

RESOLUTION NO. 24-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY ADOPTING
FINDINGS OF FACT FOR GENERAL PLAN AMENDMENT GPA-04-21-14998,
MAJOR SUBDIVISION SUB-04-21-14999 AND DESIGN REVIEW DR-04-21-15000
AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR
SERRAMONTE DEL REY CAMPUS REDEVELOPMENT

A. The applicant and property owner, JUHSD, has submitted an application that proposes a new Precise Plan for the campus. The proposed Precise Plan would allow for the redevelopment of the campus to include up to 1,235 units (122 existing) of affordable and market-rate rental housing, up to 14,000 sq. ft. of neighborhood-serving retail/commercial uses, and a Head Start childcare facility. The site would be divided into six development parcels and additional street parcels with public access easements. Build-out of the site is anticipated to be over a ten-year to thirty-year period.

B. After considerable public input, the Planning Commission voted unanimously to recommend that the City Council approve the Preliminary Plan on August 3, 2021. Also, after considerable public input and gaining input from meetings of the Affordable Housing Committee and joint meetings between the Affordable Housing Committee and members of the Jefferson Union High School District Board, the City Council granted Preliminary Plan approval for the project on January 10, 2022, allowing the project to proceed to the Precise Plan stage.

C. The application includes a request for Design Review approval of Parcel B, a 201-unit mixed-use building with approximately 6,000 square feet of retail immediately east of the existing facility and staff housing development, adjacent to Serramonte Boulevard. The proposed building is six-stories of apartments over a parking podium and retail that would be 73 feet tall. The building would provide 21 studio units, 75 one-bedroom units, 86 two-bedroom units, and 28 three-bedroom units. Although the City is precluded from regulating parking in the Precise Plan pursuant to Assembly Bill AB 2097, the applicant has proposed 334 parking spaces, 301 for residents and 33 for the public, within the lower and ground levels of the proposed mixed-use building.

D. The application includes a Tentative Subdivision Map to subdivide the 22-acre Precise Plan area into six development parcels and five common parcels for private roadways.

E. The General Plan land use designation for the JUHSD faculty and staff housing site (Parcel A) is Residential – High Density (R-HD) and the remainder of the project site is Commercial – Office (C-O). The Precise Plan would allow residential and commercial uses (some uses would require a Conditional Use Permit) on any parcel. The development program in the Precise Plan also provides guidelines for the proposed build out of the site with residential densities ranging from 34 to 96 dwellings units per acre. Since the Precise Plan would allow both residential and commercial uses on each parcel within the Plan Area, an amendment to the General Plan to change the land use designation to Commercial – Mixed Use (C-MU) is required.

F. On December 5, 2023, the Daly City Planning Commission held a public hearing to consider the General Plan Amendment GPA-04-21-14998, Major Subdivision SUB-04-21-14999, Design Review DR-04-21-15000 and Environmental Impact Report Certification. At the

conclusion of the hearing, the Daly City Planning Commission voted to recommend the City Council approve the General Plan Amendment., Major Subdivision and Design Review.

G. In accordance with the California Environmental Quality Act (CEQA), the City has prepared a Final Environmental Impact Report (FEIR) to assess the potential environmental consequences of implementing the proposed Precise Plan. The FEIR incorporates the Draft Environmental Impact Report (DEIR), which the City made available for public review from July 25, 2023, through September 8, 2023. The DEIR identified several significant environmental impacts associated with the project, including impacts to air quality, biology, cultural resources, geological resources, hazardous materials, noise, and transportation. A summary of these mitigation measures is included in the Mitigation and Monitoring Program (MMRP) that has been prepared for the project.

H. On January 22, 2024, the City Council voted to continue this item to give JUHSD more time to meet with individuals in the community and with labor unions. Since the initial hearing date, the Board of Trustees engaged in discussions to establish minimum labor standards for carpentry work on the Serramonte Del Rey revitalization project. At the February 21, 2024, Board of Trustees Meeting, the Board approved Resolution 2023-2024/10 Establishing Labor Standards for the Serramonte Del Rey Neighborhood Project.

I. On February 26, 2024, the matter was duly noticed and publicly heard by the Daly City City Council and heard all interested persons who desired to be heard in connection with General Plan Amendment GPA-04-21-14998, Major Subdivision SUB-04-21-14999, Design Review DR-04-21-15000, and Environmental Impact Report Certification.

Findings:

NOW THEREFORE BE IT RESOLVED, following review of the application, the appended staff reports, the summary of hearing and report of the Daly City Planning Commission, relevant documents, writings, ordinances, regulations, as well as the materials submitted by the applicant and her representative, and the comments of City staff and interested members of the public, the City Council of the City of Daly City makes the following findings of fact:

1. That the above recitals, “A” through “I” are accurate and constitute findings of the City Council of the City of Daly City.
2. In accordance with Title 17 of the Daly City Municipal Code, as well as applicable State zoning enabling legislation, the City Council conducted a public hearing to consider the project on February 26, 2024; notice of said hearing was by newspaper publication on February 16, 2024, posting and first class mailing to property owners within 300 feet.
3. The site is physically suitable for the type of proposed project and amending the General Plan designation for the Precise Plan area from Residential – High Density (R-HD) and Commercial – Office (C-O) to Commercial – Mixed Use (C-MU) and rezoning the Precise Plan area from Planned Development 31 (PD-31) and Planned Development 31A (PD-31A) to Planned Development 31B (PD-31B).
4. The proposed project is consistent with Daly City General Plan. The project in fact includes a proposal to amend the General Plan designation from Residential – High Density (R-HD)

and Commercial – Office (C-O) to Commercial – Mixed Use (C-MU). According to the City's General Plan, this designation is intended for mixed-use development in areas where the City intends to provide, through the Zoning Ordinance, regulatory incentives and/or requirements for developers to construct buildings which contain a vertical mix of uses, e.g., retail or restaurant uses at the street level and office or residential uses at levels above the street. The applicant's project exhibits these characteristics and therefore the Commercial – Mixed Use (C-MU) General Plan Land Use Designation is appropriate for the proposed project and the project is consistent with the policies contained within the General Plan for this land use designation.

