



City of Burlingame

BURLINGAME CITY HALL
501 PRIMROSE ROAD
BURLINGAME, CA 94010

Meeting Minutes Planning Commission

Monday, March 23, 2015

7:00 PM

Council Chambers

- b. 1509 El Camino Real, zoned R-2 and R-3 - Application for Mitigated Negative Declaration, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3 and Condominium Permit for construction of a new three-story, 10-unit residential condominium with at-grade parking (1509 El Camino LLC, applicant and property owner; Rodrigo Santos, engineer) (130 noticed) Staff Contact: Ruben Hurin

Ex-Parte Communications: Commissioner Gum spoke to one of the tenants in the existing apartment building. Commissioner Bandrapalli spoke with a neighbor.

Visits to Property: All had visited the property.

Planning Manager Gardiner provided a brief overview of the staff report.

Questions of Staff:

- > *Who is responsible for shoring up the creek? (Gardiner: The property owner, since the creek runs through their private property.)*
- > *What is implied in a change from Medium Density to Medium-High Density? (Gardiner: Those are two different General Plan land use designations. Medium Density generally aligns with R-2 and Medium-High aligns with R-3 zoning. The land use change should be considered first, then the zoning amended accordingly.)*
- > *What is the difference between R-2 and R-3? (Gardiner: R-2 is a "duplex" or "two-family" zoning, R-3 is the next higher classification but not the highest.)*
- > *Will this come back as a Design Review item? (Gardiner: No, the application was submitted prior to the City adopting design review requirements for multifamily projects. There could be some overlap in the environmental review, particularly aesthetics.)*
- > *Where in the plans does it show what part of the site is R-2 and R-3? (Gardiner: The aerial shows the two parcels. The R-2 parcel is the parcel with the creek.)*

Patrick Fellows represented the applicant:

- > *Wants to change land use and zoning of the creek lot to be the same as the adjacent lot. The lot extends to the center of the creek.*
- > *There are existing trees at the back of the lot screening the view from the rear neighbors, but there is a break in the trees. Would like to coordinate with staff to arrange screening of the break, such as a taller fence or trees.*
- > *Most neighboring buildings on El Camino Real are 3 stories. Height of proposal has been reduced so it is also 3 stories.*
- > *Arborist will be retained through the project to ensure trees are maintained.*
- > *HVAC has been moved from the back to the front of the building.*
- > *Has increased the amount of parking, including 5 visitor parkings plus the delivery space.*

Commission questions/comments:

- > *What percentage of the total is R-2? (Fellows: About 4,300 out of 19,800 sq ft.)*
- > *How is guest parking accessed? (Fellows: Would probably have an intercom pedestal for visitors to*

call up and be buzzed in.)

- > Is there enough space for the delivery vehicle to be parked and still have vehicles pass? (Fellows: Yes.)
- > Why is the affordable unit the smallest? 60% of the units have 3 bedrooms. (Fellows: Originally there were 15 units in the proposal. It has been scaled back. Trying to make the project work economically.)
- > Where will solar panels be installed? (Fellows: Back part of roof.)
- > Are all trees being saved? L-1 says no trees being removed, but staff report mentions a tree being removed. (Fellows: Not sure, will check.)
- > Will people be allowed to make a left from driveway? It is a busy roadway. (Fellows: Will propose a right-turn only sign.)
- > Is there a reason for the height of the tower? (Fellows: In original design of the building the tower was the "moniker" of the building. Would look plain without it. It is at the front of the building.)
- > References to previous reports includes a repair plan by Cavanaugh Engineering. Is there intent to have the creek repaired? (Fellows: Yes. Is mandatory to fix the creek as a condition of approval. Has requested to Public Works that it be part of construction of this project, rather than a separate project.)
- > Landscaping plan calls for a new 6-foot wood fence, but sounds like there is consideration of a taller fence or wall. (Fellows: Wants to work with neighbors to determine what is desired and can be approved.)
- > Are the existing acacias referenced in the staff report on the property or the rear alley? (Fellows: Believes they are in the rear alley.)
- > Will there be additional screening in the back? (Fellows: Is open to what the neighbors would want to see.)
- > Where would the synthetic turf be located? (Fellows: The bocce ball court.) Oyster shells are preferable for bocce ball.
- > Foam trim is discouraged. Foam with an epoxy-based coating that is substantive and looks like simulated stone is preferred.
- > Notes on plans needing fixing: Note 13; existing wall at creek to remain note; scallop termination on the walls unclear.
- > Garage entry is a hole in the wall. Perhaps a timber header or keystone.
- > Awnings should have a darker/contrasting color.
- > Concern with impact of school traffic on neighboring streets. Students cross at Adeline to get to Lincoln. (Fellows: Project will have one parking space for every bedroom.)
- > Will there be bike parking? (Fellows: Yes, a hanger on the front of each stall.)
- > Tower seems too tall, does not seem necessary to be so tall. (Fellows: If it is shorter it will change the character.)

Public comments:

Anne Wallach spoke on this item:

- > Concern with condition of creek, as mentioned by Commissioner Terrones
- > 2013 California Department of Fish & Wildlife letter citing high biological value and physical functions provided by riparian areas such as Mills Creek. Letter cited concerns of constructing a recreation area within the riparian habitat (i.e., the bocce court). Non-native vegetation would out-compete native riparian growth.
- > This stretch of the creek has been neglected for years.
- > Cord rails were used to assess the soil structure of the building site. Deepest drill extended 14'-6" but applicant says foundation piers will extend 24 feet and rest on bedrock. Unclear what soil or rock is at 24-foot depth. Is depth of drill test sufficient for assessing ground stability?
- > Creekside location, alluvial soils deserve special attention.
- > Appreciates applicant engaging with neighbors.

Samantha McPhail, 1516 Balboa Avenue, spoke on this item:

- > Lives directly behind subject property.

- > Concern with capacity of City sewer system to accommodate increased demand.
- > Existing building has 44 sewer units (sink, toilet etc connections). Proposed building will probably have 100 sewer units.
- > Neighborhood sewer system had been broken down, with frequent inundations in basement and yard. New pipes were installed and have had no problems since.
- > 1509 El Camino Real effluent would flow into lateral between the properties. Inquire whether City can ensure the sewer system can accommodate increased demand.
- > Concerned about riparian environment. Mills Creek needs repair, flows into the Bay and wildlife conservation estuary.

Patricia Gray, 1616 Adeline Drive, spoke on this item:

- > Sewer problem is extreme. Has sewage in the basement on a regular basis.
- > Parking and traffic problems. Can't cross double-yellow line, so if the tenants want to go north they will turn on Adeline and circle back on Balboa. There is a school and a park and a turn. Narrow street, very dangerous.
- > Not enough parking in the neighborhood. Does not believe compact spaces will fit the cars.
- > People are doubling up, more cars.
- > People park cars and take cab to airport.
- > Girls' Softball League on Saturday afternoons takes up parking.

Mark Haberecht, 1505 Balboa Avenue, spoke on this item:

- > Meetings with applicant have been very productive. Good first step in making the project workable.
- > Per letter, insufficient time for the public at large to view the plans. Legal interpretation of California Health & Safety Code for making plans available online is erroneous. Will be contacting City Council on this matter.
- > Creek is important, shocked it has not been addressed years earlier. Believes it is a liability issue.
- > Addition of parking spaces relative to requirements does not acknowledge the traffic and parking issues at the park and school. Has shared concerns with Traffic, Safety and Parking Commission.
- > Developer needs to be give back to community - speed limit sign, flashing reflectors, stop sign at Balboa/Ray, sponsor parking permit program for the neighborhood.
- > Rear of building needs attention - massing and articulation. Screening trees are proposed but needs to do more, perhaps bring top corner back more.
- > Bocce ball/putting green will be a problem for California Department of Fish & Wildlife.

Andrew Stenzel, 1518 Albermarle Way, spoke on this item:

- > Lives on the north side of the project.
- > Concerns with the size of the lot, height, closeness of windows and patios to their property.
- > Granting of an upzone will result in more requests.
- > Is working on repairs to retaining walls. A section is culverted, hopes the rest will not look like that, wants trees and bushes to provide screening for benefit of both properties.

Pat Giorni spoke on this item:

- > Better iteration of project compared to version shown at neighborhood meeting in January.
- > Has no way to substantiate submitted proposal is the same as that shown in January.
- > Timely release of reports is inadequate. Inability to obtain architectural blueprints is inexcusable and unacceptable. Project should have had a sign posted in front of property.
- > Lot line merger should not be used to provide a larger footprint than was discussed in the January neighborhood meeting.
- > Remaining tree grove must be completely preserved and given protection during construction, with possible exceptions of trees #120 and #125 in 2011 Osterling report.
- > Lean on tree is no worse than 3 out 5 eucalyptus on El Camino Real. Requests mechanical engineering study on lean of tree to determine its safety.

- > *Require applicant to post a \$100,000 surety bond on tree preservation and survival for 5 years. Precedent on 1500 block of Drake Avenue.*
- > *Who will certify before the first framing construction? Does not see professional attribution on the plans.*

Chair Bandrapalli closed the public hearing.

Commission discussion:

- > *Council has given direction to ensure there is not a reduction in the numbers of units. 11 existing units will be replaced with 10 new units with this project. Should receive a response from staff when the item returns.*
- > *Should have a condition that the arborist be retained through construction of the project.*
- > *Address rear wall and landscape screening.*
- > *Needs a condition from Public Works regarding the creek repair.*
- > *Environmental analysis should address sewer and utility impacts.*
- > *Identify which trees are being removed.*
- > *Identify how existing tenants enter and exit the site versus proposed.*
- > *Address how this rezoning would or would not result in other future rezoning? Unique conditions here, was addressed in previous application.*
- > *Clarify height request - to which part of the building is going to 44'-6" versus the tower.*
- > *Tree protection should include an inspection regime, so that trees are maintained through the life of the project.*
- > *How was the tree bond worked out on Drake? (Gardiner: Can research precedent.)*
- > *Appears path going from trash bins to driveway is very narrow - make sure they will be able to fit. Where will 10-12 trash bins go?*
- > *Clarity on how to remedy building new condos by displacing affordable housing? Versus reduction in numbers of housing units/reduction in housing stock.*
- > *How can condition of existing creek be addressed? Can there be fines? (Kane: Will initiate a code inquiry. Other overlapping regulatory agencies have superior fine mechanisms. Can be a challenge to determine responsibility if there are numerous properties involved. Those with information to submit can contact staff for follow-up.)*

This item will return for environmental scoping at a subsequent meeting once the environmental consultant has been retained.

RECEIVED

1509 El Camino LLC

DATE: March 10, 2015

MAR 12 2015

TO: Buringame Planning Commission

CITY OF BURLINGAME
CDD-PLANNING DIV.

PROJECT: 1509 El Camino Real

APN: 026-011-010 & 025-228-130

SUBJECT: Changes made to project since original design submittal.

We first submitted our application in June 2011, and in July 2012 there was a Scoping Meeting. A Study Meeting was held in January 2013, at that time there was substantial neighborhood opposition and it was the Commission's recommendation that we work with the neighbors to resolve their concerns.

Neighborhood concerns were as follows:

1. **Building as proposed at 4 stories was not in keeping with the predominate one to 2 story structures to the north and west.**
Action taken was to remove one floor off our building and reduce it to 3 floors. By doing so we've reduced our total units to 10 from the proposed 15 units.
2. **Retain the grove of trees to the southeast of our property.**
Action taken was we hired Ralph Osterling Consultants to advise us on the setbacks our foundations needed to be in order to protect the trees and root structure and it is on their advice that you see the foundation layout as it now exists. FYI, the tree consultants have agreed to be retained as the consultants in charge of the tree protection supervision going forward through the construction if the Commission wishes them to. That report and contract is in your packet. The result to provide this request meant a large portion of the front southeast side of the original design was removed to allow for the trees to remain.
3. **There were concerns that the proposed 15 unit building was open at the rear of the garage (on grade) to facilitate 2 car parking spaces in the rear yard. Also that the air-conditioning units were at the rear on the roof. Screening trees were requested at the rear property line.**
Action taken: The back wall of the garage was closed and all car spaces were relocated to the interior of the garage. The air-conditioning units from the back of the roof to the front of the roof. Screening trees are proposed for the rear property line.

In addition and separate from the above, we (the developer) propose the following:

1. Adding an electric vehicle (EV) charging station.
2. Storage rooms for all units.
3. Bicycle racks for all units.
4. Photovoltaic array on roof.
5. Car parking required is 25 cars, 28 provided. Guest spaces required are 2, we are providing 5.

5. 1509 EL CAMINO REAL, ZONED R-2 AND R-3 – APPLICATION FOR MITIGATED NEGATIVE DECLARATION, GENERAL PLAN AMENDMENT, REZONING OF A PORTION OF THE SITE FROM R-2 TO R-3, CONDOMINIUM PERMIT AND CONDITIONAL USE PERMIT FOR BUILDING HEIGHT FOR CONSTRUCTION OF A NEW, FOUR-STORY, 15-UNIT RESIDENTIAL CONDOMINIUM WITH AT-GRADE PARKING (1509 EL CAMINO LLC, APPLICANT AND PROPERTY OWNER; MOORE VISTICA ARCHITECTS, ARCHITECT) STAFF CONTACT: RUBEN HURIN

Reference staff report dated January 28, 2013, with attachments. Community Development Director Meeker briefly presented the project description.

Questions of staff:

- None.

Chair Gaul opened the public comment period.

Pat and Sheri Fellowes, Burlingame; represented the applicant.

- Noted that the story poles would be difficult to provide.
- Provided an overview of the visual simulations of the project; could provide story poles in areas visible from Balboa Avenue and Albemarle Avenue.
- Could use scaffold in certain areas in lieu of story poles.

Commission comments:

- Believes story poles will still be needed in the interest of the neighbors
- Still a bit concerned about the scale of the project; but would like to see story poles along the rear where possible. Probably not as necessary along the front of the property.
- Story poles will be an opportunity to view the potential impacts from other positions.
- Will be one of the taller buildings along El Camino Real and need to provide sufficient time for public review.
- Encouraged installing story poles as quickly as possible given that the public comment period on the draft Mitigated Negative Declaration is currently open.

Public comments:

James MacKay, Burlingame; Allen Menicucci, Burlingame; Samantha O’Neal, Burlingame; Michael and Sumita Fleming, Burlingame; Kim Rosales, Burlingame; Mark Haberecht, Burlingame; Emil Anderson, Burlingame; Paul Wallach, Burlingame; Ann Wallach, Burlingame; Patricia Gray, Burlingame; and Ellis Rose, Burlingame; spoke:

- Resident at the building that is being removed. Where can he voice his concerns about displacement of the existing residents? (Guinan – there is no City ordinance requiring relocation assistance. Referred the speaker to one of the County housing agencies.)
- With respect to the simulation from Albemarle, the building will be about 15-feet higher than the trees.
- What will prevent others in the area from requesting a rezoning to R-3 as well.
- Has lived on the street for 48-years.
- The proposed building doesn’t belong in the area.
- Is in the process of buying one of the duplexes in the area, may consider requesting a rezoning.
- Heard a rumor that the applicant has approached the owner of Adeline Market for redevelopment.

- Lives in the first home present on Balboa Avenue. Likes Burlingame because of the trees, but it is changing.
- Feels the removal of the trees from the property is a betrayal of the trust that she had in the City. Feels disregarded as a resident.
- The building will be much taller than it appears in the simulations.
- Feels that story poles on the front will be needed as well so that people driving down El Camino Real can see what the future of Burlingame will be.
- Doesn't feel that the Commission has any respect for the history of the City.
- There are huge concerns for parking in the neighborhood; strongly opposed.
- Will have a full view of the structure from the side of their property and from their rear yard; will impact the neighborhood.
- The majority of the cars parking in their neighborhood come from apartments in the area and from Adeline Market.
- The building is pretty, but too tall.
- The number of units will make a difference.
- Encouraged providing story poles from all sides.
- Individuals from sporting events at the parks park in the neighborhood.
- Will also increase traffic congestion on El Camino and on Balboa Avenue at peak times.
- Feels the scale of the building is out of character with the City.
- There are issues with sewage in the area; feels that the project will exacerbate the problem.
- Schools in the area are increasing enrollment; this will only add to the congestion to traffic and parking in the area.
- Noise from the top of the building will impact the neighbors.
- Views will be impacted.
- The design is beautiful, but it is too large.
- Project will only increase traffic congestion.
- Feels that the story poles are required in this case.
- Referred back to the Commission's prior consideration of the project in 2007; what conditions have changed since that time to warrant a taller, larger project with Spanish architecture.
- Has reviewed the City's design guidelines; doesn't feel that the project is consistent with them.
- The project is taller than anything around it and draws attention to itself.
- This is a gateway to the City.
- Projects should achieve a human scale consistent with the neighborhood.
- The outdoor space will adversely impact residents and will impact neighborhood property values.
- The prior project was withdrawn; this project is larger and more impactful. Doesn't appear that the project has changed significantly since that time.
- The community questions the developer's motivations related to the project.
- Will set a bad precedent if approved.
- (Commissioner – do most people in the neighborhood park in their driveways?) Has observed residents intentionally park a vehicle on the street to reserve space for trash hauling.
- In agreement with all previous speakers.
- When their home on Balboa Avenue was purchased, there was no overnight parking allowed.
- Lots of congestion during peak hours due to activities at the schools and parks.
- Was very impressed with the level of analysis of the project.
- Not very green to remove the existing living units for the new project.
- Construction will create air and water pollution.
- Concerned about removal of trees at the southeast corner of the property.
- Will create visual pollution.
- Referenced the soils/hydrology report. Noted that the study only went down 15-feet to sandy soil and clay; where will the solid ground be for the piers.

- The study noted that the retaining wall on the creek is adequate. Noted a section of the retaining wall that is suspended in mid-air, what is supporting it.
- A San Mateo County poll recently asked about their vision of communities in the future; all of these studies take into account scientific facts, but not emotional facts.
- Parking is not adequate for the size of the units.
- The scale of the building is out of character with the area; the building will look like a wall.
- Concerned about noise from the project; the study assessed impacts from four similar-sized units on another of the applicant's projects. Doesn't feel that this is an adequate comparison when assessing the impacts upon the neighbors.
- Has been a great transition in the population of Burlingame over the years; there are few places for low-income individuals to live in Burlingame.
- Parking is heavily impacted in the area.
- Traffic on Balboa Avenue is impacted.
- Concerned about removal of the trees on the site.
- In this time of climate change, global warming should be a consideration; deforestation is a contributory factor.
- Feels that there should be more notice of changes in the zoning of an area.
- Feels that the project is being snuck through the back door.

There were no other comments from the floor and the public hearing was closed.

Additional Commission comments:

- Clarified that there will need to be a written response to all comments included in the response to the public comments regarding the environmental analysis.
- Was on the Commission when the prior project was considered in 2007; there are still concerns, feels the story poles should be erected.
- Wishes to see responses to traffic and parking comments.
- Feels that story poles are needed.
- Feels the building is attractive.
- Suggested providing a list of similar height buildings in the City as points of comparison.
- Provide left and right scaffolding with ribbon across the rear.
- Very concerned about the traffic.
- Not certain the scale fits in with the neighborhood.
- Requested that environmental consultant and traffic engineer come to action hearing.
- The community needs to determine which neighborhood the project lies in; Balboa or El Camino?
- Must look at the impact that the apartments have on the neighborhood.
- Noted that there is a different traffic impact attributable to condominiums versus rental units.
- Noted that only four more units are being added; though the project is more massive. What are the differences in impacts attributable to an incremental increase in the number of units on the property?
- Is there an interest in pursuing the development of an El Camino specific plan? (Meeker – no.)

No action was required. This item concluded at 8:42 p.m.

6. **1509 EL CAMINO REAL, ZONED R-2 AND R-3 – ENVIRONMENTAL SCOPING FOR AN APPLICATION FOR ENVIRONMENTAL REVIEW, GENERAL PLAN AMENDMENT, REZONING OF A PORTION OF THE SITE FROM R-2 TO R-3, CONDOMINIUM PERMIT AND CONDITIONAL USE PERMIT FOR BUILDING HEIGHT FOR CONSTRUCTION OF A NEW, FOUR-STORY, 15-UNIT RESIDENTIAL CONDOMINIUM WITH AT-GRADE PARKING (1509 EL CAMINO LLC, APPLICANT AND PROPERTY OWNER; MOORE VISTICA ARCHITECTS, ARCHITECT) PROJECT PLANNER: RUBEN HURIN**
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Reference staff report dated July 9, 2012, with attachments. Community Development Director Meeker briefly presented the project description.

Questions of staff:

- Asked how occupancy of the inclusionary housing units is monitored? (Meeker – indicated that the City has a third-party agency that is responsible for selecting tenants based upon applicable criteria and leasing/selling properties. Such properties are preserved as affordable units for 10-years.)
- Will the State Department of Fish and Game review the project given its proximity to the creek? (Meeker – this will be reviewed as part of the environmental analysis for the project.)
- Asked if the tree removal issue has been resolved? (Meeker – indicated that the permit has been issued by the City.)

Chair Gaul opened the public comment period.

Patrick Fellowes, 1008 Laurel Street; represented the applicant.

Commission comments:

- The project came forward previously; is the Commission reviewing the item de novo? (Meeker – yes, it is a completely different project.)

Public comments:

Cheryl Anderson and Emil Anderson, 1521 Balboa Avenue; Patricia Gray, 1616 Adeline Drive; Pat Giorni, 1445 Balboa Avenue; Kim Abbott, 1480 Highway Road; Mark Haberecht, 1505 Balboa Avenue; Allen Menicucci, 1529 Albemarle Way; Helen Dobson, 155 Jackson Street, San Francisco; Nina Wheel, 1520 Balboa Avenue; Paul Wallach, 1524 Balboa Way; Gordon Goettsche, 1524 Albemarle Way; Ann Wallach, 1524 Balboa Way; Miriam Hale, represented her aunt who resides at 1512 Adeline Drive; Samantha MacPhail, 1516 Balboa Avenue; Yan Ma, 1512 Balboa Avenue; Pat Johnson, 1518 Albemarle Way; spoke:

- The project is too big for the area (too much square footage).
- Concerned that the tree matter has been decided.
- Concerned that there will be no buffer between the condominium building and the single-family residences on Balboa Avenue.
- Concerned about parking impacts.
- Concerned about impacts upon the waterway.
- Concerned about the additional density in the area.
- Was turned down previously; this larger project will not fit into the area.
- If she were to be improving her property she would look at the neighborhood character.
- There are two to three trees on the alley that should be pruned.
- Feels the trees should not be removed; they should remain as a buffer.
- More and more people work from their apartments; this impacts the privacy of neighboring properties.

