

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, September 10, 2018 - 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:

Legislative Update (Assemblymember Phil Ting)

Crazy about Cars in Colma (Tom Nuris, President of the Daly City Public Library Associates)

Certificate of Appreciation for Lily Louie

Certificate of Appreciation for Teresa Proano

Proclaiming September 15 through October 15, 2018
Latino Heritage Month in Daly City (Edgardo Bolaños)

APPROVAL OF MINUTES:

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.

Regular Meeting of August 13, 2018

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.

Resolutions:

1. Commending Leila Salo on the Occasion of her Retirement
2. Notice of Completion for 2017/2018 Fiscal Year Roadway Median and Public Right-of-Way Landscape Maintenance Services Agreement
3. Notice of Completion for 2017/2018 Fiscal Year Tree Maintenance Services Agreement
4. Setting the Time and Place of the Public Hearing for Proposed Water Rates
5. Consolidated Annual Performance Evaluation Report (CAPER) for the Fiscal Year (FY) 2017-18 One-Year Action Plan and the Five-Year Consolidated Plan covering Fiscal Years 20013-2017
6. Authorize the Interim City Manager to Enter into an Agreement with the County of San Mateo for the Purposes of Accepting and Appropriating Grant Funding for a Floor Replacement Project at the Lincoln Park Community Center
7. Accept and Appropriate Measure A Local Shuttle Program Funds for the Daly City Bayshore Shuttle
8. Amend Traffic Regulations to: (1) Convert metered parking space on Templeton Avenue to a commercial loading zone; (2) Convert No Parking zone on 35 Templeton Avenue to a limited time metered parking zone; (3) Install stop signs on Woodrow Street; (4) Install stop signs on Willits Street; and (5) Establish 4-hour limited time parking on East Moltke Street.
9. Approve the Application for Grant Funds for Improvements at the Doelger Senior Center Complex

Check Registers:

10. Check Registers for the Month of August 2018

END OF CONSENT AGENDA

PUBLIC HEARINGS:

11. Westlake Shopping Center Mixed-Use Building (10 Park Plaza Drive) - General Plan Amendment GPA 4-17-12760, Planned Development PD 4-17-12761, Design Review DR 4-17-12762, and CEQA Review CEQA 4-17-12763

Staff:

Van Lonkhuysen

Recommended Action:

Open/Close Hearing

Motion for City Attorney to Read by Title Only

Councilmember Introduce Ordinance

Adopt Resolution

Roll Call

COMMUNICATIONS:

12. Resolution of the City Council Concerning the Bankruptcy Filed by Verity Health Systems and Potential Sale of Seton Medical Center and Seton Coastside

Staff:

Maltbie

Recommended Action:

Adopt Resolution

Roll Call

AWARD OF BIDS/CONTRACTS:

13. Appropriate Funds from the Linda Vista Area of Benefit Sinking Fund and Award of Construction Contract to Replace the Perimeter Fence at the Bay Ridge Retention Basin

Staff:

Fornesi

Recommended Action:

Adopt Resolution

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:

14. Council Committee

A Council Committee Meetings August 13 -
September 10, 2018

15. City Council

16. Staff

ADJOURNMENT:

THE DCPLA PRESENTS

FREE ADMISSION

CRAZY ABOUT CARS IN COLMA



SAT., SEPT. 29 ■ 12PM-4PM

**CAR SHOW MUSIC PIT CREW CHALLENGE
FOOD PRIZES AND SO MUCH MORE!**

COLMA COMMUNITY CENTER



DCPLA

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
AUGUST 13, 2018

To view videos of the City Council meetings, visit <http://yt.vu/+dalycitycouncil>

The meeting was called to order by Mayor Manalo at 7:07 P.M.

ROLL CALL: Councilmembers Present:

Juslyn C. Manalo, Mayor
Raymond A. Buenaventura, Vice Mayor
Judith A. Christensen
Michael P. Guingona
Glenn R. Sylvester

Staff Present:

Shawwna Maltbie, Interim City Manager
Rose L. Zimmerman, City Attorney
K. Annette Hipona, City Clerk

PRESENTATIONS/PROCLAMATIONS:

Mayor Manalo presented the following proclamation to Dr. Barry M. Chauser of California Prostate Cancer Coalition:

Proclaiming September 2018 as Prostate Cancer Awareness Month

APPROVAL OF MINUTES:

Regular Meetings of July 9, 2018 and July 23, 2018

It was moved by Vice Mayor Buenaventura, seconded by Councilmember Christensen and carried to approve the minutes of July 9 and July 13, 2018, with the amendment to correct an error on the minutes of July 9, 2018.

APPROVAL OF AGENDA:

It was moved by Councilmember Christensen, seconded by Vice Mayor Buenaventura, and carried to approve the agenda.

CONSENT AGENDA:

It was moved Councilmember Guingona, seconded by Vice Mayor Buenaventura and carried to approve the consent agenda as amended, with item #1 being removed from the consent agenda for further discussion.

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Resolutions:

Adopt Fringe Benefits for Specific Miscellaneous/ Unrepresented Employees

Interim City Manager Shawonna Maltbie presented the proposed benefits, and Director of Public Works John Fuller addressed questions about the certification incentive pay for Public Works Maintenance Supervisors. Council requested to table the item pending receipt of information on the subsequent cost to the City, and what a certified employee entails.

It was moved by Councilmember Sylvester, seconded by Vice Mayor Buenaventura and carried to table the item by voice vote.

Set Time and Place for a Hearing on General Plan Amendment GPA 4-17-12760, Planned Development PD 4-17-12761, and Design Review DR 4-17-12762 Mixed-Use Retail/Apartment Building - 10 Park Plaza Drive (Westlake Shopping Center) (9/10/2018)

Resolution 18-115, Setting Time And Place Of Public Hearing Regarding General Plan Amendment GPA-4-17-12760, Planned Development PD-4-17-12761, And Design Review DR-4-17-12762

Check Registers:

Check Registers for the Month of July 2018

END OF CONSENT AGENDA

COMMUNICATIONS:

Approval of Written Response to 2017/2018 San Mateo County Civil Grand Jury Report: "Soaring City Pension Costs - Time for Hard Choices"

Ms. Maltbie presented the draft response and reported that the City agreed with the Grand Jury's findings and is already addressing its recommendations.

It was moved by Councilmember Christensen, seconded by Councilmember Sylvester and carried by voice vote to accept the report and authorize the City Manager to prepare the written response.

Approval of Written Response to 2017/2018 San Mateo County Civil Grand Jury Report: "Cooperative Purchasing - A Roadmap to More Effective City Procurement"

Ms. Maltbie reviewed the draft response for Council and reported that the City agreed with the Grand Jury's findings and reviewed its recommendations.

It was moved by Councilmember Sylvester, seconded by Councilmember Christensen and carried by voice vote to accept the report and authorize the City Manager to prepare the written response.

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Approval of Written Response to Grand Jury Report: "Officers + Narcan = Lives Saved from Opioid Overdoses"

Police Captain Cameron Christensen presented the draft response to be transmitted to the Superior Court, and reviewed the Grand Jury's findings and recommendations. Captain Christensen addressed Council's questions regarding training and implementation dates for the use of Narcan.

It was moved by Councilmember Christensen, seconded by Councilmember Sylvester and carried by voice vote to accept the report.

AWARD OF BIDS/CONTRACTS:

Appropriate Funds and Award Service Contract for the John Daly Boulevard Bridge Streetlights Replacement Project

Assistant Director of Public Works/City Engineer Richard Chiu gave an overview of the project and recommended Council to award the contract to Pelagic Engineering. Council recommended the City to move towards the use of LED lighting in the future and requested for construction on this project to be done outside of busy hours.

It was moved by Councilmember Christensen, seconded by Councilmember Sylvester and carried by unanimous roll call vote to adopt the following resolution:

Resolution 18-116, Authorizing Execution of Service Contract With Pelagic Engineering For The John Daly Boulevard Bridge Streetlights Replacement Project And Appropriation Of Additional Funds

Appropriate Funds and Award Construction Contract for the Alta Loma Tot Lot Renovation Project

Civil Engineering Associate Jimmy Fu gave an overview of the project and recommended Council to award the contract to Suarez & Munoz Construction, and appropriate \$127,000 from the developer park-in-lieu fees account to fully fund the project.

It was moved by Vice Mayor Buenaventura, seconded by Councilmember Sylvester and carried by unanimous roll call vote to adopt the following resolution:

Resolution 18-117, Authorizing Execution Of Construction Contract With Suarez & Munoz Construction, Inc. For The Alta Loma Tot Lot Renovation Project And Appropriation Of Additional Funds

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PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Mariann Mann, resident, reported that seniors at Doelger Senior Center enjoyed and appreciated the piano stylings of the Vice Mayor's son, Max. The Vice Mayor thanked Ms. Mann and invited the public to come listen to Max at the center.

Pamela DiGiovanni, resident, reported that the Fire Department is organizing a community event in memoriam of 9/11, and requested closing tonight in memory of the firefighters who have lost their lives in the wildfires. Ms. DiGiovanni also looked forward to the information requested by Council on the certifications for unrepresented employees with regards to fringe benefits.

Jay Sayed, resident, wanted to promote education through his book titled *Maxims that Maximize You*. Professor Sayed also requested the use of City space to offer camel rides to tourists.

APPOINTMENTS:

It was moved by Mayor Manalo, seconded by Vice Mayor Buenaventura and carried by voice vote to reappoint Luis Landos to the Recreation Commission.

REPORTS:

Council Committee

Update City Council Water Committee Report (Manalo)

City Council

Mayor Manalo reported attendance at recent community events and meetings for the period of July 23, 2018 – August 12, 2018, and announced that the City will be holding a special event called "Love Not Hate: Celebrating Diversity Together" on August 25 at City Hall's rose gardens between 10 AM-12 PM to celebrate Daly City's diversity.

ADJOURNMENT:

Mayor Manalo requested a moment of silence and adjourned the meeting at 8:35 PM in memory of CHP Officer Kirk Griess (Badge #15810), Elizabeth Young, Dr. Dawn Bohulano Mabalon, and Cynthia Connolly.

City Clerk

Approved as submitted, this 10th
day of September, 2018.

Mayor

RESOLUTION NO. _____

*A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY
COMMENDING LEILA SALO ON THE OCCASION OF HER RETIREMENT*

WHEREAS, LEILA SALO will retire on September 21, 2018, concluding a devoted thirty-three years of service with the City of Daly City; and

WHEREAS, Leila began her career in the Finance and Administrative Services Department on October 24, 1985 as an Account Clerk I in the Utility Billing Division and was later promoted to Account Clerk II on July 1, 1998; and

WHEREAS, Leila is a key member of the Utility Billing Division providing superior service in the Call Center, Cashier's office, and providing key utility billing functions, including utility bill preparation, account collections, and reconciliations on over 23,000 utility accounts for water, garbage, and sewer; and

WHEREAS, Leila assisted in the implementation of the Hansen Utility Billing Software in 2004 and has seen the development of Pacific Plaza, Mission Plaza, Village in the Park, and Pointe Pacific, creating utility accounts for all of them; and

WHEREAS, Leila made recommendations to simplify work procedures and improve operational efficiency, and consistently demonstrated her excellent customer service skills; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Daly City that it does hereby commend LEILA SALO for her many years of dedicated and outstanding service to the Daly City Community and extends its very best wishes to LEILA, on the occasion of her retirement.

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 10th day of September, 2018 by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers: _____

NOES, Councilmembers: _____

ABSENT: _____

CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

MAYOR OF THE CITY OF DALY CITY



City Council Agenda Report

Item # _____

Meeting Date: September 10, 2018

Subject: Notice of Completion for 2017/2018 Fiscal Year Roadway Median and Public Right-of-Way Landscape Maintenance Services Agreement

Recommended Action

Staff recommends the City Council accept the 2017/2018 Fiscal Year Roadway Median and Public Right-of-Way Landscape Maintenance Services Agreement as completed and authorize the recordation of the Notice of Completion.

Background

On June 26, 2017, the City Council, per Resolution 17-105, authorized the execution of a service agreement with Loral Landscaping, Inc., for roadway medians and public rights-of-way landscape maintenance services and allocated funds in the amount of \$215,000.

Discussion

The 2017/2018 Fiscal Year Roadway Median and Public Right-of-Way Landscape Maintenance Services Agreement began in early July 2018 and was completed on June 30, 2018.

During the service agreement period Loral Landscaping completed the work in accordance with the service agreement. They were responsive to issues found during routine inspection performed by Public Works staff and resolved issues in a timely manner.

The total project cost is \$189,164 which is in line with the original contract amount. There were no change orders issued for this project.

Upon authorization by City Council, the Notice of Completion will be recorded.

Fiscal Impact

The 2017/2018 Fiscal Year Roadway Median and Public Right-of-Way Landscape Maintenance Services Agreement was completed in the total amount of \$189,164 with funds available in the Street Maintenance Operating Budget account number 17-314-330-4220.

Summary/Conclusion

The contractor, Loral Landscaping Inc., has completed all the work described in the service agreement to the City's satisfaction. Staff recommends the City Council accept the 2017/2018 Fiscal Year Roadway Median and Public Right-of-Way Landscape Maintenance Services Agreement as complete and authorize the recordation of the Notice of Completion.

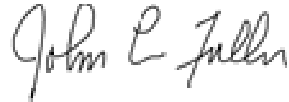
**Notice of Completion 2017/2018 Fiscal Year Roadway
Median and Public Right-of-Way Landscape Maintenance
Services Agreement
Meeting Date: September 10, 2018
Page 2 of 2**

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

Respectfully submitted,



Jeffrey W. Fornesi
Asst. to the Director of Public Works



John L. Fuller
Director of Public Works

Attachments: Notice of Completion and Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY ACCEPTING
COMPLETION OF CERTAIN PROJECT IN THE
DEPARTMENT OF PUBLIC WORKS

(2017/2018 FISCAL YEAR ROADWAY MEDIAN AND
PUBLIC RIGHT-OF-WAY LANDSCAPE MAINTENANCE SERVICES AGREEMENT)

A. The Project Manager has advised that the project set forth hereinafter has been completed in accordance with the terms of the contract with the City of Daly City and Loral Landscaping Inc., of San Mateo.

B. The City Council of the City of Daly City desires to acknowledge the completion of such project so that notice of completion may be given.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Daly City that pursuant to the above, the City of Daly City does hereby accept as complete the following described project:

**2017/2018 FISCAL YEAR ROADWAY MEDIAN AND
PUBLIC RIGHT-OF-WAY LANDSCAPE MAINTENANCE SERVICES AGREEMENT**

BE IT FURTHER RESOLVED by the City Council of the City of Daly City that said project be, and it is hereby accepted as complete, and it is hereby authorized, provided that all statutory liens, claims and withholds are satisfied pursuant to law.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council of Daly City, California, at a special meeting thereof held on the _____ day of _____, 20____, 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

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

OFFICE OF THE CITY CLERK
CITY OF DALY CITY
333 - 90th Street
Daly City, California 94015

Notice of Completion

NOTICE IS HEREBY GIVEN as follows:

1. The date of completion of the work of improvement is: September 10, 2018
2. The owner of the work of improvements is: City of Daly City, a Municipal Corporation.
3. The address of the owner of the work of improvement is: City Hall
333 - 90th Street
Daly City, California 94015
4. The nature of the owner's interest or estate is: In fee.
5. The work of improvement is located in Daly City, California, and is particularly described as follows:

**2017/2018 Fiscal Year Roadway Median and
Public Right-of-Way Landscape Maintenance Services Agreement**

The name of the original contractor for the work of improvement is:

Loral Landscaping, Inc.
704 South Amphlett Blvd.
San Mateo, CA 94402

Dated: _____

The undersigned, being duly sworn, says: That he is the owner of the aforesaid interest or estate in the property described in the foregoing notice; that he has read the same, and knows the contents thereof, and that the facts stated therein are true.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CITY OF DALY CITY, OWNER

John L. Fuller, Public Works Director

STATE OF CALIFORNIA,

COUNTY OF _____ } ss.

Subscribed and sworn to (or affirmed) before me on this ____ day of _____, 20____,

by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____

Name (Typed or Printed)
Notary Public in and for said County and State



City Council Agenda Report

Item # _____

Meeting Date: September 10, 2018

Subject: Notice of Completion for 2017/2018 Fiscal Year Tree Maintenance Services Agreement

Recommended Action

Staff recommends the City Council accept the 2017/2018 Fiscal Year Tree Maintenance Services Agreement as completed and authorize the recordation of the Notice of Completion.

Background

On June 26, 2017, the City Council, per Resolution 17-95, authorized the execution of a service agreement with West Coast Arborists, Inc., (WCA) for tree maintenance services. Funding for tree maintenance was allocated to the Street Maintenance Section in the amount of \$75,000 and Parks Maintenance Section in the amount of \$50,000.

Discussion

The 2017/2018 Fiscal Year Tree Maintenance Services Agreement began in early July 2018 and was completed on June 30, 2018.

The total cost of the 2017/2018 Fiscal Year Tree Maintenance Service Agreement is \$126,360.90. The total project cost for the Street Maintenance Section is \$65,618.55, which is 12.51% under budget. The total project cost for the Parks Maintenance Section is \$60,742.35, which is 21.48% over budget. The Parks Maintenance Section budget overage was primarily due to the increased number of hazardous trees that needed to be removed.

During the service agreement period WCA completed the work in accordance with the service agreement. They were responsive to staff service request and completed work orders in a timely manner. WCA completed grid pruning of Bayshore neighborhood, Westlake School for Performing Arts site, and Civic Center South. Additionally, WCA removed 51 hazardous trees throughout the City.

Upon authorization by City Council, the Notice of Completion will be recorded.

Fiscal Impact

The 2017/2018 Fiscal Year Tree Maintenance Services Agreement was completed in the total amount of \$126,360.90 with funds available in the Street Maintenance Operating Budget account number 17-314-330-4220 (\$65,618.55) and the Parks Maintenance Operating Budget account number 01-317-160-4220 (\$60,742.35).

Summary/Conclusion

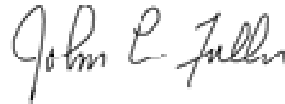
The contractor, West Coast Arborists, Inc., has completed all the work described in the service agreement to the City's satisfaction. Staff recommends the City Council accept the 2017/2018 Fiscal Year Tree Maintenance Services Agreement as complete and authorize the recordation of the Notice of Completion.

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

Respectfully submitted,



Jeffrey W. Fornesi
Asst. to the Director of Public Works



John L. Fuller
Director of Public Works

Attachments: Notice of Completion and Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY ACCEPTING
COMPLETION OF CERTAIN PROJECT IN THE
DEPARTMENT OF PUBLIC WORKS

(2017/2018 FISCAL YEAR TREE MAINTENANCE SERVICES AGREEMENT)

A. The Project Manager has advised that the project set forth hereinafter has been completed in accordance with the terms of the contract with the City of Daly City and West Coast Arborists, Inc., a California Corporation.

B. The City Council of the City of Daly City desires to acknowledge the completion of such project so that notice of completion may be given.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Daly City that pursuant to the above, the City of Daly City does hereby accept as complete the following described project:

2017/2018 FISCAL YEAR TREE MAINTENANCE SERVICES AGREEMENT

BE IT FURTHER RESOLVED by the City Council of the City of Daly City that said project be, and it is hereby accepted as complete, and at the expiration of fifty-five (55) days from this date, final payment in connection with this project be, and it is hereby authorized, provided that all statutory liens, claims and withholds are satisfied pursuant to law.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council of Daly City, California, at a special meeting thereof held on the _____ day of _____, 20____, 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

RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

OFFICE OF THE CITY CLERK
CITY OF DALY CITY
333 - 90th Street
Daly City, California 94015

Notice of Completion

NOTICE IS HEREBY GIVEN as follows:

1. The date of completion of the work of improvement is: September 10, 2018
2. The owner of the work of improvements is: City of Daly City, a Municipal Corporation.
3. The address of the owner of the work of improvement is: City Hall
333 - 90th Street
Daly City, California 94015
4. The nature of the owner's interest or estate is: In fee.
5. The work of improvement is located in Daly City, California, and is particularly described as follows:

2017/2018 FISCAL YEAR TREE MAINTENANCE SERVICES AGREEMENT

The name of the original contractor for the work of improvement is:

West Coast Arborists, Inc.
390 Martin Ave.
Santa Clara, CA 95050

Dated: _____

The undersigned, being duly sworn, says: That he is the owner of the aforesaid interest or estate in the property described in the foregoing notice; that he has read the same, and knows the contents thereof, and that the facts stated therein are true.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

CITY OF DALY CITY, OWNER

John L. Fuller, Public Works Director

STATE OF CALIFORNIA,

COUNTY OF _____ } ss.

Subscribed and sworn to (or affirmed) before me on this ____ day of _____, 20__.

by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____

Name (Typed or Printed)
Notary Public in and for said County and State



Meeting Date: September 10, 2018

Subject: Setting the Time and Place of the Public Hearing for Proposed Water Rates

Recommended Action

Staff recommends the City Council set the time and place of a Public Hearing for proposed Water Rates for 7:00 p.m. on Tuesday, November 13, 2018, initiating the Proposition 218 process and beginning the 45-day comment period.

Background

In compliance with state Proposition 218, the City Council must hold a public hearing to consider water rate adjustments. As part of the compliance requirements, customers must receive a 45-day advance notice of the public hearing and information on the proposed new rates. As proposed by staff, a multi-year financing plan to fund water system operations and maintenance would begin in January 2019 with a 6.5 percent adjustment. From that point on, rates would be adjusted to increase at no more than 9.5 percent annually in July 2019, July 2020, July 2021, and July 2022.

Date	January 1, 2019	July 1, 2019	July 1, 2020	July 1, 2021	July 1, 2022
Increase	6.50%	9.50%	9.50%	9.50%	9.50%

Notice of Public Hearing for Proposed Water Rates will be mailed to customers the week of September 10, 2018.

Discussion

The proposed water rates are based on an updated Water Rate Study that was developed by City staff, financial consultants Hilton, Farnkopf, and Hobson, and were reviewed by the City Council Water Committee. If the City Council authorizes the Public Hearing on the November 13th Special Council Meeting, staff and consultants will present the assumptions and details of the Water Rate Study to the Council and the public. The Council will then make the determination to adopt the new Water Rates as presented.

Conclusion/Recommendation

Staff recommends the City Council set the time and place of a Public Hearing for proposed Water Rates for 7:00 p.m. on Tuesday, November 13, 2018, initiating the Proposition 218 process and beginning the 45-day comment period.

Respectfully submitted,

Thomas J. Piccolotti
Director of Water & Wastewater Resources



City Council Meeting Agenda Report

Item # _____

Meeting Date: September 10, 2018

Subject: Consolidated Annual Performance Evaluation Report (CAPER) for the Fiscal Year (FY) 2017-18 One-Year Action Plan and the Five-Year Consolidated Plan covering Fiscal Years 20013-2017

Recommended Action

Approve the attached Consolidated Annual Performance Evaluation Report (CAPER) for the Fiscal Year (FY) 2017-18 One-Year Action Plan and the Five-Year Consolidated Plan covering Fiscal Years 20013-17.

Background

As a requirement of the Community Development Block Grant (CDBG) and HOME programs, the City of Daly City must submit a report on the use of CDBG and HOME funds. This report, titled the Consolidated Annual Performance and Evaluation Report (CAPER), summarizes expenditures and accomplishments of the City's CDBG and HOME programs in the past fiscal year and provides information on the goals and outcomes over the Five-Year Consolidated Plan period that began June 1, 2013 and ended on June 30, 2018. A draft copy of the CAPER is presented for Council review.

During Fiscal Year 2017-18, the City of Daly City expended a total of \$1,137,101 in CDBG funds and \$28,417 in HOME funds. Some of the outcomes from FY17-18 include the following:

- City Residential Rehabilitation Program issued six loans and three senior grants totaling \$192,717 to seven low income homeowners.
- Minor household repairs and accessibility improvements totaling \$20,000 were provided to 12 low income households.
- 33 children received subsidized child care services.
- 84 children received new clothing and hygiene kits.
- 21 at-risk youths and young adults participated in an expanded vocational counseling program.
- Nine households, comprised of 34 persons, received assistance at Family Crossroads, a transitional shelter for homeless families located in Daly City.
- 14 housing providers or seekers were matched through the Shared Housing Program.
- 224 households, comprised of 700 persons, received affordable legal services particularly relating to tenant/landlord issues.
- 68 adults received literacy tutoring.
- Five households, comprised of 14 persons, had fair housing discrimination cases filed for them.

During the Five-Year Consolidated Plan period, the City of Daly City expended a total of \$6,006,747 in CDBG funds and \$1,620,717 in HOME funds. Highlights of the Five-Year Consolidated Plan period just completed include:

- Provided funding for the rehabilitation of a multifamily building that is home to 18 low income households
- Provided loans/grants totaling \$1,014,625 to rehab 56 ownership units through the City's Residential Rehab Program.
- Provided financial support totaling approximately \$297,995 to nonprofits to for minor rehab and accessibility modifications for 140 housing units.
- Provided entrepreneurship training and technical assistance to 223 microenterprises.
- Provided \$510,205 in CDBG funds for public services that assisted over 5,000 persons.
- Closed out the 7555 Mission Street project of 36 affordable ownership condominium units developed by Habitat for Humanity Greater San Francisco. Construction was completed in early 2013, but not all the units had sold. The project was closed out in early FY13-14 after all the units were sold and beneficiary data was collected and reported to HUD.
- Completed and closed out the construction of Sweeney Lane Apartments, a 51-unit affordable rental housing development. Construction was completed in May 2017.

Discussion

Staff recommends that Council approve the attached CAPER covering the period of July 1, 2017 through June 30, 2018. The draft CAPER was made available for public review from August 26, 2018 through September 10, 2018.

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

Respectfully Submitted,



Betsy ZoBell
Supervisor, Housing and
Community Development



Tatum Mothershead
Director, Economic and Community
Development

Attachments
Draft CAPER

*HUD
Consolidated
Plan*

**Consolidated Annual Performance
and Evaluation Report
(CAPER)**

**Fiscal Year 2017-2018 and
Consolidated Plan 2013-2017**

*Department of Economic and Community Development
Housing and Community Development Division*

CITY OF DALY CITY



HUD CONSOLIDATED PLAN

July 1, 2013 through June 30, 2018

**Consolidated Annual Performance and Evaluation Report
(CAPER)**

Fiscal Year 2017-2018 and Consolidated Plan 2013-2017

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**CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT
(CAPER) of
FY 2017-18 ONE YEAR ACTION PLAN**

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CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

During FY17-18, the fifth and final year of the City's Five Year Consolidated Plan period (July 2013 through June 2018), the City made progress in meeting the priority needs identified in the Plan:

- Maintain and improve the housing stock: The City continued to offer its Residential Rehabilitation program and assisted Rebuilding Together Peninsula to provide minor home improvements. Together they assisted 13 single family households.
- Public services: The City continued to fund nonprofits providing fair housing services, literacy education, and services for children, youth, and the homeless. Over 400 lower income households benefited from these public services.
- Preserve housing affordability: The City continues to track units in its jurisdiction that may be at-risk.

The City, using its annual CDBG allocation, continues to make payments on its Section 108 loan. The loan was used to fund the development of the Bayshore Community Center which was completed in 2006. Section 108 loan payments in FY17-18 comprised about 32% of the City's FY17-18 CDBG expenditures. The City will continue to have a portion of its annual CDBG grant go towards the loan payments until October 2022.

The table below summarizes the outcomes for the FY17-18 Action Plan as well as the Five Year Strategic Plan. Highlights from the Five Year Strategic Plan include Sweeney Lane Apartments, a 51 unit affordable housing development completed in May 2017 of which nine are City HOME-assisted units; 7555 Mission Street, a 36-unit condominium project developed by Habitat for Humanity Greater San Francisco and completed in July 2014; and the over 5,000 households that have benefited from CDBG-funded public services.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Develop new rental units	Affordable Housing	HOME: \$224520	Rental units constructed	Household Housing Unit	25	51	204.00%	0	0	0
Develop new ownership units	Affordable Housing		Homeowner Housing Added	Household Housing Unit	5	36	720.00%	0	0	0
Facilitate economic development	Non-Housing Community Development	CDBG: \$96525	Other	Other	175	223	127.43%	0	0	0
Provide City Residential Rehabilitation program	Affordable Housing Non-Homeless Special Needs	CDBG: \$430000	Rental units rehabilitated	Household Housing Unit	5	18	360.00%	0	0	0
Provide City Residential Rehabilitation program	Affordable Housing Non-Homeless Special Needs	CDBG: \$430000	Homeowner Housing Rehabilitated	Household Housing Unit	85	56	65.88%	17	7	41.18%
Provide housing accessibility modifications	Affordable Housing Non-Homeless Special Needs	CDBG: \$10000	Homeowner Housing Rehabilitated	Household Housing Unit	100	61	61.00%	5	6	120.00%

Provide minor home repair	Affordable Housing Non-Homeless Special Needs	CDBG: \$30000	Homeowner Housing Rehabilitated	Household Housing Unit	70	79	112.86%	5	6	120.00%
Provide public service to further fair housing	Affordable Housing Non-Housing Community Development	CDBG: \$7500	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	50	62	124.00%	10	14	140.00%
Provide public services - General	Affordable Housing Non-Housing Community Development	CDBG: \$44000	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	245	4372	1,784.49%	258	783	303.49%
Provide public services for children and youth	Non-Housing Community Development	CDBG: \$33000	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	810	976	120.49%	143	191	133.57%
Provide public services for the homeless	Homeless	CDBG: \$16000	Public service activities for Low/Moderate Income Housing Benefit	Households Assisted	60	80	100.33%	10	9	90.00%

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The high priority activities identified in the Consolidated Plan include maintaining and improving the housing stock, increasing the supply of affordable housing, preserving housing affordability, supporting public services, assisting in economic development, and maintaining and improving public facilities. The City allocated CDBG funds to various activities to address several of these priorities. Although considered a high priority, the City did not allocate any CDBG program funds to preserving housing affordability because the City's primary effort in this area involves monitoring an affordable rental housing development at-risk of opting out of its housing contract with HUD, an activity that is administrative in nature. The City did not fund economic development activities for FY17-18 because there were insufficient funds to adequately fund a program and still address the other priorities. As mentioned earlier, the City expended about 32% of its FY17-18 CDBG expenditures on its Section 108 loan repayment. The loan was used to fund the construction of the Bayshore Community Center. The annual allocation of CDBG funds for this repayment limits the amount of CDBG funds available for public facility improvements. CDBG funds used to support residential rehabilitation and minor home repair programs addressed the need to maintain and improve the housing stock. The City provided CDBG funds to various programs providing much needed public services to low income Daly City residents. These public services included programs for children and youth, for renters facing eviction, and for homeless families. The City continued to explore affordable housing opportunities to which it could invest its HOME funds. For the program year, the City had about \$385,000 in HOME funds available for affordable housing. This limited amount, plus the requirement that all other funds in a project be in place before a HOME commitment can be made, presents a challenge in allocating HOME funds. During the program year the City worked with a couple of nonprofit developers to explore affordable new construction and acquisition/ rehabilitation developments with other sources of funding.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG	HOME
White	217	0
Black or African American	24	0
Asian	135	0
American Indian or American Native	5	0
Native Hawaiian or Other Pacific Islander	5	0
Total	386	0
Hispanic	182	0
Not Hispanic	244	0

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The table above does not include an Other or Remaining Balance category but the City collects this data. Forty households fit in these categories bringing the total to 426 households, of which 182 are Hispanic and 244 not Hispanic. In terms of percentages, the racial and ethnic composition of households assisted with CDBG in FY17-18 is as follows:

- White – 51%
- Black/African American – 6%
- Asian – 32%
- Other/Remaining balance – 7%
- Hispanics – 43%

Relative to the demographics of Daly City as reported in the 2010 Census, Hispanics and Whites appear to be overrepresented and Asians underrepresented. The 2010 Census indicates that Daly City is 24% White, 56% Asian, and 24% of Hispanic ethnicity. Of those households that identified as White in Table 2, 76% identified as Hispanics. Program brochures of public services are more often available in Spanish than they are in Asian languages. Perhaps this may contribute to the overrepresentation and underrepresentation seen. Or the distribution may reflect which community has the greatest need for services or is more prone to seek out services. A look at the CHAS data used for the recently submitted Consolidated Plan estimates that Asians make up about 46% of households eligible for CDBG-funded programs. This figure reduces the underrepresentation of Asians.

There we no households assisted with HOME funds during the program year. The City is continuing to explore new affordable housing developments in which to invest its HOME funds. It continues to monitoring existing HOME-assisted units.

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CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	CDBG	1,137,101	1,084,879
HOME	HOME	384,770	34,974
HOPWA	HOPWA	n/a	n/a
ESG	ESG	n/a	n/a
Other	Other	n/a	n/a

Table 3 - Resources Made Available

Narrative

The CDBG amount under the Resources Made Available column in Table 3 reflects the Substantial Amendment during the program year that added \$75,000 to the City's Residential Rehabilitation program. The additional funds came from unspent CDBG funds from the prior year that were confirmed in January 2018. The table reports that the City spent 95% of the CDBG funds available in the program year. With regards to the HOME funds, the City received \$284,168 in FY17-18. It did not disburse any HOME funds for affordable housing development, as the City is still looking to identify a project eligible for HOME funding.

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
n/a	n/a	n/a	n/a

Table 4 – Identify the geographic distribution and location of investments

Narrative

The City of Daly City does not have a target area for its CDBG or HOME funds, and as a result Table 4 is not applicable. Daly City is a densely populated area only covering about eight square miles. Public services are located in different areas of the City and are accessible and available to lower income residents. The residential rehabilitation and minor home repair programs are available to income eligible households throughout the City. Other projects are all accessible by public transportation.

During the Five-Year Strategic Plan period two developments were completed along Mission Street (Sweeney Lane Apartments and 7555 Mission Street condominiums) which is part of the San Mateo County Grand Boulevard Initiative. This Initiative encourages development along the MissionStreet/El Camino corridor that runs through the County. Mission Street in Daly City is not an officially designated area for CDBG or HOME funds, but it is a commercial corridor offering various amenities and proximity to transit making it attractive for affordable housing development. These features made the projects more competitive when it applied for the limited funds available for affordable housing.

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Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The City's annual CDBG allocation for FY17-18 was \$964,647. These funds were used to leverage public and private funds in order to fund various programs. In FY17-18, CDBG subrecipients expended about \$120,000 of Daly City CDBG dollars. These funds were leveraged with \$1.08 million in private funds and almost \$2.2 million in public funds, for a leverage ratio of about \$28 for every dollar of Daly City CDBG funding. Private foundations and individuals, as well as other local, state, and federal funds combined to make available the various services provided by the subrecipients.

For the two HOME-assisted projects completed during the Five-Year Consolidated Plan period, the City provided a total of \$2,759,325 in HOME funds. These funds resulted in Sweeney Lane with a total of 51 rental units of which nine were HOME-assisted, and 7555 Mission Street with 36 HOME-assisted condominium units. The projects leveraged about \$45 million from a variety of funding sources including Low Income Housing Tax Credits, State Transit Oriented Development Funds, Project Based Section 8, and private funds. There was a leverage ratio of about \$17 for every dollar of Daly City HOME funds spent.

Tables 5 to 10 may be found in Appendix E.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	10	9
Number of Non-Homeless households to be provided affordable housing units	35	27
Number of Special-Needs households to be provided affordable housing units	5	6
Total	50	42

Table 11 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	0	0
Number of households supported through Rehab of Existing Units	22	19
Number of households supported through Acquisition of Existing Units	0	0
Total	22	19

Table 12 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

The One-Year goals set in the One-Year Action Plan were goals for the number of households to be supported. As such, the goals in the Actual columns in Tables 11 and 12 represent the number of households that were supported and/or provided affordable housing units. In FY17-18, the City provided CDBG funds to LifeMoves, HIP Housing, Rebuilding Together Peninsula, and the Center for

Independence of Individuals with Disabilities (CIID). It also funded its City residential rehabilitation program.

LifeMoves' Family Crossroads program provided assistance to nine homeless households in FY17-18. The nine households consisted of 34 persons. The 27 households in Table 11 are comprised of the beneficiaries of Rebuilding Together Peninsula, HIP Housing, and the City's Residential Rehab program. Rebuilding Together Peninsula assisted six households in their Safe at Home program. In FY17-18, it did not receive funding for its National Rebuilding Day program which had received funding in prior years. HIP Housing's homesharing program matched fourteen households. The City's residential rehabilitation program provided grants or housing rehabilitation loans to seven households. The complete rehab loans were large and complex requiring extra levels of staff time and resulted in a decision to postpone consideration of new applications. Due to their complexity, these rehab projects took longer to close than usual. The six special needs households were served by the Center for Independence of Individuals with Disabilities (CIID) which provided home accessibility modifications for households with disabilities. These modifications may include installation of grab bars or ramps. Generally, the One-Year goals for supporting housing activities have been met

Discuss how these outcomes will impact future annual action plans.

The City was generally in line with meeting its One-Year Goals. Future annual action plans may be impacted, however, as the City will look to adjust the housing goals to reflect increasing construction costs and time involved with processing complex rehab loans.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	22	0
Low-income	9	0
Moderate-income	11	0
Total	42	0

Table 13 – Number of Households Served

Narrative Information

It is important to point out that the definition of the income levels in Table 13 are as follows:

- Extremely Low-income: at or below 30% of the median family income for the area
- Low-income: above 30% and at or below 50% of the median family income for the area
- Moderate-income: above 50% and at or below 80% of the median family income for the area

The largest percentage of households assisted with CDBG funds were extremely low-income households. More than 30% of the extremely low income persons reported above are homeless households assisted at Family Crossroads, the transitional homeless shelter operated by LifeMoves. Given the lack of affordable housing in the region, we see that homelessness is not limited to only extremely low income households. Family Crossroads also served one low and one moderate income household. There are no numbers reported for the HOME funds since there were no completed HOME projects during the program year. In addition to housing activities that receive public funds to support affordable housing for lower income households, the City has an Affordable Housing Ordinance to help provide for the development of ownership housing that is affordable to households with incomes up to 120% of the area median income. The ordinance requires developers of rental developments to pay an affordable housing impact fee, and developers of ownership developments to build below market rate housing on-site or pay an affordable housing impact fee. This ordinance is currently under review and will be updated to reflect changes in State law that now allow for the inclusion of below market rate rental units in rental developments, and the use of in-lieu fees.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City continued to operate its Community Service Center (CSC) which has caseworkers who conduct client intake and assess the individual needs of homeless persons. The Community Service Center refers the homeless clients to shelters in the County, and to other programs that could benefit them such as the North Peninsula Food Pantry and Dining Center located in Daly City. The CSC is part of the County of San Mateo's core service agencies, a network of agencies providing basic emergency and support services including food, transportation, shelter referrals, housing assistance, and client advocacy. The CSC works closely with the County's Center on Homelessness which has begun its transition to a coordinated entry system for homeless shelters in the County.

Addressing the emergency shelter and transitional housing needs of homeless persons

In FY17-18, the City provided funding to LifeMoves to operate Family Crossroads, a transitional shelter for homeless families located in Daly City. During the program year Family Crossroads assisted nine households. These households were comprised of 34 persons. Although the City does not provide funds to emergency shelters it is likely that these shelters continue to serve homeless persons from Daly City, but they are no longer required to report the numbers to the City.

Through its participation in the Continuum of Care, the City continues to help address both the emergency shelter needs and transitional housing needs of homeless persons on a policy level. The City is on the Steering Committee of the Continuum of Care (CoC) and serves on the CoC NOFA ranking committee. Participation in these committees gives the City opportunities to engage in various issues affecting services for homeless persons.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The City helped low-income individuals and families to avoid becoming homeless through the Community Service Center which connects them to programs and resources for which they may be eligible. These resources include dining programs, rental or security deposit assistance programs, and job training programs. The City also funded Legal Aid Society's Homesavers Project. This project helps low income tenants who are having problems with their landlords and offers legal counseling in dealing with evictions and landlord issues so that they can stay in their housing. As already mentioned, the City continued to support agencies that help low income persons avoid becoming homeless. LifeMoves, in collaboration with Samaritan House, administered the Supportive Services for Veteran Families, a homelessness prevention program for veterans. As a member of the CoC Steering Committee, that also includes members representing youth facilities, jails, and mental health systems, the City interfaces with publicly funded institutions and systems of care regarding efforts to coordinate discharge policies to reduce homelessness. Representatives from StarVista which operates transitional housing for youth, the Sheriff's Office which operates the jails, and the Mental Health Association of San Mateo County participate in the planning and policy efforts of the CoC. The City worked to prevent homelessness and assist homeless persons with special needs through its participation in the CoC's efforts to coordinate with homeless service providers to implement HUD policies for addressing homelessness.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

To help homeless persons and families make the transition to permanent housing and independent living, the City supported providers such as LifeMoves. LifeMoves operates shelters throughout San Mateo County, including Family Crossroads in Daly City. LifeMoves employs housing specialists who assist clients in identifying and securing permanent housing. The housing specialists assist homeless clients to access affordable housing. Transitional housing clients are encouraged to save 50% to 75% of their income so they have sufficient savings within three to five months of moving into the shelter; over 90% of families secure permanent housing upon leaving.

LifeMoves also operates a Motel Voucher Program to help insure that there are almost no unsheltered families (with minor children) on the streets of San Mateo County at any time. This program helps to shorten the period of time that families experience homelessness. Case managers assess the needs of homeless clients and help them sign up for benefits that they are eligible for which can help to prevent the recently homeless from becoming homeless again.

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CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

As there is no public housing in Daly City, the City's efforts to address the needs of public housing is limited. The City is available to work with the Housing Authority of San Mateo County (HASM) when requested.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

As there is no public housing in Daly City, the City's efforts to address the needs of public housing is limited. The City is available to work with the Housing Authority of San Mateo County (HASM) when requested.

Actions taken to provide assistance to troubled PHAs

No actions were taken as the HASM is not a troubled PHA.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The City took the following actions to reduce barriers to affordable housing:

- Continued to require developers to conduct community meetings regarding their proposed affordable housing projects,
- Continued to reduce parking requirements for affordable housing developments,
- Avoided rezoning properties that are presently designated or zoned for residential uses to non-residential uses,
- Continued to provide one-stop permitting and parallel building plan checking through the Building Division, Planning Division, and Department of Public Works as an effort to streamline project approvals.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The housing and community development needs in Daly City exceed the City's resources to meet them. The City has attempted to meet obstacles to meeting underserved needs by collaborating with other public and private agencies and pursuing funding sources as they become available for specific priority activities.

The Bay Area is one of the most expensive housing markets in the country. An underserved need continues to be housing that is affordable to households at the lower income levels, and sometimes, at the middle income levels. The lack of funding for affordable housing and lack of vacant land is an obstacle to meeting this underserved need. To address this obstacle, the City adopted in 2015 an ordinance to require affordable units and/or affordable housing impact fees which would go towards an affordable housing trust fund. This ordinance is currently being updated in response to changes in State law that allow cities to require affordable units in market rate rental developments and allow for in-lieu fees.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

The City took the following actions to reduced lead-based paint hazards:

- Provided lead hazard information, notification and evaluation in its housing rehabilitation and minor home repair programs.
- Required safe work practices in its housing rehabilitation and minor home repair programs,
- Provided information to contractors about training and certifications needed to provide lead-based paint abatement services,
- Coordinated with the County and neighboring local jurisdictions on efforts to reduce lead-based paint hazards.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

The City took the following actions to reduce the number of poverty-level families:

- Supported public services that provide assistance to very low income families. This includes services that provide child care and legal assistance in cases of potential evictions.
- Provided information and referral at the City's Community Service Center which is part of the County's Core Service Network to connect families and individuals with various programs and services such as rental and utility assistance.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The City took the following actions to develop institutional structure:

- Continued on-going efforts to streamline the review and approval process for new developments,
- Provided technical assistance to CDBG subrecipients in complying with HUD requirements,
- Continued on-going evaluation and revision of its processes,
- Participated in the Continuum of Care and coordinated with homeless service providers,
- Attended HUD trainings to stay informed on changes in HUD regulations and guidelines,
- Participated in local and regional collaborations, such as 21 Elements and the Grand Boulevard Initiative, to address housing and special needs.
- Participated in quarterly meetings with other CDBG/HOME grantees in San Mateo County.
- Collaborated with other CDBG/HOME grantees in San Mateo County to prepare a joint Assessment of Fair Housing

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The City took the following actions to enhance coordination between public and private housing and social service agencies:

- Participated in the Continuum of Care which includes representatives from various public and private housing and social service agencies,
- Participated in the County's Core Service Agency Network through the City's Community Service Center which networks with various housing and social service agencies,
- Continued to update information on agencies and or collaboratives of housing and social service agencies serving Daly City residents.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

The City took the following actions identified in the City's Fair Housing Plan to overcome the effects of impediments identified in its Analysis of Impediments:

- Continued to fund Project Sentinel to conduct testing; educate landlords and property management companies about fair housing law, and to educate Daly City residents in fair housing rights.
- Continued to support efforts to educate housing providers about requirements for reasonable accommodation or modification.
- Continued to support efforts to educate buyers through credit counseling and home purchase training.

In addition to these actions, the City partnered with the County of San Mateo, the housing authorities of San Mateo County and South San Francisco, and the cities of Redwood City, San Mateo and South San Francisco to submit an Assessment of Fair Housing (AFH) to HUD in October 2017. The AFH identified fair housing goals for the Five Year Consolidated Plan beginning July 1, 2018.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

At the beginning of the program year, the Housing and Community Development staff identify the CDBG-funded activities to monitor. Public services are monitored on site by City staff at least once every three years to ensure compliance with CDBG regulations and to discuss constraints and opportunities facing each organization. In FY 17-18 three CDBG subrecipients were monitored, including Human Investment Project, Project Sentinel and Rebuilding Together Peninsula. Often times, if the subrecipient is also receiving CDBG funding from other jurisdictions in the County, the monitoring will be conducted jointly with staff from the other jurisdictions. Joint monitoring visits facilitate HUD compliance for the subrecipient as well as the City and the other jurisdictions.

In FY17-18, the City continued to meet at least quarterly with the other CDBG entitlement jurisdictions in San Mateo County to discuss best practices and share processes regarding compliance with various HUD requirements. The City encourages minority business outreach on its projects and provides Contract and Subcontract Activity reporting to HUD. It incorporates the requirement to make efforts to outreach to minority and Section 3 businesses in its funding agreements.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

As specified in the City's Citizen Participation Plan, the City provides for public input on its Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER was drafted and put out for public comment. The public comment period for the CAPER was from August 26, 2018 through September 10, 2018 and was noticed in the local paper The Examiner. The draft CAPER was also posted on the City's website, at City Hall, the Community Service Center and the libraries. [Comments received to be summarized here]. Appendix B provides a copy of the noticing of the public review period.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

The City did not fund an economic development activity during the program year because its estimated CDBG funding available did not reflect that there would be sufficient funds to adequately fund an economic development program. Other than this, there were no changes in the the jurisdiction's program objectives.

The City made one Substantial Amendment, described earlier, to add an additional \$75,000 to the City's residential rehabilitation program. On a whole, major program goals are on target. As a result of its experiences and learning from them, the City will continue to update its processes and procedures as needed in order to continue improving its administration of the CDBG and HOME programs.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

CR-50 - HOME 91.520(d)

Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations

Please list those projects that should have been inspected on-site this program year based upon the schedule in §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

During the program year, the City jointly monitored 1293 Hillside with the County of San Mateo. Together the City and County conducted the physical inspection and review of tenant files. It found the property to be in good condition and in compliance with housing codes and other applicable regulations.

The City had planned to conduct an on-site visit of Vista Grande and School House Station during the program year but these properties were not on the County's list of properties to be monitored; hence a coordinated site visit was not possible. The City will ensure that these properties in FY18-19 are inspected, even if it is unable to coordinate with the County. School House Station and Vista Grande underwent a major renovation in 2012 and was last inspected in the fall of 2015.

Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units. 92.351(b)

92.351(b)

The City requires an affirmative marketing plan when HOME units are constructed. To affirmatively market HOME units, the City requests that the developer's marketing efforts include outreach to various organizations in the City, and postings on-line and in print with publications having a County-wide reach. All marketing material include the Equal Housing Opportunity logo. Any local live/work preferences that may be considered will involve consultation with the local HUD office.

Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics

There was no HOME program income received in FY17-18 and no HOME program income used for projects.

Describe other actions taken to foster and maintain affordable housing. 91.220(k) (STATES ONLY: Including the coordination of LIHTC with the development of affordable housing). 91.320(j)

The City took the following other actions to foster and maintain affordable housing:

- Explored other funding sources for affordable housing, and supported developer applications for funding,
- Encouraged higher density mixed-use developments,
- Collaborated with regional public and private agencies working to promote affordable housing,
- Monitored status of at-risk housing projects.

DRAFT

APPENDIX A

IDIS Reports

{to be inserted}

- **PR06 – Summary of Consolidated Plan Projects**
- **PR23- Summary of Community Development Accomplishments**
- **PR26 – Financial Summary**

APPENDIX B

**Affidavit of Publication
{to be inserted}**

APPENDIX C

Geographic Distribution of Activities

CAPITAL PROJECT, ECONOMIC DEVELOPMENT AND HOUSING ACTIVITIES – MAP 1

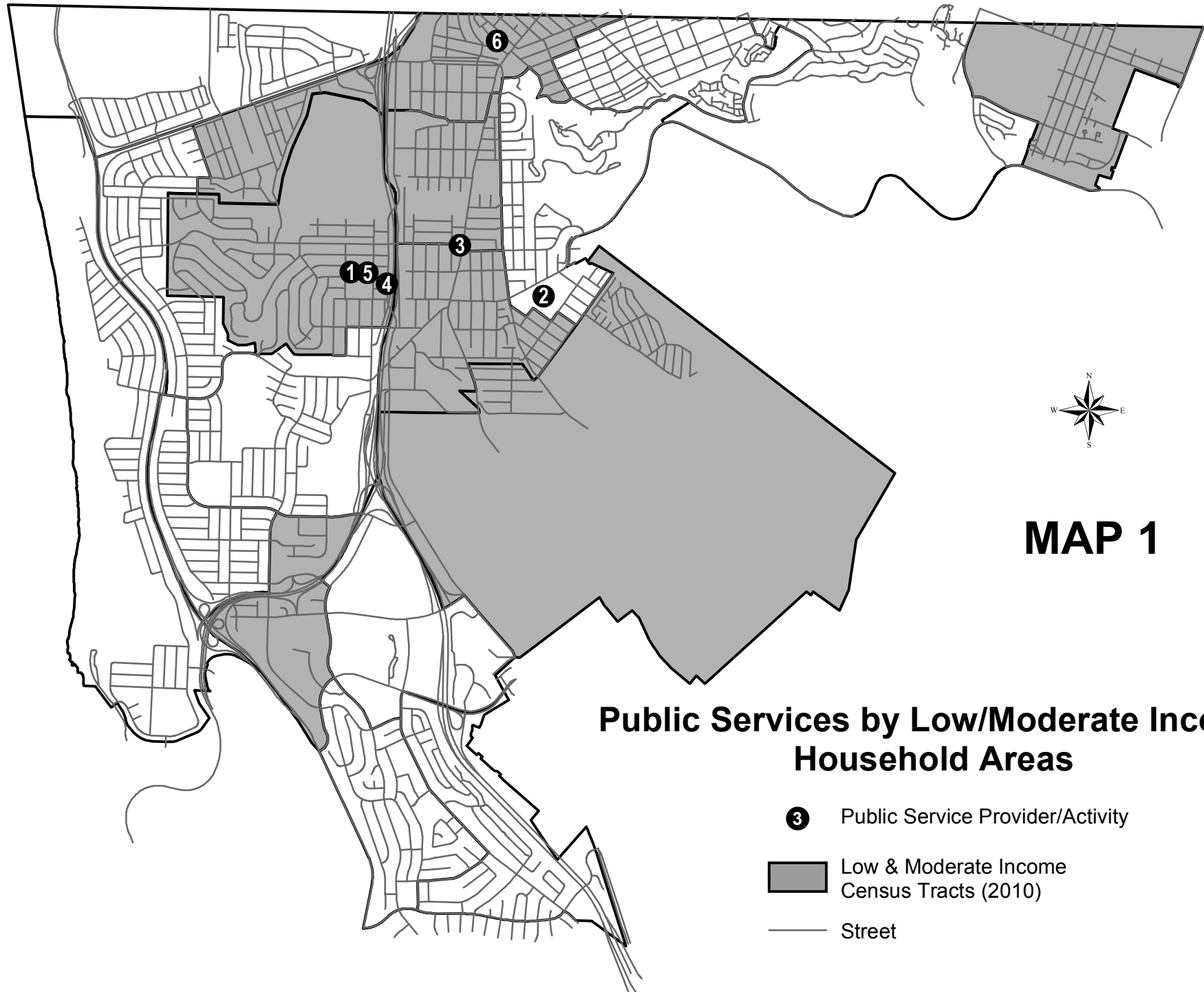
- The following Housing Activities were undertaken on a case-by-case basis and were located throughout the City:
 - Rebuilding Together – Safe at Home
 - Center for Independence of Individuals with Disabilities
 - City of Daly City Residential Rehabilitation Program

PUBLIC SERVICES – MAP 2

- 1: Family Crossroads
- 2: Legal Aid Society
- 3: Human Investment Project
- 4: John's Closet
- 5: Peninsula Family Services
- 6: Daly City Youth Health Center/Elements to Success

The following public services have not been mapped because their headquarters and/or facilities are outside of Daly City:

- Project Read (South San Francisco)
- Project Sentinel (Redwood City)



MAP 1

Public Services by Low/Moderate Income Household Areas

- ③ Public Service Provider/Activity
- Low & Moderate Income Census Tracts (2010)
- Street

APPENDIX D

FY17-18 CDBG Funding Table, as amended

CDBG Funding Table(FY2017-18)			
Grantee/ Program Name	Total CDBG	Funds Expended	Percent
CDBG ADMINISTRATION			
Daly City/Gen. Administration	\$ 204,929	\$ 190,633.86	93%
ECONOMIC DEVELOPMENT			
Microenterprise Development Program Delivery	\$ -	\$ -	n/a
Renaissance Entrepreneurship Center/Training	\$ -	\$ -	n/a
HOUSING			
Daly City/Residential Rehab ¹	\$ 475,000	\$ 437,340.16	92%
Center for Independence of Individuals with Disabilities/HAM	\$ 10,000	\$ 9,733.25	97%
Rebuilding Together/Safe at Home	\$ 10,000	\$ 10,000.00	100%
CAPITAL IMPROVEMENTS			
Section 108 Loan Payments	\$ 336,672	\$ 336,672.20	100%
PUBLIC SERVICES			
DC Youth Health Ctr/Expanded Vocational Counseling Program	\$ 6,000	\$ 6,000.00	100%
Human Investment Project/Homesharing	\$ 12,000	\$ 11,999.84	100%
John's Closet	\$ 5,000	\$ 5,000.00	100%
Legal Aid Society/Homesavers	\$ 12,000	\$ 12,000.00	100%
LifeMoves/Family Crossroads	\$ 16,000	\$ 16,000.00	100%
Peninsula Family Service	\$ 22,000	\$ 22,000.00	100%
Project Read	\$ 20,000	\$ 20,000.00	100%
Project Sentinel	\$ 7,500	\$ 7,500.00	100%
TOTAL	\$ 1,137,101	\$ 1,084,879.31	95%
Notes: 1. There was a substantial amendment during the program year to increase funding from \$400,000 to \$475,000. 2. Rebuilding Together/National Rebuilding Day was funded in FY16-17. The reimbursement of funds for this project was delayed until FY17-18 when lead based paint compliance questions were resolved. \$20,000 was expended for this FY16-17 project that is not included in the above table.			

APPENDIX E

CAPER Tables 5-10

Fiscal Year Summary – HOME Match	
1. Excess match from prior Federal fiscal year	10,979,447
2. Match contributed during current Federal fiscal year	0
3. Total match available for current Federal fiscal year (Line 1 plus Line 2)	10,979,447
4. Match liability for current Federal fiscal year	0
5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4)	10,979,447

Table 1 – Fiscal Year Summary - HOME Match Report

Match Contribution for the Federal Fiscal Year								
Project No. or Other ID	Date of Contribution	Cash (non-Federal sources)	Foregone Taxes, Fees, Charges	Appraised Land/Real Property	Required Infrastructure	Site Preparation, Construction Materials, Donated labor	Bond Financing	Total Match
n/a	n/a	0	0	0	0	0	0	0

Table 6 – Match Contribution for the Federal Fiscal Year

HOME MBE/WBE report

Program Income – Enter the program amounts for the reporting period				
Balance on hand at beginning of reporting period	Amount received during reporting period	Total amount expended during reporting period	Amount expended for TBRA	Balance on hand at end of reporting period
\$	\$	\$	\$	\$
0	0	0	0	0

Table 7 – Program Income

Minority Business Enterprises and Women Business Enterprises – Indicate the number and dollar value of contracts for HOME projects completed during the reporting period						
	Total	Minority Business Enterprises				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Contracts						
Dollar Amount	0	0	0	0	0	0
Number	0	0	0	0	0	0
Sub-Contracts						
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0
	Total	Women Business Enterprises	Male			
Contracts						
Dollar Amount	0	0	0			
Number	0	0	0			
Sub-Contracts						
Number	0	0	0			
Dollar Amount	0	0	0			

Table 8– Minority Business and Women Business Enterprises

Minority Owners of Rental Property – Indicate the number of HOME assisted rental property owners and the total amount of HOME funds in these rental properties assisted						
	Total	Minority Property Owners				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0

Table 9 – Minority Owners of Rental Property

Relocation and Real Property Acquisition – Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition						
Parcels Acquired		0	0			
Businesses Displaced		0	0			
Nonprofit Organizations Displaced		0	0			
Households Temporarily Relocated, not Displaced		0	0			
Households Displaced	Total	Minority Property Enterprises				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Number	0	0	0	0	0	0
Cost	0	0	0	0	0	0

Table 10 – Relocation and Real Property Acquisition



City Council Meeting Agenda Report

Item # _____

Meeting Date: September 10, 2018

Subject: Authorizing the Interim City Manager to Enter into an Agreement with the County of San Mateo for the Purposes of Accepting and Appropriating Grant Funding for a Floor Replacement Project at the Lincoln Park Community Center

Recommended Action

It is recommended that the City Council authorize the Interim City Manager to enter into an agreement with the County of San Mateo for a one-time grant of Measure K funds, not to exceed \$80,921.02, for the replacement of the floor at the Lincoln Park Community Center, 901 Brunswick Street, Daly City. It is further recommended that the City Council accept and appropriate the funding as it was not anticipated in the adopted Capital Projects Budget for FY 2018-19/2019-20.

Background

The Lincoln Park Community Center has a history as rich and colorful as Daly City itself. Over the course of nearly 65 years, it gradually evolved from a tiny neighborhood playground to one of the city's premier recreation centers

Long, long ago, the area now known as Lincoln Park was a tiny part of the 8,888-acre Spanish rancho Cañada de Guadalupe y Rodeo Viejo y Visitacion, which encompassed the area surrounding San Bruno Mountain northward to San Francisco. The land eventually became part of the Crocker Estate Co., and was used primarily for growing flowers and vegetables before an influx of residential development following the great San Francisco Earthquake and Fire of 1906.

Home building flourished in the Crocker Tract in the 1910s and 1920s. The growing number of residents created a new demand for recreational opportunities for the surrounding neighborhoods by the early 1930s. The humble beginnings of Lincoln Park can be traced back to 1934, when the City first organized its Recreation Department to oversee afterschool activities.

By 1937, the City Council saw the need to develop a public park in the Crocker Tract. They acquired property at Acton and Brunswick Streets for \$6,000. The park was improved with a playground, basketball courts, and recreation center. The park was known by several names in its early years: Brunswick-Acton Park, Acton Street Playground, Acton Park, and finally, Lincoln Park. As a historical footnote, the City Council officially changed the name of "Acton Street Playground" to "Lincoln Park" on June 8, 1941; the very same day it changed "Vista Grande Park" to "Marchbank Park".

Throughout the 1970s, the City worked to expand the tiny park, which was barely seven-tenths of an acre. Five homes were acquired and razed in the early 1970s, and several more were purchased in the late 1970s, to create a park that would be bounded by Brunswick, Winchester, Templeton, and Acton Streets. The newly expanded Lincoln Park was dedicated on April 11, 1981.

Today, the Lincoln Park Community Center continues to serve the Crocker Neighborhood and is consistently one of the most bustling recreation centers in all of Daly City. The community center is open Monday through Friday, from 8:00 a.m. to 5:00 p.m. and available to the community for evening and weekend rentals for social gatherings, dances, parties and receptions, and neighborhood meetings.

Subject: Grant Funding for a Floor Replacement Project at the Lincoln Community Center
Meeting Date: September 10, 2018
Page 2 of 2

Lincoln Park Community Center, along with the Doelger Senior Center, is one of two sites in Daly City that provide the Senior Congregate Lunch Program. Last year, 9,657 lunches were served at the center. Additionally, Lincoln Park Community Center serves as a distribution venue for the Second Harvest Produce Mobile which serves 300 families from the neighborhood each month. The twice-monthly Brown Bag grocery distribution program serves approximately 450 families each month. Another 70 families are served by the School Pantry Food Distribution.

Discussion

The Lincoln Park Community Center building was opened in August 2003. Though just 15-years-old, the high volume of foot traffic and moisture intrusion from the heavy rains of 2016-17, caused damage to the floor in the main hall of the center. An assortment of patches has been used as stop-gap measures over the years, but a full replacement of the floor has been recommended. The proposed material for the new floor would be more durable than the existing floor, and should serve the needs of the center's guests for many years to come.

If this item is approved, staff from Daly City's Public Works Department will seek competitive bids to perform the work and will designate a project manager. It is anticipated that the project would require the center to close for a two week period.

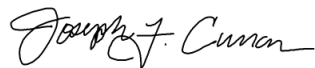
Fiscal Impact

The Lincoln Park Community Center floor replacement project was not included in the adopted Fiscal Year 2018-19/2019-20 Capital Project Budget. The Measure K grant, facilitated by Supervisor David J. Canepa and his staff, would be new revenue, and is expected to fully cover the cost of the project.

Summary/Conclusion

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

Respectfully Submitted,



Joseph F. Curran
Director
Dept. of Library and Recreation Services

Attachment: Measure K Grant Agreement

Agreement No. Board Resolution

MEASURE K GRANT AGREEMENT BETWEEN THE COUNTY OF SAN MATEO AND CITY OF DALY CITY

This Agreement is entered into this _____ day of _____, 2018 by and between the County of San Mateo, a political subdivision of the state of California, hereinafter called "County," and City of Daly City, hereinafter called "Grantee."

* * *

WHEREAS, the Grantee has applied to the County seeking a grant for the purpose of funding the matters set forth in its Project described in Exhibit A (the "Grant");

WHEREAS, the County has approved the grant of certain funds to Grantee pursuant the terms set forth in this Agreement;

NOW, THEREFORE, it is agreed by the parties to this agreement as follows:

1. Exhibits and Attachments

The following exhibits and attachments are attached to this Agreement and incorporated into this Agreement by this reference:

- Exhibit A—Project Description
- Exhibit B—Reporting

2. Grant

County hereby grants to Grantee a sum not to exceed EIGHTY THOUSAND NINE HUNDRED TWENTY-TWO DOLLARS (\$80,922) in consideration of and on the condition that the sum be expended for the sole purpose of carrying out the objectives of Grantee's Project as identified in Exhibit A, and in no event shall the County's total fiscal obligation under this Agreement exceed this amount. Grantee agrees to assume any obligation to secure and furnish any additional funds that may be necessary to carry out its Project.

Funds granted under this Agreement shall not be disbursed until execution of this Agreement by County and Grantee.

County shall disburse grant funds to Grantee upon receipt of invoices. Invoices should be accompanied by back up documentation (e.g., receipts for professional services rendered, salary and benefits back up, etc.) and submittal of any required summary reports outlined in Exhibits A or B. The County reserves the right to change the disbursement method during the term of this Agreement.

The disbursement schedule is as follows:

- **Payment 1-** Invoice for up to 50% of the grant (\$40,000), upon submission of all receipts/invoices showing expenditures on items funded by the grant.
- **Payment 2-** Invoice for remainder of the grant (\$40,922), upon submission of receipts/invoices showing expenditures on items funded by the grant, including photographs and use of Measure K logo as approved by the County.

INVOICES: Requests for grant disbursement should be (1) on the organization's official letterhead, (2) include date of invoice, amount requested, and Agreement number, and (3) submitted to the attention of:

Alicia Garcia, Management Analyst
400 County Center, 1st Floor, Redwood City, CA 94063
(650) 363-4634
Email: agarcia@smcgov.org

Agreement No. Board Resolution #

3. Term & Termination

Subject to compliance with all terms and conditions, the term of this Agreement shall begin on the date of execution by the Parties through February 1, 2019. This Agreement will not automatically renew, nor shall it create any reliance on the possibility of future grants.

County may terminate this Agreement based upon the unavailability of Federal, State, or County funds by providing written notice to Grantee within a reasonable time after County learns of said unavailability of funding. Grantee acknowledges that this Agreement may be subject to approval of the Board of Supervisors, and assumes all risk of possible non-appropriation and non-approval of funds.

County may suspend and/or terminate this Agreement if Grantee fails to comply with the terms of this Agreement and may, in its sole discretion, withhold or cancel pending and future disbursements of grant funds and/or require Grantee to return some or all funds disbursed under this Agreement.

4. Relationship of Parties

Notwithstanding any publicity or other references to the County required to be made in connection with the Project as set forth in Exhibit A, Grantee understands and agrees that the Project performed under this Agreement is not performed by Grantee as an independent contractor of the County or as an employee of County and that neither Grantee nor its employees acquire any of the rights, privileges, powers, or advantages of County contractors or County employees. Grantee acknowledges and agrees that it is not, and will not hold itself out as, an agent, partner, or co-venturer of the County, and that this Agreement is not intended and does not create an agency, partnership, joint venture between the Parties

5. Project Administration

The Parties agree that the Project as described in Exhibit A shall not be altered without a written amendment to this Agreement, signed by both the County and the Grantee. Grantee shall provide written reports to the County's authorized representative in accordance with Exhibit B.

6. Hold Harmless

Grantee shall indemnify and save harmless County and its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description resulting from this Agreement, the performance of any work or services performed of Grantee in furtherance of the Project under this Agreement, or payments made pursuant to this Agreement brought for, or on account of, any of the following:

(A) injuries to or death of any person, including Grantee or its employees/officers/agents/volunteers;

(B) damage to any property of any kind whatsoever and to whomsoever belonging;

(C) any sanctions, penalties, or claims of damages resulting from Grantee's failure to comply with any applicable federal, state, or local laws or regulations; or

(D) any other loss or cost, including but not limited to that caused by the concurrent active or passive negligence of County and/or its officers, agents, employees, or servants. However, Grantee's duty to indemnify and save harmless under this Section shall not apply to injuries or damage for which County has been found in a court of competent jurisdiction to be solely liable by reason of its own negligence or willful misconduct.

The duty of Grantee to indemnify and save harmless as set forth by this Section shall include the duty to defend as set forth in Section 2778 of the California Civil Code.

Agreement No. Board Resolution

7. Insurance

a. General Requirements

Prior to its receipt of any funds pursuant to this Grant Agreement, Grantee shall obtain all insurance required under this Section and such insurance shall be subject to the approval by County's Risk Management, and Grantee shall use diligence to obtain such insurance and to obtain such approval. Grantee shall furnish County with certificates of insurance evidencing the required coverage, and there shall be a specific contractual liability endorsement extending Grantee's coverage to include the contractual liability assumed by Grantee pursuant to this Agreement. These certificates shall specify or be endorsed to provide that thirty (30) days' notice must be given, in writing, to County of any pending change in the limits of liability or of any cancellation or modification of the policy.

b. Workers' Compensation and Employer's Liability Insurance

Grantee shall have in effect during the entire term of this Agreement workers' compensation and employer's liability insurance providing full statutory coverage. In signing this Agreement, Grantee certifies, as required by Section 1861 of the California Labor Code, that (a) it is aware of the provisions of Section 3700 of the California Labor Code, which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of the Labor Code, and (b) it will comply with such provisions before commencing or continuing the performance of Project work for which it would receive grant funds.

c. Liability Insurance

Grantee shall take out and maintain during the term of this Agreement such bodily injury liability and property damage liability insurance as shall protect Grantee and all of its employees/officers/agents while performing work covered by this Agreement from any and all claims for damages for bodily injury, including accidental death, as well as any and all claims for property damage which may arise from Grantee's operations under this Agreement, whether such operations be by Grantee, any subcontractor, anyone directly or indirectly employed by either of them, or an agent of either of them. Such insurance shall be combined single limit bodily injury and property damage for each occurrence and shall not be less than the amounts specified below:

☒ Comprehensive General Liability... \$1,000,000

(Applies to all agreements)

☐ Motor Vehicle Liability Insurance... \$1,000,000

(To be checked if motor vehicle used in performing services)

☐ Professional Liability..... \$1,000,000

(To be checked if Grantee is a licensed professional)

County and its officers, agents, employees, and servants shall be named as additional insured on any such policies of insurance, which shall also contain a provision that (a) the insurance afforded thereby to County and its officers, agents, employees, and servants shall be primary insurance to the full limits of liability of the policy and (b) if the County or its officers, agents, employees, and servants have other insurance against the loss covered by such a policy, such other insurance shall be excess insurance only.

In the event of the breach of any provision of this Section, or in the event any notice is received which indicates any required insurance coverage will be diminished or canceled, County, at its option, may, notwithstanding any other provision of this Agreement to the contrary, immediately declare a material breach of this Agreement and suspend any further payment pursuant to this Agreement.

Agreement No. Board Resolution #

8. Prevailing Wage

Per Labor Code Section 1720, this project is a public work for purposes of the California Labor Code. Grantee hereby agrees that all persons providing labor on the Project will be paid not less than prevailing rates of wages and that Grantee will ensure compliance with all provisions of the California Labor Code, Article 2-Wages, Chapter 1, Part 7, Division 2, Section 1770 *et seq.* A copy of the prevailing wage scale established by the Department of Industrial Relations is on file in the office of the County's Director of Public Works and available at www.dir.ca.gov/DLSR or by phone at 415-703-4774. California Labor Code Section 1776(a) requires each contractor and subcontractor on the Project to keep accurate payroll records of trades workers on all public works projects and to submit copies of certified payroll records upon request.

Additionally, Grantee agrees the Project will meet the following requirements:

- No contractor or subcontractor may be listed on a bid proposal for the Project unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code Section 1771.1(a)].
- No contractor or subcontractor may be awarded a contract on the Project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5.
- This Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

9. Assignability and Subcontracting

Grantee shall not assign this Agreement or any portion of it to a third party. Except as set forth in Exhibit A, Grantee shall not subcontract with a third party to perform the Project. Any such assignment or subcontract without County's prior written consent shall give County the right to automatically and immediately terminate this Agreement without penalty or advance notice and the County shall have the right to a refund of all funds disbursed under this Agreement.

10. Compliance With Laws

All services to be performed by Grantee in connection with the Project shall be performed in accordance with all applicable Federal, State, County, and municipal laws, ordinances, and regulations, including, but not limited to, any laws related to payment of prevailing wages pursuant to the California Labor Code. In connection with the Project, Grantee bears responsibility to obtain, at Grantee's expense, any license, permit, or approval required from any agency.

11. Merger Clause; Amendments

This Agreement, including Exhibits, constitutes the sole Agreement of the parties regarding the Grant, and correctly states the rights, duties, and obligations of each party as of this document's date. In the event that any term, condition, provision, requirement, or specification set forth in the body of this Agreement conflicts with or is inconsistent with any term, condition, provision, requirement, or specification in any Exhibit and/or Attachment to this Agreement, the provisions of the body of the Agreement shall prevail. Any prior agreement, promises, negotiations, or representations between the parties concerning the Grant that are not expressly stated in this document are not binding. All subsequent modifications or amendments shall be in writing and signed by the parties.

12. Controlling Law; Venue

The validity of this Agreement and of its terms, the rights and duties of the parties under this Agreement, the interpretation of this Agreement, the performance of this Agreement, and any other dispute of any nature arising out of this Agreement shall be governed by the laws of the State of California without regard to its choice of law or conflict of law rules. Any dispute arising out of this Agreement shall be

Agreement No. Board Resolution

venued either in the San Mateo County Superior Court or in the United States District Court for the Northern District of California.

13. Notices

Any notice, request, demand, or other communication required or permitted under this Agreement shall be deemed to be properly given when both: (1) transmitted via facsimile to the telephone number listed below or transmitted via email to the email address listed below; and (2) sent to the physical address listed below by either being deposited in the United States mail, postage prepaid, or deposited for overnight delivery, charges prepaid, with an established overnight courier that provides a tracking number showing confirmation of receipt.

In the case of County, to:	In the case of Grantee, to:
Invoices should be submitted to the attention of: Alicia Garcia, Management Analyst County Manager's Office 400 County Center, 1st Floor Redwood City, CA 94063 (650) 363-4634 agarcia@smcgov.org	Shawwna Maltbie, Interim City Manager City of Daly City 333 90th Street Daly City, CA 94015 (650) 991-8127 smaltbie@dalcycity.org

14. Electronic Signature

If both County and Grantee wish to permit this Agreement and future documents relating to this Agreement to be digitally signed in accordance with California law and County's Electronic Signature Administrative Memo, both boxes below must be checked. Any party that agrees to allow digital signature of this Agreement may revoke such agreement at any time in relation to all future documents by providing notice pursuant to this Agreement.

For County: ☒ If this box is checked by County, County consents to the use of electronic signatures in relation to this Agreement.

For Grantee: ☐ If this box is checked by Grantee, Grantee consents to the use of electronic signatures in relation to this Agreement.

Agreement No. Board Resolution #

* * *

THIS AGREEMENT IS NOT VALID UNTIL SIGNED BY ALL PARTIES. NO FUNDS WILL BE DISTRIBUTED UNTIL THIS DOCUMENT HAS BEEN SIGNED BY THE COUNTY'S AUTHORIZED DESIGNEE.

For Grantee:

CITY OF DALY CITY

(Signature)
Authorized Representative
Grantee

Date

Name of Grantee

SHAWNNA MALTBIE

(please print name)
Authorized Representative
Grantee

For County:

DEPUTY COUNTY MANAGER

(Signature)
Authorized Designee
County of San Mateo

Date

Job Title (please print)

80125-6265

ILIANA RODRIGUEZ

Budget Unit

(please print name)
Authorized Designee
County of San Mateo

BOSD5

Measure K JL Code

Agreement No. Board Resolution

Exhibit A

The County and Grantee agree that the grant funds shall only be used to further the goals of the following Project, described below and in the August 7, 2018 Board transmittal and Resolution, attached hereto:

- To provide for the replacement of the floor at the Lincoln Park Community Center. The estimate, summarized in the table below, includes the cost of prevailing wage labor for the preparation and installation of a new floor.

PROJECT DESCRIPTION	QTY	RATE	AMOUNT
MATERIALS New Patcraft Adesa LVP 20 mil cork attached underlayment	3,277.92	2.59	8,489.81T
MATERIALS Burke base 4" 232	1	276.08	276.08T
MATERIALS Floor moldings reducers	1	72.00	72.00T
LABOR Labor prep knock down high spots and fill in low spots, Ardex portland cement Feather finish	1	5,320.00	5,320.00
LABOR Labor Install plank after normal business hours, prevailing wages	1	48,900.00	48,900.00
PROFIT AND OVERHEAD	1	16,961.91	16,961.91

SUBTOTAL	80,019.80
TAX (8.5%)	751.22
SHIPPING	150.00
TOTAL	\$80,921.02

Agreement No. Board Resolution

Exhibit B

In accordance with the terms of this Grant Agreement, Grantee will provide, or cause to be provided the services for the Project detailed in Exhibit A and will report back to the County regarding various performance measures including, but not limited to, those noted below. Such reporting data shall be delivered to the County no later than February 1, 2018.

<u>Performance Measure</u>	<u>Target</u>
Repair surface irregularities associated with wear and water damage and install new synthetic plank flooring by January 1, 2019.	100%



City Council Agenda Report

Item # _____

Meeting Date: September 10, 2018

Subject: Accept and Appropriate Measure A Local Shuttle Program Funds for the Daly City Bayshore Shuttle

Recommended Action

Staff recommends the City Council accept and appropriate \$245,000 in New Measure A Local Shuttle Program Category (Measure A Funds) for the Daly City Bayshore Shuttle and authorize the City Manager, or her designee, to execute the Funding Agreement for the grant from the San Mateo County Transportation Authority.

Background

Since 2014, the City has operated the Bayshore Shuttle in the Bayshore neighborhood using various grants to finance shuttle operations. The shuttle service connects residents within the Bayshore neighborhood to shopping, grocery, and medical destinations in Daly City, San Francisco and other areas of the Peninsula. The Bayshore Shuttle also provides access to various regional transportation facilities including Muni and SamTrans bus stops and BART stations to which Bayshore area residents have limited access. Many of the destinations served by the shuttle are difficult to reach by using the limited public transportation options currently available.

In January 2018, the City Council authorized staff to submit an application for Measure A grant funds to continue operation of the Daly City Bayshore Shuttle. The Measure A Fund is one of two grants the City utilizes to operate the Bayshore Shuttle. In July 2018, Daly City received a Lifeline Transportation Program (LTP) grant from the Metropolitan Transportation Commission (MTC), through the City/County Association of Governments of San Mateo County (C/CAG) in the amount of \$300,000.

Discussion

The Measure A funds will be used to continue the operation of the Bayshore Shuttle service, connecting Bayshore residents to shopping and grocery destinations in Daly City and San Francisco. On September 6, 2016, the shuttle route was shortened in response to customer request for faster turnaround times. The shuttle currently turns around at the Daly City BART station instead of continuing to Serramonte Shopping Center. From the Daly City BART Station, Bayshore Shuttle riders can still access other SamTrans bus or shuttle services to access destinations no longer served by the Bayshore Shuttle's shorter route. Shortening the route allows the shuttle to operate an additional six round trips throughout the day. The Bayshore Shuttle service is provided by a private contractor managed and supervised by SamTrans.

Fiscal Impact

Other than some limited Public Works staff time there is no fiscal impact related to the Bayshore Shuttle operation. The shuttle is fully paid for by the two grants the City has been traditionally

**Accept and Appropriate Measure A Local Shuttle
Program Funds for the Daly City Bayshore Shuttle
Meeting Date: September 10, 2018
Page 2**

receiving. The match funds required by the Measure A grant is met by the LTP grant. Similarly, staff leveraged the Measure A Funds as the matching funds for the LTP program. Measure A funds will cover 45% and the LTP grant will cover 55% of the cost to operate the shuttle for FY 2018/19 and FY 2019/20. No City funds are required for this project.

Summary/Conclusion

Staff recommends the City Council accept and appropriate \$245,000 in Measure A Funds for the Daly City Bayshore Shuttle and authorize the City Manager, or her designee, to execute the Funding Agreement for the grant from the San Mateo County Transportation Authority.

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

Attachment: Funding Agreement

FUNDING AGREEMENT

SAN MATEO COUNTY TRANSPORTATION AUTHORITY MEASURE A (LOCAL SHUTTLE PROGRAM) DALY CITY BAYSHORE SHUTTLE

This FUNDING AGREEMENT (Agreement) is made this _____ day of _____, 2018 (Execution Date), by and between the San Mateo County Transportation Authority (TA) and the City of Daly City (Sponsor), together referred to herein as the "Parties."

RECITALS

WHEREAS, on November 2, 2004, the voters of San Mateo County approved the continuation of the collection and distribution by the TA of the Measure A half-cent transaction and use tax for an additional 25 years to implement the 2004 Transportation Expenditure Plan, beginning January 1, 2009 (New Measure A); and

WHEREAS, Sponsor requested that the TA provide \$245,000 of Measure A funds for the Daly City Bayshore Shuttle (Project); and

WHEREAS, the Project meets the intent of the 2004 Transportation Expenditure Plan and the TA's 2014-2019 Strategic Plan; and

WHEREAS, on May 3, 2018, the TA's Board of Directors programmed and allocated up to \$245,000 from the New Measure A Local Shuttle Program Category (hereinafter "Measure A Funds") for the Project through Resolution 2018-12; and

WHEREAS, the TA and Sponsor desire to enter into this Agreement to establish the process, terms and conditions governing the allocation and expenditure of Measure A funds on the Project.

NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

SECTION 1: Project Oversight and Reporting

1.1 Sponsor Oversight; Work Plan. Sponsor is responsible for implementation of the Project as described in Exhibit A, "Route Description(s) and Information," which is attached to the Agreement and incorporated herein by this reference. Sponsor assumes responsibility for procuring and administering any professional service and/or other contracts entered into in connection with the Project. Though Sponsor may appoint a designee or engage contractor(s) to perform work necessary for Project implementation, Sponsor will remain ultimately responsible to the TA for performance of all responsibilities set forth herein.

1.2 Required Approvals. Prior to commencement of the Project, Sponsor or its designee (e.g., a consultant) will obtain all required local, state and federal approvals and permits for Project work. In addition, Sponsor must comply with all federal, state and local laws and regulations applicable to the Project.

1.3 Contract Award and Scope Changes. Sponsor must comply with state and local agency requirements for the award and amendment of any contract(s) for the implementation of the Project. Sponsor must advise the TA in writing (electronic mail is acceptable) as soon as possible of any contracts awarded and any amendments thereto, such as for any changes in service. Notice of any contracts and amendments provided to the TA will not constitute approval by the TA nor obligate the TA to provide funds in excess of its maximum contribution stated in Section 2.1 of this Agreement.

1.4 Monthly & Annual Operations Reports. Within eight (8) calendar days after the end of each month this Agreement is in effect, Sponsor or its agent must submit to the TA a monthly operations report (Operations Report) based on National Transit Database (NTD) reporting requirements, attached as Exhibit B, “National Transit Database Reporting Requirements.” The Operations Report must include such items as the average daily ridership of the Shuttle, and the Shuttle’s total boardings, total revenue miles, hours, vehicles in service, road calls, accidents and any other information pertinent to assess the performance of the service for purposes of local, state or federal reporting requirements for the month just ended. Any monthly service mileage and/or hours that were scheduled, but where service was not operated for any reason, must be deducted from monthly reporting totals. An explanation for all lost service miles and/or hours must be included in the monthly report. Sponsor or its agent must review all required reporting for accuracy prior to submittal to the TA. The form of all reports must be determined by the TA. Within eight (8) calendar days of the end of the term of this Agreement, and/or any extension thereof, Sponsor or its agent must submit to the TA an annual report on the same statistics. All Operations Reports must be submitted via Excel spreadsheet or other format as approved by the TA to **shuttles@samtrans.com**.

1.5 Quarterly Progress Reports. Sponsor must prepare and submit to the TA quarterly progress reports by January 30, April 30, July 30 and October 30 of each year during the entire term of the Project. Reports must be presented in the form provided as Exhibit C, “Quarterly/Annual Shuttle Program Progress Report Form,” which is attached to this Agreement and incorporated herein by this reference. The reports must describe Project performance and expenditures during the previous quarter.

The reports must include actions expected to be taken and any projected changes in the service plan / schedule during the next quarter, and any other information requested by the TA. Additionally, each progress report must include information on any potential issues that may impact any of the performance measures set forth in Exhibit C as well as the ability of Sponsor to meet the conditions outlined in this Agreement.

1.6 Annual Report. By October 1 of each year, Sponsor must provide the TA with an annual report in the form provided as Exhibit C summarizing the quarterly progress reports from the prior fiscal year.

The reports must include actions expected to be taken and any projected changes in the service plan /schedule for the next year (if the Project is continuing), and any other information requested by the TA. Additionally, each Annual report must include information on any potential issues that may impact any of the performance measures set forth in Exhibit C as well as the ability of Sponsor to meet the conditions outlined in this Agreement for the next year (if the Project is continuing). If the Annual Report is submitted after the second year of the Time of Performance, the Annual Report should include written confirmation that no further reimbursements associated with the Project are anticipated and that all reimbursement requests have been made or are being submitted with the Annual Report.

1.7 Access to Records and Record Retention. At all reasonable times, Sponsor will permit the TA access to all reports, designs, drawings, plans, specifications, schedules and other materials prepared, or in the process of being prepared, for the Project by the Sponsor or any contractor or consultant of the Sponsor. Sponsor will also make available to the TA upon request any professional service agreements, amendments and any other agreements that are related to the Project. The Sponsor will provide copies of any documents described in this Section to the TA upon request. Sponsor will retain all records pertaining to the Project for at least three years after completion of the Project.

1.8 Audits.

- a) The TA, or its authorized agents, may, at any reasonable time during business hours, conduct an audit of the Sponsor's performance under this Agreement. The Sponsor will permit the TA, or its authorized agents, to examine, inspect, make excerpts from, transcribe or photocopy books, documents, papers and other records of the Sponsor which the TA reasonably determines to be relevant to this Agreement.
- b) Sponsor will transmit to the TA the Independent Auditor's Report prepared for Sponsor's Comprehensive Annual Financial Report within (30) days of receipt by Sponsor and highlight the section that pertains to the Measure A funding.

SECTION 2: Funding and Payment

2.1 Funding Commitment. The TA has allocated to the Sponsor \$245,000 for reimbursement of expenditures related to the Project (Project Costs) as provided in this Section 2. The Sponsor will contribute, or provide for the contribution of; the entire amount in excess of \$245,000 needed to implement the Project and must provide at least 55% of the total Project Costs. The TA's funding commitment under this Agreement in no way establishes a right for the Sponsor to receive additional funding from the TA.

All funding obligations of the TA under this Agreement are subject to downward adjustment based on actual sales tax receipts for the fiscal years indicated, or if Sponsor receives funding for Project Costs from other sources which allow Sponsor to provide more than 55% of the total Project Costs over the term of the Agreement.

The Sponsor will assess and confirm its ability to implement the Project within budget as part of the quarterly reporting requirements established in Section 1.5, above. The Sponsor must further notify the TA between reporting cycles if the Sponsor determines that the budget will not be sufficient to implement the Project. The TA retains authority to suspend its funding obligation as set forth in Section 3.4 of this Agreement upon such notice, and until the Sponsor develops a credible funding plan acceptable to the TA to fund and implement the Project.

2.2 Use of Funds. Sponsor will use Measure A Funds only for direct Project Costs. Sponsor agrees to use Measure A Funds to supplement existing revenue. Sponsor will not use Measure A Funds to replace other local taxes or revenues already programmed and available for use for the same purpose.

If the TA determines that the Sponsor has used Measure A Funds other than for the approved Project, the TA will notify Sponsor of its determination. Within thirty (30) days of receipt of notification, Sponsor will either (a) repay such funds to the TA, or (b) explain in writing how the funds in question were spent for the approved Project. The TA will respond to the Sponsor's written explanation within thirty (30) days of receipt. Unless otherwise stated in the response, the TA's response will be final, and the Sponsor will repay any funds used other than for the approved Project within thirty (30) days.

2.3 Reimbursement Basis. Sponsor may seek reimbursement for Project Costs incurred on or after the Execution Date. Project Costs must be incurred and paid by the Sponsor prior to requesting reimbursement from the TA. Sufficient documentation must accompany all requests for reimbursement, including the submittal of all due operations and progress reports.

2.4 Accounting and Reimbursement Procedures. Sponsor, in coordination with and to the satisfaction of the TA, will establish procedures for Project accounting and requests for reimbursement. These procedures will track and reflect the accumulation of the TA's pro rata share of costs for the Project. Sponsor will detail the TA's pro rata share of Project Costs for all work funded under this Agreement with each "Reimbursement Claim Form" which is attached to this Agreement as Exhibit D and incorporated herein. Sponsor will maintain all necessary books and records in accordance with generally accepted accounting principles.

2.5 Invoices; Payments. Once per quarter following submission of the quarterly progress reports, Sponsor must prepare and submit billing statements consistent with the Reimbursement Claim Form with all required supporting documentation. Supporting documentation may include, but is not limited to, copies of associated vendor invoices, backup documentation, checks and payment advice.

Claims and supporting documentation for reimbursement may be submitted by e-mail to:

accountspayable@samtrans.com

OR by mail to:

Accounts Payable
San Mateo County Transportation Authority
P.O. Box 3006
San Carlos, CA 94070

The TA will endeavor to disburse reimbursements for approved Project Costs within thirty (30) days after the TA's approval of each claim, subject to the limits on the TA's maximum contribution as established in Section 2.1. The TA's obligation to reimburse Project Costs to the Sponsor as provided in this section is conditioned upon the TA's prompt receipt of reports from Sponsor pursuant to Sections 1.4–1.6, above.

SECTION 3: Term

3.1 Term.

- a) The term of this Agreement will commence on July 1, 2018 and conclude upon the earliest of: (a) the TA's final reimbursement to Sponsor for work performed hereunder and submittal by Sponsor of the second Annual Operations Report and Annual Report as required in Sections 1.4 and 1.6, (b) termination by Sponsor or the TA pursuant to this Section 3, or (c) December 30, 2020.
- b) The Project will operate from July 1, 2018 through June 30, 2020 (Time of Performance).

3.2 Sponsor's Right to Terminate; Repayment upon Termination. Sponsor may at any time terminate the Project by giving sixty (60) days' written notice to the TA of its election to do so. Sponsor will not be reimbursed for any Project Costs incurred after the end of the notice period. Sponsor must also indemnify the TA, its directors, officers, employees and agents from and against any and all losses, claims, liabilities, costs and expenses arising from said termination.

3.3 Termination by the TA. The TA may terminate this Agreement, with or without cause, by giving thirty-five (35) days' written notice of such termination. If the TA terminates the Agreement for Sponsor's failure to comply with the terms of this Agreement, Sponsor will reimburse the TA for all funds paid to the Sponsor in connection with the Project, minus those funds Sponsor expended in full compliance with this Agreement, within ninety (90) days of receipt of the termination notice.

If the TA terminates the Agreement for convenience, the TA is obligated to pay to Sponsor all costs and expenses incurred by Sponsor under this Agreement up to the date of notice of termination, as well as all reasonable costs and expenses incurred to effect such termination.

3.4 Expiration/Suspension of TA's Financial Obligations. Any and all financial obligations of the TA pursuant to this Agreement expire upon the expenditure of TA's maximum contribution to the Project as established in Section 2.1, or the conclusion of the Term as defined in Section 3.1, whichever occurs first. The TA reserves the right to suspend its financial obligation, with ten (10) days' advance notice if the Sponsor identifies a risk of not being able to implement the Project within budget for the full Time of Performance. If the Sponsor cannot provide a credible funding plan acceptable to the TA to fund and implement the Project for the full Time of Performance, the TA may terminate this agreement. If Sponsor identifies a risk of not being able to implement the Project during the full Time of Performance, failure to report such risk to the TA is cause for termination under Section 3.3.

SECTION 4: Indemnification and Insurance

4.1 Indemnity by Sponsor.

The Sponsor shall indemnify, keep and save harmless the TA (and, if the Project includes shuttle(s) with the Caltrain logo on the vehicle(s) or on any shuttle public information materials, the Peninsula Corridor Joint Powers Board and related agencies named in Section 4.2 (b), below) and each of its/their directors, officers, agents and employees against any and all suits, claims or actions related to the performance of this Agreement including, but not limited to, those arising out of any of the following:

- a) Any injury to persons or property that may occur, or that may be alleged to have occurred, arising from the performance of the Project or implementation of this Agreement; or
- b) Any allegation that materials or services developed, provided or used for the Project infringe or violate any copyright, trademark, patent, trade secret, or any other intellectual-property or proprietary right of any third party.

The Sponsor further agrees to defend any and all such actions, suits or claims and pay all charges of attorneys and all other costs and expenses of defenses as they are incurred. If any judgment is rendered, or settlement reached, against the TA or any of the other agencies or individuals enumerated above in any such action, the Sponsor shall, at its expense, satisfy and discharge the same.

This indemnification shall survive termination or expiration of the Agreement.

4.2 Insurance. For the purposes of this Insurance section, "Entity" is defined as any entity designing, approving designs and/or performing the Project funded by this Agreement. Entities may include Sponsor, a contractor of Sponsor, another body on behalf of which Sponsor submitted its funding application, and/or a contractor of such other body.

All Entities will provide the appropriate insurance covering the work being performed. The insurance requirements specified in this section will cover each Entity's own liability and any liability arising out of work or services of Entity subcontractors, subconsultants, suppliers, temporary workers, independent contractors, leased employees, or any other persons, firms or corporations (hereinafter collectively referred to as Agents) working on the Project. If Sponsor itself is an Entity, Sponsor must also provide its own insurance meeting the requirements of this Section.

- a) Minimum Types and Scope of Insurance. Each Entity is required to procure and maintain at its sole cost and expense insurance subject to the requirements set forth below. Such insurance will remain in full force and effect throughout the term of this Agreement. All policies will be issued by insurers acceptable to the TA (generally with a Best's Rating of A-10 or better). Each Entity is also required to assess the risks associated with work to be performed by Agents and to require that Agents maintain adequate insurance coverages with appropriate limits and endorsements to cover such risks. To the extent that its Agent does not procure and maintain such insurance coverage, an Entity is responsible for and assumes any and all costs and expenses that may be incurred in securing said coverage or in fulfilling Entity's indemnity obligations as to itself or any of its Agents in the absence of coverage. Entities may self-insure against the risks associated with the Project, but in such case, waive subrogation in favor of the TA respecting any and all claims that may arise.
 - i. Workers' Compensation and Employer's Liability Insurance. Worker's Compensation coverage must meet statutory limits and Employer's Liability Insurance must have minimum limits of \$1 (one) million. Insurance must include a Waiver of Subrogation in favor of the TA.
 - ii. Commercial General Liability Insurance. The limit for Commercial General Liability Insurance in each contract and subcontract cannot be less than \$10 (ten) million. Commercial General Liability Insurance must be primary to any other insurance, name the TA as an Additional Insured, include a Separation of Interests endorsement, and include a Waiver of Subrogation in favor of the TA.
 - iii. Business Automobile Liability Insurance. The limit for Business Automobile Liability Insurance in each contract and subcontract cannot be less than \$10 (ten) million. Insurance must cover all owned, non-owned and hired autos, and include a Waiver of Subrogation in favor of the TA.
 - iv. Business Automobile Physical Damage Insurance. Insurance should cover Business Automobile Physical Damage, including Comprehensive and Collision coverage for all of Entity's vehicles used for the Project. Such insurance must include a Waiver of Subrogation in favor of the TA.

- v. Professional Liability Insurance. If deemed appropriate by the Sponsor or an Entity in consideration of the work required for the Project, insurance should cover each Entity's and any Agent's professional work on the Project. The limit for Professional Liability Insurance in each appropriate contract and subcontract should not be less than \$1 million.
 - vi. Contractors' Pollution Liability Insurance and/or Environmental Liability Insurance. If deemed appropriate by Sponsor or an Entity in consideration of the work required for the Project, insurance should cover potential pollution or environmental contamination or accidents. The limit for Pollution and/or Environmental Liability Insurance in each appropriate contract and subcontract should not be less than \$1 million. Such insurance must name the TA as an Additional Insured and include a Waiver of Subrogation in favor of the TA.
 - vii. Railroad Protective Liability Insurance. Insurance is required if the Project will include any construction or demolition work within 50 feet of railroad tracks. The limit for Railroad Protective Liability Insurance in each appropriate contract and subcontract cannot be less than \$2 million per occurrence and \$6 million annual aggregate.
- b) Special Requirement for Caltrain Shuttles. If Sponsor and/or Entity is operating shuttle(s) with the Caltrain logo on the vehicle(s) or on any shuttle public information materials, the Commercial General Liability, Business Automobile, and Pollution and/or Environmental Liability (if applicable) policies also must name as Additional Insureds: the Peninsula Corridor Joint Powers Board, the San Mateo County Transit District, the Santa Clara Valley Transportation Authority, the City and County of San Francisco, TransitAmerica Services, Inc. or any successor Operator of the Service, and the Union Pacific Railroad Company and their respective directors, officers, employees, volunteers and agents while acting in such capacity, and their successors or assignees, as they now, or as they may hereafter be constituted, singly, jointly or severally.
 - c) Excess or Umbrella Coverage. Sponsor and/or any other Entity may opt to procure excess or umbrella coverage to meet the above requirements, but in such case, these policies must also satisfy all specified endorsements and stipulations for the underlying coverages and include provisions that the policy holder's insurance is to be primary without any right of contribution from the TA.
 - d) Deductibles and Retentions. Sponsor must ensure that deductibles or retentions on any of the above insurance policies are paid without right of contribution from the TA.

Deductible and retention provisions cannot contain any restrictions as to how or by whom the deductible or retention is paid. Any deductible or retention provision limiting payment to the named insured is unacceptable.

In the event that any policy contains a deductible or self-insured retention, and in the event that the TA seeks coverage under such policy as an additional insured, Sponsor will ensure that the policy holder satisfies such deductible to the extent of loss covered by such policy for a lawsuit arising from or connected with any alleged act or omission of the Entity or Agents, even if neither the Entity nor Agents are named defendants in the lawsuit.

- e) Claims Made Coverage. If any insurance specified above is provided on a claim- made basis, then in addition to coverage requirements above, such policy must provide that:
 - i. Policy retroactive date coincides with or precedes the Entity's start of work (including subsequent policies purchased as renewals or replacements).
 - ii. Entity will make every effort to maintain similar insurance for at least three (3) years following Project completion, including the requirement of adding all additional insureds.
 - iii. If insurance is terminated for any reason, each Entity agrees to purchase an extended reporting provision of at least three (3) years to report claims arising from work performed in connection with this Agreement.
 - iv. Policy allows for reporting of circumstances or incidents that might give rise to future claims.
- f) Failure to Procure Adequate Insurance. Failure by any Entity to procure sufficient insurance to financially support Section 4.1, Indemnity by Sponsor, of this Agreement does not excuse Sponsor from meeting all obligations of Section 4.1 and the remainder of this Agreement, generally.

Prior to beginning work under this Agreement, Sponsor must obtain, and produce upon request of the TA, satisfactory evidence of compliance with the insurance requirements of this section.

SECTION 5: Miscellaneous

5.1 Notices. All notices required or permitted to be given under this Agreement, excluding monthly/annual Operations Reports, quarterly progress reports, annual reports, and invoices, must be in writing and mailed postage prepaid by certified or registered mail, return receipt requested, or by personal delivery or overnight courier to the appropriate address indicated below or at such other place(s) that either party may designate in written notice to the other. Notices are deemed received upon delivery if personally served, one (1) day after mailing if delivered via overnight courier, or two (2) days after the mailing date if mailed as provided above.

To TA: San Mateo County Transportation Authority
1250 San Carlos Avenue
P.O. Box 3006
San Carlos, CA 94070-1306
Attn: Authority Secretary

To SPONSOR: City of Daly City
333 90th Street
Daly City, CA 94015
Attn: City Manager

5.2 No Waiver. No waiver of any default or breach of any covenant of this Agreement by either Party will be implied from any omission by either Party to take action on account of such default if such default persists or is repeated. Express waivers are limited in scope and duration to their express provisions. Consent to one action does not imply consent to any future action.

5.3 Assignment. Parties are prohibited from assigning, transferring or otherwise substituting their interests or obligations under this Agreement without the written consent of all other Parties.

5.4 Governing Law. This Agreement is governed by the laws of the State of California as applied to contracts that are made and performed entirely in California.

5.5 Compliance with Laws. In performance of this Agreement, the Parties must comply with all applicable Federal, State and local laws, regulations and ordinances.

5.6 Modifications. This Agreement may only be modified in a writing executed by both Parties.

5.7 Attorneys' Fees. In the event legal proceedings are instituted to enforce any provision of this Agreement, the prevailing Party in said proceedings is entitled to its costs, including reasonable attorneys' fees.

5.8 Relationship of the Parties. It is understood that this is an Agreement by and between Independent Contractors and does not create the relationship of agent, servant, employee, partnership, joint venture or association, or any other relationship other than that of Independent Contractor.

5.9 Ownership of Work. All reports, designs, drawings, plans, specifications, schedules, studies, memoranda, and other documents assembled for or prepared by or for, in the process of being assembled or prepared by or for, or furnished to Sponsor under this Agreement are the joint property of the TA and the Sponsor, and will not be destroyed without the prior written consent of the TA.

The TA is entitled to copies and access to these materials during the progress of the Project and upon completion or termination of the Project or this Agreement. Sponsor may retain a copy of all material produced under this Agreement for its use in its general activities. This Section does not preclude additional shared ownership of work with other entities under contract with the Sponsor for funding of the Project.

5.10 Non-discrimination. Sponsor and any contractors performing services on behalf of Sponsor will not discriminate or permit discrimination against any person or group of persons on the basis of race, color, religion, national origin or ancestry, age, sex, sexual orientation, marital status, pregnancy, childbirth or related conditions, medical condition, mental or physical disability or veteran's status, or in any manner prohibited by federal, state or local laws.

5.11 Accessibility of Services to Persons with Disabilities. The Project implementation must comply with, and not subject the TA or Sponsor to liability under, the Americans with Disabilities Act, the California Disabled Persons Act, or any other state or federal laws protecting the rights of persons with disabilities.

5.12 Warranty of Authority to Execute Agreement. Each Party to this Agreement represents and warrants that each person whose signature appears hereon is authorized and has the full authority to execute this Agreement on behalf of the entity that is a Party to this Agreement.

5.13 Severability. If any portion of this Agreement, or the application thereof, is held by a court of competent jurisdiction to be invalid, void or unenforceable, all remaining portions of this Agreement, or the application thereof will remain in full force and effect.

5.14 Counterparts. This Agreement may be executed in counterparts.

5.15 Attribution to the TA. Sponsor must include attribution that indicates work was funded with Measure A Funding from the TA. This provision applies to any project, or publication, that was funded in part or in whole by Measure A Funds. Acceptable forms of attribution include TA branding on Project-related documents, construction signs, public information materials, and any other applicable documents.

5.16 Entire Agreement. This Agreement constitutes the entire agreement between the Parties pertaining to its subject matter and supersedes any prior or contemporaneous written or oral agreement between the Parties on the same subject.

IN WITNESS WHEREOF, the Parties have hereunder subscribed their names the day and year indicated below.

CITY OF DALY CITY

By: _____
Name: _____
Its: _____

Approved as to Form:

Legal Counsel for City of Daly City

**SAN MATEO COUNTY TRANSPORTATION
AUTHORITY**

By: _____
Name: Jim Hartnett
Its: Executive Director

ATTEST

TA Secretary Approved as to Form:

Legal Counsel for the TA

- Exhibit A: Route Description and Information**
- Exhibit B: Marketing Plan**
- Exhibit C: National Transit Database Reporting Requirements**
- Exhibit D: Quarterly/Annual Progress Report Form**
- Exhibit E: Reimbursement Claim Form**

Exhibit A: ROUTE DESCRIPTION AND INFORMATION

Exhibit A
San Mateo County Transportation Authority
Measure A Local Shuttle Program FY 2019 & FY 2020
Route Description and Information

Route Name: Bayshore Circulator
 Sponsor Agency: City of Daly City
 Shuttle Contract Holder (if applicable): _____
 Contact person/ Title: Shirley Chan/Traffic Engineer
 Email / phone: schan@dalycity.org / (650) 991-8231

1) Financial Information for the 2 -year funding period

a) COST	FY 2019	FY 2020	Total
Operating Costs (i.e. Contract Service cost)	\$245,000	\$252,000	\$497,000
Admin Costs (personnel expenses)	\$22,000	\$18,000	\$40,000
Direct Costs (printing, marketing materials, etc.)	\$4,000	\$4,000	\$8,000
Fuel Surcharge (if applicable)	\$0	\$0	\$0
Other Costs (specify)	\$0	\$0	\$0
Total Costs	\$271,000	\$274,000	\$545,000

b) FUNDING SOURCES	FY 2019	FY 2020	Total
Measure A Shuttle program	\$121,800	\$123,200	\$245,000
Other (Lifetime Transportation Program - STA)	\$149,200	\$150,800	\$300,000
Other (list)	\$0	\$0	\$0
Other (list)	\$0	\$0	\$0
Other (list)	\$0	\$0	\$0
Total Funding	\$271,000	\$274,000	\$545,000

2) Service Description

a) Hours of Operation

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total vehicle service hours (hh:mm):
(AM) Start time - End time		6:00 - 10:23	6:00 - 10:23	6:00 - 10:23	6:00 - 10:23	6:00 - 10:23		
(Midday) Start time - End time		11:30 - 15:18	11:30 - 15:18	11:30 - 15:18	11:30 - 15:18	11:30 - 15:18		
(PM) Start time - End time		16:25 - 20:03	16:25 - 20:03	16:25 - 20:03	16:25 - 20:03	16:25 - 20:03		
(Other) Start time - End time								
Total vehicle service hours (hh:mm):	0	11:49:00	11:49:00	11:49:00	11:49:00	11:49:00	0	59:05:00

Route schedule is attached (if available): **Yes**

- b) Start and end dates of service (if not July 1, 2018 - June 30, 2020) _____
- c) Frequency of service/headways 70 minutes
- d) # Miles for one complete service loop (including service and deadhead miles, but excluding deadhead from originating yard) 13
- e) Daily service miles (including service and deadhead miles, but excluding deadhead from originating yard) 143
- f) Service type: commuter, community, fixed route, on-demand, door to door, other (describe) commuter/community
- g) Number and size of vehicles (e.g. 2@ 24 passenger capacity) 1@20 passenger capacity
- h) Passenger fare structure, if applicable (e.g. \$2 adults, \$20 monthly pass, \$5 on-demand service, etc.) free

i) Route: Map is attached: Yes / No (if not available, describe route below)

Map is attached.

j) Website/URL where the shuttle schedule is posted: http://www.dalycity.org/Residents/Bayshore_Shuttle_Changes_9_6_16.htm

k) Customer Feedback: The phone number, email, website and/or other contact information by which passengers can request information, comment, or complain.

SanTrans customer service, 1-800-660-4287; http://www.dalycity.org/Residents/Bayshore_Shuttle_Changes_9_6_16.htm

l) Marketing Plan: Attach a detailed Marketing Plan
 See attachment.

Daly City Bayshore Shuttle

Daly City

San Francisco

Legend

- Shuttle Route
- Time Point (see schedule)
- Muni Bus Stop (C, D, E)
- SamTrans Bus Stop (A, F)
- Shuttle Stops
- Point of Interest

Map details include: Daly City BART, North Peninsula Food Pantry, John Daly Blvd, San Jose Ave, Balboa BART, Safeway, Onondaga, Walgreens, Geneva Ave, San Francisco, Saddleback, Carter, Bay Ridge, Martin, Rio Verde, Ottilla, Schwerin, Linda Vista, Main, Bayshore Blvd.

San Mateo County Transportation Authority/
Daly City Bayshore Shuttle

Exhibit B: SHUTTLE MARKETING PLAN

Bayshore Shuttle Marketing Plan, FY 2019-20

Timeline	Objectives	Activity Planned	Channels
July 2018	New marketing campaign to increase awareness of shuttle service	Develop new flyers and mailers	
August 2018		Print new flyers and mailers	Printers
September 2018	Launch new marketing campaign	Mail new marketing material	Every Door Direct Mail San Francisco Chronicle
September 2018	Launch new marketing campaign	Post on City's website, Nextdoor	Daly City website, Nextdoor
October 2018	Continue new marketing campaign	Post on City's electronic newsletter	Daly Wire
October 2018	Continue new marketing campaign	Distribute flyers to community centers, neighborhood groups, school district	Boys and Girls Club, Midway Village, Saddleback, Bayshore Elementary School District
January 2019	Continue new marketing campaign	Post on Nextdoor	Nextdoor
March 2019	Continue new marketing campaign	Post on City's electronic newsletter	Daly Wire
May 2019	Continue new marketing campaign	Post on City's website, Nextdoor	Daly City website, Nextdoor
July 2019	Increase awareness of shuttle service	Print flyers and mailers	Printers
August 2019	Re-send marketing campaign	Mail marketing material	Every Door Direct Mail San Francisco Chronicle
	Re-send marketing campaign	Distribute flyers to community centers, neighborhood groups, school district	Boys and Girls Club, Midway Village, Saddleback, Bayshore Elementary School District
September 2019	Continue marketing campaign	Post on City's website, Nextdoor	Daly City website, Nextdoor
October 2019	Continue marketing campaign	Post on City's electronic newsletter	Daly Wire
January 2020	Continue marketing campaign	Post on Nextdoor	Nextdoor
March 2020	Continue marketing campaign	Post on City's electronic newsletter	Daly Wire
May 2020	Continue marketing campaign	Post on City's website, Nextdoor	Daly City website, Nextdoor

Exhibit C: NATIONAL TRANSIT DATABASE REPORTING REQUIREMENTS

The NTD was established by Congress to be the Nation's primary source for information and statistics on the transit systems of the United States. Recipients or beneficiaries of grants from the Federal Transit Administration (FTA) under the Urbanized Area Formula Program (§5307) or Other than Urbanized Area (Rural) Formula Program (§5311) are required by statute to submit data to the NTD. Over 660 transit providers in urbanized areas currently report to the NTD through the Internet-based reporting system. Each year, NTD performance data is used to apportion over \$5 billion of FTA funds to transit agencies in urbanized areas (UZAs). Annual NTD reports are submitted to Congress summarizing transit service and safety data.

Below is a partial list of reported elements that may change at any time. For additional information, please go to the National Transit Database website at: www.ntdprogram.gov/ntdprogram/index.htm.

- a) **Deadhead (Miles/Hours):** The miles and hours that a vehicle travels when out of revenue service.
 - i) Deadhead includes:
 - 1) • Leaving or returning to the garage or yard facility;
 - 2) • Changing routes;
 - 3) • When there is no expectation of carrying revenue passengers;
 - ii) However, deadhead does not include:
 - 1) • Charter service;
 - 2) • School bus service;
 - 3) • Operator training;
 - 4) • Maintenance training;
- b) **Fuel Consumed:** The quantity of fuel consumed for the service (by fuel type);
- c) **Mechanical System Failure - Major:** A failure of some mechanical element of the revenue vehicle that prevents the vehicle from completing a scheduled revenue trip or from starting the next scheduled revenue trip because actual movement is limited or because of safety concerns;
- d) **Mechanical System Failure - Other:** A failure of some other mechanical element of the revenue vehicle that, because of local agency policy, prevents the revenue vehicle from completing a scheduled revenue trip or from starting the next scheduled revenue trip even though the vehicle is physically able to continue in

revenue service. Any mechanical problem that delayed service more than five minutes, even if no Road Call was required;

- e) **Passenger Miles Traveled (PMT):** The cumulative sum of the distances ridden by each passenger;
- f) **Reportable Incident:** A safety or security incident occurring on transit property or otherwise affecting revenue service that results in one or more of the following conditions:
 - i) A fatality confirmed within 30 days of the incident;
 - ii) An injury requiring immediate medical attention away from the scene for one or more persons;
 - iii) Property damage equal to or exceeding \$25,000;
 - iv) An evacuation for life safety reasons; or
 - v) A mainline derailment.
- g) **Revenue Service (Miles, Hours, and Trips):** The time when a vehicle is available to the general public and there is an expectation of carrying passengers. Vehicles operated in fare free service are considered in revenue service.
 - i) Revenue service includes:
 - 1) • Layover / recovery time.
 - ii) Revenue service excludes:
 - 1) • Deadhead
 - 2) • Vehicle maintenance testing
 - 3) • School bus service, and
 - 4) • Charter service.
- h) **Total Service (Miles or Hours):** The time or miles from when a transit vehicle starts (pull-out) from a garage to go into revenue service to the time or miles it returns to the garage (pull-in) after completing its revenue service.
 - i) Since total service covers the time or miles between:
 - 1) • Pullout; and

- 2) • Pull-in;
- ii) It therefore includes both:
 - 1) • Deadhead; and
 - 2) • Revenue service;
- i) **Unlinked Passenger Trips (UPT):** The number of passengers who board public transportation vehicles. Passengers are counted each time they board vehicles no matter how many vehicles they use to travel from their origin to their destination.

Exhibit D: QUARTERLY/ANNUAL PROGRESS REPORT FORM

San Mateo County Transportation Authority
Quarterly/Annual Shuttle Program Progress Report Form
Reporting Period: FY 2019

(Please complete all highlighted/shaded cells)

Shuttle Route Name: _____
 Oversight Agency: _____
 Sponsor: _____
 SMC TA Project ID: _____
 Person Completing Form: _____
 Date: _____

	\$Cost/Pax	Boardings/Hr
Q1		-
Q2		-
Q3		-
Q4		-
ANNUAL		-

1) Cost (Totals for Reporting Period)

	FY 2019 Q1	FY 2019 Q2	FY 2019 Q3	FY 2019 Q4	FY 2019 Total
Operating Costs					
Insurance					
Fuel Surcharge (if any)					
Admin Costs (personnel expenses)					
Other Direct Costs					
Other Costs (specify)					
TOTAL OPERATING COST					

2) Funding (Totals for Reporting Period)

	FY 2019 Q1		FY 2019 Q2		FY 2019 Q3		FY 2019 Q4		FY 2019 Total	
Funding Sources	Annual	Percent	Annual	Percent	Annual	Percent	Annual	Percent	Annual	Percent
SMCTA Meas. A (Shuttle)										
SMCTA Meas. A (Local)										
C/CAG										
ADMINISTRATION										
City										
Employers										
JPB										
AB 434 (TFCA)										
Total										

3) Service Description

a) Hours of Operation

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	
Q1								
AM Hours of operation								
Mid Hours of operation								
PM Hours of operation								
Total passenger service-hours/day								Total passenger service-hours/week: _____
TOTAL ACTUAL PASSENGER SERVICE-HOURS FOR REPORTING PERIOD:								_____
Q2								
AM Hours of operation								
Mid Hours of operation								
PM Hours of operation								
Total passenger service-hours/day								Total passenger service-hours/week: _____
TOTAL ACTUAL PASSENGER SERVICE-HOURS FOR REPORTING PERIOD:								_____
Q3								
AM Hours of operation								
Mid Hours of operation								
PM Hours of operation								
Total passenger service-hours/day								Total passenger service-hours/week: _____
TOTAL ACTUAL PASSENGER SERVICE-HOURS FOR REPORTING PERIOD:								_____
Q4								
AM Hours of operation								
Mid Hours of operation								
PM Hours of operation								
Total passenger service-hours/day								Total passenger service-hours/week: _____
TOTAL ACTUAL PASSENGER SERVICE-HOURS FOR REPORTING PERIOD:								_____

- 14762551.1

Exhibit E: REIMBURSEMENT CLAIM FORM

Exhibit E
REIMBURSEMENT CLAIM
San Mateo County Measure A Funds

SMCTA Project ID:

Claim Date:**Claim Period:**

(date completing this claim)

(period of incurred expenses, e.g. July - Sept 2016)

Consultant/Contractor/ Vendor	Invoice #	Invoice Total	Funding Source				Measure A	Prior Total Measure A \$	Life to Date Measure A \$	Measure A Budget Balance
			Fund Source1	% of Ttl	Fund Source2	% of Ttl				
				#DIV/0!		#DIV/0!		#DIV/0!		
				#DIV/0!		#DIV/0!		#DIV/0!		
				#DIV/0!		#DIV/0!		#DIV/0!		
				#DIV/0!		#DIV/0!		#DIV/0!		
Total		-	-	#DIV/0!	-	#DIV/0!	-	#DIV/0!	\$ -	-

Y/N

Agency
Contact person
Address



City Council Agenda Report

Item # _____

Meeting Date: September 10, 2018

Subject: Amend Traffic Regulations to: (1) Convert the first metered parking space on the east side of Templeton Avenue, just south of Mission Street, to a commercial loading (yellow) zone (TSR 19/06); (2) Convert the existing 20-ft. No Parking (red) zone adjacent to 35 Templeton Avenue to a 24-minute limited time metered parking (green) zone (TSR 19/06); (3) Install stop signs on Woodrow Street at Vista Grande Avenue (TSR 19/08); (4) Install stop signs on Willits Street at Vista Grande Avenue (TSR 19/09); and (5) Establish 4-hour limited time parking for the parking stalls on East Moltke Street in front of the Albert Teglia Community Center (TSR 19/11).

Recommended Action

Recommend the City Council amend the City's traffic regulations as follows:

1. Convert the first metered parking space on the east side of Templeton Avenue, just south of Mission Street, to a yellow zone, enforceable from 8AM to 6PM, Monday to Saturday (TSR 19/06).
2. Convert the existing 20-ft. red zone adjacent to the driveway at 35 Templeton Avenue to a 24 minute limited time metered parking space, enforceable from 8AM to 6PM, Monday to Saturday (TSR 19/06).
3. Install stop signs on Woodrow Street at Vista Grande Avenue (TSR 19/08).
4. Install stop signs on Willits Street at Vista Grande Avenue (TSR 19/09).
5. Establish 4-hour limited parking for the parking stalls on East Moltke Street in front of the Albert Teglia Community Center, enforceable from 8AM to 6PM, Monday to Saturday (TSR 19/11).

Background

On August 2, 2018, the City's Traffic Safety Committee met and reviewed various requests for traffic improvements, signage and pavement markings, and recommended that the City Manager proceed with amending the aforementioned traffic regulation.

Discussion

The amendments to the traffic regulations are recommended for the following reasons:

1. The owner of the restaurant at the southeast corner of Mission Street and Templeton Avenue requested to convert the existing red zone into a yellow zone. Staff verified with SamTrans that the existing red zone on Templeton Avenue, just south of Mission Street, is still needed by

SamTrans. It was recommended that the first metered parking space on Templeton Avenue be converted to a yellow zone as an alternate accommodation for the restaurant..

2. It was recommended that the existing 20-ft. red zone adjacent to the driveway at 35 Templeton Avenue be converted to a 24-minute limited time metered parking zone. The red zone is no longer needed and would provide the business a 24-minute limited time metered parking zone.
3. Stop signs are recommended on Woodrow Street at Vista Grande Avenue to avoid confusion in the neighborhood as all the intersections in the area are all-way stop controlled with the exception of two intersections.
4. Stop signs are recommended on Willits Street at Vista Grande Avenue to avoid confusion in the neighborhood as all the intersections in the area are all-way stop controlled with the exception of two intersections.
5. A request was made to install a limited time parking sign for the seven (7) parking stalls in front of the Albert Teglia Community Center. The 4-hour limited parking zone will better serve those who attend events at the Albert Teglia Community Center. The parking stalls would be available for residents during the evenings.

Fiscal Impact

Funding is available for the proposed signs and/or markings in the Street Maintenance operating budget 01-314-330-4241 for the current Fiscal Year 2018-2019.

Summary/Conclusion

Recommend the City Council amend the aforementioned traffic regulations.

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

Respectfully submitted,

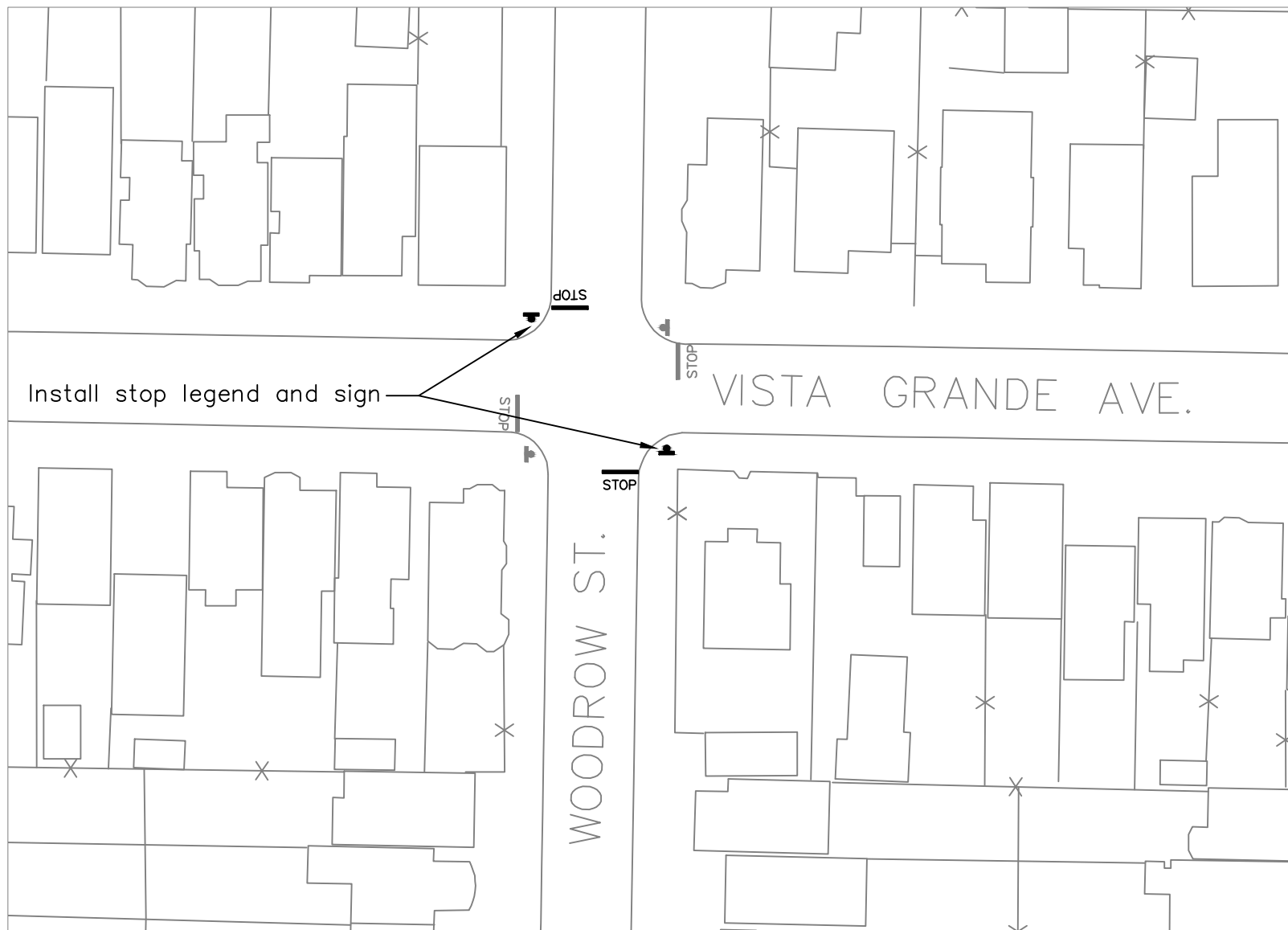


Shirley Chan
Traffic Engineer



John L. Fuller
Director of Public Works

Attachment: Traffic Improvements Location Maps



TSR 19-08

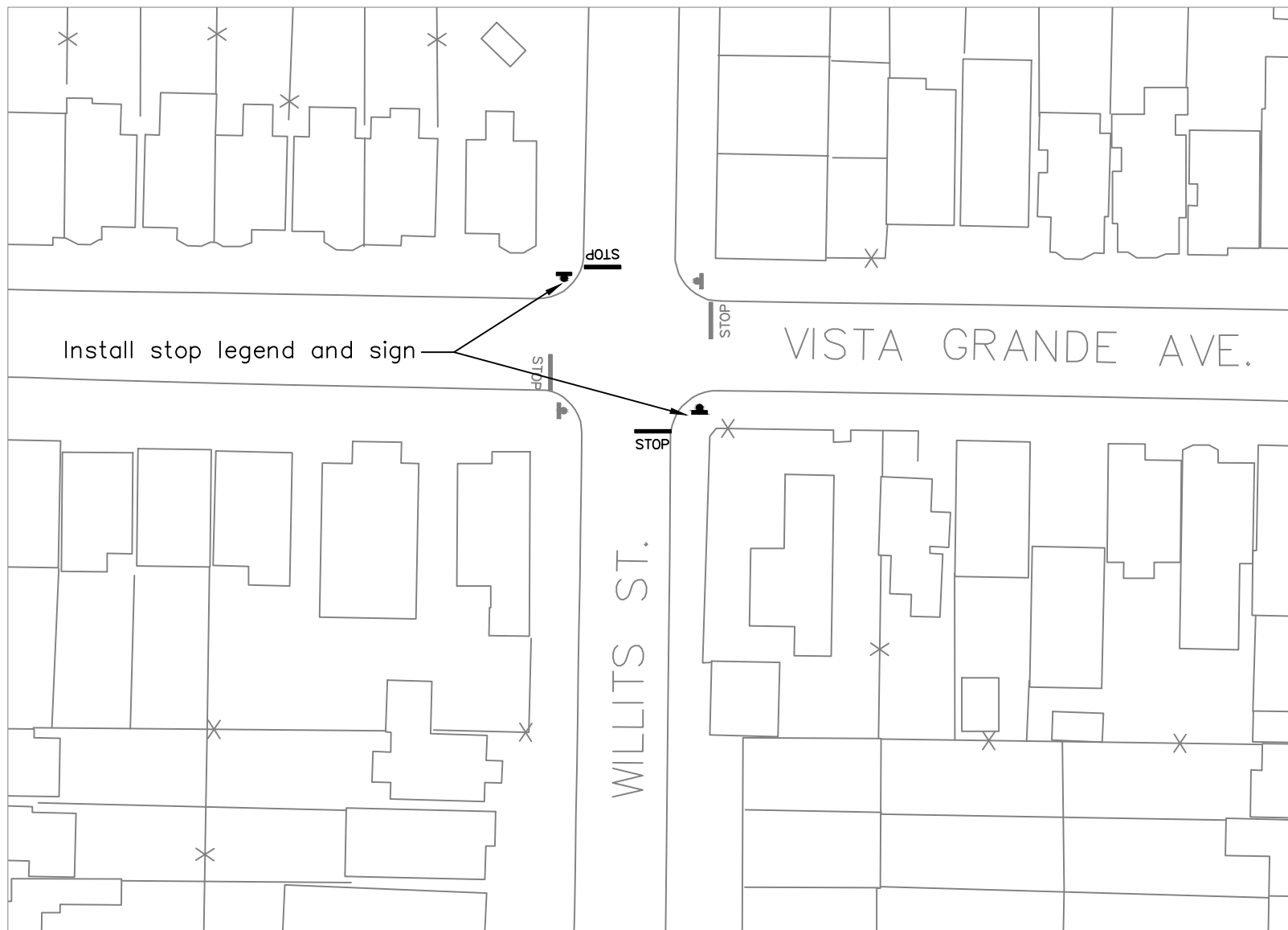


N.T.S.

THE CITY OF DALY CITY
CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

TRAFFIC IMPROVEMENTS
Woodrow Street/Vista Grande Avenue

DRAWN	GM	DATE	08/18	APPROVED	
CHECKED	SCY	SCALE	NTS	CITY ENGINEER	
DESIGNED	GM	SURVEY NO.		SHEET NO. 1 OF 1	TSR 19-08
				DRAWING NUMBER	REV.



TSR 19-09

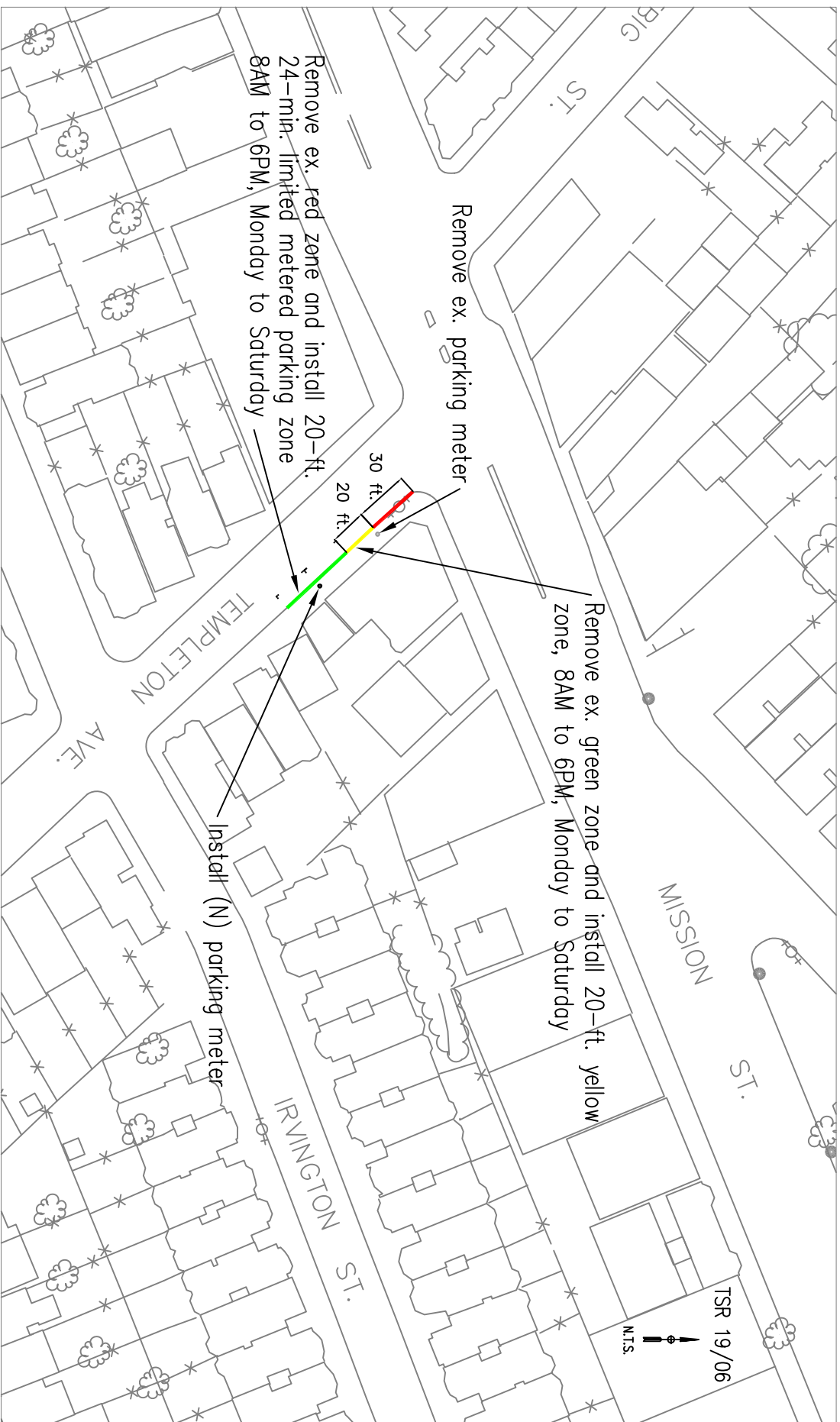


N.T.S.

THE CITY OF DALY CITY
CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

TRAFFIC IMPROVEMENTS
Willits Street/Vista Grande Avenue

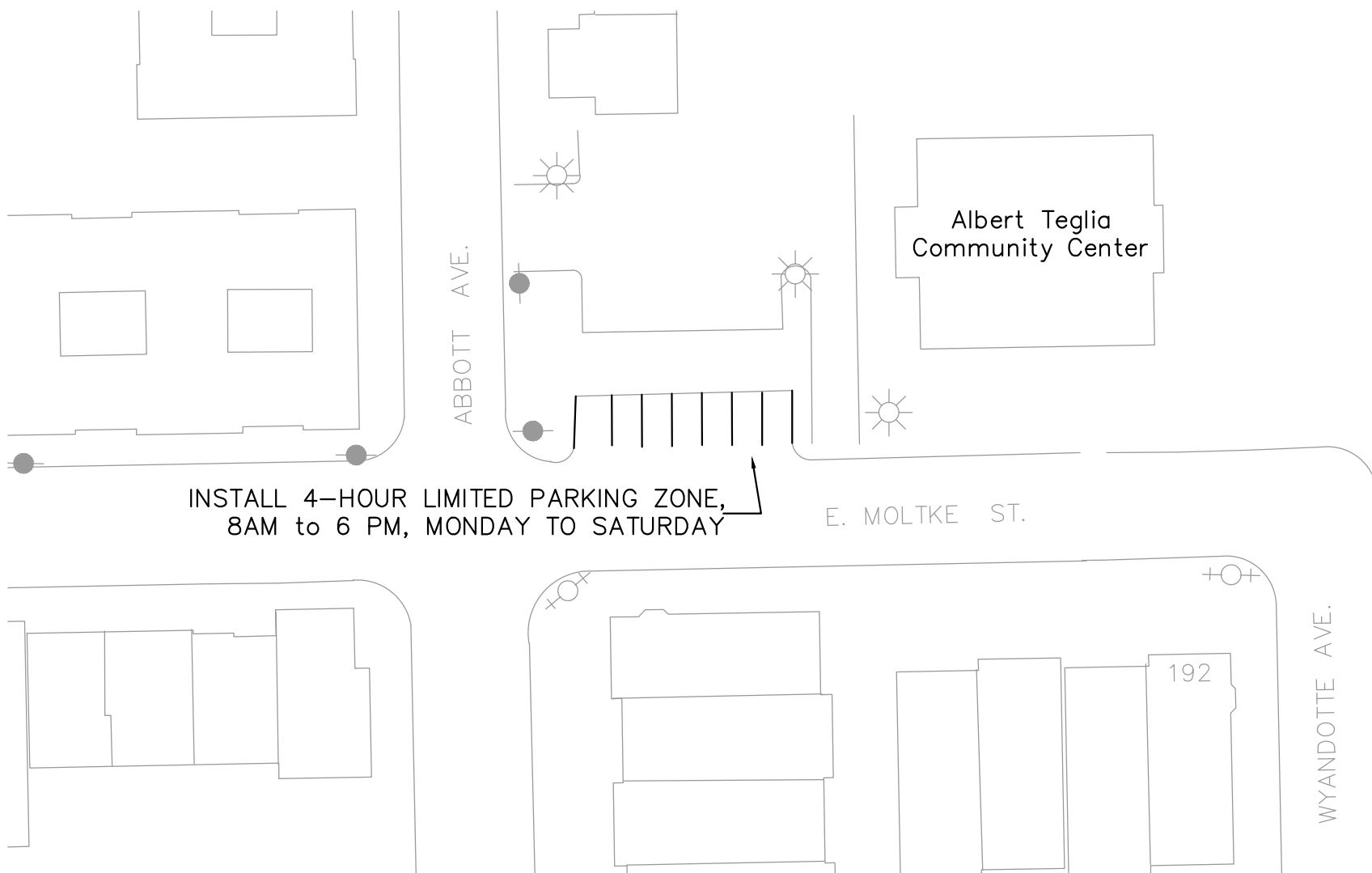
DESIGNED	GM	DATE	08/18	APPROVED	CITY ENGINEER
CHECKED	SCY	SCALE	NTS	SHEET NO.	1 OF 1
DESIGNED	GM	SURVEY NO.		TSR 19-09	REV.



THE CITY OF DALY CITY
CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

TRAFFIC IMPROVEMENTS
MISSION ST. & TEMPLETON AVE.

DRAWN	GM	DATE	08/18	APPROVED	CITY ENGINEER
DESIGNED	SCY	SCALE	NTS	SHEET NO.	1 OF 1
DESIGNED	SCY	SHEET NO.	1	DATE	TSR 19-06
					DRAWING NUMBER
					REV.



INSTALL 4-HOUR LIMITED PARKING ZONE,
8AM to 6 PM, MONDAY TO SATURDAY

E. MOLTKE ST.

TSR 19-11



N.T.S.

THE CITY OF DALY CITY
CALIFORNIA
DEPARTMENT OF PUBLIC WORKS

TRAFFIC IMPROVEMENTS
E. MOLTKE STREET

DRAWN GM	DATE 08/18	APPROVED _____ CITY ENGINEER
CHECKED SCY	SCALE NTS	SHEET NO. 1 OF 1
DESIGNED SCY	SURVEY NO.	TSR 19-11 DRAWING NUMBER



City Council Meeting Agenda Report

Item # _____

Meeting Date: September 10, 2018

Subject: Approving the Application for Grant Funds for Improvements at the Doelger Senior Center Complex

Recommended Action

It is recommended that the City Council adopt a resolution approving an application to the State of California for grant funds totaling \$1.5 million for improvements at the Doelger Senior Center Complex. It is further recommended that the City Council designate the Interim City Manager as the City's agent to conduct all negotiations, execute and submit all documents including, but not limited to the Project Information Form, agreements, payment requests, which may be necessary for the completion of the project.

Background

The Doelger Senior Center opened in November 1980, following a long collaboration between community activists, the City Council, and Thelma Doelger. Mrs. Doelger made the acquisition of the former Fernando Rivera School site possible and succeeded in having the center named in honor of her late husband, Henry Doelger. In the subsequent 38 years since opening, the center has become a hub of activity for Daly City's seniors.

In recent years, the Doelger Senior Center has begun showing signs of its age. The roof of the complex was last replaced in 1995 with a projected life expectancy of 15 years. Staff from the City's Department of Public Works has admirably patched holes each winter to extend the life of the 23-year old roof, but the recent facility assessment indicated a complete roof replacement was in order. The estimate to replace the roof is \$1.5 million.

Discussion

Assemblymember Phil Ting, Daly City's elected representative serving California's 19th Assembly District, at the request of Mayor Juslyn C. Manalo, included a grant request for the City of Daly City in the amount of \$1.5 million for improvements at the Doelger Senior Center in the State's current budget. Assemblymember Ting's request was approved by the California Legislature and Governor Edmund G. Brown, Jr.

Staff from the City's Department of Public Works will serve as the project managers for the roof replacement project. The project will include both the Doelger Senior Center and the Pacelli Events Center. Work on the project is expected to begin during the late summer/early fall of 2019.

Funds from the grant will be the primary funding source for the roof replacement project. If the total cost of the project does not exceed the allocated amount of \$1.5 million, surplus funds may be spent on other needs at the project site. All work must be completed and the project finalized by 2022.

Fiscal Impact

The Doelger Senior Center Improvement project was not included in the adopted Fiscal Year 2018-19/2019-20 Capital Project Budget. The grant from the State of California is new revenue.

Subject: Grant Funding for Improvements at the Doelger Senior Center Complex
Meeting Date: September 10, 2018
Page 2 of 2

Summary/Conclusion

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

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Joseph F. Curran". The signature is written in a cursive, flowing style.

Joseph F. Curran
Director
Dept. of Library and Recreation Services

Attachment: Draft Resolution

RESOLUTION NO: _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY
APPROVING THE APPLICATION FOR GRANT FUNDS FOR
IMPROVEMENTS AT THE DOELGER SENIOR CENTER COMPLEX

- WHEREAS, the Legislature and Governor of the State of California have approved a grant for the project shown above; and
- WHEREAS, the California Natural Resources Agency has been delegated the responsibility for the administration of the grant project, setting up necessary procedures; and
- WHEREAS, said procedures established by the California Natural Resources Agency require the Grantee to certify by resolution the approval of application(s) before submission of said application(s) to the state; and
- WHEREAS, the Grantee will enter into an agreement with the State of California for subject project:

NOW, THEREFORE, BE IT RESOLVED that the City of Daly City (Grantee):

1. Approves the acceptance of general fund allocation for local assistance for the above project; and
2. Certifies that said agency understands the assurances and certification in the Project Information Form; and
|
3. Certifies that said agency will have sufficient funds to operate and maintain the project or will enter into an agreement with another entity to perform said operation and maintenance; and
4. Certifies that said agency has reviewed and understands the General Provisions contained in the Project Agreement shown in the Procedural Guide; and
5. Appoints the Interim City Manager as agent to conduct all negotiations, execute and submit all documents including, but not limited to Project Information Form, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project.

