

**RESOLUTION NO. 2018 - 98**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO  
APPROVING A VESTING TENTATIVE MAP FOR THE PROJECT LOCATED  
AT 111 SAN BRUNO AVENUE AND 761-767 HUNTINGTON AVENUE  
(APNS: 020-121-360, 020-121-350)**

**WHEREAS**, on March 1, 2017, representatives on behalf of San Bruno Development, LLC, and Welch Family Partnership ("Applicants"), submitted an application to construct a five-story mixed use building at 111 San Bruno Avenue and 761 – 767 Huntington Avenue ("Project"), on two parcels totaling 28,180 square feet in area (Assessor's Parcel Nos. 020-121-360, 020-121-350); and

**WHEREAS**, the Applicants' desire to merge Assessor's Parcel Nos. 020-121-360 and 020121-350, construct a new mixed-use building and subdivide the ground floor commercial space within the building from the residential units and create commercial and residential condominiums; and

**WHEREAS**, the Project has been reviewed with respect to applicability of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000 et seq., hereafter the "CEQA Guidelines"). The amendment does not require any further CEQA review because all potentially significant effects have been analyzed adequately in the San Bruno Transit Corridors Plan (TCP) Certified Environmental Impact Report (EIR) pursuant to CEQA Guidelines Sections 15162 (Subsequent EIRs and Negative Declarations) and 15168 (Program EIR). The TCP EIR capped the number of residential units within the TCP plan area at 1,610 residential units. The 1,610 residential unit maximum includes all residential units located within the TCP on the ground floor and upper floors. The proposed Project is the first proposed development within the TCP plan area and proposes 83 residential units, of which, 21 residential units will be located on the ground floor level. All applicable mitigations in the TCP EIR will be required as conditions of approval for the proposed Project.

**WHEREAS**, on August 21, 2018, the Planning Commission held a public hearing to consider the proposed Tentative Map and adopted Resolution 2018-07 recommending that the San Bruno City Council approve the proposed Tentative Map for the Project; and

**WHEREAS**, on October 23, 2018, the City Council held a duly noticed Public Hearing to consider amending the Municipal Code related to the proposed project, and on said date, the Public Hearing was opened, held and closed; and

**WHEREAS**, the proposed Vesting Tentative Map to allow development of the Project at 111 San Bruno Avenue is consistent with the General Plan; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of San Bruno, based on facts in the staff reports, written and oral testimony, and exhibits presented:

1. With respect to the Vesting Tentative Map, the City Council hereby finds:
  - a) The proposed tract map, together with the provisions for its design and improvement, is consistent with the general plan, as amended pursuant to the Planning Commission's recommendation, and any specific plan as specified in Section 65451 of the Government Code.
  - b) The real property to be subdivided, and each lot or parcel to be created, is of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, geologic hazard or other menace.
  - c) Each lot or parcel to be created will constitute a buildable site and will be capable of being developed in accordance with the applicable provisions of the zoning code, as amended pursuant to the Planning Commission's recommendation.
  - d) The site is physically suitable for the type and proposed density of development.

- e) The design of the subdivision and improvements, and the type of improvements, is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat or to cause serious public health problems.
- f) The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed subdivision.
2. The City Council hereby approves the Vesting Tentative Map, subject to the conditions of approval attached hereto as Exhibit A.
3. The Vesting Tentative Map shall not become effective until the effective date of the companion requests for the Specific Plan Amendment, Planned Development District, Planned Development Permit, and Architectural Review Permit.