- If the project is approved she will be looking at the back of the condominium project.
- Concerned about capacity of the sewer and water systems – her property is at the high point at the end of the system. Has had a lot of trouble with the sewer system; has frequently backed up into her basement.
- Concerned about the height of the building; the roofs and towers will only add to the apparent height of the building.
- Concerned about the affordable housing aspect of the project; where can low-income and middle-class people live?
- Lives in a construction zone; there have been a lot of small homes that have been sold and then removed to accommodate larger and larger homes for people with a lot of money. Not enough housing for people who are not very rich.
- Street parking is a concern given the proximity to Ray Park; particularly during girls' softball. The additional people living within the condominium project will only exacerbate the problem.
- Who is the property owner; when it is an LLC who else is a part of the ownership?
- Where is the property line going to be once the properties are combined; at the center of the creek or at the northern creek bank? Where will the setback be measured from?
- What is the possibility in the future that the creek will be covered in the future?
- Whatever happens; when the properties are combined there should be a condition of approval that the creek remains uncovered.
- When did it become a priority to develop projects over the preservation of trees? Wonders what is happening when the Buna Buna tree (which is in good condition) can be removed – it is historical and is a heritage tree? Why is this any different from the discussions we have with CalTrans regarding protecting the trees along El Camino Real?
- There is precedent about possibly saving the tree and possibly some of the Cedars – referenced a property on Drake Avenue where the developer was required to post a tree-protection bond to preserve Redwood trees on the property.
- With respect to the zoning and general plan amendments and the conditional use permit request; the project discussion indicates that the project complies with development policies. Why is the project taller than any other building present in the area? Other projects running down to Broadway are three-stories and built to 35-feet or less.
- Is this project visually what the City wants to see in the area?
- What is the actual setback of the existing building – feels that the project is closer to the street than other projects in the area.
- Feels the design is elegant but is too big for the property.
- The trees should not be removed for the project.
- The presence of trees in the area contributes to the elegant appearance of El Camino Real.
- The height is inappropriate for the area.
- Access to the property will be dangerous – the only way into and out of the property is a right-turn into and out of the property southbound. Will impact the neighborhood with circulating traffic.
- Lives in the next block beyond the development site. Parking will be negatively impacted by the project. Objects to people parking in front of her house.
- Parking at his property at 530 El Camino Real is not sufficient; there will not be enough parking for residents of the project.
- Concerned about non-residents of her neighborhood parking in front of her property.
- The creek looks terrible; curious what the current property owner will be doing with the creek.
- Disagreed with Commissioner's contention that the City's parking standards are proven to be sufficient.
- There is already a significant parking problem in the area.
- Not certain that the expectation that parking for two cars is realistic.
- Why can't the parking be provided below ground; this would also lower the height of the building.
- Encouraged a "real-world" parking study for the project.

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- Concerned about the proposed rezoning of the portion of the property from R-2 to R-3; why wouldn't a person with an R-2 lot apply for a rezoning on Albemarle to increase the density? If this occurred, it would destroy the area.
 - The proposed building will be an eyesore; it belongs in a larger city.
 - Owns a property on Albemarle – objects to the proposed rezoning.
 - Requested a “zoning variance” in 1967 for a second unit, but was denied. Feels the rezoning will encourage others to make similar requests.
 - Concerned about soil quality in the area. Hired a soils engineer to evaluate foundation damage on her property.
 - The creek is not very stable; feels the project will increase the instability.
 - Feels that the project will impact the roots of existing trees in the area.
 - The project doesn't fit in the neighborhood.
 - Why is a new project being considered now five years after the prior project? Recalls that the Commission asked the developer previously to consider scaling the project down to respect the adjacent neighborhood.
 - The project is 50% larger than the prior proposal; the developer has totally ignored the prior direction of the Planning Commission.
 - Opposed to the proposed rezoning.
 - Feels that the noise factor from the project will be of concern and will impact her residence.
 - Lighting will impact the residents.
 - Concerned that the Acacia tree at the rear of her lot will be adversely impacted.
 - Concerned about the capacity of sewers in the area.
 - Not suitable for the area.
 - Referenced a drawing reflecting the retaining wall in the area; in 1993 a 60-foot segment of the creek wall collapsed and had to be re-supported. It rises no greater than four-feet above the water level.
 - Will the building be safe unless a geologic study is performed regarding the retaining wall impacts.
 - Would appreciate receiving notice more than ten days in advance.
 - Concerned about chemicals being released in the area during demolition.
 - Concerned about activities on the rooftop deck.
 - Concerned about traffic in the vicinity of the project.
 - Encouraged the Planning Commission to walk the area and assess the impact of the scale of the project upon nearby residents.
 - Encouraged the applicant to reduce the scale of the project.
 - Showed a graphic that represents how the project would look when set in context with the adjacent neighborhood.
 - Knows that the State has required all cities to look at the provision of housing units; this project would only increase the supply by four units.
 - Two of the parking spaces provided on the site are for guests; not enough.
 - Concerned about the increase in the number of new fixtures that will be draining into the sewer system.
 - Her sewer flows to the rear of her property; wants to ensure that her sewer is protected during construction; also wants to ensure that access to her sewer remains available.
 - Agrees with objections to the rezoning.
 - Asked the people at the adjacent market what they thought of the project; amazed that they did not know anything about the project. Noted that the market owner did not want the project to block the view of the commercial center. Seems strange that notice was not provided to the market owner.
 - Concerned about sewer impacts.
 - Surprised that the tree permit has already been permitted. The trees are important to her well being.
 - The project will increase the population on the site by 50%. Concerned about the rooftop open space.
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- Burlingame is beautiful because of its trees and architecture.
- Building more condominiums in Burlingame is a bad thing for Burlingame.
- Would prefer something of a much smaller scale.
- Worried about the integrity of the creek.
- Concerned about quality of life impacts.
- Worried about water table impacts.
- Concerned about privacy impacts upon her adjacent property. There would be no screening between the condominium and her property. Wants screening to protect privacy.
- Concerned about light and noise impacts, particularly noise from air-conditioning units.
- The garage will increase noise and lighting impacts.
- Objects to changing the neighborhood.
- Burlingame could lose its appeal to families with children.
- The developers gain should not be the neighbors' loss.
- Is a delightful neighborhood; removing the trees will impact the area.
- Concerned about impacts upon trees on the other side of the creek.
- Was present for the flooding when the retaining wall was installed.

Additional Commission comments:

- Noted that a note from the City Arborist indicates that the tree removal permit will be held until a project is approved by the Commission.

Additional applicant comments by property owners Pat Fellowes and Sherry Chou:

- The building steps down in height from the tower element.
- Noted that the step back of the building from the creek will ensure that trees on the north side of the creek will not be impacted.
- The A/C units are on the rooftop, behind the mansard roof and will not impact the residents – will be assessed by an acoustical engineer.
- Are connecting to a box-culvert in the street for storm water purposes.
- Note that his building at 1226 El Camino Real also has a rooftop deck – has not had problems with the deck at that location.
- Indicated that there is a note in the packet from the adjacent market owner not objecting to the project.
- Confirmed that the neighbor has an easement for her sewer line that will remain.
- Trees on that property are 60 to 70-feet tall.
- The building is setback from the creek and will be built on piers.
- The building itself will be built upon the main lot – back in 1945 half of the creek was given to this property, but the zoning was not made consistent; are correcting this discrepancy now.
- With respect to subterranean parking; are able to leave more yard area and will not flood adjacent properties – vehicles are parked in a smaller space.
- The property line is in the middle of the creek – nothing can ever be built on the creek.
- There will be no Section 8 housing on the property.
- If improvements are needed to the sewer lines; then they will be required to do so.
- The only 55-foot section of the building is the tower element. The architect felt that the proportions of the building would be off if it is not provided. The majority of the building is only 46-feet in height.
- The prior project wasn't approved; just chose not to redesign the project at that time and withdrew the application.
- There is plenty of parking provided.
- The only trees being removed are the trees on the left-hand side of the project. The trees will not be removed until a project is approved.

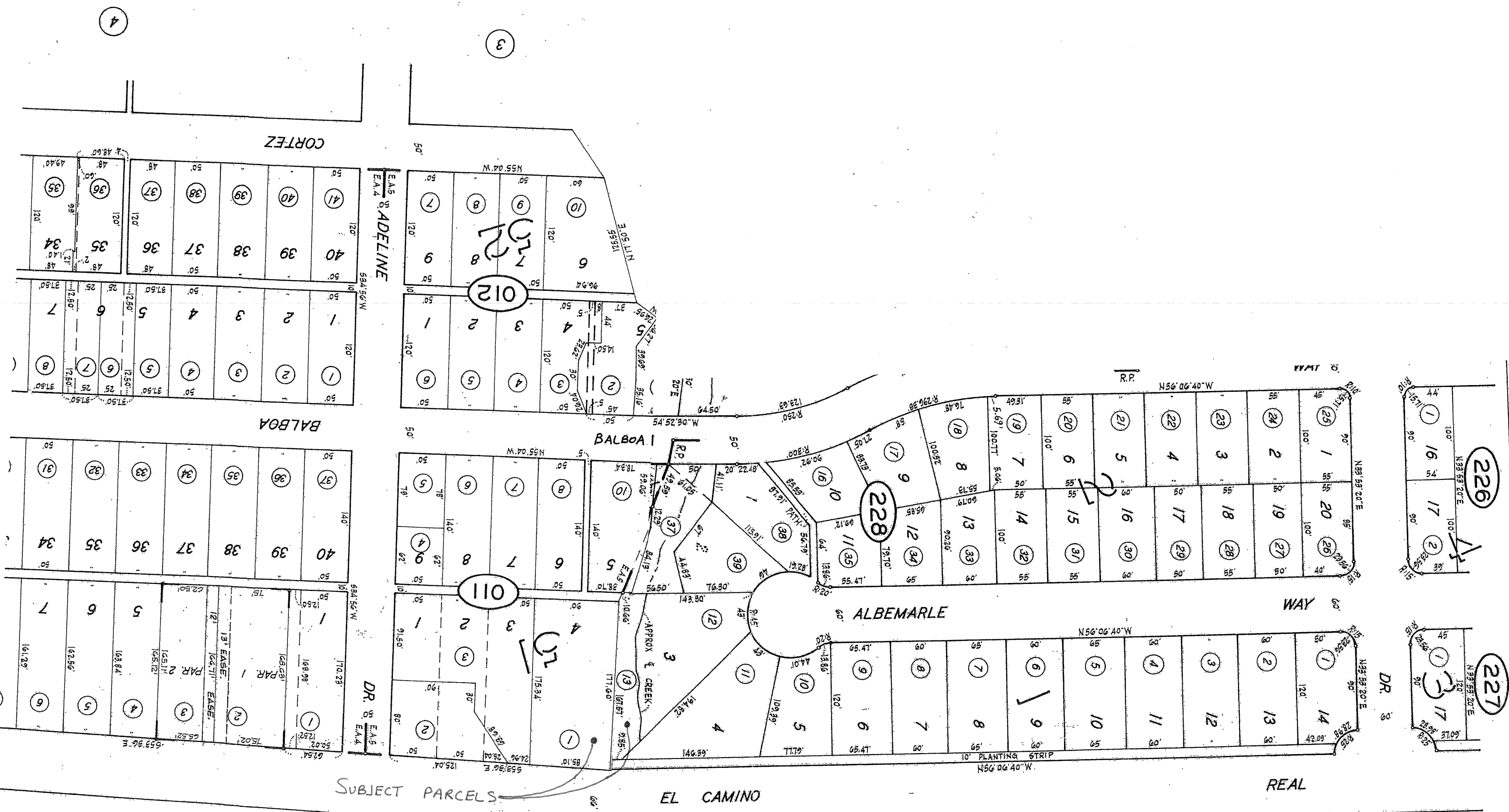
- Heard the same “too big for the area” comments with the prior project. Is the project appropriate for El Camino Real? It is not a Balboa Avenue project.

There were no other comments from the floor and the public hearing was closed.

Further Commission comments:

- Requested clarification regarding the tree removal permit. (Fellowes/Chou – only for the trees at the front of the property; nothing is being removed from the rear of the property. No work is being done in the creek. Have cleaned up the area and eliminated debris that has been an eyesore. Will take measures to preserve and protect trees that are not subject to the tree-removal permit. Are aware of the flooding issues in the area; but the City has required compliance with State storm water measures to mitigate storm water impacts. Have designed the project to comply with applicable standards. The building at 1226 El Camino Real was the first to have rooftop open space – normal open space in the rear yard is typically not too useable – have received compliments regarding the deck area.)
- Asked if the other project has an outdoor kitchen? (Chou – yes it does. Have rules in place to regulate tenant behavior. Intend to build this project in a similar manner. Have provided a variety of units within the project.)
- How is the roof deck oriented? (Fellowes/Chou – is oriented towards El Camino Real; is not the entire roof.) Was the other project similarly built? (Fellowes/Chou – yes; there have been no complaints received. Residents cannot look down into adjacent yards.)
- Feels that the trees along the alley provide screening for the neighborhood.
- Provide detailed descriptions of the trees that are provided along the alley, on the property? How tall do they grow? Have a visual impact study prepared to assess impacts; perhaps even erecting story poles to adequately impact neighborhood impacts.
- Doesn't see any other area that could appropriately be changed from R-2 to R-3; a unique condition exists in this instance that is being corrected. Provide a better description of why this type of rezoning is not likely to apply in other instances.
- Should be an analysis of sound impacts from the rooftop garden and equipment.
- Provide a more detailed description regarding the restrictions on the use of the rooftop garden.
- Assess sewer impacts.
- Want to be certain that the retaining wall remains secure adjacent to the creek so that the outdoor area remains useable. Look closely at this design.
- Require that story poles be installed to assist in an assessment of the effectiveness of the existing trees in screening the property from the adjacent low-density neighborhood. (Meeker – confirmed that this is within the purview of the Commission) Provide the rear, the north and the sides. Fellowes – Could be problematic.)
- Noted that the three Black Acacias will not be removed as they are not on the property.
- Provide an analysis of the potential parking impacts of the project. Look at existing parking supply versus new project's supply; take into account comparative unit sizes as well.
- Look at potential impacts upon the intersection of Adeline/El Camino and Oxford/Cambridge.
- Is a handsome building. Wants to see details regarding the window installations to review insets, etcetera.

No action is required by the Planning Commission; direction was provided to the applicant, staff and environmental consultant as outlined in the public hearing discussion. This item concluded at 9:22 p.m.



SUBJECT PARCELS

EL CAMINO

REAL WAY

10. **1509 EL CAMINO REAL, ZONED R-2 AND R-3 – ENVIRONMENTAL SCOPING FOR AN APPLICATION FOR ENVIRONMENTAL REVIEW, GENERAL PLAN AMENDMENT, REZONING OF A PORTION OF THE SITE FROM R-2 TO R-3, CONDOMINIUM PERMIT, VARIANCE FOR TWO BUILDINGS ON ONE LOT AND FRONT SETBACK VARIANCE FOR A NEW, THREE-STORY 10-UNIT RESIDENTIAL CONDOMINIUM PROJECT (1509 EL CAMINO LLC, APPLICANT AND PROPERTY OWNER; AND KIRK MILLER AFFILIATES, ARCHITECT) (48 NOTICED) PROJECT PLANER: RUBEN HURIN**
-

Planner Strohmeier briefly presented the project description. There were no questions of staff.

Chair Deal opened the public comment period at 8:34 p.m.

Patrick Fellowes, 1008 Laurel Street, San Carlos, represented the applicant. He indicated he is willing to provide rooftop open space and make changes to rear-yard to make it more useable, based upon Commission comments in the prior case. He noted that Fish and Game didn't want the trees in the creek to be touched. Preservation of the trees on the front of the site would require removal of units.

Commission comments:

- Concern that the landscape plan doesn't address the creek. The creek is an amenity that should be enhanced.
- Concerned regarding removal of fir trees on lot. The City of Burlingame values trees. The existing trees should remain.
- Perhaps increase the height of the building at certain locations to compensate for the loss of units to preserve trees.
- Landscape plan to show all of the trees in the creek and how the creek will enhance the living situation of the people.
- Consult with the City Arborist regarding landscaping.
- Tree maintenance should be addressed as part of the project.
- Like the way the building has been designed to preserve individuality of units.

Public comments:

Ann and Paul Wallach 1524 Balboa Way, Burlingame; Nina Weil, 1520 Balboa Avenue, Burlingame; John Gottsche (owner of 1524-26 Albermarle Way), 1457 El Arroyo Road, Hillsborough; and Pat Giorni, 1445 Balboa Avenue, Burlingame; provided testimony, commenting as follows: the Wallachs and Ms. Weil wanted to be certain the Commission considered the comments contained in their letters of July 16, 2007 and July 17, 2007, respectively; expressed concern regarding the proposed rezoning; opposed to more density along El Camino Real towards Ray Drive; concern regarding loss of privacy; protect sewer line within sewer easement during construction; have arborist review construction impacts on trees; Balboa Avenue is too narrow, impacted with traffic and parking; provide more trees to screen the property; lighting impacts from new project; concern about the project being overbuilt for the lot; lower the height of the building; protect creek and trees during construction, and control dust; the area has a high water table, sump pumps will be pumping continuously from parking area; should provide one parking space per bedroom.

Mr. Fellowes clarified that the rezoning is simply to make zoning consistent with remainder of property (doesn't even have frontage); it is an anomaly that needs to be cleared up. Parking is not being changed much from what currently exists. City's "Best Management Practices" (BMPs) for construction projects will address demolition and construction concerns.

There were no other comments from the floor and the public comment period was closed at 9:16 p.m.

Additional Commission comments:

- The project is not workable, even though some elements are elegant.
- Concern about driveway ingress and egress, given that driveway submerges; there could be potential conflicts between vehicles entering and exiting the garage at the same time. The driveway is too narrow.
- If the project moves forward, rear two units need to be reduced to two-stories; the design should respect transitions to adjacent neighborhoods. Additional work needs to be done on the massing.
- The project presents a rather pedestrian approach to Spanish architecture; the design will look "tatty" eventually; Spanish Architecture does not lend itself to a 3-story building.
- Retain some portion of the existing trees on the site; tree preservation is a community value.
- The site can be identified by the existing trees; the new project should retain the same atmosphere on the site that currently exists.
- The interior street is a step in the right direction; additional work needs to be done with massing.
- A visual simulation is required.
- A shade and shadow analysis is not necessarily needed.
- Poor choice of building materials.
- Applicant needs to address neighbor concerns (particular the Wallach's) and Chief Building Official's comments.
- Require a condition protecting the neighboring property's sewer line.
- Maximizing the developer's profit is not a reason for the Commission to approve a project.

This item concluded at 9:25 p.m.



APPLICATION TO THE PLANNING COMMISSION

Type of application:

- Design Review Variance Parcel #: 026-011-010
 Conditional Use Permit Special Permit Other: 025-228-130

PROJECT ADDRESS: 1509 El Camino Real

Please indicate the contact person for this project

APPLICANT project contact person
 OK to send electronic copies of documents

Name: Pat Fellowes

Address: 1008 Laurel Street

City/State/Zip: San Carlos, CA 94070

Phone: (415) 987-2954

Fax: (650) 298-9974

E-mail: pfellowes@sbcglobal.net

PROPERTY OWNER project contact person
 OK to send electronic copies of documents

Name: 1509 El Camino LLC

Address: same

City/State/Zip: _____

Phone: _____

Fax: _____

E-mail: _____

ARCHITECT/DESIGNER project contact person
 OK to send electronic copies of documents

Name: Moore Vistica Architects

Address: 1204 Burlingame Avenue Suite #7

City/State/Zip: Burlingame, CA 94010

Phone: _____

Fax: _____

E-mail: _____

★ Burlingame Business License #: _____

PROJECT DESCRIPTION: Demolish an 11 unit, 2 story apartments
New construction of a 4 story, 15 unit condominium building.

AFFIDAVIT/SIGNATURE: I hereby certify under penalty of perjury that the information given herein is true and correct to the best of my knowledge and belief.

Applicant's signature: [Signature] Date: 6/10/11

I am aware of the proposed application and hereby authorize the above applicant to submit this application to the Planning Commission.

Property owner's signature: [Signature] Date: 6/10/11

Date submitted: 6/10/11

★ Verification that the project architect/designer has a valid Burlingame business license will be required by the Finance Department at the time application fees are paid.

Please mark one box above with an X to indicate the contact person for this project. S:\HANDOUTS\PC Application 2008.handout.doc

RECEIVED
 JUN 10 2011
 CITY OF BURLINGAME
 CDD-PLANNING DIV.



APPLICATION TO THE PLANNING COMMISSION

Type of application:

- Design Review Variance Parcel #: 026-011-010 & 025-228-130
 Conditional Use Permit Special Permit Zoning / Other: _____

PROJECT ADDRESS: 1509 El Camino Real Burlingame, CA 94010

APPLICANT project contact person
 Payor of DSR deposit/handling fee
 OK to send electronic copies of documents

Name: Sherrie Chow
 Address: 1008 Laurel Street
 City/State/Zip: San Carlos, CA 94070
 Phone: (415) 602-6396
 Fax: (650) 298-9974
 E-mail: pfellowes@sbcglobal.net

PROPERTY OWNER project contact person
 Payor of DSR deposit/handling fee
 OK to send electronic copies of documents

Name: Pat Fellowes
 Address: 1509 El Camino LLC
 City/State/Zip: San Carlos, CA 94070
 Phone: _____
 Fax: _____
 E-mail: _____

ARCHITECT/DESIGNER project contact person
 Payor of DSR deposit/handling fee
 OK to send electronic copies of documents

Name: PPA Development Inc.
 Address: 1008 Laurel Street
 City/State/Zip: San Carlos, CA 94070
 Phone: Sherrie (415) 602-6396
 Fax: (650) 298-9974
 E-mail: pfellowes@sbcglobal.net
 ★ Burlingame Business License #: 23520

RECEIVED

JUL 16 2014

CITY OF BURLINGAME
 CDD-PLANNING DIV.

PROJECT DESCRIPTION: New 10 unit residential condominiums

AFFADAVIT/SIGNATURE: I hereby certify under penalty of perjury that the information given herein is true and correct to the best of my knowledge and belief.

Applicant's signature: Sherrie Chow **Date:** 7/16/2014

I am aware of the proposed application and hereby authorize the above applicant to submit this application to the Planning Commission.

Property owner's signature: Pat Fellowes **Date:** 7/16/2014

for 1509 El Camino LLC **Date submitted:** 7-16-14

CITY OF BURLINGAME
**REQUEST FOR GENERAL PLAN AMENDMENT AND
REZONING OF A LOT FROM R-2 TO R-3**

RECEIVED

Project Address:

1509 El Camino Real Burlingame, CA 94010

PARCEL #1 (Lot 4 of Block 51) APN#026-011-010

PARCEL #2 (Lot 3 of Block 1) APN#025-228-130 / Request to rezone from R-2 to R-3

SEP 14 2011

CITY OF BURLINGAME
CDD-PLANNING DIV.

1. In accordance with the Burlingame General Plan's Land Use Element-Policies and Action: The Policy L (B) encourages in instances where higher intensity uses and adjoining lower intensity uses exist, there should be medium high density residential uses and on frontage along most of El Camino Real.

This project is designed to be in accordance with the Burlingame General Plan and Zoning Ordinance's land use section, which encourages multi-unit development in 2-3 story level structures, and in some cases higher buildings where appropriate. The project has frontage along the El Camino Real.

2. The existing site consists of 2 separate lots, one being very narrow, with no structures, and contains portions of Mills Creek and the larger lot contains 11 apartment units. A request in a separate application made to DPW to create a lot merger is a part of the building permit. The smaller parcel is about 25% of the size of the larger parcel and about 1/5 of the parcels combined. Since the larger parcel (Lot 4) currently is zoned R3 and has all the improvements on it, the addition and merger of the smaller parcel would not adversely impact the surrounding conditions. In addition, the new construction would not be built on the area of the smaller lot due to the proximity to the Mills Creek and its physical natural grade.
3. The following information provides exceptional or extraordinary circumstances or conditions applicable to this property only and not to other properties in the same class or district.