5. The project also implements the policies in the Housing Element, which encourages the development of infill housing on sites that are underutilized, where residential development represents the highest and best use, and where public infrastructure exists to support the intensity of the proposed development. The Housing Element identifies the subject site specifically as being capable of providing housing opportunities that contribute to the City's fulfillment of its Regional Housing Need Allocation.
6. The site is physically suitable for the type and density of the proposed subdivision. The project site is physically suitable to the development proposed by the Precise Plan, which are apartment buildings that would be built on large podiums. The subject site is flat, easily allowing this type of construction, and has been previously disturbed and extensively graded to allow the construction of a high school with similar building footprints.
7. The design of the proposed subdivision or improvements does not cause substantial environmental damage or injure fish or wildlife or their habitat. The environmental impact of the proposed Precise Plan was thoroughly evaluated in Environmental Impact Report (EIR); The EIR found that the Precise Plan would not cause substantial environmental damage or injure fish or wildlife or their habitat.
8. The design of the proposed subdivision will not cause serious public health problems. There are no foreseeable public health problems that could arise from the implementation of the Precise Plan.
9. The design of the proposed subdivision and improvements do not conflict with any easements, acquired by the public at large, for access through or use of property within the proposed subdivision. Although several easements exist on the site, the proposed subdivision will be subject to a thorough plan check by the Public Works Department prior to recordation. Any issues related to underlying easements will be remedied at that time.
10. The proposed building for Parcel B complies with applicable provisions of Design Review Section 17.45 of the Zoning Ordinance and the Objective Design Standards set forth in the Precise Plan and Planned Development zoning, both herein recommended for approval to the City Council.
11. Architectural considerations have been incorporated in order to ensure the general compatibility of this development with the character of other adjacent buildings. These considerations include, but are not limited to, the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, and colors.

12. In accordance with the California Water Code, a Water Supply Assessment has been prepared for the project in accordance with the California Water Code. The WSA found that Daly City would have access to sufficient water supplies to serve the proposed Serramonte Del Rey Redevelopment project.
13. In accordance with the California Environmental Quality Act (CEQA), the City issued a Notice of Completion for a Draft Environmental Impact Report (DEIR) prepared to evaluate the environmental impacts that could result from the shopping center expansion. The DEIR was submitted to the State Clearinghouse for public dissemination on July 25, 2023. The DEIR was circulated for comment for at least 45 days (from July 25, 2023, through September 8, 2023) in accordance with the requirements of CEQA.
14. The City has prepared a Final Environmental Impact Report (FEIR), incorporating the comments and responses to comments of the Draft Environmental Impact Report (DEIR), in accordance with the requirements of CEQA.
15. The Certification of the FEIR affirms the documentation that all the project's environmental impacts have been mitigated to a level of insignificance. A Mitigation and Monitoring Reporting Program (MMRP) has also been adopted for the project.
16. The Planning Commission has reviewed the proposed Development Agreement and found it consistent with the City's General Plan and the City Council concurs with this finding.
17. 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.
18. The City did not adopt the sixth-cycle update to its Housing Element by the January 31, 2023, statutory deadline and is currently out of compliance with State law.
19. On February 14, 2023, Californians for Homeownership, Inc. served the City with a lawsuit and writ of mandate to adopt the Housing Element.
20. Under State law, the City's Housing Element must provide an inventory of planned projects and site for future development that provides a realistic path to satisfy the City's RHNA requirement, and all income levels throughout the 2023-2031 planning period.
21. Under the Draft Housing Element includes the proposed new mixed-use project at 699 Serramonte Boulevard (the "Project") which consists of 1,113 residential units in the City, including units for 150 new low/very low-income units, 73 affordable moderate-income units, and 890 above-moderate income units.
22. In order for the City's Housing Element to be certified by HCD, it is necessary for the units provided by the Project to be approved immediately in order to avoid the City being out of compliance with state law.

23. Failure to have a certified Housing Element would put the City at risk of losing its powers to deny housing projects in the future, including those that do not comply with the City's zoning and General Plan (i.e., Builder's Remedy projects).
24. Pursuant to a proposed Settlement Agreement and Order and Stipulation in the pending litigation with Californians for Homeownership, the City is required to have a certified Housing Element by March 2024.
25. In order to comply with state law, as well as to resolve pending litigation, it is necessary that the City Council waive first reading and adopt an urgency ordinance approving Planned Development PD-31B and adopt an urgency ordinance approving the Development Agreement.

BE IT FURTHER RESOLVED that the City Council approves General Plan Amendment GPA-04-21-14998, Major Subdivision SUB-04-21-14999, Design Review DR-04-21-15000 and Environmental Impact Report Certification based on the following conditions as specified by each Department and Division. These conditions need to be complied with prior to, or as part of, any building permit for the proposed improvements.