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I hereby certify that foregoing **Resolution No. 2018 - 98**  
was introduced and adopted by the San Bruno City Council at a regular meeting on  
October 23, 2018, by the following vote:

AYES: Councilmembers: Davis, M. Medina, O'Connell, Salazar, Mayor R. Medina

NOES: Councilmembers: None

ABSENT: Councilmembers: None

  
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Melissa Thurman, CMC  
City Clerk

## Exhibit A of Attachment 7

### CONDITIONS OF APPROVAL FOR THE VESTING TENTATIVE MAP FOR THE PROJECT LOCATED AT 111 SAN BRUNO AVENUE AND 761 – 767 HUNTINGTON AVENUE (TM18- 001)

#### **I. General Conditions**

1. These conditions of approval shall govern if there is any conflict between the approved vesting tentative map and the conditions of approval.
2. The Developer shall pay for and construct all improvements to public and private land and implement any conditions or mitigation measures associated with the Development.
3. The Developer shall be responsible for the cost of all City reviews and inspections required for all public and private improvements associated with the Development.
4. All improvements shall conform to City Standard Details and Standard Specifications, the San Bruno Municipal Code, and these Conditions of Approval unless otherwise approved by the City Engineer. All improvements to be owned and operated by the City shall conform to City Standard Details and Standard Specifications, City of San Bruno Municipal Code, and these Conditions of Approval. City Standards shall govern in the event of a conflict.
5. Developer shall defend, indemnify, and hold harmless the City of San Bruno, its agents, officers and employees from any claim, action or proceeding against the City of San Bruno, or its agents, officers and employees to attack, set aside, void or annul, an approval of the City of San Bruno, or any advisory agency, appeal board or legislative body of the City of San Bruno, concerning the subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of San Bruno must promptly notify the Developer of any such claim, action or proceeding and shall cooperate fully in the defense.
6. Provide design-level geotechnical data to refine the geotechnical hazards listed in the Feasibility Assessments and Limited Geotechnical Explorations. The data shall confirm existing soils types, the Ksat rate, and seasonal high groundwater levels.
7. The City reserves the right to require the Developer provide easements on their property to accommodate public utilities and facilities as needed.

#### **Agreements**

8. Prior to issuance of the City building permit, Developer shall enter into an Improvement Agreement, in a form approved by the City Attorney, to guarantee completion of construction and payment of all public and private infrastructure improvements required

of the project and to provide for payment of all City inspection and plan check charges associated with the installation of public and private improvements. In addition, Developer shall provide the City with all bonds required by the San Bruno Municipal Code, in form approved by the City Attorney.

9. Prior to the issuance of the City building permit, Developer shall execute a Maintenance Agreement, in a form approved by the City Attorney, to ensure long-term maintenance and servicing by the property owner of the privately owned improvements. The Maintenance Agreement shall be recorded against the property and be binding upon successors. Maintenance responsibilities shall include, but not be limited to, landscaping and irrigation systems, street trees, lighting systems, open space areas, private utility lines such as storm and sanitary sewer, and stormwater treatment measures. All public utilities shall be maintained by the City.
10. Prior to the issuance of a City building permit, Developer shall execute a Stormwater Treatment Measures Agreement, in a form approved by the City Attorney, to ensure long-term maintenance and servicing by the property owner of stormwater site design and treatment control measures according to an approved Maintenance Plan(s). The Stormwater Treatment Measures Agreements shall be recorded against the property and be binding upon successors. A Maintenance Plan for every stormwater treatment control measure or applicable site design measure, inclusive of maintenance and inspection checklists and Maintenance Inspection Report Forms, shall be submitted to the City for review and approval. A copy of the final, approved Maintenance Plan(s) shall be placed on file with the City's Engineering Division.

#### **Utilities**

11. The Developer shall serve the development with City utilities, including City of San Bruno water, sanitary sewer and Cable T.V. service.
12. Private utilities are not allowed within public right-of-way and above ground utilities shall not create tripping hazards and shall be appropriately screened and secured. City staff must be able to access backflow devices at all times.
13. Storm drainage improvements within the development shall be privately owned and maintained. Maintenance responsibility includes improvements installed in the public right-of-way up to the connections to the public storm drain system.
14. Sanitary sewer improvements within the development shall be privately owned and maintained. Maintenance responsibility includes improvements installed in the public right-of-way up to the connections to the public sanitary sewer system.
15. San Bruno Water Division will operate and maintain water system facilities up to the water meters.
16. City will prepare of a modeling study report of the projects impact on the City's water distribution system. The report will identify any improvements to the system needed to serve the project. The Developer shall provide water demand calculations to serve the commercial units, the residential units and the fire sprinkler system(s) and pay for all costs associated with preparation of the study.
17. Developer shall pay for and construct the off-site water facilities necessary to serve the development as included in the modeling study report, in the City's Water Master Plan and as determined necessary by the City Engineer.