In 1965, a deed was signed by the then owner of Lot 3 and Lot 4 deeding 1/2 of the creek land to Lot 4. I suspect that the map split was recorded but never brought to the City for their review; however, the Burlingame Master Plan, which was adopted in 1969, shows no such division of Lot 3. Obviously the planner who worked on the General Plan at that time saw Lot 3 as being whole and naturally zoned it the same as the rest of Ray Cloud (see attached General Plan Map). The portion of Lot 3 has no street frontage and because it is part of a creek, I suspect no commercial value and also I suspect could not be separately sold because the lot split has never been accepted by the City; therefore, as it now stands the portion is now in limbo, therefore it should be merged with Lot 4 and thereby receive the same zoning. The effect of the merger will not create any physical change to the portion of Lot 3 as it is a creek bed and not build-able on in any way. The request for the merger and rezoning is to clear up a problem that was created by the previous owner's lack of foresight in not making the City aware of the lot split back in 1965. I might mention that we paid a considerable sum of money to repair the creek's south side headwall back in 1996, a repair that was permitted by and mandated by the City of Burlingame and the State Fish and Game Agency.



Ⓟ CALIFORNIA

MAGNOLIA AVE

QUESADA

WY

RAY

BERNAL

HILLSIDE

EL CAMINO

REAL

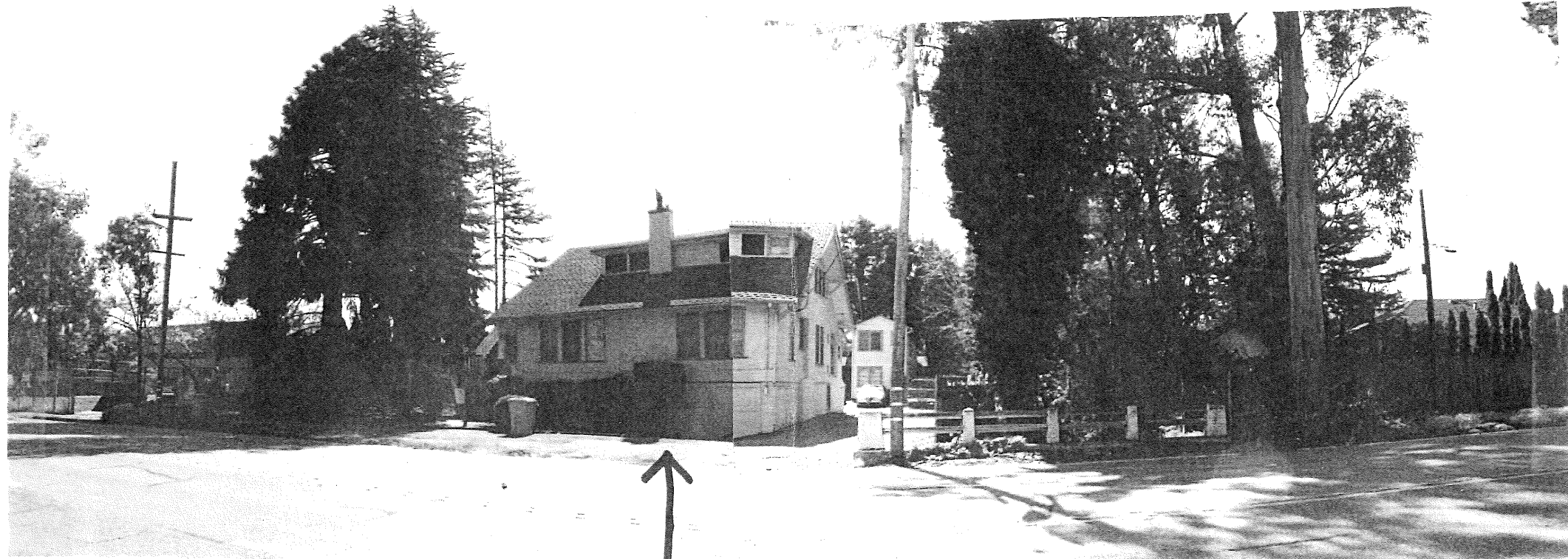
1509
EL CAMINO

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APR 16 2007

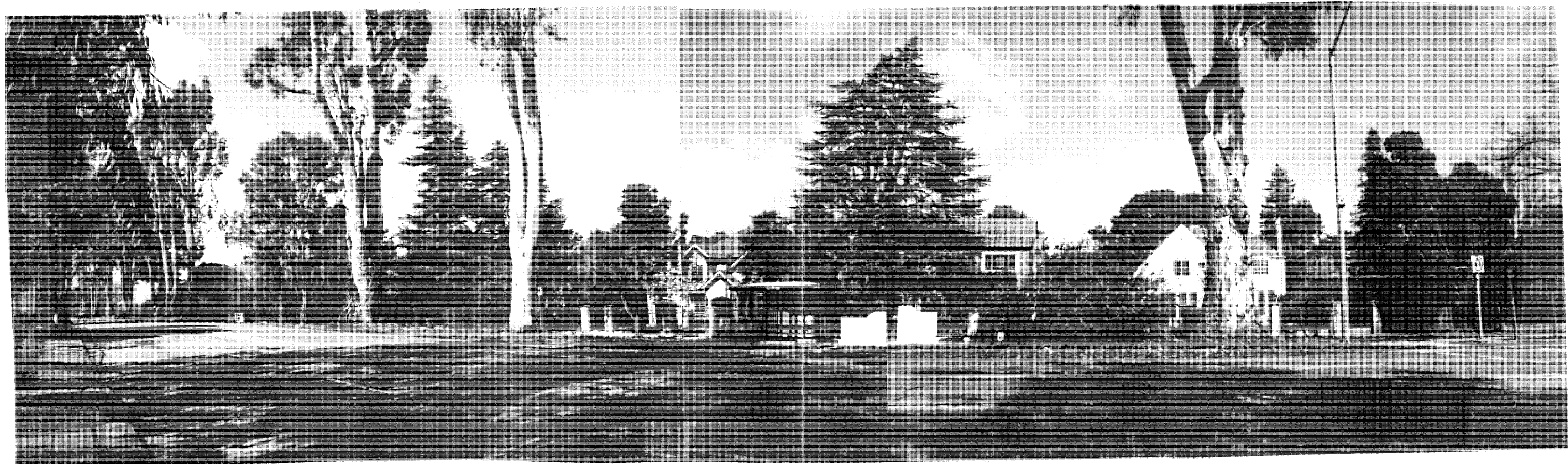
CITY OF BURLINGAME
PLANNING DEPT.

SOUTH



NORTH

↑
1509 EL CAMINO REAL
(SUBJECT PROPERTY)



NORTH

OPPOSITE BLOCK OF PROJECT SITE
EL CAMINO REAL

SOUTH

FRONT BLDG



REAR BLDGS ON LOT



1509 El Camino (Pano view)
at the rear of lot



Adjacent commercial lot to the south

FRANK
JUL 19 2000
COMMERCIAL

1509 El Camino Real

- ● -

Protected Tree Removal Permit & Tree Assessment Report

City of Burlingame
Parks & Recreation Department

850 Burlingame Avenue, Burlingame, California 94010-2899

Parks Division Telephone 650.558.7330

Fax: 650.696.7216 * Email: GBorba@Burlingame.org

February 21, 2013

Mr. Pat Fellowes
1008 Laurel Street
San Carlos, CA 94070

RE: REQUEST FOR REMOVAL OF SIX PROTECTED SIZED TREES (5 DEODAR CEDAR TREES AND 1 BUNYA-BUNYA TREE) @ 1509 EL CAMINO REAL - BURLINGAME

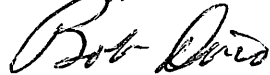
It has recently been brought to our attention that the abovementioned trees which you have applied to the City for a removal permit, are situated on an R-3 zoned parcel. My initial determination as stated in my letter to you dated May 11, 2011, was based on the redevelopment of properties located in R-1 Zones as addressed in the Urban Reforestation ordinance, section 11.06.060(c), which provides for issuance of a tree removal permit where trees are located within the footprint of a proposed project. This section, however, applied to projects which are ONLY in R-1 zones. It does not apply to projects located in other zoning districts of the City.

Accordingly, based on this information, and after further review with the City Attorney, the Protected Tree Removal permit placed on hold in our office is hereby rescinded as it was issued in error. Your reapplication for the tree removal request will be required.

For your convenience, I have enclosed a Protected Tree Removal application, and a copy of the Urban Reforestation ordinance. Please complete the application and return to our office in the envelope provided. You may also submit documentation supporting the request for removal based on health and structure of the trees, and/or based on the proposed development of the property.

Our office may be contacted at (650) 558-7330 if you should have any questions.

Sincerely,



Bob Disco
Parks Supervisor/City Arborist

bd/kh

CC: Gus Guinan, City Attorney
William Meeker, Community Development Director

Enclosures: Protected Tree Removal Permit Application &
Urban Reforestation and Tree Protection Ordinance
Letter dated May 11, 2011

City of Burlingame
Parks & Recreation Department

850 Burlingame Avenue, Burlingame, California 94010-2899
Parks Division Telephone (650) 558-7330
Fax: (650) 696-7216 * Email: parks@burlingame.org

May 11, 2011

Mr. Pat Fellowes
1008 Laurel Street
San Carlos, CA 94070

***RE: REQUEST FOR REMOVAL OF SIX PROTECTED SIZED TREES (5 DEODAR CEDAR TREES
AND 1 BUNYA-BUNYA TREE @ 1509 EL CAMINO REAL - BURLINGAME***

I reviewed your request for the removal of the above mentioned trees on the property at the above address. Subject to the provisions and in accordance with Burlingame Municipal Code chapter 11.06, I intend to issue a permit to remove the 6 protected sized trees, once the building and landscape plans have been approved and permits for construction have been issued:

- 1) The six protected sized trees will fall within the footprint of the proposed project.
- 2) Though the trees were listed in the independent arborist report to be in "poor or very poor" condition, none of these trees pose an immediate hazard.
- 3) *Six 24-inch box size landscape trees* (no fruit or nut trees) will be required as replacement trees as defined in Section 11.06.090 and should be included on the landscape plan submitted for the project.

If you are in agreement with these conditions, please sign the enclosed permit and return in the self addressed envelope by May 25, 2011. The permit will be held in our office until the conditions as stated are met.

Adjacent property owner(s) as the addresses listed below are also receiving notification of this decision. Appeals to this decision or any of its conditions or findings, must be filed in writing to our office by *May 25, 2011* provided in Section 11.06.080 of the *Urban Reforestation and Tree Protection Ordinance (Burlingame Municipal Code Chapter 11.06)*.

Our office may be contacted at (650) 558-7330 if you should have any questions.

Sincerely,



Bob Disco
Parks Supervisor

bd/kh

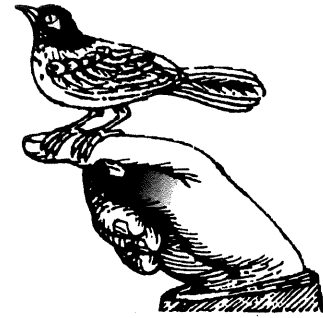
CC: Property Owner
1516 Balboa Avenue
Burlingame, CA 94010

Property Owner
1520 Balboa Avenue
Burlingame, CA 94010

Property Owner
1518 Albemarle Way
Burlingame, CA 94010

Ralph Osterling Consultants, Inc.

1650 Borel Place, Suite 204
San Mateo, CA 94402-3508



RALPH OSTERLING
CONSULTANTS, INC.
PHONE (650) 573-8733
1650 BOREL PLACE
SAN MATEO, CA 94402

October 30, 2014

--VIA EMAIL--

Stephanie O'Rourke, Landscape Architect
1345 Howard Ave #203
Burlingame, California 94010

Mr. Patrick Fellowes
1008 Laurel Avenue
San Carlos, CA 94070

RE: 1509 El Camino Real, Burlingame

Dear Stephanie:

This letter is an update to our Tree Assessment Report dated February 22, 2011.
In my professional opinion:

1. Trees 120, 122, 123, 124, 125, 126, 129, 130 and 131 should all be removed because of crown defects and overall poor to very poor conditions.
2. Tree 121, Banya-Banya, albeit it good condition, should be removed also for safety reasons. The leaves as they fall are sharp and dangerous, plus the spiny fruits may weigh up to 15 pounds and fall without warning.
3. Trees 127 and 128 are elms growing on the creek bank. These are in fair condition and may remain.

Please consider the above in your landscape design. I recommend Mr. Fellowes go to the City and request permission to remove the Banya-Banya. Should you or others have questions, please contact me at your convenience

Respectfully,

A handwritten signature in cursive script that reads "Ralph Osterling".

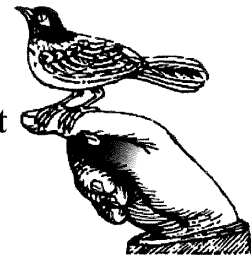
Ralph Osterling, President, ACF, CLFA
Registered Professional Forester #38
State of California



RSO:js

Ralph Osterling Consultants

Natural & Urban Resources Management



22 February 2011

Mr. Patrick Fellowes
1008 Laurel Avenue
San Carlos, CA 94070

Re: 1509 El Camino Real, LLC
Tree Assessment Report

Dear Mr. Fellowes:

At your request, Ralph Osterling Consultants, Inc. (ROC) has completed the following tree assessment report for the subject property, 1509 El Camino Real located in the City of Burlingame, California. The purpose of this Tree Assessment Report was to determine whether the assessed trees located within or adjacent to the footprint of the proposed structure would be possible to preserve. In addition, those trees with trunk circumferences of 48 inches (15.3 inches diameter) or greater are protected by the tree ordinance for the City of Burlingame (CITY) and are so indicated in Table 2 of this report.

Observations and Discussion

On 17 February 2011, ROC visited the subject property and affixed blue numerical tags to 12 trees that were assessed. (Refer to Table 2.) Of the 12 assessed trees seven were located within or adjacent to the footprint of the proposed structure and five were located outside of the existing fence. ROC was informed that these five trees; two elms (127 & 128) and three acacias (129, 130 & 131) will not be disturbed during construction. (Refer to the Tree Location Map.)

For the purposes of this report, the seven trees located within the footprint of the proposed structure will be the subjects of discussion. The seven trees are: deodar cedar (120, 122, 123, 124 & 125); bunya-bunya (121) and Spanish fir (126). Only the Spanish fir (126) with a trunk diameter of 6.9 inches is not protected by the City's tree ordinance. (Refer to the Tree Location Map.)

The deodar cedars were observed to be in poor to very poor overall condition. The bunya-bunya was observed to be in overall good condition. Refer to Table 1, Evaluation Factors for Determining Overall Tree Condition and Table 2, Tree Assessment Chart, for the individual assessments of these trees.

Conclusions

The close plantings (within 10 feet) of the deodar cedars have resulted in suppressed foliar growth and trunk contortion. The dense broad canopy of the bunya-bunya has contributed to the suppressed growth displayed by the trees.

1650 Borel Place, Suite 204 ▪ San Mateo, CA 94402
(650) 573-8733 ▪ Fax (650) 345-7890 ▪ email: walt@ralphosterling.com

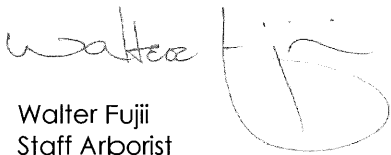
1509 El Camino Real, LLC
22 February 2011

Based on the site plan provided to ROC by the client, the location of the protected trees 120 through 125 within or adjacent to the proposed structure prevents their preservation. Performing the necessary excavation, grading and related construction activities in the presence of these trees presents a hazardous situation.

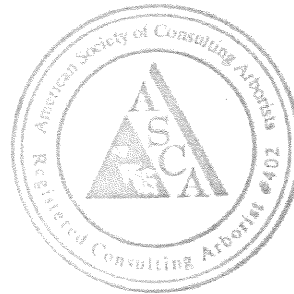
ROC therefore recommends that the trees be removed prior to the commencement of construction activities for reasons of safety.

Should you require additional information kindly contact our office at your earliest convenience.

Respectfully,



Walter Fujii
Staff Arborist
ASCA Registered Consulting Arborist® No. 402
ISA Certified Arborist No. WE2257 A



Attachments: Table 1 Evaluation Factors for Determining Overall Tree Condition
Table 2 Tree Assessment Chart
Tree Location Map
Certification of Performance
Terms and Conditions

Table 1
Evaluation Factors for Determining
Overall Tree Condition

Structure

1-Very Poor	Trunk has large pockets of decay, is weakly bifurcated or has a severe lean. Limbs or branches are poorly attached or dead. Possible hazard.
2-Poor	Limbs or branches are poorly attached or developed. Canopy is not symmetrical. Trunk has a lean.
3-Fair	Trunk, limb and branch development though flawed is typical of this species
4-Good	Trunk is well developed with well-attached limbs and branches have some flaws but hardly visible.
5-Very Good	In addition to attributes of a good rating, the tree exhibits a well-developed root flare and a balanced canopy.

Health

1-Very Poor	Tree displays severe dieback of branches, canopy is extremely sparse. May exhibit extensive pathogen infestation. Or tree is dead.
2-Poor	Tree displays some dieback of branches, foliar canopy is sparse, little to no signs of new growth or vigor. Possible pathogen infestation.
3-Fair	Tree is developing in a manner typical to others in the area. Canopy is full.
4-Good	New growth is vigorous as evidenced by stem elongation and color. Canopy is dense.
5-Very Good	In addition to attributes of a good rating, tree is displaying extremely vigorous growth and trunk displays a pattern of vigor cracks or lines.

Overall

0-DEAD	Tree has no green foliage and no green in sampled twigs.
1-Very Poor	Tree is in severe decline or dead.
2-Poor	Tree is in decline or lacks vigor.
3-Fair	Tree is typical of species in the area.
4-Good	Tree is vigorous with few visible flaws.
5-Very Good	Tree is extremely vigorous.

Table 2
Tree Assessment Chart
1509 El Camino Real, LLC
Burlingame, California

Line No.	Tag No.	Common Name	Botanical	Trunk Diameter ¹	Adjusted Trunk Diameter ²	Structure	Health	Overall Condition ³	Protected Tree ⁴	Comment
1	120	deodar cedar	<i>Cedrus deodara</i>	20	20	2	3	Poor	Yes	Bifurcated trunk, one sided canopy, suppressed growth
2	121	bunya-bunya	<i>Araucaria bidwillii</i>	42	42	3	5	Good	Yes	Vigorous growth, good form, trunk lean
3	122	deodar cedar	<i>Cedrus deodara</i>	18.5	19	2	2	Poor	Yes	Suppressed growth, sparse canopy, stunted growth
4	123	deodar cedar	<i>Cedrus deodara</i>	17.5	18	2	2	Poor	Yes	Suppressed growth, sparse canopy, stunted growth
5	124	deodar cedar	<i>Cedrus deodara</i>	17.6	18	1	1	Very Poor	Yes	Sparse canopy, bifurcated trunk, one sided canopy
6	125	deodar cedar	<i>Cedrus deodara</i>	17.3	17	1	1	Very Poor	Yes	Sparse canopy, bifurcated trunk, stunted growth
7	126	Spanish fir	<i>Abies pinsapo</i>	6.9	7	2	3	Poor	No	Trunk lean, suppressed growth, trunk wounds
8	127	elm	<i>Ulmus spp.</i>	12 €	12	1	3	Fair	No	Tree is covered by dense growth of ivy preventing accurate measurement by a diameter tape. Assessment of this deciduous tree's health was speculative
9	128	elm	<i>Ulmus spp.</i>	22 €	22	1	3	Fair	Yes	Tree is covered by dense growth of ivy preventing accurate measurement by a diameter tape. Assessment of this deciduous tree's health was speculative
10	129	black acacia	<i>Acacia melanoxylon</i>	23.6.27.5	52	1	4	Very Poor	Yes	Multistem trunk, dense growth, trunk lean

Table 2
Tree Assessment Chart
1509 El Camino Real, LLC
Burlingame, California

Line No.	Tag No.	Common Name	Botanical	Trunk Diameter ¹	Adjusted Trunk Diameter ²	Structure	Health	Overall Condition ³	Protected Tree ⁴	Comment
11	130	black acacia	<i>Acacia melanoxylon</i>	15.1	15	2	4	Poor	Yes	Bifurcated trunk, dense growth, imbedded bark indicative of a poor stem attachment
12	131	black acacia	<i>Acacia melanoxylon</i>	6.1	6	2	3	Poor	No	Tree was topped, growth suppressed, root collar covered

- 1/ Trunk Diameter: Measured at 54 inches above the existing grade with a diameter tape.
- 2/ Adjusted Trunk Diameter: Diameters were rounded to whole numbers. Multi-stem trunk diameters were added together.
- 3/ Overall Condition: Please refer to Table 2a for an explanation of terms.
- 4/ Protected Tree is defined by the City of Burlingame as "Any tree with a circumference of 48 inches or more when measured 54 inches above the natural grade." (54 inches in circumference is equal to 15.3 inches in diameter)
- € Symbol indicates that where an obstruction prevented an accurate trunk measurement; e.g. ivy, poison oak, hardscape, etc. Estimated measurement was used.

Moore / Vistica Architects
1000 California Street, Suite 1000
San Francisco, CA 94109

Tree Location Map

Proposed Residences

at
1509 El Camino Real
Burlingame, Ca. 94010

Owner:
1509 El Camino Real LLC
Burlingame, Ca. 94010

1008 Laurel Avenue
San Carlos, Ca. 94070



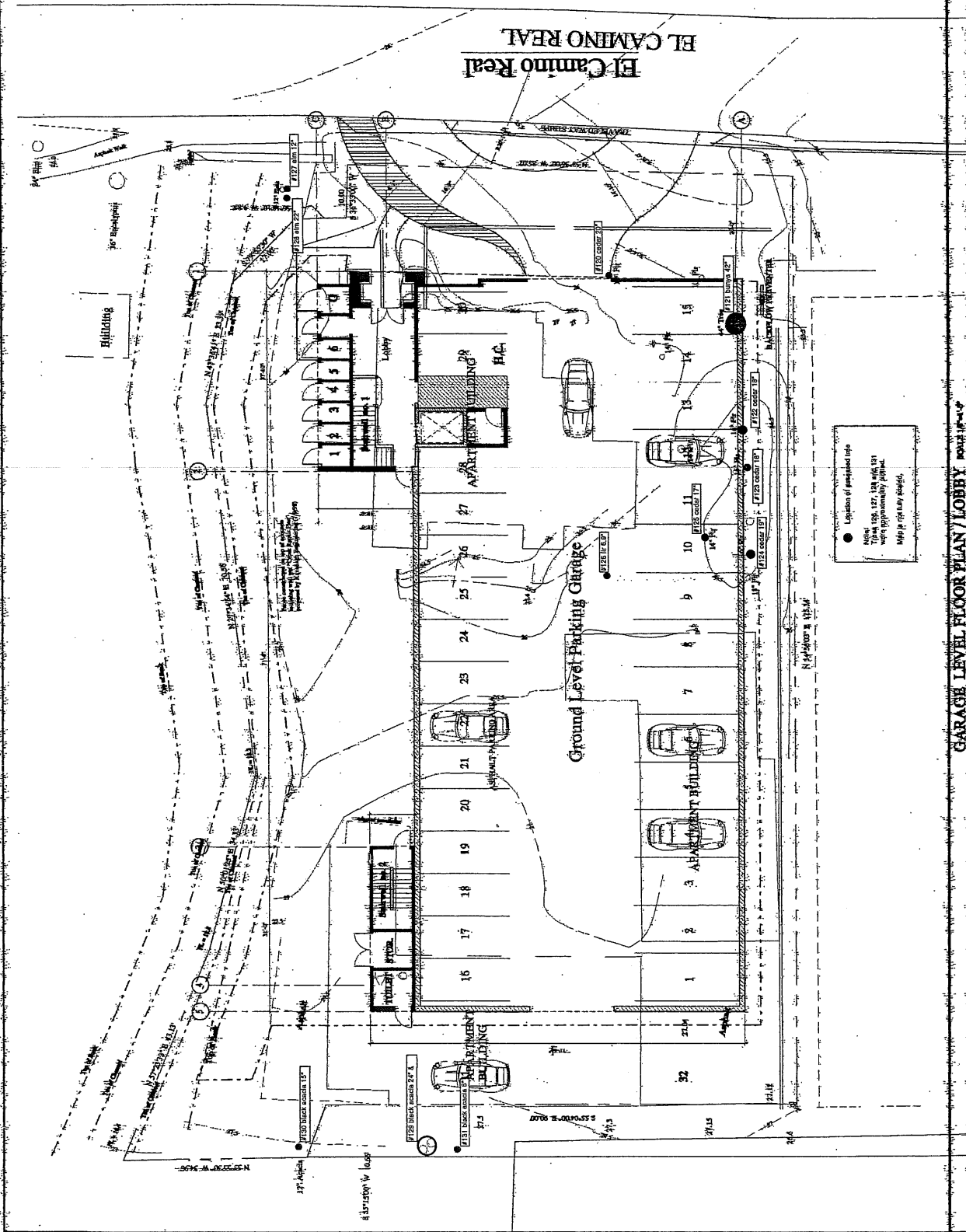
1509 EL CAMINO REAL

BURLINGAME, CALIFORNIA, 94010

Project No. 1509-01
Date: 08/11/11

Scale: 1/8" = 1'-0"

Sheet No. A1.1



● Location of finished info
Notes:
1. This plan is for informational purposes only.
2. All dimensions are approximate.
3. See all other sheets for complete information.