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 _____, 2018, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers: _____

NOES, Councilmembers: _____

ABSENT, Councilmembers: _____

APPROVED:

MAYOR OF THE CITY OF DALY CITY

CITY CLERK OF THE CITY OF DALY CITY

CITY OF DALY CITY
CHECK REGISTERS
FOR THE MONTH OF AUGUST 2018

08/15/2018

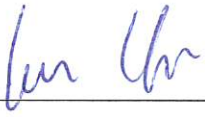
CHECKS ISSUED	-	#369774 TO #370074
CANCELLED CHECK	-	#369821, #369973
VOID CHECK	-	NONE

08/23/18

CHECKS ISSUED	-	#370075
CANCELLED CHECK	-	NONE
VOID CHECK	-	NONE

08/31/18

CHECKS ISSUED	-	#370076 TO #370406
CANCELLED CHECK	-	NONE
VOID CHECK	-	NONE

AUDITED  FINANCE DIRECTOR

APPROVED _____ CITY MANAGER

APPROVED _____ MAYOR

APPROVED _____ VICE MAYOR

CITY OF DALY CITY
 ACCOUNTS PAYABLE CHECK RUN SUMMARY
 FISCAL YEAR 2018-2019

	MONTH	TOTAL
2018	July	\$ 6,717,894.11
	August	\$ 7,715,148.05
	September	
	October	
	November	
	December	
2019	January	
	February	
	March	
	April	
	May	
	June	
	TOTAL	\$ 14,433,042.16

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00369774	17838	A M LEONARD INC	08/15/18	741.89	MW	OH	
AP00369775	25627	A S F ELECTRIC INC	08/15/18	1,245.00	MW	OH	
AP00369776	50661R	ABLE WINDOW INC	08/15/18	455.00	MW	OH	
AP00369777	15222	ACTION SPORTS	08/15/18	605.74	MW	OH	
AP00369778	53561	ACTION TOWING	08/15/18	1,462.50	MW	OH	
AP00369779	1514	ADAM HILL COMPANY, THE	08/15/18	25.22	MW	OH	
AP00369780	5034	ADAMSON POLICE PRODUCTS	08/15/18	750.38	MW	OH	
AP00369781	40735R	ADVANTAGE ROOFING COMPANY	08/15/18	275.00	MW	OH	
AP00369782	48347	ALAMEDA COUNTY SHERIFF'S OFFI	08/15/18	1,098.00	MW	OH	
AP00369783	1025	ALHAMBRA	08/15/18	466.15	MW	OH	
AP00369784	39657	ALL STAR GLASS	08/15/18	720.40	MW	OH	
AP00369785	18401	ALLIED ELECTRONICS INC	08/15/18	342.99	MW	OH	
AP00369786	37116	ALPHA ANALYTICAL LABORATORIES	08/15/18	10,806.00	MW	OH	
AP00369787	53877R	ALVAS CONSTRUCTION	08/15/18	455.00	MW	OH	
AP00369788	45439JREN	AMERICAN MEDICAL RESPONSE	08/15/18	1,021.00	MW	OH	
AP00369789	38846	AMERICAN MESSAGING	08/15/18	27.17	MW	OH	
AP00369790	14988	AMERICAN TOWER CORPORATION	08/15/18	7,447.76	MW	OH	
AP00369791	35696	AMERIPRIDE	08/15/18	923.37	MW	OH	
AP00369792	24868	ANIXTER INC	08/15/18	808.91	MW	OH	
AP00369793	46546	ANTHEM BLUE CROSS	08/15/18	638.73	MW	OH	
AP00369794	46546	ANTHEM BLUE CROSS	08/15/18	804.93	MW	OH	
AP00369795	46585	ANTHEM BLUE CROSS	08/15/18	180.70	MW	OH	
AP00369796	46585	ANTHEM BLUE CROSS	08/15/18	193.60	MW	OH	
AP00369797	52483	APEX LIFE SCIENCES LLC	08/15/18	1,176.00	MW	OH	
AP00369798	53187R	ASTOUND BROADBAND LLC	08/15/18	6,456.80	MW	OH	

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00369799	1101	AT&T	08/15/18	256.89	MW	OH	
AP00369800	47003	AT&T	08/15/18	79.25	MW	OH	
AP00369801	6413	AT&T	08/15/18	15,785.25	MW	OH	
AP00369802	44649	ATLAS COPCO COMPRESSORS LLC	08/15/18	2,335.62	MW	OH	
AP00369803	44506R	ATLAS PLUMBING AND ROOTER INC	08/15/18	2,000.00	MW	OH	
AP00369804	13192	AUDIOLOGICAL SERVICES	08/15/18	200.73	MW	OH	
AP00369805	29643	AUTO COLLISION CENTER	08/15/18	5,082.50	MW	OH	
AP00369806	50075	AZYURA	08/15/18	4,600.00	MW	OH	
AP00369807	1232	BAKER & TAYLOR COMPANY INC	08/15/18	2,827.39	MW	OH	
AP00369808	34365R	BANDA, RHODERICK	08/15/18	155.87	MW	OH	
AP00369809	10486	BAUMAN LANDSCAPE AND CONSTRUC	08/15/18	4,940.00	MW	OH	
AP00369810	7950	BAY AREA AIR QUALITY MANAGEME	08/15/18	589.00	MW	OH	
AP00369811	19200	BIRITE FOODSERVICE DISTRIBUTO	08/15/18	3,708.94	MW	OH	
AP00369812	17928	BRESNAHAN, FRANCIS	08/15/18	34,675.36	MW	OH	
AP00369813	21300	BRISBANE RECYCLING CO INC	08/15/18	3,400.00	MW	OH	
AP00369814	3349	BROADMOOR LANDSCAPE SUPPLY	08/15/18	427.83	MW	OH	
AP00369815	44468	BUDGET CONFERENCING INC	08/15/18	212.09	MW	OH	
AP00369816	53878R	BURKE, PATRICK	08/15/18	515.00	MW	OH	
AP00369817	48259	BWNVT MOTORS INC	08/15/18	3,384.05	MW	OH	
AP00369818	40454R	C & J ROOFING COMPANY INC	08/15/18	275.00	MW	OH	
AP00369819	53872	CABUAY, CHRISTIAN	08/15/18	300.00	MW	OH	
AP00369820	5642	CAL STEAM	08/15/18	251.95	MW	OH	
AP00369821	47794	CALIFORNIA ASSOC OF TACTICAL	08/15/18	1,226.00	MW	OH	
AP00369822	11592	CALIFORNIA BUILDING OFFICIALS	08/15/18	1,365.00	MW	OH	
AP00369823	1196	CALIFORNIA WATER SERVICE COMP	08/15/18	269.34	MW	OH	

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00369824	17888	CARL WARREN & COMPANY INC	08/15/18	3,634.26	MW	OH	
AP00369825	38079R	CARR, STEVE	08/15/18	260.00	MW	OH	
AP00369826	27289	CASA	08/15/18	16,068.00	MW	OH	
AP00369827	2930	CED CONTRACTORS SF	08/15/18	618.51	MW	OH	
AP00369828	24769	CENTER POINT LARGE PRINT	08/15/18	91.50	MW	OH	
AP00369829	10299JPA	CENTRAL COUNTY FIRE DEPARTMEN	08/15/18	24,253.00	MW	OH	
AP00369830	36817R	CHRISTENSEN, CAMERON	08/15/18	1,120.28	MW	OH	
AP00369831	48727	CINTAS CORPORATION	08/15/18	1,555.29	MW	OH	
AP00369832	3678	CINTAS CORPORATION #464	08/15/18	3,205.68	MW	OH	
AP00369833	35395	CITY AUTO SUPPLY	08/15/18	2,905.08	MW	OH	
AP00369834	46084JPA	CITY OF BELMONT	08/15/18	8,298.00	MW	OH	
AP00369835	46465JPA	CITY OF BELMONT	08/15/18	5,492.75	MW	OH	
AP00369836	6649JPA	CITY OF BRISBANE	08/15/18	3,436.25	MW	OH	
AP00369837	25602	CITY OF DALY CITY	08/15/18	2,375.56	MW	OH	
AP00369838	43155JPA	CITY OF DALY CITY	08/15/18	14,007.00	MW	OH	
AP00369839	5342JPA	CITY OF FOSTER CITY	08/15/18	6,012.00	MW	OH	
AP00369840	6034JPA	CITY OF PACIFICA	08/15/18	6,687.00	MW	OH	
AP00369841	6579JPA	CITY OF REDWOOD CITY	08/15/18	10,636.00	MW	OH	
AP00369842	20562JPA	CITY OF SAN BRUNO	08/15/18	3,756.00	MW	OH	
AP00369843	46083JPA	CITY OF SAN CARLOS	08/15/18	6,125.00	MW	OH	
AP00369844	25816JPA	CITY OF SAN MATEO	08/15/18	15,431.00	MW	OH	
AP00369845	43912	CLAYTON TIRE SUPPLY	08/15/18	336.97	MW	OH	
AP00369846	20045	CLEANSMART SOLUTIONS INC	08/15/18	3,045.50	MW	OH	
AP00369847	21784	COLE PARMER INSTRUMENT CO	08/15/18	541.41	MW	OH	
AP00369848	25819JPA	COLMA FIRE PROTECTION DISTRIC	08/15/18	3,027.00	MW	OH	

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00369849	53159	COLMA FLORAL SHOP	08/15/18	266.38	MW	OH		
AP00369850	47244	COMCAST	08/15/18	89.88	MW	OH		
AP00369851	48645	COMCAST	08/15/18	104.41	MW	OH		
AP00369852	51804	COMCAST	08/15/18	322.94	MW	OH		
AP00369853	52453	COMCAST	08/15/18	111.16	MW	OH		
AP00369854	40168	CORELOGIC	08/15/18	67.00	MW	OH		
AP00369855	43157JPA	COUNTY OF SAN MATEO	08/15/18	1,336.62	MW	OH		
AP00369856	1053	CPS HR CONSULTING	08/15/18	484.00	MW	OH		
AP00369857	42324	CRIME SCENE CLEANERS INC	08/15/18	140.00	MW	OH		
AP00369858	53879	CRUMP INVESTIGATIONS	08/15/18	1,735.43	MW	OH		
AP00369859	48323	CRYSTAL CREAMERY	08/15/18	558.11	MW	OH		
AP00369860	28906	CSG CONSULTANTS INC	08/15/18	10,875.00	MW	OH		
AP00369861	25580	CWEA-MEMBERSHIP	08/15/18	376.00	MW	OH		
AP00369862	19907	CWEA-TCP	08/15/18	87.00	MW	OH		
AP00369863	47141	CYO TRANSPORTATION	08/15/18	1,592.00	MW	OH		
AP00369864	1836	DAILY JOURNAL CORPORATION	08/15/18	952.70	MW	OH		
AP00369865	1414	DALY CITY CENTRAL CASHIER	08/15/18	522.94	MW	OH		
AP00369866	36383	DALY CITY POLICE ATHLETIC LEA	08/15/18	120.00	MW	OH		
AP00369867	1793	DALY CITY TOOL MART	08/15/18	114.19	MW	OH		
AP00369868	53875R	DANICO, MELISSA	08/15/18	100.00	MW	OH		
AP00369869	37164	DARLING INGREDIENTS INC	08/15/18	978.05	MW	OH		
AP00369870	51806	DAVID J POWERS & ASSOCIATES I	08/15/18	3,763.38	MW	OH		
AP00369871	40212	DEPARTMENT OF INDUSTRIAL RELA	08/15/18	225.00	MW	OH		
AP00369872	1299	DEPARTMENT OF JUSTICE	08/15/18	1,322.00	MW	OH		
AP00369873	20552	DEWEY PEST CONTROL INC	08/15/18	36,000.00	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00369874	1061	DUNN EDWARDS CORPORATION	08/15/18	553.47	MW	OH	
AP00369875	50748	E ROZAKIS RESTORATION	08/15/18	6,100.00	MW	OH	
AP00369876	48177	EAST BAY TIRE CO	08/15/18	674.64	MW	OH	
AP00369877	40541R	EHB CONSTRUCTION	08/15/18	515.00	MW	OH	
AP00369878	53541	EK HEALTH SERVICES INC	08/15/18	465.07	MW	OH	
AP00369879	40007	EMLAB P&K LLC	08/15/18	375.72	MW	OH	
AP00369880	4339	EMPLOYMENT DEVELOPMENT DEPART	08/15/18	3,952.00	MW	OH	
AP00369881	45731	EMTRAIN	08/15/18	423.12	MW	OH	
AP00369882	52937R	ENRILE, MARISSA	08/15/18	250.00	MW	OH	
AP00369883	44735	ENVIRONMENTAL EXPRESS INC	08/15/18	1,796.21	MW	OH	
AP00369884	1049	EQUIFAX INFORMATION SVCS LLC	08/15/18	52.02	MW	OH	
AP00369885	2131	ESTATE OF FRANK REGAN	08/15/18	120.00	MW	OH	
AP00369886	26327	EWING IRRIGATION PRODUCTS INC	08/15/18	168.23	MW	OH	
AP00369887	53880R	FAI LAU CONSTRUCTION	08/15/18	815.00	MW	OH	
AP00369888	42544	FARMER BROTHERS COFFEE	08/15/18	536.61	MW	OH	
AP00369889	36077	FASTENAL COMPANY	08/15/18	319.96	MW	OH	
AP00369890	1383	FEDEX	08/15/18	13.02	MW	OH	
AP00369891	52678	FERGUSON GROUP LLC, THE	08/15/18	6,500.00	MW	OH	
AP00369892	47322	FERN ELECTRIC & CONTROL INC	08/15/18	6,774.61	MW	OH	
AP00369893	53881R	FERRER, CLARA	08/15/18	250.00	MW	OH	
AP00369894	34698	FERROGROUP INC DBA	08/15/18	259.04	MW	OH	
AP00369895	19787	FIRST CHOICE COFFEE SERVICES	08/15/18	15.71	MW	OH	
AP00369896	47589	FLOOR EFFECTS	08/15/18	3,100.00	MW	OH	
AP00369897	G-HOLMES	FRANCHISE TAX BOARD	08/15/18	200.00	MW	OH	
AP00369898	49301	FRANK AND GROSSMAN	08/15/18	140.00	MW	OH	

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
AP00369899	48009	GALE CENGAGE LEARNING	08/15/18	108.44	MW	OH		
AP00369900	17633	GAMEZ, JOHN	08/15/18	4,337.81	MW	OH		
AP00369901	26781	GARCIA, JOSE	08/15/18	163.09	MW	OH		
AP00369902	48247	GCS ENVIRONMENTAL EQUIPMENT S	08/15/18	1,634.66	MW	OH		
AP00369903	28020	GOLDEN STATE FIRE APARATUS IN	08/15/18	1,299,702.72	MW	OH		
AP00369904	30509	GOODYEAR COMMERCIAL TIRE & SE	08/15/18	4,804.21	MW	OH		
AP00369905	27059	GOOMBAH'S EMBROIDERY	08/15/18	213.20	MW	OH		
AP00369906	50226	GOULD, LINDA	08/15/18	306.00	MW	OH		
AP00369907	31925	GOVCONNECTION INC	08/15/18	423.03	MW	OH		
AP00369908	3942	GOVERNMENT FINANCE OFFICERS A	08/15/18	840.00	MW	OH		
AP00369909	47692	GOVERNMENT FINANCE RESEARCH G	08/15/18	1,995.00	MW	OH		
AP00369910	52777	GOVERNMENT STAFFING SERVICES	08/15/18	29,763.50	MW	OH		
AP00369911	1754	GRAINGER INC	08/15/18	4,179.80	MW	OH		
AP00369912	1571	GRANITEROCK	08/15/18	2,462.60	MW	OH		
AP00369913	2223	HACH COMPANY	08/15/18	51.14	MW	OH		
AP00369914	3702	HARRINGTON INDUSTRIAL PLASTIC	08/15/18	1,416.75	MW	OH		
AP00369915	9049	HI TECH EVS INC	08/15/18	553.81	MW	OH		
AP00369916	53882R	HIGAREDA, CINDY	08/15/18	250.00	MW	OH		
AP00369917	15857	HOME DEPOT CREDIT SERVICES	08/15/18	8,730.38	MW	OH		
AP00369918	39941R	HOME DEPOT, THE	08/15/18	86.52	MW	OH		
AP00369919	2665	HSQ TECHNOLOGY CORP	08/15/18	15,090.00	MW	OH		
AP00369920	41818	HUNTINGTON COURT REPORTERS	08/15/18	125.11	MW	OH		
AP00369921	31955	IBM CORPORATION	08/15/18	1,496.00	MW	OH		
AP00369922	53167R	IN AND OUT PLUMBING	08/15/18	6,000.00	MW	OH		
AP00369923	53863	ISLAND KIDS LLC	08/15/18	4,789.75	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00369924	1067	J SNELL & COMPANY INC	08/15/18	347.61	MW	OH		
AP00369925	24233	JACOBS ASSOCIATES	08/15/18	563,170.56	MW	OH		
AP00369926	48182	JETMULCH INC	08/15/18	5,862.71	MW	OH		
AP00369927	44431R	JEUNG, JACK	08/15/18	100.00	MW	OH		
AP00369928	7901	K 119 OF CALIFORNIA INC	08/15/18	110.95	MW	OH		
AP00369929	10144	KAMAN INDUSTRIAL TECHNOLOGIES	08/15/18	1,758.77	MW	OH		
AP00369930	44867R	KINSTAN HOME SOLUTIONS	08/15/18	515.00	MW	OH		
AP00369931	33914	KOFFLER ELECTRICAL MECHANICAL	08/15/18	50,438.68	MW	OH		
AP00369932	36720	KONECRANES INC	08/15/18	2,680.00	MW	OH		
AP00369933	53883R	LAIS E & H ELECTRIC INC	08/15/18	515.00	MW	OH		
AP00369934	13776	LANGUAGE LINE SERVICES	08/15/18	438.59	MW	OH		
AP00369935	53884R	LAPERLE, TINA	08/15/18	648.14	MW	OH		
AP00369936	1148	LAWSON PRODUCTS INC	08/15/18	292.89	MW	OH		
AP00369937	33497	LEGACY MECHANICAL & ENERGY SE	08/15/18	819.40	MW	OH		
AP00369938	29200	LEGAL SHIELD	08/15/18	420.70	MW	OH		
AP00369939	49678R	LEMUS, JOSE	08/15/18	50.00	MW	OH		
AP00369940	37094	LEXISNEXIS RISK DATA MANAGEME	08/15/18	510.00	MW	OH		
AP00369941	29220	LIGHTHOUSE, THE	08/15/18	82.95	MW	OH		
AP00369942	29332	LORAL LANDSCAPING	08/15/18	15,957.00	MW	OH		
AP00369943	49874	LOU'S GLOVES INC	08/15/18	336.00	MW	OH		
AP00369944	52830	M & M BACKFLOW & METER MAINT	08/15/18	5,894.19	MW	OH		
AP00369945	51962	MAGENNIS, MATTHEW	08/15/18	2,338.26	MW	OH		
AP00369946	21044	MAKE ME A PRO SPORTS	08/15/18	2,538.13	MW	OH		
AP00369947	53885R	MALILAY, JAELYN	08/15/18	250.00	MW	OH		
AP00369948	27066	MANAGED HEALTH NETWORK	08/15/18	1,857.60	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00369949	15393	MCMASTER CARR	08/15/18	74.75	MW	OH		
AP00369950	25805JPA	MENLO PARK FIRE PROTECTION DI	08/15/18	19,908.00	MW	OH		
AP00369951	23949	METRO MOBILE COMMUNICATIONS	08/15/18	1,545.00	MW	OH		
AP00369952	26465	MID PENINSULA BOYS & GIRLS CL	08/15/18	25,000.00	MW	OH		
AP00369953	49436REN	MKD CEDAR HILL LLC	08/15/18	5,348.25	MW	OH		
AP00369954	22670R	MOORE, WALLACE	08/15/18	500.00	MW	OH		
AP00369955	15396	MOSS RUBBER & EQUIPMENT CORP	08/15/18	261.98	MW	OH		
AP00369956	39868R	MR ROOFING INC	08/15/18	275.00	MW	OH		
AP00369957	6850	NATIONAL BUSINESS FURNITURE L	08/15/18	941.10	MW	OH		
AP00369958	7857	NELSON, PETER	08/15/18	150.00	MW	OH		
AP00369959	22005	NEOPOST USA INC	08/15/18	819.49	MW	OH		
AP00369960	53628	NEW ALPHA TWO INC	08/15/18	25.00	MW	OH		
AP00369961	40422R	NEW CITY CONSTRUCTION GROUP I	08/15/18	275.00	MW	OH		
AP00369962	52158	NIEMI JR, GEORGE	08/15/18	545.70	MW	OH		
AP00369963	25761	NORTHERN SAFETY CO INC	08/15/18	262.68	MW	OH		
AP00369964	1055	OFFICE DEPOT	08/15/18	1,379.29	MW	OH		
AP00369965	15337	OFFICE DEPOT	08/15/18	422.09	MW	OH		
AP00369966	42500	OFFICE DEPOT	08/15/18	1,505.52	MW	OH		
AP00369967	42838	PACE SUPPLY CORP	08/15/18	177.20	MW	OH		
AP00369968	50821R	PACIFIC CONSTRUCTION COMPANY	08/15/18	1,475.00	MW	OH		
AP00369969	1216	PACIFIC GAS & ELECTRIC	08/15/18	6,541.73	MW	OH		
AP00369970	1080	PACIFIC NURSERIES	08/15/18	85.64	MW	OH		
AP00369971	29252	PACIFIC PRODUCE INC	08/15/18	681.15	MW	OH		
AP00369972	53886R	PAILANO, AILYN	08/15/18	250.00	MW	OH		
AP00369973	12536	PAPA	08/15/18	55.00	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00369974	39891	PARACLETE PRESS INC	08/15/18	190.35	MW	OH	
AP00369975	53873R	PARIS, MATTHEW	08/15/18	100.00	MW	OH	
AP00369976	53887R	PEAK GENERAL CONTRACTORS INC	08/15/18	500.00	MW	OH	
AP00369977	3297	PENINSULA LIBRARY SYSTEM	08/15/18	270.41	MW	OH	
AP00369978	29738	PENINSULA UNIFORMS & EQUIPMEN	08/15/18	4,175.82	MW	OH	
AP00369979	52975R	PENNY, MICHAEL	08/15/18	2,000.00	MW	OH	
AP00369980	19678	PERS LONG TERM CARE PROGRAM	08/15/18	922.13	MW	OH	
AP00369981	51799	PET FOOD EXPRESS	08/15/18	166.34	MW	OH	
AP00369982	1659	PETERSON	08/15/18	717.30	MW	OH	
AP00369983	31384	PFEIFER, JAMES	08/15/18	970.00	MW	OH	
AP00369984	53876R	PHUN, SOUN	08/15/18	100.00	MW	OH	
AP00369985	32428R	PICCOLOTTI, THOMAS	08/15/18	279.88	MW	OH	
AP00369986	33097	PIONEER CONTRACTORS INC	08/15/18	5,151.25	MW	OH	
AP00369987	25817JPA	POINT MONTARA HALF MOON BAY F	08/15/18	10,007.00	MW	OH	
AP00369988	53888R	POIRIER, MARK	08/15/18	876.40	MW	OH	
AP00369989	17926	POLAND, GREGORY	08/15/18	4,456.00	MW	OH	
AP00369990	36106	POLYDYNE INC	08/15/18	18,909.45	MW	OH	
AP00369991	16440	PRAXAIR DISTRIBUTION INC	08/15/18	70.13	MW	OH	
AP00369992	14431	PRAXAIR INC	08/15/18	6,959.04	MW	OH	
AP00369993	52888R	PRG CONSTRUCTION SVS LLC	08/15/18	4,725.00	MW	OH	
AP00369994	50122	PRISMVIEW LLC	08/15/18	39.00	MW	OH	
AP00369995	1115	R & B COMPANY	08/15/18	576.80	MW	OH	
AP00369996	27398	R & S ERECTION NORTH PENINSUL	08/15/18	1,745.00	MW	OH	
AP00369997	12539	R A METAL PRODUCTS INC	08/15/18	3,726.33	MW	OH	
AP00369998	50803	READYREFRESH BY NESTLE	08/15/18	48.60	MW	OH	

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00369999	1687	RED WING SHOE STORE	08/15/18	2,497.99	MW	OH		
AP00370000	14608	REEVES COMPANY INC	08/15/18	29.96	MW	OH		
AP00370001	53519R	REGENCY CENTERS CORPORATION	08/15/18	20,553.25	MW	OH		
AP00370002	51834	REPORTING SYSTEMS INC	08/15/18	643.58	MW	OH		
AP00370003	1200	REPUBLIC SERVICES OF NORTH AM	08/15/18	1,239,607.27	MW	OH		
AP00370004	53889R	RESCUE ROOTER	08/15/18	2,000.00	MW	OH		
AP00370005	53890R	RODRIGUEZ, GONZALO	08/15/18	326.53	MW	OH		
AP00370006	53891R	SABA, IBRAHIM	08/15/18	575.00	MW	OH		
AP00370007	1087	SAFETY KLEEN SYSTEMS INC	08/15/18	100.00	MW	OH		
AP00370008	51614	SAN MATEO CART SERVICE	08/15/18	750.00	MW	OH		
AP00370009	12544	SAN MATEO COUNTY CONTROLLERS	08/15/18	108,964.65	MW	OH		
AP00370010	27986	SAN MATEO COUNTY ENVIRONMENTA	08/15/18	1,366.63	MW	OH		
AP00370011	43158JPA	SAN MATEO COUNTY FIRE COUNTY	08/15/18	18,320.00	MW	OH		
AP00370012	35246	SAN MATEO COUNTY SHERIFFS OFF	08/15/18	44,384.80	MW	OH		
AP00370013	35246	SAN MATEO COUNTY SHERIFFS OFF	08/15/18	55,299.63	MW	OH		
AP00370014	41715	SAN MATEO COUNTY SHERIFFS OFF	08/15/18	50,000.00	MW	OH		
AP00370015	1790	SAN MATEO COUNTY TRANSIT DIST	08/15/18	18,796.28	MW	OH		
AP00370016	9666	SAN MATEO LAWN MOWER SHOP	08/15/18	483.90	MW	OH		
AP00370017	13987MED	SAN MATEO MEDICAL CENTER	08/15/18	1,400.00	MW	OH		
AP00370018	49441	SC FUELS	08/15/18	4,410.84	MW	OH		
AP00370019	24148	SCHOLASTIC INC	08/15/18	1,361.09	MW	OH		
AP00370020	6137	SCOTT BUSCHMAN PHOTOGRAPHY	08/15/18	299.06	MW	OH		
AP00370021	53011	SENECA SYSTEMS INC	08/15/18	600.00	MW	OH		
AP00370022	44095	SERVICE PRESS INC	08/15/18	52.30	MW	OH		
AP00370023	1111	SF - WATER	08/15/18	696,070.04	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00370024	53892R	SF TOP ROOFING CO INC	08/15/18	275.00	MW	OH		
AP00370025	43132	SFPUC	08/15/18	2,646.52	MW	OH		
AP00370026	31449	SHARP ELECTRONICS CORPORATION	08/15/18	29,221.76	MW	OH		
AP00370027	23742	SHOE DEPOT INC	08/15/18	2,355.66	MW	OH		
AP00370028	49695	SHRED IT USA	08/15/18	113.15	MW	OH		
AP00370029	52666	SHRED WORKS INC	08/15/18	165.00	MW	OH		
AP00370030	38883	SIGILLO SUPPLY COMPANY INC	08/15/18	89.13	MW	OH		
AP00370031	10751	SKILLPATH/NST SEMINARS	08/15/18	233.08	MW	OH		
AP00370032	32237	SMART & FINAL STORES LLC	08/15/18	1,168.80	MW	OH		
AP00370033	18862R	SMELLY MELS PLUMBING INC	08/15/18	4,784.40	MW	OH		
AP00370034	29998	SNAP ON INDUSTRIAL	08/15/18	83.29	MW	OH		
AP00370035	53894R	SO, EDWARD	08/15/18	479.00	MW	OH		
AP00370036	2055	SOUTH CITY LUMBER & SUPPLY	08/15/18	2,623.23	MW	OH		
AP00370037	2643	SPARTAN MOTORS USA INC	08/15/18	934.30	MW	OH		
AP00370038	50744	SPRINGSHARE LLC	08/15/18	765.00	MW	OH		
AP00370039	32055	SPRINT	08/15/18	412.11	MW	OH		
AP00370040	53895R	SU, ZHAO WEI	08/15/18	1,415.00	MW	OH		
AP00370041	50360	SUPPLYWORKS	08/15/18	1,129.49	MW	OH		
AP00370042	51439	SWEET DELIGHT BAKERY	08/15/18	54.00	MW	OH		
AP00370043	49209	SYMPHONY TALENT	08/15/18	5,690.00	MW	OH		
AP00370044	29237	SYNAGRO WEST LLC	08/15/18	17,640.19	MW	OH		
AP00370045	53896R	TAN, ZHENYU	08/15/18	1,775.00	MW	OH		
AP00370046	45972	THIRD DEGREE COMMUNICATIONS I	08/15/18	1,050.00	MW	OH		
AP00370047	1201	THOMSON REUTERS WEST	08/15/18	2,312.49	MW	OH		
AP00370048	16085	TLC ADMINISTRATORS	08/15/18	220.00	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00370049	10160	TOY, STANLEY	08/15/18	720.00	MW	OH	
AP00370050	42972	TRACTION OAKLAND	08/15/18	285.91	MW	OH	
AP00370051	19767	TRAK ENGINEERING INC	08/15/18	803.77	MW	OH	
AP00370052	4675	TURF & INDUSTRIAL EQUIPMENT C	08/15/18	49.57	MW	OH	
AP00370053	40509R	UL ROOFING SYSTEMS	08/15/18	275.00	MW	OH	
AP00370054	11522	UNDERGROUND SERVICE ALERT INC	08/15/18	4,149.22	MW	OH	
AP00370055	48790	UNITED CALIFORNIA BUILDING AU	08/15/18	6,251.85	MW	OH	
AP00370056	31745	UNITED SITE SERVICES OF CALIF	08/15/18	239.61	MW	OH	
AP00370057	50490	UNITEDHEALTHCARE INSURANCE CO	08/15/18	298.37	MW	OH	
AP00370058	32209	UNIVAR USA INC	08/15/18	9,286.66	MW	OH	
AP00370059	3904	UPS	08/15/18	85.31	MW	OH	
AP00370060	G-ORTEGA	US DEPARTMENT OF EDUCATION	08/15/18	713.56	MW	OH	
AP00370061	46998	UTILITY TELECOM GROUP LLC	08/15/18	1,489.66	MW	OH	
AP00370062	29329	VERIZON WIRELESS SERVICES LLC	08/15/18	2,314.32	MW	OH	
AP00370063	1579	VWR INTERNATIONAL LLC	08/15/18	559.82	MW	OH	
AP00370064	36355	WASTEWATER SOLUTIONS INC	08/15/18	9,317.34	MW	OH	
AP00370065	50485	WAVE BROADBAND	08/15/18	1,634.00	MW	OH	
AP00370066	44535	WCT PRODUCTS INC	08/15/18	3,310.10	MW	OH	
AP00370067	3691	WECO INDUSTRIES LLC	08/15/18	553.89	MW	OH	
AP00370068	29517	WEST LITE SUPPLY COMPANY INC	08/15/18	1,562.18	MW	OH	
AP00370069	38244	WESTERN PACIFIC SIGNAL LLC	08/15/18	873.25	MW	OH	
AP00370070	25139	WITMER PUBLIC SAFETY GROUP IN	08/15/18	71.98	MW	OH	
AP00370071	53853R	WL CONSTRUCTION GROUP	08/15/18	575.00	MW	OH	
AP00370072	53780R	WONG, HOWARD	08/15/18	2,000.00	MW	OH	
AP00370073	18388JPA	WOODSIDE FIRE PROTECTION DIST	08/15/18	13,032.00	MW	OH	

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00370074	53874R	YU, RAYMOND	08/15/18	100.00	MW	OH		

G R A N D T O T A L S:

Total Void Machine Written	0.00	Number of Checks Processed:	0
Total Void Hand Written	0.00	Number of Checks Processed:	0
Total Machine Written	4,958,248.18	Number of Checks Processed:	301
Total Hand Written	0.00	Number of Checks Processed:	0
Total Reversals	0.00	Number of Checks Processed:	0
Total Cancelled	0.00	Number of Checks Processed:	0
Total EFTs	0.00	Number of EFTs Processed:	0
Total EPAYs	0.00	Number of EPAYs Processed:	0
G R A N D T O T A L	4,958,248.18		

LESS CANCELLED CHECKS:

AP00369821	47794	CALIFORNIA ASSOC OF TACTICAL	08/15/18	(1,226.00)
AP00369973	12536	PAPA	08/15/18	(55.00)
				4,956,967.18

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
AP00370075	1110	UNITED STATES POSTAL SERVICE	08/23/18	1,900.00	MW	OH	

GRAND TOTALS:

Total Void Machine Written	0.00	Number of Checks Processed:	0
Total Void Hand Written	0.00	Number of Checks Processed:	0
Total Machine Written	1,900.00	Number of Checks Processed:	1
Total Hand Written	0.00	Number of Checks Processed:	0
Total Reversals	0.00	Number of Checks Processed:	0
Total Cancelled	0.00	Number of Checks Processed:	0
Total EFTs	0.00	Number of EFTs Processed:	0
Total EPAYs	0.00	Number of EPAYs Processed:	0
GRAND TOTAL	1,900.00		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00370076	46218R	24/7 ROOTER & PLUMBING SERVIC	08/31/18	2,000.00	MW	OH		
AP00370077	35125	A BLACK TIE AFFAIR INC	08/31/18	644.51	MW	OH		
AP00370078	53917R	ABAO, FRANCISCO	08/31/18	440.00	MW	OH		
AP00370079	33975	ACE FIRE EQUIPMENT & SERVICE	08/31/18	2,709.43	MW	OH		
AP00370080	15222	ACTION SPORTS	08/31/18	2,103.23	MW	OH		
AP00370081	34666	AD BRAKES	08/31/18	88.06	MW	OH		
AP00370082	1514	ADAM HILL COMPANY, THE	08/31/18	1,383.34	MW	OH		
AP00370083	5034	ADAMSON POLICE PRODUCTS	08/31/18	2,622.07	MW	OH		
AP00370084	13854	AECO SYSTEMS INC	08/31/18	801.55	MW	OH		
AP00370085	15226	AFSCME LOCAL 919	08/31/18	3,476.50	MW	OH		
AP00370086	29880	AIRGAS USA LLC	08/31/18	894.21	MW	OH		
AP00370087	42259R	AKM CONSTRUCTION	08/31/18	2,200.00	MW	OH		
AP00370088	32808R	ALASANDRO, KEN	08/31/18	220.00	MW	OH		
AP00370089	1465	ALBERTSONS SAFEWAY	08/31/18	1,717.20	MW	OH		
AP00370090	14004	ALERT PEST CONTROL COMPANY IN	08/31/18	5,095.95	MW	OH		
AP00370091	1025	ALHAMBRA	08/31/18	596.61	MW	OH		
AP00370092	37095	ALL INDUSTRIAL ELECTRIC SUPPL	08/31/18	11,178.83	MW	OH		
AP00370093	18401	ALLIED ELECTRONICS INC	08/31/18	1,797.96	MW	OH		
AP00370094	40755	AMAZON	08/31/18	3,447.11	MW	OH		
AP00370095	37512	AMBROSE FLOORING LLC	08/31/18	5,877.90	MW	OH		
AP00370096	2083	AMERICA COPY & PRINTING CO	08/31/18	650.33	MW	OH		
AP00370097	42310	AMERINAT	08/31/18	428.30	MW	OH		
AP00370098	35696	AMERIPRIDE	08/31/18	1,583.04	MW	OH		
AP00370099	24868	ANIXTER INC	08/31/18	982.98	MW	OH		
AP00370100	52483	APEX LIFE SCIENCES LLC	08/31/18	3,178.88	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00370101	53918	AQUINO, SISILIO	08/31/18	500.00	MW	OH		
AP00370102	1259	ARAMARK UNIFORM SERVICES INC	08/31/18	382.74	MW	OH		
AP00370103	53563	ARANDA, MILLIE	08/31/18	122.40	MW	OH		
AP00370104	53564	ARANDA, REMIE	08/31/18	35.70	MW	OH		
AP00370105	22551	ASBURY ENVIRONMENTAL SERVICES	08/31/18	200.03	MW	OH		
AP00370106	32577	AT&T	08/31/18	12,423.41	MW	OH		
AP00370107	6413	AT&T	08/31/18	7,255.36	MW	OH		
AP00370108	44506R	ATLAS PLUMBING AND ROOTER INC	08/31/18	4,000.00	MW	OH		
AP00370109	53625	AVENU MUNISERVICES LLC	08/31/18	1,250.00	MW	OH		
AP00370110	1232	BAKER & TAYLOR COMPANY INC	08/31/18	1,576.88	MW	OH		
AP00370111	2495	BARKER BLUE DIGITAL IMAGING	08/31/18	122.48	MW	OH		
AP00370112	35698	BARTEL ASSOCIATES LLC	08/31/18	13,320.00	MW	OH		
AP00370113	49645	BAXTERS FRAME WORKS	08/31/18	19.57	MW	OH		
AP00370114	7950	BAY AREA AIR QUALITY MANAGEME	08/31/18	15,624.00	MW	OH		
AP00370115	8796	BAY CITY BOILER & ENGINEERING	08/31/18	1,410.00	MW	OH		
AP00370116	53919R	BELEN, BERNADINE	08/31/18	1,000.00	MW	OH		
AP00370117	24096R	BENAVIDES, ANA	08/31/18	150.00	MW	OH		
AP00370118	53898R	BERMUDEZ, JAIME	08/31/18	1,207.25	MW	OH		
AP00370119	49668	BIG BELLY SOLAR INC	08/31/18	105.56	MW	OH		
AP00370120	47955	BIG RED PRINT SOLUTIONS LLC	08/31/18	443.54	MW	OH		
AP00370121	19200	BIRITE FOODSERVICE DISTRIBUTO	08/31/18	5,599.91	MW	OH		
AP00370122	41767R	BOLANOS, EDGARDO	08/31/18	240.00	MW	OH		
AP00370123	17202	BOUND TREE MEDICAL LLC	08/31/18	286.93	MW	OH		
AP00370124	46139R	BOWMAN, SCOTT	08/31/18	534.70	MW	OH		
AP00370125	21300	BRISBANE RECYCLING CO INC	08/31/18	600.00	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel	To Note
AP00370126	3349	BROADMOOR LANDSCAPE SUPPLY	08/31/18	702.27	MW	OH		
AP00370127	3064	BROWN & CALDWELL INC	08/31/18	10,017.63	MW	OH		
AP00370128	17997	C.L.E.A.	08/31/18	2,413.25	MW	OH		
AP00370129	16519	C/CAG	08/31/18	322,485.00	MW	OH		
AP00370130	53920R	CABILES, LEO VISARRA	08/31/18	56.00	MW	OH		
AP00370131	33981	CAGWIN & DORWARD	08/31/18	325.00	MW	OH		
AP00370132	42973	CAL SIGNAL CORP	08/31/18	1,298.48	MW	OH		
AP00370133	5642	CAL STEAM	08/31/18	82.86	MW	OH		
AP00370134	2436	CALIFORNIA CASTER	08/31/18	33.87	MW	OH		
AP00370135	2815	CALIFORNIA PEACE OFFICERS ASS	08/31/18	500.00	MW	OH		
AP00370136	1196	CALIFORNIA WATER SERVICE COMP	08/31/18	83.37	MW	OH		
AP00370137	20535	CAROLLO ENGINEERS	08/31/18	30,537.50	MW	OH		
AP00370138	48351	CAVENDISH SQUARE PUBLISHING	08/31/18	773.92	MW	OH		
AP00370139	28636	CDW GOVERNMENT INC	08/31/18	32,273.34	MW	OH		
AP00370140	2930	CED CONTRACTORS SF	08/31/18	1,069.97	MW	OH		
AP00370141	42277	CEL ANALYTICAL INC	08/31/18	1,979.00	MW	OH		
AP00370142	46387	CELETTA INVESTIGATIVE SERVICE	08/31/18	750.00	MW	OH		
AP00370143	37317	CENTRAL COUNTY FIRE DEPARTMEN	08/31/18	9,548.79	MW	OH		
AP00370144	53921R	CHAN, ENRIQUE	08/31/18	2,045.00	MW	OH		
AP00370145	53922R	CHOU, ALEX KAXO	08/31/18	33.00	MW	OH		
AP00370146	36817R	CHRISTENSEN, CAMERON	08/31/18	1,163.28	MW	OH		
AP00370147	3678	CINTAS CORPORATION #464	08/31/18	3,183.33	MW	OH		
AP00370148	28211	CITY OF PACIFICA	08/31/18	220.00	MW	OH		
AP00370149	20045	CLEANSMART SOLUTIONS INC	08/31/18	3,175.30	MW	OH		
AP00370150	34153	COMCAST	08/31/18	28.01	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00370151	47244	COMCAST	08/31/18	94.63	MW	OH		
AP00370152	48517	COMCAST	08/31/18	482.00	MW	OH		
AP00370153	49446	COMCAST	08/31/18	232.32	MW	OH		
AP00370154	51634	COMCAST	08/31/18	69.95	MW	OH		
AP00370155	52652	COMCAST	08/31/18	161.16	MW	OH		
AP00370156	12578	COMPLETE LINEN SERVICE INC	08/31/18	129.12	MW	OH		
AP00370157	41069	CONKLIN BROTHERS INC	08/31/18	1,788.00	MW	OH		
AP00370158	30109	CORELOGIC SOLUTIONS LLC	08/31/18	513.94	MW	OH		
AP00370159	14930	COUNTY OF SAN MATEO	08/31/18	3,990.63	MW	OH		
AP00370160	42324	CRIME SCENE CLEANERS INC	08/31/18	140.00	MW	OH		
AP00370161	21627R	CRUZ, DOLORES	08/31/18	250.00	MW	OH		
AP00370162	48323	CRYSTAL CREAMERY	08/31/18	859.74	MW	OH		
AP00370163	21239R	CURRAN, JOSEPH	08/31/18	1,080.26	MW	OH		
AP00370164	25580	CWEA-MEMBERSHIP	08/31/18	376.00	MW	OH		
AP00370165	19907	CWEA-TCP	08/31/18	92.00	MW	OH		
AP00370166	47141	CYO TRANSPORTATION	08/31/18	3,694.00	MW	OH		
AP00370167	1042	D C LOCK & SECURITY SERVICE	08/31/18	126.02	MW	OH		
AP00370168	1836	DAILY JOURNAL CORPORATION	08/31/18	800.65	MW	OH		
AP00370169	1414	DALY CITY CENTRAL CASHIER	08/31/18	569.72	MW	OH		
AP00370170	1937	DALY CITY FIREFIGHTERS UNION	08/31/18	8,866.00	MW	OH		
AP00370171	30935	DALY CITY POLICE OFFICERS BEN	08/31/18	1,155.00	MW	OH		
AP00370172	9290	DALY CITY POLICE OFFICERS ASS	08/31/18	13,831.64	MW	OH		
AP00370173	9290	DALY CITY POLICE OFFICERS ASS	08/31/18	1,970.00	MW	OH		
AP00370174	1793	DALY CITY TOOL MART	08/31/18	29.36	MW	OH		
AP00370175	52967R	DARE, ALAN M	08/31/18	50.00	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00370176	45729R	DEBOL FAMILY TRUST DATED APR	08/31/18	120.00	MW	OH		
AP00370177	1299	DEPARTMENT OF JUSTICE	08/31/18	496.00	MW	OH		
AP00370178	52039	DIPIETRO AND ASSOCIATES INC	08/31/18	300.00	MW	OH		
AP00370179	27243R	DIRECTO, JOSE	08/31/18	565.26	MW	OH		
AP00370180	53923R	DISCOVER PLUMBING AND ROOTER	08/31/18	2,000.00	MW	OH		
AP00370181	51366	DOG WASTE DEPOT	08/31/18	384.94	MW	OH		
AP00370182	53924R	DOMINGUEZ, CHARLENE	08/31/18	800.00	MW	OH		
AP00370183	35853	DONNA BIANCHI	08/31/18	650.00	MW	OH		
AP00370184	36682	DU ALL SAFETY LLC	08/31/18	850.00	MW	OH		
AP00370185	23531	DUNCAN PARKING TECHNOLOGIES I	08/31/18	561.15	MW	OH		
AP00370186	53261	DUST FREE PC LLC	08/31/18	492.04	MW	OH		
AP00370187	51076	ENVIRONMENTAL LEAD DETECT INC	08/31/18	375.00	MW	OH		
AP00370188	3786	ENVIRONMENTAL RESOURCE ASSOCI	08/31/18	991.56	MW	OH		
AP00370189	13139R	EVERLY, KATHY	08/31/18	128.96	MW	OH		
AP00370190	26327	EWING IRRIGATION PRODUCTS INC	08/31/18	712.51	MW	OH		
AP00370191	53870	FAIRBANK MASLIN MAULLIN METZ	08/31/18	30,000.00	MW	OH		
AP00370192	42544	FARMER BROTHERS COFFEE	08/31/18	444.65	MW	OH		
AP00370193	36077	FASTENAL COMPANY	08/31/18	2,425.00	MW	OH		
AP00370194	40843	FASTRAK INVOICE PROCESSING DE	08/31/18	16.00	MW	OH		
AP00370195	1383	FEDEX	08/31/18	68.33	MW	OH		
AP00370196	47322	FERN ELECTRIC & CONTROL INC	08/31/18	5,690.29	MW	OH		
AP00370197	19787	FIRST CHOICE COFFEE SERVICES	08/31/18	163.19	MW	OH		
AP00370198	11813	FOLGER GRAPHICS	08/31/18	3,083.06	MW	OH		
AP00370199	G-HOLMES	FRANCHISE TAX BOARD	08/31/18	200.00	MW	OH		
AP00370200	53945R	FRIEDKIN INVESTMENT CO	08/31/18	3,623.49	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00370201	52098	FRONTLINE ENERGY SERVICES	08/31/18	513.00	MW	OH		
AP00370202	53925R	FUNG, MANBO	08/31/18	875.00	MW	OH		
AP00370203	39908	G BORTOLOTTI AND COMPANY INC	08/31/18	6,412.50	MW	OH		
AP00370204	47673	G3 ENGINEERING INC	08/31/18	989.24	MW	OH		
AP00370205	48009	GALE CENGAGE LEARNING	08/31/18	67.84	MW	OH		
AP00370206	17633	GAMEZ, JOHN	08/31/18	150.00	MW	OH		
AP00370207	53926R	GARCIA, IAN	08/31/18	1,775.00	MW	OH		
AP00370208	26781	GARCIA, JOSE	08/31/18	149.31	MW	OH		
AP00370209	43856	GBH POLYGRAPH SERVICES	08/31/18	300.00	MW	OH		
AP00370210	48247	GCS ENVIRONMENTAL EQUIPMENT S	08/31/18	887.98	MW	OH		
AP00370211	37066R	GERACE, ANTHONY	08/31/18	152.42	MW	OH		
AP00370212	53927R	GIUSTO CONSTRUCTION	08/31/18	575.00	MW	OH		
AP00370213	36227	GOLDEN GATE TRUCK CENTER	08/31/18	532.44	MW	OH		
AP00370214	34864	GOLDEN STATE FLOW MEASUREMENT	08/31/18	2,036.53	MW	OH		
AP00370215	51797R	GONZALES, ELIZABETH	08/31/18	250.00	MW	OH		
AP00370216	53928	GONZALEZ, RAUL	08/31/18	450.00	MW	OH		
AP00370217	30509	GOODYEAR COMMERCIAL TIRE & SE	08/31/18	1,464.28	MW	OH		
AP00370218	27059	GOOMBAH'S EMBROIDERY	08/31/18	8,967.42	MW	OH		
AP00370219	31925	GOVCONNECTION INC	08/31/18	522.10	MW	OH		
AP00370220	52777	GOVERNMENT STAFFING SERVICES	08/31/18	10,880.00	MW	OH		
AP00370221	32868	GRAHAM CONTRACTORS INC	08/31/18	1,181,112.80	MW	OH		
AP00370222	1754	GRAINGER INC	08/31/18	2,262.15	MW	OH		
AP00370223	1571	GRANITEROCK	08/31/18	169.44	MW	OH		
AP00370224	29425	GRAPHTECH GRAPHICS	08/31/18	53.50	MW	OH		
AP00370225	22404	GREGS TRUCKING SERVICE INC	08/31/18	1,458.00	MW	OH		

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AP00370226	30894	GRM	08/31/18	352.22	MW	OH		
AP00370227	53929R	GUERRERO HERNANDEZ, ANGELICA	08/31/18	400.00	MW	OH		
AP00370228	2223	HACH COMPANY	08/31/18	1,831.44	MW	OH		
AP00370229	39983R	HAI'S ROOFING COMPANY	08/31/18	275.00	MW	OH		
AP00370230	6476	HANSON, CATHERINE	08/31/18	750.00	MW	OH		
AP00370231	47707R	HART, SHANE	08/31/18	565.26	MW	OH		
AP00370232	53930R	HASELTON, KARRIE	08/31/18	296.71	MW	OH		
AP00370233	49850	HELLO HOUSING	08/31/18	1,595.00	MW	OH		
AP00370234	45829R	HILLCREST SENIOR HOUSING	08/31/18	250.00	MW	OH		
AP00370235	29488	HINES EDM INC	08/31/18	2,851.10	MW	OH		
AP00370236	53027R	HINOJOSA, MONICA	08/31/18	250.00	MW	OH		
AP00370237	2665	HSQ TECHNOLOGY CORP	08/31/18	6,382.23	MW	OH		
AP00370238	40583	HUTCHINSON, DARREL	08/31/18	200.00	MW	OH		
AP00370239	35506	IBM	08/31/18	5,731.57	MW	OH		
AP00370240	48933	INFOSEND INC	08/31/18	7,515.53	MW	OH		
AP00370241	31781	INNOVATIVE CLAIM SOLUTIONS	08/31/18	13,500.00	MW	OH		
AP00370242	38914	J P COOKE COMPANY	08/31/18	220.55	MW	OH		
AP00370243	24233	JACOBS ASSOCIATES	08/31/18	125,282.08	MW	OH		
AP00370244	25162	JEFF LUCHETTI CONSTRUCTION IN	08/31/18	1,000.00	MW	OH		
AP00370245	53931R	JIMENEZ, YOLANDO	08/31/18	400.00	MW	OH		
AP00370246	53478R	JK PRO ROOFING INC	08/31/18	275.00	MW	OH		
AP00370247	25311	JOHNSON CONTROLS SECURITY SOL	08/31/18	453.09	MW	OH		
AP00370248	14416	JOHNSTONE SUPPLY	08/31/18	65.00	MW	OH		
AP00370249	48415R	JY ELECTRICAL CONSTRUCTION	08/31/18	455.00	MW	OH		
AP00370250	7901	K 119 OF CALIFORNIA INC	08/31/18	66.23	MW	OH		

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AP00370251	10255MED	KAISER FOUNDATION HEALTH PLAN	08/31/18	2,849.00	MW	OH	
AP00370252	10144	KAMAN INDUSTRIAL TECHNOLOGIES	08/31/18	1,336.30	MW	OH	
AP00370253	29633	KELLY MOORE PAINT COMPANY INC	08/31/18	271.43	MW	OH	
AP00370254	34345	KELLY PIPE COMPANY LLC	08/31/18	1,840.70	MW	OH	
AP00370255	53932R	KENMORE, ANDREW	08/31/18	1,288.87	MW	OH	
AP00370256	39604	KIMBALL MIDWEST	08/31/18	445.24	MW	OH	
AP00370257	50817R	KING ROOFING COMPANY	08/31/18	275.00	MW	OH	
AP00370258	49414	KITTELSON & ASSOCIATES INC	08/31/18	18,486.17	MW	OH	
AP00370259	14636R	KLATT, JOHN	08/31/18	55.20	MW	OH	
AP00370260	33914	KOFFLER ELECTRICAL MECHANICAL	08/31/18	18,214.75	MW	OH	
AP00370261	48573	KOSMONT COMPANIES	08/31/18	12,243.93	MW	OH	
AP00370262	1108	L N CURTIS AND SONS	08/31/18	14,135.87	MW	OH	
AP00370263	1264	LAKE MERCED GOLF CLUB	08/31/18	67.84	MW	OH	
AP00370264	53933R	LEE, JEFF	08/31/18	2,560.00	MW	OH	
AP00370265	33497	LEGACY MECHANICAL & ENERGY SE	08/31/18	7,700.89	MW	OH	
AP00370266	29200	LEGAL SHIELD	08/31/18	420.70	MW	OH	
AP00370267	30726	LEHR	08/31/18	2,813.73	MW	OH	
AP00370268	36651	LERNER PUBLISHING GROUP	08/31/18	1,649.88	MW	OH	
AP00370269	53869	LEW EDWARDS GROUP, THE	08/31/18	7,500.00	MW	OH	
AP00370270	50783R	LICKNESS, BRYCE	08/31/18	1,207.25	MW	OH	
AP00370271	12906LAW	LIEBERT CASSIDY WHITMORE	08/31/18	4,490.60	MW	OH	
AP00370272	51502	LIN, VICTOR	08/31/18	209.60	MW	OH	
AP00370273	53934	LOPEZ, ALEXIS	08/31/18	198.75	MW	OH	
AP00370274	49874	LOU'S GLOVES INC	08/31/18	565.20	MW	OH	
AP00370275	53419R	LU, LEO	08/31/18	1,475.00	MW	OH	

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AP00370276	53935R	MALAUULU, SILIA	08/31/18	800.00	MW	OH		
AP00370277	32991R	MALTBIE, SHAWNNA	08/31/18	50.14	MW	OH		
AP00370278	37324	MALTBIE, SHAWNNA	08/31/18	307.88	MW	OH		
AP00370279	53916R	MCQUADE, SUSAN	08/31/18	100.00	MW	OH		
AP00370280	36891	MEDTOX LABORATORIES INC	08/31/18	50.00	MW	OH		
AP00370281	53936R	MONTALVO, DONALD	08/31/18	25.00	MW	OH		
AP00370282	39868R	MR ROOFING INC	08/31/18	550.00	MW	OH		
AP00370283	46655	MSC INDUSTRIAL SUPPLY CO	08/31/18	317.18	MW	OH		
AP00370284	17654	MUSSMAN, RONALD	08/31/18	1,085.36	MW	OH		
AP00370285	6850	NATIONAL BUSINESS FURNITURE L	08/31/18	4,426.92	MW	OH		
AP00370286	52974R	NAVA, LAURA PALACIOS	08/31/18	250.00	MW	OH		
AP00370287	44586	NCFMA	08/31/18	80.00	MW	OH		
AP00370288	7857	NELSON, PETER	08/31/18	875.00	MW	OH		
AP00370289	33228	NFPA MEMBERSHIP	08/31/18	175.00	MW	OH		
AP00370290	49974	NGLIC	08/31/18	746.03	MW	OH		
AP00370291	48093R	NGUYEN, HONG	08/31/18	800.00	MW	OH		
AP00370292	15763	NORTH COAST COUNTY WATER DIST	08/31/18	167.50	MW	OH		
AP00370293	25761	NORTHERN SAFETY CO INC	08/31/18	57.29	MW	OH		
AP00370294	36915	NOWDOCS INTERNATIONAL INC	08/31/18	300.00	MW	OH		
AP00370295	20521	OCLC INC	08/31/18	4,506.59	MW	OH		
AP00370296	30978	OCT WATER QUALITY ACADEMY	08/31/18	11,550.00	MW	OH		
AP00370297	40765RJPA	ODLE, JOHN	08/31/18	78.62	MW	OH		
AP00370298	1055	OFFICE DEPOT	08/31/18	2,007.22	MW	OH		
AP00370299	15337	OFFICE DEPOT	08/31/18	113.30	MW	OH		
AP00370300	42500	OFFICE DEPOT	08/31/18	1,573.22	MW	OH		

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AP00370301	53946	OLSON, ALAN RAY	08/31/18	600.00	MW	OH		
AP00370302	34228	ORLANDI TRAILER INC	08/31/18	440.09	MW	OH		
AP00370303	52445R	ORTIZ, RANDY	08/31/18	1,207.25	MW	OH		
AP00370304	3685	OTIS ELEVATOR COMPANY	08/31/18	851.12	MW	OH		
AP00370305	53937R	OUM, PAULINE	08/31/18	250.00	MW	OH		
AP00370306	53903R	PACIFIC BAY FINANCIAL	08/31/18	1,800.00	MW	OH		
AP00370307	1216	PACIFIC GAS & ELECTRIC	08/31/18	238,045.52	MW	OH		
AP00370308	52917	PACIFIC INSTITUTE OF DEFENSIV	08/31/18	3,225.00	MW	OH		
AP00370309	43008	PACIFIC LIBRARY PARTNERSHIP	08/31/18	10,641.00	MW	OH		
AP00370310	29252	PACIFIC PRODUCE INC	08/31/18	1,373.90	MW	OH		
AP00370311	40269R	PAK'S ROOFING INC	08/31/18	825.00	MW	OH		
AP00370312	53938R	PALOMINO, RUTH	08/31/18	250.00	MW	OH		
AP00370313	53939R	PANG, YIU	08/31/18	500.00	MW	OH		
AP00370314	12536	PAPA	08/31/18	110.00	MW	OH		
AP00370315	39891	PARACLETE PRESS INC	08/31/18	27.47	MW	OH		
AP00370316	53495	PAVEMENT ENGINEERING INC	08/31/18	22,018.75	MW	OH		
AP00370317	49079	PEACHEY, DESIREE	08/31/18	410.55	MW	OH		
AP00370318	3297	PENINSULA LIBRARY SYSTEM	08/31/18	20,330.04	MW	OH		
AP00370319	1936	PENINSULA PEACE OFFICERS ASSO	08/31/18	396.90	MW	OH		
AP00370320	29738	PENINSULA UNIFORMS & EQUIPMEN	08/31/18	172.84	MW	OH		
AP00370321	53940R	PENTECOSTALS OF SAN FRANCISCO	08/31/18	800.00	MW	OH		
AP00370322	27473	PENWORTHY COMPANY, THE	08/31/18	743.02	MW	OH		
AP00370323	53941R	PERDOMO, JACQUELINE	08/31/18	100.00	MW	OH		
AP00370324	34713R	PEREGRINA, AMANDA	08/31/18	250.00	MW	OH		
AP00370325	52886	PEREZ, ERMELINDA	08/31/18	600.00	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00370326	19678	PERS LONG TERM CARE PROGRAM	08/31/18	922.13	MW	OH		
AP00370327	47044	PETERSON TRUCKS INC	08/31/18	484.46	MW	OH		
AP00370328	31384	PFEIFER, JAMES	08/31/18	12,100.00	MW	OH		
AP00370329	36106	POLYDYNE INC	08/31/18	21,880.50	MW	OH		
AP00370330	16440	PRAXAIR DISTRIBUTION INC	08/31/18	81.78	MW	OH		
AP00370331	14431	PRAXAIR INC	08/31/18	2,636.88	MW	OH		
AP00370332	53942	PREFERRED ALLIANCE INC	08/31/18	363.72	MW	OH		
AP00370333	18773	PRUDDEN, THOMAS	08/31/18	565.26	MW	OH		
AP00370334	51526	PURETEC INDUSTRIAL WATER	08/31/18	112.46	MW	OH		
AP00370335	49840	QUALITY CONTROL SERVICES INC	08/31/18	621.28	MW	OH		
AP00370336	1115	R & B COMPANY	08/31/18	10,830.29	MW	OH		
AP00370337	12539	R A METAL PRODUCTS INC	08/31/18	1,607.83	MW	OH		
AP00370338	38804	RADAR SHOP, THE	08/31/18	1,431.00	MW	OH		
AP00370339	53395R	RAIKAR, TINA	08/31/18	188.00	MW	OH		
AP00370340	48668JPA	RAVNTECH CORPORATION	08/31/18	5,833.33	MW	OH		
AP00370341	50803	READYREFRESH BY NESTLE	08/31/18	390.45	MW	OH		
AP00370342	41528	REDFLEX TRAFFIC SYSTEMS INC	08/31/18	22,080.00	MW	OH		
AP00370343	32503R	REES, JOSHUA	08/31/18	196.00	MW	OH		
AP00370344	14608	REEVES COMPANY INC	08/31/18	29.96	MW	OH		
AP00370345	5796	REGENTS OF THE UNIVERSITY OF	08/31/18	2,840.00	MW	OH		
AP00370346	53943R	REYES, ERIC	08/31/18	250.00	MW	OH		
AP00370347	39655	RIMS SUN RIDGE SYSTEMS INC	08/31/18	2,260.00	MW	OH		
AP00370348	51931	ROADPOST USA INC	08/31/18	652.59	MW	OH		
AP00370349	32143R	ROSELLO, ANDREA	08/31/18	116.61	MW	OH		
AP00370350	13761	ROSS RECREATION EQUIPMENT INC	08/31/18	194.52	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
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AP00370351	22771	S & S WORLDWIDE INC	08/31/18	566.18	MW	OH		
AP00370352	52843R	S F UNDERGROUND	08/31/18	4,000.00	MW	OH		
AP00370353	41460	SABRE BACKFLOW LLC	08/31/18	240.64	MW	OH		
AP00370354	1087	SAFETY KLEEN SYSTEMS INC	08/31/18	724.71	MW	OH		
AP00370355	53944R	SAN JUAN, MELISSA E	08/31/18	38.00	MW	OH		
AP00370356	27986	SAN MATEO COUNTY ENVIRONMENTA	08/31/18	264.99	MW	OH		
AP00370357	35246	SAN MATEO COUNTY SHERIFFS OFF	08/31/18	28,842.50	MW	OH		
AP00370358	13503	SANTOS, MARIA VICTORIA	08/31/18	3,705.66	MW	OH		
AP00370359	49441	SC FUELS	08/31/18	29,585.95	MW	OH		
AP00370360	37749	SEALIFE AQUARIUM MAINTENANCE	08/31/18	141.75	MW	OH		
AP00370361	8782	SHERROD, RICHARD	08/31/18	2,799.50	MW	OH		
AP00370362	23742	SHOE DEPOT INC	08/31/18	2,038.82	MW	OH		
AP00370363	52666	SHRED WORKS INC	08/31/18	178.00	MW	OH		
AP00370364	2890	SMITH, GARY	08/31/18	345.36	MW	OH		
AP00370365	46351	SPECIAL SERVICES GROUP LLC	08/31/18	391.50	MW	OH		
AP00370366	53489	SPIN OFF LLC	08/31/18	90.00	MW	OH		
AP00370367	53814	SQUEEKY KLEENING CO	08/31/18	13,432.00	MW	OH		
AP00370368	20534	ST FRANCIS ELECTRIC INC	08/31/18	630.00	MW	OH		
AP00370369	3613	STATIONARY ENGINEERS LOCAL 39	08/31/18	1,635.16	MW	OH		
AP00370370	13326	STEERS, JUDITH E	08/31/18	5,787.57	MW	OH		
AP00370371	40900	STEVENS BAY AREA DIESEL SERVI	08/31/18	367.50	MW	OH		
AP00370372	18334	SUPERION LLC	08/31/18	440.00	MW	OH		
AP00370373	50360	SUPPLYWORKS	08/31/18	2,046.05	MW	OH		
AP00370374	51439	SWEET DELIGHT BAKERY	08/31/18	92.50	MW	OH		
AP00370375	43479	TEAM NORTH CONSTRUCTION SERVI	08/31/18	1,300.00	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To	Note
AP00370376	2798	TEAMSTERS LOCAL 856	08/31/18	3,324.00	MW	OH		
AP00370377	53902	TECHNISOIL GLOBAL INC	08/31/18	1,980.98	MW	OH		
AP00370378	13852	TELECOMMUNICATIONS ENGINEERIN	08/31/18	3,544.80	MW	OH		
AP00370379	42970JPA	TELECOMMUNICATIONS ENGINEERIN	08/31/18	15,330.00	MW	OH		
AP00370380	38867R	TIMBOE, BRIAN	08/31/18	720.00	MW	OH		
AP00370381	49610R	TOMANENG, ANGELITA	08/31/18	50.00	MW	OH		
AP00370382	17883	TRAFFIC PARTS INC	08/31/18	196.25	MW	OH		
AP00370383	52033	TRIPEPI SMITH & ASSOCIATES IN	08/31/18	1,475.00	MW	OH		
AP00370384	29829	TSAI FONG BOOKS INC	08/31/18	19.34	MW	OH		
AP00370385	26803	TURBO DATA SYSTEMS INC	08/31/18	21,149.48	MW	OH		
AP00370386	48168	TURNER RISK CONSULTING INC	08/31/18	275.00	MW	OH		
AP00370387	37637	ULINE INC	08/31/18	958.06	MW	OH		
AP00370388	31745	UNITED SITE SERVICES OF CALIF	08/31/18	170.52	MW	OH		
AP00370389	32209	UNIVAR USA INC	08/31/18	6,799.10	MW	OH		
AP00370390	3904	UPS	08/31/18	95.69	MW	OH		
AP00370391	7873	URBAN FARMER STORE, THE	08/31/18	107.42	MW	OH		
AP00370392	G-ORTEGA	US DEPARTMENT OF EDUCATION	08/31/18	699.87	MW	OH		
AP00370393	47099JPA	UTILITY TELECOM GROUP LLC	08/31/18	5,424.72	MW	OH		
AP00370394	5661	VALS RESTAURANT & LOUNGE	08/31/18	169.25	MW	OH		
AP00370395	53899R	VAN, NIEN CAM	08/31/18	100.14	MW	OH		
AP00370396	50628R	VANLANDINGHAM, NIKOLAS	08/31/18	200.00	MW	OH		
AP00370397	1579	VWR INTERNATIONAL LLC	08/31/18	33.95	MW	OH		
AP00370398	52634R	WAN LI CONSTRUCTION COMPANY	08/31/18	1,544.27	MW	OH		
AP00370399	50485	WAVE BROADBAND	08/31/18	191.10	MW	OH		
AP00370400	49085	WEST COAST ARBORISTS INC	08/31/18	14,891.55	MW	OH		

Check	Payee ID.	Payee Name	Date	Check Amount	Type	Subs	Rel To Note
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AP00370401	39237	WEST COAST CODE CONSULTANTS I	08/31/18	687.50	MW	OH	
AP00370402	1095	WESTLAKE ECO SOFT-TOUCH	08/31/18	1,177.15	MW	OH	
AP00370403	29157	WILEY X INC	08/31/18	787.90	MW	OH	
AP00370404	48425MED	WILLIAM J FEISTER PH D	08/31/18	400.00	MW	OH	
AP00370405	38558	WILSEY HAM INC	08/31/18	5,192.69	MW	OH	
AP00370406	32852	WQI	08/31/18	1,200.00	MW	OH	
GRAND TOTALS:							
Total Void Machine Written				0.00	Number of Checks Processed:		0
Total Void Hand Written				0.00	Number of Checks Processed:		0
Total Machine Written				2,756,280.87	Number of Checks Processed:		331
Total Hand Written				0.00	Number of Checks Processed:		0
Total Reversals				0.00	Number of Checks Processed:		0
Total Cancelled				0.00	Number of Checks Processed:		0
Total EFTs				0.00	Number of EFTs Processed:		0
Total EPAYs				0.00	Number of EPAYs Processed:		0
GRAND TOTAL				2,756,280.87			



City Council Meeting Agenda Report

Item #

Meeting Date: September 10, 2018

Subject: Westlake Shopping Center Mixed-Use Building (10 Park Plaza Drive) - General Plan Amendment GPA 4-17-12760, Planned Development PD 4-17-12761, Design Review DR 4-17-12762, and CEQA Review CEQA 4-17-12763

Recommended Action

Approve the General Plan Amendment, Planned Development PD60 amendment, and Design Review, and approve the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project.

Planning Commission Discussion

On May 1, 2018, the Planning Commission voted 4-0 (Commissioner DiGiovanni recused) to recommend the City Council approve the project. Carol Conroy, resident of 308 Innisfree Drive, stated that the location of the proposed project was ideal, the project parking was more than ample, and that the proposed design mitigates and improves traffic flow in the area. She encouraged the project's approval. Tom Nuris, resident of 20 Northgate Court, also expressed his support for the project. Planning Commission discussion topics are identified in bold italics.

Background

The applicant, Kimco Reality Corporation, has submitted an application to redevelop a portion of Westlake Shopping Center adjacent to Park Plaza Drive (Attachment A – Location Map). The project consists of replacing the existing two-story 53,662 square foot commercial building and 60 space surface parking lot, currently on the north end of the existing building, with a six-story mixed use building including a below grade parking garage accommodating 260 parking spaces, 34,458 square feet of ground floor commercial space, and 179 upper-story apartments (see Attachment B – Project Plans). The existing building is comprised of 23,232 square feet of medical office space, which would not be replaced, and 30,430 square feet of retail space, which would be replaced with 34,458 square feet of retail space at the building's ground floor.

In terms of vehicular circulation, a new vehicle access road is also proposed on the south end of the proposed mixed-use building separating the proposed building and an existing retail with building Mattress Firm and Ross Stores. The new access road would serve to connect Park Plaza Drive to the parking area between the proposed mixed-use building and Westlake Center Drive.

The project as proposed requires the following entitlements:

1. General Plan Amendment to change the General Plan designation from C-RO (Commercial Retail-Office) to CM-U (Commercial Mixed-Use), allowing residential uses.
2. Modification of Planned Development PD-60 to reflect the proposed project, including the allowance of residential uses.
3. Approval of the proposed building design, including vehicular and pedestrian circulation.
4. Certification of a Mitigated Negative Declaration for the project.

The proposed project is unchanged from the Preliminary Plan approved by the Planning Commission and City Council last year and the Precise Plan reviewed by the Planning Commission on May 1, 2018. Concerns expressed at both the Planning Commission and the City Council hearings were primarily related to traffic and circulation throughout the shopping center, parking congestion, and the potential loss of existing small businesses to be replaced with larger chain retail stores. Staff believes the applicant's traffic consultant adequately responded to questions regarding potential traffic and parking impacts generated by the project and has discussed these issues below. Also, staff has since received the developer's tenant relocation plan and provided discussion of the plan below.

The City Council should be aware that staff has received five pieces of correspondence from the public concerning the project:

1. A letter from Esther LeSieur was received on November 8, 2017, expressing opposition to the proposed project. Ms. LeSieur is concerned with the potential loss of existing businesses and parking congestion (see Attachment C – Letter from Esther LeSieur).
2. A letter from Marion Broeker received on January 17, 2018, also expressed opposition to the Project siting potential loss of existing small business and parking congestion (see Attachment D – Letter from Marion Broeker);
3. A letter from Aaron Goodman received on April 23, 2018, expressing the need for an improved regional transit that link Daly City neighborhoods to the Westlake and other shopping destinations (see Attachment E – Letter from Aaron Goodman);
4. An email from the San Francisco Public Utilities Commission (SFPUC) requesting the project to come to SFPUC's Project Review (see Attachment F – Email from San Francisco Public Utilities Commission);
5. A letter from Lozeau Drury, LLP, on behalf of the Laborers International Union of North America commenting on the findings of the Initial Study and Mitigated Declaration prepared for the project (see Attachment G – Letter from Lozeau Drury, LLP). The letter suggests there is a fair argument the project may have significant adverse environmental impacts and therefore an EIR would be required; and
6. A letter from the State of California Department of Transportation (Caltrans) requesting the City work with other agencies to provide the missing bicycle facility segment, that the project implement vehicle trip reduction measures, that the City be aware that it is responsible for all project mitigation, including any needed improvements to the State Transportation Network, and that the project obtain all necessary encroachment permits (see Attachment H – Letter from State of California Department of Transportation).

Because the correspondence from Aaron Goodman, the SFPUC, and Lozeau Drury, LLP are related to the proposed Mitigated Negative Declaration, these letters are discussed in the *Environmental Assessment* section of this staff report.

Project Overview

The subject site is within Westlake Shopping Center at the corner of Park Plaza Drive and John Daly Boulevard. Land uses in the vicinity of the project include single-family housing across John Daly Boulevard, the Westlake Village Apartments across Park Plaza Drive, and the existing retail shopping center to the west and south. The proposed insertion of residential use as part of a mixed use building where residential use is not permitted or does not already exist can be justified and considered compatible with surrounding land uses due to its particular location in the shopping center that perhaps would bridge existing commercial and residential use.

As indicated in the project plans, the applicant proposes to demolish existing Building M, which contains 30,430 square feet of retail space at street level and 23,232 square feet of medical office space in the floors above, and replace the building with a new Building R, which would expand the footprint of the existing building northerly to the intersection of John Daly Boulevard and Park Plaza Drive. The new building would provide 34,458 square feet of retail space in essentially the same place where it exists now, and add a new 15,390 square foot retail space near the intersection of John Daly Boulevard and Park Plaza Drive, replacing the parking lot which exists there today. The office uses that presently exist above the street level would relocate off-site or to other Kimco tenancies in the project vicinity and be replaced with 179 apartments. The existing smaller stores which front Park Plaza Drive would also relocate off-site or to other Kimco tenancies within Westlake Center and be replaced by leasing offices and residential amenity space for the apartments, the access driveway to the 260-space underground parking garage, and delivery truck access.

In the initial conversations with the applicant, vehicular access and minimizing vehicular/pedestrian conflicts in the center's parking lots have been staff's paramount concerns. To the extent that the proposal can address pedestrian conflicts and pedestrian access issues from the center's parking structures, staff has expressed a strong desire that the proposed improvements be tied to addressing these concerns.

When initially proposed, the project lacked adequate separation of vehicular and pedestrian circulation in the center's parking lots. As a result of the aforementioned discussions, the project sponsor has proposed several measures to address staff's concerns. These are illustrated on Sheet A19, which identifies seven specific pedestrian improvements to the center's parking lots, sidewalks, and parking garage pedestrian access. These include new landscaped pedestrian paths connecting the parking lot to Westlake Center Drive and the proposed building, and the replacement of the staircase that provides pedestrian access from the structured parking adjacent to Ross to the ground level adjacent to the San Mateo Credit Union. This staircase, which today is completely housed within an enclosed stairwell, would be reconstructed as a quasi-exterior staircase, covered to protect from the elements, but without exterior walls so as to make the stairwell visible from the courtyard adjacent to the credit union. Staff has proposed a Condition of Approval requiring enhanced security measures within this staircase.

Staff believes that the pedestrian plan now illustrates thoughtful interaction between service vehicles, autos, and cyclists. The city Council should be aware that the project plans have been routed to the SFPUC, BART, SamTrans, and Caltrans.

- *Commissioner Tallerico stated that the intersection of Park Plaza Drive and Southgate Avenue has always been a traffic maze and congested. He stated his concern that tenants in the apartment building will need to go left onto Park Plaza Drive to go to Interstate 280 and asked how they would merge into northbound Park Plaza Drive traffic. Drew Levitt of Fehr and Peers, the project traffic engineer, responded that a gap analysis based on traffic flows determined that such turns would be feasible given traffic flow on Park Plaza Drive. Michael Strahs, from Kimco Realty stated that no left turns would be allowed out of the apartment driveway and tenants would instead be forced to turn right.*
- *Commissioner Tallerico asked if the traffic signals in John Daly Boulevard couldn't be sequenced better to accommodate vehicles leaving Westlake Center Drive and Lake Merced Boulevard. Shirley Chan, the City's Traffic Engineer responded that the City tries to time signals for through-traffic east- and west-bound on John Daly Boulevard and that they are not timed the entire day.*
- *Commissioner Proaño asked why only the east and west directions are timed. Shirley Chan responded the reason is that most people are using John Daly Boulevard and that the City times lights to benefit the majority of the traffic. She added that it is hard to anticipate right and left turns onto John Daly Boulevard and that as the City moves forward with the Capital Improvement Project it will have additional opportunities to time traffic signals. She stated that if apartments are constructed the City could take new counts and could adjust the signals.*
- *Commissioner Tallerico stated that Park Plaza during construction will be difficult to navigate and asked if the applicant would work within the rules of the City allowances for work hours and if the applicant would need to reduce traffic flow during construction. The applicant responded that he would work within the City allowances for work hours. Staff added that, as part of grading permit, a traffic control plan for all construction operations would need to be approved by the City.*

Open Space

A combination of common courtyards and private balconies would be provided to satisfy the open space requirements for the project. Dwelling units on the second floor level surround two common courtyards totaling approximately 10,269 square feet. The fifth level also includes common open space totaling approximately 1,291 square feet. Approximately 50 percent of the dwelling units on the second floor would include private balconies and approximately 72 percent of the dwelling units on the floors 3-5 would include private balconies. The private balconies would total approximately 12334 square feet. Other areas considered useable open space would include amenity space on the first floor particularly to be used as a bar/lounge/recreation area totaling

approximately 4,192 square feet, a 975 square foot fitness room on podium level 2 and a 905 square foot amenity space on the sixth floor. The project would therefore provide approximately 167 square feet per dwelling unit of open space where 150 square feet is required.

Parking

Presently, the area of Westlake Center in the vicinity of the proposed new mixed-use building provides 404 parking spaces, including 286 surface parking spaces and 118 spaces in the parking structure adjacent to Ross. The proposal would remove the 60 parking spaces north of Chipotle/Nations (adjacent to John Daly Boulevard/Park Plaza Drive intersection), while constructing a 260-space parking garage beneath the new building.

As discussed previously, the proposed building would include 179 dwelling units including 19 studio apartments, 87 one-bedroom apartments, 64 two-bedroom apartments, and 9 three-bedroom apartments. The apartments would replace 23,232 square feet of medical office space. Approximately 34,458 square feet of ground floor retail space would replace the 30,430 square feet of existing retail space, representing 4,028 additional retail square feet. Based on the unit and bedroom count for the proposed apartments, the Zoning Ordinance requires 236 parking spaces for the apartments. Assuming 236 spaces in the underground parking garage were devoted to the apartment use, this would result in 24 spaces in the new garage available to other uses. According to the ITE Parking Generation manual as referenced in a traffic study provided by the Project Sponsor, peak parking demand for 179 dwelling units would be 216 stalls. It is therefore plausible that the number of spaces available to other uses in the underground garage would be 44 spaces instead of 24, thereby mitigating the impact to the center's parking caused by additional retail square feet and the loss of the surface parking in the proposal.

It is important that the City Council be aware that the proposed project is located in a Planned Development zone which presently requires that parking be provided at a ratio of at least 3.29 parking stalls per thousand square feet of gross leasable floor area (GLA). Since there are no residential uses in the center, the PD zoning does not address a residential requirement. With the construction of the proposed project, i.e., medical offices removed, the shopping center would consist of 663,806 commercial square feet and provide 2,183 parking spaces *exclusive of the parking garage*, equating to the future provision of 3.29 parking spaces per 1,000 square feet of GLA. The proposed project would therefore continue to satisfy the existing PD60 parking requirement.

As required by the Planned Development zoning, an amended Parking Management Plan would be required for the project. It is very likely that, as a part of the amended Parking Management Plan, that staff would require that the excess residential parking stalls in the underground garage be dedicated employee parking.

- *Commissioner Tallerico stated there were not enough accessible parking stalls close enough to stores and asked if the applicant could study more availability of accessible parking stalls and have local security check to make sure accessible spaces are being used appropriately. Michael Strahs stated that the proposal meets requirements but that he would be happy to look at additional areas in need of such spaces.*

- ***Commissioner Satorre stated that parking is a problem with any development in any part of the world and that it needs to be managed.***
- ***Commissioner Satorre asked if the applicant could have an indicator on the garage parking spaces that shows vacancy in the garage. Michael Strahs answered that while it is possible, it would be a significant investment and not economically feasible at this time.***

Tenant Relocation

Currently there are a total of 18 retail tenants located on the ground floors of Building L (medical and dental office building) and Building M (retail building). These ground floor retail tenants occupy approximately 26,250 square feet. Approximately eight of these tenants would be relocated to eight vacant ground floor retail spaces along Westlake Center Drive. Two additional retail spaces along Westlake Center Drive currently occupied by tenants with soon to be expired leases or month to month leases are also potential relocations for existing tenants.

Fifteen office tenants currently occupy the 2nd and 3rd levels of existing Building L and Building M. The applicant expects to relocate approximately 12 of these tenants to 15 Southgate Avenue and 45 Southgate Avenue. Although only two vacancies currently exist, the applicant expects additional space in these building to be available prior to the commencement of the relocation.

Building Design

Axonometric drawings submitted by the project sponsor show the building's architecture, which reflects modern architecture including glass and concrete walls with clean, vertical and horizontal lines. The architectural features are mostly functional where decoration is achieved only through the blend of façade materials of different colors and textures. While staff is overall satisfied with the proposed building design, the following Conditions of Approval are recommended:

1. All buildings within the project shall incorporate an aluminum window system. Vinyl windows in the residential portion of the project shall not be permitted unless such windows incorporate an aesthetic quality comparable to aluminum windows.
2. The retail portions of the building shall receive up/down exterior wall lights at its first floor to provide evening hour building accentuation.
3. Prior to the issuance of the building permit for the new mixed-use building, the applicant shall develop a sign program for the residential and retail uses on in the new building. The program shall demonstrate that tenancies have adequate space for tenant signs that are proportional to the plane on which they would be mounted.

Additionally, as mentioned above, staff is recommending a Condition of Approval that the applicant develop a security plan for the new building and the proposed replacement staircase that provides pedestrian access from the structured parking adjacent to Ross to the ground level adjacent

to the San Mateo Credit Union. The security plan would need to be submitted to the Planning Division and Police Department for review and approval.

- ***Commissioner Daus-Magbual asked what could be done to incorporate a mural that represents the culture of Daly City into the project. He asked the applicant if he was open to it. The applicant responded that he was and that the project is committed to place making elements to make it special.***
- ***Commissioner Satorre recommended that the applicant put up a flag pole in front of new building.***

General Plan, Zoning, and Project Density

The General Plan designation for the proposed parcel is currently C-RO Commercial/Retail and Office. The project proposes commercial and retail use on the ground floor and high density residential use on the upper floors. An amendment to the General Plan changing the land use designation to C-MU is therefore required as a necessary land use entitlement for the proposed mixed use project.

Similarly, an amendment to the Planned Development zoning is necessary to establish specific site development regulations, including allowances for height, setbacks, and parking. The project is currently within the PD-60 (Planned Development District), which identifies a number of permitted uses including restaurants, professional offices and personal services, but does not include residential. A modification to the PD-60 district site development standards would therefore be required to allow the proposed mixed-use project (see Attachment I – Draft PD60A Regulations).

Project Affordability

In accordance with the Affordable Housing Ordinance, the applicant has proposed paying the housing impact fee of \$25 per square foot of livable area in the apartment portion of the project upon building permit issuance. Although the applicant's ability to do so is granted by the existing Affordable Housing Ordinance, the ordinance in place at the time of the building permit issuance would likely be the determining factor as to whether the actual construction of affordable housing units is necessary. The applicant should be aware that affordable units may ultimately be required if the Ordinance is amended to require such.

- ***Commissioner Daus-Magbual expressed concern about the lack of affordable rental units in the project and wondered if people would be able to afford the market rate units. Michael Strahs responded that he was mindful that the economics of the market rate units may present a challenge but that he planned to pay the in-lieu housing fee. He added that staff has advised him that in the future the City may enact a requirement for onsite units. Commissioner Daus-Magbual added that residents want to see improvements but housing cost needs to be addressed in an effort to prevent current residents from moving away.***

Fiscal Impact

As requested by staff, the applicant has submitted a fiscal impact analysis for the project (see Attachment J – Fiscal Impact Analysis). The following table provides a summary of the analysis, which has concluded that the proposed redevelopment would result in a substantially net positive fiscal impact to the City:

Westlake Shopping Center Fiscal Impact Analysis – Findings Summary

Land Use	Annual Revenues	Annual Expenditures	Fiscal Impact
Mixed-Use Development	\$ 692,665	\$ 220,574	\$ 472,091
Existing Development	\$ 140,365	\$ 25,712	\$ 114,653
Difference	\$ 552,300	\$ 194,862	\$ 357,438

According to the analysis, major contributors to the expanded tax base at the redeveloped center would be property taxes, expanded retail sales tax, and expanded business license revenues. At estimated annual revenues of \$692,700, the analysis found that the proposal would generate more than five times the estimated level of General Fund revenue as the development that exists at the site today. Additionally, while the City would outlay \$220,600 in additional revenue in service costs for the proposed project, the resulting net fiscal impact of \$472,100 is more than four times the net fiscal impact of the existing development.

Environmental Assessment

David J. Powers and Associates, under contract with the Planning Division, has completed an Initial Study for the project and has determined that, pursuant to the requirements of the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration is the appropriate level of environmental review (see Attachment K – Initial Study Westlake Shopping Center Project). As indicated in the Initial Study, the project largely would have no significant impacts upon the environment, with the exception of impacts to air quality, biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, noise and vibration and traffic. The mitigation measures for these impacts are included in the Mitigation Monitoring and Reporting Program prepared for the project (see Attachment L – Mitigation Monitoring and Reporting Program).

With regard to traffic impacts, a traffic study prepared by Fehr and Peers for the project evaluated the project's impacts at nine signalized intersections and five unsignalized intersections during weekday AM and PM peak hour and weekend midday peak hour periods of traffic. The AM peak hour is between 7:00 AM and 9:00 AM and the PM peak hour period is between 4:00 PM and 6:00 PM. The weekend midday peak period is between 11:00 AM and 2:00 PM. For this proposed project, estimates for peak weekend midday conditions were also prepared since shopping center traffic volumes are generally highest on weekends. The study intersections are listed below (study intersections are signalized except for those noted with an asterisk).

1. Lake Merced Boulevard/John Daly Boulevard
2. Westlake Center/John Daly Boulevard
3. Park Plaza Drive/Cliffside Drive/John Daly Boulevard
4. Poncetta Drive/Sheffield Drive/John Daly Boulevard
5. I-280 SB on-ramp / SR-1 SB Off-Ramp/John Daly Boulevard
6. Junipero Serra Boulevard/John Daly Boulevard
7. John Daly Boulevard/Niantic Avenue (weekday only)
8. John Daly Boulevard/De Long Street (weekday only)
9. Lake Merced Boulevard/Bel Mar Avenue/Garage Driveway*
10. Lake Merced Boulevard/Southgate Avenue*
11. Palmcrest Drive/Westlake Center/Southgate Avenue*
12. Park Plaza Drive/Southgate Avenue
13. Park Plaza Drive/Garage Driveway/Bel Mar Avenue*
14. Park Plaza Drive/Project Driveway* (Plus Project only)

Traffic count data, consisting of vehicle turning movement volumes, were collected at the above intersections on Thursday, March 2, 2017, and Saturday, March 4, 2017. School was in session on March 2, 2017 and roadway network conditions were typical on both days and no nearby construction affected vehicle circulation.

Traffic conditions were evaluated using level of service (LOS). LOS is a qualitative description of operating conditions ranging from LOS A (free-flow conditions with little or no delay) to LOS F (jammed conditions with excessive delays). The City of Daly City has established LOS D as its acceptable level of service for normal weekday commute conditions. Intersections operating at LOS E or F are considered to be operating at unacceptable levels. The City's General Plan has established that if the addition of project traffic degrades an intersection LOS to below LOS D during weekday morning or evening peak traffic periods, the project would have a significant impact on traffic. For intersections operating at LOS E or F, an increase in delay is considered a significant impact. The City does not have a minimum LOS requirement for weekend traffic conditions, however given the project is located on a shopping center site, the traffic analysis includes weekend conditions for informational purposes since the shopping center itself generates substantial traffic on weekends.

Fehr & Peers analyzed the existing and proposed project external (i.e. off-site) vehicle trip generation associated with the proposed project and determined the proposed project would generate fewer external vehicle trips than the existing land use program during the weekday study periods, meaning trips associated with existing shopping center uses are currently higher than trips expected from the proposed mixed-use development during weekday periods. The proposed project would generate 17 net new external vehicle trips during the Saturday midday peak hour. A central premise in the traffic model that generated these calculations was that people who currently drive to shop at the center would likely continue to do so, but new users of the project, specifically the apartment residents, would generate fewer traffic trips than would normally be associated with a stand-alone apartment building because the building's residents have the capability to live, dine, and shop on the same property. The existing medical office use that these apartments would replace, tend to have a higher trip generation rate which is not discounted by this "internalization"

of traffic trips. Therefore, given the complementary mix of uses on the site and throughout the shopping center and the availability of transit in the vicinity, many trips would either occur within the shopping center and not on surrounding roadways or would utilize transit.

In conclusion, the study found that the addition of project traffic would increase average delay slightly at some study intersections, but would decrease it at others because the proposed project is projected to decrease total volumes at some study intersections. The proposed project would not appreciably change operations from the existing condition.

The City Council should be aware that the Planning Division has received four pieces of correspondence which relate to the Mitigated Negative Declaration prepared for the project: The first is from Aaron Goodman, who although overall supports housing development, expressed concerns about the impacts of the proposed development on traffic and congestion in the general vicinity of the project, which he felt should be taken into consideration with other approved or pending development in the area. The second is from the SFPUC requesting that the project be reviewed SFPUC's Project Review as a means to ensuring that the project avoids impacts to the Sunset Supply Line, an active, high-pressure water transmission pipeline, which traverses the Westlake Center parking lot serving the project. The third is from Lozeau Drury, LLP, on behalf of the Laborers International Union of North America commenting on the findings of the Initial Study and Mitigated Declaration prepared for the project. This letter suggests there is a fair argument the project may have significant adverse environmental impacts and therefore an EIR would be required. The fourth is from Caltrans, requesting that the City work with other agencies to provide a missing bicycle facility segment, that the project implement vehicle trip reduction measures, that the City be aware that it is responsible for all project mitigation, including any needed improvements to the State Transportation Network, and that the project obtain all necessary encroachment permits.

David J. Powers and Associates has prepared responses to these letters (see Attachment M – Responses to Comments on the Westlake Mixed-Use Project Initial Study). Additionally, Michael Baker International has responded to the Lozeau Drury, LLP, letter on the applicant's behalf (see Attachment N – Letter from Michael Baker International).

Findings

The Planning Commission recommends that the City Council find that the proposed General Plan Amendment GPA 4-17-12760, Planned Development PD-4-17-12761, and Design Review DR-4-17-12762 are in accordance with Chapter 17 of the Daly City Municipal Code. Approval of the proposed project will not be detrimental to the health, safety, morals, comfort and general welfare of persons residing or working in the vicinity. The proposed project would not be injurious or detrimental to property and improvements in the neighborhood or result in substantial environmental damage or disturbance, given the mitigation measures outlined in the Mitigation Monitoring and Reporting Program. These findings are based in part on the following facts:

1. In accordance with Title 17 of the Daly City Municipal Code, as well as applicable State zoning enabling legislation, the City Council will conduct a public hearing on September

- 10, 2018; notice of said hearing was by newspaper publication, and posting and first class mailing to property owners within 300 feet of the site, on August 30, 2018.
2. The City Council has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and, based on the Initial Study prepared by a qualified professional consultant, has determined that there is no substantial evidence, in light of the whole record that the project may have a significant impact, given the mitigation measures outlined in the Mitigation Monitoring and Reporting Program prepared for the project. Therefore, a Mitigated Negative Declaration is appropriate for the project.
 3. The project will minimize the risk to existing public improvements and adjacent private property by providing controlled stormwater runoff from the site to City facilities in full compliance with Order R-2 NPDES Permit No. CAS612008 and Order No. 2010-0014-DWQ, NPDES No. CAS000002, the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit.
 4. The amendments to the General Plan as outlined in the project staff report are reasonable given the initial intent of the General Plan adopted in 2013 and the evolution of land uses in the subject area. The General Plan Housing Element encourages the development of infill housing on sites that are underutilized, such as the subject site, where residential development represents the highest and best use, and where public infrastructure exists to support the intensity of the proposed development.
 5. The mixed use project will not have a detrimental effect on sound community planning, the economic, ecological, cultural and aesthetic qualities of the community, and on public health, safety and general welfare.
 6. The overall impact on schools, parks, utilities, neighborhood streets, traffic, parking and other community facilities and resources will not be detrimental.
 7. Under the proposal, the existing Commercial Retail-Office designation would be amended to Commercial Mixed Use raising the allowable FAR from 1.0-5.0 to 1.0-6.0. The proposed development is 179 units on 1.95 gross acres of land devoted to residential uses, the resulting project density would be 100 dwelling units per acre. Although the residential component of the proposed mixed use building is considered very high, the amount of density can be supported considering its very close proximity to goods and services including supermarkets, restaurants, pharmacies and clothing stores and is well within one mile of the Daly City BART Station.
 8. The subject site is situated generally between John Daly Boulevard, Southgate Avenue, Park Plaza Drive and Westlake Center. The area is characterized primarily by a large shopping center surrounded by residential use. The area is serviced by public transit including SamTrans and BART. Given the size and shape of the subject property, together with adjacent land uses, a very high-density residential development consisting of 170 apartment units over 34,458 square feet of retail use as part of a center including approximately 600,000 square feet of retail and office space, is compatible with high intensity retail and other commercial in the vicinity.

9. The design of the proposed project would not cause serious public health problems. The proposed project consists of 179 apartment units, all of which will be subject to Building Code requirements that set forth minimum safety standards for new construction. Other City and State regulations will assure that public health is not at risk.
10. The approval of the project is in the best interest of the public health, safety and general welfare of the community. The site design has been reviewed by various City departments, including the Fire Department, the Building Division, the Engineering Division, and the Department of Water and Wastewater Resources. Each of these agencies, comprised of persons qualified to render professional opinions concerning the project, have confirmed that the proposed project poses no threat to the public health, safety, and welfare. There furthermore exists no evidence in the public record to demonstrate that the project would be detrimental to the public health, safety, and general welfare.
11. General landscape considerations of Chapter 17.41, Landscaping, have been provided to insure visual relief, to complement buildings and structures and to provide an attractive environment for the enjoyment of the public.
12. General architectural considerations have been incorporated in order to ensure the compatibility of this development with its design concept and the character of other adjacent buildings. These considerations include, but are not limited to, the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, and colors.

Conditions of Approval

The Planning Commission recommends approval of General Plan Amendment GPA-4-17-12760, Planned Development PD-4-17-12761, and Design Review DR-4-17-12762, based on the following conditions as specified by each Department and Division. The applicant shall comply with these conditions prior to or in conjunction with any building permit issuance for the proposed improvements.

A. DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

General

1. The project shall be valid only in conjunction with detailed plans submitted with this project. Any modifications required, due to the Conditions of Approval and minor changes to the plan, must be approved by the Planning Division. Major site or architectural modifications shall be treated as an amendment and shall be subject to review by the Planning Commission and City Council.
2. The applicant shall comply with all of the requirements of the Mitigation Monitoring and Reporting Program adopted by the City Council.

3. Prior to the issuance of any building permit, the applicant shall have submitted an amended Parking Management Plan (PMP) to the Planning Division for review. Also, any excess residential parking stalls in the underground garage shall be dedicated employee parking.
4. The applicant shall develop a security plan for the new building and the proposed replacement staircase that provides pedestrian access from the structured parking adjacent to Ross to the ground level adjacent to the San Mateo Credit Union. The security plan shall be submitted to the Planning Division and Police Department for review and approval.
5. Prior to the issuance of a building permit, the applicant shall pay an Affordable Housing Impact Fee in compliance with the City's Affordable Housing Ordinance. Please contact the City's Housing Division at (650) 991-8256 for details. Should the City Council adopt any revisions or updates to the City's Affordable Housing Ordinance, the applicant shall comply with the requirements of those revisions or updates, including any requirements to provide affordable housing units in the project or pay fees that are different from those in the existing affordable housing ordinance.

Building Design

6. All buildings within the project shall incorporate an aluminum window system. Vinyl windows in the residential portion of the project shall not be permitted unless such windows incorporate an aesthetic quality comparable to aluminum windows.
7. The retail portions of the building shall receive up/down exterior wall lights at its first floor to provide evening hour building accentuation.
8. Prior to the issuance of the building permit for the new mixed-use building, the applicant shall develop a sign program for the residential and retail uses on in the new building. The program shall demonstrate that tenancies have adequate space for tenant signs that are proportional to the plane on which they would be mounted.
9. Exterior balcony railings and other exposed metals in the project shall be either galvanized or treated with an anti-corrosive coating, as approved by the Planning Division.
10. The applicant shall continue to work with Republic Service to ensure the most feasible design for refuse pick up.

Site Design

11. Parking spaces adjacent to sidewalks and landscaping shall receive wheel stops.
12. The applicant shall submit an illumination plan for staff review and approval. The plan shall identify the location of any proposed on-site exterior lighting. The plan shall include bollard and/or overhead lighting at the all paseos, emergency vehicle access, common open space areas, mailbox areas, trash collection areas, parking areas, and in the areas fronting the commercial building and shopkeepers spaces.

13. The applicant shall provide an adequate number of trash receptacles at the perimeter of the new building and the vicinity of the new staircase construction, as determined acceptable to the Planning Division.
14. The applicant shall coordinate the movement of any SamTrans facilities with SamTrans.
15. The applicant shall secure any permits or licenses from the San Francisco Public Utilities Commission that may be necessary to undertake the project.

Landscaping

16. A detailed landscape plan shall be submitted at the time of building permit application. The plan shall incorporate box-specimen trees a variety of trees and shrubs to provide an attractive tree canopy and ground cover throughout all pedestrian access areas.
17. The landscape plan shall identify an excavation plan for all trees that provides a sufficient trench to allow for root expansion, as determined by the City. Tree trenches shall be inspected by the City for size prior to tree installation.
18. The applicant shall provide establishment irrigation, and where necessary, long-term irrigation to all trees, shrubs, and groundcover.
19. The applicant shall triple-stake all trees and this staking shall be subject to initial inspection by the City. Trees shall remain triple-stake through the establishment period and tree staking shall be subject to the annual inspection identified above.

Stormwater Treatment

20. The applicant shall develop and submit a stormwater management plan that illustrates full compliance with Section C.3 of Order R-2-2009-0074 NPDES Permit No. CAS612008. The project must comply with Order No. 2010-0014-DWQ, NPDES No. CAS000002, the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit.
21. The applicant shall receive approval of the stormwater management plan from a third-party reviewer appointed by the City prior to building permit approval. The applicant shall pay the entire cost of the third-party reviewer.
22. All stormwater treatment facilities shall be inspected during construction to ensure eventual compliance with the stormwater management plan. The applicant shall pay the entire cost of these inspections.
23. The applicant shall enter into a Maintenance Agreement with the City to ensure long-term maintenance and servicing by the Property Owner of stormwater site design and treatment control measures according the approved Maintenance Plan.

24. The applicant shall arrange and pay for final inspection of installed treatment measure by municipality's Special Inspector within 45 days of installation or project construction completion, whichever comes first.

B. DEPARTMENT OF PUBLIC WORKS – ENGINEERING DIVISION

General

25. All construction shall meet the latest California Building Code, California Fire Code, Daly City Municipal Code and the City Standard Specifications and Drawings. The applicant shall obtain all required permits before commencing work. All required improvements shall be constructed at no cost to the City.
26. Civil grading, drainage, utility and improvement plans will need to be prepared for review and approval by the Engineering department. The plans shall include details for on-site and, off-site improvements including vehicular and pedestrian access, parking, utility service connections, storm drain system, and other public service facilities. Existing and proposed easements shall be shown. All utilities shall be undergrounded.
27. Grading exceeding 50 cubic yards shall require approval of plans and a grading permit. A licensed Civil Engineer shall prepare the grading plans and erosion control plan in conformance with a soil report prepared by a licensed soil engineer or qualified civil engineer in compliance with the NPDES requirements prior to any development on the property.
28. All plans shall clearly show the property lines and Right-Of-Way width for the streets.
29. Additional Right-Of-Way easement may need to be dedicated to the City.
30. Transformers and/or vaults serving the new development shall be placed on private property.
31. Hydraulic calculations along with a letter from the engineer of record indicating that the proposed storm drain system does not increase runoff above the pre-development condition shall be submitted for review and approval by the City Engineer.
32. The applicant shall be financially responsible for all project-related storm drainage improvements on and off-site, as required and approved by the City Engineer.
33. Full trash capture devices and/or filtration systems shall be installed on all private storm drains as approved by the City Engineer. Devices to be approved by the City prior to ordering.
34. All roof drainage shall be discharged so that no storm water sheet flows over the sidewalk.

35. All improvements shall satisfy ADA requirements.
36. Republic Services shall review and approve the circulation route for their solid waste collection services vehicles. Provide approval letter from Republic Services on the proposed trash management plan.
37. All street trees shall be maintained by the building owner in perpetuity, with irrigation tied to and maintained by the property owner. Final location and type of street tree shall be approved by the City. Tree placement and landscaping shall not obscure the line of sight. A recorded document shall be implemented for the street trees and any other permitted private improvements within the City R-O-W. Irrigation lines to any landscaping within the public right of way shall be laterals only, no irrigation main line is allowed in the public right of way.
38. Install new City standard street light pole with LED fixture along property frontage. Material and installation shall be approved by the City Engineer.
39. Approval from DWR will be required for water and sewer service to the property.
40. No public right of way shall be used in the determination of any mandatory private parking requirements.
41. All costs associated with any improvements required as a result of this project shall be borne by the developer. Improvements include, but are not limited to, curbs, gutters, sidewalks, ADA access ramps, driveway entrances, LED street lights, street striping and signage, traffic calming, storm drainage, fire suppression (hydrants) and street structural section rehabilitation or reconstruction as deemed necessary by the City Engineer.
42. Developer will be required to submit a geotechnical study and report specifically regarding the retention method to be used on the site and the geotechnical impacts that may be encountered. The soils report shall evaluate the impact of dewatering and varying underground water table. Also the foundations for the buildings will need to be addressed in the report to determine that the site is appropriate for this design from a geotechnical aspect. Building foundations, retaining walls and footings shall not encroach into the City right of way.
43. Existing median on Park Plaza Drive shall remain. Cut will not be allowed.
44. An encroachment permit is required to be issued by the Public Works Department for all work proposed within the public right-of-way.
45. The applicant shall replace curb, gutter, and sidewalk over the entire frontage of the subject property to the nearest expansion joints or score lines.
46. Following new utility installation, the applicant shall replace areas of street pavement, sidewalk, curb and gutter damaged by construction. Such repair shall be per City standard

specifications and details. Depending on the extent of trench work, resurfacing of all or a portion of the street may be required, at the determination of the City Engineer.

47. Existing and proposed striping in front of the property shall be shown on the plans for review.
48. Provide erosion and storm water pollution plan incorporating the best management practices, including operation and maintenance provisions per the requirements applicable at the time of construction permit application. During the rainy season (September 30 to April 15) the developer shall implement sufficient erosion control measures to ensure the site is kept clean and no sediments are transported off site. Revised erosion control plan(s) may be required as determined by the City Engineer.
49. The Applicant and/or Contractor shall have a project sign with Project contact information for public concerns such as off-site tracking, dust control, noise complaints, ground shaking and any related construction activities. The complaints and responses shall be logged and copies provided to the City Engineer with action status on a weekly basis.
50. Concurrent with each demolition, grading and drainage permit submittal or as a part of the Improvement Plan package, the Applicant shall prepare a dust control plan. The plan shall conform to the City Standards and comply with the requirements of the Bay Area Air Quality Management District (BAAQMD) Best Management Practices for dust control. The Applicant shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall respond and take corrective action within 48 hours.
51. The applicant shall submit one set of mylars of the final as-built drawings.
52. Per the Westlake Shopping Center Redevelopment Transportation Impact Study, prepared by Fehr & Peers, dated March 2018:
53. The project sponsor shall develop and submit a construction management plan for approval by the City of Daly City. This plan shall specify measures that would reduce impacts to vehicular, bicycle, pedestrian, and transit circulation. The construction management plan shall include the following:
 - i. Location of construction staging areas for materials, equipment, and vehicles.
 - ii. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.
 - iii. Identification of haul routes for movement of construction vehicles that would minimize impacts on vehicular and pedestrian traffic, circulation, and safety; and provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project sponsor.
 - iv. Provisions for removal of trash generated by project construction activity.

- v. A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an on-site complaint manager.
 - vi. Provisions for pedestrian and bicycle circulation through or around the construction zone.
 - 1. The project sponsor shall implement the construction management plan prior to the start of construction.
- 54. To the fullest extent possible, commercial tenants of the proposed project should schedule loading activities outside of peak travel hours (i.e. 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m. on weekdays, and during the early afternoon on weekends). Optimally, weekend loading trips would be rescheduled to off-peak weekday delivery times. Retail loading activities should be coordinated to ensure that multiple large trucks do not arrive at the project site at the same time. A building staff member (either from the residential building staff or from the tenant receiving the commercial delivery) shall meet arriving trucks and stand at the driveway on Park Plaza Drive to facilitate the truck's backing in to the loading dock. This will enable smoother truck movement and also minimize conflicts between loading vehicles and pedestrians walking along Park Plaza Drive.
- 55. The crosswalk on the northern leg of the intersection of Southgate Avenue and Park Plaza Drive is currently unstriped but also not explicitly prohibited. (An existing sign at this intersection prohibits pedestrian crossings of the northern leg, but only for pedestrians on the east side of Park Plaza Drive.) Signage shall be installed on the northwest corner of Southgate Avenue and Park Plaza Drive to explicitly prohibit pedestrian crossings at that intersection's northern leg.
- 56. The crosswalk on the western leg of the intersection of John Daly Boulevard and Westlake Center is currently unstriped but also not explicitly prohibited. Due to the high northbound left turn volumes and long curb-to-curb crossing distance at the intersection of John Daly Boulevard and Park Plaza Drive, signage shall be installed on the north and south sides of John Daly Boulevard to explicitly prohibit pedestrian crossings at that intersection's western leg.
- 57. Due to the limited sight lines between pedestrians walking on the west side of Park Plaza Drive and vehicles exiting the residential parking garage ramp along Park Plaza Drive, the proposed project shall install visible and audible warning devices at the exit of this ramp so that pedestrians are warned of oncoming vehicles.

C. DEPARTMENT OF WATER AND WASTEWATER RESOURCES

- 58. All costs associated with any sewer system improvements required by the city as a result of this project shall be borne by the applicant.
- 59. Utility separations, whether onsite or offsite, shall be per the City of Daly City Standard Specifications and Drawings, without exception.

60. Water and sewer system infrastructure, whether public or private, shall be constructed per the City of Daly City Standard Specifications and Drawings.

D. FIRE DEPARTMENT

61. The applicant shall comply with all Fire Department Fire Code, requirements prior to Certificate of Occupancy.
62. Fire sprinklers are required per the Daly City Municipal Code and the 2013 California Fire Code Chapter 9 Section 903. The commercial units and the garage shall be subject to the requirements of NFPA 13 and the residential shall be subject to the requirements of NFPA 13R. Tie inspector's test and drain into system sewer. Coordinate and provide also detail to Building Division and DWR to proper plumbing codes and standards.
63. Applicant shall provide and install a key box. Prior to issuance of the Final Certificate approval applicant must provide key for entry to the building. Application for a Knox box can be obtained at fire administration located at 10 Wembly Drive, Daly City.
64. Project should comply with Fire Apparatus Access per 201 3CFC Chapter 5 Fire Service Features, 501.4 for Fire Apparatus access Roads and Water Supply.
65. The applicant shall, through the Engineering Department, contact the City's third party consultants for a water systems analysis and a sewer system capacity analysis to determine the ability of the existing system to serve the project.
66. Fire sprinkler underground supply mains shall be submitted on a separate permit or in conjunction with the fire sprinkler submittal. All fire service back flow devices must be reduced pressure principle detector assemblies (RPDA) that are on the University of Southern California (USC) approved back flow list. The submission shall be submitted to the Water Department and approved by them prior to permit issuance.
67. The project shall comply with 2013 CFC Chapter 9 Section 907 Fire Alarm and Detections systems.
68. The project should include a fire hydrant to comply with 2013 CFC Chapter 5 Section 507.5.1.1.
69. The project shall comply with hydrant location and spacing per 2013 CFC Appendix C.
70. The project shall comply with 2013 CFC Section 903.4 and 903.4.2. Alarms are amended by DCMC 15.32.110.
71. All water services and all sewer laterals facing the project shall be abandoned at the main prior to construction of the new development.

72. The project shall comply with 2103 CFC Chapter 5, Section 505.1 and 2 as amended by DCMC 15.32.070.
73. The project shall comply with the fire flows per 2013 CFC Appendix B buildings with fire sprinklers and obtain a fire flow report from the local water provider showing a flow conforming to Appendix B Table B105.1 for the type construction and square footage.
74. The project shall comply with the 2013 CFC Chapter 9 Section 905 Standpipes.
75. The project shall comply with the 2013 CFC Chapter 33 – Fire Safety During Construction and demolition.
76. Class III standpipes required. Provide at intermediate landings of stairwells. Provide 2 class III standpipes in garage.
77. Illuminated exit signs and emergency lighting is required. Exit and emergency lighting shall be on a separate dedicated circuit and labeled.
78. Elevators to conform to CBC 3003 and 3007 and be capable of accommodating a gurney.

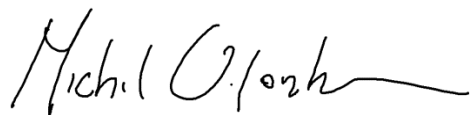
Staff Recommendation

The Planning Commission recommends that the City Council take the following action:

1. Adopt the Findings as outlined herein;
2. Approve Mitigated Negative Declaration CEQA Review CEQA 4-17-12763, adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project; and
3. Approve General Plan Amendment GPA 4-17-12760, Planned Development PD 4-17-12761, and Design Review DR 4-17-12762, subject to the Conditions of Approval identified herein.

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

Respectfully submitted,



Michael Van Lonkhuysen
Planning Manager



Tatum Mothershead
Director of Economic and Community
Development

Attachments

Attachment A – Location Map

Attachment B – Project Plans

Attachment C – Letter from Esther LeSieur

Attachment D – Letter from Marion Broeker

Attachment E – Letter from Aaron Goodman

Attachment F – Email from San Francisco Public Utilities Commission

Attachment G – Letter from Lozeau Drury, LLP

Attachment H – Letter from State of California Department of Transportation

Attachment I – Draft PD60A Regulations

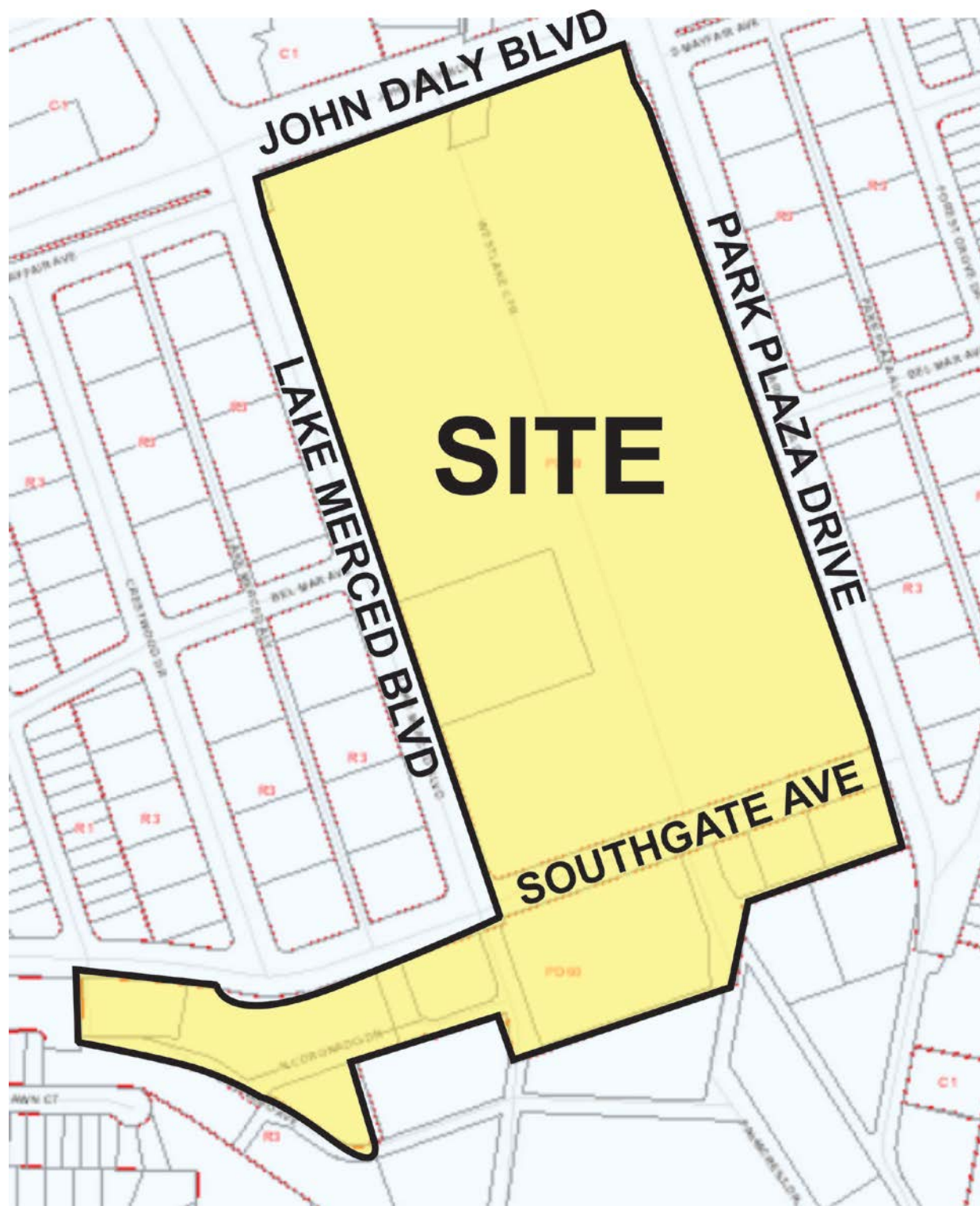
Attachment J – Fiscal Impact Analysis

Attachment K – Initial Study Westlake Shopping Center Project

Attachment L – Mitigation Monitoring and Reporting Program

Attachment M – Responses to Comments on the Westlake Mixed-Use Project

Attachment N – Letter from Michael Baker International





**Westlake Shopping Center
Mixed-Use Redevelopment**
Daly City, California

Planning Resubmittal
October 12th, 2017

SGPA ARCHITECTURE
AND PLANNING

KIMCO
REALTY

Project Description

The Kimco Westlake Shopping Center Mixed Use Redevelopment Concept proposes to remove an existing 53,662 square foot Three-story commercial building and a 60 space existing parking field and replace these improvements with a new 6-story mixed use building containing below-grade parking with 260 spaces, 34,458 square feet of ground floor commercial space and 179 residential units on floors 2 through 6. A new auto access road is proposed at the South edge of the new building connecting Park Plaza Drive to the parking area between the new building and Westlake Center Drive. The residential units are grouped around two 2nd floor landscaped courtyards. The larger courtyard has a fitness center,

fire pits, a BBQ area and other residential amenities. The northeast corner of the building has a 6th floor residential lounge and roof terrace. New upgraded landscaping will be added around the immediate perimeter of the ground floor of the new building and a limited area will be landscaped on either side of the central East-West Driveway connecting the new building to Westlake Center Drive. The new sidewalks and landscape are designed to create a pleasant pedestrian experience and to complement the proposed retail shops and new outdoor dining patios.

Residential Units by Floor

	Unit Type							Total
	Studio	Junior 1Bed	Standard 1Bed	Large 1Bed	Small 2Beds	Standard 2Beds	Three Beds	
	SA	1A	1B	1C	2A	2B	3A	
Floor 2	3	4	14	5	5	4	2	37
Floor 3	4	4	9	3	8	6	2	36
Floor 4	4	4	9	3	8	6	2	36
Floor 5	4	4	9	3	8	6	2	36
Floor 6	4	4	9	3	7	6	1	34
Proposed Unit Count	19	20	50	17	36	28	9	179
% Mix	11%	11%	28%	9%	20%	16%	5%	100%

Residential Metrics Unit Mix Table

	Description	Ref.	Area (sf)	Number of Units	Total Area (sf)
Studio	Studio	SA-1	449	19	8,531
Junior 1B	1bed / 1 bath	1A-1	560	15	8,400
		1A-2	561	5	2,805
Standard 1B	1bed / 1 bath	1B-1	714	46	32,844
		1B-2	719	1	719
		1B-3	745	3	2,235
Large 1B	1bed / 1 bath	1C-1	817	15	12,255
		1C-2	865	2	1,730
Small 2B	2bed / 1 bath	2A-1	905	19	17,195
	2bed / 2 bath	2A-2	906	8	7,248
		2A-3	932	8	7,456
		2A-4	998	1	998
Standard 2B	2bed / 2 bath	2B-1	1,027	28	28,758
Three Beds	3bed / 3 bath	3A-1	1,291	9	11,619
Avg. Unit Size			798		
Total Units				179	
Total Leasable Residential					142,791

Building Area Calculations

	Description	Residential			Parking	Commercial			Exterior	
		Unit area	Circulation & Service Area	Amenity Area		Commercial Area	Circulation & Service Area	Gross Floor Area	Private Unit Decks & Balconies	Gross Common Open Spaces
Below Grade Level B2	Second Basement Level				52,972			52,972		
Below Grade Level B1	First Basement Level				52,972			52,972		
Floor 1	Ground Level		2,024	9,069	2,024	34,458	4,800	52,375		
Floor 2	First Residential Level	28,171	7,752	974				37,897	2,416	10,269
Floor 3	Second Residential Level	28,954	6,237					35,191	2,610	
Floor 4	Third Residential Level	28,954	6,237					35,191	2,610	
Floor 5	Fourth Residential Level	28,954	6,237					35,191	2,610	
Floor 6	Fifth Residential Level	28,758	6,237	905				33,900	2,088	1,291
Totals (SF)		142,791	34,724	10,948	107,968	34,458	4,800	335,689	12,334	11,560

Vicinity Plan



Residential Car Parking Summary

Unit Type	Parking Required per Unit	Number of Units	Spaces Required with PD Amendment
Studio	1	19	15
1 Bedroom	1.5	87	104
2 Bedroom	2	64	102
3 Bedroom	2	9	14
Total Required			236
Total Provided			260

Project Summary

Address:	10 Park Plaza Drive, Daly City, CA 94015
Subject Site Area:	275,840 SF (6.33 Ac)
Work Limit Area:	84,778 SF (1.95 Ac)
Building Height:	6 Stories (+80')
Gross Floor Area:	229,745 SF (excluding the 2-level Below Grade Parking Area)
FAR:	2.71 (229,745 SF / 84,778 SF, base on Work Limit Area)
Lot Coverage:	62% (52,375 SF / 84,778 SF, base on Work Limit Area)

Commercial Area in Subject Site Area

Bldg:	Description:	Existing to Remain	Existing to Remove	New
H	(E) Trader Joe's, Cost Plus & Retail	43,852		
J	(E) Credit Union	4,445		
K	(E) Retail	43,256		
L	(E) Ground Level Retail			9,070
	(E) Medical Office (2nd & 3rd Levels)		23,232	
M	(E) Retail		21,960	
R	Retail			34,458
Total Net Commercial Area (SF):		91,553	53,662	34,458
Total Existing Net Commercial Area:		145,215 SF	(91,553+53,662)	
Total Proposed Net Commercial Area:		126,011 SF	(91,553+34,458)	
Gain in Retail Commercial Area:		4,028 SF	(126,011-121,983)	
Loss in Medical Office Area:		23,232 SF		

Commercial Car Parking in Subject Site Area

Surface Parking:	286 SP
Existing Structured Parking at Building K:	118 SP
Total Proposed Commercial Parking:	404 SP
Proposed Commercial Parking Ratio:	3.2 SP/1000 SF
Existing Commercial Parking Ratio:	3.2 SP/1000 SF

Commercial Bicycle Parking in Subject Site Area

Existing Short-term Bicycle Parking:	16 SP
Existing Short-term Bicycle Parking to be Removed:	16 SP
Existing Bicycle Parking to Remain:	0 SP
Proposed New Short-term Bicycle Parking:	24 SP

Residential Bicycle Parking in Subject Site Area

Short-term Bicycle Parking Provided:	18 SP
Long-term Bicycle Parking Provided:	180 SP

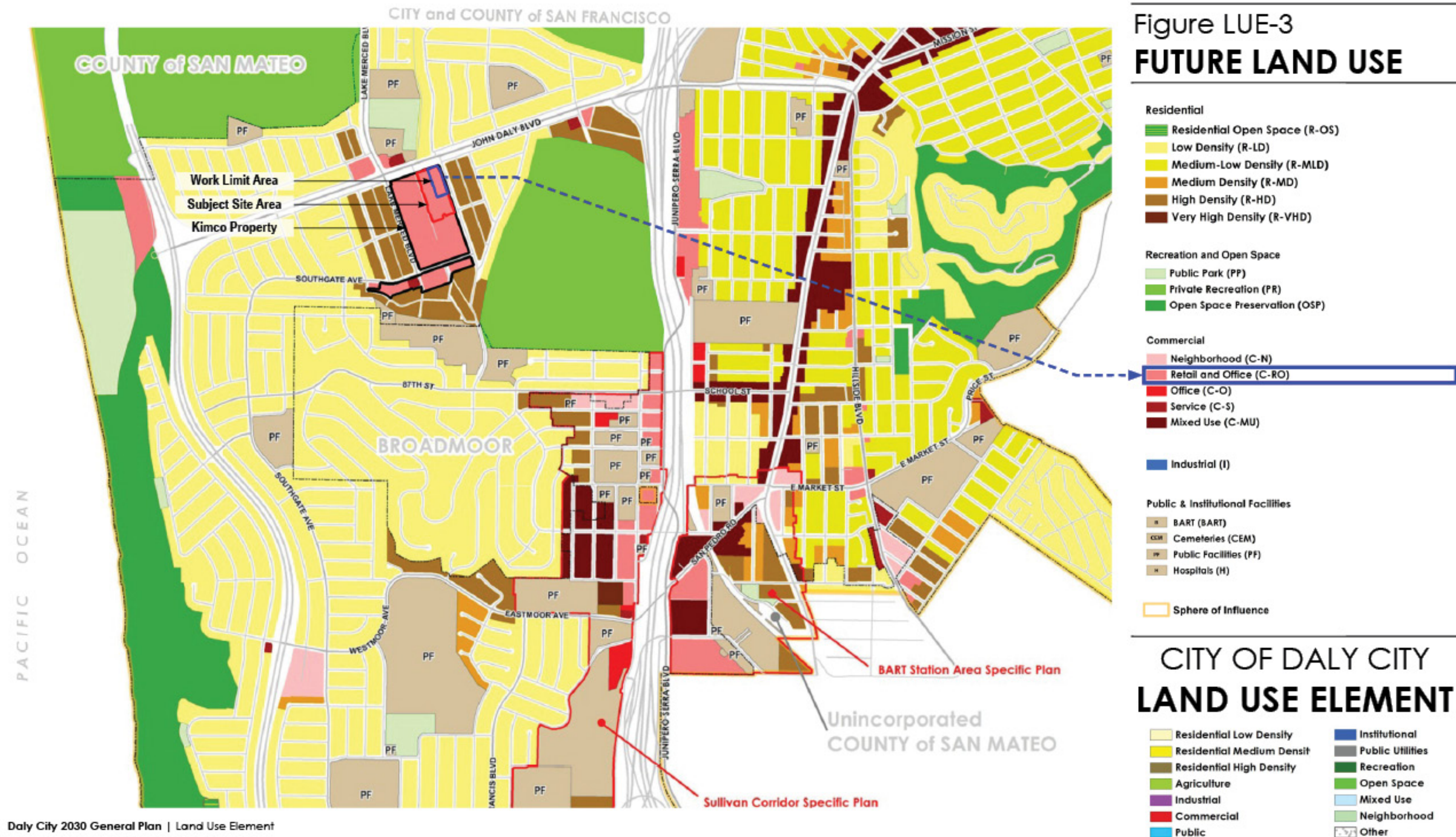
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A 4	Proposed General Plan Land Use Designation
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C 5.0	Storm Water Quality Control Plan
C 6.0	Truck Turning
C 6.1	Truck Turning
C 6.2	Truck Turning
C 6.3	Truck Turning

Project Team

Owner / Applicant	Civil Engineer	Architect	Landscape Architect
Kimco Realty Corp. 15 Southgate Avenue, Suite 201, Daly City, CA 94015 Contact: Michael Strahs Email: mstrahs@kimcorealty.com Phone: (650) 746-7501	Kier & Wright Civil Engineers & Surveyors, Inc. 2850 Collier Canyon Road Livermore, California 94551 Contact: Steve Calcagno Email: scalcagno@kierwright.com Phone: (925) 245-8788	SGPA Architecture & Planning 200 Pine Street, Suite 500 San Francisco, CA 94104 Contact: Glenn Wood Email: GWood@sgpa.com Phone: (415) 983-0131 www.sgpa.com	April Phillips Design Works, Inc. 1530 Fifth Avenue, Ste A San Rafael, CA 94901 Contact: April Phillips Email: aphillips@apdw.com Phone: (415) 457-2774

Westlake Shopping Center Daly City, California

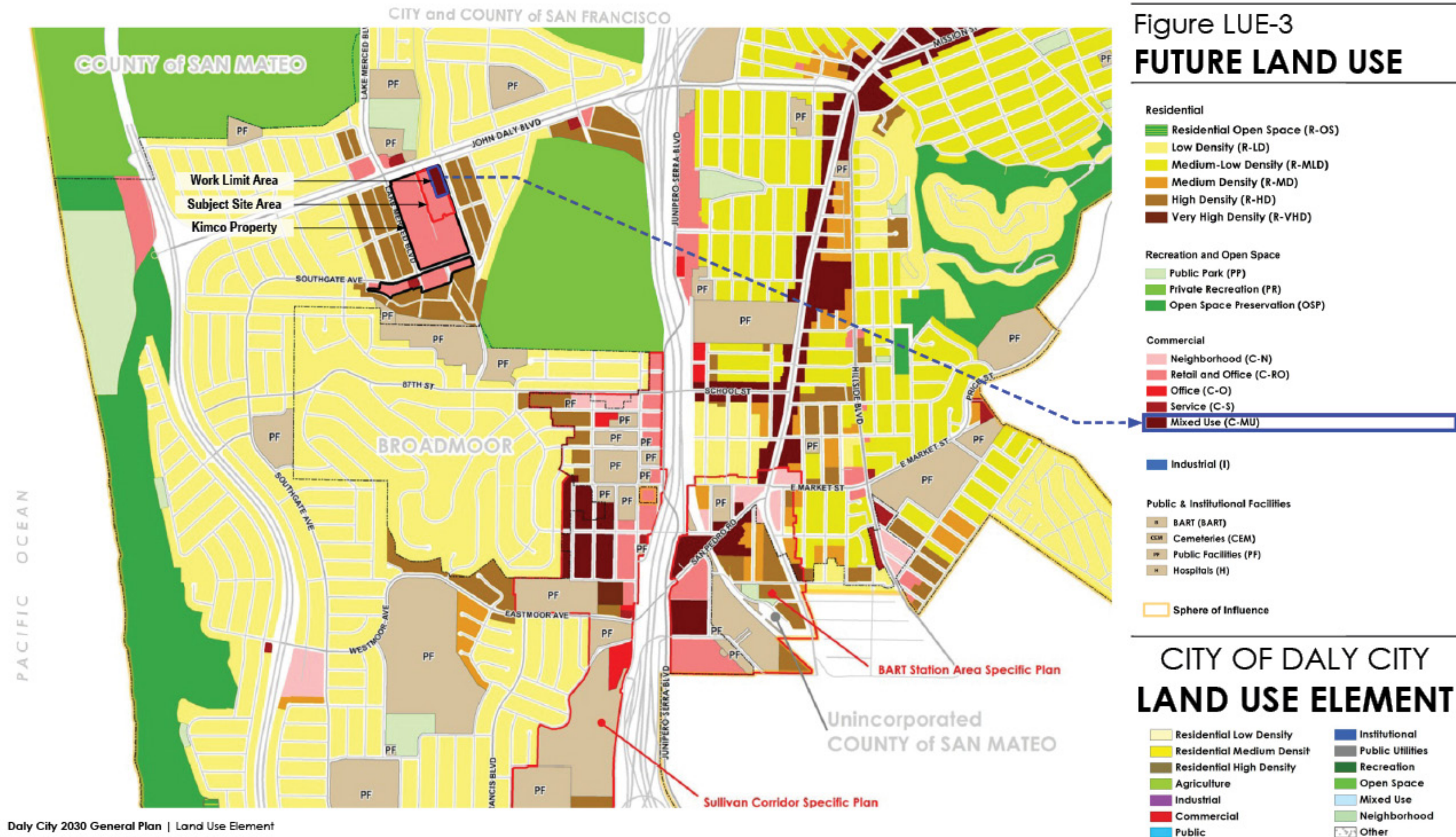


Daly City 2030 General Plan | Land Use Element

Westlake Shopping Center

Daly City, California

Existing General Plan Land Use Designation



Daly City 2030 General Plan | Land Use Element

Westlake Shopping Center

Daly City, California

Proposed General Plan Land Use Designation

Plot Date: Oct. 16, 2017
File Location: \\S:\SGPA\FS\Projects\2015\21524-WestlakeCenter\04-MasterPlanning\01_WorkingFiles\2017_08_15\MEPlanning\04-master-planning-e-submittal\2017_08_15\planning-e-submittal.mxd



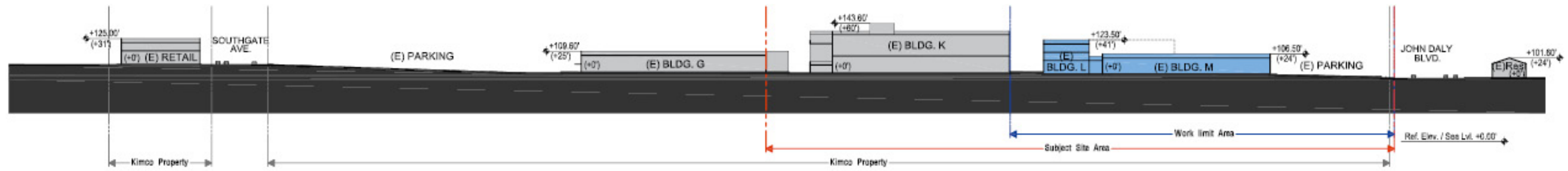
Westlake Shopping Center Daly City, California

Westlake Shopping Center Overall Plan

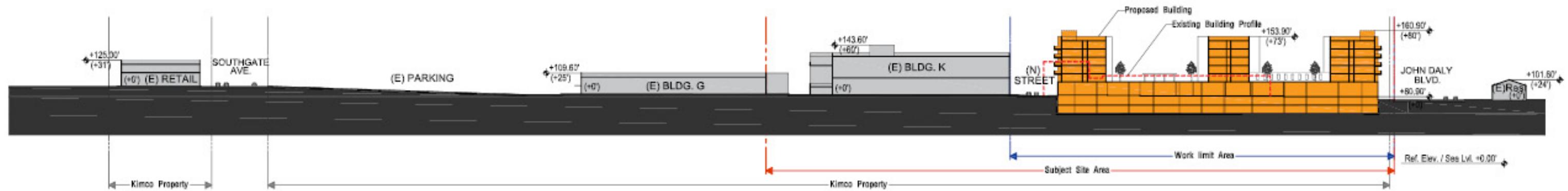


Westlake Shopping Center Daly City, California

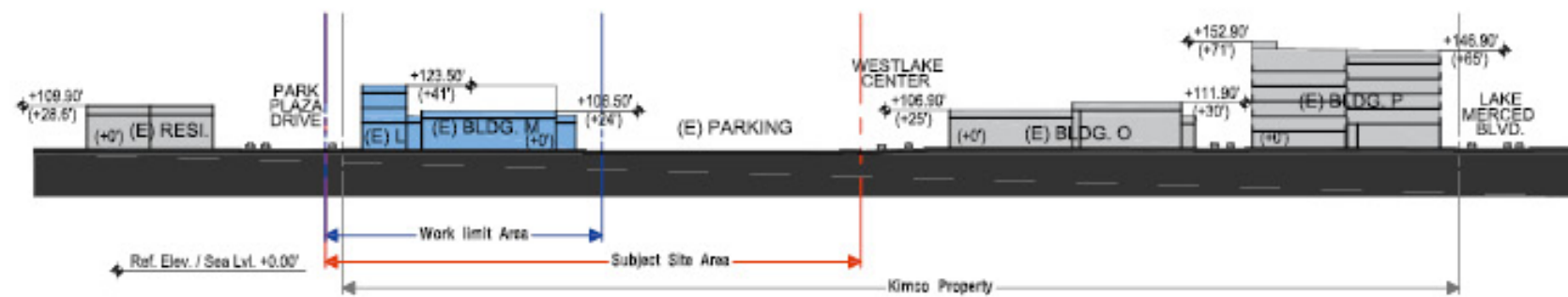
Westlake Shopping Center Aerial View



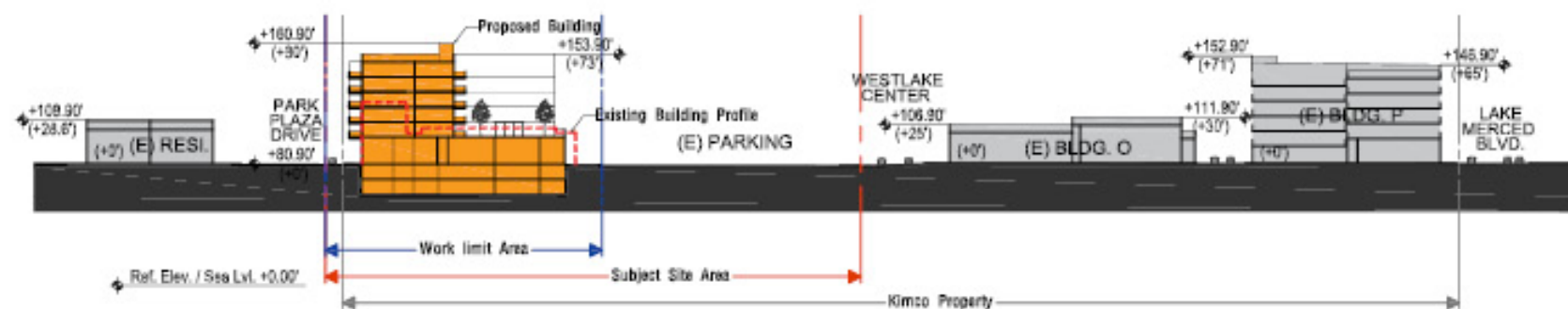
Existing Site Section A



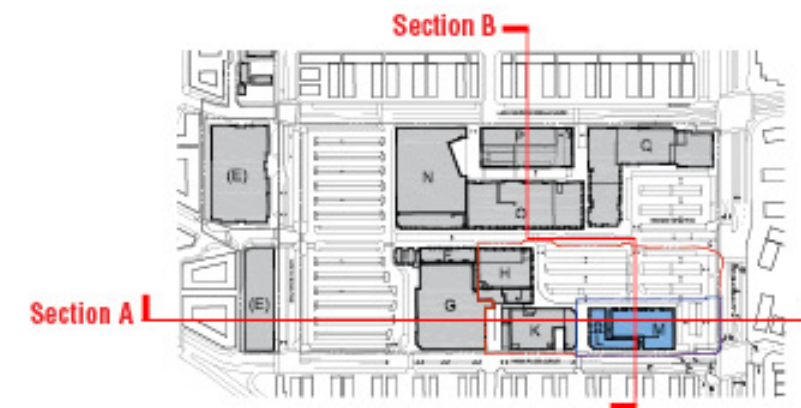
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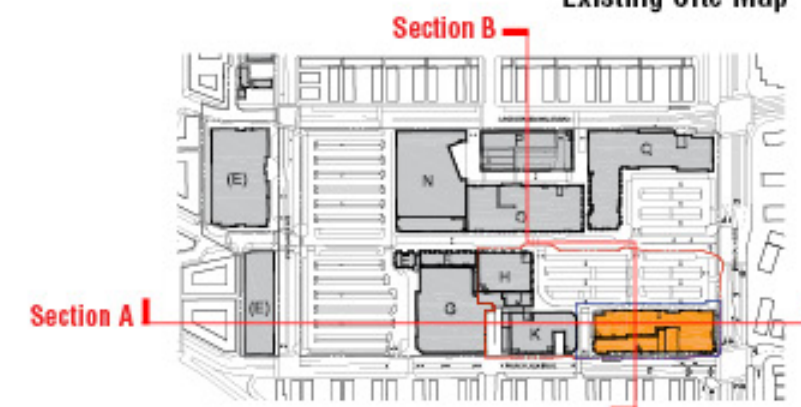
Existing Site Section B



Proposed Site Section B



Existing Site Map



Proposed Site Map

Note: Existing building heights are estimates.

Legend

- Existing Building to Remain
- Existing Building to be Demolished
- Proposed Building



①



②



③



④



⑤



⑥



⑦



⑧



①

Westlake Shopping Center Daly City, California

Site Photos



⑨



⑩



⑪



⑫



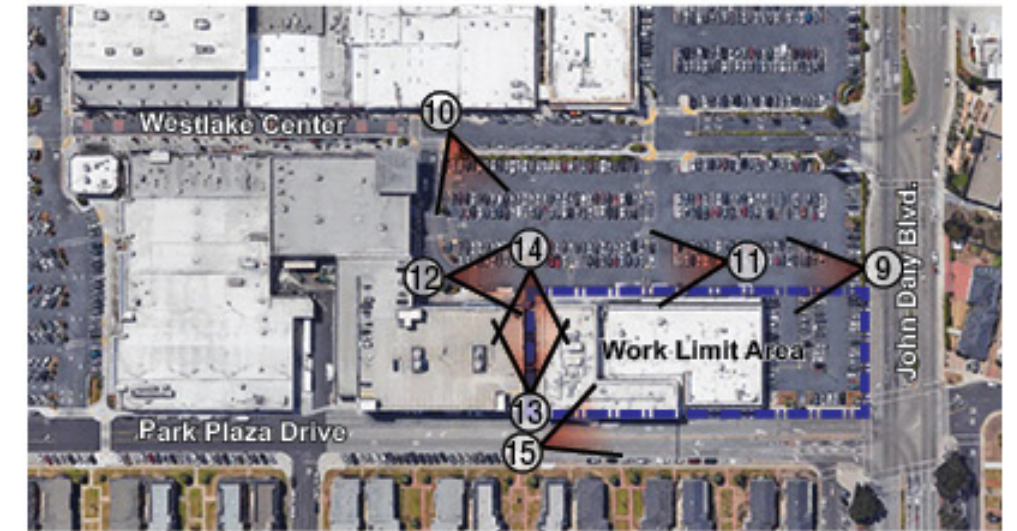
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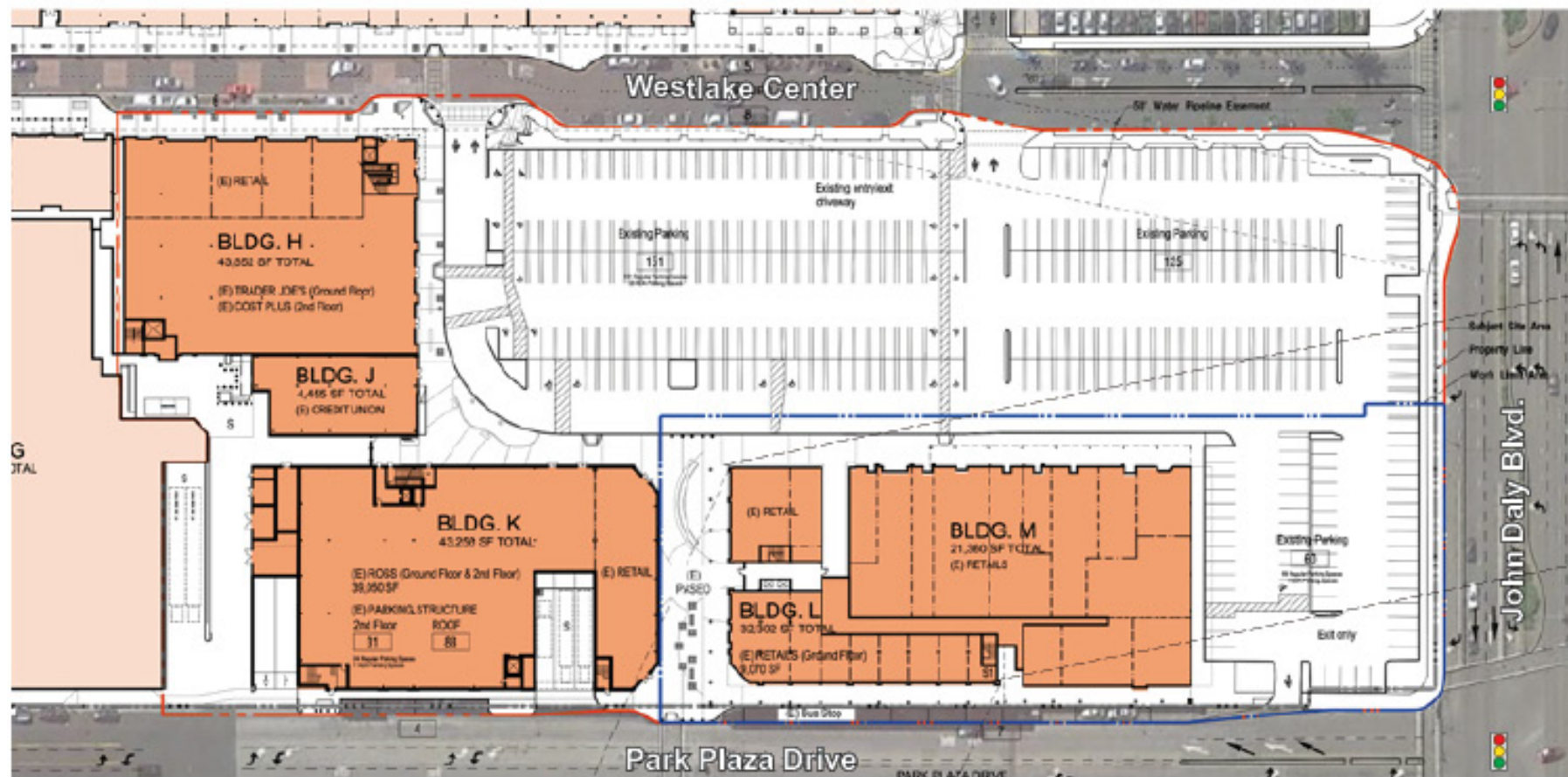
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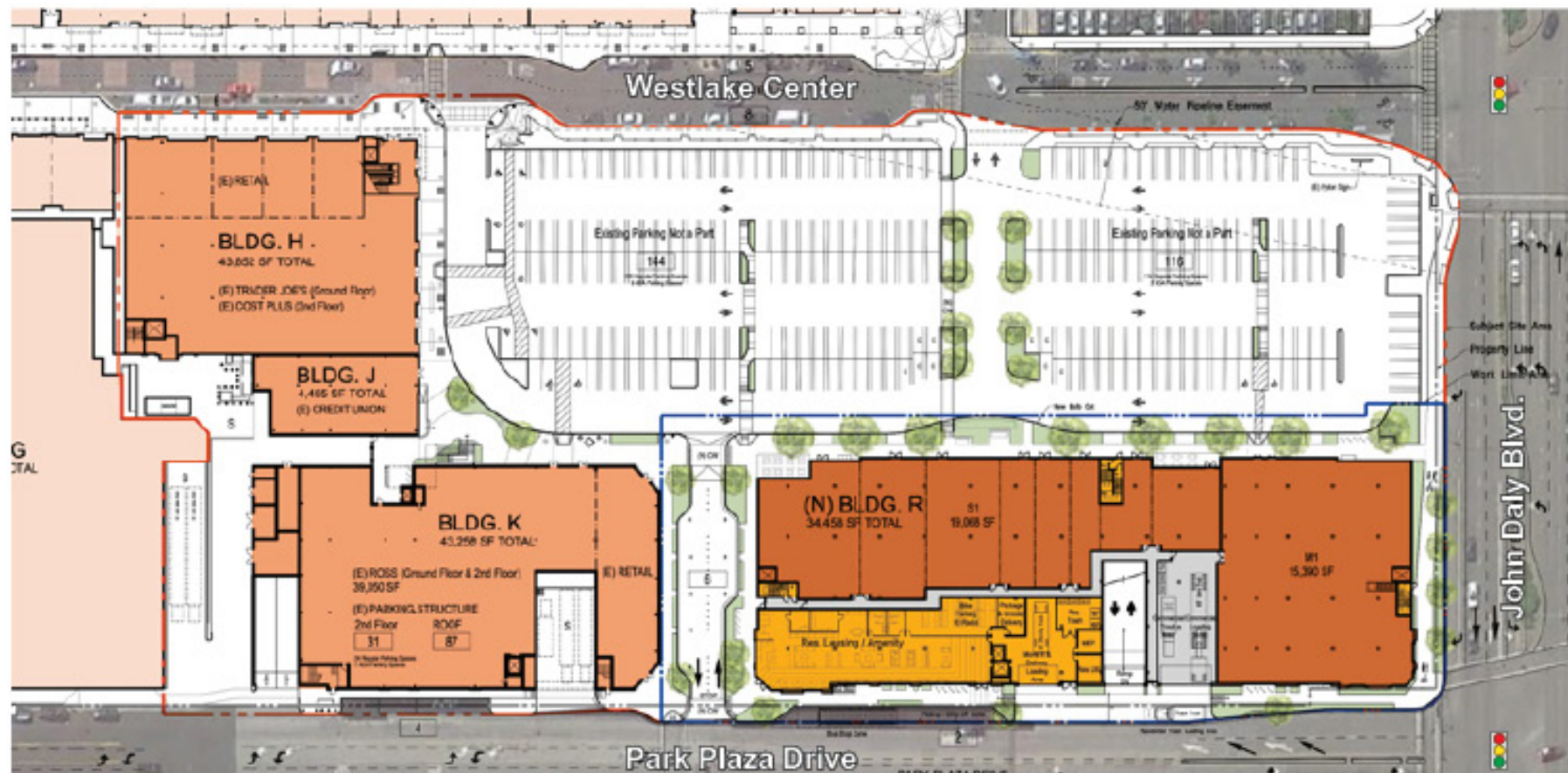
Westlake Shopping Center Daly City, California

Site Photos

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Existing Site Plan



Proposed Site Plan

- Legend**
- Proposed Retail
 - Existing Retail
 - Other Existing Retail
 - Proposed Retail Service & Circulation
 - Residential

Westlake Shopping Center

Daly City, California

Existing and Proposed Site Plan

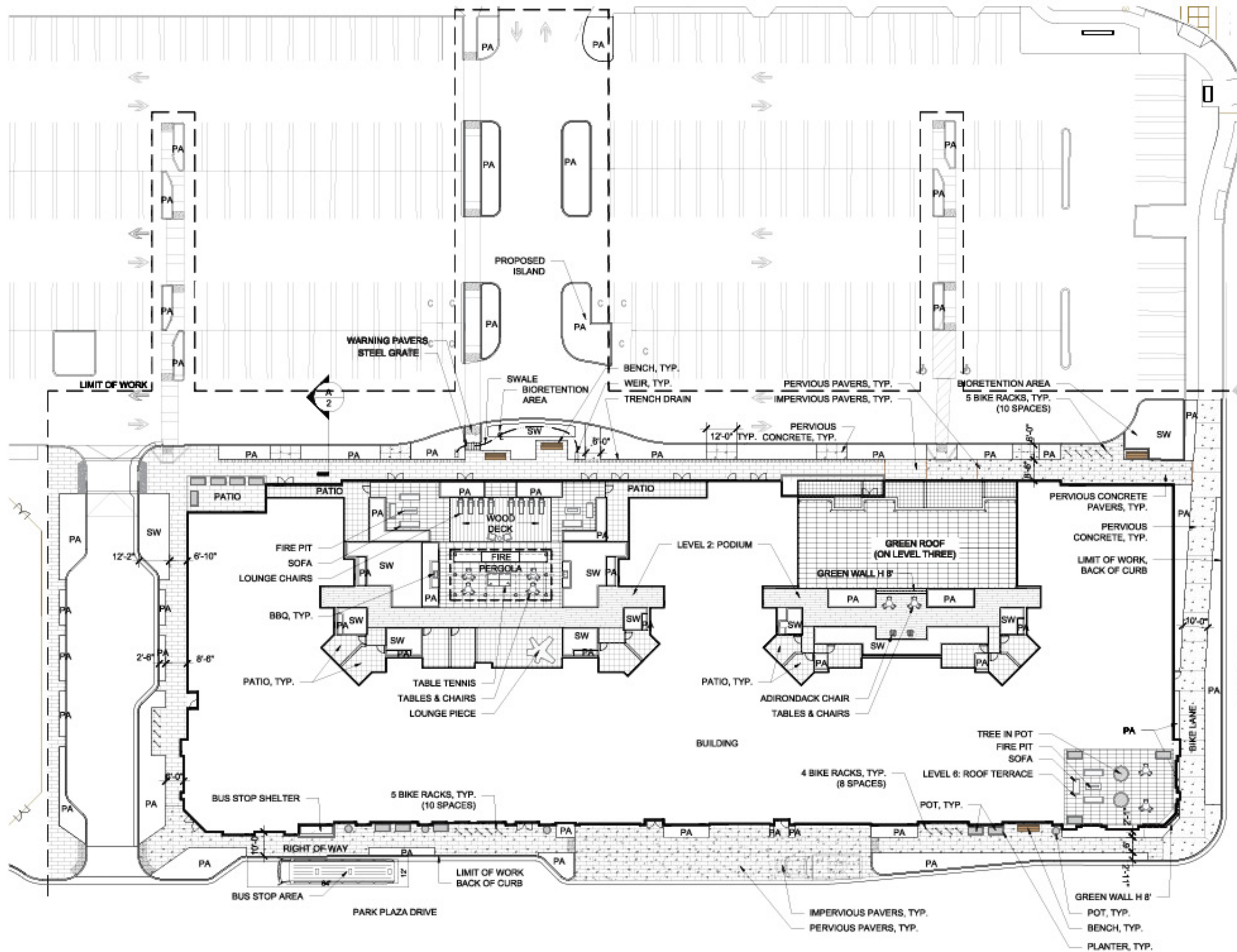


KEY SYMBOLS	
SYMBOL	DESCRIPTION
PA	PLANTING AREA
SW	STORM WATER PLANTING/BIORETENTION
TYP	TYPICAL
QTY	QUANTITY
SF	SQUARE FOOTAGE
℄	CENTER LINE
TBD	TO BE DETERMINED



The Landscape Design creates a walkable & vibrant mixed use edge that sets the tone for the transformation of the Westlake Shopping Center. The landscape accommodates green infrastructure to be compliant with C3 Stormwater regulations as well as water conservation goals set by the water ordinance. The streetscape offers a comfortable, walkable, shopping, and outdoor dining experience through the use of drought tolerant plantings, paving selection and tree canopy. Street trees were selected for a hierarchical and wayfinding experience to pedestrian and vehicles. Circulation has been designed to attract & accommodate users from the neighboring community and bike path. The amenity spaces in the courtyards above the streetscape that provide “modern lifestyle” oriented outdoor rooms for apartment dwellers who will overlook the streetscape.