CONDITIONS OF APPROVAL

A. DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT (PLANNING DIVISION)

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 reviewed and approved by the Planning Division prior to the change. Major site or architectural modifications shall be treated as an amendment and shall be subject to review by the Planning Commission and City Council.
2. The tentative subdivision map approval granted herein shall be valid for a period of two years. If a final map has not been approved within this timeframe, the applicant shall apply for a time extension.
3. The design review approval granted herein shall be valid for a period of one year. If building permits have not been issued within this timeframe, the building shall comply with the Objectives Design Standards contained within Planned Development PD-31B.

Building Design

4. All retail/office areas shall be constructed to a "tenantable" condition and shall provide restroom facilities and receive wall, ceiling, and flooring finishes that render them in a leasable condition prior to final occupancy of the building. This includes commercial-grade wall and floor plugs, overhead lighting, and any other systems the Planning Division staff identifies at the time of plan check.
5. All ground floor windows shall be dark-colored aluminum and all upper-floor windows shall be metal framed or high-quality PVC with color to match the adjacent wall.

6. Any metal materials used on the exterior of any building shall be galvanized or treated in a manner acceptable to the Planning Division to prevent corrosion.
7. The applicant shall, prior to building permit submittal, provide a sign program for Planning Division review and approval. The final building elevation design shall consider sign placement and plans submitted for building permit approval shall reflect such placement.
8. All rooftop mechanical equipment shall be screened from the view of all adjacent public rights-of-way by screenwalls, painting, and similar treatments acceptable to the Planning Division. The Division may require screenwalls for equipment located within 20 feet of the rooftop parapet wall.
9. Backflow preventers, check devices, and other visible mechanical equipment shall be painted black, dark green, red (if required by the Fire Department), or other color complimentary to the building design.
10. The applicant shall have all trash storage capacity and pick-up locations approved by Republic Services.
11. The material of retaining walls visible from the public right-of-way shall be approved by the Planning Division in building permit plan check.

Stormwater Treatment

12. 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.
13. The applicant shall receive approval of the stormwater management plan from a third-party reviewer appointed by the City prior to building permit submittal. The applicant shall pay the entire cost of the third-party reviewer, beginning with a \$10,000 deposit from which the Planning Division may draw to pay for the costs from the third-party review and associated inspections.
14. 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.
15. The applicant shall enter into an Operation and 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 to the approved Operation and Maintenance Plan.
16. The applicant shall arrange and pay for final inspection of installed treatment measure by the City's Special Inspector within 45 days of installation or project construction completion, whichever comes first.

B. DEPARTMENT OF PUBLIC WORKS (ENGINEERING DIVISION)

PRECISE PLAN

GENERAL

17. All improvements shall be consistent with the plans approved by the City Engineer and the Conditions of Approval. All improvements shall meet the latest California Building Code, California Fire Code, Daly City Municipal Code, and the City Standards and Specifications, except to the extent otherwise provided by the project Development Agreement.
18. Provide "will serve letters" from the Pacific Gas and Electric Company (PG&E) for gas and electric services.
19. All improvements shall be installed, inspected and approved by the City Engineer prior to Engineering sign off for occupancy permits. In addition, as-built record plans of all improvements shall be submitted in a form acceptable to the City Engineer prior to Engineering sign off for occupancy permits.
20. All improvements shall be ADA compliant. Curb ramps in and around the project site shall utilize the case types in the Caltrans Standard Plans.
21. All electrical and telecommunications services shall be provided through underground connections. There shall be no overhead drops. All existing overhead services and supporting poles along the project frontage and/or on the private property shall be removed, at the applicant's expense.
22. All utility services shall be underground. Said improvements shall conform to City of Daly City and affected Agency's standards.
23. All plans shall be accompanied by all required calculations and studies including geotechnical and impact studies to justify design signed and sealed by a licensed professional engineer.
24. Grading and improvement plan review and approval by the City Engineer are required before permit issuance. The improvement plans shall include details for on-site and off-site improvements for vehicular and pedestrian access, parking, traffic signs and markings, utility service connections, modifications and extensions of the City's sewer, water, storm drain, safety lighting, landscaping, and other public service facilities.
25. Securities for all improvements (on-site and off-site), and applicable fees and charges, shall be submitted with any site/building permits. The applicant shall obtain all required permits before commencing work.
26. The applicant and/or Contractor shall have a project sign with a 24-hour 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.

27. Provide erosion and storm water pollution plan incorporating best management practices, including operation and maintenance provisions per the requirements applicable at the time of construction permit application. During the wet/rainy season (October 1 to April 30) the developer shall submit a revised erosion control plan as necessary (every five working days) or as required by the City Engineer and/or his representative.
28. 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.
29. Except as permitted in the project's Precise Plan, no permanent building encroachment including but not limited to: awnings, canopies, marquees, signs, windows, balconies, architectural features and mechanical equipment shall be allowed in the Right-of-Way without the written authorization of the City Engineer.
30. The project's electrical transformer shall not be installed within the public right-of-way.
31. Phasing for the development of the JUHSD Serramonte Del Rey site shall follow the Development Agreement between the City and JUHSD.
32. A current title report shall be submitted with the development of each phase/parcel.
33. Prior to requesting City Council approval for any Parcel Map or Final Map, all subdivision improvements as shown on approved subdivision improvement plans shall be constructed by the applicant and accepted by the City Engineer, or the applicant shall enter into a Subdivision Improvement Agreement with the City incorporating those subdivision improvement plans and providing required bonds to secure the completion of the subdivision improvements within the time limits specified by the City. If any final map is part of a phased subdivision, only the final map and subdivision improvement plans for subdivision improvements necessary to serve the proposed phase are required to be submitted to the City for review and approval, and subsequently constructed.
34. The improvements shall be consistent with the plans approved by, and to the satisfaction of the City Engineer and the Conditions of Approval. All construction shall meet the latest California Building Code, California Fire Code, Daly City Municipal Code and the City Standard Specifications and Drawings, except to the extent otherwise provided by the project Development Agreement. Securities for all required improvements, and applicable fees and charges, shall be submitted prior to permit issuance, and/or submission of the subdivision improvement agreement for approval. The applicant shall obtain all required permits before commencing work. All required improvements shall be constructed at no cost to the City except where specifically agreed to by the City under the provisions of a written agreement, Including without limitation the project Development Agreement. Grading and improvement plan review and approval by the