18. Developer has conducted and submitted a video inspection to determine the existing condition of the sanitary sewer and storm drain mains across the project frontages and to the nearest upstream and downstream manholes.
19. The Developer shall repair or replace the surcharged sewer line to eliminate an existing siphoned pipe on Huntington Avenue as noted in the video inspection and as determined by the City Engineer. The extent of sewer main replacement is between City manhole #5584 and manhole #154 and totals to approximately 325 linear feet of 10"-12" diameter pipe. In addition, City sanitary sewer line segments #1178 and #2119 are to be abandoned and the two laterals on those segments are to be tied into the line segment between manhole #5584 and manhole #154. Graphics attached for convenience.

### **Plans**

20. Improvement Plans must be prepared pursuant to the City of San Bruno Municipal Code (Muni Code), State Law and Regulations, and Standard Engineering Practice.
21. Developer shall submit engineered Improvement Plans (including engineers cost estimates) for review by the City Engineer, showing construction of the infrastructure necessary to serve the Development.
22. Developer shall prepare a Stormwater Management Plan (SWMP) that illustrates the development is in full compliance with Section C.3 of Order R-2-2015-0049 (NPDES Permit No. CAS612008) and the San Mateo Countywide Pollution Prevention Program (SMCWPPP).
23. Developer shall receive approval of the SWMP from a third-party reviewer appointed by the City prior to building permit issuance. The Developer shall pay for the cost of the third-party review.

## **II. Prior to Permit Issuance**

24. The Developer shall apply for and obtain a City Grading Permit.
25. Prior to the issuance of a grading permit, Developer shall file a Notice of Intent and obtain coverage under the California State Department of Water Resources General Construction Activity Storm Water Permit, including preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP). A copy of the filing and a copy of the SWPPP shall be submitted to the City Engineer.
26. Prior to the issuance of grading permit, the Developer shall provide to the City Engineer a plan indicating the amount of soil to be removed, disposal sites, the estimated number of truck trips required and the proposed haul routes. The applicant shall pay the City Transportation Permit Fees before the grading permit is issued.
27. The Developer shall submit a detailed construction and staging plan that shall be reviewed and approved by the City prior to building permit issuance.
28. The Developer's contractor shall obtain an Encroachment Permit for any work in the public right-of-way or easements in which the City holds interest. The permit application shall include Traffic Control Plans as necessary for review by the City.

Traffic Control Plans shall include a lighted message board sign with wording to the satisfaction of the City Engineer indicating the dates and times traffic control will be in effect.

29. Prior to the issuance of the City building permit, the Developer shall pay for all utility connection fees in effect at the time the application was deemed as being complete.

### **III. Improvement Plans and Final Map**

30. Off-site Improvement Plans shall be submitted on 22"x34" standard plan sheets. Scale shall be sufficiently large for clarity and review. Street Improvement Plans and Profiles shall have a minimum of 1"=20' scale. The Site Plan and Grading Plans shall have a minimum scale of 1"=40'.
31. No fences, retaining walls, permanent structures or trees/landscaping with deep root structures shall be placed or constructed within public easements or public right of way.
32. Elevation Datum to be based on a City bench mark.
33. Developer shall implement the recommendations of the geotechnical report as prepared by a registered Geotechnical Engineer. The Geotechnical Engineer who prepared the geotechnical report shall review and approve all improvement plans prior to submittal of plans to the City.
34. If the geotechnical report reveals significant future settlement will occur, all surface drainage systems shall be designed to provide a minimum of two percent slope after settlement, or to the satisfaction of the City Engineer and the Geotechnical Engineer.

