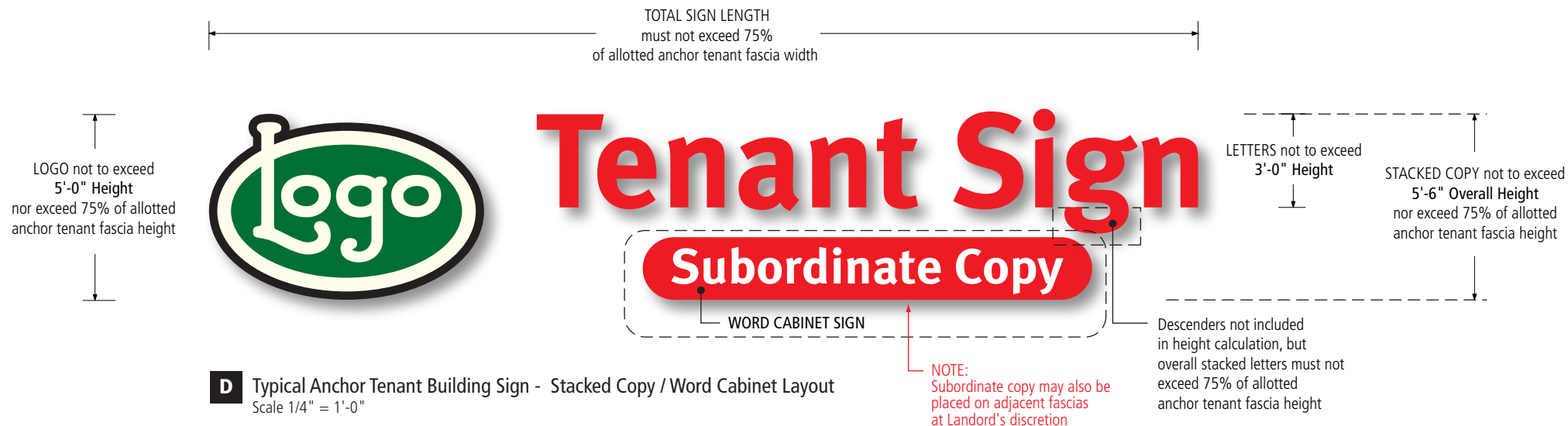
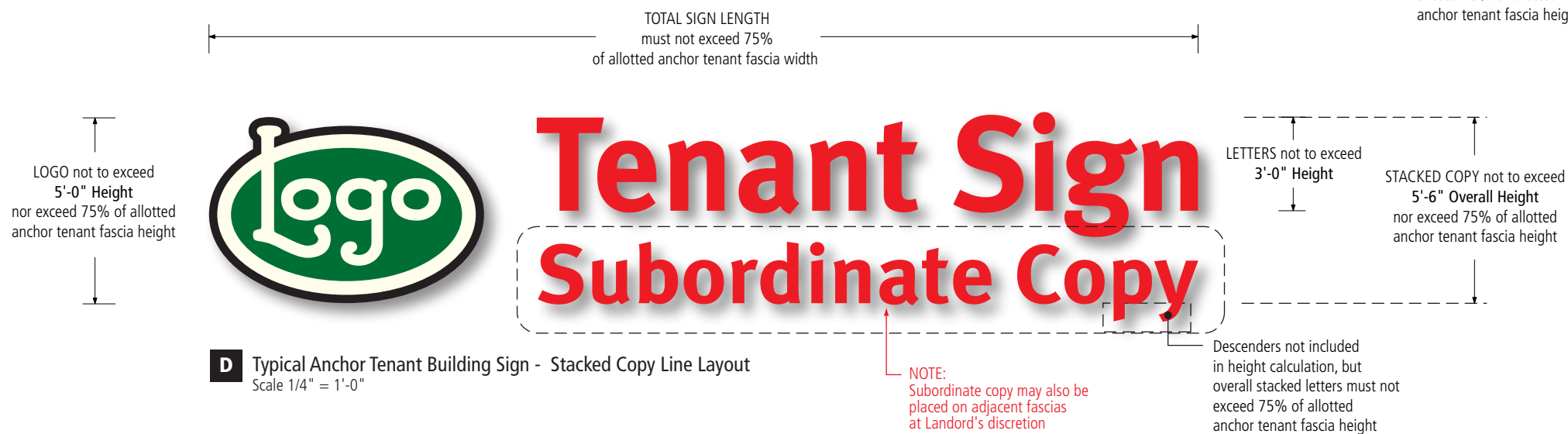
Sign Criteria Program Addendum #1 Building Mounted Signs

Client:
SPI Holdings. LLC

Architect:
Kenneth Rodrigues & Partners, Inc.
445 North Whisman Road, Suite 200
Mountain View, CA

Sign Consultant:
Pacific Neon Sign Company, Inc.
2939 Academy Way
Sacramento, CA

D RETAILER TENANT SIGN CRITERIA



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Project No: 11-4773m-00
Account Executive: **Ralph Cundiff**

Project:
Gellert Marketplace
Sign Program

Address:
303 Gellert Blvd.
Daly City, CA

Drawn By: William Dickson
Date: 1.27.12
Revision: 3.5.12 4.26.12 10.9.12 3.6.13
3.13.12 5.31.12 11.6.12 3.8.13
3.20.12 6.11.12 11.15.12 3.21.13
4.4.12 9.6.12 1.14.13

U.L. Listed
Signs to be manufactured to U.L. Specifications and will bear the U.L. Label(s). The sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

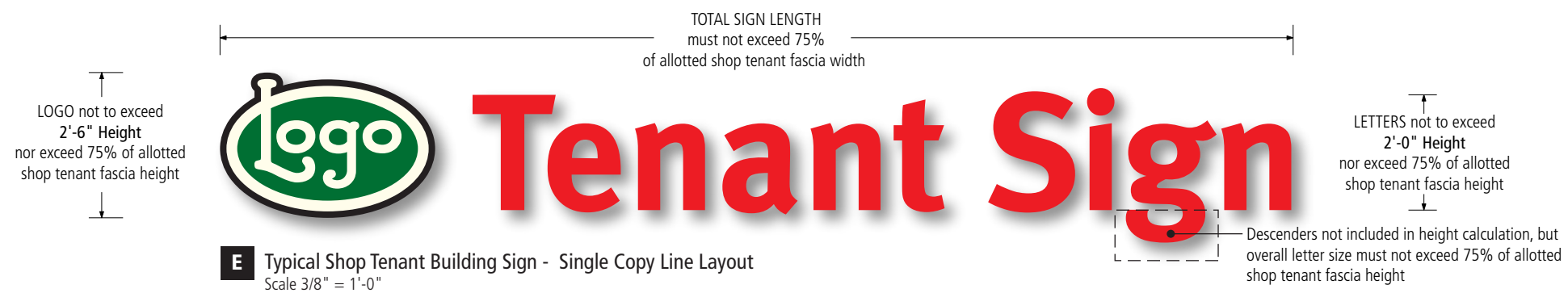
Electrical Circuits
Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral). Common ground to electrical panel acceptable.

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California Title 24 Compliant



E TENANT PAD SIGN CRITERIA



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www.pacificneon.com

Project No: 11-4773m-00

Account
Executive: **Ralph Cundiff**

Project:
Gellert Marketplace
Sign Program

Address:
303 Gellert Blvd.
Daly City, CA

Drawn By: **William Dickson**

Date: 1.27.12

Revision:	3.5.12	4.26.12	10.9.12	3.6.13
	3.13.12	5.31.12	11.6.12	3.8.13
	3.20.12	6.11.12	11.15.12	3.21.13
	4.4.12	9.6.12	1.14.13	

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Electrical Circuits
Customer to provide primary dedicated electrical circuit(s) with a separate ground to the electrical panel. L.E.D. Electronics to have a separate dedicated 120V complete circuit (No shared neutral). Common ground to electrical panel acceptable.

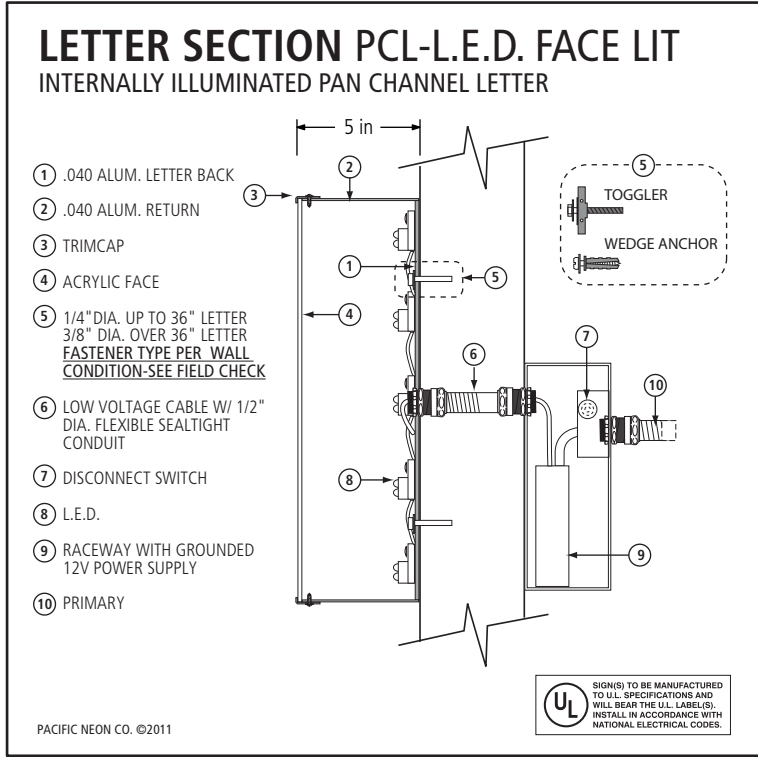
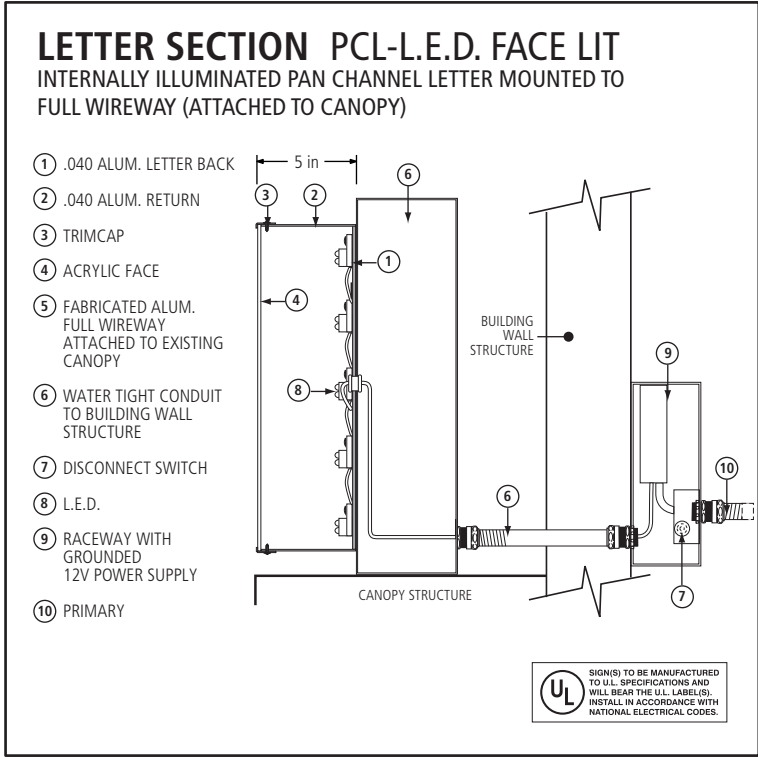
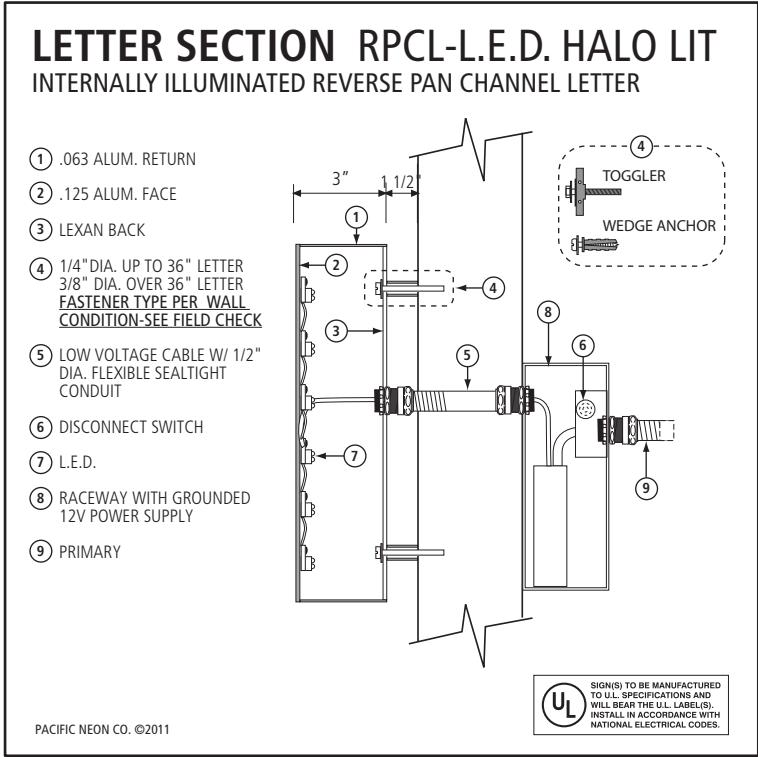
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California Title 24 Compliant



Sheet No.

2



NOTES AND RESTRICTIONS:

1. All signs must meet or excel U.L. electrical standards and manufactured using approved materials and lighting sources.

2. All signs are to be typical pan channel construction with aluminum fabrication for all logo / letter forms.

3. Signs may be illuminated or non-illuminated or a combination (main letters illuminated, secondary copy non-illuminated).

4. All signage is to have hidden, non-corrosive mounting hardware.

5. Signs to be illuminated with LEDs.

6. All sign design and fabricated methods are to be approved at
7. landlord's discretion. Signs additionally must conform to Daly City's Sign Ordinance code and will require permits and review at Daly City Planning / Building discretion.

8. Signs must be installed by a licensed / bonded sign contractor. Tenant and sign contractor will be held financially responsible for damages to property and / or landscaping.

9. Sign maintenance will be the responsibility of the tenant. Broken or non-lighting signage is the tenant's responsibility to fix within 30 days.

10. Sidewalk signs and stationary sandwich boards are not permitted without written permission by the landlord.
11. No cabinet signs are permitted on tenant fascias, however shaped logo cabinets are permitted.

12. No exposed neon, flashing on animated signs are permitted. Interior window neon signs may be acceptable, but are subject to written approval from landlord prior to installation.

13. Signs installed without following the guidelines presented here are subject to removal at Tenant's expense.



2939 ACADEMY WAY
SACRAMENTO, CALIFORNIA 95815
TEL 916.927.0527
FAX 916. 927.2414
www.pacificneon.com

Project No: 11-4773m-00

Account
Executive: **Ralph Cundiff**

Project:
Gellert Marketplace
Sign Program

Address:
303 Gellert Blvd.
Daly City, CA

Drawn By: **William Dickson**

Date: 1.27.12

Revision: 3.5.12 4.26.12 10.9.12 3.6.13
3.13.12 5.31.12 11.6.12 3.8.13
3.20.12 6.11.12 11.15.12 3.21.13
4.4.12 9.6.12 1.14.13

U.L. Listed
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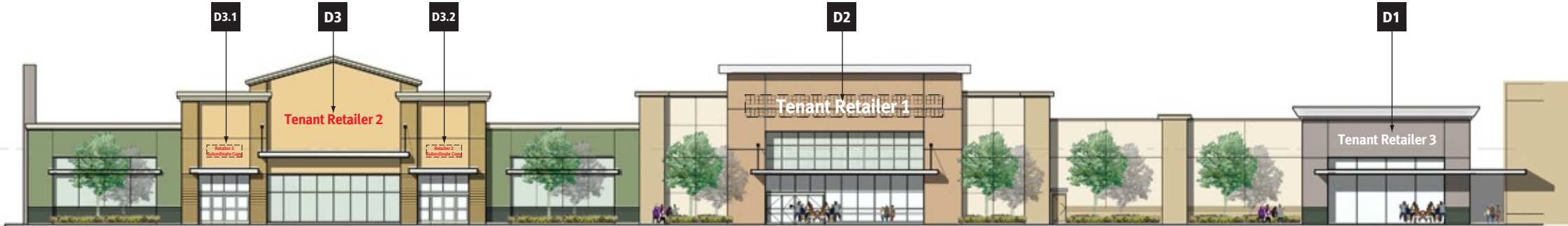
California Title 24 Compliant



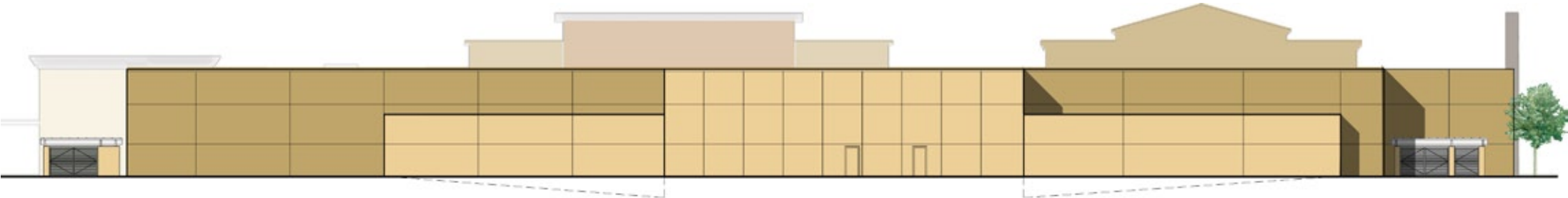
Sheet No.