City Engineer are required before any City Permit is issued. The improvement plans shall include details for on-site and off-site improvements for vehicular and pedestrian access, parking, traffic signs and markings, utility service connections, modifications and extension of the City's sewer, water, storm drain, safety lighting, landscaping, and other public service and common facilities. All utility services shall be underground unless otherwise approved. Said improvements shall conform to Daly City and affected Agency's standards, Plans shall be accompanied by all required calculations and studies including geotechnical and impact studies to justify design.

35. Except to the extent otherwise provided by the project Development Agreement and the Precise Plan, the applicant shall comply with the applicable requirements of the "City of Daly City General Conditions of Approval: Use Permits, Variances, Design Reviews, Planned Developments, and Subdivisions", in effect at the time of subdivision and design review application submittal, final map submittal and/or at the time of building permit application.
36. Homeowners Association (HOA) agreements to be reviewed and approved by the City Attorney. This includes, but is not limited to, details regarding street sweeping, street maintenance, streetlight maintenance, landscape maintenance, private storm drain maintenance, etc.
37. Haul route to the project site shall be from the Highway 1 off-ramp, across the intersection of Serramonte Blvd. and the Highway 1 on/off-ramps, to Entry Dr. Haul route from the project site shall be from Entry Dr., across the intersection of Serramonte Blvd. and the Highway 1 on/off-ramps, to the Highway 1 on-ramp. No trucks shall be allowed on Serramonte Blvd. outside of the intersection with Entry Dr., and no other City streets aside from Hickey Blvd. shall be used as a truck route.

SITE

38. The applicant shall repair and/or replace additional areas of street pavement, sidewalk, curb, and gutter, streetlights, manhole, catch basins, or any other public infrastructure within the right-of-way damaged by construction activities associated with the project (utility installation, etc.) as required by the City Inspector during construction. Such repair shall be per the City's Standards and Specifications
39. Bike parking for each phase shall be at street level and shall not require travel across parking lots to access.
40. Streets within the property shall be private streets with public access easements and public utility easements. All private streets parcels shall have a public access easement over the entire width and length of the parcel, and shall encompass the roadway, shoulders, and all sidewalks as part of the roadway sections. All proposed publicly accessible park space (as provided for in the Precise Plan and tentative map), bike and pedestrian paths, and trails for the project shall also have a public access easement over their areas.
41. The existing sidewalk along Callan Blvd. shall be repaired to prolong its life and eliminate tripping hazards as needed.

42. Applicant shall widen the existing sidewalk on Callan Blvd. at three locations along the 740' frontage. This will create three passing zones approximately 8' long with a width of 5', at locations to be determined during site improvement permit plan check.
43. Applicant shall provide a treated lumber retaining wall along the hillside adjacent to the sidewalk on an as-needed basis to reduce sloughing of soil onto the sidewalk. The length of retaining wall that will be needed is estimated at approximately 50% of the 740' sidewalk.
44. The improvements described above will be completed as each building on parcel fronting Callan Blvd. (parcels B, C and D) is built. City and Applicant shall enter into the City's standard landscape maintenance agreement to include the lumber retaining wall if placed within the City's right-of-way on Callan Blvd., which will be recorded against the property fronting the improvements.
45. Curb ramps in and around the project site shall utilize the case types in the Caltrans Standard Plans.
46. Design of the pavement sections shall be prepared by a licensed Civil Engineer and shall be reviewed and approved by the City Engineer. The design shall comply with City Standard Detail S-1.
47. Pavement design for Serramonte Blvd. shall be per a TI = 9 or shall match existing pavement section, whichever is more stringent.
48. Final striping plan shall be reviewed and approved by the City Engineer as part of the Site Improvement Permit.
49. Plans prepared by a licensed Civil Engineer shall be provided for the striping improvements along Campus Drive, Hickey Boulevard, and at the following intersections: Highway 1 ramps/Serramonte Boulevard, Skyline Boulevard/Hickey Boulevard, Callan Boulevard/Hickey Boulevard.
50. Radius of curves shall be clearly shown on the plans for all proposed streets.

GRADING

51. WDID number shall be provided to the City prior to the issuance of a Grading Permit for any project greater than one acre in size.
52. 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.
53. Grading plans shall be reviewed by an independent qualified Consulting Engineer or Geologist as well as the City Engineer; a letter of compliance from the independent qualified Consulting Engineer or Geologist shall be provided to Engineering prior to the issuance of any permit. The Engineer and/or Geologist, of record, shall be present on-site

during the excavation and grading phases of the project and shall submit a written certification that the project civil plans has been implemented as approved.

