

CONDITIONS OF APPROVAL
P07-0012: UP07-0011, DR07-0050, SIGNS09-0034, DA12-0001, TDM07-0004, ND07-0002
& PM12-0001

USE PERMIT, DESIGN REVIEW, AND TDM
328 ROEBLING ROAD

(As approved by City Council on December 12, 2012)

A. Planning Division requirements shall be as follows:

1. The applicant shall comply with the Planning Division's standard Conditions and Limitations for Commercial, Industrial and Multi-family Residential Projects.
2. The project shall be completed and operated substantially as indicated in the plans prepared by DES Architects, dated April 26, 2012.
3. All equipment (either roof or ground-mounted) shall be screened from view through the use of integral architectural elements, such as enclosures or roof screens, and landscape screening. Equipment enclosures and/or roof screens shall be painted to match the building.
4. TDM
 - a. Transportation Demand Management. Owner shall prepare and implement a Transportation Demand Management (TDM) Plan in compliance with the requirements of SSFMC Chapter 20.400 as in effect on the Effective Date (the "TDM Ordinance"). As part of such compliance, Owner shall prepare (i) annual TDM surveys and (ii) triennial TDM reports, each meeting the applicable requirements of the TDM Ordinance, and shall submit same to the City, to document the effectiveness of Owner's TDM Plan in achieving the goal of thirty-five percent (35%) alternative mode usage by employees within the Project. The annual surveys will be prepared by a TDM consultant pre-qualified with or approved by the City and retained, directed and paid for by Owner, and the triennial reports will be prepared by an independent TDM consultant retained by the City and paid for by Owner. Both the annual surveys and the triennial reports will include a determination of historical employee commute methods, which information shall be obtained by survey of all employees working in the buildings on the Property. If the response rate on which a triennial report is based is below 51 percent, additional responses needed to reach a 51 percent response rate will be counted as drive alone trips.
 - b. TDM Surveys and Reports: The initial TDM survey for each building on the Property will be submitted two (2) years after the granting of a Certificate of Occupancy with respect to such building. The initial triennial TDM report for each building on the Property will be submitted three (3) years after the granting of a Certificate of Occupancy with respect to such building. The second and all later annual surveys and triennial reports (when applicable) with respect to each building shall be included in an annual comprehensive TDM submission to the

City covering all of the buildings on the Property that are submitting their second or later TDM surveys or reports.

- c. (A) Triennial Report Requirements: The goal of the TDM program is to encourage alternative mode usage, as defined in Chapter 20.400 of the Municipal Code. The initial triennial TDM report shall either: (A) state that the applicable building or buildings have achieved thirty-five percent (35%) alternative mode usage, providing supporting statistics and analysis to establish attainment of the goal; or (B) state that the applicable building or buildings have not achieved thirty-five percent (35%) alternative mode usage, providing an explanation of how and why the goal has not been reached, and a description of additional measures that will be adopted in the coming year to try to ensure attaining the TDM goal of thirty-five percent (35%) alternative mode usage.
- (B) Penalty for Non-Compliance: If, after the initial triennial TDM report, subsequent triennial reports indicate that, in spite of the changes in the TDM Plan, thirty-five percent (35%) alternative mode usage is still not being achieved, or if Owner fails to submit such a triennial TDM report at the times required under SSFMC Chapter 20.400, the City may assess Owner a penalty in the amount of up to fifteen thousand dollars (\$15,000.00) per year for each full percentage point by which the Property falls below the minimum thirty-five percent (35%) alternative mode usage goal.
- (i) In determining whether a financial penalty is appropriate, the City may consider whether Owner has made a good faith effort to meet the TDM goals.
- (ii) If the City determines that Owner has made a good faith effort to meet the TDM goals but a penalty is still imposed, and such penalty is imposed within the first three (3) years in which a penalty could be imposed in connection with the TDM Plan, the City in its sole discretion may agree to allow Owner to apply such penalty sums toward the implementation of the TDM Plan instead of requiring them to be paid to the City. If the penalty sums are used to implement the TDM Plan, an Implementation Plan shall be prepared by Owner and reviewed and approved by the City prior to Owner's expending any penalty funds.
- (iii) Notwithstanding the foregoing, the amount of any penalty shall bear the same relationship to the maximum penalty as the completed construction to which the penalty applies bears to the maximum amount of square feet of Office, Commercial, Retail (if any) and Research and Development use permitted to be constructed on the Property. For example, if there is 100,000 square feet of completed construction on the Property included within the TDM report with respect to which the penalty is imposed, the maximum penalty would be determined by multiplying fifteen thousand dollars (\$15,000.00) times a fraction, the numerator of which is 100,000 square feet and the denominator of which is the maximum amount of square feet of construction permitted on the Property (subtracting the square footage of the parking facilities); this amount would then be

multiplied by the number of full percentage points by which the Project has fallen below the thirty-five percent (35%) alternative mode usage goal for the applicable period.