GARAGE LEVEL FLOOR PLAN / LOBBY

Certification of Performance

That I have personally inspected the tree(s) and /or property referred to in this report and have stated my findings accurately. The extent of the evaluation and appraisal is stated in the attached report and the Terms and Conditions;

That I have no current or prospective interest in the vegetation or the property that is the subject of this report and I have no personal interest or bias with respect to the parties involved;

That the analysis opinions and conclusions stated herein are my own and are based on current scientific procedures and facts;

That my compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party nor upon the results of the assessment the attainment of stipulated results or the occurrence of any subsequent events;

That my analysis opinions and conclusion were developed and this report has been prepared according to commonly accepted Arboricultural practices;

I further certify that I am a Registered Consulting Arborist® by the American Society of Consulting Arborists (ASCA) and a Certified Arborist by the International Society of Arboriculture (ISA).

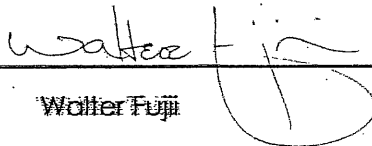
Disclosure Statement

Arborists are tree specialists who use their education, knowledge, training and experience to examine trees and recommend measures to enhance the beauty and health of trees and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist or to seek additional advice.

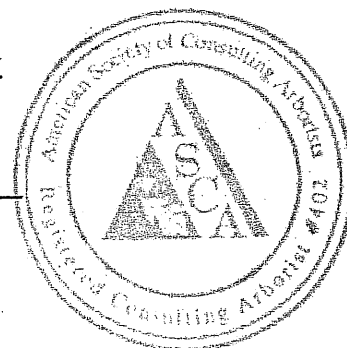
Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Certain conditions are often hidden within trees or below the ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances or for a specific period of time. Likewise remedial treatments cannot be guaranteed.

Trees can be managed but they cannot be controlled.
To live near trees is to accept some degree of risk.

Signed:


Walter Fujii

Date: 2/22/11



Ralph Osterling Consultants, Inc.
TERMS AND CONDITIONS

The following terms and conditions apply to all oral and written reports and correspondence pertaining to the consultations, inspections and activities of Ralph Osterling Consultants, Inc. hereinafter referred to as "ROC".

1. Any legal description provided to the consultant is assumed to be correct. No responsibility is assumed for matters legal in character nor is any opinion rendered as to the quality of any title.
2. It is assumed that any property referred to in any report or in conjunction with any services performed by ROC, is not in violation of any applicable codes, ordinances, statutes, or other governmental regulations, and that any titles and ownership to any property are assumed to be good and marketable. Any existing liens and encumbrances have been disregarded.
3. Possession of this report or a copy thereof does not imply any right of publication or use for any purpose, without the express permission of the consultant and the client to whom the report was issued. Loss, removal or alteration of any part of a report invalidates the entire appraisal/evaluation.
4. The scope of any report or other correspondence is limited to the trees and conditions specifically mentioned in those reports and correspondence. ROC and the consultant assume no liability for the failure of trees or parts of trees, either inspected or otherwise. The consultant assumes no responsibility to report on the condition of any tree or landscape feature not specifically requested by the named client.
5. No tree described in this report was climbed, unless otherwise stated. We cannot take responsibility for any defects, which could only have been discovered by climbing. A full roots collar inspection, consisting of excavating the soil around the tree to uncover the root collar and major buttress roots was not performed unless otherwise stated. We cannot take responsibility for any root defects, which could only have been discovered by such an inspection.
6. The consultant shall not be required to provide further documentation, give testimony, be deposed, or attend court by reason of this appraisal/report unless subsequent contractual arrangements are made, including payment of additional fees for such services as described by the consultant or in the fee schedules or contract.
7. ROC offers no guarantees or warranties, either expressed or implied, as to the suitability of the information contained in the reports for any purpose. It remains the responsibility of the client to determine applicability to his/her particular case.
8. Any report and the values, observations, and recommendations expressed therein represent the professional opinion of the consultants, and the fee for services is in no manner contingent upon the reporting of a specified value nor upon any particular finding to be reported.
9. Any photographs, diagrams, graphs, sketches, or other graphic material included in any report, being intended solely as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys, unless otherwise noted in the report. Any reproductions of graphs material or the work produce of any other persons is intended solely for the purpose of clarification and ease of reference. Inclusion of said information does not constitute a representation by ROC or the consultant as to the sufficiency or accuracy of that information.
10. Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.
11. Payment terms are net payable upon receipt of invoice. All balances due beyond 30 days of invoice date will be charged a service fee of 1.5 percent per month (18.0% APR). All checks returned for insufficient funds or any other reason will be subject to a \$25.00 service fee. Advance payment of fees may be required in some cases.

1509 El Camino Real

- ● -

Letters of Concern Submitted by Public for the Current Proposal

Three-Story, 10-Unit Condominium Project

03.23.15 PC Meeting
Item 9b
1509 El Camino Real
Total # pages: 19

COMMUNICATION RECEIVED
AFTER PREPARATION
OF STAFF REPORT

March 23, 2015
Burlingame Planning Commission

RECEIVED
MAR 23 2015
CITY OF BURLINGAME
CDD – PLANNING DIV.

Dear Sirs and Madames,

Please find:

- i) My commentary with regard to the 2015 proposal for 1509 ECR.
- ii) Photo renderings of the project made by the developer/the City showing the view from the backyard of 1512
- iii) Executive Summary of All Concerns and Proposed Solutions for the proposed 1509 ECR Project (2012).

Deficiencies in Public Disclosure of Project Details Prior to Hearing:

I herein incorporate by reference the letters addressed to William Meeker and Kathleen Kane which question why the plans were not put online and why the public at large in a practical sense, would only be allowed two business days to see the plans, once it was known to the general public at large on Friday March 21st, the project would be up for a Monday night (March 23rd) hearing. While I understand that plans have been decided not to be put online due to compliance of state laws (City Attorney's opinion, other sponsoring agencies regularly post plans online and I have reason to believe this opinion was issued erroneously Ref email to Kathleen Kane), any reasonable person would conclude that effectively having two days to review the project is completely insufficient to address a project that in its last iteration has generated 400+ signatures in opposition. I state that for the record that the *plans were not reasonably made available to the public at large*. While certain neighbors received blue notice of public hearing cards (I did not), these cards were mostly received on Wednesday or Thursday night and the general public was not aware of the hearing until Friday morning. The short lead time also does not help any Planning Commissioner who sees the staff report and plans one day prior to the public being able to see them. Also, no Notice of Public Hearing posting was present in front of the property (I and another neighbor did not see a sign in front of the property and pictures have been taken as of Sunday night 3/22/2015). The above actions taken together may be construed (regardless of intent) as reducing public knowledge of the proposed project and interfering with public due process mandated by State law. It was also unknown as of Friday morning, how many hearings would be allowed and this was only found out after raising questions about the plans and availability to the public by Mr. Meeker that there would be at least 3 meetings discussing this project (the public at large would have not been aware of this).

The New (2015) proposal:

Upon confirmation of having sufficient time to look at the plans referred to in the Staff Report, and based on what I've been shown by the developer in late 2014 and early 2015, and based on a version of the plans seen by neighbors at City Call, this latest proposal is a substantial improvement over the 2012 proposal that incorporates many of my, the neighbors' and the broader community concerns. I still believe we still have work to do to make this a better project and to fully address neighbor, community, environmental as well as government agency concerns (CA Dept of Fish and Wildlife or "CDFW"), but what **Mr. Fellowes has now proposed is a good first step**. We also want to ensure that this type of project adhere to the guidelines set by Burlingame to keep the fabric/character of the city, which are spelled out in numerous publications.

The developer has met with me and several neighbors on 4 occasions in a spirit of good faith, in spite of some differences that still remain to varying degrees, but I think we are close to having a project that is ultimately feasible, offers the developer a good return on investment, is workable for the community, environmentally compliant, and much better for all stakeholders. I hope going forward this can serve as an example of the proper way for development in Burlingame to occur, in a spirit of partnership that occurs *prior* to proposals being submitted and involving neighbors and the community at every step of the way. This also minimizes surprises for developers, who may be given certain guidance by the City, only to find out that public perceptions compared to City perceptions are vastly different. I would highly encourage that future development advocated by the City of Burlingame not be taken with a “let’s see who complains” type of approach. I would also encourage significant improvements in the way the City discloses public hearings, allowing sufficient time of the public to reasonably know and understand a project and hence provide well-informed, meaningful input.

To the developer’s credit, they took down the height by one story, kept most of the trees, removed the rooftop gather area, moved the A/C vents to the front. I think these are good first steps to a workable project.

Summary of Findings:

I believe the following steps need to be taken in order to render this project workable from an environmental and neighborhood perspective.

- 1) **The failing creek bank must be repaired.** This is simply a matter of safety for the 1509 Residents as well as the surrounding neighbors. The Wallachs at 1524 Balboa have sent the City of Burlingame footage of a flood that nearly damaged their property and have provided several pictures, and raised problems with the head of Public Works, who agreed with the assessment of the failing bank wall. The CDF&W, as the expert agency, and the developer’s own environmental consultant (in 2007) also recommended repair of the bank.
- 2) The CDF&W letter recommended that **natural landscaping and vegetation be used to reduce runoff into the creek and to help sustain the riparian habitat. A putting green and bocce court hardly qualify as natural/native landscaping and I suspect the CDF&W will most likely come back with similar comments this time around.** Given this and the concerns surrounding noise, **these should be removed** and perhaps a community garden (growing vegetables/herbs) put in its place.
- 3) **Screening trees should be provided** to in the rear and south side of the property to better provide privacy to neighbors and brake up the massing. I have included renderings performed by the Developer/the City. Also, the developer mentions that he will provide screening trees but they do not appear on the plans. The trees chosen should be tall and of relatively fast growth.
- 4) **I feel that the rear 3rd story units need either to be set back more, or make significant changes to the massing/improving articulation.** This building appears to the neighbors and the neighborhood as a ‘box’ and literally looks straight down into the yard/windows of one of the neighbors (renderings provided).
- 5) This proposal is effectively a de Novo proposal and given all neighbor concerns, this should go **through Design Review** to address design issues as well as receive valuable input from the Planning Commission.

- 6) I think this needs to be a high quality **“Burlingame Building” in the rear just as much as the front, with articulation, offset massing, additional detail, enhanced foliage (screening trees or trellises)**. If Spanish architecture is to be maintained, **I highly recommend the use of “reclaimed” terra cotta mission barrel tiles**. It has been used on some homes and really helps conceal the newness of buildings and helps attenuate the massing (there is a home on Poppy Drive which is a great example of this). Other forms of architecture including brick/stone in more earthy tones may be more appropriate to help reduce the box-like nature of the building from the rear and sides (the part that affects neighbors the most).
- 7) The developer should also contribute something for the **public safety of Lincoln School and Ray park**. The Developer himself in 2007 (per transcripts) said that the current 12 bedrooms had 23-25 cars parked at the property typically. Now there will be increasing the bedrooms (24 per staff report) one can reasonably expect that 40-50 vehicles will need to be parked on the property, which is impossible and will cause parking overflow into the surrounding area, and will increase traffic in a high traffic School and Park area. The cars exiting the property to make a left onto ECR to go north (virtually impossible during school hours) would instead have to go through a series of right turns (6 crosswalks) which will also mean more traffic around the school. Also, in 2013, several neighbors and I went to several TSPC meetings to address traffic/safety/parking issues in the neighborhood. Because 3 commissioners lived within 500 feet of the 1400 and 1500 blocks of Balboa, they had to recuse themselves and a quorum could not be formed for the hearing. The fact that it was going to be heard and that the commissioners themselves believed traffic to be a problem in the area, it is in fact a problem, and the developer should give back to the community and pay for 1) speed limit sign on Balboa at the Way/Ave School Crossing (Your Speed is XXX) ; 2) flashing reflector crosswalk at the School Crossing; 3) consider a stop sign on Ray and Balboa for those traveling down Ray toward El Camino; 4) Sponsor the associated costs of “permitted parking” program for the City of Burlingame.
- 8) **We need an “all clear” from the CDF&W** that the building is at a suitable distance away from the creek, that the creek bank has repaired, there is native landscaping, and satisfaction of all issues raised by the CDFW report in 2012.
- 9) **Insertion of Adequate Sound Wall** (not sure if this made it to the version of plans that I saw).
- 10) **Building Department should require a soils study** to bore down to the point of the piers (not done in prior study), to require a sufficiently foundation, due to the proximity to the creek, as this is a high damage probability liquefaction zone (per FEMA maps, San Andreas Shaking scenario, information that was provided subsequent to the soils study done in 2007).

Background/History of 1509 ECR: The Neighborhood Perspective

Many of you may not be familiar with the complete history of 1509 El Camino Real and the various applications to build on the property. Being relatively new to the neighborhood since 2010 and the second owner of a newer build construction on Balboa, in 2012, I was approached by several of my neighbors about proposed project at 1509 El Camino Real by developer Pat Fellowes of San Carlos. The neighbors were quite angry that a project of such massive scale and scope could be proposed. My first reaction was sounds like a case of “NIMBY”-ism not unlike what I typically hear for the newer build houses in the neighborhood (similar to what I live in). Upon discussing the issue with them and doing

some of my own research, nothing could be further from the truth and I soon understood exactly where they were coming from upon learning the following:

- The developer met with neighbors in 2006-2007, listened to their concerns and proposed a project smaller scale project in 2007. The project, as I understood it, were separate 2 story condos, with 2 buildings and underground parking. Note that the developer believed at the time that a smaller, multi-building complex with *underground* parking was financially feasible (in comparison to what is being proposed today with is larger). The Developer had paid ~\$2.1MM in for an 11 unit building in 2004 that is currently cash-flowing approximately ~\$1,400 per unit (estimated). The developer in the 2007 application appropriately described aspects of the environment that he believed his (then) proposal addressed (quotes from the written application):
 - “The 2 level townhouse style with center open court is acceptable design that is sensitive with the surrounding properties’ scale”
 - “The center court allows light and air through along the front and rear of the units and creates a pleasing open area entry to visitors”
 - “One driveway in front of building going down to an underground garage, herby mitigating the commercial look of the design”
 - “ A large park-like setting on the above podium with individual garden for the homeowner”
 - “Large Amounts of landscape. Nice rear yards for private enjoyment”
 - “(Trellises) landscaping treatment will provide a way to soften the hardscape of the building and add an aesthetic and pleasing element with the climbing vines to the frontage”

This information further environmental conditions and building appropriateness as a basis of fact (and those same descriptions were not used in the 2012 application).

- The audio files/tapes the 2007 Planning Commission meeting on the 2007 proposal showed a Planning Commission that acknowledged the environmental difficulties of developing the property, and described an environment, neighborhood character, trees, the natural setting that must be preserved. The comments were very pointed and made it clear that this property was different from most in Burlingame and that key environmental aspects with respect to the natural and human environment had to be preserved. I incorporate the audio tapes herein by reference.
- In the 2010-2011 timeframe, the developer again met with neighbors adjoining the 1509 ECR property, said he was going to propose a different building, listened to their concerns, which were largely reiterated from the 2007 meetings and Planning Commission meeting.
- A few months later, in 2012, the neighbors were shocked when the developer proposed a massive 4 story project with a 55 foot variance (5 story), including the adjoining of two lots, one of which contains a creek is unbuildable for the sole purpose of maximizing square footage, as well as the removal of several heritage trees, including what we believe to be the only/last Bunya-Bunya tree in Burlingame (approx 120 years old). All were puzzled how something could be so defiantly proposed, flying in the face of what the 2007 Planning Commission said, what was established about the environment and creek area, and in the spirit of the developer asking about neighbor concerns, which they believed should at least incorporate their and the 2007 Planning Commissions feedback.
- Upon finding out these details, myself in disbelief, and in light of considering the valid and well articulated concerns about the site’s environment, the potential impact to the neighborhood and the traffic/safety of the neighborhoods kids and my own children, it was decided that we should collect petitions; and we obtained over 400 live, written signatures opposing the proposed 2012

proposal (a staggering number considering that many online petitions cannot gather that many signatures).

- One of the neighbors noticed that a tree permit to cut down the grove of trees, including the Bunya-Bunya was inadvertently issued under R-1 vs R-3 regulations and upon petitioning the Parks and Recreation, the tree permit was revoked, placing the project in a “limbo” state.
- Mr. Bob Disco’s tree report (2012 proposal) directly contradicted Osterling’s (paid tree consultant and former Planning Commissioner) report by saying the trees were still healthy.
- Along with the petitions, a significant number of letters were written relating to the insufficiency of the MND for the 2012 project and how the 2012 project or its approval would have been a violation of the provisions of CEQA and its adoption would have been characterized by some, including myself, as a clear abuse of discretion.
- Upon hearing the extent and depth of the opposition, as well as the rescinding of the tree permit, the developer then decided to put the project on hold and have meetings with neighbors. Needless to say, the neighbors now finally thought they had a real voice at the table.
- Subsequent review of a letter sent by the CA Dept of Fish and Wildlife (CDFW) submitted during the public comment period (submitted to the California State Clearinghouse) revealed a strongly worded letter that validated all neighbors claims with respect to environmental impacts on wildlife of trees, validity of the failing creek bank, light/shadow effects, riparian environment effects. This letter is now part of the record and qualifies as expert opinion.

What has confounded me, and I have asked this question and still have not received an adequate answer: **what about the environment, neighborhood, and circumstances has changed that would allow a developer to seek a larger, more imposing project (~28,000 total square feet) compared to what was proposed in 2007 (~19,000 total sq ft) and was effectively deemed un-approvable?** I’ve heard various answers from different sources e.g. different Planning Commission, different city priorities, different housing needs, even the excuse "the City told me they wanted building just like 1512 Floribunda (Thorenfeldt Construction), so I gave it to them, now they told me I have to talk to you".

Through this whole process, upon examining body of evidence, including opinions from experts and public agencies, and I believe the answer to my question is quite simple: **nothing about the environment has changed to make this project more favorable and traffic/parking has gotten worse and the school population has increased.** Also, the latest project size has still increased from the 2007 proposal, in effect rendering the latest proposal a concession by the neighborhood to what was approved in 2007 (and deemed unworkable). We the public cannot solely rely on sponsoring agencies decisions, nor that local public officials are aware of all the goings on CEQA is provided to us as the only tool to protect our environment, our city, and its human inhabitants. CEQA tries to answer one thing: *Might* a project have a *significant impact on the environment?*. It’s absolutely irrelevant whether the project can provide some public benefit or answer some need, or what the size or financial condition of the applicant is, or how the project compares with other projects.

Cheap vs Cheap for A Reason

The developer only paid \$2.1MM in 2004 for a cash-flowing property, which even then was extremely inexpensive at that time. In investing, there are two forms of “value” or “cheapness”: 1) cheap, and 2) cheap for a reason. The real estate markets in highly desirable areas tend to be relatively efficiently priced. The owner/developer erroneously misjudged “potential” that could only be unlocked by rezoning a portion of land that is unbuildable and contains a creek, a site defined by trees and a bucolic atmosphere, a site that abuts R1 single family homes, and a site whose development has potential cumulative impacts on neighboring properties. In short, he bought a significantly environmentally constrained property, as the developer himself has stated, as the 2007 Planning Commission has effectively stated, as many neighbors have asserted for several years, as members of City Staff have stated (with respect to problems with Creek), all of which were subsequently validated in many points by the CDF&W in its response to the 2012 proposal. Because of the developer’s investment judgment on this particular property, he should bear the cost, not the neighborhood. We have had two real estate experts perform an analysis of the “even numbered” side of 1100-1400 Blocks of Balboa facing multi-family units, which adjusting for age/square footage sell for \$50,000-\$100,000 lower than comparable homes on the “odd numbered” address side as they border multifamily units. The value of the neighbors’ properties that abet 1509 ECR will probably see this wealth transfer occur, to the sole benefit of the developer.

CEQA and Feasibility

CEQA requires that a project environmental impacts be *reduced to the extent such that a project will be no longer be rendered feasible*. We have several developers in the Planning Commission some of whom have experience with multi-family housing and know the profitability and costs quite well. I have spoken to two developers (who are not members of the PC) privately, from which I derived my financial analyses. When using leverage (construction loan + mortgage), the return on investment (equity) is quite favorable. In short, the building size can be further reduced and this can still be rendered a feasible project that can return in excess of not doing anything to the property. In 2007 a smaller proposal, with multiple buildings (more buildings have more corners and are more expensive) and underground parking (adds about \$1MM to the total cost of project this size) was deemed feasible.

Illustrative Economics of Property Development as a Basis for Realistic Solutions

In order to establish meaningful discussions on what is feasible in terms of development from both the community and developer’s perspective, I have prepared an economic valuation analysis of potential property development incorporating information from local multi-family builders, estimated construction costs from 1226 El Camino Real (Burlingame Permit Archives) and other multifamily properties (City of Burlingame Building Permit Database), and local real estate agents, to arrive at estimated multi-family all-in construction costs (at contractor level) of approximately \$300 per finished square foot (this includes unfinished garage space and parts of the structure, e.g. outdoor balconies). I have also accessed the MLS to ascertain recent comparable sales and asking prices for new condo construction in Burlingame (which are actually in the midst of rising substantially) on a per finished square foot basis, which is assumed to be approximately \$700 for newer construction. Our analysis also includes an alternative opportunity cost NOI (Net Operating Income) and Capitalization Rate (Cap Rate) approach used by the Institutional Investment Community for Commercial Real Estate and Multifamily Real Estate Investment Trusts (REITs).