54. The applicant's grading and storm drainage improvements shall be designed per best practice engineering standards and provide fail-safe conditions for catastrophic events such as 100-year storms, system overflows or failures. Drainage swales shall be provided at the top, intermediate and bottom of: (1) new slopes and new embankments; and (2) existing slopes and existing embankments where grading will occur, to prevent erosion and degradation of slopes. The project geotechnical report shall include appropriate recommendations regarding the protection of existing and proposed slopes.
55. The soils report shall be finalized and resubmitted prior to any parcel or final map approval, and prior to building permit issuance. The preliminary soils report dated April 20, 2021, indicates that the "east slope has the potential for significant permanent displacements under the considered earthquake loads and could adversely undermine portions of the proposed structure foundations on Parcels B, C, and D." As required by the engineering division, the applicant shall be responsible for the costs associated with a third-party peer review of soils reports provided for buildings or subdivision, and the applicant's soils engineer shall address and incorporate the recommendations of the third-party peer review. Prior to subdivision improvement or building permit issuance, the applicant's soils engineer shall provide a letter stating that they have reviewed such plans and the plans incorporate the recommendations contained in their report.

STORM WATER/UTILITY

56. Runoff calculations shall be provided verifying that post development stormwater runoff from the site does not exceed the pre-development stormwater runoff. Additional stormwater runoff generated from the design storm as a result of this development shall be retained on-site.
57. Drainage from the site to a public storm drain system or street shall not exceed existing flows over sidewalks in the public right-of-way. On site drainage retention shall be provided to limit the flow rate entering the City's storm drain system to the pre-development rate. The retention facility shall accommodate the excess runoff from a storm of 10-year frequency and two-hour duration.
58. All stormwater retention, stormwater treatment, or other stormwater BMP improvements shall be located outside of the public right-of-way and maintained by the property owner. All privately owned and maintained improvements shall be located outside of the public right-of-way. There shall be no private improvements within the public right-of-way.
59. 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 in accordance with City Standards, subject to the provisions of the project Development Agreement and applicable law, including the Mitigation Fee Act.
60. Full trash capture devices approved by the City Engineer shall be installed on the drainage system.

61. Storm drain laterals and mains shall be CCTV'ed at the end of construction. Owner is responsible for providing videos of laterals and mains prior to the City Engineer's permit signoff/acceptance. It is the owner's responsibility to make required changes to provide camera access.
62. The applicant shall coordinate review of the on-site sanitary sewer system with the Department of Water and Wastewater Resources (DWWR). The new sewer mains shall require CCTV inspection by DWWR.
63. The applicant shall contribute a fair-share cost of the new 30-inch relief sewer crossing I-280. The fair share contribution shall be based on the added flows relative to the additional capacity needed for the new I-280 crossing as determined by the Department of Water and Wastewater Resources and consistent with applicable law, including the Mitigation Fee Act.
64. Post-development storm runoff discharged shall be discharged a rate and volume less than or equal to the pre-development runoff rate and volume and supported by satisfactory 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 for the entirety of the project site. Individual phases shall not increase runoff rate above the pre-development condition for the entirety of the project site at any time. The hydraulic calculations and letter shall be submitted for review and approval by the City Engineer prior to approval of each set of Improvement Plans. The master plan's on-site drainage system shall be designed to limit runoff volumes to those during a ten-year frequency storm, to the extent feasible and limited to areas where not otherwise unsupported by an approved Geotechnical report or environmental document, to the satisfaction of the Engineering Division.
65. At no point or particular during Master Plan development will the peak flow or volume exceed pre-project conditions at any point on the site perimeter where flow enters the City system. A particular phase may overcompensate but will not cause the Master Plan to undercompensate at any time. Phased retention systems will be subject to review by the Engineering Division of Public Works and may require each project to enter into a stormwater retention agreement that will be recorded against the property.
66. Regardless of how the project is phased, at no point shall the project peak runoff exceed the pre-project peak runoff.
67. The existing City-owned stormwater system shall be modeled/analyzed during each phase and that private connections to the City's storm drain system will not result in capacity exceedances of the design-year storm from the Project site. Any public stormwater improvements or capacity increase shall be borne by the developer in accordance with City standards and applicable law, including the Mitigation Fee Act. As part of the analysis, investigate how the water outflows when all site drainage is plugged and provide the water elevation in relation to the lowest finished building grade.

TRAFFIC

68. Recommendations from the project Development Agreement shall be implemented by the applicant.

69. Final layout for Serramonte Blvd. and the Serramonte Blvd./Highway 1 on/off-ramp intersection shall be reviewed and approved by the City Engineer.
70. The restriping and timing of the signalization at the Hickey Blvd/Callan Blvd. intersection will be completed prior to issuance of Certificate of Occupancy/Temporary Certificate of Occupancy for the first housing project to be built.

MAPPING

71. All ROW dedication/easement (public and private) language shall be reviewed and approved by the City Engineer.
72. The width and locations of Public Easements shall be specified for review and approval by all utility companies and the City Engineer.

PERMIT

73. An encroachment permit shall be required to be issued by the Public Works Department for all work proposed within the public right-of-way.
74. The applicant shall provide verification, in writing, that the joint trench design has been reviewed and approved by each utility company.

PARCEL B DEVELOPMENT

GENERAL

75. All improvements shall be consistent with the plans approved by the City Engineer and the Conditions of Approval. All improvements shall meet the latest California Building Code, California Fire Code, Daly City Municipal Code, and the City Standards and Specifications, except to the extent otherwise provided by the project Development Agreement.
76. Provide “will serve letters” from the Pacific Gas and Electric Company (PG&E) for gas and electric services.
77. All improvements shall be installed, inspected, and approved by the City Engineer prior to Engineering sign off for occupancy permits. In addition, as-built record plans of all improvements shall be submitted in a form acceptable to the City Engineer prior to Engineering sign off for occupancy permits.
78. All improvements shall be ADA compliant. Curb ramps in and around the project site shall utilize the case types in the Caltrans Standard Plans.
79. Traffic signalization plans for the intersection of Serramonte Blvd. and Highway 1 shall be included in the improvement plans for review and approval by the City Engineer. Developer shall also obtain all necessary Caltrans permits and approvals.