3

RETAIL TENANT BUILDING



Major Retail Stores - WEST ELEVATION
Scale 1/32" = 1'-0"



Major Retail Stores - EAST ELEVATION
Scale 1/32" = 1'-0"



Major Retail Stores - NORTH ELEVATION
Scale 1/32" = 1'-0"

Major Retail Stores - SOUTH ELEVATION
Scale 1/32" = 1'-0"



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3.13.12	5.31.12	11.6.12	3.8.13
3.20.12	6.11.12	11.15.12	3.21.13
4.4.12	9.6.12	1.14.13	

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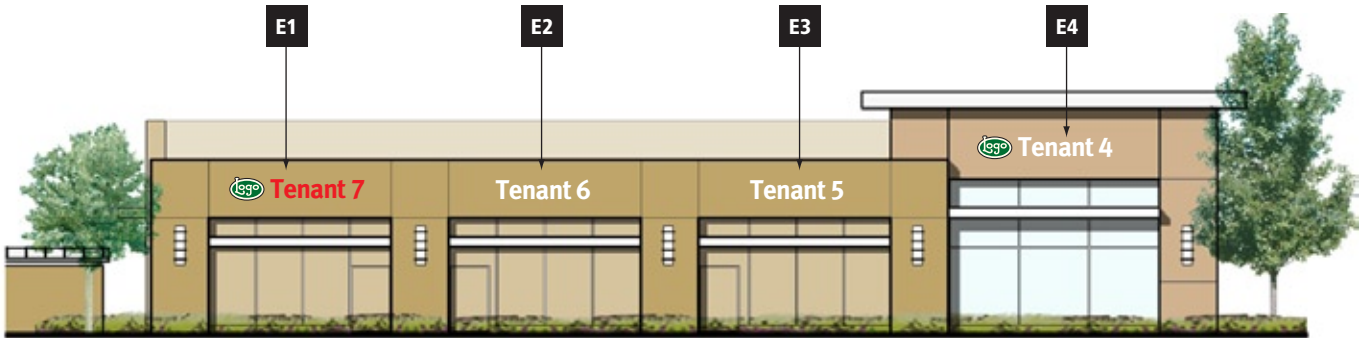
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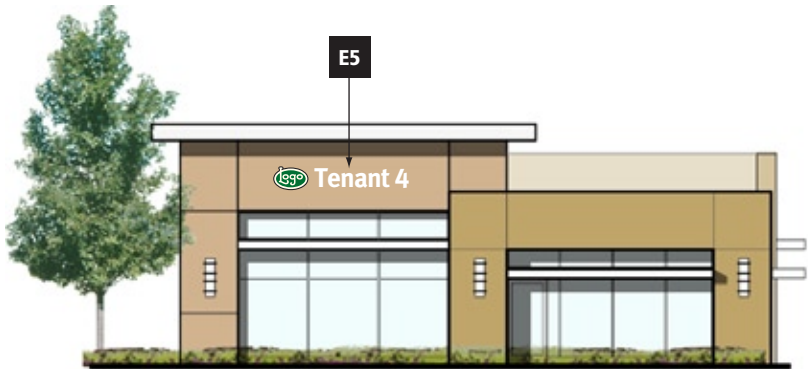
California Title 24 Compliant



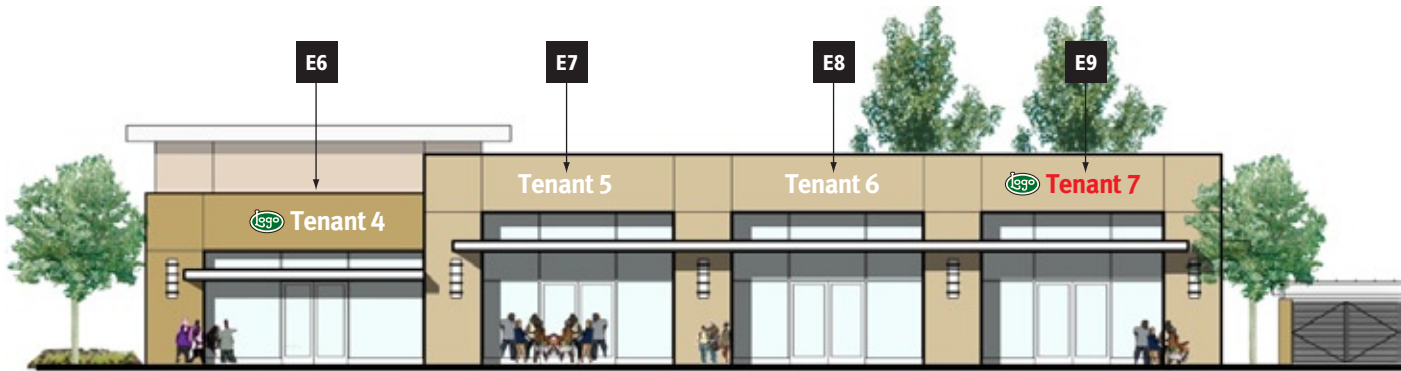
TENANT PAD 1 BUILDING



Pad 1 Tenant Stores - NORTH ELEVATION
Scale 1" = 20'-0"



Pad 1 Tenant Stores - WEST ELEVATION
Scale 1" = 20'-0"



Pad 1 Tenant Stores - SOUTH ELEVATION
Scale 1" = 20'-0"



Pad 1 Tenant Stores - EAST ELEVATION
Scale 1" = 20'-0"



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Daly City, CA

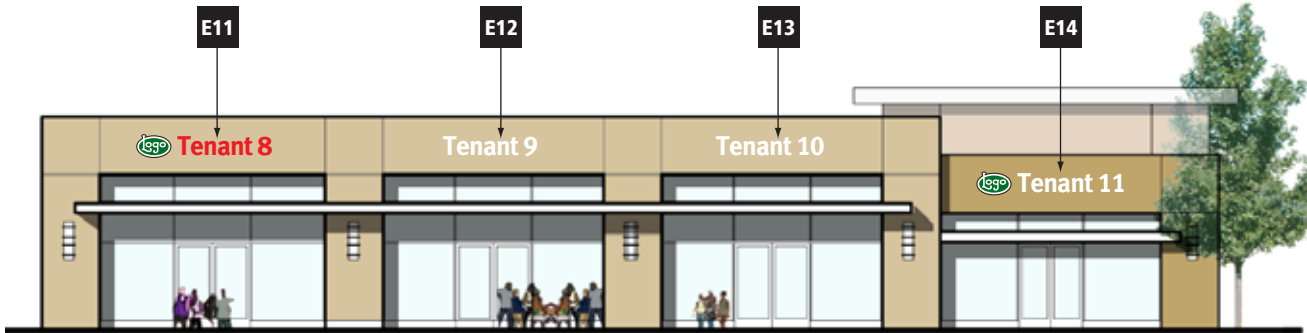
Drawn By: **William Dickson**
Date: 1.27.12
Revision:

3.5.12	4.26.12	10.9.12	3.6.13
3.13.12	5.31.12	11.6.12	3.8.13
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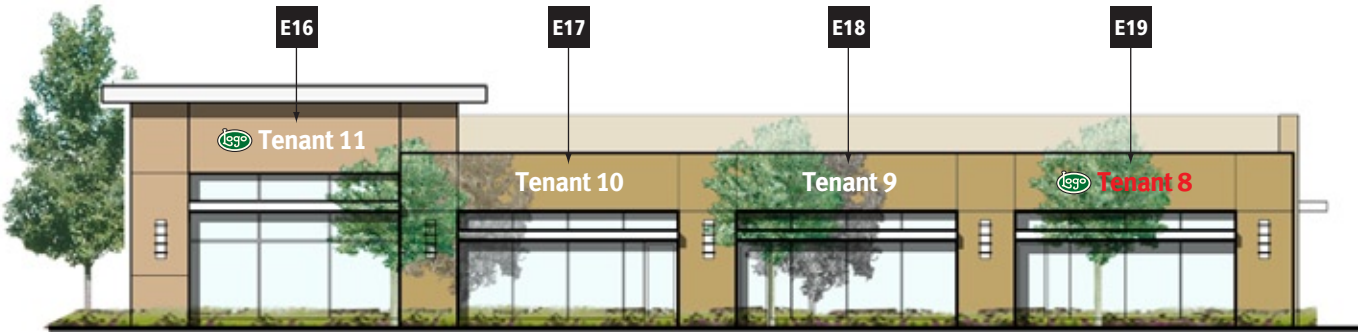
TENANT PAD 2 BUILDING



Pad 2 Tenant Stores - NORTH ELEVATION
Scale 1" = 20'-0"



Pad 2 Tenant Stores - WEST ELEVATION
Scale 1" = 20'-0"



Pad 2 Tenant Stores - SOUTH ELEVATION
Scale 1" = 20'-0"



Pad 2 Tenant Stores - EAST ELEVATION
Scale 1" = 20'-0"



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TEL 916.927.0527
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Project No: 11-4773m-00
Account Executive: **Ralph Cundiff**

Project:
Gellert Marketplace
Sign Program

Address:
303 Gellert Blvd.
Daly City, CA

Drawn By:	William Dickson			
Date:	1.27.12			
Revision:	3.5.12	4.26.12	10.9.12	3.6.13
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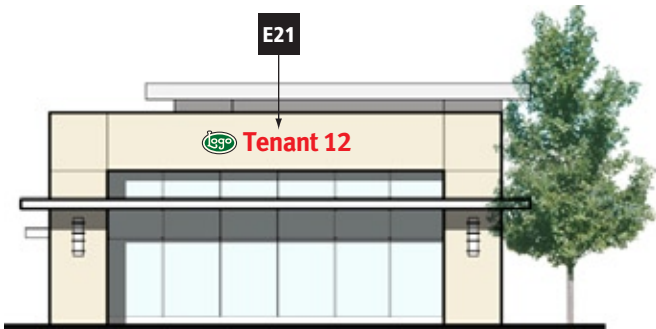
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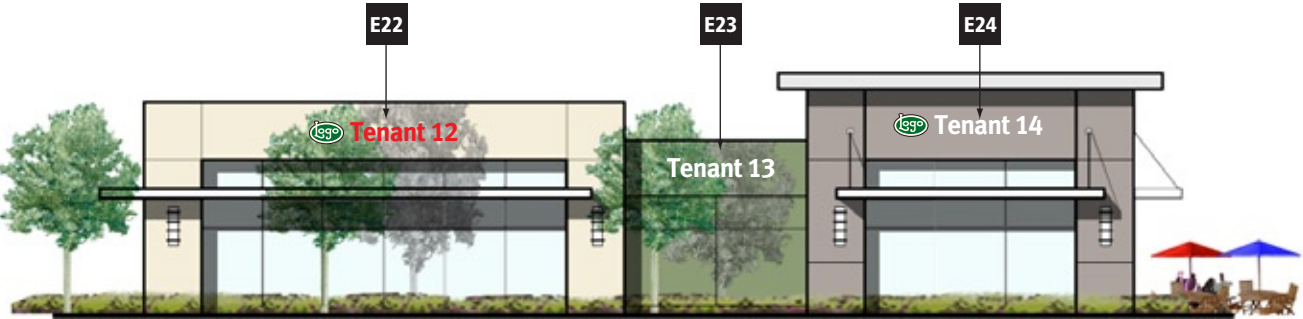
California Title 24 Compliant



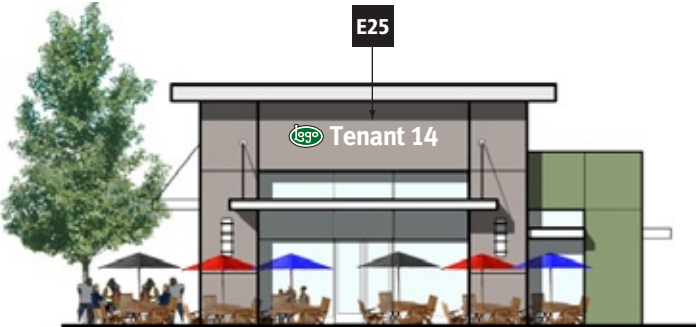
TENANT PAD 3 BUILDING



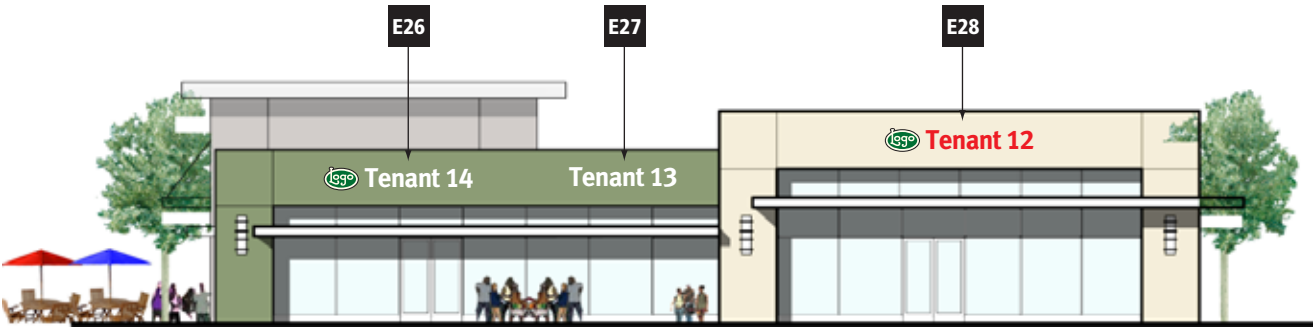
Pad 3 Tenant Stores - NORTH ELEVATION
Scale 1" = 20'-0"



Pad 3 Tenant Stores - WEST ELEVATION
Scale 1" = 20'-0"



Pad 3 Tenant Stores - SOUTH ELEVATION
Scale 1" = 20'-0"



Pad 3 Tenant Stores - EAST ELEVATION
Scale 1" = 20'-0"



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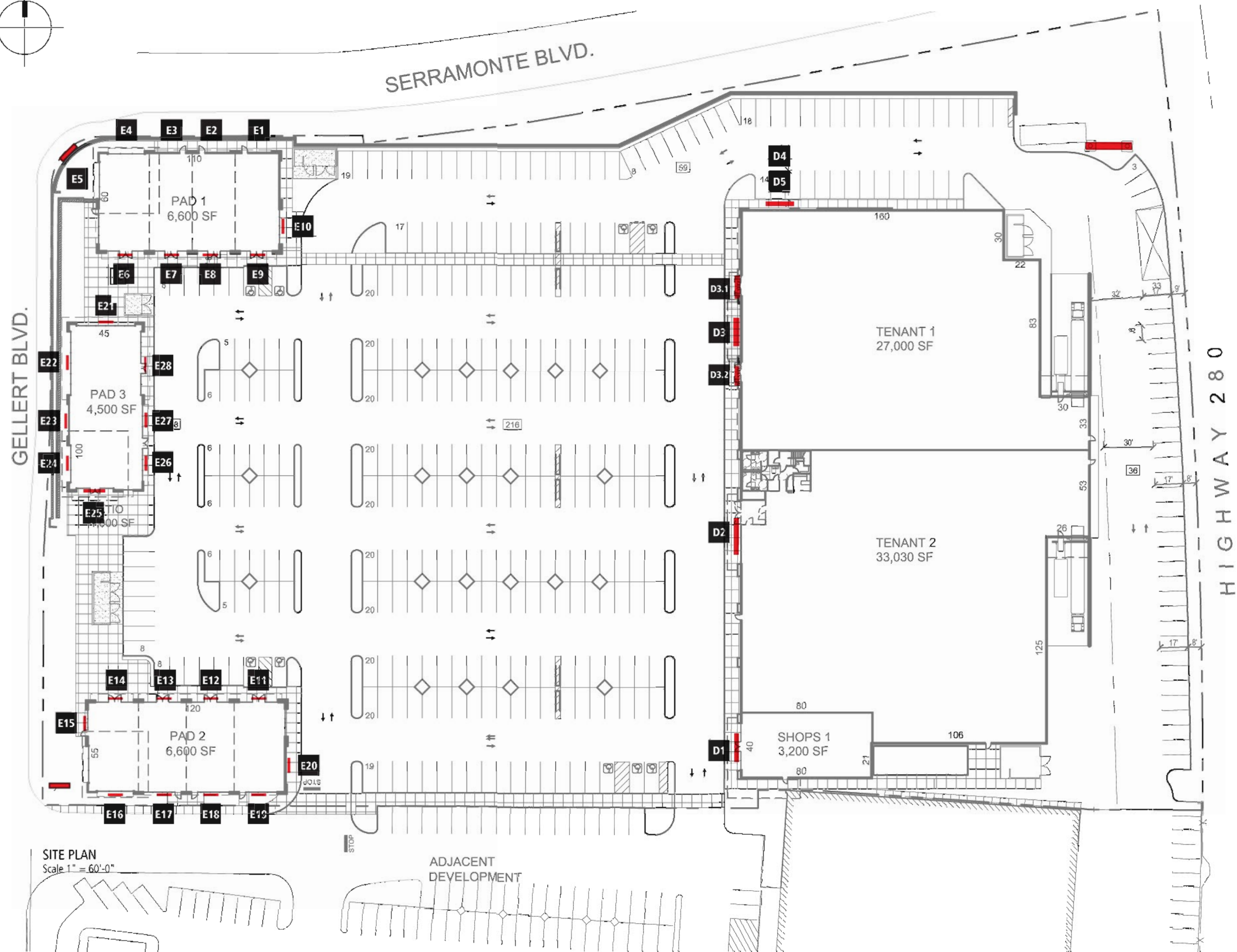
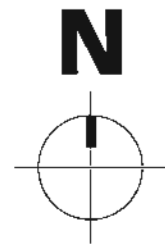
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SITE PLAN
Scale 1" = 60'-0"



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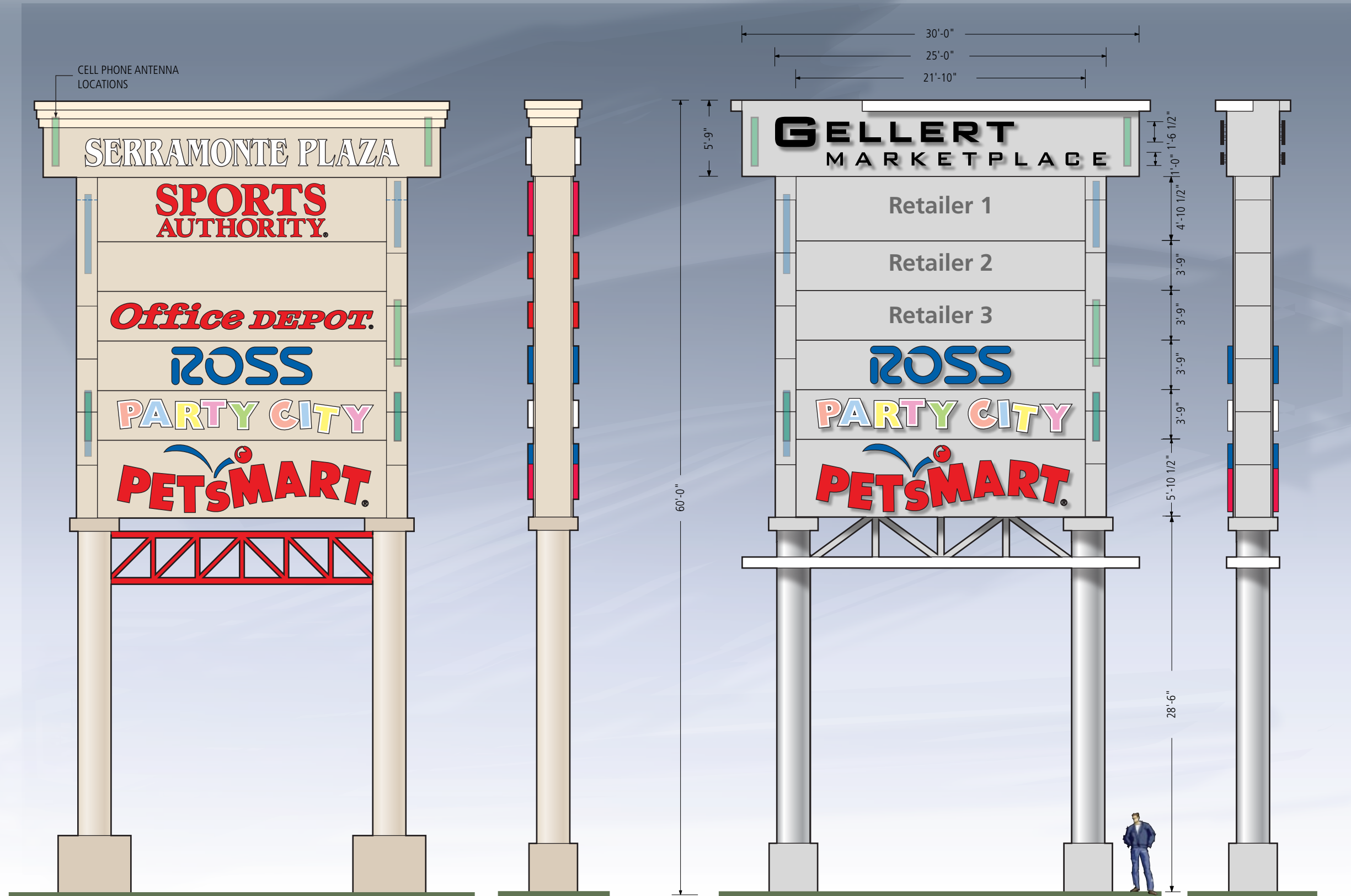
Serramonte Blvd. @ Gellert Blvd.
Daly City, CA