The following analysis establishes my belief that the property may be developed profitably even with a 50% reduction in total square footage (from the 2012 proposal, or another 25%-30% from the 2015 proposal); with profitability being defined as unlevered Return on Investment (ROI), and resulting in a

final sale valuation greater than the point of theoretical “indifference” (ie, keep renting out property as is) using the NOI approach, which values the existing property at \$3.7MM vs. the \$6.56MM value achieved at 9,300 square feet of living space). With unlevered return on initial investment of ~33-50% (if leverage were used, the return on equity would be even greater), we believe that a significantly downsized project can still earn a very profitable return on investment.

Alternative #1 Develop and Sell Condos						
Development Economics	Square Foot Reduction (%)					
	Initial (2012) Proposal	-20%	-30%	-40%	-50%	-60%
Total Finished Living Square Footage	23,247	18,598	16,273	13,948	11,624	9,299
Fair Market Value Per Sq. Ft.	\$ 700	\$ 700	\$ 700	\$ 700	\$ 700	\$ 700
Total Fair Market Value	\$ 16,272,900	\$ 13,018,320	\$ 11,391,030	\$ 9,763,740	\$ 8,136,450	\$ 6,509,160
All-In (Living/Garage/Public Area) Construction Cost Per Sq.	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300	\$ 300
Total Construction Cost	\$ 6,974,100	\$ 5,579,280	\$ 4,881,870	\$ 4,184,460	\$ 3,487,050	\$ 2,789,640
Total Land Cost	\$ 2,100,000	\$ 2,100,000	\$ 2,100,000	\$ 2,100,000	\$ 2,100,000	\$ 2,100,000
Total Unlevered Cost	\$ 9,074,100	\$ 7,679,280	\$ 6,981,870	\$ 6,284,460	\$ 5,587,050	\$ 4,889,640
Unlevered Profit	\$ 7,198,800	\$ 5,339,040	\$ 4,409,160	\$ 3,479,280	\$ 2,549,400	\$ 1,619,520
Unlevered Total Return on Investment	79%	70%	63%	55%	46%	33%

Alternative # 2 - Continue as Income Producing Property	
Fair Market Rent Per Month	\$ 1,400
# of units	11
Total Rent per Month	\$ 15,400
Per Year (x 12)	\$ 184,800
Maintenance Cost/Year (6% per annum)	\$ (11,088)
Property Taxes	\$ (23,730)
Annual Net Operating Income (NOI)	\$ 149,982
Capitalization Rate*	5.000%
Current Fair Market Value	\$ 3,696,000

* Assumes 80% LTV @ 4.25% (Prime + #%) Required Return on Equity of 8%

Current Resident Concerns:

Several residents of the current 1509 ECR apartment complex expressed their concern of being displaced and in one of the Planning Commission meetings, one resident, already afraid to speak up, was effectively silenced into intimidation by being told by to seek help elsewhere. While as neighbors, we understand that Burlingame has very limited options for lower income rental availability, and developers have a right to develop their properties within the confines of rules, regulations, local statues and state law, we hope that our actions in coming up with a more workable solution also allowed those renters who may be displaced more time to enjoy their setting, families, lower cost rent while extending optionality for other location options.

De Novo Project vs De Facto Environmental Conditions

While this most recent proposal project is considered a substantial revision of the 2012 project, it must be kept in mind that the environmental conditions of the property nor potential impacts to the human environment have not changed in any way making development more favorable since 2007. In fact, the

school population of Lincoln and Ray Park activities have only increased, thereby increasing potential impacts to traffic, safety, noise, and the like.

CEQA and Applicability to Discretionary Actions.

While a complex law that is tough to navigate and presents a challenge for Planners and decision makers alike, there are a few key points to be made about application of the law by virtue of its statutory provisions as well as case law/precedent:

- CEQA requires that a *project's significant environmental impacts be revealed, and reduced to the extent feasible*. In this context, “infeasible” doesn’t just mean less profitable for the developer. The courts have held that there must be a factual showing that the mitigation measures or project alternatives would create a hardship sufficiently severe to render it impossible to continue with the project.
- To require the preparation of an EIR, one only needs to make only make a “fair argument” that there may be a significant environmental impact, even though a contrary conclusion may be possible. (CEQA Guidelines §15064(g)(1), *Friends of B Street v. Cfty of Hayward* (1980) 106 Cal.App.3d 988.) CEQA sets a “low threshold” for preparation of an EIR. (*No Oil Inc. v. City of Los Angeles* (1974)13 Cal.3d 68, 84.)
- If the EIR identifies a significant impact of a proposed project, the project cannot be approved until all feasible “mitigation measures” or “project alternatives” which could “eliminate or substantially lessen” the identified significant impacts have been adopted.
- The EIR must examine the project’s “cumulative impacts,” meaning the impacts of the project added to those of past, present, and reasonably foreseeable future projects. (PRC §§21083(b), CEQA Guidelines §§15065(c), 15130, 15355.)

EIR vs Mitigated Negative Declaration - Cumulative Impacts.

I am surprised that the lead agency, the City of Burlingame, still does not appear to require an EIR or focused EIR for 1509 El Camino Real .

The legal test is this: if there’s *any* substantial evidence that the approved project *may* have a significant impact (or even if its mitigation measures may have a significant impact), an EIR is required.

The Developer’s own comments in the application for the 2007 application, public comments on the 2012 application, the TSPC’s attempt to hear concerns about parking and traffic at the 1400 and 1500 Blocks of Balboa (a quorum could not be reached), the CDFW letter addressing the 2012 proposal, including the problems with the creek, setbacks, and impacts on the riparian environment already establish that development on the property may have significant

The EIR must examine the project’s “cumulative impacts,” meaning the impacts of the project added to those of past, present, and reasonably foreseeable future projects. (PRC §§21083(b),

CEQA Guidelines §§15065(c), 15130, 15355.) It is known that the Adeline Market Plaza was listed prior Housing Element reports as a property that may potentially be developed and therefore development along El Camino and Adeline needs to be addressed as a whole especially given potential cumulative impacts. An EIR should address the potential cumulative impact of building 1509 ECR and the potential effects on development of Adeline Market and its impact on traffic, population, and the human environment.

Typical Developer Responses

“NIMBY Neighbors”:

- While Developers like to label neighbors as “NIMBY”, one cannot say that getting 400 written signatures, the significant weight of opinions of neighbors in the legal profession, nor the prior concerns of prior commissioners and the public in 2007, establishing the environmental conditions as “expert opinions”, nor the 2013 hearing by the Traffic and Safety Commissions on 1400 and 1500 Blocks of Balboa, nor the notices that we as parents get from Lincoln school on the traffic and safety concerns can be regarded as “NIMBY” in nature. Me and several neighbors believe in responsible development that is both feasible and works for the community and within the laws/regulations.

“Look how much I’ve given up to build this compared to the last building. This is a win for the NIMBYs at my expense”

- While the project has substantially improved, it is still larger than the 2007 proposal, deemed as un-approvable by a sitting Planning Commission. Proposing something that effectively gets shot down, then proposing a larger building that generates more opposition, and returning to a building that is larger than the original proposal in can be argued from the neighborhood perspective as the neighborhood giving up more “concessions” when looking at the totality of proposals from day one.



Executive Summary of all public concerns raised by the 2012 1509 ECR Proposal (Subsequently withdrawn by the developer) and potential solutions

This Summary has been prepared in response to the public comment concerns raised about the development of 1509 El Camino Real, representing the key concerns raised of over 400 residents during petition signature soliciting activities, public and written commentary at several Planning Commission meetings and one City Council Meeting (“From the Floor”).

With each key concern are specific, fact-based, and realistic *potential* solutions on how to mitigate the environmental impacts of potential property development.

Key Concerns and Potential Solutions

I. Mitigated Negative Declaration vs. Full Environmental Impact Report

Concerns:

- The justification made by the City to require an MND is insufficient (Pg 1 MND report) “the project would (typo) result in certain potentially significant environmental impacts, but those impacts would be reduced to a less than significant level by implementation of mitigation measures that have been agreed upon and would be implemented by the applicant and monitored by the City of Burlingame.”
- Public feedback and prior one-on-one discussions with certain residents and the developer was not incorporated into the preparation of the MND.
- No alternatives nor mitigating factors were identified by the MND.
- Public commentary Fair Arguments of potentially environmentally significant impacts on the following were not included nor sufficient in the report: i) Aesthetics; ii) Biological Resources/Trees; iii) Riparian Environment/Creek; iv) Traffic/Parking; v) Soils; vi) Population; vii) other items (see below).
- Broad community opposition to project via letters and 400+ petition signature from several neighborhoods (and cities) establish that aesthetic and land use impacts are far greater than the immediate El Camino area, as defined by the developers.
- California Department of Fish and Wildlife Report objections on riparian environment, bank creek wall, soil erosion, native landscaping, riparian feeding, and stream alternation impacts.
- Neighbors including myself brought up traffic/parking issues to TSPC meetings in 2014. TSPC had 1400 and 1500 blocks of Balboa as agenda item. 3 of TSPC Commissioners had to recuse themselves due to their proximity to both blocks, a quorum couldn't be reached to hear the item. The very fact that TSPC acknowledged traffic/parking as issues on the blocks of Balboa and wanted to hear the item is considered expert acknowledgement of the traffic/safety/parking issues along the 1400-1500 Blocks of Balboa. Traffic/Circulation issues are covered by CEQA

Solution:

- A Full Environmental Impact Report should be prepared for any potential project.

II. MND Ignored Prior (2007) Environmentally Significant Conditions raised by Community, Planning Commission and Developer himself; This Is the Fatal Flaw of the MND

Concerns:

- In the 2007 application, the Developer’s justification for design at the time actually acknowledged several environmental issues and circumstances we are raising today that were ignored in the 2012 project.
- The environmental circumstances haven’t changed and still exist today vs. 2007.
- 2007 concerns and environmentally significant factors (per PC transcripts) were included in staff report; should also be acknowledged/included in the even more important Environmental Report.
- Transcripts from 2007 application establish prior Planning Commission environmental concerns on smaller project with respect to:
 - Trees: *“Burlingame values trees - trees should remain” (Quotations from Audio Tapes)*
 - Aesthetics: *“If project moves forward, rear two units need to be reduced to two stories; design should respect transitions to adjacent neighborhoods.”*
 - Aesthetics: *“Additional work needs to be done on massing.”*
 - Aesthetics: *“Spanish architecture doesn’t lend itself to a 3 story building”.*
 - Environmental/Neighborhood Concerns: *“Applicant needs to address neighbors concerns.”*
 - Feasibility *“Maximizing developer’s profit is not a reason for the Commission to approve a project”*
- Most of the reasons in applying for re-zoning in 2012 were cut-and-paste from the prior application, with the exception except for anything relating to appropriateness of aesthetics, size/scale, and fitting with neighborhood. From the 2007 Application as written by the developer:
 - “One single building would be overbearing in mass and bulk, as there are mostly smaller buildings within the subject property.”
 - “Project would be in keeping with the character of smaller structures rather than one large one”
 - “2-Level Townhouse style with center open court is compatible design that is sensitive with surrounding properties’ scale).”
 - “Center Court allows light and air through/along the front and rear of the units and creates an open pleasing entry to visitors.”
 - “One driveway going down to underground garage, hereby mitigating the commercial look of the design”
 - “Large amounts of landscape”
 - “Feel that trellises (at front of property) give the best residential feel for the last impact on the surroundings”
 - (Trellises) “provide a way to soften hardscape of the building and add an esthetic and pleasing element with climbing vines to the frontage”
 - “Placement of trellises to be in front of the building rather than on the same plane of structure or beyond makes for a more attractive view”.

Solution:

- Environmentally significant factors identified haven’t changed and were readily acknowledged by all parties and must be presented for CEQA Compliance.
- Because they are Environmentally significant factors per CEQA, a full EIR must be prepared.

III. Land Use & Planning: Re-Zoning of R2 Lot Containing a Creek to R3 and merging the two parcels (R2 and R3) into one R3 Lot.

Concerns:

- Sole purpose is to allow larger building.
- Density defined by number of units is not significantly increasing. Current R3 parcel has 11 units on .35144 Acres for a Unit/Acre ratio of 31.035. Combining R2 and R3 parcel results in 15 units on .4461 acres, for a Unit/Acre ratio of 33.62
- Increasing the number of units to 15 from 11 does not significantly “solve” any housing problems.
- Destruction of lower income rental property fails to address General Plan/Housing Elements requiring to maintain rental opportunities in Burlingame. This creates a new housing problem that is insufficiently outweighed by the “benefit” of creating new “Million Dollar Condo” slightly higher density housing opportunities.
- R2 to R3 zoning may induce domino effect of further developments—i.e. developer wants to build larger building, so gets rezoned.

- Burlingame's own Housing Element report has an appendix referencing a working group which has identified Adeline Market as a potential mixed-use residential and commercial redevelopment. Any potential cumulative effects of development (which would make developing this property 'easier' through precedence) should be considered in an EIR.
- Rezoning and Lot Merge Should be treated as separate item from approval of any project: 1) If Council does not approve the lot merge, the developer loses ~4,000 square feet; 2) If Council approves the lot merge and zoning change, the project can move forward and if approved, leaves the public with no recourse to appeal the decision
- Request for zoning change requires under direct purview of City Council to determine the final approval action; the Planning Commission will not be able to decide.
- A transaction resulting in a title change should not automatically mean that the R2 parcel on the subject property, particularly because it wouldn't make sense to build an R3 structure on the R2 parcel, as it contains a creek and is unbuildable.
- Neighbor on opposite R2 lot applied for R3 permit for addition and got denied (Helen Johnson); now is acceptable for 4-5 story building? Can Ms. Helen Johnson now apply for a rezoning from R2 to R3 and 5-story conditional use permit? Building standards should be applied uniformly and without prejudice.
- Need to look at reasons why creek lot was rated R2 (title analysis and history of Burlingame zoning required); Platt maps are needed.

Solution:

- Any Zoning request should be treated separately from any project, so that City Council may vote on zoning independent of Planning Commission approval on merits of project, thereby allowing Burlingame citizens to retain full due process rights.
- (Or) Keep R2 lot containing the creek zoned R2.
- Do a full title and Platt map analysis of Burlingame Zoning on subject R2 parcel.

IV. Aesthetics - Building Is Too Large/Massive; Does Not Respect Neighborhood Transitions

Concerns:

- Fails to comply with guidelines and restrictions along El Camino in Burlingame; General Plan limits condo/apartment buildings to maximum of 2-3 stories; MND project is 2 stories above this.
- Conditional Use Permits above 2-3 stories given for "special circumstances;" Because of surrounding buildings (duplexes, 2-3 story apts, 2 story houses across street), and the gateway site to tunnel of trees, "special circumstances" would actually argue for 2-3 story development, tunnel of trees as gateway site),
- Pictures submitted in the MND themselves establish that the entire two block area along the stretch of ECR is max 2-3 stories (actually really only 2.5)
- MND erroneously refers to "urban context" of the proposed project, when site is defined by trees; Reasonable person observations, PC comments for 2007 proposal agreed that site is "defined by Trees"
- CEQA guidelines require that any negative impact on "aesthetics" is deemed a "significant environmental impact" per se.
- Significant Negative Aesthetic Impact to 1400-1500 blocks of Balboa and Adeline and Albemarle (pictures per Haberecht, Mitchell, Johnson)
- In 2007 Application, developer himself states that a 2 story design is right for the neighborhood. In the 2011 Application, this commentary was completely absent in wake of asking for a conditional use permit to build 2-3 stories higher.
- Planning Commissioners have acknowledged that property is part of 3 neighborhoods: ECR, Balboa/Adeline, and Albemarle
- North Burlingame where the "Tunnel of Trees" begins in earnest is a "Gateway Site" (per definition of Burlingame Architectural guidelines) is anything but an oasis of trees and 1-3 level homes;
- 4-5 story building would create new source of substantive light for neighbors at nighttime (see building height Mitchell/Johnson photos).
- 3rd-4th stories of proposed building will present a "wall of windows" causing glare to the Adeline apartment and the 1400 Block of Balboa Eve residents from sunrise through mid-day from direct reflected sunlight, further emphasizing the mass, bulk and height.

- 4-5 story building would create new source of substantive light for nocturnal wildlife (CDFW report).
- 4-5 story building would have a significant adverse impact on aesthetics, privacy, quality of life, and feelings of control over their environment (Mitchell and Johnson photos).
- Renderings of the property are from angles that are favorable to project; after story poles were put up and phoptos taken, can see significantly greater adverse impact on neighborhoods vs the renditions.
- Size/mas of building coupled with the violation of privacy by having units look into the backyard of residences and has rooftop garden actually reduces the comfort of the neighborhood by detracting a sense of ownership and control residents have over their environment.
- Project violates Burlingame’s own *Architectural and Design Guidelines* (Residential and Commercial):
- “A building should simply not scream at the neighboring buildings for attention”
- “Compatibility of the architecture with the mass, bulk, scale, and existing materials of existing development and compatibility with transitions where changes in land use occur nearby”.
- “Design buildings to be appropriate to the use envisioned while maintaining general compatibility with the neighborhood”
- “Create human scale buildings no matter what style is used”
- “On visually prominent sites, the building has an important responsibility for defining the character of the surrounding neighborhood. Projects on such sites should clearly respond to the street and adjacent architecture”.
- “Human scale supports the health and comfort of the neighborhood by enhancing the sense of ownership and control residents have over their environment. It makes our neighborhoods seem like friendly, human places”
- “Managing mass and bulk should not be considered a cosmetic exercise, it should be embodies (typo) in the actual design of the building”
- “Homeowner privacy is achieved by sensitive placement of buildings and landscaping and by the ways building components are orchestrated to support separation at property lines. These elements can also minimize noise, further insulating occupants to promote a sense of privacy.”
- “Respect for the parking and garage patterns in the existing neighborhood.”
- “Gateway sites do not justify monumental buildings.”
- “Gateway sites do justify a high level of refinement in architectural design and detail.”

Solution:

- R2 Parcel containing creek should remain R2 to keep neighborhood transitions intact and result in a smaller/less massive building.
- Maximum 2-3 story development fronting El Camino Real, in line with Burlingame General Plan
- Maximum 2 story development facing the Easton Addition/Ray Park Neighborhoods (Balboa, Adeline, Albemarle).
- All trees currently on the property should remain.
- Maintain the “Tunnel of Trees” by planting NEW trees along the frontage of the property facing El Camino Real
- Plant NEW screening trees to screen views from 1400-1500 Blocks of Balboa, Adeline, and screening trees to hide views from Albemarle.
- To further minimize visual effects from 1400 and 1500 Blocks of Balboa, plant trellised vines that go up side of building.
- Improve articulation and high end materials to prevent “wall” look to surrounding neighborhoods.
- New proposal needs to be made from scratch incorporating the above, thereby subjecting proposal to Design Review, thereby benefit from the architectural and design expertise of the City Planners and Planning Commission members.
- Renderings and story poles should be as realistic as possible and from multiple angles (both favorable and unfavorable).
- Refinement required in architectural design and detail as this is a Gateway Site.

V. Biological Resources - Trees and Tree Ordinance

Concerns:

- Tree permit rescinded by City of Burlingame due to error RE municipal code.
- MND states that a “tree permit will be issued” for tree removal; tree permit stated that removal would be approved upon approval of project. Circular argument that defies logic.
- MND implies trees to be removed, including Bunya-Bunya, are not part of the ECR “Scenic Highway”/ Tunnel of Trees.
- We believe this is the LAST Bunya-Bunya in Burlingame (other two sites from Burlingame Tree Guide were visually inspected and those trees no longer remain) as potential historical resource.
- Tree grove slated to be removed removes shield vs. Adeline market and ECR.
- Tree grove is an Aesthetic factor under CEQA and is visible from houses Balboa/Adeline
- CAFW report states that trees are important to riparian environment and provide solar radiation screening.
- Trees deemed by Burlingame Arborist as Healthy vs. Environmental Consultant which says several trees are not healthy and that the Bunya-Bunya is a danger to residents.
- Bunya-Bunya is not a safety danger as alleged given there are two chairs and foot stools directly under the tree for residents to relax (photo per Wallach letter).
- Tree removal/re-mulching may result in Termites.

Solution:

- All trees should remain, which would be solved with smaller building.
- Additional trees planted on frontage of any proposed structure, to maintain the “Tunnel of Trees” and break up mass of building.
- Additional screening trees should be planted to screen views from Balboa/Adeline and Albermarle (See Don Mitchell Letter, Mark Haberecht letter, Helen Johnson letter).

VI. Biological Resources -Fish & Wildlife In Riparian Environment

Concerns:

- Per CA Fish & Wildlife (CDFW) letter addressing 2012 proposal: Construction in riparian zone would reduce overall habitat value of the stream zone, reduce overall habitat value of stream zone, decrease biological integrity and function of riparian corridor, impact long-term viability of riparian corridor and stream habitat, which in turn may impact aquatic and terrestrial species.
- Development can increase sedimentation and pollution into Mills Creek (CDFW).
- Loss of trees can increase solar radiation, reduce prey base and potentially modify the nutrients that establish food chain (CDFW)
- Non-native vegetation planted by new property owners could become established and potentially-out-compete riparian vegetation (CDFW).
- CDFW recommends stream setback to be increased to minimize projects (typo) impacts on stream, riparian habitat, and fish and wildlife resources that utilize those habitats.
- No mitigation for loss of habitat provided by trees (CDFW).
- Light and glare may affect biological resources include rodents, mammals, owls, bats, insects, and birds; nighttime light can affect raptor/owl foraging behavior, disrupt birds sleep and flight patterns, deter foraging, affect breeding cycles.
- Environmental consultant report also recommends that creek bank wall be repaired and erosion mitigation measures be implemented.
- Creek bank disrepair is currently damaging riparian environment, results in further erosion, and may endanger residents (Wallach Flooding).
- Several in Community believe current owners to be poor “steward” of existing property with respect to Creek Bank Failure, Erosion, Trash/branches along creek.

- During 2007 proposal, Planning Commissioners suggested to clean the property up; this has not been accomplished, thereby creating a self-fulfilling condition that now “requires” that the old building be torn down.

Solution:

- Creek bank should be repaired ASAP to prevent any further damage to wildlife and ensure public safety.
- Full environmental impact report should ascertain specific concerns of CDFW.
- Smaller building with smaller footprint would be further from creek.
- Keeping all trees and planting new ones for screening will not only preserve, but encourage wildlife habitats.
- Smaller, 2-3 story building with larger setbacks can protect wildlife.
- Keeping trees helps prevent A/C units from being run more often (is actually noise mitigant).
- Landscaping vegetation should be native to avoid out-competing vegetation sustaining riparian environment.

VII. Geology & Soils - Bank Creek Failure/Erosion

Concerns:

- Soil on creek bank is already unstable due to retaining wall failing and erosion (CDFW)
- FEMA maps were updated in 2010 to indicate liquefaction potential with San Andreas shaking scenario; Soils study should incorporate this new information (was based on 2007 information).
- Failure to incorporate concerns in a failure could result in significant liability to City and/or developer
- Proposed building should be moved back from top of bank (CDFW)
- 1998 Flood (Wallach Video) resulted from bank collapse. Given failing retaining wall, a repeat of incident could endanger current and/or prospective residents and expose developer and/or city to liability given concerns brought up in numerous public letters/discussions.