#### **Traffic/Street**

35. Increase the length of the existing center median in Huntington Avenue using raised concrete curb to prevent left-turns into the proposed driveway by northbound traffic on Huntington Avenue.
36. Replace curb, gutter, and sidewalk fronting the project site as determined by the City Engineer.
37. Resurface the roadways on both project frontages from the lip of gutter to the street centerline by grinding the existing surface asphalt concrete to a depth of 2-inches and placing 2-inches of new asphalt concrete material (a 2-inch mill and fill). Resurfacing shall include replacing existing traffic signal detector loops, traffic lines, pavement markers and pavement markings in kind. Pavement markings shall be replaced using thermoplastic material.
38. Show with templates that there is adequate clearance for ingress-egress of fire trucks and garbage trucks.
39. Delineate with templates on the plans adequate clear sight triangles at all proposed driveway egress/ingress to existing public streets. Any landscaping within these triangles shall be no higher than 2.5 feet at maturity.
40. Implement recommendations of the traffic operations memos regarding the proposed right-turn-only traffic lane from southbound Huntington Avenue onto westbound San

Bruno Avenue prepared by Hexagon Transportation Consultants dated April 20, 2018 and May 10, 2018, and as reviewed by the City Engineer.

41. All pedestrian facilities shall be designed in accordance with Title 24 (Handicap Access) and the Americans with Disabilities Act, including pedestrian ramps at all curb returns or round corners, where applicable.
42. A pedestrian warning system, consisting of visual and audible warning signals that would be triggered when vehicles are exiting the subgrade garage shall be installed. The visual and audible warning signals shall be designed in a way to be sensitive to the surrounding residential neighborhood. Convex mirrors shall also be installed at the point where vehicles are exiting the subgrade garage into the public right-of-way.
43. Traffic control, regulatory, warning, guide signs and markings (including fire hydrant pavement markers) shall be installed in conformance with the Manual of Uniform Traffic Control Devices.

#### **Drainage**

44. All manholes covers in the private storm drain system shall be neatly marked "Private S.D."
45. No drainage across private property lines is permitted without approved easements, except where existing non-hazardous conditions (as determined by the City Engineer) are maintained.
46. Spacing for storm drain inlets on streets with curb and gutter shall not exceed 800 feet, shall provide a maximum gutter flow spread width not to exceed 8 feet, and ensure that at least one lane of traffic in each direction is not submerged.
47. Install trash capture devices in all storm drain inlets within the development and around the exterior frontages that lead directly to the off-site storm drain system without being filtered by a bio-retention facility. Device details shall be approved by the City Engineer.
48. All storm drain inlets shall be clearly marked with the words "No Dumping! Flows to Bay," or equivalent using thermoplastic material or a plaque.
49. The Developer's design professional shall prepare hydraulic and hydrologic calculations to evaluate the project's impact on the City's adjacent storm drainage system and shall substantiate their conclusions with drainage calculations to the satisfaction of the City Engineer.
50. The design of the street storm drain system shall accommodate a 25-year storm and release storm water at the predevelopment rate. Interceptors or other storm pollution control systems per NPDES requirements shall be installed for storm water from roadways that are not filtered by vegetated swale or other biological pretreatment facilities.

#### **Water**

51. Provide a mutually agreed upon rooftop antenna installation location to accommodate the City's "Remote Water Meter Reading" system. Location shall include access to a dedicated 110V, 20 amp electrical circuit and a conduit run to the point of connection at the nearest San Bruno Cable TV utility box.

52. Backflow protection on all water services (domestic, irrigation and fire) shall be required. The backflow preventer shall be above grade, and shall be located on private property, accessible to Public Works staff from the outside for testing subject.
53. Each commercial unit shall have its own individual water service and meter. All water services for commercial units must include a minimum 1-inch diameter service line with a minimum 1-inch water meter with backflow prevention per City standards.
54. Each commercial unit requires a separate water application including water demand calculations to confirm the size of water service and water meter required.
55. The fire service shall include an in-line water meter in accordance with City standards. The in-line water meter shall be purchased from the City and be the same size as the diameter of the fire service line and include meter by-pass piping per City Standard detail W-09.