Sign Criteria Program Addendum #2 Freestanding Signs

Client:
SPI Holdings. LLC

Architect:
Kenneth Rodrigues & Partners, Inc.
445 North Whisman Road, Suite 200
Mountain View, CA

Sign Consultant:
Pacific Neon Sign Company, Inc.
2939 Academy Way
Sacramento, CA



A D/F Pylon Sign (Existing Conditions)
Scale 1/8" = 1'-0"

A End View (Existing Conditions)
Scale 1/8" = 1'-0"

A D/F Pylon Sign (Proposed Refurbish)
Scale 1/8" = 1'-0"

A End View (Existing Conditions)
Scale 1/8" = 1'-0"



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SACRAMENTO, CALIFORNIA 95815
TEL 916.927.0527
FAX 916. 927.2414
www.pacificneon.com

Project No: 11-4773d-00
Account GellertMP FS pkg
Executive: Ralph Cundiff

Project:
Gellert Marketplace

Address:
303 Gellert Blvd.
Daly City, CA

Drawn By: William Dickson
Date: 3.15.12
Revision: 4.10.12 3.7.13
4.26.12
10.4.12
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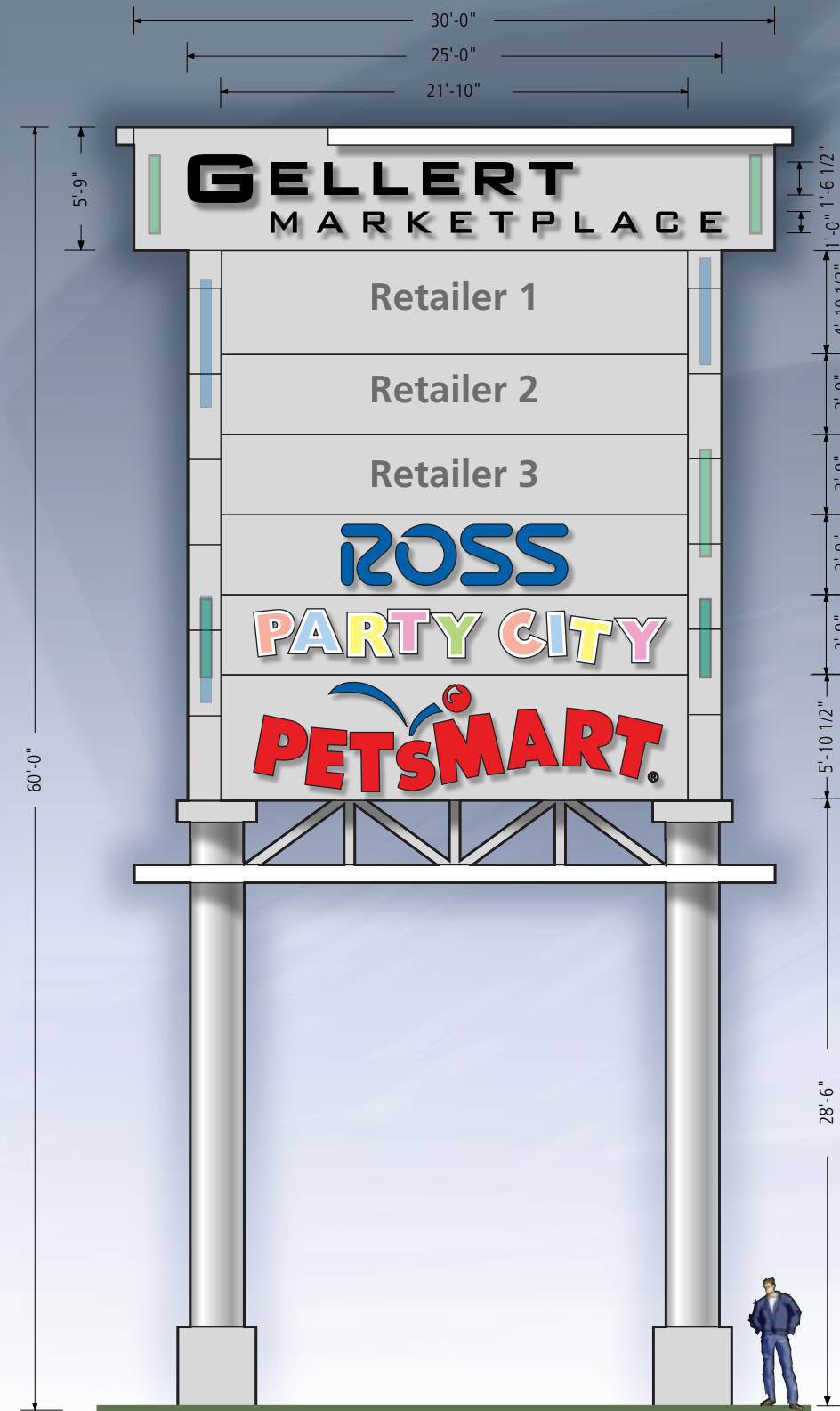
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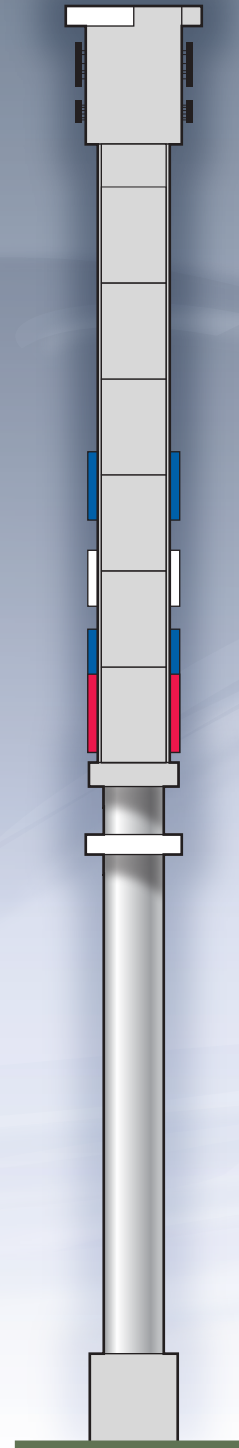


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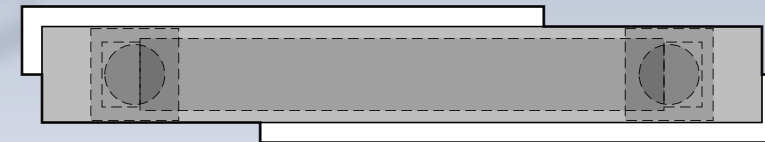
1



A D/F Pylon Sign (Proposed Refurbish)
Scale 1/8" = 1'-0"



A End View (Existing Conditions)
Scale 1/8" = 1'-0"



A Top View (Structure Only)
Scale 1/8" = 1'-0"



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Project No: 11-4773d-00
Account GellertMP FS pkg
Executive: **Ralph Cundiff**

Project:
Gellert Marketplace
A Sign

Address:
303 Gellert Blvd.
Daly City, CA

Drawn By: William Dickson
Date: 3.15.12
Revision: 4.10.12 3.7.13
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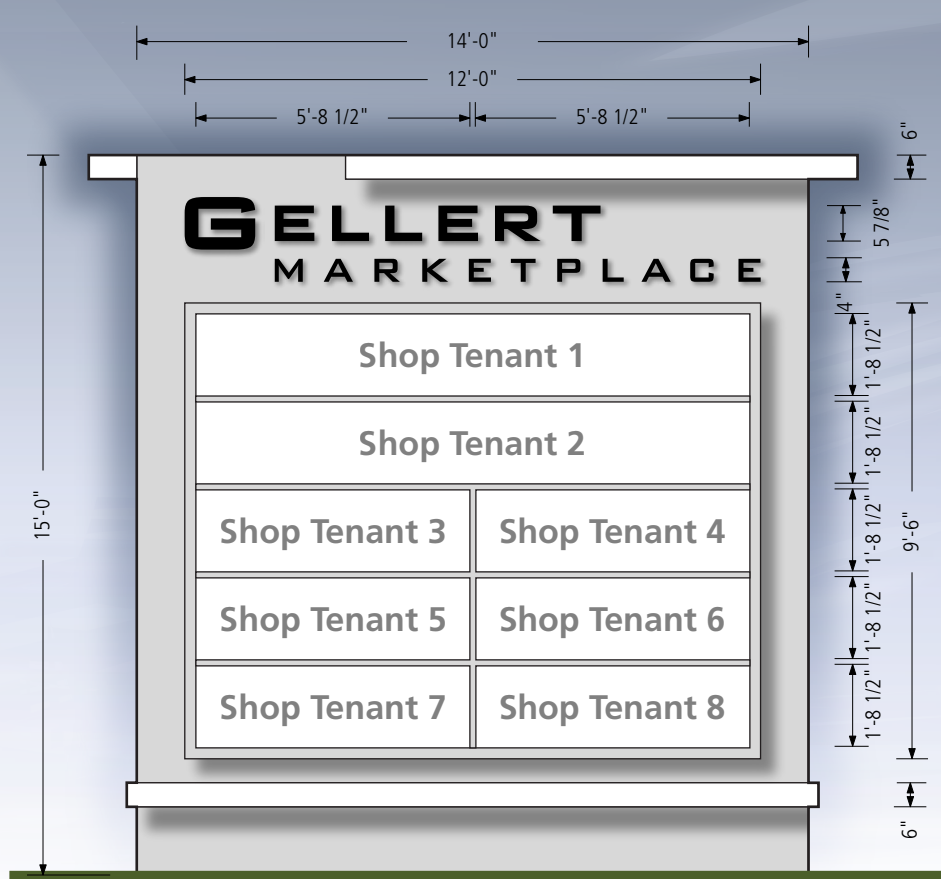
California Title 24 Compliant



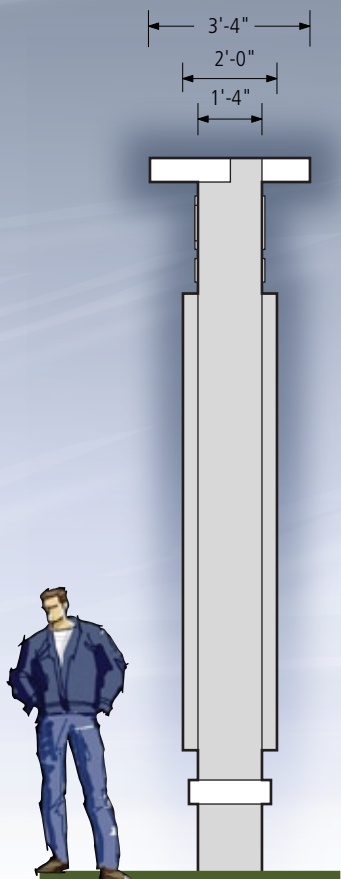
Sheet No.

2

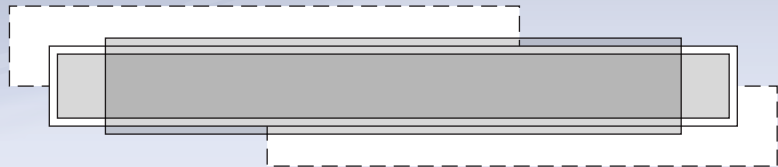
D/F Monument Sign



B1 D/F Illuminated Monument Sign
Scale 1/4" = 1'-0"



B1 End View
Scale 1/4" = 1'-0"



B1 Top View
Scale 1/4" = 1'-0"



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Account GellertMP FS pkg
Executive: Ralph Cundiff

Project:
Gellert Marketplace
B1 Sign

Address:
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Daly City, CA

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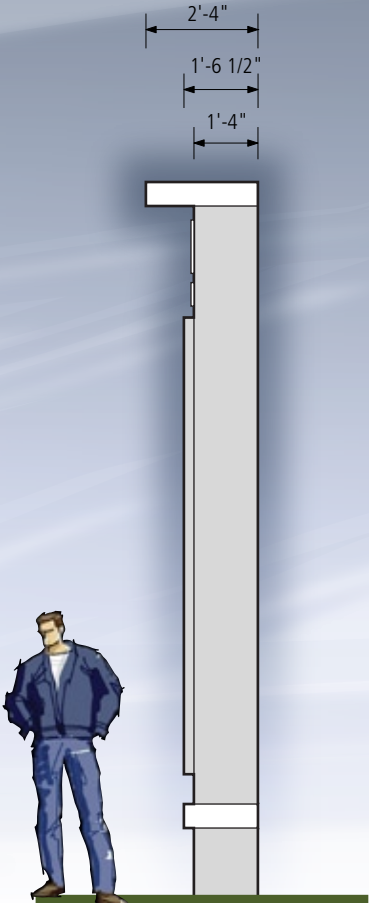
California Title 24 Compliant



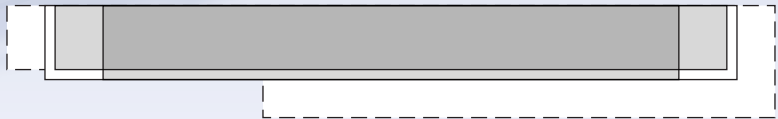
S/F Monument Sign



B2 S/F Illuminated Monument Sign
Scale 1/4" = 1'-0"



B2 End View
Scale 1/4" = 1'-0"



B2 Top View
Scale 1/4" = 1'-0"



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Executive: Ralph Cundiff

Project:
Gellert Marketplace
B2 Sign

Address:
303 Gellert Blvd.
Daly City, CA

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Date: 3.15.12
Revision: 4.10.12 3.7.13
4.26.12
10.4.12
1.14.13

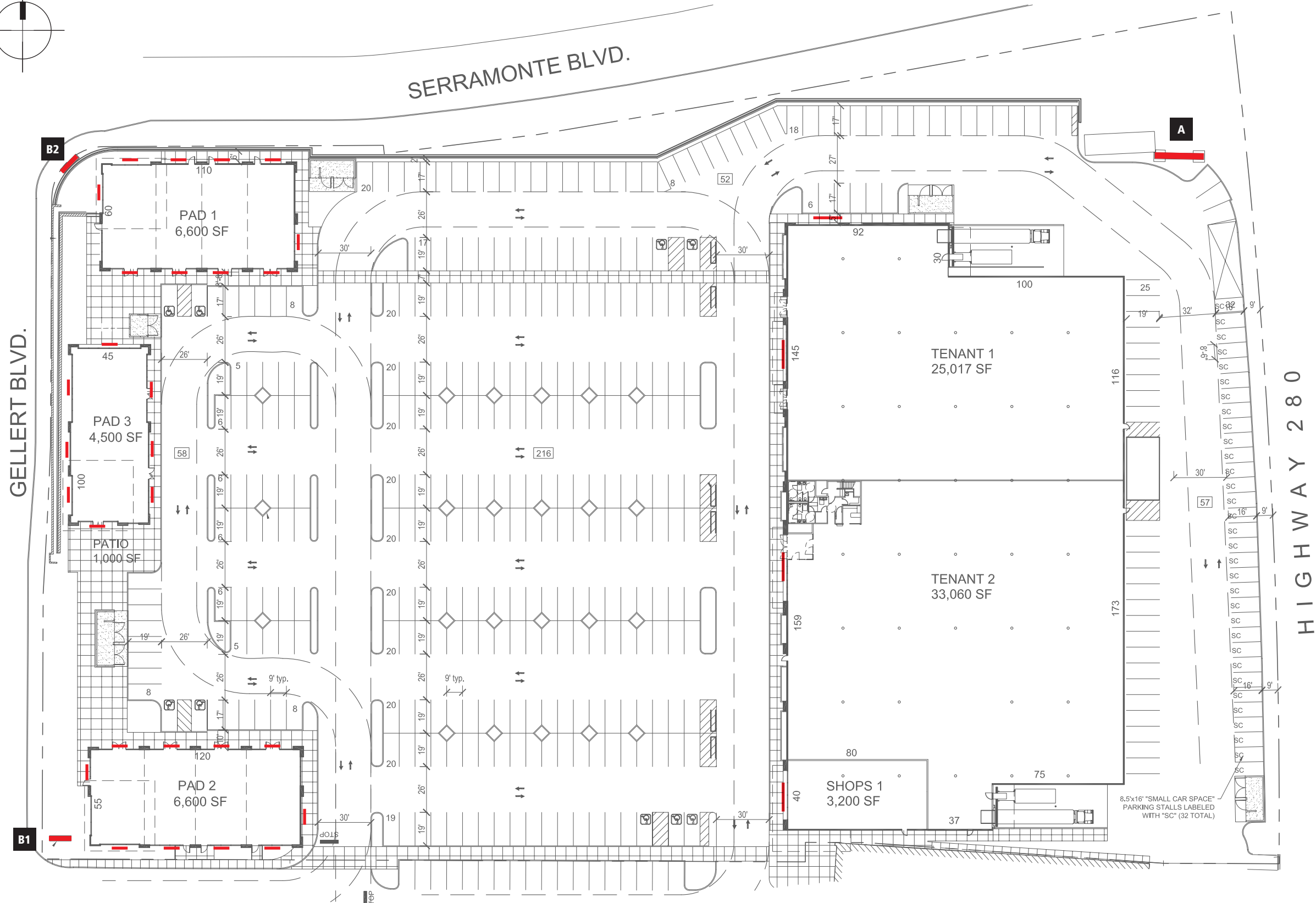
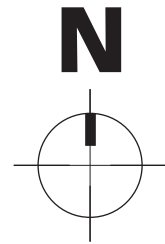
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SITE PLAN
Scale 1" = 60'-0"



ESTABLISHED 1946

**PACIFIC
NEON**

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SACRAMENTO, CALIFORNIA 95815

TEL 916.927.0527
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Daly City, CA