Solution:

- Perform soils study with deeper bores going past foundation depth
- Foundation Plan must be submitted as part of application to the Planning Department
- Creek bank should be repaired ASAP to prevent any further erosion.
- Full environmental impact report should ascertain specific concerns of CDFW.
- Smaller building with smaller footprint would be further from creek.
- Smaller, 2-3 story building with less impervious surfaces would help reduce erosion.
- Landscaping vegetation should be native to avoid out-competing vegetation in order to reduce stream alternation and/or erosion.

VIII. Hydrology & Water Quality

Concerns:

- Erosion of creek bank is already occurring (CDFW, Wallach photos).
- Creek Bank Wall is failing (CDFW, Wallach photos)
- Non-native vegetation planted could out-compete riparian vegetation which would further impact stream and riparian corridor (CDFW).
- Proposed structure will be constructed on piers that sink to an unspecified depth below the water table found at 7' below grade, there is a heightened likelihood that drainage measures, including sump pumps will be employed to prevent erosion or any other hazard to protect foundation pier intervals.
- If ground water is removed at regular intervals, this could lead to water table depletion, which would deplete the groundwater that supplies the creek.
- Ground-water feed the creek may suffer in provision of downstream water needs to support riparian wildlife/habitat.

- Any freshwater discharge to Mills Creek would be a violation of California Department of Fish and Game provisions.

Solution:

- Build smaller building/footprint which will increase stream setback (recommendation made by CDFW), reduce foundation requirements, reduce impervious surfaces.
- Plant native vegetation.
- Repair bank creek wall.
- Provide erosion mitigation measures (recommended by Environmental Consultant to developer).
- Plant additional trees for screening and erosion control.

IX. Transportation/Parking/Traffic

Concerns:

- Current proposal has 50% compact spaces, lack of storage units, lack of bike storage, larger building/more units will likely result in more traffic/increased parking difficulties.
- Residents from building wanting to travel North on El Camino would instead have to perform a series of right turns and use Adeline/Balboa/Ray to eventually travel north on El Camino thereby increasing exposure to 7 school crossings.
- If a child is injured due to negative effects of project that substantially increased actual traffic, the City would be subject to significant City and personal City Employee liability that would far outweigh any property tax benefit and could actually result in financial distress for the City.
- Absent from MND is acknowledgement of Parking difficulties in area.
- Conclusion of generating only two additional trips during peak am hours and 11 fewer trips during PM house was generated using generic cost curves and defies Reasonable (typo) Person standards; Burlingame parking study was not performed.
- Makes little sense that number of bedrooms will be doubled, number of cars more than double, couples/families more likely to be dual income, more children likely to live in unit, but trips generated are declining.
- Does not take into account Recreational Activities at Ray Park which affects parking in neighborhoods.
- Developer in 2007 discussion (per City recordings) states that there were 23-24 vehicles parked at the current property (1.9x vehicles per bedroom and 2.2 vehicles per unit). New project would require between 33-45 spaces based on these ratios.
- Project not compliant with the California Complete Streets Act—There should be at-grade indoor bicycle parking
- Any storm drain box culvert drain gratings be installed anywhere in the Caltrans ROW, a safety hazard would be produced (storm water discharge).
- Neighbors including myself brought up traffic/parking issues to TSPC meetings in 2014. TSPC had 1400 and 1500 blocks of Balboa as agenda item. 3 of TSPC Commissioners had to recuse themselves due to their proximity to both blocks, a quorum couldn't be reached to hear the item. The very fact that TSPC acknowledged traffic/parking as issues on the blocks of Balboa and wanted to hear the item is considered expert acknowledgement of the traffic/safety/parking issues along the 1400-1500 Blocks of Balboa.

Solution:

- 2-3 Story development will reduce number of residents and thereby subjecting school children (just typos) to similar traffic vs existing project.
- New development should include that all spaces be made sufficiently (large) to park SUVs. (How about "full size vehicles"?)
- Include 20% additional parking spaces (in addition to requirement) to handle guest parking, 3+ car families, service vehicles (UPS, delivery, etc).
- City should install Traffic Calmers (similar to Hillside Drive) on Balboa Ave to reduce additional traffic to be generated.
- City should install flashing speed limit sign and flashing reflectors around Balboa school crossing.

- Bicycle parking should be present. Could include locked cage, wall or ceiling mountings along with dedicated outdoor and secured parking facilities.
- Build smaller building to reduce impervious surfaces, potential culvert issues.

X. Noise

Concerns:

- A/C noise study via extrapolation of 1226 ECR Property not realistic.
- Cumulative dB effect of Airport perhaps more appropriate restricted to item below, Rooftop Garden, Rooftop A/C, Bocce Court, etc needs to be considered
- Proposed project surrounds are different vs 1226 ECR including trees, more airport noise, train, BART, Ray Park, all likely contribution to more noise vs 1226 ECR.

Solutions:

- A/C units should be at front of property facing ECR.
- Perform real world noise study with cumulative effects (vs poor extrapolation methodology).
- Keeping existing trees plus more screening trees will help mitigate noise.
- Any A/C units should be of the “ultra-quiet” variety with the lowest dB ratings.

XI. Utilities -Storm Water Discharge and Runoff

Concerns:

- Project will increase over-all impervious materials lot coverage, thereby increasing amount of storm water runoff.
- Increased storm runoff will increase the amount of fresh water added to the Bay.
- There will be less absorption to the water table identified at 7 ft below grade.
- Non-native landscaping could result in out-competition of natural vegetation and increase storm water discharge.
- There is no identified location for the parcel storm water tie-in to the box culvert to discharge the runoff.

Solution:

- Build smaller/shorter building (less depth of foundation).
- Plant native vegetation
- Plant screening trees
- Provide culvert discharge solution

XII. Population & Housing

Concerns:

- New 15 unit condo will displace long time residents of Burlingame and ruin the fabric of neighborhood with “new” high end expensive condo units.
- MND essentially indicates that rental units can be found in Burlingame, but fails to provide any evidence that these lower/middle income long-term tenants have any accommodations in Burlingame once the current place is demolished.
- No plans have been proposed to deal with the current residents, many of whom appear to have limited economic means, but who clearly are part of what makes Burlingame a mixed and diverse community.
- No evidence submitted how these long-time tenants will be able to stay in Burlingame or what opportunities the developer has offered to these tenants.
- Failure to consider the impact on these residents may invite potential litigation over the civil rights of these tenants as the “replacement” tenants will be of a higher economic status/”value”.

Solutions:

- Population Impact should be included in an EIR and solutions provided by the City in conjunction with the developer.
- EIR should provide evidence to substantiate the claim that “Rental units can be found in Burlingame”
- Keep as rental property to low/moderate income residents.

XIII. Excess Developer Economics at the Expense of Residential Property Values

Concerns:

- Rezoning creek parcel, which is unbuildable, in order to achieve greater square footage is a source of excess profits (see ROI and NOI analysis above).
- Project as described in MND would result in economic transfer of wealth from neighborhoods to developer. Per actual real estate valuations of recent new construction along east side Balboa Ave (1100-1200 blocks) abetting 2-3 story apartment buildings, and a comparable analysis performed on 50+ year old houses on Balboa imply a discount of \$40,000-\$100,000 for abetting properties. Applying this to every property that could see the 1509 ECR building, would result in net value transfer in the millions of dollars.
- Planning Commission comment 2007 proposal “Developer Profit is not a reason to approve this project”. Given larger scale/height/mass of MND project, would be the case even more today.

Solution:

- Smaller building can still result in good developer profit relative to cost and vs keeping property as rental (ROI and NOI approaches discussed above).

The above comments and all references contained therein are hereby incorporated into the official record of proceedings of this project and its successors.

Respectfully submitted,

Mark Haberecht

1505 Balboa Ave

TO: BURLINGAME PLANNING DEPARTMENT
FROM: GARY W. JOYCE

BURLINGAME, CAL.

DATE MARCH 23, 2015

COMMUNICATION RECEIVED
AFTER PREPARATION
OF STAFF REPORT

Received After
03.23.15 PC Meeting
Agenda Item 9b - 1509 El Camino Real
Page 1 of 1

March 18, 2015

Dear Neighbors:

Thank you for signing the neighborhood petition last year in opposition to the large development proposed to be built at 1509 El Camino Real, next to Mills Creek. The developer eventually withdrew those plans. He has recently submitted new plans to the City, which are one story lower than the original building. It will be three stories high. + 9 FT. "TOWER"
There will be no party room on the roof. In addition, the footprint of the building has been adjusted to preserve the trees on the south side of the property, including the very large Bunya Bunya tree.

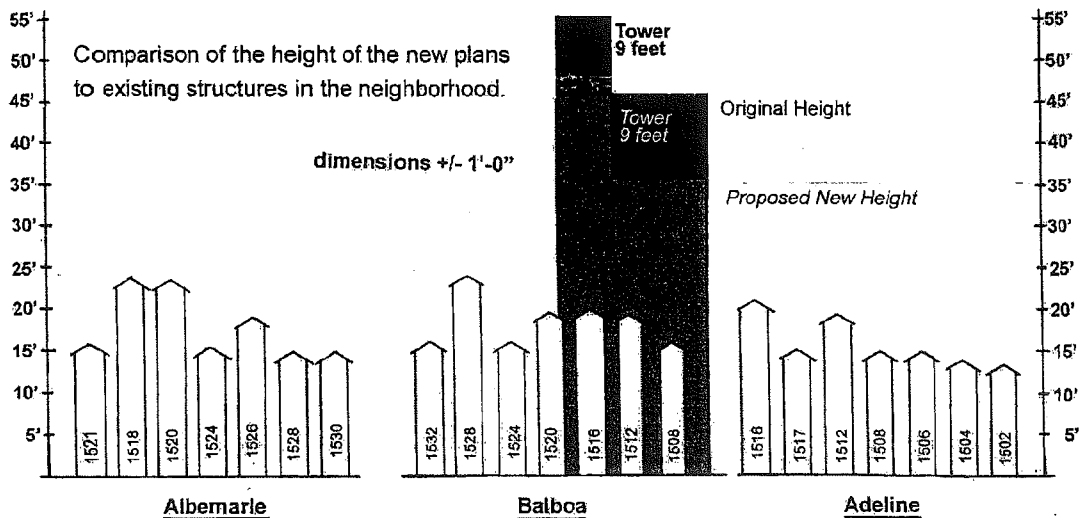
You are free to review the new plans at the Planning Department in City Hall. If you still have concerns, you are encouraged to speak up at the next Planning Commission meeting in Burlingame City Hall on Monday, March 23, 2015 at 7:00 pm. If you prefer not to speak, your presence will add importance to the proceedings. If you cannot attend the meeting, before next Monday you can write a letter addressing your concerns to the Planning Commission at:

RECEIVED

MAR 23 2015

CITY OF BURLINGAME
CDD-PLANNING DIV.

Burlingame Planning Commission, Burlingame City Hall, 501 Primrose Road,
Burlingame, CA 94010
Or email them at: planningcommissioners@burlingame.org



WHAT PURPOSE DOES THE 9 FT. TOWER SERVE? WHY IS IT NECESSARY? IF IT IS ELIMINATED THE STRUCTURE IS NOT SO IMPOSING - COULD IT BE INCORPORATED INTO ANOTHER FLOOR AT A LATER DATE, THUS FULFILLING THE ORIGINAL INTENT FOR A FOURTH FLOOR?
Gary W. Joyce

CD/PLG-Hurin, Ruben

From: Patricia Gray <pat1936@gmail.com>
Sent: Wednesday, March 18, 2015 10:18 PM
To: GRP-Planning Commissioners; Patricia Gray
Subject: Proposed apartment building at 1509 El Camino Real

RECEIVED

MAR 19 2015

CITY OF BURLINGAME
CDD-PLANNING DIV.

I plan to attend the meeting at City Hall on March 23 at 7:00. I may not be able to attend and want my issues to be discussed before allowing these condos to be given a permit. I have two concerns---parking and traffic.

I would like to know how many apartments will be built, and how many parking spaces for normal sized cars are planned per condo.

The last plan, which was rejected, did not have adequate parking and many of the spaces were for compact cars.

How much parking is planned for guests? I live close by and parking is a problem now. It is really bad on the days the girl's soft ball league is playing in Ray Park. There is also a problem because people going to the airport park on Cortez and take a cab to the airport.

There is now a problem where Balboa narrows as it passes Ray Park. This transition to a narrower road takes place on a curve in the road. This is dangerous now, but increased traffic will only make things worse. The problem is not just when children are going to or from school---but all day long as children go to play in the park. There is a lot of pedestrian traffic on that street and the residents of the proposed building will add to the traffic danger. If residents from 1509 wants to go north on El Camino Real they may not cross the double yellow center line and must go south to Adeline to drive north on Balboa. This increases the danger to the children and if school crossing guards are hired, they will only be there before and after school. Children are crossing Balboa all day to go to the park.

Many parents drive their children to and from school. That adds to traffic problems in that where the road narrows there is not room for two cars to pass. One of them has to duck into a driveway or go in reverse for the cars to pass. These maneuvers increase the danger for the children in crossing the street.

Nina Weil
1520 Balboa Avenue
Burlingame, CA 94010
650-348-6971; nina@ninaweil.com

March 6, 2015

Community Development Department
501 Primrose Road
Burlingame, CA 94010

RECEIVED

MAR - 6 2015

CITY OF BURLINGAME
CDD-PLANNING DIV.

RE: **Proposed Condominium Project
1509 El Camino Real, Burlingame**

I would like to acknowledge and thank the developers, Pat Fellowes, Sheri Chow and Walter Renner, for having taken the time to meet with and listen to the neighbors in close proximity to their project, and make many modifications to their plans responding to some of the concerns expressed.

Thanks also to the planning department, especially Ruben Hurin, for ongoing communication and response to questions.

My sentiment expressed over the past 8 years regarding this project remains, that the project still is overbuilt in terms of bulk/mass and density. However, having read the newly implemented Housing Element for Burlingame I understand that this concern and desire is not necessarily in keeping with the direction that our city is moving in.

Regarding the project itself, I have several requests to be incorporated into the final plans. The first three concerns have been discussed with the developers and verbally agreed to in our meetings, but have not been incorporated into the plans as yet.

- **That a sound wall be installed along the back property wall prior to demolition and construction**
- **That the landscaping be modified to include fast growing, tall trees for screening along the rear of the property to mitigate the disparity between heights**
- **That an arborist be engaged to insure protection during construction of all of the trees on the property, and the trees, including the Acacia trees in the easement behind the project**
- **There seems to be a disparity on the current plans over the number of trees that exist on the property. The landscape plans do not match with the rest of the plans. This needs to be remedied to insure that all trees are accounted for and preserved.**

In the new housing element, it states that there needs to be provision for sensitive transitions between existing lower scale residential neighborhoods and other uses. It also states conserving neighborhood character. I believe the requests for screening and protecting the trees go along with this mandate.

Noise along the El Camino Real has increased significantly over the years. The traffic noise is somewhat mitigated by the current building. A sound wall will help mitigate the dramatic increase in noise that will occur with no building in place.

Thank you for your consideration. Respectfully yours,

Nina Weil

March 16, 2015

Burlingame Planning Commission

Re: 1509 El Camino Real

Dear Ladies and Gentlemen:

RECEIVED

MAR 16 2015

CITY OF BURLINGAME
CDD-PLANNING DIV.

If you have had occasion to study the materials previously submitted regarding this application, you will find a dvd video of the flooding of my property, which abuts Mills Creek on the north, and 1509 ECR on the east. This flooding occurred when the bank on the 1509 ECR property collapsed during a winter storm and blocked creek flow. Our property and the 1509 property were inundated. Understandably, this occurrence left me with serious concerns about creek banks in general, and about the stability of the 1509 creek bank in particular.

Last Fall I had occasion to walk the creek with a Public Works inspector, on a matter unrelated to 1509 El Camino Real. However, in the course of his inspection of this other situation, the condition of Mr. Fellowes' retaining wall was noted. A length of bank under the wall has been undercut and several yards of material has bled into the creek bed. The inspector, Mr. Mik Lowrie, described to me the potential for seepage from above further eroding this area. Please see the attached image.

Thus far, there seems to be little evidence of interest in ensuring the stability of the creek bank and retaining wall on this property. In fact, notations on the plans clearly indicate, "No work to be done in creek bed." Really?

I also have observed that, generally, little notice appears to be given to the special nature of properties bordering Burlingame's creeks. I think this does a grave disservice to public safety, and to the protection of these rare natural resources and their riparian areas. I think this should be especially important in situations of multi-family or commercial buildings, where responsibility tends to be diluted: The "let Mikey do it" syndrome.

Mr. Fellowes and his partners have been most generous with their time to meet with us and to discuss their project. My husband and I are truly appreciative of Mr. Fellowes' efforts. However, we are still left with little assurance that the stability and health of the creek bank will be attended to prior to construction and most especially prior to the movement of heavy equipment adjacent to the creek.

This issue thus far has not been adequately addressed. I look forward to Commission comment.

Sincerely,
Ann Wallach
1524 Balboa Way





*Paul and Ann Wallach
1524 Balboa Way
Burlingame, CA 94010*

February 18, 2013

Planning Commission
501 Primrose Road
Burlingame, CA

RECEIVED

FEB 19 2013

CITY OF BURLINGAME
ODD-PLANNING DIV.

Re: 1509 El Camino Real Development and Mills Creek

The Creek

Concern about the impact on Mills Creek by proposed development at 1509 El Camino Real has been voiced several times before the Commission. Nevertheless, neither Commission response nor the initial Mitigated Negative Environmental Impact Report adequately addresses this issue.

Flooding

In February 1998, during a not particularly heavy rainfall, the bank at 1509 El Camino Real collapsed and sent a significant amount of material into the creek: driveway paving, fencing and its supports, concrete, small trees, and assorted rubble. The creek clogged, flow was blocked, and water rose until it flooded our property and that of 1509 El Camino Real. It was only due to the swift efforts of tenants, private citizens, and fire department personnel that flow eventually was restored and the water receded. But not before six inches of water covered 1509 ECR carports and our property, rapidly approaching our home (please see video). Without that swift action, other nearby properties also would have flooded.

To our recollection, a year or so passed before, at the direction of Fish and Game and the City of Burlingame, a retaining wall was finally built in the area of the collapse. It spans less than half the length of the creek bank. That retaining wall is now in need of repair, as it and other parts of the bank are being undercut and in some places are seriously insufficient. In addition, there is no indication of what type of footing supports the retaining wall.

The track record for maintenance and for making the most of this natural area has not been good. In 2007 the developer, Mr. Fellowes, who had owned this property for several years, admitted to the Commission that he had never walked the creek to inspect its banks. To any objective observer it is clear that this area has not been adequately maintained. Its aesthetic potential has been completely ignored. It is a mess.

Groundwater and Liquefaction

The latest report from ABAG indicates that 1509 El Camino Real sits in an area that is highly susceptible to liquefaction in the event of an earthquake, particularly one along the San Andreas Fault, less than a mile distant. The developer's answer to this hazard is to set the building on piers. Groundwater is prevalent in this area. Bore holes found water at 7 feet and at 12 feet. How will groundwater be prevented from collecting around and under these piers? Will sumps be used to drain this and other groundwater? The developer's current plans call for all drainage to be directed to the box culvert which sends Mills Creek under El Camino Real. This culvert is maintained by CalTrans, and has always been an issue of concern and contention, as maintenance is minimal at best. The dimension of this box culvert is 8 feet by 13 feet. The dimension of the creek upstream is greater than this. Besides normal creek volume, several storm drains enter into it from Balboa Way and Albemarle Avenue. In some seasons, the culvert is filled with a large amount of silt and debris, which decreases its size. Under these circumstances, will it be adequate to handle added drainage?

The newest USGS quake hazard report states that liquefaction "may cause buildings to settle and move downslope or toward stream banks." So, while piers may prevent building slippage during a quake, what of all the other materials which will be added to this property?

Although this area has been removed from 100 year flood hazard maps, the Mitigated NEIR does not adequately address potentials for flooding specific to 1509 El Camino Real. We who live on the creek, who have experienced its swift and vigorous flow during storms, and who regularly inspect and maintain its banks, have a more accurate experience of what it takes to prevent disaster.

The initial Mitigated NEIR does not adequately address any of the above.

Rezoning of Creek Area

Many concerns have been raised about rezoning the portion of the lot which includes the south half of the creek. We do think that it is disingenuous to present the argument for this rezoning as mere tidying up of bookkeeping, when its sole purpose is to enhance developer profit. In its wisdom, when subdividing the Ray "Cloud" (Park), and Easton Addition blocks, Burlingame decided to allocate an R-2 designation to both sides of the creek at this location. The thinking around this decision appears to be lost to history; nevertheless, it should be respected. This petition should be denied.