- d. Owner shall reimburse the City for costs incurred in maintaining and enforcing the trip reduction program for the Project.
5. Prior to the issuance of building permit for each building, the developer shall pay Childcare Impact Fee in effect at the time as required by SSFMC Section 20.310 for the Office/Research and Development space. The current fee per square foot is \$0.57. The total fee for both buildings is estimated to be \$17,223.16 ((\$0.57/sf x 105, 536) - (\$0.54/sf x 79,504 sf)).
6. The applicant shall comply with all mitigation monitoring measures and the Mitigation Monitoring Program associated with Mitigated Negative Declaration ND07-0002.
7. Prior to the issuance of any sign permits for the project, a revised Master Sign Program, which includes maximum sign areas allowed and allowed sign illumination, shall be submitted for Chief Planner review and approval. The revised sign program shall substantially comply with the "Britannia Modular Lab III Master Signage Program", submitted by HCP Life Sciences.
8. The applicant shall submit the location and proposed screening (if applicable) for all required utilities. Plans shall be reviewed and approved by the Chief Planner prior to submittal for building permits.
9. Prior to issuance of a building permit, the applicant shall provide evidence in a form acceptable to the Chief Planner that future leases will assure that balconies on each building shall remain accessible as an outdoor amenity space generally available to all employees of the facility.
10. Prior to the issuance of the Building Permit, the Lot Merger and Lot Line Adjustment shall be recorded at the County of San Mateo.
11. The final landscape plan shall be modified to eliminate "Agapanthus orientalis" (Lily of the Nile) and "Dodonaea viscosa" (Hopseed Bush) from the plant list.

Planning Division contact Linda Ajello, Associate Planner, (650) 877-8353

B. Fire Department conditions of approval are as follows:

1. Fire sprinkler system shall be installed per NFPA 13/SSFDD requirements under separate fire plan check and permit for overhead and underground.
2. Fire sprinkler system shall be central station monitored per California Fire Code section 1003.3.

3. A standpipe system shall be installed per NFPA 14/SSFFD requirements under separate fire plan check and permit.
4. An exterior listed horn/strobe alarm device shall be installed, not a bell.
5. Elevator if provided shall not contain shunt-trips.
6. At least one elevator shall be sized for a gurney the minimum size shall be in accordance with the CFC.
7. Fire alarm plans shall be provided per NFPA 72 and the City of South San Francisco Municipal Code.
8. Plans are to conform to Building codes and the City of South San Francisco Municipal Code. Section 15.24.130.
9. Fire extinguishers shall be provided throughout the building.
10. All Non parking space curbs shall be painted red to local Fire Code Specifications
11. Access road shall have all weather driving capabilities and support the imposed load of 75,000 pounds.
12. Provide fire hydrants; location and number to be determined.
13. Provide fire hydrants with an average spacing of 400 feet between hydrants.
14. The fire hydrants shall have a minimum fire flow of 3000 gpm at 20 psi residual pressure for duration of 4 hours.
15. All buildings shall provide premise identification in accordance with SSF municipal code section 15.24.100.
16. A Knox key box shall be provided for each building with access keys to entry doors, electrical/mechanical rooms, elevators, and others to be determined.
17. The minimum road width shall be 20 feet per the California Fire Code.
18. Local Fire Code and vehicle specifications and templates available at http://www.ssf.net/depts/fire/prevention/fire_permits.asp
19. All buildings shall have Emergency Responder Radio Coverage throughout in compliance with Section 510 of the California Fire Code.

Fire Department contact, Luis Da Silva, (650) 829-6645

C. Engineering Division conditions of approval are as follows:

I. STANDARD CONDITIONS

1. The developer shall comply with the applicable conditions of approval for commercial projects, as detailed in the Engineering Division's "Standard Conditions for Commercial and Industrial Developments", contained in our "Standard Development Conditions" booklet, dated January 2009. This booklet is available at no cost to the applicant from the Engineering Division and can be downloaded from the City's web site.