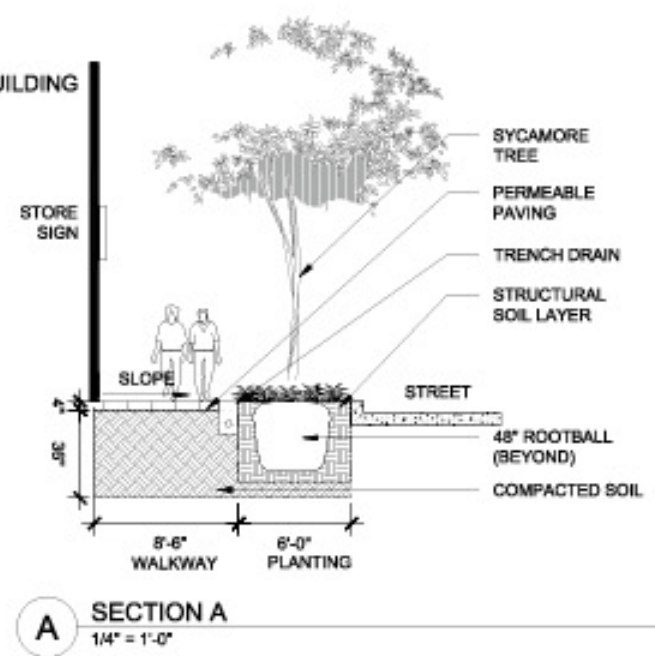
- L11 LANDSCAPE TABLE OF CONTENTS
- L12 PODIUM AND GROUND LEVEL LANDSCAPE LAYOUT PLAN
- L13 PODIUM AND GROUND LEVEL LANDSCAPE WATER ZONES PLAN
- L14 PODIUM AND GROUND LEVEL LANDSCAPE PLANTING PLAN
- L15 PRECEDENT IMAGERY
- L16 PODIUM AND GROUND LEVEL COLOR SITE PLAN
- L17 GROUND LEVEL LAYOUT AND COLOR PLAN AT STAIRS



MATERIALS SCHEDULE		
SYMBOL	DESCRIPTION	QTY
[Pattern]	ROOFTOP PAVERS TYPE 1	6,199 SF
[Pattern]	ROOFTOP PAVERS TYPE 2	3,376 SF
[Pattern]	SIDEWALK IMPERVIOUS PAVERS	3,316 SF
[Pattern]	ROOFTOP PAVERS TYPE 4	2,455 SF
[Pattern]	ROOFTOP WOOD DECK	700 SF
[Pattern]	SIDEWALK PERVIOUS PAVERS / CONCRETE	8,128 SF
[Symbol]	FRENCH DRAIN	220 FEET
[Symbol]	ORNAMENTAL POTS AND PLANTERS	16 COUNT
[Symbol]	BENCHES	2 COUNT
[Symbol]	GREEN WALL FACADE	24 FEET

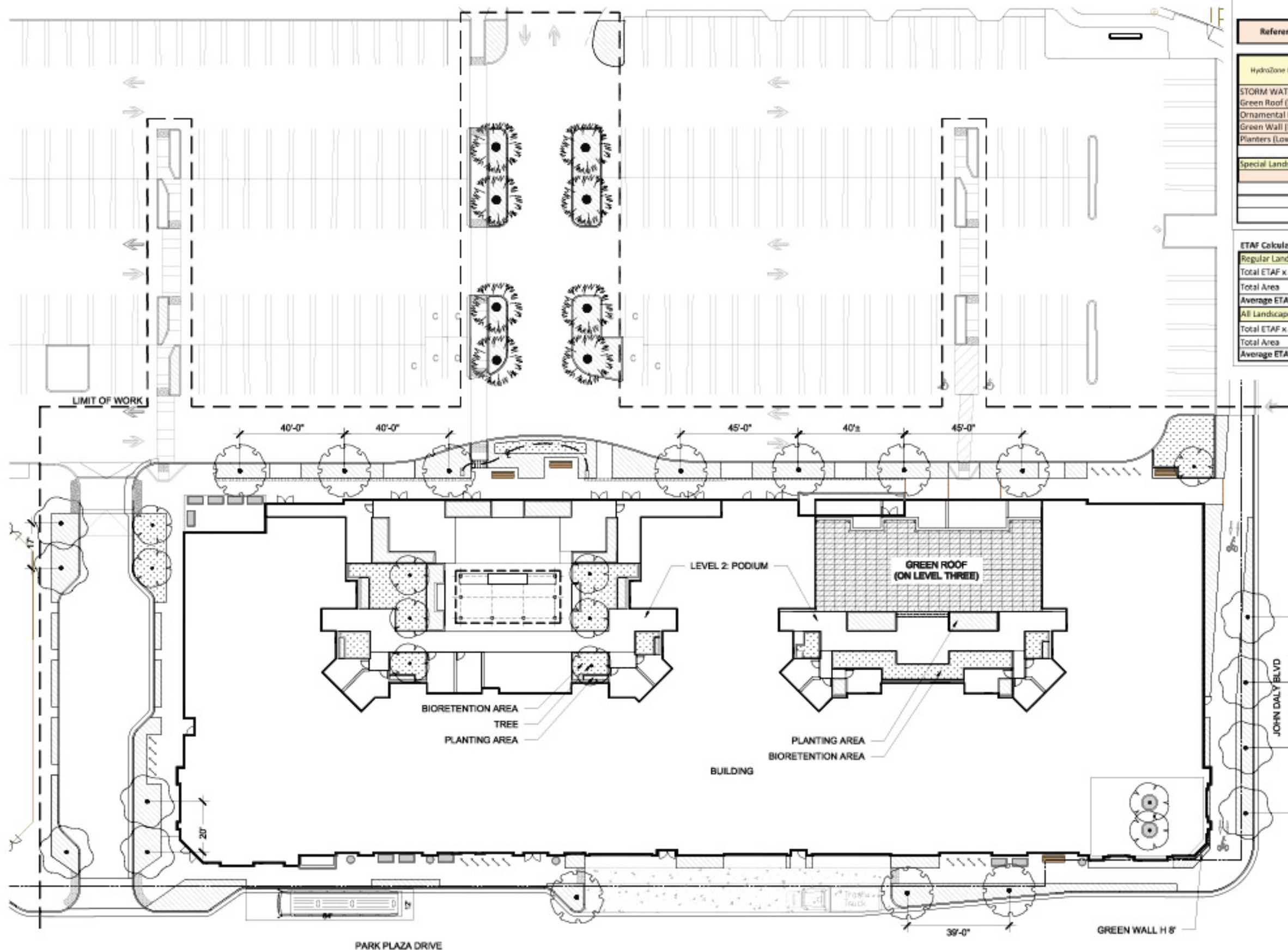
KEY SYMBOLS	
SYMBOL	DESCRIPTION
PA	PLANTING AREA
SW	STORM WATER PLANTING/BIORETENTION
TYP	TYPICAL
QTY	QUANTITY
SF	SQUARE FOOTAGE
CL	CENTER LINE
TBD	TO BE DETERMINED

NOTE: SQUARE FOOT CALCULATIONS ACCOUNT FOR PODIUM LEVEL AND GROUND LEVEL



Westlake Shopping Center Daly City, California

Podium and Ground level landscape Layout Plan



Water Efficient Landscape Worksheet

Page 38.14(d) of 2015 MWELO

Reference Evapotranspiration (Eto) 42.8

HydroZone #	Description	Plant Factor (PF)	Irrigation Method	Irrigation Efficiency (IE)	ETAF (PF/IE)	Landscape Area (sq ft)	ETAF x AREA	Estimated Total Water Use (ETWU) ¹
1	STORM WATER (Low)	0.2	Drip	0.81	0.25	2,780	696	18,215
2	Green Roof (Low)	0.2	Drip	0.81	0.25	2,796	690	18,326
3	Ornamental Planting Area (	0.2	Drip	0.81	0.25	9,194	2,270	60,240
4	Green Wall (Medium)	0.5	Drip	0.81	0.62	336	207	5,504
5	Planters (Low)	0.2	Drip	0.81	0.25	47	12	308
SubTotals						15,153	3,866	102,586

Special Landscape Areas								
						1		
SubTotals								
						ETWU Total		102,586
						Maximum Allowed Water Allowance (MAWA) ²		221,155

ETAF Calculations

Regular Landscape Areas		
Total ETAF x AREA		3,866
Total Area		15,153
Average ETAF		0.26
All Landscape Areas		
Total ETAF x AREA		3,866
Total Area		15,153
Average ETAF		0.26

FORMULAS:

$$^1\text{ETWU} = (\text{Eto} \times 0.62 \times \text{ETAF}_1 \times \text{Area})$$

$$^2\text{MAWA} = (\text{Eto} \times 0.62 \times ((\text{ETAF}_1 \times \text{LA}) + ((1 - \text{ETAF}_1) \times \text{SLA})))$$

ETAF ₁	PF/IE from table
ETAF ₂	0.55 or 0.45 (Residential or Non-Res.)
LA	Total Landscape Area
SLA	Special Landscape Area

WATER ZONE SYMBOL	NAME	QTY(SF)
[Symbol]	STORM WATER PLANTER	2780 SF
[Symbol]	ORNAMENTAL PLANTING AREA	9194 SF
[Symbol]	GREEN WALL	336 SF
[Symbol]	GREEN ROOF	2796 SF
[Symbol]	PLANTER SPOTS	47 SF

Westlake Shopping Center Daly City, California

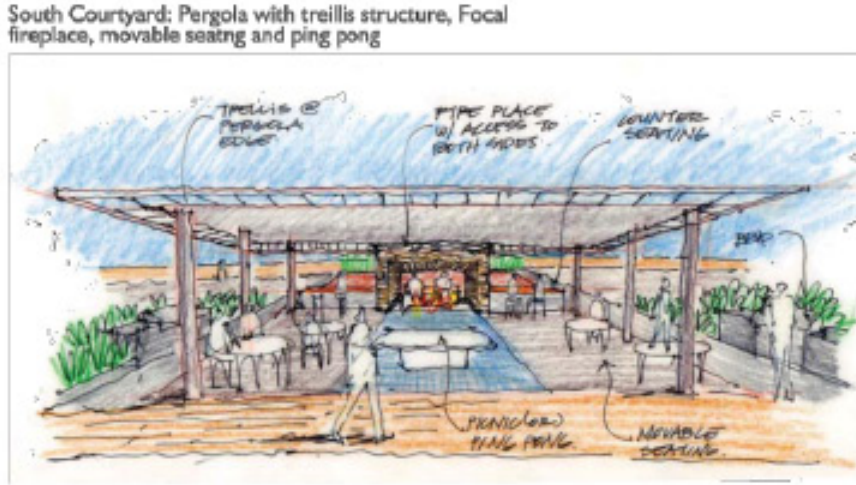
Podium and Ground level Landscape Water Zones Plan



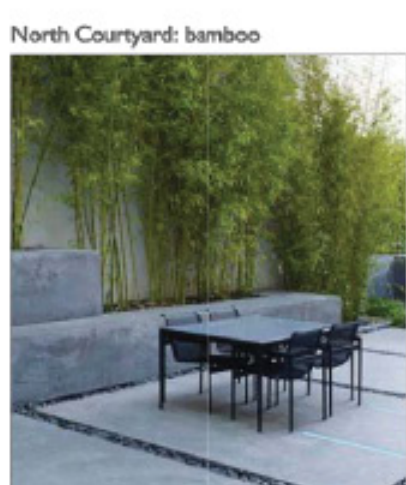
GROUND LEVEL



SOUTH PODIUM COURTYARD

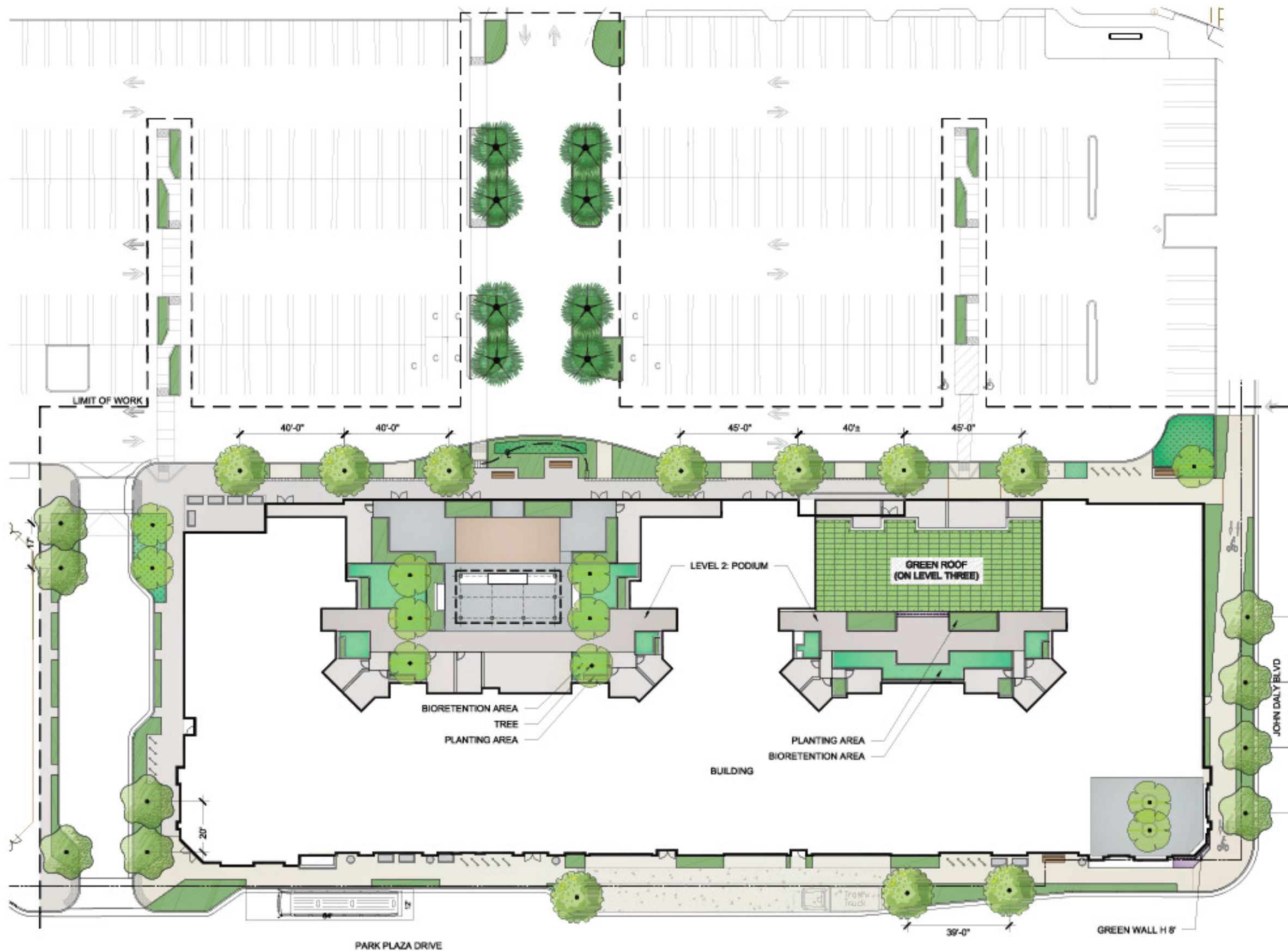


NORTH PODIUM COURTYARD



ROOFTOP TERRACE





PLANT SCHEDULE		
TREES	BOTANICAL NAME / COMMON NAME	QTY
	AKRUTUS X 'MARRIA' / AKRUTUS STANDARD	11
	PERSEA X 'RED PINE' / PERSEA	9
	PLATANUS X ACERIFOLIA 'COLUMBIA' / LONDON PLANE TREE	10
	WASHINGTONIA FILIBUSTA / HYBRID FAN PALM	8
BIORETENTION AREAS	BOTANICAL NAME / COMMON NAME	QTY
	GREEN ROOF	2796 SF
	GREEN WALL	336 SF
	ORNAMENTAL PLANTING AREA	9194 SF
	STORM WATER PLANTER	2792 SF

MATERIALS SCHEDULE		
SYMBOL	DESCRIPTION	QTY
	ROOFTOP PAVERS TYPE 1	6,199 SF
	ROOFTOP PAVERS TYPE 2	3,376 SF
	SIDEWALK IMPERVIOUS PAVERS	3,316 SF
	ROOFTOP PAVERS TYPE 4	2,455 SF
	ROOFTOP WOOD DECK	700 SF
	SIDEWALK PERVIOUS PAVERS / CONCRETE	9,128 SF
	FRENCH DRAIN	220 FEET
	ORNAMENTAL POTS AND PLANTERS	16 COUNT
	BENCHES	2 COUNT
	GREEN WALL FACADE	24 FEET

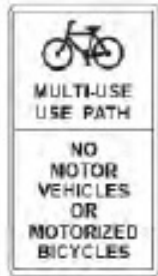
Westlake Shopping Center Daly City, California

Podium and Ground Level Color Site plan

Figure BPP-1: Caltrans Design Standards for Bicycle Facilities

**CLASS I
Multi-Use Path**

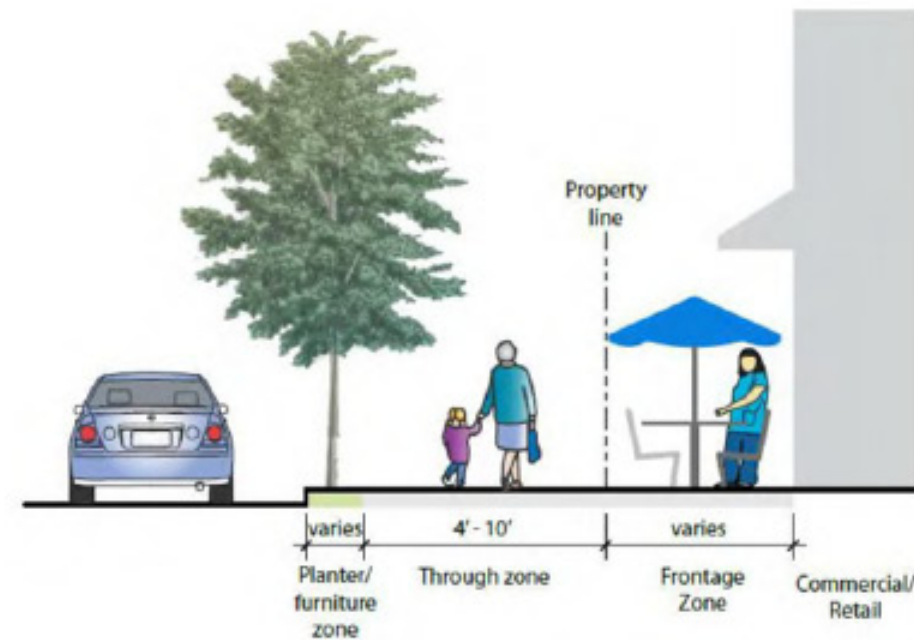
Provides a completely separated right of way for the exclusive use of bicycles and pedestrians with crossflow minimized.



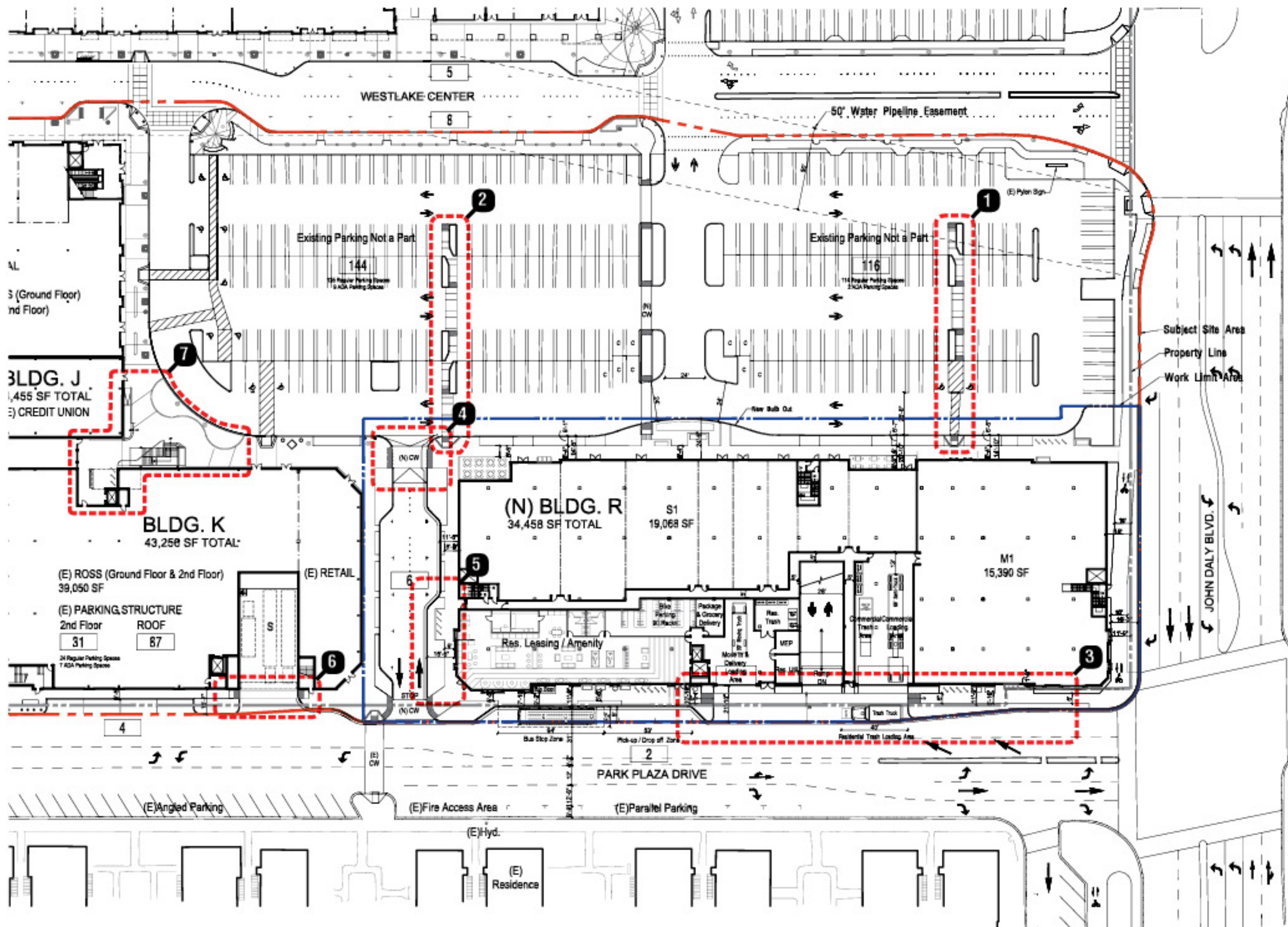
Pedestrian Infrastructure

Pedestrian infrastructure addressed by this Plan includes shared use paths, pedestrian-only paths, bicycle and pedestrian bridges, sidewalks, and other public spaces. Depending on the location and available right-of-way, sidewalks consist of one or multiple zones (see Figure BPP-1). Each zone is defined by the predominant activity or feature that occurs there. The Americans with Disabilities Act Accessibility Guidelines (ADAAG) governs the minimum design for pedestrian facilities in the public right-of-way, and requires a minimum clear width of 36 inches.

Figure BPP-2: Sidewalk Zones



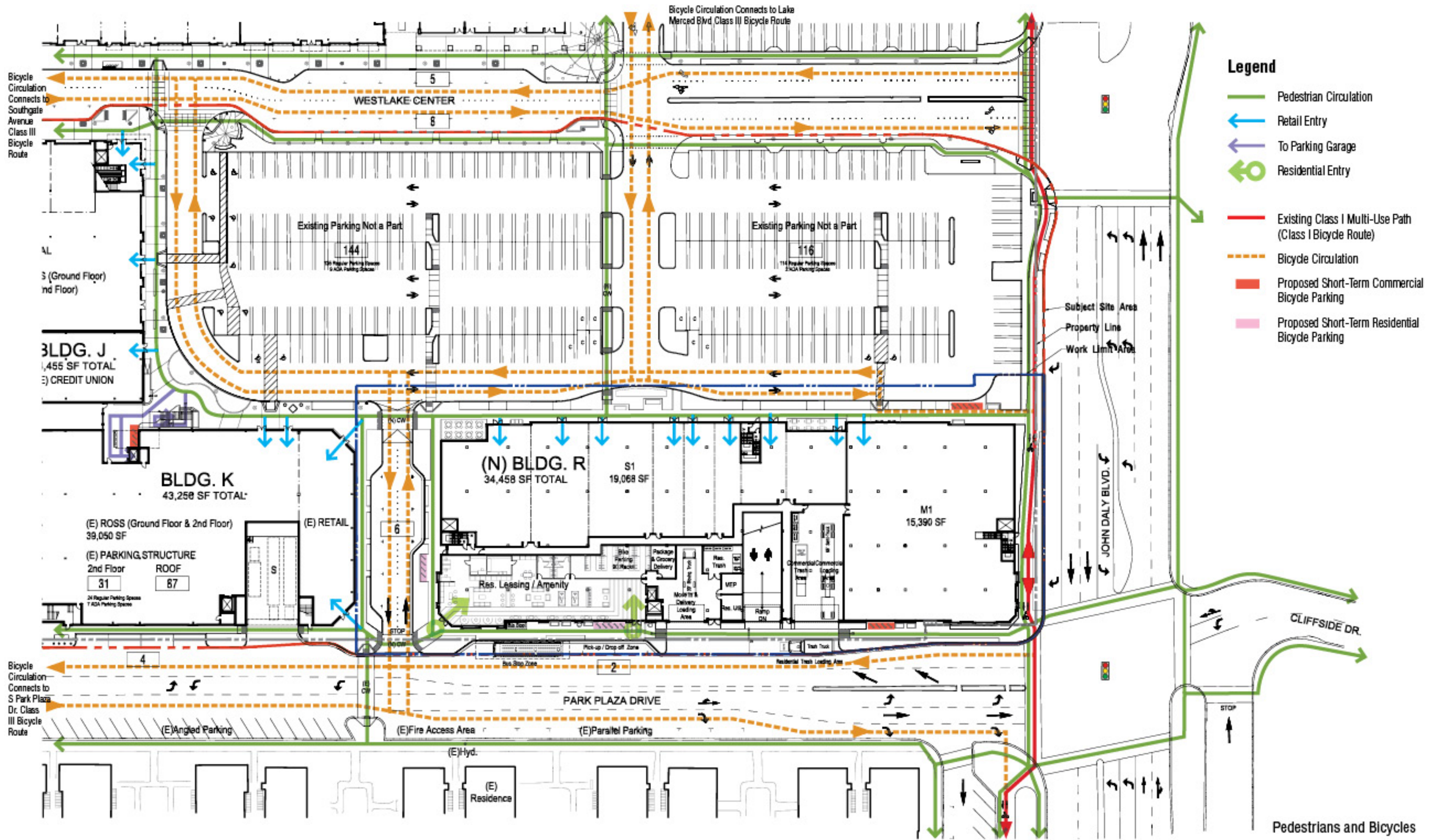
Note: Bicycle and pedestrian standards shown on this sheet for reference are taken from the City of Daly City, Bicycle and Pedestrian Master Plan, adopted February 25, 2013



Changes from Submittal Plan

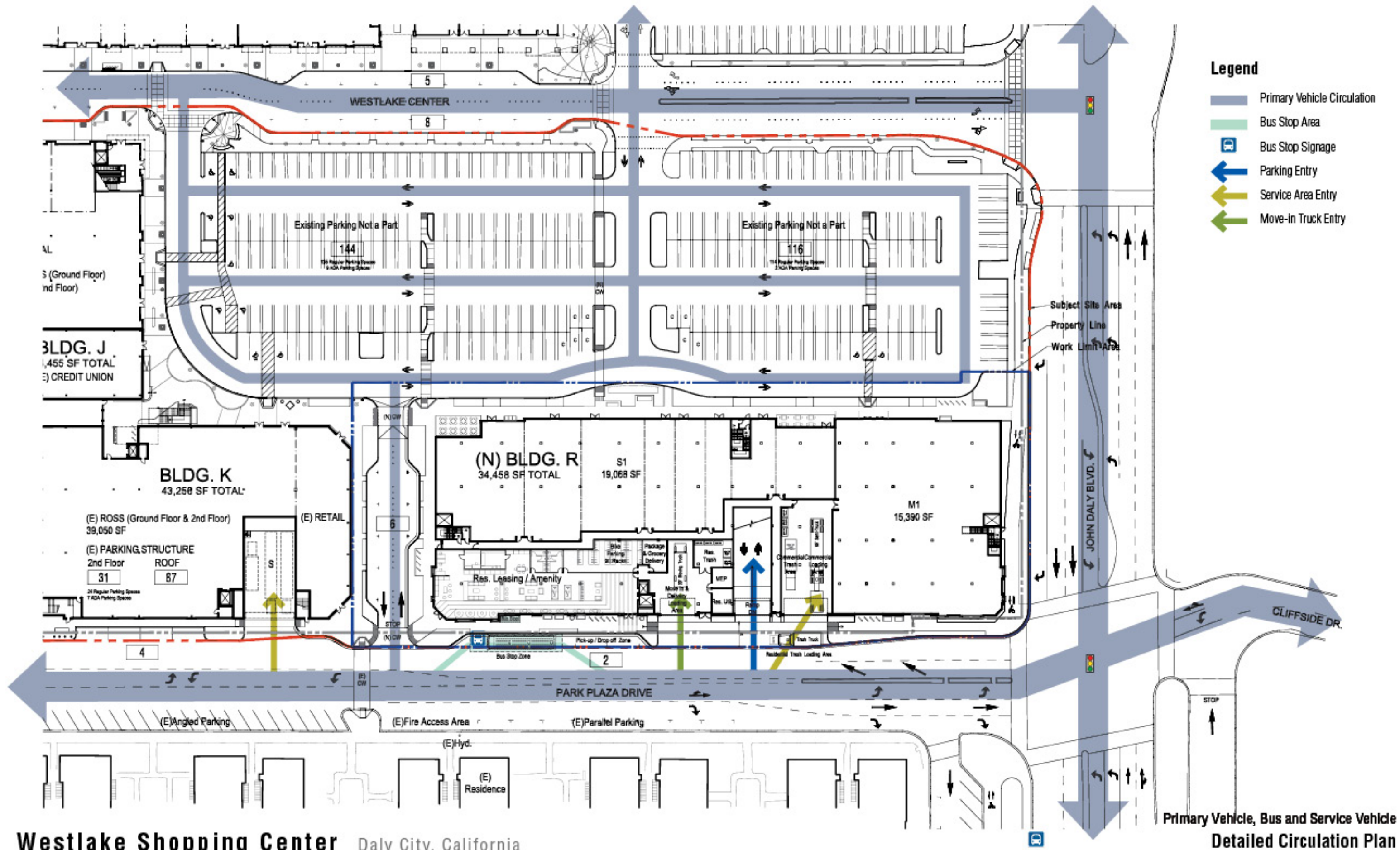
1. A pedestrian path has been added and combined with ADA accessible parking and landscape planter to allow pedestrian crossing through parking rows.
2. A pedestrian path has been added to allow pedestrian crossing through parking rows.
3. The sidewalk slopes down to street level on both sides; truncated domes have been added to existing curbs; and dimensions have been added to demonstrate that the sidewalk width is no less than 6' wide.
4. A raised crosswalk has been provided.
5. Two parallel parking spaces were removed to create a 60' length "throat". In addition, 4 racks/ 8 Class-II bike parking spaces have been added.
6. Truncated domes have been added to existing curbs.
7. To improve visibility and use of the vertical transportation to access upper level public parking, the existing exit stair can be demolished and a new open stair can be constructed to access parking and exiting of Ross on second level. The elevator lobby space width and height can be opened to provide more friendly access and natural light into the space. Added graphics, signage and lighting can be incorporated. Refer to stair study on page A28-A29.

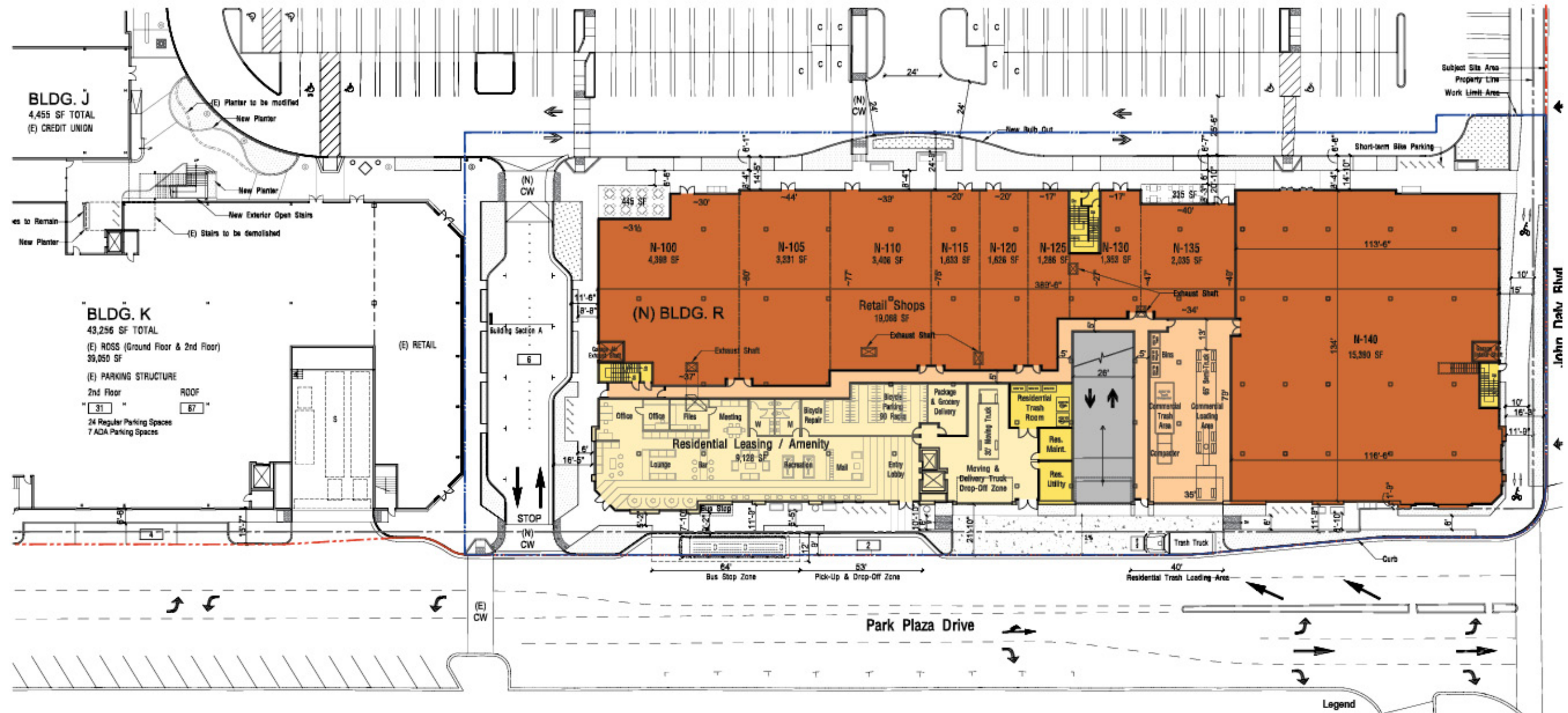




Westlake Shopping Center Daly City, California

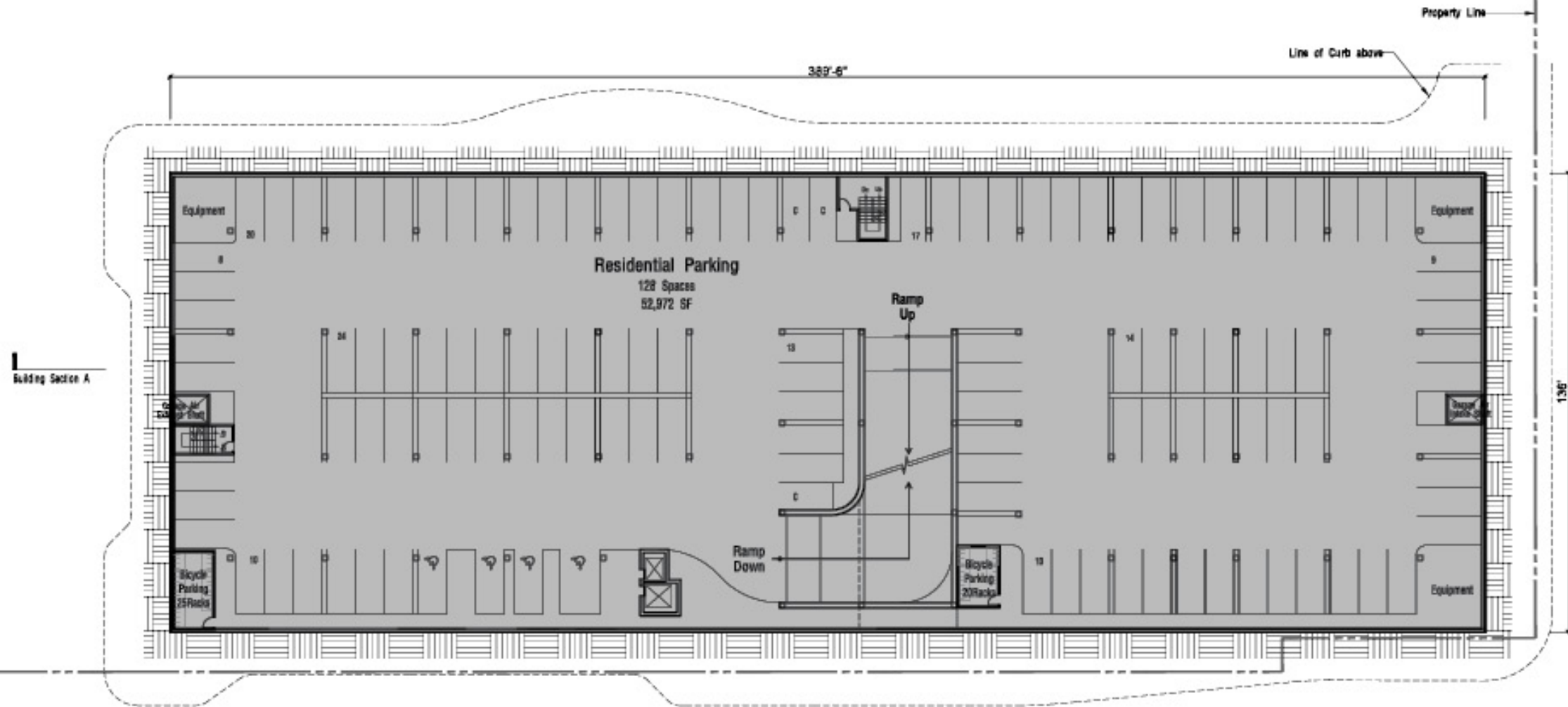
Pedestrians and Bicycles
Detailed Circulation Plan





Westlake Shopping Center Daly City, California

Ground Level Plan (+0.0')



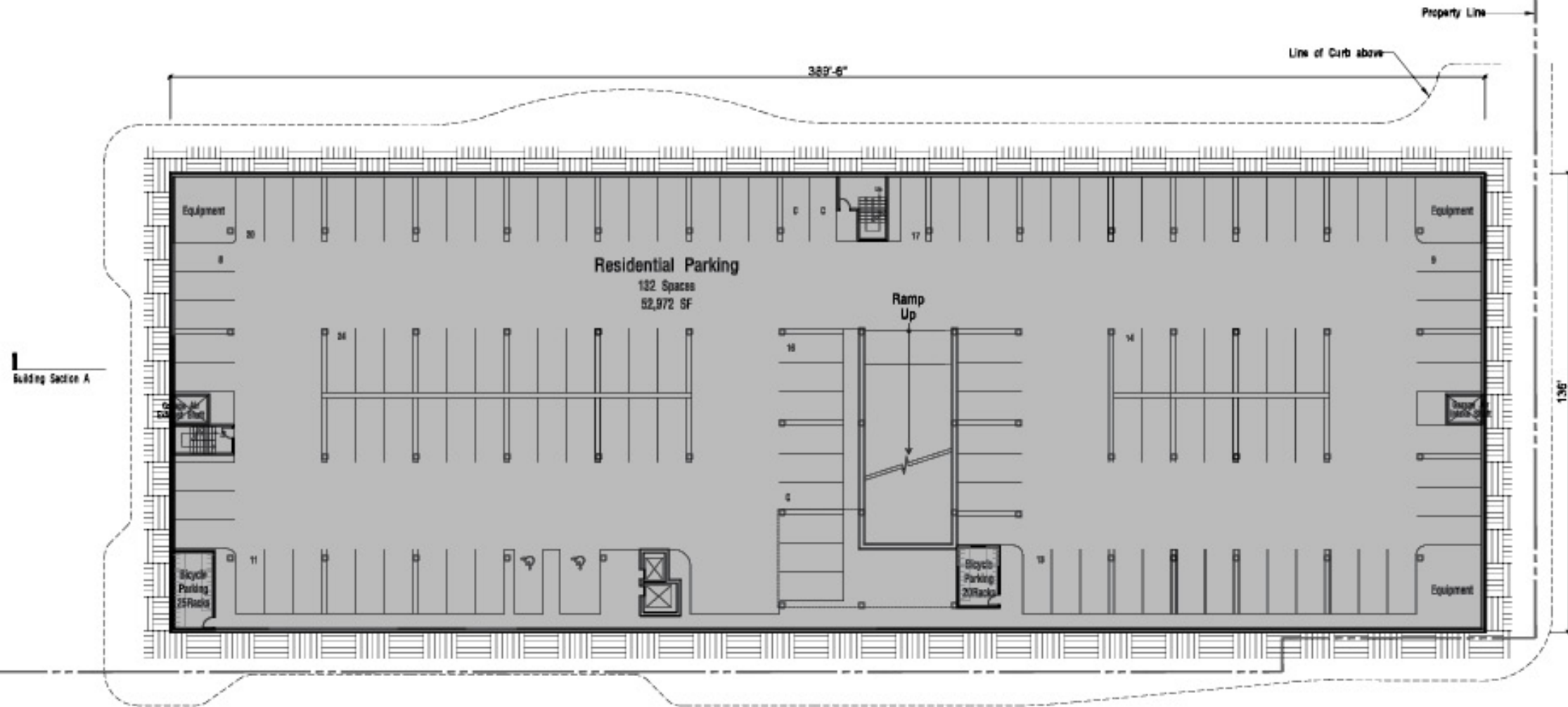
Legend

- Proposed Retail
- Retail Service/Circulation
- Residential Units
- Residential Service/Circulation
- Residential Amenity
- Exterior Courtyard / Deck
- Private Patio
- Proposed Parking

Westlake Shopping Center Daly City, California

Below Grade Parking Level B1 (-10.0')





Legend

- Proposed Retail
- Retail Service/Circulation
- Residential Units
- Residential Service/Circulation
- Residential Amenity
- Exterior Courtyard / Deck
- Private Patio
- Proposed Parking

Westlake Shopping Center Daly City, California

Below Grade Parking Level B2 (-20.0')





- Legend**
- Proposed Retail
 - Retail Service/Circulation
 - Residential Units
 - Residential Service/Circulation
 - Residential Amenity
 - Exterior Courtyard / Deck
 - Private Patio
 - Proposed Parking

Westlake Shopping Center Daly City, California

Typical Floor Plan Levels 3-5 (+28.0' , +38.0' , & +48.0')

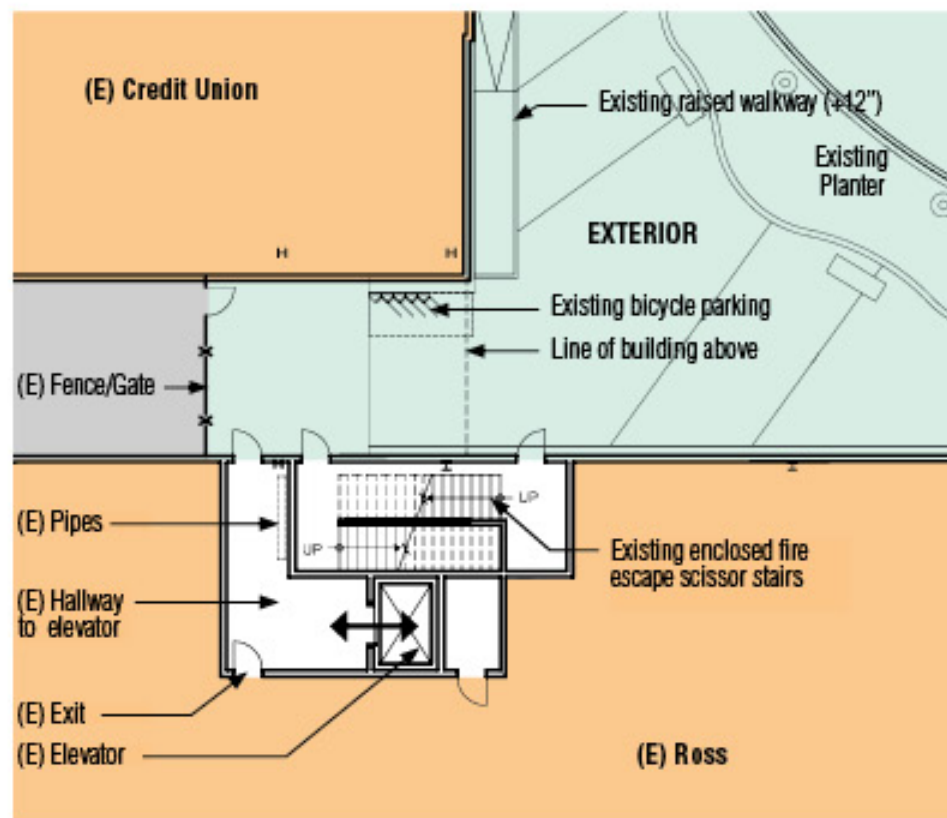




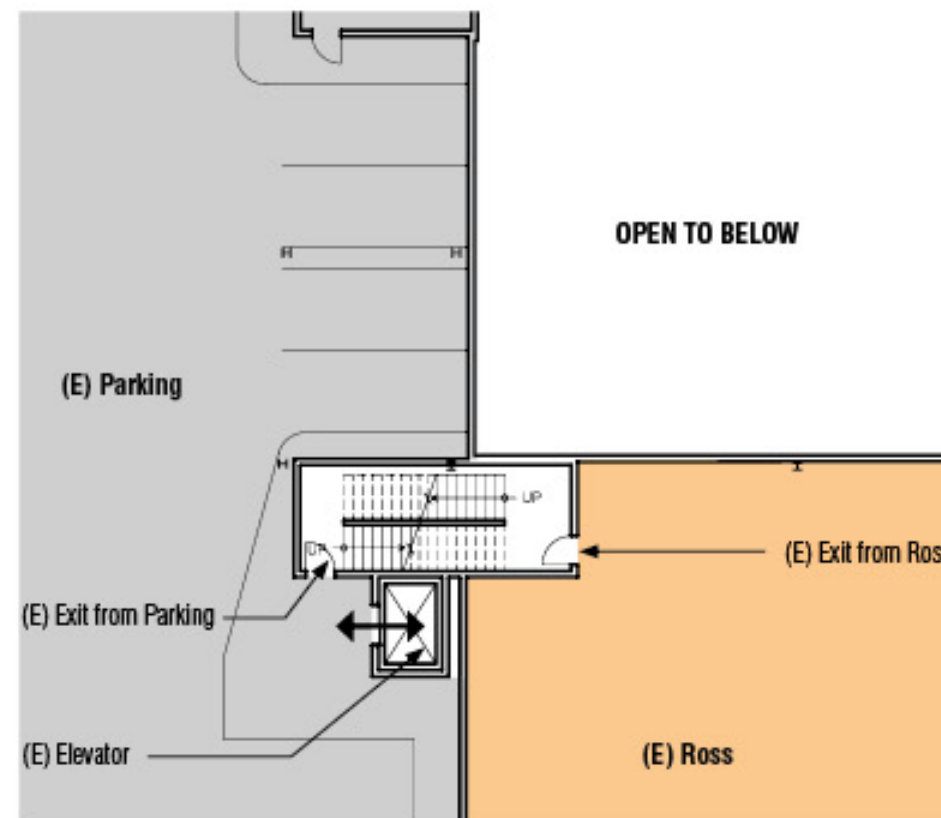
Westlake Shopping Center Daly City, California

Floor Plan Level 6 (+58.0')

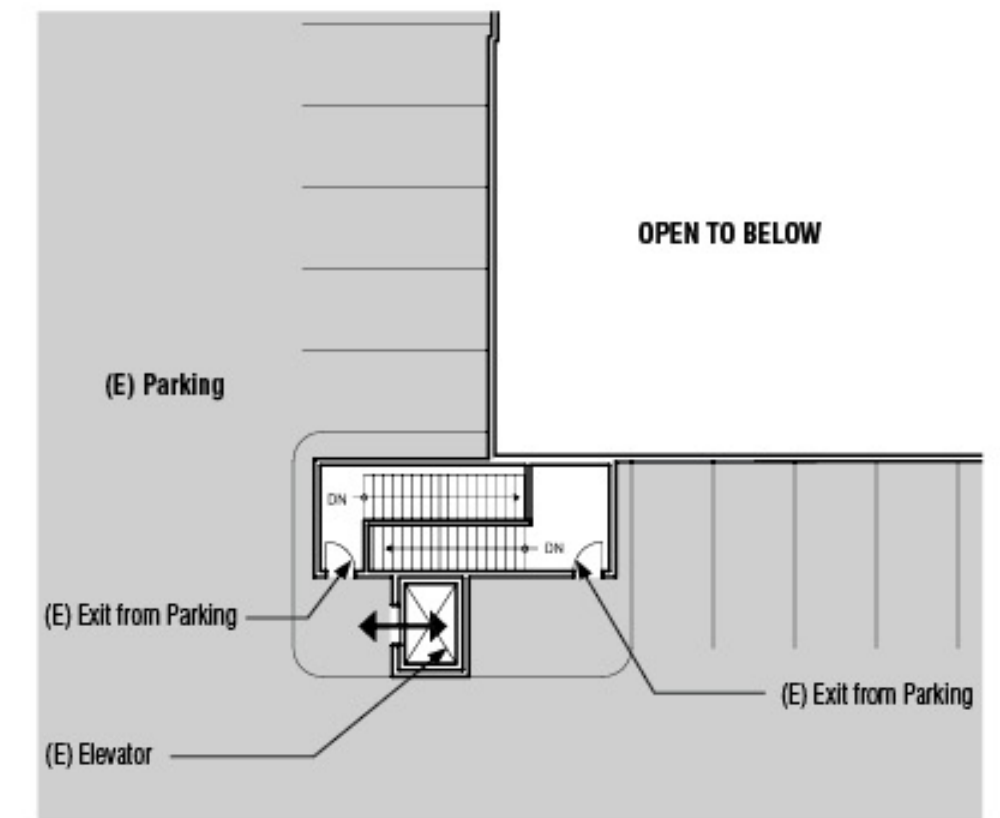




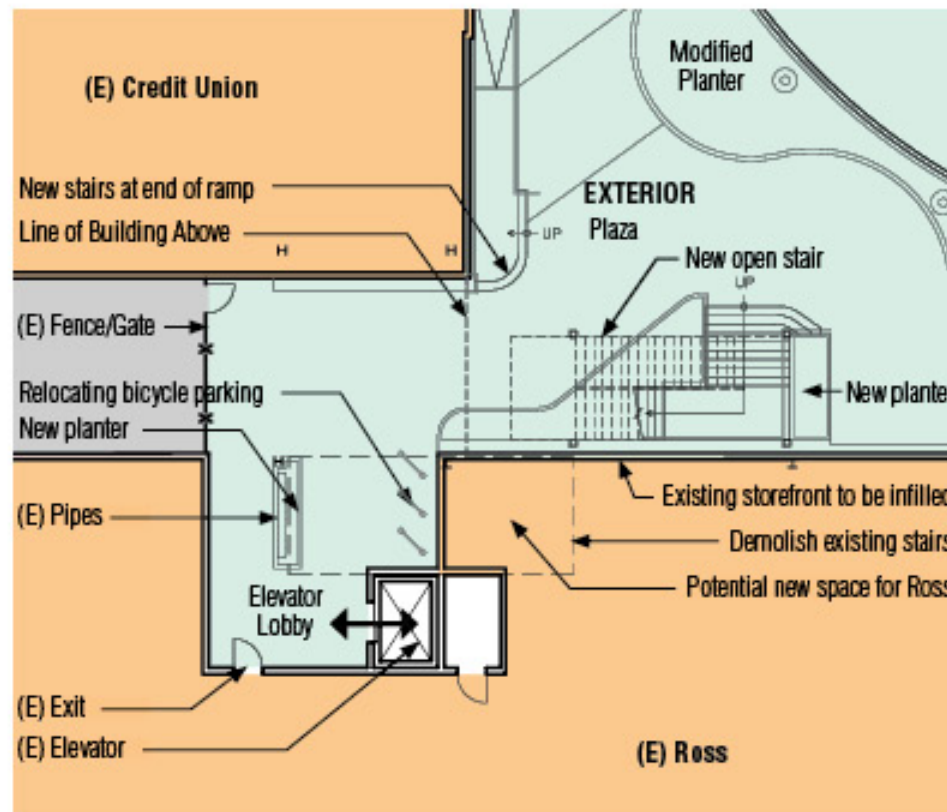
Existing First Floor Plan



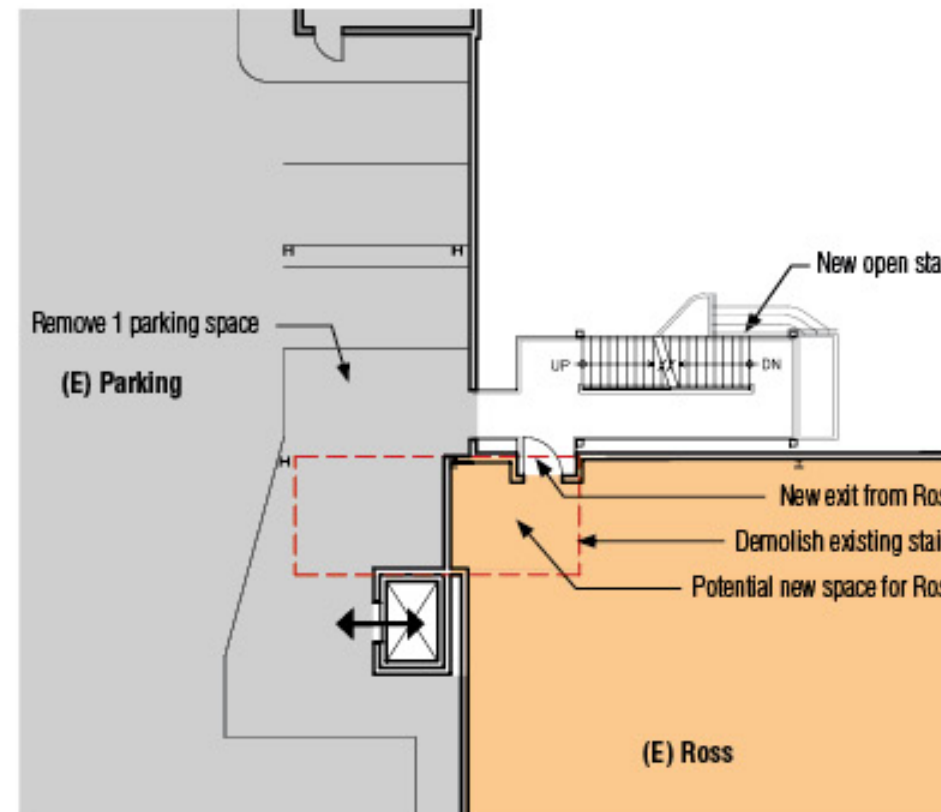
Existing Second Floor Plan



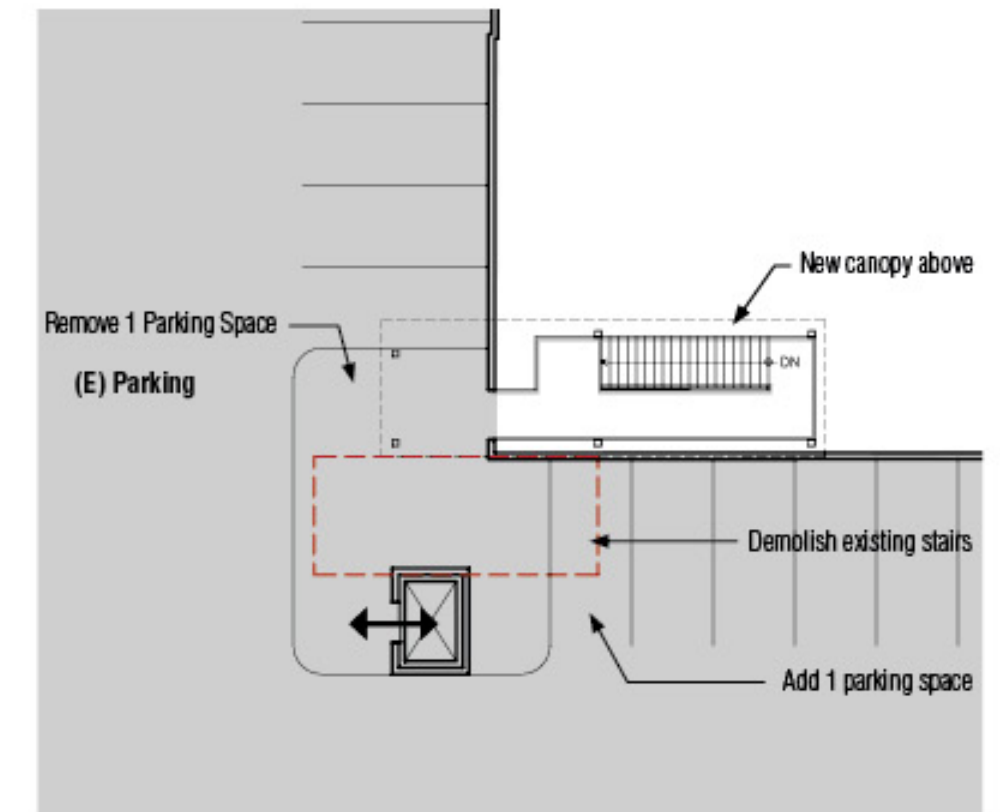
Existing Third Floor Plan (Roof)



Proposed First Floor Plan



Proposed Second Floor Plan



Proposed Third Floor Plan (Roof)

Westlake Shopping Center

Daly City, California

Building K Stair Modification



Existing Stair - View 1



Existing Stair - View 2



Existing Stair - View 3



Proposed Stair - View 1



Proposed Stair - View 2

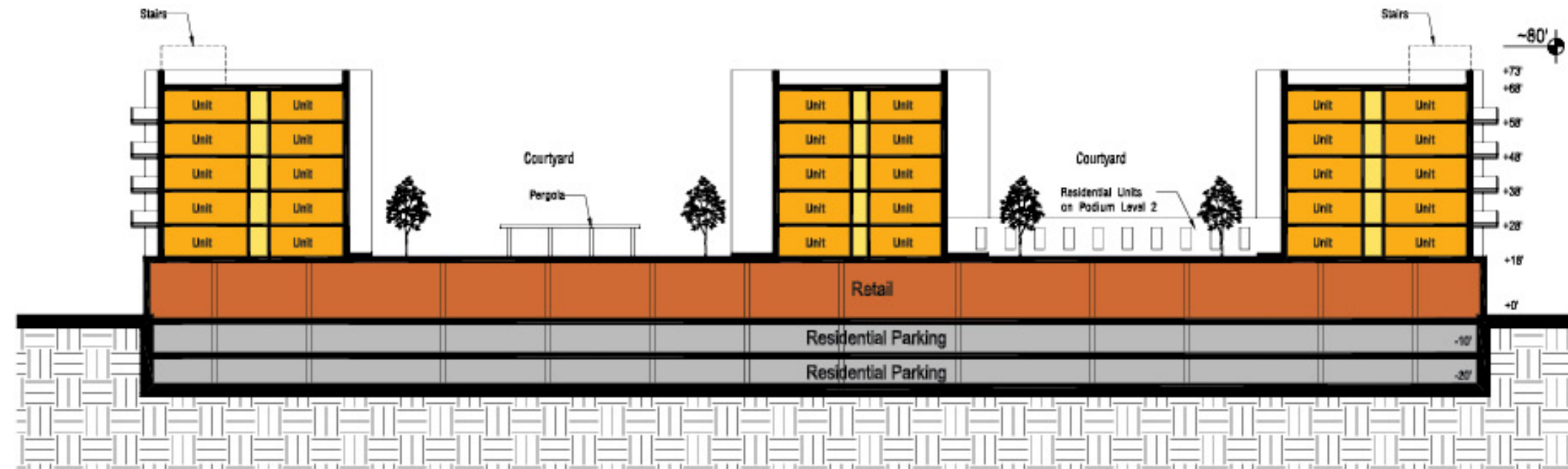


Proposed Stair - View 3

Westlake Shopping Center

Daly City, California

Building K Stair Modification - Perspective Views



Legend

- Proposed Retail
- Retail Service/Circulation
- Residential Units
- Residential Service/Circulation
- Residential Amenity
- Exterior Courtyard / Deck
- Private Patio
- Proposed Parking

Westlake Shopping Center Daly City, California

Building Section





Type SA-1
449 SF



Type 1A-1
560 SF



Type 1A-2
561 SF



Type 1B-1
714 SF



Type 1B-2
719 SF



Type 1B-3
745 SF



Type 1C-1
817 SF



Type 1C-2
865 SF



Type 2A-1
905 SF



Type 2A-2
906 SF



Type 2A-3
932 SF



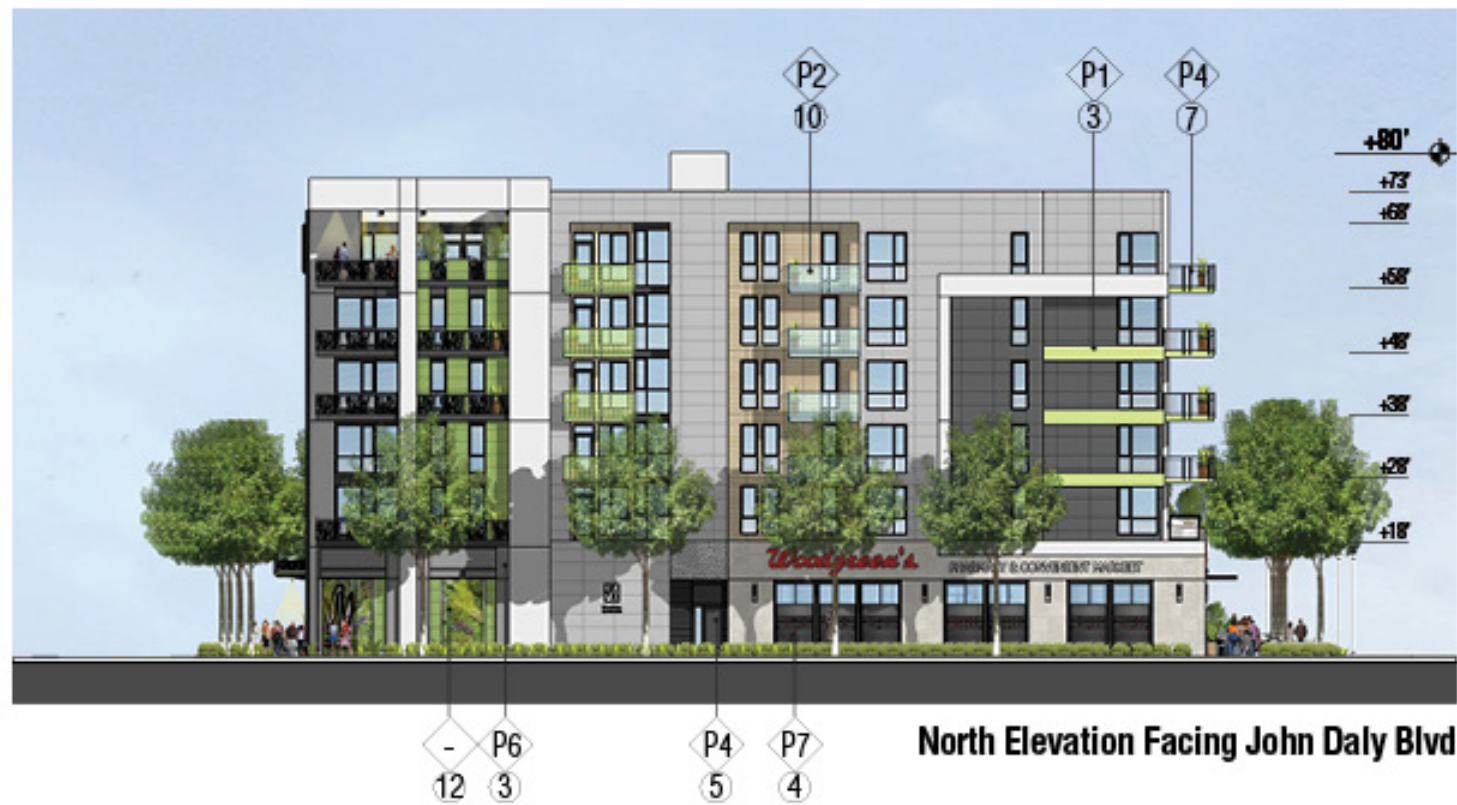
Type 2A-4
998 SF



Type 2B-1
1,029 SF



Type 3A-1
1,291 SF



Colors & Materials

- P1 Benjamin Moore, 2029-40, Stem Green
- P2 Benjamin Moore, 2066-60, Honolulu Blue
- P3 Benjamin Moore, oc-68, Distant Gray
- P4 Benjamin Moore, 2125-10, Black Panther
- P5 Benjamin Moore, 2120-40, Smoke Gray
- P6 Benjamin Moore, 2120-50, Silver Spring
- P7 Benjamin Moore, 2125-20, Black Panther & 2170-10, Fireball Orange

- C1 Equitone, Tectivia, TE 90
- C2 Equitone, Tectivia, TE 80
- C3 Equitone, Tectivia, TE60
- C4 Equitone, Pictura, PU243
- C5 Equitone, Pictura, TE10

- 1 Exterior Cement Plaster
- 2 Fiber Cement Panels
- 3 Architectural Composite Panels
- 4 Metal Storefront System
- 5 Metal Doors/Gates, Painted
- 6 Metal awning, Painted
- 7 Metal Balustrade, Standard, Painted
- 8 Metal Balustrade, Customized Pattern, Painted
- 9 Aluminum Sun Shading
- 10 Perforated Metal Panel, Standard Perforation, Painted
- 11 Perforated Metal Panel, Customized Pattern, painted
- 12 Green Wall

Westlake Shopping Center Daly City, California

Elevations

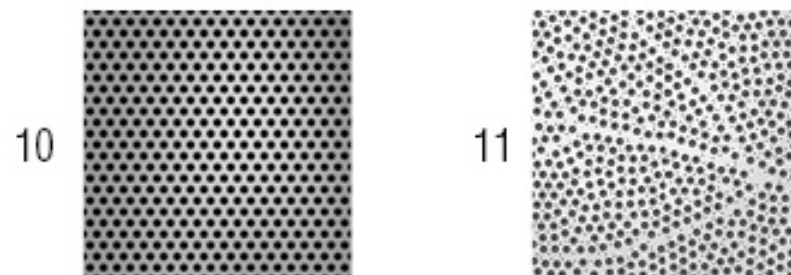
Color



Fiber Cement Panels



Metal



Colors & Materials

- P1 Benjamin Moore, 2029-40, Stem Green
- P2 Benjamin Moore, 2066-60, Honolulu Blue
- P3 Benjamin Moore, oc-68, Distant Gray
- P4 Benjamin Moore, 2125-10, Black Panther
- P5 Benjamin Moore, 2120-40, Smoke Gray
- P6 Benjamin Moore, 2120-50, Silver Spring
- P7 Benjamin Moore, 2125-20, Black Panther & 2170-10, Fireball Orange

- C1 Equitone, Tectivia, TE 90
- C2 Equitone, Tectivia, TE 80
- C3 Equitone, Tectivia, TE60
- C4 Equitone, Pictura, PU243
- C5 Equitone, Pictura, TE10

- 1 Exterior Cement Plaster
- 2 Fiber Cement Panels
- 3 Architectural Composite Panels
- 4 Metal Storefront System
- 5 Metal Doors/Gates, Painted
- 6 Metal awning, Painted
- 7 Metal Balustrade, Standard, Painted
- 8 Metal Balustrade, Customized Pattern, Painted
- 9 Aluminum Sun Shading
- 10 Perforated Metal Panel, Standard Perforation, Painted
- 11 Perforated Metal Panel, Customized Pattern, painted
- 12 Green Wall

1. Primary Project Logo - Illuminated
2. Retail Tenant Identification 9 Panels - Illuminated
3. Vehicular Entry Identification & Information, Non illuminated
4. Secondary Apartment Identification - Non illuminated
5. Logo Lighting Sconce - Illuminated, Typical
6. Primary Apartment Identification - illuminated
7. Project Logo - Non illuminated
8. Primary Retail Tenant - Illuminated (one per storefront elevation)
9. Retail Blade or Plaque Sign - Non illuminated (one per storefront elevation)
10. Window Graphic - Non illuminated
11. Art - Non illuminated



Westlake Shopping Center Daly City, California

East & West Elevation Signage

-
- Architectural drawing of the North Elevation of the Woodgreen building, facing John Daly Blvd. The drawing shows a multi-story building with a central entrance and a pharmacy/convenience market on the ground floor. Callouts 1, 7, and 8 are present.
- 1
- WOODGREEN'S
- PHARMACY & CONVENIENCE MARKET
- 7 Typical, one per tenant
- 8
- North Elevation Facing John Daly Blvd**



North & South Elevation Signage



Westlake Shopping Center

Daly City, California

Aerial Perspective View 1 from John Daly Blvd Looking West Bound



Westlake Shopping Center Daly City, California

Aerial Perspective View 2 from John Daly Blvd Looking East Bound



Westlake Shopping Center Daly City, California

Aerial Perspective View 3 Looking at Shopping Center



Perspective View A from Park Plaza Dr. - Before



Perspective View B from John Daly Blvd. - Before



Perspective View A from Park Plaza Dr. - After



Perspective View B from John Daly Blvd. - After



Westlake Shopping Center Daly City, California

Photo Simulations



Perspective View C from Cliffside Dr. - Before



Perspective View D from John Daly Blvd. - Before



Perspective View C from Cliffside Dr. - After



Perspective View D from John Daly Blvd. - After



Westlake Shopping Center Daly City, California

Photo Simulations



Westlake Shopping Center Daly City, California

Perspective View 1 from Park Plaza Drive toward Residential Lobby and Leasing Office



Westlake Shopping Center Daly City, California

Perspective View 2 of Patio



Westlake Shopping Center Daly City, California

Perspective View 3 from John Daly Blvd

Two Point
Perspective



Westlake Shopping Center

Daly City, California

Perspective View 4 from Westlake Drive Looking toward Retail



Westlake Shopping Center Daly City, California

Perspective View 5 from Parking Looking toward Retail



Westlake Shopping Center Daly City, California

Perspective View 6 of New Retail



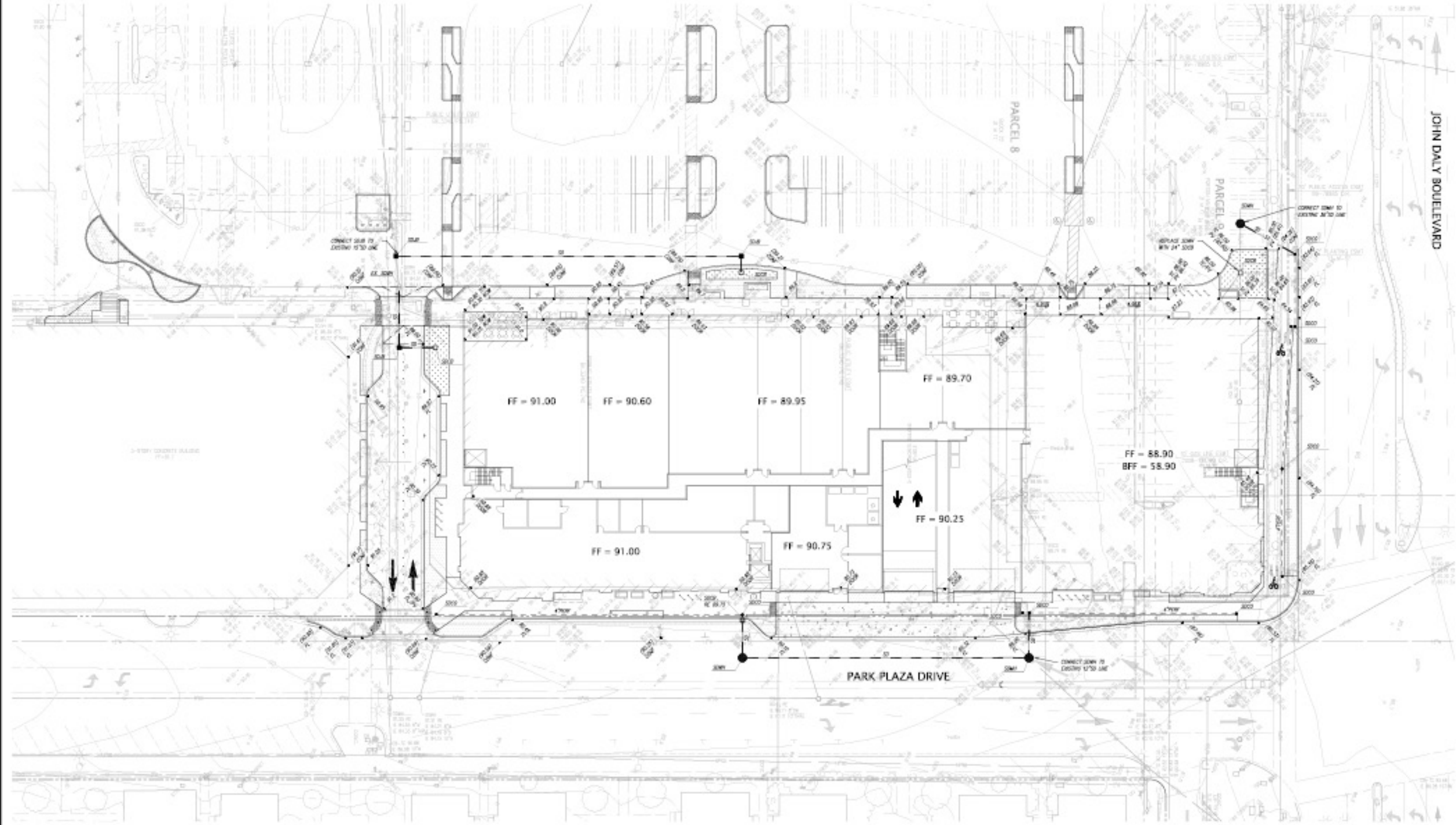
Westlake Shopping Center Daly City, California

Perspective View 7 of New Retail



LEGEND

- AREA DRAIN
- STORM DRAIN CATCH BASIN
- STORM DRAIN JUNCTION BOX
- STORM DRAIN MANHOLE
- STORM DRAIN CLEAN OUT
- SEWER/STORM FLOOR
- FLOOR LINE
- FINISH FLOOR
- PAVEMENT
- RAW ELEVATION
- SPOT ELEVATION
- STORM DRAIN LINE
- TOP OF CURB



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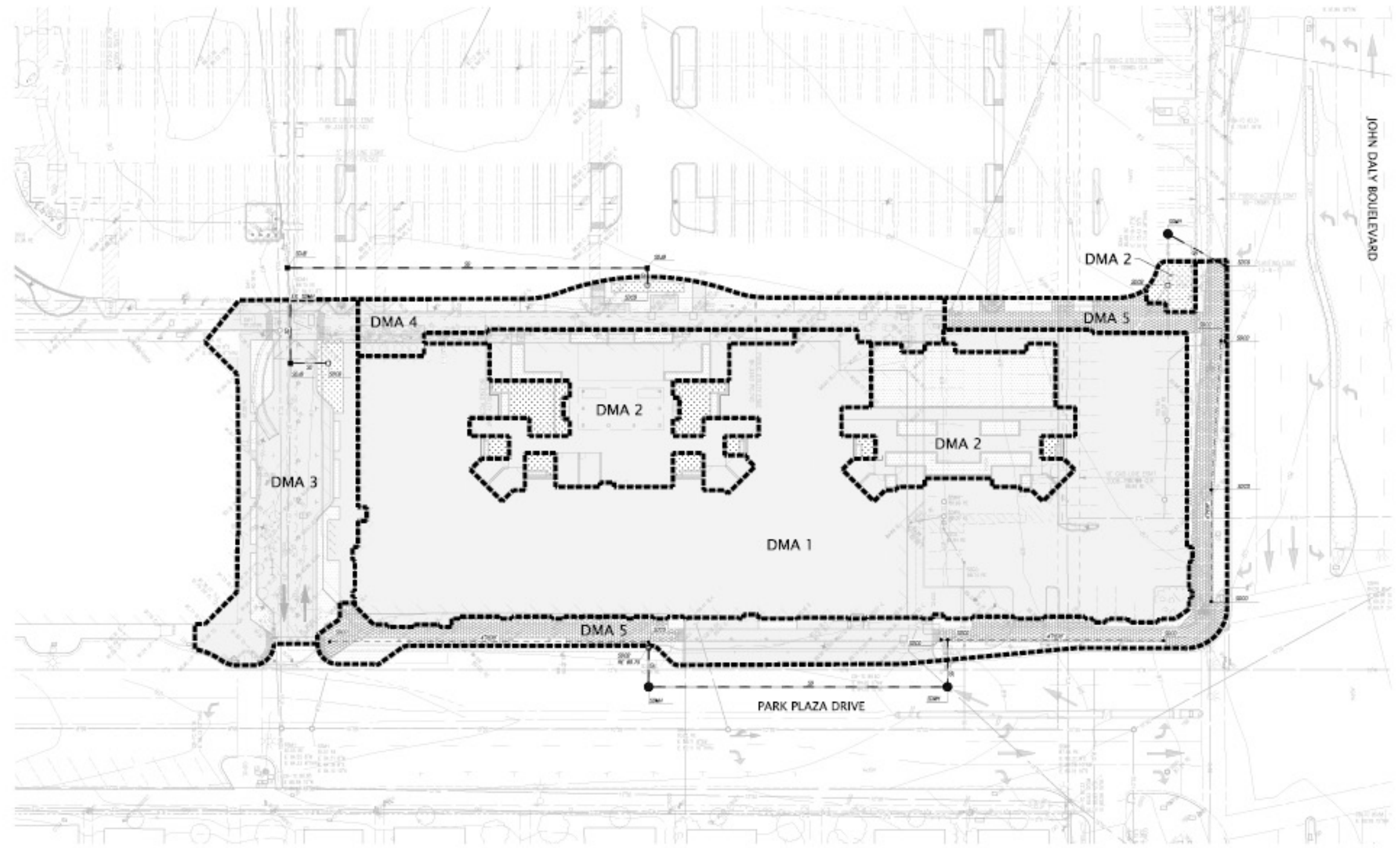
LEGEND

- TERTIARY AREA LIMIT
- LANDSCAPE AREA
- PERVIOUS PAVERS
- IMPERVIOUS PAVEMENT DRAINING TO BIO-RETENTION
- BIO-RETENTION DRAINAGE AREA

BIO-RETENTION SIZING CALCULATIONS

Area No.	Area (SF)	Area (AC)	Landscaped (SF)	Landscaped (AC)	Pervious Pavers (SF)	Pervious Pavers (AC)	Imperv. (SF)	Imperv. (AC)	Area to be Treated* (SF)	Treatment Provided (SF)	Sizing Ratio (%)	Type of Planter
1	38,410	8.80	181	0.002	0.000	0.000	37,229	0.86	37,229	1,496	4.0%	See Retention Planter
2	13,192	3.01	3,380	0.077	0.000	0.000	9,812	0.22	9,812	448	4.5%	See Retention Planter
3	8,134	1.85	3,122	0.071	0.000	0.000	5,012	0.11	5,012	265	4.4%	See Retention Planter
4	5,177	1.17	3,134	0.071	0.000	0.000	2,043	0.05	2,043	265	4.4%	See Retention Planter
5	12,846	2.92	2,877	0.066	0.000	0.000	9,969	0.23	9,969	0	N/A	Self-Treating
TOTALS	78,759	1.82	9,114	0.21	0.000	0.000	61,143	1.48	61,143	2,410		

*Total Treatment Area is equal to Impervious Area + 0.18 * Landscaped Area



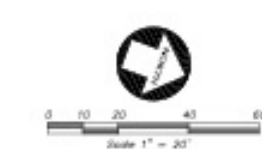
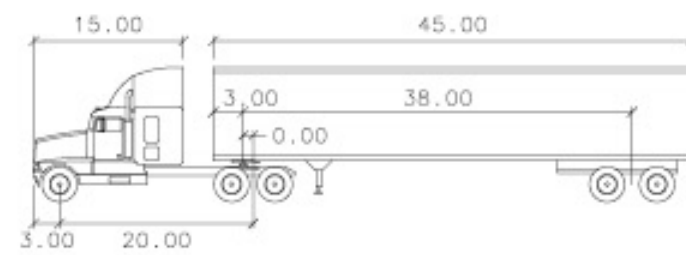
STORM WATER QUALITY CONTROL PLAN
OF
WESTLAKE DALY CITY
FOR
KIMCO

DATE: MARCH, 2017
SCALE: 1"=20'
DRAWN: DGS
JOB NO.: A15682
SHEET: C5.0
OF: 9 SHEETS



DAKIER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
2015 Camino Capistrano, Suite 100
Irvine, CA 92614-5011
Phone: 949.261.4332
Fax: 949.261.4336

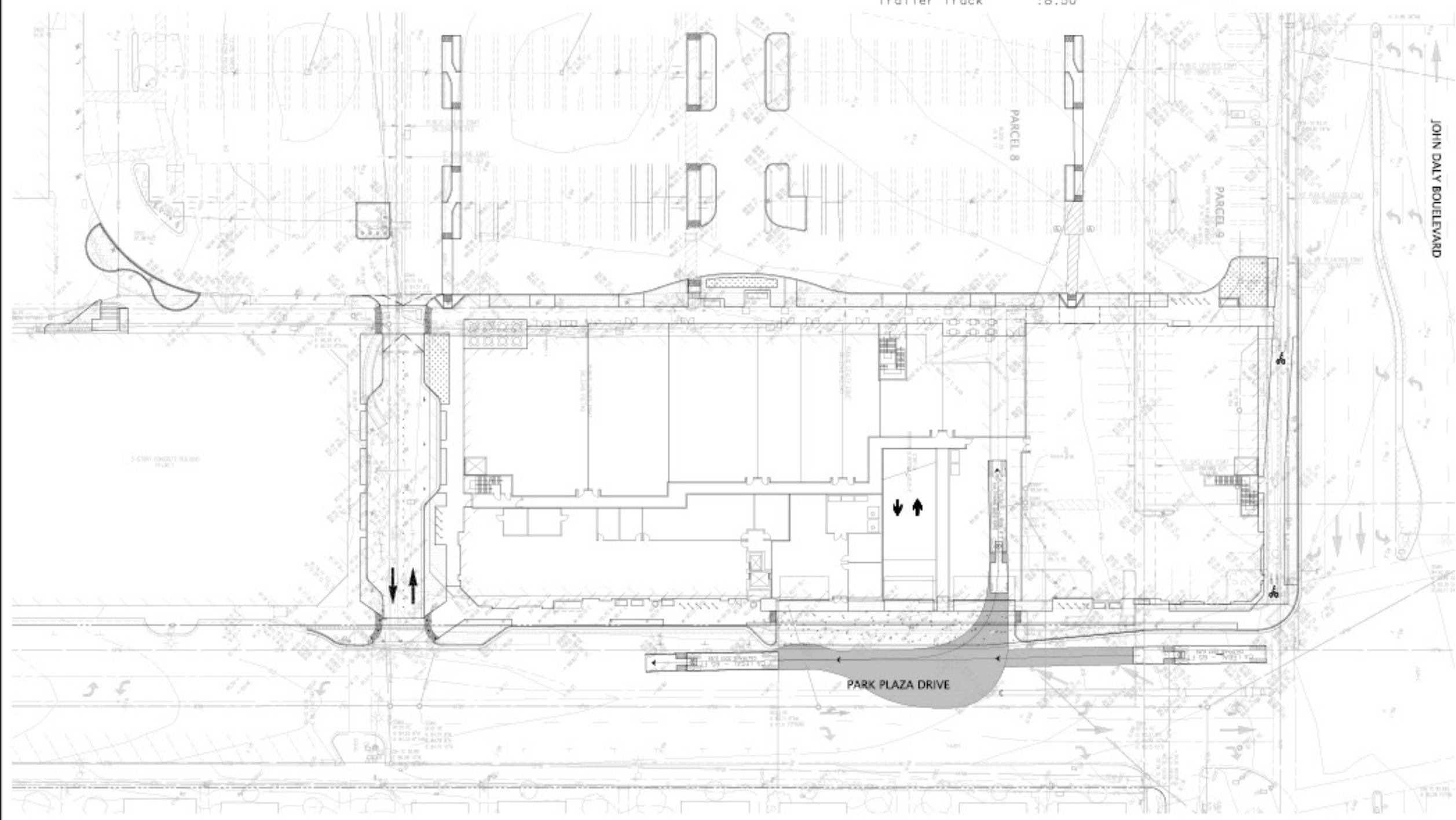
NO.	REVISION
1	ISSUED FOR PERMIT - 04.14.2017
2	PERMIT SUBMITTAL - 10.06.2017
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CA LEGAL - 65 FT

Tractor Width	:8.50	Lock to Lock Time	:6.0
Trailer Width	:8.50	Steering Angle	:26.3
Tractor Track	:8.50	Articulating Angle	:70.0
Trailer Track	:8.50		

feet



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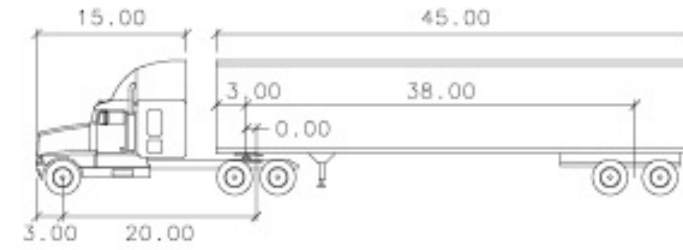
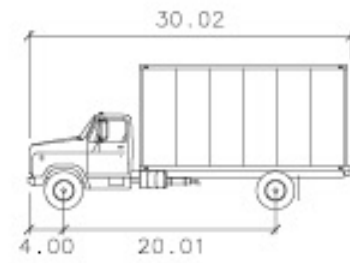
DATE: MARCH, 2017
SCALE: 1"=20'
DRAWN: DCR
JOB NO.: A15682
SHEET: C6.0
OF: 9 SHEETS

TRUCK TURNING
OF
WESTLAKE DALY CITY
FOR
KIMCO

DAILY CITY, CALIFORNIA

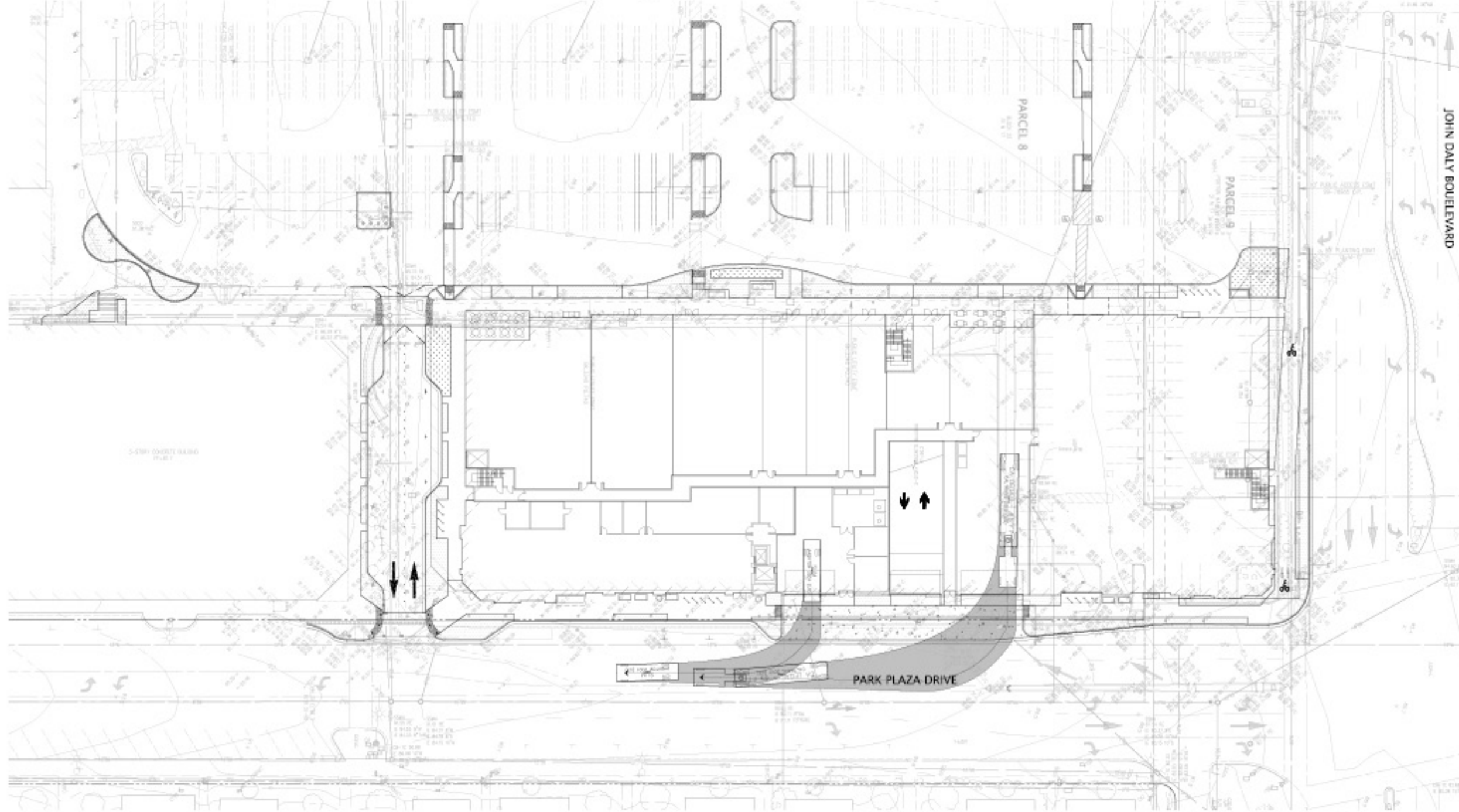
SEAL OF THE STATE OF CALIFORNIA
No. 1001
JAMES H. WRIGHT
JULY 1, 1981
JAMES H. WRIGHT
JULY 1, 1981

WRIGHT & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.
2015 COME Center Road, Suite 200
La Brea, CA 90038-0111
Phone: 615.241.4332
Fax: 615.241.4334

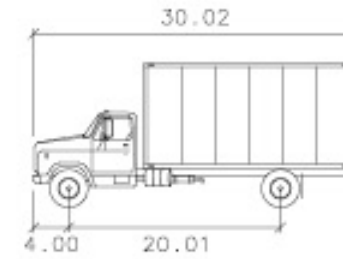


SUM feet
 Width : 8.01
 Track : 8.01
 Lock to Lock Time : 6.0
 Steering Angle : 31.8

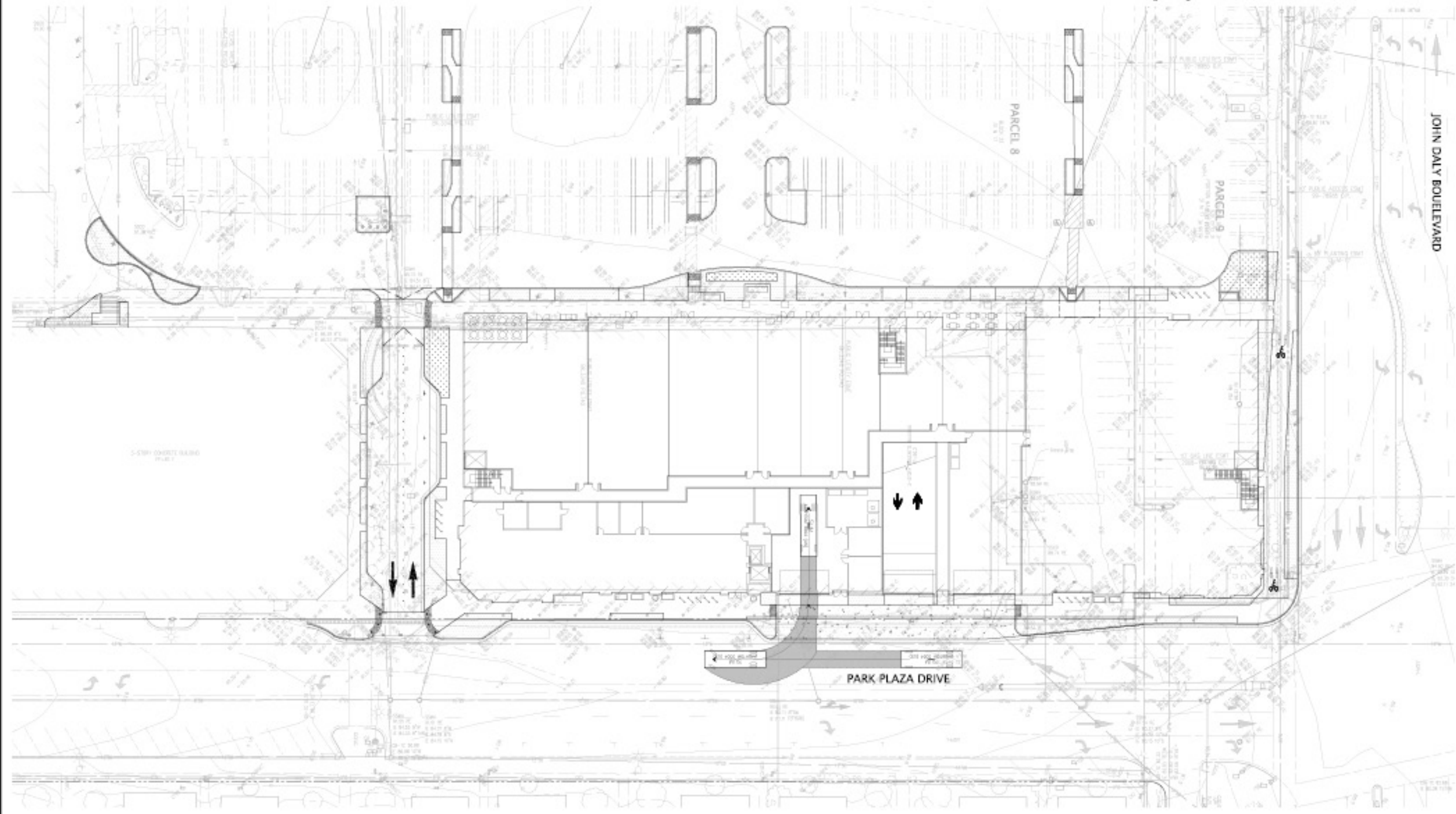
CA LEGAL - 65 FT feet
 Tractor Width : 8.50 Lock to Lock Time : 6.0
 Trailer Width : 8.50 Steering Angle : 26.3
 Tractor Track : 8.50 Articulating Angle : 70.0
 Trailer Track : 8.50



		TRUCK TURNING OF WESTLAKE DALY CITY FOR KIMCO		DAILY CITY, CALIFORNIA
DATE: MARCH, 2017 SCALE: 1"=20' DRAWN: DCR JOB NO.: A15682 SHEET: C6.1 OF: 9 SHEETS		DIVISION: PLANNING & SURVEYING PROJECT: WESTLAKE DALY CITY DRAWING: TRUCK TURNING - 100% DESIGNED BY: DCR CHECKED BY: DCR DATE: 03/15/17		MAKER & WRIGHT CIVIL ENGINEERS & SURVEYORS, INC. 2015 COME Center Blvd. Suite 200 Los Angeles, CA 90045-0111 Tel: 615.210.2796



SUM feet
 Width : 8.01
 Track : 8.01
 Lock to Lock Time : 6.0
 Steering Angle : 31.8



DATE		MARCH, 2017	
SCALE		1"=20'	
DRAWN BY		DGR	
JOB NO.		A15682	
SHEET		C6.2	
OF		9 SHEETS	

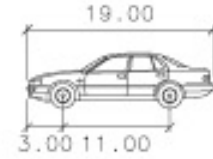
NO.	REVISION
1	REVISION
2	REVISION
3	REVISION
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5	REVISION
6	REVISION
7	REVISION
8	REVISION
9	REVISION
10	REVISION

TRUCK TURNING
 OF
WESTLAKE DALY CITY
 FOR
KIMCO

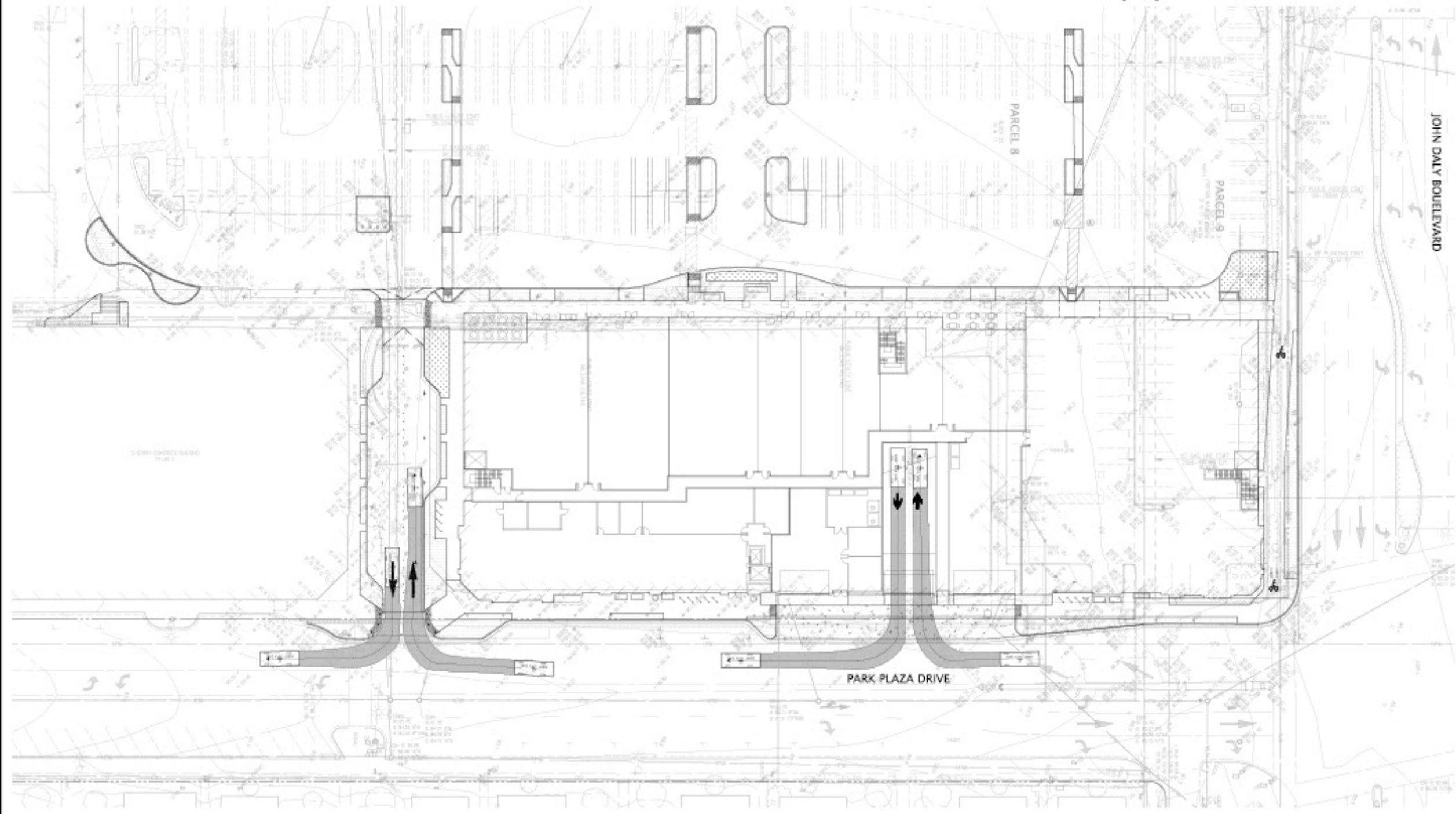
DAILY CITY,
 CALIFORNIA

MAKIER & WRIGHT
 CIVIL ENGINEERS & SURVEYORS, INC.
 2015 COME Center Drive Phone 615.341.4332
 Lakewood, CA 90401-6511 Fax 615.341.4336

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PASSENGER feet
 Width : 7.00
 Track : 6.00
 Lock to Lock Time : 6.0
 Steering Angle : 31.6



DATE		MARCH, 2017	
SCALE		1"=20'	
DRAWN BY		DGR	
JOB NO.		A15682	
SHEET		C6.3	
OF		9 SHEETS	

NO.	REVISION
1	REVISION
2	REVISION
3	REVISION
4	REVISION
5	REVISION
6	REVISION
7	REVISION
8	REVISION
9	REVISION
10	REVISION

**TRUCK TURNING
OF
WESTLAKE DALY CITY
FOR
KIMCO**

DAILY CITY, CALIFORNIA

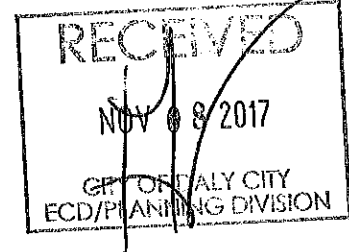
**MAKER & WRIGHT
CIVIL ENGINEERS & SURVEYORS, INC.**
 2015 COME Center Road Phone 615.341.4332
 Nashville, TN 37214-1011 Fax 615.240.2796

SCANNED
11-8-17

November 7, 2017

Daly City Planning Commission
333 90th Street
Daly City CA 94015

Re: Westlake Shopping Center
Kimco Proposed Renovation



To Whom It May Concern:

I am a 22-year resident of Daly City. I am opposed to plan proposed by Kimco to tear down the existing section of the mall that currently houses businesses and the Medical-Dental building, to then build a six-story 179 unit residential unit with ground level retail space and two-level underground garbage with 260 parking spaces in it's place

My reasons are as follows:

History

Henry Doelger built the original Westlake Town & Country Center as a place that provided necessary services and shopping for Daly City residents, eliminating the need for them to go to other areas. Services included medical, dental, vision and pharmaceutical, jewelry repair, legal services, etc. Stores included a drug store, grocery store, department store, and specialty small businesses. He built the apartment buildings across the street from, and outside of, the shopping center itself, which separated the living accommodations from the Center, but made it within walking distance for those living nearby. The parking lots were on the periphery of the Center, enabling people to park at either end of the Center or behind the buildings on the Lake Merced Blvd side. The Center itself was free of auto traffic, which unfortunately the previous remodel has destroyed, making it hazardous in many places to walk to stores.

Effects on Businesses and Residents

When the most recent remodel was done, many small business could not afford the increased rents, and were replaced with big box chain stores and chain restaurants, and four mobile carrier stores. Gone are the music store, Hallmark Store, Dress Barn, another women's dress store, two jewelry stores, two overstock shoes stores, a furniture store, the Salvation Army store, an art gallery, and more. There are still a number of small businesses in the area proposed to be replaced, including Nations' Burger, three hair salons, a tobacco store, another small restaurant, a shoe repair shop, a picture framing store. I frequent these places. If the building project goes forward, where will these businesses go? It's unlikely they'll be able to afford the inevitable rent increase, and there certainly isn't room for them in the other parts of the mall during construction. In addition, the medical/dental offices will be eliminated, leaving Daly City residents without that choice. Westlake Center will become filled with more national big box businesses, making it like any other cookie

cutter mall in America, where big business thrives and small business dies. It will no longer be a place where local residents can get their service and shopping needs met. We will have to go elsewhere, taking our business outside of Daly City.

Construction

During construction, no doubt the parking area by the construction site will be closed off, creating a worse parking nightmare in the mall than already exists. Park Plaza Drive is likely to be closed off, making it difficult for people in the apartments to get to John Daly Blvd and the freeway, creating more traffic on other streets in the area.

I am disabled and need to be able to park in the handicap zone closest to the store I need to go to. There will be twice as many people trying to park in the lot by Trader Joe's/Ross. I can't park in the parking garages because I can't walk that far. Local residents will give up and start going to other areas that are more accessible. Already it's nearly impossible to park by Walgreen's or Safeway in the daytime. People are going to the Safeway on Gellert now. I've taken my business to CVS.

Construction noise will be disturbing and disrupting, especially for the people living closest to the mall.

After Construction:

With 179 residential units, there will be at least 179 cars; if half the units have two cars, that would be 269 cars, if all the units have two cars, that's 358 cars. The underground parking is only 260 spaces. Where will the excess cars park? In the mall? What about ingress and egress from the underground parking garage? Will it open onto Park Plaza Drive or through the Center? It will certainly increase traffic on Park Plaza and John Daly, which is already overloaded.

Supposedly, the residents of these units will be walking to the stores in the mall, but I doubt people will buy a weeks worth of groceries and carry them home in the rain. They'll drive, creating more parking problems and more traffic.

A six story building is out of character for the area and will look terrible.

The mall as it is is not pedestrian friendly since it requires crossing in front of rows of parking slots where cars are driving in and out, making turns. The straight in parking slots vs. angled parking make even driving down a row, or getting in and out of a parking spot much more difficult and dangerous.

Conclusion

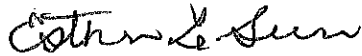
In conclusion, Westlake Center was intended to a service/shopping center for the convenience for Westlake residents, not a housing center. Local residents are already being forced to go elsewhere to meet their needs because of the crowded parking lots and the loss of specialty small businesses.

This is particularly hard on the senior population for whom driving long distances can be difficult.

I see that the only upside to this plan is profit for Kimco, and possibly increased revenue for The City of Daly City, which will be needed because of the additional services--traffic control, police services--that will be required because of the population density in an area that is not meant to be, and should not be, a residential zone.

I am vehemently opposed to the plan.

Very truly yours,

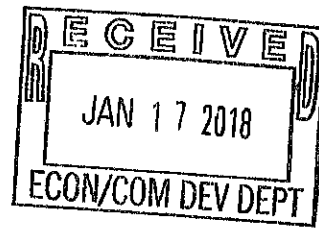
A handwritten signature in cursive script, appearing to read "Esther LeSieur".

Esther LeSieur
26 Lakewood Drive
Daly City CA 94015

cc: Daly City Council

2 Parkside Avenue
Daly City CA 94015
January 10, 2018

ECD/Planning
City of Daly City
333-90th Street
Daly City CA 94015-1895



RE: Proposed new Construction/Westlake Shopping Center.

Gentlemen:]

I am a 44 year resident of the Westlake area.

I attended the first meeting you held with Kimco Corp. at City Hall a few months ago.

I was very disturbed during the meeting. I think I heard that only 60% of the small businesses could be re-housed. All of your group voiced concern about the dreadful parking situation so much so that they would not even go shopping there now. I feel the same. I now avoid going there despite living close by. I noticed many empty shops. Is the parking problem the reason these businesses suffered losses due to the inadequate parking and so moved to Serramonte?

I strongly feel that that this huge Reit Investment company has little interest in assisting the many small businesses in the section they want to demolish; ie, the shoe-repair shop, the tailor, not to mention all the small beauty shops, and Nations, etc. Must be there is more profit in apartment rentals.

I did not hear convincing arguments about their underground parking plan what supposedly would relieve the current parking mess. Seems the Eastern side of the proposed new structure would all be Kimco rental offices.

I respectfully urge you not give Kimco permission to tear down the current building.

Thank you.

Sincerely yours,

A handwritten signature in cursive script that reads "Marion Broeker".

Marion Broeker

Aaron Goodman
25 Lisbon St. SF, CA 94112
E: amgodman@yahoo.com

ATTN: Corey Alvin Associate Planner
City of Daly City -Planning Division
333 90th St. Second Floor Daly City CA 94015

April 22, 2018

**RE : Westlake Shopping Center / Residential Mixed-Use
General Plan Amendment GPA 4-17-12762
Planned Development PD 4-17-12761
Design Review DR 4-17-12762
Mitigated Negative Declaration CEQA 4-17-12763
10 Park Plaza Drive**

Mr. Alvin;

I am writing due to deep concerns about the impacts of the proposed development on traffic and congestion in the Daly City area that should be taken into consideration with other southwest San Francisco Planned Developments approved.

The 19th Avenue Transit Plan and proposals to re-route traffic along the great-highway back up Sloat and down through Daly City along 19th Ave. will become more congested in the near future with larger projects at Parkmerced, SFSU-CSU and Stonestown already being proposed or nearing construction phases. This coupled with Daly City changes and growth need to be adequately assessed in terms of regional transit and traffic issues.

John Daly Blvd. and the connector arterials from the Westlake Shopping Center towards other major shopping zones in Daly City such as Serramonte, and Colma, only have the BART and local bus services as linking measures. There is no serious plans in the works for bi-county transit changes and connectivity either through extended new lanes of SF Muni systems or secondary linkage/relay systems that could provide new services (such as trackless rail systems) that could route people from these future SF developments to the Westlake Mall area without the use of automobiles.

John Daly Blvd. is already congested mayhem, and cannot continually grow without investment in needed infrastructure. The impacts at this point can only be "mitigated" by a serious investment in public infrastructure and transit solutions that take people from Daly City BART to the top of the hill and down to Colma BART station more quickly and efficiently. The system could link up along Lakeshore and Sunset Blvd. to the westside of SF, thus providing a secondary arterial mass-transit link to Daly City shopping and connecting malls.

I noted recently a larger parking garage at Serramonte, this ignores the flow of traffic and the need for a “hard” line solution light-rail vehicle or other more substantive solution to links malls, and locations and provide more environmentally sound options than driving to the mall. Even the Serramonte Mall and its numerous smaller strip malls should be already connected to Daly City and SF with shuttle services and more substantial investment in rail, trackless rail, commuter electrified shuttle bus systems, and/or a mono-rail that links the areas quickly and efficiently vs. driving.

I am for the housing density of lots and parking areas, and feel that Daly City along with the city of Colma from the Top of the Hill down to Westlake and along its major arterials can do better to solve the housing concerns through infill development and adequate investment in rail and bus-trolley systems. To help reduce auto-use and improve housing options and alternative housing solutions in the major parking areas adjacent to public transit hubs. San Francisco cannot absorb the growth alone, and it is important that other municipalities contribute and help solve the infrastructure needs along major corridors like the Brisbane Housing and Developments and a direct link from D11 to D10 to D7 in San Francisco east west as well as south bound to link SSF, Colma, Brisbane, and Daly City in a more visionary and future thinking solution that does NOT rely on auto-use.

Please take these issues into account in the decision to allow more densification without a serious link-up to public infrastructure and requiring investment by developer’s into a fund to secure projects that solve transit issues for the Daly City area.

The traffic mad-house will only worsen if only garages, and more housing is infilled and steps are not taken to solve **BI-COUNTY** transit needs.

Sincerely

Aaron Goodman

Architect / Planner / Involved in local transit issues in SF with other public organizations

D11 SF Resident

Cc: Daly City City Council citycouncil@dalycity.org
 cityclerk@dalycity.org

Colma Chamber staff@dalycity-colmachamber.org

From: Oakes, Michael [<mailto:MOakes@sfgwater.org>]
Sent: Monday, April 30, 2018 6:49 PM
To: Corey Alvin
Subject: Westlake Shopping Center Redevelopment Proposal

Dear Mr. Alvin:

The SFPUC recently received additional notice about your proposed project at 10 Park Plaza, Daly City (Westlake Shopping Center). We would like the project to come to SFPUC's Project Review, in order to avoid impacts to the Sunset Supply Line, an active, high-pressure water transmission pipeline. Please note that our pipeline angles east across the Westlake Center main entrance, making it likely that elements of the proposed project, such as heavy construction equipment crossing our pipeline at one or more places, might occur (see attached map.) At project review, we would like to clarify equipment loading, routing, and staging for the project. We wish to avoid encroachments onto the SFPUC ROW or inappropriate uses, which could impede the SFPUC's access to the pipeline and appurtenances or adversely impact our water utility infrastructure.

The Project Review Committee may require modifications to the proposal, and/or avoidance and minimization measures to ensure that the proposal conforms to applicable plans and policies. Therefore, it is important to schedule the project for review at the earliest opportunity to address any potential project issues. To initiate the Project Review process, the project sponsor should fill out the attached application, and email it to me at moakes@sfgwater.org, with supporting attachments (project description, maps, drawings and/or plans.) Applications are scheduled in the order they are received, and we are often booked out a couple of months.

Please note that the SFPUC ROW cannot be used to satisfy development/entitlement requirements including, but not limited to: required parking; open space/recreation areas; emergency vehicle access; setbacks, etc. Attached are the following two SFPUC ROW policies:

- **Interim Water Pipeline ROW Use Policy** – specifies uses allowed or prohibited within SFPUC ROW (ex. land use, structures, utilities, etc.); and
- **Integrated Vegetation Management Policy** – see section 12.005 for vegetation height specifications allowed within the SFPUC ROW.

The Committee will be looking for compliance all SFPUC policies, engineering, operations, and maintenance requirements, the California Environmental Quality Act (CEQA), among other things.

Please let me know if you have any questions or need additional information.

Regards,

Michael Oakes

Land and Resources Planner

Natural Resources and Lands Management Division / Water Enterprise

San Francisco Public Utilities Commission

1657 Rollins Rd.

Burlingame, CA 94010

Tel: (650) 652-3216 fax: (650) 652-3219

Email: moakes@sfgwater.org

Note: I work at 525 Golden Gate Ave., S.F. on non-project review Fridays, and can best be reached by email.

For more information on Project Review, go to:

<http://www.sfwater.org/index.aspx?page=450>

Hetch Hetchy Regional Water System
Operated by San Francisco Water, Power and Sewer|
Services of the San Francisco Public Utilities Commission
<http://www.sfwater.org/index.aspx>



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www.lozeaudrury.com
rebecca@lozeaudrury.com

Via E-Mail and Overnight Mail

May 18, 2018

Corey Alvin, Associate Planner
Dept. of Economic & Community
Development
City of Daly City
333 90th Street
Daly City, CA 94015
calvin@dalycity.org

Michael VanLonkhuysen, Planning
Manager
Dept. of Economic & Community
Development
City of Daly City
333 90th Street
Daly City, CA 94015
mvanlonkhuysen@dalycity.org

Re: Westlake Shopping Center Mixed-use project, (SCH2018042065)

Dear Mr. Alvin and Mr. VanLonkhuysen:

I am writing on behalf of the Laborers International Union of North America, Local Union 261 regarding the initial study and mitigated negative declaration (MND) prepared for the Westlake Shopping Center Mixed-use project, aka SCH2018042065, GPA-4-17-12760, PD-4-17-12761, and DR-4-17-12762 ("Westlake Project" or "Project").

As discussed below, an environmental impact report ("EIR") is required for the Westlake Project because there is a "fair argument" that the Project may have significant adverse environmental impacts. An EIR would analyze the Project's impacts and propose feasible mitigation measures to reduce or eliminate those impacts.

PROJECT DESCRIPTION

The Westlake Project proposes to demolish two existing commercial buildings and northeastern portion of the existing surface parking in the Westlake Shopping Center, which has over 14 acres of commercial space). The project proposes to construct a new six-story building with up to 180 dwelling units and 34,074 square feet of ground-floor retail on the 1.95-acre project site. The building would include two floors of below-grade parking with 260 parking spaces spanning 107,968 square feet. A new auto access road is proposed at the south edge of the new building connecting Park Plaza drive to the parking area between the new building and Westlake Center Drive. The ground-floor retail space would be located on the western side of the building facing the surface parking in the Westlake Shopping Center. The residential units are grouped

around two landscaped courtyards on the second floor to the sixth floor (five levels of residential use). The southern courtyard faces open to the western side of the building and has a fitness center, fire pits, a BBQ area and other residential amenities. The larger courtyard is completely wrapped around residential units. The maximum building height proposed is 80 feet above grade.

The project proposes a General Plan Amendment (GPA) to change the land use designation from Commercial Retail and Office, which allows retail and office uses and Floor Area Ratio (FAR) ranging from 2.5 to 5.0, to Commercial Mixed-Use, which allows mixed-use land uses with FAR ranging from 1.0 to 6.0. The project would result in a gross floor area of 230,065 square feet, excluding the two-level below-grade garage. The FAR of the proposed development would be approximately 2.7, and the lot coverage would be 62 percent. The project proposes a Planned Development Zoning Amendment to the existing Planned Development Zone PD-60 to allow residential uses on-site.

LEGAL STANDARD

As the California Supreme Court held, “[i]f no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR.” *Communities for a Better Env’t v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 319-320 [“CBE v. SCAQMD”], citing, *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 88; *Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal.App.3d 491, 504–505. “Significant environmental effect” is defined very broadly as “a substantial or potentially substantial adverse change in the environment.” Pub. Res. Code [“PRC”] § 21068; see also 14 CCR § 15382. An effect on the environment need not be “momentous” to meet the CEQA test for significance; it is enough that the impacts are “not trivial.” *No Oil, Inc.*, *supra*, 13 Cal.3d at 83. “The ‘foremost principle’ in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.” *Communities for a Better Env’t v. Cal. Resources Agency* (2002) 103 Cal.App.4th 98, 109 [“CBE v. CRA”].

The EIR is the very heart of CEQA. *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1214; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 927. The EIR is an “environmental ‘alarm bell’ whose purpose is to alert the public and its responsible officials to environmental changes before they have reached the ecological points of no return.” *Bakersfield Citizens*, 124 Cal.App.4th at 1220. The EIR also functions as a “document of accountability,” intended to “demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.” *Laurel*

Heights Improvements Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 392. The EIR process “protects not only the environment but also informed self-government.” *Pocket Protectors*, 124 Cal.App.4th at 927.

An EIR is required if “there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment.” PRC § 21080(d); see also *Pocket Protectors*, 124 Cal.App.4th at 927. In very limited circumstances, an agency may avoid preparing an EIR by issuing a negative declaration, a written statement briefly indicating that a project will have no significant impact thus requiring no EIR (14 Cal. Code Regs. § 15371), only if there is not even a “fair argument” that the project will have a significant environmental effect. PRC, §§ 21100, 21064.) Since “[t]he adoption of a negative declaration . . . has a terminal effect on the environmental review process,” by allowing the agency “to dispense with the duty [to prepare an EIR],” negative declarations are allowed only in cases where “the proposed project will not affect the environment at all.” *Citizens of Lake Murray v. San Diego* (1989) 129 Cal.App.3d 436, 440.

Where an initial study shows that the project may have a significant effect on the environment, a mitigated negative declaration may be appropriate. However, a mitigated negative declaration is proper *only* if the project revisions would avoid or mitigate the potentially significant effects identified in the initial study “to a point where clearly no significant effect on the environment would occur, and...there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.” (Public Resources Code §§ 21064.5 and 21080(c)(2); *Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 331.) In that context, “may” means a *reasonable possibility* of a significant effect on the environment. (Pub. Resources Code, §§ 21082.2(a), 21100, 21151(a); *Pocket Protectors*, *supra*, 124 Cal.App.4th at 927; *League for Protection of Oakland's etc. Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896, 904–905.)

Under the “fair argument” standard, an EIR is required if any substantial evidence in the record indicates that a project may have an adverse environmental effect—even if contrary evidence exists to support the agency’s decision. 14 CCR § 15064(f)(1); *Pocket Protectors*, 124 Cal.App.4th at 931; *Stanislaus Audubon Society v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150–15; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602. The “fair argument” standard creates a “low threshold” favoring environmental review through an EIR rather than through issuance of negative declarations or notices of exemption from CEQA. *Pocket Protectors*, 124 Cal.App.4th at 928.

The “fair argument” standard is virtually the opposite of the typical deferential standard accorded to agencies. As a leading CEQA treatise explains:

This ‘fair argument’ standard is very different from the standard normally followed by public agencies in making administrative determinations. Ordinarily, public agencies weigh the evidence in the record before them and reach a decision based on a preponderance of the evidence. [Citations]. The fair argument standard, by contrast, prevents the lead agency from weighing competing evidence to determine who has a better argument concerning the likelihood or extent of a potential environmental impact. The lead agency’s decision is thus largely legal rather than factual; it does not resolve conflicts in the evidence but determines only whether substantial evidence exists in the record to support the prescribed fair argument.

Kostka & Zishcke, *Practice Under CEQA*, §6.29, pp. 273-274. The Courts have explained that “it is a question of law, not fact, whether a fair argument exists, and the courts owe no deference to the lead agency’s determination. Review is de novo, with a **preference for resolving doubts in favor of environmental review.**” *Pocket Protectors*, 124 Cal.App.4th at 928 [emphasis in original].

DISCUSSION

An EIR Is Required Because there is a Fair Argument that the Project Will Have Significant Adverse Environmental Impacts.

A. The Project Exceeds the Air District’s CEQA Significance Thresholds, Therefore an EIR is Required.

The Bay Area Air Quality Management District (BAAQMD) provides a specific numerical threshold of 10 in one million for determining a project’s health risk impact from cancer.¹ When a Project exceeds a duly adopted CEQA significance threshold, this alone establishes a fair argument that the project will have a significant adverse environmental impact and an EIR is required. Indeed, in many instances, such air quality thresholds are the only criteria reviewed and treated as dispositive in evaluating the significance of a project’s air quality impacts. See, e.g. *Schenck v. County of Sonoma* (2011) 198 Cal.App.4th 949, 960 (County applies BAAQMD’s “published CEQA quantitative criteria” and “threshold level of cumulative significance”). See also *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 110-111 (“A ‘threshold of significance’ for a given environmental effect is simply that level at which the lead agency finds the effects of the project to be significant”). The California Supreme Court recently made clear the substantial

¹ http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 2-5 (Exhibit A).

importance that an air district significance threshold plays in providing substantial evidence of a significant adverse impact. *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 327 (“As the [South Coast Air Quality Management] District’s established significance threshold for NOx is 55 pounds per day, these estimates [of NOx emissions of 201 to 456 pounds per day] constitute substantial evidence supporting a fair argument for a significant adverse impact”).

The environmental consulting firm, Soil, Water, Air Pollution Enterprise (SWAPE), concludes that the Westlake Project will create a 30-year cancer risk for nearby residents of 996 per million. (SWAPE Letter, p. 5 (Exhibit B)). This is almost **one hundred times above the BAAQMD cancer risk CEQA significance threshold**. SWAPE states:

The excess cancer risk to adults, children, and infants at a sensitive receptor located approximately 25 meters away over the course of Project operation is approximately 61.7, 556, and 378 in one million, respectively. Furthermore, the excess cancer risk over the course of a residential lifetime (30 years) is approximately 996 in one million. The infantile, child, adult, and lifetime cancer risks all greatly exceed the BAAQMD’s threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the IS.

(SWAPE, p. 5).

The Initial Study includes no Health Risk Assessment (HRA) at all. Instead, the document contends, without analysis, that no HRA is required. (IS, p. 37). The Initial Study contends that the proposed Project is not “considered a source of TAC [toxic air contaminants] or fine particulate matter (PM2.5) emissions.” (IS, p. 37). However, the Initial Study contradicts itself. The Initial Study’s operational air emission model (“CalEEMod”) output files demonstrates that the Project would produce PM2.5 and PM10 emissions, contrary to the IS’s claims (Greenhouse Gas Emissions Report, pp. 57). Thus, the Project Applicant’s claim that the Project would not be a source of PM emissions is erroneous. As a result, the City has no substantial evidence to support its conclusion of no significant health risk.

The Bay Area Air Quality Management District (BAAQMD) recommends that if a Project is located within 1,000 feet of a sensitive receptor, the potential impacts to that sensitive receptor should be evaluated. Specifically, the BAAQMD CEQA Guidelines state,

“BAAQMD recommends that all receptors located within a 1,000 foot radius of the project’s fence line be assessed for potentially significant impacts from the

incremental increase in risks or hazards from the proposed new source”.²

The proposed Westlake Project is located in an urban area, with the closest sensitive receptor located approximately 27 meters (88 feet) from the Project site – far closer than the 1000 feet threshold set by BAAQMD. Therefore, a health risk assessment is required.

SWAPE conducted a standard AERSCREEN, model.³ The AERSCREEN model is recommended by US EPA, the California Office of Environmental Health Hazard Assessment (OEHHA)⁴ and the California Air Pollution Control Officers Associated (CAPCOA)⁵ guidance as the appropriate air dispersion model for Level 2 health risk screening assessments (“HRSAs”). The results of SWAPE’s calculations are shown below:

Parameter	Description	Units	Infant	Child	Adult
Cair	Concentration	µg/m ³	1.536	1.536	1.536
DBR	Daily breathing rate	L/kg-day	1090	572	261
EF	Exposure Frequency	days/year	350	350	350
ED	Exposure Duration	years	1.5	14	14
AT	Averaging Time	days	25550	25550	25550
	Inhaled Dose	(mg/kg-day)	3.4E-05	1.7E-04	7.7E-05
CPF	Cancer Potency Factor	1/(mg/kg-day)	1.1	1.1	1.1
ASF	Age Sensitivity Factor	-	10	3	1
FAH	Fraction of Time at Home	-	1	1	0.73
Cancer Risk by Age Group			3.78E-04	5.56E-04	6.17E-05
Total Operational Cancer Risk			9.96E-04		

² “CEQA Guidelines”. BAAQMD, May 2017, *available at*: http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 5-7.

³ “AERSCREEN Released as the EPA Recommended Screening Model,” USEPA, April 11, 2011, *available at*: http://www.epa.gov/ttn/scram/guidance/clarification/20110411_AERSCREEN_Release_Memo.pdf

⁴ “Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments.” OEHHA, February 2015, *available at*: http://oehha.ca.gov/air/hot_spots/2015/2015GuidanceManual.pdf

⁵ “Health Risk Assessments for Proposed Land Use Projects,” CAPCOA, July 2009, *available at*: http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA_HRA_LU_Guidelines_8-6-09.pdf

The excess cancer risk to adults, children, and infants at a sensitive receptor located approximately 25 meters away over the course of Project operation is approximately 61.7, 556, and 378 in one million, respectively. Furthermore, ***the excess cancer risk over the course of a residential lifetime (30 years) is approximately 996 in one million.*** The infantile, child, adult, and lifetime cancer risks all greatly exceed the BAAQMD's threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the IS.

The Initial Study includes no health risk assessment at all. Therefore, there is no substantial evidence to support its conclusion of no significant impacts. The AERSCREEN model finding a cancer risk of 996 per million – almost 100 times above the 10 per million BAAQMD CEQA significance threshold – creates more than a fair argument that the Project may have significant adverse environmental impacts. An environmental impact report is required to analyze this impact and to propose feasible mitigation measures and alternatives to reduce the risk.

B. There is a Fair Argument that the Project Will Have Significant Adverse Traffic Impacts.

The IS/MND concludes that the proposed Project will not have significant traffic impacts. The primary basis for this conclusion is a flawed assumption that the Westlake Project will generate less traffic than the project it is replacing. As discussed by certified Traffic Engineer Daniel T. Smith, PE, the Initial Study's analysis is incorrect. (Smith Comment, Exhibit C). In particular, the IS overestimates "baseline" traffic from the current operations on site and underestimates traffic from the proposed Project.

Every CEQA document must start from a "baseline" assumption. The CEQA "baseline" is the set of environmental conditions against which to compare a project's anticipated impacts. *Communities for a Better Environment v. So Coast Air Qual. Mgmt. Dist.* (2010) 48 Cal. 4th 310, 321. Section 15125(a) of the CEQA Guidelines (14 C.C.R., § 15125(a)) states in pertinent part that a lead agency's environmental review under CEQA:

"...must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time [environmental analysis] is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant."

(See, *Save Our Peninsula Committee v. County of Monterey* (2001) 87 Cal.App.4th 99,

124-125 (“*Save Our Peninsula*.”) As the court of appeal has explained, “the impacts of the project must be measured against the ‘real conditions on the ground,’” and not against hypothetical permitted levels. (*Save Our Peninsula*, 87 Cal.App.4th 99, 121-123.) As the court has explained, using such a skewed baseline “mislead(s) the public” and “draws a red herring across the path of public input.” (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 656; *Woodward Park Homeowners v. City of Fresno* (2007) 150 Cal.App.4th 683, 708-711.)

The Initial Study does not use an actual level of operations as the traffic baseline. Instead, Mr. Smith points out that the IS traffic analysis uses baseline traffic based on ITE *Trip Generation* rates for a suburban, freestanding and fully occupied medical/dental office building. Mr. Smith concludes that this overstates baseline traffic for several reasons.

First, the Project is located near public transit, including BART and frequent buses. This increases transit use and decreases traffic. Second, the medical offices are located in a shopping center, not a free-standing suburban building. This generates far less traffic than a free-standing medical building since many customers will come from nearby business or may conduct other shopping during the same visit.

Finally, it appears that the existing medical building is not fully occupied and has numerous vacancies. Current real estate listings show numerous available medical/dental offices in the Westlake Center. (Exhibit D). Thus, the Initial Study’s baseline assumption of a fully occupied, suburban medical building significantly overstates baseline traffic conditions.

Compounding the flaws in the analysis, the Initial Study underestimates likely traffic from the proposed Project. Contradicting the Initial Study’s analysis for the existing baseline conditions, the Initial Study reduces traffic projections for the proposed Project based on very subjective judgments on the part of the analyst regarding walkability, bikeability and quality of transit service to the project site. These assumptions are used to reduce traffic generation projections for the proposed Project, but are not based on objective standards. The Initial Study cannot assume suburban traffic rates for the existing condition without credit for public transit, and at the same time assume urban, transit-oriented traffic rates for the proposed Project. The Initial Study cannot “have it both ways.”

As a result, Mr. Smith concludes that the Initial Study overestimates baseline traffic conditions, and underestimates traffic from the proposed Project. As a result, Mr. Smith concludes that there is a fair argument that the Project may have significant adverse traffic impacts.

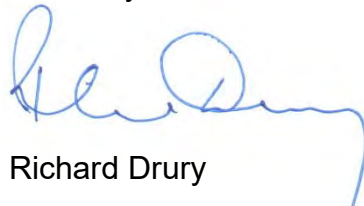
The fact that the Initial Study fails to properly analyze traffic impacts “enlarges the scope of the fair argument.” “[U]nder CEQA, the lead agency bears a burden to investigate potential environmental impacts. ‘If the local agency has failed to study an area of possible environmental impact, a fair argument may be based on the limited facts in the record. Deficiencies in the record may actually enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences.’ (*Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d 296, 311.) *County Sanitation Dist. No. 2 v. County of Kern* (2005) 127 Cal. App. 4th 1544).

An EIR is required to properly analyze the Project’s traffic impacts and to propose feasible mitigation measures and alternatives to reduce those impacts.

CONCLUSION

For the foregoing reasons, substantial evidence supports a fair argument that the proposed Westlake Project may have adverse environmental impacts. An environmental impact report is required to analyze these impacts and to propose feasible mitigation measures and alternatives to reduce the impacts. Thank you for considering our comments. Please include these comments and the attached expert comments in the administrative record for this matter.

Sincerely,



Richard Drury

EXHIBIT A



Table 2-6

Receptor Thresholds

Risks and Hazards (Individual Project)	Compliance with Qualified Community Risk Reduction Plan OR Increased cancer risk of >10.0 in a million Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute) Ambient PM_{2.5} increase: >0.3 µg/m³ annual average <u>Zone of Influence:</u> 1,000-foot radius from property line of receptor
Risks and Hazards (Cumulative Threshold)	Compliance with Qualified Community Risk Reduction Plan OR Cancer: > 100 in a million (from all local sources) Non-cancer: > 10.0 Hazard Index (from all local sources) (Chronic) PM_{2.5}: > 0.8 µg/m³ annual average (from all local sources) <u>Zone of Influence:</u> 1,000-foot radius from property line of receptor
Accidental Release of Acutely Hazardous Air Pollutants	New receptors locating near stored or used acutely hazardous materials considered significant
Odors	5 confirmed complaints per year averaged over three years

EXHIBIT B



Technical Consultation, Data Analysis and
Litigation Support for the Environment

2656 29th Street, Suite 201
Santa Monica, CA 90405

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(949) 887-9013
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May 16, 2018

Richard Drury
Lozeau | Drury LLP
410 12th Street, Suite 250
Oakland, CA 94607

Subject: Comments on the Westlake Shopping Center Mixed-Use Project

Dear Mr. Drury,

We have reviewed the April 2018 Initial Study (IS) and associated appendices for the Westlake Shopping Center Mixed-Use Project ("Project") located in the City of Daly City ("City"). The Project site is part of the Westlake Shopping Center that has over 14 acres of commercial space. The Project site is currently developed with 25,200 square feet of medical office space, a 14,000 square foot supermarket, a 103,498 square foot shopping center, and a 4,445 square foot walk-in bank. The Project proposes to demolish 55,630 square feet of existing commercial space (25,200 square feet of existing medical office space and 30,430 square feet of retail space) and an existing 60-space surface parking lot. The Project proposes to construct 179 residential dwelling units totaling 142,791 square feet and 34,074 square feet of retail space in a six story building, resulting in a net loss of 21,556 square feet of commercial area on the 1.95-acre site. Additionally, two floors of below-grade parking would be constructed spanning 107,968 square feet and accommodating 260 parking spaces.

Our review concludes that the IS fails to adequately evaluate the Project's health risk impacts. As a result, the Project's pollutant emissions and health risk impacts associated with operation of the proposed Project are underestimated and inadequately addressed. Until a Draft Environmental Impact Report (DEIR) is prepared to adequately assess and mitigate the potential health risk impacts that the Project may have on the surrounding environment, the Project should not be approved.

Health Risk Assessment

Diesel Particulate Matter Health Risk Emissions Inadequately Evaluated

The IS conducts a construction HRA to evaluate the health risk posed to on-site residential receptors from exposure to nearby by toxic air contaminant (TAC) emission sources. However, the IS fails to evaluate, whatsoever, the health risk impacts posed to nearby residences as a result of exposure to

emissions generated by operation of the Project. Instead, the IS determines that the Project would not expose nearby sensitive receptors to significant TAC emissions during operation, without providing any evidence to support this claim (IS, p. 38). The IS states,

“Operation of this project is not considered a source of TAC or fine particulate matter (PM2.5) emissions. Stationary sources that could emit TACs have not been proposed. As a result, the project operation would not cause emissions that expose sensitive receptors to unhealthy air pollutant levels. Because the project would not be a source of TACs, it would not contribute cumulatively to unhealthy exposure to TACs” (IS, p. 37).

We find the IS’s justification and subsequent health risk determination to be incorrect for several reasons. First, the Project Applicant’s assertion that operation of the proposed Project is not “considered a source of TAC or fine particulate matter (PM2.5) emissions” is not supported by any factual evidence whatsoever. In fact, the IS’s operational CalEEMod output files demonstrates that the Project would produce PM2.5 and PM10 emissions, contrary to the IS’s claims (Greenhouse Gas Emissions Report, pp. 57). Thus, the Project Applicant’s claim that the Project would not be a source of PM emissions is erroneous.

Second, the Project Applicant’s determination that Project operation would not “expose sensitive receptors to unhealthy air pollutant levels” is baseless, as the IS contains no assessment of the potential impact that emissions generated during operation could have on nearby receptors. The IS should have conducted some sort of quantitative analysis and should have compared the results of this analysis to applicable thresholds. The Bay Area Air Quality Management District (BAAQMD) provides a specific numerical threshold of 10 in one million for determining a project’s health risk impact.¹ Therefore, the IS should have conducted an assessment that compares the Project’s operational health risk to this threshold in order to determine the Project’s health risk impact, similar to how the Project’s construction-related risk was evaluated. By failing to prepare a proper assessment of the Project’s potential operational-related health impact, the IS fails to provide a comprehensive analysis of the sensitive receptor impacts that may occur as a result of exposure to substantial air pollutants. Thus, no substantial evidence supports the IS’s conclusion of “less than significant” impact.

Third, the BAAQMD recommends that, should a Project be located within 1,000 feet of a sensitive receptor, the potential impacts to that sensitive receptor should be evaluated. Specifically, the BAAQMD CEQA Guidelines state,

“BAAQMD recommends that all receptors located within a 1,000 foot radius of the project’s fence line be assessed for potentially significant impacts from the incremental increase in risks or hazards from the proposed new source”.²

¹ http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 2-5

² “CEQA Guidelines”. BAAQMD, May 2017, available at: http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en, p. 5-7.

Thus, because the proposed Project is located in an urban area, with the closest sensitive receptor located approximately 27 meters from the Project site, the potential health-related impacts posed to that sensitive receptor as a result of emission generated during operation should be properly assessed (p. 104).

Fourth, the omission of a quantified health risk is inconsistent with the most recent guidance published by Office of Environmental Health Hazard Assessment (OEHHA), the organization responsible for providing recommendations and guidance on how to conduct health risk assessments in California. In February of 2015, OEHHA released its most recent *Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments*, which was formally adopted in March of 2015.³ This guidance document describes the types of projects that warrant the preparation of an HRA. Project operation will generate truck trips, which will generate additional exhaust emissions, thus continuing to expose nearby sensitive receptors to DPM emissions. The OEHHA document recommends that exposure from projects lasting more than 6 months should be evaluated for the duration of the project and recommends that an exposure duration of 30 years be used to estimate individual cancer risk for the maximally exposed individual resident (MEIR).⁴ Even though we were not provided with the expected lifetime of the Project, we can reasonably assume that the Project will operate for at least 30 years, if not more. Therefore, per OEHHA guidelines, health risk impacts from Project construction and operation should have been evaluated by the DEIR. These recommendations reflect the most recent HRA policy, and as such, an assessment of health risks to nearby sensitive receptors from construction and operation should be included in a revised CEQA evaluation for the Project.

Health Risk Assessment Indicates Significant Health Impact

In an effort to demonstrate the potential risk posed by operation of the proposed Project to nearby sensitive receptors, we prepared a simple screening-level HRA. The results of our assessment, as described in the sections below, provide substantial evidence demonstrating that potential health risk impacts associated with operation of the proposed Project may result in a potentially significant health risk impact. As such, a DEIR should be prepared to adequately evaluate the proposed Project's health risk impacts, and additional mitigation measures should be identified and incorporated into the Project design, where necessary.

In order to conduct our screening level risk assessment we relied upon AERSCREEN, which is a screening level air quality dispersion model.⁵ The model replaced SCREEN3, and AERSCREEN is included in the Office of Environmental Health Hazard Assessment (OEHHA)⁶ and the California Air Pollution Control

³ "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>

⁴ "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>, p. 8-6, 8-15

⁵ "AERSCREEN Released as the EPA Recommended Screening Model," USEPA, April 11, 2011, available at: http://www.epa.gov/ttn/scram/guidance/clarification/20110411_AERSCREEN_Release_Memo.pdf

⁶ "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: http://oehha.ca.gov/air/hot_spots/2015/2015GuidanceManual.pdf

Officers Associated (CAPCOA)⁷ guidance as the appropriate air dispersion model for Level 2 health risk screening assessments (“HRSAs”). A Level 2 HRSA utilizes a limited amount of site-specific information to generate maximum reasonable downwind concentrations of air contaminants to which nearby sensitive receptors may be exposed. If an unacceptable air quality hazard is determined to be possible using AERSCREEN, a more refined modeling approach is required prior to approval of the Project.

We prepared a preliminary health risk screening assessment of the Project's operational health-related impact to sensitive receptors using the annual PM₁₀ exhaust estimates from the SWAPE CalEEMod model.⁸ According to the IS, the closest sensitive receptor to the Project site is located approximately 90 feet, or approximately 27 meters, from the Project site (p. 104). The CalEEMod model's annual emissions indicate that operational activities will generate approximately 357 pounds of DPM over the 29.3 years of operation. The AERSCREEN model relies on a continuous average emission rate to simulate maximum downward concentrations from point, area, and volume emission sources. We calculated an average DPM emission rate by the following equation.

$$\text{Emission Rate } \left(\frac{\text{grams}}{\text{second}} \right) = \frac{357 \text{ lbs}}{365 \text{ days}} \times \frac{453.6 \text{ grams}}{\text{lbs}} \times \frac{1 \text{ day}}{24 \text{ hours}} \times \frac{1 \text{ hour}}{3,600 \text{ seconds}} = 0.005135 \text{ g/s}$$

Using this equation, we estimated an operational emission rate of 0.005135 grams per second (g/s). Operational activity was simulated as a 1.95-acre rectangular area source in AERSCREEN, with dimensions of 147 meters by 53.6 meters. A release height of three meters was selected to represent the height of exhaust stacks on operational equipment and other heavy-duty vehicles, and an initial vertical dimension of one and half meters was used to simulate instantaneous plume dispersion upon release. An urban meteorological setting was selected with model-default inputs for wind speed and direction distribution.

The AERSCREEN model generates maximum reasonable estimates of single-hour DPM concentrations from the Project site. EPA guidance suggests that in screening procedures, the annualized average concentration of an air pollutant be estimated by multiplying the single-hour concentration by 10%.⁹ For example, for the MEIR the single-hour concentration estimated by AERSCREEN for Project operation is approximately 15.36 µg/m³ DPM at approximately 25 meters downwind. Multiplying this single-hour concentration by 10%, we get an annualized average concentration of 1.536 µg/m³ for Project operation at the MEIR.

We calculated the excess cancer risk to the residential receptors located closest to the Project site using applicable health risk assessment methodologies prescribed by OEHHA and the BAAQMD. The annualized average concentration for operation was used for the last 1.5 years of the infantile stage of

⁷ “Health Risk Assessments for Proposed Land Use Projects,” CAPCOA, July 2009, *available at*: http://www.capcoa.org/wp-content/uploads/2012/03/CAPCOA_HRA_LU_Guidelines_8-6-09.pdf

⁸ The IS's operational CalEEMod model failed to account for the existing 14,000-square foot grocery store on the Project site that will not be demolished during construction. Therefore, we prepared an updated CalEEMod model that estimates operational emissions including the emissions generated by the 14,000-square foot grocery store.

