

**AN ORDINANCE OF THE CITY OF DALY CITY AMENDING
THE DALY CITY ZONING MAP - REZONING CERTAIN PARCELS TO PLANNED
DEVELOPMENT ZONE (PD-57) AND ADOPTING PLANNED DEVELOPMENT STANDARDS
(Serramonte Boulevard, south of Serramonte Shopping Center, between Gellert and Callan Boulevard)**

BE IT ORDAINED by the City Council of the City of Daly City, as follows:

Section 1. Findings. The City Council of the City of Daly City finds that Planned Development PD-57 on Serramonte Boulevard, south of Serramonte Shopping Center, Daly City, is in compliance with Title 17 (Zoning Ordinance) of the Daly City Municipal Code as well as the General Plan of the City of Daly City, as amended and as to each element of the Daly City General Plan. Approval of the proposed project, as modified herein, may cause certain environmental impacts, but could be mitigated to a less than significant level and will not be detrimental to the health, safety, morals, comfort and general welfare of persons residing in or working in the neighborhood, nor be injurious or detrimental to the property and improvements in the neighborhood or the general welfare of the City of Daly City.

Section 2. Environmental Compliance – Mitigation Monitoring Program.

The City Council has certified a Final Environmental Impact Report (EIR) for the Project that was completed in full compliance with CEQA and the State and City CEQA Guidelines, and that there was adequate opportunity for public review of the Draft EIR, that the Planning Commission and the City Council considered all comments on the Draft EIR and responses to comments, that the Final EIR adequately discusses all significant environmental issues of the Project, that the Final EIR reflects the independent judgment and analysis of the Daly City City Council.

Mitigation Monitoring Plan. Consistent with Public Resources Code Section 21081.6, the City Council adopted a Mitigation Monitoring Plan to mitigate or avoid significant effects of the Project on the environment, and to ensure compliance during project development. The City Council approved that mitigation monitoring and reporting program (MMRP) for this Project and hereinafter finds that the environmental impact report, to and including the MMRP complies and conforms with the California Environmental Quality Act, and the Guidelines implementing that Act.

Section 3. Zoning Reclassification. The zoning as designated upon the "Official Zoning Map" of the City of Daly City, as adopted by Daly City Ordinance 635, and thereafter amended from time to time, is hereby changed as to the parcel or parcels identified on the attached map (*Attachment "A" Amendment to Daly City Zoning Map - Zone Change ZC03-1 for Planned Development PD-57*), incorporated herein by this reference, to Planned Development Zoning, PD-57, which hereinafter provides for a modification of zoning on the "Official Zoning Map" and the establishment of specific standards for development on the subject property. All improvements shall comply with the approved Precise Plan and Planned Development Standards hereinafter adopted for PD-57:

Planned Development Standards for PD-57

The purpose and intent of these Planned Development Standards is to establish a Planned Development Zoning District for PD-57, which encompasses the entire project site. The applicant, Hansen PSC, Inc., has submitted an application to change the General Plan designation of a 6.3-acre parcel of land on Serramonte Boulevard, south of the Serramonte Shopping Center, from Office to High Density Residential and Service Commercial. Additionally, a planned development application has also been submitted. This proposed change is to allow the future development of 200 luxury condominium units and a 137-room hotel.

I. APPLICABLE REGULATIONS

When these Planned Development Standards conflict with other sections of the Zoning Ordinance, these regulations shall prevail only to the extent of the conflict with these provisions or any portion of these provisions.

When these Planned Development Standards do not provide for regulations, the Zoning Ordinance standards for the most similar land use shall be applicable.

Minor adjustments to the approved site plan due to site conditions or code requirements may be approved by the Director of Economic and Community Development. More significant modifications shall be subject to review and approval by the Design Review Committee. Modifications to the limitations established in the Planned Development Standards are subject to review by the Planning Commission and approval by the City Council.