II. SPECIAL CONDITIONS

- A. The developer shall obtain a demolition permit to demolish the existing buildings. The demolition permit shall be obtained from the Building Division and the developer shall pay all fees and deposits for the permit. The developer shall submit an erosion and stormwater pollution control plan for the demolition work and cleared site. The developer shall provide letters from all public utilities stating all utility services have been properly disconnected from the existing buildings.
- B. A grading permit shall be obtained from the Engineering Division. The developer will be responsible for paying for all fees, bonds, plan checking and all associated fees for the grading permit. The developer will also place a cash deposit of \$30,000 to pay for all onsite, SWPPP compliance, grading compliance and dust control inspections.
- C. Prior to the issuance of a grading permit, a geotechnical report shall be submitted, reviewed and approved by the Engineering Division. The developer shall place a \$5,000 cash deposit with the City for the peer review of the Geotechnical Report.
- D. The developer shall remove and replace all sidewalks fronting the project. The new sidewalk shall comply with the City standard detail and shall provide the minimum ADA width. The developer shall also install all necessary ADA handicap ramps, where needed. All work shall be done at no cost to the City.
- E. The driveway located on East Grand Avenue shall be right-turn in and out of the site. A R1 "Stop" sign with a "Right Turn Only" sign shall be placed at this driveway. All other exit driveways shall be posted with an R1 "Stop" sign mounted on a steel pole.
- F. The developer shall remove any existing railroad tracks and appurtenances at the end of Roebling Road that are located within the landscaped area as shown on sheet L-1 of the plans dated April 26, 2012. All work shall be done at no cost to the City.
- G. The developer shall incorporate bio-grassy swales and other Best Management Practices as stormwater measures within the project. Plans for these improvements shall be approved by the Engineering Division and the Environmental Compliance Manager.
- H. One sewer lateral with a minimum size of 6" shall service each building. A sanitary sewer manhole shall be installed onsite, near the property line, to serve as a cleanout for the lateral as it connects to the City's sanitary sewer system.

- I. The developer shall coordinate with the California Water Service for all water utility work.
- J. The developer shall obtain an encroachment permit for all work to be performed within the City's street rights-of-way and pay all associated fees, deposit and/or bonds. The developer shall submit an Engineer's estimate for all work performed within the City's rights-of-way and submit a bond or cash deposit equal to the value of the improvements to secure said work.
- K. The applicant shall underground the existing utilities along the entire East Grand Avenue & Roebling Road frontage of the property at no cost to the City. The undergrounding of existing electrical utilities on the said frontages of the Project shall be completed prior to issuance of a Certificate of Occupancy for the second of the two buildings to be constructed as part of the Project; provided, however, that so long as Owner has initiated the undergrounding process with PG&E a reasonable time in advance of the anticipated completion date for the second of the two buildings to be constructed as part of the Project and has pursued such process (to the extent within Owner's control) with reasonable diligence, any failure of PG&E to complete such undergrounding by the time construction of such second building is complete shall not delay the issuance of a Certificate of Occupancy for such building. A phased plan shall be submitted to the Engineering Division showing the undergrounding of the utilities in a joint trench. The Developer shall provide an engineer's estimate and a surety bond in the amount of the engineer's estimate for all said work. The bond shall be released upon satisfactory completion of all said work.
- L. All project signage shall be located entirely within the applicant's property and shall not encroach into the public street right-of-way.
- M. The developer shall replace and install all lighting along the East Grand Avenue & Roebling Road frontage of the subject property within the City's right-of-way with the approved light standard for the East of 101 Area at no cost to the City.
- N. Prior to the issuance of a Building Permit for the project, the applicant shall pay various infrastructure mitigation fees as detailed below.

III. OYSTER POINT OVERPASS CONTRIBUTION FEE

Prior to receiving a Building Permit for the proposed new office/R&D development, the applicant shall pay the Oyster Point Overpass fee, as determined by the City Engineer, in accordance with City Council Resolutions 102-96 and 152-96. The fee will be calculated upon reviewing the information shown on the applicant's construction plans and the latest Engineering News Record San Francisco Construction Cost Index at the time of payment. The estimated fee for the entire subject 105,536 GSF office and R&D development is calculated below. (The number in the calculation, "10,364.34", is the September 2012 Engineering News Record San Francisco construction cost index, which is revised each month to reflect local inflation changes in the construction industry.)