⁹ http://www.epa.gov/ttn/scram/guidance/guide/EPA-454R-92-019_OCR.pdf

life (0 to 2 years) and for the entirety of the child stages of life (2 to 16 years) and adult stages of life (16 to 30 years). Consistent with OEHHA guidance, we used Age Sensitivity Factors (ASFs) to account for the heightened susceptibility of young children to the carcinogenic toxicity of air pollution.¹⁰ According to the updated guidance, quantified cancer risk should be multiplied by a factor of ten during the first two years of life (infant) and should be multiplied by a factor of three during the child stage of life (2 to 16 years). Furthermore, in accordance with guidance set forth by OEHHA, we used 95th percentile breathing rates for infants.¹¹ We used a cancer potency factor of 1.1 (mg/kg-day)⁻¹ and an averaging time of 25,550 days. The results of our calculations are shown below.

Parameter	Description	Units	Infant	Child	Adult
Cair	Concentration	µg/m ³	1.536	1.536	1.536
DBR	Daily breathing rate	L/kg-day	1090	572	261
EF	Exposure Frequency	days/year	350	350	350
ED	Exposure Duration	years	1.5	14	14
AT	Averaging Time	days	25550	25550	25550
	Inhaled Dose	(mg/kg-day)	3.4E-05	1.7E-04	7.7E-05
CPF	Cancer Potency Factor	1/(mg/kg-day)	1.1	1.1	1.1
ASF	Age Sensitivity Factor	-	10	3	1
FAH	Fraction of Time at Home	-	1	1	0.73
<i>Cancer Risk by Age Group</i>			3.78E-04	5.56E-04	6.17E-05
<u>Total Operational Cancer Risk</u>			<u>9.96E-04</u>		

The excess cancer risk to adults, children, and infants at a sensitive receptor located approximately 25 meters away over the course of Project operation is approximately 61.7, 556, and 378 in one million, respectively. Furthermore, the excess cancer risk over the course of a residential lifetime (30 years) is approximately 996 in one million. The infantile, child, adult, and lifetime cancer risks all greatly exceed the BAAQMD's threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the IS.

It should be noted that our analysis represents a screening-level HRA, which is known to be more conservative, and tends to err on the side of health protection.¹² The purpose of a screening-level HRA, however, is to determine if a more refined HRA needs to be conducted. If the results of a screening-level health risk are above applicable thresholds, then the Project needs to conduct a more refined HRA that is more representative of site specific concentrations. Our screening-level HRA demonstrated that

¹⁰ "Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>

¹¹ "Supplemental Guidelines for Preparing Risk Assessments for the Air Toxics 'Hot Spots' Information and Assessment Act," June 5, 2015, available at: <http://www.aqmd.gov/docs/default-source/planning/risk-assessment/ab2588-risk-assessment-guidelines.pdf?sfvrsn=6>, p. 19

"Risk Assessment Guidelines Guidance Manual for Preparation of Health Risk Assessments." OEHHA, February 2015, available at: <https://oehha.ca.gov/media/downloads/cnr/2015guidancemanual.pdf>

¹² http://oehha.ca.gov/air/hot_spots/2015/2015GuidanceManual.pdf p. 1-5

operation of the Project could result in a potentially significant health risk impact. As a result, a refined HRA must be prepared to examine the air quality impacts generated by Project operation using site-specific meteorology. A DEIR must be prepared to adequately evaluate the Project's health risk impact and should include additional mitigation measures to reduce these impacts to a less-than-significant level. Without a refined HRA and mitigation addressing the findings of such an assessment, substantial evidence supports a fair argument that the Project may lead to significant public health impacts due to DPM emissions.

Sincerely,



Matt Hagemann, P.G., C.Hg.



Hadley Nolan

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1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Bank (with Drive-Through)	4.45	1000sqft	0.10	4,445.00	0
Enclosed Parking with Elevator	260.00	Space	0.00	107,968.00	0
Apartments Mid Rise	179.00	Dwelling Unit	4.71	142,791.00	512
Regional Shopping Center	107.14	1000sqft	2.46	107,142.00	0
Supermarket	14.00	1000sqft	0.32	14,000.00	0

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	70
Climate Zone	5			Operational Year	2019
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MW hr)	641.35	CH4 Intensity (lb/MW hr)	0.029	N2O Intensity (lb/MW hr)	0.006

1.3 User Entered Comments & Non-Default Data

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Project Characteristics -

Land Use - Consistent with IS's air model.

Construction Phase -

Trips and VMT - No construction in this model.

Architectural Coating - Consistent with IS's air model. No construction in this model.

Vehicle Trips - Consistent with TIS.

Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	ConstArea_Nonresidential_Exterior	62,794.00	0.00
tblArchitecturalCoating	ConstArea_Nonresidential_Interior	188,381.00	0.00
tblArchitecturalCoating	ConstArea_Residential_Exterior	96,384.00	0.00
tblArchitecturalCoating	ConstArea_Residential_Interior	289,152.00	0.00
tblLandUse	LandUseSquareFeet	4,450.00	4,445.00
tblLandUse	LandUseSquareFeet	104,000.00	107,968.00
tblLandUse	LandUseSquareFeet	179,000.00	142,791.00
tblLandUse	LandUseSquareFeet	107,140.00	107,142.00
tblLandUse	LotAcreage	2.34	0.00
tblTripsAndVMT	WorkerTripNumber	43.00	0.00
tblVehicleTrips	WD_TR	6.65	3.23
tblVehicleTrips	WD_TR	148.15	65.50
tblVehicleTrips	WD_TR	42.70	59.46
tblVehicleTrips	WD_TR	102.24	149.50

2.0 Emissions Summary

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2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2018						1.5100e-003	1.5100e-003									
Maximum						1.5100e-003	1.5100e-003									

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2018	:	:	:	:	:	:1.5100e-003	:1.5100e-003	:	:	:	:	:	:	:	:	:
Maximum						:1.5100e-003	:1.5100e-003									

[illegible]

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Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
		Highest		

2.2 Overall Operational

Unmitigated Operational

[illegible]

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2.2 Overall Operational**Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area						0.0886	0.0886									
Energy						0.0100	0.0100									
Mobile						0.0798	5.4248									
Waste						0.0000	0.0000									
Water						0.0000	0.0000									
Total						0.1785	5.5235									

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail**Construction Phase**

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Architectural Coating	Architectural Coating	5/2/2018	5/29/2018	5	20	

Acres of Grading (Site Preparation Phase): 0

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Acres of Grading (Grading Phase): 0**Acres of Paving: 0****Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 6,478
(Architectural Coating – sqft)****OffRoad Equipment**

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Architectural Coating	1	0.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

3.2 Architectural Coating - 2018

Unmitigated Construction On-Site

[illegible]

Unmitigated Construction Off-Site

[illegible]

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

3.2 Architectural Coating - 2018**Mitigated Construction On-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating						0.0000	0.0000									
Off-Road						1.5100e-003	1.5100e-003									
Total						1.5100e-003	1.5100e-003									

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling						0.0000	0.0000									
Vendor						0.0000	0.0000									
Worker						0.0000	0.0000									
Total						0.0000	0.0000									

4.0 Operational Detail - Mobile

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated						0.0798	5.4248									
Unmitigated						0.0798	5.4248									

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Mid Rise	578.17	1,143.81	1048.94	1,677,303	1,677,303
Bank (with Drive-Through)	291.48	384.12	141.96	262,092	262,092
Enclosed Parking with Elevator	0.00	0.00	0.00		
Regional Shopping Center	6,370.54	5,353.79	2704.21	9,996,523	9,996,523
Supermarket	2,093.00	2,486.26	2330.16	2,483,108	2,483,108
Total	9,333.19	9,367.98	6,225.27	14,419,026	14,419,026

4.3 Trip Type Information

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Mid Rise	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
Bank (with Drive-Through)	9.50	7.30	7.30	6.60	74.40	19.00	27	26	47
Enclosed Parking with Elevator	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Regional Shopping Center	9.50	7.30	7.30	16.30	64.70	19.00	54	35	11
Supermarket	9.50	7.30	7.30	6.50	74.50	19.00	34	30	36

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Apartments Mid Rise	0.498968	0.049513	0.248277	0.134909	0.018184	0.006326	0.020670	0.006254	0.003828	0.003354	0.008577	0.000418	0.000722
Bank (with Drive-Through)	0.498968	0.049513	0.248277	0.134909	0.018184	0.006326	0.020670	0.006254	0.003828	0.003354	0.008577	0.000418	0.000722
Enclosed Parking with Elevator	0.498968	0.049513	0.248277	0.134909	0.018184	0.006326	0.020670	0.006254	0.003828	0.003354	0.008577	0.000418	0.000722
Regional Shopping Center	0.498968	0.049513	0.248277	0.134909	0.018184	0.006326	0.020670	0.006254	0.003828	0.003354	0.008577	0.000418	0.000722
Supermarket	0.498968	0.049513	0.248277	0.134909	0.018184	0.006326	0.020670	0.006254	0.003828	0.003354	0.008577	0.000418	0.000722

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

[illegible]

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

5.2 Energy by Land Use - NaturalGas

Unmitigated

[illegible]

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

5.2 Energy by Land Use - NaturalGas

Mitigated

[illegible]

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

5.3 Energy by Land Use - Electricity**Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	755736				
Bank (with Drive-Through)	33604.2				
Enclosed Parking with Elevator	632692				
Regional Shopping Center	1.12285e+006				
Supermarket	523320				
Total					

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

5.3 Energy by Land Use - Electricity**Mitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Apartments Mid Rise	755736				
Bank (with Drive-Through)	33604.2				
Enclosed Parking with Elevator	632692				
Regional Shopping Center	1.12285e+006				
Supermarket	523320				
Total					

6.0 Area Detail**6.1 Mitigation Measures Area**

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

6.2 Area by SubCategory**Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating						0.0000	0.0000									
Consumer Products						0.0000	0.0000									
Hearth						0.0813	0.0813									
Landscaping						7.3300e-003	7.3300e-003									
Total						0.0886	0.0886									

7.0 Water Detail**7.1 Mitigation Measures Water**

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated				
Unmitigated				

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	11.6626 / 7.35249				
Bank (with Drive-Through)	0.176322 / 0.108068				
Enclosed Parking with Elevator	0 / 0				
Regional Shopping Center	7.93613 / 4.86408				
Supermarket	1.72576 / 0.0533739				
Total					

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

7.2 Water by Land Use**Mitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Apartments Mid Rise	11.6626 / 7.35249				
Bank (with Drive-Through)	0.176322 / 0.108068				
Enclosed Parking with Elevator	0 / 0				
Regional Shopping Center	7.93613 / 4.86408				
Supermarket	1.72576 / 0.0533739				
Total					

8.0 Waste Detail

8.1 Mitigation Measures Waste

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated				
Unmitigated				

8.2 Waste by Land Use**Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	82.34				
Bank (with Drive-Through)	4.15				
Enclosed Parking with Elevator	0				
Regional Shopping Center	112.5				
Supermarket	78.96				
Total					

Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

8.2 Waste by Land Use**Mitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Apartments Mid Rise	82.34				
Bank (with Drive-Through)	4.15				
Enclosed Parking with Elevator	0				
Regional Shopping Center	112.5				
Supermarket	78.96				
Total					

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
----------------	--------	-----------	-----------	-------------	-------------	-----------

10.0 Stationary Equipment**Fire Pumps and Emergency Generators**

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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Westlake Shopping Center - Proposed Project Operations - San Mateo County, Annual

User Defined Equipment

Equipment Type	Number
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11.0 Vegetation

WESTLAKE SHOPPING CENTER OPERATIONAL HRA

Start date and time 05/15/18 15:39:54
AERSCREEN 14147

WESTLAKE SHOPPING CENTER HRA

----- DATA ENTRY VALIDATION -----
METRIC ENGLISH

** AREADATA **

Emission Rate:	0.514E-02 g/s	0.408E-01 lb/hr
Area Height:	3.00 meters	9.84 feet
Area Source Length:	147.00 meters	482.28 feet
Area Source Width:	53.60 meters	175.85 feet
Vertical Dimension:	1.50 meters	4.92 feet
Model Mode:	URBAN	
Population:	106472	
Dist to Ambient Air:	1.0 meters	3. feet

** BUILDING DATA **

No Building Downwash Parameters

** TERRAIN DATA **

No Terrain Elevations
Source Base Elevation: 0.0 meters 0.0 feet

Probe distance: 5000. meters 16404. feet

No flagpole receptors

No discrete receptors used

** METEOROLOGY DATA **

Min/Max Temperature: 250.0 / 310.0 K -9.7 / 98.3 Deg F

Minimum Wind Speed: 0.5 m/s

Anemometer Height: 10.000 meters

Dominant Surface Profile: Urban
Dominant Climate Type: Average Moisture

WESTLAKE SHOPPING CENTER OPERATIONAL HRA

AERSCREEN output file:
WESTLAKE SHOPPING CENTER OPERATIONAL HRA.OUT

*** AERSCREEN Run is Ready to Begin

No terrain used, AERMAP will not be run

SURFACE CHARACTERISTICS & MAKEMET
Obtaining surface characteristics...

Using AERMET seasonal surface characteristics for Urban with Average Moisture

Season	Albedo	Bo	zo
Winter	0.35	1.50	1.000
Spring	0.14	1.00	1.000
Summer	0.16	2.00	1.000
Autumn	0.18	2.00	1.000

Creating met files aerscreen_01_01.sfc & aerscreen_01_01.pfl

Creating met files aerscreen_02_01.sfc & aerscreen_02_01.pfl

Creating met files aerscreen_03_01.sfc & aerscreen_03_01.pfl

Creating met files aerscreen_04_01.sfc & aerscreen_04_01.pfl

Buildings and/or terrain present or rectangular area source, skipping probe

FLOWSECTOR started 05/15/18 15:40:12

Running AERMOD
Processing Winter

Processing surface roughness sector 1

Processing wind flow sector 1

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 0

***** WARNING MESSAGES *****

WESTLAKE SHOPPING CENTER OPERATIONAL HRA
*** NONE ***

Processing wind flow sector 2

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 5

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 3

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 10

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 4

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 15

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 5

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 20

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 6

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Winter sector 25

WESTLAKE SHOPPING CENTER OPERATIONAL HRA

***** WARNING MESSAGES *****

*** NONE ***

Running AERMOD
Processing Spring

Processing surface roughness sector 1

Processing wind flow sector 1

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector 0

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 2

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector 5

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 3

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector 10

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 4

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector 15

***** WARNING MESSAGES *****

WESTLAKE SHOPPING CENTER OPERATIONAL HRA
*** NONE ***

Processing wind flow sector 5

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector 20

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 6

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Spring sector 25

***** WARNING MESSAGES *****

*** NONE ***

Running AERMOD
Processing Summer

Processing surface roughness sector 1

Processing wind flow sector 1

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 0

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 2

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 5

***** WARNING MESSAGES *****

*** NONE ***

WESTLAKE SHOPPING CENTER OPERATIONAL HRA

Processing wind flow sector 3

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 10

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 4

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 15

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 5

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 20

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 6

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Summer sector 25

***** WARNING MESSAGES *****

*** NONE ***

Running AERMOD
Processing Autumn

Processing surface roughness sector 1

WESTLAKE SHOPPING CENTER OPERATIONAL HRA

Processing wind flow sector 1

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 0

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 2

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 5

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 3

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 10

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 4

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 15

***** WARNING MESSAGES *****

*** NONE ***

Processing wind flow sector 5

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 20

***** WARNING MESSAGES *****

*** NONE ***

WESTLAKE SHOPPING CENTER OPERATIONAL HRA

Processing wind flow sector 6

AERMOD Finishes Successfully for FLOWSECTOR stage 2 Autumn sector 25

***** WARNING MESSAGES *****

*** NONE ***

FLOWSECTOR ended 05/15/18 15:40:26

REFINE started 05/15/18 15:40:26

AERMOD Finishes Successfully for REFINE stage 3 Winter sector 0

***** WARNING MESSAGES *****

*** NONE ***

REFINE ended 05/15/18 15:40:28

AERSCREEN Finished Successfully
With no errors or warnings
Check log file for details

Ending date and time 05/15/18 15:40:29

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance

Concentration	Distance	Elevation	Season/Month	Zo sector	Date	H0
U* W* DT/DZ ZICNV ZIMCH M-O LEN Z0 BOWEN ALBEDO REF WS HT	HT	REF	TA			
0.13663E+02	1.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.15359E+02	25.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.16608E+02	50.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
* 0.17503E+02	74.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.17489E+02	75.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10856E+02	100.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.73851E+01	125.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.55974E+01	150.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.44557E+01	175.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.36678E+01	200.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.30962E+01	225.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.26653E+01	250.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.23285E+01	275.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.20620E+01	300.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.18428E+01	325.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance

0.16611E+01	350.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.15091E+01	375.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.13803E+01	400.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12685E+01	425.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11718E+01	450.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10874E+01	475.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10132E+01	500.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.94716E+00	525.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.88836E+00	550.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.83570E+00	575.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.78803E+00	600.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.74485E+00	625.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.70566E+00	650.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.66995E+00	675.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.63733E+00	700.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.60738E+00	725.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance

0.57978E+00	750.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.55435E+00	775.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.53083E+00	800.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.50903E+00	825.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.48877E+00	850.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.46991E+00	875.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.45233E+00	900.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.43587E+00	925.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.42042E+00	950.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.40595E+00	975.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.39237E+00	1000.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.37955E+00	1025.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.36748E+00	1050.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.35726E+00	1075.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.34654E+00	1100.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.33643E+00	1125.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance

0.32688E+00	1150.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.31786E+00	1175.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.30933E+00	1200.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.30126E+00	1225.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.29361E+00	1250.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.28637E+00	1275.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.27950E+00	1300.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.27297E+00	1325.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.26678E+00	1350.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.26090E+00	1375.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.25530E+00	1400.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.24998E+00	1425.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.24491E+00	1450.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.24008E+00	1475.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.23548E+00	1500.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.23109E+00	1525.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance											
0.22690E+00	1550.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.22290E+00	1575.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.21907E+00	1600.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.21541E+00	1625.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.21191E+00	1650.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.20856E+00	1675.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.20535E+00	1700.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.20227E+00	1725.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.19931E+00	1750.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.19648E+00	1775.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.19375E+00	1800.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.19113E+00	1825.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.18861E+00	1850.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.18619E+00	1875.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.18385E+00	1900.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.18160E+00	1924.99	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance

0.17943E+00	1950.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.17733E+00	1975.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.17530E+00	2000.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.17335E+00	2025.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.17146E+00	2050.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.16963E+00	2075.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.16786E+00	2100.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.16614E+00	2125.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.16448E+00	2150.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.16286E+00	2175.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.16130E+00	2200.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.15978E+00	2225.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.15830E+00	2250.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.15686E+00	2275.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.15547E+00	2300.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.15411E+00	2325.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance											
0.15278E+00	2350.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.15149E+00	2375.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.15023E+00	2400.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.14901E+00	2425.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.14781E+00	2450.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.14664E+00	2475.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.14550E+00	2500.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.14439E+00	2525.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.14330E+00	2550.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.14223E+00	2575.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.14119E+00	2600.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.14017E+00	2625.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.13917E+00	2650.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.13819E+00	2675.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.13723E+00	2700.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.13629E+00	2725.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance

0.13537E+00	2750.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.13446E+00	2775.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.13357E+00	2800.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.13270E+00	2825.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.13185E+00	2850.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.13101E+00	2875.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.13018E+00	2900.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12937E+00	2925.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12857E+00	2950.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12779E+00	2975.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12701E+00	2999.99	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12626E+00	3025.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12551E+00	3050.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12477E+00	3075.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12405E+00	3100.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12334E+00	3125.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance

0.12263E+00	3150.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12194E+00	3174.99	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12126E+00	3200.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.12059E+00	3225.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11993E+00	3250.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11928E+00	3275.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11863E+00	3300.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11800E+00	3325.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11737E+00	3350.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11676E+00	3375.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11615E+00	3400.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11555E+00	3425.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11495E+00	3450.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11437E+00	3475.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11379E+00	3500.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11322E+00	3525.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance

0.11266E+00	3550.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11210E+00	3575.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11155E+00	3600.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11101E+00	3625.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.11047E+00	3650.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10994E+00	3675.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10942E+00	3700.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10890E+00	3725.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10839E+00	3750.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10789E+00	3775.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10739E+00	3800.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10689E+00	3825.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10640E+00	3850.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10592E+00	3875.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10544E+00	3900.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.10497E+00	3925.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance											
0.10451E+00	3950.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.10405E+00	3975.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.10359E+00	4000.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.10314E+00	4025.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.10269E+00	4050.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.10225E+00	4075.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.10181E+00	4100.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.10138E+00	4125.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.10095E+00	4150.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.10052E+00	4175.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.10010E+00	4200.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.99689E-01	4225.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.99277E-01	4250.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.98870E-01	4275.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.98467E-01	4300.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.98067E-01	4325.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance

0.97672E-01	4350.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.97281E-01	4375.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.96893E-01	4400.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.96510E-01	4425.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.96129E-01	4449.99	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.95753E-01	4475.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.95380E-01	4500.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.95010E-01	4525.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.94645E-01	4550.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.94282E-01	4575.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.93923E-01	4600.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.93567E-01	4625.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.93214E-01	4650.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.92865E-01	4675.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.92519E-01	4700.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						
0.92176E-01	4725.00	0.00	Winter	0-360	10011001	-1.30
0.043 -9.000 0.020 -999. 21.	6.0 1.000 1.50	0.35	0.50	10.0	310.0	
2.0						

WESTLAKE SHOPPING CENTER OPERATIONAL HRA_max_conc_distance											
0.91836E-01	4750.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.91499E-01	4775.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.91165E-01	4800.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.90834E-01	4825.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.90506E-01	4850.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.90180E-01	4875.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.89858E-01	4900.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.89538E-01	4925.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.89221E-01	4950.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.88907E-01	4975.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											
0.88596E-01	5000.00	0.00	Winter	0-360	10011001	-1.30					
0.043	-9.000	0.020	-999.	21.	6.0	1.000	1.50	0.35	0.50	10.0	310.0
2.0											



Technical Consultation, Data Analysis and
Litigation Support for the Environment

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**Geologic and Hydrogeologic Characterization
Industrial Stormwater Compliance
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
CEQA Review**

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.

B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist

California Certified Hydrogeologist

Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 25 years of experience in environmental policy, assessment and remediation. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) while also working with permit holders to improve hydrogeologic characterization and water quality monitoring.

Matt has worked closely with U.S. EPA legal counsel and the technical staff of several states in the application and enforcement of RCRA, Safe Drinking Water Act and Clean Water Act regulations. Matt has trained the technical staff in the States of California, Hawaii, Nevada, Arizona and the Territory of Guam in the conduct of investigations, groundwater fundamentals, and sampling techniques.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2014;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt’s responsibilities have included:

- Lead analyst and testifying expert in the review of over 100 environmental impact reports since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, Valley Fever, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at industrial facilities.
- Manager of a project to provide technical assistance to a community adjacent to a former Naval shipyard under a grant from the U.S. EPA.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.
- Expert witness on two cases involving MTBE litigation.
- Expert witness and litigation support on the impact of air toxins and hazards at a school.
- Expert witness in litigation at a former plywood plant.

With Komex H2O Science Inc., Matt’s duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.

- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted public hearings, and responded to public comments from residents who were very concerned about the impact of designation.

- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:

- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:

- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9. Activities included the following:

- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, *Oxygenates in Water: Critical Information and Research Needs*.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt taught physical geology (lecture and lab and introductory geology at Golden West College in Huntington Beach, California from 2010 to 2014.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Colorado.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal representatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F.** 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examination, 2009-2011.

HADLEY KATHRYN NOLAN



Technical Consultation, Data Analysis and
Litigation Support for the Environment

SOIL WATER AIR PROTECTION ENTERPRISE

2656 29th Street, Suite 201
Santa Monica, California 90405
Mobile: (678) 551-0836
Office: (310) 452-5555
Fax: (310) 452-5550
Email: hadley@swape.com

EDUCATION

UNIVERSITY OF CALIFORNIA, LOS ANGELES B.S. ENVIRONMENTAL SCIENCES & ENVIRONMENTAL SYSTEMS AND SOCIETY JUNE 2016

PROJECT EXPERIENCE

SOIL WATER AIR PROTECTION ENTERPRISE

SANTA MONICA, CA

AIR QUALITY SPECIALIST

SENIOR PROJECT ANALYST: CEQA ANALYSIS & MODELING

- Modeled construction and operational activities for proposed land use projects using CalEEMod to quantify criteria air pollutant and greenhouse gas (GHG) emissions.
- Organized presentations containing figures and tables that compare results of criteria air pollutant analyses to thresholds.
- Quantified ambient air concentrations at sensitive receptor locations using AERSCREEN, a U.S. EPA recommended screening level dispersion model.
- Conducted construction and operational health risk assessments for residential, worker, and school children sensitive receptors.
- Prepared reports that discuss adequacy of air quality and health risk analyses conducted for proposed land use developments subject to CEQA review by verifying compliance with local, state, and regional regulations.

SENIOR PROJECT ANALYST: GREENHOUSE GAS MODELING AND DETERMINATION OF SIGNIFICANCE

- Evaluated environmental impact reports for proposed projects to identify discrepancies with the methods used to quantify and assess GHG impacts.
- Quantified GHG emissions for proposed projects using CalEEMod to produce reports, tables, and figures that compare emissions to applicable CEQA thresholds and reduction targets.
- Determined compliance of proposed land use developments with AB 32 GHG reduction targets, with GHG significance thresholds recommended by Air Quality Management Districts in California, and with guidelines set forth by CEQA.

PROJECT ANALYST: ASSESSMENT OF AIR QUALITY IMPACTS FROM PROPOSED DIRECT TRANSFER FACILITY

- Assessed air quality impacts resulting from implementation of a proposed Collection Service Agreement for Exclusive Residential and Commercial Garbage, Recyclable Materials, and Organic Waste Collection Services for a community.
- Organized tables and maps to demonstrate potential air quality impacts resulting from proposed hauling trip routes.
- Conducted air quality analyses that compared quantified criteria air pollutant emissions released during construction of direct transfer facility to the Bay Area Air Quality Management District's (BAAQMD) significance thresholds.
- Prepared final analytical report to demonstrate local and regional air quality impacts, as well as GHG impacts.

PROJECT ANALYST: EXPOSURE ASSESSMENT OF LEAD PRODUCTS FOR PROPOSITION 65 COMPLIANCE DETERMINATION

- Calculated human exposure and lifetime health risk for over 300 lead products undergoing Proposition 65 compliance review.
- Compiled and analyzed laboratory testing data and produced tables, charts, and graphs to exhibit emission levels.
- Compared finalized testing data to Proposition 65 Maximum Allowable Dose Levels (MADLs) to determine level of compliance.
- Prepared final analytical lead exposure Certificate of Merit (COM) reports and organized supporting data for use in environmental enforcement statute Proposition 65 cases.

ACCOMPLISHMENTS

- Academic Honoree, Dean's List, University of California, Los Angeles

MAR 2013, MAR 2014, JAN 2015, JAN 2016

EXHIBIT C



SMITH ENGINEERING & MANAGEMENT

May 18, 2018

Mr. Richard Drury
Lozeau Drury
410 12th Street, Suite 250
Oakland, CA 94607

**Subject: Westlake Center Residential/Retail Mixed Use Development
P18025**

Dear Mr. Drury:

At your request, I have reviewed the proposed Initial Study/Mitigated Negative Declaration (the "IS/MND") for the Westlake Center Residential/Retail Mixed Use Development Project (the "Project") in the City of Daly City (the "City"). My review is specific to the traffic and transportation section of the IS/MND and its supporting documentation.

My qualifications to perform this review include registration as a Civil and Traffic Engineer in California and over 49 years professional consulting engineering practice in the traffic and transportation industry. I have both prepared and performed adequacy reviews of numerous transportation and circulation sections of environmental impact reports prepared under the California Environmental Quality Act (CEQA) including mixed use complexes. My professional resume is attached.

Findings of my review are summarized below.

The Transportation Analysis Overstates the Trip Generation of the Medical/Dental Offices To Be Removed and May Understate the Trip Generation of the Residential/Retail Complex to be Constructed

In essence, the IS/MND and its supporting Appendix G Transportation Impact Study find that the Project would not have significant transportation impacts because the trip generation of the medical/dental offices to be removed is greater than the trip generation of the slightly enlarged retail space and 180 dwelling units to be constructed. However, this finding is based on a series of flawed assumptions about trip generation.

The first of these assumptions is that the medical/dental offices to be removed generate traffic at full ITE *Trip Generation* rates for a freestanding and fully occupied medical/dental office building. This overstates the trip credits for the existing use to be removed for two reasons. One, the medical/dental offices are not a freestanding entity. They are a mixed use component of the existing Westlake mixed use complex and are served by the same array of transit services, walkways and bikeways as the proposed new uses and are in proximity to the same numbers of residences and other uses within reasonable walking or biking distance. Hence, the trip credit for uses removed should be subject to the same mixed use discounting as is applied to the trip generation of the proposed new uses. Two, if the medical/dental offices are in disposable condition, it is likely that they were under-occupied at the time 'existing' traffic counts were taken. If their trips were not present in the existing traffic baseline, that trip generation should not be discounted from the trip generation of the proposed new uses. The IS/MND has provided no evidence as to the occupancy of the medical/dental offices at the time traffic counts were taken.

The second flawed assumption is that ITE *Trip Generation* rates inherently overstate the trip generation of mixed use developments because most ITE *Trip Generation* data is collected at suburban, singular use sites. As a generalization, this is true for most land use categories for which ITE has established trip generation rates. However, shopping centers are inherently mixed use entities that combine retail, various types of restaurants ranging from "fast food", "high turnover – sit down" to "quality" restaurants, services such as banking, hair salons, nail services, fitness centers, auto services, fitness centers, cinemas and other forms of entertainment, and sometimes offices or residential units. These centers of mixed uses are exactly what is represented in the ITE Shopping Center category. In fact, Westlake is rather typical of the suburban shopping centers that are represented in the ITE *Trip Generation* data base. In order to justify applying mixed use discounts to ITE Shopping Center trip generation rates, the analysis should have counted traffic at all the entries and exist to Westlake and compared the observed results to theoretical calculations of trip generation at ITE rates. The IS/MND has failed to do so.

We also observe that the mixed use analysis procedure relied upon in the IS/MND involves very subjective judgments on the part of the analyst regarding walkability, bikeability and quality of transit service to the project site. This allows

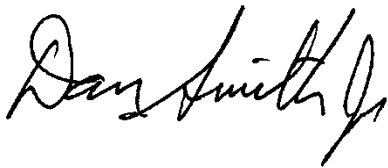
the analyst to force a desired outcome (such as no net trip growth) in the end result of the procedure.

Conclusion

This concludes my current comments on the Westlake Center Mixed Use Project. Because there is fair argument that the actual trip generation of the uses removed to not exceed that of the proposed uses, the Project cannot be approved under this IS/MND.

Sincerely,

Smith Engineering & Management
A California Corporation



Daniel T. Smith Jr., P.E.
President

Mr. Richard Drury
May 18, 2018
Page 4

Attachment 1
Resume of Daniel T. Smith Jr., P.E.



SMITH ENGINEERING & MANAGEMENT

DANIEL T. SMITH, Jr.
President

EDUCATION

Bachelor of Science, Engineering and Applied Science, Yale University, 1967
Master of Science, Transportation Planning, University of California, Berkeley, 1968

PROFESSIONAL REGISTRATION

California No. 21913 (Civil) Nevada No. 7969 (Civil) Washington No. 29337 (Civil)
California No. 938 (Traffic) Arizona No. 22131 (Civil)

PROFESSIONAL EXPERIENCE

Smith Engineering & Management, 1993 to present. President.
DKS Associates, 1979 to 1993. Founder, Vice President, Principal Transportation Engineer.
De Leuw, Cather & Company, 1968 to 1979. Senior Transportation Planner.
Personal specialties and project experience include:

Litigation Consulting. Provides consultation, investigations and expert witness testimony in highway design, transit design and traffic engineering matters including condemnations involving transportation access issues; traffic accidents involving highway design or traffic engineering factors; land use and development matters involving access and transportation impacts; parking and other traffic and transportation matters.

Urban Corridor Studies/Alternatives Analysis. Principal-in-charge for State Route (SR) 102 Feasibility Study, a 35-mile freeway alignment study north of Sacramento. Consultant on I-280 Interstate Transfer Concept Program, San Francisco, an AA/EIS for completion of I-280, demolition of Embarcadero freeway, substitute light rail and commuter rail projects. Principal-in-charge, SR 238 corridor freeway/expressway design/environmental study, Hayward (Calif.) Project manager, Sacramento Northeast Area multi-modal transportation corridor study. Transportation planner for I-80N West Terminal Study, and Harbor Drive Traffic Study, Portland, Oregon. Project manager for design of surface segment of Woodward Corridor LRT, Detroit, Michigan. Directed staff on I-80 National Strategic Corridor Study (Sacramento-San Francisco), US 101-Sonoma freeway operations study, SR 92 freeway operations study, I-880 freeway operations study, SR 152 alignment studies, Sacramento RTD light rail systems study, Tasman Corridor LRT AA/EIS, Fremont-Warm Springs BART extension plan/EIR, SRs 70/99 freeway alternatives study, and Richmond Parkway (SR 93) design study.

Area Transportation Plans. Principal-in charge for transportation element of City of Los Angeles General Plan Framework, shaping nations largest city two decades into 21st century. Project manager for the transportation element of 300-acre Mission Bay development in downtown San Francisco. Mission Bay involves 7 million gsf office/commercial space, 8,500 dwelling units, and community facilities. Transportation features include relocation of commuter rail station; extension of MUNI-Metro LRT; a multi-modal terminal for LRT, commuter rail and local bus; removal of a quarter mile elevated freeway; replacement by new ramps and a boulevard; an internal roadway network overcoming constraints imposed by an internal tidal basin; freeway structures and rail facilities; and concept plans for 20,000 structured parking spaces. Principal-in-charge for circulation plan to accommodate 9 million gsf of office/commercial growth in downtown Bellevue (Wash.). Principal-in-charge for 64 acre, 2 million gsf multi-use complex for FMC adjacent to San Jose International Airport. Project manager for transportation element of Sacramento Capitol Area Plan for the state governmental complex, and for Downtown Sacramento Redevelopment Plan. Project manager for Napa (Calif.) General Plan Circulation Element and Downtown Riverfront Redevelopment Plan, on parking program for downtown Walnut Creek, on downtown transportation plan for San Mateo and redevelopment plan for downtown Mountain View (Calif.), for traffic circulation and safety plans for California cities of Davis, Pleasant Hill and Hayward, and for Salem, Oregon.

TRAFFIC • TRANSPORTATION • MANAGEMENT

5311 Lowry Road, Union City, CA 94587 tel: 510.489.9477 fax: 510.489.9478

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5311 Lowry Road, Union City, CA 94587 tel: 510.489.9477 fax: 510.489.9478

Mr. Richard Drury

May 18, 2018

Page 6

Transportation Centers. Project manager for Daly City Intermodal Study which developed a \$7 million surface bus terminal, traffic access, parking and pedestrian circulation improvements at the Daly City BART station plus development of functional plans for a new BART station at Colma. Project manager for design of multi-modal terminal (commuter rail, light rail, bus) at Mission Bay, San Francisco. In Santa Clarita Long Range Transit Development Program, responsible for plan to relocate system's existing timed-transfer hub and development of three satellite transfer hubs. Performed airport ground transportation system evaluations for San Francisco International, Oakland International, Sea-Tac International, Oakland International, Los Angeles International, and San Diego Lindberg.

Campus Transportation. Campus transportation planning assignments for UC Davis, UC Berkeley, UC Santa Cruz and UC San Francisco Medical Center campuses; San Francisco State University; University of San Francisco; and the University of Alaska and others. Also developed master plans for institutional campuses including medical centers, headquarters complexes and research & development facilities.

Special Event Facilities. Evaluations and design studies for football/baseball stadiums, indoor sports arenas, horse and motor racing facilities, theme parks, fairgrounds and convention centers, ski complexes and destination resorts throughout western United States.

Parking. Parking programs and facilities for large area plans and individual sites including downtowns, special event facilities, university and institutional campuses and other large site developments; numerous parking feasibility and operations studies for parking structures and surface facilities; also, resident preferential parking .

Transportation System Management & Traffic Restraint. Project manager on FHWA program to develop techniques and guidelines for neighborhood street traffic limitation. Project manager for Berkeley, (Calif.), Neighborhood Traffic Study, pioneered application of traffic restraint techniques in the U.S. Developed residential traffic plans for Menlo Park, Santa Monica, Santa Cruz, Mill Valley, Oakland, Palo Alto, Piedmont, San Mateo County, Pasadena, Santa Ana and others. Participated in development of photo/radar speed enforcement device and experimented with speed humps. Co-author of Institute of Transportation Engineers reference publication on neighborhood traffic control.

Bicycle Facilities. Project manager to develop an FHWA manual for bicycle facility design and planning, on bikeway plans for Del Mar, (Calif.), the UC Davis and the City of Davis. Consultant to bikeway plans for Eugene, Oregon, Washington, D.C., Buffalo, New York, and Skokie, Illinois. Consultant to U.S. Bureau of Reclamation for development of hydraulically efficient, bicycle safe drainage inlets. Consultant on FHWA research on effective retrofits of undercrossing and overcrossing structures for bicyclists, pedestrians, and handicapped.

MEMBERSHIPS

Institute of Transportation Engineers Transportation Research Board

PUBLICATIONS AND AWARDS

Residential Street Design and Traffic Control, with W. Homburger *et al.* Prentice Hall, 1989.

Co-recipient, Progressive Architecture Citation, *Mission Bay Master Plan*, with I.M. Pei WRT Associated, 1984.

Residential Traffic Management, State of the Art Report, U.S. Department of Transportation, 1979.

Improving The Residential Street Environment, with Donald Appleyard *et al.*, U.S. Department of Transportation, 1979.

Strategic Concepts in Residential Neighborhood Traffic Control, International Symposium on Traffic Control Systems, Berkeley, California, 1979.

Planning and Design of Bicycle Facilities: Pitfalls and New Directions, Transportation Research Board, Research Record 570, 1976.

Co-recipient, Progressive Architecture Award, *Livable Urban Streets, San Francisco Bay Area and London*, with Donald Appleyard, 1979.

EXHIBIT D

Commercial Opportunities, Zone 4 - Westlake

Page 1 of 2

LAND/LOTS -- For Sale

Property Type	Size	Location	Asking Price	Comments
	Two Sites: 6.5± ac. Total	NW corner John Daly & Skyline Blvd. (Hwy. 35) Olympic Way	SALE PENDING	TWO PRIVATELY-OWNED sites for sale or ground lease for "visitor- serving commercial." Panoramic ocean view. Near Olympic Club.
Contact: <i>Bruce Norton (801) 268-0823</i>				

COMMERCIAL SPACE -- For Lease

Property Type	Size	Location	Asking Price	Comments
O	2,042 s.f. 5,129 s.f. (cont to 7,171 s.f.)	15 Southgate Ave. WESTLAKE CENTER	\$2.50/s.f. F.S.	AVAILABLE NOW. Second floor space offers proximity to newly renovated Westlake Center, 2,042 s.f. in shell condition.
Contact: <i>Karen Chin, CT/BT Commercial, (650) 401-2132</i>				
O	6,471 s.f.	75 Southgate Ave. WESTLAKE CENTER	LEASED	AVAILABLE NOW. Space offers proximity to newly renovated Westlake Center.
Contact: <i>Karen Chin, CT/BT Commercial, (650) 401-2132</i>				
O	320 to 1,235 s.f.	318 WESTLAKE CENTER	\$2.15 /s.f. F.S.	PROFESSIONAL OFFICES in heart of newly renovated Westlake Center. Ideal for office uses wanting excellent retail location.
Contact: <i>Karen Chin, CT/BT Commercial, (650) 401-2132</i>				
O/M	423 to 1,593 s.f.	341 WESTLAKE CENTER	\$2.50/s.f. F.S.	MEDICAL/DENTAL building undergoing substantial renovation to include upgraded common areas and exteriors. Building is part of the Westlake Center. Two floors available, easily divides into suites from 477 to 1,593 s.f.
Contact: <i>Karen Chin, CT/BT Commercial, (650) 401-2132</i>				

Commercial Opportunities, Zone 4 - Westlake

Page 2 of 2

R/O Varies

WESTLAKE CENTER
Park Plaza Dr. &
John Daly Blvd.

RETAIL
\$3.00-\$4.50/s.f.
NNN

NOW LEASING RETAIL SPACE.
Available for good quality,
experienced tenants. Targeting
specialty retailers such as apparel,
jewelry, florists, gifts, home
accessories, etc.
NO RESTAURANT SPACE!

Contact: *Nicole Hauscarriague, Kimco Realty Corporation, (650) 301-3022*



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

May 22, 2018

Corey Alvin
Daly City
333 90th Street
Daly City, CA 94015



Subject: Westlake Shopping Center Mixed-Use Project
SCH#: 2018042065

Dear Corey Alvin:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on May 21, 2018, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2018042065
Project Title Westlake Shopping Center Mixed-Use Project
Lead Agency Daly City

Type MND Mitigated Negative Declaration

Description The project proposes to demolish two existing commercial buildings and northeastern portion of the existing surface parking in the Westlake Shopping Center, which has over 14 acres of commercial space. The project proposes to construct a new six-story building with up to 180 dwelling units and 34,074 sf of ground-floor retail on the 1.95-acre project site. The building would include two floors of below-grade parking with 260 parking spaces spanning 107,968 sf. The project proposes a GPA to change the LUD from CR and O to CM-U, which allows mixed-use land uses with FAR ranging from 1.0 to 6.0. The project proposes a Planned development zoning amendment to the existing Planned development zone PD-60 to allow residential uses on-site.

Lead Agency Contact

Name Corey Alvin
Agency Daly City
Phone 650-991-8156
email
Address 333 90th Street
City Daly City
Fax
State CA **Zip** 94015

Project Location

County San Mateo
City Daly City
Region
Lat / Long 37° 42' 4.52" N / 122° 28' 55.7" W
Cross Streets John Daly Blvd and Park Plaza Dr
Parcel No. 002-170-230
Township **Range** **Section** **Base**

Proximity to:

Highways SR 35, SR 1, I-280
Airports
Railways Daly City BART station
Waterways Unnamed Creek
Schools Westlake ES
Land Use Commercial/planned development - 60 Zoning district/Commercial - retail and office

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Cumulative Effects; Drainage/Absorption; Geologic/Seismic; Growth Inducing; Landuse; Noise; Other Issues; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 3; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Resources, Recycling and Recovery; State Water Resources Control Board, Division of Water Quality; Native American Heritage Commission; Regional Water Quality Control Board, Region 1; Department of Toxic Substances Control; Public Utilities Commission

Date Received 04/20/2018 **Start of Review** 04/20/2018 **End of Review** 05/21/2018

DEPARTMENT OF TRANSPORTATION

DISTRICT 4

OFFICE OF TRANSIT AND COMMUNITY PLANNING

P.O. BOX 23660, MS-10D

OAKLAND, CA 94623-0660

PHONE (510) 286-5528

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TTY 711

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a California Way of Life.clear
5/21/18
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May 18, 2018

Governor's Office of Planning & Research

MAY 18 2018

STATE CLEARINGHOUSE

SCH # 2018042065

GTS # 04-SM-2018-00176

GTS ID: 10352

PM: SM - 1 - 48.359

Corey Alvin
City of Daly City
333 90th Street
Daly City, CA 94015

Westlake Shopping Center Mixed-Use Project - Mitigated Negative Declaration (MND)

Dear Mr. Alvin:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Westlake Shopping Center Mixed-Use Project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), Caltrans' mission signals a modernization of our approach to evaluate and mitigate impacts to the State Transportation Network (STN). Caltrans' *Strategic Management Plan 2015-2020* aims to reduce Vehicle Miles Traveled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the April 20, 2018 MND.

Project Understanding

The project proposes to demolish two existing commercial buildings and northeastern portion of the existing surface parking in the Westlake Shopping Center, which has of 14 acres of commercial space. The project proposes to construct a new six-story building with up to 180 dwelling units and 34,074 square-feet (SF) of ground-floor retail on the 1.95-acre project site. The building would include two floors of below graded parking with 260 parking spaces spanning 107,968 SF. The project proposes a General Plan Amendment (GPA) to change the land use designation from Commercial Retail and Office to Commercial Mixed-Use, which allows mixed-use land uses with FAR ranging from 1.0 to 6.0. The project proposes a Planned Development Zoning Amendment to the existing Planned Development Zone PD-60 to allow residential uses on-site. Regional access to the site is provided via the John Daly Boulevard interchange with State Route (SR) 1 and Interstate 280 (I-280), located approximately 0.70 miles to the east, or via the John Daly Boulevard intersection with SR 35 located approximately 0.70 miles to the west. The Daly City BART station is located approximately 0.85 miles east of the project site.

Multimodal Planning

Caltrans applauds the construction of mixed-use residential in this area. There is a gap in bicycle facilities along John Daly Boulevard between Poncetta Drive and De Long Street, connecting to existing Class I and Class II facilities respectively. The gaps in bicycle and pedestrian facilities leading to the nearby Daly City BART station may encourage residents and visitors to the project site to drive, who might have otherwise have used transit or active modes. Improving access to the BART station is vital for providing regional active transportation access to and from the project site. The Lead Agency should work with Caltrans, BART, and other stakeholders to identify ways to close these gaps and improve regional bicycle, pedestrian, and transit access to the project site.

Please identify project-generated travel demand and estimate the costs of multimodal and public transportation improvements necessitated by the proposed project; viable funding sources such as development and/or transportation impact fees should also be identified. We encourage a sufficient allocation of fair share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT.

The project's primary and secondary effects on pedestrians, bicyclists, disabled travelers and transit users should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access for pedestrians and bicyclists to transit facilities must be maintained. These smart growth approaches are consistent with MTC's Regional Transportation Plan/Sustainable Community Strategies and would help meet Caltrans Strategic Management targets.

Vehicle Trip Reduction

From Caltrans' *Smart Mobility 2010: A Call to Action for the New Decade*, the project site is identified as **Place Type 4b: Suburban Communities (Corridors)** where location efficiency factors, such as community design, are weak and regional accessibility varies. Given the place type and size of the project, it should include a robust Transportation Demand Management (TDM) Program to reduce VMT and greenhouse gas emissions. Such measures are critical to facilitating efficient site access. The measures listed below will promote smart mobility and reduce regional VMT.

- Project design to encourage walking, bicycling and transit access;
- Transit and trip planning resources such as a commute information kiosk;
- Real-time transit information system;
- Transit subsidies on an ongoing basis;
- Ten percent vehicle parking reductions;
- Charging stations and designated parking spaces for electric vehicles;
- Carpool and clean-fuel parking spaces;
- Designated parking spaces for a car share program;
- Unbundled parking;

- Showers, changing rooms and clothing lockers for employees that commute via active transportation;
- Employee transportation coordinator;
- Secured bicycle storage facilities;
- Fix-it bicycle repair station(s);
- Bicycle route mapping resources;
- Participation/Formation in/of a Transportation Management Association (TMA) in partnership with other developments in the area; and
- Aggressive trip reduction targets with Lead Agency monitoring and enforcement.

Transportation Demand Management programs should be documented with annual monitoring reports by an onsite TDM coordinator to demonstrate effectiveness. If the project does not achieve the VMT reduction goals, the reports should also include next steps to take in order to achieve those targets. Also, reducing parking supply can encourage active forms of transportation, reduce regional VMT, and lessen future transportation impacts on State facilities. These smart growth approaches are consistent with the MTC's Regional Transportation Plan/SCS goals and would meet Caltrans Strategic Management Plan sustainability goals.

For additional TDM options, please refer to the Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8). The reference is available online at:
<http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>.

Lead Agency

As the Lead Agency, the City of Daly City is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

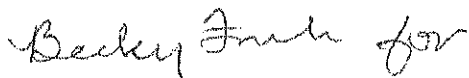
Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the state ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating state ROW must be submitted to: Office of Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link below for more information: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

Mr. Alvin, City of Daly City
May 18, 2018
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Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Jake Freedman at 510-286-5518 or jake.freedman@dot.ca.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Becky Maurice for".

PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

PLANNED DEVELOPMENT STANDARDS
PLANNED DEVELOPMENT ZONE PD-6060A
WESTLAKE SHOPPING CENTER PHASE II PROJECT

The purpose and intent of these Planned Development Standards is to establish a Planned Development Zoning District for PD-6060A, which encompasses the entire project site.

I. GENERAL

1. 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.
2. Any modifications to plans approved by the City Council shall require an amendment of the original PD approval and shall be subject to separate approval by the Planning Commission and City Council. Minor changes of the approved plans due to code requirements or conditions of approval may be approved by the Planning Division.
3. 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.
4. The property owners of PD-6060A shall seek to provide a balanced mix of uses with compatible peak hours and parking needs.

II. PERMITTED USES

- A. The following uses are permitted as part of Planned Development Zone PD-6060A:

Administrative, business and professional offices
Art Studio
Bakery (retail)
Bank and Savings and loan offices
Barber or Beauty shop
Book or stationary store
Business office
Candy store
Clothing or Department store
Coffee shop
Drugstore
Hardware store
Retail household appliance sales and services
Florist
Gift shop

|
Ice cream store
Laundry or cleaning stores
Instruction studio (dance or martial arts)
Jewelry store
Medical/Dental clinic
Pet food store
Professional office
Photographic studio
Prescription pharmacies
Residential apartments (Building R only)
Restaurant (excluding drive-through)
Shoe repair
Sporting goods
Tailor shop
Trade or business school
Toy Store
Travel agent
Variety store
Video rental

| B. The following uses will be permitted with a Use Permit in the PD-~~6060~~60A zone:

Accessory buildings or use
Bar or Cocktail lounge
One health and fitness club
Outdoor sales
Pet shop
Businesses whose principal use is for the operation of amusement devices
Veterinary hospital or office

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.

| **III. DEVELOPMENT STANDARDS**

A. Parking

- | 1. The property owners shall comply with and enforce a Parking Management Plan approved by the City. The Parking Management Plan shall be an appendix to and recorded as part of the Planned Development Standards for PD-~~6060~~60A. The Parking Management Plan shall include the following:

- a. Operable or inoperable vehicles shall be stored at the site for more than 24 hours.
- b. No vehicles or trailers shall be advertised for sale or rent on the site and no vehicle sales, leasing or rentals shall be conducted at the site.
- d. Measures to manage the parking during the peak hours. The plan may include such measures as valet parking, incentives to carpooling and disincentives to parking in the residential areas near the development.
- e. The precise plan shall show all required dimensions on back-up distance, fire access drives and parking stalls, including compact and handicap spaces. The plan shall indicate how the compact spaces shall be marked on the site.
- f. Applicant will post signs, impose conditions upon tenant, and make every effort to restrict deliveries to the development by large semi-trucks, refrigerated trucks, or trucks larger than a four wheel delivery van during peak traffic hours. Smaller delivery vehicles may make such deliveries.
- g. The total number of on-site commercial parking spaces required for the Westlake development shall be provided is at 2145 upon complete build-out of Phase II of the development. In Phase I, which consists of 555,692 square feet of office and retail uses, a parking ratio of 3.28 spaces per 1,000 square feet shall be maintained. Following Phase II development, which will add an additional 96,005 square feet of office and retail uses, a final parking ratio of **not less than** 3.29 parking spaces per 1,000 square feet of leasable building area, with a total number of 663,806 commercial square feet square feet permitted in the center shall be maintained. Residential parking in Building R (179 apartments) shall be provided at a rate of one space for each studio unit, 1.5 spaces for each one- bedroom unit and two spaces for each unit of two bedrooms or more, with an overall ratio of at least 1.25 parking spaces per residential unit. Excess residential parking stalls in the underground garage associated with Building R shall be dedicated to employee parking.

~~h. Prior to completion of Phase II, the applicant shall construct a 486-space, 160,666 square foot, four level parking structure and shall integrate an additional 134 space parking garage on the site.~~

~~i.h.~~ Secure bicycle parking shall be provided at strategic locations throughout the shopping center including the ground floor of any parking structure.

~~j.i.~~ The parking areas shall conform to plans approved as part of the _____precise plan for PD-~~6060~~60A and shall be maintained in accordance with _____City standards.

B. Signage

1. New Signage for the project should enhance the building facades. Tenant blade signs should be located within the central portion of the site, along both sides of Main Street and blend into the overall character of an updated Main Street design. Signs added to tower buildings should be logo signs at the top, attached flush with the towers and lighted at night.
2. Four directories with a total of 40 square feet per side may be located strategically within the site to provide maps and directions for patrons.
3. ~~The~~ primary entry point from John Daly Boulevard should feature two signs located on both corners of Main Street. The two signs should feature solid identity elements at the base. One of those signs may be a pylon sign up to ~~6060~~60A feet in height. The pylon sign may contain the following maximum sign area per side: a) 100 square feet for the shopping center identifier, b) 625 square feet for tenant advertising, and c) 120 square feet for an electronic reader/message board. The design of such sign shall be subject to review and approval by a Design Review Committee and shall not exceed 845 square feet on any side.
4. Signage shall include: a) an entry monument sign at one location with a total sign area of ~~6060~~60A feet for each face, b) up to four entry boundary marker signs, each sign face allowed 36 square feet maximum, with a maximum height of 16 feet, width of 7 feet and depth of 14 inches; and c) eight 36 square foot building logos.

- |
5. All project site signage shall conform to the Tenant Sign Criteria for PD-~~6060A~~. All changes to the Tenant Sign Criteria shall be submitted to the Design Review Committee for approval, except that minor changes can be approved administratively by the Planning Division.
 6. The Tenant Sign Criteria shall be an appendix to and recorded as part of the Planned Development Standards for PD-~~6060A~~.
- |

C. Circulation

1. All deliveries shall gain access to the project site by way of Lake Merced Boulevard and Park Plaza Drive.
 - a. Deliveries to the development by large semi-type trucks shall not take place during peak traffic hours. Smaller delivery vehicles may deliver at all hours.
 - b. The applicant shall implement a Congestion Management Plan, per the C/CAG Guidelines for Implementation of the Land Use Component of the Congestion Management Program, which will include but not be limited to, provisions for such programs as carpooling, preferential parking and use of the Hire Daly City First Program and encouraging a hiring preference for local residents.

D. Landscaping

1. All landscaping improvements shall conform to the approved landscaping plan and with Section 17.41 (Landscaping) of the Zoning Ordinance.
 - a. Landscaping shall be installed in accordance with approved plans and maintained in a neat, clean and healthful condition.
 - b. 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.
 - c. Landscaping shall be planted at the base of any monument signs and shall be maintained in a healthy growing condition and be replaced as necessary. The plants shall include a variety of flowering evergreen shrubs and flowering ground cover.

E. Architecture/Site Design

1. Architectural design of all structures and facades, all materials and colors, and all landscaping shall comply with plans approved by a Design Review Committee.
 - a. Once approved, any major architectural modification shall be subject to approval by a Design Review Committee, except that minor changes may be approved administratively by the Planning Division.
 - b. All roof equipment shall be screened from view from the surrounding streets.
 - c. The Planning Division shall approve the design and location of all trash or storage enclosures and other proposed fencing or walls.
 - d. All restaurants shall be provided with a state-of-the-art, low-noise, air filtration system to remove odors from air emissions caused by cooking.
 - e. All ground mounted appurtenances, such as transformers or air conditioning units shall be undergrounded.
 - f. The Tenant Criteria Manual shall be an appendix to and recorded as part of the Planned Development Standards for PD-~~6060A~~.

F. Maintenance

1. A maintenance plan for on-site litter control shall be submitted by the applicant and approved by the City. The litter control maintenance plan shall include provision for on-going maintenance required for the project use. The maintenance plan shall be recorded as part of the PD-~~6060A~~ planned development standards. The maintenance plan shall include the following standards:
 - b. The entire development area shall be maintained in a neat, safe, and healthful condition.
 - c. A garbage disposal plan approved by the Planning Division and the Streets Division shall specify that:
 - i. All trash shall be confined in approved receptacles and enclosures.

- ii. All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure areas. Any stacked or stored items shall not exceed the height of the enclosure.
- iii. All trash and storage enclosures shall be properly maintained in accordance with approved plans.
- iv. The applicant shall prepare an agreement to implement a weekly litter cleanup plan for all open areas, planters and public sidewalks adjacent to the development. All waste materials generated by the development, such as cardboard boxes, skids, garbage, litter, etc., must be stored in the enclosure for disposal. No waste material shall be visible at anytime. All enclosures shall be designed to conceal the contents. All enclosures should be kept clean and free of odor at all times.

G. Lighting

- 1. All exterior lighting shall be in accordance with precise plans and shall be adequately maintained according to approved standards.
- 2. Site lighting shall be directed downward to protect adjacent residential neighborhoods from glare.

H. Building Area Limitation

- 1. There shall be no additional square footage allowed in PD-~~6060~~60A beyond what is permitted through approval of the precise plan. Minor additions or alterations to square footage for any given designated use (+/- 2%) may be approved by the Planning Division if such changes are to meet specific code requirements and do not affect the overall mass of the building.
- 2. ~~Westlake Shopping Center~~ The Planned Development zone shall include ~~651,697~~ not more than 663,806 commercial square feet square feet of retail and office uses, and 179 apartments in Building R. The general distribution of allowable square footage shall be in substantial accordance with the Precise Plan.

I. Hours of Operation

1. The hours of retail store operation shall not be limited. However, if the store operation receives significant complaints due to noise or public nuisance, the issue of limiting store hours shall be brought before a Council Committee appointed by the Mayor for consideration.

J. Residential Open Space

1. The property owner shall maintain not less than 150 square feet per dwelling unit as usable open space in Building R.

Westlake Shopping Center Fiscal Impact Analysis

Prepared for:

Kimco Realty

Prepared by:

ALH | ECON

ALH Urban & Regional Economics

October 2017

October 4, 2017

Mr. Michael Strahs
Kimco Realty
15 Southgate Avenue, Suite 201
Daly City, CA 94015

**Re: Westlake Shopping Center Mixed-Use Development and Existing Use Fiscal
Impact Analysis**

Dear Mr. Strahs;

ALH Urban & Regional Economics (ALH Economics) is pleased to present this fiscal impact analysis of the proposed Westlake Shopping Center Mixed-Use Development project in the City of Daly City. This analysis was prepared to provide an overview of the project's prospective fiscal impacts on the City of Daly City's General Fund assuming development of the project, which would involve the redevelopment of 53,662 square feet of commercial retail/medical office into a mixed-use development with 179 rental residential units above 34,074 square feet of ground floor commercial retail and underground residential parking.

This report includes two Appendices. Appendix A includes the exhibits documenting the fiscal impact analysis. Appendix B includes back up documentation in support of the study's main exhibits.

It has been a pleasure working with you on this interesting project. Please let me know if there are any questions or comments on the analysis included herein.

Sincerely,



Amy L. Herman
Principal

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I. INTRODUCTION AND SUMMARY OF FINDINGS

INTRODUCTION

ALH Urban & Regional Economics (“ALH Economics”) prepared a fiscal impact analysis of the planned Westlake Shopping Center Mixed-Use Development (the “Project”) in Daly City, California. The Project comprises redevelopment of an existing portion of the Westlake Shopping Center, currently improved with a 30,000-square-foot older retail building and a 25,000-square-foot medical office building (referred to as “Existing Development”). These buildings are identified by Kimco Realty, the shopping center owner and Project developer, as Buildings L and M. This portion of the shopping center is located at the corner of John Daly Boulevard and Park Plaza Drive. The residential component of the new development plan is anticipated to include 179 residential units over 34,074 square feet of new premium retail space and 2 levels of subterranean parking (referred to as “Mixed-Use Development”). The purpose of this analysis is to demonstrate the net fiscal impacts of the Mixed-Use Development relative to the City of Daly City’s General Fund compared with the Existing Development.

As part of the Mixed-Use Development, Kimco Realty currently anticipates relocating approximately 50% of the existing retail square footage and 70% of the existing medical office tenants into other buildings associated with Westlake Shopping Center. Thus, while the buildings housing these tenants will be replaced by new structures, the economic activity associated with these relocated tenants will not be lost to the shopping center or the City of Daly City’s economic base. As such, these relocations are considered a part of the Mixed-Use Development for study purposes.

The fiscal impact analysis is based on key information about the Project and development site as well as select assumptions developed by ALH Economics. All relevant information and assumptions are cited in the report or the back-up documentation. All dollar figures cited are in approximate Fiscal Year 2016-17 dollars. Due to the nature of the development planning process, assumptions relevant to the fiscal impact analysis may change over time. This dynamic nature suggests that study findings should be considered general rather than detailed indications of the Project’s forecasted performance.

SUMMARY OF FINDINGS

Fiscal impact analyses for both the Westlake Shopping Center Existing Development and the proposed Mixed-Use Development were prepared to provide a comparison of the net revenues estimated to accrue to the City of Daly City General Fund pursuant for each scenario. The findings are summarized in Table 1.

Pursuant to an estimated count of 179 rental units with market-based pricing and occupancy assumptions, 34,074 square feet of new retail, 13,000 square feet of relocated existing retail, and 7,515 square feet of relocated existing medical offices with estimated taxable retail sales and occupancy assumptions, the net fiscal impact of the Westlake Shopping Center Mixed-Use Development on the City of Daly City General Fund is estimated to comprise a net gain of approximately \$472,100 annually upon full buildout. This net fiscal impact finding reflects annual estimated revenues of \$692,700 balanced by a City service cost estimate of \$220,600. This service cost estimate is based on the average cost approach, which typically results in conservative estimates, especially for redevelopment sites that do not generally require substantial marginal increases in city service costs.

Table 1
Westlake Shopping Center
Mixed-Use Development and Existing Development
Estimated Annual Revenue, Expenditures, and Net Fiscal Impact

Land Use	Annual Revenues	Annual Expenditures	Annual Net Fiscal Impact
Mixed-Use Development	\$692,665	\$220,574	\$472,090
Existing Development	\$140,365	\$25,712	\$114,653
Difference	\$552,300	\$194,862	\$357,438

Source: Exhibit 17.

The Existing Development is estimated to generate a net fiscal gain of approximately \$114,700 annually to the City of Daly City General Fund. This figure reflects estimated revenues of \$140,400 per year, balanced by approximately \$25,700 in estimated city service costs. As cited above, the service cost estimate is based on the average cost approach, which can produce a conservative estimate of annual service costs.

The net fiscal impact analysis results in the Mixed-Use Development generating an estimated \$357,400 per year more in net revenues to the Daly City General Fund than the Existing Development. As noted, this reflects the average cost approach to estimating services. As the project comprises redevelopment of existing uses in an area already densely developed with a large quantity of existing retail space and residential units, it is likely that the average cost approach to expenditures is not wholly relevant. A case study approach to estimating services would have resulted in different, marginal cost findings, with service providers generating specific estimates of service costs for each scenario. ALH Economics anticipates these marginal costs would be minimal. Accordingly, if this service cost approach were integrated into the analysis instead of the average cost approach, the net fiscal impact findings for both the Existing Development and the Mixed-Use Development would likely be much greater than the estimates presented in Table 1.

At estimated annual revenues of \$692,700, the Westlake Shopping Center Mixed-Use Development is projected to generate more than five times the estimated level of General Fund revenue as the Existing Development. While annual General Fund service costs are also higher for the Mixed-Use Development, at \$220,600, the resulting net fiscal impact of \$472,100 is more than four times the net fiscal impact of the Existing Development. Thus, this analysis indicates that the Mixed-Use Development will provide a more favorable flow of revenues to the City of Daly City than the Existing Development. ***This highlights the comparatively strong net fiscal impact of the Westlake Shopping Center Mixed-Use Development, which totals an estimated \$357,400 a year more in annual City of Daly City General Fund revenues than the Existing Development.***

Limitations of Findings

The foregoing findings are intended to give a general sense of the net fiscal impact of the Westlake Shopping Center Existing Development and the Mixed-Use Development scenarios. The figures are not precise estimates. Changes would occur if the revenue and expenditure factors or other assumptions used were modified. Nonetheless, the findings suggest the likelihood that construction of the Westlake Shopping Center Mixed-Use Development will result in a positive net fiscal impact on the City's General Fund.

II. METHODOLOGY AND DATA RESOURCES

METHODOLOGY

ALH Economics developed an approach to the Westlake Shopping Center Mixed-Use Development fiscal impact analysis designed to provide an understanding of the Project's net fiscal impact on the City of Daly City's General Fund using specific Project information as much as possible. This includes estimates of revenues generated by the Project that accrue to the City's General Fund as well as service costs incurred by the City funded through the General Fund. The analysis also compares the fiscal impact results of the Project versus the Existing Development.

The analysis is grounded in the City's budget and existing revenue bases, and performance estimates for the Project and the Existing Development. The analysis is structured to examine the Project's impacts upon full build out and assumed stabilization. To facilitate the analysis and interpretation of the results the findings are presented in approximate Fiscal Year 2016-17 dollars.

The fiscal impact analysis does not include one-time development-related fees that may be charged by the City of Daly City. These fees are typically assessed on a cost recovery basis and are thus excluded from the analysis. Other potential fees, such as impact fees, are also excluded as they too are designed to provide a nexus with the services provided.

The City General Fund expenditures analysis was conducted using the average cost approach. This is typically the most expeditious approach for a fiscal impact analysis, but is also one that can result in under or over estimation of project-related costs. In this approach, costs are derived by determining an average cost to provide existing services on a per capita basis for the relevant population served, which is then applied to the comparable population base for the project or land use under study.

The alternative fiscal impact approach, which comprises the case study or marginal cost approach, involves obtaining detailed estimates from City department representatives based on project specifics, such as new building area, number of residents, and number of new employees. An example of relevant departmental information includes the number and cost of police department personnel and overhead required to provide police services to the new project. This approach was not pursued for this analysis for two reasons. First, it is a burden on City staff, with respect to staff time and resources. Second, use of the marginal cost approach would likely result in lower cost estimates than the average cost approach, as the Project comprises redevelopment of a site with existing structures in an area already densely developed with a large quantity of existing retail space and residential units. Consequently, redevelopment of the site in the manner planned by Kimco Realty is unlikely to significantly impact the City's staffing needs. Therefore, basing the analysis on the average cost approach is deemed a more conservative approach to estimating Project-related City service costs.

In general, a jurisdiction's "service population" for fiscal impact analysis purposes is equivalent to the resident population plus some factor of the workforce. This is the population base that is provided services by the jurisdiction under study. Most fiscal impact analysts typically equate 2 to 3 employees with 1 resident, or 0.5 to 0.33 employees per resident, on the theory that people who work in an area place fewer demands on services than residents. For the purpose of this analysis, ALH Economics used the 0.5 employees per resident factor, which is a more conservative choice from an employment perspective than the 0.33 factor, especially relative to service cost estimates for employees based on the average cost approach. This is also the more common approach. The average costs in this study are

based on the City of Daly City's annual budget, which for this analysis comprised Fiscal Year 2016-2017.

Wherever possible, efforts were made throughout the analysis to develop assumptions or estimates in a conservative manner, so as not to overstate potential net revenues attributable to the Project or the Existing Development. The analysis was conducted in a series of linked excel-based worksheets. Exhibits generated from these worksheets are included in Appendices A and B. These exhibits are briefly introduced and discussed in the following chapters, with more detailed information and explanatory comments provided in the exhibit footnotes.

DATA RESOURCES

The fiscal impact analysis relied upon a number of key resources. These resources are all identified in the sources and notes to the exhibits developed to support the analysis and provide the results. These resources are as follows:

- ***Materials provided by Kimco Realty.*** These materials include the development site's Assessor's Parcel Number (APN); property tax documents; Project information; Existing Development information; operations data; and other development-related parameters.
- ***City of Daly City resources.*** These include the City's website; the City of Daly City's Comprehensive Biennial Operating and Capital Budget for Fiscal Year 2017 and 2018; City of Daly City Filing Instructions for Completing your Business License Tax Form; and City of Daly City Filing Instructions for Completing your Business License Tax Form for Rental Property.
- ***Third party resources.*** A number of third party resources were referred to for information important to the analysis. These sources include the following:
 - State of California Department of Finance, "Table E-1: City/County Population Estimates with Annual Percent Change";
 - Association of Bay Area Governments, "Bay Area Plan Projections 2013";
 - Apartment development websites and staff;
 - San Mateo County Controller's Office, "City of Daly City TRA Factors Adjusted for ERAF - TRA 005-001";
 - State of California Controller's Office, <https://bythenumbers.sco.ca.gov/City-Revenues/City-Revenues-Taxes/w2th-6i46>;
 - Mark Church Assessor-County Clerk-Recorder, San Mateo County 2016-17, Local Secured and Unsecured Rolls, July 1, 2016;
 - San Mateo County Controller's Office Property Tax Highlights Fiscal Year 2015-16;
 - San Mateo County Tax Collector's Office, Secured Property Tax Bills for 2016;
 - CBRE North America, First Half 2017, Cap Rate Survey;
 - Property Tax Division Manager, San Mateo County Controller's Office, "Fund Revenue Incremental Factors List - Fiscal Year 2016-2017";
 - Property Tax Division Manager, San Mateo County Controller's Office, "ERAF Shift and AB8 Fiscal Year: 2016-2-017";
 - San Mateo County Assessor;
 - United States Census Bureau;
 - U.S. Bureau of Labor Statistics "Table 1203. Income before taxes: Annual expenditure means, shares, standard errors, and coefficient of variation, Consumer Expenditure Survey, 2015";

- California State Board of Equalization (BOE), "Taxable Sales in California (Sales & Use Tax) during 2015;
- U.S. Economic Census, "Retail Trade: Subject Series - Product Lines: Product Lines Statistics by Kind of Business for the United States and States: 2007";
- US Census, American Community Survey, "S1901: Income in the Past 12 Months (In 2015 Inflation-Adjusted Dollars) - 5 YR 2011-2015; and
- United States Bureau of Labor Statistics, CPI for Urban West.

All of these resources are identified as warranted in the text and the series of exhibits that document the fiscal impact analysis. The cited exhibits can be found in Appendices A and B. The report is subject to the Assumptions and General Limiting Conditions included before the appendices.

III. FISCAL ASSUMPTIONS AND REVENUE AND EXPENDITURE ESTIMATES

The assumptions and building blocks underlying the fiscal impact analysis for the Existing Development and the Westlake Shopping Center Mixed-Use Development are presented in Exhibits 1-9, which can be found in Appendix A. The property valuation revenue calculations for the fiscal impact analysis are presented in Exhibits 10 and 11. A summary of these exhibits and their primary purposes follow.

EXISTING DEVELOPMENT DEFINITION

- **Exhibits 1 & 2, Existing Development Project Description, Employees, and Service Population & Existing Development Summary.** Exhibit 1 lists the current tenants, square footages, and vacancies in Buildings L and M, which comprise the Project site, as provided by Kimco Realty. For the Existing Development, the retail space totals 30,430 square feet, and the medical office space totals 23,232 square feet, for a total of 53,662 square feet. The retail space, which is located in both Buildings L and M, is currently operating at 86% occupancy, with 26,253 occupied square feet. The medical office space, which is in Building L, is currently operating at 65% occupancy, with 15,029 occupied square feet. This exhibit also estimates the number of employees and the service population for the Existing Development based on standard industry employment density assumptions of one retail employee per 500 square feet of occupied space and one medical office employee per 200 square feet of occupied space. Pursuant to these assumptions, Existing Development employment is estimated to total 128. Using the aforementioned industry standard service population factor for employment-generating land uses of half of the number of employees, the estimated service population totals 64 for the Existing Development.

Exhibit 2 summarizes the data from Exhibit 1 as well as provides an estimate of taxable retail sales. This estimate considers that a portion of tenant sales are likely not taxable based upon the tenants identified in Exhibit 1, such as the personal service-oriented tenants. These tenants comprise approximately 42% of the existing occupied retail space. The estimated taxable retail sales for the Existing Development are \$9.4 million. This is based on an estimate of \$360 per square foot in taxable sales across all existing tenant square footage. This \$360 per square foot figure was derived from proprietary sales data provided to ALH Economics by Kimco Realty for some, but not all, of the existing tenants. These sales data reflected sales from various points in time, which ALH Economics trended to approximately 2017 sales estimates. The sales deemed most likely to comprise taxable sales were totaled and spread across the total occupied retail square footage. The resulting figure totaled approximately \$360 per square foot, which is incorporated into the analysis. Notably, this is a conservative estimate, for several reasons. Foremost, some personal services and other small tenants do generate some taxable sales due to product sales, such as in hair salons. However, the share of these sales relative to total sales is indeterminate and thus were not included in the total taxable sales estimate. Further, retail sales for select additional retailers that generate taxable sales within the Existing Development were not available. This especially includes the telecommunications retailers (e.g., Sprint and T-Mobile). Because these retailers comprise a significant amount of space (e.g., 23% of the existing occupied retail space, their exclusion from the sales estimate would result in significant under estimation of taxable sales. Therefore, ALH Economics developed a taxable sales per square foot estimate for this use of \$300, which was incorporated into the total taxable sales estimate. This sales per square foot estimate is based on review of select industry information and retailer performance, and is believed to comprise a conservative estimate of taxable sales for these telecommunications retail stores.

MIXED-USE DEVELOPMENT DEFINITION

- **Exhibits 3 & 4, Survey of Selected Apartment Projects, Apartment Unit Distribution and Rents by Unit Type.** The Project's residential component includes 179 planned apartments, including a mix of studio, one-bedroom, two-bedroom, and three-bedroom units. The residential units are anticipated to range in size from 449 square feet to 1,291 square feet. The units will be built above the planned 34,074 square feet of new retail space and two levels of subterranean parking reserved for the Project residents.

In order to estimate the value of the Project's proposed rental residential portion, ALH Economics conducted a limited survey of nearby, competitive apartment complexes. The complexes are mostly Daly City properties that were built within the last 12 years. Two exceptions are Westlake Village Apartments, a very large complex, with 2,983 units, originally built in the 1950s that nearly surrounds Westlake Shopping Center, and Avalon Ocean Avenue in San Francisco near City College of San Francisco, which comprises rental units over retail – a similar building format to that proposed at the Project. The results of the survey are presented in Exhibit 3, which provides information on each individual property including types of units, sizing, year built, current occupancy, current rental rates, and property characteristics and amenities. Exhibit 4 then presents the rental data segmented by unit type. These exhibits provided a foundation for ALH Economics' development of a description and unit pricing estimates for the Project.

ALH Economics found that Avalon Ocean Avenue often set the high end of the rent range due to its San Francisco location, while Westlake Village Apartments was often at the low end, due to its small unit sizes and older age. Thus, rents were estimated in between these extremes, most often similar to La Terraza at Colma Station and Pacific Place Apartment Homes, but also considering the average size of the Project's planned units. The rents were estimated by unit type, and then compared on a per-square foot basis for reasonableness. For the valuation analysis, the per-square-foot rents were then rounded. Table 2 presents the rounded monthly market rent estimates by unit type.

Table 2
Mixed-Use Development
Estimated Apartment Rents for Study Valuation Purposes

Unit Type	Average Unit Size (Sq. Ft.)	Number of Units	Estimated Rent	
			Per Month	Per Sq. Ft.
Studio	449	19	\$2,110	\$4.70
One-Bedroom	701	87	\$2,940	\$4.20
Two-Bedroom	963	64	\$3,470	\$3.60
Three-Bedroom	1,291	9	\$4,070	\$3.15
Weighted Average/Total	798	179	\$3,100	\$3.90

Source: Exhibit 5.

As shown in Table 2, the concluded average monthly rents for study valuation purposes are \$2,110 for studios, \$2,940 for one-bedroom units, \$3,470 for two-bedroom units, and \$4,070 for three-bedroom units. The overall weighted average monthly rent is estimated at \$3,100.

- **Exhibit 5, Westlake Shopping Center Mixed-Use Development, Proposed Mixed-Use Project Description, Population, and Taxable Retail Sales.** Exhibit 5 provides a summary of the Westlake Shopping Center Mixed-Use Development program. This includes the following new development components: 34,074 square feet of ground floor retail; 179 residential rental units above the retail, comprising studios, one-bedroom, two-bedroom, and three-bedroom-units; and a subterranean residential garage with 260 parking spaces. The 179 residential units range in size from 499 to 1,291 square feet and have an estimated weighted average monthly rent of \$3,100. Thus, the annual rental income is estimated to total approximately \$6.7 million. Applying an average of 2.4 persons per household and a 5% stabilized industry standard market vacancy rate results in an estimated residential population of 400, which is the same as the service population as all residents are assumed to be equivalent to one service population.

For study purposes, the commercial component of the Mixed-Use Development includes the 34,074 square feet of planned new retail space as well as an allocation for retail and medical office space associated with existing tenants from Buildings L and M that will be relocated to other existing buildings associated with Westlake Shopping Center. Assuming a stabilized market vacancy rate of 5.0%, the new commercial space is assumed to total 32,370 square feet of occupied retail space. This results in an estimated 65 employees, based upon the assumed retail employment ratio of 500 square feet per employee, which in turn converts to a rounded service population estimate of 32. This new retail space is assumed to achieve taxable retail sales of \$510 per square foot, resulting in a total taxable sales estimate of about \$16.5 million. The following discusses the \$510 per square foot sales assumption for the new retail development.

The incremental Existing Development space allocations included in the Mixed-Use Development Project definition total 13,000 square feet of existing retail tenants and 10,520 square feet of existing medical office tenants. Kimco Realty currently anticipates relocating some of the existing retail tenants into space comprising approximately 50% of the existing retail square footage and 70% of the existing medical office tenants into other buildings associated with Westlake Shopping Center. Because these tenants will not be ceasing operations, their relocation is deemed to be a valid component of the Mixed-Use Development Project, as their retail sales and associated sales taxes will not be foregone to the City of Daly City and their employment and associated employment-related General Fund revenues and expenditures will continue.

For the medical office space, Exhibit 1 indicates there are approximately 15,030 square feet occupied by medical office tenants. Thus, 70% of this amount is equal to 10,520 square feet of relocated medical office space, which is included in the Mixed-Use Development definition in Exhibit 5. These 10,520 square feet of occupied medical office space are anticipated to house 53 employees, or a rounded service population of 26.

The relocated retail tenants, occupying 13,000 square feet, with a service population of 13, are estimated to achieve taxable retail sales totaling \$510 per square foot. This figure is benchmarked to the \$360 per square foot assumed for the Existing Development. The conversion from \$360 to \$510 per square foot reflects two primary considerations. First, in the Existing Development, there is a relatively high percentage of tenant space not generating taxable sales (estimated at 42%, or 58% taxable). Thus, the existing taxable sales are spread across a high proportion of space not generating taxable sales. Based upon proprietary information provided by Kimco Realty, it appears that a higher percentage of the relocated

tenants will be generating taxable sales (estimated at 65%). This results in higher sales per square foot since the generated sales are not spread across as much space lacking taxable sales. ALH Economics leveraged the initial \$360 per square foot taxable sales assumption across the relocated tenant space, to derive a higher per square foot sales figure. A modest locational premium of 20% was added to the resulting figure given that the new spaces for the relocated tenants will have higher visibility and comprise more premium locations than the existing Buildings L and M. In addition, the new retail spaces will have more modern interior buildouts in some of the most aesthetically pleasing parts of Westlake Shopping Center. Application of the premium resulted in the \$510 per square foot taxable sales estimate, resulting in a taxable sales estimate of \$6.6 million for the relocated retail tenants.

The projected taxable sales for the relocated retail tenants result in a net reduction of \$2.8 million in estimated taxable sales generated by the retail tenants in the Existing Development upon Project development. See Table 3 for a summary of these sales.

Table 3
Westlake Shopping Center Existing Retail Uses
Current Existing Retail and Existing Retail that is Relocating within Existing Westlake Shopping
Center Space
2017 Dollars

Retail	Total Occupied Square Feet	Employment	Service Population	Estimated Taxable Retail Sales
Existing (1)	26,253	53	26	\$9,451,080
Relocating (2)	13,000	26	13	\$6,630,000 (3)
Net Loss in Taxable Sales:				\$2,821,080

Sources: Kimco Realty; and ALH Urban & Regional Economics.

(1) See Exhibit 2.

(2) Reflects approximately 50% the existing occupied retail space. Employment and service population calculated the same as the Existing Development in Exhibit 2.

(3) See Exhibit 5.

The same \$510 per square foot in taxable sales assumed for the relocated tenants is assumed for the Project's new retail space. This results in a taxable sales estimate of about \$16.5 million for the new retail space. The \$510 per square foot figure is used because it was derived from existing conditions, and thus suggests a conservative baseline for the new retail space. Specific tenants likely to locate in the new retail space are not yet known. There is a possibility that the existing Walgreens located elsewhere in Westlake Shopping Center and Chipotle located in the Existing Development are both prospective tenants for the new retail building. If the Walgreens relocates, the new space would entail a smaller footprint totaling 14,000 square feet, just under one-half the size of the current space occupied by Walgreens. If this relocation occurs, Kimco Realty assumes that all of the existing Walgreens sales will transfer over to the new space, as there is no change in user, thus effectively increasing the sales per square foot of Walgreens. In addition, this would free up the existing Walgreens space for the generation of more retail sales and associated sales taxes, to the benefit of the City of Daly City. There would also be no

effective loss in sales at Walgreens at the time of relocation, as Walgreens would be able to close one day and move across the parking lot to the new building.

There are currently no lease commitments for the Walgreens relocation or the Chipotle relocation. Therefore, if these tenants do not relocate, the new retail spaces being designed for them (14,000 square feet for the Walgreens and 2,213 square feet for Chipotle) would be allocated to other tenants. Thus, the associated benefits are conservatively not captured in the analysis, but the aforementioned benefits would transpire if these relocations occur.

In summary, the Mixed-Use Development Project definition includes a total service population of 472 (e.g., 400 for the residential component and 72 for the commercial component) and taxable retail sales totaling \$23.1 million.

CITY BASELINE FISCAL ASSUMPTIONS AND FACTORS

- **Exhibit 6, City of Daly City Demographic, Employment, and Tax Characteristics.** This exhibit contains many of the baseline assumptions and information necessary to generate estimates of the City of Daly City's revenues and expenses applicable to existing land uses and new development. These include population and employment estimates used to generate the size of the City's existing service population for the purpose of deriving existing average cost expenditures and some per capita revenues. These figures are benchmarked to January 2017, which generally corresponds with the FY 2016-2017 City budget information that is a foundation for the analysis. These estimates include a population base of 109,287 and an employment base of 22,950. Under the assumption that the City's service population is equivalent to residents plus one-half the employment base, the City's relevant service population is estimated at 120,762.

This exhibit also includes key tax-related information unique to the City of Daly City, such as property and sales tax rates, vehicle in lieu of property tax revenues, secured and unsecured property assessed valuation, and unsecured property tax revenues, all of which are germane to the fiscal impact analysis as noted in the other exhibits that follow.

Most relevant to the analysis is the City's 18.47% share of the basic 1% property tax rate collected by San Mateo County. This estimate is based upon analysis of pre- and post-ERAF property tax distribution fully documented in Exhibit B-1, where ERAF is the Educational Revenue Augmentation Fund, which is a special State-created fund that receives property tax distributions from some local funds specifically for the purpose of education. The analysis is specific to the Tax Rate Area where the Westgate Shopping Center Project parcel is located. These distributions change annually, thus the 18.47% estimated property tax rate could change nominally on an annual basis. Exhibit B-1, where the tax rate is calculated, demonstrates how funds are shifted away from local jurisdictions to ERAF, and the resulting tax rate, with the City of Daly City's resulting tax rate highlighted in bold.

In addition, the City of Daly City has an effective sales tax rate of 0.95%.

PROPERTY VALUATION

- **Exhibit 7, Westlake Shopping Center Main Portion, Existing Development, Property Valuation, FY 2016-17 Dollars.** This exhibit presents the assumptions and conclusions regarding the property valuation of the Existing Development. The Mixed-Use Development site

includes existing buildings L and M (also known to Kimco Realty for purposes of the Project as the Work Limit Area), which are located on Assessor Parcel Number (APN) 002-170-230 with other parts of the Main Portion of the Westlake Shopping Center. Per the San Mateo County Assessor, the total assessed valuation of the Main Portion includes \$55.4 million for 934,885 square feet of land area and \$58.8 million for building improvements totaling 512,792 square feet of building area. Based upon these figures, ALH Economics calculated a parcel valuation totaling \$59 per square foot of land area and \$115 per square foot of building area, by dividing the assessed valuation of each component by the associated square footage. In order to estimate the Mixed-Use Development's portion of the assessed value, the land value per square foot for the Main Portion was multiplied by the square feet of land area associated with the Work Limit Area, or Buildings L and M. This totals 84,942 square feet (e.g., 1.95 acres). Thus, at \$59 per square foot, the value of the Existing Development land area is estimated to total \$5.0 million. Similarly, the building area per square foot for the Main Portion was multiplied by the building square footage associated with Buildings L and M, which total 53,662 square feet. Thus, at \$115 per square foot, the value of the Existing Development building area is estimated to total \$6.2 million. The summation of these two valuation estimates is \$11.2 million, which is assumed to comprise the current property value of the Existing Development.

- ***Exhibit 8, Westlake Shopping Center Mixed-Use Development, Residential Project Portion, Property Valuation Estimate, 2017 Dollars.*** The property valuation estimate for the Westlake Shopping Center Mixed-Use Development Project residential portion totals \$98.4 million. The estimated valuation is based on the average annual rents by unit type multiplied by the number of each respective unit. This information is presented in Exhibit 5. Based on all 179 units, this results in a projected gross annual income of \$6.7 million. After applying a market-based 5% vacancy rate to the total 179-unit property, the effective gross income (EGI) is adjusted to \$6.3 million. Then subtracting for estimated operating expenses, estimated as 30% of the EGI and applying a 4.5% capitalization rate based on information for residential product in the San Francisco Bay Area from CBRE North America, results in a total valuation estimate of \$98.4 million. This value estimate is equal to \$550,000 per rental unit.
- ***Exhibit 9, Westlake Shopping Center Mixed-Use Development, Retail Project Portion, Property Valuation Estimate, 2017 Dollars.*** This exhibit presents the assumptions and conclusions regarding the property valuation of the Westlake Shopping Center Mixed-Use Development Project new retail portion upon the completion of development and operational stabilization. The property valuation for the 34,074 square feet of new retail space totals \$35.7 million. This valuation is calculated using an assumed monthly rent of \$4.50 triple net, which annualizes to \$54 per square foot. This rate generally conforms to select market comparables, but also Kimco Realty's general expectations for the achievable lease rate for the new retail space. This annual rent is multiplied by the total square footage, to which a market-based vacancy rate of 5.0% is applied, resulting in an estimated EGI of \$1.7 million. Then subtracting for estimated operating expenses, estimated as 3% of the EGI, and applying a capitalization rate for retail properties in the San Francisco Bay Area of 5.0%, results in the total estimated valuation of \$33.9 million. The 3% of EGI assumption is at the low end of the typical range of 3% to 5% of unrecovered operating expenses as a percent of EGI for commercial properties, as Kimco Realty's rent structure entails substantial tenant expense pass-throughs.

FISCAL REVENUE ESTIMATES

The revenue calculations for the fiscal impact analysis are presented in Exhibits 10 through 15. A summary of these exhibits and their primary purpose follows.

- **Exhibit 10, Estimated Mixed-Use Development Assessed Valuation, 2017 Dollars.** This exhibit converts the estimated valuation of the Mixed-Use Development retail and residential components to an estimated assessed valuation for the purpose of property tax generation and other property value-related revenues. The need for this conversion is attributable to the stable ownership of the property, with Kimco Realty retaining ownership upon completion of the Mixed-Use Development. Given this stable ownership, the land component of the Existing Development value will remain constant for the Mixed-Use Development for property assessment purposes. Thus, the assessed valuation is anticipated to be based upon this land value and a separate allocation for improvements.

To estimate the potential assessed valuation for the Mixed-Use Development, ALH Economics developed an assumption of the total valuation upon completion of the Project that could be allocated to land. Once this portion is isolated, and the total valuation based upon the income approach in Exhibits 8 and 9 is divided into land and improvements, then the Existing Development land value is substituted for the calculated Mixed-Use Development land value to derive a revised valuation comprising a potential assessed valuation for property tax purposes.

The key assumption for this analysis is the percent of value attributable to land. This percentage will vary widely for all types of development, depending upon the type of development and nature of the improvements. Thus, the percentage assumed by ALH Economics for the purpose of this analysis is a generalized assumption, designed to recognize that the full value of the Mixed-Use Development components estimated by the income approach is greater than the assessed value that will be assigned by the San Mateo County Assessor upon project completion due to the stable ownership of the underlying land. The assumed study percentage is 10%.

This is an assumption developed by ALH Economics. It is intended as a means of isolating out the potential portion of the estimated value of the Mixed-Use Development based on the income approach that is allocable to land. This percentage assumption was developed based upon ALH Economics review of select comparable residential projects and the reported division between land and improvement costs on Realquest, a property database including property detail reports including property size, assessed valuation, sale date, and other property information. Key comparables included in this analysis include the following: Avalon Ocean Avenue, one of the apartment projects included in Exhibit 2, with a similar density to the Mixed-Use Development residential component and with subterranean parking, similar to the Project; and Pacific Place Apartments, with a lower density than Avalon Ocean Avenue and the Project but with a land value per unit deemed reasonable. Because the Mixed-Use Development also includes a retail component, its contributory value is supportive of the assumed percentage of land value relative to total valuation.

Based upon this analysis, the assumed value of the Mixed-Use Development for property tax assessment purposes is \$124.1 million.

- **Exhibit 11, Property Valuation, Annual Property Tax Payments; Existing Land Use, Westlake Shopping Center Existing Development and Mixed-Use Development Building Structures Excluding Land, City of Daly City, in 2017 Dollars.** This exhibit presents the assumptions and conclusions regarding the property tax revenues associated with the Existing Development and the Mixed-Use Development that currently accrue to the City of Daly City as well as are forecasted for the Mixed-Use Development upon stabilized occupancy. This analysis is based upon the estimate of the current valuation of the Existing Development and the estimated assessed value of the Mixed-Use Development pursuant to consideration of the constant ownership of the Project's underlying land (see Exhibit 10).

The City of Daly City receives an 18.47% share of the 1.0% basic San Mateo County property tax rate. Pursuant to this tax rate share the City of Daly City currently receives an estimated \$20,661 in property tax revenues associated with the Existing Development. This is the estimated amount of property tax revenues the City will receive annually associated with the site improvements, adjusted by 2.0% annually pursuant to the provision of Proposition 13, absent any new site development. Upon completion of the Westlake Shopping Center Mixed-Use Development, the City's annual property tax revenue is projected to increase to \$239,237. This results in a net increment of \$208,576 annually in property tax revenues received by the City of Daly City attributable to development of the Westlake Shopping Center Mixed-Use Development.

- **Exhibit 12, Property Tax in Lieu of VLF Estimates for Existing Development, City of Daly City, FY 2016-17 Dollars.** This revenue component, Property Tax in Lieu of Vehicle License Fees (VLF), is derived from a property's share of the total property valuation throughout the city in which it is located. For an existing use it would be tied to the property's share of the current valuation. For a planned development project, such as the Project, it would be based upon the project's anticipated contribution to increased property valuation throughout the city. This is the method by which such tax revenues are estimated by the State of California and redistributed to local jurisdictions. This is a State substitute for prior motor vehicle license taxes that were redistributed by the State to municipalities. The result of this calculation for the Westlake Shopping Center Existing Development is presented in Exhibit 12.

To estimate the VLF in Lieu revenue, the percentage share of City of Daly City assessed valuation attributable to the Westlake Shopping Center Existing Development is calculated by dividing the estimated property valuation for the Existing Development into the City of Daly City's total assessed valuation. The result is 0.1036%. By applying this percentage to the City's total estimated Property Tax in Lieu of VLF revenue figure, the City's share of in Lieu VLF revenue attributable to the Existing Development is estimated at \$9,404.

- **Exhibit 13, Property Tax in Lieu of VLF Estimates for Existing Development and Mixed-Use Development, City of Daly City, FY 2016-17 Dollars.** As stated above, for a planned development project, such as the Mixed-Use Development Project, the Property Tax in Lieu of VLF revenue would be based upon the project's anticipated contribution to increased property valuation throughout the city. The result of this calculation for the Mixed-Use Development is presented in Exhibit 13.

To estimate the VLF in Lieu revenue, the percentage increase in property valuation attributable to the Westlake Shopping Center Mixed-Use Development is calculated by adding the estimated property valuation of the Mixed-Use Development to the City's existing assessed valuation, less

the value of the Existing Development, and then calculating the percentage increase in valuation attributable to the Mixed-Use Development. The result of this calculation presented in Exhibit 13 is 1.0608%. By applying this percentage to the City's total estimated Property Tax in Lieu of VLF revenue figure, the City's projected share of in Lieu VLF revenue attributable to the Mixed-Use Development is estimated at \$94,938.

- **Exhibit 14, Estimated Annual Retail Sales Tax Generation, Westlake Shopping Center, Existing Development and Mixed-Use Development, City of Daly City, FY 2016-17 Dollars.** Both the Existing Development and the Mixed-Use Development include retail space components with tenants generating taxable retail sales and associated sales taxes to the benefit of the City of Daly City. In addition, the residential occupants of the Mixed-Use Development will spend taxable retail dollars in the City of Daly City.

Exhibit 14 presents the estimated taxable retail sales for the Existing Development and the associated retail sales tax revenues that will accrue to the City. These sales are estimated to total \$9,451,000 a year. At the City's 0.95% sales tax rate, the Existing Development is estimated to generate \$89,785 a year in sales taxes to the City of Daly City.

For the Mixed-Use Development, the taxable retail sales are estimated to total \$23,138,853 a year. At the City's 0.95% sales tax rate, the Mixed-Use Development is estimated to generate \$219,819 a year in sales taxes to the City of Daly City. This includes retail sales taxes generated by the retailers in the new retail space (\$16.5 million in taxable sales) as well as the approximately 50% of tenants in the Existing Development anticipated to relocate elsewhere in Westlake Shopping Center when Buildings L and M, which comprise the Existing Development, are demolished (\$6.6 million in taxable sales).

Exhibit 14 also estimates the retail spending for the Mixed-Use Development households in the City of Daly City, the share of sales assumed to be taxable, a sales capture rate for Daly City, and the associated retail sales tax revenues that will accrue to the City. Households living in the Project's 170 occupied housing units (i.e., 179 total units less 5% stabilized occupancy) are estimated to generate \$5.6 million a year in retail spending, 84% of which is estimated to be taxable. The \$5.6 million spending estimate is based on estimated annual household retail spending of \$32,800. The derivation of this figure is presented in Table 4, which assumes that household incomes will be equal to three times the Project's annual weighted rent, and that households with this level of income, which is estimated at \$111,600, will annually spend 29% of their household income on retail. This percentage figure is based upon analysis of the U.S. Consumer Expenditures Survey, which presents information regarding annual household spending on a mix of goods and services by income level.

Table 4
Westlake Shopping Center Mixed-Use Development Projected Household Income (1)
2017 Dollars

Residential Land Use	Weighted Average Monthly Rent (1)	Income Required (2)	Percent Income Spent on Retail (3)	Per Household Retail Spending
Mixed-Use Development	\$3,100	\$111,600	29%	\$32,800

Source: ALH Urban & Regional Economics.

(1) See Exhibit 5.

(2) Assumes annual income is equivalent to 33% annual rent payments, so income is 3x rent.

(3) Percent of income spent on retail is based on analysis of the U.S. Bureau of Labor Statistics Consumer Expenditure Survey, summarized in Exhibit B-3, which demonstrates that as incomes increase the percent of income spent on retail decreases. The selected percentage was identified based upon interpolation of the findings summarized in Exhibit B-3.

The 84% taxable goods spending assumed in Exhibit 14 is derived from analysis of Daly City's taxable retail sales and adjustments by ALH Economics for taxable versus nontaxable sales, such as a high portion of grocery sales being non-taxable, as are pharmaceutical drug sales. The analysis further assumes that the City of Daly City will capture 55% of Project residents' taxable retail spending. This assumption recognizes that Daly City is a net attraction city in most major retail categories, meaning that the City attracts more sales than expected from resident spending. The 55% assumption allows for 45% of all resident spending to occur outside Daly City, facilitating comparison shopping, internet-based spending, travel-related spending, and other expenditures beyond the City's ample retail base. The 55% assumption is also net of any anticipated resident purchases made in the Project's planned retail space.

The resident taxable retail sales analysis results in Project-based resident taxable sales totaling an estimated \$2.6 million in net new sales in Daly City. Pursuant to the City's sales tax rate, this results in an estimated \$24,400 in annual retail sales tax revenues to the City of Daly City.

The total sales tax revenue attributable to the Mixed-Use Development is estimated to total \$196,801, or an increment of \$121,980 more sales tax revenue to the City of Daly City over the Existing Development.

- **Exhibit 15, Assorted City of Daly City General Fund Revenues, Westlake Shopping Center, Existing Development and Mixed-Use Development, City of Daly City, FY 2016-17 Dollars.** There are five revenue sources identified in this exhibit along with the corresponding revenues estimated to be generated by the Existing Development and the Mixed-Use Development. These revenue sources include Utility Users Tax, Franchise Fees, Other Taxes, Fines and Forfeits, and Business License Fees. The first four of these revenues are summarized in Table 5. There are yet other revenues that may be generated by the prospective uses that could accrue to the General Fund, but ALH Economics believes the five cited revenues are likely to comprise the most substantial revenue sources, aside from the previously referenced property tax, property tax in lieu of VLF revenues, and retail sales tax.

The Utility Users Tax, Franchise Fee, Other Taxes, and Fines and Forfeitures were all estimated based on a per service population estimate, then applied to the estimated service populations for the Existing Development and the Mixed-Use Development. The resulting estimates are summarized in Table 5, and range from \$22.70 per service population for Fines and Forfeitures to \$52.72 per service population for Utility Users Tax. The total per service population estimate for the four General Fund revenue sources is \$147.41. Applying these figures to the Existing Development and Mixed-Use Development result in total General Fund revenue estimates of \$9,434 for the Existing Development and \$69,516 for the Mixed-Use Development.

Table 5
City of Daly City General Fund Revenue Factors
Westlake Shopping Center Existing and Mixed-Use Development
FY 2016-2017 Dollars

General Fund Revenue	Estimated Tax or Fee		
	Per Service Population	Existing Development	Mixed-Use Development
Utility Users Tax	\$52.72	\$3,374	\$24,861
Franchise Fee	\$31.95	\$2,045	\$15,067
Other Taxes	\$40.04	\$2,563	\$18,883
Fines and Forfeitures	\$22.70	\$1,453	\$10,706
Total	\$147.41	\$9,434	\$69,516

Source: Exhibit 15.

Businesses annually pay Business License Fees to the City of Daly City. These fees are subsumed within the General Fund revenue category of Licenses and Permits. Instead of calculating this revenue source on a per service population basis, this study specifically isolates just the estimated Business License Fee portion of this City revenue, to be more specific to the Existing Development and Mixed-Use Development. Business License fees in the City of Daly City comprise a gross receipts tax, with each business paying a portion of its gross receipts to the City of Daly City on an annual basis. The percentage paid to the City of Daly City varies depending upon the nature of the business, but relevant to Westlake Shopping Center, the fee is .001 of Commercial Gross Receipts (e.g., 0.1%) and .005 of Rental Gross Receipts (e.g., 0.5%).

The calculation for these estimated revenues are presented in Exhibit 15. The figures presented for the Existing Development and the commercial component of the Mixed-Use Development are conservative, as Business License Fees are estimated based only on the taxable retail sales reflected in the retail sales tax analysis. Thus, nontaxable sales are excluded from the analysis. Further, Business License Fees are not estimated for the medical office tenants in the Existing Development or the relocated medical office tenants in the Mixed-Use Development. This exclusion is due to the lack of a reliable basis for estimating gross revenues for medical offices. However, as approximately one-half the Existing Development medical office tenants are assumed to relocate and are reflected in the Mixed-Use Development definition, the increment in Business License Fees associated with medical office tenants in the Mixed-Use Development compared to the Existing Development would likely be modest.

Based on the analysis in Exhibit 15, the Existing Development business license fee is estimated to total \$11,080 per year. This total reflects 0.1% of estimated taxable sales receipts. The Mixed-

Use Development business license fee is estimated to total \$54,762 per year. This total reflects 0.1% of estimated taxable sales receipts and 0.5% of estimated rental gross receipts.

FISCAL EXPENDITURE ESTIMATES

As discussed in the Methodology section, fiscal impact studies typically engage in two methods to estimate project-based service costs. One is the average cost approach, usually implemented in the absence of detailed service provision and cost information, and one is the marginal, or case study approach, which derives estimated service costs based on expectations of service demands and associated actual service delivery costs.

Exhibit 16 presents the calculations to derive the average costs relevant to the City of Daly City General Fund. These calculations are based on the departmental expenditures associated with the City's General Fund, spread across the relevant population served.

- **Exhibit 16, Westlake Shopping Center Mixed-Use Development, City of Daly City General Fund Average Cost Expenditures, Fiscal Impact Factors City of Daly City, Fiscal Impact Factors City of Daly City.** In this exhibit, the City of Daly City's General Fund expenditures are expressed as average costs relative to key populations, e.g., the City's service population, the City's resident population, and the City's employment base. These costs include the General Fund outlay by City service category. This includes all expenditures, irrespective of possible adjustments for select revenue offsets.

Exhibit 16 is structured to facilitate analysis of the City's expenditures on a fixed and variable cost basis. Using this approach, some of the City's departmental expenditures are assumed to be fixed regardless of the size of the population served. The balance of the expenditures is then deemed to be variable, i.e., to change with the size of the population served. Typically, departments with greater administrative functions have higher percentages of fixed costs, which in this analysis is assumed to be 90%, or 10% variable. These categories are general functions not typically tied to a service population base. In Exhibit 16, representative departments with this assumption include City Manager (which includes City Council, City Manager, City Manager Administration, City Clerk, City Attorney, Community Engagement, and Community Service Center), City Treasurer, Economic Development, Finance-Administration/Accounting, Human Resources, and Non-Departmental. In contrast, other departments are assumed to have a high proportion of variable costs, with wider scalability to provide the necessary services. These departments are assumed to have only 10% of fixed expenditures, or 90% variable, and include departments such as Fire, Police, Library and Recreation, and Public Works. Changes in these assumptions will impact the resulting average cost figures. These percentage fixed and variable assumptions were developed by ALH Economics based on industry experience, comparable analysis conducted by other fiscal impact analysis consultants, and were only generally discussed with City of Daly City representatives.

Of the major City departments funded through the General Fund, ALH Economics assumes that all but one of these departments serves both the City's resident population and the workforce. The category assumed to serve only the City's resident population is the Library and Recreation Department.

For the departments assumed to serve the City's population base, the average cost per resident is \$479.57. Because of the assumed lesser cost to serve workers, the average cost per worker employed in the City is estimated at \$200.88.

V. FISCAL IMPACT FINDINGS

The results of the Westlake Shopping Center Existing Development and Mixed-Use Development fiscal impact analyses are presented in Exhibit 17. These findings present the projected annual revenues and expenditures accruing to the City of Daly City's General Fund from the Existing Development and the Mixed-Use Development scenarios.

All figures cited in this chapter are referenced in Exhibit 17, unless otherwise noted. These figures pertain to the estimated service population of 64 employees for the Westlake Shopping Center Existing Development and the projected service population of 472 residents and employees for the Westlake Shopping Center Mixed-Use Development.

NET FISCAL IMPACT ANALYSIS FINDINGS

Westlake Shopping Center Existing Development

The fiscal impact findings for the Existing Development indicate that on an annual basis, the Existing Development generates an estimated \$140,365 in revenues to the City of Daly City General Fund. The largest General Fund revenue component is the Existing Development Retail Sales Tax that accrues to the City of Daly City estimated at \$89,785 per year. Other significant annual revenues include Property Taxes, estimated at \$20,661 per year, Business License Fees at \$11,080, and Property Tax in Lieu of VLF at \$9,404. The annual General Fund revenues of other categories range from \$1,453 per year for Fines & Forfeits to \$3,374 per year for Utility Users Tax.

The estimated service costs for the Existing Development total \$25,712 per year. This reflects an estimated \$479.57 average cost per service population, or \$200.88 per employee. The per employee figure is of greatest relevance, as there are no residents associated with the Existing Development scenario. The largest estimated service costs are for public safety: Police service costs at \$14,780 per year and Fire service costs at \$8,217 per year. This is followed by Public Works at \$1,912 per year. The other service costs range from \$0 for the Library and Recreation department, as this is considered a resident-only cost and the Existing Development does not comprise any residents, to \$254 for Non-Departmental services.

The net result of the fiscal impact of the Westlake Shopping Center Existing Development on the City of Daly City General Fund is estimated as a net gain of \$114,653 annually. As these summary findings indicate, the Westlake Shopping Center Existing Development is estimated to contribute positively to the General Fund revenue base for the City of Daly City, assuming the average cost approach to expenditures.

Westlake Shopping Center Mixed-Use Development

The fiscal impact findings for the Mixed-Use Development indicate that on an annual basis, this development scenario is estimated to generate revenues totaling \$692,665 annually to the City of Daly City General Fund. The largest General Fund revenue component is property taxes, estimated at \$229,237 per year. This is a greater volume of property taxes over the Existing Development, comprising an increase of approximately \$208,576. Other significant estimated annual revenues include Mixed-Use Retail Sales Tax from tenant sales estimated at \$219,819, per year and Property Tax in Lieu of VLF

revenues at \$94,938 per year. The annual General Fund revenues of other categories range from \$10,706 per year for Fines & Forfeits to \$54,762 for Business License Fees.

The estimated service costs for the Mixed-Use Development total \$220,574 per year. This reflects an estimated \$479.57 average cost per service population, comprising \$479.57 per resident and \$200.88 per employee. The largest estimated service costs are for public safety: Police service costs at \$108,903 per year and Fire service costs at \$60,544 per year. This is followed by Library and Recreation, assumed to pertain to just the resident population, at \$31,119. The other service costs range from \$17 for the City Treasurer to \$14,089 for Public Works.

The net result of the fiscal impact of the Westlake Shopping Center Mixed-Use Development on the City of Daly City General Fund is estimated as a net gain of \$472,090 annually. As these summary findings indicate, the Westlake Shopping Center Mixed-Use Development is estimated to positively contribute in to a significant degree to the General Fund revenue base for the City of Daly City, assuming the average cost approach to expenditures.

Net Increment Resulting from New Development

The incremental difference in the net fiscal impact of the Mixed-Use Development and Existing Development is presented in Exhibit 17. As the figures indicate, the analysis estimates an increase of almost \$522,300 a year in revenue to the City of Daly City's General Fund pursuant to the Mixed-Use Development. On a proportional basis, the greatest contributors to this increase are Property Taxes, Property Tax in Lieu of VLF revenues, Sales Tax revenues, and Business License Fees. Other revenue categories are also estimated to experience a boost, such as Retail Sales Taxes from residents, but these other revenue increases are overshadowed by the ones cited.

There is also anticipated to be a dramatic net increase in City expenditures to service the Mixed-Use Development. This is attributable to a significant increase in the service population, increasing from 64 for the Existing Development to 472 for the Mixed-Use Development. The net difference between to two scenarios is an estimated \$194,862 increase in service costs.

Finally, the estimated increase in net fiscal impact to the City of Daly City's General fund is approximately \$357,400 a year. This is the estimated net increase in revenues resulting from the Mixed-Use Development compared to the Existing Development. This is a substantial estimated increase in net revenues to the City of Daly City, which can provide a valuable contribution to the City's General Fund to provide important and critical City services.

Reflection on Average Costs Analysis

As noted above, the comparison of the net fiscal impacts analysis for the two development scenarios using the average cost approach to expenditures results in the Westlake Shopping Center Mixed-Use Development generating an estimated \$357,400 a year more in net revenues than the Existing Development. This finding is based on use of the average cost approach to estimating services. As the Project site comprises a redevelopment of a portion of an existing shopping center, it is in an area already densely developed with many other retail and residential projects. It is therefore likely that the average cost approach to expenditures is the more conservative approach. A case study approach to estimating services would have resulted in different findings, with service providers generating specific estimates of service costs for each scenario. While ALH Economics does not know what these results would have netted, it is likely the marginal costs would be minimal, with Public Works potentially incurring some costs due to wear and tear on the road system, Library and Recreation experiencing

increased costs due to the generation of residents using the City's recreational facilities, and Police and Fire incurring some additional service calls due to the increase in residential population.

If one assumes the marginal service costs are minimal, and that the estimated revenues are most relevant to the assessment of fiscal impacts, then the Mixed-Use Development is much more favorable to the City of Daly City's General Fund than the Existing Development. At estimated annual revenues of \$692,665, the Mixed-Use Development could generate more than five times the estimated level of revenue as the Existing Development, which is \$140,365. Even allowing for the possibility that marginal service costs are relatively higher for the Mixed-Use Development than for the Existing Development, the high revenue ratio would remain, resulting in a more favorable flow of revenues to the City of Daly City from the Mixed-Use Development.

Conservative Assumptions

Efforts were made in this study to include conservative assumptions to avoid the potential of overstating the net fiscal impact on the City of Daly City of the Existing Development and the Mixed-Use Development. Some instances regarding the selection of these assumptions are referenced throughout the text. Following is a summary of some of the more conservative assumptions or analytical decisions related to this analysis.

- The analysis is benchmarked to average costs for City service expenditures. This may result in overstating service costs due to the infill nature of the Project.
- Retail sales reflect taxable sales only, not nontaxable sales. Thus, Business License Fees based on taxable sales rather than total sales understates the potential Business License Fee revenue to the City of Daly City.
- The per square foot taxable retail sales reflected in the analysis are likely understated as not all Existing Development retail tenant taxable sales were accounted for in the retail sales per square foot estimate.
- Medical office gross revenues are not estimated. Thus, the analysis does not include any estimated Business License Fees for the medical office tenants.
- The analysis does not include any estimated spending on retail in the City of Daly City by the Existing Development or Mixed-Use Development employees. Fiscal impact analyses often include this revenue factor. To avoid concerns about double-counting with retail sales at Westlake Shopping Center and the spending of retail and medical office workers, the analysis conservative excluded this revenue source.

There are other instances where conservative choices were made in the process of preparing the Existing Development and Mixed-Use Development fiscal impact. However, the above instances comprise the most significant examples.

FISCAL IMPACT LIMITATIONS

The foregoing fiscal impact analysis is intended to give a general sense of the net fiscal impact of the Westlake Shopping Center Existing Development compared to the Westlake Shopping Center Mixed-Use Development. The figures are not precise estimates. Changes would occur if the revenue and expenditure factors or other assumptions used were modified. Nonetheless, the findings suggest the likelihood that both the Existing Development and Mixed-Use Development result in a positive net fiscal impact on the City's General Fund. However, some limitations to the analysis, listed below, may affect the degree of the estimated net impacts and change the net fiscal impact balance.

General Limitations

- The analysis is benchmarked to estimated stabilized operations for the two development scenarios. The net impacts during construction and buildout of the Mixed-Use Development period will vary from the stabilized operations estimate.
- The analysis may not be inclusive of all revenue and cost estimates. Major categories associated with ongoing revenues and costs are included, but there may be other less significant categories excluded from the analysis.

One-time Revenues and Appropriations

- The fiscal impact analysis does not include development-related one-time fees that may be assessed by the City of Daly City. These fees are typically assessed on a cost recovery basis and are thus excluded from the analysis. Other potential fees, such as impact fees, are also excluded as they too are designed to provide a nexus with the services provided.

Ongoing Revenue and Appropriation Factors

- The analysis does not include any increase in valuation, such that would occur with the maximum 2% allowable increase pursuant to Proposition 13 or that would occur based upon increased valuation upon sale.
- The analysis does not take into account long-term service cost inflation, which may or may not be greater than the estimated rate of inflation.
- The Westlake Shopping Center Mixed-Use Development may trigger the need for additional services not accounted for in this analysis. The costs associated with these services could be meaningful, both for amortized capital and operating expenditures, and could reduce estimated net positive annual impacts. The likelihood of such additional costs being high, however, is deemed to be low.

In summary, the Westlake Shopping Center Existing Use Development and the Westlake Shopping Center Mixed-Use Development net fiscal impact findings estimated above may change as more information and factors are considered. Nonetheless, the findings suggest the likelihood that construction of the Westlake Shopping Center Mixed-Use Development will result in a positive net fiscal impact on the City's General Fund.

ASSUMPTIONS AND GENERAL LIMITING CONDITIONS

ALH Urban & Regional Economics has made extensive efforts to confirm the accuracy and timeliness of the information contained in this study. Such information was compiled from a variety of sources, including interviews with government officials, review of City and County documents, and other third parties deemed to be reliable. Although ALH Urban & Regional Economics believes all information in this study is correct, it does not warrant the accuracy of such information and assumes no responsibility for inaccuracies in the information by third parties. We have no responsibility to update this report for events and circumstances occurring after the date of this report. Further, no guarantee is made as to the possible effect on development of present or future federal, state or local legislation, including any regarding environmental or ecological matters.

The accompanying projections and analyses are based on estimates and assumptions developed in connection with the study. In turn, these assumptions, and their relation to the projections, were developed using currently available economic data and other relevant information. It is the nature of forecasting, however, that some assumptions may not materialize, and unanticipated events and circumstances may occur. Therefore, actual results achieved during the projection period will likely vary from the projections, and some of the variations may be material to the conclusions of the analysis.

Contractual obligations do not include access to or ownership transfer of any electronic data processing files, programs or models completed directly for or as by-products of this research effort, unless explicitly so agreed as part of the contract.

APPENDIX A: EXHIBITS

Exhibit 1
Westlake Shopping Center
Existing Development
Project Description, Employees, and Service Population

Site / Building	Square Footage (1)	Estimated Occupied Sq. Ft. (2)	Occupied Square Feet per Employee (3)	Estimated Number of Employees (4)	Service Population (5)
Tenant Buildings					
<u>Building/Retail Tenant</u>					
L 19 - Vacant	2,000	0	500	0.0	0.0
L 20 - Cigarettes "R" Cheaper	900	900	500	1.8	0.9
L 21 - Structure Hair Design	1,070	1,070	500	2.1	1.1
L 22 - Westlake Art and Frame	540	540	500	1.1	0.5
L 23 - Westlake Shoe & Leather Repair	460	460	500	0.9	0.5
L 24 - Pulido's Tailor	490	490	500	1.0	0.5
L 25 - Magic Touch Beauty Salon	468	468	500	0.9	0.5
L 26 - Tani's Kitchen	473	473	500	0.9	0.5
L 39 - Sprint	2,669	2,669	500	5.3	2.7
Subtotal	9,070	7,070		14.1	7.1
M 27 - Elite Hair Salon	720	720	500	1.4	0.7
M 28 - Accuquest Hearing Centers	1,267	1,267	500	2.5	1.3
M 29 - Nation's Giant Hamburgers	1,350	1,350	500	2.7	1.4
M 30 - Chipotle Mexican Grill	4,016	4,016	500	8.0	4.0
M 31 - Supercuts	1,200	1,200	500	2.4	1.2
M 32 - Vacant	2,177	0	500	0.0	0.0
M 33 - Red Wing Shoes	825	825	500	1.7	0.8
M 34 - The UPS Store	2,400	2,400	500	4.8	2.4
M 35 - Bank of the West	2,925	2,925	500	5.9	2.9
M 36 - Broaster Chicken	1,200	1,200	500	2.4	1.2
M 37 - T-Mobile	3,280	3,280	500	6.6	3.3
Subtotal	21,360	19,183		38.4	19.2
TOTAL RETAIL	30,430	26,253		53.0 (6)	26.0 (6)
<u>Building/Medical Office Tenant</u>					
L 60 - Phuong Cheng, DDS	819	819	200	4.1	2.0
L 61 - Dr. Arash Mohammad Zadeh DDS	810	810	200	4.1	2.0
L 62 - Vacant	342	0	200	0.0	0.0
L 63 - Rodolfo C. Villasin, DDS	520	520	200	2.6	1.3
L 64 - Concepts Inst./Adv. Esthetics	648	648	200	3.2	1.6
L 65 - Mylene D. Gandingco, DDS	818	818	200	4.1	2.0
L 66 - Vacant	771	0	200	0.0	0.0
L 67 - Vacant	987	0	200	0.0	0.0
L 68 - Vivien Hernandez, MD	600	600	200	3.0	1.5
L 69 - Vacant	527	0	200	0.0	0.0
L 71 - Dr. Mark Nii	1,650	1,650	200	8.3	4.1
L 106 - Vacant	1,312	0	200	0.0	0.0
L 107 - Luis Kong D.D.S	1,687	1,687	200	8.4	4.2
L 108 - Vacant	423	0	200	0.0	0.0
L 109 - Vacant	1,453	0	200	0.0	0.0
L 110 - Vacant	574	0	200	0.0	0.0
L 111 - All City Sleep Center	1,037	1,037	200	5.2	2.6
L 112 - Shin Hee Van Lieu	477	477	200	2.4	1.2
L 113 - Jayson Lo, DMD	2,480	2,480	200	12.4	6.2
L 114 - Eilene Espina, DMD	457	457	200	2.3	1.1
L 115 - Vacant	620	0	200	0.0	0.0
L 116 - Vacant	486	0	200	0.0	0.0
L 117 - Vacant	708	0	200	0.0	0.0
L 118 - Jiahua Zhu DDS	1,038	1,038	200	5.2	2.6
L 119 - Westlake Hearing Aid Center	753	753	200	3.8	1.9
L 120 - Caladrius Healing Clinic	750	750	200	3.8	1.9
L 121 - Tibetan Wellness & Healing Ctr.	485	485	200	2.4	1.2
TOTAL MEDICAL OFFICES	23,232	15,029		75.0 (6)	38.0 (6)
GRAND TOTAL	53,662	41,282		128.0	64.0

Current Parking

Parking 399

Sources: Kimco Realty, "0168 Westlake S.C. John Daly Blvd. & Lake Merced Blvd., Daly City, CA"; U.S. Green Building Council, "https://www.usgbc.org/Docs/Archive/General/Docs4111.pdf (accessed September 2017); and ALH Urban & Regional Economics.

- (1) Square feet are rentable unless otherwise noted.
- (2) Vacancy square footages per Kimco Realty.
- (3) Retail employees per square foot is a standard industry assumption per ALH Urban & Regional Economics. The Medical Office employees per square foot assumption per the U.S. Green Building Council.
- (4) Employment comprises Occupied Sq. Ft. divided by the estimated Square Feet per Employee. Only the summed figures are rounded to reduce the potential for lost information due to rounding of small figures.
- (5) All employees are assumed to be equivalent to 0.5 service population for City of Daly City average service cost purposes. This is a standard fiscal impact analysis assumption.
- (6) Figures are rounded to the nearest whole number.

Exhibit 2
Westlake Shopping Center
Existing Development Summary
In 2017 Dollars

Use	Gross Square Feet (1)	Occupied Square Feet (1)	Occupied Square Feet per Employee (1)	Number of Employees	Service Population (2)	Taxable Retail Sales (3)
Retail	30,430	26,253	500	53	26	\$9,451,080
Medical Office	<u>23,232</u>	<u>15,029</u>	<u>200</u>	<u>75</u>	<u>38</u>	<u>NA</u>
Total	53,662	41,282	NA	128	64	\$9,451,080

Source: ALH Urban & Regional Economics.

(1) See Exhibit 1.

(2) All employees are assumed to be equivalent to .5 service population for City of Daly City average service cost purposes. This is a standard fiscal impact analysis assumption. The Figures are rounded to the nearest whole number.

(3) Total taxable retail sales are calculated using an estimated average sales per square foot of \$360, which takes into account that the majority of tenant sales likely are not taxable. This is an estimate for overall taxable sales based on existing tenant sales to identify the volume of sales subject to City of Daly City retail sales tax.

Exhibit 3
Survey of Selected Apartment Projects (1)
Near Daly City
September 2017

Project	Year Built	Occupancy	Units	Unit Type	Size Range (Sq. Ft.)	Rent Range	Rent per Sq. Ft.	Parking	Unit Features and Project Amenities
1 Westlake Village Apartments 333 Park Plaza Drive Daly City	1950-70	Don't disclose	NA	Studio	312 - 340	\$1,895 - \$2,045	\$5.57 - \$6.07	\$75 carport \$95 gated/ underground \$155-\$205 garage	Unit: balcony/patio, dishwasher (some), fireplace (some), ceiling fans, oversized closets, golf course or ocean view (some), furnished/unfurnished, short-term/corporate available. Complex: 24-hour patrol, onsite maintenance, covered parking/detached garage, laundry facilities.
			NA	1 bd/1 ba	429 - 718	\$2,075 - \$2,475	\$2.89 - \$4.84		
			NA	2 bd/1 ba	718 - 884	\$2,675 - \$3,075	\$3.03 - \$3.73		
			NA	2 bd/1 ba TH	836	\$2,795	\$3.34		
			NA	2 bd/1.5 ba TH	962	\$3,145	\$3.27		
			NA	2 ba/2 ba	723	\$3,295	\$4.56		
			NA	3 bd/2 ba	1,150 - 1,155	\$4,195 - \$4,395	\$3.63 - \$3.81		
			2,983						
2 Avalon Ocean Avenue 1150 Ocean Avenue San Francisco	2012	98% (2)	16	Studio	493 - 613	NA	NA	\$275 controlled access, underground parking	Unit: gourmet kitchen, walk-in closets, water views (some), dishwasher, garbage disposal, washer/dryer, microwave, pet friendly. Complex: on-site Whole Foods, fitness center, close to BART, courtyards with BBQs.
			84	1 bd/1 ba	716 - 863	\$3,410 - \$3,700	\$4.29 - \$4.76		
			73	2 bd/2 ba	1,016 - 1,291	\$3,970 - \$4,175	\$3.23 - \$3.91		
			173						
3 88 Hillside Apartments 6543 Mission Boulevard Daly City	2011	94%	89	2 bd/2 ba	1,052 - 1,183	\$3,328 - \$3,492	\$2.95 - \$3.16	One reserved underground parking spot included, \$100 for 2nd spot	Unit: Townhomes, walk-in closet, gourmet kitchen, granite countertops, ocean views (some), microwave, dishwasher, balcony, vaulted ceilings (some). Complex: 10-minute walk to Bart, smoke free, outdoor sitting area, outdoor grilling area, Via Mare Filipino-Spanish Fusion on-site.
			1	2 bd/2 ba + den	1,240	NA	NA		
			5	3 bd/3 ba	1,606	NA	NA		
			95						
4 La Terraza at Colma Station 7800 El Camino Real Colma	2005	95%	NA	1 bd/1 ba	681 - 823	\$2,920	\$3.55 - \$4.29	\$25 for one guaranteed spot. Waitlist for 2nd spot	Unit: In-home W/D, walk-in closet, 9-Foot ceilings, balcony, gourmet kitchen with breakfast bar, AC, eco-friendly carpet. Complex: business center with Wi-Fi, community room, bike storage, cardio and weight rooms, access controlled, package service with notifications, playground.
			NA	1 bd/2 ba loft	1,118	NA	NA		
			NA	2 bd/2 ba	1,065 - 1,477	\$3,233 - \$3,696	\$2.50 - \$3.04		
			NA	3 bd/2 ba	1,228	NA	NA		
			153						
5 Pacific Place Apartment Homes 2665 Geneva Avenue Daly City	2007	100%	NA	1 bd/1 ba	706 - 708	\$2,881 - \$2,896	\$4.08 - \$4.09	One reserved garage parking spot included, \$200 for 2nd spot	Unit: balcony, 9-Foot ceilings, built in computer desks, gas heating/cooking, hardwood floors, W/D, stainless refrigerator with built-in wine rack, stainless steel appliances, stone countertops, walk-in closets. Complex: 24 Hour fitness center, city/mountain/ocean views, controlled access, internet cafe, rooftop lounge, rooftop sun deck.
			NA	1 bd/1.5 ba	902 - 1,007	\$2,986 - \$3,176	\$3.15 - \$3.31		
			NA	2 bd/1 ba	1,028	\$3,005	\$2.92		
			NA	2 bd/1.5 ba	902 - 1,036	\$3,026 - \$3,076	\$2.97 - \$3.35		
			NA	2 bd/2 ba	1,272	\$3,570	\$2.81		
			NA	2 bd/2.5 ba	1,487 - 1,591	\$3,800	\$2.39 - \$2.56		
			NA	3 bd/2.5 ba	1,452	\$4,353	\$3.00		
			72						
Average / Total		96.7%	3,476						

Sources: Apartment websites and staff; and ALH Urban & Regional Economics.

(1) Select institutional-quality projects over 50 units. All rents shown are market rate in nominal dollars. Includes projects built from 1995 onward.

(2) Management would not disclose occupancy. The cited occupancy is from AvalonBay Communities' most recent 10-K Filing that included occupancy rates, which was year-ended 2015.

Exhibit 4
Apartment Unit Distribution and Rents by Unit Type
Survey of Selected Apartment Projects (1)
Near Daly City
September 2017

Unit Type	Project	Number of Units	Size Range (Sq. Ft.)	Average Size (Sq. Ft.)	Rent Range	Average Rent	Rent per Sq. Ft.	Average Rent per Sq. Ft.
Studio	Westlake Village Apartments	NA	312 - 340	326	\$1,895 - \$2,045	\$1,970	\$5.57 - \$6.07	\$5.82
Studio	Avalon Ocean Avenue	16	493 - 613	553	NA	NA	NA	NA
Average/Range		NA	312 - 613	440	NA	NA	NA	NA
1 bd/1 ba	Westlake Village Apartments	NA	429 - 718	574	\$2,075 - \$2,475	\$2,275	\$3.45 - \$4.84	\$4.14
1 bd/1 ba	Avalon Ocean Avenue	84	716 - 863	790	\$3,410 - \$3,700	\$3,555	\$4.29 - \$4.76	\$4.52
1 bd/1 ba	La Terraza at Colma Station	NA	681 - 823	752	\$2,920	\$2,920	\$3.55 - \$4.29	\$3.92
1 bd/1 ba	Pacific Place Apartment Homes	NA	706 - 708	707	\$2,881 - \$2,896	\$2,889	\$4.08 - \$4.09	\$4.09
Average/Range		NA	429 - 863	706	\$2,075 - \$3,700	11,639	\$3.45 - \$4.84	\$4.17
1 bd/2 ba loft	La Terraza at Colma Station	NA	1,118	1,118	NA	NA	NA	NA
1 bd/1.5 ba	Pacific Place Apartment Homes	NA	902 - 1,007	955	\$2,986 - \$3,176	\$3,081	\$3.31 - \$3.52	\$3.42
Average/Range		NA	902 - 1,118	1,036	NA	NA	NA	NA
2 bd/1 ba	Westlake Village Apartments	NA	429 - 718	574	\$2,075 - \$2,475	\$2,275	\$4.84 - \$5.77	\$5.30
2 bd/1 ba TH	Westlake Village Apartments	NA	836	836	\$2,795	\$2,795	\$3.34 - \$3.34	\$3.34
2 bd/1.5 ba TH	Westlake Village Apartments	NA	962	962	\$3,145	\$3,145	\$3.27 - \$3.27	\$3.27
2 bd/1 ba	Pacific Place Apartment Homes	NA	1,028	1,028	\$3,005	\$3,005	\$2.92 - \$2.92	\$2.92
2 bd/1.5 ba	Pacific Place Apartment Homes	NA	902 - 1,036	969	\$3,026 - \$3,076	\$3,051	\$3.35 - \$3.41	\$3.38
Average/Range		NA	429 - 1,036	874	\$2,075 - \$3,145	\$2,854	\$2.92 - \$5.77	\$3.64
2 bd/2 ba	Westlake Village Apartments	NA	723	723	\$3,295	\$3,295	\$4.56	\$4.56
2 bd/2 ba	Avalon Ocean Avenue	73	1,016 - 1,291	1,154	\$3,970 - \$4,175	\$4,073	\$3.23 - \$3.91	\$3.57
2 bd/2 ba	88 Hillside Apartments	89	1,052 - 1,183	1,118	\$3,328 - \$3,492	\$3,410	\$2.95 - \$3.16	\$3.06
2 bd/2 ba	La Terraza at Colma Station	NA	1,065 - 1,477	1,271	\$3,233 - \$3,696	\$3,465	\$2.50 - \$3.04	\$2.77
2 bd/2 ba	Pacific Place Apartment Homes	NA	1,272	1,272	\$3,570	\$3,570	\$2.81	\$2.81
Average/Range		NA	723 - 1,477	1,107	\$3,233 - \$4,175	\$3,562	\$2.50 - \$4.56	\$3.35
2 bd/ 2 ba + den	88 Hillside Apartments	1	1,240	1,240	NA	NA	NA	NA
2 bd/2.5 ba	Pacific Place Apartment Homes	NA	1,487 - 1,591	1,539	\$3,800	\$3,800	\$2.39 - \$2.56	\$2.47
Average/Range		NA	1,240 - 1,591	1,390	NA	NA	NA	NA
3 bd/ 2 ba	Westlake Village Apartments	NA	1,150 - 1,155	1,153	\$4,195 - \$4,395	\$4,295	\$3.65 - \$3.81	\$3.73
3 bd/ 2 ba	88 Hillside Apartments	5	1,606	1,606	NA	NA	NA	NA
3 bd/ 2 ba	La Terraza at Colma Station	NA	1,228	1,228	\$3,233	NA	NA	NA
3 bd/ 2.5 ba	Pacific Place Apartment Homes	NA	1,452	1,452	\$4,353	\$4,353	\$3.00	\$3.00
Average/Range		NA	1,150 - 1,606	1,360	\$3,233 - \$4,395	\$4,324	\$3.00 - \$3.81	\$3.36
All Units: Overall Range/Average		NA	312 - 1,606	987	\$2,075 - \$4,395	\$5,595	\$2.50 - \$5.77	\$3.63

Source: ALH Urban & Regional Economics.

(1) See Exhibit 3.

Exhibit 5
Westlake Shopping Center Mixed-Use Development
Proposed Mixed-Use Project Description, Population, and Taxable Retail Sales
In 2017 Dollars

Residential	Square Feet Range	Weighted Average Sq. Ft.	Number of Units (1)	Weighted Average Monthly Rent (2)	Average Annual Rental Income (2)	Estimated Number of Residents				Service Population (5)
						Persons per Household (3)	Total	Less Vacancy (4)	Adjusted Total	
Studio	449	449	19	\$2,110	\$481,148	1	19	(1.0)	18	18
1 bedrooms	560 - 865	701	87	\$2,940	\$3,073,795	2	174	(8.7)	165	165.3
2 bedrooms	905 - 1,027	963	64	\$3,470	\$2,663,410	3	192	(9.6)	182	182.4
3 bedrooms	1,291	1,291	9	\$4,070	\$439,198	4	36	(1.8)	34	34.2
Total/Weighted Average	449 - 1,291	798	179	\$3,100	\$6,657,551	2.4	421	(21)	400	400

Commercial	Square Footage		Estimated Occupied Sq. Ft. (4)	Occupied Square Feet per Employee (6)	Estimated Number of Employees	Service Population (5)	Taxable Retail Sales	
New Retail Development	34,074	(6)	32,370	500	65	32	\$16,508,853	(7)
Increment from Relocated Existing Retail Tenants (8)	13,000	(9)	13,000	500	26	13	\$6,630,000	(10)
Increment from Relocated Existing Medical Office Tenants	10,520	(9)	10,520	200	53	26	NA	
Total/Weighted Average	57,594		55,891	NA	143	72	\$23,138,853	

Parking	Number of Parking Spaces
Subterranean Garage	260

Sources: Kimco Realty; SGPA Architecture and Planning, "Westlake Shopping Center NE Planning Area, Daly City, California, Planning Re-Submittal, April 21st, 2017"; and ALH Urban & Regional Economics.

(1) The percentage breakdown of the unit mix given by Kimco.
(2) Monthly rent estimates prepared by ALH Urban & Regional Economics based upon market comparables. Figures rounded to the nearest \$10. See Exhibit 4 for rent comparables.
(3) Persons per household estimate assumption per ALH Urban & Regional Economics. This assumption is equal to one tenant per bedroom plus one additional tenant for each unit type. This is a standard tenant occupancy assumption. The exception is the assumption of one tenant per studio unit as there are no bedrooms.
(4) Assumes a 5% market-based vacancy rate for the new retail space and 100% occupancy for space occupied by relocated tenants.
(5) All residents are assumed to be equivalent to one service population for City of Daly City average service cost purposes and all employees are assumed to be equivalent to half a resident. This is a standard fiscal impact analysis assumption. All figures are rounded to the nearest whole number.
(6) Employee per square foot assumption per ALH Urban & Regional Economics.
(7) Assumes an average sales per square feet of \$510 for new retail. This is the same assumed for the relocated retail tenants. See footnote (9).
(8) The taxable retail sales for the increment of existing retail that is relocating from the Project site to spaces in the existing development separate from the Project site is based on estimated taxable sales per square foot of \$510. This estimate is based on relocated retail tenants achieving approximately the same per square foot taxable sales as the average for the existing tenants of \$360 per square foot, with an adjustment recognizing that a higher proportion of the relocated tenants will be sales tax generating tenants compared to the existing tenants, plus a modest locational premium given that the new spaces for the relocated tenants will have higher visibility and comprise more premium locations than the existing Buildings L and M.
(9) Per Kimco Realty.

Exhibit 6
City of Daly City
City of Daly City Demographic, Employment, and Tax Characteristics
In 2017 Dollars

Data Point	Value	Measurement
Population and Employment Base, 2017 estimates		
City of Daly City Population (1)	109,287	annual
City of Daly City Employment Base (2)	22,950	annual
Estimated Service Population (3)	120,762	annual
City of Daly City Tax Rates and Select Tax Revenues		
General Fund Property Tax Rate (4)	18.47%	of 1.0% of property value
Sales Tax Rate (5)		
Basic Sales Tax Rate, General Fund	0.95%	of taxable sales amount
Vehicle in Lieu of Property Tax Revenues (6)		
FY 2016-17	\$9,076,537	annual
Assessed City of Daly City Valuation, FY 2016-17 (7)		
Secured Property	10,556,649,825	annual
Unsecured Property, Projected	<u>\$238,346,421</u>	annual
Total	<u>\$10,794,996,246</u>	

Sources: State of California, Department of Finance, "Table E-1: City/County Population Estimates with Annual Percent Change January 1, 2016 and 2017"; Association of Bay Area Governments, "Bay Area Plan Projections 2013," page 87; San Mateo County Controller's Office, "City of Daly City TRA Factors Adjusted for ERAF - TRA 005-001"; State of California Controller's Office, <https://bythenumbers.sco.ca.gov/City-Revenues/City-Revenues-Taxes/w2th-6i46>; Mark Church Assessor-County Clerk-Recorder, San Mateo County 2016-17, Local Secured and Unsecured Rolls, July 1, 2016; San Mateo County Controller's Office Property Tax Highlights Fiscal Year 2015-16; California Board of Equalization; and ALH Urban & Regional Economics.

(1) 'State of California, Department of Finance, Table E-1: City/County Population Estimates with Annual Percent Change January 1, 2016 and 2017. Figure presented is for January 2017.

(2) The Association of Bay Area Governments estimates Daly City jurisdictional boundary employment at 22,300 in 2015, with a projection of 23,960 by 2020. Extrapolation of these figures indicates a 2017 estimate of 22,950, rounded to 22,950 for study purposes.

(3) The service population is equivalent to the residential population plus an allocation of 50% an employee for each resident. This is a standard fiscal impact assumption.

(4) The Westlake Shopping Center Mixed-Use development site is located in Tax Rate Area (TRA) 005-001. The Tax allocation factor for the City of Daly City after ERAF retention for this TRA is .1847241924 as reported by the "City of Daly City TRA Factors Adjusted for ERAF - TRA 005-001" from the Auditor - Controller for San Mateo County. See Exhibit B-1.

(5) Per the California Board of Equalization, "Table 23, Sales and Use Taxes, Local Sales and Use Tax Rates Imposed by California Cities on July 1, 2015".

(6) Figure estimated per the State of California Controller's Office. See Exhibit B-2.

(7) Per Mark Church Assessor-County Clerk-Recorder, San Mateo County 2016-17, Local Secured and Unsecured Rolls, July 1, 2016.

Exhibit 7
Westlake Shopping Center Main Portion
Existing Development
Property Valuation Estimate
2016-17 Dollars (1)

Westlake Shopping Center	Square Feet	Assessed Valuation	Value per SF
<u>Main Portion (2)</u>			
Land Area (3)	934,885	\$55,371,019	\$59
Gross Leasable Area/Improvements (4)	512,792	\$58,805,655	\$115
Total		\$114,176,674	
<u>Work Limit Area/Buildings L & M</u>			
Land Area (5)	84,942	\$5,030,915	(6)
Gross Leasable Area/Improvements (4)	53,662	\$6,153,819	(6)
Total		\$11,184,733	

Sources: Kimco Realty, "Existing Parking & Commercial GLA Analysis in Main Portion of Westlake Shopping Center"; San Mateo County Tax Collector's Office, Secured Property Tax Bills for 2016; SGPA Architecture and Planning, "Westlake Shopping Center NE Planning Area, Daly City, California, Planning Re-Submittal, April 21st, 2017"; and ALH Urban & Regional Economics.

(1) In current dollars.

(2) The assessed valuation for the Main Portion of the Westlake Shopping Center per the San Mateo County Tax Collectors Office.

(3) The land area square footage for Westlake Shopping Center Main Portion is based on the acreage of 21.46 per Kimco Realty.

(4) The gross leasable area for the Westlake Shopping Center Main Portion and Buildings L & M per the Kimco Realty, "Existing Parking & Commercial GLA Analysis in Main Portion of Westlake Shopping Center."

(5) The land area square footage for Westlake Shopping Center Buildings L & M is based on the Work Limit Area acreage of 1.95 per Kimco Realty.

(6) The estimates for the existing valuation for the Work Limit Area/Buildings L & M of the Westlake Shopping Center were calculated by multiplying the value per square foot for Main Portion by the square footage of the Work Limit Area/Buildings L & M Land Area and Gross Leasable Area.

Exhibit 8
Westlake Shopping Center Mixed-Use Development
Residential Project Portion
Property Valuation Estimate
2017 Dollars (1)

Stabilized Pro Forma	Parameter	Revenues and Expenses
Gross Revenue (2)		\$6,657,551
Less: Vacancy (3)	5%	(\$332,900)
Effective Gross Income (4)		\$6,324,651
Total Operating Expenses (5)	30.0% of EGI	\$1,897,400
Net Operating Income (6)		\$4,427,251
Market Capitalization Rate (7)	4.50%	4.50%
Indicated Value (8) Total		\$98,383,400

Sources: CBRE North America, First Half 2017, Cap Rate Survey; and ALH Urban & Regional Economics.

(1) Figures rounded to the nearest \$100.

(2) The estimated annual gross revenues are based on average monthly rental rates presented in Exhibit 5.

(3) Standard assumption.

(4) Effective gross income is the gross revenue after accounting for vacancy.

(5) Standard assumption.

(6) Net operating income (NOI) is the effective gross income minus the total operating

(7) Cap rate selected based on information from the CBRE North America, First Half 2017, Cap Rate Survey, which indicates a range of 4.0% to 4.5% for Class A Suburban Multifamily in the San Francisco Metropolitan Statistical Area, which includes San Francisco, San Mateo, and Marin counties.

(8) Indicated value is the NOI capped at the gross capitalization rate.

Exhibit 9
Westlake Shopping Center Mixed Use Development
Retail Project Portion
Property Valuation Estimate
2017 Dollars (1)

Stabilized Pro Forma	Parameter	Revenues and Expenses
Monthly Lease Rate (2)	\$4.50	
Annualized Lease Rate/Sq. Ft. (2)	\$54.00	
Total Annual Gross Revenue		\$1,840,000
Less: Vacancy (3)	5.0%	(\$92,000)
Effective Gross Income (4)		\$1,748,000
Unrecovered Operating Expenses (5)		(\$52,400)
Percent of EGI	3.0%	
Unrecovered Operating Expenses per SF	\$1.62	
Net Operating Income (6)		\$1,695,600
Market Capitalization Rate (7)		5.0%
Indicated Value (8)		
Total		\$33,912,000

Sources: Kimco Realty; CBRE North America, First Half 2017, Cap Rate Survey; CB Richard Ellis brokerage; and ALH Urban & Regional Economics.

(1) Figures rounded to the nearest \$100.

(2) The estimated monthly retail rent is \$4.50 per square foot, triple net, which means that the tenant is responsible for paying, in addition to base rent, some or all of the expenses related to real estate ownership. This rent reflects generalized market comparables in Daly City and select San Mateo County locations and also generally conforms to Kimco Realty's expectations for the new space. Revenue amount is based on the new retail square footage of 34,074. See Exhibit 5.

(3) Assumption based on current market characteristics

(4) Effective gross income is the gross revenue after accounting for vacancy.

(5) Typical non-reimbursed operating expenses (i.e., unrecovered) under a triple net expense format (typical range 3-5%).

(6) Net operating income (NOI) is the effective gross income minus the total operating expenses.

(7) Cap rate selected based on information from the CBRE North America, First Half 2017, Cap Rate Survey, which indicates a range of 4.25% to 5.0% for Class A Neighborhood/Community Center (75,000 to 350,000 square feet) in the San Francisco Metropolitan Statistical Area, which includes San Francisco, San Mateo, and Marin counties. The cap rate range for Power Center, sized 100,000 to 600,000 square feet, is 5.0 to 5.75%. The only other retail classification provided is "High Street," which is not relevant to Westlake Shopping Center.

(8) Indicated value is the NOI divided by the capitalization rate.

Exhibit 10
Westlake Shopping Center
Estimated Mixed-Use Development Assessed Valuation (1)
2017 Dollars

Factor	Value
Value of Mixed-Use Development Component	
Retail Component (2)	\$33,912,000
Residential Component (3)	\$98,383,400
Total	<u>\$132,295,400</u>
Percent Value Attributable to Land (4)	10.0%
Distribution of Mixed-Use Development Value (5)	
Land	\$13,229,540
Improvements	\$119,065,860
Total	<u>\$132,295,400</u>
Existing Development Land Value (6)	\$5,030,915
Assumed Assessed Valuation of Mixed-Use Development (7)	
Land	\$5,030,915
Improvements	\$119,065,860
Total	<u>\$124,096,775</u>

Source: ALH Urban & Regional Economics.

(1) The purpose of this analysis is to convert the estimated valuation of the Mixed-Use Development components to an estimated assessed valuation for the purpose of property tax generation and other property value-related revenues. This is attributable to the stable ownership of the property, with Kimco Realty retaining ownership upon completion of the Mixed-Use Development. Given the stable ownership, the land component of the Existing Development value will remain constant for the Mixed-Use Development. Thus, the assessed valuation will be based upon this land value and a separate allocation for improvements. The purpose of this analysis is to identify that estimated improvement value for property assessment purposes.

(2) See Exhibit 9.

(3) See Exhibit 8.

(4) This is an assumption developed by ALH Urban & Regional Economics. It is intended as a means of isolating out the potential portion of the estimated value of the Mixed-Use Development based on the income approach that is allocable to land. This percentage assumption was developed based upon ALH Urban & Regional Economics review of select comparable residential projects and the reported division between land and improvement costs on Realquest, a property database including property detail reports including property size, assessed valuation, sale date, and other property information. Key comparables included in this analysis include the following: Avalon Ocean Avenue, one of the apartment projects included in Exhibit 2, with a similar density to the Mixed-Use Development residential component and with subterranean parking, similar to the Project; and Pacific Place Apartments, with a lower density but land value per unit deemed reasonable. Because the Mixed-Use Development also includes a retail component, its contributory value is supportive of the assumed percentage.

(5) These figures are calculated based on the preceding value figures and the percent of value attributable to the land assumption.

(6) See Exhibit 7.

(7) Value estimated by combining estimated Existing Development land value with estimated allocation of Mixed-Use Development value for improvements.