II. PERMITTED USES

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

- A. The following uses shall be permitted in the Phase I, non-residential portion, of PD-57:

137-room extended stay hotel
Associated parking facilities

- B. The following uses will be permitted with a Use Permit in the nonresidential portion, of PD-57 zone:

Administrative, business and professional offices
Banks and savings and loan offices
Finance companies
Title companies
Travel Agencies
Medical and dental clinics and laboratories
Prescription pharmacies
Public Uses

- C. The residential portion of PD-57 shall be limited to 200 condominium units and associated parking and recreational facilities.

- D. When a use is not specifically listed, it shall be assumed that when the unlisted use is similar to nor more objectionable than a permitted use, such use shall be permitted in the district to the same requirements of the most similarly listed use.

III. DEVELOPMENT STANDARDS

- A. Parking

1. The total number of on-site parking spaces required for the condominium development is 450. Of those, 403 will be in one of the parking garages underneath the residential units, 18 will be in the parking garage under the recreation building, and 29 will be provided on the surface areas.

2. Total parking for the hotel development will be 147 spaces in the garage underneath the hotel.
3. An office development will have to meet the parking standards as established in the Zoning Ordinance Chapter 17.34.

B. Architecture/Site Design

Architectural design of all structures and facades, all materials and colors, and all landscaping shall comply with plans approved by a Design Review Committee.

1. Once approved, any major architectural modification shall be subject to approval by a Design Review Committee, except that minor changes may be approved administratively by the Planning Division.
2. All roof equipment shall be screened from view from the surrounding streets.
3. The Planning Division shall approve the design and location of all trash or storage enclosures and other proposed fencing or walls.
4. All visible elevations shall be provided with architectural treatment of the same quality and character as the front building elevations facing Mission Street and Hillside Boulevard.
5. All ground mounted appurtenances, such as transformers or air conditioning units shall be undergrounded.

C. Building Area Parameters

There shall be no additional square footage allowed in PD-57 beyond what is permitted through approval of the precise plan. Minor additions or alterations to square footage for any given designated use (+/- 2%) may be approved by the Planning Division if such changes are to meet specific code requirements and do not effect the overall mass of the building.

1. The residential portion of the project shall include 5 separate buildings, each with no more than 52,300 square feet of residential floor area. Under each building, there shall be parking facilities. Each of the four buildings will have no more than 26,000 square feet of parking garage underneath. One of the condominium buildings will have up to 39,000 square feet of parking area underneath.
2. The hotel development shall include up to 60,000 square feet hotel space and a three-level garage, with up to 64,400 square feet provided for parking.

D. Building Height Limitation

The maximum height allowed for PD-57 is 90 feet.

Section 4. Summary Publication: This ordinance shall be published according to law. This Ordinance shall become effective thirty (30) days from and after its adoption.

Section 5. Severability: If any section, subsection or sentence of this Ordinance is found by a court of competent jurisdiction to be invalid or unlawful, the City Council finds and declares that the remainder of this ordinance would be and is enforceable and would have been adopted notwithstanding the finding of invalidity as to any section, subsection or sentence.

Introduced this _____ day of _____, 2004.

Passed and adopted as an Ordinance of the City of Daly City at a regular meeting of the City Council of the City of Daly City held on the _____ day of _____, 2004, by the following vote:

AYES, Councilmembers _____

NOES, Councilmembers _____

Absent, Councilmembers: _____

CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

MAYOR OF THE CITY OF DALY CITY

Section 5. Severability: If any section, subsection or sentence of this Ordinance is found by a court of competent jurisdiction to be invalid or unlawful, the City Council finds and declares that the remainder of this ordinance would be and is enforceable and would have been adopted notwithstanding the finding of invalidity as to any section, subsection or sentence.

Introduced this 13th day of September, 2004.