<u>Oyster Point Overpass Fee</u>	-	\$214,368.29
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105,536 gsf Office/R&D use @ 12.3 trips per 1000 gsf = 1,298 new vehicle trips
 Less credit for an existing 71,786 gsf Warehouse @ 4.5 trips per 1000 gsf = 323 trips
 Less credit for an existing 7,715 gsf Office @ 12.3 trips per 1000 gsf = 95 trips
 Total existing trips = 323 + 95 = 418 trips
 Total new trips = 1,298 - 418 = 880 new vehicle trips
 Contribution Calculation: $880 \times \$154 \times (10,364.34/6552.16) = \$214,368.29$

IV. EAST OF 101 TRAFFIC IMPACT FEES

Prior to the issuance of a Building Permit for any building within the proposed project, the applicant shall pay the East of 101 Traffic Impact fee, In accordance with the resolution adopted by the City Council at their meeting of May 23, 2007, or as the fee may be amended in the future.

Fee Calculation (effective July 1, 2012)

105,536 gsf Office/R&D @ \$5.22 per each square foot =\$550,897.92

Credit for existing trips:

71,786 gsf Warehouse @ 0.54 trip per 1000 gsf x \$4950/trip = \$191,883.98

7,715 gsf Office @ .90 trips per 1000 gsf x \$4950/trip = \$34,370.33

Traffic Impact Fee = **\$ 324,643.61**

V. SEWER SYSTEM CAPACITY STUDY AND IMPROVEMENT FEE

The applicant shall pay the East of 101 Sewer Facility Development Impact Fee, as adopted by the City Council at their meeting of October 23, 2002. The adopted fee is \$3.19 per gallon of discharge per day. The new fee effective July 1, 2012 is \$4.25. It is determined that Office/R&D generates 400 gallons per day per 1000 square feet of development. Based upon this calculation, the potential fee would be, if paid this year:

$0.4 \text{ g/sf (400 gpd/1000 sq. ft.)} \times \$4.25 \text{ per gallon} \times 105,536 \text{ sq. ft.} = \mathbf{\$179,411.20}$

Credit for existing building office portion given if more than 25% of facility, no credit given for warehouse.

Sewer Impact Fees shall be determined for each building in the Project based on the application of the formula in effect as of the date such building is actually occupied and the occupant begins discharging to the City's sanitary sewer system, and shall be payable within thirty (30) days after final calculation of the applicable Sewer Impact Fee pursuant to such formula. The City and Owner agree that in applying such formula, a credit will be given for the portion of the Sewer Impact Fees that would have been payable under such formula based on the previously existing uses on the Property.

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Total estimated fees:

Oyster Point Overpass Fee	\$ 214,368.29
East of 101 Traffic Impact Fee	\$ 324,643.61
East of 101 Sewer Improvements Fee	\$ 179,411.20
Total	\$ 718,423.10

Engineering Division Contact, Sam Bautista, (650) 877-6652

D. Water Quality Control Plant

The following items must be included in the plans or are requirements of the Stormwater and/or Pretreatment programs and must be completed prior to the issuance of a permit:

1. A plan showing the location of all storm drains and sanitary sewers must be submitted.
2. Encourage the use of pervious pavement where possible.
3. The onsite catch basins are to be stenciled with the approved San Mateo Countywide Stormwater Logo (No Dumping! Flows to Bay).
4. Storm water pollution preventions devices are to be installed. **A combination of landscape based controls (e.g., vegetated swales, bioretention areas, planter/tree boxes, and ponds) and manufactured controls (vault based separators, vault based media filters, and other removal devices) are required.** Existing catch basins are to be retrofitted with catch basin inserts or equivalent. These devices must be shown on the plans prior to the issuance of a permit.

If possible, incorporate the following:

- vegetated/grass swale along perimeter
- catch basin runoff directed to infiltration area
- notched curb to direct runoff from parking area into swale
- roof drainage directed to landscape
- use of planter boxes instead of tree grates for stormwater treatment

Manufactured drain inserts alone are not acceptable they must be part of a treatment train. One of the following must be used in series with each manufactured unit: swales, detention basins, media (sand) filters, bioretention areas, or vegetated buffer strips.