Exhibit 11
Assessed Property Value and Annual Property Tax Payments
Westlake Shopping Center Existing Development and Mixed-Use Development
City of Daly City, 2017 Dollars

Item	Parameter	Existing Development	Mixed-Use Development	Net Difference
Assessed Valuation		\$11,184,733 (1)	\$124,096,775 (2)	\$112,912,041
Property Tax				
<i>Parameters</i>				
Basic County Tax Rate	1.00%			
City of Daly City Share of Basic Tax Amount (3)	18.47%			
<i>Annual Property Tax Revenues (4)</i>				
Total		\$111,847	\$1,240,968	\$1,129,120
Share Accruing to Daly City		\$20,661	\$229,237	\$208,576

Sources: San Mateo County Tax Collector's Office, Secured Property Tax Bills for 2016; and ALH Urban & Regional Economics.

(1) Includes the estimated assessed valuation of the portion of the Westlake Shopping Center Mixed-Use development within Assessor Parcel Number (APN) APN 002-170-230. See Exhibit 7.

(2) See Exhibit 10.

(3) This is the FY 2016-17 share of the basic 1.0% County tax rate that accrues to the City of Daly City after adjusting for ERAF. See Exhibit 6.

(4) Comprises Assessed Valuation multiplied by the County and City of Daly City property tax shares.

Exhibit 12
Westlake Shopping Center
Property Tax in Lieu of VLF Estimate for Existing Development
City of Daly City, FY 2016-17 Dollars

Category	Value
Assessed Value	
City of Daly City Assessed Valuation (1)	\$10,794,996,246
Existing Development Assessed Valuation (2)	\$11,184,733
Percent of Valuation Attributable to Existing Development	0.1036%
VLF in Lieu Revenue	
FY 2016-17, adopted (1)	\$9,076,537
Estimated Existing Development Share of VLF Revenue (Annual)	
Percent of Valuation Attributable to Existing Development	0.1%
VLF In Lieu Revenue from Existing Development	\$9,404

Source: ALH Urban & Regional Economics.

(1) See Exhibit 6.

(2) See Exhibit 7.

Exhibit 13
Westlake Shopping Center
Property Tax in Lieu of VLF Estimates for Mixed-Use Development
Project Stabilization
City of Daly City, FY 2016-17 Dollars

Category	Value
Assessed Value Change	
City of Daly City Assessed Valuation (1)	\$10,794,996,246
Mixed-Use Development Estimated Assessed Property Valuation (2)	\$124,096,775
Existing Development Estimated Assessed Property Valuation (3)	(\$11,184,733)
Increment in Assessed Valuation Due to New Development	\$112,912,041
Percent Increase in Property Valuation Attributable to New Development	1.0460%
VLF in Lieu Revenue	
FY 2016-17, adopted (1)	\$9,076,537
City Increase (Annual)	
Percent Assessed Value	1.0%
VLF In Lieu Revenue Attributable to Mixed-Use Development	\$94,938

Source: ALH Urban & Regional Economics.

(1) See Exhibit 6.
 (2) See Exhibit 10.
 (3) See Exhibit 7.

Exhibit 14
Estimated Annual Retail Sales Tax Generation
Westlake Shopping Center
Existing Development and Mixed-Use Development
City of Daly City, FY 2016-17 Dollars

Category	Figure	Measure
<u>Existing Retail</u>		
<u>Taxable Retail Sales (1)</u>	\$9,451,080	
<u>Annual Sales Tax</u>		
City of Daly City Total Tax Rate, General Fund (2)	0.95%	of taxable sales amount
Generated Sales Tax from the Existing Retail	\$89,785	annual retail sales tax
<u>Mixed-Use Development</u>		
<u>Retail Component</u>		
<u>Taxable Retail Sales (3)</u>		
New Retail Development	\$16,508,853	
Increment from Relocated Existing Tenants	\$6,630,000	
	\$23,138,853	
<u>Annual Sales Tax</u>		
City of Daly City Total Tax Rate, General Fund	0.95%	of taxable sales amount
Retail Component	\$219,819	annual retail sales tax
<u>Residential Component</u>		
<u>Household Retail Sales</u>		
Number of Occupied Households (3)	170	households
Average Annual Retail Spending (4)	\$32,800	average annual per household
Total Household Retail Spending	\$5,577,640	
<u>Taxable Retail Sales</u>		
Percent Taxable Retail Sales (5)	84%	percent taxable
Total Taxable Spending	\$4,668,596	
Percent Captured in Daly City, exc. Mixed-Use Development Retail (6)	55%	
Annual Sales Tax from Mixed-Use Development commercial component	\$2,567,728	
<u>Annual Sales Tax</u>		
City of Daly City Total Tax Rate, General Fund	0.95%	of taxable sales amount
Annual Sales Tax from Mixed-Use Development resident spending	\$24,393	annual retail sales tax
Total Annual Sales Tax Generated from the Mixed-Use Development	\$244,213	

Source: ALH Urban & Regional Economics.

(1) See Exhibit 2.

(2) See Exhibit 6.

(3) See Exhibit 5, less the assumed 5.0% vacancy rate.

(4) See Table 4 for the estimated income and household retail spending assumptions the Westlake Shopping Center Mixed-Use Development residential units.

(5) Based on the analysis from Daly City's retail sales base in Exhibit B-5, showing adjustments for taxable to total retail sales.

(6) This analysis assumes that Daly City retailers will capture 55% of the Westlake Shopping Center Mixed-Use Development resident retail spending. The Retail Demand, Sales Attraction, and Spending Analysis in Exhibit B-6 indicates that Daly City is a net attraction city in most major retail categories, meaning that the City attracts more sales than expected from resident spending. The 55% assumption allows for 45% of all resident spending to occur outside Daly City, facilitating comparison shopping, internet-based spending, travel-related spending, and other expenditures beyond the City's ample retail base.

Exhibit 15
Assorted City of Daly City General Fund Revenues
Westlake Shopping Center
Existing Development and Mixed-Use Development
City of Daly City, FY 2016-17 Dollars

General Fund Revenue	Value
Utility Users Tax	<u>Parameters and Annual Revenue</u>
<u>Utility Users Tax Revenues and Population Basis Data</u>	
<i>Utility Users Tax Applicable to all Service Population</i>	
City of Daly City, FY 2016-17 (1)	\$6,366,410
City Service Population (2)	120,762
Utility User Fee Per Service Population (3)	\$52.72
<u>Estimated Project Utility Users Tax Revenues and Population Data</u>	
<i>Existing Development</i>	
Service Population (4)	64
Utility User Tax (5)	\$3,374
<i>Mixed-Use Development</i>	
Service Population (6)	472
Utility User Tax (5)	\$24,861
Franchise Fees	<u>Parameters and Annual Revenue</u>
<u>Franchise Fee Revenues and Population Basis Data</u>	
<i>Franchise Fees Applicable to all Service Population</i>	
City of Daly City, FY 2016-17 (1) (7)	\$3,858,331
City Service Population (2)	120,762
Franchise Fee Per Service Population (3)	\$31.95
<u>Estimated Project Franchise Fee Revenues and Population Data</u>	
<i>Existing Development</i>	
Service Population (4)	64
Franchise Fees (5)	\$2,045
<i>Mixed-Use Development</i>	
Service Population (6)	472
Franchise Fees (5)	\$15,067
Other Taxes	<u>Parameters and Annual Revenue</u>
<u>Other Taxes Revenues and Population Basis Data</u>	
<i>Other Taxes Applicable to all Service Population</i>	
City of Daly City, FY 2016-17 (1)	\$4,835,595
City Service Population (2)	120,762
Other Taxes Per Service Population (3)	\$40.04
<u>Estimated Other Taxes Revenues and Population Data</u>	
<i>Existing Development</i>	
Service Population (4)	64
Other Taxes (5)	\$2,563
<i>Mixed-Use Development</i>	
Service Population (6)	472
Other Taxes (5)	\$18,883

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Exhibit 15
Assorted City of Daly City General Fund Revenues
Westlake Shopping Center
Existing Development and Mixed-Use Development
City of Daly City, FY 2016-17 Dollars

General Fund Revenue	Value
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Fines and Forfeits	<u>Parameters and Annual Revenue</u>
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Fines and Forfeits Revenues and Population Basis Data

City of Daly City FY 2016- 2017 Fines and Forfeits (1)	\$2,741,550
City Service Population (2)	120,762
Fines and Forfeits Revenues Per Service Population (3)	\$22.70

Estimated Project Fines and Forfeits Revenues and Population Data

Existing Development

Service Population (4)	64
Fines and Forfeits Tax Revenues (5)	\$1,453

Mixed-Use Development

Service Population (6)	472
Fines and Forfeits Tax Revenues (5)	\$10,706

Business License Fees	<u>Parameters and Annual Revenue</u>
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Business License Minimum Revenue Basis Data (8)

Existing Development Estimate (8)	\$11,080,000
Mixed-Use Development Commercial Retail (8)	\$23,138,853
Mixed-Use Development Rental (9)	\$6,324,651

Estimated Project Business License Fee Revenues

Existing Development

Total Commercial Gross Receipts x .001 (10) (11)	\$11,080
Total Business License Fees from Existing Development	\$11,080

Mixed-Use Development

Total Commercial Gross Receipts x .001 (10)	\$23,139
Total Rental Gross Receipts x .005 (12)	\$31,623
Total Minimum Business License Fees from Mixed-Use Development (13)	\$54,762

Sources: City of Daly City California, "Comprehensive Biennial Operating and Capital Budget Fiscal Years 2017-2018," page 42; City of Daly City Filing Instructions for Completing your Business License Tax Form; City of Daly City Filing Instructions for Completing your Business License Tax Form; and ALH Urban & Regional Economics.

(1) All revenue figures are from the City of Daly City California, "Comprehensive Biennial Operating and Capital Budget Fiscal Years 2017-2018".

(2) See Exhibit 6.

(3) Calculated on a per population basis for the population cited, i.e., city service population, city employment base, or city residential base, as noted.

(4) See Exhibit 2.

(5) Calculated by multiplying the per population, employee, or resident figure by the Existing Development retail uses or Mixed-Use Development residential and retail service population estimates.

(6) See Exhibit 5.

(7) Daly City does not break out the Franchise Fees by type, the total includes electricity, telephone, natural gas, cable television and solid waste disposal.

(8) These revenues are considered a minimum because they include only taxable retail sales. A portion of existing tenant sales are also nontaxable, such as repair services or salon services. Such sales are excluded from the estimated revenues analysis. Similarly, portion of the new tenant sales will also be nontaxable, such as the drug sales at the potential Walgreen's store, along with potential services. Thus, this analysis is conservative because it excludes non-taxable sales.

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Exhibit 15
Assorted City of Daly City General Fund Revenues
Westlake Shopping Center
Existing Development and Mixed-Use Development
City of Daly City, FY 2016-17 Dollars

General Fund Revenue	Value
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(9) See Exhibit 8. This figure is based on Effective Gross Income, less the vacancy allowance assumed in the valuation of the residential component of th Mixed-Use Development.

(10) In Daly City the business licesence fee for commercial businesses is cacluated by multiplying gross receipts by the tax factor of .001.

(11) The calculation for Existing Development gross receipts is based on an estimate for the retail portion only. This is a conservative estimate because not only does it not include nontaxable retail sales, but because it does not include the gross receipts of the Medical Office portion. However, this omission will generally equal out in the end because business license fees associated with Medical Office receipts are also not included in the Mixed-Use Development scenario. If it were to be estimated, the business license fee associated with the Medical Office space for the Mixed-Use Development would be half the value for the Existing Development, as approximately half the Medical Office tenants are anticipated to be retained.

(12) In Daly City the business licesence fee for rental property is cacluated by multiplying gross receipts by the tax factor of .005.

(13) Each business is also charged \$1., which goes to the State Mandate Disability Access & Education Fund. This fee is not included in the total estimate.

Exhibit 16
Westlake Shopping Center Mixed-Use Development
City of Daly City General Fund Average Cost Expenditures
FY 2016-17 Operating and Capital Budget
Fiscal Impact Factors City of Daly City

City Services (1)	FY Budget (2)	Percent Fixed (3)	Percent Variable (3)	Allocable Variable Expenditures (4)	Population Factor (5)	Expenditure per Service Population Basis (6)	Expenditure per Resident (7)	Expenditure per Employee (8)
City Manager (9)	\$3,731,409	90%	10%	\$373,141	Service Population	\$3.09	\$3.09	\$1.54
City Treasurer	\$44,303	90%	10%	\$4,430	Service Population	\$0.04	\$0.04	\$0.02
Economic & Community Development	\$3,356,164	90%	10%	\$335,616	Service Population	\$2.78	\$2.78	\$1.39
Finance-Admin./Accounting	\$2,205,270	90%	10%	\$220,527	Service Population	\$1.83	\$1.83	\$0.91
Fire	\$17,227,010	10%	90%	\$15,504,309	Service Population	\$128.39	\$128.39	\$64.19
Human Resources	\$1,020,201	90%	10%	\$102,020	Service Population	\$0.84	\$0.84	\$0.42
Library and Recreation (10) (11)	\$9,449,208	10%	90%	\$8,504,287	Resident Population	\$77.82	\$77.82	\$0.00
Police	\$30,987,208	10%	90%	\$27,888,487	Service Population	\$230.94	\$230.94	\$115.47
Public Works	\$4,008,793	10%	90%	\$3,607,914	Service Population	\$29.88	\$29.88	\$14.94
Non-Departmental	\$4,802,070	90%	10%	\$480,207	Service Population	\$3.98	\$3.98	\$1.99
Total	\$76,831,636			\$57,020,939		\$479.57	\$479.57	\$200.88

Sources: City of Daly City California, "Comprehensive Biennial Operating and Capital Budget, Fiscal Years 2017-2018," page 40; and ALH Urban & Regional Economics.

(1) All City General Fund expenditures are captured in these service areas, which include aggregated expenditure items.

(2) Per the City of Daly City California, "Comprehensive Biennial Operating and Capital Budget, Fiscal Years 2017-2018", page 40 for the fiscal year ended June 30, 2017.

(3) Fiscal impact studies that examine municipal expenditures on an average cost basis, such as this analysis, often assume a portion of City expenditures are fixed and will not vary with a change in the population served. The resulting variable expenditures are then allocated across the relevant population served, which could include just residents, just employees, or the service population, which includes both residents and an allocation for employees. For the purpose of this analysis, all of the City service categories that are primarily administrative are assumed to have the majority of their expenditures fixed, thus with 10% to 25% that varies with the size of the population served. This applies to just over one-half the major City service categories, with expenditures in the other categories assumed to be 75% variable, reflecting that the largest portion of the costs in these departments will vary with changes in the City's service population.

(4) Comprises the share of the General Fund expenditures assumed to be allocable to the population served, i.e., total expenditures less fixed expenditures.

(5) The analysis assumes all expenditures except Library & Recreation are spread across the resident and employment base, i.e., the service population. The Library & Recreation costs are assumed to only apply to residents.

(6) Equal to allocable expenditures divided by the service population with the exception of the Library & Recreation costs, which are assumed to only be allocable to residents.

(7) The expenditure per resident is equal to the expenditure per service population.

(8) The expenditure per employee is equal to one half the expenditure per service population.

(9) Includes City Council, City Manager, City Manager Administration, City Clerk, City Attorney, Community Engagement, and Community Service Center.

(10) These services are assumed to apply only to the City's resident population.

(11) The Recreation department provides recreational programs and use of public recreational facilities.

Exhibit 17
Westlake Shopping Center
Existing Development and Mixed-Use Development
Annual Net Fiscal Impact Analysis (1)
City of Daly City General Fund
FY 2016-17 Dollars

General Fund Revenues and Expenditures Categories	Existing Development	Mixed-Use Development	Incremental Difference
Revenues (2)			
Property Taxes (3)	\$20,661	\$229,237	\$208,576
Property Tax in Lieu of VLF (4)	\$9,404	\$94,938	\$85,533
Existing/Mixed-Use Development Retail Sales Taxes (5)	\$89,785	\$219,819	\$130,034
Retail Sales Taxes from Residents (5)	\$0	\$24,393	\$24,393
Utility Users Tax (6)	\$3,374	\$24,861	\$21,487
Franchise Fees (6)	\$2,045	\$15,067	\$13,022
Other Taxes (6)	\$2,563	\$18,883	\$16,320
Fines & Forfeits (6)	\$1,453	\$10,706	\$9,253
Business License Fees (6)	\$11,080	\$54,762	\$43,682
Sub-total	\$140,365	\$692,665	\$552,300
Expenditures (7)			
City Manager	\$198	\$1,457	\$1,259
City Treasurer	\$2	\$17	\$15
Economic & Community Development	\$178	\$1,311	\$1,133
Finance-Admin./Accounting	\$117	\$861	\$744
Fire	\$8,217	\$60,544	\$52,327
Human Resources	\$54	\$398	\$344
Library and Recreation	\$0 (8)	\$31,119	\$31,119
Police	\$14,780	\$108,903	\$94,123
Public Works	\$1,912	\$14,089	\$12,177
Non-Departmental	\$254	\$1,875	\$1,621
Sub-total	\$25,712	\$220,574	\$194,862
Net Impact (9)	\$114,653	\$472,090	\$357,438

Source: ALH Urban & Regional Economics.

(1) Reflects estimated revenues less estimated expenditures, resulting in a net fiscal impact on an annual basis on the City of Daly City General Fund.

(2) Includes the most substantial revenues anticipated to accrue to the City of Daly City General Fund resulting from the Project's stabilized operations. However, there may be yet additional revenues flowing to the General Fund pursuant to the Project's operations.

(3) See Exhibit 11.

(4) See Exhibit 12 for Existing Development and See Exhibit 13 for Mixed-Use Development.

(5) See Exhibit 14.

(6) See Exhibit 15.

(7) Unless otherwise noted, figures comprise the per resident or per employee counts in Exhibits 2 and 5, respectively, multiplied by the General Fund expenditures costs derived in Exhibit 16.

(8) The Library and Recreation expenditures are considered resident-only so they do not apply to the Existing Development.

(9) Comprises revenues less expenditures.

APPENDIX B: SUPPORT EXHIBITS

Exhibit B-1
Tax Characteristics for Tax Rate Areas 005-001
Pre-ERAF and ERAF-Adjusted Estimated Tax Rates
FY 2016-17
In 2017 Dollars

Revenue Fund	Tax Account	Tax Rate Area Incremental Factors (1) 005-001	ERAF Property Tax Adjustments (2)				ERAF-Adjusted Tax Rate Area Incremental Factor (3) 005-001
			Adjusted Gross Levy	Total ERAF Shift	Adjusted Total Levy	Percent Retained	
General County Tax	00100	0.1964545885	\$455,860,913	(\$184,740,917)	\$271,119,996	59.47%	0.1168399522
City of Daly City (1)	12301	0.2296725695	\$25,960,397	(\$5,080,614)	\$20,879,783	80.43%	0.1847241924
Jefferson Elem General Purpose	30480	0.2638622994	\$25,156,942	\$0	\$25,156,942	100.00%	0.2638622994
Jefferson High General Purpose	40480	0.2032622389	\$38,848,669	\$0	\$38,848,669	100.00%	0.2032622389
SM Jr College General Purpose	60870	0.0562134188	\$132,760,738	\$0	\$132,760,738	100.00%	0.0562134188
North San Mateo Sanitation District	74630	0.0166260792	\$1,790,804	\$0	\$1,790,804	100.00%	0.0166260792
Bay Area Air Quality Management	79020	0.0017322697	\$4,090,709	\$0	\$4,090,709	100.00%	0.0017322697
County Harbor District	79450	0.0029222360	\$6,901,191	(\$1,562,231)	\$5,338,961	77.36%	0.0022607260
County Education Tax	79994	0.0292543000	\$69,090,046	\$0	\$69,090,046	100.00%	0.0292543000
		1.0000000000	\$760,460,411	(\$191,383,762)	\$569,076,649	74.83%	0.8747754767

Sources: Property Tax Division Manager, San Mateo County Controller's Office, "Fund Revenue Incremental Factors List - Fiscal Year 2016-2017"; Property Tax Division Manager, San Mateo County Controller's Office, "ERAF Shift and AB8 Fiscal Year: 2016-2-017"; San Mateo County Assessor; and ALH Urban & Regional Economics.

(1) Fiscal Year 2016-2017 Revenue Fund Incremental Factors for the Tax Rate Areas corresponding with the Westlake Shopping Center Mixed-Use development parcel. Provided by the San Mateo County Controller's Office, August 2017.

(2) Every fiscal year a portion of property revenues to select Revenue Funds are shifted to ERAF, the State of California's Educational Revenue Augmentation Fund. These revenues are then reallocated to public education. The amount of revenues shifted to ERAF changes each fiscal year, but these figures pertain to the shift occurring during Fiscal Year 2016-2017. These figures were provided by the San Mateo County Controller's Office, for each Revenue Fund receiving property taxes in San Mateo County. This analysis presents the figures pertaining to the Revenue Funds that receive a portion of property taxes collected by the Project parcel TRAs. The final column identifies the percent of property tax revenues collected during Fiscal Year 2016-17 that was retained by each Revenue Fund after the ERAF shift.

(3) These ERAF-Adjusted rates were calculated by multiplying the unadjusted rates (labeled "Tax Rate Area Incremental Factors") by the "Percent Retained" figures, which comprise the percent of unadjusted property taxes that each Revenue Fund retains after the ERAF adjustment.

Exhibit B-2
Property Tax In-Lieu of Vehicle License Fees
City of Daly City
2005 - 2015 Actual, 2016 Projected

Year	Amount	Annual Increase
Data Reported by State Controller's Office		
2005	\$5,631,842	NA
2006	\$6,728,319	1.194692429
2007	\$6,926,309	1.029426369
2008	\$7,521,885	1.085987501
2009	\$7,864,763	1.045584052
2010	\$7,516,010	0.955656261
2011	\$7,564,278	1.006422024
2012	\$7,624,452	1.007955022
2013	\$7,326,998	0.960986836
2014	\$8,195,242	1.118499282
2015	\$8,624,640	1.052396012
Projection		
2016	\$9,076,537 (1)	1.052396012

Sources: State of California Controller's Office,
<https://bythenumbers.sco.ca.gov/City-Revenues/City-Revenues-Taxes/w2th-6i46>; and ALH Urban & Regional Economics.

(1) Projection based upon most recent annual increase.

Exhibit B-3
Household Income Spent on Retail (1)
United States
2015

Characteristic	All Consumer Units	Household Income Range							
		\$15,000 to \$29,999	\$30,000 to \$39,999	\$40,000 to \$49,999	\$50,000 to \$69,999	\$70,000 to \$99,999	\$100,000 to \$149,999	\$150,000 to \$199,999	\$200,000 and more
Average HH Income	\$69,627	\$22,263	\$34,746	\$44,568	\$59,293	\$83,413	\$119,828	\$170,277	\$314,010
Amount Spent on Retail (2)	\$21,689	\$12,777	\$16,130	\$17,611	\$20,811	\$26,436	\$33,284	\$40,780	\$50,660
Percent Spent on Retail (3)	31%	57%	46%	40%	35%	32%	28%	24%	16%

Sources: Table 1203. Income before taxes: Annual expenditure means, shares, standard errors, and coefficient of variation, Consumer Expenditure Survey, 2015, U.S. Bureau of Labor Statistics; and ALH Urban & Regional Economics.

(1) Includes retail categories estimated to be equivalent to the retail sales categories compiled by the State of California, Board of Equalization.

(2) Includes the Consumer Expenditures categories of: food; alcoholic beverages; laundry and cleaning supplies; other household products; household furnishings and equipment; apparel and services; vehicle purchases, gasoline and motor oil; 1/2 of maintenance and repairs (as a proxy for taxable parts); drugs; medical supplies; audio and visual equipment and services; pets, toys, hobbies, and playground equipment; personal care products and services; reading; and tobacco products and smoking supplies.

(3) Percentages may be low as some expenditure categories may be conservatively undercounted by ALH Economics.

Exhibit B-4**State of California Board of Equalization Taxable Retail Sales Estimate by Retail Category
2015**

Type of Retailer	Total Taxable Sales (1)	State of California Taxable Sales Adjusted to Total Retail	% of Total
Motor Vehicle & Parts Dealers	\$80,346,595,091	\$80,346,595,091	15.2%
Home Furnishings & Appliances	\$28,519,430,465	\$28,519,430,465	5.4%
Building Materials & Garden Equipment	\$33,659,725,522	\$33,659,725,522	6.4%
Food & Beverage Stores	\$27,939,656,296	\$93,132,187,653 (2)	17.7%
Gasoline Stations	\$47,397,552,732	\$47,397,552,732	9.0%
Clothing & Clothing Accessories	\$38,438,073,969	\$38,438,073,969	7.3%
General Merchandise Stores	\$48,371,010,089	\$64,494,680,119 (3)	12.2%
Food Services & Drinking Places	\$73,889,708,463	\$73,889,708,463	14.0%
Other Retail Group	\$53,090,177,837	\$67,149,716,443 (4)	12.7%
Total (5)	\$431,651,930,464	\$527,027,670,457	100%

Sources: California State Board of Equalization (BOE), "Taxable Sales in California (Sales & Use Tax) during 2015; U.S. Economic Census, "Retail Trade: Subject Series - Product Lines: Product Lines Statistics by Kind of Business for the United States and States: 2007"; and ALH Urban & Regional Economics.

(1) Taxable sales are pursuant to reporting by the BOE.

(2) Sales for Food and Beverage Stores have been adjusted to account for non-taxable sales; only 30.0% of all food store sales are estimated to be taxable.

(3) Sales for General Merchandise Stores have been adjusted to account for non-taxable food sales, since some General Merchandise Store sales include non-taxable food items. ALH Urban & Regional Economics estimates that at least 25% of General Merchandise sales are for grocery items that are also non-taxable. This estimate is based on analysis of the 2007 U.S. Economic Census, which attributes approximately 26% of General Merchandise Stores sales to food.

(4) Sales for Other Retail Group have been adjusted to account for non-taxable drug store sales, since drug store sales are included in the Other Retail Group category. ALH Urban & Regional Economics estimates that 33.0% of drug store sales are taxable, based on discussions with the California BOE and examination of U.S. Census data. In California, drug store sales in 2015 represented approximately 13.04% of all Other Retail Group sales. ALH Urban & Regional Economics applied that percentage and then adjusted upward for non-taxable sales.

(5) Totals may not add up due to rounding.

Exhibit B-5
City of Daly City Taxable Sales Estimate (1)
in Current Dollars
2015

Type of Retailer	Total Taxable Sales City of Daly City	City of Daly City Taxable Sales Adjusted to Total Retail
Motor Vehicles & Parts Dealers	\$159,042,147	\$159,042,147
Home Furnishings & Appliance Stores	\$27,455,523	\$27,455,523
Building Materials & Garden Equip .	\$49,545,571	\$49,545,571
Food & Beverage Stores	\$51,941,344	\$173,137,813 (2)
Gasoline Stations	\$114,046,480	\$114,046,480
Clothing & Clothing Accessories Stores	\$129,528,159	\$129,528,159
General Merchandise Stores	\$115,684,908	\$154,246,544 (3)
Food Services & Drinking Places	\$197,593,837	\$197,593,837
Other Retail Group	\$67,669,647	\$85,590,175 (4)
Total (5)	\$912,507,616	\$1,090,186,249
Percent Taxable	84%	

Sources: California State Board of Equalization (BOE), "Taxable Sales in California (Sales & Use Tax)" reports, for 2015; U.S. Economic Census, "Retail Trade: Subject Series - Product Lines: Product Lines Statistics by Kind of Business for the United States: 2007"; and ALH Urban & Regional Economics.

(1) Taxable sales are pursuant to reporting by the State of California Board of Equalization (BOE).

(2) Sales for Food and Beverage Stores have been adjusted to account for non-taxable sales; only 30.0% of all food store sales are estimated to be taxable.

(3) Sales for General Merchandise Stores have been adjusted to account for non-taxable food sales, since some General Merchandise Store sales include non-taxable food items. ALH Urban & Regional Economics estimates that at least 25% of General Merchandise sales are for grocery items that are also non-taxable. This estimate is based on analysis of the 2007 U.S. Economic Census, which attributes 26% of General Merchandise Stores sales to food.

(4) Sales for Other Retail Group have been adjusted to account for non-taxable drug store sales, since drug store sales are included in the Other Retail Group category. ALH Urban & Regional Economics estimates that 33.0% of drug store sales are taxable, based on discussions with the California BOE and examination of U.S. Census data. In the State of California, drug store sales in 2015 represented approximately 13.04% of all Other Retail Group sales. ALH Urban & Regional Economics applied that percentage and then adjusted upward for non-taxable sales.

(5) Totals may not add up due to rounding.

Exhibit B-6
City of Daly City
Retail Demand, Sales Attraction, and Spending Analysis (1)
2015

Type of Retailer	Per Household		City of Daly City	City of Daly City Sales	Retail Sales Attraction/(Leakage)	
	Spending (2)	Sales (3) (4)	Household Spending (4)	(3)	Amount	Percent
Motor Vehicles & Parts Dealers	\$1,535	\$5,108	\$47,801,359	\$159,042,147	\$111,240,788	69.94%
Home Furnishings & Appliance Stores	\$1,812	\$882	\$56,416,998	\$27,455,523	(\$28,961,475)	-51.33%
Building Materials & Garden Equip .	\$5,013	\$1,591	\$156,098,671	\$49,545,571	(\$106,553,100)	-68.26%
Food & Beverage Stores	\$2,551	\$5,561	\$79,442,942	\$173,137,813	\$93,694,871	54.12%
Gasoline Stations	\$2,069	\$3,663	\$64,425,978	\$114,046,480	\$49,620,502	43.51%
Clothing & Clothing Accessories Stores	\$3,472	\$4,160	\$108,099,402	\$129,528,159	\$21,428,757	16.54%
General Merchandise Stores	\$3,977	\$4,954	\$123,846,390	\$154,246,544	\$30,400,154	19.71%
Food Services & Drinking Places	\$3,615	\$6,346	\$112,549,503	\$197,593,837	\$85,044,334	43.0%
Other Retail Group	\$0	\$2,749	\$0	\$85,590,175	\$85,590,175	100.0%
Total	\$28,370	\$35,013	\$748,681,243	\$1,090,186,249	\$341,505,006	31.3%

Source: US Census, American Community Survey (ACS), "S1901: Income in the Past 12 Months (In 2015 Inflation-Adjusted Dollars) - 5 YR 2011-2015; and ALH Urban & Regional Economics.

(1) All figures are expressed in 2015 dollars

(2) The per household spending estimates for the City of Daly City were generated by ALH Urban & Regional Economics by taking the estimated average 2015 area household income figure of \$90,375 from the ACS and multiplying by 31%, utilizing the assumption that 31% of household income is spent on BOE type retail. This figure was then multiplied by the percentages calculated from the ratio of the BOE sales for the State of California. See Exhibit B-4.

(3) See Exhibit B-5.

(4) Represents per household spending multiplied by the respective household count for the City of Daly City of 31,137.

(5) Building Materials and Garden Equipment includes hardware stores, plumbing and electrical supplies, paint and wallpaper products, glass stores, lawn and garden equipment, and lumber.

(6) Other Retail Group includes drug stores, health and personal care, pet supplies, gifts, art goods and novelties, sporting goods, florists, musical instruments, stationary and books, office and school supplies, second-hand merchandise, and miscellaneous other retail stores.

Initial Study Westlake Shopping Center Mixed-Use Project



Cover Image: SGPA Architecture and Planning

Prepared by



In consultation with



April 2018

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Appendix B	Historic Evaluation
Appendix C	Geotechnical Engineering Report
Appendix D	Greenhouse Emissions Assessment
Appendix E	Phase I Environmental Site Assessment, Rebound Test Report and Redevelopment Recommendations Letter
Appendix F	Noise and Vibration Assessment
Appendix G	Transportation Impact Study

ACRONYMS AND ABBREVIATIONS

ABAG	Association of Bay Area Governments
ACM	Asbestos Containing Materials
AIA	Airport Influence Area
ALUC	Airport Land Use Commission
ALUCP	Airport Land Use Compatibility Plan
ALUP	Airport Land Use Plan
BAAQMD	Bay Area Air Quality Management District
BCDC	Bay Conservation and Development Commission
CAA	Clean Air Act
CAP	Clean Air Plan
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CMP	Congestion Management Program
CRHR	California Register of Historical Resources
CSMHSA	County of San Mateo Health Services Agency
CWA	Clean Water Act
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Maps
GHG	Greenhouse Gas
GPA	General Plan Amendment
HASP	Health and Safety Plan
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
LID	Low Impact Development
LOS	Level of Service
LUST	Leaking Underground Storage Tank
MND	Mitigated Negative Declaration
MBTA	Migratory Bird Treaty Act

MTC	Metropolitan Transportation Commission
NCFA	North County Fire Authority
NESHAP	National Emission Standards for Hazardous Air Pollutants
NOD	Notice of Determination
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
OPR	Office of Planning and Research
PCE	Tetrachloroethylene
PDA	Priority Development Area
PPV	Peak Particle Velocity
RCRA	Resource Conservation and Recovery Act
REC	Recognized Environmental Condition
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCS	Sustainable Communities Strategy
SMCEHD	San Mateo County Environmental Health Division
SMDEH	San Mateo County Department of Environmental Health
SMP	Soil Management Plan
SR-	State Route
SVE	Soil Vapor Extraction
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound

SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

The City of Daly City as the Lead Agency, has prepared this Initial Study for the Westlake Shopping Center Mixed-Use Project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Daly City, California.

The project site, is part of the Westlake Shopping Center that has over 14 acres of commercial space. The project proposes to demolish 55,630 square feet of the existing commercial building space (25,200 square feet of existing medical office space and 30,430 square feet of retail space) and a 60 space surface parking lot out of the 14-acre shopping center site to allow for the construction of up to 180 dwelling units totaling 142,791 square feet and 34,074 square feet of retail space in a six story building, resulting in a net loss of 21,556 square feet of commercial area in a 1.95 acre-project site area. Additionally, two floors of below-grade parking would be constructed spanning 107,968 square feet and accommodating 260 parking spaces. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

1.2 PUBLIC REVIEW PERIOD

Publication of this Initial Study marks the beginning of a 20-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 20-day public review period should be sent to:

Corey Alvin,
Planning Division Planning Division
City of Daly City
333 90th Street
Daly City, CA 94015
calvin@dalycity.org

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

Following the conclusion of the public review period, the City of Daly City will consider the adoption of the Initial Study/Mitigated Negative Declaration (MND) for the project at a regularly scheduled meeting. The City shall consider the Initial Study/MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with project approval actions.

1.4 NOTICE OF DETERMINATION

If the project is approved, the City of Daly City will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's

Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

Westlake Shopping Center Mixed-Use Project

2.2 LEAD AGENCY CONTACT

City of Daly City
Corey Alvin
Department of Economic and Community Development
City of Daly City
333 90th Street
Daly City, CA 94015
(650) 991-8156
calvin@dailycity.org

2.3 PROJECT APPLICANT

Kimco Realty Corporation
Michael Strahs, Director of Development
15 Southgate Avenue, Suite 201
Daly City, CA 94015
(650)746-7501
mstrahs@kimcorealty.com

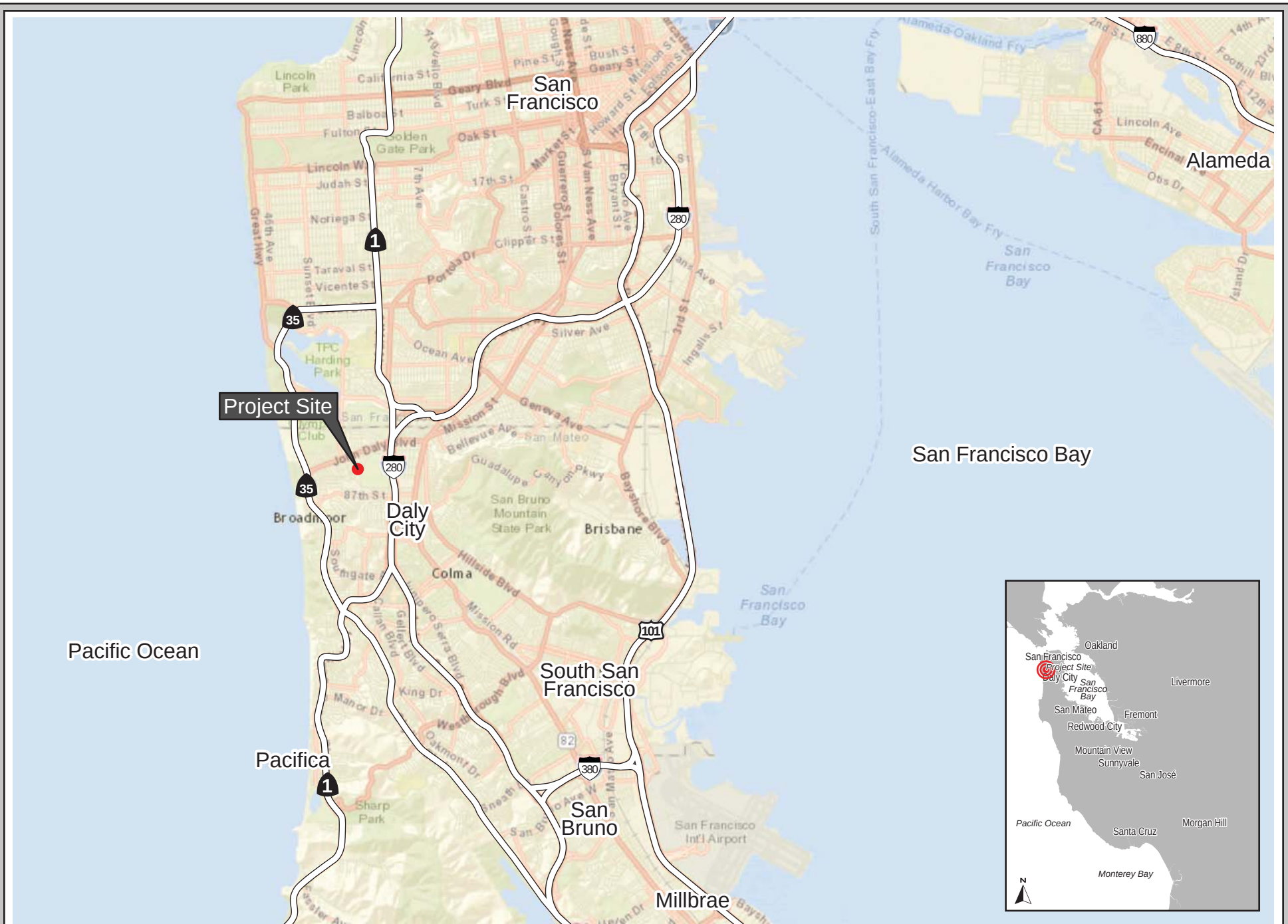
2.4 PROJECT LOCATION AND SURROUNDING LAND USES

The approximately 1.95-acre project site is located in the Westlake Shopping Center at 10 Park Plaza Drive in the City of Daly City. The project site is located on the northeastern corner of the Westlake Shopping Center bounded by John Daly Boulevard to the north, Park Plaza Drive to the east, Westlake Center to the west, and an existing Safeway grocery store to the south. Regional and vicinity maps of the project site are shown on Figure 2.4-1 and 2.4-2.

An aerial map of the project site and surrounding land uses is shown in Figure 2.4-3.

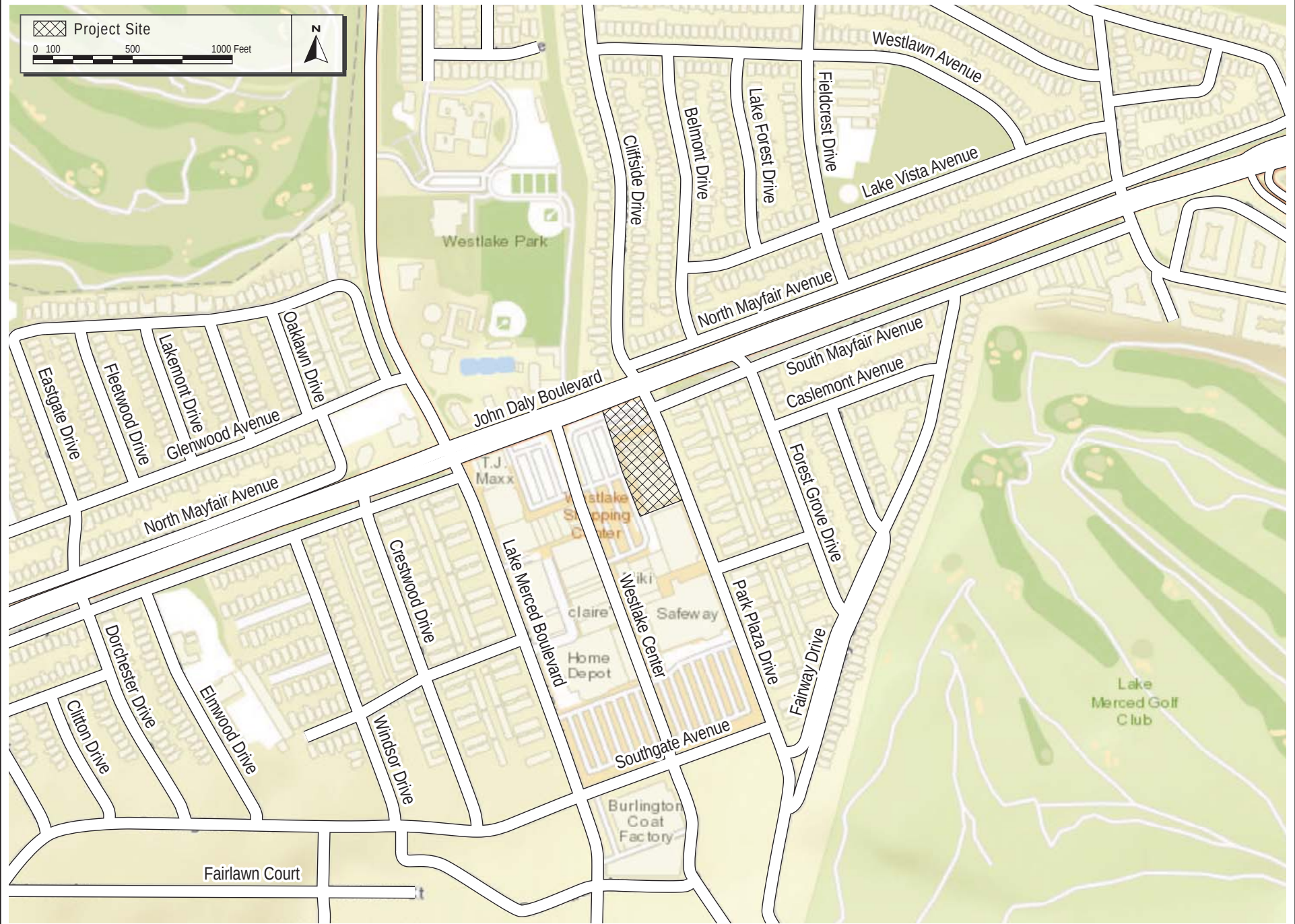
2.5 ASSESSOR'S PARCEL NUMBER

002-170-230



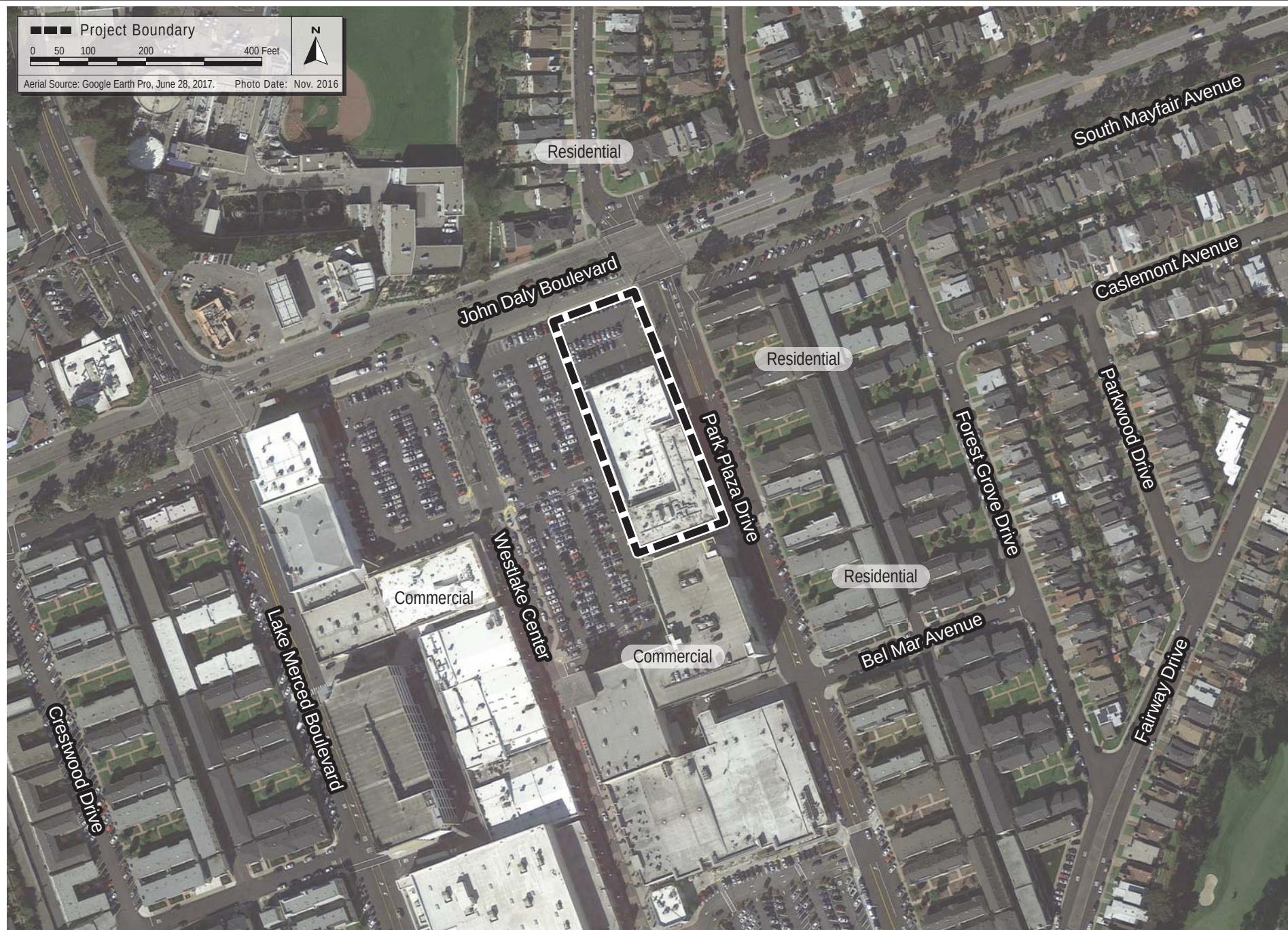
REGIONAL MAP

FIGURE 2.4-1



VICINITY MAP

FIGURE 2.4-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.4-3

2.6 GENERAL PLAN DESIGNATION AND ZONING DISTRICT

General Plan Designation: *Commercial Retail and Office*

Zoning Designation: Planned Development Zone PD-60

2.7 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS

General Plan Amendment to *Commercial Mixed-Use*

Planned Development Zoning Amendment

Design Review with Concurrent Entitlement

Grading Permit

Building Permit

Design Review

SECTION 3.0 PROJECT DESCRIPTION

3.1 PROJECT OVERVIEW

The project proposes to demolish two existing commercial buildings and northeastern portion of the existing surface parking in the Westlake Shopping Center, which has over 14 acres of commercial space). The project proposes to construct a new six-story building with up to 180 dwelling units and 34,074 square feet of ground-floor retail on the 1.95-acre project site. The building would include two floors of below-grade parking with 260 parking spaces spanning 107,968 square feet. A new auto access road is proposed at the south edge of the new building connecting Park Plaza drive to the parking area between the new building and Westlake Center Drive. The ground-floor retail space would be located on the western side of the building facing the surface parking in the Westlake Shopping Center. The residential units are grouped around two landscaped courtyards on the second floor to the sixth floor (five levels of residential use). The southern courtyard faces open to the western side of the building and has a fitness center, fire pits, a BBQ area and other residential amenities. The larger courtyard is completely wrapped around residential units. The maximum building height proposed is 80 feet above grade.

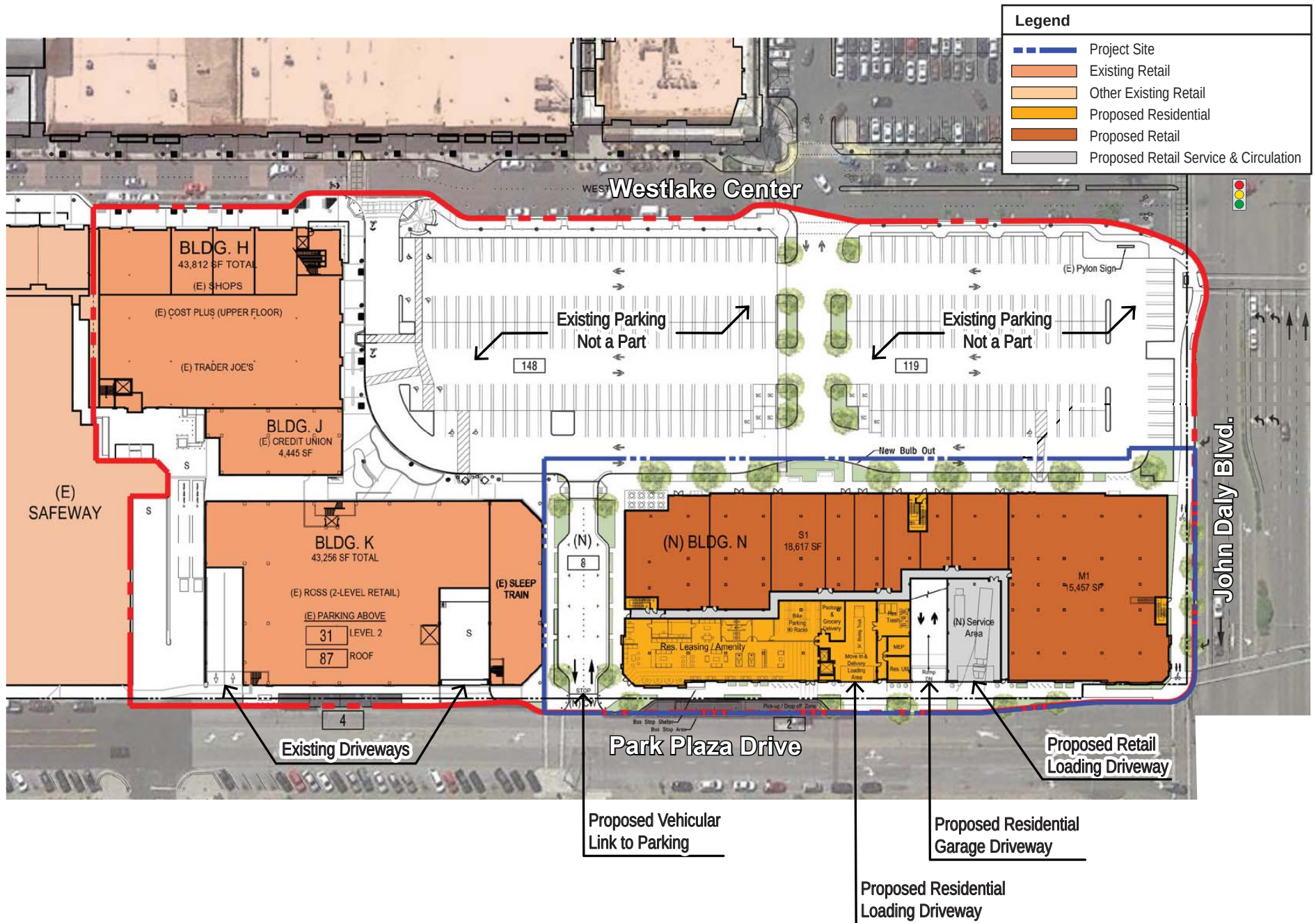
The project proposes a General Plan Amendment (GPA) to change the land use designation from *Commercial Retail and Office*, which allows retail and office uses and Floor Area Ratio (FAR) ranging from 2.5 to 5.0, to *Commercial Mixed-Use*, which allows mixed-use land uses with FAR ranging from 1.0 to 6.0. The project would result in a gross floor area of 230,065 square feet, excluding the two-level below-grade garage. The FAR of the proposed development would be approximately 2.7, and the lot coverage would be 62 percent. The project proposes a Planned Development Zoning Amendment to the existing *Planned Development Zone PD-60* to allow residential uses on-site.

The project components, including the retail component, residential component, amenity space within the residential use, common and private open space, landscaping, site access, site access, circulation, and parking, grading and demolition, utility improvements, and construction details are described below. A conceptual site plan and conceptual renderings are shown in Figures 3.1-1 and 3.1-2 respectively.

3.2 PROPOSED DEVELOPMENT

3.2.1 Retail Component

The six-story building would include 34,074 square feet of ground-floor retail, located above the two-level below-grade parking. The retail space would be located on the western side of the building fronting the existing surface parking lot in the Westlake Shopping Center. The retail portion of the northwestern corner would extend to the eastern side of the building facing Park Plaza.



CONCEPTUAL SITE PLAN

FIGURE 3.1-1



Source: SGPA Architecture and Planning., 4/21/2017.

3.2.2 Building Heights and Setbacks

The proposed building (including rooftop features) would be up to 80 feet above grade and set back approximately 14 to 25 feet from the existing surface parking lot in the Westlake Shopping Center, 12 feet from John Daly Boulevard, five to 21 feet from Park Plaza Drive, and six feet from the proposed driveway intersecting Park Plaza Drive. 117 of the residential units would have private outdoor balconies or decks.

3.2.3 Amenity Space within the Residential Use

The mixed-use building would include amenity space for the residents on the ground-level, second floor (first residential floor), and sixth floor of the building totaling up to 11,226 square feet of amenity space. The first floor would include 9,347 square feet of residential amenity space, which includes a lobby entry, leasing office, meeting room, lounging and recreation area, restrooms, bicycle repair, mailroom, package and grocery delivery area, and 90 bicycle parking racks. The second floor would include approximately 974 square feet of amenity space, which includes a fitness center, fire pits, a BBQ area and other residential amenities. The sixth floor would include 905 square feet of amenity space, which includes a residential lounge.

3.2.4 Common and Private Open Space

The total combined useable common and private open space is 23,894 square feet. The project includes a total of 11,560 square feet of common open space for future residents. As described above, the proposed apartment units would be situated around two outdoor courtyards. The courtyards would be above ground-floor commercial located on the second floor. The larger courtyard located at the southern half of the building would include seating areas with fire pits, a wood deck, and BBQ area and extends to the western edge of the building facing the existing surface parking lot. The smaller courtyard at the northern half of the building, completely surrounded by residential units would include a seating area. A rooftop deck on the southeastern corner of the sixth floor would also include a seating area.

The project also includes a total of approximately 12,334 square feet of private open space in the form of private decks in 17 units located on the second floor, and balconies in 100 units.

3.2.5 Landscaping

The project proposes approximately 11,303 square feet of landscaped area throughout the site. New upgraded landscaping would be added around the immediate perimeter of the ground floor of the new building, and a limited area will be landscaped on either side of the East-West Driveway connecting the new building to Westlake Center Drive. Landscaping would also be provided on two second floor podiums and a sixth floor rooftop terrace. The landscaping would include 37 new trees, 3,990 square feet of stormwater planter, 2,843 square feet of green roof, 6,937 square feet of ornamental planting area, and 91 square feet of green wall. The project would remove three existing on-site trees. A landscaping plan is shown in Figure 3.2-1.

3.2.6 Site Access, Circulation, and Parking

The project site would be accessible from John Daly Boulevard into Westlake Center, which provides access to the existing surface parking adjacent to the proposed building. The project site would also be accessible from a proposed vehicular access road on Park Plaza Drive that leads to the existing surface parking to remain. The below-ground parking would be accessible through the parking ramp from Park Plaza Drive

The two-level below-grade residential parking garage would be 107,968 square feet and include 260 parking spaces and 90 secured bicycle parking spaces. 90 additional secured bicycle parking spaces are proposed on the ground floor. A total of 180 long-term residential bicycle spaces would be provided in addition to 18 short-term residential bicycle parking spaces. A total of 399 commercial parking spaces would be provided which would include 281 surface parking spaces and 118 spaces in the existing structured parking at Building K. In addition to the seven commercial bicycle parking spaces to remain, the project would add 15 short-term commercial bicycle parking spaces. A circulation plan is shown in Figure 3.2-2.

3.2.7 Public Right-Of-Way and Utility Improvements

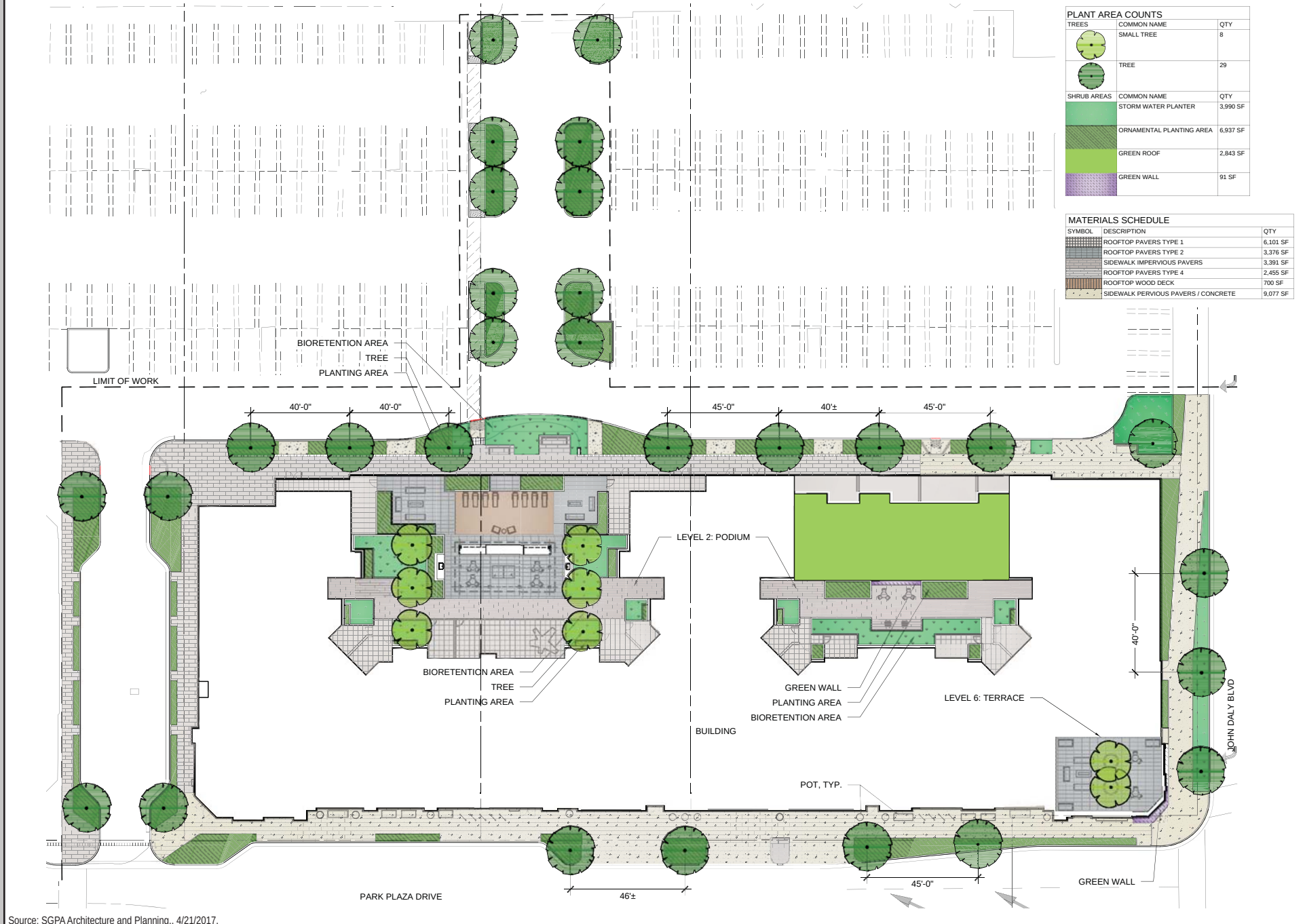
The project proposes to connect to existing sanitary sewer lines, storm drain lines and water lines in Park Plaza Drive and John Daly Boulevard. The project proposes to potentially relocate the existing 6-inch gas line in the public right-of-way. The project does not propose to improve any of the other existing utilities serving the site except for replacing existing Storm Drain Manhole with 24-inch Storm Drain Catch Basin.

3.2.8 Drainage Improvements

The project proposes 2,470 square feet of bio-retention treatment area. Bio-retention areas will be located on the western and southern site frontage, as well as the two courtyards on the second floor, collecting stormwater runoff from the building rooftop, sidewalks, and driveways. Approximately 9,077 square feet of pervious pavers would also be included around the proposed building to minimize stormwater runoff.

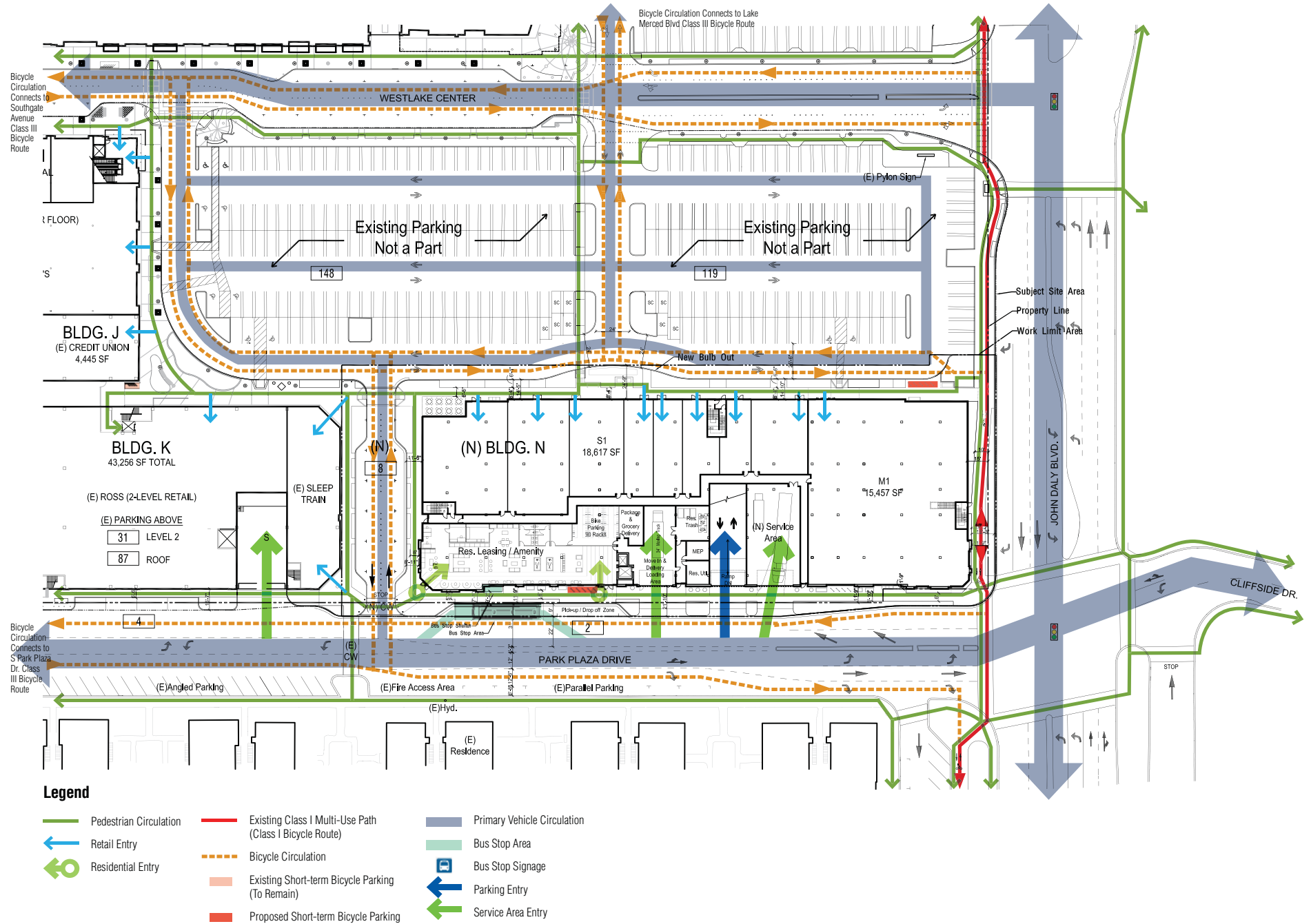
3.2.9 Grading, Demolition, and Construction

Construction of the project is estimated to take approximately 16 months to complete, possibly starting in mid-2018, and concluding in end of 2020. Demolition of the existing improvements on-site would occur in the first several months, followed by preparation of the site and construction of the residential building and other site improvements. The project would excavate and off-haul approximately 60,079 cubic yards of soil (to a depth of 33 feet).



LANDSCAPING PLAN

FIGURE 3.2-1



Source: SGPA Architecture and Planning, 4/21/2017.

PROPOSED SITE CIRCULATION PLAN

FIGURE 3.2-2

SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND IMPACT DISCUSSION

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Aesthetics	4.10	Land Use and Planning
4.2	Agricultural and Forestry Resources	4.11	Mineral Resources
4.3	Air Quality	4.12	Noise and Vibration
4.4	Biological Resources	4.13	Population and Housing
4.5	Cultural Resources	4.14	Public Services
4.6	Geology and Soils	4.15	Recreation
4.7	Greenhouse Gas Emissions	4.16	Transportation/Traffic
4.8	Hazards and Hazardous Materials	4.17	Utilities and Service Systems
4.9	Hydrology and Water Quality	4.18	Mandatory Findings of Significance

The discussion for each environmental subject includes the following subsections:

- **Environmental Setting** – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.
- **Checklist and Discussion of Impacts** – This subsection includes a checklist for determining potential impacts and discusses the project’s environmental impact as it relates to the checklist questions. For significant impacts, feasible mitigation measures are identified. “Mitigation measures” are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered using an alphanumeric system that identifies the environmental issue. For example, **Impact HAZ-1** denotes the first potentially significant impact discussed in the Hazards and Hazardous Materials section. Mitigation measures are also numbered to correspond to the impact they address. For example, **MM NOI-2.3** refers to the third mitigation measure for the second impact in the Noise section.
- **Conclusion** – This subsection provides a summary of the project’s impacts on the resource.

Important Note to the Reader

The California Supreme Court in a December 2015 opinion [*California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (No. S 213478)] confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Therefore, the evaluation of the significance of project impacts under CEQA in the following sections focuses on

impacts of the project on the environment, including whether a project may exacerbate existing environmental hazards.

The City of Daly City currently has policies that address existing conditions (e.g., air quality, noise, and hazards) affecting a proposed project, which are also addressed in this section. This is consistent with one of the primary objectives of CEQA and this document, which is to provide objective information to decision-makers and the public regarding a project as a whole. The CEQA Guidelines and the courts are clear that a CEQA document (e.g., EIR or Initial Study) can include information of interest even if such information is not an “environmental impact” as defined by CEQA.

Therefore, where applicable, in addition to describing the impacts of the project on the environment, this chapter will discuss Planning Considerations that relate to policies pertaining to existing conditions. Such examples include, but are not limited to, locating a project near sources of air emissions that can pose a health risk, in a floodplain, in a geologic hazard zone, in a high noise environment, or on/adjacent to sites involving hazardous substances.

4.1 AESTHETICS

4.1.1 Environmental Setting

4.1.1.1 *Regulatory Framework*

Scenic Highways Program

The California Scenic Highway Program is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. State laws governing the Scenic Highway Program are found in the Streets and Highway Code, Sections 260 through 263.

There are three eligible, but not officially designated, State Scenic Highways within the City including Skyline Boulevard (State Route (SR) 35), Cabrillo Highway (SR 1), and Junipero Serra (Interstate 280 (I-280)).

City of Daly City General Plan

The City of Daly City General Plan includes a Visual Quality section under the Resources Management Element. Relevant policies and tasks applicable to aesthetics include, but are not limited to, the following listed below.

Policies and Tasks	Description
Complete Streets	
Task CE-20.7	As a part of all new development, require, where appropriate, the provision of pedestrian-oriented signs, pedestrian-scale lighting, benches, and other street furniture so as to make non-motorized forms of travel comfortable and attractive alternatives to the automobile. Where necessary in new development, the City may require additional sidewalk and/or right-of-way width to accommodate these amenities.
Historical and Archaeological Resources	
Policy RME-20	Recognize the physical differences between different parts of the City and regulate land uses within these areas accordingly
Task RME-20.2	Amend the Zoning Ordinance to provide development regulations that more closely reflect the predominant neighborhood character established when the neighborhood was constructed.
Task RME-20.4	Incorporate design features in new development that reflects the character of the neighborhood, to ensure that new construction is compatible with existing development. .
Commercial Vitality and Revitalization	
Policy LU-8	Ensure that landscape and hardscape improvements made to all residential properties are environmentally sound and do not negatively impact existing neighborhood aesthetics.
Policy LU-17	Ensure that private development is responsible for providing any on-or off-site improvements related to and/or mitigating the impacts it causes.

City of Daly City Municipal Code

The City's Municipal Code includes regulations associated with protection of the City's visual character. The code includes regulations for an architectural Review process, as outlined in Chapter 17.45. In approving a site plan, the Director of Economic and Community Development, the Design Review Committee or City Council must make the following findings:

- The approval of the plan is in the best interest of the public health, safety and general welfare of the community;
- General site considerations have been designed to provide a desirable environment;
- General architectural considerations have been incorporated in order to ensure the compatibility of the proposed development with its design concept and the character of other adjacent buildings; and
- General landscape considerations of Chapter 17.41 Landscaping, in the Municipal Code, have been provided to ensure visual relief, to complement buildings and structures and to provide an attractive environment for the enjoyment of the public.

4.1.1.2 *Existing Conditions*

The project site is located in the Westlake Shopping Center in the Westlake neighborhood in the City of Daly City. The project site is in an urban and developed area in the City and is bounded by an existing surface parking lot in the shopping center to the west, John Daly Boulevard to the north, Park Plaza Drive to the east, and an existing 2.5-story retail/parking building to the south.

The project site is currently developed with retail and medical office buildings ranging between one-story and three-stories. The one-story building contains a long bricked-roof and is occupied by a row of small retail stores. The three-story medical office building is constructed in an L-shape, covered with large windows with overhanging roofing features on each floor. The project site also includes 60 existing paved surface parking spaces on the northern portion of the site facing John Daly Boulevard. The site is at the low point in the valley between Skyline Boulevard and Interstate 280 (I-280). Refer to Photos 1 through 3 for views of the project site.

4.1.1.3 *Surrounding Visual Character*

The project site is surrounded by residential and commercial development. The project site is part of the larger Westlake Shopping Center. The shopping center west of the project site includes paved surface parking, and retail buildings across Lake Merced Boulevard with heights up to approximately 60 feet. Southwest of the project site includes 2.5-story retail/parking building at approximately 37 feet. The stair shafts add an additional seven feet to the building.

Single family homes and commercial buildings are located north across John Daly Boulevard, and two-to-three-story multi-family homes located east of the project site across Park Plaza Drive. These

buildings are mostly comprised of stucco and concrete. Refer to Photos 3 through 6 for views of the surrounding area.

4.1.1.4 *Scenic Vistas and Resources*

The City's General Plan does not identify any State or County designated scenic highways located in Daly City. However, there are three eligible State scenic highways within the City of Daly City; Skyline Boulevard (State Route (SR) 35), Cabrillo Highway (SR 1), and Junipero Serra (I-280). Scenic potential along these corridors is related to the views of the coast and San Bruno Mountain. SR 35 is located approximately 0.75 miles west, SR 1, approximately 1.5 miles southeast, and I-280, approximately 0.6 miles east of the project site.

The project site is not located near an officially-designated scenic highway. According to the City's General Plan, roadways that provide scenic vistas, but are not recognized by the State or County as having scenic quality, include John Daly Boulevard and Lake Merced Boulevard. John Daly Boulevard borders the site to the north and Lake Merced Boulevard is approximately 0.2 miles northwest of the project site.

The Daly City coastline is the largest scenic area in the City. The project site is located approximately one mile east of the Daly City coastline, however, views of the coastline are not visible from the project site. The San Bruno Mountain Habitat Conservation Plan (HCP) is located approximately 1.3 miles east of the project site. The mountain rising to approximately 1,000 feet in elevation, provides a scenic background along the eastern portion of the City. The San Bruno Mountain is also not visible from the project site.

The project site is developed and no natural scenic resources such as rock outcroppings are present on or immediately adjacent to the project site. A partial view of Lake Merced, located on a lower elevation, approximately one mile north of the project site, can be seen from the surface parking lot west of the project site.



PHOTO 1: View of the project site from surface parking in the Westlake Shopping Center looking east.



PHOTO 2: View of the project site from Park Plaza Drive looking west.



PHOTO 3: View of retail development west of project site looking from existing surface parking in the Westlake Shopping Center.



PHOTO 4: View of the project site's existing parking and residential development to the north.



PHOTO 5: View of residential development to the east from the project site on Park Plaza Drive.



PHOTO 6: View of the retail development to the south of the project site.



CONCEPTUAL RENDERING OF THE PROPOSED BUILDING LOOKING EAST ON JOHN DALY BOULEVARD

FIGURE 4.1-1

4.1.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐	1,2
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐	1
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	1,2
d) Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?	☐	☐	☒	☐	1

4.1.2.1 *Impacts to Scenic Vistas*

As discussed previously, the City's General Plan does not identify any State or County designated scenic highways located in Daly City. However, several roadways have been recognized as having scenic quality. The General Plan identifies John Daly Boulevard and Lake Merced Boulevard as scenic corridors. John Daly Boulevard borders the project site to the north. John Daly Boulevard can provide views of the coastline and San Bruno Mountains depending on the direction of travel. The project proposes to construct a six-story building up to 80 feet in height. While the proposed project includes a six-story building capable of reaching approximately 80 feet in height, other buildings in the project area include 405 Westlake Center, which is 2.5-story building at 15-feet per story above grade, estimated to be 37 feet in height plus an additional seven feet for the stair shafts on the ceiling. A similar height structure across from the project site is the six-story parking structure serving the shopping center on Lake Merced Boulevard. This height of the building is estimated to be 60 feet. The project site sits on a relatively flat land surrounded by sloped lands. The lower elevation of the project site would blend in with surrounding developments at taller elevations of the area and therefore, would not obstruct views of the coastline and San Bruno Mountains (refer to Figure 4.1-1).

The project site is also approximately 0.7 mile east of SR 35, 0.6 mile west of I-280, and 1.5 miles northwest of SR-1. Scenic resource potential along these corridors is related to the views of the coast and San Bruno Mountain. The project will not obscure views of San Bruno Mountain or the coast from either John Daly Boulevard or I-280. The property is not visible from SR-35 and SR 1.

The proposed project would have no effects on scenic vistas associated with the coastline or San Bruno Mountain, Lake Merced Boulevard, SR 35, I-280, and SR-1. While the project would be introduce a new six-story building along the John Daly Boulevard scenic corridor, the change to the

scenic values of that corridor would not be substantial as the lower elevations of the project site would blend with the surrounding taller elevations of the area and not obstruct any views. **(Less Than Significant Impact)**

4.1.2.2 *Impacts to Scenic Resources*

As discussed previously, the project site is not located near an officially designated scenic highway. The project site does not contain any rock outcroppings or other natural scenic resources. Scenic resources, such as rock outcroppings or historic buildings (refer to Section 4.5 *Cultural Resources*), are not present on the project site. The project would remove three palm trees on-site. These landscaping trees are common and do not contribute unique or important aesthetic value. **(Less Than Significant Impact)**

4.1.2.3 *Impacts to visual character*

As discussed in Section 4.1.1.3 above, the project site is currently developed with one-story and three-story buildings surrounded by sidewalks with minimal landscaping. The project proposes to build a six-story building up to 80 feet in height with modern architectural elements including colored building materials, textured cement and metal panels with a new landscaped driveway and sidewalks around the perimeter of the project site. While the building would be approximately 20 feet taller than the tallest building in the surrounding development, the change in visual character of the project site is not considered a substantial degradation of the visual character of the site, which is a modern, suburban shopping center. For these reasons, construction of the proposed project would not substantially degrade the existing visual character of the site and its surroundings. **(Less Than Significant Impact)**

4.1.2.4 *Light and Glare Impacts*

Since the City is primarily built out, the light and glare that exists within the City is typical of that in an urban setting. Nighttime lighting impacts are considered significant when they interfere with or intrude into neighboring residences. Light pollution is typically related to the use of high voltage light fixtures with inadequate shield and improper positioning or orientation. Compliance with the Design Review process outlined with the City's Municipal Code, which requires general architectural considerations such as exterior light that are compatible with the design and character of other adjacent buildings would reduce light and glare impacts to a less than significant level. In addition, the project would be constructed with exterior cement plaster, fiber cement panels, and architectural composite panels, which are generally non-reflective materials, and therefore, would not create a new source of glare. **(Less Than Significant Impact)**

4.1.3 Conclusion

The proposed project, consistent with applicable General Plan policies, and subject to the design review process specified in Municipal Code Chapter 17.45, would not result in significant visual or aesthetic impacts. **(Less Than Significant Impact)**

4.2 AGRICULTURAL AND FORESTRY RESOURCES

4.2.1 Environmental Setting

4.2.1.1 *Existing Conditions*

The project site is currently developed and occupied. According to the San Mateo County Important Farmland 2014 map, the project site is designated as *Urban and Built-Up Land*, which is defined as land that is occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel, such as residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures.¹

The project site is not subject to a Williamson Act contract. The site is not a forest resource. There are no agricultural or forest land uses located adjacent to the project site.

4.2.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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?	☐	☐	☐	☒	1,2,4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	1
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))?	☐	☐	☐	☒	1,2
d) Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	1

¹ California Department of Conservation, Division of Land Resource Protection. *San Mateo County Important Farmland 2014 Map*. 2016

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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?	☐	☐	☐	☒	1,2,4

4.2.2.1 *Agricultural and Forest Resource Impacts*

The project site is located in an urbanized area in the City. As discussed above in *Section 4.2.1.1*, the project site is currently designated as *Urban and Built-Up Land* according to the San Mateo County Important Farmland 2014 Map. The project site does not include active agricultural uses, nor is the site zoned for agricultural uses. The project site would not conflict with existing zoning for agricultural use or a Williamson Act contract.

The project site and surrounding area is not used or zoned for timberland or forest land, therefore, would have no impact on timberland or forest land.

According to the San Mateo County Important Farmland 2014 map, the surrounding areas of the project site are also designated as *Urban and Built-Up Land*, therefore, the redevelopment of the project site would not result in the conversion of any forest or farmlands. For these reasons, the proposed project would have no impact on agricultural resources or operations. **(No Impact)**

4.2.3 Conclusion

Implementation of the proposed project would have no impacts on agricultural or forest resources. **(No Impact)**

4.3 AIR QUALITY

The following discussion is based in part on an Air Quality Assessment report prepared by *Illingworth & Rodkin* in August 2017. A copy of this report is attached as Appendix A.

4.3.1 Environmental Setting

4.3.1.1 *Regulatory Framework*

Bay Area Air Quality Management District

The BAAQMD is the regional agency tasked with managing air quality in the region. At the state level, the CARB (a part of the California Environmental Protection Agency [EPA]) oversees regional air district activities and regulates air quality at the State level. The BAAQMD published California Environmental Quality Act (CEQA) Air Quality Guidelines that are used in this assessment to evaluate air quality impacts of projects.²

On April 19, 2017, the BAAQMD Board of Directors adopted a new air quality plan, called the 2017 Clean Air Plan, *Spare the Air, Cool the Climate* (2017 CAP). This plan updates the previous Bay Area 2010 Clean Air Plan and focuses on two closely-related goals: protecting public health and protecting the climate. To protect public health, the plan describes how the BAAQMD will continue its progress toward attaining all State and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the plan defines a vision for transitioning the region to a post-carbon economy needed to achieve ambitious greenhouse gas reduction targets for 2030 and 2050, and provides a regional climate protection strategy that will put the Bay Area on a pathway to achieve those GHG reduction targets.

The 2017 CAP includes a wide range of control measures designed to decrease emissions of the air pollutants that are most harmful to Bay Area residents, such as particulate matter, ozone, and toxic air contaminants; to reduce emissions of methane and other “super-GHGs” that are potent climate pollutants in the near-term; and to decrease emissions of carbon dioxide by reducing fossil fuel combustion. The BAAQMD has published CEQA Air Quality Guidelines that are used in this assessment to evaluate air quality impacts of projects. The thresholds of significance for construction- and operation-related pollutant emissions are shown in Table 4.3-1.

² BAAQMD. *BAAQMD CEQA Air Quality Guidelines*. May 2017.

Table 4.3-1 BAAQMD Air Quality Significance Thresholds			
Pollutant	Construction Thresholds	Operation Thresholds	
	Average Daily Emissions (pounds/day)	Annual Daily Emissions (pounds/year)	Annual Average Emissions (tons/year)
Criteria Air Pollutants			
ROG	54	54	10
NO _x	54	54	10
PM ₁₀	82	82	15
PM _{2.5}	54	54	10
CO	Not Applicable	9.0 ppm (8-hour avg.) or 20.0 ppm (1-hour avg.)	
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	Not Applicable	
Health Risks and Hazards for New Sources			
Excess Cancer Risk	10 per one million	10 per one million	
Chronic or Acute Hazard Index	1.0	1.0	
Incremental Annual Average PM _{2.5}	0.3 µg/m ³	0.3 µg/m ³	
Health Risks and Hazards for Sensitive Receptors and Cumulative Thresholds for New Sources			
Excess Cancer Risk	100 per one million		
Chronic Hazard Index	10.0		
Annual Average PM _{2.5}	0.8 µg/m ³		
Greenhouse Gas Emissions			
GHG Annual Emissions	1,100 metric tons or 4.6 metric tons per capita		
Notes: ROG = reactive organic gases, NO _x = nitrogen oxides, PM ₁₀ = course particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, PM _{2.5} = fine particulate matter or particulates with an aerodynamic diameter of 2.5 (µm) or less, and GHG = greenhouse gas. The GHG thresholds are for projects in operation by 2020 per AB32 statewide targets.			

Daly City 2030 General Plan

The following air resources policies and implementing tasks contained in the Resource Management Element of the Daly City 2030 General Plan are applicable to the proposed project:

Policies and Tasks	Description
Policy RME-5	Assess projected air emissions from new development and associated construction and demolition activities in conformance with the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines, and relative to state and federal standards.
Task RME-5.1	Amend the Planning Division's development review procedures to include a formal step that would help identify how a development project can incorporate design or functional changes that will minimize air quality impacts.
Task RME-5.2	Incorporate air quality significance thresholds into the Local Thresholds of Significance document identified in Program RME-1.
Task RME-5.3	Consider cumulative air quality impacts consistent with the region's Clean Air Plan and State law.
Task RME-5.4	Require the preparation of a Transportation Systems Management plan for new development that has been determined to contribute to a reduction in location air quality.
Task RME-5.5	Consult with BAAQMD to identify stationary and mobile TAC sources and determine the need for and requirements of a health risk assessment for proposed developments: type, size and operations of the facility.

4.3.1.2 *Existing Conditions*

The project is located in northern San Mateo County near the coast, which is in the San Francisco Bay Area Air Basin. Ambient air quality standards have been established at both the state and federal level. The Bay Area meets all ambient air quality standards with the exception of ground level ozone, respirable particulate matter (PM₁₀), and fine particulate matter (PM_{2.5}).

Sensitive Receptors

There are groups of people more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 16, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, and parks. For cancer risk assessments, children are the most sensitive receptors, since they are more susceptible to cancer causing Toxic Air Contaminants (TACs). Residential locations are assumed to include infants and small children. The closest sensitive receptors to the project site are residents to the north and east of the project site.

4.3.1.3 *Methodology*

The John Daly Boulevard TAC impact analysis involved the development of Diesel Particulate Matter (DPM), organic TACs, and PM_{2.5} emissions for traffic on John Daly Blvd using the CARB EMFAC2014 emission factor model and local traffic volume of 28,140 average daily traffic (ADT) volume. The EMFAC2014 model was used to develop vehicle emission factors for the year 2020 using an estimated mix of cars and trucks. Default EMFAC2014 vehicle model fleet age distributions for San Mateo County were assumed in calculating the emissions and the traffic volumes were assumed to increase one percent per year. Emissions of total organic gases (TOG) from gasoline-powered vehicles were calculated using the EMFAC2014 model. These TOG emissions were

then used in modeling the organic TACs (i.e., TACs associated with motor vehicle from TOG exhaust emissions and evaporative TOG emissions). PM_{2.5} emissions for vehicles traveling on John Daly Blvd were modeled using the same basic modeling approach that was used for assessing TAC impacts.

Dispersion modeling of TACS and PM_{2.5} emissions was conducted using the EPA CAL3QHCR model, which is recommended by the BAAQMD for this type of analysis.³ Construction period emissions were modeled using the California Emissions Estimator Model, Version 2016.3.1 (CalEEMod) with model defaults for a project of this type and size. The EPA ISCST3 dispersion model was used to predict concentrations of DPM and PM_{2.5} concentrations at existing sensitive receptors (residences) in the vicinity of the project construction area.

The BAAQMD Google Earth Stationary Source Tool identified five potential sources of operational stationary source of TACs within 1,000 feet of the project site as follows:

- Plant 20243 is a gasoline generator operated by the Daly City Fire Department about 900 feet northwest of the project site. Since the generator is used seldom and operates on gasoline, the risks are considered negligible and BAAQMD does not consider the facility a source of TACs.
- Plant 5494 includes two diesel-powered generators operated by the City of Daly City Water Resources about 350 feet or further northwest of the project site. The emissions data provided by BAAQMD was entered into the BAAQMD Risk and Hazards Emissions Screening Calculator using a distance of 350 feet.
- Plant 1507 is the Northern San Mateo County Sanitation District Water Treatment Plant that includes diesel-powered generators, flares, a treatment plant, and a fuel tank. The facility lies about 380 to 800 feet northwest of the project site. The emissions data provided by BAAQMD was entered into the BAAQMD Risk and Hazards Emissions Screening Calculator for each source type. A distance of 400 feet was used to adjust the risks using the Distance Adjustment Multiplier for Diesel IC Engines.
- Plant 16794 is a diesel-powered generator operated by the Home Depot store about 500 feet or further southwest of the project site. The emissions data provided by BAAQMD was entered into the BAAQMD Risk and Hazards Emissions Screening Calculator using a distance of 500 feet.
- Plant G8634 is a Chevron gasoline dispensing facility (GDF) about 400 feet or further northwest of the project site. The screening risk identified by BAAQMD was adjusted using the Cancer Risk and Chronic Hazard Index Distance Adjustment Multiplier for Gasoline Dispensing Facilities at a distance of 400 feet.

³ BAAQMD, 2012. *Recommended Methods for Screening and Modeling Local Risks and Hazards*. May 2012.

4.3.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	1,5
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	1,6
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☒	☐	1,6
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐	1,6,13
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	1,6

4.3.2.1 *Consistency with 2010 Clean Air Plan*

Determining consistency with the 2017 CAP involves assessing whether applicable control measures contained in the 2017 CAP are implemented. Implementation of control measures improve air quality and protect public health. These control measures are organized into five categories: Stationary Source Measures, Mobile Source Measures, Transportation Control Measures (TCMs), Land Use and Local Impact Measures, and Energy and Climate Measures.

The proposed project would not conflict with the 2017 CAP because: the project's operational project emissions would be well below the BAAQMD screening threshold (as discussed in *Section 4.3.2.2* below), the project is an urban infill development, and the project is located near employment centers, shopping, and transit facilities. **(Less than Significant Impact)**

4.3.2.2 *Criteria Air Pollutant Emissions*

As described previously, BAAQMD has established screening criteria for the sizes of land use projects that could result in significant air pollutant emissions. The proposed project would construct 34,074 square feet of office space and 179 apartment units. These totals are well below the screening criteria of 346,000 square feet for office and 494 dwelling units for operational impacts.⁴ Based on

⁴ Bay Area Air Quality Management District. *CEQA Air Quality Guidelines*. Table 3-1, Operational-Related Criteria Air Pollutant and Precursor Screening Level Sizes. Updated May 2011. p. 3-2.

the BAAQMD screening tables, the project would not result in a significant impact to regional air quality in the San Francisco Bay Area Air Basin due to construction criteria pollutant emissions as it is below the construction screening thresholds of 277,000 for office and 240 dwelling units. However, the project exceeds the operational greenhouse gas (GHG) screening level (87 dwelling units). Impacts related to operational GHG are discussed in *Section 4.7, Greenhouse Gas Emissions*. **(Less than Significant Impact)**

4.3.2.3 Construction TAC Assessment

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. These exhaust air pollutant emissions would not be considered to contribute substantially to existing or projected air quality violations. Construction exhaust emissions may still pose health risks for sensitive receptors such as surrounding residents. The primary community risk impact issues associated with construction emissions are cancer risk and exposure to PM_{2.5}. Diesel exhaust poses both a potential health and nuisance impact to nearby receptors. A health risk assessment (Appendix A) of the project construction activities was conducted by *Illingworth & Rodkin, Inc.* that evaluated potential health effects of sensitive receptors at these nearby residences from construction emissions of DPM and PM_{2.5}.⁵ The closest sensitive receptors to the project site are residents in an apartment building adjacent to the eastern project boundary across Park Plaza Drive.

Predicted Cancer Risk and Hazards

The EPA ISCST3 dispersion model was used to predict concentrations of DPM and PM_{2.5} concentrations at existing sensitive receptors (residences) in the vicinity of the project construction area. Annual DPM and PM_{2.5} concentrations from construction activities during the 2018-2019 period were calculated using the model. The maximum-modeled DPM and PM_{2.5} concentrations occurred east of the construction site at the first-floor level of a residence on Park Plaza Drive across from the project site (See Figure 4.3-1).

Using the maximum annual modeled DPM concentrations, the maximum increased cancer risks were calculated using the methods described in *Attachment 1 of Appendix A*. Due to the short-anticipated duration of project construction activities, infant exposures were assumed in calculating cancer risks for residential exposures. Results of this assessment indicate that the maximum increased residential cancer risks would be 30.1 in one million for an infant exposure and 0.5 in one million for an adult exposure. The location of the receptor with the maximum increased cancer risk is shown in Figure 4.3-1. The maximum residential excess cancer risk would be greater than the BAAQMD significance threshold of 10 in one million and would be considered a *significant impact* as shown in Table 4.3-2 below. **(Significant Impact)**

Combined Construction Risk Assessment

In addition to construction of the project, there are other TAC sources near sensitive receptors affected by project construction. This includes John Daly Blvd and the nearby stationary sources.

⁵ DPM is identified by California as a toxic air contaminant due to the potential to cause cancer.

Table 4.3-2 summarizes the health impacts associated with cumulative sources and the construction of the proposed project. The maximum combined cumulative increase in cancer risk from all uncontrolled construction activity and nearby TAC sources is 43 in one million, below the 100 cases per million threshold for cumulative sources. The maximum annual PM_{2.5} concentration would be 0.4 µg/m³, which would not exceed the cumulative threshold. For non-cancer health effects due to chronic exposure to DPM, the HI from all construction projects would be less than 0.1, which is below the BAAQMD HI threshold of 10.0 used to judge the significance of cumulative non-cancer health effects. The cumulative cancer risk, annual PM_{2.5} and non-cancer hazard would be below the thresholds for cumulative sources. Therefore, the cumulative impact would be less than significant, and no mitigation beyond what the project must implement to reduce its impacts is required to address cumulative conditions. **(Less than Significant Impact)**

Table 4.3-2 Single and Combined Construction Source Cancer Risks, PM_{2.5} Concentrations, and Hazard Index			
Source	Cancer Risk (per million)	PM_{2.5} Concentration (µg/m³)	Acute and Chronic Hazard (HI)
Project Construction - Uncontrolled	30.1	0.2	<0.1
- Controlled	5.3	0.2	
<i>BAAQMD Thresholds (Project Construction)</i>	<i>>10.0</i>	<i>>0.3</i>	<i>>1.0</i>
Significant?	Yes (Uncontrolled) No (Controlled)	No	No
Roadway (refined modeling for construction MEI)	1.3	0.1	<0.01
Stationary Sources (using BAAQMD SSIF and Beta Calculator)*	<11.6	<0.1	<0.1
Total –Uncontrolled	43.0	0.4	0.1
Total - Controlled	18.2	0.4	0.1
<i>BAAQMD Thresholds (Cumulative TAC Sources)</i>	<i>>100</i>	<i>>0.8</i>	<i>>10.0</i>
Significant?	No	No	No
<i>*The cumulative stationary source impact is based on the predictions for the project site, which is closer to the sources than the construction MEI. Therefore, the stationary source levels would actually be lower than those shown in this table.</i>			

Figure 4.3-1: Project Construction Site and Locations of Off-Site Sensitive Receptors and Maximum TAC Impacts



Source: Illingworth & Rodkin, August 2017

Impact AQ-1: Project construction could result in excess residential cancer risks of 30.1 cases in one million for infant exposure. **(Significant Impact)**

MM AQ-1: The following mitigation measure would reduce impacts community risk impacts caused by construction activities to a less than significant level:

- The project shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average 65 percent reduction in PM_{2.5} emissions. One feasible plan to achieve this reduction would include the following:
 - All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. Note that the construction contractor could use other measures to minimize construction period DPM emission to reduce the predicted cancer risk below the thresholds. The use of equipment that meets U.S. EPA Tier 2 standards and includes CARB-certified Level 3 Diesel Particulate

Filters or alternatively-fueled equipment (i.e., non-diesel) would meet this requirement. Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant.

Based on modeling using CalEEMod (Mitigated Output), emissions from equipment that meets U.S. EPA particulate matter emissions standards for Tier 2 engines and includes CARB Level 3 Diesel Particulate Filters would reduce construction emissions by over 80 percent. This would reduce cancer risks to 5.3 chances per million (See Table 4.3-2). These levels are below the single-source thresholds. Therefore, *after implementation of Mitigation Measure AQ-1, the project would have a less than significant impact with respect to community risk caused by construction activities. (Less than Significant with Mitigation)*

4.3.2.4 Construction Dust

Construction activity is anticipated to include demolition, grading and site preparation, trenching, building construction, and paving. Construction of the project is expected to occur over an approximate 16-month period beginning in 2018. During demolition, grading, and construction activities, dust would be generated. Most of the dust would result during grading activities. The amount of dust generated would be highly variable and is dependent on the size of the area disturbed at any given time, amount of activity, soil conditions and meteorological conditions. Typical winds during late spring through summer are from the northwest. Nearby land uses could be adversely affected by dust generated during construction activities. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if best management practices are employed to reduce these emissions. The standard dust control measures listed below would be implemented by the proposed project, resulting in a less than significant impact related to construction dust.

Impact AQ – 2: The project would generate significant dust during construction activities that would affect nearby sensitive receptors, if best management practices are not implemented. **(Significant Impact)**

MM AQ – 2: The project shall implement the following standard BAAQMD dust control measures during all phases of construction on the project site:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes [as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations (CCR)]. Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- A publicly visible sign shall be posted with the telephone number and person to contact at the City of Daly City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Bay Area Air Quality Management Air District's phone number shall also be visible to ensure compliance with applicable regulations.

With the implementation of the aforementioned mitigation measures, fugitive dust emission impacts would be reduced to a less than significant level. **(Less Than Significant Impact with Mitigation)**

4.3.2.5 *Project Operation Impacts*

Operation of this project is not considered a source of TAC or fine particulate matter (PM_{2.5}) emissions. Stationary sources that could emit TACs have not been proposed. As a result, the project operation would not cause emissions that expose sensitive receptors to unhealthy air pollutant levels. Because the project would not be a source of TACs, it would not contribute cumulatively to unhealthy exposure to TACs. **(No Impact)**

4.3.2.6 *Odors*

The project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. These emissions may be noticeable from time to time by adjacent receptors. However, they would be localized and not likely to adversely affect people off-site by

resulting in confirmed odor complaints. Occupancy of the residential and office building would not generate odors that would result in complaints. **(Less Than Significant Impact)**

4.3.3 Project Air Quality Issues Not Covered Under CEQA – Planning Considerations

As described in Section 4.0, on December 17, 2015, the California Supreme Court issued an opinion in the CBIA vs. BAAQMD case holding that CEQA is primarily concerned with the impacts of a project on the environment and generally does not require agencies to analyze the impact of existing conditions on a project's future users or residents unless the project risks exacerbating those environmental hazards or risks that already exist. Nevertheless, the City has policies and regulations that address existing conditions affecting a proposed project, such as exposing future residents of a development to harmful levels of TACs, which are discussed below.

4.3.3.1 *Project Operation Impacts – TAC Sources Affecting the Project*

The project would include new sensitive receptors in the form of residents. Residents can include infants, children and adults. Substantial sources of air pollution can adversely affect sensitive receptors proposed as part of new projects. A review of the area indicates that John Daly Boulevard and several stationary sources are within 1,000 feet of the site that could adversely affect new residences. There are thresholds that address both the impact of single and cumulative TAC sources upon projects that include new sensitive receptors (see Table 4.3-1). The analysis of the stationary sources used screening and emissions data provided by BAAQMD to identify the potential cancer risk and PM_{2.5} exposure risks, whereas refined modeling techniques were employed to assess the impacts from John Daly Boulevard as discussed in *Section 4.3.1.3* above. Cancer risk, non-cancer hazards, and annual PM_{2.5} concentrations from each source affecting the project site are shown in Table 4.3-3. An aerial view of the project and sources within 1,000 feet are shown in Figure 4.3-2. The contribution from each source is described below.

Table 4.3-3: Community Risk Impacts from Single and Cumulative Sources			
Source	Maximum Cancer Risk (per million)	Maximum Annual PM_{2.5} Concentration (µg/m³)	Maximum Hazard Index
Roadway: John Daly Boulevard (Maximum at Site)	1.3	0.1	<0.01
Stationary Sources: Plant 5494, City of Daly City Water Resources Diesel Generators at 153 Lake Merced Blvd, approximately 350 feet	0.3	0.01	0.00
Stationary Sources: Plant 1507, North San Mateo County Sanitary District at 153 Lake Merced Blvd, 350 to over 1,000 feet	8.8	0.13	0.04
Stationary Sources: Plant 16794, Home Depot at 303 E Lake Merced Blvd, 500 feet	0.3	0.00	0.00
Stationary Sources: Plant G8634 at 892 John Daly Blvd, 400 feet.	2.1	0.00	0.00

Table 4.3-3: Community Risk Impacts from Single and Cumulative Sources			
Source	Maximum Cancer Risk (per million)	Maximum Annual PM _{2.5} Concentration (µg/m ³)	Maximum Hazard Index
BAAQMD Threshold - Single Source	10.0	0.3	1.0
Significant	<i>No</i>	<i>No</i>	<i>No</i>
Cumulative Sources	12.9	0.2	0.1
BAAQMD Threshold – Cumulative Sources	100	0.8	10.0
Significant	<i>No</i>	<i>No</i>	<i>No</i>
Source: Illingworth & Rodkin, August 2017			

Figure 4.3-2: Project Site and TAC Sources within 1,000 Feet



Source: Illingworth & Rodkin, August 2017

John Daly Blvd. TAC Exposures

The refined analysis of the impacts of TACs and PM_{2.5} to new sensitive receptors is necessary to evaluate potential cancer risks and PM_{2.5} concentrations from John Daly Blvd. The maximum increased lifetime cancer risks, non-cancer health effects (health hazard index), and annual PM_{2.5} concentrations for new residents at the project site were computed using modeled TAC and PM_{2.5} concentrations and the methods and exposure parameters described in *Attachment 1 of Appendix A* and shown in Table 4.3-4. The maximum TAC impacts and PM_{2.5} concentration would occur at the

residential receptor in the northeastern corner of the residential area closest to John Daly Blvd and is shown on Figure 4.3-3. In general, cancer risks will decrease with distance from the roadway and with height of the receptors. **(Less Than Significant Impact)**

Table 4.3-4: Maximum TAC Exposures from John Daly Blvd			
Source	Cancer Risk (per million)	Annual PM _{2.5} (µg/m ³)	Chronic Hazard Index
John Daly Blvd: 2 nd Floor Maximum Impacts:	1.3	0.1	<0.01

Figure 4.3-3: Project Site, On-Site Sensitive Receptors, Roadway Segments Modeled and Receptor with Maximum TAC Exposure



Source: Illingworth & Rodkin, August 2017

4.3.3.2 Odor Impacts

There is a wastewater treatment plant located 400-800 feet north of the project site. The Daly City Water and Wastewater Department has reported no regular cases of odor complaints from nearby residences except for one or two complaints per month which usually coincide when a tank is taken down for repairs or inspection. Therefore, the wastewater treatment plant in the vicinity of the site

would not emit substantial odors with the potential to impact future residents. **(Less Than Significant Impact)**

4.3.4 Conclusion

The proposed project, with the implementation of MM AQ – 1 and MM AQ – 2, would result in less than significant air quality impacts. **(Less Than Significant Impact with Mitigation)**

4.4 BIOLOGICAL RESOURCES

4.4.1 Environmental Setting

4.4.1.1 *Regulatory Framework*

Federal Endangered Species Act and California Endangered Species Act

Individual plant and animal species listed as rare, threatened or endangered under state and federal Endangered Species Acts are considered ‘special-status species.’ Federal and state “endangered species” legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from both the USFWS and CDFW if activities associated with a proposed project will result in the take of a species listed as threatened or endangered. To “take” a listed species, as defined by the State of California, is “to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill” said species. “Take” is more broadly defined by the federal Endangered Species Act to include “harm” of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Section 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, are considered for environmental review per the CEQA Guidelines. These may include plant species of concern in California listed by the California Native Plant Society and CDFW listed “Species of Special Concern”.

Federal Migratory Bird Treaty Act

Federal and state laws also protect most bird species. The federal Migratory Bird Treaty Act (MBTA) prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs.

Birds of prey, such as owls and hawks, are protected in California under provisions of the State Fish and Game Code. The code states that it is “unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.” Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “taking” by the CDFW.

San Bruno Mountain Habitat Conservation Plan

The San Bruno Area Habitat Conservation Plan (HCP) was executed as an Agreement in November 1982 with the US Fish and Wildlife Service, California Department of Fish and Game, County of San Mateo, the cities of Brisbane, Daly City and South San Francisco, and several private property owners. The HCP was created to provide for the indefinite perpetuation of the Mission blue butterfly and to protect habitat of the other Species of Concern. It includes the establishment of public

ownership of sufficient habitat area to support the species as well as funding for the ongoing maintenance of the habitat. Funding is provided by limited development that was excluded from such habitat area and devoted to urban uses, including, among others, residential, community service, commercial and recreational uses.

Given that the San Bruno Mountain encompasses approximately 3,600 acres, with various ownerships and within various cities, the HCP presents a single unifying and coordinating document to provide protection, enhancement and funding for the entire San Bruno Mountain ecological community. The HCP provides for the perpetuation of conserved habitat areas through eradication of exotic species; re-vegetation with grassland species; effective yearly monitoring of the species of concern to control reintroduction of exotics; and patrol of the area to discourage destructive human activities.

Portions of three of the four HCP planning areas are located within the jurisdiction of Daly City (Saddle, Radio Ridge, and Guadalupe Hills). Within those areas, all designated development has been completed including Point Pacific, Village in the Park, South Hills Estates, Linda Vista, and Bay Ridge. All of this development resulted in a net gain of available habitat either through dedication, easements, or on-site restoration. Furthermore, all of these projects continue to contribute to a trust fund that is used to maintain and monitor the habitat in perpetuity.

The project site is approximately 1.3 miles west of the San Bruno HCP boundary.

Daly City Municipal Code

Chapter 12.40 – Urban Forestry

This chapter provides regulations to optimize the use of trees and other landscaping within the city. This chapter requires plans submitted to the City for the construction, repair, or alteration of any building, housing, or structure to include provisions for sufficient guards or protectors to prevent injury to any existing publicly owned trees, shrubs, flowers, or vines. It also imposes conditions regarding the displacement of public trees, where a comparable size tree shall be planted or a fee is paid to the City to cover the cost of replacing a removed tree.

Daly City General Plan

General Plan policies applicable to biological resources include, but are not limited to, the following listed below.

Policies and Tasks	Description
Policy LU-17	Ensure that private development is responsible for providing any on- or off-site improvements related to and/or mitigating the impacts it causes.
Policy LU-18	Development activities shall not be allowed to significantly disrupt the natural or urban environment and all reasonable measures shall be taken to identify and prevent or mitigate potentially significant effects.
Policy RME-16	The City shall continue to recognize the importance of the San Bruno Mountain Habitat Conservation Plan (HCP), uphold the integrity of the concepts behind the plan, and respect the agreements that serve to implement it.

4.4.1.2 Existing Conditions

The project site is located in a developed urban area of the City, approximately one mile east of the Daly City coastline. The project site is currently developed and occupied with two retail buildings and paved parking in the Westlake Shopping Center, and contains minimal landscaping and three palm trees.

Habitats in developed urban areas are relatively low in species diversity. A site visit was conducted on June 29, 2017 by DJP&A staff. Based on the site visit, no bird species were observed, however, it is expected that bird species would be those that typically occur in urban and suburban settings with disturbed and managed vegetation.

The project site is not located within the HCP. The project site is 1.3 miles west of the western most boundary, separated by urban development, I-280, and Lake Merced Golf Club.

4.4.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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 Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	☐	☒	☐	☐	1,2
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 CDFW or USFWS?	☐	☐	☐	☒	1,2

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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?	☐	☐	☐	☒	1,2
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, impede the use of native wildlife nursery sites?	☐	☐	☐	☒	1,2
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒	1,2,3
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?	☐	☐	☒	☐	1,2

4.4.2.1 *Impacts to Special Status Species*

The project site is currently developed and surrounded by urban development. No sensitive habitats or habitats suitable for special-status plants or wildlife species occur within or adjacent to the project site. Due to the lack of sensitive habitat, presence of special-status species on-site are unlikely.

The project site contains three palm trees on-site. There are also mature trees along John Daly Boulevard, adjacent to the project site. These trees on and adjacent to the project site could provide nesting habitat for birds, including migratory raptors, and be used by nesting birds. Nesting birds are protected under the provisions of the MBTA and Fish and Game Code Section 3503, 3503.5, and 2800.

Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking by the CDFW. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute a significant impact. Construction activities such as tree removal and site grading that disturb a nesting bird or raptor on-site or immediately adjacent to the construction zone would constitute a significant impact.

Impact BIO-1: Project construction could impact nesting birds on or adjacent to the site, if present. **(Significant Impact)**

MM BIO-1: In compliance with federal and state regulations and protocol, the project proposes to implement the following mitigation measure, to reduce impacts to a less than significant level:

- Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay area extends from February 1 through August 31.
- If it is not possible to schedule construction and tree removal between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February 1 through April 30) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1 through August 31).
- Pre-construction surveys shall be conducted by a qualified biologist or ornithologist for nesting birds within the on-site trees as well as all trees within 250 feet of the site. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, shall determine the extent of a construction-free buffer zone to be established, typically 250 feet for raptors and 100 feet for non-raptors around the nest, to ensure that nests of bird species protected by the MBTA or Fish and Game code shall not be disturbed during project construction.
- A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the issuance of a grading permit or demolition permit.

The project, with implementation of the above mitigation measure, would reduce impacts to nesting birds (if present) by avoiding construction during nesting bird season or completing pre-construction nesting bird surveys to minimize and/or avoid impacts to nesting birds. **(Less Than Significant Impact with Mitigation Incorporated)**

4.4.2.2 *Impacts to Sensitive Habitat*

The project site is fully developed and located in an urban area. There are no sensitive habitats identified on or immediately adjacent to the project site, including waterways, wetlands, and riparian

habitats. The project site is not used as a wildlife corridor or wildlife nursery site, and no sensitive community is identified on-site.

The project site is approximately one mile east of the Daly City Coastline. According to the City's General Plan EIR, a portion of the coastal zone west of the intersection at SR 35 and John Daly Boulevard contains annual grassland, primarily characterized by non-native annual grasses and forbs which provide foraging and breeding opportunities for many wildlife species.⁶ However, due to the distance and separation by urban development between the coastal land and project site, it is unlikely the project site would result in impacts to these habitats.

For these reasons, the proposed project would not have substantial adverse effect on any sensitive habitat. **(No Impact)**

4.4.2.3 *Impacts to Trees*

The project site contains three mature palm trees. The project proposes to remove the three trees to construct the proposed building on-site. Since the project site is located on private property, and the City does not regulate the removal of trees on private land, the removal of trees on-site is not a discretionary action based on the City's current regulations and policies. The project would have no impact to on-site trees according to City policy. As noted above, tree removal during bird nesting season could disturb nesting activity, and will be mitigated through pre-construction surveys required by MM BIO-1. **(No Impact)**

4.4.2.4 *Consistency with Plans*

Habitat Plan

The project site is approximately 1.3 miles west of the San Bruno HCP boundary, therefore, is not subject to provisions of an adopted HCP. **(No Impact)**

Daly City General Plan

The project is consistent with the City's General Plan by implementing mitigation measures MM-BIO-1 to mitigate any potential significant impacts to nesting birds and would not significantly disrupt the natural or urban environment. **(Less Than Significant Impact)**

4.4.3 Conclusion

With implementation of mitigation measure MM BIO-1, the project would result in less than significant impacts on biological resources. **(Less Than Significant Impact with Mitigation Incorporated)**

⁶ City of Daly City. *General Plan EIR*. 2012. Figure 3.3-1.

4.5 CULTURAL RESOURCES

The following discussion is based on an archaeological report prepared by *Holman & Associates* in July 2017, and a historic resources evaluation report prepared by *Carey & Co.* in August 2017. The historic report is attached as Appendix B and the archaeology report is on file with the City of Daly City and available for review by qualified professionals.

4.5.1 Environmental Setting

4.5.1.1 *Regulatory Framework*

National Historic Preservation Act

The National Register of Historic Places (NRHP), established under the National Historic Preservation Act, is a comprehensive inventory of known historic resources throughout the United States. The National Register is administered by the National Park Service and includes buildings, structures, sites, objects and districts that possess historic, architectural, engineering, archaeological or cultural significance. For a resource to be eligible for listing, it also must retain integrity of those features necessary to convey its significance in terms of 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association. CEQA requires evaluation of project effects on properties that are listed in or eligible for listing in the National Register.

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is a guide to cultural resources that must be considered when a government agency undertakes a discretionary action subject to CEQA. The CRHR aids government agencies in identifying, evaluating, and protecting California's historical resources, and indicates which properties are to be protected from substantial adverse change (Public Resources Code, Section 5024.1(a)). The CRHR is administered through the State Office of Historic Preservation (SHPO), which is part of the California State Parks system. A historic resource listed in, or formally determined to be eligible for listing in, the National Register is, by definition, included in the California Register (Public Resources Code Section 5024.1(d)(1)).⁷

State Regulations Regarding Cultural and Paleontological Resources

Archaeological, paleontological, and historical sites are protected by a number of State policies and regulations under the California Public Resources Code, California Code of Regulations (Title 14 Section 1427), and California Health and Safety Code. California Public Resources Code Sections 5097.9-5097.991 require notification of discoveries of Native American remains and provides for the treatment and disposition of human remains and associated grave goods.

The state law requires that the San Mateo County Coroner be notified if cultural remains are found on a site. If the Coroner determines the remains are those of Native Americans, the Native American Heritage Commission and a "most likely descendant" must also be notified.

⁷ Refer to Public Resources Code Section 5024.1(d)(1)

Assembly Bill 52

As of July 1, 2015, Lead Agencies are required to address a project's impacts on tribal cultural resources consistent with Assembly Bill (AB) 52. The Public Resources Code Section 21074 defines tribal cultural resources as:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a) Included or determined to be eligible for inclusion in the CRHR.
 - b) Included in a local register of historical resources as defined in subdivision (k) of the Public Resources Code Division 5, Article 2, Section 5020.1.
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Division 5, Article 2, Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Senate Bill 18

The intent of Senate Bill 18 (SB 18) is to aid in the protection of traditional tribal cultural places through local land use planning by requiring city governments to consult with California Native American tribes on projects which include adoption or amendment of general plans (defined in Government Code Section 65300 et seq.) and specific plans (defined in Government Code Section 65450 et seq.). SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. The City initiated consultation with the tribes on August 4, 2017. No tribes have requested consultation.

City of Daly City General Plan

The General Plan defines historic resources as “resources created by humans that through events and places located within an area, describe the historic events that have contributed to the present culture of the City.” Otherwise, the City relies on the National and State criteria for determining eligibility of historic resources. The City does not have any regulations regarding historic resources, or any ordinance that identifies local historic resources.

4.5.1.2 Existing Conditions

Cultural resources are evidence of past human occupation and activity and include both historical and archaeological resources. These resources may be located above ground or underground and have significance in the history, prehistory, architecture, or culture of the nation, State of California, or local or tribal communities. The Northwest Information Center literature search revealed no cultural resources have been identified or recorded, including any eligible for or listed on federal, state, or local listings (CA-DPR 1976; CA-OHP 2012; NPS 2017). Within a quarter mile of the project site, no Native American archaeological sites have been recorded. The geotechnical report prepared for the site (see Appendix C) summarized previous work and the results of three test borings (41.5 to

81.5 ft. below surface) and five cone penetrations. None of the soil boring logs gave any indication of encountering any archaeological deposits or cultural materials. Previous reports prepared for the shopping center property ...

“... indicate a stream channel located in a 20 to 50 foot deep canyon ran north to south across the western side of the property. In addition, a finger of the stream channel meandered to the east in the vicinity of our Boring B3. Prior to 1948, it appears the canyon and associated stream channel were backfilled, likely for the construction of the Hetch Hetchy pipeline and the shopping center.”

The presence of an unnamed creek network passing near and through the property raised the archaeological sensitivity of the site from moderate to high. The project site is located on a low ridgetop at approximately 90 ft. in elevation.

Paleontological resources are fossils, the remains or traces of prehistoric life preserved in the geologic record. They range from the well-known and well publicized (such as mammoth and dinosaur bones) to scientifically important fossils.

The buildings located at 341 Westlake Center and 201-247 Westlake Center were evaluated for historic significance based on the National, State, and local criteria. As discussed above in the Regulatory Setting, *Section 4.5.1.1*, apart from some language in the Daly City General Plan, the City does not have any regulations regarding historic resources, or any ordinance that identifies local historic resources. Therefore, the significance evaluation remains the same for the determination of local eligibility. The discussion below is a summary of the analysis findings. The full analysis, including Department of Parks and Recreation forms (DPR 523), is provided in Appendix B.

Building at 341 Westlake Center

341 Westlake Center was constructed ca. 1954. The Medical-Dental Building was announced in *San Francisco Chronicle*: “on all four sides of the structure... continuous lines of windows will allow maximum views from every office, while overhangs on each level fend off the direct rays of the sun.”⁸ The Westlake Shopping Center and the subject property are associated with the postwar suburban development of Westlake district in Daly City. Led by Henry Doelger, who was one of the most significant local developers in the 20th century, Westlake was transformed from sand dunes and farms to one of the largest post-war suburbs. The construction started in October 1950 and the first operational store, the *Town & Country Food Center*, opened for business April 1951.⁹ The complex was completed in two construction waves in the mid-1950s and early-1960s. Large windows and multi-functional spaces dominated the Westlake mall, imbuing it with plenty of natural light and spaciousness. The aluminum-sash ribbon windows wrap around the building on the second and third floors. On the ground floor, columns with brick veneer cladding and brick planters are extant on these elevations. Flat rooflines, pole-supported pedestrian walkway overhangs, a courtyard fountain, and minimalist landscaping gave this center a modern character. The Westlake Shopping Center's carefully articulated courtyards and pedestrian walkways created a large suburban meeting place for the Westlake community as well as a high-traffic retail center. Currently, the three-story, Midcentury

⁸ “New office building at Westlake,” *San Francisco Chronicle*. October 24, 1953.

⁹ WestlakeMarket, *San Francisco Chronicle*, October 22, 1950; Doelger begins work on Westlake Shopping Center, *San Francisco Chronicle*, October 21, 1950; *San Francisco Chronicle*, April 26, 1951.

Modern office and commercial building at 341 Westlake Center is L-shaped in plan. The steel-frame structure has stucco cladding and a flat roof.

The historical assessment of the building concluded that it is not eligible for inclusion in the NRHP or the CRHR under any criteria. The period of significance would be from ca. 1954, when the building was built to ca. 1965 when the shopping center was fully developed. While the building may have significance for its association with the postwar suburban development patterns and development of Westlake district, it has been remodeled in the 1980s and in the 2000s including storefront alterations and window replacements. The Medical and Dental Building has undergone renovations but the original design intent, materials, and workmanship is evident in the storefronts on the east façade and in the upper floor façades. The integrity of setting has drastically changed since multiple buildings at the shopping mall were demolished, new buildings were built, and the pedestrian mall was converted to a vehicular street. Although the building is still part of the shopping center and used for commercial and office functions, the integrity of feeling and association has been diminished since the shopping center no longer acts as a “community gathering place” for the suburban Westlake development. Therefore, the shopping center and the subject building do not retain sufficient integrity to communicate their association with the postwar suburban development patterns of Westlake.

The building at 341 Westlake Center, which was constructed in the mid-1950s as part of the shopping center, may have significance at the local level for its association with Henry Doelger, a significant person in the history of San Francisco and Daly City. However, as discussed above, the remodeled building appears to be of common construction and materials with no notable or special attributes. The Medical-Dental Building still embodies distinctive characteristics of the Midcentury Modern style; however, it fails to be an exemplary representative of the style. It was designed by Lloyd Gartner, who worked on numerous commercial buildings in the Bay Area but cannot be considered a master architect. Archival research provided no indication that the subject property has the potential to yield information important to the prehistory or history of the local area, California, or the nation. Therefore, it does not appear eligible for listing in the CRHR.

Building at 201-247 Westlake Center

201-247 Westlake Center was constructed ca. 1955. The Westlake Shopping Center and the subject property are associated with the postwar suburban development of Westlake district in Daly City. Led by Henry Doelger, who was one of the most significant local developers in the 20th century, Westlake was transformed from sand dunes and farms to one of the largest post-war suburbs. The construction started in October 1950 and the first operational store, the *Town & Country Food Center*, opened for business April 1951. The complex was completed in two construction waves in the mid-1950s and early-1960s. Large windows and multi-functional spaces dominated the Westlake mall, imbuing it with plenty of natural light and spaciousness. The primary storefronts type used in the buildings were wood- or aluminum-sash. Flat rooflines, pole-supported pedestrian walkway overhangs, a courtyard fountain, and minimalist landscaping gave this center a modern character. The Westlake Shopping Center's carefully articulated courtyards and pedestrian walkways created a large suburban meeting place for the Westlake community as well as a high-traffic retail center. Currently, the one-story, contemporary style commercial building at 201-247 Westlake Center is L-

shaped in plan. The steel-frame structure has stucco cladding, with areas of stone tile veneer along the foundation rising to the windowsills and a flat roof hidden by a sloped parapet.

The historical assessment of the building concluded that it is not eligible for inclusion in the NRHP or the CRHR under any criteria. The period of significance would be from ca. 1955, when the building was built to ca. 1965 when the shopping center was fully developed. While the building may have significance for its association with the postwar suburban development patterns and development of Westlake district, it has been extensively remodeled in the 1980s and in the 2000s including storefront replacements, roofing replacement, and signage modifications. The integrity of setting has drastically changed since multiple buildings at the shopping mall were demolished, new buildings were built, and the pedestrian mall was converted to a vehicular street. Although the building is still part of the shopping center and used for commercial and office functions, the integrity of feeling and association has been diminished since the shopping center no longer acts as a “community gathering place” for the suburban Westlake development. Therefore, the shopping center and the subject building do not retain sufficient integrity to communicate their association with the postwar suburban development patterns of Westlake.

The building at 201-247 Westlake Center, which was constructed in the mid-1950s as part of the shopping center, may have significance at the local level for its association with Henry Doelger, a significant person in the history of San Francisco and Daly City. However, as discussed above, the remodeled building appears to be of common construction and materials with no notable or special attributes. Extensively remodeled in the 1980s and 2000s, the building at 201-247 Westlake Center fails to be an exemplary representative of any architectural style. It was designed by Lloyd Gartner, who worked on numerous commercial buildings in the Bay Area but cannot be considered a master architect. Archival research provided no indication that the subject property has the potential to yield information important to the prehistory or history of the local area, California, or the nation. Therefore, it does not appear eligible for listing in the CRHR.

In summary, the project site is located in an urban area of the city. The project site is not considered an historic resource under City’s General Plan and CEQA Guidelines Section 15064(c), nor are any properties in the vicinity listed in the National or California Register of Historic Places. There are no archaeological or paleontological sites that have been recorded on or immediately adjacent to the project site.

4.5.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?	☐	☐	☒	☐	1,14

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in CEQA Guidelines Section 15064.5?	☐	☒	☐	☐	1,15
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☒	☐	☐	1,15
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐	1,15
e) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or	☐	☐	☐	☒	1,16
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying this criteria, the significance of the resource to a California Native American tribe shall be considered.	☐	☐	☐	☒	1,16

4.5.2.2 *Impacts to Historical Resources*

As discussed above in *Section 4.5.1.2*, the buildings on the Project site do not appear to have exemplary characteristics in design or are associated with any patterns of development or significant events contributing to the history of the City that would make them eligible for the National or California Registers and have not been identified by the City of Daly City as architecturally or historically significant to warrant listing on the City's Historic Resources Inventory. The project site and adjacent properties do not contain listed historic resources as defined in Section 21084.1 of CEQA. Therefore, demolition of these structures would have a less than significant impact on

historic structures and would not alter the setting or context of historical resources within the project surroundings. **(Less than Significant Impact)**

4.5.2.3 *Impacts to Archaeological Resources*

As discussed in *Section 4.5.1.2 Existing Setting* above, the presence of an unnamed creek network passing near and through the property raised the archaeological sensitivity of the site from moderate to high. In the southern quarter of the project site, a poorly graded sandy fill was identified 32 ft. below surface in one location and 25 ft. in two other locations, indicating low archaeological sensitivity of the area. Since the fill was only found in the southern quarter, the site has a moderate to high potential for containing historic buried archaeological resources in the northern three-quarters of the project site. Any construction activities in the northern three-quarters could result in potentially significant impact.

Impact CUL-1: Construction activities could disturb unknown buried archaeological resources associated with prehistoric Native American deposits. **(Significant Impact)**

Mitigation Measures: The following mitigation measure would reduce impacts to archaeological resources to a less than significant level:

MM CUL – 1.1: A presence/absence exploration survey in the northern three quarters of the property shall be conducted to investigate the potential for Native American deposits. This effort should be completed after the asphalt has been removed and the buildings demolished, but prior to any construction activities to build this proposed project. If archaeological deposits or features that appear eligible to the California Register of Historical Resources are identified during any stage of exploration, an archaeological research design and work plan shall be prepared to facilitate archaeological excavation and evaluate any features discovered to the California Register.

MM CUL – 1.2: *Undiscovered Archaeological Resources.* In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, work within 50 feet of the find shall cease until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. Construction and potential impacts to the area(s) within a radius determined by the archaeologist shall not recommence until the assessment is complete

MM CUL – 1.3: *Report of Archaeological Resources.* If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City’s Planning Manager prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.

With the implementation of the mitigation measure above, impacts to archaeological resources would be less than significant. **(Less Than Significant Impact with Mitigation)**

4.5.2.4 *Impacts to Buried Remains and/or Paleontological Resources*

As described above, the site has no known archaeological resources, including human remains, including those interred outside of formal cemeteries.

Paleontological resources are the fossilized remains and/or traces of prehistoric plant and animal life exclusive of human remains or artifacts. Fossil remains, such as bones, teeth, shells, and wood, are found in geologic deposits (rock formations).

Impact CUL – 2: The project may encounter buried remains and/or paleontological resources during site grading. **(Significant Impact)**

MM CUL – 2.1: *Unique Paleontological and/or Geologic Features and Reporting.* Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City Planning Manager notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. Mitigation measures could include collection, recordation and analysis of any significant materials. The identified mitigation measures shall be implemented. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is carried out. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository to an institution, such as the University of California Museum of Paleontology.

MM CUL – 2.2: *Human Remains.* Human graves are often associated with prehistoric occupation sites. If human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity in the vicinity shall be halted and the City Planning Manager and the San Mateo County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California’s Health

and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Daly City shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Daly City, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

With the implementation of the mitigation measure above, impacts to buried remains and/or paleontological resources would be less than significant. **(Less Than Significant Impact with Mitigation)**

4.5.2.5 *Impacts to Tribal Cultural Resources*

No tribes have requested notice under AB 52 of projects within the geographic area encompassing the project site. No known tribal cultural resources are located at the project site. For these reasons, the project would result in no impact to tribal cultural resources. **(No Impact)**

4.5.3 Conclusion

Construction of the proposed development, with the implementation of mitigation measures CUL – 1.1 through CUL – 1.3, and CUL – 2.1 and CUL – 2.2 would not result in a significant impact to buried cultural or paleontological resources. **(Less Than Significant Impact With Mitigation)**

The project would not result in a significant impact to historic resources. **(Less Than Significant Impact)**

The project would result in no impact to tribal cultural resources. **(No Impact)**

4.6 GEOLOGY AND SOILS

The following discussion is based on a geotechnical engineering report prepared by *Terracon Consultants, Inc.* in January, 2017. A copy of this report is included in Appendix C of this Initial Study.

4.6.1 Environmental Setting

4.6.1.1 *Regulatory Framework*

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed into law following the destructive 1971 San Fernando earthquake. The Act ensures public safety by prohibiting the siting of most structures for human occupancy across traces of active faults that constitute a potential hazard to structures from surface faulting or fault creep. Local agencies are responsible for regulating most development projects within designated fault zones. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction.

Seismic Hazards Mapping Act

Following the 1989 Loma Prieta earthquake, the Seismic Hazards Mapping Act (SHMA) was passed by the California legislature in 1990. The SHMA (Public Resources Code, Chapter 7.8, Section 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to liquefaction, earthquake-induced landslides and amplified ground shaking. It also requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the identified hazard is present and the inclusion of appropriate mitigation to reduce earthquake-related hazards.

California Building Standards Code

Title 24 of the California Code of Regulations, known as the California Building Standards Code (CBSC) contains the regulations that govern the construction of buildings in California. Through the CBSC, the state provides a minimum standard for building design and construction. The CBSC contains specific requirements for seismic safety, excavation, foundations, retaining walls and site demolition. It also regulates grading activities, including drainage and erosion control.

The California Building Code (CBC) refers to Part 2 of the CBSC in Title 24 of the California Code of Regulations. The CBC covers grading and other geotechnical issues, building specifications, and non-building structures. The CBC requires that a site-specific geotechnical investigation report be prepared by a licensed professional for proposed developments. The purpose of a site-specific geotechnical investigation is to identify seismic and geologic conditions that require project mitigation, such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is renewed on a triennial basis (every three years).

California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and Excavation Rules and Regulations in 29 Code of Federal Regulations, Part 1926). These regulations minimize the potential for instability and collapse.

Daly City General Plan

General Plan policies applicable to geology and soils include, but are not limited to, the following listed below.

Policies	Description
Policy SE-1.1	Continue to investigate the potential for seismic and geologic hazards as part of the development review process and maintain this information for the public record. Update Safety Element maps as appropriate.
Policy SE -1.2	Require site specific geotechnical, soils, and foundation reports for development proposed on sites identified in the Safety Element and its Geologic and Hazard Maps as having moderate or high potential for ground failure.
Policy SE-1.3	Permit development in areas of potential geologic hazards only where it can be demonstrated that the project will not be endangered by, nor contribute to, the hazardous condition on the site or on adjacent properties. All proposed development is subject to the City's Zoning Ordinance and Building Codes.
Policy SE-1.4	Prohibit development—including any land alteration, grading for roads and structural development—in areas of slope instability or other geologic concerns unless mitigation measures are taken to limit potential damage to levels of acceptable risk.
Policy SE-6.1	Regulate building construction practices to prevent hazardous structures and assure structural safety. Measures may include requiring conformance to an accepted set of construction standards, authorizing inspection of suspected dangerous structures, discontinuing improper construction activities, and eliminating hazardous conditions.

4.6.1.2 Existing Conditions

Seismicity and Seismic Hazards

The project site is located in the San Francisco Bay, which is a high seismically active area. Several major fault zones pass through the Bay Area in the northwest direction which have produced approximately 12 earthquakes per century strong enough to cause structural damage. The faults causing such earthquakes are part of the San Andreas Fault System, a major rift in the earth's crust that extends for at least 700 miles along western California. The San Andreas Fault System includes the San Andreas, San Gregorio, Hayward, Calaveras Fault Zones, and other faults. The major active fault in proximity to the project site is the San Andreas Fault, located approximately two miles west, off the coast. An earthquake of moderate to high magnitude generated within the San Francisco Bay region could cause considerable ground shaking at the project site. Strong shaking during an earthquake can result in ground failure such as that associated with soil liquefaction, lateral spreading, and differential compaction. These seismic-related hazards are discussed below.

The site is not within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site.

Soils and Groundwater

Up to 33 feet of undocumented fill consisting of poorly graded sand with variable amounts of silt is located below the existing surface. Below the undocumented fill, soils generally consist of medium to very dense silty sand and sand with variable amounts of silt. Shallow subsurface deposits in the site vicinity are part of the Colma Formation, which consists of pale colored, loose or friable, well sorted, fine to medium grained sand with subordinate gravel, sandy silt, and clay. The Colma Formation has a maximum thickness of about 200 feet, and is underlain by the Merced Formation bedrock (Helley et al. 1979). Additional details about on-site soils is included in Appendix C.

Groundwater was encountered on-site at depths of 80 feet below ground surface (bgs). Observation at the time of field exploration may not be indicative of other times, or at other locations. Historic high groundwater levels near the project site on the western side of the shopping center was mapped at a depth of approximately 45 bgs. Fluctuations in groundwater levels occur due to many factors, including seasonal variations in the amount of rainfall, runoff, and other factors.

Liquefaction

Liquefaction is a mode of ground failure that results from the generation of high pore water pressure during earthquake ground shaking, causing loss of shear strength. Liquefaction is typically a hazard where loose sandy soils or low plasticity fine grained soils exist below groundwater. The project site and its surrounding area is located within a state-designated Liquefaction Hazard Zone as having low to high susceptibility to liquefaction. The project site however, generally consists of relatively dense soil and deep groundwater table (deeper than 50 feet), the project site is unlikely to be susceptible to liquefaction.

Lateral Spreading

Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying alluvial material toward an open face, such as the steep bank of a stream channel. There are no open faces within a distance considered susceptible to lateral spreading; therefore, the potential for lateral spreading to affect the site is low.

4.6.2

Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1. Rupture of a known earthquake fault, as described 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.)?	☐	☐	☒	☐	1,2,7
2. Strong seismic ground shaking?	☐	☐	☒	☐	1,2,7
3. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	1,2,7
4. Landslides?	☐	☐	☒	☐	1,2,7
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	1,2,7
c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒	1,2,7
d) Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	☐	☐	☐	☒	1,2,7
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	1

As discussed in *Section 4.0*, the California Supreme Court issued an opinion “CBIA vs. BAAQMD” holding that CEQA is primarily concerned with the impacts of a project on the environment and generally does not require agencies to analyze the impact of existing conditions on a project’s future users or residents unless the project risks exacerbating those environmental hazards or risks that already exist. Nevertheless, the City has policies and regulations (including Policy SE-1.1 that states the City requires the investigation of potential for seismic and geologic hazards as part of the development review process and maintain this information for the public record.) that addresses

existing conditions affecting a proposed project, which are discussed below as planning considerations.

4.6.2.2 *Seismicity and Seismic Hazards*

As discussed previously, the San Andreas Fault is located two miles west of the project site, however, is not located within a state-designated Alquist-Priolo Earthquake Fault Zone or a San Mateo County Fault Hazard Zone. The project site is not subject to fault rupture. The site is located in a seismically active region and, therefore, strong ground shaking would be expected during the lifetime of the project. Ground shaking could damage future residences and other structures on-site and threaten the welfare of residents and occupants of the site. The potential for liquefaction and lateral spreading on-site is low.

Consistent with the requirements of the City of Daly City and existing regulations, the project would conform to the standard engineering and building practices and techniques specified in the CBC. The proposed building, streets, and utilities would be designed and constructed in accordance with the recommendations of a geotechnical report prepared for the site (refer to Appendix C), which identifies the specific design features related to geologic and seismic conditions. The buildings would meet the requirements of appropriate Building and Fire Codes, as adopted by the City of Daly City.

The existing seismic and seismic hazards on-site discussed above would not be exacerbated by the project such that it would impact (or worsen) off-site conditions. **(Less Than Significant Impact)**

4.6.2.3 *Soil and Groundwater Hazards*

Soil Hazard

The project site does not contain expansive soil. Due to the flat topography of the project site, future development on-site is not expected to be exposed to slope instability, lateral spreading, or landslide-related hazards. As discussed previously, the project shall comply with specific design measures of the geotechnical report to ensure building integrity.

The existing geology and soils conditions discussed above would not be exacerbated by the project such that it would impact (or worsen) off-site geology and soils conditions. **(No Impact)**

Soil Erosion

The majority of the site is flat and developed, and very little soil is currently exposed on-site. Ground disturbance would be required for demolition of the existing buildings and surface parking lot, grading, and construction of the proposed project. Ground disturbances would expose soils and increase the potential for wind or water related erosion and sedimentation at the site until construction is complete.

The project is required to minimize erosion hazards through the implementation of a Stormwater Pollution Prevention Plan (SWPPP) under the National Pollutant Discharge Elimination (NPDES)

General Construction Permit, and through conformance with grading and excavation requirements in the City. The project will comply with all applicable City regulatory programs pertaining to construction related erosion for avoiding and reducing construction related erosion impacts. The project, therefore, would not result in a significant impact from soil erosion. **(Less Than Significant Impact)**

Groundwater Hazards

Groundwater was encountered at a depth of 80 feet bgs, and was encountered at a depth of 45 feet bgs from a previous investigation on the western side of the shopping center. The project includes two levels of below-grade parking and would require excavation at depths of up to 33 feet on-site to remove the undocumented fill. As noted in the geotechnical report, depending upon seasonal conditions, groundwater or perched groundwater may be encountered in excavations on-site. Pumping from sumps may be utilized to control water within excavations. Well points may be required for significant groundwater flow, or where excavations penetrate groundwater to a substantial depth. Therefore, the existing groundwater conditions discussed above would not be exacerbated by the project such that it would impact (or worsen) off-site conditions. **(Less Than Significant Impact)**

Adequacy of Wastewater Disposal Systems

The project would connect to the existing sanitary sewer system. No septic tanks or alternative waste water disposal systems are required for the project, therefore, no impacts related to septic systems would occur. **(No Impact)**

4.6.3 **Conclusion**

The proposed project would not result in significant impacts to geology and soils. **(Less Than Significant Impact)**

4.7 GREENHOUSE GAS EMISSIONS

The following discussion is based on a Greenhouse Gas Emissions Assessment prepared by *Michael Baker International* in April 2017. A copy of this report is included in Appendix D of this Initial Study.

4.7.1 Environmental Setting

4.7.1.1 *Background Information*

Greenhouse gas emissions worldwide contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. No single land use project could generate sufficient greenhouse gas emissions on its own to noticeably change the global average temperature. The combination of greenhouse gas emissions from past, present, and future projects in Daly City, the entire State of California, and across the nation and around the world, contribute cumulatively to the phenomenon of global climate change and its associated environmental impacts.

4.7.1.2 *Regulatory Framework*

Clean Air Act

The United States Environmental Protection Agency (US EPA) is the federal agency responsible for implementing the Clean Air Act (CAA). The US Supreme Court in its 2007 decision in *Massachusetts et al. v. Environmental Protection Agency et al.*, ruled that carbon dioxide (CO₂) is an air pollutant as defined under the CAA, and that EPA has the authority to regulate emissions of greenhouse gases (GHGs). Following the court decision, EPA has taken actions to regulate, monitor, and potentially reduce GHG emissions (primarily mobile emissions).

California Global Warming Solutions Act

Under the California Global Warming Solution Act, also known as Assembly Bill 32 (AB 32), the California Air Resources Board (CARB) has established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHG, and adopted a comprehensive plan, known as the *Climate Change Scoping Plan*, that identifies how emission reductions will be achieved from significant GHG sources via regulations, market mechanisms and other actions.

On September 8, 2016, Governor Brown signed Senate Bill (SB) 32 into law, amending the California Global Warming Solution Act. SB 32 requires CARB to ensure that statewide greenhouse gas emissions are reduced to 40 percent below the 1990 level by 2030. As a part of this effort, CARB is required to update the *Climate Change Scoping Plan* to express the 2030 target in terms of million metric tons of carbon dioxide equivalent. CARB has initiated the public process to update the state's *Climate Change Scoping Plan*. The updated plan will provide a framework for achieving the 2030 target and is anticipated to be completed and adopted by CARB in 2017.

Senate Bill 375 – Redesigning Communities to Reduce Greenhouse Gases

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. It builds on AB 32 by requiring CARB to develop regional GHG reduction targets to be achieved from the automobile and light truck sectors for 2020 and 2035 when AB 32 compared to emissions in 2005. The per capita reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.¹⁰

Consistent with the requirements of SB 375, Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), the Bay Area Air Quality Management District (BAAQMD), and the Bay Conservation and Development Commission (BCDC) to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan (RTP) process. The SCS is referred to as *Plan Bay Area*.

MTC and ABAG adopted *Plan Bay Area* in July 2013 and CARB accepted the technical evaluation of the SCS in April 2014. The strategies in the plan are intended to promote compact, mixed-use development close to public transit, jobs, schools, shopping, parks, recreation, and other amenities, particularly within Priority Development Areas (PDAs) identified by local jurisdictions. The project site is not located within a PDA.

Draft Plan Bay Area 2040, released in early 2017, is a limited and focused update that builds upon the growth pattern and strategies developed in the original *Plan Bay Area* but with updated planning assumptions that incorporate key economic, demographic and financial trends from the last four years. MTC and ABAG adopted *Final Plan Bay Area 2040* and its associated EIR in July 2017.

Clean Car Standards

CARB has adopted amendments to the “Pavley” regulations that are designed to reduce GHG emissions in new passenger vehicles. It is expected that the Pavley regulations will reduce GHG emissions from new California passenger vehicles by approximately 30 percent in 2016, all while improving fuel efficiency and reducing motorists' costs.¹¹

Bay Area Air Quality Management District

BAAQMD is the regional, government agency that regulates sources of air pollution within the nine San Francisco Bay Area counties. Several key activities of BAAQMD related to GHG emissions are described below.

- *Regional Clean Air Plans:* BAAQMD and other agencies prepare clean air plans as required under the state and federal Clean Air Acts. The Bay Area 2017 Clean Air Plan (2017 CAP)

¹⁰ The emission reduction targets are for those associated with land use and transportation strategies, only. Emission reductions due to the California Low Carbon Fuel Standards or Pavley emission control standards are not included in the targets.

¹¹ CARB. “Clean Car Standards - Pavley, Assembly Bill 1493”. Accessed April 4, 2017. Available at: <http://www.arb.ca.gov/cc/ccms/ccms.htm>.

focuses on two closely related BAAQMD goals: protecting public health and protecting the climate. Consistent with the GHG reduction targets adopted by the state of California, the 2017 CAP lays the groundwork for the BAAQMD’s long-term effort to reduce Bay Area GHG emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. The 2017 CAP includes a wide range of control measures designed to decrease emissions of methane and other “super-GHGs” that are potent climate pollutants in the near-term; and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

- *BAAQMD CEQA Air Quality Guidelines:* The *BAAQMD CEQA Air Quality Guidelines* are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. As discussed in the CEQA Guidelines, the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of Daly City and other jurisdictions in the San Francisco Bay Area Air Basin often utilize the thresholds and methodology for greenhouse gas emissions developed by the BAAQMD. The Guidelines include information on legal requirements, BAAQMD rules, plans and procedures, methods of analyzing greenhouse gas emissions, mitigation measures, and background information.

Daly City General Plan

Applicable General Plan policies related to GHG emissions include, but are not limited to the following listed below.

Policies	Description
Policy HE-23	Gradually increase energy and water efficiency standards for all new and existing housing while minimizing the costs of such standards
Policy HE-24	Mandate the inclusion of green building techniques into most new construction
Policy HE-28	Promote alternative sources of energy in all homes.

Daly City’s Green Vision Plan

Daly City’s Green Vision, A Climate Action Plan (CAP) for 2011-2020 and Beyond, was adopted in December 2010. Daly City’s Green Vision guides the City towards a sustainable future that reduces GHG emissions from current levels, while promoting economic prosperity for present and future generations. The Green Vision identifies ten goals and seeks to achieve these goals through cost effective strategies by the year 2020. The GHG reduction goals include adopting a general plan with measurable policies for sustainable development, reducing energy use in buildings, reducing transportation emissions, reducing solid waste disposal, and GHG emissions reductions from municipal operations. Daly City recently completed an update to the General Plan which incorporates these goals in March 2013.

Daly City’s Ordinances

The following ordinances consistent with the goals of Daly City’s Green Vision were adopted by the City Council in order to protect the environment and health of the community:

Green Building Standards Code (Municipal Code 15.22): The purpose of the ordinance is to adopt and incorporate the California Green Building Standards Code, 2013 edition, for the protection of the public health and safety of its inhabitants.

Recycling and Diversion of Construction and Demolition (Municipal Code 15.64): This ordinance requires that construction and demolition projects recycle or reuse 60 percent of the waste generated from the project. This ordinance is consistent with the requirements for construction and demolition debris diversion in CALGreen. Many of the construction materials, such as concrete, asphalt, asphalt singles, gypsum wallboard, wood and metals, can be reused or recycled, thus prolonging our supply of natural resources and potentially saving money in the process.

4.7.1.3 **Existing Conditions**

The project site is currently developed with 147,143 square feet of various commercial-related uses including retail shops. The project proposes to demolish 25,200 square feet of existing medical office space and 30,430 square feet of retail space in order to allow for the construction of 179 residential units totaling 142,791 square feet and 34,074 square feet of new retail space. Based on the emission model outputs using CalEEMod, the project site currently generates 6,316 metric tons per year of CO₂E.

4.7.2 **Checklist and Discussion of Impacts**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	1,8
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	1,2,8

4.7.2.1 **Greenhouse Gas Emissions**

GHG emissions associated with development of the proposed project would occur over the short-term from construction activities, consisting primarily of emissions from equipment exhaust and worker and vendor trips. There would also be long-term operational GHG emissions associated with project traffic, energy and water use, and solid waste disposal.

As recommended by the BAAQMD, the CalEEMod model was used to predict GHG emissions from project construction. Details regarding the model and assumptions are included in Appendix D of this Initial Study. Operational emissions were based on the estimated traffic trip generation rates from a Trip Generation and Parking Assessment prepared by Fehr & Peers (2016) (See Appendix F).

Construction Emission

GHG emissions associated with project construction activities (including operation of construction equipment, hauling truck trips, vendor truck trips, and worker trips) were estimated to be 1,505 MT of carbon dioxide equivalents (CO₂e) annually (See Table 4.7-1 below). Neither the City nor BAAQMD have adopted threshold of significance for construction-related GHG emissions. The BAAQMD recommends quantifying emissions and disclosing that GHG emissions would occur during construction.

Table 4.7-1	
Construction-Related GHG Emissions in Metric Tons (MT)	
Construction Activities	CO₂e
Year One	915
Year Two	490
Total Construction	1,505
Source: Michael Baker International. <i>Greenhouse Gas Emissions Assessment</i> . April 2017.	

The BAAQMD also encourages the incorporation of best management practices, including recycling and reusing construction waste or demolition materials, and using local building materials of at least 10 percent. The project, in compliance with the City's Recycling and Diversion of Construction and Demolition Debris Ordinance, would recycle at least 60 percent of construction waste or demolition materials. **(Less Than Significant Impact)**

Operational Emissions

Project operation would generate GHGs primarily through electricity generation/use and generation of vehicle trips. As shown in Table 4.7-2, the operational GHG emissions would be 4,299 metric tons of CO₂e per year, which is 2,017 metric tons less than what is currently being emitted under the existing baseline annually. Therefore, the proposed project would actually result in a decrease of GHG emissions generated at the project site under existing conditions. The decrease is primarily the result of a mixed-use development, which locates residential units within a walkable proximity to commercial uses and jobs, reducing the vehicle miles traveled to and from the project site. A reduction in GHG emissions would be below the BAAQMD bright-line numeric threshold of 1,100 MT of CO₂e per year during operations. Compliance with BAAQMD thresholds means that the environmental impact of the GHG emissions will normally not be cumulatively considerable under CEQA.