Drawn By: **William Dickson**
Date: 3.15.12
Revision: 4.10.12 3.7.13
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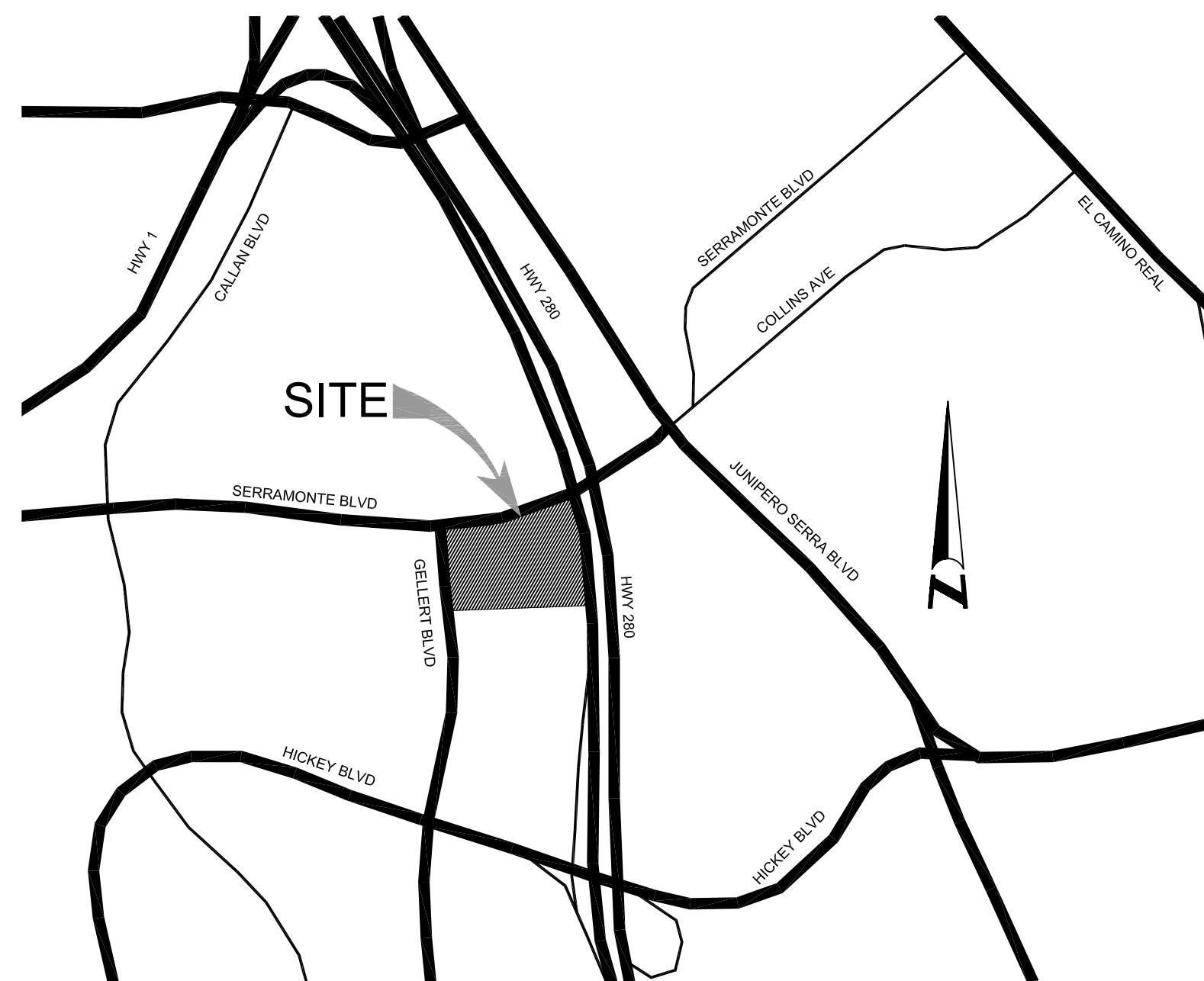
California Title 24 Compliant



Sheet No.

5

VICINITY MAP



Gellert MarketPlace

DALY CITY, CALIFORNIA

DESIGN REVIEW AND USE PERMIT

Gellert
MarketPlace

SPI HOLDINGS
DALY CITY, CALIFORNIA



KENNETH RODRIGUES & PARTNERS, INC.
445 North Whisman Road, Suite 200
Mountain View, CA 95035-0700

CONSULTANT

KEYMAP

REVISION

PROJECT NO.	125.049	DATE	3. 19.13
DRAWN BY	NB	SCALE	AS SHOWN
CHECKED BY			

COVER
SHEET

A0

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PROJECT TEAM

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NATALYA BACH

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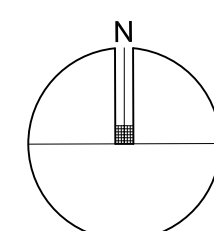
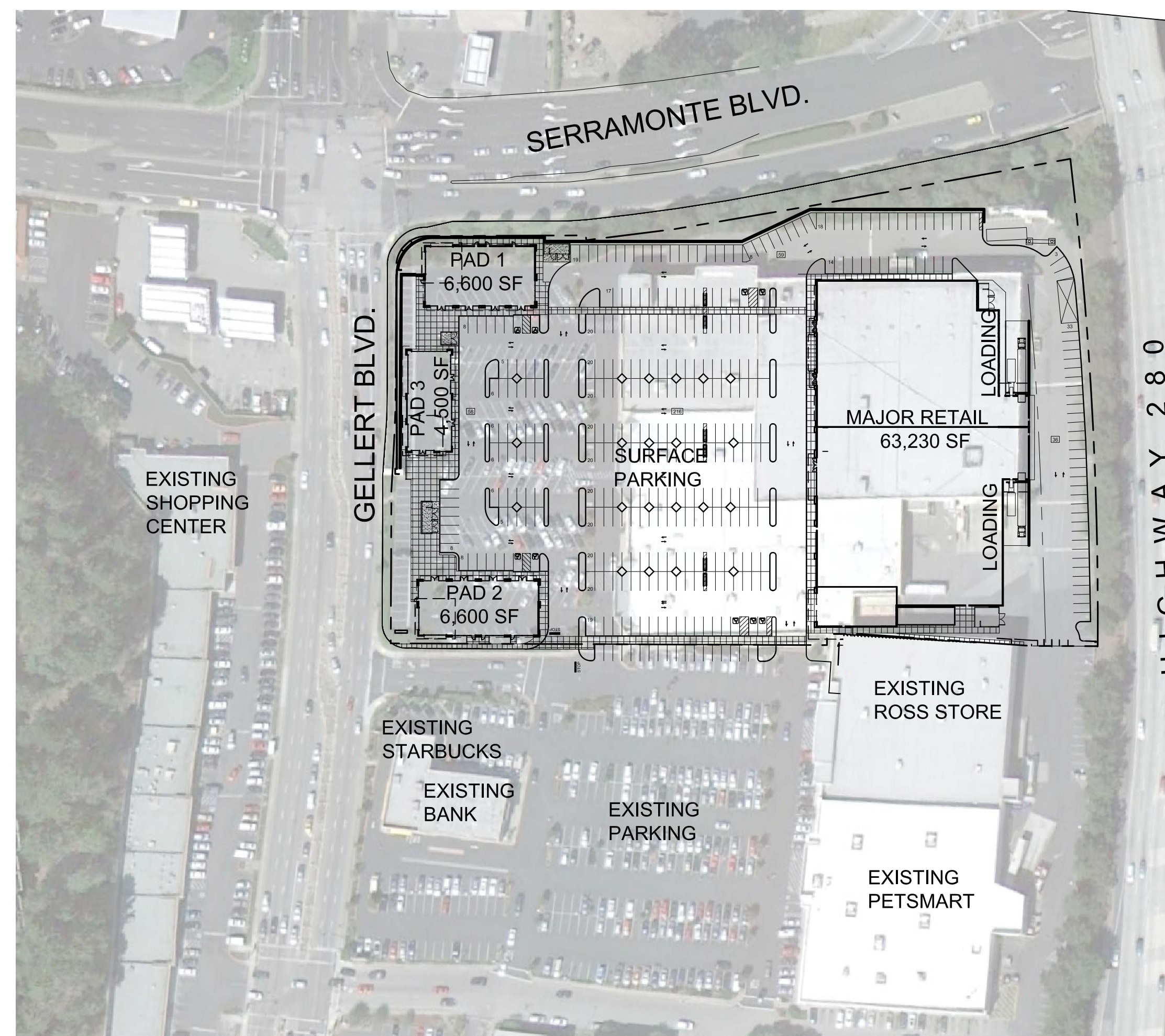
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CONTEXT PLAN



SCALE: 1:100

SHEET INDEX

ARCHITECTURAL

- A 0 TITLE SHEET
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- A 2 SITE PLAN
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CIVIL

- C-2 A.L.T.A. SURVEY
- EXHIBIT A PPELIMINARY STORM WATER CONTROL PLAN
- EXHIBIT B PPELIMINARY STORM WATER CONTROL PLAN CALCULATIONS

Gellert
MarketPlace

SPI HOLDINGS
DALY CITY, CALIFORNIA



KENNETH RODRIGUES & PARTNERS INC.
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Mountain View, CA 95035-0700

CONSULTANT

KEYMAP

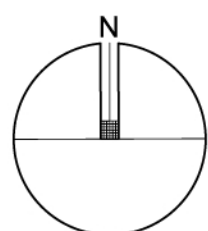
REVISION

PROJECT NO. 125.049 DATE 3.19.13

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CHECKED BY

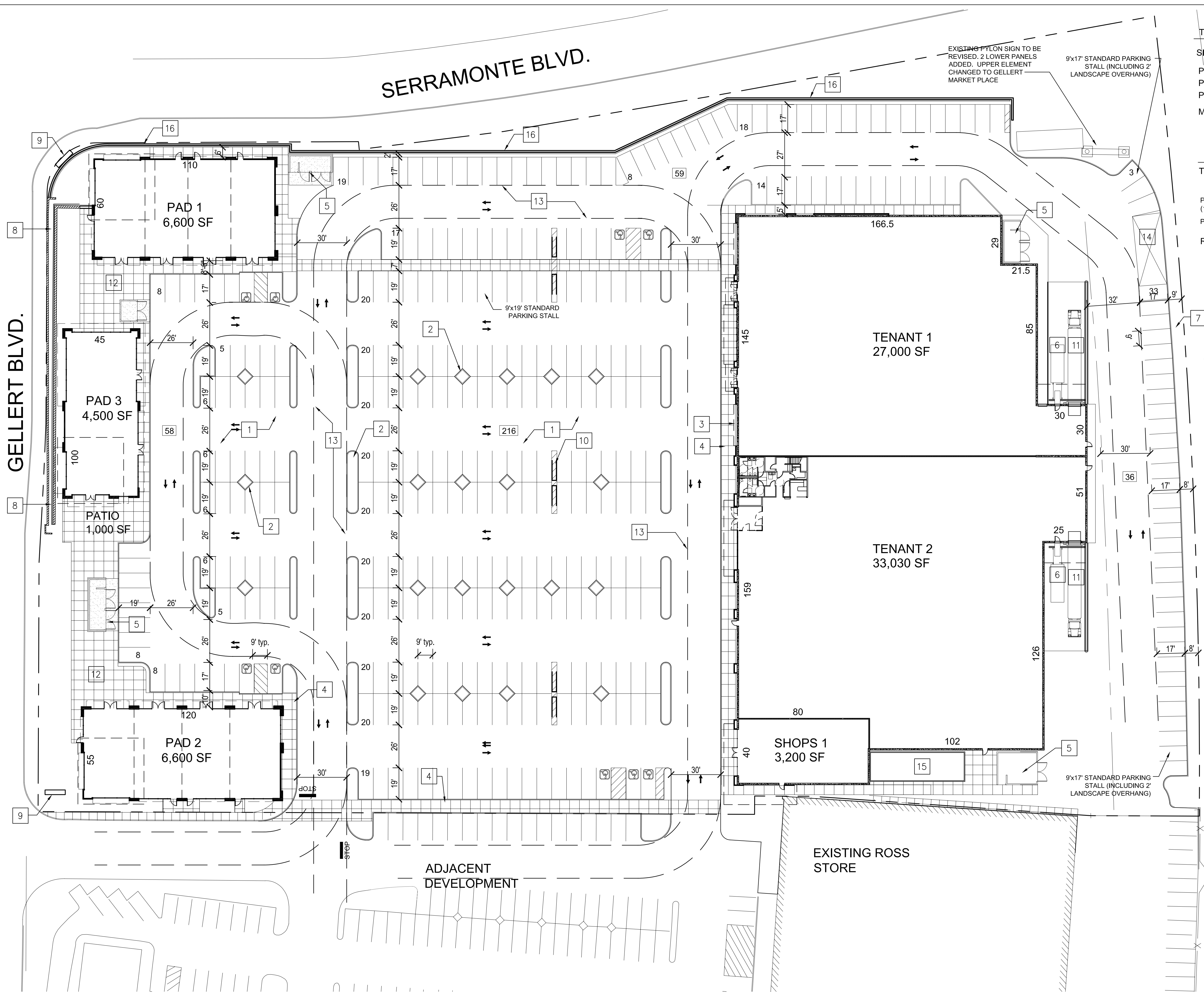
ILLUSTRATIVE
SITE PLAN



A 1

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TABULATION:	
SITE AREA:	±300,430 SF (6.89 ACRES)
PAD 1:	6,600 SF
PAD 2:	6,600 SF
PAD 3:	4,500 SF
MAJOR 1:	63,230 SF
TENANT 1:	27,000 SF
TENANT 2:	33,030 SF
SHOPS 1:	3,200 SF
TOTAL BUILDING:	80,930 SF
PARKING REQUIRED (1/300 GROSS SF)	262 STALLS
PARKING PROVIDED:	369 STALLS
RATIO:	4.5/1000

SHEET KEYNOTES

- 1 SURFACE PARKING
- 2 LANDSCAPE ISLAND, TYP
- 3 LANDSCAPE PLANTER @ BUILDING, TYP
- 4 CONCRETE SIDEWALKS, TYP.
- 5 TRASH ENCLOSURE, TYP.
- 6 TRASH COMPACTOR LOCATION
- 7 EXISTING PLANTING TO REMAIN
- 8 EXISTING RETAINING WALL TO REMAIN
- 9 SHOPS / OUTPARCEL PYLON
- 10 SINGLE CART CORRAL , TYP.
- 11 LOADING AREA
- 12 HARDSCAPE AREA
- 13 LINE OF FIRE TRUCK ROUT
- 14 CELLULAR CHAIN LINK ENCLOSURE AREA
- 15 MAIN ELECTRICAL
- 16 NEW RETAINING WALL

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KEYMAP

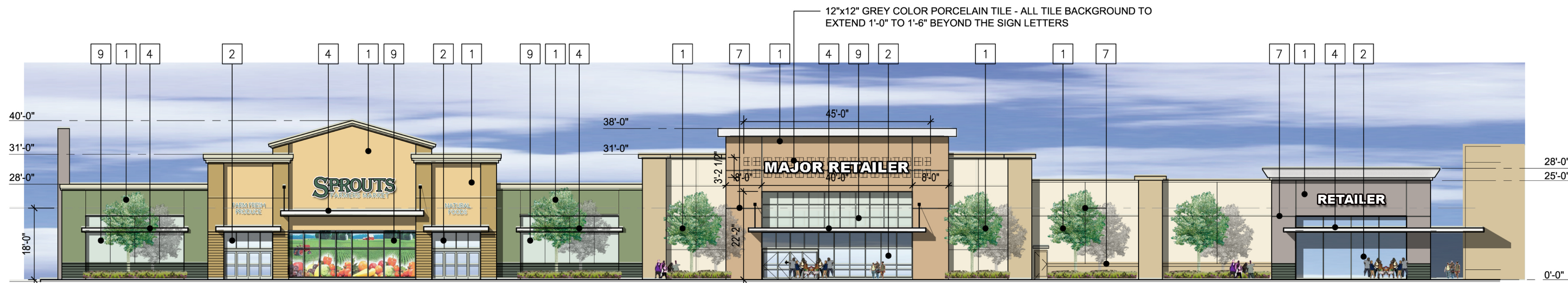
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PROJECT NO.	125.049	DATE	3.19.13
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SITE PLAN/ FLOOR PLANS

A2

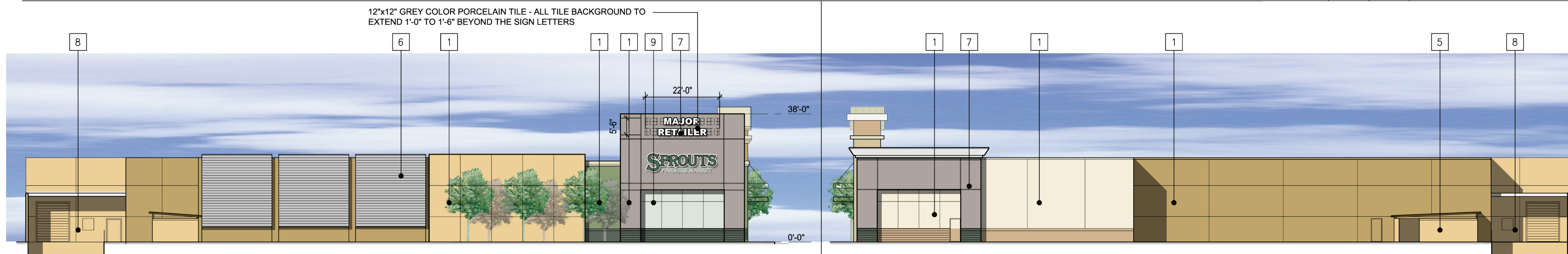
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WEST ELEVATION 1/16" 1



EAST ELEVATION 1/16" 2



NORTH ELEVATION 1/16" 4

SOUTH ELEVATION 1/16" 3

SHEET KEYNOTES

- 1 EXTERIOR CEMENT PLASTER SYSTEM, PAINTED
- 2 CLEAR ANODIZED ALUMINUM STOREFRONT
- 3 CLEARSTORY WINDOWS
- 4 ALUMINUM CANOPY
- 5 TRASH ENCLOSURE
- 6 CORRUGATED METAL PANELS
- 7 2" ALUMINUM REVEALS
- 8 LOADING AREA
- 9 ANODIZED ALLUMINUM STOREFRONT WITH WHITE OPAQUE FILM APPLIED TO INSIDE OF GLAZING
- 10 FUTURE TENANT SIGNAGE

