

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DALY CITY
AMENDING THE DALY CITY ZONING MAP BY AMENDING ORDINANCE NO. 1310
PLANNED DEVELOPMENT ZONE (PD57-A) AND ESTABLISHING PLANNED
DEVELOPMENT STANDARDS

(525-595 Serramonte Boulevard, Daly City, APN 091-247-080)

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-9-14-9637 for Planned Development PD-57-A, 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 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.

In accordance with the California Environmental Quality Act (CEQA), the city has prepared a Final Environmental Impact Review (FEIR) to assess the potentially environmental consequences of the proposed Project. A mitigation monitoring and reporting program (“MMRP”) has been prepared to meet the requirements of Public Resources Code Section 21081.6. This MMRP is designed to ensure compliance with project mitigation measures imposed to avoid or substantially lessen the significant effects identified in the FEIR for the project. The City Council approves the MMRP for this project and hereinafter finds that the FEIR and the MMRP complies and conforms with the California Environmental Quality Act and the Guidelines implementing the Act.

The FEIR indicates that the impacts of the Project would remain “significant and unavoidable” under CEQA. Such a significant and unavoidable impact is permissible under CEQA provided the City Council adopts a Statement of Overriding Consideration related to it. The Council has weighed the above benefits of the proposed project against its significant and unavoidable environmental effect identified in the Final EIR and hereby determines that each of these benefits outweighs the adverse environmental effect and, therefore, further determines that the significant and unavoidable environmental effect of the project is acceptable. Pursuant to California Public Resources Code Section 21081 and the CEQA Guidelines Section 15093 et seq., the Council will adopt a Resolution certifying the FEIR and making a statement of overriding considerations regarding the remaining unavoidable impact of the project and the anticipated benefits of the project.

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-57A, 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-57A.

PLANNED DEVELOPMENT STANDARDS

PLANNED DEVELOPMENT ZONE PD-57A

SERRAMONTE VIEWS CONDOMINIUMS AND HOTEL

The purpose and intent of these Planned Development Standards is to establish a Planned Development Zoning District for PD-57A, 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. CC&R's shall be prepared for PD-57A for review and approval by the City Attorney.

II. PERMITTED USES

The following uses are permitted as part of Planned Development Zone PD-57A.

- A. The following uses shall be permitted in the non-residential portion of PD-57A:
 - 176-room extended stay hotel with associated parking facilities
- B. The following uses may be permitted with a Use Permit in the nonresidential portion of PD-57A zone:
 - Administrative, business and professional offices
 - Banks and savings and loan offices
 - Finance companies
 - Title Companies
 - Travel Agencies
 - Medical and dental clinics and laboratories
 - Prescription pharmacies
 - Public Uses

- C. The residential portion of PD-57A shall be limited to three structures, Buildings A, B and C and a total of 281 condominium units and associated parking and recreational facilities. 323 units shall be permitted upon approval of the City Council of a density bonus.
- D. 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-57A and the CC&R's for PD-57A. 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.
 - c. Residential parking spaces shall be designated in the plan.
 - d. Measures to manage the parking during the peak hours. The plan may include such measures as valet parking, and incentives to carpooling.
 - e. Lease documents of existing and future tenants shall incorporate compliance with the Parking Management Plan as a requirement of the lease. Lease documents shall be submitted to the Planning Division for approval.
 - f. Applicant will post signs, impose conditions upon tenant, and make every effort to restrict deliveries to the development from by large semi-trucks, refrigerated trucks, or trucks larger than a four-wheel delivery van between the hours of 8:00 a.m. and 7:00 p.m. seven days per week. Smaller delivery vehicles may make such deliveries.
 - j. The total number of on-site parking spaces shall reflect the parking provision of the approved plans, i.e., 480 dedicated residential spaces and 149 dedicated hotel spaces, with the ability for up 80 valet hotel spaces which could occur within the drive aisles on any of the hotel's four parking levels. The use of carousel parking system shall be permitted for up to 342 spaces. The project shall provide a minimum

of 19 electric vehicle charging stations equipped with minimum level two chargers and 172 bicycle parking spaces.

- k. An office development will have to meet the parking standards as established in the Zoning Ordinance Chapter 17.34
- c. The parking areas shall conform to plans approved as part of the precise plan for PD-57A and shall be maintained in accordance with City standards.

B. Circulation

- 1. All deliveries shall gain access to the project site by way of Serramonte Boulevard
 - a. Deliveries to the development by large semi-type trucks shall not take place before 8 a.m. or after 10 p.m. 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.

C. 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.

D. 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.
 - b. 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.
 - c. All roof equipment shall be screened from view from the surrounding streets.
 - d. The Planning Division shall approve the design and location of all trash or storage enclosures and other proposed fencing or walls.
 - e. All visible elevations shall be provided with architectural treatment of the same quality and character as the front building elevations facing Serramonte Boulevard.
 - f. All ground mounted appurtenances, such as transformers or air conditioning units shall be undergrounded.

E. Maintenance

1. A maintenance plan for on-site litter control shall be submitted by the applicant and approved by the City. The litter control maintenance plan shall include provision for on-going maintenance required for the project use. The maintenance plan shall be incorporated into the CC&R's for the project and recorded as part of the PD-57A 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:
 - d. All trash shall be confined in approved receptacles and enclosures.
 - e. 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.
 - f. All trash and storage enclosures shall be properly maintained in accordance with approved plans.

- g. 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 any time. All enclosures shall be designed to conceal the contents. All enclosures should be kept clean and free of odor at all times.

F. Lighting

- 1 All exterior lighting shall be in accordance with precise plans and shall be adequately maintained according to approved standards.
 - a. Site lighting shall be directed downward to protect adjacent residential neighborhoods from glare.

G. Building Area Limitation

- 1. There shall be no additional square footage allowed in PD-57A 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.
 - a. The residential portion of the project shall include 3 separate buildings, each with no more than 185,000 square feet of residential floor area. Under each building, there shall be parking facilities. Each of the four buildings will have no more than 70,000 square feet of parking garage underneath.
 - b. The hotel development shall include up to 155,000 square feet hotel space and a three-level garage, with up to 130,000 square feet provided for parking.

H. Building Height Limitation

- 1 The maximum height allowed for PD-57A is 250 feet.

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: In accordance with the California Environmental Quality Act (CEQA), the city has prepared a Final Environmental Impact Review (FEIR) to assess the potentially environmental consequences of the proposed Project. A mitigation monitoring and reporting program (“MMRP”) has been prepared to meet the requirements of Public Resources Code Section 21081.6. This MMRP is designed to ensure compliance with project mitigation measures imposed to avoid or substantially lessen the significant effects identified in the FEIR for the project. The City Council approves the MMRP for this project and hereinafter finds that the FEIR and the MMRP complies and conforms with the California Environmental Quality Act and the Guidelines implementing the Act. The City Council will also adopt a Statement of Overriding Consideration related to this Project.

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 26th day of November 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 10th day of December 2018, by the following vote:

AYES, Councilmembers Manalo, Sylvester, Buenaventura

RECUSED, Councilmembers: Daus-Magbual, DiGiovanni

NOES, Councilmembers None

Absent, Councilmembers: None

K. Annette Hipona
CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

RAYMOND A. BUENAVENTURA
MAYOR OF THE CITY OF DALY CITY