Table 4.7-2 Annual GHG Emissions in Metric Tons (MT)	
Emission Source	CO ₂ e
Existing Development <i>4,445 square foot bank, 117,498 square feet of retail building space, and 25,200 square feet of professional medical office space.</i>	
Area Source (consumer products, health)	0
Energy Consumption	607
Mobile Waste (vehicle travel)	5,466
Solid Waste (hauling and decomposition)	201
Water & Wastewater Conveyance	42
Total	6,316
Proposed Development <i>4,445 square foot bank, 107,142 square feet of retail building space, 179 residential apartment units (spanning 142,791 square feet), and a 107,968 square feet of below-grade parking structure.</i>	
Area Source (consumer products, health)	14
Energy Consumption	920
Mobile Waste (vehicle travel)	3,207
Solid Waste (hauling and decomposition)	100
Water & Wastewater Conveyance	58
Total	4,299
Net	-2,017
Source: Michael Baker International. <i>Greenhouse Gas Emissions Assessment</i> . April 2017.	

The proposed project would reduce the net GHG emissions on-site, which would be below the brightline threshold. For this reason, the project's GHG emissions are considered less than significant. **(Less Than Significant Impact)**

4.7.2.2 Consistency with Plans, Policies, and Regulations

The proposed project proposes to redevelop an existing urban commercial development with a mixed-use building and intensifying the land use at a convenient location, and enhancing the physical design of the urban environment. The proposed project would provide housing in locations within convenient walking distance of employment centers, shopping centers, and transit routes. As such, the project would result in improved access to local and regional transit services, as well as the

promotion of alternative means of transportation through increased access to pedestrian and bicycle facilities.

The project is a reconfiguration of land uses within a built environment (infill development) resulting in an increase of land use diversity on the project site. Most potently, the project would place residential units within an area previously devoid of residences and dominated by commercial uses. This aspect of the project would reduce the number of daily vehicle trips and daily vehicle miles traveled compared with existing conditions. This is further evidenced by Table 4.7-2 which estimates a reduction of 2,017 metric tons of CO₂e annually compared with existing conditions. The proposed project will maximize mobility and accessibility for its residents due to the mixed-use nature of the project. Compared with existing conditions, the project ensures safer travel due to the increased connectivity of different types of land uses and encourages fuel use efficiency through a land use patterns that facilitates non-motorized transportation.

The proposed project would also be constructed consistent with the 2016 Title 24 Building Energy Efficiency Standards, which are 28 percent more efficient than previous 2013 Standards for residential construction and 5 percent better for nonresidential construction. For these reasons, the project would be consistent with the City's General Plan, Ordinance, Green Vision Plan, and BAAQMD's Clean Air Plan in reducing GHG emissions. **(Less Than Significant Impact)**

4.7.3 Conclusion

The proposed project would not result in significant GHG impacts. **(Less Than Significant Impact)**

4.8 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based in part on a Phase I Environmental Site Assessment prepared by *Roux Associates, Inc.* in March 2017, a Rebound Test Report prepared by *Northgate Environmental Management, Inc.* in August 2017 and Westlake Redevelopment Recommendations letter prepared by *Northgate Environmental Management, Inc.* in October 2017. A copy of the reports can be found in Appendix E of this Initial Study.

4.8.1 Environmental Setting

4.8.1.1 *Regulatory Framework*

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), initially authorized in 1976, gives the U.S. EPA the authority to control hazardous waste from “cradle-to-grave.” This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled the U.S. EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

Department of Toxic Substances Control

The California Department of Toxic Substances Control (DTSC) regulates hazardous waste, remediation of existing contamination, and evaluates procedures to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA and the California Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning. From these laws and regulations, DTSC develops guidelines and regulations that define what those who handle hazardous waste must do to comply with the laws. These rulemakings are subject to public review and comment.

Regional Water Quality Control Board

San Francisco Bay Regional Water Quality Control Board (RWQCB) regulates discharges and releases to surface and groundwater in the project area. The RWQCB generally oversees cases involving groundwater contamination. Within the San Francisco Bay RWQCB, the County of San Mateo Health Services Agency (CSMHSA) handles most leaking underground storage tank (LUST) cases, so the RWQCB may oversee cases involving other groundwater contaminants (i.e. Spills, Leaks, Incidents, and Clean-up (SLIC) cases). In the case of spills at a Project site, the responsible party would notify the CSMHSA, and then a lead regulator (either the CSMHSA, RWQCB or DTSC) would be determined.

Government Code §65962.5 (Cortese List)

Section 65962.5 of the Government Code requires the California Environmental Protection Agency (Cal EPA) to develop and update (at least annually) a list of hazardous waste and substances sites,

known as the Cortese List. The Cortese List is used by the State, local agencies, and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the DTSC, State Water Resources Control Board (SWRCB), and the Department of Resources Recycling and Recovery (CalRecycle). Based on a Phase I report prepared by *Roux Associates, Inc.*, the project site is not included on the hazardous materials sites list compiled per Government Code (Section 65962.5).

County of San Mateo Health Services Agency

The CSMHSA, which includes the San Mateo County Environmental Health Division (SMCEHD), serves as the County Local Oversight Program within the County of San Mateo for hazardous materials and soil and groundwater contamination. This agency oversees several programs related to hazardous materials and releases. In general, LUST cases affecting groundwater within the project area are handled by the CSMHSA. Other groundwater contamination cases may also be handled by the CSMHSA, but can also be deferred to the SWRCB or DTSC, depending on the responsible party. The Hazardous Materials Division of the CSMHSA oversees hazardous materials permitting, hazardous materials oversight, and hazardous materials facility closures.

Comprehensive Airport Land Use Compatibility Plan for the Environs of the San Francisco International Airport and Federal Aviation Regulations, Part 77

In 1967, the State legislature adopted legislation requiring the establishment of airport land use commissions in counties with one or more airports serving the general public. Amendments adopted by the legislature in 1970 required each commission to develop comprehensive airport land use compatibility plans (ALUCPs). The purpose of the ALUCPs is to provide for the orderly growth of airports and the surrounding areas to minimize the public's exposure to excessive noise and safety hazards.

The project site is located within the Airport Influence Area (AIA) of the San Francisco International Airport. Properties within the AIA may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (e.g., noise, vibration, and odors). The airport/land use compatibility of a proposed development or land use policy action shall be determined by comparing the proposed development or land use policy action with the safety compatibility criteria, noise compatibility criteria, and airspace protection/height limitation criteria in the ALUCP.

The ALUCP includes airspace protection/height limitation criteria based on Federal Aviation Regulations. Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" (referred to as FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above ground. According to an aeronautical map

published in the Initial Study and Negative Declaration for the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport, the project site cannot exceed maximum building heights ranging between 550 feet and 600 feet above mean sea level (amsl).¹²

Any proposed land use policy actions, including the proposed General Plan amendment/rezoning, that affect properties within the Airport Land Use Plan (ALUP) Area B boundary in Daly City, such as the General Plan Update, must be referred to the C/CAG Board for an ALUCP consistency review and determination. The Plan would first go to the C/CAG Airport Land Use Committee for review and a recommendation to the C/CAG Board. The Board will consider the Airport Land Use Commissions (ALUCs) recommendation and evaluate the project content of the General Plan Update with the relevant airport/land use compatibility policies and criteria contained in the adopted ALUCP.

City of Daly City General Plan

The General Plan includes policies for the purpose of avoiding or mitigating impacts resulting from planned development projects with the City. The following policies are specific to hazards and hazardous materials and are applicable to the proposed project.

City of Daly City Relevant Hazardous Material Policies

Policy	Description
Policy LU-18	Development activities shall not be allowed to significantly disrupt the natural or urban environment and all reasonable measures shall be taken to identify and prevent or mitigate potentially significant effects.
Task LU-18.1	Ensure that potentially significant environmental impacts associated with development proposals are properly mitigated through conditions of approval, mitigation measures, project design, or project denial. In cases where the impacts may not be completely preventable but will not significantly disrupt the community, the City may recognize that the benefits of a project may outweigh the environmental consequences. In no case shall the City approve a project that endangers the health, safety, or welfare of the public.
Policy SE-4.2	Cooperate with the County of San Mateo in the regulation of hazardous materials and transportation in the Fire Prevention Services Bureau within the City.
Policy SE-4.6	Require the preparation of a risk assessment to determine site suitability for applications for hazardous materials waste management facilities. Establish the distance requirements for these facilities from public assembly, residential or immobile population and recreation areas and structures. Access impacts from seismic, geologic, and flood hazards, impacts on wetlands, endangered species, air quality and emergency response capabilities; and proximity to major transport routes.

¹² San Francisco International Airport Land Use Commission. *Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport*. Page 43. July 2012. (pg. 42). C/CAG of San Mateo County, California. Accessed June 24, 2016.

4.8.1.2 *Existing Conditions*

Background

Hazardous materials encompass a wide range of substances, some of which are naturally-occurring and some of which are man-made. Examples include motor oil and fuel, metals (e.g., lead, mercury, arsenic), asbestos, pesticides, herbicides, and chemical compounds used in manufacturing and other activities. A substance may be considered hazardous if, due to its chemical and/or physical properties, it poses a substantial hazard when it is improperly treated, stored, transported, disposed of, or released into the atmosphere in the event of an accident. Determining if such substances are present on or near project sites is important because exposure to hazardous materials above regulatory thresholds can result in adverse health effects on humans, as well as harm to plant and wildlife ecology.

Site Conditions

Current Uses

The project site consists of a one-story commercial and retail building and a three story commercial, retail, and office building. The Property is occupied by multiple tenants. The buildings surrounding the Property are primarily used for residential, commercial, and retail uses. No hazardous materials storage or disposal was observed at the site during the Phase I Site Reconnaissance.

Historic Uses and Known Contamination

The site and the surrounding lands were classified as rural lands in the 1940s. The property has been used as a shopping center since 1956 with multiple tenants. Based on the Phase I report, one non-action Recognized Environmental Condition (REC) was identified at the Property: A former drycleaner was located at 247 Westlake Center (formerly 330 South Mayfair Avenue before street reconfiguration). Subsurface investigations were conducted between 2002 and 2011 under the oversight of the SMCEHD. The results indicated the soil vapor beneath the Westlake French Dry Cleaners located at 247 Westlake Center was impacted with tetrachloroethene (PCE) with PCE concentrations exceeding commercial Environmental Screening Limits (ESLs). Short-term PCE exposure can have harmful effects on the nervous and visual system and long-term exposure can cause reduced scores on neurobehavioral or color vision tests, increased levels of biochemical indicators of liver or kidney damage, reduced red blood cells, and blood and immune system effects.¹³

In June 2014, a soil vapor extraction (SVE) system was installed at the Site and operated for removal of PCE and related Volatile Organic Compounds (VOCs). Operation of the SVE system reduced PCE concentrations in soil vapor to levels significantly below the health-based ESLs for commercial land use established by the California RWQCB, and below ESLs for residential land use in shallow vapor monitoring points, and the system was shut-off in July 2016. In accordance with standard practice, a vapor “rebound” test was performed between August 2016 and August 2017. The

¹³ New York Department of Health. *Tetrachloroethene (Perc) In Indoor and Outdoor Air, September 2013 Fact Sheet*. 2013

“rebound” test showed that PCE concentrations had risen since July 2016. However, it is common for PCE concentrations to rise following a SVE system shutoff, and these levels typically stabilize after approximately six to 18 months depending on local geology and soil type. A Rebound Test Report (See Appendix E) submitted to the overseeing regulatory agency (the San Mateo County Department of Environmental Health [SMDEH]) on August 30, 2017 indicated that PCE has largely stabilized to asymptotic levels (with exception of one indoor subslab probe [TR-7]) and that all measured concentrations of PCE in soil vapor were below commercial land use ESLs, with five of the 11 samples collected in May 2017 (end of test) containing PCE below residential land use ESLs.

Off-site Sources of Contamination

According to a Phase I Environmental Site Assessment, five LUSTs were documented within 1/4 mile from the project site. Contaminants of concern that leaked from these five listings include:

- Two involving diesel,
- Three involving gasoline, and
- One undisclosed Underground Storage Tank (UST)

Based on the inferred northeasterly groundwater flow, four of the LUST listings (Chevron Station, Daly City Wastewater, North San Mateo County Sanitation District WWTP, and Daly City Fire Station) are down or cross gradient from the Property and have all been closed; therefore, they not considered RECs in connection with the project site.

The LUST listing associated with the Arco Station at 151 Southgate Avenue is located upgradient from the Property and has not been closed. The identified contamination sources include former gasoline and waste oil USTs, and former fuel dispenser islands. As MtBE, BTEX, and GRO were not detected at the Property above laboratory reporting limits, the LUST at the Arco Station does not represent a REC for the Property.

Sixteen USTs, two Aboveground Storage Tanks (ASTs) and three listings associated with automotive repair facilities were also found within 1/4 mile of the Property. Five of the USTs listed in the EDR database were associated with the previously mentioned LUST listings. One of the UST listings corresponds to a LUST listing that is still open; however, as described above, this does not indicate a REC for the Property. As the other UST listings that have spilled and/or leaked received closure, they are not considered RECs. No spills or releases are associated with the two ASTs or the automotive facilities, thus they do not pose RECs for the Property.

Other Hazards

Airports

The San Francisco International Airport is located approximately eleven miles southeast of the project site. Federal Aviation Regulations, Part 77, “Objects Affecting Navigable Airspace” (referred to as FAR Part 77), requires that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport’s runways, or which would otherwise stand at least 200 feet in height above ground. Site topography slopes to the east or northeast, at an

approximate elevation of 100 feet above mean sea level (MSL). For the project site, any structure exceeding 100 feet in height above ground would require submittal to the FAA for airspace safety review. According to an aeronautical map published in the Initial Study and Negative Declaration for the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport, the project site cannot exceed maximum building heights ranging between 550 feet and 600 feet above mean sea level (amsl). As the proposed project has a maximum not-to-exceed height of 80 feet, notification to the FAA would not be required and would not exceed the critical building heights.

Any proposed land use policy actions, including the proposed General Plan Amendment and rezoning, that affect properties within the ALUCP Area B boundary in Daly City, must be referred to the C/CAG Board for an ALUCP consistency review and determination. The Plan would first go to the C/CAG Airport Land Use Committee for review and a recommendation to the C/CAG Board. The Board will consider the ALUC recommendation and evaluate the project's consistency with the relevant airport/land use compatibility policies and criteria contained in the adopted ALUCP. The C/CAG Board consistency determination must occur before the Daly City Council can approve the proposed project. If the C/CAG Board determines the project inconsistent, the City Council can override the Board's determination with a supermajority vote.

Wildland Fire Hazards

According to CAL FIRE, the project area is not located within an area subject to wildfires.¹⁴

4.8.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	1,11
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?	☐	☒	☐	☐	1,11
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐	1,11

¹⁴ CAL FIRE. San Mateo County Fire Hazard Severity Zone Map. Adopted 2007. Accessed: September 12, 2017. Available at: http://www.fire.ca.gov/fire_prevention/fhsz_maps_sanmateo.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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, will it create a significant hazard to the public or the environment?	☐	☐	☒	☐	1,11
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, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐	1,17
f) For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,17
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	1,11
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?	☐	☐	☐	☒	1,11

4.8.2.1 *Hazardous Materials Impacts*

The proposed mixed-use residential development would not involve the transport, use, storage or disposal of reportable quantities of hazardous materials. Residents and commercial space occupants would likely use and store small quantities of cleaning supplies and maintenance chemicals which would not be considered significant. During construction, the project may store fuels and chemicals used in the construction of the proposed buildings. It is anticipated that limited quantities of miscellaneous hazardous substances, such as gasoline, diesel fuel, hydraulic fluids, paint, and other similarly related materials would be brought onto the project site, used, and stored during the construction period. Temporary use of fuels and other chemicals associated with construction on the site and use of small quantities of hazardous materials during future operations would not result in a significant hazard to the public or environment. **(Less than Significant Impact)**

Asbestos and Lead-Based Paint

An asbestos and lead-based paint survey was not conducted as part of the environmental site assessment. Given the age of the structures on-site, both asbestos and lead-based paint may be

present within the structures. The project proposes to demolish the existing structures and, as a result, an asbestos survey must be conducted under National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines. In addition, NESHAP guidelines require that all potentially friable Asbestos Containing Materials (ACMs) be removed prior to building demolition or renovation that may disturb the ACMs.

If lead-based paint is still bonded to the building materials, its removal is not required prior to demolition. It will be necessary, however, to follow the requirements outlined by Cal-OSHA Lead in Construction Standard, Title 8, California Code of Regulations (CCR) 1532.1 during demolition activities; these requirements include employee training, employee air monitoring, and dust control. If lead based paint is peeling, flaking, or blistered, it should be removed prior to demolition. It is assumed that such paint would become separated from the building components during demolition activities and must be managed and disposed of as a separate waste stream. Any debris or soil containing lead paint or coating must be disposed of at landfills that are permitted to accept such waste. Demolition of the existing structure on the project site could expose construction workers or residents in the vicinity of the project site to harmful levels of ACMs or lead.

The project is required to conform to the following regulatory programs and to implement the following measures to reduce impacts due to the presence of ACMs and/or lead-based paint:

- In conformance with State and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site buildings to determine the presence of asbestos-containing materials and/or lead-based paint.
- Prior to demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings would be disposed of at landfills that meet acceptance criteria for the waste being disposed.
- All potentially friable ACMs shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to any building demolition or renovation that may disturb the materials. All demolition activities will be undertaken in accordance with Cal/OSHA standards contained in Title 8 of CCR, Section 1529, to protect workers from exposure to asbestos.
- A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above.
- Materials containing more than one percent asbestos are also subject to BAAQMD regulations. Removal of materials containing more than one percent asbestos shall be completed in accordance with BAAQMD requirements.

Conformance with the aforementioned regulatory requirements will result in a less than significant impact from ACMs and lead. **(Less Than Significant Impact)**

Subsurface Contamination

Construction Phase

As discussed in *Section 4.8.1.2* above, all measured concentrations of PCE in soil vapor were below commercial land use ESLs. Since there has been no formal “No Further Action (NFA)” by the San Mateo County Department of Environmental Health (SMDEH), if the work is to be conducted prior to receiving the NFA for the proposed mixed-use residential development, the construction work needs to implement the following mitigation measure to reduce any contaminant exposure to the construction workers, neighboring residents and commercial patrons during the construction phase.

Impact HAZ-1: Project construction activities could potentially release chemicals that could affect construction workers, nearby sensitive receptors, and commercial patrons (**Significant Impact**)

MM HAZ-1: The project shall implement the following measures in association with site redevelopment to protect workers and the surrounding environment from potential release of chemicals:

- Soil in the proposed subterranean parking garage excavation area shall be sampled in the vicinity of the former drycleaner tenant space prior to excavation (but after building clearance or demolition when the area is more accessible) so that soil disposal options can be evaluated and any potential worker risk can be evaluated and incorporated into a Health and Safety Plan (HASP) and Soil Management Plan (SMP). Both the HASP and SMP shall be reviewed and approved by the SMDEH prior to subsurface construction activity of the affected site area.
- Develop a SMP based on the soil testing program that identifies specific areas of impacted soil that will require special handling and disposal, and outlines general procedures to screen, segregate and sample any potentially impacted soil that might be encountered. The SMP will also include soil management protocols to monitor and minimize fugitive dust and vapor emissions such as work zone perimeter monitoring, prescribed water application (and other vapor suppressant agents if required), covering of non-active soil stockpiles, covering of haul trucks if soil is impacted, and vehicle track-out devices/aprons.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- Develop a HASP that outlines health and safety procedures to be implemented that minimize VOC exposure risk to workers and any other receptors such as neighboring residents, workers, and shoppers. Risk management procedures would consist of breathing zone air-quality monitoring, use of water as a vapor suppressant, and using OSHA-

HAZWOPER trained contractors with appropriate personal protective equipment (PPE) in any areas of impacted soil identified during the initial soil sampling program.

- Perform field monitoring during excavation to confirm compliance with the SMP and assist in the segregation and confirmation sampling of any potentially impacted soil encountered during excavation. Monitoring results shall be provided to SMDEH as they become available to confirm compliance with the SMP.
- Prepare a summary report documenting soil management and disposal actions performed during the excavation program. The summary report shall be provided to the SMDEH and the Daly City Planning Manager prior to approval of building permits for new construction.

With the implementation of the aforementioned mitigation measures, the impact from the potential release of chemicals associated with the former dry cleaner during construction phase would be reduced to a less than significant level. **(Less Than Significant Impact with Mitigation)**

Operational Phase

As discussed in *Section 4.8.1.2*, six out of the 11 samples collected in May 2017 were above the residential land use ESLs, indicating future residents could be exposed to elevated levels of contaminants. However, given the proposed site development configuration (underground parking and first floor commercial land use with the upper floors of the structure to be occupied by residences), the potential vapor intrusion pathway receptor is designated as commercial land use. Any potential vapor intrusion would occur on the lowest level of the structure that is in contact with soil below; in this case the underground parking garage. Any potential vapor emissions through the concrete slab would be mitigated by the underground parking garage ventilation system which is designed to vent and provide fresh air to minimize build-up of automotive exhaust. The underground parking garage with commercial land use on the ground floor obviates the exposure pathway to residential receptors on upper floors. Nonetheless, to confirm the future residential occupants of the site would not be exposed to unhealthy levels of vapor emissions, the following mitigation measure will be implemented:

Impact HAZ-2: VOCs present in site soils could potentially affect future residential occupants of the site **(Significant Impact)**

MM HAZ – 2: The project shall implement the following measures in association with site redevelopment to ensure residential occupants are not exposed to VOCs above residential ESLs:

- The project shall obtain a formal NFA letter from SMDEH before the site is occupied by the residents. This would ensure the site is safe for future residential occupancy.

With the implementation of the aforementioned mitigation measures, the potential exposure of project residents to the release of chemicals in site soils would be reduced to a less than significant level. **(Less Than Significant Impact with Mitigation)**

Westlake Elementary school is approximately 0.25 mile from the project site. Future development of the site with residences and commercial space would not use or emit significant quantities of hazardous materials. **(Less Than Significant Impact)**

The project is not located on a site which is included on a list of hazardous materials sites nor are there known or listed sites in the vicinity that contain chemicals that could affect the site or be released into the environment as a result of site construction activities, as discussed in *Section 4.8.1.2* above. **(Less Than Significant Impact)**

4.8.2.2 *Airport Safety Hazards*

As discussed above in *Section 4.8.1.1*, the project site is located within the AIA of the San Francisco International Airport. According to an aeronautical map published in the Initial Study and Negative Declaration for the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport, the project site cannot exceed maximum building heights ranging between 550 feet and 600 feet amsl. The height of the proposed structures would not exceed 80 feet. Therefore, the total maximum allowable building height on the property would be approximately 180 feet¹⁵ amsl, which would not exceed the maximum allowable height of 550 feet according to the aeronautical map designation. Therefore, the project complies with the airport land use plan maximum allowable height limitations and would not result in any hazard associated with airport operations. **(Less Than Significant Impact)**

The project is not located in the vicinity of a private airstrip. Therefore, private airstrip uses would not be a hazard to people working or residing on the project site. **(No Impact)**

4.8.2.3 *Emergency Response Plans*

Compliance with the California Building and Fire Code requirements as amended by the City of Daly City would ensure that proposed project would not impair or interfere with the implementation of an adopted emergency response plan or emergency evacuation plan. **(No Impact)**

4.8.2.4 *Wildland Fires*

As discussed above in *Section 4.8.1.2*, the project site is in a developed urban area and it is not adjacent to any wildland areas that would be susceptible to fire. Therefore, implementation of the proposed project would not expose future site users or the proposed building to wildland fires. **(No Impact)**

¹⁵ 100 feet (amsl) + 80 feet (height of the proposed residential building) = 180 feet.

4.8.3 Conclusion

Construction of the proposed development, with the implementation of standard measures to reduce ACMs and lead based paint exposure and mitigation measures HAZ-1 and HAZ-2 would reduce the impact of hazardous materials to a less than significant level. **(Less Than Significant Impact With Mitigation)**

4.9 HYDROLOGY AND WATER QUALITY

4.9.1 Environmental Setting

4.9.1.1 *Regulatory Framework*

Federal and State Laws and Programs Regarding Water Quality

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality. Regulations set forth by the US EPA and the SWRCB have been developed to fulfill the requirements of this legislation. US EPA regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the water quality control boards. The project site is within the jurisdiction of the San Francisco RWQCB.

Clean Water Act (CWA) Section 303(d) lists polluted water bodies which require further attention to support future beneficial uses. The San Francisco Bay is on the Section 303(d) list as an impaired water body for several pollutants.

Basin Plan

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan or "Basin Plan". The San Francisco region's Basin Plan was last updated in 2010. The Basin Plan lists the beneficial uses that the RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

Statewide Construction General Permit

The SWRCB has implemented a NPDES General Construction Permit for the State of California. For projects disturbing one acre or more of soil, a Notice of Intent (NOI) and SWPPP must be prepared by a qualified professional prior to commencement of construction. The Construction General Permit includes requirements for training, inspections, record keeping, and for projects of certain risk levels, monitoring. The general purpose of the requirements are to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Municipal Regional Stormwater NPDES Permit (MRP)/C.3 Requirement

The San Francisco Bay RWQCB also has issued a Municipal Regional Stormwater NPDES Permit (Permit Number CAS612008) (MRP). In an effort to standardize stormwater management requirements throughout the region, this permit replaces the formerly separate countywide municipal stormwater permits with a regional permit for 77 Bay Area municipalities, including the City of Daly

City. Under provisions of the NPDES Municipal Permit, redevelopment projects that add and/or replace more than 10,000 square feet of impervious surface, or 5,000 square feet of uncovered parking area, are required to design and construct stormwater treatment controls to treat post-construction stormwater runoff. Amendments to the MRP require all of the post-construction runoff to be treated by using Low Impact Development (LID) treatment controls, such as biotreatment facilities, unless the project qualifies for Special Project credit reduction, which would allow the project to implement non-LID measures for all or a portion of the site depending on the project characteristics. This would also require a narrative discussion as to why the implementation of 100 percent LID measures is not feasible per the MRP.

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) in order to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRM) that identify Special Flood Hazard Areas (SFHA). An SFHA is an area that will be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood. The SFHA is the area where the NFIP floodplain management regulations must be enforced and the area where the mandatory purchase of flood insurance applies.

Local

Daly City General Plan

Applicable General Plan policies related to water quality and hydrology include, but are not limited to, the following listed below.

Policy	Description
Policy SE-2.1	Protect the City of Daly City from unreasonable risk to life and property caused by flood hazards by designing and constructing drainage facilities to improve the flow capacity of the City's water system in order to accommodate the storm water runoff generated by a 100-year storm.
Policy SE-2.2	Reduce localized flooding through City funded drainage system improvements; seek alternate funding where possible.
Policy SE-2.3	Continue to require the habitable portions of new structures to have a finished floor elevation 1.5 feet above the projected 100-year water surface or to be adequately protected from flooding.
Policy SE-5.3	Continue to analyze the significant seismic, geologic and community-wide hazards as part of the environmental review process; require that mitigation measures be made as conditions of project approval.
Policy SE-5.7	Support the adoption and full implementation of the Local Hazard Mitigation Plan (LHMP) which was adopted by the City Council on March 12, 2012 under resolution 12-33 and accepted by FEMA and posted by ABAG June 5, 2012.

Daly City Municipal Code

Title 14 – Stormwater Management and Discharge Control

Chapter 14.04 of the Daly City Municipal Code, also known as the Daly City Stormwater Management and Discharge Control Ordinance prohibits nonstormwater discharges to the City storm drain system. The purpose of the Ordinance is to eliminate nonstormwater discharges to the municipal separate storm drain system, control the discharge of spills, dumping or disposal of materials other than stormwater, and reduce pollutants in stormwater discharges into the storm drain system to the maximum extent practicable. Chapter 14.12 gives the City to authority to make an inspection of projects to enforce any of the provisions of Title 14.

Chapter 15.62 – Grading, Erosion, and Sediment Control

Chapter 15.62 of the Daly City Municipal Code, also known as the City of Daly City Grading, Erosion and Sediment Control Ordinance sets forth rules and regulations to control site clearing, vegetation disturbances, land-fills, land excavations, soil storage, and other such activities which may cause sediments and other pollutants to enter the public drainage facilities. The chapter establishes the regulations, permit requirements, procedures for administration and enforcement of permits to properly control the aforementioned activities to preserve and enhance public health, safety and environment. Section 15.62.230 requires the permittee to maintain a copy of the permit, approved plans and reports and make these available for city inspection. Section 15.62.270 gives the City engineer authority to suspend or revoke a permit for violation or non-compliance with Chapter 15.62.

4.9.1.2 *Existing Conditions*

Surface Water

The project site is located within the San Gregorio Creek Watershed, which drains to the fontal Pacific Ocean. The project site is located at 100 feet above mean sea level and currently developed with minimal landscaping. Surface water runoff from the project site is directed to a 12-inch and 36-inch storm drain line on Park Plaza Drive and John Daly Boulevard, respectively.

Groundwater

The aquifer that underlies most of Daly City is within the Westside Groundwater Basin (Westside Basin). The Westside Basin underlies parts of San Francisco and northern San Mateo counties. The basin extends from Golden Gate Park in the north and past the San Francisco Airport in the south. The basin extends to the west beneath the Pacific Ocean at least as far as the San Andreas Fault and to the east an unknown distance beneath San Francisco Bay. The Westside Basin is a buried valley, where the walls and floor of the valley are formed by rock with a mixture of coarse and fine-grained sediments as much as 3,700 feet thick in parts of the basin fill. The coarse-grained sediments consist of sand and gravel and the fine-grained sediments consist of silt and clay. Sand and gravel can transmit substantial quantities of water to wells, whereas silt and clay impede the movement of groundwater. Where silt and clay deposit form semi-continuous beds, they can effectively isolate the water table from underlying aquifer. Groundwater in the shallow water table aquifer is referred to as “unconfined” and the underlying aquifer separated from the water table by continuous and semi-continuous fine-grained silt and clay strata are

referred to as “confined.” Both unconfined and confined conditions occur in the Westside Basin.¹⁶ The project site is not located within a natural or facility groundwater recharge area.¹⁷

Flooding

The Federal Emergency Management Agency (FEMA) has developed a Flood Hazard Boundary Map (FHBM) and has designated Daly City as a Non-Special Flood Hazard Area (NSFHA). The project site is not located in a 100-year floodplain.¹⁸

Dam Inundation, Seiches, Tsunamis, and Mudflow Hazards

According to the City’s General Plan EIR, no areas in the City are subject to dam inundation. There are no water bodies in Daly City, therefore there is no threat of seiches.¹⁹ The nearest surface water is Lake Merced, located approximately 4,200 feet to the north-northwest.

A tsunami inundation map prepared by the California Department of Conservation shows a portion of the coast in Daly City as a tsunami inundation area.²⁰ The project site is not located within the tsunami inundation area.

Water Quality

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as “non-point” source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. Surface runoff from roads are collected by storm drains and discharged into the Pacific Ocean. The runoff often contains contaminants such as oil and grease, plant and animal debris (e.g., leaves, dust, and animal feces), pesticides, litter, and heavy metals. In sufficient concentration, these pollutants have been found to adversely affect the aquatic habitats to which they drain. The project site is currently developed, and surface water runoff from the project site is directed to a 12-inch and 36-inch storm drain line on Park Plaza Drive and John Daly Boulevard, respectively.

¹⁶ City of Daly City. *2010 Urban Water Management Plan*. June 29, 2011.

¹⁷ City of Daly City. *General Plan Environmental Impact Report, Hydrology*. 2012.

¹⁸ County of San Mateo. *FEMA Flood Zones*. Accessed July 17, 2017. Available at: <http://maps.smcgov.org/planning/>

¹⁹ City of Daly City. *General Plan Environmental Impact Report, Hydrology*. 2012

²⁰ State of California Department of Conservation. *Tsunami Inundation Map for Emergency Planning, San Francisco South Quadrangle*. June 15, 2009.

4.9.2

Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	1,2
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will 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 will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?	☐	☒	☐	☐	1,2
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 will result in substantial erosion or siltation on-or off-site?	☐	☐	☒	☐	1,2
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 will result in flooding on-or off-site?	☐	☐	☒	☐	1,2
e) Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	1,2
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	1
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?	☐	☐	☐	☒	1,2,9
h) Place within a 100-year flood hazard area structures which will impede or redirect flood flows?	☐	☐	☐	☒	1,2,9
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?	☐	☐	☐	☒	1,2,9

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	1,2

As previously discussed in *Section 4.0*, in December 2015, the California Supreme Court issued an opinion in “CBIA vs. BAAQMD” holding that CEQA is primarily concerned with the impacts of a project on the environment and generally does not require agencies to analyze the impact of existing conditions on a project’s future users or residents unless the project risks exacerbating those environmental hazards or risks that already exist. Nevertheless, the City has policies and regulations (including Policy SE-2.1 that states the City shall take measures to protect life and property from the effects of a 100 year flood, and Policy SE-5.3 that requires the analysis of community-wide hazards and include mitigation measures as conditions of project approval) that address existing conditions affecting a proposed project, which are discussed below as planning considerations.

4.9.2.1 *Impacts to Water Quality*

Potential negative impacts related to water quality are constrained by existing regulatory systems from the federal to the local level. The CWA sets minimum water quality standards for all surface waters in the U.S. and requires that industrial, municipal, and construction-related sources of pollution are regulated through the NPDES. The City requires project applicants to submit a construction stormwater management plan that illustrates full compliance with the MRP NPDES Permit. The plan would require the project to control stormwater through site design measures, source controls, treatment measures, low impact development, hydromodification management, and construction best management practices, including sediment controls for any required dewatering. The City also requires that the project shall comply with the Statewide NPDES General Permit. The Stormwater Management Plan provides programs that commit the City to attaining water quality standards, prevent disposal of hazardous materials, and minimize discharge of sediments into creeks. These policies are reinforced by the discharge prohibitions and requirements for reducing pollutants in storm water in Title 14 and Title 15 of the Municipal Code. Adherence to regulations, policies and standards will ensure that impacts to water quality will be less than significant. **(Less Than Significant Impact)**

Post-Construction Water Quality Impacts

The project would include LID stormwater treatment measures in order to reduce and/or mitigate the potential for polluted runoff. All runoff would be directed away from sidewalks, walkways and/or patios to vegetated areas. All the sidewalks, walkways and/or patios would be constructed with pervious or permeable surfaces according to the C.3 technical guidance. The project would not disturb natural water bodies and drainage systems; minimize compaction of highly permeable soils; protect slopes and channels; and minimize impacts from stormwater and urban runoff on the biological integrity of natural drainage systems and water bodies. The project would include additional infiltration and biotreatment measures including biotreatment ponds, flow-through planters, and pervious pavers on-site (See Figure 4.9-1).

With the implementation of the stormwater treatment measures stated above, the project would result in less than significant impacts to water quality. **(Less Than Significant Impact)**

4.9.2.2 *Impacts to Groundwater*

According to the Geotechnical Report prepared for the project (see Appendix C), groundwater was observed in on-site boring at the time of field exploration at a depth of 80 feet bgs and was encountered at a depth of 45 feet bgs from a previous investigation on the western side of the shopping center. According to historic groundwater level data prepared by the California State Water Resources Control Board, groundwater has been measured as shallow as 27 feet bgs at a Chevron gas station 450 feet west of the site. The project site is currently developed and not used for groundwater recharge and this condition will not change once the proposed development is complete. This project is planned to include a two-level below grade parking garage with an anticipated excavation depth of 25 feet bgs. It is anticipated that an additional 8 feet will be excavated in the southern one-third of the building footprint to firm the native soil with compacted engineered fill. While groundwater was encountered at a depth of 80 feet bgs during field exploration, depending upon depth of excavation and seasonal conditions, groundwater or perched groundwater may be encountered in excavations on site. This could constitute a potentially significant impact if construction activities were to introduce chemicals into the groundwater table compromising water quality.

Impact HYDRO-1: Groundwater or perched groundwater could be encountered in excavations on site which could result in potentially significant water quality impacts.
(Significant Impact)

MM HYDRO-1: A detailed, design-level geotechnical investigation shall be completed and shall address the need for dewatering during construction. Project construction shall follow the recommendations of the investigation.

With the implementation of the aforementioned mitigation measures, groundwater impacts would be reduced to a less than significant level. **(Less Than Significant Impact with Mitigation)**

4.9.2.3 *Impacts to Drainage*

There are no waterways on the project site, nor would the proposed development alter the course of a stream or river. The MRP NPDES permit and the City's Municipal Code require regulated projects to ensure construction activities on-site do not result in increased soil erosion or siltation off-site, and include measures to control hydromodification impacts where the project would otherwise cause increased erosion, silt pollutant generation, or other adverse impacts to local rivers and creeks. The proposed project site would reduce the total impervious area compared to the existing condition, therefore, is not subject to hydromodification requirements.

The project site is currently developed. As shown in Table 4.9-1, the proposed project would decrease impervious surfaces on-site by approximately 23 percent, from 79,504 to 60,861 square feet. The reduction in impervious surfaces would result in a corresponding reduction in surface

runoff compared to existing conditions. For these reasons, the redevelopment of the site is not anticipated to significantly impact the drainage of the area. **(Less Than Significant Impact)**

Table 4.9-1 Pervious and Impervious Surfaces On-Site						
Site Surface	Existing/Pre-Construction (S.F.)	%	Project/Post-Construction (S.F.)	%	Difference (S.F.)	%
Impervious	79,504	98	60,861	75	-18,643	-23
Pervious	1,802	2	20,445	25	+18,643	+23
Total	81,306	100	81,306	100		

4.9.2.4 *Flooding Impacts (Checklist g-h)*

Flooding Impacts to the Project (Planning Consideration)

As discussed previously, the project site is not located within a 100-year flood hazard area, and therefore would not place housing within a 100-year flood hazard area. There are no dams within Daly City. Therefore, the project site would not be exposed to risks involving the failure of a levee or dam. **(No Impact)**

Flooding Impacts from the Project

As discussed previously, the project site is not subject to floods. Therefore, the proposed development on-site would not impede or redirect flood flows. **(No Impact)**

4.9.2.5 *Dam Inundation, Seiches, Tsunamis, and Mudflow Hazards (Checklist i-j)*

Due to the distance and project site's higher elevation (90 feet vs Lake Merced's elevation of approximately 23 feet), the project site would not be subjected to potential seiches from the Lake Merced. As discussed above in *Section 4.9.1.2*, the project site is not located within the tsunami inundation area. Therefore no impacts regarding flooding resulting in mudflow hazards would occur. **(No Impact)**

4.9.3 Conclusion

The proposed project, in compliance with the applicable water quality regulations (MRP, NPDES General Permit, and City's Municipal Code) and MM HYDRO-1 would reduce hydrology and water quality impacts to a less than significant level. **(Less Than Significant Impact with Mitigation)**

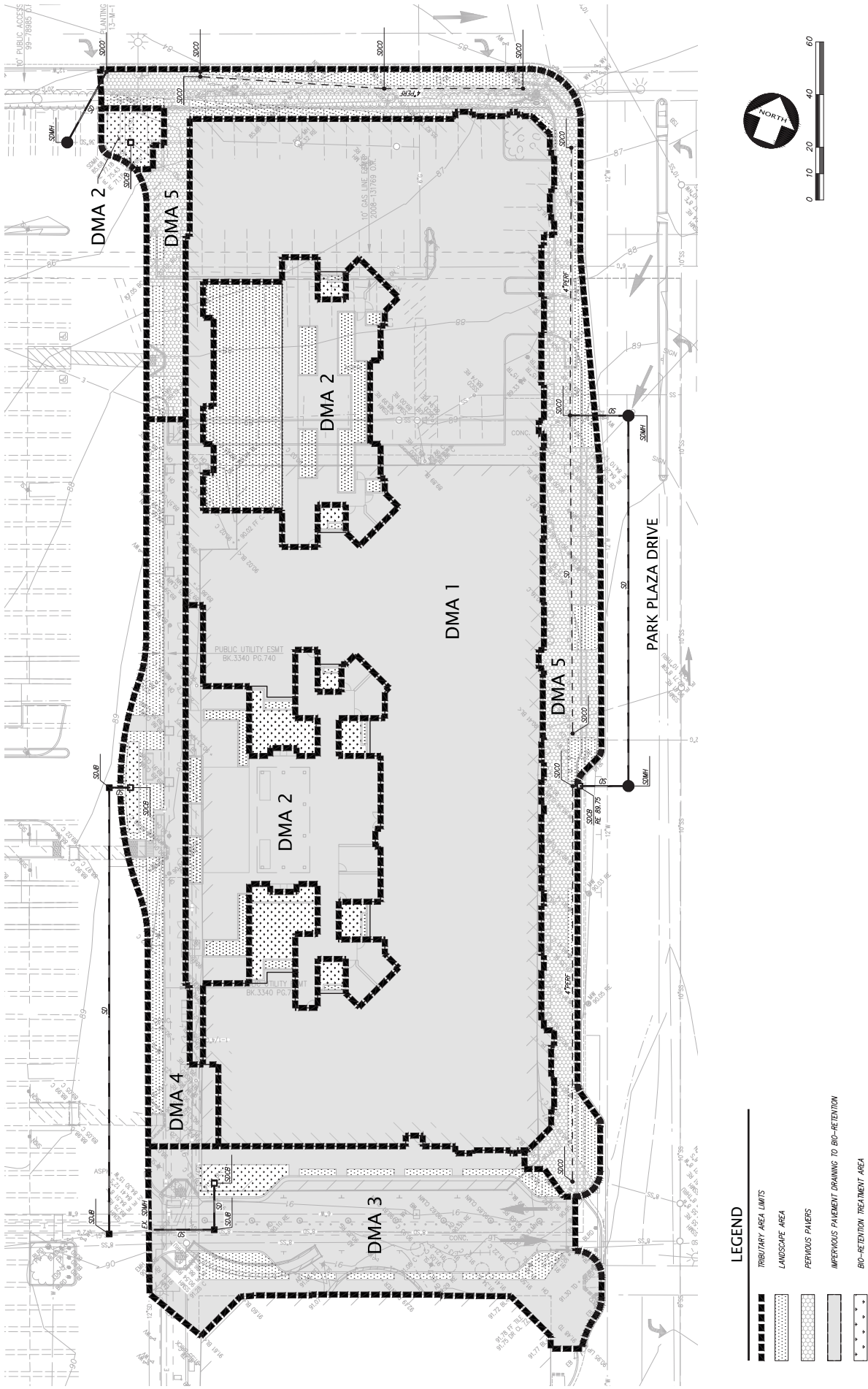


FIGURE 4.9-1

STORMWATER QUALITY CONTROL PLAN

Source: Kier & Wright, Inc., 4/14-2017.

4.10 LAND USE AND PLANNING

4.10.1 Environmental Setting

4.10.1.1 *Regulatory Framework*

Daly City General Plan

Policies and Tasks	Description
<i>Complete Streets</i>	
Policy CE-20.7	As a part of all new development, require, where appropriate, the provision of pedestrian-oriented signs, pedestrian-scale lighting, benches, and other street furniture so as to make non-motorized forms of travel comfortable and attractive alternatives to the automobile. Where necessary in new development, the City may require additional sidewalk and/or right-of-way width to accommodate these amenities.
<i>Historical and Archaeological Resources</i>	
Policy RME-20	Recognize the physical differences between different parts of the City and regulate land uses within these areas accordingly
Task RME-20.2	Amend the Zoning Ordinance to provide development regulations that more closely reflect the predominant neighborhood character established when the neighborhood was constructed.
Task RME-20.4	Incorporate design features in new development that reflects the character of the neighborhood, to ensure that new construction is compatible with existing development. .
<i>Commercial Vitality and Revitalization</i>	
Policy LU-1	Maintain and, where possible, encourage larger commercial development sites throughout the City.
Policy LU-2	Continue to allow neighborhood-serving businesses in neighborhoods where such business presently exist and where such continued operation does not impact the quality of life within the neighborhood.
Policy LU-4	Provide regulatory incentives for developers to construct higher-density mixed-use development along Mission Street, Geneva Avenue, and any other locations within close proximity to public transit.
Task LU-4.2	Incorporate methods for repositioning mixed-use building mass away from lower-density neighborhoods.
Policy LU-8	Ensure that landscape and hardscape improvements made to all residential properties are environmentally sound and do not negatively impact existing neighborhood aesthetics.

Comprehensive Airport Land Use Compatibility Plan for the Environs of the San Francisco International Airport and Federal Aviation Regulations, Part 77

In 1967, the State legislature adopted legislation requiring the establishment of airport land use commissions in counties with one or more airports serving the general public. Amendments adopted by the legislature in 1970 required each commission to develop comprehensive ALUCPs. The purpose of the ALUCPs is to provide for the orderly growth of airports and the surrounding areas to minimize the public's exposure to excessive noise and safety hazards.

The project site is located within the AIA of San Francisco International Airport. Properties within the AIA may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (e.g., noise, vibration, and odors). The airport/land use compatibility of a proposed development or land use policy action shall be determined by comparing the proposed development or land use policy action with the safety compatibility criteria, noise compatibility criteria, and airspace protection/height limitation criteria in the ALUCP.

The ALUCP includes airspace protection/height limitation criteria based on Federal Aviation Regulations. Federal Aviation Regulations, Part 77, “Objects Affecting Navigable Airspace” (referred to as FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the FAA be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport’s runways, or which would otherwise stand at least 200 feet in height above ground. For the project site, any proposed structure of a height greater than approximately 100 feet above mean ground level is required under FAR Part 77 to be submitted to the FAA for review.

Any proposed land use policy actions, including the proposed General Plan amendment/rezoning, that affect properties within the ALUP Area B boundary in Daly City, such as the General Plan Update, must be referred to the C/CAG Board for an ALUCP consistency review and determination. The Plan would first go to the C/CAG Airport Land Use Committee for review and a recommendation to the C/CAG Board. The Board will consider the ALUC recommendation and evaluate the project content of the General Plan Update with the relevant airport/land use compatibility policies and criteria contained in the adopted ALUCP. The C/CAG Board consistency determination must occur before the Daly City City Council can approve the proposed project. If the C/CAG Board determines the project inconsistent, the City Council can override the Board’s determination with a supermajority vote.

4.10.1.2 *Existing Conditions*

The project site is located in the Westlake Shopping Center and is surrounded by retail and residential uses (refer to Figure 2.4-3). The project site is bounded by John Daly Boulevard and residential development to the north, an existing surface parking and retail development in the Westlake Shopping Center to the west, Park Plaza Drive and multifamily development to the east, and additional retail development within the Westlake Shopping Center to the south.

The project site is developed and has a General Plan designation of *Commercial – Retail and Office (C-RO)*. This land use designation consists of retail and office uses both regional and citywide in scope, typically applicable to a wide range of commercial shopping areas, including Westlake Shopping Center. The allowable FAR ranges from 2.5 to 5.0 square feet of building area for each square foot of land area.

The project site is located in the *Planned Development - 60 (PD-60) Zoning District*. This district is designed to accommodate various types of commercial use such as offices, art studio, bakery, banks, and other neighborhood retail uses, but does not allow for residential uses, therefore the project proposes a rezoning to allow the proposed residential uses. Height limitation is not included under *PD-60*. All structures proposed would need approval by the Design Review Committee.

The site is not located within an adopted habitat conservation plan or natural community conservation plan. As described in *Section 4.4 Biological Resources*, the project site is located 1.3 miles west of the San Bruno Mountain HCP.

4.10.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Physically divide an established community?	☐	☐	☒	☐	1,2,3
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?	☐	☐	☒	☐	1,2,3,17
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	1,2

4.10.2.1 *Impacts to established community*

The project proposes a mixed-use building with 179 residential units and ground-floor retail uses oriented toward the interior of the Westlake Shopping Center. The project would create a transition between the adjacent residential use and the Westlake Shopping Center. The western side of the building fronting the Westlake Shopping Center would include ground-floor retail, consistent with the adjacent shopping center uses, and outdoor courtyards on the second floor. The residential component of the project would be taller and more dense than the adjacent land uses to the north and east of the project site, however, still compatible due to the separation provided by John Daly Boulevard and Park Plaza Drive, respectively. The project proposes to install sidewalks around the immediate perimeter of the proposed building and a new driveway on the southern boundary of the project site connecting Park Plaza Drive to the parking area between the proposed mixed-use building and Westlake Center Drive. These improvements would provide additional access to the project site and shopping center. For these reasons, the proposed project would not physically divide an established community. **(Less Than Significant Impact)**

4.10.2.2 Consistency with Plans

Comprehensive Airport Land Use Compatibility Plan for the Environs of the San Francisco International Airport and Federal Aviation Regulations, Part 77

The project site is not located within the ALUCP 65 dB CNEL aircraft noise contour or safety zones for San Francisco International Airport. The site is located within ALUP Area B boundary in Daly City. As discussed above in *Section 4.10.1.1*, the proposed General Plan amendment/rezoning must be referred to the C/CAG Board for an ALUCP consistency review and determination. The C/CAG Board consistency determination must occur before the Daly City City Council can approve the proposed project. If the C/CAG Board determines the project inconsistent, the City Council can override the Board's determination with a supermajority vote.

The project proposes buildings of up to 80 feet tall. For the project site, any structure exceeding 200 feet in height above ground would require submittal to the FAA for airspace safety review. As the proposed project has a maximum not-to-exceed height of 80 feet, notification to the FAA would not be required. For these reasons, the project would not conflict with the ALUCP or FAR Part 77.

City of Daly City General Plan and Zoning Ordinance

The project proposes a General Plan Amendment to re-designate the project site to *Commercial Mixed-Use (C-MU)* to allow residential uses on the site. The *C-MU* designation intends to include a vertical mix of uses at the street level and office or residential uses at levels above the street. The FAR for mixed-use generally ranges from 1.0 to 6.0. The project would be consistent with the *C-MU* designation by including ground-floor retail and residential units above the retail use with a FAR of 2.7. In addition, the project would be consistent with the General Plan land use policies listed above by continuing to include ground-floor retail on-site, maintain pedestrian access and provide additional vehicular access, improve landscapes, and be subject to the City's Architectural Review process that would ensure consistent and quality development

Under the site's current *PD-60* zoning, residential uses are not allowed. The project proposes to amend *PD-60* to allow residential units onsite. The project design would be consistent with the *PD-60* zoning through the City's Architectural Review process that would ensure consistent and quality development.

The project would not result in a fundamental conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The project, therefore, would result in a less than significant land use impact. **(Less Than Significant Impact)**

4.10.2.3 *Conflicts with any Habitat Conservation Plan*

The project site is not located within an adopted habitat conservation plan or natural community conservation plan. The proposed project would have no effect on implementation of the plan. **(No Impact)**

4.10.3 Conclusion

The proposed project would not result in a significant land use impact. **(Less Than Significant Impact)**

4.11 MINERAL RESOURCES

4.11.1 Environmental Setting

4.11.1.1 *Existing Conditions*

The San Mateo County General Plan identifies 13 mineral resources found in San Mateo County and classifies these resources into four categories. Seven of these minerals: Chromite, clay, expansible shale, mercury, sand and gravel, sands (specialty), and stone (dimension), are not likely to be used primarily because of limited quantities, urbanization, or economic infeasibility.

The project site is not located in an area containing known mineral resources.

4.11.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒	1,10
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?	☐	☐	☐	☒	1,10

4.11.2.1 *Impacts to Mineral Resources*

The project site is currently developed and surrounded by retail and residential development. There are no significant mineral resources on or in the vicinity of the project site. For these reasons, the project would not result in any impacts to mineral resources. **(No Impact)**

4.11.3 Conclusion

The project would not result in impacts to the loss of availability of known mineral resources. **(No Impact)**

4.12 NOISE AND VIBRATION

The following discussion is based in part on a Noise and Vibration Assessment report prepared by *Illingworth & Rodkin* in October 2017. A copy of this report is attached as Appendix F.

4.12.1 Environmental Setting

4.12.1.1 *Regulatory Framework*

2016 California Building Code, Title 24, Part 2

The current version of the California Building Code (CBC) requires residential interior noise levels attributable to exterior environmental noise sources to be limited to a level not exceeding 45 dBA DNL/CNEL in any habitable room.

2016 California Green Building Standards Code (Cal Green Code)

The State of California established exterior sound transmission control standards for new non-residential buildings, as set forth in the 2010 California Green Building Standards Code (Section 5.507.4.1 and 5.507.4.2). These standards were not altered in the 2016 revisions. For buildings located, as defined by Section 5.507.4.1, wall and roof-ceiling assemblies exposed to the noise source making up the building envelope shall be constructed to provide an interior noise environment attributable to exterior sources that does not exceed an hourly equivalent noise level (Leq (1-hr)) of 50 dBA in occupied areas during any hour of operation.

Daly City 2030 General Plan

The Noise Element in the Daly City 2030 General Plan states that construction noise is regulated in Daly City through the environmental review process by the Engineering and Planning Divisions. Typically, construction activities are limited to the daytime hours between 8:00 a.m. and 5:00 p.m. and are prohibited on weekends and holidays. Additionally, the Noise Element sets forth a noise goal and policies related to noise control in the City. The City's noise goal is:

Promote a noise environment that reflects a balance of the various City objectives while providing an environment that maintains a healthy living environment; fosters relaxation and recreation; is conducive to the work environment; and provides pleasant living conditions.

The following policies are applicable to the proposed project:

Policy	Description
Policy NE-1	Use the future noise contour map to identify existing and potential noise impact areas.
Task NE-1.1	Use the existing and projected noise contours in conjunction with the State Office of Noise Control Guidelines (Guidelines) to identify areas where land use incompatibilities exist and to guide future noise sensitive development to appropriate and compatible locations.
Task NE-1.2	Use the existing and projected noise contours to identify existing noise impact areas that could benefit from noise insulation programs.

Policy NE-2	Use the State Office of Noise Control Guidelines as a guide to assess development that will need additional noise study and mitigations.
Task NE-2.1	Use the Noise Control Guidelines to assess the suitability of a site for new development in combination with the noise contours to accurately identify areas that may need additional noise study and mitigation. Noise mitigations include additional insulation, double glazing of windows and increasing building setbacks from the noise source. Mitigations should also be creative and attractive whenever possible and appropriate. Creative noise mitigation measures can include incorporation of fountains using water to mask freeway noise and noise walls of an appropriate scale painted with decorative murals.
Policy NE-3	Maintain a CNEL level of not more than 70 dBA Leq in residential areas.
Task NE-3.1	Continue to enforce the environmental noise requirements of the State Building Code (Title 24).
Task NE-3.2:	Encourage noise insulation programs in areas that do not meet the current noise standard and ensure that future development is mitigated appropriately or avoided in areas where the noise levels exceed or is projected to exceed 70 dBA Leq.
Policy NE-4	Maintain a noise level not in excess of 75 dBA CNEL in open space, parks, and tot lots, including outdoor activity areas such as outdoor entertainment or green space of multi-family projects.
Task NE-4.1	When feasible, situate new parks and tot-lots away from busy streets or other known noise sources.
Policy NE-5	Maintain the City's current standard of 75 dBA CNEL for office, commercial, and professional areas.
Task NE-5.1	Additional noise studies should be conducted in "Conditionally Acceptable" noise environments to ensure adequate mitigation features are employed. Usually conventional construction with closed windows and fresh air supply systems will maintain a healthy noise environment.
Policy NE-6	Require new development to perform additional acoustical studies in noise environments that are identified as 'Conditionally Acceptable' or 'Normally Unacceptable' to the Guidelines.
Task NE-6.1	Require acoustical studies for new development through the discretionary review and California Environmental Quality Act processes, while paying particular attention to borderline noise environments. Conditions and mitigations, as appropriate, should be attached to projects.
Task NE-6.2	As part of the development of the new Commercial Mixed-Use zone, identify and codify, where possible, noise attenuation measures to assure that noise impacts by more intensive development to adjacent residential uses are reduced.
Policy NE-7	Require proposed intensification of development and proposed new development in noise environments identified as "Clearly Unacceptable" in the Guidelines to reduce ambient interior noise levels to 45 dBA CNEL.
Task NE-7.1	Either discourage new development or mitigate the noise impacts to it in areas identified as "Clearly Unacceptable" in the Noise Compatibility Guidelines.
Policy NE-8	Discourage noise sensitive land uses from locating in areas of inappropriate or high noise levels.
Policy NE-9	Work to ensure that the expansion of or changes to existing land uses do not create additional noise impacts for sensitive receptors in the vicinity of the project from intensification or alteration of existing land uses by requiring applicants.
Task NE-9.1	Depending upon the hours of operation, intensity of use, and the location of sensitive receptors in the area, the expansion or change of use could cause noise impacts. Acoustical studies should be performed, at the applicant's expense, during the discretionary and environmental review processes and conditions should be placed on the project accordingly.
Policy NE-11	Require that all future land use actions and/or associated development conforms to the relevant height, aircraft noise, and safety policies and compatibility criteria contained in the most recently adopted version of the Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport.

Task NE-11.1	Route any proposed land use policy actions, including new specific plans, zoning ordinances, general plan amendments, and rezoning involving land development to the Airport Land Use Commission in compliance with the Airport Land Use Plan.
Task NE-11.3	Require all future development within the Airport Influence Area B boundary for San Francisco International Airport to conform to the relevant height/airspace protection, aircraft noise, and safety policies and land use compatibility criteria contained within the most recent adopted version of the comprehensive airport/land use compatibility plan (ALUCP) for the environs of San Francisco International Airport.
Task NE-11.4	Ensure that all future development in Daly City complies with all relevant FAA standards and criteria for safety, regarding flashing lights, reflective building material, land uses that may attract large concentrations of birds, HVAC exhaust vents, thermal plumes, and uses that may generate electrical/electronic interference with aircraft communications and/or instrumentation.

Daly City Municipal Code

Chapter 9.22 of the City’s Municipal Code discusses disturbing the peace. While noise level restrictions are not provided in the Municipal Code, the following sections establish qualitative noise disturbances and hours of sensitivity applicable to proposed project:

9.22.010 – Disturbing the peace prohibited. No person shall make in any place, nor allow to be made upon his premises, or premises within his control, any noise, disorder or tumult to the disturbance of the public peace.

9.22.030 – Noise. Between the hours of ten p.m. (10:00 p.m.) and six a.m. (6:00 a.m.) of the following day, no person shall cause, create or permit any noise, music, sound or other disturbance upon his property which may be heard by, or which noise disturbs or harasses, any other person beyond the confines of the property, quarters or apartment from which the noise, music, sound or disturbance emanates.

Additionally, Chapter 17.39 discusses wireless communication, which includes a noise regulation:

17.39.100 – Noise and traffic. Normal maintenance activities shall only occur between the hours of seven a.m. (7:00 a.m.) and five p.m. (5:00 p.m.) Monday through Saturday, excluding emergency repairs, unless the carrier requests and receives approval through a use permit or an administrative use permit for a different maintenance period. Backup generators shall only be operated during power outages or for testing and maintenance between the hours of seven a.m. (7:00 a.m.) and five p.m. (5:00 p.m.), Monday through Saturday.

Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport

The ALUCP adopted by the San Mateo County Airport Land Use Commission in November 2012 contains standards for projects within the vicinity of San Francisco International Airport. The project site is located within the AIA of the San Francisco International Airport, which requires notification of residents that airport operations may affect their property. Properties within the AIA may be subject to some of the annoyances or inconveniences associated with proximity to airport operations

(e.g., noise, vibration, and odors). The project site lies outside the 65 dBA CNEL contour for San Francisco International Airport and, therefore, would not be subject to excessive airport noise.

4.12.1.2 *Existing Conditions*

The project site is located southwest of the John Daly Boulevard/Park Plaza Drive intersection in the City of Daly City. The project site is currently developed with a building used for commercial retail. Other existing commercial retail uses are located to the south and west of the project site. Existing single- and multi-family residential land uses are located to the east, opposite Park Plaza Drive, and to the north, opposite John Daly Boulevard. There are also buildings affiliated with the Daly City Water & Wastewater facility and other commercial uses located to the north, opposite John Daly Boulevard.

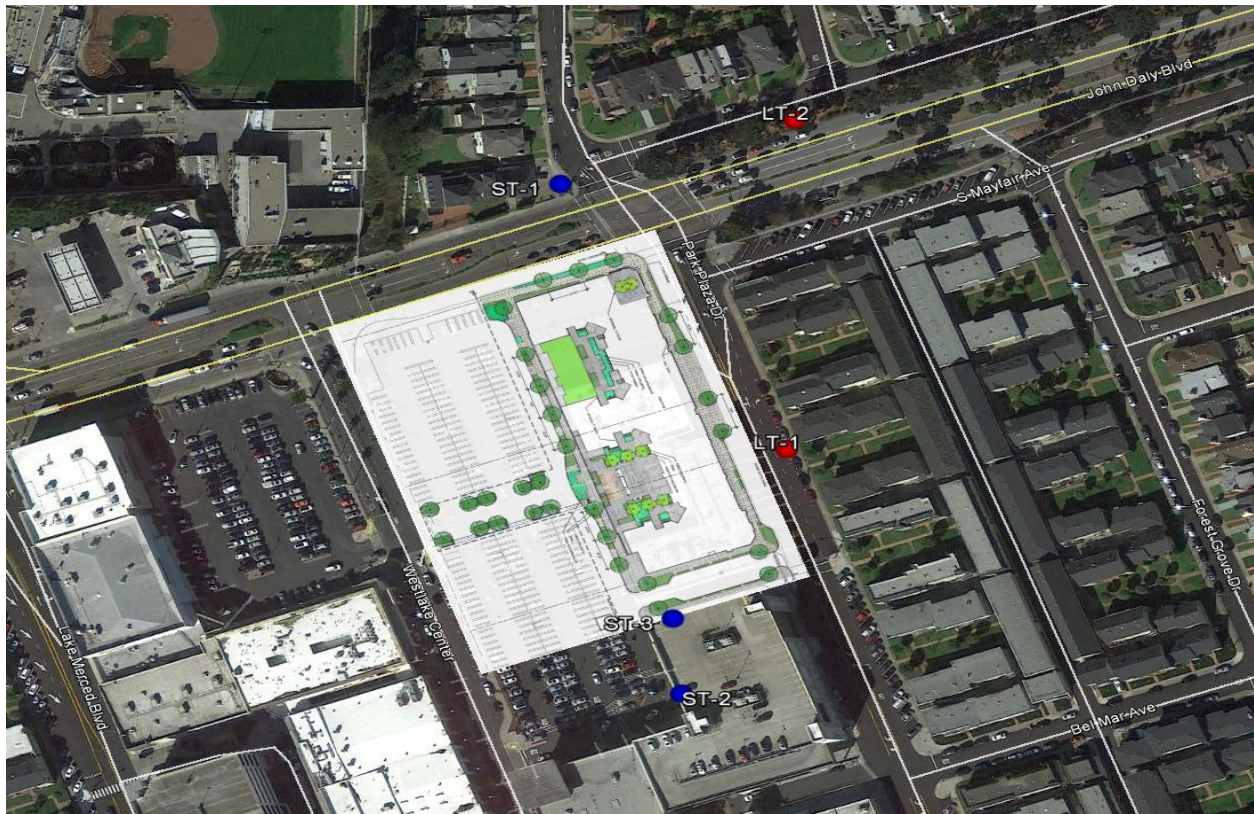
4.12.1.3 *Methodology*

A noise monitoring survey was performed at the site beginning on Tuesday, July 18, 2017 and concluding on Saturday, July 22, 2017. The monitoring survey included two long-term and three short-term noise measurements, as shown in Figure 4.12-1. The noise environment at the site and in the project vicinity is dominated by traffic noise along John Daly Boulevard. Local traffic along other surrounding roadways and occasional aircraft flyovers associated with San Francisco International Airport also contributes to the noise environment in the area.

Long-term noise measurement LT-1 was made from a utility pole along Park Plaza Drive, approximately 25 feet east of the centerline of the roadway. Hourly average noise levels at this location typically ranged from 62 to 69 dBA Leq during the day and from 56 to 67 dBA Leq at night. The average community noise equivalent level from Tuesday, July 18, 2017 through Saturday, July 22, 2017 ranged from 69 to 70 dBA CNEL.

Long-term noise measurement LT-2 was made from the tree line between John Daly Boulevard and North Mayfair Avenue. LT-2 was approximately 55 feet north of the centerline of John Daly Boulevard. Hourly average noise levels at this location typically ranged from 65 to 70 dBA Leq during the day and from 58 to 67 dBA Leq at night. The average community noise equivalent level from Tuesday, July 18, 2017 through Saturday, July 22, 2017 was 71 dBA CNEL.

FIGURE 4.12-1 Noise Measurement Locations



Source: Google Earth, 2017

Each of the short-term noise measurements were made on Tuesday July 18, 2017 in ten-minute intervals, starting at 12:20 p.m. and concluding at 1:40 p.m. Short-term noise measurement ST-1 was made in front of 1 Cliffside Drive, at the corner of John Daly Boulevard and North Mayfair Avenue. ST-2 and ST-3 were made from the roof of the parking garage located above the Ross Dress for Less store, which adjoins the project site to the south. Table 4.12-1 summarizes the results of the short-term noise measurements.

Table 4.12-1 Summary of Short-Term Noise Measurement Data							
Noise Measurement Location	Date, Time	L _{max}	L ₍₁₎	L ₍₁₀₎	L ₍₅₀₎	L ₍₉₀₎	L _{eq(10-min)}
ST-1: Front of 1 Cliffside Drive	7/18/2017, 12:20-12:30	84	78	74	67	58	70
ST-2: Rooftop of adjacent parking garage, western façade (5 feet above surface)	7/18/2017, 13:40-13:50	77	60	56	55	54	56
ST-2: Rooftop of adjacent parking garage, western façade (12 feet above surface)	7/18/2017, 13:50-14:00	71	69	60	58	57	60
ST-3: Rooftop of adjacent parking garage, northern façade (5 feet above surface)	7/18/2017, 13:20-13:30	66	63	58	56	55	57
ST-3: Rooftop of adjacent parking garage, northern façade (12 feet above surface)	7/18/2017, 13:30-13:40	68	62	59	58	57	58
^a CNEL was approximated by correlating to corresponding period at long-term site. Source – Illingworth & Rodkin, August 2017							

4.12.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project result in:					
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?	☐	☐	☒	☐	1,2,18
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	1,2,18
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1,2,18
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐	1,2,18

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project result in:					
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, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐	1,2,17,18
f) For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐	1,2,18

4.12.2.1 *Operational Noise Impacts from the Project*

Mechanical Equipment

The proposed project would include mechanical equipment, such as heating, ventilation, and air conditioning systems. Information regarding the number, type, and size of the mechanical equipment units to be used in the proposed project was not available at the time of this study. According to the site plan, maintenance and utility rooms would be located on the ground floor. Additionally, equipment locations were also identified in the corners of the underground parking levels. Adjacent to the interior hallway on each level, a typical exhaust shaft was indicated. While the site plan did not show the rooftop, it is assumed that the exhaust shaft outlets would be located on the rooftop, approximately 35 to 40 feet from the edges of the building nearest to the surrounding residential land uses. The equipment located underground and within the building structure would not be audible on the exterior of the building. However, rooftop equipment may affect the surrounding land uses.

Typical air conditioning units and heat pumps for hotels and apartment complexes are about 60 dBA Leq at a distance of 50 feet. Due to the height of the rooftop and the distance from the edge of the building at which the equipment would be located, the nearest residences to the east and to the north would be exposed to mechanical equipment noise below 50 dBA Leq. From the long-term noise measurements discussed above, the existing ambient noise levels at the residences to the east range from 62 to 69 dBA Leq during daytime hours and from 56 to 67 dBA Leq during nighttime hours, while the residences to the north have existing ambient noise levels ranging from 65 to 70 dBA Leq during daytime hours and from 58 to 67 dBA Leq during nighttime hours. Since the estimated mechanical equipment noise would be less than the existing ambient noise levels at the nearby residences, mechanical equipment noise from the proposed project is not expected to result in a significant impact at off-site receptors. **(Less than Significant Impact)**

Truck Loading and Unloading

Truck deliveries from the commercial land uses would have the potential to generate noise. Loading areas were identified on the ground level along Park Plaza Drive. According to the site plan (See

Figure 3.1-1), this area would also be used for trash pickup and as a moving zone for residents. There would also be a service area located adjacent to the parking garage entrance/exit. While specific delivery times were not specified in the City's Municipal Code, restricting deliveries to the hours between 6:00 a.m. and 10:00 p.m. would limit excess noise disturbance to nearby noise-sensitive receptors.

Based on the size of the commercial land uses, heavy trucks and smaller delivery and vendor trucks would potentially be used at the site. Heavy truck deliveries typically generate maximum instantaneous noise levels of 70 to 75 dBA Lmax at a distance of 50 feet. Smaller delivery trucks typically generate maximum noise levels of 60 to 65 dBA Lmax at the same distance. Low speed truck noise results from a combination of engine, exhaust, and tire noise, as well as the intermittent sounds of back-up alarms and releases of compressed air associated with truck/trailer air-brakes. The noise level of backup alarms can vary depending on the type and directivity of the sound, but maximum noise levels are typically in the range of 65 to 75 dBA Lmax at a distance of 50 feet. Noise generated by loading dock activities and slow moving trucks would drop off at a rate of about 6 dB per doubling of distance between the noise source and receptor.

The nearest sensitive receptors would be located east of the delivery zone, at a distance of approximately 90 feet from the entrance. Heavy trucks would generate maximum noise levels ranging from 65 to 70 dBA Lmax at the nearest receptor to the east, while smaller vendor trucks would generate noise levels ranging from 55 to 60 dBA Lmax at the nearest receptor to the east. From LT-1, the typical range of maximum noise levels at these residences would be between 73 and 80 dBA Lmax during daytime hours. Existing land uses on the project site include commercial truck deliveries, and the ambient levels measured at LT-1 include noise from existing truck deliveries. Since truck deliveries associated with the proposed project would not exceed ambient conditions, this would be a less-than-significant impact.

The nearest residence to the north would be approximately 240 feet from the entrance of the delivery and service area. At this distance and assuming partial shielding from the intervening building façade, heavy trucks and small vendor trucks would generate noise levels below 60 dBA Lmax. Considering these ambient noise levels include noise from existing truck deliveries, truck deliveries associated with the proposed project would not increase ambient noise levels. Further, due to elevated traffic noise levels from John Daly Boulevard, truck deliveries are not likely to be audible at these residences.

The proposed project is not expected to generate noise levels exceeding the existing ambient environment at the surrounding sensitive land uses. Therefore, the project would be in compliance with the City's noise disturbance prohibition. **(Less than Significant Impact)**

4.12.2.2 *Construction Noise Impacts*

Construction Noise in relation to Applicable City Local Limits

The City of Daly City does not specify noise limits for mechanical equipment, construction activities, or deliveries. However, the General Plan does suggest that construction activities are typically

allowed between 8:00 a.m. and 5:00 p.m. on weekdays and are prohibited on weekends and holidays. Additionally, the City's Municipal Code prohibits noise disturbances between 10:00 p.m. and 6:00 a.m. The proposed project would limit construction activity to daytime hours between 8:00 a.m. and 5:00 p.m., Monday through Friday. Under this limitation, the proposed project would be in compliance with the City's General Plan and Municipal Code. **(Less than Significant Impact)**

Construction Noise in relation to Ambient Noise Conditions

Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), or the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time.

Threshold for speech interference indoors is 45 dBA. Assuming a 15 dBA exterior-to-interior reduction for standard residential construction and a 25 dBA exterior-to-interior reduction for standard commercial construction, this would correlate to an exterior threshold of 60 dBA L_{eq} at residential land uses and 70 dBA L_{eq} at commercial land uses. Additionally, temporary construction would be annoying to surrounding land uses if the ambient noise environment increased by at least 5 dBA L_{eq} for an extended period of time. Therefore, the temporary construction noise impact would be considered significant if project construction activities exceeded 60 dBA L_{eq} at nearby residences or exceeded 70 dBA L_{eq} at nearby commercial land uses and exceeded the ambient noise environment by 5 dBA L_{eq} or more for a period longer than one year.

The nearest existing residences along John Daly Boulevard would be to the north of the project site. At these residences, existing ambient levels range from 65 to 70 dBA L_{eq} during daytime hours. The existing residences opposite Park Plaza Drive to the east would have existing ambient levels ranging from 62 to 69 dBA L_{eq} during daytime hours. The existing commercial buildings adjoining the project site to the south and to the north would have ambient daytime noise levels similar to the residences to the north.

The typical range of maximum instantaneous noise levels for the proposed project, based on the equipment list provided, would be 70 to 90 dBA L_{max} at a distance of 50 feet. Hourly average noise levels generated by construction are about 65 to 88 dBA L_{eq} for a residential development measured at a distance of 50 feet from the center of a busy construction site. Construction-generated noise levels drop off at a rate of about six (6) dBA per doubling of the distance between the source and receptor. Shielding by buildings or terrain often result in lower construction noise levels at distant receptors.

Construction for the proposed project is expected to start in mid-June 2018 and continue until mid-December 2020. Table 4.12-2 provides a detailed list of equipment expected to be used for the construction of the proposed project, by phase. The construction noise levels do not assume reductions due to intervening buildings.

The predicted construction noise levels in Table 4.12-4 indicate that project construction could potentially generate noise levels exceeding 60 dBA L_{eq} at the nearby residences, exceeding 70 dBA L_{eq} at the nearby commercial uses, and exceeding ambient noise levels by 5 dBA L_{eq} or more throughout construction. Since project construction is expected to last for a period of more than one year, this would be considered a potentially significant impact. **(Significant Impact)**

Table 4.12-2 Estimated Construction Noise Levels at Nearby Land Uses						
Phase	Phase Duration	Construction Equipment (Quantity)	Calculated Hourly Average L _{eq} at Noise-Sensitive Receptors, dBA			
			Residences-East	Residences-North	Commercial-South	Commercial-West
Demolition	6/15/2018-7/30/2018	Concrete/Industrial Saw (2) Excavator (1) Rubber-Tired Dozer (2) Tractor/Loader/Backhoe (1)	78 dBA L _{eq}	72 dBA L _{eq}	74 dBA L _{eq}	72 dBA L _{eq}
Site Preparation	7/25/2018-8/5/2018	Grader (1) Rubber-Tired Dozer (1) Tractor/Loader/Backhoe (1)	75-80 dBA L _{eq} ^a	69-74 dBA L _{eq} ^a	71-76 dBA L _{eq} ^a	69-74 dBA L _{eq} ^a
Grading/Excavation	8/5/2018-11/15/2018	Scraper (1) Excavator (1) Grader (1) Tractor/Loader/Backhoe (2)	77 dBA L _{eq}	71 dBA L _{eq}	73 dBA L _{eq}	71 dBA L _{eq}
Trenching	10/10/2018-11/5/2018	Tractor/Loader/Backhoe (2) Excavator (1)	72-78 dBA L _{eq} ^b	66-72 dBA L _{eq} ^b	68-74 dBA L _{eq} ^b	66-72 dBA L _{eq} ^b
Building – Exterior	11/20/2018-8/10/2019	Crane (1) Forklift (1) Generator Set (1) Welder (1)	70 dBA L _{eq}	64 dBA L _{eq}	66 dBA L _{eq}	64 dBA L _{eq}

Table 4.12-2
Estimated Construction Noise Levels at Nearby Land Uses

Phase	Phase Duration	Construction Equipment (Quantity)	Calculated Hourly Average L_{eq} at Noise-Sensitive Receptors, dBA			
			Residences-East	Residences-North	Commercial-South	Commercial-West
Building – Interior/ Architectural Coating	4/10/2019-12/15/2020	Air Compressor (1) Aerial Lift (1)	65-71 dBA L_{eq}^c	59-65 dBA L_{eq}^b	61-67 dBA L_{eq}^b	59-65 dBA L_{eq}^b
Paving	10/10/2019-11/5/2019	Paver (1) Paving Equipment (1) Roller (1)	74 dBA L_{eq}^d	68 dBA L_{eq}^d	70 dBA L_{eq}^d	68 dBA L_{eq}^d

Notes:

^a The range of construction noise levels represents the levels during the Site Preparation phase only and combined with the Demolition phase.

^b The range of construction noise levels represents the levels during the Trenching phase only and combined with the Grading/Excavation phase.

^c The range of construction noise levels represents the levels during the Building-Interior/Architectural Coating phase only and combined with the Building-Exterior phase.

^d The construction noise level represents the Paving phase only and combined with the Building-Interior/Architectural Coating phase.

Impact NOI 1: Construction activities in relation to ambient noise conditions over extended periods could result in potentially significant impacts. **(Significant Impact)**

MM NOI-1: Reasonable regulation of the hours of construction, as well as regulation of the arrival and operation of heavy equipment and the delivery of construction material, are necessary to protect the health and safety of persons, promote the general welfare of the community, and maintain the quality of life. For construction of the proposed project to be conducted in accordance with the provisions of the City's General Plan, temporary construction work shall be limited to daytime hours between 8:00 a.m. and 5:00 p.m., Monday through Friday. Construction is prohibited on weekends and all holidays. Additionally, the construction crew shall adhere to the following construction best management practices to reduce construction noise levels emanating from the site and minimize disruption and annoyance at existing noise-sensitive receptors in the project vicinity.

Construction Best Management Practices

Develop a construction noise control plan that would provide a minimum of five (5) dBA reduction, including, but not limited to, the following available controls:

- Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment. Temporary noise barrier fences would provide a five (5) dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines should be strictly prohibited.
- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and

noise-sensitive receptors nearest the project site during all project construction.

- Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- The contractor shall prepare a detailed construction schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

Implementation of the above measures would reduce construction noise levels emanating from the site by a minimum of five (5) dBA, limit construction hours, and minimize disruption and annoyance. With the implementation of these measures, and recognizing that noise generated by construction activities would occur over a temporary period, the temporary increase in ambient noise levels would be less-than-significant. **(Less than Significant with Mitigation)**

4.12.2.3 *Vibration Impacts*

The construction of the project may generate vibration when heavy equipment or impact tools (e.g. jackhammers, hoe rams) are used. Construction activities would include grading, foundation work, paving, and new building framing and finishing. According to the equipment list provided at the time of this study, pile driving, which can cause excessive vibration, is not expected for this project.

For structural damage, the California Department of Transportation recommends a vibration limit of 0.5 in/sec Peak Particle Velocity (PPV) for buildings structurally sound and designed to modern engineering standards, 0.3 in/sec PPV for buildings that are found to be structurally sound but where structural damage is a major concern, and a conservative limit of 0.08 in/sec PPV for ancient buildings or buildings that are documented to be structurally weakened. No known ancient buildings or buildings that are documented to be structurally weakened adjoin the project area. Therefore, conservatively, groundborne vibration levels exceeding 0.3 in/sec PPV would have the potential to result in a significant vibration impact.

Table 4.12-3 presents typical vibration levels that could be expected from construction equipment at a distance of 25 feet. Project construction activities, such as drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.), may generate substantial vibration in the immediate vicinity. Jackhammers typically generate vibration levels of 0.035 in/sec PPV, and drilling typically generates vibration

levels of 0.09 in/sec PPV at a distance of 25 feet. Vibration levels would vary depending on soil conditions, construction methods, and equipment used.

The nearest noise-sensitive receptors are located opposite Park Plaza Drive to the east, approximately 75 feet from the project's eastern boundary. At this distance, vibration levels would be up to 0.06 in/sec PPV. The noise-sensitive receptors to the north, opposite John Daly Boulevard, would be approximately 95 feet from the project's northern boundary. At this distance, vibration levels would be up to 0.05 in/sec PPV. Vibration levels at the nearest residential receptors would not exceed the 0.3 in/sec PPV threshold and would not be expected to cause any structural damage. The existing commercial building located approximately 45 feet to the south of the project site would be exposed to vibration levels up to 0.11 in/sec PPV. Construction of the proposed project would not generate vibration levels of 0.3 in/sec PPV or more at existing land uses surrounding the project site. **(Less than Significant Impact)**

Table 4.12-3 Vibration Source Levels for Construction Equipment			
Equipment		PPV at 25 ft. (in/sec)	Approximate L_v at 25 ft. (VdB)
Pile Driver (Impact)	upper range	1.158	112
	typical	0.644	104
Pile Driver (Sonic)	upper range	0.734	105
	typical	0.170	93
Clam shovel drop		0.202	94
Hydromill (slurry wall)	in soil	0.008	66
	in rock	0.017	75
Vibratory Roller		0.210	94
Hoe Ram		0.089	87
Large bulldozer		0.089	87
Caisson drilling		0.089	87
Loaded trucks		0.076	86
Jackhammer		0.035	79
Small bulldozer		0.003	58
Notes: PPV = Peak Particle Velocity, Source: Transit Noise and Vibration Impact Assessment, United States Department of Transportation, Office of Planning and Environment, Federal Transit Administration, May 2006.			

4.12.2.4 *Permanent Noise Level Increase*

A significant impact would occur if the permanent noise level increase due to project-generated traffic was 3 dBA CNEL or greater for future ambient noise levels exceeding 60 dBA CNEL or was 5 dBA CNEL or greater for future ambient noise levels at or below 60 dBA CNEL. Since the existing ambient noise environment measured at LT-1 and LT-2 resulted in noise levels over 60 dBA CNEL, the future noise levels are expected to be above 60 dBA CNEL. Therefore, a significant impact would occur if project-generated traffic increased levels by 3 dBA CNEL or more. For reference, a 3 dBA CNEL noise increase would be expected if the project would double existing traffic volumes along a roadway.

To determine the effect of the project-generated traffic on the nearby existing residences, the existing with project traffic volumes for the peak AM, peak PM, and peak weekend hours included in the traffic study (Refer to Appendix G) by Fehr & Peers was compared to the existing traffic volumes. Peak hour traffic volumes during both weekday (i.e., AM and PM) and on the weekend indicated a traffic noise increase of less than one (1) dBA CNEL (specifically, an increase of up to 0.3 dBA CNEL would occur along Bel Mar Avenue, east of Park Plaza Drive) at all roadway segments included in the study area. Since a three (3) dBA noise increase is the smallest noise increase that is perceivable by sensitive receptors, therefore, a 0.3 dBA increase would not be audible and not cause a substantial permanent noise increase at the surrounding noise-sensitive receptors. **(Less than Significant Impact)**

4.12.2.5 *Aircraft Noise*

San Francisco International Airport is a public-use airport located approximately 6.8 miles southeast of the project site. As discussed in *Section 4.12.1.1* above, the project site lies outside the 65 dBA CNEL 2020 noise contour of the airport. Therefore the site would not be subject to excessive airport noise. The project is not located within the vicinity of a private airstrip. **(Less Than Significant Impact)**

4.12.2.6 *Cumulative Noise Increase*

A significant impact would occur if the cumulative traffic noise level increase was three (3) dBA CNEL or greater for future levels exceeding 60 dBA CNEL or was five (5) dBA CNEL or greater for future levels at or below 60 dBA CNEL and if the project would make a “cumulatively considerable” contribution to the overall traffic noise increase. A “cumulatively considerable” contribution would be defined as an increase of one (1) dBA CNEL or more attributable solely to the proposed project.

Cumulative traffic noise level increases were calculated by comparing the future 2035 traffic volumes and the future 2035 with project volumes to existing traffic volumes. While future noise levels along various segments of the study area roadways are expected to increase by up to two (2) dBA CNEL, the same noise level increases were calculated under the future 2035 *no project* and the future 2035 *with project* conditions. Since the traffic noise level increase under both future 2035 scenarios is the same with and without the project given the project uses will not increase traffic levels associated with existing uses on the site, the proposed project would not make a cumulatively considerable contribution to increased noise levels. **(Less than Significant Impact)**

4.12.2.7 *Existing Noise Conditions Affecting the Project – Planning Considerations*

The California Supreme Court in a December 2015 opinion (*BIA v. BAAQMD*) confirmed CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project; nevertheless the City has policies that address exiting conditions (e.g. noise) affecting a proposed project, which are addressed below.

The following policies apply to the proposed project. Policy NE-3 of the City of Daly City 2030 General Plan requires that exterior noise environments at multi-family residential land uses be maintained at or below 70 dBA CNEL. Outdoor use areas associated with commercial uses should be maintained at or below 75 dBA CNEL according to Policy NE-5 of the City’s General Plan. The State of California and the City of Daly City require that interior noise levels within residential land

uses be maintained at or below 45 dBA CNEL, while the Cal Green Code requires that interior noise levels be maintained at or below 50 dBA Leq(1-hr) for commercial retail space during operational hours.

Based on the Noise Technical Report (see Appendix F), it is estimated that the proposed outdoor residential and commercial use area would be considered compatible with the noise level threshold of 70 dBA CNEL established in the City's General Plan. It is estimated that the interior residential noise levels would exceed the 45 dBA CNEL threshold for interior noise. The standard construction materials in combination with forced-air mechanical ventilation would satisfy the Cal Green Code threshold of 50 dBA Leq(1-hr) for non-residential land uses.

The proposed project would be required to incorporate noise-attenuation measures into the project's conditions of approval to ensure that residential interior noise levels are reduced to 45 dBA CNEL or less. It is recommended that the minimum Sound Transmission Class (STC)²¹ ratings as shown in figure 4.12-2 below should be met to meet the City's noise standard of 45 dBA CNEL. In addition, a suitable form of forced-air mechanical ventilation should be provided, as determined by the local building official, for the proposed residential mixed-use apartment building, so that windows can be kept closed at the occupants' discretion to control noise. Once final site plans, building elevations, and floor plans are available, a qualified acoustical consultant shall conduct an acoustic analysis to identify needed noise insulation features to maintain interior noise levels at or below 45 dBA CNEL. This report should be submitted to the City for approval prior to the issuance of building permits.

(Less than Significant Impact)

Figure 4.12-2: Preliminary Recommendations for STC Ratings for the Residential Units



²¹ The STC is a single-number rating that quantifies the airborne sound insulating performance of a partition under laboratory conditions. Increasing STC ratings correspond to improved airborne sound insulation.

4.12.3 Conclusion

Implementation of the proposed mitigation measures (MM NOI-1), General Plan policies, and Municipal Code, would reduce noise and vibration impacts to a less than significant level. **(Less than Significant With Mitigation)**

4.13 POPULATION AND HOUSING

4.13.1 Environmental Setting

4.13.1.1 *Regulatory Framework*

Daly City General Plan

Policies	Description
Policy HE-2.2	Encourage higher density residential development in areas where such development will not have adverse effects.
Policy LU-4	Provide regulatory incentives for developers to construct higher-density mixed-use development along Mission Street, Geneva Avenue, and any other locations with close proximity to public transit.

4.13.1.2 *Existing Conditions*

According to California Department of Finance 2017 Census data, Daly City's population for January 1, 2017 was 109,287 persons, including 33,087 households with an average of 3.4 persons per household.²²

The jobs/housing balance is the relationship between the number of housing units required as a result of local jobs and the number of residential units available in the City. This relationship is quantified by the jobs/employed resident ratio. When the ratio reaches 1.0, a balance is struck between the supply of local housing and local jobs. The jobs/employed resident ratio is determined by dividing the number of local jobs by the number of employed residents that can be housed in local housing. The jobs/employed residents' ratio for Daly City in 2010 was 0.41, which means that there were 0.41 jobs for every employed resident in the City.

4.13.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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)?	☐	☐	☒	☐	1,2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1,2
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1,2

²² State of California, Department of Finance. *E-5 Population and Housing Estimates for Cities, Counties, and the State—2011-2017, with 2010 Benchmark*. May 2017. Available at: <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-5/>

4.13.2.1 *Impacts to Population and Housing*

Implementation of the proposed project will create more housing by adding 179 multi-family housing units. This increase in housing would result in a net increase in local population by approximately 609 new residents.²³ The number of additional residents will be part of the planned growth in the General Plan, which accommodates an increase of approximately 2,157 new dwelling units. The project proposes a GPA to allow residential use on-site, however, would not generate more growth than what was assumed in the City's General Plan. The impact would be less than significant. **(Less Than Significant Impact)**

4.13.2.2 *People/Housing Displacement*

The project site is currently developed with commercial uses and does not contain housing or residential use, therefore, would not displace housing or people where it would necessitate the construction of replacement housing elsewhere. **(No Impact)**

4.13.3 Conclusion

Implementation of the proposed project would result in a less than significant impact on the City's population and housing supply. **(Less Than Significant Impact)**

²³ Based on the latest Department of Finance data, the average residents per household is 3.4. 3.4 residents per household x 179 net new units = 609 residents.

4.14 PUBLIC SERVICES AND RECREATION

4.14.1 Environmental Setting

4.14.1.1 *Regulatory Framework*

Quimby Act - Parks

The Quimby Act (California Government Code Sections 66475-66478) was approved by the California legislature to preserve open space and parkland in the State. This legislation was in response to California's increased rate of urbanization and the need to preserve open space and provide parks and recreation facilities for California's growing communities. The Quimby Act authorizes local governments to establish ordinances requiring developers of new subdivisions to dedicate parks, pay an in-lieu fee, or perform a combination of the two.

School Facilities

Government Code Section 65996California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Sections 65995-65998 sets forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation goes on to say that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

In accordance with California Government Code Section 65996, developers pay a school impact fee to the school district to offset the increased demands on school facilities caused by their proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Parkland Dedication

The City of Daly City Municipal Code currently has parkland dedication standards within Title 16 – Subdivisions. Section 16.30.040 of the Municipal Code has a standard for parks of three acres per 1,000 people. This requirement may be satisfied through either on-site park construction, land dedication, or an in-lieu fee equal to the land value plus ten percent towards costs of off-site improvements.²⁴

City of Daly City Capital Plan

In 2008, the City expanded its Capital Plan to cover a 20-year period. It was estimated that 2.8 million square feet of commercial space and 2,641 residential units would be added to the City, which is slightly more than projected with the Daly City 2030 General Plan. The study also projected the extent of capital improvements for public facilities which would be needed in the City over the same time period. The City identified the capital improvements which would be needed to provide City services to all areas over the next 20 years. The relationship between the additional projected commercial and residential development and the need for improvements in public facilities

²⁴ City of Daly City. *Municipal Code 16.30.050*. Accessed September 8, 2017.

were analyzed. The City formulated impact fees that are based on the extent to which any need for new public facilities is attributed to new development.

Daly City General Plan

The following policies are applicable to the proposed project:

Policies and Tasks	Description
Program RME-3	The preparation of a Parks and Recreation Analysis and Master Plan is proposed to address existing and future opportunities for parks and recreational services for the City. Envisioned as a ten-year plan, the Master Plan is to be a comprehensive document that will include a format for the planning, selection, dedication and funding of future park land in the City. A park system analysis would inventory existing park sites and outline future needs of the current park space. The proposed Master Plan will focus on the planning for new sites or expanding and/or improving existing sites. In addition, the Master Plan would allow priorities to be adopted and individual park site locations and development plans.
Task RME-11.1	Continue to collect AB 1600 impact fees for new development.
Policy RME-13	Require the dedication of parkland or the payment of an in-lieu fee in accordance with Subdivision Map Act.
Program RME-14	Prioritize the dispersal of park in-lieu fees collected from the development of new subdivisions to ensure that the fees are spent in the appropriate areas (see Program RME-3).
Policy SE-3.1	Support and maintain the City's Insurance Service Office (ISO) rating of a Class 2, which establishes the fire insurance rates for the City.
Policy SE-3.2	Provide for a seven (7) minute total reflex time for arrival of a first due company to 90 percent of all emergency incidents.
Policy SE-3.3	Provide for an eleven (11) minute total reflex time for arrival of multiple fire companies to 90 percent of all structure fires.
Policy SE-3.4	Maintain fire company reliability, whereby 90 percent of all incidents are handled by the district fire company.

4.14.1.2 Existing Conditions

Fire Service

The City of Daly City is served by the North County Fire Authority (NCFA), a Joint Powers Authority (JPA) which currently serves the communities of Brisbane, Daly City, and Pacifica. The NCFA responds to all fires, hazardous materials spills, and medical emergencies in the City. The closest station to the project site is Station No. 91, located at 151 Lake Merced Boulevard, approximately 0.4 miles northwest of the project site.

Police Protection Service

Police protection services for the project site are provided by the Daly City Police Department, which is headquartered at 333 90th Street, approximately 1.5 miles southeast of the project site. The Daly City Police Department employs 111 sworn and 43 non-sworn personnel.²⁵

²⁵ City of Daly City. *Daly City 2030 General Plan EIR*. 2012

Schools

The project site is located within the Jefferson Elementary Unified School District, and the Jefferson Union High School District. Students in the project area would attend Westlake Elementary School, approximately 0.3 miles northeast, and Benjamin Franklin Intermediate School, approximately 0.8 miles southwest of the project site. Students would attend one of the four high schools, Terra Nova High School, Oceana High School, Westmoor High School, or Jefferson High School, depending on the capacity of each facility. The closest high schools to the project site are Westmoor High School and Jefferson High School, located approximately two miles southwest and southeast from the project site, respectively.

Parks

The City currently has a number of public and private recreational open spaces. Public recreational open space consists of City parks and related facilities, and State and County parks. Private recreational open space consists of private golf and country clubs which limit access only to members.

Thirteen municipal parks and twelve tot lots are located in Daly City, resulting in a total of 82.95 acres of developed public recreational open space. The City has 27 recreational facilities dispersed throughout the various City neighborhoods to serve residents.²⁶

Westlake Park is the closest park to the project site, approximately 0.3 miles north of the project site. The nearest golf course to the project site is Lake Merced Golf Course, approximately one mile southeast of the project site.

4.14.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project					
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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?	☐	☐	☒	☐	1,2
- Police Protection?	☐	☐	☒	☐	1,2
- Schools?	☐	☐	☒	☐	1,2
- Parks?	☐	☐	☒	☐	1,2
- Other Public Facilities?	☐	☐	☒	☐	1,2

²⁶ Ibid.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
b) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☒	☐	1,2
c) 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?	☐	☐	☒	☐	1,2

4.14.2.1 **Impacts to Fire Protection Services**

The project is currently developed with 55,630 square feet of commercial building space, and proposes to redevelop the project site with 179 residential units and 34,074 square feet (a net decrease of 21,556 square feet) of new retail space. The project site is within the existing service area of the NCFA and the project would be constructed in accordance with current fire code requirements. In addition, the project would be reviewed by NCFA to ensure that the project would have adequate infrastructure for firefighting services and adequate security features. For these reasons, the project would not result in the need for new or expanded facilities. **(Less Than Significant Impact)**

4.14.2.2 **Impacts to Police Protection Services**

The project site is currently served by the Daly City Police Department. The proposed project would increase the total population of Daly City, resulting in an increase in the demand for police services. The project would be constructed in conformance with current codes and the project design would be reviewed by the Daly City Police Department to ensure that it incorporates appropriate safety features to minimize criminal activity. Therefore, the proposed development would not require the expansion or construction of additional police facilities. **(Less Than Significant Impact)**

4.14.2.3 **School Impacts**

According to historic enrollment rates for school districts in Daly City (2012), enrollment in Jefferson Elementary School District has remained stable, and enrollment in Jefferson Union High School District has slightly declined within the last decade.²⁷ According to the Developer Fee Justification Study for Jefferson Elementary School District published in 2014, the state-wide student generation factor which identifies the number of students per housing unit is 0.5 for grades K-8.²⁸ Therefore, using this rate, the proposed project would generate approximately 90 new students that would attend the Westlake Elementary and Benjamin Franklin Intermediate School.²⁹

²⁷ City of Daly City. *Daly City 2030 General Plan EIR*. 2012

²⁸ Jefferson Elementary School District. *Developer Fee Justification Study for Jefferson Elementary School District*. February 2014.

²⁹ 0.5 (State-wide student generation rate) x 179 (Total number of dwelling units) = 90 students.

The Jefferson Union High School District has a student yield factor of 0.2 high school students per housing unit.³⁰ Therefore, the proposed project would result in approximately 36 new students that would attend Terra Nova High School, Oceana High School, Westmoor High School, or Jefferson High School, depending on the capacity at each facility³¹. Under Section 65996 of the State Government Code, payment of school impact fees established by SB 50 is deemed to constitute full and complete mitigation for school impacts from development. The fees are assessed based upon the proposed square footage of the new or expanded development. The payment of school impact fees would allow the local school district to provide sufficient services for students generated by the project. Fulfillment of this requirement would mitigate the development of residential uses' impacts to school to a less than significant level. **(Less Than Significant Impact)**

4.14.2.4 *Park Impacts*

As stated above in *Section 4.14.4.2*, the City of Daly City is served by several parks and recreational facilities, including 13 municipal parks and 12 tot lots, resulting in a total of 82.95 acres of developed public recreational open space which equals approximately 0.82 acres per 1,000 residents. However, according to the General Plan EIR, this parkland to population ratio does not take into account the numerous regional park facilities accessible to residents.

In addition to Westlake Park and Lake Merced Golf Course near the project site, other recreational facilities in proximity to the project site include:

- Thornton Beach State Park, approximately 0.75 miles west of the project site, includes a panoramic overlook of the coastline and parking lot adjacent to the intersection of Highway 1 and John Daly Boulevard;
- Lake Merced, which is adjacent to the city limits, approximately two miles north of the project site, is a freshwater lake located in San Francisco but utilized by many Daly City residents due to its proximity. Lake Merced includes a circuit path all the way around as well as facilities such as picnic areas and barbeques; and
- Fort Funston/Golden Gate National Recreation Area, approximately two miles north of the project site, is also adjacent to the city limits, and includes multiple trails.
- San Bruno Mountain State and County Park HCP, located approximately 1.3 miles east of the project site, is a 2,063-acre park located in the Hillside Planning Area that includes multiple recreational facilities and trails.

The abundance of regional open space around Daly City indicates that residents have access to more open space than shown in the above ratio, although these facilities are trail-oriented, rather than active facilities (such as those that include playfields).

The proposed project would result in approximately 609 future residents, which would increase the demand for parks in the area. Section 16.30.400 of the Municipal Code has a standard for parks of three acres per 1,000 people. In order to meet this requirement, the project would be required to allot 1.7 acres of land as parkland or pay an in-lieu fee equal to the value of the land (plus 10 percent

³⁰ Jack Schreder & Associates, Inc. *Level I Developer Fee Study for Jefferson Union High School District*. October 5, 2016.

³¹ $0.2 \text{ (Jefferson Union High School District generation rate)} \times 179 \text{ (Total number of dwelling units)} = 36 \text{ students.}$

toward costs of off-site improvements) according to the Municipal Code parkland dedication standard. Since the project is an infill development with limited space available to provide publicly accessible parkland, the proposed project would be consistent with the City's General Plan by paying the City's park in-lieu fees to reduce impacts to a less than significant level.

The project proposes 11,560 square feet of common open space for future residents in the form of two courtyards on the second floor (first residential floor). The larger courtyard located at the southern half of the building would include seating areas with fire pits, a wood deck, and BBQ area. The smaller courtyard at the northern half of the building would include a seating area. A rooftop deck on the southern corner of the sixth floor would also include a seating area. In addition, the project would include residential amenity space totaling 11,226 square feet on the ground-level, second floor, and sixth floor of the building with amenities including meeting room, lounging and recreation area, fitness center, fire pits, a BBQ and other residential amenities. These on-site amenities would further offset the proposed project's impact on existing park facilities. **(Less Than Significant Impact)**

4.14.3 Conclusion

The project would result in a less than significant impact to public services and recreational facilities. **(Less Than Significant Impact)**

4.15 TRANSPORTATION/TRAFFIC

The following discussion is based upon a Transportation Impact Study prepared for the project by *Fehr & Peers* in March 2018. A copy of this report is included in Appendix G of this Initial Study.

4.15.1 Environmental Setting

4.15.1.1 *Regulatory Framework*

Metropolitan Transportation Commission

MTC is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including San Mateo County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. The most recent edition of the Regional Transportation Plan, known as Transportation 2035, was adopted in April 2009. Transportation 2035 directs funding for various projects in San Mateo County, including pavement maintenance for local streets; improvement programs for Caltrain, SamTrans, and BART; countywide shuttle service programs; and U.S. 101 operation improvements near State Route 92.

Congestion Management Program

The City/County Association of Governments of San Mateo County (C/CAG) is the designated Congestion Management Agency in San Mateo County. The Congestion Management Program (CMP) prioritizes the use of state and federal funding for roadway system improvements. The purpose of the CMP is to identify strategies to respond to future transportation needs, develop procedures to alleviate and control congestion, and promote countywide solutions. The CMP is required to be consistent with the MTC planning process that includes regional goals, policies, and projects for the Regional Transportation Improvement Program. The 2011 CMP, which is developed to be consistent with MTC's Transportation 2035 Plan, provides updated program information and performance monitoring results for the CMP roadway system. The CMP roadway system is comprised of 53 roadway segments and 16 intersections. The roadway network includes all of the State highways within the County.

The C/CAG CMP requires a transportation analysis to be prepared when a project would add 100 or more peak-hour trips to the roadway network. Projects that generate fewer than 100 trips in either peak-hour are presumed to have a less than significant impact on the level-of-service (LOS) at intersections that would carry project traffic. The C/CAG has defined Transportation Demand Management Strategies to provide mitigation methods to reduce the number of net new vehicle trips generated by new developments. These guidelines are intended to ensure the implementation of programs to reduce the number of peak hour vehicle trips generated by new developments.

San Mateo County Comprehensive Bicycle Route Plan

The San Mateo County Comprehensive Bicycle Route Plan was written by the C/CAG, the Bicycle and Pedestrian Advisory Committee, and individual cities and agencies. The intent of the plan is to provide a comprehensive bicycle network for San Mateo County and adjacent communities, to improve inter-city and regional travel for bicycles. The plan includes existing roadways within San Mateo County, including roadways in the Project area.

4.15.1.2 Existing Conditions

Roadway Network

Regional Access

Interstate 280 (I-280) is a major north-south freeway connecting San Francisco to San Jose along the San Francisco Peninsula. As part of the interchange at John Daly Boulevard, it merges with SR-1 in the southbound direction. SR-1 and I-280 run together in the northbound and southbound directions between approximately John Daly Boulevard and Colma Boulevard. I-280 is three lanes in each direction to the north of the interchange at John Daly Boulevard, and I-280/SR-1 has six lanes in each direction. It has a posted speed limit of 65 miles per hour (mph).

State Route 1 (SR-1) is a major north-south highway that extends from Mendocino County to Orange County along the Pacific Coast. SR-1 is also known as Junipero Serra Boulevard for a short segment to the north of the project site, and 19th Avenue farther north. It has a posted speed limit of 35 to 45 mph along these segments. As part of the interchange at John Daly Boulevard, it merges with I-280 and increases to a posted speed limit of 65 mph. SR-1 and I-280 run together in the northbound and southbound directions between approximately John Daly Boulevard and Colma Boulevard. SR-1 has three lanes in each direction to the north of the interchange, and I-280/SR-1 has six lanes in each direction.

Local Access

Lake Merced Boulevard is a major north-south arterial on the west side of the project site, which starts south of the project site and continues north through the Parkmerced neighborhood of San Francisco. Lake Merced Boulevard is one lane in each direction with a median turn lane south of John Daly Boulevard, with on-street parking on both sides of the street. The road has a posted speed limit of 30 mph. Daly City designates Lake Merced Boulevard as bike route 95.

Park Plaza Drive is a north-south local street on the east side of the project site that connects John Daly Boulevard on the north to South Park Plaza Drive on the south. Park Plaza Drive provides one lane in each direction, and a median turning lane in the study area. The posted speed limit is 25 mph and there is on-street parking on both sides of Park Plaza Drive.

Junipero Serra Boulevard is a major north-south arterial to the east of the project site. It is also known as SR-1 for a short segment to the north of the interchange with I-280 at John Daly Boulevard, and to the south of the interchange it runs parallel along the east side of I-280/SR-1. Junipero Serra Boulevard is median-separated and has three lanes to the north of John Daly Boulevard and two lanes in each direction to the south of John Daly Boulevard. The posted speed limit varies between 35 mph and 45 mph and there is on-street parking on the west side of Junipero Serra Boulevard, just south of John Daly Boulevard, near the project site.

John Daly Boulevard is a major east-west arterial on the north side of the project site. It connects Skyline Boulevard to the west with Mission Street to the east, and intersects with the Westlake Shopping Center access road. John Daly Boulevard is median-separated and has two lanes in each direction, with one or two additional turning lanes at many of the intersections near the project site. It has a posted speed limit of 35 mph and no on-street parking except for a small segment to the north-west of the project site that does not have a time limit.

Southgate Avenue is a local street that traces a semicircle around Daly City and runs east to west along the south side of the project site. It is median-separated next to Westlake Center with one lane in each direction, and has one lane plus a Class II bicycle lane in each direction without a median to the west of the project site. Southgate Avenue has a posted speed limit of 25 mph. There is on-street parking along one side of the road next to Westlake Center and parking on both sides to the west of Westlake Center. Daly City designates Southgate Avenue as bike route 75.

Bel Mar Avenue is an east-west local street that is on either side of Westlake Shopping Center. On the east side, it connects Park Plaza Drive to Forest Grove Drive. On the west side, it connects to Lake Merced Boulevard and dead-ends after Windsor Drive. Bel Mar Avenue has one lane in each direction with a speed limit of 25 mph, and there is free on-street parking along the road with no permit requirement or time limit.

Pedestrian and Bicycle Facilities

Pedestrian Facilities

Pedestrian facilities comprise sidewalks, off-street pathways, marked and enhanced crosswalks (at midblock and intersections), curb ramps, median refuges, and pedestrian-scale lighting (See Figure 4.15-1).

Curb ramps are provided throughout the project site; all curb ramps within Westlake Shopping Center are ADA-compliant.

Medians are present along John Daly Boulevard and Southgate Avenue and portions of Lake Merced Boulevard and Park Plaza Drive; however, due to their narrow width, most of these medians are not suitable for pedestrian refuge.

There are *sidewalks* along both sides of most streets in the project vicinity, with the following exceptions:

1. Lake Merced Boulevard, on the east side near Southgate Avenue, adjacent to the Westlake Shopping Center parking lot
2. Westlake Center access road, on the west side near Southgate Avenue, adjacent to the parking lot

The majority of *crosswalks* around the project site are striped at intersections. There are two midblock crosswalks with pedestrian-actuated warning signs: one across Park Plaza Drive between John Daly Boulevard and Bel Mar Avenue and one across Lake Merced Boulevard between John Daly Boulevard and Bel Mar Avenue. The following crosswalks at unsignalized intersections are unmarked³²:

1. Along the sidewalk on the south side of John Daly Boulevard at Crestwood Drive
2. Across Bel Mar Avenue at the intersection with Park Plaza Drive
3. Across Bel Mar Avenue at the intersections with Lake Merced Boulevard
4. Across the driveway into Westlake Shopping Center near the intersection of Lake Merced Boulevard and Bel Mar Avenue
5. Across Palmcrest Drive at the intersection with Southgate Avenue

³² Unmarked crossings have curb ramps but no lines designating the pedestrian crossing area.

Bicycle Facilities

The 2013 Daly City Bicycle and Pedestrian Master Plan designates a Class I bicycle facility along John Daly Boulevard between Ashland Drive (west of the study area) and Sheffield Drive (See Figure 4.15-2). For most of that length, the facility is an 8-foot wide landscaped path that is set back from the street and acts as both the sidewalk and a bicycle route.

Lake Merced Boulevard has a Class II bicycle facility to the north of John Daly Boulevard that is approximately 6 feet wide, and Southgate Avenue has a Class II bicycle facility to the west of Lake Merced Boulevard that is approximately 5 feet wide and is adjacent to parked vehicles. Westlake Avenue is signed for Class III bicycle route. The Bicycle and Pedestrian Master Plan proposes Class III bicycle facilities on both Lake Merced Boulevard and Southgate Avenue adjacent to the project site. Other proposed Class III facilities within the transportation study area include sections of Park Plaza Drive, John Daly Boulevard, Junipero Serra Boulevard, and Mission Street.

Transit Service

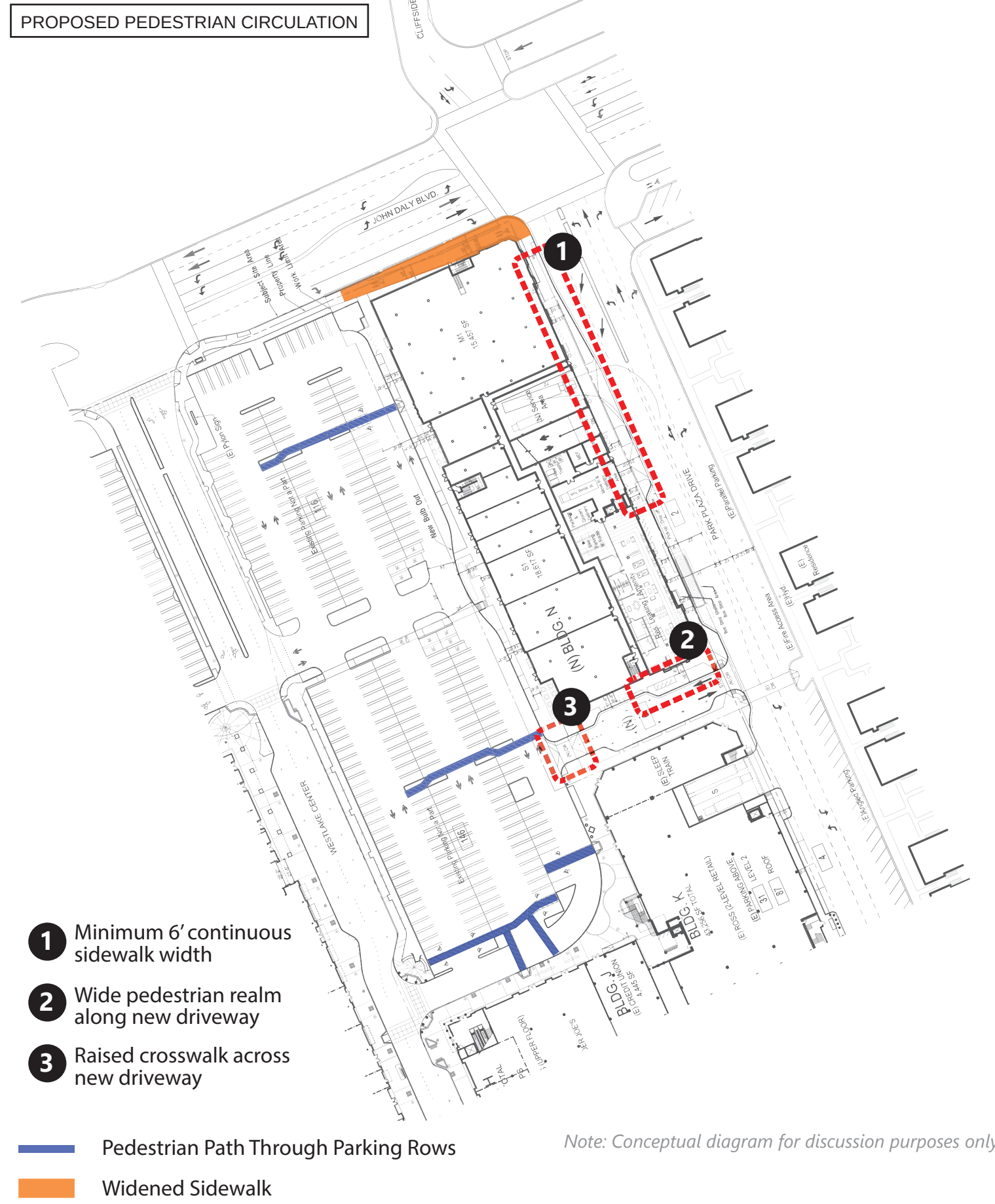
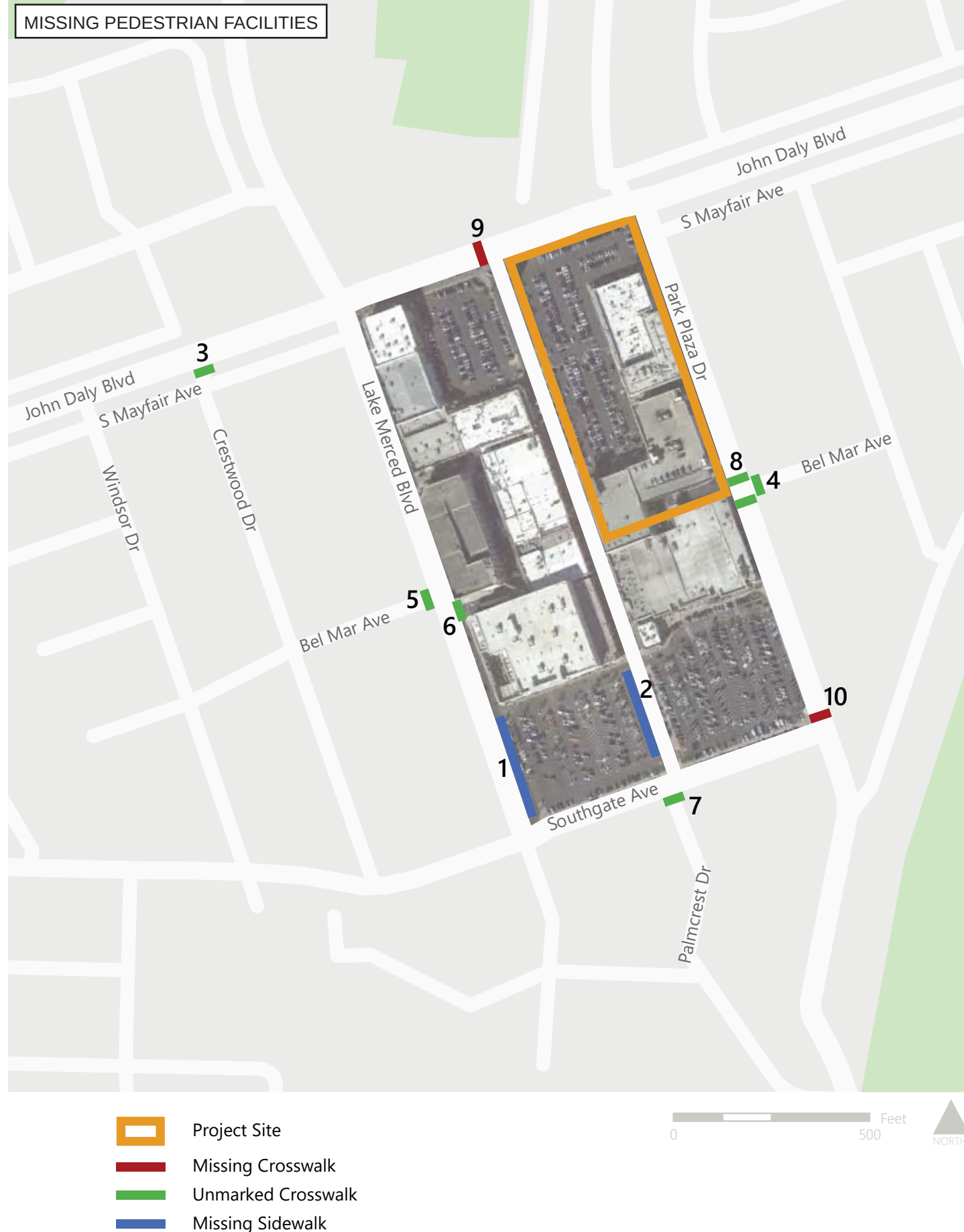
A wide variety of public transit services are available at or near the project site (Figure 4.15-3). This section discusses local transit service via SamTrans routes within a quarter mile of the project site and regional transit access via the Daly City BART station. There are several SamTrans and Muni lines available at the Daly City BART station that are not described in detail since they are more than a quarter mile from the project site.

Daly City Bay Area Rapid Transit (BART)

The Daly City BART station is approximately one mile from the project site and is served by four BART lines. Trains leave the station every five minutes or less in the northbound direction for most of the weekdays, and every 10 minutes or less in the southbound direction towards Millbrae or the San Francisco International Airport at those times. On weekday evenings and weekends, trains leave the station every 5-12 minutes in the northbound direction and every 20 minutes in the southbound direction towards the airport. The Daly City BART station is accessible via transit connections provided by the SamTrans route 120 or the sidewalk on the south side of John Daly Boulevard that crosses over SR-1/I-280. Pedestrians would use a pedestrian underpass east of Junipero Serra Boulevard to cross John Daly Boulevard and access the BART station. The shared-use bicycle/pedestrian path along John Daly Boulevard to the east of the project site switches to a sidewalk at Sheffield Drive, and there are no bicycle facilities between Sheffield Drive and the BART station.

SamTrans

SamTrans route 120 is a frequent circulator service around Daly City and a primary transit connection between the project site and BART. During the weekdays, there are buses every 10-20 minutes in each direction, and every 15-30 minutes most evenings and weekends. SamTrans route 110 has a terminus at Daly City BART and goes south to Pacifica. During the weekdays, there are buses in each direction approximately every 30 minutes, and every 60-90 minutes on the evenings and weekends. SamTrans route 122 is a north-south route that travels from the Stonestown Shopping Center in San Francisco to the South San Francisco BART station, with additional stops in San Bruno. There are buses in each direction every 15-30 minutes on weekdays and every 30 minutes on weekends.



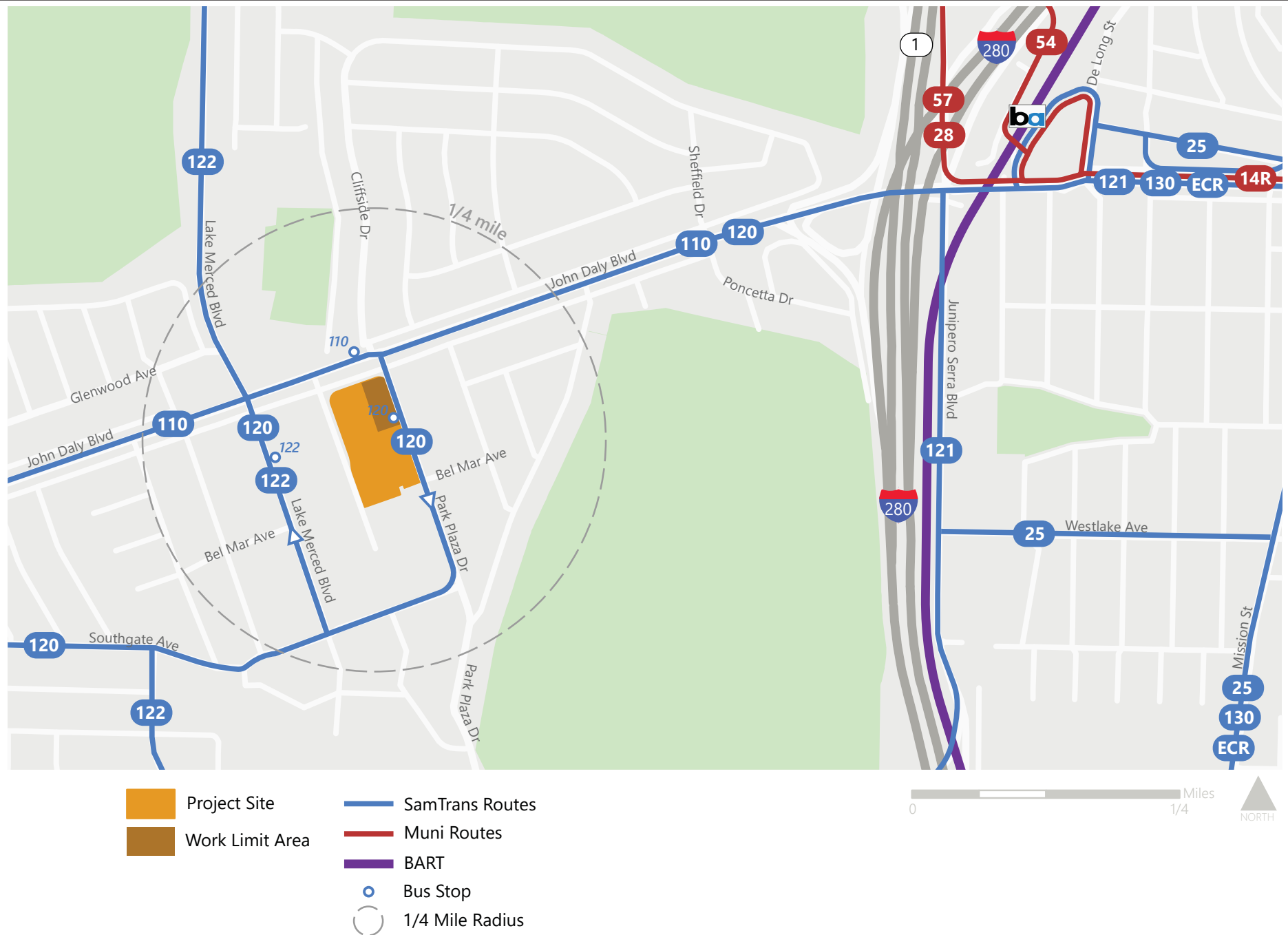
MISSING AND PROPOSED PEDESTRIAN CIRCULATION

FIGURE 4.15-1



EXISTING AND PLANNED BICYCLE FACILITIES

FIGURE 4.15-2



EXISTING TRANSIT ROUTES AND NEAREST STOPS

FIGURE 4.15-3

Loading

There is one existing off-street commercial loading dock, capable of accommodating multiple trucks, within the project site. It is located on the west side of Park Plaza Drive near the intersection of Park Plaza Drive and Bel Mar Avenue (see Figure 4.15-4). Commercial loading activities for the existing retail and medical/dental office uses occur in this loading dock in the adjacent building or within Park Plaza Drive along the building frontages.

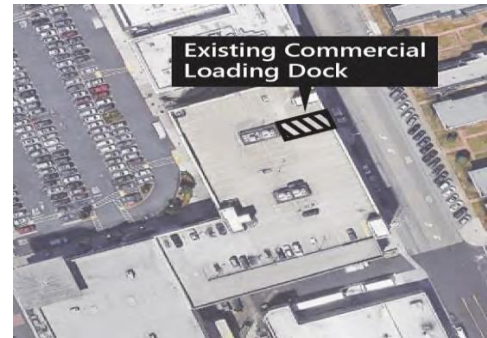


Figure 4.15-4: Existing Commercial Loading Dock Location

4.15.1.3 Methodology

Level of Service

Traffic conditions were evaluated using level of service (LOS). LOS is a qualitative description of operating conditions ranging from LOS A (free-flow conditions with little or no delay) to LOS F (jammed conditions with excessive delays). The City of Daly City has established LOS D as its acceptable level of service for normal weekday commute conditions. Intersections operating at LOS E or F are considered to be operating at unacceptable levels. The City's General Plan has established that if the addition of project traffic degrades an intersection LOS to below LOS D during weekday morning and evening peak traffic periods, the project would have a significant impact on traffic. For intersections operating at LOS E or F, an increase in delay is considered a significant impact. The City does not have a minimum LOS requirement for weekend traffic conditions, however given the project is located on a shopping center site, the traffic analysis includes weekend conditions for informational purposes since the shopping center itself generates substantial traffic on weekends. . The analysis methods for signalized and unsignalized intersections are described below.

Signalized Intersections

The signalized intersections have been analyzed according to the methodologies contained in the 2000 edition of the *Highway Capacity Manual (HCM)*. This method evaluates signalized intersection operations on the basis of average control vehicular delay, using the method described in Chapter 16 of the 2000 HCM.³³ The correlation between the levels of service and average control delay for signalized intersections is shown in Table 4.16-1 below.

³³ The most recent version of the HCM was published in 2010, but per Daly City standards this analysis uses the 2000 HCM.

Table 4.15-1 Signalized Intersection Level of Service Standards		
Level of Service	Description	Average Control Delay Per Vehicle (seconds)
A	Signal progression is extremely favorable. Most vehicles arrive during the green phase and do not stop at all. Short cycle lengths may also contribute to the very low vehicle delay	10.0 or less
B	Operations characterized by good signal progression and/or short cycle lengths. More vehicles stop compared to LOS A, causing high levels of average vehicle delay.	10.1 to 20.0
C	Higher delays may result from fair signal progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant, though may still pass through the intersection without stopping.	20.1 to 35.0
D	The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable signal progression, long cycle lengths, or high volume-to-capacity (V/C) ratios. Many vehicles stop and individual cycle failures are noticeable.	35.1 to 55.0
E	This is considered to be the limit of acceptable delay. These high delay values generally indicate poor signal progression, long cycle lengths, and high V/C ratios. Individual cycle failures occur frequently.	55.1 to 80.0
F	This level of delay is considered unacceptable by most drivers. This condition often occurs with oversaturation, that is, when arrival flow rates exceed the capacity of the intersection. Poor progression and long cycle lengths may also be major contributing causes of such delay levels	Greater than 80.0
Source: Highway Capacity Manual (Transportation Research Board, 2000).		

Unsignalized Intersection

According to Daly City's General Plan, the minimum acceptable standard for unsignalized intersection operations is LOS D. Operations of the unsignalized intersections were evaluated using the method contained in Chapter 17 of the 2000 HCM. The correlation between the levels of service and average control delay for unsignalized intersections is provided in Table 4.15-2.

Table 4.15-2 Unsignalized Intersection Level of Service Standards		
Level of Service	Description	Average Control Delay Per Vehicle (seconds)
A	Little or no traffic delay	10.0 or less
B	Short traffic delays	10.1 to 15.0
C	Average traffic delays	15.1 to 25.0
D	Long traffic delays	25.1 to 35.0
E	Very long traffic delays	35.1 to 50.0
F	Extreme traffic delays with intersection capacity exceeded	Greater than 50.0
Source: Highway Capacity Manual (Transportation Research Board, 2000).		

Off-Ramp Queues

Vehicle queues at freeway exit ramps were evaluated to ensure that the proposed project would not cause queues to spill back onto the freeway mainline and create hazards due to speed differentials between mainline travel lanes. The 95th percentile queue length at each freeway exit ramp was compared to the queue storage length at that ramp to address the significance criteria described below in *Section 4.15.2*.

Vehicle Miles Traveled

In response to Senate Bill 743 (SB 743), the Office of Planning and Research (OPR) is updating CEQA guidelines to include new transportation-related evaluation metrics. Specifically, SB 743 directs OPR to revise the CEQA guidelines to transition from LOS to Vehicle Miles Traveled (VMT) as the primary metric of transportation impacts. Draft guidelines were developed in August 2014, and updated in August 2015 and January 2016. Public comments received on these drafts are being incorporated into the final guidelines, which have not been released as of the completion date of this document. At the time this assessment was completed, the City of Daly City had not defined a methodology for assessing VMT nor revised its policies to require the use of VMT as its primary transportation analysis methodology. Therefore, a VMT analysis is not included in this TIS.

Study Intersections

The traffic analysis evaluated the impacts of the proposed project at the nine signalized intersections and five unsignalized intersection during the weekday AM and PM peak hour and weekend midday peak hour periods of traffic. The AM peak hour is between 7:00 AM and 9:00 AM and the PM peak hour period is between 4:00 PM and 6:00 PM. The weekend midday peak period is between 11:00 AM and 2:00 PM. For this proposed project, estimates for peak weekend midday conditions were also prepared since shopping center traffic volumes are generally highest on weekends. The study intersections are listed below and shown in Figure 4.15-5. Study intersections are signalized except for those noted with an asterisk (*).

Signalized Intersections

1. Lake Merced Boulevard/John Daly Boulevard
2. Westlake Center/John Daly Boulevard
3. Park Plaza Drive/Cliffside Drive/John Daly Boulevard
4. Poncetta Drive/Sheffield Drive/John Daly Boulevard
5. I-280 SB on-ramp / SR-1 SB Off-Ramp/John Daly Boulevard
6. Junipero Serra Boulevard/John Daly Boulevard
7. John Daly Boulevard/Niantic Avenue (weekday only)
8. John Daly Boulevard/De Long Street (weekday only)
9. Lake Merced Boulevard/Bel Mar Avenue/Garage Driveway*
10. Lake Merced Boulevard/Southgate Avenue*
11. Palmcrest Drive/Westlake Center/Southgate Avenue*
12. Park Plaza Drive/Southgate Avenue
13. Park Plaza Drive/Garage Driveway/Bel Mar Avenue*
14. Park Plaza Drive/Project Driveway* (Plus Project only)

Traffic count data, consisting of vehicle turning movement volumes, were collected at the above intersections on Thursday, March 2, 2017, and Saturday, March 4, 2017.



STUDY INTERSECTIONS AND QUEUE LOCATIONS

FIGURE 4.15-5

Freeways

In addition to the study intersections, the traffic study included an assessment of whether the Project would worsen queues at nearby freeway off-ramps such that they would exceed the ramp storage capacity. The study freeway off-ramps included those connecting to Junipero Serra Boulevard from southbound Interstate 280 (I-280) and northbound California State Route 1 (SR-1) (See Figure 4.15-5).

Traffic Scenarios Analyzed

Traffic conditions at study intersections were evaluated for Existing (2017) and Cumulative (2035) scenarios, both without and with the proposed project. Peak hour intersection operations were evaluated for the following scenarios:

- Existing – Based on traffic counts collected in 2017.
- Existing Plus Project – Existing traffic counts, with traffic generated by the proposed project.
- Cumulative – Future year 2035 traffic, reflecting reasonably foreseeable developments in the vicinity of the project site.
- Cumulative Plus Project – Cumulative conditions with traffic generated by the proposed project.

4.15.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
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?	☐	☒	☐	☐	1,2,12
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?	☐	☐	☒	☐	1,12
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	1,12
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☒	☐	1,12

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
e) Result in inadequate emergency access?	☐	☐	☒	☐	1,12
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?	☐	☐	☒	☐	1,2,12

4.15.2.1 *Project Trip Generation Estimates*

The amount of traffic produced by a new development and the locations where that traffic would appear are estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. In determining project trip generation, traffic entering and exiting the site is estimated for the AM and PM peak hours. As part of the project trip distribution, an estimate is made of the directions to and from which the project trips would travel. In the project trip assignment, the project trips are assigned to specific roadway segments and intersection turning movements. These procedures are described further in the following sections.

Trip Generation

Fehr & Peers analyzed the existing and proposed project external (i.e. off-site) vehicle trip generation associated with the proposed project and determined the proposed project would generate fewer external vehicle trips than the existing land use program during the weekday study periods, meaning trips associated with existing shopping center uses are currently higher than trips expected from the proposed mixed-use development during weekday periods. The proposed project would generate 17 net new external vehicle trips during the Saturday midday peak hour. Given the complimentary mix of uses on the site and throughout the shopping center and the availability of transit in the vicinity, many trips would either occur within the shopping center and not on surrounding roadways or would utilize transit. The project trip generation estimates are shown in Table 4.15-3.

Table 4.15-3
External Vehicle Trip Generation By Land Use

	ITE Code	Existing				Proposed				Delta			
		Daily ¹	AM	PM	Sat Midday	Daily	AM	PM	Sat Midday	Daily	AM	PM	Sat Midday
Total ITE Trip Generation		10,413	267	933	1,288	10,455	265	933	1,323	42	-2	0	35
MXD+ Trip Reduction % ²		10%	17%	17%	17%	11%	20%	19%	18%				
Land Use													
Medical-Dental Office Building	720	732	50	70	38	0	0	0	0	-732	-50	-70	-38
Supermarket	850	2,093	40	151	245	2,093	40	151	245	0	0	0	0
Shopping Center	820	6,240	132	510	743	6,370	135	519	757	130	3	9	14
Walk-in Bank	911	291	0	45	45	291	0	45	45	0	0	0	0
Mid-Rise Apartment	223	0	0	0	0	579	39	45	41	579	39	45	41
Total		9,356	222	776	1,071	9,333	213	760	1,088	-23	-9	-16	17

Source: Kimco Realty, 2017; Institute of Transportation Engineers, 2012; Fehr & Peers, 2018.

Notes:

1. “Daily” = weekday 24-hour total trips; “AM” = weekday AM peak hour of adjacent traffic; “PM” = weekday PM peak hour of adjacent traffic; “Sat Midday” = Saturday midday peak hour of adjacent traffic.

2. The MXD+ trip reduction percentages given here represent the combined effect of three ways by which external vehicle trips can be reduced:

- Internal capture (the colocation of distinct land uses in a mixed-use development enables multiple activities to occur within the project site);
- Shift to transit;
- Shift to biking/walking.

The MXD+ trip reduction percentages listed for the Proposed scenario reflect the total effective external vehicle trip reduction for each time period. MXD+ calculated higher trip reduction rates for the Proposed scenario (17%, 29%, 36%, and 32% in the daily, AM, PM, and Saturday midday periods, respectively), but these higher rates were applied only to “new” trips, i.e. trips generated by new land uses.

Freight Loading Demand

City of Daly City does not have data about loading trip generation. San Francisco's Transportation Impact Analysis (TIA) Guidelines were found to be the most local and appropriate resource for this project. According to the San Francisco TIA Guidelines, retail land uses generate approximately 0.22 daily truck trips per thousand square feet. Therefore, the 34,074 square feet of retail proposed for the new building would generate approximately 7.5 truck trips per day at the proposed new retail loading driveway. At 0.03 daily truck trips per thousand square feet, the proposed project's residential component would generate approximately 4.3 truck trips per day. Existing daily truck trips to the site are estimated to be about 12 trips/day, roughly same as proposed.

Trip Distribution and Assignment

The trip distribution estimates for this analysis are based on outputs from the City of Daly City's travel demand model. The Daly City traffic model includes only weekday AM and PM periods. For this reason, weekend midday peak hour trip distribution and assignment were assumed to be identical to the weekday PM peak hour. Most notably, the retail uses at the project site are not generally operating during the weekday AM peak hour. While in many instances, project trips would be negative or a minor increase over the current site trips, the directionality of the trips would be different in that proposed residential trips on the project site would largely be traveling in the opposite direction in the AM and PM peak hour compared to an existing commercial trip, with most residential trips outbound in the AM and inbound in the PM as future residents return home at the end of the day.

The net new project turning movement volumes are the difference between turning movements from trips associated with existing land uses at the project Site and turning movements from trips associated with proposed land uses at the project Site. Because the proposed project would remove a substantial amount of medical-dental office land area, in many instances, the net new project turning movement volumes are negative (See Figures 9 and 10 of Appendix G). **(Less Than Significant Impact)**

4.15.2.2 *Existing Plus Project Conditions*

Existing Plus Project Intersection Levels of Service

The project trips, as represented in the project trip assignment discussed above, were added to existing traffic volumes to obtain existing plus project traffic volumes. Intersection levels of service were evaluated against City of Daly City LOS standards. The results of the intersection LOS analysis under existing plus project conditions are summarized in Table 4.15-4 below.

Table 4.15-4 Existing Plus Project Conditions Intersection Level of Service							
Study Intersection		Control ¹	Peak Hour ²	Existing		Existing Plus Project	
				Delay ³	LOS	Delay ³	LOS
1	Lake Merced Boulevard/John Daly Boulevard	Signal	AM PM Weekend	27 31 34	C C C	27 31 34	C C C
2	Westlake Center/John Daly Boulevard	Signal	AM PM Weekend	11 20 20	B B B	11 20 19	B B B
3	Park Plaza Drive/Cliffside Drive/John Daly Boulevard	Signal	AM PM Weekend	25 27 28	C C C	25 28 28	C C C
4	Poncetta Drive/Sheffield Drive/John Daly Boulevard	Signal	AM PM Weekend	20 20 25	B C C	20 20 25	B C C
5	I-280 SB on-ramp / SR-1 SB Off-Ramp/John Daly Boulevard	Signal	AM PM Weekend	13 13 10	B B A	13 13 10	B B A
6	Junipero Serra Boulevard/John Daly Boulevard	Signal	AM PM Weekend	75 (1.01) >80 (1.06) 67 (0.97)	E F E	75 (1.01) >80 (1.06) 68 (0.97)	E F E
7	John Daly Boulevard/Niantic Avenue	Signal	AM PM Weekend	<10 <10 --	A A --	<10 <10 --	A A --
8	John Daly Boulevard/De Long Street	Signal	AM PM Weekend	42 31 --	D C --	42 31 --	D C --
9	Lake Merced Boulevard/Bel Mar Avenue/Garage Driveway	SSSC	AM PM Weekend	<10 (16) <10 (18) <10 (38)	A (C) A (C) A (E)	<10 (17) <10 (18) <10 (39)	A (C) A (C) A (E)
10	Lake Merced Boulevard/Southgate Avenue	AWSC	AM PM Weekend	14 17 22	B C C	14 17 22	B C C
11	Palmcrest Drive/Westlake Center/Southgate Avenue	AWSC	AM PM Weekend	10 15 19	B B C	10 14 19	B B C
12	Park Plaza Drive/Southgate Avenue	Signal	AM PM Weekend	12 13 13	B B B	12 13 13	B B B
13	Park Plaza Drive/Garage Driveway/Bel Mar Avenue	SSSC	AM PM Weekend	<10 (13) <10 (16) <10 (17)	A (B) A (C) A (C)	<10 (14) <10 (17) <10 (18)	A (B) A (C) A (C)
14	Park Plaza Drive/Project Driveway	SSSC	AM PM Weekend	--	--	<10 (10) <10 (10) <10 (11)	A (A) A (B) A (B)
Notes: 1. AWSC = all way stop control, SSSC = side street stop control, Signal = signalized 2. AM = weekday morning peak hour, PM = weekday evening peak hour, Weekend = weekend midday peak hour 3. LOS = Level of Service. LOS calculations conducted using the Synchro level of service analysis software package, which applies the method described in the <i>2000 Highway Capacity Manual</i> . For side-street stop-controlled intersections, delays for							

worst approach and average intersection delay are shown: intersection average (worst approach). For signalized intersections operating at unacceptable LOS (LOS E or F), the volume/capacity (V/C) ratio is shown in parentheses.

Source: Fehr & Peers, March 2018.

The addition of project traffic would increase average delay slightly at some study intersections, but would decrease it at others because the proposed project is projected to decrease total volumes at some study intersections. The proposed project would not appreciably change operations from the existing condition. There is one intersection, Junipero Serra Boulevard/John Daly Boulevard (#6), that currently operates at LOS E during weekday peak hours (weekday AM) or F (weekday PM); however, the addition of project traffic would not appreciably increase delay at this intersection during the weekday peak hours in that the delay and volume-to-capacity values in Table 4.15-4 above remain unchanged with project traffic. While there is a very minor increase in weekend midday delay (67 seconds average delay increases to 68 seconds), the City's LOS D standard does not apply to weekend conditions as a threshold of significance for determining impacts under CEQA. The proposed project's trip generation is low or net negative in the peak analysis periods, and the project generated trips would result in decreases or very minor increases (less than 10 vehicles) in vehicle turning volumes at the Junipero Serra/John Daly Blvd. intersection.

The Daly City General Plan EIR (2013) disclosed that this intersection operates at LOS E under current conditions and that the buildout of the General Plan would substantially increase delay at this intersection to LOS F. According to the General Plan EIR, the mitigation necessary to restore intersection LOS to D includes widening and restriping the southbound direction to provide one left turn lane, one through lane, and two right turn lanes, and widening and restriping the eastbound direction to provide two left turn lanes, one left/through share lane, one through lane, and two right turn lanes. The mitigations necessary would require widening of the I-280 overcrossing. These mitigation measures are for all practical purposes incapable of being accomplished, given economic, environmental, and legal factors. The widening of the overcrossing would be prohibitively costly given the expense associated and the disruption to the community.

In adopting the new General Plan in 2013, the City Council found conditions with respect to the expected increase in vehicular delay at this location would be significant and unavoidable throughout the timeframe of implementing the General Plan because there are no feasible physical improvements that would improve the operations at this intersection to LOS D or better (under Caltrans jurisdiction), and adopted a statement of overriding considerations. Therefore, the proposed project would not result in any new impacts, nor a substantial increase in the severity of previously identified impacts, with respect to the impact previously disclosed in the General Plan EIR. Therefore, the proposed project's impact to traffic operations is considered less-than-significant.

The Lake Merced Boulevard/Bel Mar Avenue/Garage Driveway intersection (#9) currently operates at unacceptable LOS E during the weekend peak hour under existing conditions. Since LOS E is not considered a significant impact during weekend conditions according to City of Daly City traffic level of service policies, the increase in delay by one second for the worst movement in the weekend midday peak hour (38 seconds delay increases to 39 seconds), would not result in a significant impact for intersections already operating at unacceptable levels. The level of significance is only applicable to the commute weekday peak hour periods discussed above. The remaining intersections would operate at acceptable LOS D or better conditions. Therefore, the proposed project's impact to traffic operations is considered less-than-significant. **(Less Than Significant Impact)**

Existing Plus Project Conditions Freeway Analysis

The change in 95th percentile vehicle queues was reviewed for freeway off-ramps, shown in Table 4.15-5 below. The addition of project traffic would not contribute to the worsening of vehicle queues such that they would extend beyond the available off-ramp storage. Therefore, the impact to freeway off-ramps is considered less-than-significant. **(Less Than Significant Impact)**

Table 4.15-5 Existing Plus Project Conditions Freeway Off-Ramp Queues							
Freeway Ramp (Location) ¹	Storage Length (ft)	95 th Percentile Queue Length (ft)					
		Existing			Existing Plus Project		
		AM	PM	Weekend	AM	PM	Weekend
Northern SR-1 SB off-ramp (A)	1,400	590	780	870	580	790	880
Southern SR-1 SB off-ramp (B)	460	110	130	120	110	130	120
I-280 SB off-ramp (C)	2,500	620	850	860	620	850	860
Note: 1. "Location" refers to the three off-ramps listed in the table. Source: Fehr & Peers, March 2018.							

4.15.2.3 Cumulative Traffic Conditions

Cumulative traffic volumes were derived based on existing volumes, projected background growth in population and jobs, and a list of reasonably foreseeable development projects in the vicinity of the project site. The development of Cumulative traffic volumes included the following approved and pending projects in Daly City:

- Serramonte Shopping Center Expansion proposed to add 468,000 square-foot Gross Leasable Area (GLA) to the existing 883,000 square feet existing GLA.
- Christopher Highlands residential project proposes construction of 80 new homes on a 13-acre site which was home to Christopher Columbus Elementary School.
- In-n-Out Restaurant at 372 Gellert Boulevard replaced the existing Sizzler restaurant and constructed a 3,867 square foot In-n-Out restaurant with drive-through lane.
- Out-patient Clinic at 386 Gellert Boulevard
- Brunswick Street Senior Apartments would comprise one five-story, 206 studio unit senior apartment complex with ground floor office-commercial/residential space and four floors of residential space both above a two-level podium parking garage
- Wellington Homes proposed to construct 54 detached homes and attached townhomes on an approximately 4.9-acre site.
- 6800 Mission Family Housing project will provide 52 low-income working families with new, affordable rental homes with retail space below along the San Mateo County transit corridor.
- The Village at Garden Valley proposes to construct 50 new detached townhomes on a 1.9-acre site.

Similar to Existing Plus Project, Cumulative Plus Project traffic volumes were derived by adding Cumulative project volumes to Cumulative (no project) volumes.

Cumulative Plus Project Intersection Levels of Service

Level of service calculations were conducted to evaluate intersection operations under Cumulative conditions both without and with the proposed project. The results of the LOS analysis are summarized in Table 4.15-6 below. In the Cumulative condition, traffic growth from the construction and occupation of approved projects would increase delay experienced at some intersections for passenger vehicles. Operations would exceed capacity for vehicles (LOS F) at the intersection of Junipero Serra Boulevard and John Daly Boulevard (#6), which would operate at LOS F in the AM, PM, and weekend midday peak hours.

A significant cumulative traffic impact would be identified if the addition of cumulative traffic volumes at a study intersection would result in the intersection LOS worsening from LOS D or better to LOS E or F and project traffic provides a cumulatively considerable contribution to the increased delay. For intersections already operating at LOS E or F, a cumulative impact would occur if there was an increase in delay as a result of cumulative traffic to which project trips would represent a cumulatively considerable contribution. . The addition of project traffic, which is negative on the whole during weekday commute peak hours but slightly positive for some intersection turn movements due to the changed directionality of proposed residential trips compared to current commercial trips, would increase average delay under forecast future cumulative volumes only slightly at some study intersections, but would decrease it at others because the proposed project is projected to decrease total future cumulative volumes at some study intersections compared to forecast volumes without the project.