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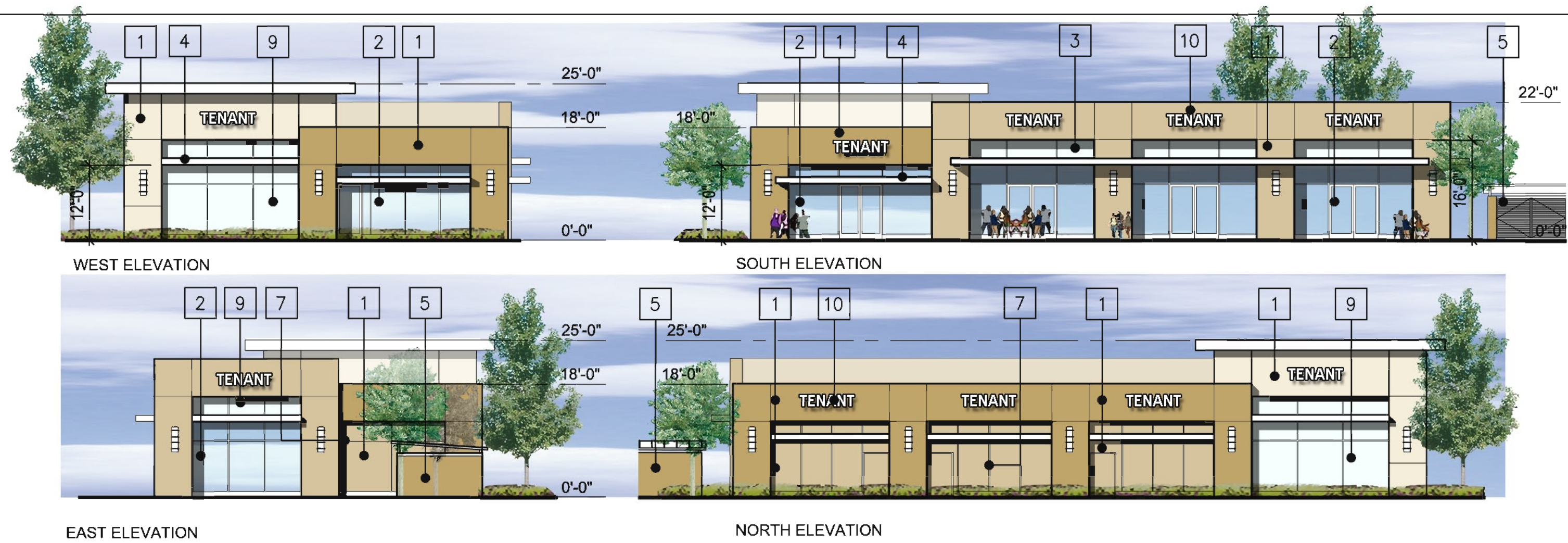
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MAJOR RETAIL
ELEVATIONS

A 3

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SHEET KEYNOTES

- 1 EXTERIOR CEMENT PLASTER SYSTEM, PAINTED
- 2 CLEAR ANODIZED ALUMINUM STOREFRONT
- 3 CLEARSTORY WINDOWS
- 4 ALUMINUM CANOPY
- 5 TRASH ENCLOSURE
- 6 NOT USED
- 7 2" ALUMINUM REVEALS
- 8 LOADING AREA
- 9 ANODIZED ALLUMINUM STOREFRONT WITH WHITE OPAQUE FILM APPLIED TO INSIDE OF GLAZING
- 10 FUTURE TENANT SIGNAGE

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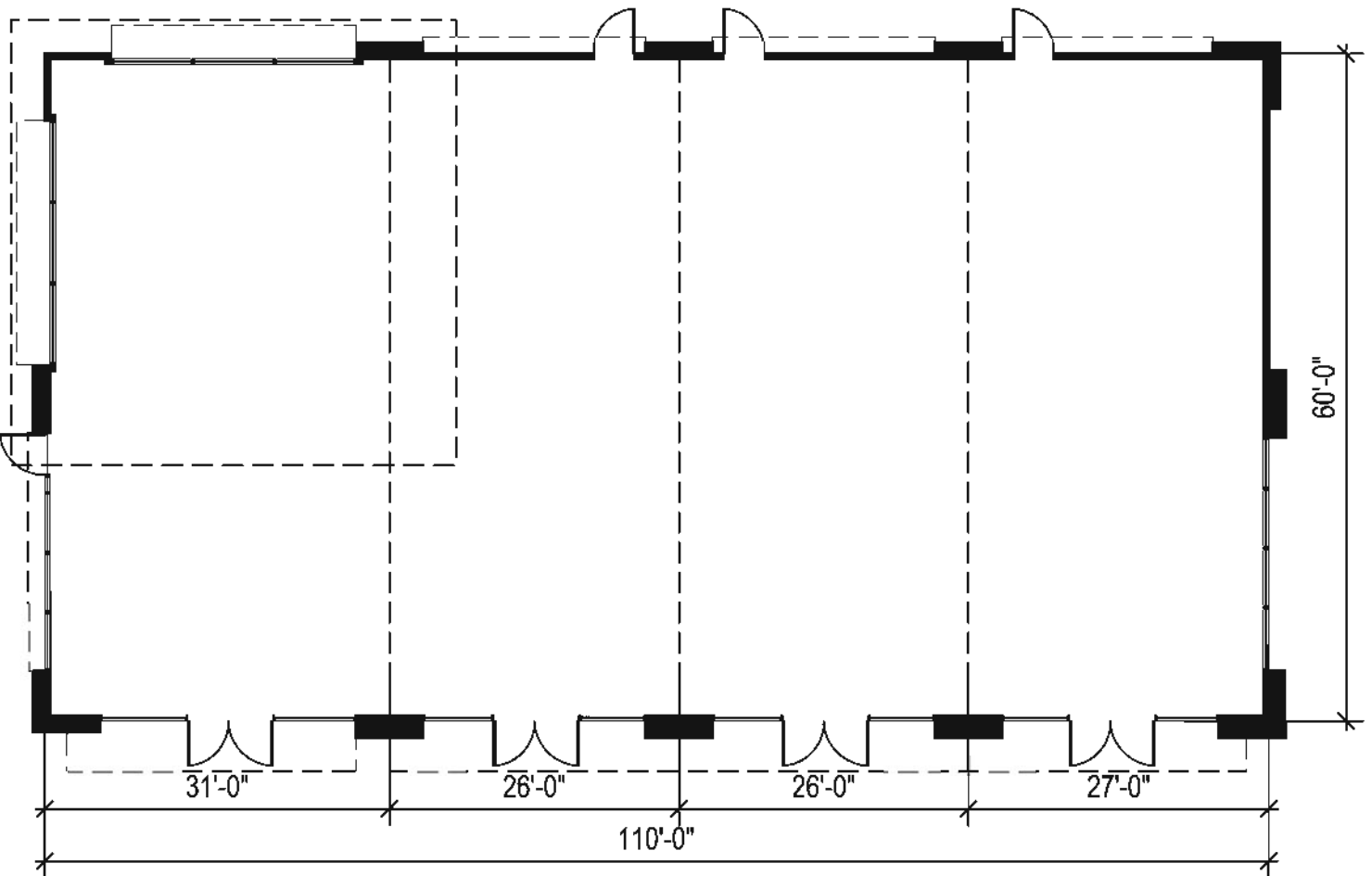
KEYMAP

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PAD 1, 2 & 3
FLOOR PLANS &
ELEVATIONS

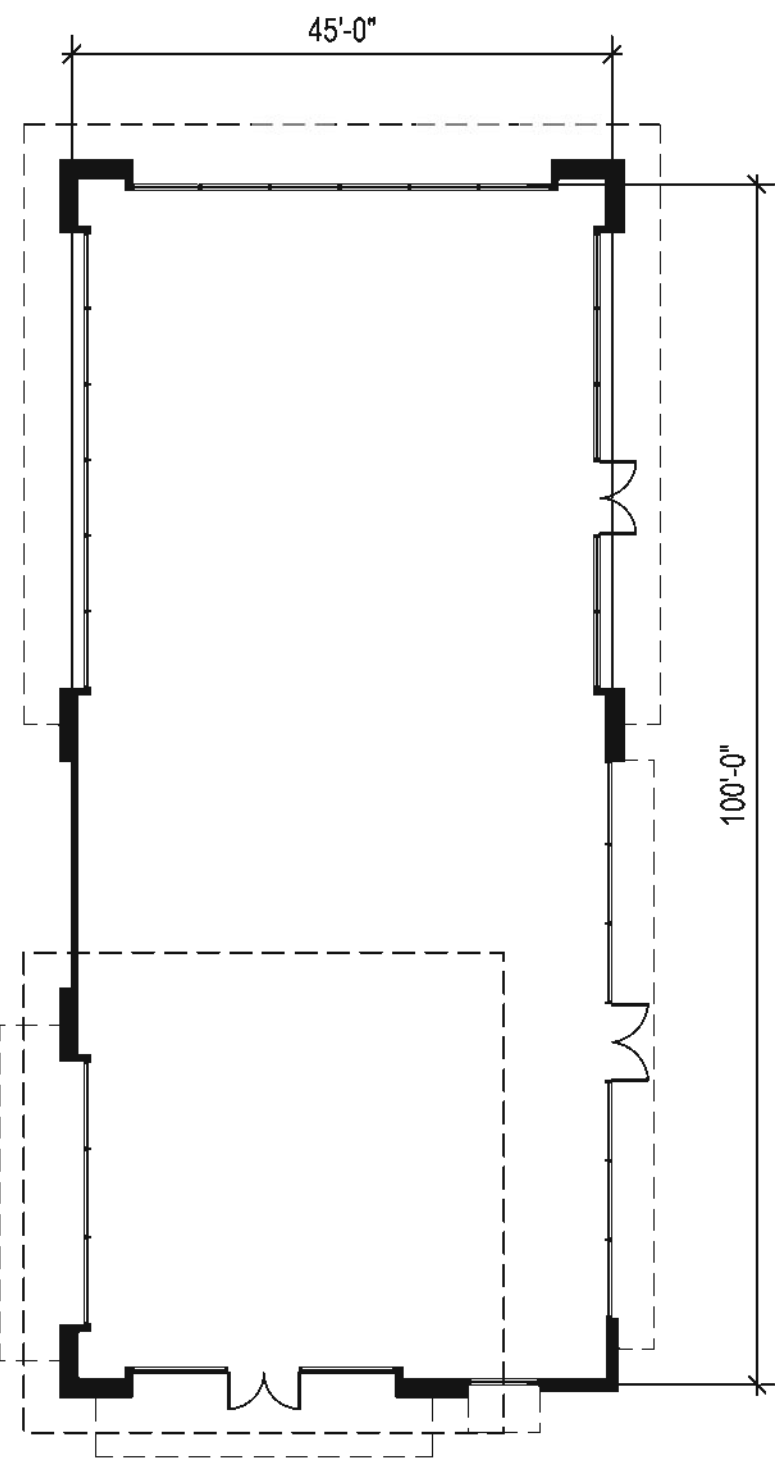
A 4



FLOOR PLAN- PAD 1 (6,600 SF)

1/16"

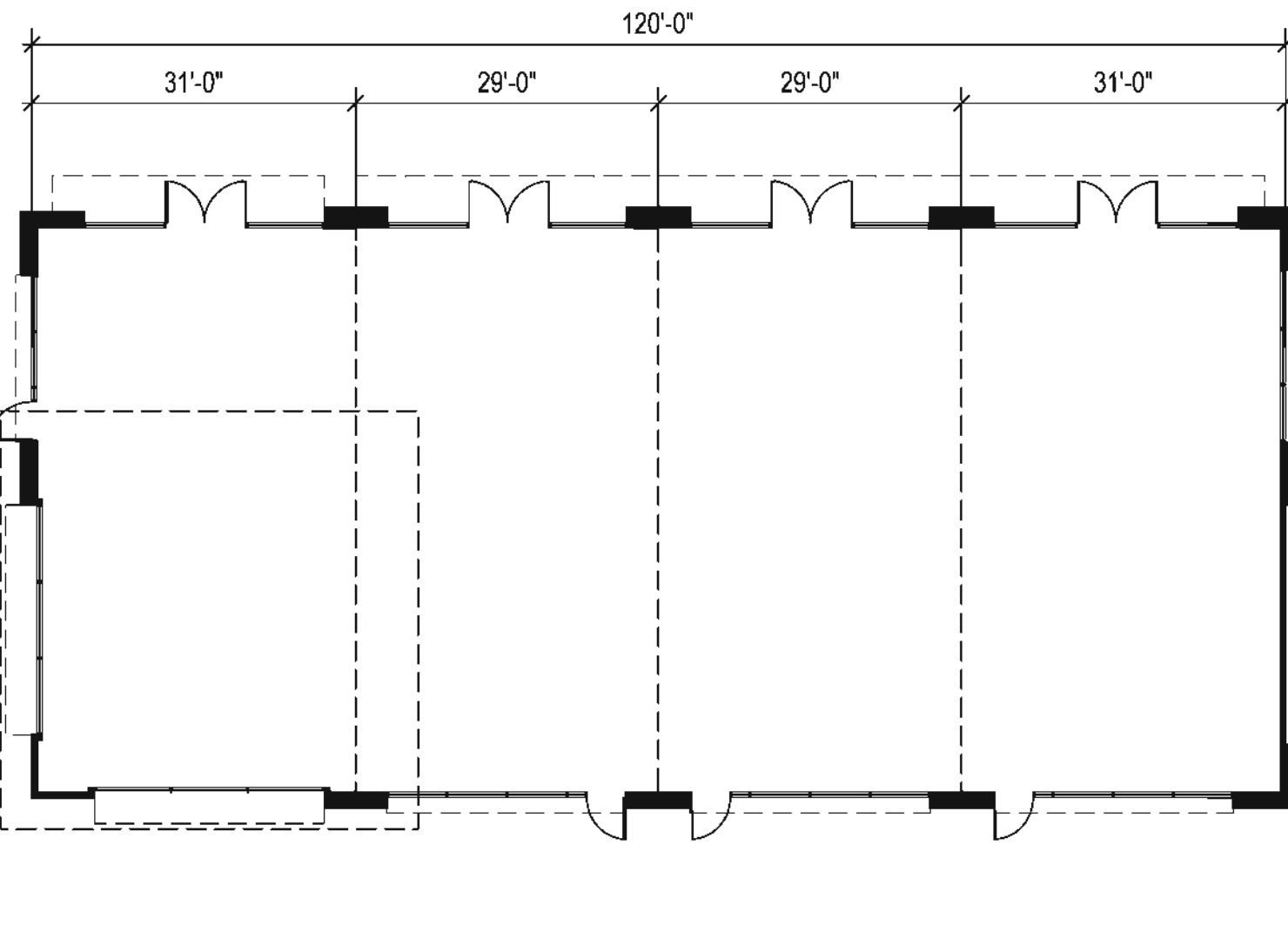
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FLOOR PLAN-PAD 3 (4,500 SF)

1/16"

4



FLOOR PLAN-PAD 2 (6,600 SF)

1/16"

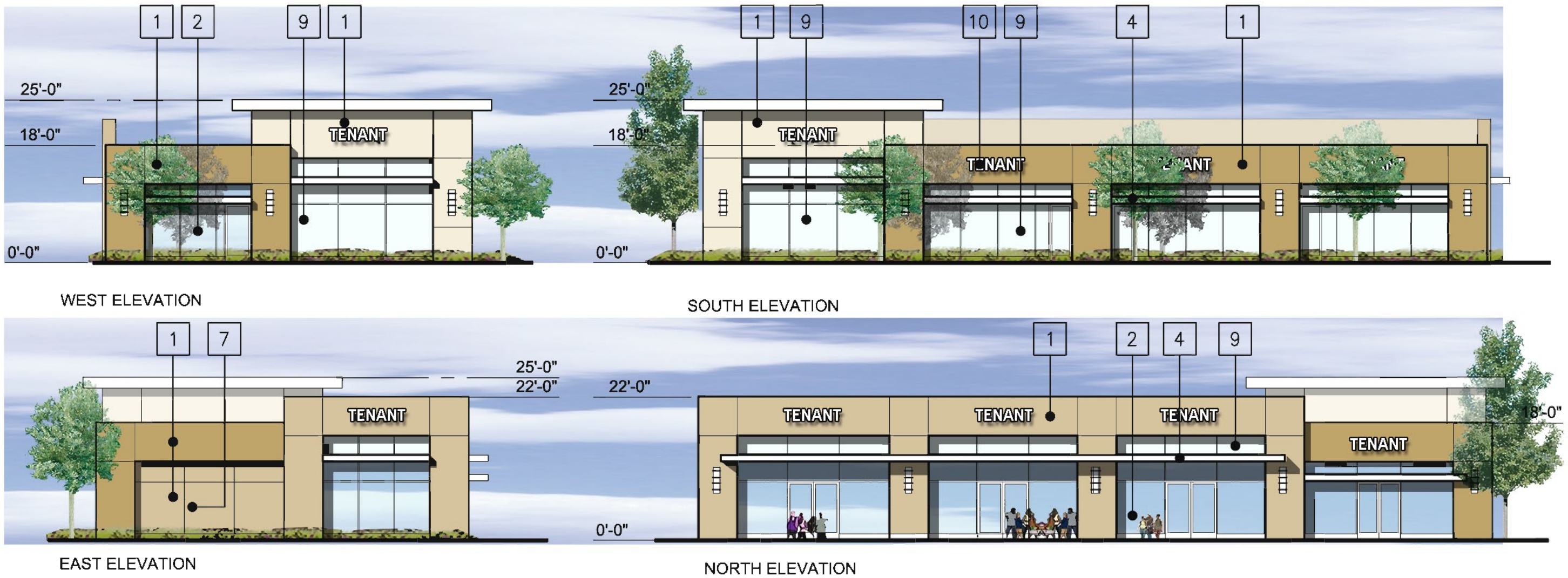
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BUILDING ELEVATIONS-PAD 3

1/16"

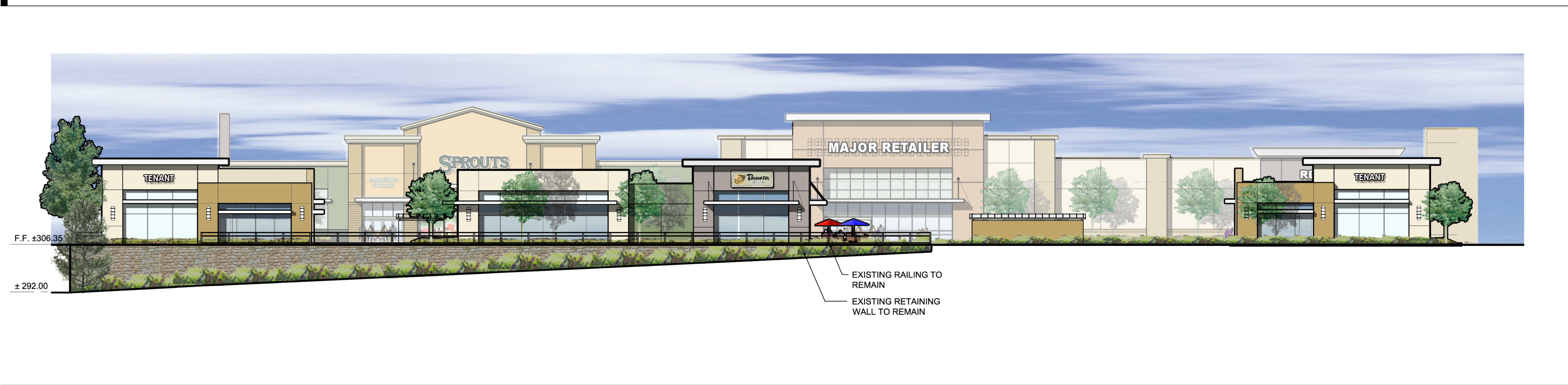
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BUILDING ELEVATIONS-PAD 2

1/16"