### **Sanitary Sewer**

56. Tie-in point for the new sanitary sewer lateral shall be on the existing main line in Huntington Avenue.
57. Each commercial unit shall have its own individual sanitary sewer lateral and cleanout, constructed of HDPE material with a minimum 6" pipe diameter. Provide sewer demand calculations to confirm the size of the sewer lateral required to serve the unit.
58. All manholes covers in the private sanitary sewer system shall be neatly marked "Private S.S."
59. Any interior level floor drains shall be connected to the sanitary sewer system, subject to the local sanitary sewer agency's authority and standards.
60. Air conditioning condensate shall drain to landscaping, or alternatively may be connected to the sanitary sewer system, subject to the local sanitary sewer agency's authority and standards.

### **Grading**

61. Grading plans shall include appropriate erosion control measures for construction of the development.
62. Grading plans shall show all adjacent properties sufficiently to assure that the proposed grading does not negatively impact adjacent lands and shall incorporate drainage features as necessary to assure continued drainage without erosion from adjacent properties.
63. Engineered retaining walls over 3 feet in height shall be constructed of approved durable material, to the satisfaction of the City Engineer, Community Development Director, and Building Official.
64. The grading plans shall minimize the need for off haul from the Project Site. Design shall incorporate all elements of the applicable soils report(s). The grading plans shall be signed off by the Geotechnical Engineer indicating that plans are in compliance with the geotechnical report.



65. Do not grade onto adjoining property without prior written permission from the property owner.
66. If the groundwater elevations indicate dewatering of the site is necessary to accommodate construction, dewatering plans shall be included with the Grading Permit application.

#### **Joint Trench**

67. The Developer shall work with PG&E to underground any existing overhead power lines on the site.
68. Any joint trenches under sidewalks shall include telephone, City of San Bruno Cable TV, electrical, communication, and gas lines. The trench width and depth shall be to the standards of the utility companies and to the satisfaction of the City Engineer.
69. The Developer shall provide as necessary evidence that all affected utility companies including, but not limited to, Pacific Gas and Electric, City of San Bruno Cable TV and Telephone have reviewed and approved any proposed joint trench improvements.

#### **Lighting**

70. Any light fixtures within the development and around the exterior frontages shall direct light without glare to off-site properties.

#### **Landscaping**

71. Project landscaping design shall minimize irrigation and runoff, promote surface infiltration, minimize the use of pesticides and fertilizers, and incorporate other appropriate sustainable landscaping practices such as Bay-Friendly Landscaping, the State of California Model Water Efficient Landscape Ordinance and the City of San Bruno Water Efficient Landscape and Irrigation Guidelines.

#### **IV. Construction Process**

72. Off-site underground utility improvements shall be substantially completed as determined by the City Engineer prior to the start of construction of any on-site improvements.
73. The proposed signing and striping to create the right-turn-only lane from southbound Huntington Avenue onto westbound San Bruno Avenue shall be installed as one of the first items of construction. The intent is for the City to monitor the revised traffic flows during the construction process and determine the acceptability of this revision. The City reserves the right to revert said right-turn-only lane back to its original condition and revise the curb layout on the projects Huntington Avenue frontage if traffic is negatively impacted by creating the right-turn-only lane.
74. Should the workload of City Public Works inspection staff be unable to accommodate construction of the project, City shall hire a third party inspector. Developer shall be responsible for all fees associated with third party construction inspections.
75. Prior to the start of construction the Developer shall hold a preconstruction conference with City staff. Attendance shall include the construction managers, contractors, and

all subcontractors who are responsible for installing infrastructure improvements, and grading and erosion control measures.