The proposed project would not appreciably change operations from the pre-project cumulative condition at any study intersections. Specifically, the addition of project traffic would not cause any intersections' LOS to worsen from LOS D or better to LOS E or F. The intersection of Junipero Serra Boulevard and John Daly Boulevard (#6) is expected to operate at LOS F in the AM and PM weekday peak hours under cumulative no project conditions; the addition of project traffic would slightly increase delay at this intersection during the weekday AM peak period, already projected to operate at LOS F without the project. As discussed in Section 4.15.2.2 above, the Daly City General Plan EIR (2013) disclosed that this intersection would operate at LOS F and that the buildout of the General Plan would increase delay at this intersection. The City Council adopted a statement of overriding considerations with respect to the increased vehicular delay at this location because there are no feasible physical improvements (which require widening the I-280 overpass) that would improve the operations at this intersection to LOS D or better.

The proposed project's trip generation is low or net negative in the peak analysis periods, and the project generated trips would result in decreases or very minor increases (less than 10 vehicles) in vehicle turning volumes at the intersection of Junipero Serra Boulevard/John Daly Boulevard (#6). Therefore, the proposed project would not result in any new cumulative impacts, nor a substantial increase in the severity of previously identified cumulative impacts beyond what has been previously disclosed in the General Plan EIR and accepted by City Council in adopting the General Plan. Therefore, the proposed project's contribution to cumulative traffic operations is considered less-than-cumulatively considerable. **(Less than Significant Cumulative Impact)**

Table 4.15-6 Cumulative and Cumulative Plus Project Conditions Intersection Level of Service								
Study Intersection	Control ¹	Peak Hour ²	Existing		Cumulative		Cumulative Plus Project	
			Delay ³	LOS	Delay ³	LOS	Delay ³	LOS
1 Lake Merced Boulevard/John Daly Boulevard	Signal	AM PM Weekend	27 31 34	C C C	30 33 36	C C D	33 34 36	C C D
2 Westlake Center/John Daly Boulevard	Signal	AM PM Weekend	11 20 20	B B B	11 21 21	B C C	12 20 21	B C C
3 Park Plaza Drive/Cliffside Drive/John Daly Boulevard	Signal	AM PM Weekend	25 27 28	C C C	27 29 30	C C C	27 29 30	C C C
4 Poncetta Drive/Sheffield Drive/John Daly Boulevard	Signal	AM PM Weekend	20 20 25	B C C	21 24 34	C C C	22 24 34	C C C
5 I-280 SB on-ramp / SR-1 SB Off-Ramp/John Daly Boulevard	Signal	AM PM Weekend	13 13 10	B B A	12 14 <10	B B A	12 14 <10	B B A
6 Junipero Serra Boulevard/John Daly Boulevard	Signal	AM PM Weekend	75 (1.01) >80 (1.06) 67 (0.97)	E F E	>80 (1.17) >80 (1.25) >80 (1.17)	F F F	>80 (1.18) >80 (1.25) >80 (1.17)	F F F
7 John Daly Boulevard/Niantic Avenue	Signal	AM PM Weekend	<10 <10 --	A A --	<10 <10 --	A A --	<10 <10 --	A A --
8 John Daly Boulevard/De Long Street	Signal	AM PM Weekend	42 31 --	D C --	42 42 --	D D --	42 42 --	D D --
9 Lake Merced Boulevard/Bel Mar Avenue/Garage Driveway	SSSC	AM PM Weekend	<10 (16) <10 (18) <10 (38)	A (C) A (C) A (E)	<10 (18) <10 (24) <10 (>80)	A (C) A (C) A (F)	<10 (18) <10 (24) <10 (>80)	A (C) A (C) A (F)

10	Lake Merced Boulevard/Southgate Avenue	AWSC	AM PM Weekend	14 17 22	B C C	15 21 31	C C D	15 21 30	C C D
11	Palmcrest Drive/Westlake Center/Southgate Avenue	AWSC	AM PM Weekend	10 15 19	B B C	11 16 21	B C C	11 16 22	B C C
12	Park Plaza Drive/Southgate Avenue	Signal	AM PM Weekend	12 13 13	B B B	12 13 14	B B B	12 13 14	B B B
13	Park Plaza Drive/Garage Driveway/Bel Mar Avenue	SSSC	AM PM Weekend	<10 (13) <10 (16) <10 (17)	A (B) A (C) A (C)	<10 (14) <10 (17) <10 (19)	A (B) A (C) A (C)	<10 (14) <10 (18) <10 (19)	A (B) A (C) A (C)
14	Park Plaza Drive/Project Driveway	SSSC	AM PM Weekend	--	--	--	--	<10 (10) <10 (11) <10 (11)	A (B) A (B) A (B)

Notes:

1. AWSC = all way stop control, SSSC = side street stop control, Signal = signalized

2. AM = weekday morning peak hour, PM = weekday evening peak hour, Weekend = weekend midday peak hour

3. LOS = Level of Service. LOS calculations conducted using the Synchro level of service analysis software package, which applies the method described in the *2000 Highway Capacity Manual*. For side-street stop-controlled intersections, delays for worst approach and average intersection delay are shown: intersection average (worst approach).

Source: Fehr & Peers, March 2018.

Cumulative Plus Project Conditions Freeway Analysis

The change in 95th percentile vehicle queues under the Cumulative scenario was reviewed for freeway off-ramps, shown in Table 4.15-7 below. The addition of project traffic would not contribute to the worsening of vehicle queues such that they would extend beyond the available off-ramp storage. Therefore, the cumulative impact to freeway off-ramps is considered less-than-significant. **(Less Than Significant Impact)**

Table 4.15-7 Cumulative And Cumulative Plus Project Conditions Freeway Off-Ramp Queues							
Freeway Ramp (Location) ¹	Storage Length (ft)	95 th Percentile Queue Length (ft)					
		Cumulative			Cumulative Plus Project		
		AM	PM	Weekend	AM	PM	Weekend
Northern SR-1 SB off-ramp (A)	1,400	700	870	1,000	700	880	1,010
Southern SR-1 SB off-ramp (B)	460	160	190	140	160	190	140
I-280 SB off-ramp (C)	2,500	1,000	1,000	1,090	1,000	1,000	1,090
Note: 1. "Location" refers to the three off-ramps listed in the table. Source: Fehr & Peers, March 2018.							

4.15.2.4 Vehicular Access

Vehicular access to the residential garage would be provided through a new driveway on Park Plaza Drive approximately 180 feet south of John Daly Boulevard. This driveway would replace the existing right-only vehicular exit from the Westlake Shopping Center parking area to Park Plaza Drive, located approximately 80 feet south of John Daly Boulevard. The proposed project would also create a new vehicular link from the surface parking within Westlake Shopping Center eastward to Park Plaza Drive.

The proposed residential garage would be right-out access only. Therefore, residential trips departing the project site would initially proceed southbound on Park Plaza Drive. Residential vehicles headed toward I-280 or SR-1 would likely make either a U-turn or a left turn at the intersection of Park Plaza Drive and Bel Mar Avenue; vehicles headed toward Skyline Boulevard or Lake Merced Boulevard would likely continue southbound on Park Plaza Drive to Southgate Avenue.

Vehicular access to the retail components of the proposed project would continue to occur primarily via John Daly Boulevard to Westlake Center. Some vehicle trips approaching the project site along westbound John Daly Boulevard may be expected to shift to making a left turn onto southbound Park Plaza Drive and entering the interior of Westlake Shopping Center via the new vehicular link, or continuing south to the parking garage at the intersection of Park Plaza Drive and Bel Mar Avenue. The existing vehicular exit on Park Plaza Drive is used only lightly at present, with peak hour vehicle

volumes of approximately 20 to 30 vehicles per hour. These vehicles would shift to the new vehicular link with the proposed project in place.

The Lake Merced Boulevard/Bel Mar Avenue/Garage Driveway intersection (#9) is currently a side-street-stop-controlled intersection. Under both Cumulative and Cumulative Plus Project conditions, this intersection would meet Caltrans signal warrant 3B during the weekend midday peak hour. Changes to vehicular access and circulation at the project site would create a significant impact if they would substantially increase traffic hazards due to a design feature. As discussed above, the proposed project does not include substantial changes to vehicular circulation, nor create traffic hazards due to a design feature or incompatible uses. Therefore, the proposed project would have a less-than-significant impact on vehicle site access, circulation, and traffic hazards adjacent to the site. **(Less Than Significant Impact)**

Truck Turn Sweep

A turn sweep analysis identifies the path of travel taken by vehicles of different sizes around corners and into and out of driveways. A turn sweep analysis of the proposed project was conducted for two reasons: first, to confirm that the proposed project's driveway layout would permit trucks to enter and exit the loading areas without crossing curbs or otherwise impeding the right of way; and second, to assess the extent (in space and time) to which a truck would obstruct or slow vehicle traffic along Park Plaza Drive while entering or exiting the loading areas.

This turn sweep analysis demonstrates that each necessary truck maneuver would be feasible with minimal incursion into adjacent or oncoming lanes. However, some of the maneuvers would take more than a minute to complete. If several trucks arrived in close succession, the combined obstruction of southbound Park Plaza Drive could cause queues of arriving vehicles to spill back, creating congestion. Given the estimated loading demand of 7.5 retail truck trips per day and estimated loading duration of 25 minutes per truck, multiple trucks would arrive at the same time only infrequently. While the proposed project would not substantially increase the loading operations at the project site, the effects of the proposed project's truck loading activities on local traffic circulation can be minimized by implementing the following project conditions of permit approval TR-1:

Conditions of Permit Approval

TR-1: Loading Management

To the fullest extent possible, commercial tenants of the proposed project would schedule loading activities outside of peak travel hours (i.e. 7:00 to 9:00 a.m. and 4:00 to 6:00 p.m. on weekdays, and during the early afternoon on weekends). Optimally, weekend loading trips would be rescheduled to off-peak weekday delivery times. Retail loading activities would be coordinated to ensure that multiple large trucks do not arrive at the project site at the same time.

A building staff member (either from the residential building staff or from the tenant receiving the commercial delivery) would meet arriving trucks and stand at the driveway on Park Plaza Drive to facilitate the truck's backing in to the loading dock. This will enable smoother truck movement and also minimize conflicts between loading vehicles and pedestrians walking along Park Plaza Drive.

While each individual loading maneuver would not create a significant impact, loading vehicles would periodically obstruct traffic for brief periods. The effects of the proposed project's loading activities on local traffic circulation can be minimized by implementing the project design feature stated above. **(Less than Significant Impact)**

4.15.2.5 *Impacts to Pedestrian and Bicycle Facilities*

Pedestrian Facilities

In general, pedestrian site access and circulation under the proposed project would be similar to existing conditions. The existing pedestrian paseo between Park Plaza Drive and the interior of Westlake Shopping Center would be converted to a two-way roadway with sidewalks ranging from six to 8.5 feet wide, raised crosswalks, landscape buffers, and street furniture, including seating. These amenities would maintain a high-quality pedestrian environment along this new roadway. The proposed project would reconfigure the surface parking lot on the interior of Westlake Shopping Center, and would add new marked pedestrian walkways between parking aisles. The proposed project would also widen and reconfigure the sidewalk on the north edge of the project site (i.e. the south side of John Daly Boulevard between Westlake Center and Park Plaza Drive), which is designated as a Class I shared bicycle and pedestrian path. These proposed changes would enhance the pedestrian realm in the vicinity of the project site.

The Daly City Bicycle and Pedestrian Master Plan does not include any planned pedestrian facilities in the vicinity of the project site. Furthermore, the proposed project design is consistent with the goals and policies of the Bicycle and Pedestrian Master Plan and the Circulation Element of the Daly City General Plan. Overall, the proposed project would not disrupt existing pedestrian facilities; interfere with planned pedestrian facilities; or create inconsistencies with adopted system plans, guidelines, policies, or standards. Therefore, the proposed project's pedestrian site access and circulation impacts would be less-than-significant.

While the proposed project does not create a significant impact to the environment, the following project conditions of permit approval TR-2 through TR-4 would be added to address two missing crosswalks and visible/audible warning devices in the vicinity of the project site, as discussed in the Existing Pedestrian Facilities *Section 4.15.1.2* above and shown in Figure 4.15-1.

Conditions of Permit Approval

TR-2: Prohibit Crossings at Missing Crosswalk on Park Plaza Drive

The crosswalk on the northern leg of the intersection of Southgate Avenue and Park Plaza Drive is currently unstriped but also not explicitly prohibited. (An existing sign at this intersection prohibits pedestrian crossings of the northern leg, but only for pedestrians on the east side of Park Plaza Drive). Signage should be installed on the northwest corner of Southgate Avenue and Park Plaza Drive to explicitly prohibit pedestrian crossings at that intersection's northern leg.)

TR-3: Prohibit Crossings at Missing Crosswalk on John Daly Boulevard

The crosswalk on the western leg of the intersection of John Daly Boulevard and Westlake Center is currently unstriped but also not explicitly prohibited. Due to the high northbound left turn volumes

and long curb-to-curb crossing distance at the intersection of John Daly Boulevard and Park Plaza Drive, signage should be installed on the north and south sides of John Daly Boulevard to explicitly prohibit pedestrian crossings at that intersection's western leg.

Although the project would remove one existing driveway across the sidewalk on the west side of Park Plaza Drive, it would add four new driveways, resulting in a net increase of three driveways. The proposed driveways include a retail loading bay, a residential garage ramp entrance, a residential loading area, and the new vehicular link between the interior parking area of Westlake Shopping Center and Park Plaza Drive. Project condition of permit approval TR-4 discussed below would improve pedestrian site access and circulation by managing conflicts between passenger vehicles entering and exiting the project site and pedestrians walking along the west side of Park Plaza Drive. Measure TR-1, as discussed above would also manage conflicts between pedestrians and loading vehicles.

TR-4: Visible/Audible Warning Devices

Due to the limited sight lines between pedestrians walking on the west side of Park Plaza Drive and vehicles exiting the residential parking garage ramp along Park Plaza Drive, the proposed project would be required to install visible and audible warning devices at the exit of this ramp so that pedestrians are warned of oncoming vehicles. As discussed above, visible/audible warning devices are not needed for the loading dock exits because it is recommended (in project condition of permit approval TR-1) that a staff member be on site when trucks are entering or exiting those driveways.

While the proposed project does not create a significant impact to the environment, two improvement measures (TR-1 and TR-2) as stated above, would further clarify pedestrian conditions in the vicinity of the proposed project. Condition of permit approval TR-4 would improve pedestrian site access and circulation by managing conflicts between passenger vehicles entering and exiting the project site and pedestrians walking along the west side of Park Plaza Drive. **(Less than Significant Impact)**

Bicycle Facilities

In general, bicycle site access and circulation under the proposed project would be similar to existing conditions. The proposed project would widen and reconfigure the sidewalk on the north edge of the project site (i.e. the south side of John Daly Boulevard between Westlake Center and Park Plaza Drive), which is designated as a Class I shared bicycle and pedestrian path. Within that portion of the sidewalk to be reconstructed as part of the proposed project, the facility would meet the minimum Caltrans standards for a Class I bicycle facility.

On-site bicycle parking would increase in the proposed project. There are currently 16 Class 2 (short-term) bicycle parking spaces at the project site; the proposed project would supply 24 Class 2 bicycle parking spaces adjacent to the proposed project's retail storefronts and 18 Class 2 bicycle parking spaces adjacent to the residential lobby entrances. In addition, the proposed project would include 180 Class 1 (long-term) bicycle parking spaces within the residential parking garage, a rate of one Class 1 space per dwelling unit. The City of Daly City does not currently have zoning code requirements regarding bicycle parking.

The proposed project would not disrupt existing facilities, interfere with planned facilities, or create inconsistencies with adopted system plans, guidelines, policies, or standards. Therefore, the proposed project's impacts on bicycle site access and circulation would be less-than-significant.

Based on the above discussion, the project would not result in significant impacts to pedestrian or bicycle facilities. **(Less Than Significant Impact)**

2.7.2.6 *Impacts to Transit Service*

Transit access adjacent to the project site is provided by SamTrans bus routes 110, 120, and 122. Although the southbound 120 bus stop adjacent to the project site on Park Plaza Drive would need to be relocated to a temporary location in consultation with SamTrans during project construction (that would last for approximately two years), no long-term changes to transit stop locations or connecting pedestrian infrastructure between nearby bus stops and the project site are planned. BART would still serve as the primary regional transit service, and this proposed project would not affect access to the Daly City BART station or BART operations.

A transit impact is considered significant if it would disrupt existing transit services or facilities; interfere with planned transit services or facilities; or conflict or create inconsistencies with adopted transit system plans, guidelines, policies, or standards. As discussed in the Existing Plus Project Traffic Conditions and Cumulative Plus Project Traffic Conditions sections above, the proposed project would not cause a significant delay impact at any of the project study intersections. Therefore, the proposed project would not significantly affect transit vehicle delay in the vicinity of the project site. Furthermore, the proposed project would not conflict or create inconsistencies with adopted transit system plans, guidelines, policies, or standards. Therefore, the proposed project's impact on transit access would be less-than-significant. **(Less Than Significant Impact)**

4.15.2.6 *Impacts to Parking*

Westlake Shopping Center is subject to a *Planned Development (PD-60)* zoning designation, which stipulates that the entire Westlake Shopping Center complex must maintain a parking ratio of at least 3.29 parking spaces per thousand square feet of gross leasable commercial area. As shown in Table 4.15-8, both the existing and proposed scenarios provide enough commercial parking to comply with PD-60.

Table 4.15-8 Commercial Land Area And Parking Stalls (Full Westlake Shopping Center)			
Scenario	Square Feet of Gross Leasable Area	Parking Stalls	Ratio (stalls / ksf) ¹
Existing	685,643	2,264	3.30
Proposed	666,055	2,204 ²	3.31
Notes: 1. "ksf" = 1000 square feet gross leasable area. 2. The total excludes parking in the project for proposed residences. Source: Kimco Realty, 2017.			

In addition to changing the amount of commercial land use and parking, the proposed project would also include 180 residential units and 260 secure underground parking spaces available for apartment residents. As the current zoning under PD-60 does not address residential parking, the project sponsor is submitting an amendment to the PD-60 zoning text that would address residential parking. In order to determine whether the proposed parking supply would meet the parking demand for the proposed residential land uses, Fehr & Peers estimated residential parking demand using the ITE Parking Generation manual (4th edition, 2010). According to the ITE Parking Generation manual, peak parking demand for 180 apartment units would be 218 spaces; the proposed project's residential parking supply of 260 spaces would exceed this number.³⁴

A significant parking impact would occur if the proposed project would not supply sufficient vehicle parking based on zoning code requirements and/or projected parking demand and lead to spillover parking demand whereby project residents or patrons would increase competition for off-site publicly available parking in the area and lead to an insufficient supply. The proposed project's supply of retail parking would meet zoning requirements; in the absence of PD-60 zoning stipulations on residential parking, the proposed project's residential parking supply would exceed projected demand. Therefore, the proposed project's parking impact would be less-than-significant. **(Less than Significant Impact)**

2.7.2.7 Other Transportation Impacts

Construction Traffic Generation

Project construction would affect off-site circulation due to increased truck traffic to and from the site. Construction would also disrupt on-site travel due to the potential closure of sidewalks and blockage of bicycle facilities and transit routes during construction. While temporary in nature (construction is expected to occur over an approximate 16-month period beginning in 2018), the proposed project's construction impacts could be significant. Implementation of Mitigation Measure TR-1 would reduce project construction impacts to a less-than-significant level.

Impact TR-1: Project construction would affect off-site circulation due to increased truck traffic to and from the site. **(Significant Impact)**

MM TR-1: The project sponsor shall develop and submit a construction management plan for approval by the City of Daly City. This plan shall specify measures that would reduce impacts to vehicular, bicycle, pedestrian, and transit circulation. The construction management plan shall include the following:

- Location of construction staging areas for materials, equipment, and vehicles.
- Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur.

³⁴ This parking demand estimate is based on Low/Mid-Rise Apartment (Land Use: 221) for a suburban location (Parking Demand = $1.42x - 38$). It is standard industry practice to use the Urban Land Institute (ULI) Shared Parking methodology to analyze parking supply and demand at mixed-use developments. However, because the residential and commercial parking areas are physically and programmatically separated in the proposed project plan, a Shared Parking analysis would not be appropriate for this project.

- Identification of haul routes for movement of construction vehicles that would minimize impacts on vehicular and pedestrian traffic, circulation, and safety; and provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project sponsor.
- Provisions for removal of trash generated by project construction activity.
- A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an on-site complaint manager.
- Provisions for pedestrian and bicycle circulation through or around the construction zone.

The project sponsor shall implement the construction management plan prior to the start of construction, including demolition and site excavation. **(Less than Significant Impact with Mitigation)**

Air Traffic Patterns

The project would not affect air traffic patterns in the vicinity of the site, refer to discussion in *Section 4.8 Hazards and Hazardous Materials*. **(No Impact)**

Emergency Vehicle Access and Circulation

The Daly City Police Department is located approximately 1.5 miles southeast of the project site. Police vehicles currently reach the project site primarily via Park Plaza Drive. The closest fire station to the project site is North County Fire Station 91, located approximately 0.4 miles north of the project site. Fire trucks currently reach the project site via Lake Merced Boulevard and John Daly Boulevard. The proposed project would not affect emergency vehicle circulation patterns because it would not include streetscape changes that would restrict emergency vehicle access along these major access paths.

As discussed in the Existing Plus Project Traffic Conditions and Cumulative Plus Project Traffic Conditions sections above, the proposed project would not cause a significant delay impact at any of the project study intersections. Therefore, the proposed project would not significantly affect emergency vehicle delay in the vicinity of the project site. Furthermore, as discussed in the Vehicular Site Access and Circulation section above, the proposed project would add a new vehicular link between Park Plaza Drive and the interior of Westlake Shopping Center. The proposed project would close only one existing vehicular link, a low-volume right-only exit from the Westlake Shopping Center parking area, which would not be used by emergency vehicles to access the site in case of an emergency. Therefore, the proposed project would not add hazards or barriers for emergency vehicle access. **(Less Than Significant Impact)**

4.15.3 Conclusion

Implementation of the proposed mitigation measures (MM TR-1), General Plan policies, and Standard Conditions of Approval, would reduce transportation and traffic impacts to a less than significant level. **(Less than Significant With Mitigation)**

4.16 UTILITIES AND SERVICE SYSTEMS

4.16.1 Environmental Setting

4.16.1.1 *Regulatory Framework*

Assembly Bill 939

Assembly Bill 939 (AB 939) established the California Integrated Waste Management Board (now CalRecycle) and required all California counties to prepare integrated waste management plans. AB 939 required all municipalities to divert 50 percent of the waste stream by the year 2000.

California Green Building Standards Code

In January 2010, the State of California adopted the California Green Building Standards Code that establishes mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. These standards include a mandatory set of guidelines, as well as more rigorous voluntary measures, for new construction projects to achieve specific green building performance levels:

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Recycling and/or salvaging 50 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupant.

City of Daly City General Plan

General Plan policies applicable to the utilities and service systems include, but are not limited, to the following listed below.

Policies and Tasks	Description
Policy RME-1	Reduce average per capita demand by implementing cost effective water conservation programs that address all applicable methods of water conservation.
Task RME-1.1	Enforce the provisions of the Indoor Water Use Efficiency Ordinance through an extensive public outreach campaign to residents and contractors, to be completed by 2014.
Policy RME-2	Require drought resistant landscaping and water conserving irrigation methods in new development, and encourage the replacement of existing water-intensive landscaping.
Task RME-2.1	Enforce the provisions of the Water Conservation in Landscaping Ordinance and conduct a public education effort to ensure that residents, businesses, and contractors are aware of the Ordinance provisions.
Policy RME-3	Continue to use recycled wastewater for irrigating and explore opportunities to expand capacity to accommodate its use in development projects, landscaped medians, golf courses, cemeteries, parks, and school playgrounds.
Policy RME-8	Through the development of a Stormwater Management Program, ensure that all new development complies with applicable municipal stormwater Municipal Regional Stormwater NPDES Permit by incorporating controls that reduce water quality impacts over the life of the project in way that is both technically and economically feasible, and reduces pollutants in stormwater discharges to the maximum extent practicable.

Policies and Tasks	Description
Task RME-8.2	Evaluate acceptable development standards for stormwater treatment mechanisms and publish such standards for distribution to developers. Such standards shall be based on a thorough evaluation of modern stormwater control mechanisms and shall, to the extent feasible, consider soil conditions in various parts of Daly City.
Task RME-8.4	Assess projected stormwater impacts from new development in conformance with the San Mateo County Water Pollution Prevention Program, CEQA Guidelines and relative to state and federal standards.
Policy RME-9	Balance stormwater mitigation measures with the other inherent benefits of higher density development that is in close proximity to public transit, i.e., reduction of Vehicle Miles Traveled (VMT) on local and regional roadways, to the extent permitted under the Municipal Regional Stormwater Permit.
Policy IN-3.7	Design new projects to minimize potential damage due to stormwaters and flooding to the site and other properties.

Daly City Urban Water Management Plan (2015)

The Urban Water Management Plan (UWMP) is a long range plan that assesses the city's water supply over a 25-year planning horizon (2040) to ensure adequate water supplies to meet existing and future demands for water. The UWMP presents forecasted supplies and demands, describes conservation programs, and includes a water shortage contingency analysis.

Daly City Municipal Code

Chapter 17.41, Water Conservation, establishes regulations to implement water conservation practices on existing and new landscapes. For projects containing more than 1,000 square feet of irrigated landscape, a landscape permit is required which requires irrigation design review. Further, this Chapter mandates that any owner of landscape of over one acre in size shall comply with local agency programs that may be instituted relating to irrigation audits, surveys and water use analysis, and shall maintain landscape irrigation facilities to prevent water waste and runoff.

4.16.1.2 Existing Conditions

Water

Water service to the project site is provided by the Daly City Department of Water and Wastewater Resources. The City relies on local groundwater pumping from six municipal wells and water supply purchases from the San Francisco Public Utilities Commission (SFPUC).³⁵ The City also uses tertiary recycled water from the North San Mateo County Sanitation District wastewater treatment plant, to offset potable/aquifer water demands. Recycled water is currently available at the project site.

Storm Drainage

As discussed in *Section 4.9 Hydrology and Water Quality*, surface water runoff from the project site is directed to a 12-inch and 36-inch storm drain line on Park Plaza Drive and John Daly Boulevard, respectively. Stormdrain lines are provided and maintained by the City of Daly City Department of

³⁵ City of Daly City. *General Plan Environmental Impact Report. Utilities and Service Systems*. 2012.

Water and Wastewater Resources. Runoff from the project site is conveyed to the San Francisco Bay.

Wastewater/Sanitary Sewer System

Sanitary sewer lines in the project are maintained by the City of Daly City Department of Water and Wastewater Resources. A 10-inch sanitary sewer line is located in Park Plaza Drive. Wastewater collection and treatment for Daly City is managed by the North San Mateo County Sanitation District (NSMCSD), which is a subsidiary of the City of Daly City. Wastewater produced within the District is treated at the NSMCSD Treatment Plant (WWTP), which is located at the corner of John Daly Boulevard and Lake Merced Boulevard, adjacent to the north from the Westlake Shopping Center.

The City of Daly City's WWTP has an average dry weather flow design capacity of 10.3 million gallons per day (GPD). However, the NSMCSD discharges and operates the WWTP at or below the permitted average dry weather flow rate of eight million GPD (averaged over 3 consecutive dry months) and does not anticipate a need to increase the permitted flow rate in the next five years.

Sanitary sewer lines in the project area are inspected and maintained by the City of Daly City Department of Water and Wastewater Resources.

Solid Waste

Solid waste is collected from Daly City homes and businesses and is processed by Allied Waste Services of Daly City at its Mussel Rock Transfer Station. Materials that cannot be recycled or composted are transferred to the Ox Mountain Sanitary Landfill near Half Moon Bay. In 2001, Browning-Ferris Industries, owner of the Ox Mountain Landfill, obtained a revised solid waste facility permit for Ox Mountain to increase the permitted disposal acreage from 173 acres to 191 acres and to change the closure date of the facility from 2018 to 2023, with a longer period of operation allowed pending renewal of the landfill's permit. According to Allied Waste, owner and operator of the Ox Mountain Landfill, the landfill is expected to reach capacity in 2028. The evaluation on volumetric capacity is ongoing at Ox Mountain. Capacity may change based on such factors such as amount of waste landfilled, compaction rates, waste settlement, and cover soil use, and therefore the closure date may also change.

4.16.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐	1,2
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?	☐	☐	☒	☐	1,2

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1,2
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐	1,2
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?	☐	☐	☒	☐	1,2
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	1,2

4.16.2.1 *Impacts to Sewer System and Wastewater Treatment Facilities*

Pursuant to the Federal Clean Water Act and California's Porter-Cologne Water Quality Control Act, the RWQCB regulates wastewater discharges to surface waters through the NPDES program. Wastewater permits contain specific requirements that limit the pollutants it discharges. As required by the RWQCB, the WWTP monitors its wastewater to ensure that it meets all requirements. The RWQCB routinely inspects treatment facilities to ensure permit requirements are met.

Sewage from development on the project site would be treated at the WWTP in accordance with the existing NPDES permit. The existing commercial and retail uses at the project site currently generate approximately 32,992 gpd of wastewater.³⁶ The proposed development would generate approximately 43,343 gpd of wastewater,³⁷ which would contribute an estimated additional average base wastewater flow of 10,351 gpd.

The flow from the project site would be connected to the existing 10-inch sanitary sewer line located in Park Plaza Drive. According to the Daly City Department of Water and Wastewater Resources, there is capacity at the WWTP to serve the project site. In addition, the existing 10-inch sanitary sewer line is scheduled to be replaced and upsized in early 2018. Therefore, the impact would be less than significant. **(Less Than Significant Impact)**

³⁶ Existing sewer generation for the proposed project is equal to the projected indoor water use of 32,992 GPD. (Source: Michael Baker International. *Westlake Shopping Center Apartments – City of Daly City Greenhouse Gas Emissions Assessment*. April 2017.)

³⁷ Project sewer generation for the proposed project is based on the projected water use of 43,343 GPD. (Source: Michael Baker International. *Westlake Shopping Center Apartments – City of Daly City Greenhouse Gas Emissions Assessment*. April 2017.)

4.16.2.2 *Impacts to Stormwater drainage facilities*

As discussed previously in Section 4.9 *Hydrology and Water Quality*, the project site is currently served by a 12-inch storm drain line in Park Plaza Drive, and the proposed project would reduce the project site's impervious surface area by 18,643 square feet (23 percent), therefore reducing stormwater runoff. For these reasons, the proposed project would not exceed the capacity of the existing drainage system. **(Less Than Significant Impact)**

4.16.2.3 *Impacts to Water Supply*

The City of Daly City purchases water from the SFPUC. According to the UWMP, water is supplied to the City by several SFPUC pipelines that are connected to six municipal wells at various locations throughout the City. Although the project proposes an increased population on the project site, the project water demand has been accounted for in the City's UWMP. The project site currently uses approximately 49,553 gpd of water (including indoor and outdoor use).³⁸ It is estimated that the proposed project would use approximately 75,049 gpd of water (including indoor and outdoor use),³⁹ resulting in a net increase in water demand of approximately 25,496 gpd.

Based on the presence of an existing water line on Park Plaza Drive and John Daly Boulevard, there is adequate conveyance capacity in the system adjacent to the site to accommodate the proposed project. **(Less Than Significant Impact)**

4.16.2.4 *Impacts to Landfill*

Waste generation and disposal data for Daly City is maintained by CalRecycle. According to the CalRecycle, the total amount of solid waste landfilled in 2015 was 59,861 tons, which equals a solid waste generation rate of approximately 3.0 pounds per resident per day.⁴⁰ The project site currently generates approximately 2,190 pounds (1.09 tons) of landfilled solid waste per day.⁴¹ It is estimated that the proposed project would generate approximately 1090 pounds (0.54 tons) of landfilled solid waste per day,⁴² resulting in a net decrease in solid waste generation of approximately 1,100 pounds (0.55 tons) per day.

Since the proposed project would reduce the solid waste generated from the site, it would have a less than significant impact on the landfill capacity. **(Less Than Significant Impact)**

4.16.3 Conclusion

The project would not result in any utility or service facility exceeding its current capacity or require the construction of new infrastructure or service facilities. **(Less Than Significant Impact)**

³⁸ Michael Baker International. *Westlake Shopping Center Apartments – City of Daly City Greenhouse Gas Emissions Assessment*. April 2017. Table 7.2, Page 16 of 19.

³⁹ Michael Baker International. *Westlake Shopping Center Apartments – City of Daly City Greenhouse Gas Emissions Assessment*. April 2017. Table 7.2, Page 19 of 22.

⁴⁰ CalRecycle. *Disposal Reporting System*. Accessed July 21, 2017. Available at www.calrecycle.ca.gov/LGCentral/Reports/DRS/Destination/JurDspFa.aspx.

⁴¹ Michael Baker International. *Westlake Shopping Center Apartments – City of Daly City Greenhouse Gas Emissions Assessment*. April 2017. Table 8.2, Page 18 of 19.

⁴² Michael Baker International. *Westlake Shopping Center Apartments – City of Daly City Greenhouse Gas Emissions Assessment*. April 2017. Table 8.2, Page 21 of 22.

4.17

MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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, 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?	☐	☒	☐	☐	Sections 4.1 through 4.16
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)?	☐	☐	☒	☐	Sections 4.1 through 4.16
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐	Sections 4.1 through 4.16

4.17.1 **Project Impacts**

As discussed in the individual sections, the proposed project would not degrade the quality of the environment with the implementation of identified standard permit conditions and mitigation measures. As discussed in *Section 4.4 Biological Resources*, the project would not impact sensitive habitat or species but requires the implementation of appropriate mitigation measures for nesting preconstruction bird surveys. There are no historic buildings on-site or in the immediate project vicinity as discussed in *Section 4.5 Cultural Resources*. However, the project requires implementation of appropriate mitigation measures if project construction encounters buried archaeological resources. **(Less Than Significant Cumulative Impact with Mitigation)**

4.17.2 **Cumulative Impacts**

Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." The City of Daly City General Plan EIR was updated in 2012 which estimates buildout to the year 2030. This cumulative analysis is based upon the General Plan model buildout assumptions

for the City of Daly City, which allows for 2,157 dwelling units and 1,437,260 square feet of commercial uses by the year 2030.

Because criteria air pollutant and GHG emissions would contribute to regional and global emissions of such pollutants, the identified thresholds developed by BAAQMD and used by the City of Daly City were developed such that a project-level impact would also be a cumulatively considerable impact. With the implementation of best management practices and mitigation measures, the project would not result in a significant emissions of criteria air pollutants or GHG emissions and, therefore, would not make a substantial contribution to cumulative air quality or GHG emissions impacts.

With the implementation of mitigation measures and standard permit conditions, residential development on the site would not result in significant geology and soils or hydrology and water quality impacts and would not contribute to cumulative impacts to these resources, as these are specific to the site, and do not have the potential to contribute to or combine with localized, specific conditions on other development sites across the City over the planning horizon of the General Plan. Also, the project would not impact agricultural and forest resources or mineral resources and, therefore, the project would not contribute to a significant cumulative impact on these resources. Project-level impacts discussed in *Section 4.16 Utilities and Service Systems* and *Section 4.14 Public Services and Recreation* are also by their nature cumulative analyses since the proposed project is accounted for in the full General Plan buildout.

Biology

The proposed project, in conjunction with cumulative projects, would not result in the loss of sensitive habitat. The project does not propose the removal of significant numbers of trees. Pre-construction nesting bird surveys are required as mitigation, therefore, the project would have a less than significant impact on migratory birds. **(Less Than Significant Cumulative Impact)**

Noise

Typically, a three (3) dBA noise increase would be perceivable by sensitive receptors. In order for traffic noise to increase by 3 dBA, traffic volumes would need to double along a local roadway. As in *Section 4.12.2.6*, cumulative traffic noise level increases were calculated by comparing the future 2035 traffic volumes and the future 2035 with project volumes to existing traffic volumes. Since the traffic noise level increase under both future 2035 scenarios is the same with and without the project, the proposed project would not make a cumulatively considerable contribution to increased noise levels. **(Less Than Significant Cumulative Impact)**

Traffic

As discussed in *Section 4.15.2.3*, a significant cumulative traffic impact would be identified if the addition of project traffic at a study intersection would result in the intersection LOS worsening from LOS D or better to LOS E or F and project traffic provides a cumulatively considerable contribution to the increased delay. For intersections already operating at LOS E or F, a cumulative impact would occur if there was an increase in delay as a result of cumulative traffic to which project trips would represent a cumulatively considerable contribution.

The addition of the proposed project traffic would increase average delay slightly at some study intersections, but would decrease it at others because the proposed project is projected to decrease

total future cumulative volumes at some study intersections compared to forecast volumes without the project. The intersection of Junipero Serra Boulevard and John Daly Boulevard (#6) is expected to operate at LOS F in the AM and PM weekday peak hours under cumulative no project conditions; the addition of project traffic would slightly increase delay at this intersection during the weekday AM peak period, already projected to operate at LOS F without the project. As discussed in Section 4.15.2.2 above, the Daly City General Plan EIR (2013) disclosed that this intersection would operate at LOS F and that the buildout of the General Plan would increase delay at this intersection. The City Council adopted a statement of overriding considerations with respect to the increased vehicular delay at this location because there are no feasible physical improvements (which require widening the I-280 overpass) that would improve the operations at this intersection to LOS D or better. The proposed project's trip generation is low or net negative in the peak analysis periods, and the project generated trips would result in decreases or very minor increases (less than 10 vehicles) in vehicle turning volumes at the intersection of Junipero Serra Boulevard/John Daly Boulevard (#6). All remaining intersections would operate at acceptable LOS D or better conditions under cumulative plus project conditions. Therefore, the proposed project's impact to cumulative traffic operations is considered less than significant. The addition of project traffic to freeways would not contribute to the worsening of vehicle queues such that they would extend beyond the available off-ramp storage. Therefore, the cumulative impact to freeway off-ramps is considered less-than-significant. **(Less than Significant Cumulative Impact)**

4.17.3 Direct or Indirect Adverse Effects on Human Beings

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include Construction TACs, hazardous materials, and noise. However, implementation of mitigation measures and General Plan policies would reduce these impacts to a less than significant level. No other direct or indirect adverse effects on human beings have been identified. **(Less than Significant Cumulative Impact)**

Checklist Sources

1. Professional judgement and expertise of the environmental specialist preparing this assessment, based upon a review of the site and surrounding conditions, as well as a review of the project plans.
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3. City of Daly City. Zoning Ordinance.
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5. Bay Area Air Quality Management District. *Bay Area 2010 Clean Air Plan*. September 15, 2010.
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11. Roux Associates. *Phase I Environmental Site Assessment: Westlake Center Work Area, Daly City, California*. March 10, 2017.
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SECTION 6.0 LEAD AGENCY AND CONSULTANTS

LEAD AGENCY

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Mitigation Monitoring and Reporting Program

Westlake Shopping Center Mixed-Use Project



April 2018

MITIGATION MONITORING AND REPORTING PROGRAM				
Westlake Shopping Center Mixed Use Project				
Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
Air Quality				
Impact AQ-1: Project construction could result in excess residential cancer risks of 30.1 cases in one million for infant exposure.	MM AQ-1: The following mitigation measure would reduce community risk impacts caused by construction activities to a less than significant level: - The project shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average 65 percent reduction in PM2.5 emissions. One feasible plan to achieve this reduction would include the following: - All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent. Note that the construction contractor could use other measures to minimize construction period Diesel Particulate Matter (DPM) emission to reduce the predicted cancer risk below the thresholds. The use of equipment that meets U.S. EPA Tier 2 standards and includes CARB-certified Level 3 Diesel Particulate Filters or alternatively-fueled equipment (i.e., non-diesel) would meet this requirement. Other	The project applicant and contractors shall be responsible for implementing the mitigation measures during all phases of construction.	All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Economic and Community Development prior to the issuance of a grading permit.	Director of Economic and Community Development

MITIGATION MONITORING AND REPORTING PROGRAM

Westlake Shopping Center Mixed Use Project

Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant.			
Impact AQ-2: The project would generate significant dust during construction activities that would affect nearby sensitive receptors, if best management practices are not implemented.	MM AQ-2: The project shall implement the following standard BAAQMD dust control measures during all phases of construction on the project site: • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	The applicant and contractors shall be responsible for implementing the mitigation measures during all phases of construction.	All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Economic and Community Development prior to the issuance of a grading permit.	Director of Economic and Community Development

MITIGATION MONITORING AND REPORTING PROGRAM

Westlake Shopping Center Mixed Use Project

Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. - A publicly visible sign shall be posted with the telephone number and person to contact at the City of Daly City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Bay Area Air Quality Management Air District's phone number shall also be visible to ensure compliance with applicable regulations.			
Biological Resources				
Impact BIO-1: Project construction could	MM BIO-1: In compliance with federal and state regulations and protocol, the project proposes to	The project applicant and	All measures shall be printed on all	Director of Economic and

MITIGATION MONITORING AND REPORTING PROGRAM

Westlake Shopping Center Mixed Use Project

Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
impact nesting birds on or adjacent to the site, if present.	implement the following mitigation measure, to reduce impacts to a less than significant level: • Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay area extends from February 1 through August 31. • If it is not possible to schedule construction and tree removal between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February 1 through April 30) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1 through August 31). • Pre-construction surveys shall be conducted by a qualified biologist or ornithologist for nesting birds within the on-site trees as well as all trees within 250 feet of the site. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, shall determine the extent of a	contractors shall be responsible for implementing the mitigation measures prior to project construction.	construction documents, contracts, and project plans and shall be reviewed by the Director of Economic and Community Development prior to the issuance of a grading permit.	Community Development

MITIGATION MONITORING AND REPORTING PROGRAM				
Westlake Shopping Center Mixed Use Project				
Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	construction-free buffer zone to be established, typically 250 feet for raptors and 100 feet for non-raptors around the nest, to ensure that nests of bird species protected by the MBTA or Fish and Game code shall not be disturbed during project construction. • A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the issuance of a grading permit or demolition permit.			
Cultural Resources				
Impact CUL-1: Construction activities could disturb unknown buried archaeological resources associated with prehistoric Native American deposits.	MM CUL-1.1: A presence/absence exploration survey in the northern three quarters of the property shall be conducted to investigate the potential for Native American deposits. This effort should be completed after the asphalt has been removed and the buildings demolished, but prior to any construction activities to build this proposed project. If archaeological deposits or features that appear eligible for listing on the California Register of Historical Resources are identified during any stage of exploration, an archaeological research design and work plan shall be prepared to facilitate archaeological excavation and evaluation of these features in	The project applicant and contractors shall be responsible for implementing the mitigation measures before and during all phases of construction.	All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Economic and Community Development prior to the issuance of a grading permit.	Director of Economic and Community Development

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Westlake Shopping Center Mixed Use Project

Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	accordance with the requirements of the Office of Historic Preservation (OHP). MM CUL-1.2: <i>Undiscovered Archaeological Resources.</i> In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, work within 50 feet of the find shall cease until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. Construction and potential impacts to the area(s) within a radius determined by the archaeologist shall not recommence until the assessment is complete. MM CUL-1.3: <i>Report of Archaeological Resources.</i> If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City's Planning Manager prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.			
Impact CUL – 2: The project may encounter	MM CUL – 2.1: <i>Unique Paleontological and/or Geologic Features and Reporting.</i> Should a unique	The project applicant and	All measures shall be printed on all	Director of Economic and

MITIGATION MONITORING AND REPORTING PROGRAM

Westlake Shopping Center Mixed Use Project

Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
buried remains and/or paleontological resources during site grading.	paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City Planning Manager notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. Mitigation measures could include collection, recordation and analysis of any significant materials. The identified mitigation measures shall be implemented. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is carried out. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology. MM CUL – 2.2: Human Remains. Human graves are often associated with prehistoric occupation sites. If human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City Planning Manager and the San Mateo County coroner shall be	contractors shall be responsible for implementing the mitigation measures during all phases of construction.	construction documents, contracts, and project plans and shall be reviewed by the Director of Economic and Community Development prior to the issuance of a grading permits.	Community Development

MITIGATION MONITORING AND REPORTING PROGRAM

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Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California’s Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Daly City shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Daly City, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.			

MITIGATION MONITORING AND REPORTING PROGRAM				
Westlake Shopping Center Mixed Use Project				
Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
Hazards and Hazardous Materials				
Impact HAZ – 1: Project construction activities could potentially release chemicals that could affect construction workers, nearby sensitive receptors, and commercial patrons	MM HAZ – 1: The project shall implement the following measures in association with site redevelopment to protect workers and the surrounding environment from potential release of chemicals: • Soil in the proposed subterranean parking garage excavation area shall be sampled in the vicinity of the former drycleaner tenant space prior to excavation (but after building clearance or demolition when the area is more accessible) so that soil disposal options can be evaluated and any potential worker risk can be evaluated and incorporated into a Health and Safety Plan (HASP) and Soil Management Plan (SMP). Both the HASP and SMP shall be reviewed and approved by the San Mateo County Department of Environmental Health (SMDEH) prior to subsurface construction activity of the affected site area. • Develop a SMP based on the soil testing program that identifies specific areas of impacted soil that will require special handling and disposal, and outlines general procedures to screen, segregate and sample any potentially impacted soil that might be encountered. The SMP will also include	The project applicant and contractors shall be responsible drafting the HASP and SMP before construction starts.	Both the HASP and SMP shall be reviewed and approved by the SMDEH prior to subsurface construction activity of the affected site area.	Director of Economic and Community Development

	soil management protocols to monitor and minimize fugitive <i>dust and vapor emissions</i> such as work zone perimeter monitoring, prescribed water application (and other vapor suppressant agents if required), covering of non-active soil stockpiles, covering of haul trucks if soil is impacted, and vehicle track-out devices/aprons. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • Develop a HASP that outlines health and safety procedures to be implemented that minimize VOC exposure risk to workers and any other receptors such as neighboring residents, workers, and shoppers. Risk management procedures would consist of breathing zone air-quality monitoring, use of water as a vapor suppressant, and using OSHA-HAZWOPER trained contractors with appropriate personal protective equipment (PPE) in any areas of impacted soil identified during the initial soil sampling program. Perform field monitoring during excavation to confirm compliance with the SMP and assist in the segregation and confirmation sampling of any potentially impacted soil encountered during excavation. Monitoring results shall be provided to SMDEH as they become available to confirm compliance with the SMP. • Prepare a summary report documenting soil management and disposal actions performed			
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MITIGATION MONITORING AND REPORTING PROGRAM Westlake Shopping Center Mixed Use Project				
Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	during the excavation program. The summary report shall be provided to the SMDEH and the Daly City Planning Manager prior to approval of building permits for new construction			
Impact HAZ – 2: VOCs present in site soils could potentially affect future residential occupants of the site.	MM HAZ – 2: The project shall implement the following measures in association with site redevelopment to ensure residential occupants are not exposed to VOCs above residential ESLs: The project shall obtain a formal No Further Action (NFA) letter from SMDEH before the site is occupied by the residents. This would ensure the site is safe for future residential occupancy.	The project applicant shall obtain a formal NFA letter before the site is occupied by the residents.	The applicant should provide necessary information to SMDEH to receive the NFA letter prior to issuance of occupancy permits for the proposed residences.	Director of Economic and Community Development
Hydrology and Water Quality				
Impact HYDRO-1: Groundwater or perched groundwater could be encountered in excavations on site which could result in potentially significant water quality impacts	MM HYDRO-1: A detailed, design-level geotechnical investigation shall be completed and shall address the need for dewatering during construction. Project construction shall follow the recommendations of the investigation	The project applicant and contractors shall be responsible for implementing the mitigation measures during all phases of construction.	All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of	Director of Economic and Community Development

MITIGATION MONITORING AND REPORTING PROGRAM				
Westlake Shopping Center Mixed Use Project				
Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
			Economic and Community Development prior to the issuance of a grading permits.	
Noise and Vibration				
Impact NOI – 1: Construction activities in relation to ambient noise conditions over extended periods could result in potentially significant impacts.	MM NOI – 1: Reasonable regulation of the hours of construction, as well as regulation of the arrival and operation of heavy equipment and the delivery of construction material, are necessary to protect the health and safety of persons, promote the general welfare of the community, and maintain the quality of life. For construction of the proposed project to be conducted in accordance with the provisions of the City’s General Plan, temporary construction work shall be limited to daytime hours between 8:00 a.m. and 5:00 p.m., Monday through Friday. Construction is prohibited on weekends and all holidays. Additionally, the construction crew shall adhere to the following construction best management practices to reduce construction noise levels emanating from the site and minimize disruption and annoyance at existing noise-sensitive receptors in the project vicinity. <i>Construction Best Management Practices</i> Develop a construction noise control plan that would provide a minimum of five (5) dBA reduction,	The project applicant and contractors shall be responsible for implementing the mitigation measures during all phases of construction.	All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Economic and Community Development prior to the issuance of a grading permit.	Director of Economic and Community Development

MITIGATION MONITORING AND REPORTING PROGRAM Westlake Shopping Center Mixed Use Project				
Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	including, but not limited to, the following available controls: • Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment. Temporary noise barrier fences would provide a five (5) dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps. • Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. • Unnecessary idling of internal combustion engines should be strictly prohibited. • Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.			

MITIGATION MONITORING AND REPORTING PROGRAM

Westlake Shopping Center Mixed Use Project

Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	• Utilize "quiet" air compressors and other stationary noise sources where technology exists. • Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. • Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors. • Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site. • The contractor shall prepare a detailed construction schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. • Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance			

MITIGATION MONITORING AND REPORTING PROGRAM				
Westlake Shopping Center Mixed Use Project				
Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.			
Transportation				
Impact TR-1: Project construction would affect off-site circulation due to increased truck traffic to and from the site.	MM TR-1: The project sponsor shall develop and submit a construction management plan for approval by the City of Daly City. This plan shall specify measures that would reduce impacts to vehicular, bicycle, pedestrian, and transit circulation. The construction management plan shall include the following: • Location of construction staging areas for materials, equipment, and vehicles. • Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures will occur. • Identification of haul routes for movement of construction vehicles that would minimize impacts on vehicular and pedestrian traffic, circulation, and safety; and provision for monitoring surface streets used for haul routes so that any damage and debris	The project applicant shall implement the construction management plan prior to the start of construction, including demolition and site excavation	All measures shall be printed on all construction documents, contracts, and project plans and shall be reviewed by the Director of Economic and Community Development prior to the issuance of a grading permit.	Director of Economic and Community Development

MITIGATION MONITORING AND REPORTING PROGRAM Westlake Shopping Center Mixed Use Project				
Impacts	Mitigation and/or Avoidance Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	attributable to the haul trucks can be identified and corrected by the project sponsor. • Provisions for removal of trash generated by project construction activity. • A process for responding to, and tracking, complaints pertaining to construction activity, including identification of an on-site complaint manager. • Provisions for pedestrian and bicycle circulation through or around the construction zone.			

Source: *Westlake shopping Center Mixed-Use Project Initial Study*. April 2018.

RESPONSES TO COMMENTS ON THE WESTLAKE MIXED-USE PROJECT INITIAL STUDY

A. RESPONSES TO COMMENTS FROM AARON GOODMAN, DATED APRIL 22, 2018

COMMENT A – 1: I am writing due to deep concerns about the impacts of the proposed development on traffic and congestion in the Daly City area that should be taken into consideration with other southwest San Francisco Planned Developments approved.

The 19th Avenue Transit Plan and proposals to re-route traffic along the great-highway back up Sloat and down through Daly City along 19th Ave. will become more congested in the near future with larger projects at Parkmerced, SFSU-CSU and Stonestown already being proposed or nearing construction phases. This coupled with Daly City changes and growth need to be adequately assessed in terms of regional transit and traffic issues.

John Daly Blvd. and the connector arterials from the Westlake Shopping Center towards other major shopping zones in Daly City such as Serramonte, and Colma, only have the BART and local bus services as linking measures. There is no serious plans in the works for bi-county transit changes and connectivity either through extended new lanes of SF Muni systems or secondary linkage/relay systems that could provide new services (such as trackless rail systems) that could route people from these future SF developments to the Westlake Mall area without the use of automobiles.

John Daly Blvd. is already congested mayhem, and cannot continually grow without investment in needed infrastructure. The impacts at this point can only be “mitigated” by a serious investment in public infrastructure and transit solutions that take people from Daly City BART to the top of the hill and down to Colma BART station more quickly and efficiently. The system could link up along Lakeshore and Sunset Blvd. to the westside of SF, thus providing a secondary arterial mass-transit link to Daly City shopping and connecting malls.

I noted recently a larger parking garage at Serramonte, this ignores the flow of traffic and the need for a “hard” line solution light-rail vehicle or other more substantive solution to links malls, and locations and provide more environmentally sound options than driving to the mall. Even the Serramonte Mall and its numerous smaller strip malls should be already connected to Daly City and SF with shuttle services and more substantial investment in rail, trackless rail, commuter electrified shuttle bus systems, and/or a mono-rail that links the areas quickly and efficiently vs. driving.

I am for the housing density of lots and parking areas, and feel that Daly City along with the city of Colma from the Top of the Hill down to Westlake and along its major arterials can do better to solve the housing concerns through infill development and adequate investment in rail and bus-trolley systems. To help reduce auto-use and improve housing options and alternative housing solutions in the major parking areas adjacent to public transit hubs. San Francisco cannot absorb the growth alone, and it is important that other municipalities contribute and help solve the infrastructure needs along major corridors like the Brisbane Housing and Developments and a direct link from D11 to D10 to D7 in San Francisco east west as well as south bound to link SSF, Colma, Brisbane, and Daly City in a more visionary and future thinking solution that does NOT rely on auto-use.

Please take these issues into account in the decision to allow more densification without a serious linkup to public infrastructure and requiring investment by developer's into a fund to secure projects that solve transit issues for the Daly City area.

The traffic mad-house will only worsen if only garages, and more housing is infilled and steps are not taken to solve BI-COUNTY transit needs.

RESPONSE A – 1: The commenter is in overall support of the housing projects but expressed concerns about the impacts of the proposed development on traffic and congestion in the Daly City area that should be taken into consideration with other approved or pending development occurring in the southwest area of San Francisco.

First, with respect to the project's impacts on traffic and existing congestion in the Daly City area, Fehr & Peers analyzed the existing and proposed project external (i.e. off-site) vehicle trip generation associated with the proposed project and determined that the trips generated by the proposed project are essentially equivalent to the baseline trips associated with the site's current commercial uses. Specifically, according to the traffic analysis, the proposed project would generate fewer external vehicle trips than the existing land use program during the weekday study periods. Only on Saturday midday peak hour, would the project generate 17 net new external vehicle trips. Therefore, overall the project would generate little if any new traffic, as it replaces existing sources of traffic at the project site. As a result, the project would not have a significant impact on traffic and congestion in the Daly City area.

Second, with respect to other approved southwest San Francisco Planned Developments, the traffic analysis was based on a trip distribution that took into consideration access to the regional traffic network. The majority of the trips from approved developments in San Francisco's southwest neighborhood are most likely to access I-280 from Brotherhood Way. Similarly, most of the residents from the proposed project are expected to access I-280 from John Daly Boulevard. Therefore, the traffic study focused on the intersections within a half mile radius of the project site.

B. RESPONSES TO COMMENTS FROM SAN FRANCISCO PUBLIC UTILITIES COMMISSION, DATED APRIL 30, 2018

COMMENT B – 1: *Project should be subject to review by SFPUC*

The SFPUC recently received additional notice about your proposed project at 10 Park Plaza, Daly City (Westlake Shopping Center). We would like the project to come to SFPUC's Project Review, in order to avoid impacts to the Sunset Supply Line, an active, high-pressure water transmission pipeline. Please note that our pipeline angles east across the Westlake Center main entrance, making it likely that elements of the proposed project, such as heavy construction equipment crossing our pipeline at one or more places, might occur (see attached map.) At project review, we would like to clarify equipment loading, routing, and staging for the project. We wish to avoid encroachments onto the SFPUC ROW or inappropriate uses, which could

impede the SFPUC's access to the pipeline and appurtenances or adversely impact our water utility infrastructure.

The Project Review Committee may require modifications to the proposal, and/or avoidance and minimization measures to ensure that the proposal conforms to applicable plans and policies. Therefore, it is important to schedule the project for review at the earliest opportunity to address any potential project issues. To initiate the Project Review process, the project sponsor should fill out the attached application, and email it to me at moakes@sfgwater.org, with supporting attachments (project description, maps, drawings and/or plans.) Applications are scheduled in the order they are received, and we are often booked out a couple of months.

Please note that the SFPUC ROW cannot be used to satisfy development/entitlement requirements including, but not limited to: required parking; open space/recreation areas; emergency vehicle access; setbacks, etc. Attached are the following two SFPUC ROW policies:

- **Interim Water Pipeline ROW Use Policy** – specifies uses allowed or prohibited within SFPUC ROW (ex. land use, structures, utilities, etc.); and
- **Integrated Vegetation Management Policy** – see section 12.005 for vegetation height specifications allowed within the SFPUC ROW.

The Committee will be looking for compliance all SFPUC policies, engineering, operations, and maintenance requirements, the California Environmental Quality Act (CEQA), among other things.

RESPONSE B - 1: The commenter would like the project to come to SFPUC's Project Review, in order to avoid impacts to the Sunset Supply Line, an active, high-pressure water transmission pipeline. The proposed project will conform to applicable plans and policies and will be subject to review by SFPUC to ensure there are no impacts to its facilities. The project applicant is coordinating with the SFPUC regarding a project review meeting to address any potential project issues. This comment does not address the adequacy of the Initial Study/Mitigated Negative Declaration (IS/MND), and no further response is required.

C. RESPONSES TO COMMENTS FROM LOZEAU DRURY, LLP, DATED MAY 18, 2018

COMMENT C - 1: I am writing on behalf of the Laborers International Union of North America, Local Union 261 regarding the initial study and mitigated negative declaration (MND) prepared for the Westlake Shopping Center Mixed-use project, aka SCH2018042065, GPA-4-17- 12760, PD-4-17-12761, and DR-4-17-12762 ("Westlake Project" or "Project"). As discussed below, an environmental impact report ("EIR") is required for the Westlake Project because there is a "fair argument" that the Project may have significant adverse environmental impacts. An EIR would analyze the Project's impacts and propose feasible mitigation measures to reduce or eliminate those impacts.

PROJECT DESCRIPTION

The Westlake Project proposes to demolish two existing commercial buildings and northeastern portion of the existing surface parking in the Westlake Shopping Center, which has over 14 acres of commercial space). The project proposes to construct a new six-story building with up to 180 dwelling units and 34,074 square feet of ground-floor retail on the 1.95-acre project site. The building would include two floors of below-grade parking with 260 parking spaces spanning 107,968 square feet. A new auto access road is proposed at the south edge of the new building connecting Park Plaza drive to the parking area between the new building and Westlake Center Drive. The ground-floor retail space would be located on the western side of the building facing the surface parking in the Westlake Shopping Center. The residential units are grouped around two landscaped courtyards on the second floor to the sixth floor (five levels of residential use). The southern courtyard faces open to the western side of the building and has a fitness center, fire pits, a BBQ area and other residential amenities. The larger courtyard is completely wrapped around residential units. The maximum building height proposed is 80 feet above grade. The project proposes a General Plan Amendment (GPA) to change the land use designation from Commercial Retail and Office, which allows retail and office uses and Floor Area Ratio (FAR) ranging from 2.5 to 5.0, to Commercial Mixed-Use, which allows mixed-use land uses with FAR ranging from 1.0 to 6.0. The project would result in a gross floor area of 230,065 square feet, excluding the two-level below-grade garage. The FAR of the proposed development would be approximately 2.7, and the lot coverage would be 62 percent. The project proposes a Planned Development Zoning Amendment to the existing Planned Development Zone PD-60 to allow residential uses on-site.

LEGAL STANDARD

As the California Supreme Court held, “[i]f no EIR has been prepared for a nonexempt project, but substantial evidence in the record supports a fair argument that the project may result in significant adverse impacts, the proper remedy is to order preparation of an EIR.” *Communities for a Better Env’t v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 319-320 [“CBE v. SCAQMD”], citing, *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 88; *Brentwood Assn. for No Drilling, Inc. v. City of Los Angeles* (1982) 134 Cal.App.3d 491, 504–505. “Significant environmental effect” is defined very broadly as “a substantial or potentially substantial adverse change in the environment.” Pub. Res. Code [“PRC”] § 21068; see also 14 CCR § 15382. An effect on the environment need not be “momentous” to meet the CEQA test for significance; it is enough that the impacts are “not trivial.” *No Oil, Inc., supra*, 13 Cal.3d at 83. “The ‘foremost principle’ in interpreting CEQA is that the Legislature intended the act to be read so as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.” *Communities for a Better Env’t v. Cal. Resources Agency* (2002) 103 Cal.App.4th 98, 109 [“CBE v. CRA”].

The EIR is the very heart of CEQA. *Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1214; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 927. The EIR is an “environmental ‘alarm bell’ whose purpose is to alert the public and its responsible officials to environmental changes before they have reached the ecological points of no return.” *Bakersfield Citizens*, 124 Cal.App.4th at 1220. The EIR also functions as a “document of accountability,” intended to “demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action.” *Laurel Heights Improvements*

Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 392. The EIR process “protects not only the environment but also informed self-government.” *Pocket Protectors*, 124 Cal.App.4th at 927. An EIR is required if “there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment.” PRC § 21080(d); see also *Pocket Protectors*, 124 Cal.App.4th at 927. In very limited circumstances, an agency may avoid preparing an EIR by issuing a negative declaration, a written statement briefly indicating that a project will have no significant impact thus requiring no EIR (14 Cal. Code Regs. § 15371), only if there is not even a “fair argument” that the project will have a significant environmental effect. PRC, §§ 21100, 21064.) Since “[t]he adoption of a negative declaration . . . has a terminal effect on the environmental review process,” by allowing the agency “to dispense with the duty [to prepare an EIR],” negative declarations are allowed only in cases where “the proposed project will not affect the environment at all.” *Citizens of Lake Murray v. San Diego* (1989) 129 Cal.App.3d 436, 440.

Where an initial study shows that the project may have a significant effect on the environment, a mitigated negative declaration may be appropriate. However, a mitigated negative declaration is proper only if the project revisions would avoid or mitigate the potentially significant effects identified in the initial study “to a point where clearly no significant effect on the environment would occur, and...there is no substantial evidence in light of the whole record before the public agency that the project, as revised, may have a significant effect on the environment.” (Public Resources Code §§ 21064.5 and 21080(c)(2); *Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322, 331.) In that context, “may” means a reasonable possibility of a significant effect on the environment. (Pub. Resources Code, §§ 21082.2(a), 21100, 1151(a); *Pocket Protectors*, supra, 124 Cal.App.4th at 927; *League for Protection of Oakland's etc. Historic Resources v. City of Oakland* (1997) 52 Cal.App.4th 896, 904– 905.)

Under the “fair argument” standard, an EIR is required if any substantial evidence in the record indicates that a project may have an adverse environmental effect—even if contrary evidence exists to support the agency’s decision. 14 CCR § 15064(f)(1); *Pocket Protectors*, 124 Cal.App.4th at 931; *Stanislaus Audubon Society v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 150-15; *Quail Botanical Gardens Found., Inc. v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602. The “fair argument” standard creates a “low threshold” favoring environmental review through an EIR rather than through issuance of negative declarations or notices of exemption from CEQA. *Pocket Protectors*, 124 Cal.App.4th at 928.

The “fair argument” standard is virtually the opposite of the typical deferential standard accorded to agencies. As a leading CEQA treatise explains:

This ‘fair argument’ standard is very different from the standard normally followed by public agencies in making administrative determinations. Ordinarily, public agencies weigh the evidence in the record before them and reach a decision based on a preponderance of the evidence. [Citations]. The fair argument standard, by contrast, prevents the lead agency from weighing competing evidence to determine who has a better argument concerning the likelihood or extent of a potential environmental impact. The lead agency’s decision is thus largely legal rather than factual; it does not resolve conflicts in the evidence but determines only whether substantial evidence exists in the record to support the prescribed fair argument.

Kostka & Zishcke, Practice Under CEQA, §6.29, pp. 273-274. The Courts have explained that “it is a question of law, not fact, whether a fair argument exists, and the courts owe no deference to the lead

agency's determination. Review is de novo, with a preference for resolving doubts in favor of environmental review." *Pocket Protectors*, 124 Cal.App.4th at 928 [emphasis in original].

RESPONSE C – 1: The commenter provides a description of the project and then presents information regarding CEQA case law related to the “fair argument” standard. This comment does not address the adequacy of the IS/MND and no further response is required.

COMMENT C - 2: *The Project Exceeds the Air District's CEQA Significance Thresholds, therefore an EIR is required.*

The Bay Area Air Quality Management District (BAAQMD) provides a specific numerical threshold of 10 in one million for determining a project's health risk impact from cancer. When a Project exceeds a duly adopted CEQA significance threshold, this alone establishes a fair argument that the project will have a significant adverse environmental impact and an EIR is required. Indeed, in many instances, such air quality thresholds are the only criteria reviewed and treated as dispositive in evaluating the significance of a project's air quality impacts. See, e.g. *Schenck v. County of Sonoma* (2011) 198 Cal.App.4th 949, 960 (County applies BAAQMD's “published CEQA quantitative criteria” and “threshold level of cumulative significance”). See also *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 110-111 (“A ‘threshold of significance’ for a given environmental effect is simply that level at which the lead agency finds the effects of the project to be significant”). The California Supreme Court recently made clear the substantial importance that an air district significance threshold plays in providing substantial evidence of a significant adverse impact. *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 327 (“As the [South Coast Air Quality Management] District's established significance threshold for NO_x is 55 pounds per day, these estimates [of NO_x emissions of 201 to 456 pounds per day] constitute substantial evidence supporting a fair argument for a significant adverse impact”).

RESPONSE C – 2: The commenter states the project exceeds the Air District's CEQA significance thresholds; however, the commenter has taken the BAAQMD threshold for local community health risk for cancer out of context. Per the BAAQMD CEQA Guidelines, the project level local community health risk threshold for cancer is: “An excess [emphasis added] cancer risk level of more than 10 in one million¹.” Therefore, the threshold only applies to a project's increase in risk (or excess) above the existing community cancer risk.

As shown in the IS/MND and explained below in responses that follow, the project does not exceed the excess cancer risk threshold of more than 10 in one million. Therefore, substantial evidence in the record supports the conclusion that the project does not have a significant air quality impact.

More importantly, as discussed below, the commenter has not provided correct, factual evidence in support of a fair argument that the project, on its own, results in

¹ BAAQMD CEQA Guidelines, 2017, p. 2-5 (http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en)

an increased cancer risk level of more than 10 in one million, whether during construction activities or longer term when the proposed buildings are occupied.

COMMENT C - 3: *The Initial Study does not include a Health Risk Assessment analysis.*

The environmental consulting firm, Soil, Water, Air Pollution Enterprise (SWAPE), concludes that the Westlake Project will create a 30-year cancer risk for nearby residents of 996 per million. (SWAPE Letter, p. 5 (Exhibit B)). This is almost one hundred times above the BAAQMD cancer risk CEQA significance threshold. SWAPE states:

The excess cancer risk to adults, children, and infants at a sensitive receptor located approximately 25 meters away over the course of Project operation is approximately 61.7, 556, and 378 in one million, respectively. Furthermore, the excess cancer risk over the course of a residential lifetime (30 years) is approximately 996 in one million. The infantile, child, adult, and lifetime cancer risks all greatly exceed the BAAQMD's threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the IS. (SWAPE, p. 5).

The Initial Study includes no Health Risk Assessment (HRA) at all. Instead, the document contends, without analysis, that no HRA is required. (IS, p. 37). The Initial Study contends that the proposed Project is not "considered a source of TAC [toxic air contaminants] or fine particulate matter (PM_{2.5}) emissions." (IS, p. 37). However, the Initial Study contradicts itself. The Initial Study's operational air emission model ("CalEEMod") output files demonstrates that the Project would produce PM_{2.5} and PM₁₀ emissions, contrary to the IS's claims (Greenhouse Gas Emissions Report, pp. 57). Thus, the Project Applicant's claim that the Project would not be a source of PM emissions is erroneous. As a result, the City has no substantial evidence to support its conclusion of no significant health risk.

The Bay Area Air Quality Management District (BAAQMD) recommends that if a Project is located within 1,000 feet of a sensitive receptor, the potential impacts to that sensitive receptor should be evaluated. Specifically, the BAAQMD CEQA Guidelines state,

"BAAQMD recommends that all receptors located within a 1,000 foot radius of the project's fence line be assessed for potentially significant impacts from the incremental increase in risks or hazards from the proposed new source"

The proposed Westlake Project is located in an urban area, with the closest sensitive receptor located approximately 27 meters (88 feet) from the Project site – far closer than the 1000 feet threshold set by BAAQMD. Therefore, a health risk assessment is required.

SWAPE conducted a standard AERSCREEN, model. The AERSCREEN model is recommended by US EPA, the California Office of Environmental Health Hazard Assessment (OEHHA) and the California Air Pollution Control Officers Associated (CAPCOA) guidance as the appropriate air dispersion model for Level 2 health risk screening assessments ("HRSAs"). The results of SWAPE's calculations are shown below:

Parameter	Description	Units	Infant	Child	Adult
Cair	Concentration	µg/m ³	1.536	1.536	1.536
DBR	Daily breathing rate	L/kg-day	1090	572	261
EF	Exposure Frequency	days/year	350	350	350
ED	Exposure Duration	years	1.5	14	14
AT	Averaging Time	days	25550	25550	25550
	Inhaled Dose	(mg/kg-day)	3.4E-05	1.7E-04	7.7E-05
CPF	Cancer Potency Factor	1/(mg/kg-day)	1.1	1.1	1.1
ASF	Age Sensitivity Factor	-	10	3	1
FAH	Fraction of Time at Home	-	1	1	0.73
	<i>Cancer Risk by Age Group</i>		3.78E-04	5.56E-04	6.17E-05
	<u>Total Operational Cancer Risk</u>		<u>9.96E-04</u>		

The excess cancer risk to adults, children, and infants at a sensitive receptor located approximately 25 meters away over the course of Project operation is approximately 61.7, 556, and 378 in one million, respectively. Furthermore, the excess cancer risk over the course of a residential lifetime (30 years) is approximately 996 in one million. The infantile, child, adult, and lifetime cancer risks all greatly exceed the BAAQMD's threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the IS.

The Initial Study includes no health risk assessment at all. Therefore, there is no substantial evidence to support its conclusion of no significant impacts. The AERSCREEN model finding a cancer risk of 996 per million – almost 100 times above the 10 per million BAAQMD CEQA significance threshold – creates more than a fair argument that the Project may have significant adverse environmental impacts. An environmental impact report is required to analyze this impact and to propose feasible mitigation measures and alternatives to reduce the risk.

RESPONSE C – 3: The commenter contends that operation of the project would lead to health risk impacts that were not evaluated in the IS/MND since a health risk assessment allegedly was not included. Their consultant, Soil, Water, Air Pollution Enterprise (SWAPE), conducted an analysis of this impact and predicted the cancer risk would “greatly” exceed the significance threshold recommended by the Bay Area Air Quality Management District (BAAQMD) and used in the IS/MND.

Health Risk Assessment

One of the reasons the commenter raises as support for why a health risk assessment was required is that the IS/MND contradicts itself because the CalEEMod output files allegedly demonstrate that the project would produce PM_{2.5} and PM₁₀ emissions. The commenter appears to be confusing the CalEEMod PM₁₀ emissions report in the IS/MND with diesel PM emissions, but only a portion of the PM₁₀ emissions reported in the CalEEMod results are diesel PM emissions.

In any event, the commenter is incorrect because the IS/MND did evaluate health risk impacts associated with the project. Specifically, a construction health risk

assessment was conducted for the project and included in the IS/MND because construction equipment and trucks would emit substantial amounts of diesel particulate matter, which is a toxic air contaminant (TAC) and elevated concentrations of fine particulate matter (PM2.5). Construction activities were predicted in the IS/MND to result in increased cancer risk for infant exposure that would be above the significance threshold of ten cases per million. This impact was identified as significant and mitigation was identified to reduce the impact to less than significant levels, i.e. an excess cancer risk level below ten cases per million.

Contrary to the comment's claim, operation of the project would not be a source of TAC emissions that would lead to increased health risks. Therefore, a health risk assessment of the project's operation was not warranted.

By way of explanation, in its CEQA Air Quality Guidelines, BAAQMD identifies common sources of TACs and PM2.5 that should be addressed in community risk assessments (page 5-2):

“Common stationary source types of TAC and PM2.5 emissions include gasoline stations, dry cleaners, and diesel backup generators, which are subject to BAAQMD permit requirements. The other, often more significant, common source type is on-road motor vehicles on freeways and roads such as trucks and cars, and off-road sources such as construction equipment, ships and trains.”

The project would not include sources of TAC emissions such as diesel generators, gasoline stations, or dry cleaning operations as specified in BAAQMD's CEQA Air Quality Guidelines. Like all mixed-use residential projects, the project would be a source of air pollutant emissions primarily from traffic traveling to and from the site. However, the project would generate little if any traffic, as it replaces existing sources of traffic at the project site. The Westlake Shopping Center Redevelopment Transportation Impact Study (TIS) by Fehr and Peers (Appendix G of the IS/MND) predicts a decrease of vehicle trips per day during the busiest commute periods and on weekdays. Only during midday Saturday conditions would the project generate a modest 17 additional trips compared to current site conditions, an insignificant increase, particularly considering most vehicle trips to/from the site would be passenger vehicles that do not emit substantial amounts of TACs, as opposed to diesel powered trucks which emit TACs at much higher rates. When existing conditions are factored in, project operations result in a reduction of diesel PM and PM2.5. Based on the nature of the project, the baseline activity occurring currently at the site, and the guidance provided by BAAQMD, the project operation would not be a source of TACs, and therefore, a health risk assessment for project operations was not required.

SWAPE analysis

The SWAPE analysis provided by the commenter ignores the IS/MND analysis and relies on an imprecise screening model (i.e., AERSCREEN) to predict high impact levels. The SWAPE assessment is based on CalEEMod modeling that appears to

have used default conditions, and predicted operational mobile emissions assuming those were all diesel vehicles and then assumed that the diesel emissions were concentrated at the site, whereas the emissions would actually be distributed along the entire trip lengths of 7 to 12 miles, resulting in travel that is well away from the site, dispersing project emissions along roadways. Further, SWAPE did not account for the emissions from the land uses currently operating at the site that would be replaced by the project. For these reasons, the SWAPE analysis is based on unrealistic assumptions and dramatically overstates actual project emissions.

It should also be noted that a screening modeling approach, such as the one used by SWAPE and described in the comment letter using AERSCREEN, is a simplified version of a refined model and is limited to:

- Use theoretical, or synthetic, meteorological conditions that are designed to encompass the spectrum of potential meteorological conditions that may be present at the location being modeled, but are not actual measured data.
- Only calculates a one-hour concentration for each of the theoretical meteorological conditions. An average scaling factor is then used to estimate what the annual average concentration may be based on the modeled on-hour concentration.
- Does not differentiate between daytime and nighttime conditions. As such, the model calculates one hour concentrations under conditions that would occur during the nighttime when operational vehicle emissions and generator testing would not likely be occurring.

Due to its simplicity and reliance on limited actual site-specific physical and meteorological conditions, the AERSCREEN model is designed to provide conservative (i.e. overstated) pollutant concentrations. Given the lack of TAC emissions sources included in the project, the SWAPE assessment has greatly exaggerated and overestimated project operational risk impacts, and therefore is not substantial evidence of an actual project impact. Based upon the above, the commenter has not provided correct, factual evidence in support of the allegation that a health risk assessment was warranted but not conducted, and that the conclusions of the IS/MND analysis are incorrect. There is substantial evidence in the record, however, supporting the IS/MND's health risk assessments (including why one was not conducted for operational emissions) and the conclusions reached by its air quality analysis.

COMMENT C - 4: (EXHIBIT B, SWAPE PAGES 1-2)

Diesel Particulate Matter Health Risk Emissions Inadequately Evaluated

The IS conducts a construction HRA to evaluate the health risk posed to on-site residential receptors from exposure to nearby by toxic air contaminant (TAC) emission sources. However, the IS fails to evaluate, whatsoever, the health risk impacts posed to nearby residences as a result of exposure to emissions generated by operation of the Project. Instead, the IS determines that the Project would not

expose nearby sensitive receptors to significant TAC emissions during operation, without providing any evidence to support this claim (IS, p. 38). The IS states,

“Operation of this project is not considered a source of TAC or fine particulate matter (PM_{2.5}) emissions. Stationary sources that could emit TACs have not been proposed. As a result, the project operation would not cause emissions that expose sensitive receptors to unhealthy air pollutant levels. Because the project would not be a source of TACs, it would not contribute cumulatively to unhealthy exposure to TACs” (IS, p. 37).

We find the IS’s justification and subsequent health risk determination to be incorrect for several reasons. First, the Project Applicant’s assertion that operation of the proposed Project is not “considered a source of TAC or fine particulate matter (PM_{2.5}) emissions” is not supported by any factual evidence whatsoever. In fact, the IS’s operational CalEEMod output files demonstrates that the Project would produce PM_{2.5} and PM₁₀ emissions, contrary to the IS’s claims (Greenhouse Gas Emissions Report, pp. 57). Thus, the Project Applicant’s claim that the Project would not be a source of PM emissions is erroneous.

RESPONSE C – 4: The commenter appears to contend that the project would produce TAC emissions because the CalEEMod output files include PM₁₀ emissions. As previously noted, this is based on an erroneous assumption that PM₁₀ emissions evaluated in CalEEMod and diesel PM (a TAC contained in diesel engine exhaust) are equivalent.

It is important to understand that, for purposes of this project, the only TAC that will be generated by the project is diesel PM. It is also important to understand that CalEEMod estimates two forms of PM₁₀: fugitive dust PM₁₀ and exhaust PM₁₀ (produced by combustion processes). Of these two, only exhaust PM₁₀ includes diesel PM. However, the exhaust PM₁₀ estimated in the CalEEMod model for the project is more than just diesel PM - it comes from four sources: the combustion of wood in fireplaces or woodstoves; the operation of landscape maintenance equipment (primarily from gasoline-powered two-cycle engines, e.g. leaf blowers and string trimers); the combustion of natural gas or propane in hot water heaters, furnaces, and appliances; and mobile emissions from vehicles traveling to and from the project site. For this project, only the mobile emissions, contain diesel PM. Therefore, the figure cited for PM₁₀ emissions in the CalEEMod output files is not the figure that should be used for TAC emissions in the HRA because it includes more than diesel PM.

Further, as explained below, the data supports that the project’s operation is not considered a source of TAC or PM_{2.5} emissions because, although the project itself will create some diesel PM (which is a TAC) and PM_{2.5} (which is not a TAC) emissions, once existing conditions are considered, project operation will result in a reduction in diesel PM and PM_{2.5} emissions.

The Greenhouse Gas Emissions Assessment prepared for the project by Michael Baker International (April 2017) utilizes the data from three CalEEMod model runs: First, Westlake Shopping Center - Construction; second, Westlake Shopping Center -

Proposed Project Operations; and third, Westlake Shopping Center - Existing Conditions. The project's operational emissions would be the net change between the Proposed Project Operations and the Existing Conditions. The sources of Exhaust PM10 analyzed in the CalEEMod runs and the net change between proposed and existing conditions are shown in Table 1.

Table 1
Project Operational Sources of Exhaust PM10 Analyzed (tons per year)

CalEEMod Run	Not Sources of Diesel PM			Diesel PM Source
	Area (wood hearths) ¹	Area (landscape equipment) ²	Energy (natural gas combustion) ¹	Mobile ³
Proposed Conditions	0.0813	0.00733	0.00950	0.0465
Existing Conditions	0.00000	0.00000	0.00502	0.0804
Net Emissions	0.0813	0.00733	0.00448	(0.0339)

Source: Westlake Shopping Center Apartments Greenhouse Gas Emissions Assessment: CalEEMod Proposed Project Operations output file and CalEEMod Existing Conditions output file (April 2017).

Notes:

1. Exhaust PM10 resulting from combustion of wood or natural gas is not a source of diesel PM.
2. Exhaust PM10 from landscape maintenance equipment is primarily from gasoline-powered 2-cycle engines and is not a source of diesel PM.
3. Emission estimates utilize the project trip generation analysis in the Transportation Impact Study (Fehr and Peers, March 2018).

As shown in Table 1, project operation would result in a reduction in mobile exhaust PM10 emissions (the only project operational source of diesel PM) of 0.0339 tons per year.

PM2.5 (fine particulate matter) is not classified as a TAC by the California Air Resources Board (CARB). However, the BAAQMD has determined that both long-term and short-term exposure to PM2.5 can cause a wide range of health effects and has established a threshold for maximum localized concentrations resulting from a project. The sources of PM2.5 analyzed in the CalEEMod runs completed by Michael Baker International and the net change between proposed and existing conditions are shown in Table 2. These sources include both fugitive dust PM2.5 and exhaust PM2.5.

Table 2
Project Operational Sources of PM2.5 Analyzed (tons per year)¹

CalEEMod Run	Area (wood hearths)	Area (landscape equipment)	Energy (natural gas combustion)	Mobile ³	Total PM2.5
Proposed Conditions	0.0813	0.00733	0.00950	0.8281	0.9262
Existing Conditions	0.00000	0.00000	0.00502	1.4266	1.4316
Net Emissions	0.0813	0.00733	0.00448	(0.5985)	(0.5054)

Source: Westlake Shopping Center Apartments Greenhouse Gas Emissions Assessment: CalEEMod Proposed Project Operations output file and CalEEMod Existing Conditions output file (April 2017).

Notes:

1. PM2.5 emissions include exhaust and fugitive dust sources.
2. Emission estimates utilize the project trip generation analysis in the Transportation Impact Study (Fehr and Peers, March 2018).

As shown in Table 2, project operation would result in a reduction in mobile PM2.5 emissions of 0.5985 tons per year, and a total project PM2.5 reduction of 0.5054 tons per year, compared to existing conditions. In conclusion, as demonstrated in Table 1 and Table 2, and contrary to the commenter's assertion, the IS/MND includes substantial evidence showing that project operation is not a source of TAC or fine particulate matter (PM2.5) emissions.

COMMENT C - 5 (EXHIBIT B, SWAPE PAGE 2):

Second, the Project Applicant's determination that Project operation would not "expose sensitive receptors to unhealthy air pollutant levels" is baseless, as the IS contains no assessment of the potential impact that emissions generated during operation could have on nearby receptors. The IS should have conducted some sort of quantitative analysis and should have compared the results of this analysis to applicable thresholds. The Bay Area Air Quality Management District (BAAQMD) provides a specific numerical threshold of 10 in one million for determining a project's health risk impact.¹ Therefore, the IS should have conducted an assessment that compares the Project's operational health risk to this threshold in order to determine the Project's health risk impact, similar to how the Project's construction-related risk was evaluated. By failing to prepare a proper assessment of the Project's potential operational-related health impact, the IS fails to provide a comprehensive analysis of the sensitive receptor impacts that may occur as a result of exposure to substantial air pollutants. Thus, no substantial evidence supports the IS's conclusion of "less than significant" impact.

RESPONSE C – 5: The only significant potential operation source of diesel PM and PM2.5 would be mobile emissions. As demonstrated in the TIS prepared by Fehr and Peers, the project would generate fewer daily trips than the existing conditions, and as demonstrated above, project implementation would result in a net reduction of diesel PM and PM2.5 over existing conditions. Therefore, based on a qualitative assessment, the project is not a significant source of TAC and/or PM2.5 emissions and a quantitative analysis is not required. Further, the data showing that the project would not be a significant source of TAC or PM2.5 emissions is substantial evidence supporting the conclusion of no impact.

COMMENT C - 6 (EXHIBIT B, SWAPE PAGES 2-3)

Third, the BAAQMD recommends that, should a Project be located within 1,000 feet of a sensitive receptor, the potential impacts to that sensitive receptor should be evaluated. Specifically, the BAAQMD CEQA Guidelines state, "BAAQMD recommends that all receptors located within a 1,000 foot radius of the project's fence line be assessed for potentially significant impacts from the incremental increase in risks or hazards from the proposed new source".

Thus, because the proposed Project is located in an urban area, with the closest sensitive receptor located approximately 27 meters from the Project site, the potential health-related impacts posed to that sensitive receptor as a result of emission generated during operation should be properly assessed (p. 104).

RESPONSE C – 6: The quote from the BAAQMD CEQA Guidelines (“Guidelines”) in the comment above is from page 5-7, in which the Guidelines are addressing projects that include the operation of non-permitted sources of TAC and/or PM2.5 emissions and generate significant truck traffic, such as distribution centers, quarries and manufacturing facilities. This discussion is clearly inapplicable to the project since it does not classify as that type of project. Presumably, the commenter was trying to reference the “Area of Influence” discussion on pages 5-2 to 5-3.

Second, contrary to the picture the commenter is trying to paint, the zone of influence is how far an analysis needs to assess a project’s impacts; it is not a mandate for needing to assess the impacts on all receptors within that zone of influence. As the Guidelines make clear, an analysis first looks to see if there are any sensitive receptors within that 1,000-foot zone. If there are, then the analysis proceeds with a phased approach, pursuant to which a determination is made as to whether an HRA needs to be conducted. Therefore, the 1,000-foot radius is not a mandate to prepare an HRA. In any event, an HRA of the project’s construction emissions was prepared. It should also be noted that IS/MND page 104 addresses construction noise impacts; therefore, the citation to that page appears to be in error.

COMMENT C - 7 (EXHIBIT B, SWAPE PAGE 3)

Fourth, the omission of a quantified health risk is inconsistent with the most recent guidance published by Office of Environmental Health Hazard Assessment (OEHHA), the organization responsible for providing recommendations and guidance on how to conduct health risk assessments in California. In February of 2015, OEHHA released its most recent Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments, which was formally adopted in March of 2015.³ This guidance document describes the types of projects that warrant the preparation of an HRA. Project operation will generate truck trips, which will generate additional exhaust emissions, thus continuing to expose nearby sensitive receptors to DPM emissions. The OEHHA document recommends that exposure from projects lasting more than 6 months should be evaluated for the duration of the project and recommends that an exposure duration of 30 years be used to estimate individual cancer risk for the maximally exposed individual resident (MEIR). Even though we were not provided with the expected lifetime of the Project, we can reasonably assume that the Project will operate for at least 30 years, if not more. Therefore, per OEHHA guidelines, health risk impacts from Project construction and operation should have been evaluated by the DEIR. These recommendations reflect the most recent HRA policy, and as such, an assessment of health risks to nearby sensitive receptors from construction and operation should be included in a revised CEQA evaluation for the Project.

RESPONSE C – 7: The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, Connelly) was enacted in 1987, and requires stationary sources of pollutants to report the types and quantities of certain substances routinely released into the air. The document referenced by the commenter (Office of Environmental Health Hazard Assessment, Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments, February 2015) (“OEHHA Guidelines”) provides guidelines on how a quantitative health risk assessment should be performed

to meet the regulatory requirements for permitting of stationary sources of some pollutants subject to AB 2588. Although the commenter insinuates that the OEHHA Guidelines mandate preparation of an HRA for the project, that is not the case. The OEHHA Guidelines do not dictate when an HRA should be prepared but simply provide HRA procedures for use in the Air Toxics Hot Spots Program or for the permitting of existing, new, or modified stationary sources.

It should be noted that the project is not even the type of activity that would be subject to AB2588 reporting or health risk assessment requirements, for which the OEHHA Guidelines were written. Nonetheless, the HRA conducted for the project's construction emissions was conducted pursuant to the OEHHA Guidelines. Because an HRA was not required for project operations as explained above, the OEHHA Guidelines are inapplicable to project operations.

The commenter's assertion that "[p]roject operation will generate truck trips, which will generate additional exhaust emissions, thus continuing to expose nearby sensitive receptors to DPM emissions" is not supported by substantial evidence. Project implementation would result in the net loss of 21,556 square feet of commercial area (and any associated truck deliveries) and as demonstrated in the TIS prepared by Fehr and Peers, the project would generate fewer daily trips than the existing baseline conditions.

COMMENT C - 8 (EXHIBIT B, SWAPE PAGES 3-4)

Health Risk Assessment Indicates Significant Health Impact

In an effort to demonstrate the potential risk posed by operation of the proposed Project to nearby sensitive receptors, we prepared a simple screening-level HRA. The results of our assessment, as described in the sections below, provide substantial evidence demonstrating that potential health risk impacts associated with operation of the proposed Project may result in a potentially significant health risk impact. As such, a DEIR should be prepared to adequately evaluate the proposed Project's health risk impacts, and additional mitigation measures should be identified and incorporated into the Project design, where necessary. In order to conduct our screening level risk assessment, we relied upon AERSCREEN, which is a screening level air quality dispersion model. The model replaced SCREEN3, and AERSCREEN is included in the Office of Environmental Health Hazard Assessment (OEHHA) and the California Air Pollution Control Officers Associated (CAPCOA) guidance as the appropriate air dispersion model for Level 2 health risk screening assessments ("HRSAs"). A Level 2 HRSA utilizes a limited amount of site-specific information to generate maximum reasonable downwind concentrations of air contaminants to which nearby sensitive receptors may be exposed. If an unacceptable air quality hazard is determined to be possible using AERSCREEN, a more refined modeling approach is required prior to approval of the Project.

We prepared a preliminary health risk screening assessment of the Project's operational health-related impact to sensitive receptors using the annual PM10 exhaust estimates from the SWAPE CalEEMod model. According to the IS, the closest sensitive receptor to the Project site is located approximately 90 feet, or approximately 27 meters, from the Project site (p. 104). The CalEEMod model's annual emissions indicate that operational activities will generate approximately 357 pounds of DPM over

the 29.3 years of operation. The AERSCREEN model relies on a continuous average emission rate to simulate maximum downward concentrations from point, area, and volume emission sources. We calculated an average DPM emission rate by the following equation. [equation not shown here]

RESPONSE C – 8: The commenter’s health risk screening assessment is based on an erroneous assumption that project operation would generate approximately 357 pounds per year of diesel PM. As explained in Response C-4, above, the project’s operational emissions of diesel PM would be the net change between project operations and existing conditions, and those emissions of diesel PM would not include area sources (such as wood fire places and landscape equipment) and energy sources (such as gas appliances) of exhaust PM₁₀. The commenter has failed to subtract existing diesel PM emissions and sources of exhaust PM₁₀ that do not contain diesel PM. As indicated in Table 1 of Response C-4, project implementation would result in a reduction of 0.0339 tons per year of diesel PM (a reduction of 67.8 pounds per year).

Also, as previously noted, page 104 of the IS/MND addresses construction noise; therefore, the citation to that page appears to be in error.

COMMENT C – 9: (EXHIBIT B, SWAPE FOOTNOTE 8)

The IS’s operational CalEEMod model failed to account for the existing 14,000-square foot grocery store on the Project site that will not be demolished during construction. Therefore, we prepared an updated CalEEMod model that estimates operational emissions including the emissions generated by the 14,000-square foot grocery store.

RESPONSE C – 9: Although the Proposed Project Operations CalEEMod model did not include the existing 14,000-square foot grocery store, neither did the Existing Conditions CalEEMod model. Since operational emissions are the net difference between project operation and existing conditions, including the grocery store in both models would not have changed the net emissions estimates. However, by including emissions from the grocery store in their model for project operations only, the commenter is exacerbating the error of including existing sources of TAC emissions in their analysis.

COMMENT C – 10: (EXHIBIT B, SWAPE PAGE 4)

Using this equation, we estimated an operational emission rate of 0.005135 grams per second (g/s). Operational activity was simulated as a 1.95-acre rectangular area source in AERSCREEN, with dimensions of 147 meters by 53.6 meters. A release height of three meters was selected to represent the height of exhaust stacks on operational equipment and other heavy-duty vehicles, and an initial vertical dimension of one and half meters was used to simulate instantaneous plume dispersion upon release. An urban meteorological setting was selected with model-default inputs for wind speed and direction distribution.

RESPONSE C – 10: The commenter has made an erroneous assumption that all the project’s diesel PM emissions would occur in a 1.95-acre rectangular area (the project site).

As explained above, all the project’s operational diesel PM emissions would result from mobile emissions. These emissions are from the cars and trucks that would travel to and from the project site. Therefore, these emissions would be dispersed over the entire length of each vehicle trip to or from the site and only a very small portion of the emissions could affect localized concentration of diesel PM at sensitive receptor locations. As a result, modeling the project’s mobile emissions as if they would occur in a 1.95-acre rectangular area would be inappropriate. In any event, as described above, project implementation would result in a reduction in diesel PM as compared to existing conditions and would, therefore, decrease any community health risks or hazards from diesel PM.

The project would result in some construction diesel PM emissions from off-road equipment (e.g. graders, dozers, and loaders), for which emissions would occur in the project site. The HRA conducted for construction emissions, therefore, did correctly model the emissions as a “rectangular area.”

COMMENT C - 11 (EXHIBIT B, SWAPE PAGE 5)

The excess cancer risk to adults, children, and infants at a sensitive receptor located approximately 25 meters away over the course of Project operation is approximately 61.7, 556, and 378 in one million, respectively. Furthermore, the excess cancer risk over the course of a residential lifetime (30 years) is approximately 996 in one million. The infantile, child, adult, and lifetime cancer risks all greatly exceed the BAAQMD’s threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the IS.

It should be noted that our analysis represents a screening-level HRA, which is known to be more conservative, and tends to err on the side of health protection. The purpose of a screening-level HRA, however, is to determine if a more refined HRA needs to be conducted. If the results of a screening-level health risk are above applicable thresholds, then the Project needs to conduct a more refined HRA that is more representative of site specific concentrations. Our screening-level HRA demonstrated that operation of the Project could result in a potentially significant health risk impact. As a result, a refined HRA must be prepared to examine the air quality impacts generated by Project operation using site-specific meteorology. A DEIR must be prepared to adequately evaluate the Project’s health risk impact and should include additional mitigation measures to reduce these impacts to a less-than-significant level. Without a refined HRA and mitigation addressing the findings of such an assessment, substantial evidence supports a fair argument that the Project may lead to significant public health impacts due to DPM emissions.

RESPONSE C – 11: As explained above, the commenter’s analysis and conclusions are based on erroneous assumptions and faulty analysis. The commenter’s analysis inputs include PM10 sources that are not diesel PM emissions. Also, the commenter attempts to model mobile emissions that would be dispersed throughout the region as

a stationary source contained within the project site. And, most importantly, the commenter includes existing emissions of diesel PM in their health risk screening analysis and claims that these emissions would be a result of the project, which is not correct. With respect to a “refined” HRA, a “refined” HRA was conducted for project construction emissions based upon the results of a qualitative assessment.

The IS/MND’s qualitative assessment, as discussed in prior responses above, determined that the project would not have a significant impact from operation emissions. Therefore, no further analysis – including neither a “screening” HRA or “refined” HRA – is warranted for project operations.

In conclusion, the IS/MND’s conclusion that the project’s operation would not cause emissions that would expose sensitive receptors to unhealthy air pollutant levels, and there would be no impact, is supported by substantial evidence in the Westlake Shopping Center Redevelopment TIS by Fehr and Peers (Appendix G of the IS/MND), which concluded that the proposed project would generate fewer trips than the existing conditions. It is also supported by an analysis of the CalEEMod output files included as part of the Greenhouse Gas Emissions Assessment by Michael Baker International (Appendix D of the IS/MND), which shows that project operation would result in a net reduction in diesel PM and PM_{2.5} compared to existing conditions. The commenter has failed to provide any substantial evidence that there would be any new or more severe impacts than those disclosed in the IS/MND concerning community health risks or hazards resulting from project-related air pollutant emissions.

COMMENT C – 12:

The Existing Trip Generation Analysis Inaccurately Reflected On-The-Ground Conditions.

The IS/MND concludes that the proposed Project will not have significant traffic impacts. The primary basis for this conclusion is a flawed assumption that the Westlake Project will generate less traffic than the project it is replacing. As discussed by certified Traffic Engineer Daniel T. Smith, PE, the Initial Study’s analysis is incorrect. (Smith Comment, Exhibit C). In particular, the IS overestimates “baseline” traffic from the current operations on site and underestimates traffic from the proposed Project.

Every CEQA document must start from a “baseline” assumption. The CEQA “baseline” is the set of environmental conditions against which to compare a project’s anticipated impacts. *Communities for a Better Environment v. So Coast Air Qual. Mgmt. Dist.* (2010) 48 Cal. 4th 310, 321. Section 15125(a) of the CEQA Guidelines (14 C.C.R., § 15125(a)) states in pertinent part that a lead agency’s environmental review under CEQA:

“...must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time [environmental analysis] is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a Lead Agency determines whether an impact is significant.”

(See, *Save Our Peninsula Committee v. County of Monterey* (2001) 87 Cal.App.4th 99, 124-125 (“Save Our Peninsula.”) As the court of appeal has explained, “the impacts of the project must be measured against the ‘real conditions on the ground,’” and not against hypothetical permitted levels. (*Save Our Peninsula*, 87 Cal.App.4th 99, 121-123.) As the court has explained, using such a skewed baseline “mislead(s) the public” and “draws a red herring across the path of public input.” (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 656; *Woodward Park Homeowners v. City of Fresno* (2007) 150 Cal.App.4th 683, 708-711.)

RESPONSE C – 12: The comment argues that the existing trip generation analysis inaccurately reflected on-the-ground conditions insofar as the medical/dental offices currently present at the project site were not fully occupied at the time of traffic data collection and preparation of the TIS. The analytical approach used in the TIS was appropriate, and furthermore, even if existing trip generation had been calculated in a maximally conservative fashion, the TIS would still have identified no significant traffic impacts.

Real estate vacancy rates fluctuate substantially over time and from region to region. As of late 2017, commercial real estate vacancy rates varied from 8.1 percent to 24.9 percent of metropolitan regions’ office and retail space. Similarly, national residential rental vacancy rate have varied from 6.9 percent to 11.1 percent within the past decade. Because of this inevitable fluctuation, it is not feasible, nor is it the industry standard, to capture every variation in occupancy in an existing-conditions trip generation analysis.

Because no site is perennially fully occupied, including the sites on which the ITE trip generation rates are based, there is some implicit measure of vacancy included in the ITE trip generation rates that form the foundation of the TIS’s trip generation analysis. The equitable approach to considering vacancy in trip generation analysis is to assume that similar background levels of vacancy would occur under both existing and proposed conditions, and therefore to apply no trip generation discount to either existing or proposed trip generation.

At the time that baseline traffic data were collected and the TIS was prepared, 16,813 square feet of the total 25,200 square feet of medical/dental office space at the project site (approximately 67 percent) was occupied. The vacancy rate of approximately 33 percent is higher than typical commercial real estate vacancy rates. However, even if the TIS’s existing trip generation analysis had considered the unusually high vacancy rate that was present at this point in time, the TIS would have identified no significant traffic impacts and there is therefore no environmental-impact implication associated with this methodological difference.

The site has been fully occupied at various times throughout its history, and were the subject project not to be implemented, it is reasonable to conclude the existing building space would again be fully occupied at various times in the future, as economic conditions change over time and the tenant mix of the shopping center evolves. For these reasons, the existing trip credit assumed for the site is not a

hypothetical permitted level, but rather reflective of full occupancy of the center as has been experienced in the past and would be if the buildings were to remain on site.

Fehr & Peers performed two sensitivity tests to gauge the implications of an alternative trip generation analysis approach. First, they calculated a Conservative existing scenario in which medical/dental office trip generation was based on 16,813 square feet rather than 25,200 square feet of land use. The results of this calculation are presented and compared to the previously calculated Original Existing and Proposed scenarios (as presented in Table 6 on TIS page 33) in the below table.

Scenario	External Vehicle Trips²			
	Daily	Weekday AM	Weekday PM	Saturday Midday
Original Existing	9,356	222	776	1,071
Conservative Existing	9,050	205	756	1,059
Proposed	9,333	213	760	1,088
Change from Original Existing to Proposed	-23	-9	-16	17
Change from Conservative Existing to Proposed	284	8	4	29

The conservative existing scenario would indicate that the proposed project's net new trip generation would be slightly positive in all analysis time periods. However, the magnitude of this net new trip generation, compared with total trip generation at the project site, is not meaningfully different from zero: the increases range from 0.5 percent to 3.8 percent, while typical daily fluctuations in traffic volume range from 5 to 9 percent; in other words, the net new trip generation would be imperceptible to drivers on surrounding roadways.

An increase in net external vehicle trip generation by this imperceptible amount would not in itself trigger a significant traffic impact compared to what was analyzed in the TIS. To confirm this, Fehr & Peers performed a second sensitivity test to determine whether an increase in project trip generation could possibly trigger a significant traffic impact, defined in Daly City as causing an intersection's Level of Service (LOS) to change from LOS D or better to LOS E or worse. The threshold between LOS D and LOS E for a signalized intersection is 55 seconds of average vehicle delay.

Such a traffic impact would occur either at an intersection whose Existing Plus Project delay is close to 55 seconds, or at an intersection whose net new traffic volumes increased due to the proposed project. As shown in Table 7 on pages 40-41 of the TIS, the intersections currently closest to this average delay are John Daly Boulevard/De Long Street (42 seconds delay during the weekday AM peak hour) and

² The external vehicle trips listed here are generated by all the land uses present at the project site (the northeastern quadrant of the Westlake Shopping Center), not solely the medical/dental offices. More information on the project trip generation is presented on pages 29-33 of the TIS.

Lake Merced Boulevard/John Daly Boulevard (34 seconds delay during the Saturday midday peak hour). Neither of these intersections are very close to the threshold. Further, compared with the total volumes at these intersections, any net new project generated trips would be insignificant, well below the range of typical daily traffic volume fluctuation. As shown in Figure 8A on TIS page 24, John Daly Boulevard/De Long Street has existing weekday AM peak hour volumes of 2,156 vehicles. Even if all 8 net new vehicle trips passed through this intersection (an unrealistically conservative assumption in itself), those new trips would represent less than one half of one percent of current traffic volumes at that intersection. Similarly, even if all 29 net new Saturday midday peak hour vehicle trips passed through Lake Merced Boulevard/John Daly Boulevard (compared to the 17 new trips analyzed in the TIS), they would represent less than one percent of the 3,253 vehicles that currently pass through that intersection. These increases in traffic would not be nearly sufficient to increase average vehicle delay to the point where a significant traffic impact would occur.

In this same vein, one may test the likelihood of a significant traffic impact occurring by examining which intersections would likely see the greatest increase in project generated traffic. Because net new trip generation is highest during the Saturday midday peak hour, one can determine from TIS Figures 10A and 10B on pages 37 and 38 that the intersections with the most net new project trips, and therefore the intersections likeliest to be affected by new project trips, are Park Plaza Drive/Cliffside Drive/John Daly Boulevard, Poncetta Drive/Sheffield Drive/John Daly Boulevard, and I-280 SB on-ramp / SR-1 SB Off-Ramp/John Daly Boulevard.

Again referring to Table 7 on pages 40-41 of the TIS, one observes that none of these intersections are projected to have Existing Plus Project delay greater than 28 seconds. The small increase in traffic volumes at these intersections associated with 17 net new external vehicle trips was shown in TIS Table 7 to have a negligible effect on intersection delay. A slightly smaller increase in traffic volumes caused by 29, rather than 17, net new external vehicle trips would have a similarly negligible effect and would fall far short of causing average vehicle delay to increase to the point where a significant traffic impact would occur.

These two sensitivity tests clearly demonstrate that even if a maximally conservative set of assumptions had been used to calculate existing trip generation, no significant traffic impacts would have been identified. Furthermore, the City's travel demand model used to generate cumulative turning movement volumes assumes full occupancy of the shopping center. Therefore, the argument presented in the comment would not materially affect the findings of the TIS.

COMMENT C - 13: *The Proposed Trip Generation Analysis Inappropriately Factored In Subjective Judgments.*

The Initial Study does not use an actual level of operations as the traffic baseline. Instead, Mr. Smith points out that the IS traffic analysis uses baseline traffic based on ITE Trip Generation rates for a

suburban, freestanding and fully occupied medical/dental office building. Mr. Smith concludes that this overstates baseline traffic for several reasons.

First, the Project is located near public transit, including BART and frequent buses. This increases transit use and decreases traffic. Second, the medical offices are located in a shopping center, not a free-standing suburban building. This generates far less traffic than a free-standing medical building since many customers will come from nearby business or may conduct other shopping during the same visit.

Finally, it appears that the existing medical building is not fully occupied and has numerous vacancies. Current real estate listings show numerous available medical/dental offices in the Westlake Center. (Exhibit D). Thus, the Initial Study's baseline assumption of a fully occupied, suburban medical building significantly overstates baseline traffic conditions.

Compounding the flaws in the analysis, the Initial Study underestimates likely traffic from the proposed Project. Contradicting the Initial Study's analysis for the existing baseline conditions, the Initial Study reduces traffic projections for the proposed Project based on very subjective judgments on the part of the analyst regarding walkability, bikeability and quality of transit service to the project site. These assumptions are used to reduce traffic generation projections for the proposed Project, but are not based on objective standards. The Initial Study cannot assume suburban traffic rates for the existing condition without credit for public transit, and at the same time assume urban, transit oriented traffic rates for the proposed Project. The Initial Study cannot "have it both ways."

The fact that the Initial Study fails to properly analyze traffic impacts "enlarges the scope of the fair argument." "[U]nder CEQA, the lead agency bears a burden to investigate potential environmental impacts. 'If the local agency has failed to study an area of possible environmental impact, a fair argument may be based on the limited facts in the record. Deficiencies in the record may actually enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences.'" (Sundstrom v. County of Mendocino (1988) 202 Cal. App. 3d 296, 311.) County Sanitation Dist. No. 2 v. County of Kern (2005) 127 Cal. App. 4th 1544).

An EIR is required to properly analyze the Project's traffic impacts and to propose feasible mitigation measures and alternatives to reduce those impacts.

RESPONSE C - 13: The comment argues that the existing trip generation analysis was based on "ITE Trip Generation rates for a suburban, freestanding and fully occupied medical/dental office building" and did not consider the project site's transit accessibility or proximity to other land uses likely to promote internalization of vehicle trips. The comment also states that the IS/MND overstates baseline traffic conditions as the medical/dental offices currently present at the project site were not fully occupied at the time of traffic data collection and preparation of the TIS. The comment further argues that the proposed trip generation analysis "reduces traffic projections for the proposed project based on very subjective judgments on the part of the analyst regarding walkability, bikeability and quality of transit service to the project site" and as such does not present an apples-to-apples comparison of trip generation between the existing and proposed scenarios.

This argument is factually inaccurate: as explained in the TIS, both the existing and proposed scenarios were analyzed using the same methodology and the same assumptions.

Both the existing and proposed trip generation analyses were conducted using an identical methodology, known as MXD+ that is sensitive to the project site's transportation and land use context. Furthermore, both the existing and proposed trip generation analyses incorporated an identical set of transportation and land use context inputs. Therefore, the TIS presented an appropriately apples-to-apples comparison of existing and Proposed trip generation.

Mixed-use development is a signature feature of smart growth communities because putting offices, shops, restaurants, residences, and other co-dependent activities in close proximity to each other shortens trips and thus allows what might otherwise be external car trips to stay internal and possibly become internal walk, bike, or transit trips. MXD+ was developed to capture these travel effects by adjusting the standard ITE trip generation rates, which are largely representative of individual, single-use suburban developments, whose trips are by private vehicle and whose origins or destinations lie outside the development. MXD+ was developed in cooperation with the EPA and ITE; the model recently was adopted by the San Diego Association of Governments (SANDAG) as the official method for evaluating mixed-use projects.

MXD+ estimates trip generation and internal capture by adjusting trip generation rates to account for the influence of the following built environment variables known as the "D"s.

- Density - residential and non-residential development per acre
- Diversity - mix of residential, retail and employment land uses on the site
- Design - connectivity and walkability of the site's transportation networks
- Destination Accessibility - location relative to the major regional attractions
- Distance to Transit – employment within 1 mile and within a 30-minute transit trip
- Demographics – average household size and autos ownership
- Development Scale – size of the MXD land area in acres

The MXD+ methodology is summarized on pages 29-32 of the TIS and its results are presented in Table 6 on TIS page 33. As shown in that table, MXD+ trip reduction rates are identified for both existing and proposed scenarios. In applying the MXD+ model to the Westlake Shopping Center Redevelopment trip generation analysis, exactly the same built environment inputs ("D"s) were used for both existing and proposed scenarios.

The MXD+ trip reduction rates are higher for the proposed scenario than for the existing scenario because the proposed project's addition of a residential component is more conducive to trip internalization and commute-period transit mode shift than

the existing strictly commercial (i.e. non-residential) land use program. Nevertheless, as discussed on TIS pages 31-32, the lower trip reduction rates calculated for the existing scenario were retained for all existing land uses proposed to remain at the project site. The higher trip reduction rates were only applied to the new land uses (the residential units and approximately 3,600 square feet of retail), a conservative approach. Furthermore, as explained in Comment C.12 above, even if the TIS's existing trip generation analysis had considered the unusually high vacancy rate that was present at this point in time, the TIS would have identified no significant traffic impacts and there is therefore no environmental-impact implication associated with this methodological difference.

For these reasons, the commenter has not provided substantial evidence in support of a fair argument that the project would result in a significant traffic impact, to the contrary, the TIS prepared for the project appropriately concludes the project, compared to baseline conditions, would result in a net reduction in trips during weekday periods.

D. RESPONSES TO COMMENTS FROM CALIFORNIA DEPARTMENT OF TRANSPORTATION, DATED MAY 22, 2018

COMMENT D – 1: *Close the gaps in bicycle and pedestrian facilities to improve regional bicycle, pedestrian and transit access to the project site*

Multimodal Planning

Caltrans applauds the construction of mixed-use residential in this area. There is a gap in bicycle facilities along John Daly Boulevard between Poncetta Drive and De Long Street, connecting to existing Class I and Class II facilities respectively. The gaps in bicycle and pedestrian facilities leading to the nearby Daly City BART station may encourage residents and visitors to the project site to drive, who might have otherwise have used transit or active modes. Improving access to the BART station is vital for providing regional active transportation access to and from the project site. The Lead Agency should work with Caltrans, BART, and other stakeholders to identify ways to close these gaps and improve regional bicycle, pedestrian, and transit access to the project site.

Please identify project-generated travel demand and estimate the costs of multimodal and public transportation improvements necessitated by the proposed project; viable funding sources such as development and/or transportation impact fees should also be identified. We encourage sufficient allocation of fair share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT.

The project's primary and secondary effects on pedestrians, bicyclists, disabled travelers and transit users should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access for pedestrians and bicyclists to transit facilities must be maintained. These smart growth approaches are consistent with MTC's Regional Transportation

Plan/Sustainable Community Strategies and would help meet Caltrans Strategic Management targets.

RESPONSE D – 1: Caltrans recommends the City work with other agencies to provide the missing bicycle facility segment, essentially the portion of John Daly Blvd that spans the freeway and leads to BART. This comment is in keeping with the City’s 2013 Pedestrian and Bicycle Master Plan, which shows a planned Class III bicycle route along John Daly Boulevard between Poncetta Drive and De Long Street, connecting to existing Class I and Class II facilities, respectively, as shown on Figure 4.15-2 of the IS/MND.

The comment also seeks to identify project-generated travel demand. The project’s trip generation is provided in Table 4.15-3 of the IS/MND, which indicates project trips will be less than the trips generated by existing uses on the site during weekday commute hours and for weekday total volumes, although for Saturday midday conditions, there will be a minor increase in traffic to/from the project site. Because the project will generate less trips than currently exist and therefore, will not have a significant traffic impact, no multimodal and public transportation improvements are necessitated by the project.

The project maintains access for pedestrians and bicyclists to transit facilities. The existing bus stop along the project frontage will be maintained. Further, internal circulation for pedestrians and bicyclists is being improved, which will in turn improve access for pedestrians, bicyclists and disabled travelers accessing the project site.

COMMENT D – 2: *Vehicle Trip Reduction*

From Caltrans' Smart Mobility 2010: A Call to Action for the New Decade, the project site is identified as **Place Type 4b: Suburban Communities (Corridors)** where location efficiency factors, such as community design, are weak and regional accessibility varies. Given the place type and size of the project, it should include a robust Transportation Demand Management (TDM) Program to reduce VMT and greenhouse gas emissions. Such measures are critical to facilitating efficient site access. The measures listed below will promote smart mobility and reduce regional VMT.

- Project design to encourage walking, bicycling and transit access;
- Transit and trip planning resources such as a commute information kiosk;
- Real-time transit information system;
- Transit subsidies on an ongoing basis;
- Ten percent vehicle parking reductions;
- Charging stations and designated parking spaces for electric vehicles;
- Carpool and clean-fuel parking spaces;

- Designated parking spaces for a car share program;
- Unbundled parking;
- Showers, changing rooms and clothing lockers for employees that commute via active transportation;
- Employee transportation coordinator;
- Secured bicycle storage facilities;
- Fix-it bicycle repair station(s);
- Bicycle route mapping resources;
- Participation/Formation in/of a Transportation Management Association (TMA) in partnership with other developments in the area; and
- Aggressive trip reduction targets with Lead Agency monitoring and enforcement.

Transportation Demand Management programs should be documented with annual monitoring reports by an onsite TDM coordinator to demonstrate effectiveness. If the project does not achieve the VMT reduction goals, the reports should also include next steps to take in order to achieve those targets. Also, reducing parking supply can encourage active forms of transportation, reduce regional VMT, and lessen future transportation impacts on State facilities. These smart growth approaches are consistent with the MTC's Regional Transportation Plan/SCS goals and would meet Caltrans Strategic Management Plan sustainability goals.

For additional TDM options, please refer to the Federal Highway Administration's Integrating Demand Management into the Transportation Planning Process: A Desk Reference (Chapter 8). The reference is available online at:

<http://www.ops.fhwa.dot.gov/publications/fhwahopl2035/fhwahopl2035.pdf>.

RESPONSE D – 2: Caltrans recommends the project include a robust TDM program to reduce VMT and GHG emissions. As explained in the TIA, the project's trip generation, provided in Table 4.15-3 of the IS/MND, will be *less* than the trips generated by existing uses on the site during weekday commute hours and for weekday total volumes. Therefore, a TDM program is not warranted.

That said, it should be noted that the project does include some of the TDM measures listed. For example, the project improves internal pedestrian and bicycle circulation, which will help encourage walking and bicycle use, and will contribute to improved transit access, as noted above. In addition, the project will provide charging stations for EV vehicles for residents in the parking garage, and will provide a bicycle repair station for residents.

This comment does not address the adequacy of the IS/MND, and no further response is required.

COMMENT D – 3: *Lead Agency*

As the Lead Agency, the City of Daly City is responsible for all project mitigation, including any needed improvements to the STN. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

RESPONSE D – 3: A mitigation, monitoring, and reporting program (MMRP) has been prepared for the project that details the manner in which project mitigation will be implemented and monitored to ensure effectiveness.

The project does not address the adequacy of the IS/MND, and no further response is required.

COMMENT D – 4: *Encroachment Permit*

Please be advised that any work or traffic control that encroaches onto the state ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating state ROW must be submitted to: Office of Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link below for more information: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

RESPONSE D – 4: An encroachment permit is not required as the project would not encroach onto the state ROW. This comment does not address the adequacy of the IS/MND, and no further response is required.

June 6, 2018

City of Daly City
333 90th Street
Daly City, CA 94015
Attn: Corey Alvin, Associate Planner; Michael Van Lonkhuysen, Planning Manager

Dear Mr. Alvin:

This letter provides responses to comments on the Westlake Shopping Center Mixed-Use Project Initial Study/Mitigated Negative Declaration submitted by Mr. Richard Drury of Lozeau Drury LLP on behalf of the Labor International Union of North America, Local Union 261, dated May 18, 2018. These responses only relate to comment "A. The Project Exceeds the Air District's CEQA Significance Thresholds, Therefore an EIR is Required" on pages 4 through 7, and the supporting analysis in Exhibit B (SWAPE: Comments on the Westlake Shopping Center Mixed-Use Project), which cite data generated for the Greenhouse Gas Emissions Assessment completed for the project by Michael Baker International.

RESPONSES TO COMMENTS

COMMENT 1 (PAGES 4 - 5)

A. The Project Exceeds the Air District's CEQA Significance Thresholds, Therefore an EIR is Required.

The Bay Area Air Quality Management District (BAAQMD) provides a specific numerical threshold of 10 in one million for determining a project's health risk impact from cancer.¹ When a Project exceeds a duly adopted CEQA significance threshold, this alone establishes a fair argument that the project will have a significant adverse environmental impact and an EIR is required. Indeed, in many instances, such air quality thresholds are the only criteria reviewed and treated as dispositive in evaluating the significance of a project's air quality impacts. See, e.g. Schenck v. County of Sonoma (2011) 198 Cal.App.4th 949, 960 (County applies BAAQMD's "published CEQA quantitative criteria" and "threshold level of cumulative significance"). See also Communities for a Better Environment v. California Resources Agency (2002) 103 Cal.App.4th 98, 110-111 ("A 'threshold of significance' for a given environmental effect is simply that level at which the lead agency finds the effects of the project to be significant"). The California Supreme Court recently made clear the substantial importance that an air district significance threshold plays in providing substantial evidence of a significant adverse impact. Communities for a Better Environment v. South Coast Air Quality Management Dist. (2010) 48 Cal.4th 310, 327 ("As the [South Coast Air Quality Management] District's established significance threshold for NOx is 55 pounds per day, these estimates [of NOx

emissions of 201 to 456 pounds per day] constitute substantial evidence supporting a fair argument for a significant adverse impact").

RESPONSE 1

The commenter has taken the BAAQMD threshold for local community health risk for cancer out of context. Per the BAAQMD CEQA Guidelines, the project level local community health risk threshold for cancer is: "An **excess** [emphasis added] cancer risk level of more than 10 in one million¹." Therefore, the threshold only applies to a project's **increase** in risk (or excess) above the existing community cancer risk.

As shown in the Initial Study and explained below, the Project does not exceed the excess cancer risk threshold of more than 10 in one million. More importantly, as discussed below, the commenter has not provided correct, factual evidence in support of a fair argument that the project, on its own, results in an **increased** cancer risk level of more than 10 in one million.

COMMENT 2 (PAGE 5)

The environmental consulting firm, Soil, Water, Air Pollution Enterprise (SWAPE), concludes that the Westlake Project will create a 30-year cancer risk for nearby residents of 996 per million. (SWAPE Letter, p. 5 (Exhibit B)). This is almost one hundred times above the BAAQMD cancer risk CEQA significance threshold. SWAPE states:

The excess cancer risk to adults, children, and infants at a sensitive receptor located approximately 25 meters away over the course of Project operation is approximately 61.7, 556, and 378 in one million, respectively. Furthermore, the excess cancer risk over the course of a residential lifetime (30 years) is approximately 996 in one million. The infantile, child, adult, and lifetime cancer risks all greatly exceed the BAAQMD's threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the IS.

RESPONSE 2

As shown below, the commenter's calculations are erroneous - see **Responses 6, 10, 12, and 13** below.

COMMENT 3 (PAGE 5)

The Initial Study includes no Health Risk Assessment (HRA) at all. Instead, the document contends, without analysis, that no HRA is required. (IS, p. 37). The Initial Study contends that the proposed Project is not "considered a source of TAC [toxic air contaminants] or fine particulate matter (PM2.5) emissions." (IS, p. 37). However, the Initial Study contradicts itself. The Initial Study's operational air emission model ("CalEEMod") output files demonstrates that the Project would produce PM2.5 and

¹ BAAQMD CEQA Guidelines, 2017, p. 2-5 (http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en)

PM10 emissions, contrary to the IS's claims (Greenhouse Gas Emissions Report, pp. 57). Thus, the Project Applicant's claim that the Project would not be a source of PM emissions is erroneous. As a result, the City has no substantial evidence to support its conclusion of no significant health risk.

RESPONSE 3

The commenter is incorrect in stating that the Initial Study does not include an HRA. First, there is no language on page 37 of the Initial Study stating that no HRA is required. In fact, the Initial Study does not make that statement on any page. Second, on page 33, the Initial Study clearly states that an HRA was conducted and is provided in Appendix A.

By way of background, HRAs are not mandatory. Whether an HRA should be prepared for a project is determined based upon a series of steps, which may be summarized as follows:

Step 1: Conduct a qualitative assessment. Based upon the results of the assessment, determine whether there is a likelihood of an impact based upon the location and types sources creating the emissions, and the location of sensitive receptors relative to the sources. If there is no impact, an HRA is not required. If there is a potential significant impact, then one proceeds to Step 2.

Step 2: Conduct a "screening" HRA. If the screening HRA shows no impact, no further work is required. If the screening HRA shows a significant impact, then one proceeds to Step 3. (This step may be skipped and one may proceed directly to Step 3.)

Step 3: Conduct a "refined" HRA.

These steps are applied to the emissions created by a project from construction and from operation separately.

Here, a qualitative assessment for **construction** emissions (Step 1) determined that impacts could occur from construction emissions. As a result, a "refined" HRA (Step 3) was conducted for construction emissions, which is the HRA provided in Appendix A.

With respect to emissions from **operations**, the Initial Study provided a qualitative assessment of community health risks resulting from the project's operational emissions (Step 1) and concluded that the project would not cause operational emissions that expose sensitive receptors to unhealthy air pollutant levels – i.e., would not be considered a source of TAC or PM2.5 emission. Because the qualitative assessment determined that the project would not be considered a source of TAC or PM2.5 emissions, an HRA was not required. (As explained in **Response 6**, below, on its own, the project would create diesel PM and PM2.5. However, the analysis needs to take existing conditions into consideration since project impacts are based upon the proposed project conditions minus existing conditions. When existing conditions are factored in, project operations result in a reduction of diesel PM and PM2.5 – as a result of which the project is **not** considered a source of TAC or PM2.5 emissions.)

In addition, although not required pursuant to CEQA, in section 4.3.3.1, the Initial Study addresses the potential health risks to future residents of the project from existing sources of TACs within a 1,000-foot radius of the project site. A qualitative assessment (Step 1) determined that impacts could occur; therefore, a screening HRA (Step 2) was conducted using the BAAQMD screening tools and emissions data. That HRA determined that project operations would not result in increased health risks to future project residents from existing sources of TACs.

The commenter is also incorrect in contending that the Initial Study contradicts itself. The commenter argues that “the Initial Study’s operational air emission model (“CalEEMod”) output files demonstrates that the Project would produce PM2.5 and PM10 emissions.” Presumably, the commenter believes that because the model shows PM2.5 and PM10 emissions, the project is a source of TAC or PM2.5 emissions. As explained in **Response 6**, below, the commenter appears to be confusing the PM10 emissions in the model with diesel PM emissions, but only a portion of the PM10 emissions reported in the model are diesel PM emissions. Further, as noted above and explained in detail in **Response 6**, although activity on the project site would create diesel PM and PM2.5, when existing conditions are taken into consideration, project operation would result in a reduction of diesel PM and PM2.5 compared to existing conditions – i.e., would not be a source of TAC or PM2.5 emissions. Therefore, the fact that the model includes PM2.5 and PM10 emissions does not contradict the conclusion that project operations would not be a source of TAC or PM2.5 emissions.

COMMENT 4 (PAGES 5-6)

The Bay Area Air Quality Management District (BAAQMD) recommends that if a Project is located within 1,000 feet of a sensitive receptor, the potential impacts to that sensitive receptor should be evaluated. Specifically, the BAAQMD CEQA Guidelines state,

“BAAQMD recommends that all receptors located within a 1,000 foot radius of the project’s fence line be assessed for potentially significant impacts from the incremental increase in risks or hazards from the proposed new source”.

The proposed Westlake Project is located in an urban area, with the closest sensitive receptor located approximately 27 meters (88 feet) from the Project site – far closer than the 1000 feet threshold set by BAAQMD. Therefore, a health risk assessment is required.

RESPONSE 4

First, the quote from the BAAQMD CEQA Guidelines (“Guidelines”) is from page 5-7, in which the Guidelines are addressing projects that include the operation of non-permitted sources of TAC and/or PM2.5 emissions and generate significant truck traffic, such as distribution centers, quarries and manufacturing facilities. This discussion is clearly inapplicable to the project since it does not classify as that type of project. Presumably, the commenter was trying to reference the “Area of Influence” discussion on pages 5-2 to 5-3.

Second, contrary to the picture the commenter is trying to paint, the zone of influence is how far an analysis needs to assess a project's impacts; it is not a mandate for needing to assess the impacts on all receptors within that zone of influence. As the Guidelines make clear, an analysis first looks to see if there are any sensitive receptors within that 1,000-foot zone. If there are, then the analysis proceeds with a phased approach, pursuant to which a determination is made as to whether an HRA needs to be conducted.

All that said, as previously mentioned, an HRA was conducted for the project's construction emissions.

Finally, as explained in **Response 6**, below, long term-operation of the project would result in a reduction of diesel PM and PM_{2.5} compared to existing conditions. Therefore, the project would not be a new source of TACs or PM_{2.5} and there would be no increase in community health risks or hazards.

COMMENT 5 (PAGE 6-7)

SWAPE conducted a standard AERSCREEN, model.3 The AERSCREEN model is recommended by US EPA, the California Office of Environmental Health Hazard Assessment (OEHHA)⁴ and the California Air Pollution Control Officers Associated (CAPCOA)⁵ guidance as the appropriate air dispersion model for Level 2 health risk screening assessments ("HRSAs"). The results of SWAPE's calculations are shown below: [table not shown]

The excess cancer risk to adults, children, and infants at a sensitive receptor located approximately 25 meters away over the course of Project operation is approximately 61.7, 556, and 378 in one million, respectively. Furthermore, the excess cancer risk over the course of a residential lifetime (30 years) is approximately 996 in one million. The infantile, child, adult, and lifetime cancer risks all greatly exceed the BAAQMD's threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the IS.

The Initial Study includes no health risk assessment at all. Therefore, there is no substantial evidence to support its conclusion of no significant impacts. The AERSCREEN model finding a cancer risk of 996 per million – almost 100 times above the 10 per million BAAQMD CEQA significance threshold – creates more than a fair argument that the Project may have significant adverse environmental impacts. An environmental impact report is required to analyze this impact and to propose feasible mitigation measures and alternatives to reduce the risk.

RESPONSE 5

As explained in **Responses 6, 10, 12, and 13**, below, the commenter's calculations are based on erroneous assumptions and faulty analysis. As a result, the commenter's conclusion that the project would have a cancer risk of 996 per million is erroneous.

Further, as previously noted, the commenter is incorrect in stating that the Initial Study does not include an HRA and that there is no substantial evidence in support of the conclusion. As discussed in **Response 3** above and **Response 6** below, an HRA of the project's construction

emissions was conducted that shows the project is below the applicable thresholds for construction emissions. Also, a qualitative assessment was conducted of the project's operational emissions, which determined that the project would not result in impacts from operational emissions. Therefore, there is substantial evidence in support of the conclusion that the project will not have significant impacts.

COMMENT 6 (EXHIBIT B PAGES 1-2)*Diesel Particulate Matter Health Risk Emissions Inadequately Evaluated*

The IS conducts a construction HRA to evaluate the health risk posed to on-site residential receptors from exposure to nearby by toxic air contaminant (TAC) emission sources. However, the IS fails to evaluate, whatsoever, the health risk impacts posed to nearby residences as a result of exposure to emissions generated by operation of the Project. Instead, the IS determines that the Project would not expose nearby sensitive receptors to significant TAC emissions during operation, without providing any evidence to support this claim (IS, p. 38). The IS states,

"Operation of this project is not considered a source of TAC or fine particulate matter (PM_{2.5}) emissions. Stationary sources that could emit TACs have not been proposed. As a result, the project operation would not cause emissions that expose sensitive receptors to unhealthy air pollutant levels. Because the project would not be a source of TACs, it would not contribute cumulatively to unhealthy exposure to TACs" (IS, p. 37).

We find the IS's justification and subsequent health risk determination to be incorrect for several reasons. First, the Project Applicant's assertion that operation of the proposed Project is not "considered a source of TAC or fine particulate matter (PM_{2.5}) emissions" is not supported by any factual evidence whatsoever. In fact, the IS's operational CalEEMod output files demonstrates that the Project would produce PM_{2.5} and PM₁₀ emissions, contrary to the IS's claims (Greenhouse Gas Emissions Report, pp. 57). Thus, the Project Applicant's claim that the Project would not be a source of PM emissions is erroneous.

RESPONSE 6

The commenter appears to contend that the project would produce TAC emissions because the CalEEMod output files include PM₁₀ emissions. This is based on an erroneous assumption that PM₁₀ emissions evaluated in CalEEMod and diesel PM (a TAC contained in diesel engine exhaust) are equivalent.

It is important to understand that, for purposes of this project, the only TAC that will be generated by the project is diesel PM. It is also important to understand that CalEEMod estimates two forms of PM₁₀: fugitive dust PM₁₀ and exhaust PM₁₀ (produced by combustion processes). Of these two, only exhaust PM₁₀ includes diesel PM. However, the exhaust PM₁₀ estimated in the CalEEMod model for the project is more than just diesel PM - it comes from four sources: the combustion of wood in fireplaces or woodstoves; the operation of landscape maintenance equipment (primarily from gasoline-powered two-cycle engines, e.g. leaf blowers and string

trimers); the combustion of natural gas or propane in hot water heaters, furnaces, and appliances; and mobile emissions from vehicles traveling to and from the project site. For this project, only the mobile emissions, contain diesel PM. Therefore, the figure cited for PM10 emissions in the CalEEMod output files is not the figure that should be used for TAC emissions in the HRA because it includes more than diesel PM.

Further, as explained below, the data supports that the project's operation is not considered a source of TAC or PM2.5 emissions because, although the project itself will create some diesel PM (which is a TAC) and PM2.5 (which is not a TAC) emissions, once existing conditions are considered, project operation will result in a reduction in diesel PM and PM2.5 emissions.

The Greenhouse Gas Emissions Assessment prepared for the project by Michael Baker International (April 2017) utilizes the data from three CalEEMod model runs: First, Westlake Shopping Center - Construction; second, Westlake Shopping Center - Proposed Project Operations; and third, Westlake Shopping Center - Existing Conditions. The project's operational emissions would be the net change between the Proposed Project Operations and the Existing Conditions. The sources of Exhaust PM10 analyzed in the CalEEMod runs and the net change between proposed and existing conditions are shown in **Table 1**.

Table 1
Project Operational Sources of Exhaust PM10 Analyzed (tons per year)

	Not Sources of Diesel PM			Diesel PM Source
CalEEMod Run	Area (wood hearths) ¹	Area (landscape equipment) ²	Energy (natural gas combustion) ¹	Mobile ³
Proposed Conditions	0.0813	0.00733	0.00950	0.0465
Existing Conditions	0.00000	0.00000	0.00502	0.0804
Net Emissions	0.0813	0.00733	0.00448	(0.0339)

Source: Westlake Shopping Center Apartments Greenhouse Gas Emissions Assessment: CalEEMod Proposed Project Operations output file and CalEEMod Existing Conditions output file (April 2017).

Notes:

1. Exhaust PM10 resulting from combustion of wood or natural gas is not a source of diesel PM.
2. Exhaust PM10 from landscape maintenance equipment is primarily from gasoline-powered 2-cycle engines and is not a source of diesel PM.
3. Emission estimates utilize the project trip generation analysis in the Transportation Impact Study (Fehr and Peers, March 2018).

As shown in **Table 1**, project operation would result in a reduction in mobile exhaust PM10 emissions (the only project operational source of diesel PM) of 0.0339 tons per year.

PM2.5 (fine particulate matter) is not classified as a TAC by the California Air Resources Board (CARB). However, the BAAQMD has determined that both long-term and short-term exposure to PM2.5 can cause a wide range of health effects and has established a threshold for maximum localized concentrations resulting from a project. The sources of PM2.5 analyzed in the CalEEMod runs completed by Michael Baker International and the net change between proposed and existing conditions are shown in **Table 2**. These sources include both fugitive dust PM2.5 and exhaust PM2.5.

Table 2
Project Operational Sources of PM2.5 Analyzed (tons per year)¹

CalEEMod Run	Area (wood hearths)	Area (landscape equipment)	Energy (natural gas combustion)	Mobile ³	Total PM2.5
Proposed Conditions	0.0813	0.00733	0.00950	0.8281	0.9262
Existing Conditions	0.00000	0.00000	0.00502	1.4266	1.4316
Net Emissions	0.0813	0.00733	0.00448	(0.5985)	(0.5054)

Source: Westlake Shopping Center Apartments Greenhouse Gas Emissions Assessment: CalEEMod Proposed Project Operations output file and CalEEMod Existing Conditions output file (April 2017).

Notes:

1. PM2.5 emissions include exhaust and fugitive dust sources.

2. Emission estimates utilize the project trip generation analysis in the Transportation Impact Study (Fehr and Peers, March 2018).

As shown in **Table 2**, project operation would result in a reduction in mobile PM_{2.5} emissions of 0.5985 tons per year, and a total project PM_{2.5} reduction of 0.5054 tons per year, compared to existing conditions. It should be noted that the CalEEMod estimates include emissions from wood fireplaces and/or wood stoves. However, in accordance with the BAAQMD Regulation 6, Rule 3 – Wood Burning Devices: “no person or builder shall install a wood-burning device in a new building construction².” Therefore, the total project PM_{2.5} emissions would be less since emissions from wood hearths should be discounted from the project’s operational emissions.

In conclusion, as demonstrated in **Table 1** and **Table 2**, and contrary to the commenter’s assertion, the Initial Study includes substantial evidence showing that project operation is not a source of TAC or fine particulate matter (PM_{2.5}) emissions.

COMMENT 7 (EXHIBIT B PAGE 2)

Second, the Project Applicant’s determination that Project operation would not “expose sensitive receptors to unhealthy air pollutant levels” is baseless, as the IS contains no assessment of the potential impact that emissions generated during operation could have on nearby receptors. The IS should have conducted some sort of quantitative analysis and should have compared the results of this analysis to applicable thresholds. The Bay Area Air Quality Management District (BAAQMD) provides a specific numerical threshold of 10 in one million for determining a project’s health risk impact.¹ Therefore, the IS should have conducted an assessment that compares the Project’s operational health risk to this threshold in order to determine the Project’s health risk impact, similar to how the Project’s construction-related risk was evaluated. By failing to prepare a proper assessment of the Project’s potential operational-related health impact, the IS fails to provide a comprehensive analysis of the sensitive receptor impacts that may occur as a result of exposure to substantial air pollutants. Thus, no substantial evidence supports the IS’s conclusion of “less than significant” impact.

RESPONSE 7

As explained in **Response 3**, a qualitative assessment of a project’s emissions impacts is conducted (Step 1) before a quantitative assessment is prepared. If a project’s operation is not a significant source of TAC and/or PM_{2.5} emissions, the project is deemed to not expose sensitive receptors to unhealthy air pollutant levels and no further assessment is required.

Here, the only significant potential operation source of diesel PM and PM_{2.5} would be mobile emissions. As demonstrated in the Transportation Impact Study prepared by Fehr and Peers, the project would generate fewer daily trips than the existing conditions,³ and as demonstrated above in **Response 6**, project implementation would result in a net reduction of diesel PM and PM_{2.5}

² BAAQMD Regulation 6, Rule 3-306 (<http://www.baaqmd.gov/~media/dotgov/files/rules/reg-6-rule-3-woodburning-devices/documents/rg0603.pdf?la=en>)

³ Westlake Shopping Center Redevelopment Transportation Impact Study, p. 33, Fehr and Peers 2017

over existing conditions. Therefore, based on a qualitative assessment (Step 1), the project is not a significant source of TAC and/or PM2.5 emissions and a quantitative analysis (Step 2 or 3) is not required. Further, the data showing that the project would not be a significant source of TAC or PM2.5 emissions is substantial evidence supporting the conclusion of no impact.

COMMENT 8 (EXHIBIT B PAGES 2-3)

Third, the BAAQMD recommends that, should a Project be located within 1,000 feet of a sensitive receptor, the potential impacts to that sensitive receptor should be evaluated. Specifically, the BAAQMD CEQA Guidelines state,

“BAAQMD recommends that all receptors located within a 1,000 foot radius of the project’s fence line be assessed for potentially significant impacts from the incremental increase in risks or hazards from the proposed new source”.

Thus, because the proposed Project is located in an urban area, with the closest sensitive receptor located approximately 27 meters from the Project site, the potential health-related impacts posed to that sensitive receptor as a result of emission generated during operation should be properly assessed (p. 104).

RESPONSE 8

As explained in **Response 4**, above, the 1,000-foot radius is not a mandate to prepare an HRA. In any event, an HRA of the project’s construction emissions was prepared.

It should also be noted that neither the Initial Study nor Appendix A includes a page 104; therefore, the citation to that page appears to be in error.

COMMENT 9 (EXHIBIT B PAGE 3)

Fourth, the omission of a quantified health risk is inconsistent with the most recent guidance published by Office of Environmental Health Hazard Assessment (OEHHA), the organization responsible for providing recommendations and guidance on how to conduct health risk assessments in California. In February of 2015, OEHHA released its most recent Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments, which was formally adopted in March of 2015.³ This guidance document describes the types of projects that warrant the preparation of an HRA. Project operation will generate truck trips, which will generate additional exhaust emissions, thus continuing to expose nearby sensitive receptors to DPM emissions. The OEHHA document recommends that exposure from projects lasting more than 6 months should be evaluated for the duration of the project and recommends that an exposure duration of 30 years be used to estimate individual cancer risk for the maximally exposed individual resident (MEIR).⁴ Even though we were not provided with the expected lifetime of the Project, we can reasonably assume that the Project will operate for at least 30 years, if not more. Therefore, per OEHHA guidelines, health risk impacts from Project construction and operation should have been evaluated by the DEIR. These recommendations reflect the most recent HRA policy, and as such, an assessment of health risks to

nearby sensitive receptors from construction and operation should be included in a revised CEQA evaluation for the Project.

RESPONSE 9

The Air Toxics "Hot Spots" Information and Assessment Act (AB 2588, Connelly) was enacted in 1987, and requires stationary sources of pollutants to report the types and quantities of certain substances routinely released into the air. The document referenced by the commenter (Office of Environmental Health Hazard Assessment, Risk Assessment Guidelines: Guidance Manual for Preparation of Health Risk Assessments, February 2015) ("OEHHA Guidelines") provides guidelines on how a quantitative health risk assessment should be performed to meet the regulatory requirements for permitting of stationary sources of some pollutants subject to AB 2588. Although the commenter insinuates that the OEHHA Guidelines mandate preparation of an HRA for the project, that is not the case. The OEHHA Guidelines do **not** dictate when an HRA should be prepared but simply provide HRA procedures for use in the Air Toxics Hot Spots Program or for the permitting of existing, new, or modified stationary sources.

It should be noted that the project is not even the type of activity that would be subject to AB2588 reporting or health risk assessment requirements, for which the OEHHA Guidelines were written. Nonetheless, the HRA conducted for the project's construction emissions was conducted pursuant to the OEHHA Guidelines. Because an HRA was not required for project operations as explained in Responses 3 and 6, the OEHHA Guidelines are inapplicable to project operations.

The commenter's assertion that "the project operation will generate truck trips, which will generate additional exhaust emissions, thus continuing to expose nearby sensitive receptors to DPM emissions" is not supported by substantial evidence. Project implementation would result in the net loss of 21,556 square feet of commercial area (and any associated truck deliveries) and as demonstrated in the Transportation Impact Study prepared by Fehr and Peers, the project would generate fewer daily trips than the existing conditions.

COMMENT 10 (EXHIBIT B PAGES 3-4)

Health Risk Assessment Indicates Significant Health Impact

In an effort to demonstrate the potential risk posed by operation of the proposed Project to nearby sensitive receptors, we prepared a simple screening-level HRA. The results of our assessment, as described in the sections below, provide substantial evidence demonstrating that potential health risk impacts associated with operation of the proposed Project may result in a potentially significant health risk impact. As such, a DEIR should be prepared to adequately evaluate the proposed Project's health risk impacts, and additional mitigation measures should be identified and incorporated into the Project design, where necessary. In order to conduct our screening level risk assessment, we relied upon AERSCREEN, which is a screening level air quality dispersion model. The model replaced SCREEN3, and AERSCREEN is included in the Office of Environmental Health Hazard Assessment (OEHHA)6 and the California Air Pollution Control Officers Associated (CAPCOA) guidance as the appropriate air dispersion model for Level 2 health risk screening assessments ("HRSAs"). A Level 2

HRSA utilizes a limited amount of site-specific information to generate maximum reasonable downwind concentrations of air contaminants to which nearby sensitive receptors may be exposed. If an unacceptable air quality hazard is determined to be possible using AERSCREEN, a more refined modeling approach is required prior to approval of the Project.

We prepared a preliminary health risk screening assessment of the Project's operational health-related impact to sensitive receptors using the annual PM10 exhaust estimates from the SWAPE CalEEMod model. According to the IS, the closest sensitive receptor to the Project site is located approximately 90 feet, or approximately 27 meters, from the Project site (p. 104). The CalEEMod model's annual emissions indicate that operational activities will generate approximately 357 pounds of DPM over the 29.3 years of operation. The AERSCREEN model relies on a continuous average emission rate to simulate maximum downward concentrations from point, area, and volume emission sources. We calculated an average DPM emission rate by the following equation. [equation not shown here]

RESPONSE 10

The commenter's health risk screening assessment is based on an erroneous assumption that project operation would generate approximately 357 pounds per year of diesel PM. As explained in **Response 6**, above, the project's operational emissions of diesel PM would be the net change between project operations and existing conditions, and those emissions of diesel PM would not include area sources (such as wood fire places and landscape equipment) and energy sources (such as gas appliances) of exhaust PM10. The commenter has failed to subtract existing diesel PM emissions and sources of exhaust PM10 that do not contain diesel PM. As indicated in **Table 1** of **Response 6**, project implementation would result in a reduction of 0.0339 tons per year of diesel PM (a reduction of 67.8 pounds per year).

Also, as previously noted, neither the Initial Study nor Appendix A includes a page 104; therefore, the citation to that page appears to be in error.

COMMENT 11 (EXHIBIT B FOOTNOTE 8)

The IS's operational CalEEMod model failed to account for the existing 14,000-square foot grocery store on the Project site that will not be demolished during construction. Therefore, we prepared an updated CalEEMod model that estimates operational emissions including the emissions generated by the 14,000-square foot grocery store.

RESPONSE 11

Although the Proposed Project Operations CalEEMod model did not include the existing 14,000-square foot grocery store, neither did the Existing Conditions CalEEMod model. Since operational emissions are the net difference between project operation and existing conditions, including the grocery store in both models would not have changed the net emissions estimates. However, by including emissions from the grocery store in their model, the commenter is exacerbating the error of including existing sources of TAC emissions in their analysis.

COMMENT 12 (EXHIBIT B PAGE 4)

Using this equation, we estimated an operational emission rate of 0.005135 grams per second (g/s). Operational activity was simulated as a 1.95-acre rectangular area source in AERSCREEN, with dimensions of 147 meters by 53.6 meters. A release height of three meters was selected to represent the height of exhaust stacks on operational equipment and other heavy-duty vehicles, and an initial vertical dimension of one and half meters was used to simulate instantaneous plume dispersion upon release. An urban meteorological setting was selected with model-default inputs for wind speed and direction distribution.

RESPONSE 12

The commenter has made an erroneous assumption that all the project's diesel PM emissions would occur in a 1.95-acre rectangular area (the project site).

As explained in **Response 6**, all the project's **operational** diesel PM emissions would result from mobile emissions. These emissions are from the cars and trucks that would travel to and from the project site. Therefore, these emissions would be dispersed over the entire length of each vehicle trip to or from the site and only a very small portion of the emissions could affect localized concentration of diesel PM at sensitive receptor locations. As a result, modeling the project's mobile emissions as if they would occur in a 1.95-acre rectangular area would be inappropriate. In any event, as described in **Response 6**, project implementation would result in a reduction in diesel PM as compared to existing conditions and would, therefore, decrease any community health risks or hazards from diesel PM.

The project would result in some **construction** diesel PM emissions from off-road equipment (e.g. graders, dozers, and loaders), for which emissions would occur in the project site. The HRA conducted for construction emissions, therefore, did correctly model the emissions as a "rectangular area."