Treatment devices must be sized according to the WEF Method or the Start at the Source Design. Please state what method is used to calculate sizing.

The entire project must be included in the treatment system design (i.e. stormwater treatment systems must be designed and sized to treat stormwater runoff from the entire redevelopment project). Per Order R2-2009-0074, NPDES Permit No. CAS612008

5. The applicant must submit a signed Operation and Maintenance Information for Stormwater Treatment Measures form for the stormwater pollution prevention devices installed.
6. The applicant must submit a signed maintenance agreement for the stormwater pollution prevention devices installed. Each maintenance agreement will require the inclusion of the following exhibits:
 - a. A letter-sized reduced-scale site plan that shows the locations of the treatment measures that will be subject to the agreement.
 - b. A legal description of the property.
 - c. A maintenance plan, including specific long-term maintenance tasks and a schedule. It is recommended that each property owner be required to develop its own maintenance plan, subject to the municipality's approval. Resources that may assist property owners in developing their maintenance plans include:
 - i. The operation manual for any proprietary system purchased by the property owner.
7. Applicant must complete the Project Applicant Checklist for NPDES Permit Requirements prior to issuance of a permit and return to the Technical Services Supervisor at the WQCP.
8. Landscaping shall meet the following conditions related to reduction of pesticide use on the project site:
 - a. Where feasible, landscaping shall be designed and operated to treat stormwater runoff by incorporating elements that collect, detain, and infiltrate runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified.
 - b. Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.
 - c. Existing native trees, shrubs, and ground cover shall be retained and incorporated into the landscape plan to the maximum extent practicable.
 - d. Proper maintenance of landscaping, with minimal pesticide use, shall be the responsibility of the property owner.
 - e. Integrated pest management (IPM) principles and techniques shall be encouraged as part of the landscaping design to the maximum extent practicable. Examples of IPM principles and techniques include:
 - i. Select plants that are well adapted to soil conditions at the site.

- ii. Select plants that are well adapted to sun and shade conditions at the site. In making these selections, consider future conditions when plants reach maturity, as well as seasonal changes.
- iii. Provide irrigation appropriate to the water requirements of the selected plants.
- iv. Select pest-resistant and disease-resistant plants.
- v. Plant a diversity of species to prevent a potential pest infestation from affecting the entire landscaping plan.
- vi. Use “insectary” plants in the landscaping to attract and keep beneficial insects.

Landscaping must comply with the City of South San Francisco’s Model Water Efficient Landscape Ordinance.

- 9. Roof condensate must be routed to sanitary sewer. This must be shown on plans prior to issuance of a permit.
- 10. Trash handling area must be covered, enclosed and must drain to sanitary sewer. This must be shown on the plans prior to issuance of a permit.
- 11. Loading dock area must be covered and any drain must be connected to the sanitary sewer system. This must be shown on plans prior to issuance of a permit.
- 12. Install separate water meters for the process, domestic, landscape, and any food service facility.
- 13. Install a separate non-pressurized process line for sample monitoring if necessary before mixing with domestic waste in the sanitary sewer. This must be shown on the plans prior to the issuance of a permit.
- 14. Install a flow meter to measure process flow.
- 15. Fire sprinkler system test/drainage valve should be plumbed into the sanitary sewer system. This must be shown on the plans prior to issuance of a permit.
- 16. A construction Storm Water Pollution Prevention Plan must be submitted and approved prior to the issuance of a permit.
- 17. Plans must include location of concrete wash out area and location of entrance/outlet of tire wash.
- 18. A grading and drainage plan must be submitted.
- 19. An erosion and sediment control plan must be submitted.
- 20. Applicant must pay sewer connection fee at a later time based on anticipated flow, BOD and TSS calculations.

21. Must file a Notice of Termination with the WQCP when the project is completed.

Water Quality Control Division Contact, Cassie Prudhel (650) 829-3840.

E. Police Department

1. The applicant shall comply with the provisions of Chapter 15.48 of the Municipal Code, "Minimum Building Security Standards" Ordinance revised May 1995. The Police Department reserves the right to make additional security and safety conditions, if necessary, upon receipt of detailed / revised building plans.

Police Department contact: Sergeant Scott Campbell (650) 877-8927