5



WEST ELEVATION 1/16" 1



NORTH ELEVATION 1/16" 2

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KEYMAP

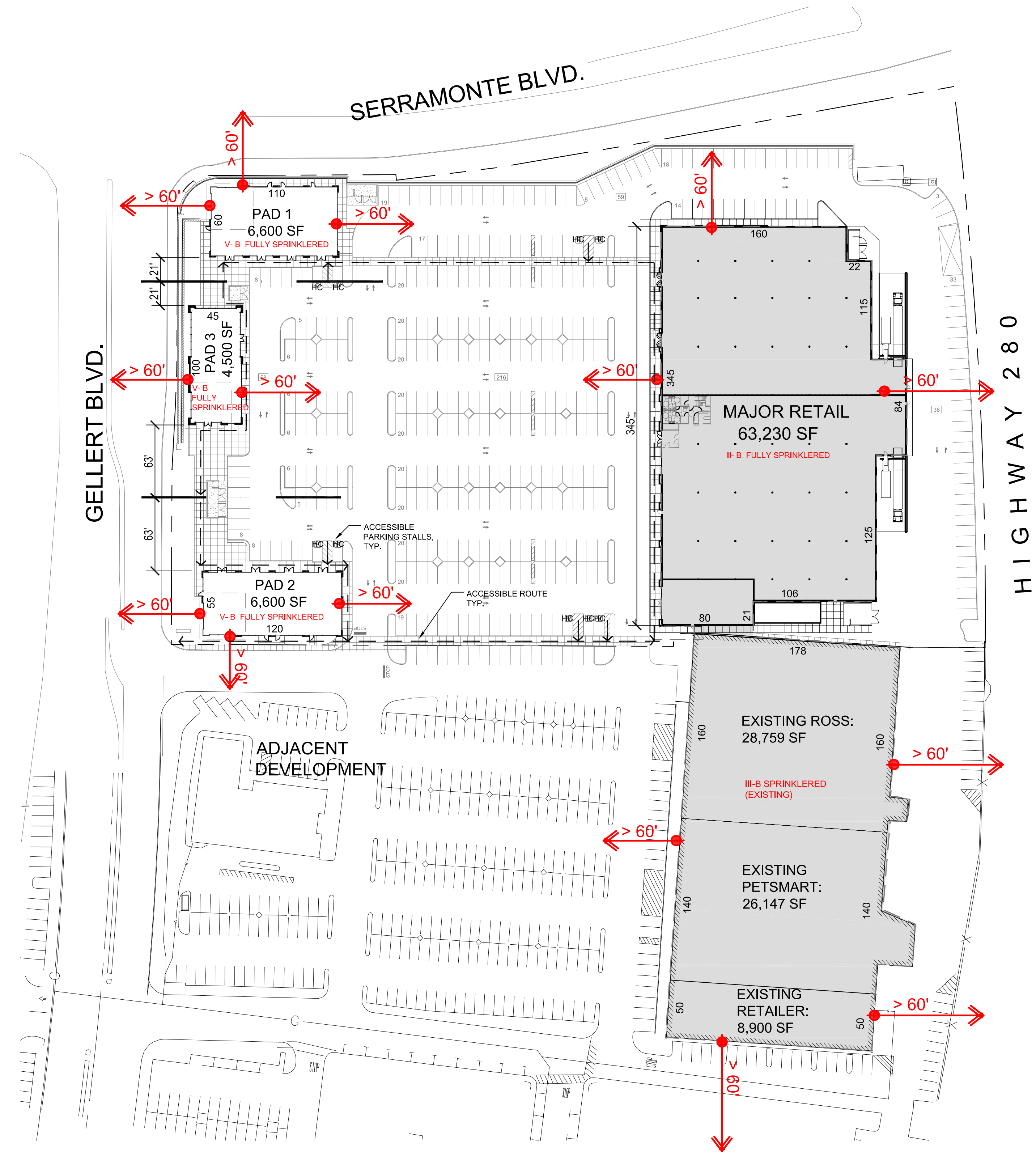
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ELEVATIONS WITH RETAINING WALL

A 5

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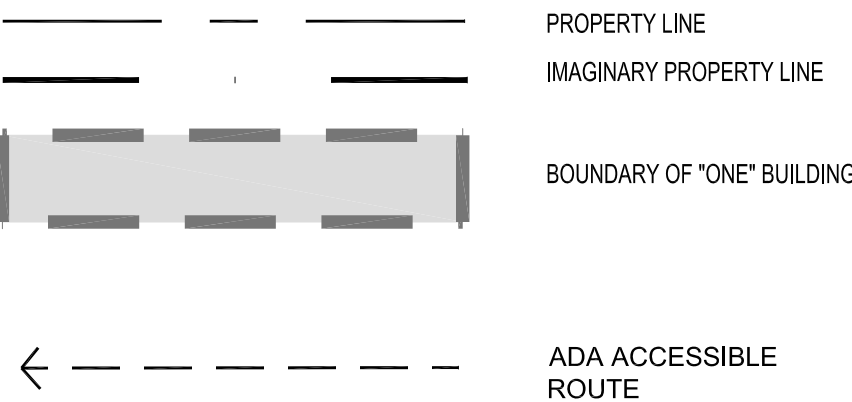


SITE DIAGRAM AND ACCESSIBILITY PLAN

60'

1

LEGEND



BUILDING LIMITATIONS

PAD #1: 6,600 SF			PAD #2: 6,600 SF			PAD #3: 4,500 SF		
Occupancy Group:	A-2 (Restaurants) M (Mercantile)	Sec. 304	Occupancy Group:	A-2 (Restaurants) M (Mercantile)	Sec. 304	Occupancy Group:	A-2 (Restaurants)	Sec. 304
Construction Type:	Type V-B	Table 503	Construction Type:	Type V-B	Table 503	Construction Type:	Type V-B	Table 503
Allowable No. of Stories:	1 story	Table 503	Allowable No. of Stories:	1 story	Table 503	Allowable No. of Stories:	1 story	Table 503
Stories Proposed:	1 story		Stories Proposed:	1 story		Stories Proposed:	1 story	
Allowable Height:	40 ft.	Table 503	Allowable Height:	40 ft.	Table 503	Allowable Height:	40 ft.	Table 503
Total Building Height:	25'-0"		Total Building Height:	25'-0"		Total Building Height:	25'-0"	
Sprinkler System:	Yes	Sec. 903	Sprinkler System:	Yes	Sec. 903	Sprinkler System:	Yes	Sec. 903
Allowable Area Calculations:	Section 503		Allowable Area Calculations:	Section 503		Allowable Area Calculations:	Section 503	
Allowable area per story (A-Z' occupancy, as most restrictive): 6,000 SF			Allowable area per story (A-Z' occupancy, as most restrictive): 6,000 SF			Allowable area per story:		
Allowable area increase			Allowable area increase			Actual Building Area:		
$A_a = \{A_1 + \{A_1 \times I_1\} + \{A_1 \times I_2\}\}$			$A_a = \{A_1 + \{A_1 \times I_1\} + \{A_1 \times I_2\}\}$			$A_a = \{A_1 + \{A_1 \times I_1\} + \{A_1 \times I_2\}\}$		
$I_1 = \{FIP - 0.25\} W/30 \quad FIP=340/340=1$			$I_1 = \{FIP - 0.25\} W/30 \quad FIP=350/350=1$			$I_1 = \{FIP - 0.25\} W/30 \quad FIP=350/350=1$		
$I_2 = \{1 - 0.25\} 30/30 = 0.75$			$I_2 = \{1 - 0.25\} 30/30 = 0.75$			$I_2 = \{1 - 0.25\} 60/30 = 1.5$		
$I_3 = 3$ for buildings with no more than 1 story above grade			$I_3 = 3$ for buildings with no more than 1 story above grade			$I_3 = 3$ for buildings with no more than 1 story above grade		
$A_a = \{6,000 + \{6,000 \times 0.75\} + \{6,000 \times 3\}\}$			$A_a = \{6,000 + \{6,000 \times 0.75\} + \{6,000 \times 3\}\}$			$A_a = \{6,000 + \{6,000 \times 1.5\} + \{6,000 \times 3\}\}$		
Total adjust allowable area:	28,500 SF		Total adjust allowable area:	33,000 SF				
Actual Building Area:	6,600 SF		Actual Building Area:	6,600 SF				

MAJOR NEW RETAIL AND EXISTING ROSS/PETSMART RETAIL: 127,036 SF

ALLOWABLE BUILDING AREA: UNLIMITED

PER CBC SEC.507.3, 507.3.1, 507.4

* THE AREA OF GROUP B OR M BUILDING NO MORE THEN TWO STORY ABOVE GRADE SHALL NOT BE LIMITED WHEN THE BUILDING IS PROVIDED WITH AN AUTOMATIC SPRINKLER SYSTEM THOUGHOUT..AND IS SURROUNDED AND ADJOINED BY PUBLIC WAYS OR YARDS NOT LESS THEN 60 FEET.*

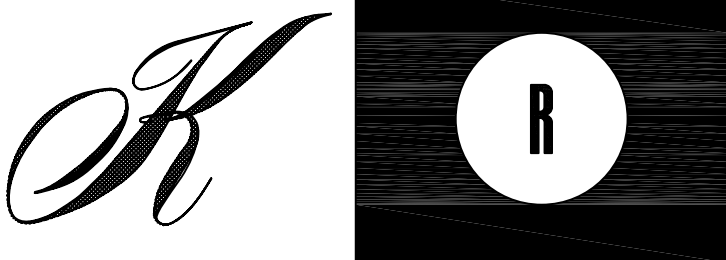
* GROUP A-2 OCCUPANCIES OF OTHER THEN TYPE V CONSTRUCTION SHALL BE PERMITTED WITHIN MIXED OCCUPANCY BUILDINGS OF UNLIMITED AREA..."

FIRE RESISTIVE REQUIREMENTS

TYPE V-B			TYPE II-B - NONCOMBUSTIBLE		
Sec. 602.2			Sec. 602.2		
Building Elements:			Building Elements:		
Structural frame	=	0 hr.	Structural frame	=	0 hr.
Roof construction including supporting beams and joists	=	0 hr.	Roof construction including supporting beams and joists	=	0 hr.
Interior bearing walls	=	0 hr.	Interior bearing walls	=	0 hr.
Interior non-bearing walls	=	0 hr.	Interior non-bearing walls	=	0 hr.
Openings in exterior walls	Unprotected	Sec.705.8	Openings in exterior walls	Unprotected	Sec.705.8
Exterior Walls:	M, A-2, B	Non rated beyond 10 feet	Exterior Walls:	M, A-2, B	Non rated beyond 10 feet
	M, A-2, B	1 hr rated beyond 5 feet but less then 10'		M, A-2, B	1 hr rated beyond 5 feet but less then 10'
	M, A-2, B	2 hr rated less then 5 feet		M, A-2, B	2 hr rated less then 5 feet

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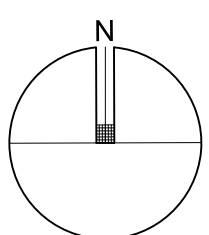
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KEYMAP

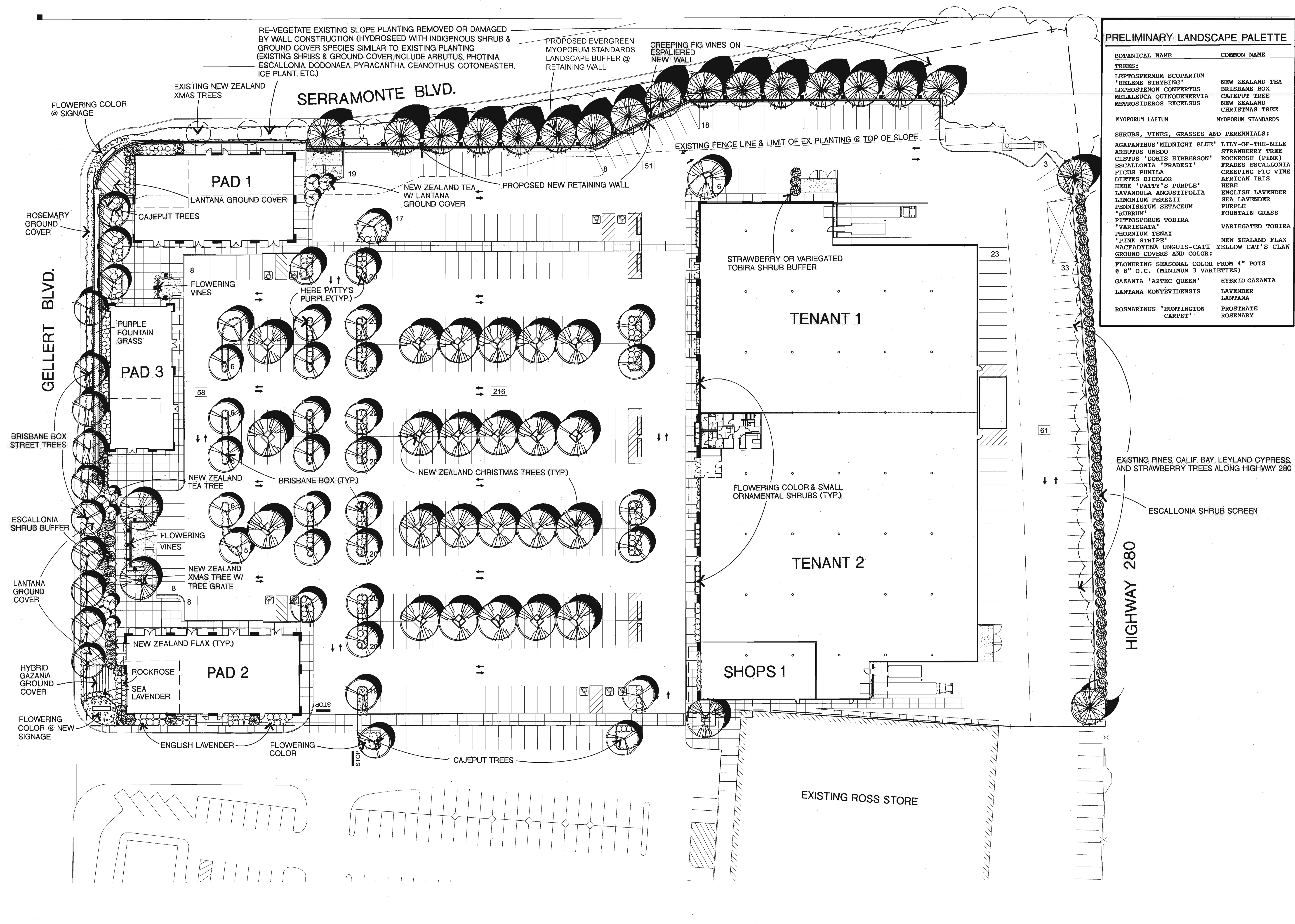
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CODE ANALYSIS



A6



PRELIMINARY LANDSCAPE PALETTE

BOTANICAL NAME	COMMON NAME
TREES:	
LEPTOSPERMUM SCOPARIUM	NEW ZEALAND TEA
'HELENE STYRING'	BRISBANE BOX
LOPHOSTEMON CONFERTUS	CAJEPUT TREE
MELALEUCA QUINQUENERVIA	NEW ZEALAND
METROSIDEROS EXCELSUS	CHRISTMAS TREE
MYOPORUM LAETUM	MYOPORUM STANDARDS
SHRUBS, VINES, GRASSES AND PERENNIALS:	
AGAPANTHUS 'MIDNIGHT BLUE'	LILY-OF-THE-NILE
ARBUTUS UNEDO	STRAWBERRY TREE
CISTUS 'DORIS HIBBERSON'	ROCKROSE (PINK)
ESCALLONIA 'FRADESI'	FRADES ESCALLONIA
FICUS PUMILA	CREeping FIG VINE
DIETES BICOLOR	AFRICAN IRIS
HEBE 'PATTY'S PURPLE'	HEBE
LAVANDULA ANGUSTIFOLIA	ENGLISH LAVENDER
LIMONIUM PEREZII	SEA LAVENDER
PERNISSETUM SETACEUM	PURPLE
'RUBRUM'	FOUNTAIN GRASS
PITTOSPORUM TOBIRA	VARIEGATED TOBIRA
'VARIEGATA'	
PHORMIUM TENAX	NEW ZEALAND FLAX
'PINK STRIPE'	YELLOW CAT'S CLAW
MACPODYENA UNGUIS-CATI	
GROUND COVERS AND COLOR:	
FLOWERING SEASONAL COLOR FROM 4" POTS @ 8" O.C. (MINIMUM 3 VARIETIES)	
GAZANIA 'AZTEC QUEEN'	HYBRID GAZANIA
LANTANA MONTEVIDENSIS	LAVENDER
	LANTANA
ROSMARINUS 'HUNTINGTON CARPET'	PROSTRATE ROSEMARY

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DALY CITY, CALIFORNIA



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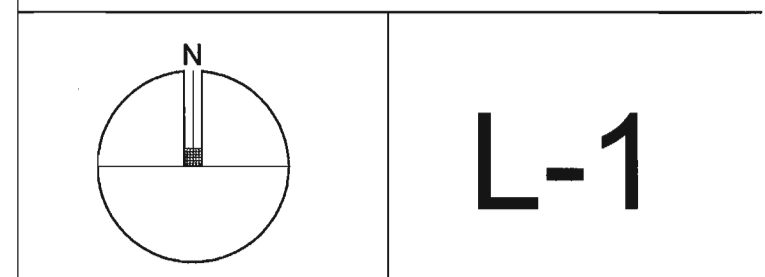
CONSULTANT
LAUDERBAUGH ASSOCIATES
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Mountain View, California 94043
(650) 691-9711 f.(650) 691-9713

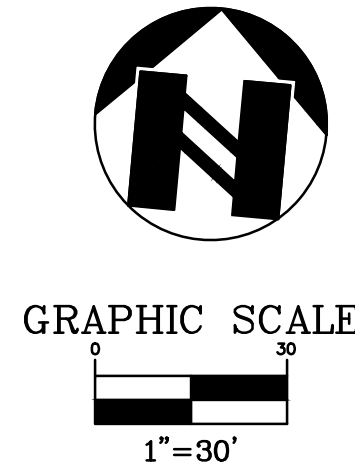
KEYMAP

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PROJECT NO. 125,049 DATE 3.08.13
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PRELIMINARY LANDSCAPE PLAN