Sincerely,



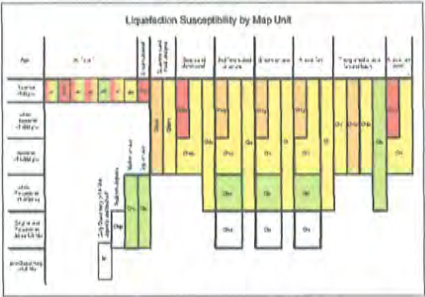
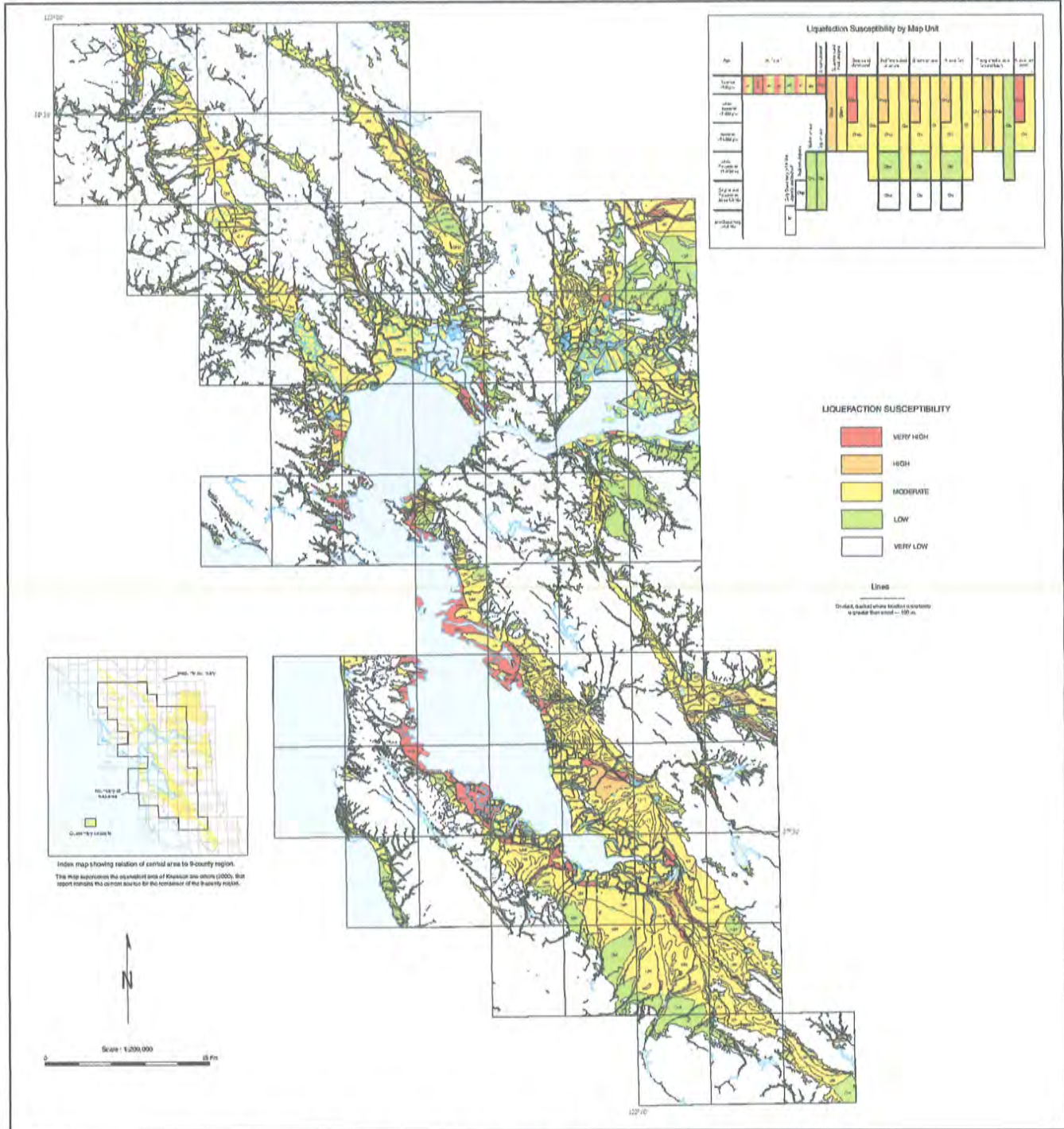
Ann and Paul Wallach
1524 Balboa Way

encl: Maps (ABAG and USGS)
Images of bank
Architectural drawing of current creek bank support
Two minute Video of 1998 flooding

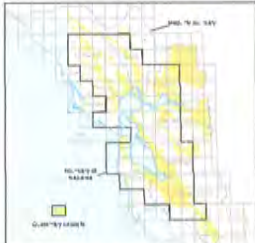
<http://earthquake.usgs.gov/regional/nca/qmap/>



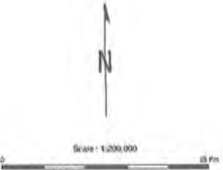
Creek bed is 8-9 feet below bottom of bridge



Lines
Dashed, hatched where fault is uncertain
to a depth from ground - 100 m.



Index map showing relation of central area to 9-county region. This map approximates the extent of the Quaternary deposits (Qp) that report beneath the surface for the remainder of the 9-county region.



MAPS OF QUATERNARY DEPOSITS AND LIQUEFACTION SUSCEPTIBILITY IN THE CENTRAL SAN FRANCISCO BAY REGION, CALIFORNIA

LIQUEFACTION SUSCEPTIBILITY

geology by
Robert C. Witter, Keith L. Knudsen, Janet M. Sowers, Carl M. Wentworth, Richard D. Koldler, and Carolyn E. Randolph
digital database by
Carl M. Wentworth, Suzanna K. Brooks, and Kathleen D. Guss





1509 El Camino Real

- ● -

Staff Comments

Three-Story, 10-Unit Condominium Project

Project Comments

To:

<input type="radio"/> City Engineer (650) 558-7230	<input type="radio"/> Recycling Specialist (650) 558-7271
<input checked="" type="radio"/> Chief Building Official (650) 558-7260	<input type="radio"/> Fire Marshal (650) 558-7600
<input type="radio"/> City Arborist (650) 558-7254	<input type="radio"/> NPDES Coordinator (650) 342-3727
	<input type="radio"/> City Attorney

From: Planning Staff

Subject: Request for application for Environmental Review, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3 and Condominium Permit for construction of a new three-story, 10-unit residential condominium at **1509 El Camino Real, zoned R-2 and R-3, APN: 026-011-010 and 025-228-130**

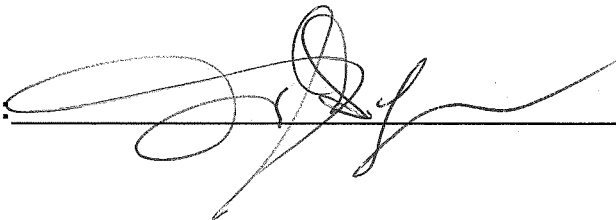
Staff Review:

When plans are submitted for Building Code compliance plan check clearly indicate on the plans a level landing on each side of all required entrances and exits.

Permeable pavers installed along all paths of travel must meet all 2013 CBC accessibility requirements.

All conditions of approval as stated in all previous reviews of the project will apply to this project.

Reviewed by:



Date: 2-5-2015

Project Comments

To:

<input type="radio"/> City Engineer (650) 558-7230	<input type="radio"/> Recycling Specialist (650) 558-7271
<input checked="" type="radio"/> Chief Building Official (650) 558-7260	<input type="radio"/> Fire Marshal (650) 558-7600
<input type="radio"/> City Arborist (650) 558-7254	<input type="radio"/> NPDES Coordinator (650) 342-3727
	<input type="radio"/> City Attorney

From: Planning Staff

Subject: Request for application for Environmental Review, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3 and Condominium Permit for construction of a new three-story, 10-unit residential condominium at **1509 El Camino Real, zoned R-2 and R-3, APN: 026-011-010 and 025-228-130**

Re-Check Comments:

25. On your plans provide a table that includes the following:
- a. Occupancy group for each area of the building
 - b. Type of construction
 - c. Allowable area
 - d. Proposed area
 - e. Allowable height
 - f. Proposed height
 - g. Proposed fire separation distances
 - h. Exterior wall and opening protection
 - i. Allowable
 - ii. Proposed
 - i. Indicate a fire sprinklered building

On Sheet A0.1 revise the occupancy Group for the garage to S-2. Note: There is no S-3 occupancy Group in the 2013 CBC.

On Sheet A0.1 revise the construction Type for the condominiums to 5-A.

26. Specify on the plans the location of all required accessible signage. Include references to separate sheets on the plans which provide details and graphically illustrates the accessible signage requirements.

Information not found on the plans.

29. Specify on the plans the location of all proposed electric vehicle charging stations.

In light of impending Code regulations that will require a greater percentage of on-site parking to be serviced by electric vehicle charging stations the developer is encouraged to install site infrastructure that can service at least 3% of the total on-site parking.

Please review the attached State of California "PEVs: Universal Charging Access" Draft regulations.

It would be prudent to provide the infrastructure to add an EV charging station, at a later date, at the accessible parking space.

30. Specify a level landing, slope, and cross slope on each side of the door at all required entrances and exits.

Information not found on the plans.

38. Specify that there will be a clear maneuvering space adjacent to each tub that is at least 30" X 48" measured from the drain end of the tub. CBC 1134A.5

"Where two or more bathrooms are provided within the same dwelling unit and a bathtub is installed to comply with Option 2, Item 6 in one bathroom and a shower stall is provided in a subsequent bathroom, both the bathtub selected to comply with Option 2, Item 6 and at least one shower stall within the dwelling unit shall meet all the applicable accessibility requirements provided in Section 1134A." CBC 1134A.2, Option 2. #6

Revise the plans to show that the Units B, C, and D are provided with accessible bathtubs that comply with CBC 1134A.5.

39. Specify on the plans that all kitchens will provide a minimum clear width of 48". CBC 1133A2.1

U shaped kitchens with a stove at the base of the U must provide a minimum 60" clear width. CBC 1133A2.1 #1. Revise the plans to include this clear aisle width.

41. Specify on the plans that all dwelling unit interior doors will comply with CBC 1132A5.2. Note: Many doors within the unit appear to have only 12" of strike side clearance.

Doors are shown on the plans that have only 12" strike side clearance. In addition, some Exit doors are shown with strike side clearances on the push side of less than 18". Revise the plans to show Code compliance.

43. The second exit from the garage appears to terminate at the rear of the property. Provide an exit plan which shows accessible path of travel from the exit to the public right of way per 2013 CBC 1007.2. NOTE: The second exit cannot terminate at the "Public Alley." This exit discharge must traverse an accessible route from the exit to the sidewalk on El Camino Real.

The turf pavers cannot be installed so that there are abrupt changes in level no more than 1/2". Revise the plans to show an accessible path of travel that complies with CBC 1113A.1.

45. Specify on the plans that accessible paths of travel in excess of 200 feet must be a minimum of 60" in width. CBC 1110A.4

Revise the plans to show that the accessible path of travel from the rear exit of the garage to the public right of way on El Camino Real is at least 60" in width.

48. Remove references to the ADA that are found on the plans. Replace this term with "Accessible", "ACC", or "D.A."

References to the "ADA" and "Handicap" were found on the plans. Please remove and replace.

NOTE: A written response to the items noted here and plans that specifically address items 25, 26, 29, 30, 38, 39, 41, 43, 45, and 48 must be re-submitted before this project can move forward for Planning Commission action.

Reviewed by:  Date: 12-5-2014

Project Comments

To:

<input type="radio"/> City Engineer (650) 558-7230	<input type="radio"/> Recycling Specialist (650) 558-7271
<input checked="" type="radio"/> Chief Building Official (650) 558-7260	<input type="radio"/> Fire Marshal (650) 558-7600
<input type="radio"/> City Arborist (650) 558-7254	<input type="radio"/> NPDES Coordinator (650) 342-3727
	<input type="radio"/> City Attorney

From: Planning Staff

Subject: Request for application for Environmental Review, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3 and Condominium Permit for construction of a new three-story, 10-unit residential condominium at **1509 El Camino Real, zoned R-2 and R-3, APN: 026-011-010 and 025-228-130**

Staff Review:

- ① Plans must be wet-stamped and signed by a licensed architect. 1997 Uniform Administrative Code §302.2 and §302.3.
- ② On the plans specify that this project will comply with the 2013 California Building Code, 2013 California Residential Code (where applicable), 2013 California Mechanical Code, 2013 California Electrical Code, and 2013 California Plumbing Code, including all amendments as adopted in Ordinance 1889. Note: If the Planning Commission has not approved the project prior to 5:00 p.m. on December 31, 2013 then this project must comply with the 2013 California Building Codes.
- ③ Specify on the plans that this project will comply with the 2013 California Energy Efficiency Standards.
Go to <http://www.energy.ca.gov/title24/2013standards/> for publications and details.
- 4) Provide two completed copies of the attached *Mandatory Measures* with the submittal of your plans for Building Code compliance plan check. In addition, replicate this completed document on the plans. Note: On the Checklist you must provide a reference that indicates the page of the plans on which each Measure can be found.
- 5) Indicate on the plans that the cool roof will comply with Cool Roof requirements of the 2013 California Energy Code. 2013 CEC §110.8. The 2013 Residential and Non-Residential Compliance Manuals are available on line at <http://www.energy.ca.gov/title24/2013standards/>

- 6) Place the following information on the first page of the plans:

“Construction Hours”

Weekdays: 7:00 a.m. – 7:00 p.m.

Saturdays: 9:00 a.m. – 6:00 p.m.

Sundays and Holidays: 10:00 a.m. – 6:00 p.m.

(See City of Burlingame Municipal Code, Section 13.04.100 for details.)

- 7) On the first page of the plans specify the following: “Any hidden conditions that require work to be performed beyond the scope of the building permit issued for these plans may require further City approvals including review by the Planning Commission.” The building owner, project designer, and/or contractor must submit a Revision to the City for any work not graphically illustrated on the Job Copy of the plans prior to performing the work.
- 8) Anyone who is doing business in the City must have a current City of Burlingame business license.
- 9) Provide a fully dimensioned site plan which shows the true property boundaries, the location of all structures on the property, existing driveways, and on-site parking.
- 10) Note: Any revisions to the plans approved by the Building Division must be submitted to, and approved by, the Building Division *prior to the implementation of any work not specifically shown on the plans*. Significant delays can occur if changes made in the field, without City approval, necessitate further review by City departments or the Planning Commission. Inspections cannot be scheduled and will not be performed for work that is not shown on the Approved plans.
- 11) A new Certificate of Occupancy will be issued after the project has been finalized. No occupancy of the building is to occur until a new Certificate of Occupancy has been issued.**
- 12) Provide a complete demolition plan that includes a legend and indicates existing walls and features to remain, existing walls and features to be demolished, and new walls and features.
- NOTE: A condition of this project approval is that the Demolition Permit will not be issued and, and no work can begin (including the removal of any building components), until a Building Permit has been issued for the project. The property owner is responsible for assuring that no work is authorized or performed.**
- 13) When you submit your plans to the Building Division for plan review provide a completed Supplemental Demolition Permit Application. **NOTE: The Demolition Permit will not be issued until a Building Permit is issued for the project.**
- 14) Show the distances from all exterior walls to property lines or to assumed property lines
- 15) Show the dimensions to adjacent structures.
- 16) Obtain a survey of the property lines.
- 17) On the plans specify if the rooftop will be used as a common use or public use space. If common use or public use is proposed detail all features to be installed on the roof for those purposes.
- 18) Rooms that could be used for sleeping purposes must have at least one window or door that complies with the egress requirements. ***Specify the location and the net clear opening height and width of all required egress windows on the elevation drawings.*** 2013 California Residential Code (CRC) §R310.

19) Indicate on the plans that, at the time of Building Permit application, plans and engineering will be submitted for shoring as required by 2013 CBC, Chapter 31 regarding the protection of adjacent property and as required by OSHA. On the plans, indicate that the following will be addressed:

- a. The walls of the proposed basement shall be properly shored, prior to construction activity. This excavation may need temporary shoring. A competent contractor shall be consulted for recommendations and design of shoring scheme for the excavation. The recommended design type of shoring shall be approved by the engineer of record or soils engineer prior to usage.
- b. All appropriate guidelines of OSHA shall be incorporated into the shoring design by the contractor. Where space permits, temporary construction slopes may be utilized in lieu of shoring. Maximum allowable vertical cut for the subject project will be five (5) feet. Beyond that horizontal benches of 5 feet wide will be required. Temporary shores shall not exceed 1 to 1 (horizontal to vertical). In some areas due to high moisture content / water table, flatter slopes will be required which will be recommended by the soils engineer in the field.
- c. If shoring is required, specify on the plans the licensed design professional that has sole responsibility to design and provide adequate shoring, bracing, formwork, etc. as required for the protection of life and property during construction of the building.
- d. Shoring and bracing shall remain in place until floors, roof, and wall sheathing have been entirely constructed.
- e. Shoring plans shall be wet-stamped and signed by the engineer-of-record and submitted to the city for review prior to construction. If applicable, include surcharge loads from adjacent structures that are within the zone of influence (45 degree wedge up the slope from the base of the retaining wall) and / or driveway surcharge loads.

20) Indicate on the plans that an OSHA permit will be obtained for the shoring* at the excavation in the basement per CAL / OSHA requirements. See the Cal / OSHA handbook at: http://www.ca-osh.com/pdfpubs/osh_a_userguide.pdf

* Construction Safety Orders : Chapter 4, Subchapter 4, Article 6 , Section 1541.1.

21) Indicate on the plans that a Grading Permit, if required, will be obtained from the Department of Public Works.

22) Provide guardrails at all landings. NOTE: All landings more than 30" in height at any point are considered in calculating the allowable lot coverage. Consult the Planning Department for details if your project entails landings more than 30" in height.

23) Provide handrails at all stairs where there are four or more risers. 2013 CBC §1009.

24) Provide lighting at all exterior landings.

25) On your plans provide a table that includes the following:

- a. Occupancy group for each area of the building
- b. Type of construction
- c. Allowable area
- d. Proposed area
- e. Allowable height
- f. Proposed height
- g. Proposed fire separation distances
- h. Exterior wall and opening protection
 - i. Allowable

ii. Proposed

i. Indicate a fire sprinklered building

- 26 Specify on the plans the location of all required accessible signage. Include references to separate sheets on the plans which provide details and graphically illustrates the accessible signage requirements.
- 27 Specify an accessible path of travel from all required exits to the public right of way.
- 28 Specify the path of travel from on-site parking to the main entrance of the building.
- 29 Specify on the plans the location of all proposed electric vehicle charging stations.

In light of impending Code regulations that will require a greater percentage of on-site parking to be serviced by electric vehicle charging stations the developer is encouraged to install site infrastructure that can service at least 3% of the total on-site parking.

Please review the attached State of California "PEVs: Universal Charging Access" Draft regulations.

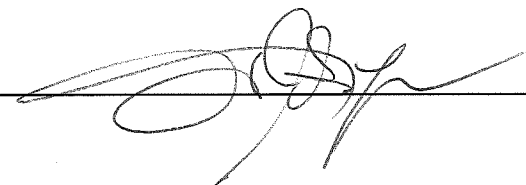
- 30 Specify a level landing, slope, and cross slope on each side of the door at all required entrances and exits.
- 31 Provide complete dimensioned details for accessible bathrooms
- 32 Provide complete, dimensioned details for accessible parking
- 33 Provide details on the plans which show that the building elevator complies with all accessible standards. 2013 CBC §11B-407.
- 34 On the first page of the plans clearly state that all paths of travel and common use spaces will be accessible and all living units will be adaptable.
- 35 Provide details which show that the maneuvering clearances for the bathrooms in each unit are accessible CBC 1127A2.2 #1. (The space under the lavatory can be used but the maneuvering clearance and are allowed to encroach into the knee and toe clearances.)
- 36 Provide details which show that the water closet in each unit complies with CBC1134A.7 #1;
- 37 Specify whether CBC 1134A.2 option #1 or option #2 will be used for the bathrooms.
- 38 Specify that there will be a clear maneuvering space adjacent to each tub that is at least 30" X 48" measured from the drain end of the tub. CBC 1134A.5
- 39 Specify on the plans that all kitchens will provide a minimum clear width of 48". CBC 1133A2.1
- 40 On the plans provide dimensions which show that each laundry room will provide sufficient maneuvering space for a person using a wheelchair or other mobility aid to enter, use the fixtures, and exit.
- 41 Specify on the plans that all dwelling unit interior doors will comply with CBC 1132A5.2. Note: Many doors within the unit appear to have only 12" of strike side clearance.
- 42 Provide the interior dimensions for the elevator.
- 43 The second exit from the garage appears to terminate at the rear of the property. Provide an exit plan which shows accessible path of travel from the exit to the public right of way per 2013 CBC 1007.2. NOTE: The second exit cannot

terminate at the "Public Alley." This exit discharge must traverse an accessible route from the exit to the sidewalk on El Camino Real.

- 44) The exit discharge from "Stair #2" appears to re-enter the building and then exit the building through the Lobby. This exit discharge cannot re-enter the building. This exit discharge must also traverse an accessible route from the exit to the sidewalk on El Camino Real.
- 45) Specify on the plans that accessible paths of travel in excess of 200 feet must be a minimum of 60" in width. CBC 1110A.4
- 46) Private decks and exterior balconies must be accessible and therefore must be 60" in the shortest dimension to allow for a person in a wheelchair to turn around and exit the deck or balcony in the forward direction. Revise the plans to show that the decks /balconies on the southeast corner at floors 2 and 3 are at least 60" in the shortest dimension. UFAS §4.34.2 and §4.2.3
- 47) Please Note: Architects are advised to specify construction dimensions for accessible features that are below the maximum and above the minimum dimension required as construction tolerances generally do not apply to accessible features. See the *California Access Compliance Manual – Interpretive Regulation 11B-8*.
- 48) Remove references to the ADA that are found on the plans. Replace this term with "Accessible", "ACC", or "D.A."
- 49) Provide a complete exit plan showing the paths of travel from all exits, along an accessible route, to the public right of way.
- 50) Exterior exit balconies, stairways, and ramps shall be located at least ten (10) feet from adjacent lot lines and from other buildings on the same lot unless adjacent building exterior walls and openings are protected in accordance with Section 705 based on fire separation distance. 2013 CBC §1026.5.
NOTE: The balconies at the southeast corner at floors 2 and 3 (as noted in item #46, above) cannot be constructed within ten feet of the property line.
- 51) Provide a clear, 44" wide access aisle to all required exits in the parking area.
- 52) Specify the total number of parking spaces on site.
- 53) The accessible parking shown in the basement must comply with the accessibility requirements of the 2013 CBC. Specifically:
 - a. All entrances to and vertical clearances within the parking structure must have a minimum vertical clearance of 8' 2" where required for accessibility to accessible parking spaces.
 - b. At least one of these spaces must be comply with the accessible parking requirements including loading / unloading access aisle and signage. See 2013 CBC §1109A.5 – Unassigned and Visitor Parking Spaces.
- 54) Sewer connection fees must be paid prior to issuing the building permit.

NOTE: A written response to the items noted here and plans that specifically address items 1, 2, 3, 9, 14, 15, 17, 18, 19, 20, 21, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 49, 50, 51, and 52 must be re-submitted before this project can move forward for Planning Commission action.

Reviewed by:



Date: 9-5-2014



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

Plug-In Electric Vehicles: Universal Charging Access Guidelines and Best Practices

These draft guidelines have been developed in conjunction with the Division of the State Architect (DSA) to assist the Governor's Office of Planning and Research with physical accessibility standards and design guidelines for the installation of plug-in electric vehicle charging stations throughout California. This initiative supports the Governor's Zero Emission Vehicle Executive Order, B-16-2012, which establishes a target of 1.5 million ZEVs in California by 2025.

These guidelines are intended to supersede and expand upon the current DSA "Interim Disabled Access Guidelines for Electric Vehicle Charging Stations 97-03", dated 5 June 1997. While 97-03 is a policy statement and only applicable to facilities under DSA's regulatory jurisdiction, it is possible that these voluntary 2013 guidelines will eventually become regulations within *California Building Code Chapter 11B Accessibility to Public Buildings, Public Accommodations, Commercial Buildings and Public Housing*.

For clarity and usability, the guidelines and any subsequent regulations should reflect the format and organization of the California Building Code. The 2013 Chapter 11B accessibility provisions use the Americans with Disabilities Act Guidelines as their model code with amendments to implement more stringent California specific requirements. These draft guidelines use the same format and are organized with separate scoping and technical provisions. The designation EVG (for Electric Vehicle Guidelines) is used as a prefix for the guideline provisions and the prefix 11B is used before sections from the 2013 California Building Code's accessibility provisions. These Guidelines are focused on physical accessibility standards and information about Section 508 of the Rehabilitation Act for Self-Contained Closed System Products will be provided in future guidance.

The guidelines address accessible plug-in electric vehicle charging stations on both public and private sites and within public rights of way. Making charging stations within public rights-of-way fully accessible can be challenging, as illustrated by the examples in the Plug-in Electric Vehicle Collaborative's "Accessibility and Signage for Plug-in Electric Vehicle Charging Infrastructure Report and Recommendations" of May 2012. Similar provisions from the proposed federal Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way related to parking have been adapted as the basis for on-street installations. Signage and identification of the accessible electric vehicle charging stations is raised but not yet fully resolved in this public draft.

Dennis J. Corelis, Deputy State Architect
Division of the State Architect

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Guidelines for the Provision of Electric Vehicle Charging Stations

The following scoping sections of these guidelines are designed to present best practices for electric vehicle charging station accessibility and eventually may become part of the California Building Code's Chapter 11B Division 2: Scoping Requirements.