80. All electrical and telecommunications services shall be provided through underground connections. There shall be no overhead drops. All existing overhead services and supporting poles along the project frontage and/or on the private property shall be removed, at the applicant's expense.
81. All utility services shall be underground. Said improvements shall conform to City of Daly City and affected Agency's standards.
82. All plans shall be accompanied by all required calculations and studies including, but not limited to, storm drain, geotechnical, and impact studies to justify design signed and sealed by a licensed professional engineer.
83. Grading and improvement plan review and approval by the City Engineer are required before permit issuance. The improvement plans shall include, but not limited to, details for on-site and off-site improvements for vehicular and pedestrian access, parking, traffic signs and markings, utility service connections, modifications and extensions of the City's sewer, water, storm drain, safety lighting, landscaping, and other public service facilities.
84. Securities for all improvements (on-site and off-site), and applicable fees and charges, shall be submitted with any site/building permits. The applicant shall obtain all required permits before commencing work.
85. The applicant and/or Contractor shall have a project sign with a 24-hour 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.
86. Provide erosion and storm water pollution plan incorporating best management practices, including operation and maintenance provisions per the requirements applicable at the time of construction permit application. During the wet/rainy season (October 1 to April 30) the developer shall submit a revised erosion control plan as necessary (every five working days) or as required by the City Engineer and/or his representative.
87. 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.
88. Except as permitted in the project's Precise Plan, no permanent building encroachment including but not limited to: awnings, canopies, marquees, signs, windows, balconies, architectural features, and mechanical equipment shall be allowed in the Right-of-Way without the written authorization of the City Engineer.
89. The project's electrical transformer shall not be installed within the public right-of-way.

90. Phasing for the development of the JUHSD Serramonte Del Rey site shall follow the Development Agreement between the City and JUHSD.
91. A current title report shall be submitted with the development of each phase/parcel.
92. Prior to requesting City Council approval for any Parcel Map or Final Map, all subdivision improvements as shown on approved subdivision improvement plans shall be constructed by the applicant and accepted by the City Engineer, or the applicant shall enter into a Subdivision Improvement Agreement with the City incorporating those subdivision improvement plans and providing required bonds to secure the completion of the subdivision improvements within the time limits specified by the City. If any final map is part of a phased subdivision, only the final map and subdivision improvement plans for subdivision improvements necessary to serve the proposed phase are required to be submitted to the City for review and approval, and subsequently constructed.
93. The improvements shall be consistent with the plans approved by, and to the satisfaction of the City Engineer and the Conditions of Approval. All construction shall meet the latest California Building Code, California Fire Code, Daly City Municipal Code and the City Standard Specifications and Drawings, except to the extent otherwise provided by the project Development Agreement. Securities for all required improvements, and applicable fees and charges, shall be submitted prior to permit issuance, and/or submission of the subdivision improvement agreement for approval. The applicant shall obtain all required permits before commencing work. All required improvements shall be constructed at no cost to the City except where specifically agreed to by the City under the provisions of a written agreement, including without limitation the project Development Agreement. Grading and improvement plan review and approval by the City Engineer are required before any City Permit is issued. The improvement plans shall include details for on-site and off-site improvements for vehicular and pedestrian access, parking, traffic signs and markings, utility service connections, modifications and extension of the City's sewer, water, storm drain, safety lighting, landscaping, and other public service and common facilities. All utility services shall be underground unless otherwise approved. Said improvements shall conform to Daly City and affected Agency's standards, Plans shall be accompanied by all required calculations and studies including geotechnical and impact studies to justify design.
94. Except to the extent otherwise provided by the project Development Agreement and the Precise Plan, the applicant shall comply with the applicable requirements of the "City of Daly City General Conditions of Approval: Use Permits, Variances, Design Reviews, Planned Developments, and Subdivisions", in effect at the time of subdivision and design review application submittal, final map submittal and/or at the time of building permit application.
95. Homeowners Association (HOA) agreements to be reviewed and approved by the City Attorney. This includes, but is not limited to, details regarding street sweeping, street maintenance, streetlight maintenance, landscape maintenance, private storm drain maintenance, etc.
96. The Applicant shall design and construct the traffic signal and certain bicycle and pedestrian improvements at the Highway 1 Ramps/Serramonte Boulevard intersection.

97. Haul route to the project site shall be from the Highway 1 off-ramp, across the intersection of Serramonte Blvd. and the Highway 1 on/off-ramps, to Entry Dr. Haul route from the project site shall be from Entry Dr., across the intersection of Serramonte Blvd. and the Highway 1 on/off-ramps, to the Highway 1 on-ramp. No trucks shall be allowed on Serramonte Blvd. outside of the intersection with Entry Dr., and no other City streets aside from Hickey Blvd. shall be used as a truck route.