Passed and adopted as an Ordinance of the City of Daly City at a regular meeting of the City Council of the City of Daly City held on the 11th day of October, 2004, by the following vote:

AYES, Councilmembers Gomez, Klatt, Torres

ABSTAIN Tissier

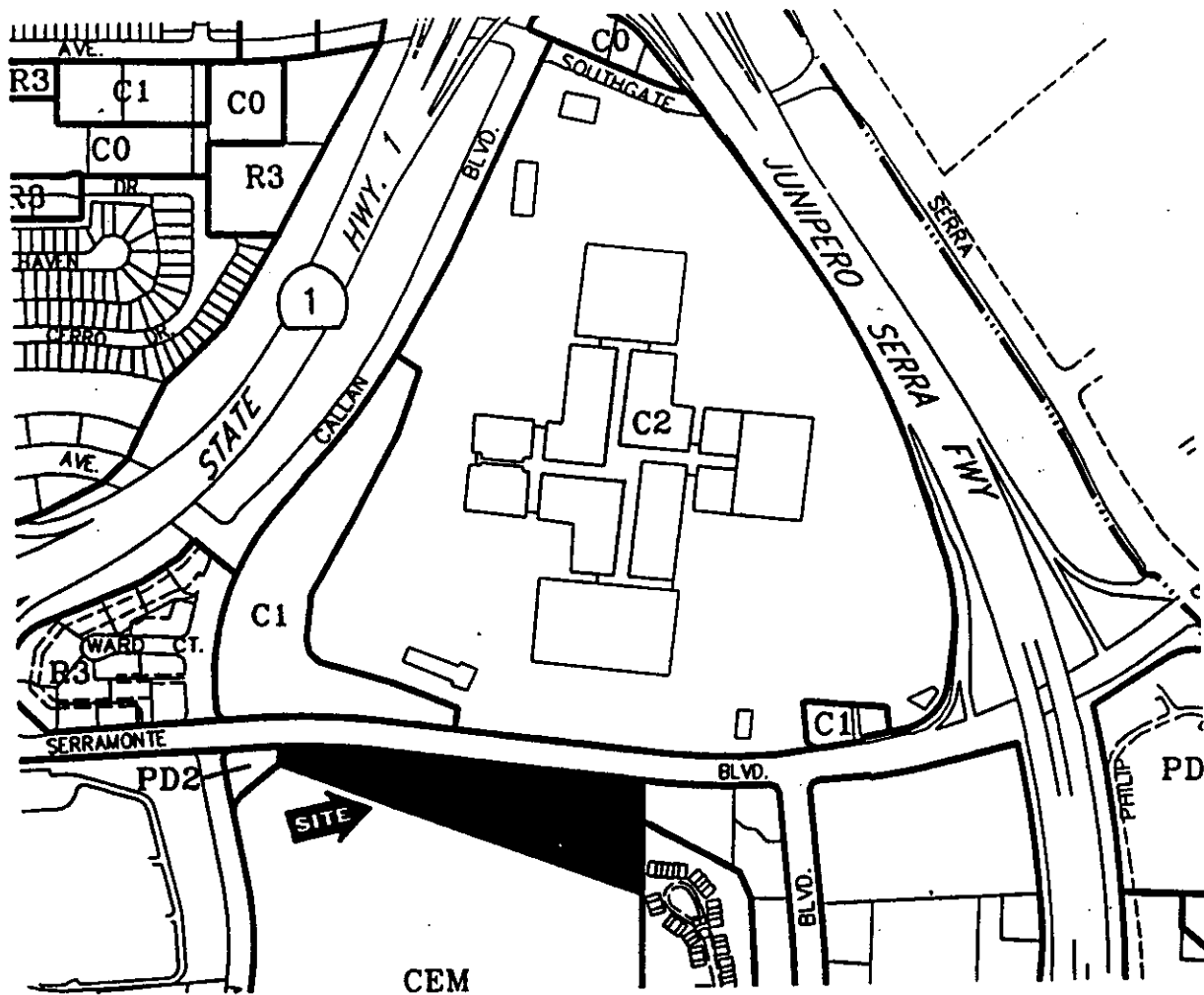
NOES, Councilmembers None

Absent, Councilmembers: Guingona


CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

SAL TORRES
MAYOR OF THE CITY OF DALY CITY



Attachment "A"

Amendment to Daly City Zoning Map

Zone Change ZC03-1 for Planned Development PD-57