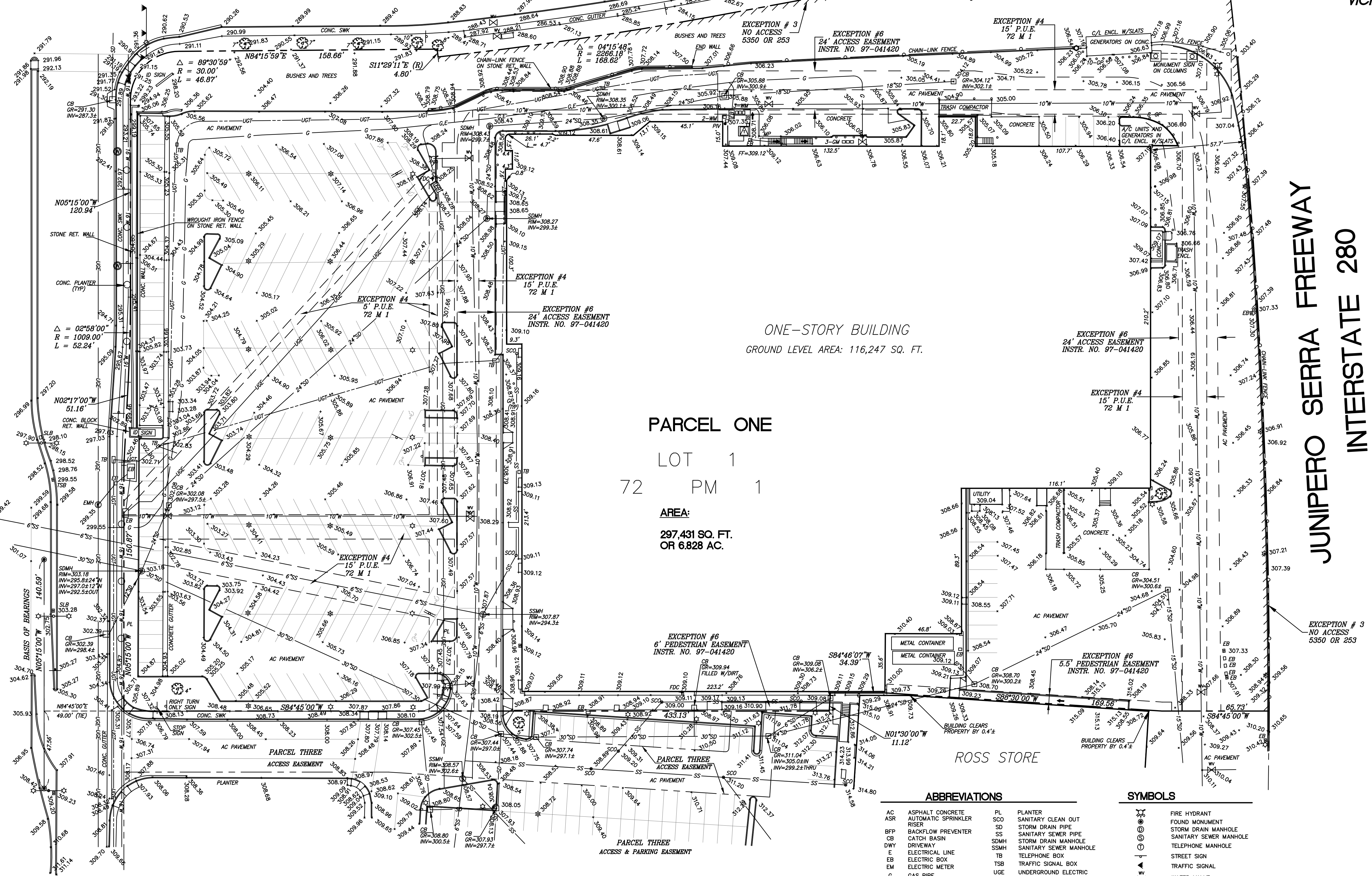


GELLERT BOULEVARD
(R/W VARIES)

SERRAMONTE BOULEVARD
(R/W VARIES)

VICINITY MAP
N. T. S.

JUNIPERO SERRA FREEWAY
INTERSTATE 280



PARCEL ONE

LOT 1
72 PM 1

AREA:
297,431 SQ. FT.
OR 6.828 AC.

ONE-STORY BUILDING
GROUND LEVEL AREA: 116,247 SQ. FT.

ROSS STORE

ABBREVIATIONS

AC	ASPHALT CONCRETE	PL	PLANTER
ASR	AUTOMATIC SPRINKLER	SCO	SANITARY CLEAN OUT
BFP	BACKFLOW PREVENTER	SD	STORM DRAIN PIPE
CB	CATCH BASIN	SS	SANITARY SEWER PIPE
DWY	DRIVEWAY	SDMH	STORM DRAIN MANHOLE
E	ELECTRIC LINE	SSMH	SANITARY SEWER MANHOLE
EB	ELECTRIC BOX	TB	TELEPHONE BOX
EM	ELECTRIC METER	TSB	TRAFFIC SIGNAL BOX
G	GAS PIPE	UGE	UNDERGROUND ELECTRIC
GM	GAS METER	UCT	UNDERGROUND TELEPHONE
GR	GRATE	W	WATER PIPE
HCR	HANDICAP RAMP	WM	WATER METER
INV	INVERT	12"	TREE W/ SIZE
MC	METAL COVER		

SYMBOLS

	FIRE HYDRANT
	FOUND MONUMENT
	STORM DRAIN MANHOLE
	SANITARY SEWER MANHOLE
	TELEPHONE MANHOLE
	STREET SIGN
	TRAFFIC SIGNAL
	WATER VALVE
	YARD LIGHT
	ELECTRIC TRANSFORMER
	SURVEYED PROPERTY LINE
	PARCEL LINE
	EASEMENT LINE
	NO ACCESS

A. L. T. A. SURVEY
DALY CITY PARTNERS I
301 SERRAMONTE PLAZA
SAN MATEO COUNTY CALIFORNIA

ams
85 MORAGA WAY
SUITE 200
ORINDA, CA 94563
925-253-2777 FAX 925-253-2778
associates, inc. PLANNING ENGINEERING SURVEYING

DATE:	4/02/12	REV #	BY	DATE	DESCRIPTION
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DRAWN:	PMA				
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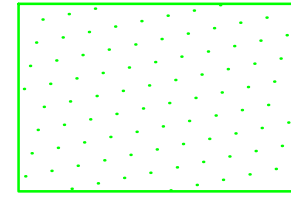
SHEET 2
OF 2
PROJECT 12-2123

GELLERT BOULEVARD
(R/W VARIES)

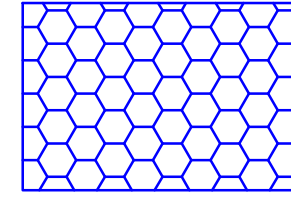


GRAPHIC SCALE
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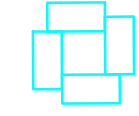
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BIOSWALE/BIORETENTION AREA

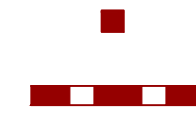


PERVIOUS PAVER



FLO GARD PLUS CATCH
BASIN FILTER (DEVICE ID KS-1)

DRAINAGE AREA



PROPOSED CATCH BASIN (TYP.)
PROPOSED STORM DRAIN PIPE (TYP.)

SERRAMONTE BOULEVARD
(R/W VARIES)

AREA VI
37,213.53 SF

BIORETENTION #7
225 SF

BIORETENTION #6
1,500 SF

AREA VIII
41,235.35 SF

AREA IV
18,021.37 SF

AREA III
18,048.17 SF

AREA II
18,030.60 SF

AREA I
28,875.60 SF

AREA V
46,054.70 SF

PERVIOUS PAVERS#4
3,078 SF

PERVIOUS PAVERS#3
3,078 SF

PERVIOUS PAVERS#2
3,078 SF

PERVIOUS PAVERS#1
5,130 SF

PERVIOUS PAVER #5
7,316 SF

BIORETENTION #8
1,905 SF

JUNIPERO SERRA FREEWAY
INTERSTATE 280

PERVIOUS PAVER #9
2,413.07 SF

SHEET

EXHIBIT A

OF

PROJECT

12-2123

STORMWATER CONTROL PLAN

DALY CITY PARTNERS I

301 SERRAMONTE PLAZA

DALY CITY SAN MATEO COUNTY CALIFORNIA

ams

85 MORAGA WAY
SUITE 200
ORINDA, CA 94563
925-253-2777 FAX 925-253-2778

associates, inc. PLANNING ENGINEERING SURVEYING

DESCRIPTION

DATE

REV #

BY

DATE

SCALE

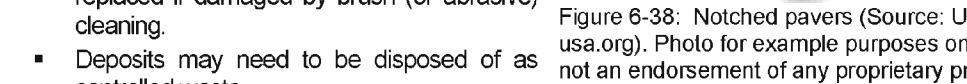
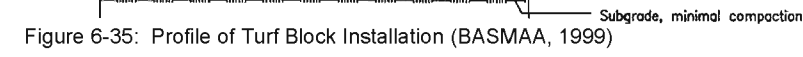
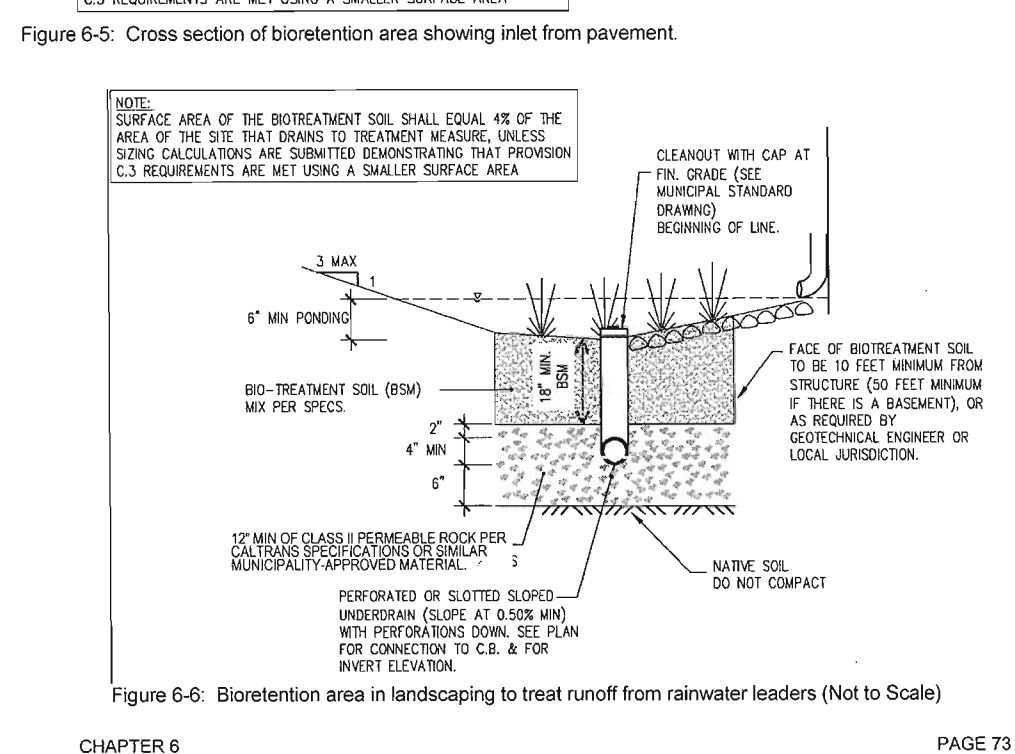
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FILE PATH:



Testing Agency	% TSS Removal	% Oil and Grease Removal	% PAH Removal
UCLA	80	70 to 80	
U of Auckland Tonking & Taylor Ltd. (for city of Auckland)	78 to 95		
U of Hawaii (for city of Honolulu)	80		20 to 40

FEATURES

- Easy to install, inspect and maintain
- Can be retrofitted to existing drain catch basins – or used in new projects
- Economical and efficient
- Catches pollutants where they are easiest to catch (at the inlet)
- No standing water – minimizes vector, bacteria and odor problems
- Can be incorporated as part of a "Treatment Train"

- Lower installation, inspection and maintenance costs
- Versatile installation applications
- Higher return on investment
- Allows for installation on small and confined sites
- Minimizes vector, bacteria and odor problems
- Allows user to target specific pollutants

DATE:	03-05-13	REV #	BY	DATE	DESCRIPTION
SCALE	N.T.S.	△			
DESIGNED:	AS	△			
DRAWN:	SJ	△			
CHECKED:	AS	△			
PROJ. MGR:	AS	△			
FILE PATH:					

ams
associates, inc. PLANNING ENGINEERING SURVEYING

85 MORAGA WAY
SUITE 200
ORINDA, CA 94563
925-253-2777 FAX 925-253-2778

STORMWATER CONTROL PLAN

DALY CITY PARTNERS I

301 SERRAMONTE PLAZA
DALY CITY SAN MATEO COUNTY CALIFORNIA

SHEET
EXHIBIT B
OF
PROJECT
12-2123

TABLE 1: TREATMENT AREA SIZING SUMMARY

DRAINAGE ZONE DESIGNATION NO.	IMPERVIOUS AREA TREATED (SF)	BIOSWALE/BIORETENTION REQUIRED (4% OF IMPERVIOUS AREA SF)	BIOSWALE/ BIORETENTION PROVIDED (SF)	BIOSWALE/ BIORETENTION NO.	PERVIOUS PAVING REQUIRED (SF)	PERVIOUS PAVING PROVIDED (SF)	PERVIOUS PAVER NO.
I	28,875.60				4,511.82	5,130	1
II	18,030.60				2,817.28	3,078	2
III	18,048.17				2,820.03	3,078	3
IV	18,021.37				2,815.85	3,078	4
V	46,054.70				7,196.05	7,316	5
VI	37,213.53	1,488.54	1,866	6, 7			
VII	62,893.54	1,905	1,905	8	2,385.70	2,413.07	9

AREA VIII

AREA VIII IS APPROXIMATELY 41,235.35 SF OF EXISTING PARKING LOT THAT IS TO REMAIN. NO TREATMENT HAS BEEN PROVIDED FOR THIS PORTION OF IMPERVIOUS AREA.

PAINT COLOR SCHEDULE:

B. DEC708

SUNSET COVE

D. DE6134

SHORTBREAD

E. DE6110

WARM HEARTH

G. DE6113

ALPACA WOOL

H. DE6114

DRY DUNE

I. DE6108

ENGLISH SCONE

J. DE5269

YUCATAN

K. DE5268

SUNDOWN

L. RESTORATION HARDWARE

GRAPHITE

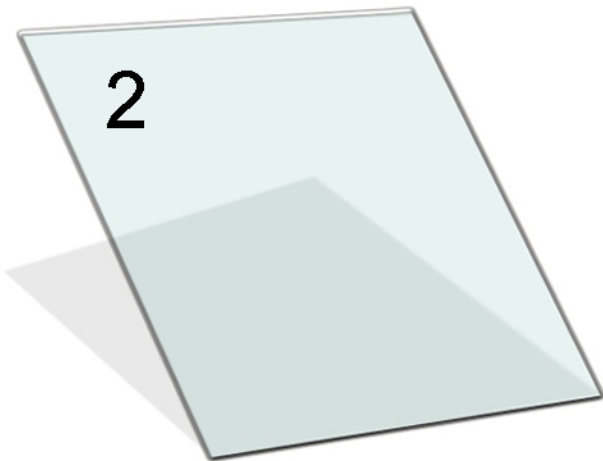
M. WHEAT PENNY

N. URBANE BRONZE

P. MESSENGER BAG

Q. QUIVER TAN

BY DUNN EDWARD



MATERIAL SCHEDULE

- 1

EXTERIOR CEMENT PLASTER SYSTEM
- LIGHT SAND TEXTURE, PAINTED.
COLOR: SEE COLOR SCHEDULE
- 2

CLEAR ANODIZED ALUMINUM
STOREFRONT SYSTEM WITH CLEAR
GLAZING
- 3

CLEARSTORY WINDOWS WITH
OPAQUE WHITE FILM
- 4

ALUMINUM CANOPY
- 5

CORRUGATED METAL PANELS
- 6

2" EXTRUDED ALUMINUM REVEALS BY
FRY REGLET OR EQUIVALENT
- 7

DECORATIVE LIGHT FIXTURE
- 8

CLEAR ANODIZED ALUMINUM
CURTAIN WALL FENESTRATION
SYSTEM W/ CLEAR GLAZING &
SPANDREL GLASS
- 9

KEYSTONE WALL
- 10

METAL GUARDRAILING

Gellert
MarketPlace

SPI HOLDINGS
DALY CITY, CALIFORNIA



KENNETH RODRIGUES & PARTNERS, INC.
445 North Whisman Road, Suite 200
Mountain View, CA 95095-0700

CONSULTANT

KEYMAP

REVISION

PROJECT NO. 125.049 DATE
DRAWN BY NB SCALE AS SHOWN
CHECKED BY

MATERIAL BOARD



HEXAGON TRANSPORTATION CONSULTANTS, INC.

Memorandum

Date: March 19, 2013
To: Jeannie Naughton, City of Daly City
From: Gary Black
Brett Walinski, P.E.
Subject: Trip Generation Analysis for Gellert Marketplace

Hexagon Transportation Consultants, Inc. has completed this trip generation analysis for the proposed Gellert Marketplace project located the southeast corner of the Serramonte Boulevard and Gellert Boulevard intersection in Daly City, California. The proposed project would include a main anchor building totaling 63,300 square feet of shopping center space, and three retail pads totaling 17,700 square feet. The main anchor building would include a 27,000 square-foot grocery store use. The pad uses would contain a mix of shopping center and restaurant uses. For this analysis, it was assumed that the restaurant uses would not exceed 20% of the total building area for the site. The project would replace an existing 124,400-square foot shopping center.

The magnitude of traffic added to the roadway system by a particular development is estimated by multiplying the applicable trip generation rates by the size of the development. The trip rates for the project uses were taken from the Institute of Transportation Engineers (ITE) publication, *Trip Generation, 8th Edition*. A comparison of the proposed land uses to the existing land uses are shown in Table 1.

Table 1
Trip Generation Comparison

Land Use	Size	ITE Code	Weekday PM Peak Hour				Saturday Midday Peak Hour			
			Rate	Total	In	Out	Rate	Total	In	Out
<u>Proposed Use</u>										
Shopping Center - Retail ¹	54.0 KSF	820	3.73	201	99	102	4.89	264	137	127
Shopping Center - Grocery Store ²	<u>27.0</u> KSF	820	9.80	<u>265</u>	<u>130</u>	<u>135</u>	13.55	<u>366</u>	<u>190</u>	<u>176</u>
Total	81.0 KSF			466	229	237		630	327	303
<u>Existing Use</u>										
Shopping Center-Retail ¹	124.4 KSF	820	3.73	464	227	237	4.89	608	316	292
Net Trips				2	2	0		22	11	11
¹ Rates Per ITE <i>Trip Generation</i> Manual, 8th Edition, 2008, average rates										
² Rates Per ITE <i>Trip Generation</i> Manual, 8th Edition, 2008, regression rates to reflect Grocery Store										

The proposed project would generate a total of 466 weekday PM peak hour trips and 630 Saturday midday peak hour trips. Relative to the existing uses, the proposed project would generate approximately 2 additional weekday PM peak hour trips and 22 additional Saturday midday peak hour trips. According to City staff, analysis of intersection impacts is not required because the project would generate few additional trips relative to the existing uses. If you have any questions, please do not hesitate to contact us.



City Council Agenda Report

Item # _____

Meeting Date: April 22, 2013

Subject: Award of Construction Contract for the Hickey Boulevard/Callan Boulevard Traffic Signal Modifications Project

Recommended Action

Staff recommends that the City Council accept all bids, waive minor irregularities, reject the bid protest submitted by W. Bradley Electric, Inc., and award a construction contract to Pacific Electric Contracting, Inc. of San Jose, California in the amount of \$160,892 for the subject project and authorize the City Manager to execute the contract. Staff further recommends that the City Council authorize the City Manager to award the contract to the second lowest responsible bidder, without further action by the Council, if Pacific Electric Contracting fails to execute the contract within the time limits specified in the bid documents.