COMMENT 13 (EXHIBIT B PAGE 5)

The excess cancer risk to adults, children, and infants at a sensitive receptor located approximately 25 meters away over the course of Project operation is approximately 61.7, 556, and 378 in one million, respectively. Furthermore, the excess cancer risk over the course of a residential lifetime (30 years) is approximately 996 in one million. The infantile, child, adult, and lifetime cancer risks all greatly exceed the BAAQMD's threshold of 10 in one million, thus resulting in a potentially significant impact not previously addressed or identified by the IS.

It should be noted that our analysis represents a screening-level HRA, which is known to be more conservative, and tends to err on the side of health protection.¹² The purpose of a screening-level HRA, however, is to determine if a more refined HRA needs to be conducted. If the results of a screening-level health risk are above applicable thresholds, then the Project needs to conduct a more refined HRA that is more representative of site specific concentrations. Our screening-level HRA demonstrated that operation of the Project could result in a potentially significant health risk impact. As a result, a refined HRA must be prepared to examine the air quality impacts generated by Project

operation using site-specific meteorology. A DEIR must be prepared to adequately evaluate the Project's health risk impact and should include additional mitigation measures to reduce these impacts to a less-than-significant level. Without a refined HRA and mitigation addressing the findings of such an assessment, substantial evidence supports a fair argument that the Project may lead to significant public health impacts due to DPM emissions.

RESPONSE 13

As explained in **Responses 6, 7, 8, 9, 10, 11** and **12**, above, the commenter's analysis and conclusions are based on erroneous assumptions and faulty analysis. The commenter's analysis inputs include PM10 sources that are not diesel PM emissions. Also, the commenter attempts to model mobile emissions that would be dispersed throughout the region as a stationary source contained with the project site. And, most importantly, the commenter includes existing emissions of diesel PM in their health risk screening analysis and claims that these emissions would be a result of the project, which is not correct.

With respect to a "refined" HRA, as explained in Response 3, a "refined" HRA (Step 3) was conducted for project construction emissions based upon the results of a qualitative assessment (Step 1).

Response 3 also explained that a qualitative assessment (Step 1) determined that the project would not have a significant impact from operation emissions. Therefore, no further analysis – including either a "screening" HRA (Step 2) or a "refined" HRA (Step 3) – is warranted for project operations.

CONCLUSION

The Initial Study conclusion that the project's operation would not cause emissions that would expose sensitive receptors to unhealthy air pollutant levels, and there would be no impact, is supported by substantial evidence in the Westlake Shopping Center Redevelopment Transportation Impact Study by Fehr and Peers (Appendix G of the Initial Study), which concluded that the proposed project would generate fewer trips than the existing conditions. It is also supported by an analysis of the CalEEMod output files included as part of the Greenhouse Gas Emissions Assessment by Michael Baker International (Appendix D of the Initial Study), which shows that project operation would result in a net reduction in diesel PM and PM2.5 compared to existing conditions.

The commenter has failed to provide any substantial evidence that there would be any new or more severe impacts than those disclosed in the Initial Study concerning community health risks or hazards resulting from project-related air pollutant emissions.

Please direct any inquiries about this letter to:

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Thank you,



Peter Boucher
Project Director



Martin D. Rolph
Environmental Specialist

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DALY CITY
AMENDING THE DALY CITY ZONING MAP BY AMENDING ORDINANCE NO. 1316
RE: PLANNED DEVELOPMENT STANDARDS FOR PD-60A
(APNs 002-170-220, 002-170-230; 002-201-140, 002-201-520, 002-201-530, 002-201-540, 002-
201-550, 002-201-560, 002-201-570, 002-191-270, 002-191-330)
Westlake Shopping Center

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

Section 1. Findings. The City Council of the City of Daly City finds that, as conditioned, Planned Development PD 4-17-1276, amending Planned Development PD-60 is in compliance with Title 17 of the Daly City Municipal Code (Zoning Ordinance), as well as the General Plan of the City of Daly City, as amended and as to each element of the Daly City General Plan. Approval of the zone change will not be detrimental to the health, safety, morals, comfort and general welfare of persons residing in or working in the neighborhood. The City Council further finds that the amendment to PD-60 to allow residential development will not be detrimental to the surrounding areas or result in substantial environmental damage or disturbance or be injurious or detrimental to the property and improvements in the neighborhood or the general welfare of the City of Daly City.

Section 2. Environmental Compliance – Mitigation Monitoring Program.

The City Council has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and has determined, that a Mitigated Negative Declaration is the appropriate level of environmental review. The Daly City Planning Commission and City staff recommend that a Mitigated Negative Declaration per Section 15070(a) of the CEQA Guidelines be adopted for this project.

The City Council approves the Mitigation Monitoring and Reporting Program (MMRP) for this project and hereinafter finds that the mitigated negative declaration, to and including the MMRP complies and conforms with the California Environmental Quality Act and the Guidelines implementing the Act.

Section 3. Zoning Reclassification. The zoning as designated upon the “Official Zoning Map” of the City of Daly City, as adopted by Daly City Ordinance No. 635, and thereafter amended from time to time, is hereby changed as to the parcel identified on the attached map incorporated herein by this reference, to Planned Development Zoning PD-60A, which hereinafter provides for a change of boundary on the “Official Zoning Map” and the establishment of specific standards for development on the subject property. All improvement shall comply with the approved Planned Development Standards hereinafter adopted for Planned Development PD-60A.

**PLANNED DEVELOPMENT STANDARDS
PLANNED DEVELOPMENT ZONE PD-60A
WESTLAKE SHOPPING CENTER**

The purpose and intent of these Planned Development Standards is to establish a Planned Development Zoning District for PD-60A, which encompasses the entire project site.

I. GENERAL

1. 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.
2. Any modifications to plans approved by the City Council shall require an amendment of the original PD approval and shall be subject to separate approval by the Planning Commission and City Council. Minor changes of the approved plans due to code requirements or conditions of approval may be approved by the Planning Division.
3. 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.
4. The property owners of PD-60A shall seek to provide a balanced mix of uses with compatible peak hours and parking needs.

II. PERMITTED USES

1. The following uses are permitted as part of Planned Development Zone PD-60A:

Administrative, business and professional offices
Art Studio
Bakery (retail)
Bank and Savings and loan offices
Barber or Beauty shop
Book or stationary store
Business office
Candy store
Clothing or Department store
Coffee shop
Drugstore
Hardware store
Retail household appliance sales and services

Florist
Gift shop
Ice cream store
Laundry or cleaning stores
Instruction studio (dance or martial arts)
Jewelry store
Medical/Dental clinic
Pet food store
Professional office
Photographic studio
Prescription pharmacies
Residential apartments (Building R only)
Restaurant (excluding drive-through)
Shoe repair
Sporting goods
Tailor shop
Trade or business school
Toy Store
Travel agent
Variety store
Video rental

2. The following uses will be permitted with a Use Permit in the PD-60A zone:

Accessory buildings or use
Bar or Cocktail lounge
One health and fitness club
Outdoor sales
Pet shop
Businesses whose principal use is for the operation of amusement devices
Veterinary hospital or office

3. 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.

III. DEVELOPMENT STANDARDS

1. Parking

- A. The property owners shall comply with and enforce a Parking Management Plan approved by the City. The Parking Management Plan shall be an

appendix to and recorded as part of the Planned Development Standards for PD-60A. The Parking Management Plan shall include the following:

- a. Operable or inoperable vehicles shall be stored at the site for more than 24 hours.
- b. No vehicles or trailers shall be advertised for sale or rent on the site and no vehicle sales, leasing or rentals shall be conducted at the site.
- d. Measures to manage the parking during the peak hours. The plan may include such measures as valet parking, incentives to carpooling and disincentives to parking in the residential areas near the development.
- e. The precise plan shall show all required dimensions on back-up distance, fire access drives and parking stalls, including compact and handicap spaces. The plan shall indicate how the compact spaces shall be marked on the site.
- f. Applicant will post signs, impose conditions upon tenant, and make every effort to restrict deliveries to the development by large semi-trucks, refrigerated trucks, or trucks larger than a four wheel delivery van during peak traffic hours. Smaller delivery vehicles may make such deliveries.
- g. On-site commercial parking shall be provided at parking ratio of not less than 3.29 parking spaces per 1,000 square feet of leasable building area, with a total number of 663,806 commercial square feet square feet permitted in the center. Residential parking in Building R (179 apartments) shall be provided at a rate of one space for each studio unit, 1.5 spaces for each one- bedroom unit and two spaces for each unit of two bedrooms or more, with an overall ratio of at least 1.25 parking spaces per residential unit. Excess residential parking stalls in the underground garage associated with Building R shall be dedicated to employee parking.
- h. Secure bicycle parking shall be provided at strategic locations throughout the shopping center including the ground floor of any parking structure.
- i. The parking areas shall conform to plans approved as part of the precise plan for PD-60A and shall be maintained in accordance with City standards.

2. Signage

- A. New Signage for the project should enhance the building facades. Tenant blade signs should be located within the central portion of the site, along both sides of Main Street and blend into the overall character of an updated Main Street design. Signs added to tower buildings should be logo signs at the top, attached flush with the towers and lighted at night.
- B. Four directories with a total of 40 square feet per side may be located strategically within the site to provide maps and directions for patrons.
- C. The primary entry point from John Daly Boulevard should feature two signs located on both corners of Main Street. The two signs should feature solid identity elements at the base. One of those signs may be a pylon sign up to 60A feet in height. The pylon sign may contain the following maximum sign area per side: a) 100 square feet for the shopping center identifier, b) 625 square feet for tenant advertising, and c) 120 square feet for an electronic reader/message board. The design of such sign shall be subject to review and approval by a Design Review Committee and shall not exceed 845 square feet on any side.
- D. Signage shall include: a) an entry monument sign at one location with a total sign area of 60A feet for each face, b) up to four entry boundary marker signs, each sign face allowed 36 square feet maximum, with a maximum height of 16 feet, width of 7 feet and depth of 14 inches; and c) eight 36 square foot building logos.
- E. All project site signage shall conform to the Tenant Sign Criteria for PD-60A. All changes to the Tenant Sign Criteria shall be submitted to the Design Review Committee for approval, except that minor changes can be approved administratively by the Planning Division.
- F. The Tenant Sign Criteria shall be an appendix to and recorded as part of the Planned Development Standards for PD-60A.

3. Circulation

- A. All deliveries shall gain access to the project site by way of Lake Merced Boulevard and Park Plaza Drive.
 - a. Deliveries to the development by large semi-type trucks shall not take place during peak traffic hours. Smaller delivery vehicles may deliver at all hours.
 - b. The applicant shall implement a Congestion Management Plan, per the C/CAG Guidelines for Implementation of the Land Use

Component of the Congestion Management Program, which will include but not be limited to, provisions for such programs as carpooling, preferential parking and use of the Hire Daly City First Program and encouraging a hiring preference for local residents.

4. Landscaping

- A. All landscaping improvements shall conform to the approved landscaping plan and with Section 17.41 (Landscaping) of the Zoning Ordinance.
 - a. Landscaping shall be installed in accordance with approved plans and maintained in a neat, clean and healthful condition.
 - b. 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.
 - c. Landscaping shall be planted at the base of any monument signs and shall be maintained in a healthy growing condition and be replaced as necessary. The plants shall include a variety of flowering evergreen shrubs and flowering ground cover.

5. Architecture/Site Design

- A. Architectural design of all structures and facades, all materials and colors, and all landscaping shall comply with plans approved by a Design Review Committee.
 - a. Once approved, any major architectural modification shall be subject to approval by a Design Review Committee, except that minor changes may be approved administratively by the Planning Division.
 - b. All roof equipment shall be screened from view from the surrounding streets.
 - c. The Planning Division shall approve the design and location of all trash or storage enclosures and other proposed fencing or walls.
 - d. All restaurants shall be provided with a state-of-the-art, low-noise, air filtration system to remove odors from air emissions caused by cooking.
 - e. All ground mounted appurtenances, such as transformers or air conditioning units shall be undergrounded.

- f. The Tenant Criteria Manual shall be an appendix to and recorded as part of the Planned Development Standards for PD-60A.

6. Maintenance

- A. A maintenance plan for on-site litter control shall be submitted by the applicant and approved by the City. The litter control maintenance plan shall include provision for on-going maintenance required for the project use. The maintenance plan shall be recorded as part of the PD-60A planned development standards. The maintenance plan shall include the following standards:
 - b. The entire development area shall be maintained in a neat, safe, and healthful condition.
 - c. A garbage disposal plan approved by the Planning Division and the Streets Division shall specify that:
 - i. All trash shall be confined in approved receptacles and enclosures.
 - ii. All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure areas. Any stacked or stored items shall not exceed the height of the enclosure.
 - iii. All trash and storage enclosures shall be properly maintained in accordance with approved plans.
 - iv. The applicant shall prepare an agreement to implement a weekly litter cleanup plan for all open areas, planters and public sidewalks adjacent to the development. All waste materials generated by the development, such as cardboard boxes, skids, garbage, litter, etc., must be stored in the enclosure for disposal. No waste material shall be visible at anytime. All enclosures shall be designed to conceal the contents. All enclosures should be kept clean and free of odor at all times.

7. Lighting

- A. All exterior lighting shall be in accordance with precise plans and shall be adequately maintained according to approved standards.

- B. Site lighting shall be directed downward to protect adjacent residential neighborhoods from glare.

8. Building Area Limitation

- A. There shall be no additional square footage allowed in PD-60A beyond what is permitted through approval of the precise plan. Minor additions or alterations to square footage for any given designated use (+/- 2%) may be approved by the Planning Division if such changes are to meet specific code requirements and do not affect the overall mass of the building.
- B. The Planned Development zone shall include not more than 663,806 commercial square feet square feet of retail and office uses, and 179 apartments in Building R. The general distribution of allowable square footage shall be in substantial accordance with the Precise Plan.

9. Hours of Operation

- A. The hours of retail store operation shall not be limited. However, if the store operation receives significant complaints due to noise or public nuisance, the issue of limiting store hours shall be brought before a Council Committee appointed by the Mayor for consideration.

10. Residential Open Space

- A. The property owner shall maintain not less than 150 square feet per dwelling unit as usable open space in Building R.

Section 4. 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 5. Environmental Determination: The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378, that this Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly or ultimately, as provided in Title 14, Section 15378(a), and that it is also exempt under the definition of "project" in Section 15378(b)(3) in that it concern general policy and procedure making.

Section 6. 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 _____ 2018.

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 _____ 2018, 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



City Council Meeting Agenda Report

Item # _____

Meeting Date: September 10, 2018

Subject: Resolution of the City Council Concerning the Bankruptcy filed by Verity Health Systems and Potential Sale of Seton Medical Center and Seton Coastside

Recommended Action

Staff recommends that the City Council consider approving the attached resolution urging that Seton Medical Center and Seton Coastside continue to operate as a full-service care hospital and sustain the current workforce and providing patient care to the community pending the bankruptcy proceedings of Verity Health Systems and that any potential buyer remain committed to continued operations of both Seton Medical Center and Seton Coastside.

Background

Seton Medical Center in Daly City, founded as Mary's Help Hospital in 1893 by the Daughters of Charity, has been providing medical care to the people of San Francisco and Northern San Mateo County for over a century. Seton Medical Center's 357-bed facility serves a highly diverse population of 1.5 million residents in San Francisco and San Mateo Counties with a comprehensive range of medical, surgical and emergency services. Seton Coastside, its sister hospital, a 116-bed skilled nursing facility, offers the only 24-hour standby Emergency Department along the 55-mile coastal stretch between Daly City and Santa Cruz.

In December 2016, Seton Medical Center and Seton Coastside became part of the Verity Health Systems network. On August 31, 2018, Verity Health Systems filed a voluntary petition for protection under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court. The Mayor requested the City Council consider a resolution about this matter. The City Council is very concerned about the continuing operations of both Seton Medical Center and Seton Coastside during the bankruptcy proceedings and is also concerned about the sale of the Medical Centers following bankruptcy. The potential impacts to Daly City residents, and the surrounding community, could be critical.

Summary/Conclusion

Staff recommends that the City Council adopt the attached resolution concerning the impacts to Seton Medical Center and Seton Coastside as a result of the recent Verity Health Systems bankruptcy filing.

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

Respectfully submitted,

Shawna Maltbie
Interim City Manager

Attachment: Draft Resolution

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL CONCERNING THE BANKRUPTCY FILED BY
VERITY HEALTH SYSTEMS AND POTENTIAL SALE OF SETON
MEDICAL CENTER AND SETON COASTSIDE

WHEREAS, Verity Health, formerly the Daughters of Charity Health System (DCHS) is a regional healthcare system spanning the State of California from the Bay Area to Los Angeles, and in the spirit of its founders St. Vincent de Paul, St. Louise de Marillac and St. Elizabeth Ann Seton, the DCHS is committed to providing holistic, spiritually centered care to the sick and poor; and

WHEREAS, Seton Medical Center in Daly City, founded as Mary's Help Hospital in 1893 by the Daughters of Charity, has been providing medical care to the people of San Francisco and Northern San Mateo County for over a century; and

WHEREAS, in December 2016, Seton Medical Center became part of the Verity Health Systems network; and

WHEREAS, Seton Medical Center's 357-bed facility serves a highly diverse population of 1.5 million residents in San Francisco and San Mateo Counties with a comprehensive range of medical, surgical and emergency services; and

WHEREAS, Seton Coastside, its sister hospital, a 116-bed skilled nursing facility, offers the only 24-hour standby Emergency Department along the 55-mile coastal stretch between Daly City and Santa Cruz; and

WHEREAS, care for the sick and persons living in poverty is central to the mission and values of Seton Medical Center and Seton Coastside, resulting in Seton providing more than \$32 million in community benefit programs and services to needy residents and more than \$48 million in care for the elderly regardless of income or immigration status; and

WHEREAS, DCHS has employed over 7,500 employees to facilitate the comprehensive healthcare delivery system at each of its medical centers in northern and southern California including over 1,500 in Daly City, with compassionate care and attention to the whole person: body, mind and spirit; and

WHEREAS, the healthcare workers employed by DCHS should be acknowledged for their long-standing commitment to implementing the mission of the DCHS by caring for the sick, poor and elderly of the community with gentleness, kindness and professional skill while demonstrating integrity, clarity and honesty in supporting those who lack resources for a healthy life and full human development; and

WHEREAS, on August 31, 2018, Verity Health Systems filed a voluntary petition for protection under Chapter 11 of the Bankruptcy Code in the United States Bankruptcy Court with an auction of its assets pending; and

WHEREAS, the City of Daly City is strongly concerned about the future of both Seton Medical Center, Daly City and Seton Coastside and is committed to having both medical centers remain open for the communities they serve.

WHEREAS, the state Attorney General approved the sale of DCHS to hedge fund Blue Mountain in December, 2015, which rebranded the system Verity Health; and

WHEREAS, the state Attorney General established conditions of approval that mandated Seton Medical Center continue to operate as a full-service acute care hospital with an emergency room for a minimum of 10 years from the point of sale

NOW, THEREFORE, BE IT RESOLVED that the City Council of Daly City, California does hereby exhort Verity Health Systems to affirm its commitment to continue to provide patient care, support employees, and serve the community by having both Seton Medical Seton and Seton Coastside remain open and fully staffed during the bankruptcy proceedings and that any future sales of either Hospitals carefully consider the historic commitments of the Daughters of Charity to sustain healthcare for the sick, poor and elderly of San Mateo and San Francisco Counties by insuring that Seton Medical Center will be maintained as a full-service acute care hospital and that a potential buyer should retain all current employees, honor existing labor agreements and pension obligations through the transition to a new owner/operator; and, BE IT FURTHER RESOLVED, that the City Council urges Verity Health System and the California Attorney General, who will oversee any future sales, ensure that any potential buyers maintain the same level of service and commitment to patients and employees.

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 _____, 2018, 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: September 10, 2018

Subject: Appropriate Funds from the Linda Vista Area of Benefit Sinking Fund and Award of Construction Contract to Replace the Perimeter Fence at the Bay Ridge Retention Basin

Recommended Action

Staff recommends that the City Council Appropriate \$30,000.00 from the Linda Vista Area of Benefit Sinking Fund and award a construction contract to North Fence and Deck Co. of Daly City, California, in the amount of \$25,515.00 for the subject project, and authorize the City Manager to execute the contract.

Background

City Council Resolution No. 90-55 established the Linda Vista Area Benefit Assessment District. The benefited area is subdivided into the Linda Vista and Bay Ridge drainage basins which include the Bay Ridge, Bay Vista, and Linda Vista subdivisions. These subdivisions are required to detain on-site storm water run-off in excess of the flow rate before the land was developed.

The Public Works Maintenance Division provides general landscaping maintenance and general repairs to the storm drain system and site amenities within the Linda Vista Retention Basin and Bay Ridge Retention Basin. Quarterly site inspections to both sites are performed by Public Works staff.

Discussion

The Bay Ridge Retention Basin is located near the northwest corner of Bayshore Park and is approximately 0.3 acres. The fence around the detention basin is approximately 430 feet long.

During the February 1, 2018 Bay Ridge Quarterly Site Inspection, Public Works staff noted that the vegetation on the east side of the perimeter fence needed to be removed due to the strain it was putting on the fence. On May 1, 2018, Parks Maintenance staff removed the hedge and discovered a significant portion of the fence in poor condition. Building Maintenance staff solicited quotes for the replacement of 180 ft. of fencing along the east and south perimeter of the site.

Public Works staff solicited four (4) contractors. Out of the four (4) contractors, only one (1) contractor, North Fence & Deck Co., met the Department of Industrial Relations (DIR) requirements mandated on all public works projects.

The following table summarizes the solicitation for bids:

Bidder	Bid	Comment on Bidder
1. North Fence & Deck Co.	\$25,515.00	Meets DIR and City Requirements
2. With Fencing, Inc.	\$8,100.00	Does Not Meet DIR Requirements
3. Dan's Drilling & Fence	\$0	Does Not Construct Wood Fences
4. Allwood Fence & Deck	\$0	Unresponsive

The responsible low bidder, North Fence & Deck Co. of Daly City, California, holds the required DIR Certification and contractor's license, which is current and in good standing.

If the contract is awarded, construction is anticipated to commence in September 2018 and be substantially completed in October 2018

Fiscal Impact

The total estimated cost of the project is \$30,000 including a 20% contingency. Sufficient funds for this project are available in the Linda Vista Area of Benefit Sinking Fund. Funds totaling \$30,000.00 will be transfer from the Linda Vista Area of Benefit Sinking Fund into account number 19-310-377-4434; Bay Ridge Subdivision; Miscellaneous Other Charges. At the completion of the project unused contingency funds will be returned to the Linda Vista Sinking Fund.

Summary/Conclusion

Staff recommends that the City Council appropriate \$30,000.00 from the Linda Vista Area of Benefit Sinking Fund and award a construction contract to North Fence and Deck Co. of Daly City, California, in the amount of \$25,515.00 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,



Jeffrey W. Fornesi
Asst. to the Director of Public Works



John L. Fuller
Director of Public Works

Attachments: North Fence & Deck Co. – Proposal
With Fencing Inc. – Proposal

PROJ
12422 MOLE

"Good Fences Make Good Neighbors" WITH FENCING INC.

- S.F. PENINSULA -

SAN FRANCISCO (415) 467 3999
FAX # (650) 348-2657

LICENSE NO. 633366

NO. PENINSULA (650) 588-7554
MID PENINSULA (650) 342-4943

P.O. BOX 142
BRISBANE, CA 94005

PROPOSAL SUBMITTED TO:

PHONE FAX 991-8219

DATE 7/20/18

NAME CITY OF DALY CITY

JOB NAME

ADDRESS PUBLIC WORKS

ADDRESS 464 MARTIN

CITY CA ZIP

CITY DALY CITY CA ZIP

We hereby submit estimates for:

180 x 6'	1" CONSTRUCTION	REDWOOD
	1" HERT	FENCE
		RET. WALL
☒ OLD FENCE REMOVED ☒ POSTS SET IN CONCRETE		
☒ ACQ TREATED 4x4/2x4 OR BOLT TO ANGLES (IRON)		
NOTE: FENCE ON CONCRETE WALL IS ONLY 4' - YOU CAN SAVE SOME FOR 4' HEIGHT		

We hereby propose to furnish labor and materials - complete in accordance with the above specifications, for the sum of

dollars (\$ 8,100⁰⁰) with payment to be made as follows:**PAYMENT OF 10% DUE UPON RECEIPT OF ORDER****BALANCE TO BE PAID UPON CONCLUSION OF WORK**

All of the above work to be completed in a substantial and workmanlike manner according to standard practices. All material is guaranteed to be as specified. Any alteration or deviation from the above specifications involving extra cost of material or labor will be executed only upon written orders for same, and will become an extra charge over the sum mentioned in this contract. All agreements must be made in writing and are contingent upon strikes, accidents or delays beyond our control. Owners to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

- NOTE:**
1. WITH FENCING INC. not liable for damage to under ground utilities. Property owner responsible for repair to damaged utilities.
 2. Property owner responsible for location of property and/or boundary lines.
 3. In the event a lawyer is needed to collect this bill, all of the lawyer's fees, court fees, filing fees, etc. will be added to this contract labor cost.
 4. If a Jackhammer needed, owner will pay cost of Jackhammer plus hourly rate of man to operate.
 5. Does not include stain or paint.
 6. Any permits or plans needed would be the owner's responsibility unless stated above.

Authorized signature WITH FENCING INC. S.F. Peninsula

By

NOTE: This proposal may be withdrawn by us if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL

The above prices and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

ACCEPTED

SIGNATURE

J. Novinski Jr.
Lic. 733213
251 Station Ave
Daly City Ca. 94014
(650) 756-0694 Fax (650) 756-0199



North Fence & Deck Co.

Redwood Fences, Decks
& Retaining Walls

www.northfenceco.com

PROPOSAL SUBMITTED TO	City Of Daly City / Karl Moll	HOME PHONE	826-1636	DATE	6-4-2018
STREET	464 Martin St.	WORK PHONE		FAX	kmoll@dalycity.org
CITY, STATE and ZIP CODE	Daly City Ca.	CROSS STREETS	Carter		

We hereby submit specifications and estimates for:

- | | |
|---|-------------|
| A.) Replacement of 112' redwood fence x 4' tall. (Atop concrete wall facing martin st.) | \$10,825.00 |
| B.) Replacement of 68' redwood fence x 6' tall (Facing fire station to the south-west side of property) | \$8,050.00 |
| * To be built as a standard community design using 1x8" select redwood boards with 2x4" pressure- treated framework and 4x4" pressure treated posts bolted to existing post brackets every 4 ft. (Brackets to be sprayed with cold galvanizing compound to prevent further rust.) | |
| * last 32' of (B) going up hill include pressure treated posts set in concrete every 8 ft. (No brackets there) | |
| C.) Apply stain to both sides of fence "A" | \$3,680.00 |
| D.) For "B" | \$2,960.00 |

Any permit required is homeowner's responsibility. Not responsible for broken underground pipes or lines.

We propose hereby to furnish material and labor – complete in accordance with above specifications, for the sum of:

Dollars \$ Total from Above ^ \$25,515.00

Payment to be made as follows:

In full on date of completion/ No deposit required

Remove Old Fence

Yes, Included / to be recycled

All material is guaranteed to be as specified and completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Authorized
Signature _____

(Contractor) Owner _____

Note: This proposal may be withdrawn by us if not accepted within 30 days

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance _____

Signature _____

Neighbor's
Signature _____



City Council Meeting Agenda Report

Item # _____

Meeting Date: September 10, 2018

To: Honorable City Council

From: Angie Padilla, City Manager's Office

Date: Sept. 10, 2018

Subject: Council Committee Meetings August 13 – September 10, 2018

AP

<u>Date of Meeting:</u>	<u>Meeting:</u>	<u>In Attendance:</u>
August 13, 2018	Affordable Housing-Inclusionary Housing Update	Manalo Sylvester Maltbie Zimmerman Mothershead Van Lonkhuysen Zobell Suliguin
August 22, 2018	Affordable Housing-Housing Trust Fund Spending Plan Guidelines & SB 341 Spending Plan Guidelines	Manalo Sylvester Maltbie Zimmerman Mothershead Suliguin
August 30, 2018	Serra Station	Manalo Buenaventura Maltbie Zimmerman Mothershead Van Lonkhuysen

/ap

DALY CITY INTER-OFFICE MEMORANDUM

DATE: July 11, 2018

TO: Affordable Housing Committee
Mayor Juslyn C. Manalo and Councilmember Glenn Sylvester

FROM: Betsy ZoBell, Housing and Community Development Supervisor

CC: Shawwna Maltbie, Interim City Manager
Rose Zimmerman, City Attorney
Tatum Mothershead, Director Economic and Community Development
Lenelle D. Suliguin, Housing Coordinator

SUBJECT: Inclusionary Housing Ordinance Update

Inclusionary Housing requirements are one of the City's most effective tools to create and preserve housing that is affordable to seniors and low to moderate income working households. The purpose of this meeting is to discuss proposed changes to the City's Affordable Housing Ordinance in response to a new State law allowing cities to require inclusionary housing units within rental housing developments. Staff will present recommendations for how utilizing recent changes in State Law could strengthen Daly City's ability to address affordable housing needs.

A. BACKGROUND

In 2007 The Council adopted an Inclusionary Housing Ordinance. The Ordinance required that all new housing developments over a certain size contribute to the production of affordable housing by providing a certain percentage of deed-restricted units affordable to households of low and/or moderate income. The Ordinance also established an in-lieu fee that developers would pay, with the approval of the City Manager, as an alternative to the development of affordable units. As envisioned, in-lieu fees would be deposited to a reserve account and utilized by the City to subsidize the development of new affordable housing pursuant to City-defined goals and objectives relating to location, income targeting and tenure.

Rental Housing: Palmer and Patterson

Subsequent to adoption of the 2007 ordinance two significant cases were decided which impacted the regulatory options available for inclusionary housing. The first case involved a lawsuit filed by the Building Industry Association of Central California against the City of Patterson (*Patterson*) that challenged how that city applied and calculated an affordable housing in-lieu fee that had been provided for in a development agreement. The second lawsuit, filed by developer Geoffrey Palmer against the City of Los Angeles (*Palmer*), challenged Los Angeles' affordable housing ordinance as it applied to development of market-rate rental housing units.

The Palmer court held that Los Angeles was prohibited by State law from requiring a developer to set aside affordable units in market-rate rental projects that were not receiving, or requesting, any City assistance.

KMA Nexus Study/Affordable Housing Ordinance

In response to these decisions, in 2014 the City retained the firm of Keyser Marston and Associates (KMA) to prepare a Residential Nexus Analysis to estimate and quantify the nexus between new residential development in Daly City and the new demand for affordable housing that would be caused by that new development. The Nexus Analysis identifies maximum supportable affordable housing impact fees (“fees”) for ownership units that ranged from \$34.11 per square foot for apartment units to \$21.27 per square foot for single family detached homes.

Based on the results of the KMA Nexus Analysis, in 2014 the City repealed the 2007 Inclusionary Ordinance and Adopted an Affordable Housing Ordinance and Impact Fee Resolution. The 2014 Ordinance requires BMR units in ownership housing developments and the payment of impact fees in rental housing developments.

Assembly Bill 1505

In September of 2017, Governor Brown signed into law a package of housing bills intended to address housing issues throughout the State. One of these bills, AB 1505 supersedes the Palmer case and allows cities and counties to require on-site construction of affordable rental housing (also called “inclusionary” housing). In other words, a City may now require that a certain percentage of units in each new housing development be designated as affordable. The law references the use of an economic feasibility study to determine whether an ordinance unduly constrains the production of housing.

As a result of AB 1505, staff retained KMA to prepare a financial feasibility analysis to support an update to the City’s Affordable Housing Ordinance. The analysis evaluates residential development economics in Daly City and the sustainability of existing and potential modified affordable housing requirements for residential development.

B. DISCUSSION

There are benefits and drawbacks to requiring on-site affordable units through an inclusionary ordinance rather than payment of an affordable housing in lieu fee. The benefits are significant. Affordable units in market-rate developments can be constructed more quickly than nonprofit affordable units, which require more time for financing. In addition, construction of affordable units throughout different neighborhoods promote economic integration and can meet a wider array of housing needs than concentrating a larger number of units in one development as a traditional 100 percent affordable project.

The drawbacks relate to how an inclusionary requirement can increase the costs of development and potentially reduce residential construction. The goal of an inclusionary requirement is to produce additional affordable housing. This goal is unachievable if increased construction costs

due to the inclusionary requirement are too high and discourage residential development. Another potential drawback of onsite units versus a fee is that it reduces City funds that can be used for other affordable housing projects; lastly, an inclusionary ordinance can require significant administration to ensure that small numbers of affordable units across multiple projects are rented or owned by qualified residents.

The primary drawback of on-site inclusionary unit requirement relates to the loss of Housing Trust fund revenue the City realizes when developers pay an in-lieu fee. Trust Funds can be used to invest in the acquisition of land or buildings that become available for affordable housing development opportunities. Full-service, 100 percent affordable housing developments owned and operated by experienced, mission-driven non-profit affordable housing developers rely on subsidy from the City in order to achieve financial feasibility. It is important to note that Trust Fund investments enable developers to leverage other funding sources such as tax credits and private fundraising. In recent Daly City affordable housing developments, every dollar of subsidy from the City has leveraged between one and five dollars in other subsidy financing, thus increasing the number of affordable housing units ultimately created.

1. Ownership Housing

The KMA study found that single family and attached townhomes are feasible under current market conditions and able to support the existing 20% affordability requirement. Feasibility of these project types has been demonstrated by recent development activity. The analysis indicates projects can sustain the cost of providing all required affordable units on-site.

The KMA study noted the approval of a mix of on-site units and fees for several recent projects and suggests consideration of allowing 50 percent fees/50 percent units as a by-right option. Finally, the KMA study indicated a weaker feasibility for the 20 percent inclusionary requirement for condominium projects and suggested consideration of allowing fees for higher density (30-40 units/ acre) condominium projects.

The current impact fee for single family homes is \$14 per square foot. For townhouses the current fee is \$18 per square foot. The KMA study finds that an in-lieu fee of \$40 to \$45 per square foot for these construction types is financially feasible.

2. Rental Housing

Overall, the KMA study finds that an inclusionary percentage of 10 percent targeted at incomes of 70 percent area median is financially feasible. The in-lieu fee equivalent to this percentage would be \$30 to \$35 per square foot (the currently adopted impact fee for apartments is \$25 per square foot). To ensure feasibility and effectiveness, the City should consider a balance between the percentage of affordable units required and the level of affordability. Greater affordability results in a lower return to the project developer, potentially reducing the total number of units (market-rate and below-market-rate) that may be feasible. With that in mind, staff developed several rental housing options for consideration.

a. Inclusionary Percentage Options for Rental Developments

Option	Pros	Cons
10% of units targeted at 70% AMI	Consultant analysis indicates clear financial feasibility. Does not automatically trigger density bonus	Fewer BMR units
15% of units targeted at 70% AMI	More BMR units	Financial feasibility is questionable. Triggers density bonus
10% of units targeted at 70% AMI plus 5% targeted at 90% AMI	More feasible than option #2 More units provided	90% AMI units have marginal public benefit as the restricted rents are very close to market rents.
Give developers choice: 10% at 70 % AMI or 14% at 90% AMI	Allows developer choice	90% AMI units have marginal public benefit as the restricted rents are very close to market rents.

b. Minimum Project Size

Staff recommends setting a minimum project size for developments required to provide below market rate rental units. Generating the maximum number of affordable units citywide is desirable from the standpoint of addressing affordable housing needs and meeting RHNA goals. At the same time, however, deed-restricted affordable housing results in a certain amount of administrative cost to both the developer and to the City. Administration means ensuring that the units are rented to qualified residents and that appropriate documentation is maintained. Historically, this has been challenging for property managers of market-rate projects, resulting in out-of-compliance units and adding a significant administrative burden for the City. Balancing the goals of providing units while maximizing efficiency is critical.

Generally, affordable unit programs such as an inclusionary requirement have the most beneficial impact with larger residential projects. The larger developments result in more affordable units, simplifying the administrative process. In order to assess the production of affordable units between projects, staff looked at the total number of units for five pending projects. As the table

below shows, with a 10% affordable unit requirement, one larger project would have produced 18 affordable units, while six small projects produce only 14 affordable units.

Pending Projects	Total Unit	Affordable Units Required at 10%
1 project of 40 units or more	179	18
6 projects of less than 40 units	140	14

Staff recommends that the inclusionary requirement apply to projects with 40 or more units and that projects of less than 40 units pay an **affordable** housing in-lieu fee, resulting in funds that will be used towards affordable housing programs. However, as an alternative, the City could consider an alternative threshold, such as 20 units or more.

3. Applicability

In addition to direction from the Committee on the preferred inclusionary and threshold requirements, staff requests direction on how a revised inclusionary housing ordinance will apply to projects that have already been approved but not built. Among the options for applicability are

- Projects are subject to the inclusionary housing requirements in place at the time a building permit is issued
- Projects entitled before adoption of the new inclusionary housing ordinance are subject only to the requirements in place at the time of entitlement. Affordable Housing Plans approved at the time of entitlement will be honored. The Council could enact a five-year deadline for applicability of previously approved Affordable Housing Plans, after which time projects would be subject to the new inclusionary requirements. Attachment A provides a list of Daly City residential development projects currently in the pipeline.

C. RECOMMENDATION

Staff recommends that the City Council repeal the existing Affordable Housing Ordinance and adopt an Inclusionary Housing Ordinance with the following requirements:

	Rentals	For Sale
On-Site Percentage	10%	20% (no change)
Income Level for On-Site Units	Low Priced at 70% AMI	Moderate, Priced at 110 AMI (no change)
Allow In-Lieu Fees by Right?	Do not allow if the City prefers on-site units; Allow by right for smaller projects	Do not allow if the City prefers on-site units; if the City prefers mix of on-site units and fees as approved for several recent projects, consider allowing as by-right option; consider allowing fees

		for higher density
	Rentals	For Sale
		Condominiums (30-40 du/acre) due to their weaker feasibility
In-Lieu Fee Level	\$30 to \$35 psf	\$40 to \$45 psf
Threshold for Onsite Inclusionary Requirement	40 units	40 units

Staff further recommends review of and reassessment of these percentages in one year with possible increase of rental inclusionary percentage to 15 percent based on current rents, construction costs and actual development activity.

ATTACHMENT A

Projects in Pipeline of 10 units or more that have not yet been issued a building permit

- Westlake Shopping Center, 179 apartments *
- Bryant St., 27 apartments
- Mission/Goethe , 36 apartments
- Sullivan Avenue, 12 apartments
- Station Avenue, 10 apartments*
- 493 Eastmoor/Sullivan, 35 condominiums
- Woods Condos, 20 condominiums
- Serramonte Terrace, 323 condominiums*
- Serra Station, 75 townhomes*
- Robertson School Site, 71 detached homes
- Point Martin 1, 16 detached homes
- Point Martin 2, 117 detached homes

*Project does not have its entitlements



KEYSER MARSTON ASSOCIATES

DRAFT

FINANCIAL FEASIBILITY ANALYSIS

In Support of Updates to

AFFORDABLE HOUSING ORDINANCE

CITY OF DALY CITY

Prepared by:

Keyser Marston Associates, Inc.

May 15, 2018

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1.0 INTRODUCTION AND SUMMARY OF FINDINGS

This report presents a financial feasibility analysis prepared by Keyser Marston Associates, Inc. (KMA) to support updates to the City of Daly City's ("City") Affordable Housing Ordinance (AHO). For an inclusionary housing program to be an effective tool for creating affordable housing, it must not burden new development to such a degree that it renders new development financially infeasible. The feasibility analysis evaluates residential development economics in the City and the sustainability of existing and potential modified affordable housing requirements for residential development.

1.1 Background

The City of Daly City adopted its inclusionary housing program in 2007. The City modified its program in 2014 to replace the inclusionary requirement for rental developments with an affordable housing impact fee in response to the 2009 *Palmer* decision (*Palmer/Sixth Street Properties L.P. v. City of Los Angeles* [2009] 175 Cal. App. 4th 1396) which prevented enforcement of inclusionary requirements for rental developments. With enactment of AB 1505, the City's ability to implement an inclusionary housing requirement for rental projects has been restored effective January 1, 2018. Accordingly, the City is considering reactivating the prior rental inclusionary housing requirement along with consideration of other updates to the AHO.

1.2 Existing Affordable Housing Ordinance Requirements

The City's AHO requires for-sale residential development projects to include 20% of units as affordable to Moderate Income households. For-sale projects are permitted to pay a fee as an alternative to providing affordable units on-site only with approval by the City Manager. Several recent projects have been granted approval to satisfy requirements of the AHO by providing approximately half of the required affordable units on-site and making an in-lieu fee payment for the remainder. Rental projects are required to pay an affordable housing impact fee. For rentals, on-site units may be provided as an alternative to fees only with approval by the City Manager. The City's current fees are \$14 per square foot for single family, \$18 for townhomes, \$22 for condominiums and \$25 for rentals.

1.3 Summary of Feasibility Analysis Findings

KMA prepared an analysis evaluating the financial feasibility of residential development under the City's existing AHO requirements and then tested several scenarios regarding potential modified affordable housing obligations. Four prototype project types are analyzed: larger single family, smaller single family or attached townhome, higher-density stacked condominium, and a rental apartment. The principal findings of the feasibility analysis are as follows:

Table 1.1 – Feasibility Analysis Findings

Project Type	Feasibility Conclusion	Note
Single family and attached townhomes	Feasible	Supports existing 20% requirement onsite
Apartments	Feasible	Supports existing \$25 psf fee or 10% affordable units on-site
High density condominiums	Marginal Feasibility	Finding assumes existing 20% AHO requirement. City has some projects of this type in the pipeline but the market is unproven.

- *Single family and attached townhomes* – These project types are feasible under current market conditions and able to support the existing 20% affordability requirement. Feasibility of these project types has been demonstrated by recent development activity. The analysis indicates projects can sustain the cost of providing all required affordable units on-site.
- *Apartments* – The analysis indicates that this project type is feasible under current market conditions and able to support the City's existing \$25 psf impact fee, or alternatively, an on-site affordable unit requirement in the range of 10% at Low Income. A 179-unit rental project proposed at the Westlake Shopping Center as well as smaller rental projects being proposed demonstrate interest in developing new rentals. However, despite a market cycle where development of rentals has been very active in the Bay Area, no market-rate rentals have yet been built in Daly City in recent years. The only newer rentals identified were designed as condominium projects and rented upon completion after the prior housing market crash. As the market for new rental developments in the City is not well established, a measured approach is suggested in implementing updated requirements.
- *High density condominiums* – Feasibility of high-density condominiums is marginal under current market conditions and the existing AHO requirements. The market has not been proven through construction of any recent projects of this type. The lack of recent projects also makes it more of a challenge to estimate market pricing and introduces a somewhat greater degree of uncertainty into the analysis. The City has several condominium projects in the pipeline, the largest of which has more than 300 units (Serramonte Vistas); this serves as a demonstration of interest in this project type. However, some applicants have indicated units may be rented depending upon market conditions. The Serramonte Vistas project is also unique in that it is a high-rise that could achieve higher pricing on account of views but would also have higher construction costs than the wood frame over concrete podium project type that is addressed in the KMA analysis.
- *Parking Requirements* – The analysis indicates that the City's parking requirements may be impacting feasibility of higher density residential projects. The level of parking

required by the City's code is somewhat above what we typically see higher density residential projects provide. The high cost of building structured parking, especially underground parking, can impact feasibility of higher density projects. Parking requirements can also limit the number of units that can be accommodated on a site, which also impacts feasibility. Notably, the two largest high-density projects being proposed in the City are both providing a reduced parking ratio of approximately 1.3 spaces per unit enabled by their Planned Development zoning designations.

1.4 Program Recommendations

KMA's recommendations for updates to the City's Affordable Housing Ordinance are described below. Recommendations reflect the findings of the feasibility analysis, our experience assisting many other jurisdictions with their inclusionary programs, and our understanding that the City desires to ensure that updated affordable housing requirements are feasible and will not act as a deterrent to market rate housing development.

Table 1.2 – Summary of Recommendations

	Rentals	For-Sale
On-Site Percentage	10%	20% (no change)
Income Level of On-Site Units	70% AMI	110% AMI (no change)
Allow In-Lieu Fees by Right?	Do not allow if the City prefers on-site units; Allow by right for smaller projects	Do not allow if the City prefers on-site units; if the City prefers mix of on-site units and fees as approved for several recent projects, consider allowing as by-right option; consider allowing fees for higher density condominiums due to their weaker feasibility
In-Lieu Fee Level	\$30 to \$35 psf	\$40 to \$45 psf

Rental Project Recommendations

- a. *On-Site Percentage Requirement* – Re-establish an on-site inclusionary requirement. Set the requirement at 10% at Low-Income.
 - Alternatively, the City could implement a higher requirement such as 15%, but allow fee payment by right at a level consistent with the fee recommendation below. Under this alternative, the City should anticipate most projects will comply through fee payment.
- b. *Whether In-Lieu Fee Payment is Permitted* – If the City prefers on-site units in rental projects, consider removing the in-lieu fee option for larger projects with the scale to provide at least a threshold number of affordable units on-site. For example, projects of say 80 to 100 units in size would have the scale to provide 8 to 10 affordable units on-site with a 10% requirement. Under AB 1505, at least one alternative to on-site units, such as off-site

construction or land dedication, must be provided for rental projects; however, in-lieu fees do not need to be included as an alternative.

Whether to emphasize on-site units versus fees is an important policy decision in the update of the program. On-site units have the advantage of being delivered concurrently with market rate units and being integrated within a market rate development. Fees have the advantage of allowing leveraging with other funding sources to assist all affordable projects, typically serving a deeper level of affordability (e.g. at a lower rent level).

- c. *In-Lieu Fee Level* – Increase the in-lieu fee to a level more in balance with the cost of providing the affordable units. We estimate a fee in the range of \$30 to \$35 per net square foot would approximate the cost of providing 10% of units on-site at Low Income.
- d. *Income Level of On-Site Units* – Require affordable rents to be set at an average of 70% of Area Median Income (AMI) or below. This is a change from the current ordinance which establishes rents at the upper end of the income limit. Setting rents somewhat below the qualifying limit allows a broader range of qualifying households to afford the rents.
- e. *Allow Averaging of Affordable Rents* – Allow rents to be set at a range of income levels within a project so long as the overall average for the project weighted by bedroom count does not exceed 70% of AMI and all units are set at levels affordable to median income or below. This will allow affordable units to serve a wider range of incomes. It may also enhance feasibility because projects that comply with inclusionary requirements by providing, say 5% affordable units at 50% of AMI and 5% at 90% of AMI (averaging to 70% AMI) become eligible for the State Density Bonus, which reduces required parking and allows additional density.
- f. *Project size threshold* – Ownership units have a project size threshold of five units to be subject to the requirements of the AHO. There is no minimum threshold for rentals. A consistent threshold for both tenure types is recommended.

For Sale Project Recommendations

- a. *Percentage* – Maintain the current 20% affordable housing requirement.
- b. *In-Lieu Fee* – Consider increasing in-lieu fees to bring them into closer balance with the cost of providing affordable units on-site. The analysis indicates fees for for-sale units would need to be set in the range of \$40 to \$45 psf to approximate the cost of including the units on-site.
- c. *Projects Providing Mix of On-Site and Fee* – Several recent projects have provided a mix of on-site units and in-lieu fees. If the City favors a mix of on-site units and fees, consider codifying this as a by-right option to increase certainty for the development community and

avoid the need for case-by-case review by the City. Establish a methodology for calculating fees in a split on-site / fee scenario so projects are treated consistently.

- d. *Higher Density Condominiums* – Consider allowing in-lieu fee payment, partially or entirely, for higher density condominiums over a density threshold (such as 40 units to the acre) to provide added flexibility in consideration of the weaker feasibility conditions that currently exist for this project type. If desired, a sunset provision could be included.

Parking

A finding of the analysis is that the City's parking requirements may be constraining feasibility for higher density projects. The City could explore opportunities to reduce parking requirements for higher density development, especially in areas well-served by transit or for projects that provide car-sharing, bike parking, or other measures to facilitate alternative modes of transportation. Reduced parking requirements would be an opportunity to help offset the cost of providing affordable housing and to encourage both market rate and affordable housing production in the City.

1.5 Other Jurisdiction Requirements

To provide additional context for consideration of updated requirements in Daly City, KMA reviewed affordable housing impact fee and inclusionary requirements in Redwood City, South San Francisco, San Bruno, and the County of San Mateo. Existing percentage requirements on for-sale projects range from 15% to 20%. The majority require on-site affordable units be provided for projects over a certain size threshold. For rentals, all except South San Francisco have an impact fee in place. Redwood City, South San Francisco and San Bruno are in the process of considering updates to their programs that would institute on-site inclusionary requirements for rentals. Section 4 provides a more in depth discussion of requirements in place in comparison jurisdictions. With implementation of proposed updates to the AHO, Daly City's policies would continue to be comparable to requirements in place or under consideration in other nearby jurisdictions.

1.6 Organization of the Report

The report is organized into the following sections:

- *Section 1.0, Introduction and Summary of Findings*, provides an introduction and presents a discussion of KMA's findings and recommendations for updates to the City's inclusionary housing policies.
- *Section 2.0, Financial Feasibility Analysis*, presents the findings, methodology and sources for the financial feasibility analysis.

- *Section 3.0, Residential Market Survey and Prototypes*, presents the market survey results and a discussion of the residential prototypes developed for the financial feasibility analysis.
- *Section 4.0, Affordable Housing Requirements in Other Jurisdictions*, presents a summary of the current requirements in nearby jurisdictions.

2.0 FINANCIAL FEASIBILITY ANALYSIS

For an inclusionary housing program to be an effective tool for creating affordable housing, it must not burden new development to such a degree that it renders new development financially infeasible. KMA prepared an analysis evaluating the financial feasibility of residential development under the City's existing AHO requirements and then tested several scenarios regarding potential modified affordable housing obligations to inform updates to the City's AHO. The analysis is summarized in the discussion below with supporting pro forma tables provided in Tables 2.9 through 2.12.

2.1 Context and Limitations of Analysis

Before describing the feasibility analysis, it is useful to put the analysis into perspective by summarizing how it can be used and where limitations exist in its ability to inform a longer-term policy direction:

- *Prototypical Nature of Analysis* – This financial feasibility analysis, by its nature, can only provide a general assessment of development economics because it is based on prototypical projects rather than specific projects. Every project has unique characteristics that will dictate sales prices and rents supported by the market as well as development costs and developer return requirements. This feasibility analysis is intended to reflect prototypical projects Daly City but it is recognized that the economics of some projects will likely look better and some likely worse than those of the prototypes analyzed.
- *Near Term Time Horizon* – This feasibility analysis is a snapshot of real estate market conditions as of Spring 2018. Real estate development economics are fluid and are impacted by constantly changing conditions regarding sales prices and rent potential, construction costs, land costs, and costs of financing. A year or two from now, conditions will undoubtedly be different, so these financial feasibility conclusions may not hold over a longer-term time horizon.
- *Adjustments to Land Costs over Time* – Developers purchase development sites at values that will allow for financially feasible projects. If a development is subject to an inclusionary housing obligation, developers 'price in' the requirement when evaluating a project's economics and negotiating the purchase price for development sites. If the City adopts changes to its inclusionary program, the changes would impact what developers can afford to pay for land. A more burdensome obligation would put downward pressure on land values. This pressure on land prices can, at least to some degree, bring costs back into better balance with the overall economics supported by projects. Therefore, while current projects that have already purchased land may have limitations on the amount of a fee or inclusionary requirement that can be supported, future projects that have not purchased land have a better capacity to absorb a new requirement if at least a portion can be recovered through reduced land prices.

2.2 Methodology

For this assignment, KMA utilized a “residual land value” approach for evaluating financial feasibility. The residual value approach is a commonly used approach to evaluating the economics of development projects which identifies what a project can afford to pay for a developable land parcel. KMA believes that a land residual approach is most appropriate for this analysis because most new development in Daly City is expected to occur on in-fill locations rather than on large, previously undeveloped, vacant sites and because in-fill sites can vary significantly in land and site preparation costs. In-fill locations are often challenging for a variety of reasons including site assemblage of multiple parcels, existing improvements, infrastructure challenges, and the potential for more complex construction and staging processes. A residual land value approach does not assume a fixed cost for residential land but rather estimates what each prototype can afford to pay to purchase a site and prepare it for development and then tests whether the supported land value is within the range of current market land values.

2.3 Prototype Projects Analyzed

KMA examined and summarized the residential projects newly built or under development in Daly City, spoke with members of the development community about planned projects in Daly City, and worked with City staff to identify development prototypes representative of projects anticipated to be developed in Daly City in the future. The prototypes are as follows:

- 1) *Larger Single Family* – A two- or three-story home, typically detached, with a garage.
- 2) *Smaller Single Family / Townhome* – A two- to four-story home, typically attached, with a garage.
- 3) *Condominium* – A condominium building with three to four stories of wood frame construction over a concrete podium parking garage.
- 4) *Apartments* – An apartment building with three to four stories of wood frame construction over a concrete podium parking garage.

The prototypes are presented on Table 3.2 and summarized below.

Table 2.1 – Prototype Residential Development Projects Analyzed

		Average Unit Size	Sales Price / Rent	
For-Sale Prototypes			Total	PSF
1)	Larger Single Family	2,400 sq. ft.	\$1,300,000	\$542
2)	Smaller Single Family / Townhome	1,700 sq. ft.	\$1,000,000	\$588
3)	Condominium	1,100 sq. ft.	\$780,000	\$709
Rental Prototype				
4)	Apartments	900 sq. ft.	\$3,100 / Mo.	\$3.44

Source: KMA in collaboration with City of Daly City. See Table 3.2 for more information.

2.4 Revenue / Supported Unit Value

The revenue assumptions reflected in the analysis are as follows:

For-Sale Projects – Market sales prices used for purposes of the analysis reflect the findings of the market survey presented in Section 3. Affordable unit prices are calculated consistent with the City's affordable pricing methodology. Moderate income units are priced at 110% of Area Median Income (AMI) and assume 30% of income is spent on housing consistent with the City's existing AHO. A 30-year fixed mortgage at 4.31% interest and a 5% down payment is assumed. Other housing expenses including HOA dues, insurance, and property tax expenses are considered in determining the mortgage payment households can afford. The affordable sales price calculations are presented in Appendix Table 1.

Rental Projects – Market rents reflect the findings of the market survey presented in Section 3. The developer investment supported reflects the project income, operating expenses, and developer return requirements. Project income includes the unit's rent plus a small allowance for other income. Operating expenses include a 5% vacancy allowance, project operating expenses and property taxes. The developer investment that can be supported for the project is estimated based on a 5.5% return on cost requirement. The project net operating income is divided by the return on cost to determine the supportable investment.

For affordable rental units, gross rents are calculated based on 30% of annual household income. Units affordable to households earning 70% of AMI are analyzed. A utility allowance is then netted out. The affordable rent calculations are presented in Appendix Table 2. For affordable units, developer return on cost is estimated at 6.0%, or 0.5% above the market rate units. The higher return is in recognition of the limited rent growth potential for inclusionary units. The 'blended return' shown in the Table 2.12 represents a weighted average of the 5.5% Return on Costs for the market rate units and the 6% Return on Costs for the affordable units.

2.5 Development Costs

The estimates of development costs for each of the prototypes are based on a combination of sources. KMA is active in the market working on new residential development projects in cities throughout the Bay Area and state. KMA gathered construction cost estimates from current similar projects in other local jurisdictions. In addition, we sought input from developers with active projects in Daly City.

Construction costs vary from project to project depending upon the quality of finishes and architecture, the level of amenities provided, and site-specific construction challenges such as demolition or environmental remediation requirements, unusual site grading or foundation costs, or tight/irregularly shaped parcels that result in cost inefficiencies. The construction cost

estimates utilized in this study assume quality construction, architecture, and finishes but do not assume any extraordinary costs that would be atypical for the market.

In addition to hard construction costs, the development cost estimates also include all indirect or soft costs of development such as architecture and engineering, governmental fees and permits costs, taxes, insurance, financing, and developer overhead and administration.

Fees and permits costs were based on information provided by the City and include the existing City permitting fees, park in-lieu fees and school district impact fees. The calculation of the fees and permits estimate is shown on Appendix Table 3.

2.6 Development Community Contacts

To supplement the available market data and to confirm our development cost estimates, KMA reached out to representatives of local developers with active projects in Daly City. KMA's discussions included an architect working for a property owner on a condominium project and a developer working on an apartment project. The developer confirmed the reasonableness of the development program and market rents for the apartment prototype. The architect provided preliminary development cost information for the planned condominium project, which confirmed our estimates. In addition, both contacts discussed the impact that the City's parking requirements have on feasibility. In their experience, parking requirements are often the primary constraint that determines the number of units that can be accommodated on a given site.

2.7 Residential Land Values

KMA gathered available data on recent land sales and land currently for sale in Daly City. It is important to recognize that each parcel has distinctive elements that affect the land value. These land sales, which occurred primarily from 2015 through 2017, and asking prices for land currently for sale, are shown in Table 2.2. There are several recent single family land sales, with prices averaging in the range of \$300,000 per unit. Attached townhome land sold in the range of \$100,000 per unit; however, this reflects sales from a few years ago. There were only two land sales for apartment projects, one from 2015 at \$30,000 per unit and one for a senior affordable project at \$12,000 per unit. There were no recent condominium land sales. As is always the case, land values vary depending upon location and other site-specific factors.

Table 2.2 – Residential Land Sales

Address	Date Sold	Acres	Land Sq.Ft.	# of Units	DU / Ac	Sale Price	Price / SF	Price / Unit
Single Family Comps								
121 Flournoy St	03/27/2015	0.06	2,500 sf	1	17	\$370,000	\$148	\$370,000
989 Crocker Ave	6/20/2017	0.32	13,895 sf	3	9	\$850,000	\$61	\$283,333
72 Mateo Ave	11/12/2017	0.20	8,640 sf	2	10	\$755,000	\$87	\$377,500
453 Rio Verde St	9/27/2017	0.08	3,700 sf	1	12	\$308,000	\$83	\$308,000
221 South Parkview		0.25	10,890 sf	4	16	\$1,000,000	\$92	\$250,000
603 Hanover	01/09/2017	0.05	2,350 sf	1	19	\$307,000	\$131	\$307,000
Via Lafferty - entitled	7/14/2016	1.72	74,923 sf	25	15	\$13,320,000	\$178	\$532,800
Via Lafferty -unentitled	3/24/2015	1.72	74,923 sf	25	15	\$5,560,000	\$74	\$222,400
Point Martin I	<i>listing</i>	1.84	80,150 sf	16	9	\$3,450,000	\$43	\$215,625
1645 Edgeworth Av	<i>appraisal</i>	0.17	7,494 sf	4	23	\$860,000	\$115	\$215,000
						average	\$101	\$308,166
Attached Townhome Comps								
Wellington Heights	7/2/2014	4.91	213,880 sf	54	11	\$5,000,000	\$23	\$92,593
Garden Valley (KB)		1.77	77,101 sf	50	28	\$5,650,000	\$73	\$113,000
400, 1546 Annie	12/23/2015	0.69	30,000 sf	10	15	\$1,086,500	\$36	\$108,596
						average	\$44	\$104,729
High Density Rental Comps								
6098 Mission St	8/5/2015	0.24	10,476 sf	36	150	\$1,050,100	\$100	\$29,169
4619 Brunswick (snr aff.)	8/11/2017	1.15	50,094 sf	206	179	\$2,511,000	\$50	\$12,189
						average	\$75	\$20,679
Other / Unspecified No. of Units								
201 Vista Grande	3/14/2018	0.08	3,550 sf	N/A	N/A	\$680,000	\$192	N/A
717-719 Templeton	9/22/2017	0.36	15,581 sf	N/A	N/A	\$835,000	\$54	N/A

Source: CoStar, Redfin, Loopnet, City planning documents.

2.8 Feasibility Conclusions Under Existing Affordable Housing Requirements

The financial feasibility analysis is based on the relationship between the project's revenue potential, the estimated development costs, and a reasonable developer profit commensurate with the cost of funds and development risk. The residual land value approach, described earlier in this section, produces a residual value that each prototype can afford to pay to acquire a site. If the residual value exceeds the cost to acquire a site for development, the prototype is generally determined to be feasible. If the residual value is less than the cost to acquire and prepare the site, the prototype will need to address economic challenges. As mentioned previously, it would be the case that some projects would have economics that are somewhat better as well as some that are somewhat worse than the "typical" prototype analyzed.

For the for-sale units, developer profit is calculated as Return on Sales of 12% for the large single family and 17% for the small single family/townhomes and condominiums. For the

apartment unit, the metric utilized is a Return on Total Cost (ROC) of 5.5% for market rate units and 6.0% for affordable units, which is incorporated into the unit value supported.

Table 2.3 summarizes the residual land value conclusions for the four prototypes under the City's current AHO requirements (20% on-site for for-sale and a \$25 psf impact fee for rental). The profit levels and cost of sales are incorporated into the development costs per unit. A more detailed pro forma table can be seen in Table 2.9 for the for-sale unit types and Table 2.12, for the apartment.

Table 2.3 – Summary of Feasibility Analysis Findings with Existing AHO Requirements

Prototype	Revenue or Supported Investment Per Unit ¹	(Less) Development Cost / Unit Before Land	Supported Land Value / Unit	Supported Land Value / Land Sq. Ft.	Feasibility Conclusion with Existing AHO Requirement
Larger Single Family	\$1,106,000	\$797,000	\$309,000	\$85	Feasible
Smaller SF / Townhome	\$869,000	\$707,000	\$162,000	\$93	Feasible
Condominium	\$688,000	\$633,000	\$55,000	\$69	Marginal
Apartment	\$460,000	\$390,000	\$70,000	\$104	Feasible

(1) For Sale Units: Blend of market rate and affordable units; net of sales expense. Apartment: Investment supported based on net operating income and return on cost.

Comparing the residual land values above with the current cost of land in Daly City indicates that the single family, townhome and apartment prototypes are generally feasible in today's market under existing AHO requirements. The stacked condominiums support land values somewhat below current land costs, indicating weaker feasibility under current market conditions.

2.9 Alternative Affordable Housing Requirements Tested

The objective of the financial feasibility analysis is to understand the general development economics of each residential development prototype given the current AHO requirement and then evaluate the impact of a range of alternative scenarios on the financial feasibility of new development. KMA modeled both on-site inclusionary obligations (the affordable units are provided within the project) and the payment of fees (the developer pays a fee in-lieu of providing affordable units within the project) and a mix of on-site and in-lieu fee payment. Specifically, the following scenarios were modeled:

Table 2.4 – Scenarios Tested

No.	Scenario	Description
For Sale		
FS1	Existing 20% on-site requirement	Provide 20% of units as affordable to Moderate Income
FS2	Half on-site / half fee	Provide 10% of units as affordable to Moderate Income and pay a fee for the remaining 10% of affordable units required. This compliance option requires approval from the City Manager under the current ordinance. Several projects have been approved to provide a mix of affordable units and fee payment.
FS3	100% fee payment	Pay the existing fee of \$14 psf for single family, \$18 psf for townhomes and \$22 psf for stacked condominiums
Rental		
R1	Existing \$25 psf fee	Pay the existing \$25 per square foot impact fee for rentals.
R2	10% On-Site	Provide 10% of units at Low (70% AMI)
R3	15% On-Site	Provide 15% of units at Low (70% AMI)
R4	Parking sensitivity with existing \$25 psf fee	Pay the existing \$25 per square foot impact fee and comply with the City's parking standards of 1.5 spaces per 1-bedroom and 2 spaces per 2-bedroom.
R5	Parking sensitivity with 10% on-site	Provide 10% on-site at Low and comply with the City's parking standards of 1.5 spaces per 1-bedroom and 2 spaces per 2-bedroom.

2.10 Financial Feasibility of Alternative Affordable Housing Compliance Scenarios

For-Sale Project Scenarios

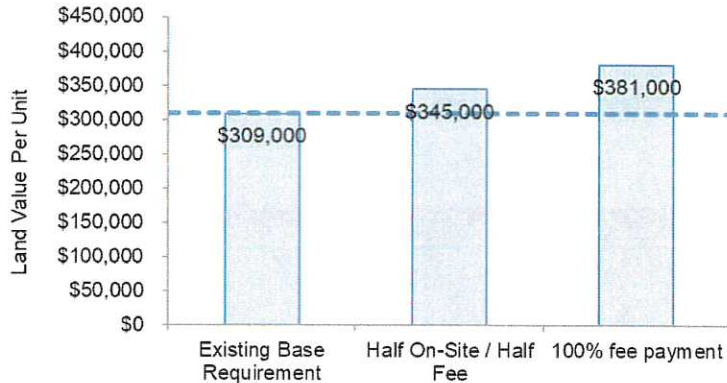
KMA modeled three scenarios for for-sale projects, provision of all units on-site, payment of the in-lieu fee, and a hybrid with 50% of the required units provided on-site with in-lieu fee payment for the remaining 50%. The current in-lieu fee varies by unit type, at \$14 per square foot for single family, \$18 for townhomes and \$22 for condominiums. Tables 2.10 and 2.11 present the pro forma analyses for the for-sale hybrid on-site / fee and 100% in-lieu fee scenarios, respectively. The results are summarized in the table below.

Table 2.5 – Supported Land Value – For-Sale Project Scenarios

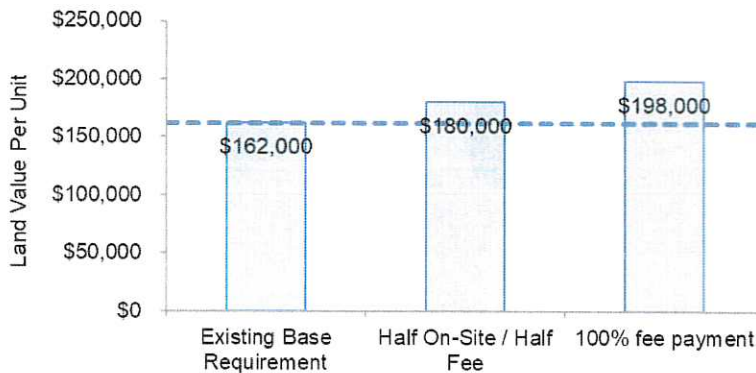
Supported Land Value	Larger Single Family		Smaller SF / Townhome		Condominium	
	Per Unit	Per SF of Land	Per Unit	Per SF of Land	Per Unit	Per SF of Land
FS1 - Existing Requirement 20% mod on-site	\$309,000	\$85	\$162,000	\$93	\$55,000	\$69
FS2 - Half On-site / Half Fee 10% mod + 50% fee	\$345,000	\$95	\$180,000	\$103	\$68,000	\$86
FS3 - 100% Fee Payment	\$381,000	\$105	\$198,000	\$114	\$80,000	\$101

The above results indicate that allowing projects to comply through fee payment significantly increases the supported land value. This is because existing fees represent a lower cost than providing the affordable units on-site. See Section 2.11 for an analysis of fees equivalent to the cost of providing units on-site.

Residual Land Values - Larger Single Family



Residual Land Values - Smaller Single Family and Townhome



Residual Land Values - Condominiums



Rental Project Scenarios

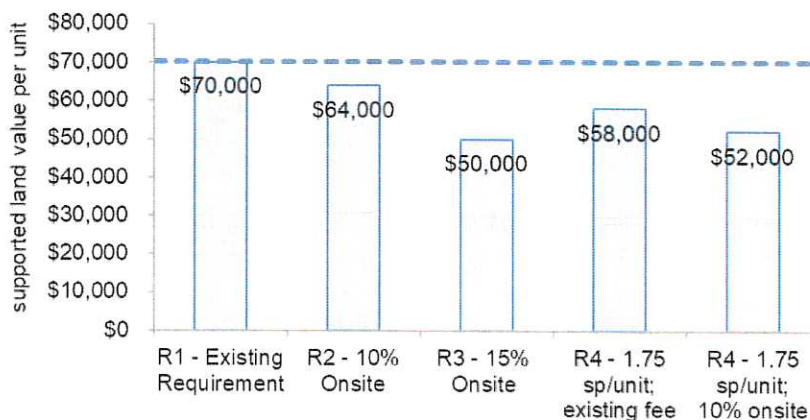
The City of Daly City currently requires that apartment projects pay an impact fee of \$25 per square foot. This requirement was adopted during a time when cities were not legally allowed to enforce an on-site inclusionary requirement on rental units. As of January 2018, cities are once again allowed to require apartment projects to include on-site affordable units.

KMA modeled two potential on-site requirements for apartment projects – 10% of units at Low Income and 15% of units at Low Income. A 10% on-site affordable unit obligation reduces supported land value by approximately 9%, while a 15% requirement represents a more significant impact to the economics of projects at a nearly 30% reduction in supported land value.

Table 2.6 – Supported Land Value – Rental Project Scenarios

Apartment			
	Per Unit	Per SF of Land	% Change vs. Existing
R1 - Existing Requirement \$25 psf Fee	\$70,000	\$104	
R2 - 10% On-site at 70% of AMI	\$64,000	\$96	-9%
R3 - 15% On-site at 70% of AMI	\$50,000	\$75	-29%
R4 - Parking at 1.75 sp/unit and existing \$25 psf fee	\$58,000	\$87	-17%
R5 - Parking at 1.75 sp/unit and 10% On-site	\$52,000	\$78	-26%

Residual Land Values - Apartments



KMA also tested the impact of the amount of parking provided. In the first three scenarios, a parking ratio of 1.4 spaces per unit is assumed. Several recent projects have proposed a parking ratio at or below this level, which is typical of high-density residential projects in the Bay Area with a similar bedroom mix. The Daly City projects that have provided parking at this level have been located in a planned development district where general Citywide parking standards do not apply, been eligible for the State Density bonus, or received a reduction in parking as mixed use projects. The City's general parking requirements for multifamily under Section 17.34.020 of the zoning code require a greater level of parking of 1.5 spaces for each 1-bedroom and 2 spaces for each 2-bedroom unit. In scenarios R4 and R5, KMA tested the impact on feasibility of complying with these increase parking requirements, which result in a need for 1.75 spaces per unit rather than the 1.4 spaces assumed in scenarios R1 to R3. It was found that providing the level of parking required by the City's zoning code has a significant impact on project economics, reducing supported land values by 17% from the comparable scenarios with less parking. Table 2.12 provides the detailed pro forma information.

The impact on feasibility is a result of the high cost of providing structured parking in high density projects. In addition, members of the development community indicated that the City's parking requirements constrain the number of units that can be built on a site, which also impacts feasibility.

As stated at the beginning of this section, over time markets are able to adjust, at least to some degree, to accommodate added costs of development. Since developers purchase land at values that allow for feasible projects, future adjustments to residential land values will reflect new economic realities, with revisions to the inclusionary program being one factor that could be expected to have an influence.

2.11 Fees Equivalent to On-site Compliance

Lastly, KMA calculated the fee levels equivalent in cost to providing the affordable units on-site. For for-sale units, the existing 20% requirement was tested. For apartments, KMA modeled the fee levels equivalent to potential 10% at Low and 15% at Low requirements, setting rents at both 70% of AMI and 80% of AMI. The results are presented below on a per unit basis and a per square foot basis.

Table 2.7 – Fee Level Equivalent in Cost to Providing 20% On-site affordable Units in Ownership Projects

	Larger Single Family	Smaller SF / Townhome	Condominium
Cost Per Unit in Project*	\$106,000 per unit	\$67,000 per unit	\$49,000 per unit
Cost Per Square Foot*	\$44 per sq. ft.	\$39 per sq. ft.	\$45 per sq. ft.

*A fee at the indicated level applied to all units in the project or all net square feet would be equivalent in cost to a 20% on-site requirement.

Table 2.8 – Fees Equivalent in Cost to Providing On-site Affordable Units in Rental Project Prototype

	Per Unit Cost*	Per Square Foot Cost*
Existing Fee	\$22,500 per unit	\$25 per sq. ft.
10% at Low (70% AMI)	\$28,000 per unit	\$31 per sq. ft.
10% at Low (80% AMI)	\$24,000 per unit	\$27 per sq. ft.
15% at Low (70% AMI)	\$42,000 per unit	\$47 per sq. ft.
15% at Low (80% AMI)	\$36,000 per unit	\$40 per sq. ft.

*A fee at the indicated level applied to all units in the project or all net square feet would be equivalent in cost to the identified on-site requirements.

TABLE 2.9

FINANCIAL FEASIBILITY ANALYSIS - EXISTING BASE REQUIREMENT (Scenario FS1)
 INCLUSIONARY HOUSING ANALYSIS
 CITY OF DALY CITY, CA

DRAFT

Product Description	Larger Single Family	Smaller Single Family and Townhome	Stacked Condominium
Affordable Housing Compliance			
Average Unit Size - Market Rate	Three stories w/ attached garage.	2-4 story homes	three to four stories over podium garage
Average Unit Size - Affordable	20% on-site @mod	20% on-site @mod	20% on-site @mod
Average Number of Bedrooms	2,400 sf	1,700 sf	1,100 sf
Density	2,110 sf	1,600 sf	1,100 sf
	3.5 bedrooms	3.0 bedrooms	2.0 bedrooms
	12 du/acre	25 du/acre	55 du/acre
Revenue			
Market Rate Units	Per SF	Per SF	Per SF
Affordable Units	Per Unit	Per Unit	Per Unit
Total Gross Sales / Rents	\$542	\$588	\$709
<Less> Sales Expense (4%)	\$234	\$309	\$419
Sales Net of Sales Expenses	\$480	\$532	\$651
	\$1,300,000	\$1,000,000	\$780,000
	\$1,152,200	\$905,000	\$716,200
	(\$19)	(\$21)	(\$26)
	\$461	\$511	\$625
	\$1,106,112	\$868,800	\$687,552
Development Costs			
Direct Costs	Per SF	Per SF	Per SF
Fees & Permits	Per Unit	Per Unit	Per Unit
Affordable Housing Fee	\$200	\$230	\$349
Other Indirect Costs	\$27	\$38	\$41
Financing	N/A	N/A	N/A
	\$93,600	\$77,200	\$61,440
	\$33,400	\$24,700	\$19,500
Total Development Costs (excl. land)	\$274	\$325	\$464
	\$658,796	\$552,747	\$510,340
Residual Land Value			
Net Sales Revenue	\$461	\$511	\$625
<Less> Development Costs	(\$274)	(\$325)	(\$464)
<Less> Profit Margin			
	\$1,106,112	\$868,800	\$687,552
	(\$658,796)	(\$552,747)	(\$510,340)
	(\$138,264)	(\$153,850)	(\$121,754)
Residual Land Value (Per Unit)	\$309,000	\$162,000	\$55,000
Per Acre	\$3,708,000	\$4,050,000	\$3,025,000
Per Square Foot of Land Area	\$85	\$93	\$69
Profit Margin	12.0%	17.0%	17.0%
Profit Margin Basis	return on sales	return on sales	return on sales

TABLE 2.10

FINANCIAL FEASIBILITY: 50/50 BLEND OF ONSITE AND FEE PAYMENT (Scenario FS2)
 INCLUSIONARY HOUSING ANALYSIS
 CITY OF DALY CITY, CA

DRAFT

Product Description	Larger Single Family	Smaller Single Family and Townhome	Stacked Condominium
Affordable Housing Compliance	Three stories w/ attached garage.	2-4 story homes	three to four stories over podium garage
Average Unit Size - Market Rate	10% on-site @Mod & Fee Payment	10% on-site @Mod & Fee Payment	10% on-site @Mod & Fee Payment
Average Unit Size - Affordable	2,400 sf	1,700 sf	1,100 sf
Average Number of Bedrooms	2,110 sf	1,600 sf	1,100 sf
Density	4 bedrooms 12 du/acre	3 bedrooms 25 du/acre	2 bedrooms 55 du/acre
Revenue	Per SF	Per SF	Per SF
Market Rate Units	Per Unit	Per Unit	Per Unit
Affordable Units	\$542	\$588	\$709
Total Gross Sales / Rents	\$234	\$309	\$419
<Less> Sales Expense (4%)	\$511	\$560	\$680
Sales Net of Sales Expenses	(\$20)	(\$22)	(\$27)
	\$490	\$538	\$653
Development Costs	Per Unit	Per Unit	Per Unit
Direct Costs	\$200	\$230	\$349
Fees & Permits	\$27	\$38	\$41
Affordable Housing Fee (@ 50%)	\$7	\$9	\$11
Other Indirect Costs	\$40	\$46	\$56
Financing	\$15	\$15	\$19
Total Development Costs (excl. land)	\$285	\$337	\$476
Residual Land Value			
Net Sales Revenue	\$490	\$538	\$718,176
<Less> Development Costs	(\$285)	(\$337)	(\$523,340)
<Less> Profit Margin			(\$127,177)
Residual Land Value (Per Unit)	\$345,000	\$180,000	\$68,000
Per Acre	\$4,140,000	\$4,500,000	\$3,740,000
Per Square Foot of Land Area	\$95	\$103	\$86
Profit Margin	12.0%	17.0%	17.0%
Profit Margin Basis	return on sales	return on sales	return on sales

TABLE 2.11

FINANCIAL FEASIBILITY - 100% FEE PAYMENT COMPLIANCE (Scenario FS3)

INCLUSIONARY HOUSING ANALYSIS

CITY OF DALY CITY, CA

DRAFT

Product Description	Larger Single Family	Smaller Single Family and Townhome	Stacked Condominium
Affordable Housing Compliance			
Average Unit Size - Market Rate	Three stories w/ attached garage.	2-4 story homes	three to four stories over podium garage
Average Unit Size - Affordable			
Average Number of Bedrooms	2,400 sf	1,700 sf	1,100 sf
Density	2,110 sf	1,600 sf	1,100 sf
	4 bedrooms	3 bedrooms	2 bedrooms
	12 du/acre	25 du/acre	55 du/acre
	Fee payment	Fee payment	Fee payment
Revenue			
Market Rate Units	Per SF	Per SF	Per SF
Affordable Units	Per Unit	Per Unit	Per Unit
Total Gross Sales / Rents	\$542	\$588	\$709
<Less> Sales Expense (4%)	<u>(\$22)</u>	<u>(\$24)</u>	<u>(\$28)</u>
Sales Net of Sales Expenses	\$520	\$565	\$681
Development Costs			
Direct Costs	Per SF	Per SF	Per SF
Fees & Permits	Per Unit	Per Unit	Per Unit
Affordable Housing Fee (@ 100%)	\$200	\$230	\$349
Other Indirect Costs	\$27	\$38	\$41
Financing	\$14	\$18	\$22
	\$40	\$46	\$56
	\$16	\$16	\$19
Total Development Costs (excl. land)	\$296	\$348	\$488
	\$711,096	\$591,947	\$536,340
Residual Land Value			
Net Sales Revenue	\$520	\$565	\$748,800
<Less> Development Costs	<u>(\$296)</u>	<u>(\$348)</u>	<u>(\$536,340)</u>
<Less> Profit Margin	<u>(\$156,000)</u>	<u>(\$170,000)</u>	<u>(\$132,600)</u>
Residual Land Value (Per Unit)	\$381,000	\$198,000	\$80,000
Per Acre	\$4,572,000	\$4,950,000	\$4,400,000
Per Square Foot of Land Area	\$105	\$114	\$101
Profit Margin	12.0%	17.0%	17.0%
Profit Margin Basis	return on sales	return on sales	return on sales

TABLE 2.12
FINANCIAL FEASIBILITY - RENTAL PROJECT SCENARIOS
INCLUSIONARY HOUSING ANALYSIS
CITY OF DALY CITY, CA

DRAFT

Product Description	Apartment Scenario R1	Apartment Scenario R2	Apartment Scenario R3	Apartment Scenario R4	Apartment Scenario R5
Affordable Housing Compliance	three to four stories over podium garage <i>Fee Payment</i>	three to four stories over podium garage <i>10% on-site @Low with rents @70% AMI</i>	three to four stories over podium garage <i>15% on-site @Low with rents @70% AMI</i>	three to four stories over podium garage <i>Fee Payment</i>	three to four stories over podium garage <i>10% on-site @Low with rents @70% AMI</i>
Average Unit Size - Market Rate	900 sf	900 sf	900 sf	900 sf	900 sf
Average Unit Size - Affordable	900 sf	900 sf	900 sf	900 sf	900 sf
Average Number of Bedrooms	2 bedroom	2 bedroom	2 bedroom	2 bedroom	2 bedroom
Density	65 du/acre	65 du/acre	65 du/acre	65 du/acre	65 du/acre
Parking Ratio	1.4 sp/unit	1.4 sp/unit	1.4 sp/unit	1.75 sp/unit	1.75 sp/unit
Revenue					
Market Rate Units	Per SF	Per SF	Per SF	Per SF	Per SF
Affordable Units	Per Unit	Per Unit	Per Unit	Per Unit	Per Unit
Total Gross Sales / Rents	\$3.44	\$3.44	\$3.44	\$3.44	\$3.44
Other Income	\$37,200	\$37,200	\$37,200	\$37,200	\$37,200
Vacancy / Operating Expense	\$600	\$600	\$600	\$600	\$600
Net Operating Income	(\$12,510)	(\$12,090)	(\$11,880)	(\$12,510)	(\$12,080)
	\$25,290	\$23,904	\$23,211	\$25,290	\$23,914
Return on Cost	5.50%	5.55%	5.575%	5.50%	5.55%
Investment Supported	\$511	\$479	\$462	\$511	\$479
Development Costs					
Direct Costs	Per SF	Per SF	Per SF	Per SF	Per SF
Fees & Permits	Per Unit	Per Unit	Per Unit	Per Unit	Per Unit
Affordable Housing Fee	\$334	\$334	\$334	\$347	\$347
Other Indirect Costs	\$13	\$13	\$13	\$13	\$13
Financing	\$25	\$25	\$25	\$25	\$25
	\$43	\$43	\$43	\$45	\$45
	\$18	\$17	\$16	\$18	\$16
Total Development Cost (excl. land)	\$433	\$407	\$407	\$447	\$421
	\$390,053	\$366,553	\$366,053	\$402,483	\$378,883
Residual Land Value					
Supported Investment					
<Less> Development Costs	\$460,000	\$431,000	\$416,000	\$460,000	\$431,000
	(\$390,053)	(\$366,553)	(\$366,053)	(\$402,483)	(\$378,883)
Residual Land Value (Per Unit)	\$70,000	\$64,000	\$50,000	\$58,000	\$52,000
Per Acre	\$4,550,000	\$4,160,000	\$3,250,000	\$3,770,000	\$3,380,000
Per Square Foot of Land Area	\$104	\$96	\$75	\$87	\$78

3.0 RESIDENTIAL MARKET SURVEY AND PROTOTYPES

One of the underlying components of the financial feasibility analysis is the identification of residential building prototypes that are expected to be developed in Daly City both today and in the future, and what the market prices and rents for those prototypes will be. In this section, KMA describes the residential building prototypes utilized for the analysis, summarizes the residential market data researched, and describes the market price point conclusions drawn therefrom.

3.1 Residential Building Activity

The City has seen a number of single family detached and attached townhome style projects built and there are additional projects of this type in the pipeline. There are also several higher density stacked condominium and apartment projects in the development pipeline at this time; however, none are yet under construction nor have any been built in recent years.

To develop an understanding of the types of units being planned for the City, KMA gathered development program information for these projects under development. The list of projects that we reviewed is shown in the table below.

Table 3.1 – Recent and Proposed Development Projects

<i>Project</i>	<i>Unit Type</i>
Row, KB Homes	Single Family Detached
Robertson School Site	Single Family Detached
221 South Parkview Avenue	Single Family Detached
Crestview Estates	Single Family Detached
Annie St., Warmington Homes	Single Family Attached
Point Martin I	Single Family Detached
Village, KB Homes	Single Family Attached
Vista, KB Homes	Single Family Attached / Townhome
3301 Junipero Serra	Single Family Attached / Townhome
Via, Lafferty Communities	Single Family Attached
493 Eastmoor	Condominiums / Mixed Use
89 Second Avenue	Condominiums
Serramonte Vistas	Condominiums
1590 Bryant	Apartments
88 Hillside	Apartments
6098 Mission	Apartments
Westlake Shopping Center	Apartments
Sullivan Avenue Apts	Apartments
Station Avenue Apts	Apartments
7310 Mission	Apartments

3.2 Residential Prototypes

KMA examined and summarized the residential projects newly built or under development in Daly City, spoke with members of the development community about planned projects in Daly City, and worked with City staff to select representative development prototypes of the units anticipated to be developed in Daly City in the future. A description of the prototypes, including average unit sizes, bedroom mix, parking ratios, and examples of recent developments are shown in Table 3.2, below.

Table 3.2 – Residential Prototypes

	Larger Single Family	Smaller Single Family and Townhome	Stacked Condominium	Apartment
Building Type	2 and 3-story homes	2-4 story homes	three to four stories over podium garage	three to four stories over podium garage
Lot Size / Density	10 - 14 dua	20 - 30 dua	50 - 60 dua	60 - 70 dua
Avg. Unit Size	2,400 sf	1,700 sf	1,100 sf	900 sf
Avg. No. Bedrooms	3.5 BR	3.0 BR	2.0 BR	1.5 BR
Avg. Parking Spaces	2.0 car garage	2.0 car garage	2.0 spaces	1.4 spaces
Example Projects	Row, KB Homes; Robertson School, Toll Bros.; 221 South Parkview Avenue; Crestview Estates; Annie St., Warmington Homes	Village, KB Homes; Vista, KB Homes; 3301 Junipero Serra; Via, Lafferty Communities	493 Eastmoor; 89 Second Avenue; Serramonte Vistas	1590 Bryant; 88 Hillside; 6098 Mission; Westlake Shopping Center; Sullivan Avenue Apts; Station Avenue Apts; 7310 Mission

Source: KMA in collaboration with City of Daly City.

3.3 Recent Home Prices of Newer Units

At the time of the market survey in early 2018, there were four new residential developments being marketed in Daly City, including three single family attached projects and one single family detached project. To supplement new home sales, KMA also analyzed recent resale prices of single family homes built since 2008 and resold since January 2015. For condominiums, KMA included all units, as there are no recently built condominiums, and also looked at resales of newer condo units in South San Francisco. Appendix Tables 4, 5 and 6 present a summary of the sales data KMA reviewed.

3.4 For-Sale Prototype Price Estimates

The pricing of new homes on the market, the resale pricing of newer homes, and KMA's experience in other jurisdictions formed the basis for KMA's prototype price estimates. The prototype pricing estimates took into consideration that newly built homes will sell for a premium over re-sales, all else being equal. The table below summarizes KMA's conclusions regarding current for-sale prototype unit size and pricing.

Table 3.3 – For-Sale Prototypes Price Estimates

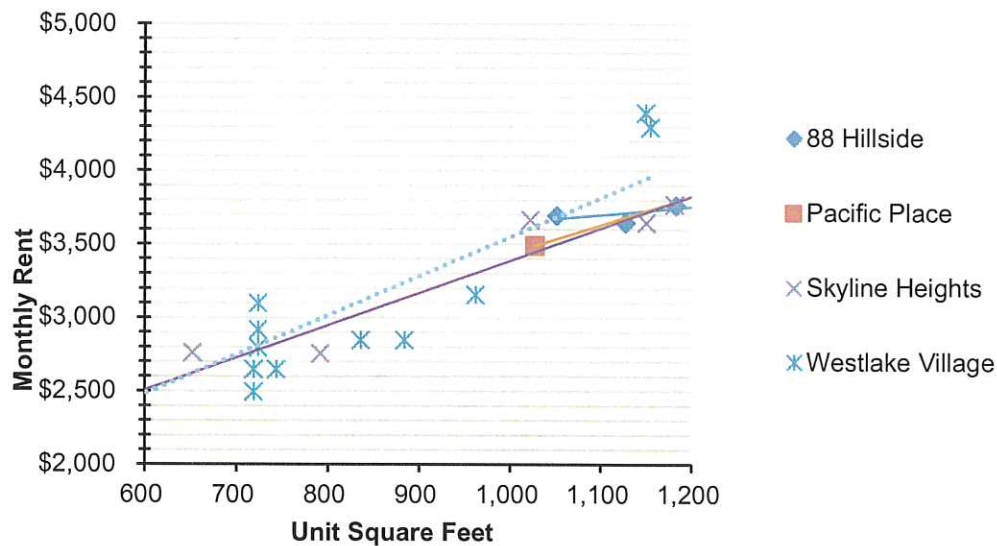
	<i>Unit Size</i>	<i>Price</i>	<i>Price PSF</i>
Larger Single Family	2,400 sq. ft.	\$1,300,000	\$542
Smaller Single Family / Townhome	1,700 sq. ft.	\$1,000,000	\$588
Condominium	1,100 sq. ft.	\$780,000	\$709

Source: KMA market study.

3.5 Rental Housing Market

In order to inform achievable market rents for new apartment developments in Daly City, KMA performed a survey of asking apartment rents in select properties in the city. There are no new apartment buildings in Daly City. The newest projects, 88 Hillside and Pacific Place, were built before the recession. Asking rents for apartments in these newer projects are in the \$3.00 to \$3.50 range for units of 1,000 to 1,600 square feet. Two older apartment projects, Skyline Heights and Westlake Village, have smaller units, in the 300 to 1,100 square foot range, and rents in the \$3.50 to \$5.00 range. Larger units would be expected to rent for less per square foot than smaller units. Current asking rents for these projects are presented in Appendix Table 7 and in the chart below.

Table 3.4 – Apartment Rent Comparables – Daly City



Based on the market rent data, KMA estimates market rents for an apartment project with units averaging 900 square feet in size will be approximately 3,100 per month.

Table 3.5 – Rental Prototype Rent Estimate

	<i>Unit Size</i>	<i>Price</i>	<i>Price PSF</i>
Apartment	900 sq. ft.	\$3,100	\$3.44

KMA also contacted local members of the development community with active projects in Daly City and those discussions provided secondary confirmation of this estimate.

4.0 RESIDENTIAL AFFORDABLE HOUSING REQUIREMENTS IN OTHER JURISDICTIONS

A presentation of affordable housing requirements and fee levels in neighboring or other relevant jurisdictions is typically helpful in the decision-making process. An analysis of other communities' housing programs not only presents what others are adopting, but also illustrates the range in program design and customized features available to meet local needs.

KMA summarized the requirements in Daly City and the nearby jurisdictions of South San Francisco, Redwood City, San Bruno and San Mateo County. All of the jurisdictions have updated their programs within the last 10 years, and many within the last few years. Table 4.1 presents an overview of the programs.

Thresholds for On-Site Affordable Requirement

- Whether development projects have the choice by right between paying a fee or doing on-site units is a critical feature of any program. Daly City allows for sale developments to pay a fee (or to partially pay a fee) with approval from the City Manager (the rental program is an impact fee). San Bruno requires City Council approval in order for a for sale project to pay a fee. South San Francisco allows projects of between 4 and 9 units to pay an in lieu fee. Redwood City's program is an impact fee for both for sale units and rental units. San Mateo County requires multi-family projects with 10 or more units to build units onsite, while single family projects and small multi-family projects can pay a fee.
- Most fee options are less costly to the developer than providing on-site units. High fees are necessary if the choice between including units onsite and paying fees is to be at all competitive.
- With the loss of redevelopment and tax increment resources dedicated to housing, many cities have revised their programs to generate more fee revenues. Programs can be revised so as to alter options or incentives for projects to provide on-site units versus pay a fee based on the City's preferences.
- The loss of redevelopment has also motivated some cities to lower minimum project sizes to collect fees on very small projects, even single units. Some cities view charging very small projects and single units a matter of fairness and equity in an "everybody contributes" approach to meeting affordable housing challenges.
- During the period when the *Palmer* decision prevented cities from requiring onsite rental units, impact fees were the only avenue for instituting affordable housing requirements on rentals. On-site affordable units were sometimes permitted or encouraged as an alternative to fee payment. Daly City, Redwood City, San Bruno and San Mateo County,

for example, adopted impact fees on rental units during the time. We understand South San Francisco, San Bruno and Redwood City are in the process of considering adding an on-site inclusionary requirement for rentals.

On-Site Requirements

- The cities surveyed require between 15% and 20% of units onsite in for sale developments. Daly City requires 20% at Moderate, while South San Francisco requires 20% at a mix of Low and Moderate. San Bruno requires 15% at a mix of Low and Moderate, while the County of San Mateo requires 15% at Moderate for single family projects and 20% at a range from Extremely Low to Moderate for multi-family projects.
- The income levels of the affordable units that are required are summarized in terms of both "eligibility" or "qualifying" levels and the pricing level that is used to establish the purchase price or rent level of the unit. The pricing level is the critical one insofar as the developer's obligation is concerned. The most typical choice for pricing level is to be consistent with the affordable housing cost definitions in the California Health & Safety Code 50052.5 and 50053.

Fee Levels

- All but one jurisdiction that we analyzed assesses fees on a per-square-foot basis. South San Francisco calculates fees based on the full cost of constructing the market rate units. For for sale projects, fees range from \$14 per square foot (Daly City single family homes) to \$27 per square foot (San Bruno single family homes). For rental developments, fees range from \$10 per square foot (San Mateo County) to \$25 per square foot (Daly City and San Bruno). South San Francisco does not have a fee on rental development. A fee per square foot results in smaller fees for smaller units and larger fees for larger units, a feature that appeals to many jurisdictions.

For more complete information on the programs, please consult the website and code language of the individual cities.

TABLE 4.1
COMPARISON OF AFFORDABLE HOUSING REQUIREMENTS
INCLUSIONARY HOUSING ANALYSIS
CITY OF DALY CITY, CA

Year Adopted / Updated	Daly City 2007; updated 2014	South San Francisco Updated 2010	Redwood City Impact Fee Update: 2015	San Bruno Impact Fee Update: 2016	County of San Mateo 2004; updated 2016
Minimum Project Size For In-lieu/Impact Fee For Build Requirement	FS: 5 units R: 1 unit None	4 units 10 units	5 units Impact Fee only	5 units FS: 5 units	1 unit Multi-family: 10 units Single Family: no build reqmnt.
Impact / In-Lieu Fee	FS: \$14/sf single family, \$18/sf townhomes, \$22/sf condominiums R: \$25 /sf	"Equal to the developer's cost of constructing a market rate unit in the proposed project, including land and improvements."	Condos & Apartments: \$20/sf Single Family, Townhomes: \$25/sf	Single Family: \$27/sf Condominium: \$25/sf Apartment: \$25/sf	FS: 1 unit - \$5/sf above 2,500 sf 2-4 units - \$5/sf, 1st 2500 sf then \$12.50/sf 5+ units - \$15/sf Multi-family, 5+ units: based on gap calculation R: \$10 /sf
Onsite Requirement/Option Percent of Total Units Income Level for Qualification	FS: 20% FS: Moderate	FS: 20% FS: 40% Low and 60% Moderate		FS: 15% 40% Low and 60% Moderate	FS: Single Family 15% Multi-family, 5+ units: 20% Multi-family, 5+ units: FS: ELI to Mod, <=50% @ Mod R: ELI to Low, <= 50% @ Low Single Family: Moderate
Income Level for Pricing(% AMI)	Moderate: 110% AMI	Low: 1/3 @ 60%, 1/3 @ 70%, 1/3 @ 80% Mod: 1/3 @ 90%, 1/3 @ 100%, 1/3 @ 110%		Consistent with State Health & Safety Code Standards	Consistent with State Health & Safety Code Standards
Fractional Units	Round up or pay fee.	>0.5 - pay fee.		<0.5, pay fee or round up. >=0.5, round up	Pay Fee
Comments	Fee payment for FS projects requires City Manager approval.	Considering a rental requirement. Considering lowering the FS requirement to 10%.	Considering an inclusionary program with onsite affordable unit requirements.	FS projects can pay fee with City Council approval.	Inclusionary program applies to Multi-family projects of 5 or more units; Impact fee program applies to single family and smaller multi-family projects.

Abbreviations: R = Rental du = Dwelling Unit R = Rental AMI =Area Median Income FS = For Sale DU = dwelling unit /sf = per square foot

Notes: This chart presents an overview, and as a result, terms are simplified. For use other than general comparison, please consult the code and staff of the jurisdiction. Virtually all cities that do not allow fee payment by right allow developers to seek Council approval of fee payment instead of on-site units, in addition to providing options for off-site construction and land dedication.

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**APPENDIX TABLE 1
AFFORDABLE SALES PRICES
INCLUSIONARY HOUSING ANALYSIS
CITY OF DALY CITY, CA**

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Household Size	Notes	Larger Single Family		Smaller Single Family	Condominium
		4 Person Three Bedroom	5 Person Four Bedroom	4 Person Three Bedroom	3 Person Two Bedroom
100% AMI San Mateo County (2017)		\$115,300	\$124,500	\$115,300	\$103,750
I. Moderate Income @ 110% AMI					
Household Income @ 110% AMI		\$126,830	\$136,950	\$126,830	\$114,125
Available for Housing Costs	30%	\$38,049	\$41,085	\$38,049	\$34,238
(Less) HOA Dues & Insurance		(\$2,160)	(\$2,400)	(\$3,120)	(\$3,600)
(Less) Taxes & Assessments	1.0%	(\$5,400)	(\$5,820)	(\$5,250)	(\$4,610)
Income Available for Mortgage		\$30,489	\$32,865	\$29,679	\$26,028
Mortgage	4.31%	\$512,808	\$552,770	\$499,184	\$437,768
Downpayment	5%	\$27,000	\$29,100	\$26,250	\$23,050
Supported Home Price		\$539,808	\$581,870	\$525,434	\$460,818
Rounded		\$540,000	\$582,000	\$525,000	\$461,000
II. Low Income @ 70% AMI					
Household Income @ 70% AMI		\$80,710	\$87,150	\$80,710	\$72,625
Available for Housing Costs @ 30%	30%	\$24,213	\$26,145	\$24,213	\$21,788
(Less) HOA Dues & Insurance		(\$2,160)	(\$2,400)	(\$3,120)	(\$3,600)
(Less) Taxes & Assessments	1.0%	(\$3,320)	(\$3,570)	(\$3,170)	(\$2,740)
Income Available for Mortgage		\$18,733	\$20,175	\$17,923	\$15,448
Mortgage	4.31%	\$315,078	\$339,332	\$301,455	\$259,818
Downpayment	5%	\$16,600	\$17,850	\$15,850	\$13,700
Supported Home Price		\$331,678	\$357,182	\$317,305	\$273,518
Rounded		\$332,000	\$357,000	\$317,000	\$274,000

1. HOA dues based on examples in Daly City, including Crestview Estates, Village, Vista and Row by KB Homes, Via by Lafferty Communities, Serra Heights condominiums and 371 Imperial Way.
2. Property tax rate, percent of income spent on housing, and zero utility allowance assumptions consistent with sample calculation provided by City.
3. Mortgage interest rate based on 10 year average for 30 year mortgages published by the Federal Reserve Bank (consistent with City calculation).

**APPENDIX TABLE 2
AFFORDABLE RENTS
INCLUSIONARY HOUSING ANALYSIS
CITY OF DALY CITY, CA**

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	2 Person One Bedroom	3 Person Two Bedroom	2.5 Persons 1.5 Bedroom
100% AMI San Mateo County (2017)	\$92,250	\$103,750	
I. <u>Very Low Income @ 50% AMI</u>			
Household Income @ 50% AMI	\$46,125	\$51,875	
Available for Housing Costs @ 30%	\$1,153	\$1,297	
(Less) Utilities ¹	(\$104)	(\$136)	
Affordable Monthly Rent	\$1,049	\$1,161	\$1,105
II. <u>Low Income @ 70% AMI</u>			
Household Income @ 70% AMI	\$64,575	\$72,625	
Available for Housing Costs @ 30%	\$1,614	\$1,816	
(Less) Utilities ¹	(\$104)	(\$136)	
Affordable Rent	\$1,510	\$1,680	\$1,595
III. <u>Low Income @ 80% AMI</u>			
Household Income @ 80% AMI	\$73,800	\$83,000	
Available for Housing Costs @ 30%	\$1,845	\$2,075	
(Less) Utilities ¹	(\$104)	(\$136)	
Affordable Rent	\$1,741	\$1,939	\$1,840
IV. <u>Moderate Income @ 110%</u>			
Household Income @ 110% AMI	\$101,475	\$114,125	
Available for Housing Costs @ 30%	\$2,537	\$2,853	
(Less) Utilities ¹	(\$104)	(\$136)	
Affordable Monthly Rent	\$2,433	\$2,717	\$2,575

1. San Mateo County utility allowances, November 2017, for multifamily apartment units. Unit assumed to have natural gas heat, cooking and water heating.

APPENDIX TABLE 3

ESTIMATE OF PERMITTING AND IMPACT FEES FOR PROTOTYPES
INCLUSIONARY HOUSING ANALYSIS

CITY OF DALY CITY, CA

DRAFT

I. Analysis Prototypes	Larger Single Family	Smaller Single Family and Townhome	Stacked Condominium	Apartment
	Three stories w/ attached garage. 2,400 sf 3.5 br 3 ba	2-4 story homes 1,700 sf 1,600 br 2 ba	three to four stories over podium garage 1,100 sf 2 br 2 ba	three to four stories over podium garage 900 sf 2 br 2 ba
II. City Permit Fees				
Sample Projects	Robertson School Site	Garden Village Vista Via	493 Eastmoor Woods Condominiums	1590 Bryant 6098 Mission 6800 Mission 4619 Brunswick
Average, Estimated City Permitting Fees for Sample Projects	\$17,756 /unit	\$17,298 /unit	\$10,389 /unit	\$8,850 /unit
III. Other Fees				
School Impact Fees (\$2.97 / sf) Park In-Lieu Fees	\$7,128 /unit \$38,912 /unit	\$5,049 /unit \$42,501 /unit	\$3,267 /unit \$31,744 /unit	\$2,673 /unit (no park fee)
	\$63,796 /unit	\$64,847 /unit	\$45,400 /unit	\$11,523 /unit

**APPENDIX TABLE 4
ASKING PRICES OF NEW HOMES
INCLUSIONARY HOUSING ANALYSIS
CITY OF DALY CITY, CA**

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Unit	# of Units	# Bed	# Bath	SF	Asking Price Range		Asking Price / SF	
Via, Lafferty Communities								
Single Family Attached								
Plan 1	8	4	2.5	2,074	\$1,210,740	\$1,225,740	\$584	\$591
Plan 2	12	4	3	2,095	\$1,265,800	\$1,280,800	\$604	\$611
Average	20	4	2.8	2,087	\$1,243,776	\$1,258,776	\$596	\$603
Village, KB Homes								
Single Family Attached								
- 2B -	8	2	2.5	1,442	\$891,165	\$899,165	\$618	\$624
- 2A -	6	2	2.5	1,535	\$861,216	\$869,216	\$561	\$566
- 3A -	9	3	2.5	1,538	\$948,006	\$956,006	\$616	\$622
- 3B -	7	3	2.5	1,639	\$969,399	\$977,399	\$591	\$596
Average	30	3	2.5	1,535	\$920,482	\$928,482	\$600	\$605
Vista, KB Homes								
Single Family Attached								
- 1 -	9	2	2	1,234	\$848,900	\$1,023,900	\$688	\$830
- 2 -	6	2	2.5	1,749	\$1,048,000	\$1,223,000	\$599	\$699
- 3 -	10	4	3	2,052	\$1,162,000	\$1,337,000	\$566	\$652
Average	25	3	2.5	1,685	\$1,021,924	\$1,196,924	\$618	\$727
Row, KB Homes								
Single Family Detached								
- 4 -	8	3	2.5	2,209	\$1,221,328	\$1,291,328	\$553	\$585
- 5 -	10	3	2.5	2,265	\$1,248,000	\$1,318,999	\$551	\$582
- 5 Alt -	7	3	2.5	2,781	\$1,384,447	\$1,454,447	\$498	\$523
Average	25	3	2.5	2,392	\$1,277,670	\$1,348,070	\$537	\$566

Source: Real Estate Economics, March 2018.

**APPENDIX TABLE 5
HOME SALES OF NEWER UNITS
INCLUSIONARY HOUSING ANALYSIS
CITY OF DALY CITY, CA**

DRAFT

Units Built 2008 - 2018 and Sold 2015 - Present.

Address	Yr Built	# Bath	# Bed	SF	Lot SF	Sale Price	Price/SF	Sale Date
Annie Street - Warmington Homes								
Single Family Attached								
1562 Annie St	2015	3	3	2,466	3,120	\$1,175,000	\$476	05/30/2016
1558 Annie St	2015	3	4	2,554	3,000	\$1,275,000	\$499	05/30/2016
1556 Annie St	2015	3	3	2,466	3,000	\$1,076,000	\$436	11/23/2015
1552 Annie St	2015	3	4	2,554	3,000	\$1,125,000	\$440	11/23/2015
1550 Annie St	2015	3	3	2,466	3,000	\$1,086,500	\$441	11/23/2015
1546 Annie St	2015	3	4	2,554	3,000	\$1,138,000	\$446	01/11/2016
1542 Annie St	2015	3	3	2,466	3,000	\$1,093,000	\$443	01/18/2016
1536 Annie St	2015	3	4	2,554	3,000	\$1,124,000	\$440	04/25/2016
1532 Annie St	2016	3	3	2,466	3,000	\$1,083,000	\$439	05/30/2016
1530 Annie St	2016	3	4	2,554	3,000	\$1,117,000	\$437	05/30/2016
1528 Annie St	2016	3	3	2,466	3,000	\$1,151,500	\$467	05/30/2016
1526 Annie St	2016	3	4	2,554	3,000	\$1,142,000	\$447	05/30/2016
Average		3	3.5	2,510	3,010	\$1,132,167	\$451	
Crestview Estates								
Single Family Detached Units								
308 Crestview Cir	2015	3	5	2,200	7,209	\$1,101,000	\$500	06/22/2015
316 Crestview Cir	2015	4	5	2,430	10,183	\$1,240,000	\$510	06/22/2015
322 Crestview Cir	2015	3	4	2,198	7,820	\$1,094,000	\$498	07/10/2015
328 Crestview Cir	2015	4	5	2,426	4,964	\$1,181,500	\$487	07/10/2015
327 Crestview Cir	2015	3	4	2,007	6,060	\$1,056,500	\$526	07/23/2015
335 Crestview Cir	2015	3	4	2,198	3,373	\$1,094,000	\$498	07/23/2015
350 Crestview Cir	2015	3	4	2,198	4,377	\$1,124,500	\$512	07/23/2015
351 Crestview Cir	2015	3	5	2,334	3,040	\$1,160,500	\$497	07/23/2015
362 Crestview Cir	2015	3	5	2,334	4,267	\$1,160,500	\$497	08/14/2015
368 Crestview Cir	2015	3	5	2,334	4,258	\$1,179,000	\$505	08/14/2015
361 Crestview Cir	2015	4	5	2,426	3,040	\$1,189,000	\$490	08/24/2015
355 Crestview Cir	2015	3	5	2,334	3,040	\$1,209,500	\$518	08/24/2015
375 Crestview Cir	2015	3	5	2,332	3,040	\$1,182,000	\$507	08/31/2015
381 Crestview Cir	2015	3	5	2,334	3,040	\$1,190,600	\$510	09/18/2015
387 Crestview Cir	2015	4	5	2,426	3,959	\$1,255,000	\$517	10/02/2015
388 Crestview Cir	2015	3	5	2,332	4,317	\$1,188,000	\$509	10/03/2015
396 Crestview Cir	2015	3	5	2,334	4,339	\$1,191,000	\$510	10/03/2015
382 Crestview Cir	2015	4	5	2,426	4,296	\$1,240,500	\$511	10/03/2015
408 Crestview Cir	2015	3	4	2,198	6,765	\$1,143,500	\$520	10/27/2015
412 Crestview Cir	2015	3	5	2,334	5,242	\$1,210,000	\$518	10/27/2015
426 Crestview Cir	2015	3	4	2,198	3,554	\$1,136,000	\$517	11/01/2015
112 Crestview Cir	2015	3	4	2,198	4,103	\$1,144,000	\$520	11/01/2015
100 Crestview Cir	2015	4	5	2,426	3,295	\$1,209,000	\$498	11/01/2015
418 Crestview Cir	2015	3	5	2,334	3,848	\$1,213,000	\$520	11/01/2015
118 Crestview Cir	2015	4	5	2,426	5,176	\$1,372,000	\$566	11/23/2015
411 Crestview Cir	2015	4	5	2,426	4,835	\$1,275,000	\$526	12/08/2015
425 Crestview Cir	2015	3	4	2,198	3,814	\$1,144,000	\$520	12/11/2015
122 Crestview Cir	2015	3	4	2,198	3,642	\$1,280,000	\$582	12/11/2015
101 Vistamonte Ave	2015	4	5	2,426	5,131	\$1,279,000	\$527	12/21/2015
111 Vistamonte Ave	2015	3	4	2,007	3,536	\$1,094,000	\$545	01/02/2016
107 Vistamonte Ave	2015	3	4	2,198	4,113	\$1,150,500	\$523	01/02/2016

**APPENDIX TABLE 5
HOME SALES OF NEWER UNITS
INCLUSIONARY HOUSING ANALYSIS
CITY OF DALY CITY, CA**

DRAFT

Units Built 2008 - 2018 and Sold 2015 - Present.

Address	Yr Built	# Bath	# Bed	SF	Lot SF	Sale Price	Price/SF	Sale Date
112 Vistamonte Ave	2015	4	5	2,426	6,409	\$1,274,500	\$525	01/02/2016
131 Vistamonte Ave	2015	3	4	2,198	4,385	\$1,172,000	\$533	01/30/2016
130 Vistamonte Ave	2015	3	4	2,198	4,183	\$1,205,000	\$548	01/30/2016
126 Vistamonte Ave	2015	3	4	2,198	4,624	\$1,224,500	\$557	01/30/2016
125 Vistamonte Ave	2015	4	5	2,426	3,311	\$1,315,000	\$542	01/30/2016
136 Crestview Cir	2015	3	4	2,198	3,040	\$1,309,000	\$596	03/11/2016
127 Crestview Cir	2015	4	5	2,426	4,112	\$1,274,000	\$525	03/18/2016
128 Crestview Cir	2015	3	4	2,007	3,051	\$1,189,000	\$592	04/09/2016
156 Crestview Cir	2015	3	4	2,007	3,040	\$1,234,000	\$615	04/09/2016
162 Crestview Cir	2015	3	4	2,198	3,040	\$1,281,500	\$583	04/09/2016
150 Crestview Cir	2016	4	5	2,426	3,040	\$1,420,500	\$586	04/23/2016
176 Crestview Cir	2015	4	5	2,426	3,040	\$1,395,000	\$575	05/02/2016
182 Crestview Cir	2015	3	4	2,198	3,040	\$1,281,500	\$583	05/14/2016
196 Crestview Cir	2015	3	4	2,007	4,985	\$1,266,000	\$631	05/21/2016
181 Crestview Cir	2015	4	5	2,426	4,217	\$1,323,500	\$546	05/21/2016
188 Crestview Cir	2015	4	5	2,426	5,402	\$1,486,000	\$613	05/25/2016
282 Crestview Cir	2016	3	5	2,334	3,040	\$1,323,500	\$567	05/28/2016
276 Crestview Cir	2016	3	5	2,334	3,040	\$1,338,000	\$573	05/28/2016
202 Crestview Cir	2015	4	5	2,426	3,054	\$1,365,000	\$563	05/28/2016
262 Crestview Cir	2016	3	4	2,198	3,040	\$1,246,500	\$567	06/18/2016
268 Crestview Cir	2016	4	5	2,426	3,040	\$1,350,500	\$557	06/18/2016
256 Crestview Cir	2016	3	5	2,334	3,040	\$1,357,500	\$582	06/18/2016
232 Crestview Cir	2015	3	4	2,198	3,040	\$1,426,500	\$649	07/21/2016
267 Crestview Cir	2016	3	4	2,198	6,810	\$1,309,000	\$596	09/10/2016
250 Crestview Cir	2015	3	5	2,334	3,040	\$1,470,500	\$630	09/10/2016
218 Crestview Cir	2016	3	5	2,334	3,040	\$1,377,500	\$590	10/02/2016
208 Crestview Cir	2016	3	5	2,334	3,040	\$1,365,000	\$585	11/19/2016
238 Crestview Cir	2015	4	5	2,426	3,040	\$1,440,000	\$594	12/28/2016
168 Crestview Cir	2015	3	4	2,007	3,040	\$1,300,000	\$648	05/08/2017
167 Crestview Cir	2015	3	4	2,198	3,200	\$1,289,000	\$586	08/15/2017
Average		3.3	4.6	2,286	4,116	\$1,250,764	\$548	

Other Newer Homes

168 3rd Ave	2015	3	2	2,210	2,500	\$860,000	\$389	08/04/2015
248 Thiers St	2009	3	4	2,616	3,680	\$700,000	\$268	10/20/2015
92nd St	2016	3	3	1,879	3,706	\$1,008,500	\$537	06/20/2016
323 Peoria St	2015	3	4	2,583	2,500	\$998,000	\$386	05/02/2017
24 Mateo Ave	2013	4	6	3,380	3,897	\$700,000	\$207	08/25/2017

Source: Corelogic ListSource, March 22, 2018.

**APPENDIX TABLE 6
EXISTING CONDOMINIUM RESALE PRICES
INCLUSIONARY HOUSING ANALYSIS
CITY OF DALY CITY, CA**

DRAFT

	Sales Price	Square Ft	Price/SF	Year Built
Daly City Median Condo Sales, Past 1-Year				
Studio	\$360,000	483	\$736	1974
One Bedroom	\$440,000	717	\$614	1974
Two Bedrooms	\$600,000	1,065	\$564	1975
Three Plus Bedrooms	\$730,000	1,296	\$554	1985
Overall	\$552,500	1,004	\$600	1974
South San Francisco Condo Sales, Past 1-Year				
Overall Medians	\$649,000	1,060	\$621	1980
Units Built Since 2000	\$800,000	1,082	\$728	2006

Source: RedFin. Units listed or sold March 2017 - March 2018.

APPENDIX TABLE 7

MARKET RENTS FOR APARTMENTS IN DALY CITY

INCLUSIONARY HOUSING ANALYSIS

CITY OF DALY CITY, CA

DRAFT

	Bedrooms	Baths	Square Feet	Asking Rents		Asking Rents / SF	
				Low	High	Low	High
88 Hillside	2	2	1,052 sf	\$3,693		\$3.51	
Built 2008	2	2	1,128 sf	\$3,645		\$3.23	
	2	2	1,183 sf	\$3,763		\$3.18	
	2	2	1,240 sf	\$3,808		\$3.07	
	3	3	1,606 sf	\$3,976		\$2.48	
Pacific Place	2	2.5	1,487 sf	\$3,888	\$4,863	\$2.61	\$3.27
Built 2010	2	1	1,028 sf	\$3,195	\$3,784	\$3.11	\$3.68
Skyline Heights							
Built 1974	Studio	1	482 sf	\$2,051	\$2,326	\$4.26	\$4.83
	1	1	652 sf	\$2,592	\$2,932	\$3.98	\$4.50
	2	1	792 sf	\$2,719	\$2,789	\$3.43	\$3.52
Westlake Village							
Built 1959	Studio	1	318 sf	\$1,825		\$5.74	
2,983 units	Studio	1	312 sf	\$1,895		\$6.07	
	Studio	1	340 sf	\$1,845		\$5.43	
	1	1	429 sf	\$1,995		\$4.65	
	1	1	526 sf	\$2,195		\$4.17	
	1	1	438 sf	\$2,295		\$5.24	
	1	1	718 sf	\$2,495		\$3.47	
	2	1	718 sf	\$2,645		\$3.68	
	2	1	743 sf	\$2,645		\$3.56	
	2	1	723 sf	\$2,915		\$4.03	
	2	1	884 sf	\$2,845		\$3.22	
	2	1	723 sf	\$2,795		\$3.87	
	2	1	836 sf	\$2,845		\$3.40	
	2	1.5	962 sf	\$3,155		\$3.28	
	2	2	723 sf	\$3,095		\$4.28	
	3	2	1,150 sf	\$4,395		\$3.82	
	3	2	1,155 sf	\$4,295		\$3.72	

Sources: CoStar, Apartment project websites, apartments.com, March 2018.

DALY CITY INTER-OFFICE MEMORANDUM

DATE: August 21, 2018

TO: Affordable Housing Committee
Mayor Juslyn C. Manalo and Councilmember Glenn Sylvester

FROM: Betsy ZoBell, Housing and Community Development Supervisor

CC: Shawna Maltbie, Interim City Manager
Rose Zimmerman, City Attorney
Tatum Mothershead, Director Economic and Community Development
Lenelle D. Suliguin, Housing Coordinator

SUBJECT: Inclusionary Housing Ordinance Update

On August 13, 2018 staff met with the Affordable Housing Committee to discuss updates to the City's Inclusionary Housing Ordinance in response to AB 1505, legislation that allows jurisdictions to require the inclusion of affordable units within market rate rental housing developments.

Table 1 summarizes the initial recommendations discussed by the Committee on August 13 for an updated Inclusionary Housing Ordinance.

Table 1

	Rentals	For Sale
On-Site Percentage	10%	20% (no change)
Income Level for On-Site Units	Low Priced at 70% AMI	Moderate, Priced at 110 AMI (no change)
In-Lieu Fee Level ¹	\$30 to \$35 psf	\$40 psf
Threshold for Onsite Inclusionary Requirement	15 units	15 units

The purpose of our upcoming meeting is to continue our discussion and will focus on the following topics:

- Applicability of new Inclusionary Housing Ordinance
 - Minimum project thresholds – The Committee recommended 15 units as the threshold for an inclusionary unit requirement for both rental and ownership housing.
 - Applicability of new ordinance to projects currently in the pipeline. At our August 13 meeting, the following guidelines were discussed:

- Developments that do not yet have planning entitlements will be subject to the new ordinance
- Developments with planning entitlements will be permitted to provide what is required under the existing Affordable Housing Ordinance provided that the development is constructed within five years from the date of entitlement. After five years, the development will be subject to the new affordable housing ordinance
- Developments where an alternative to the existing Affordable Housing Ordinance has been proposed and where the City has approved an Affordable Housing Plan will be permitted to provide what is described in their approved Affordable Housing Plan provided that the development is constructed within five years from the date of the Affordable Housing Plan approval. After five years, the development will be subject to the new affordable housing ordinance.

Table 2 provides a summary of pipeline developments and initial suggestions regarding applicability of a revised Inclusionary Housing Ordinance.

- Percentage inclusionary requirement – Keyser Marston has recommended a ten percent requirement for rental and 20 percent requirement for ownership.
- In Lieu fee levels under new ordinance – The Keyser Marston study finds that an in lieu fee of \$30-\$35 per square foot for rental housing and \$40-\$45 per square foot for ownership housing is economically feasible.
- Potential alternatives to new ordinance – AB 1505 requires that an inclusionary rental ordinance must provide developers with an alternative means of compliance, such as the payment of in-lieu fees, dedication of land, the construction of affordable units off-site, or the acquisition and rehabilitation of existing units. The ordinance must specify at least one alternative that is available to the Developer. Staff seeks direction from the Committee for Ordinance language regarding alternatives.
- Outreach and community engagement prior to Council consideration of new ordinance
- Timing of Council consideration of new ordinance

Staff has compiled information requested by the Committee for discussion at our upcoming meeting including the following:

- Project pipeline (Table 2)
- Current income and affordable rent levels published by HUD (Table 3)
- Comparative market rate rents for San Mateo jurisdictions (Table 4)
- Current affordable housing requirements in various San Mateo jurisdictions (Table 5)

Attachments:

August 13 Inclusionary Housing Ordinance Update Committee Report
Keyser Marston Financial Feasibility Analysis, May 15, 2018

Table 2

Residential Projects Pipeline

PROJECTS WITH ENTITLEMENTS AND WITHOUT BUILDING PERMIT ISSUANCE		
Project	Description	Entitlement Date and AHP status
Point Martin 1	16 detached homes	September 2015; AHP not required
Bryant Street	27 apartments	December 2015; AHP not required
Woods Condominium	20 condos	December 2015; AHP approved September 2015
493 Eastmoor	35 condos	November 2016; AHP approved April 2016
Point Martin 2	117 detached homes	May 2017; AHP approved April 2017
Mission/Goethe	36 apartments	September 2017; AHP not required
Sullivan Avenue	22 apartments	April 2018; AHP approved February 2018
PROJECTS WITHOUT ENTITLEMENTS		
Project	Description	AHP status
Westlake	179 apartments	AHP not required
Station Avenue	10 apartments	AHP not required
Serra Station	75 townhomes	AHP approved November 2017
Serramonte Views	323 condos	AHP approved June 2018

Table 3**Current Income Limits and Affordable Rents for San Francisco, CA HUD Metro FMR Area**

2018 area median income: \$118,400

RENT CALCULATION: $= (30\% \times ((\text{Income target}) \times (\text{adjusted median income}))) / 12$

	30%	50%	60%	70%	80%	90%	100%
Studio	\$ 622	\$ 1,036	\$ 1,244	\$ 1,451	\$ 1,658	\$ 1,865	\$ 2,073
1 BR	\$ 710	\$ 1,184	\$ 1,421	\$ 1,657	\$ 1,894	\$ 2,131	\$ 2,368
2 BR	\$ 799	\$ 1,332	\$ 1,598	\$ 1,865	\$ 2,131	\$ 2,397	\$ 2,664
3 BR	\$ 888	\$ 1,480	\$ 1,776	\$ 2,072	\$ 2,368	\$ 2,664	\$ 2,960

Household size assumptions

Unit type	Household size	Adjusted median income
Studio	1	82,900
1 BR	2	94,700
2 BR	3	106,550
3 BR	4	118,400

CA Health and Safety Code Section 50052.5

<http://hcd.ca.gov/grants-funding/income-limits/state-and-federal-income-limits/docs/inc2k18.pdf>

Table 4
Average Rents for San Mateo County Cities

<u>Jurisdiction</u>	<u>Rentcafe Estimated Average Monthly rent</u>
Daly City	\$2,395
East Palo Alto	\$2,536
Belmont	\$2,616
Burlingame	\$2,737
South San Francisco	\$2,746
Millbrae	\$2,971
San Mateo City	\$3,138
Foster City	\$3,160
Redwood City	\$3,221
Menlo Park	\$3,718

Source: Rentcafé, an internet apartment listing
service provided by Yardi Systems, Real estate
investment & property management software

Table 5

Affordable Housing impact/in-lieu fees in other cities

City	Fees	Inclusionary Requirement	Notes
EPA	- Single family infill - \$23.95/psf - Owner townhome - \$23/psf - Rental housing - \$22.70/psf - Stacked flat condo inside RBD* - \$33.71/psf - Stacked flat condo outside RBD - \$44.72/psf	None at this time, but there are plans to establish this in the near future.	Impact fees only, as of July 2014. *RBD – Ravenswood Business District
Foster City	Information pending	Information pending	Staff contacted city and is waiting for response, 8/15/18
Redwood City	- For projects with 5-19 units, pay impact fee: \$25/sf (SFD/Duplex/Townhomes); \$20/sf (condos/apartments) - For rental projects with 20 units or more, pay in-lieu fee of \$400,000/unit - For ownership projects with 20 units or more, pay in-lieu fee equivalent to cost of building units as demonstrated by affordability gap analysis provided by developer	Applies to projects with 20 or more units: 10% at Moderate AND 5% at Low AND 5% at Very Low (rental) 15% at Moderate (ownership)	Ordinance adopted 5/21/18. Alternatives to inclusionary percentage and affordable level may be considered. Housing impact fee is not applicable to planning applications deemed complete prior to 9/21/15.
San Bruno	Applies to projects of 5 or more units. \$27/sf (SFD) \$25/sf (condos/apartments)	Applies to ownership projects of 5 or more units: 15% at Low and Moderate	San Bruno adopted its housing ordinance with impact fees in December 2016. It is considering revising ordinance in the future in response to AB1505. Payment of fees for ownership projects is an alternative subject to approval of City Council.

San Mateo	Applies to project of 5 to 10 units: • \$77,550 for 5-unit project • \$93,060 for 6-unit project • \$108,570 for 7-unit project • \$124,080 for 8-unit project • \$139,590 for 9-unit project • \$155,100 for 10-unit project	Applies to projects with 11 or more units: • 15% at Low or 10% at Very Low (rental) • 15% at Moderate or 10% at Low (ownership)	City considering updating their ordinance. No fees allowed for projects of 11 or more units.
South San Francisco	Proposed: • "at the amount a developer would pay the City in order to build a market rate unit in lieu of an affordable housing unit the developer would otherwise be required to build, while maintaining the same percentage of development profit." (from Planning Commission Staff Report, file#18-758)	Proposed: • 10% at Low to be revisited in a year for increasing to 15% with the additional 5% at Very Low (rental) • 7.5% at up to Moderate and 7.5% at Low (ownership)	Proposed updated ordinance will be going to Council in September 2018. Planning applications deemed complete prior to 11/1/18 would be exempt from the new regulations. A reduction from 20% to 15% is being proposed for inclusionary rental units. Impact fee offset of \$5,000/unit is being proposed for projects that include BMR units.

DALY CITY INTER-OFFICE MEMORANDUM

BART STATION AREA COUNCIL COMMITTEE

DATE: August 30, 2018

TO: City Council BART Station Area Council Committee
Juslyn Manalo, Mayor
Raymond Buenaventura, Vice Mayor

FROM: Michael Van Lonkhuysen, Planning Manager

SUBJECT: 3301 Junipero Serra Boulevard – Review of Revise Site Plan for Serra Station
Mixed-Use Development

RECOMMENDATION

Staff recommends that the Committee consider request by City Ventures to amend the project site plan for the above project.

BACKGROUND

At the City Council meeting on March 26, 2018, the City Council tabled consideration of a request by City Ventures to allow the construction of 75 townhouses and 34,711 square feet of retail/office space northeast of the Junipero Serra/D Street intersection, previously the Serra Bowl site (see Attachment A – Site Location). In doing so, the Council expressed concerns about the adequacy of the traffic study, the number of affordable units included in the project, and the lack of community space in the project. The Council also did so in response to concerns from the adjacent automobile dealership, City Toyota, about the compatibility of the proposed townhouses with the existing auto dealership.

In an effort to facilitate discussion between the applicant and City Toyota, a Council Committee convened on April 27, 2018. At the Committee meeting, the applicant and City Toyota discussed the potential detriments of constructing housing next to the dealership and the traffic-related concerns related to the project. The applicant's attorney also suggested that perhaps an Environmental Impact Report should be prepared. As an outcome, the Committee requested that the applicant undertake additional efforts to address the dealership's concerns.

Since the Committee meeting, the applicant has submitted a revised site plan to the Planning Division for consideration (see Attachment B – Previous Site Plan and Attachment C – Revised Site Plan). The revised plan essentially swaps the location of the proposed office/retail which was proposed at the corner of Junipero Serra Boulevard and D Street to the “small-triangle” portion of the site located southwest of the B Street and Hill Street. The 21 townhouses which were previously located on this portion of the site would now be constructed where the office/retail was previously proposed. The number of townhouses and amount of retail/office proposed for the project would remain the same.

As part of the site plan amendment, the applicant has proposed removing access to B Street from the project. The vehicular access point previously proposed on the "large triangle" would be restricted to emergency vehicle access only. Access from the "small triangle" has been completely eliminated and access to this part of the site would be gained from Hill Street instead. Furthermore, the driveway which was previously proposed near the intersection of Junipero Serra Boulevard and D Street has been modified to an "enter only" driveway, eliminating the potential for conflict between vehicles exiting the site and vehicles waiting for the light in D Street. As the Committee members may recall, staff had proposed lane delineators to dissuade vehicles exiting the site from crossing over lanes of D Street to enter the freeway or travel south on Junipero Serra Boulevard. These delineators would no longer be necessary under the current proposal as exiting the site would occur at the project's sole entry/exit driveway further east on D Street.

Overall, in terms of vehicular circulation, staff believes the currently proposed site plan to be superior to the plan previously proposed mostly as a result of the easterly D Street driveway becoming more functional. As a result, vehicular access to all 75 townhouses would occur at this driveway where previously a U-turn was required in D Street for motorists to access all but 17 of the proposed townhouses in the "large triangle."

In terms of addressing the automobile dealership's concerns, the proposal appears to reduce the potential for vehicular conflict between the proposed project and the dealership by eliminating project driveways to B Street, although on-street parking would still be allowed. Also, the interface of townhouses to the dealership is reduced by replacing 21 townhouses with the proposed three-story office building on the "small triangle" across the street from the dealership property. In the new site plan, no homes are located here and all townhouses are instead located on the "large triangle." If constructed, there would be two eight-foot walls, a three-story commercial building, and the SFPUC right of way separating the dealership from the closest residential area.

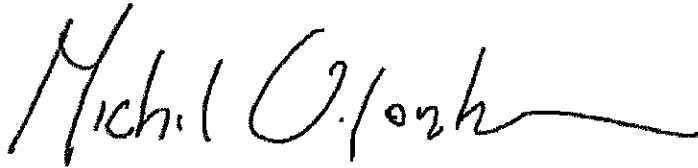
On-site pedestrian circulation is largely acceptable, although the current plan proposes that parking for the second- and third-floor office uses be provided in the parking field adjacent to Junipero Serra Boulevard, instead of immediately adjacent to the building. All the first-floor retail spaces would be provided adjacent to the building. The Committee should be aware that this parking arrangement is less than ideal because it may be difficult to enforce the requirement that office users park in the lot adjacent to Junipero Serra Boulevard. This issue would be diminished if the entire building becomes used as office.

The Committee should be aware that the applicant has committed to an approximately 1,050 square foot public-serving community room which would provide seat capacity for 150 people. Although the location of the room has not been finalized, the facility could be provided in the shopkeeper building situated along D Street or in the standalone commercial building at the B Street/Hill Street intersection, with parking for the facility provided on the "large triangle." In proposing the room, the applicant has intended that the room be reserved on the City's website and that the public would be able to use it as it would any other City facility. The proposed addition of a community room somewhat offsets the elimination of a turf block area between Buildings B, D, and F, which had been proposed to accommodate potential recreational uses such as walking, dog walking, biking, etc.

STAFF RECOMMENDATION

Staff recommends that the Committee members consider the applicant's revised site plan and determine whether there exists sufficient justification to place the item on the September 24 Council Agenda.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Van Lonkhuisen", with a long horizontal flourish extending to the right.

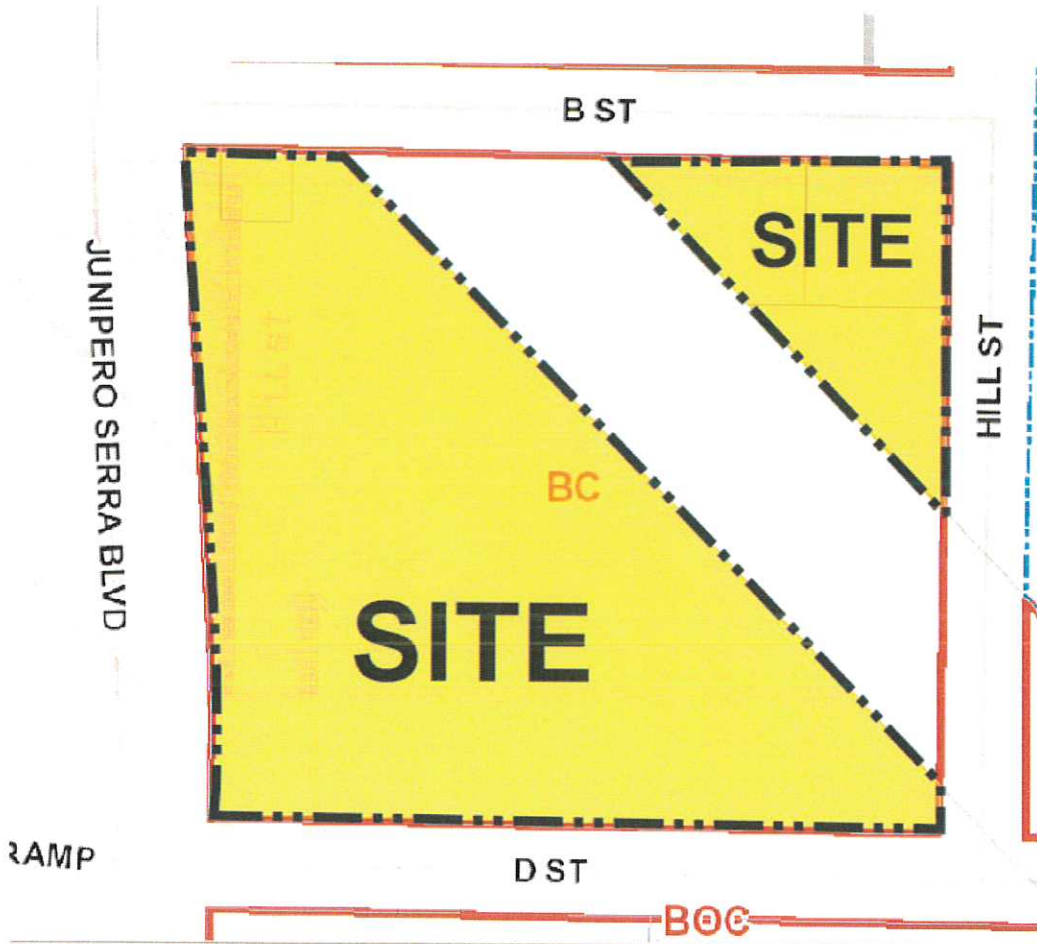
Michael Van Lonkhuisen
Planning Manager

Attachment

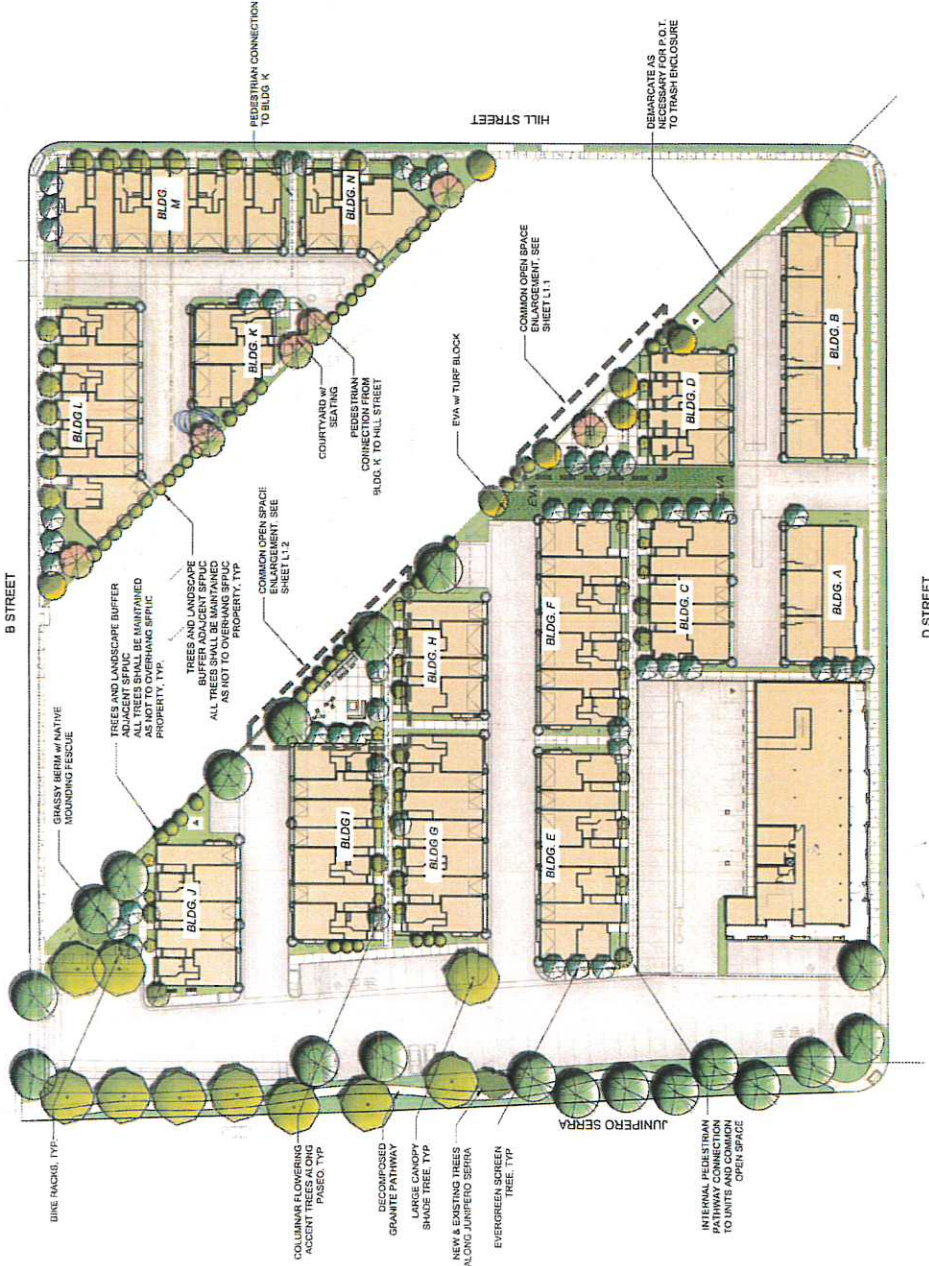
Attachment A – Site Location

Attachment B – Previous Site Plan

Attachment C – Revised Site Plan



ATTACHMENT A



PLANTING & WATER EFFICIENCY DESIGN INTENT STATEMENT

LANDSCAPE DESIGN WILL COMPLY WITH CITY OF DALY CITY STANDARDS, GUIDELINES

THIS PLANTING DESIGN MINIMIZES TURF/LAWN AREAS TO LESS THAN 25% AND UTILIZES PRIMARILY 80% LOW WATER USE NATIVE PLANT SPECIES. PLANTS TO REDUCE THEIR WATER CONSUMPTION ARE LIMITED TO THE NEED FOR EXCESSIVE PRUNING OR HEDGING.

THE PLANTING DESIGN INCORPORATES PRINCIPLES INCLUDED IN THE "MAY FRIENDLY LANDSCAPE GUIDELINES". SELECTED TREES HAVE BEEN CHOSEN TO PROVIDE A VARIATION OF HEIGHTS, WIDTHS, COLORS, TEXTURES, AND CHARACTER. TREE LOCATION AND ORIENTATION HAVE BEEN DESIGNED FOR MAXIMUM AESTHETIC EFFECT AND PASSIVE SOLAR BENEFITS.

THE PLANTS HAVE BEEN SELECTED UTILIZING THE STATE OF CALIFORNIA'S 2015 MODEL WATER EFFICIENT LANDSCAPE DRAINAGE PLANT LIST, (NICOLE'S IL).

THE PLANTING & IRRIGATION DESIGN WILL COMPLY WITH THE STATE OF CALIFORNIA'S 2015 MODEL WATER EFFICIENT LANDSCAPE ORDINANCE. PLANTING AND IRRIGATION DESIGN WILL MEET THE WATER EFFICIENT LANDSCAPING CHECKLIST.

NO PLANTS ARE USED THAT ARE CONSIDERED INVASIVE IN THE REGION AS LISTED BY CALIPC.

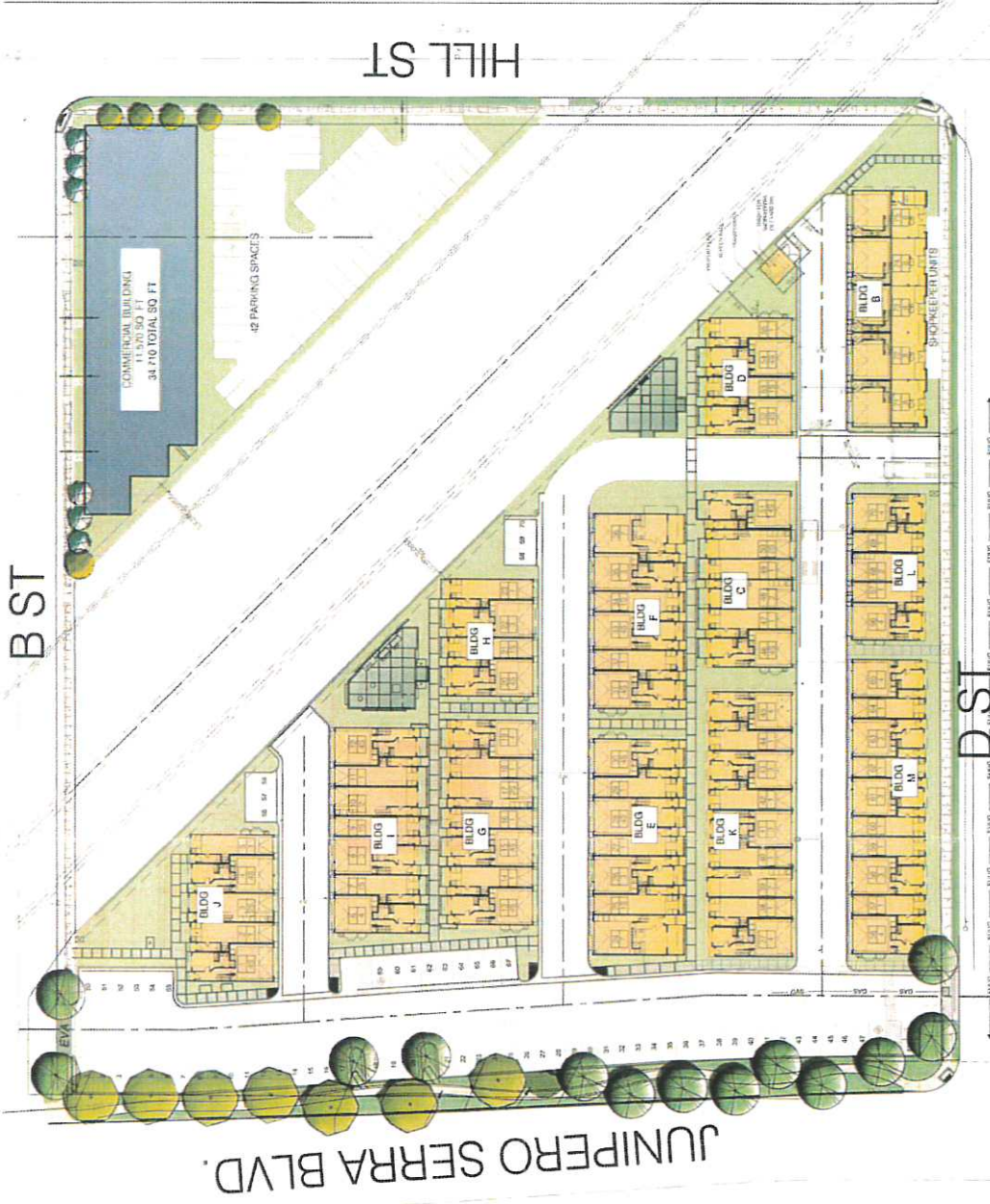
TREES THAT ARE WITHIN 15' OF WATERSEWER & AT ALL PROPERTY LINES ADJACENT SPAC WILL BE INSTALLED WITH ROOT BARRIERS, TYP.

BUILD IT GREEN LANDSCAPE ITEMS:

THE LANDSCAPE DESIGN WILL INCORPORATE THE FOLLOWING "BUILD IT GREEN" ITEMS TO MAXIMIZE WATER CONSERVATION:

- 80% OF PLANTS ARE WATER CONSERVING SPECIES.
- TURF IS NOT MORE THAN 25% OF ENTIRE LANDSCAPED AREA.
- PLANTS ARE CHOSEN BY WATER NEEDS AND PRICED TO SEPARATE WOODCONES.
- LOW FLOW IRRIGATION ARE USED ON PROJECT.
- 2" COMPOST ADDED INTO SOIL.
- 3" OF MULCH ADDED TO PLANTING AREAS.
- NO PLANTS ARE USED THAT ARE CONSIDERED INVASIVE IN THE REGION AS LISTED BY THE CALIPC.





SITE PLAN - DESIGN STUDY A

DS 1-A

SCALE: 1"=30'-0"

DATE: 09/15/2017
PROJECT: 317047

ATTACHMENT C

Architecture Planning Interiors

444 Spear Street, Suite 105
San Francisco, CA 94105
www.hunt-hale-jones.com

1 415-512-1300
1 415-288-0288



JUNIPERO SERRA
CITY VENTURES, INC

DAILY CITY, CA



City Ventures