SITE

98. The applicant shall repair and/or replace additional areas of street pavement, sidewalk, curb, and gutter, streetlights, manhole, catch basins, or any other public infrastructure within the right-of-way damaged by construction activities associated with the project (utility installation, etc.) as required by the City Inspector during construction. Such repair shall be per the City's Standards and Specifications.
99. Bike parking for each phase shall be at street level and shall not require travel across the parking lot to access.
100. Streets within the property shall be private streets with public access easements and public utility easements. All private streets parcels shall have a public access easement over the entire width and length of the parcel, and shall encompass the roadway, shoulders, and all sidewalks as part of the roadway sections. All proposed publicly accessible park space (as provided for in the Precise Plan and tentative map), bike and pedestrian paths, and trails for the project shall also have a public access easement over their areas.
101. The existing sidewalk along Callan Blvd. shall be repaired to prolong its life and eliminate tripping hazards as needed.
102. Applicant shall widen the existing sidewalk on Callan Blvd. at three locations along the 740' frontage. This will create three passing zones approximately 8' long with a width of 5', at locations to be determined during site improvement permit plan check.
103. Applicant shall provide a treated lumber retaining wall along the hillside adjacent to the sidewalk on an as-needed basis to reduce sloughing of soil onto the sidewalk. The length of retaining wall that will be needed is estimated at approximately 50% of the 740' sidewalk.
104. The improvements described above will be completed as each building on parcel fronting Callan Blvd. (parcels B, C and D) is built. City and Applicant shall enter into the City's standard landscape maintenance agreement to include the lumber retaining wall if placed within the City's right-of-way on Callan Blvd., which will be recorded against the property fronting the improvements.
105. The developer shall construct pavement improvements within the boundaries of the intersection of Serramonte Blvd. and Entry Dr. (Highway 1 on/off-ramps).
106. Design of the pavement sections shall be prepared by a licensed Civil Engineer and shall be reviewed and approved by the City Engineer. The design shall comply with City Standard Detail S-1.

107. Pavement design for Serramonte Blvd. shall be per a TI = 9 or shall match existing pavement section, whichever is more stringent.

GRADING

108. WDID number shall be provided to the City prior to the issuance of a Grading Permit for any project greater than one acre in size.
109. 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.
110. Grading plans shall be reviewed by an independent qualified Consulting Engineer or Geologist as well as the City Engineer; a letter of compliance from the independent qualified Consulting Engineer or Geologist shall be provided to Engineering prior to the issuance of any permit. The Engineer and/or Geologist, of record, shall be present on-site during the excavation and grading phases of the project and shall submit a written certification that the project civil plans has been implemented as approved.
111. The applicant's grading and storm drainage improvements shall be designed per best practice engineering standards and provide fail-safe conditions for catastrophic events such as 100-year storms, system overflows or failures. Drainage swales shall be provided at the top, intermediate and bottom of (1) new slopes and new embankments; and (2) existing slopes and existing embankments where grading will occur, to prevent erosion and degradation of slopes. The project geotechnical report shall include appropriate recommendations regarding the protection of existing and proposed slopes.
112. The soils report shall be finalized and resubmitted prior to any parcel or final map approval, and prior to building permit issuance. The preliminary soils report dated April 20, 2021, indicates that the "east slope has the potential for significant permanent displacements under the considered earthquake loads and could adversely undermine portions of the proposed structure foundations on Parcels B, C, and D." As required by the engineering division, the applicant shall be responsible for the costs associated with a third-party peer review of soils reports provided for buildings or subdivision, and the applicant's soils engineer shall address and incorporate the recommendations of the third-party peer review. Prior to subdivision improvement or building permit issuance, the applicant's soils engineer shall provide a letter stating that they have reviewed such plans and the plans incorporate the recommendations contained in their report.

STORM WATER/UTILITY

113. Runoff calculations shall be provided verifying that post development stormwater runoff from the site does not exceed the pre-development stormwater runoff. Additional stormwater runoff generated from the design storm as a result of this development shall be retained on-site.

114. Drainage from the site to a public storm drain system or street shall not exceed existing flows over sidewalks in the public right-of-way. On site drainage retention shall be provided to limit the flow rate entering the City's storm drain system to the pre-development rate. The retention facility shall accommodate the excess runoff from a storm of 10-year frequency and two-hour duration.
115. All stormwater retention, stormwater treatment, or other stormwater BMP improvements shall be located outside of the public right-of-way and maintained by the property owner. All privately owned and maintained improvements shall be located outside of the public right-of-way. There shall be no private improvements within the public right-of-way.
116. 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 in accordance with City Standards, subject to the provisions of the project Development Agreement and applicable law, including the Mitigation Fee Act.
117. Full trash capture devices approved by the City Engineer shall be installed on the drainage system.
118. Storm drain laterals and mains shall be CCTV'ed at the end of construction. Owner is responsible for providing videos of laterals and mains prior to the City Engineer's permit signoff/acceptance. It is the owner's responsibility to make required changes to provide camera access.
119. The applicant shall coordinate review of the on-site sanitary sewer system with the Department of Water and Wastewater Resources (DWWR). The new sewer mains shall require CCTV inspection by DWWR.
120. The applicant shall contribute a fair-share cost of the new 30-inch relief sewer crossing I-280. The fair share contribution shall be based on the added flows relative to the additional capacity needed for the new I-280 crossing as determined by the Department of Water and Wastewater Resources and consistent with applicable law, including the Mitigation Fee Act.
121. Post-development storm runoff discharged shall be discharged a rate and volume less than or equal to the pre-development runoff rate and volume and supported by satisfactory 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 for the entirety of the project site. Individual phases shall not increase runoff rate above the pre-development condition for the entirety of the project site at any time. The hydraulic calculations and letter shall be submitted for review and approval by the City Engineer prior to approval of each set of Improvement Plans. The master plan's on-site drainage system shall be designed to limit runoff volumes to those during a ten-year frequency storm, to the extent feasible and limited to areas where not otherwise unsupported by an approved Geotechnical report or environmental document, to the satisfaction of the Engineering Division.
122. The existing City-owned stormwater system shall be modeled/analyzed, and that private connections to the City's storm drain system will not result in capacity exceedances of the design-year storm. Any public stormwater improvements or capacity increase shall

be borne by the developer in accordance with City standards, and applicable law, including the Mitigation Fee Act. As part of the analysis, investigate how the water outflows when all site drainage is plugged and provide the water elevation in relation to the finished building grade.