Background

The State of California Highway Safety Improvement Program (HSIP) provides federal funding to implement safety improvements needed to reduce the number and severity of accidents on public roads. Typical projects include: intersection improvements; pavement and shoulder widening; modifications of roadway alignment, signing, pavement markings and delineation; and minor structure replacements or modifications. Projects may qualify for HSIP funding based on a calculated Benefit/Cost (B/C) Ratio. The B/C ratio is calculated based on the project area's accident history, severity of the accidents, accident reduction factor as provided by Caltrans for the type of improvement proposed and the total cost of the proposed project.

The signal modifications project was amended into the Federal Transportation Improvement Program, on July 13, 2011. The grant is subject to timely use of funds per the grant policies, requiring the City to:

- Request Construction Authorization to Proceed with Construction within 30 months; and
- Complete construction and close out the project within 4½ years.

In January 2012, City Council accepted and appropriated \$252,000 in HSIP grant funds, with a \$28,000 local match, for design and construction of safety improvements to the traffic signal at the Hickey Boulevard/Callan Boulevard intersection. The City has received the Authorization to Proceed with Construction documentation.

The construction bid documents include a Base Bid and one Add Alternate. The Base Bid includes modification of the existing traffic signal at the Hickey Boulevard/Callan Boulevard intersection to add new protected northbound and southbound left-turn phases, removal of the existing median mounted poles, installation of new traffic signal poles and mast arms, and upgrade of the sidewalk access ramps to current standards. Add Alternate 1 includes the installation of a new thermal video detection system for the signal.

Discussion

Six (6) bids were received on March 12, 2013 with total bids ranging from \$160,892 to \$221,475. The lowest three bids and the Engineer's Estimate are summarized as follows:

**Award of Construction Contract for the
Hickey Boulevard/Callan Boulevard
Traffic Signal Modification Project
Meeting Date: April 22, 2013
Page 2 of 3**

Bidder	Total Bid (Base bid & Alt.)	Comments
1. Pacific Electric Contracting, Inc.	\$160,892	Responsive Bid
2. Columbia Electric, Inc.	\$161,016	Responsive Bid
3. W. Bradley Electric, Inc.	\$178,000	Responsive Bid
Engineer's Estimate	\$213,400	

Pacific Electric Contracting, Inc. of San Jose, California, has been in business since 1977. This bidder holds the required Class A and C10 contractor's licenses which are current and in good standing. The bidder's references for work performed for other public agencies are acceptable, including the Cities of San Jose and Redwood City. Based on Public Works staff evaluation, this bidder is a Disadvantaged Business Enterprise (DBE) and therefore met the DBE goal.

Columbia Electric, Inc. of San Leandro, California, has been in business since 1999. This bidder holds the required Class A and C10 contractor's licenses, which are current and in good standing. The bidder's references for work performed for other public agencies are acceptable, including the Cities of Sunnyvale and Dublin. Based on Public Works staff evaluation, this bidder met DBE goal and demonstrated adequate good faith efforts to find and use DBEs.

W. Bradley Electric, Inc. of Novato, California has been in business since 1979. This bidder holds the required Class A and C10 contractor's licenses, which are current and in good standing.

On March 13, 2013, W. Bradley Electric, Inc. submitted a formal bid award protest for the project, copy attached. The basis for W. Bradley Electric's protest is that bidders Pacific Electric Contracting and Columbia Electric failed to meet the requirements of Section 12 BID FORMS as outlined in the "Proposal Requirements and Instructions to Bidders" which states that "this entire bound 'book' of Contract Documents must be furnished to be a valid bid."

Staff reviewed the proposal, special provisions, and contract documents for the project, the bid documents for Pacific Electric Contracting and Columbia Electric, as well as relevant state law. A bid must conform to the material terms of the bid package. *Menafee v. County of Fresno*, 163 Cal. App. 3d 1175, 210 Cal. Rptr. 99 (1985).

Section 12 of the City's "Proposal Requirements and Instructions to Bidder" requires that all of the listed Bid Forms be completed and signed and sealed and submitted with the Bid Proposal. The intent of the City's requirement to return the "entire bound book" is to ensure all of the listed and required Bid Forms be completed, signed and sealed and submitted with each bid proposal and failure to include all the required documents in the format of a Bid Book is immaterial to the City's intent, so long as all of the required Bid Forms are submitted with the Bid Proposal. Both Pacific Electric Contracting and Columbia Electric submitted all of the required Bid Forms listed in their Bid Proposals.

**Award of Construction Contract for the
Hickey Boulevard/Callan Boulevard
Traffic Signal Modification Project
Meeting Date: April 22, 2013
Page 3 of 3**

The City Attorney's Office sent a response to W. Bradley Electric's protest on April 2, 2013, rejecting their bid protest based on the reasons stated above. Copy of this response is attached.

In the opinion of Public Works staff, the failure to return the entire "bound book" of project plans and specifications should be considered a "trivial defect or omission" in the bid, which is within the City Council's discretion to waive. In fact, none of the bidders strictly complied with the requirement to return the "entire" bound plan and specification book, not even W. Bradley Electric, although W. Bradley Electric did return a portion of the bound book. If the City Council felt strongly that this minor error/omission shouldn't be waived, then the Public Works staff recommendation would be to reject all bids and rebid the project without the requirement to return the bound book.

If the project is awarded as recommended, construction is anticipated to commence in June 2013 and be completed in September 2013.

Fiscal Impact

The construction cost estimate for the Base Bid (traffic signal modifications) and Add Alternate 1 (video detection system) is \$193,070, including ten percent (10%) contingency and a ten percent (10%) construction inspection and contract administration cost. Approximately ninety percent (90%) of the total construction contract and approximately thirty-five percent (35%) of the construction inspection cost will be reimbursed by the Highway Safety Improvement (HSIP) grant awarded to the City. The City's local match requirement for project implementation is approximately \$28,156. Adequate funds are approved and available in FY 2012-13 Gas Tax Capital Improvement Project Account 17-312-643.

Summary/Conclusion

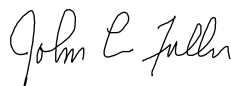
Staff recommends that the City Council accept all bids, waive minor irregularities, and award a construction contract to Pacific Electric Contracting, Inc. of San Jose, California, in the amount of \$160,892, for the subject project and authorize the City Manager to execute the contract.

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,



Shirley Chan
Traffic Engineer



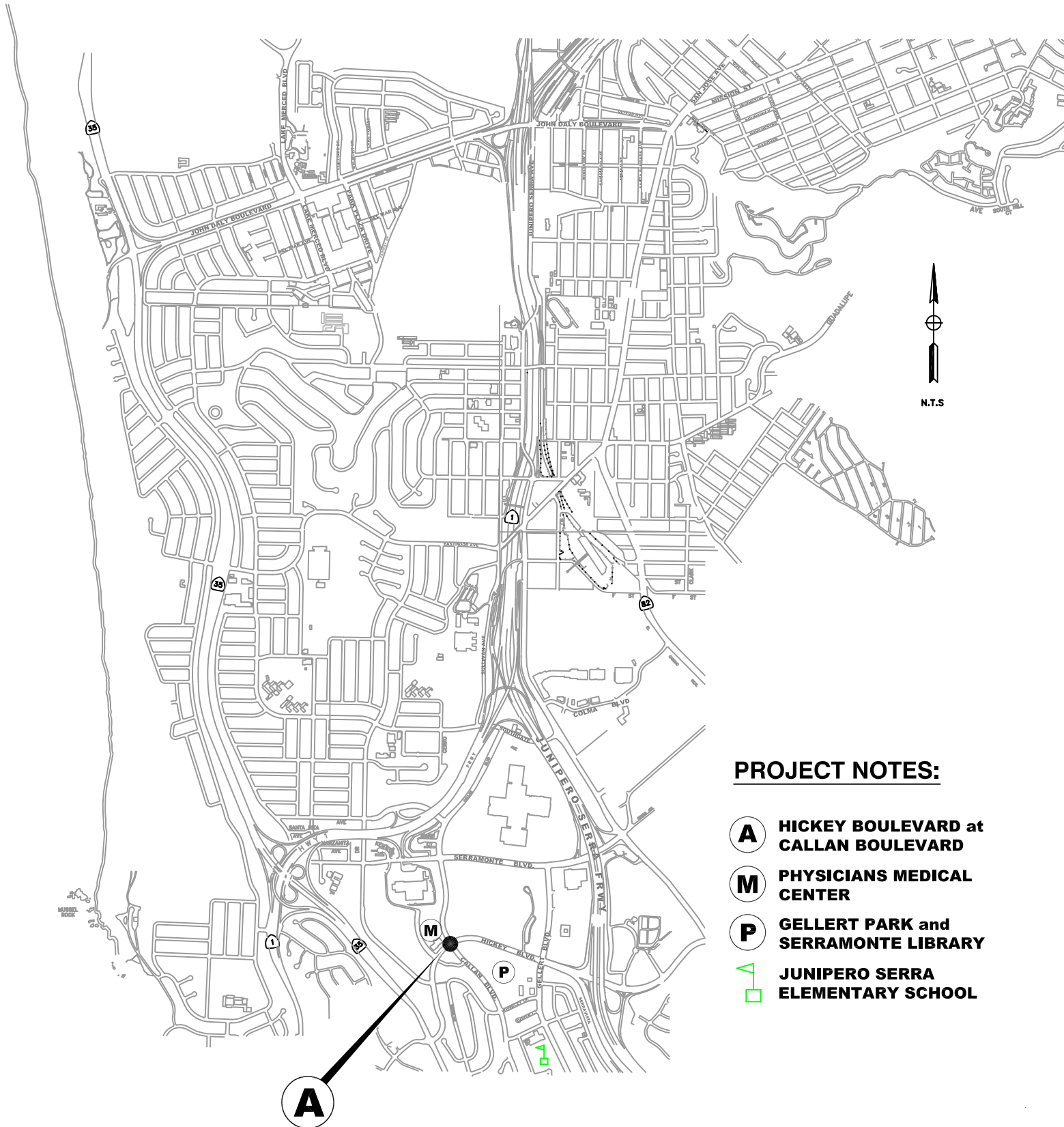
John L. Fuller
Director of Public Works

Attachments: Project Location Map
Bid Award Protest 03/13/13 – W. Bradley Electric, Inc.
City Attorney's Response to Bid Award Protest 04/02/13

HIGHWAY SAFETY IMPROVEMENT PROGRAM

CITY OF DALY CITY

PROJECT LOCATION MAP



PROJECT NOTES:

- A** HICKEY BOULEVARD at CALLAN BOULEVARD
- M** PHYSICIANS MEDICAL CENTER
- P** GELLERT PARK and SERRAMONTE LIBRARY
-  JUNIPERO SERRA ELEMENTARY SCHOOL



*Electrical • Telcom • Security • Network
Audio Visual • Traffic Signal*

March 13, 2013

City of Daly City
333 -90th Street
Daly City, Ca. 94015

Att: Shirley Chan
Project Engineer

Reference: Hickey Blvd. / Callan Blvd
Traffic Signal Modification
City of Daly City
Bid Date 3/12/13

Subject: Bid Protest

Dear: Ms. Chan,

It has come to my attention that the first apparent low bidder, Pacific Electric Contractors and the second apparent low bidder, Columbia Electric has failed to meet the requirements of Section 12 BID FORMS as outlined in the "Proposal Requirements and Instructions to Bidders." Both bidders have failed to submit the entire bound "BOOK" of the contract documents. Per this section the entire bound book must be submitted to be a valid bid.

W. Bradley Electric has followed the Proposal Requirements and Instructions to Bidders and has submitted the entire bound "BOOK" as required.

We respectfully request that City of Daly City find the bids received from Pacific Electric Construction and Columbia Electric as not valid and non-responsive do to the fact that they failed to meet the bid proposal requirements.

Based on the above, we request that the City find the bid submitted by W. Bradley Electric as now the lowest qualified responsive bidder.

Respectfully,

Rick Brumm
Chief Estimator

federally funded projects, provisions of Public Contract Code Section 20103.5 shall apply.

9. **BIDDER'S PRINTS**

Any plans or drawings accompanying the specifications may be retained by the bidder and need not be submitted with the bid proposal.

10. **BIDDER'S REFERENCE**

The bidder shall furnish with the bid proposal, his/her references indicating the financial responsibility of the bidder and prior experience and ability of the bidder in completing similar work in a timely and cooperative manner at the least cost.

The bidder shall also furnish with his/her bid proposal a list of projects of a similar nature which the bidder has completed indicating the qualifications and abilities of the bidder.

11. **DESIGNATION OF CONTRACTOR/SUBCONTRACTOR ACTIVITY**

The bidder shall furnish, with the Bid Proposal, a list of bidder's proposed subcontractors, Manufacturers, and Suppliers on the form provided for that purpose herein.

12. **BID FORMS**

 This entire bound "book" of Contract Documents must be furnished to be a valid bid. The Bid Proposal to the City must include the following documents that are included herein, all completed, signed and sealed as indicated. 

- Proposal
- Bid Bond
- Affirmative Action Questionnaire (when required)
- Disadvantaged Business Enterprise Clause (when required)
- Statement of Work Force Needs (when required)
- Bidder Qualifications Form
- Designation of Contractor/Subcontractor Activity
- Noncollusion Affidavit
- Certification for Contracts, Grants, Loans, and Cooperative Agreements (when required)
- Amendments to the Bid Documents (when issued by City)
- All other forms included in this "book" of Contract Documents, including Federal Certifications included under Part 1-B

The Bid Proposal must be submitted on the documents included herein, with original signatures affixed where applicable. Bids either should be hand delivered or delivered,



CITY OF DALY CITY

333-90TH STREET

DALY CITY, CA 94015-1895

PHONE: (650) 991-8000

April 2, 2013

Rick Brumm
Chief Estimator
W. Bradley Electric, Inc.
90 Hill Road
Novato, CA 94945

RE: Bid Award Protest for Hickey Boulevard/Callan Boulevard Traffic Signal
Modification, City of Daly City

Dear Mr. Brumm:

This letter is in response to your March 13, 2013 formal bid award protest for the above-referenced project in the City of Daly City. The basis for your bid award protest is that Pacific Electric Contracting and Columbia Electric failed to meet the requirements of Section 12 BID FORMS as outlined in the "Proposal Requirements and Instructions to Bidders." Specifically, your bid protest states that both bidders have failed to submit the entire bound "Book" of the contract documents.

City staff has reviewed the proposal, special provisions, and contract documents for the above-referenced project, the bid documents for Pacific Electric Contracting and Columbia Electric, as well as relevant state law.

A bid must conform to the material terms of the bid package. *Menafee v. County of Fresno*, 163 Cal. App. 3d 1175, 210 Cal. Rptr. 99 (1985).

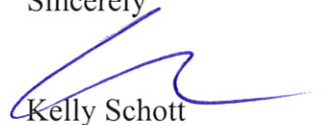
Section 12 of the City's "Proposal Requirements and Instructions to Bidders" requires that all of the listed Bid Forms be completed and signed and sealed and submitted with the Bid Proposal. Failure to include all of the required documents in the format of a Bid Book is immaterial, so long as all of the required Bid Forms are submitted with the Bid Proposal. Both Pacific Electric Contracting and Columbia Electric submitted all of the required Bid Forms listed in their Bid Proposals. The intent of the City's requirement is to ensure all of the listed required Bid Forms are completed, signed and sealed and submitted with each bid proposal. Therefore, the City deems both

Rick Brumm
W. Bradley Electric, Inc.
April 2, 2013
Page Two

Pacific Electric Contracting and Columbia Electric Bid Proposals as conforming to the material terms of the bid package.

Based on the reasons stated above, staff will reject the bid protest and recommend award to the lowest responsible bidder to the City Council. Your protest is acknowledged and will be reported to the City Council. The award of this bid will be on April 22, 2013. The City will send you the agenda and supporting materials once they are available.

Sincerely



Kelly Schott
Assistant City Attorney

cc: Public Works Director
Traffic Engineer

ORDINANCE NO. 1368

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF DALY CITY AMENDING SECTION 10.23.150 OF
THE MUNICIPAL CODE RE: PARKING OF OVERSIZED VEHICLES

The City Council of the City of Daly City, DOES ORDAIN as follows:

SECTION 1. Section 10.32.150 of the Municipal Code is hereby amended to read as follows:

10.32.150 Parking of Oversized Vehicles

A. No person shall park any oversized vehicle on any street between the hours of two a.m. and six a.m. For the purpose of this section, "oversized vehicle" means:

1. A single vehicle or combination of vehicles having more than two axles;
2. A vehicle with more than two wheels upon any single axle;
3. A truck tractor designed and used primarily for drawing other vehicles whether or not other vehicles, trailers, or other wheeled loads are attached;
4. A single vehicle or combination of vehicles twenty-two feet or more in length, or a single vehicle or combination of vehicles six feet six inches or more in width;
5. A truck trailer as defined in Section 630 of the California Vehicle Code, with the wheels thereof either attached or detached;
6. A dump truck;
7. A commercial automobile transportation trailer or truck and trailer capable of transporting more than two automobiles;
8. A roofing asphalt kettle used to process, heat, or hold for heating roofing materials;
9. A commercial tank truck capable of transporting combustible or hazardous materials;
10. A vehicle having a manufacturer's gross vehicle weight rating of ten thousand pounds or more.
- 11. *For purposes of this section, "vehicle" means any automobile or device, operable or inoperable, with or without wheels, by which any person or property may be propelled, moved, or drawn upon the street or highway, including but not limited to, automobiles, boats, mobile homes, house trailers, recreational vehicles and/or similar type trailers.***

B. The prohibition imposed by this section shall not apply to any of the following:

1. The parking or standing of such vehicle, while attended, for the purpose of picking up or delivering materials or engaging in construction, repair, public works, or materials transport for such activity.
2. Oversized Vehicles for which a Commercial Vehicle Parking Permit has been issued in accordance with Section 10.32.155.
3. Tow trucks and similar vehicles that are in the course of providing services.
4. Public or utility vehicles that are in the course of providing services.
5. Any public emergency vehicle.

C. Violation—Penalty. The penalty for violation of any provision of this section shall be by fine to be established by resolution of the city council.

SECTION 2. Environmental Determination.

The City Council of the City of Daly City finds and determines that the implementation of measures described in this Chapter is in furtherance police powers of the City of Daly City, and that these purposes are exempt from the provisions of the California Environmental Quality Act (CEQA); Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code, as provided in categorical exemption Classes 1, 4, 5, 7, 8, 9, and or 21 of the CEQA Guidelines (Title 14, *California Code of Regulations*, Sections 15301-15329).

SECTION 3. Effective Date and Publication: This Ordinance shall be in full force and effect thirty (30) days from and after its passage. This Ordinance shall be published according to law.

SECTION 4. 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.

Introduced this 8th day of April, 2013.

Passed and adopted as an Ordinance of the City of Daly City at a regular meeting of the City Council of the City of Daly City held on the _____ day of _____, 2013, by the following vote:

AYES, Councilmembers: _____

NOES, Councilmembers: _____

ABSENT, Councilmembers: _____

CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

MAYOR OF THE CITY OF DALY CITY