76. Developer shall provide the name and 24-hour emergency phone number of the contact person in charge of construction.
77. General construction hours shall be limited to between the hours of 7:00 a.m. – 6:00 p.m. Monday through Friday. Approval from the Community Development Director and the City Engineer is required for any weekend work. Any proposal for weekend work shall be made in writing at least two weeks in advance of the requested weekend work.
78. Vibration-generating activity shall be limited to between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Vibration-generating activity shall be prohibited on weekends and holidays.
79. Construction operations that require installing traffic control measures on San Bruno Avenue shall be limited to between the hours of 9:00 a.m. – 4:00 p.m. Monday through Friday.
80. During construction, only San Bruno Water Division personnel will be allowed to operate existing water facilities including water valves to facilitate any shut-downs required for construction.
81. Developer shall perform two pavement condition surveys to determine the Pavement Condition Index (PCI) on the approved haul route prior to the start of construction and after construction is complete. The surveys shall be performed by professional pavement inspectors conducting detailed examinations of pavement surface features such as cracking and depressions in accordance with the requirements of ASTM D6433-11, "Standard Practice for Roads and Parking Lots Pavement Condition Index Surveys." Copies of both survey results shall be provided to the City. The Developer shall make any repairs to the roadway necessary to attain the pre-construction PCI. The limits of the survey and any repairs shall be the project frontages plus 500' beyond the property in the direction of construction traffic.
82. City streets shall not be closed completely during construction of the project.
83. A public notification process shall be put in place so sufficient notice is given to the neighborhood and general public about any traffic control implementations.
84. Site inspections, testing and reporting shall be conducted by the Geotechnical Engineer during construction as called for in the geotechnical report. The Geotechnical Engineer shall take compaction tests, and shall submit written test results to the City Engineer.
85. Developer shall coordinate the installation of stormwater treatment measures with the City and shall arrange to have a City Inspector or City-designated third party inspector inspect the installation. Developer shall be responsible for all fees associated with third party stormwater inspections during construction.
86. All construction related parking shall be located onsite (including commercial vehicles and construction workers' personal automobiles) outside of the public right of way.

87. Upon completion of construction, the Developer shall repair any public improvements damaged by construction operations to the conditions existing prior to project construction and to the satisfaction of the City Engineer.
88. During construction, the Developer shall ensure that a program of dust control is implemented consistent with Bay Area Air Quality Monitoring District (BAAQMD) requirements. The Developer shall require its construction contractors to implement and maintain this dust control Program.
89. Developer and its contractors shall implement dust and noise control measures during the duration of the project construction, including holidays and weekends.
90. All construction equipment shall be properly tuned and maintained to keep NOX emissions to a minimum during construction. Maintenance records for all construction vehicles shall be kept on site.
91. Construction contractors shall locate fixed construction equipment (such as compressors and generators) and construction staging areas as far as possible from adjacent residences.
92. A Maintenance Plan shall be submitted to the City Engineer indicating contractor responsibility for complying with the erosion control plan for the duration of the construction project, making necessary inspections, modifications and repairs.

#### **V. Prior to Occupancy**

93. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City Engineer.
94. At the completion of construction of the public improvements, the Developer shall provide all required information to the City including, but not limited to, as built/record construction drawings (a print set, reproducible mylar, an electronic pdf file and Autocad formats), and any applicable certifications, warranties and guarantees.
95. Upon completion of construction, the Developer shall provide to the City Engineer updated, scaled aerial maps that include the completed development. Aerial maps shall be to the satisfaction of the City Engineer.
96. Traffic signal modifications shall be complete and operational prior to the issuance of a Certificate of Occupancy for the building.

#### **VI. On-Going**

97. By April 1 each year, Maintenance Inspection and Servicing Reports for the stormwater treatment systems in accordance with the Stormwater Treatment Measures Agreement shall be submitted to the City Engineer for the previous calendar year (January 1 through December 31).
98. Site access shall be granted to representatives of the City, the San Mateo County Mosquito and Vector Control District, and the State Water Board at any time, for the sole purpose of performing operation and maintenance inspections of the installed stormwater treatment systems. A statement to that effect shall be made a part of the Maintenance Agreement and the Stormwater Treatment Measures Agreement recorded against the properties.

End of conditions.

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