TRAFFIC

123. Recommendations from the project Development Agreement shall be implemented by the applicant.
124. The restriping and timing of the signalization at the Hickey Blvd/Callan Blvd. intersection will be completed prior to issuance of Certificate of Occupancy/Temporary Certificate of Occupancy.

MAPPING

125. All ROW dedication/easement language shall be reviewed and approved by the City Engineer.
126. The width and locations of Public Easements shall be specified for review and approval by all utility companies and the City Engineer.

PERMIT

127. An encroachment permit shall be required to be issued by the Public Works Department for all work proposed within the public right-of-way.
128. The applicant shall provide verification, in writing, that the joint trench design has been reviewed and approved by each utility company.

C. DEPARTMENT OF WATER AND WASTEWATER RESOURCES

129. The project is within the I280 drainage basin which is deficient in capacity. A project is in the planning stages to increase capacity. The Serramonte Del Rey Development shall pay its fair share cost in in the I280 Sewer Capacity Project. Until they determine exactly what they will construct, we cannot provide the exact dollar amount for their contribution.
130. The water and sewer systems, both public and private, shall be constructed per the Daly City Standard Specifications and Drawings and be constructed as if it were public infrastructure.
131. All costs associated with any water and sewer improvements, relocations, and abandonments, as a result of this project, shall be borne by the developer.
132. If the project changes form, additional water, and sewer studies may, at DWW's discretion, be required, and all costs for any required studies shall be at the cost of the developer.

D. NORTH COUNTY FIRE AUTHORITY / DALY CITY FIRE DEPARTMENT

133. Comply with California Fire & Building Codes, as well as the Daly City Municipal Code, specifically regarding fire apparatus access and Emergency Escape & Rescue Opening (EERO) requirements.
134. Fire sprinkler systems required. Submit plans to NCFA under separate fire permit.
135. Provide fire flow information per CFC, Appendix B.
136. Fire extinguishing/hood system may be required. Submit plans to NCFA under separate fire permit.
137. Monitored fire alarm systems required. Submit plans to NCFA under separate fire permit.
138. Key Boxes are required. Visit KnoxBox.com for appliances.
139. Portable fire extinguishers(s) are required. Mount fire extinguishers 3-5 feet above floor.
140. Illuminated address identification is required.
141. Utility identification is required.
142. Doors shall be easily openable in one motion without special knowledge, key or effort per CBC. Use of thumb operated deadbolts prohibited unless integrated with latch.
143. Illuminated exit signs and emergency egress illumination is required.
144. Hazardous material use, storage, or operations permit may be required.
145. Ensure Emergency Responder Radio Coverage is provided as required by Fire Code Section 510 and San Mateo County Fire Chief's Policy.
146. Elevators must be designed to accommodate EMS gurneys.
147. Fire Department Air Supply System may be required.
148. The proposed location of equipment required for Fire Service use (i.e., smoke control, fire service control room, fire alarm panels, etc.) must be reviewed and approved by NCFA.
149. An Emergency Plan and signage must be reviewed and approved by NCFA prior to occupancy.

BE IT FURTHER RESOLVED by the City Council that pursuant to California Government Code Section 66474.9, and to no extent further than as permitted by such statute, the City of Daly City requires, as a Condition of Approval of this subdivision, that the applicant, and any successor interest, defend, indemnify, and hold harmless the City of Daly City, its

officers, agents and employees, from any claim, action, or proceeding against the City of Daly City, its officers, agents and employees to attack, set aside, void or annul, any approval connected with this subdivision, the companion application for Design Review Permit, the environmental evaluation and/or determination, or any other project related approval of the City of Daly City, and the Daly City Planning Commission concerning this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. Such defense shall include reasonable attorney's fees and/or legal costs should such fees or costs be incurred by the City of Daly City lawfully related to the defense of this project.

BE IT FURTHER RESOLVED that by acceptance of the conditions of these entitlements, the applicant, property owner, developer and their successors and assigns agree to defend and hold harmless the City of Daly City, the Daly City Planning Commission, City employees, professionals and staff in any action by a third party to void, recall or rescind any granted entitlement pursuant to, and to the extent permitted by federal and state law; and that the City Council of the City of Daly City finds, as a matter of local public policy, that litigation costs, if any, associated with granting of the entitlements associated with this development should be borne by the applicant, property owner, developer and their successors and assigns, rather than by the City directly or the taxpayers and residents of the City of Daly City.

BE IT FURTHER RESOLVED that, in accordance with the California Environmental Quality Act (CEQA), the City has prepared a Final Environmental Impact Report (FEIR) to assess the potential environmental consequences of implementing the proposed Precise Plan. The FEIR incorporates the Draft Environmental Impact Report. The DEIR identified several significant environmental impacts associated with the project, including impacts to air quality, biology, cultural resources, geological resources, hazardous materials, noise, and transportation. A summary of these mitigation measures is included in the Mitigation and Monitoring Program that has been prepared for the project. (MMRP).

BE IT FURTHER RESOLVED that the City Council finds and determines that each of the above conditions is an integral and necessary part of the approval of this subdivision, and design review permit, the EIR prepared for the project is adopted and certified and the MMRP is hereby adopted.

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 26th day of February 2024, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers: Daus-Magbual, DiGiovanni, Manalo

NOES, Councilmembers: Sylvester

ABSENT, Councilmembers: None



CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

JUSLYN C. MANALO
MAYOR OF THE CITY OF DALY CITY