ADVISORY: EVG-250 Electric Vehicle Charging Stations. A reasonable portion of Electric Vehicle Charging Stations are required to be accessible. If provided by a state or local government on public property or on-street within the public right of way, vehicle charging is considered a program or service that must be accessible to and useable by individuals with disabilities. Accessibility covers not just the physical dimensions of the charging station, and operable parts of the device, but also the functionality of the 'self-contained, closed product' charging system. If provided at privately owned or operated public accommodations they must also be accessible as a service provided to the general public.

EVG-250 Electric Vehicle Charging Stations

ADVISORY: EVG-250.1 General. While there is no positive requirement to provide electric vehicle charging stations, when they are provided a portion of them should be accessible. When co-located with parking spaces, electric vehicle charging is considered the primary function of these stations, not parking. Accessible electric vehicle charging stations are not to be reserved exclusively for the use of persons with disabilities. They should not be identified with signage that would mistakenly indicate their use is only for vehicles with placards or license plates for individuals with disabilities.

EVG-250.1 General

Where provided, electric vehicle charging stations shall comply with EVG-250.

EXCEPTION: Restricted Electric Vehicle Charging Stations not available to the general public and intended for use by a designated vehicle or driver, such as public or private fleet vehicles, vehicles assigned to an employee or by an electric vehicle owner at home may but shall not be required to comply with EVG-250 and EVG-812.

ADVISORY: EVG-250.1 General. Existing conditions, terrain, electric infrastructure and other factors dictate that not every electric vehicle charging station can be fully accessible. With electric vehicle charging stations being functionally similar to and usually integrated with parking, the ratios of accessible to standard electric vehicle charging stations in these guidelines are the same as those for accessible to standard parking in the 2010 ADA standards and the 2013 California Building Code. The numbers of required accessible electric vehicle charging stations for both on-site and public rights-of-way locations are shown in Tables EVG-250.2 On-site Electric Vehicle Charging Stations and EVG-250.3 On-street Electric Vehicle Charging Stations.

EVG-250.2 Minimum Number for On-site Locations

On publically owned or privately owned sites electric vehicle charging stations complying with EVG-812 shall be provided in accordance with Table EVG-250.2.

Table EVG-250.2 On-Site Electric Vehicle Charging Stations

Total Number of Electric Vehicle Charging Stations Provided at a Site	Minimum Number of Required Physically Accessible Electric Vehicle Charging Stations
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 and over	4, plus 2 for each 100, or fraction thereof, over 100

EVG-250.2.1 Minimum Number for Residential Facilities

Electric vehicle charging stations to serve residential facilities and sites shall comply with EVG-250.2.1.

EVG-250.2.1.1 Electric Vehicle Charging Stations for Residents

Where at least one parking space is provided for each residential dwelling unit and electric vehicle charging services are provided in conjunction with that parking, five percent, but no less than one, of the electric vehicle charging stations provided shall comply with EVG-812.

EVG-250.2.1.2 Additional Electric Vehicle Charging Stations for Residents

Where additional parking spaces beyond one for each residential dwelling unit is provided and electric vehicle charging services are provided in conjunction with that parking, two percent of the additional parking spaces, but no fewer than one, of the additional electric vehicle charging stations provided shall comply with EVG-812.

EVG-250.2.1.3 Electric Vehicle Charging Stations for Guests, Employees and Other Non-Residents

Where parking spaces are provided for persons other than residents and electric vehicle charging services are provided in conjunction with that parking, electric vehicle charging stations for guests, employees and other non-residents shall be provided in accordance with Table EVG-250.2 and shall comply with EVG-812.

EVG-250.3 Minimum Number for On-Street Locations

Within the public right-of-way of a state or local government jurisdiction on-street electric vehicle charging stations complying with EVG-812 shall be provided in accordance with Table EVG-250.3.

Table EVG-250.3 On-Street Electric Vehicle Charging Stations

Total Number of Electric Vehicle Charging Stations Provided within a Jurisdiction's Public Right of Way	Minimum Number of Required Physically Accessible Electric Vehicle Charging Stations
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 and over	4, plus 2 for each 100, or fraction thereof, over 100

EVG-250.4 Electric Vehicle Charging Stations for Vans. Reserved.

ADVISORY: EVG-250.4 Electric Vehicle Charging Stations for Vans. The guidelines do not include provisions for van accessible electric vehicle charging stations. As of the date of these guidelines there are no plug-in electric vans being manufactured and providers of electric plug-in vehicle conversions indicate that van style vehicles are not currently available due to technical and cost factors. When future developments make electric plug-in vans feasible, provisions for van accessible electric vehicle charging stations can be included in the guidelines.

EVG-250.5 Locations

Electric Vehicle Charging Stations shall be located in compliance with EVG-250.5.

ADVISORY: EVG-250.5 Location. For new construction, accessible electric vehicle charging stations should be close to a major facility, public way or accessible route on the site, with 200 feet recommended as a maximum distance. However, electric vehicle charging stations need not be provided immediately adjacent to the facility since charging services, not parking, is their primary purpose. For installations at existing sites and locations, the accessible electric vehicle charging stations may not be located in close proximity to other services due to technical factors such as the availability of electric power or terrain, but they should be on an accessible route to the maximum extent feasible.

EVG-250.5.1 On-Site Locations

Electric vehicle charging stations on public and private sites shall be dispersed within each separate type of parking facility providing electric vehicle charging to the maximum extent feasible.

EVG-250.5.1.1 Proximity to Buildings, Facilities or Sites Served

Electric vehicle charging stations complying with EVG-812 that serve a particular building, facility or site shall be located in close proximity to the facility, public way or major circulation path on the site.

EVG-250.5.1.2 Proximity to Accessible Routes

Electric vehicle charging stations complying with EVG-812 that serve a particular building, facility or site shall be on an accessible route to an entrance complying with 11B-206.4 of the current edition of the California Building Code. Electric vehicle charging stations that do not serve a particular building or facility shall be on an accessible route to an accessible pedestrian entrance to the functional area within which they are located.

ADVISORY: EVG-250.5.2 On-Street Locations. Provision of fully accessible on-street electric vehicle charging stations within the public right of way can be very difficult due to constraints posed by terrain, available right of way and other factors. The technical requirements for accessible parking, when applied electric vehicle charging stations, can be in direct conflict with roadway and sidewalk grades, right-of-way widths, and functional requirements for curbs, gutters and other right of way improvements. While many of these issues can be addressed during new construction or re-construction of the public improvements, solutions providing full accessibility may not be possible. EVG-250.5.2 allows a public entity to provide accessible electric vehicle charging on a programmatic basis. This involves using additional on-site accessible electric vehicle charging stations to meet the combined requirements for the number of both on-street and on-site locations within the public entity's jurisdiction.

EVG-250.5.2 On-Street Locations Within a Public Right-of-Way

The required total number of electric vehicle charging stations complying with EVG-250.2 and EVG-250.3 may be provided on a combined basis using both on-site locations and on-street locations within a public right-of-way owned or controlled by a state or local governmental jurisdiction. On-street electric vehicle charging stations within the public right of way shall be integrated with on street parking to the maximum extent feasible.

EVG-250.5.3 Accessible Route Between Vehicle Space and Charging Equipment

An accessible route complying with the California Building Code Chapter 11B Division 4 Accessible Routes shall connect the electric vehicle charging station vehicle space to the electric vehicle charging equipment.

EVG-250.6 Electric Vehicle Charging Stations at Existing Facilities

Alterations solely for the purpose of installing electric vehicle charging stations shall be limited to the actual scope of work of the project and shall not be required to comply with section 11B-202.4 of the current edition of the California Building Code.

EXCEPTION: Alterations solely for the purpose of installing electric vehicle charging stations at sites where vehicle parking or storage is the sole and primary use of the facility shall comply with the 2013 California Building Code section 11B-202.4 Path of Travel Requirements in Alterations, Additions and Structural Repairs to the maximum extent feasible. The cost of compliance with 11B-202.4 shall be limited to twenty percent of the cost of the work directly associated with the installation of the electric vehicle charging equipment.

ADVISORY: EVG-250.6 Electric Vehicle Charging Stations at Existing Facilities. The majority of electric vehicle charging stations being installed in the foreseeable future will occur at existing on-site or on-street parking facilities where the source of electric power, location of accessible parking, natural terrain, landscaping and other features are existing. Under the California Building Code these projects would be considered alterations. Alteration projects generally require accessibility improvements, if needed to comply with current requirements, to certain "path of travel" elements serving the area of alteration. The California Building Code provides exceptions to the "path of travel" upgrade requirements for projects that do not affect the usability or accessibility of the facility. It also recognizes the inherent difficulty in altering certain existing facilities for full compliance with the accessibility requirements through provisions for situations where strict compliance is technically infeasible.

EVCS installations at existing facilities fall into three categories:

1. Within an existing public right-of-way – With no specific "path of travel" elements serving the area being altered there would be no accessibility upgrades outside the area of work.
2. On building and facility sites where parking / vehicle storage is incidental to the primary function – Under the federal 2010 ADA Standards these projects would be alterations not affecting a primary function area and "path of travel" upgrades would not be required. This is the approach used in the prior DSA Access Policy Statement 97-03 and is most probably based upon classification of electric vehicle charging stations as electrical projects not involving the placement of receptacles or switches. These proposed guidelines continue the same approach as the prior DSA policy.
3. Installations of electric vehicle charging stations at sites where vehicle parking or storage is the sole or primary use of the facility are alterations affecting the usability of or access to a primary function area. The 2010 ADA Standards require that, to the maximum extent feasible, the path of travel to the altered area, including restrooms, telephones, and drinking

fountains, is readily accessible to and usable by individuals with disabilities. Additional alterations to upgrade non-compliant path of travel elements outside of the project's area of work are required, unless those alterations are disproportionate to the overall alterations in terms of cost and scope, which is defined as exceeding twenty percent (20%) of the cost of the primary alterations. When the cost of full compliance for path of travel elements would exceed twenty percent (20%), compliance is required to the greatest extent possible within the twenty percent (20%) limitation. California law prohibits the State Architect's regulations and building standards from prescribing a lesser standard of accessibility or usability than that provided by the 2010 ADA Standards. 2013 California Building Code section 11B-202.4 reflects similar requirements with the addition of signage to the designated path of travel elements. For projects with basic costs above the CBC valuation threshold of \$139,964, the cost above which path of travel alterations would become disproportionate has been aligned with the federal requirements of twenty percent (20%).

The following technical sections for the electric vehicle charging station guidelines are designed to eventually be located within the California Building Code's Chapter 11B Division 8: Special Rooms, Spaces and Elements.

EVG-812 On-Site Electric Vehicle Charging Stations

EVG-812.1 General

On-site electric vehicle charging stations shall comply with EVG-812.

EVG-812.2 Electric Vehicle Charging Station Spaces

The vehicle space designated for on-site electric vehicle charging stations shall be 216 inches (5486 mm) long minimum and 108 inches (2743 mm) wide minimum and shall have an adjacent access aisle complying with EVG-812.3.

EVG-812.2.1 Vehicle Space Marking

Car and van electric vehicle charging stations shall be marked to define their width. Where Electric Vehicle Charging Stations are marked with lines, width measurements of electric vehicle charging stations and access aisles shall be made from the centerline of the markings.

EXCEPTION: Where electric vehicle charging stations or access aisles are not adjacent to another parking space or access aisle, measurements shall be permitted to include the full width of the line defining the parking space or access aisle.

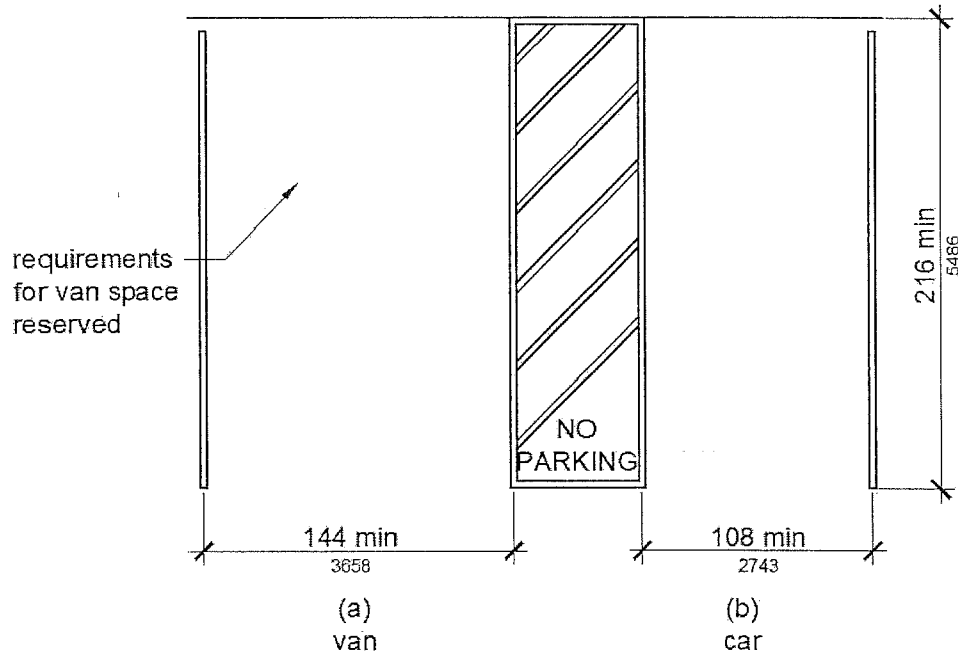


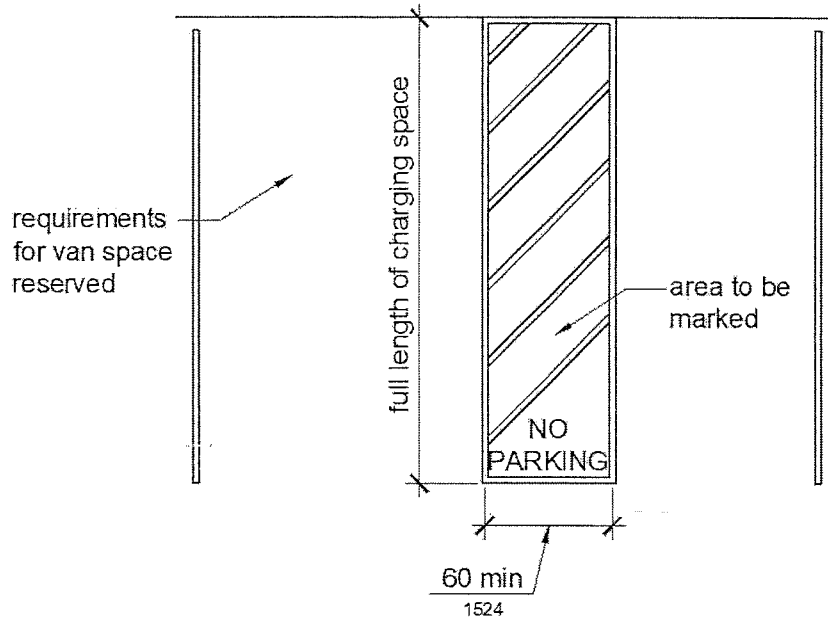
Figure EVG-812.2
On-site Electric Vehicle Charging Station Spaces Dimensions

EVG-812.2.2 Electric Vehicle Charging Only Lettering

The words "ELECTRIC VEHICLE CHARGING ONLY" or "EV CHARGING ONLY" may be painted on the surface within each charging space letters a minimum of 12 inches (305 mm) in height and located to be visible from the adjacent vehicular way.

EVG-812.3 Access Aisle

Access aisles serving vehicle spaces at on-site electric vehicle charging stations shall comply with EVG-812.3. Access aisles shall adjoin an accessible route. Two electric vehicles charging stations or one electric vehicle charging station and one accessible parking space shall be permitted to share a common access aisle.



**Figure EVG-812.3
Electric Vehicle Charging Station Space Access Aisle**

EVG-812.3.1 Width

Access aisles serving on-site electric vehicle charging station car spaces at shall be 60 inches (1524 mm) wide minimum.

EVG-812.3.2 Length

Access aisles at on-site electric vehicle charging stations shall extend the full required length of the vehicle spaces they serve.

EVG-812.3.3 Marking

Access aisles at electric vehicle charging stations shall be marked with a painted borderline around their perimeter. The area within the borderlines shall be marked with hatched lines a maximum of 36 inches (914 mm) on center. The color of the borderlines, hatched lines, and letters shall contrast with that of the surface of the access aisle, with white being the preferred color. The blue color required for the identification of access aisles for accessible parking shall not be used.

EVG-812.3.4 No Parking Lettering

The words "NO PARKING" shall be painted on the surface within each access aisle in letters a minimum of 12 inches (305 mm) in height and located to be visible from the adjacent vehicular way.

EVG-812.3.5 Location

Access aisles at on-site electric vehicle charging station spaces shall not overlap the vehicular way and may be placed on either side of the vehicle space they serve.

EVG-812.4 Floor or Ground Surface

On-site electric vehicle charging station spaces and access aisles serving them shall comply with 11B-302 Floor and Ground Surfaces. Access aisles shall be at the same level as the electric vehicle charging station space they serve. Changes in level or slopes exceeding 1:48 are not permitted.

EVG-812.5 Vertical Clearance

On-site Electric vehicle charging station spaces, access aisles and vehicular routes serving them shall provide a vertical clearance of 98 inches (2489 mm) minimum.

EVG-812.6 Identification

On-site electric vehicle charging stations shall be identified with a sign complying with EVG-812.6 and shall not be identified as or provided with signage required for accessible parking spaces.

EVG-812.6.1 Language

Provide a sign containing language stating "Designed for Disabled Access - Use Last" in addition to the signage identifying standard electrical vehicle charging stations. Where only one electric vehicle charging station is provided the sign shall contain language stating "Designed for Disabled Access".

EVG-812.6.2 Mounting Height

Signs shall be 60 inches (1524 mm) minimum above the finish floor or ground surface measured to the bottom of the sign and shall be the uppermost sign when co-located with "No Parking except for Electric Vehicle Charging" and "Parking Time Limit" word message signs or electric vehicle charging symbol signs.

EXCEPTION: Signs located within an accessible route shall be a minimum of 80 inches (2032 mm) above the finish floor or ground surface measured to the bottom of the lowest sign.

EVG-812.6.3 Size and Finish

Signs shall be reflectorized with a minimum area of 70 square inches (45161 mm²).

EVG-812.6.4 Color

Signs shall be white symbols and letters on a blue background.

EVG-812.6.5 Location

Signs shall be permanently posted immediately adjacent to and visible from each space, and shall be located within the projected width of the vehicle space.

EVG-812.7 Relationship to Accessible Routes

Electric vehicle charging station vehicle spaces and access aisles shall be designed so that when occupied the required clear width of adjacent accessible routes is not obstructed.

EVG-812.7.1 Arrangement

Electric vehicle charging stations and access aisles shall be designed so that persons using them are not required to travel behind electric vehicle charging stations other than to pass behind the vehicle space in which their vehicle has been left to charge.

EXCEPTION: Electric vehicle charging stations installed in existing facilities shall comply with EVG-812.7.1 to the maximum extent feasible.

EVG-812.7.2 Accessible Route Encroachment

A curb, wheel stop, bollards or other device shall be provided if required to prevent encroachment of vehicles over the required clear width of adjacent accessible routes.

ADVISORY: EVG-813 General. EVG-250.3 specifies how many accessible electric vehicle charging stations must be provided within the public right of way of a state or local governmental entity's area of jurisdiction. Accessible electric vehicle charging stations are not parking for purposes of accessibility and should be identified by signs that do not create the impression they are reserved for vehicles displaying disabled persons license plates or placards. While accessible electric vehicle charging stations are ideally located where the street has the least crown and grade and close to key destinations, other factors, such as proximity to electric service and connections, may control their location.

EVG-813 On-Street Electric Vehicle Charging Stations

EVG-813.1 General

On-street electric vehicle charging stations shall comply with EVG-813.

EVG-813.2 Parallel Electric Vehicle Charging Stations

Parallel Electric vehicle charging station spaces shall comply with EVG-813.2.

ADVISORY: EVG-813.2 Parallel Electric Vehicle Charging Stations. The sidewalk adjacent to accessible parallel electric vehicle charging station spaces should be free of signs, street furniture, and other obstructions to permit deployment of a van side-lift or ramp or the vehicle occupant to transfer to a wheelchair or scooter. Accessible parallel electrical vehicle charging stations located at the end of the block face are usable by vans that have rear lifts and cars that have scooter platforms.

EVG-813.2.1 Parallel Electric Vehicle Charging Stations at Wide Sidewalks

Where the width of the adjacent sidewalk or available right-of-way exceeds 4.3 m (14.0 ft), an access aisle 1.5 m (5.0 ft) wide minimum shall be provided at street level the full length of the electric vehicle charging station, shall connect to a pedestrian access route and shall not encroach on the vehicular travel lane. The access aisle shall comply with EVG-812.3.1, EVG-812.3.2 and EVG-812.3.

EXCEPTION: Alterations. In alterations where the street or sidewalk adjacent to the electric vehicle charging station space is not altered, an access aisle shall not be required, provided the Electric Vehicle Charging Stations space is located at the end of the block face.

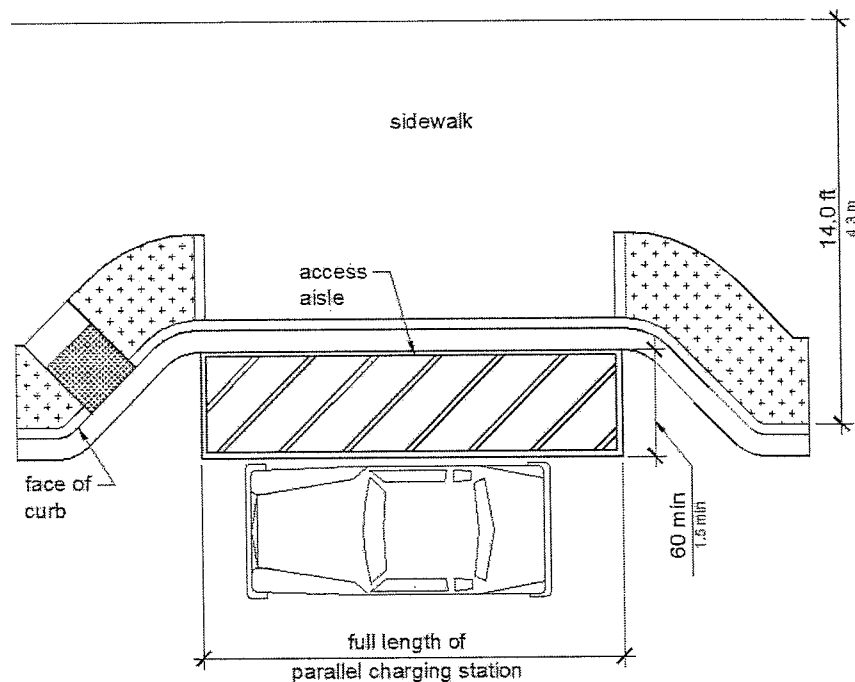


Figure 1 EVG-813.2.1 Parallel Electric Vehicle Charging Stations at Wide Sidewalks

ADVISORY: EVG-813.2.1 Wide Sidewalks. Vehicles may be positioned at the curb or at the parking lane boundary and use the space required by EVG-813.2.1 on either the driver or passenger side of the vehicle to serve as the access aisle.

EVG-813.2.2 Parallel Electric Vehicle Charging Stations at Narrow Sidewalks

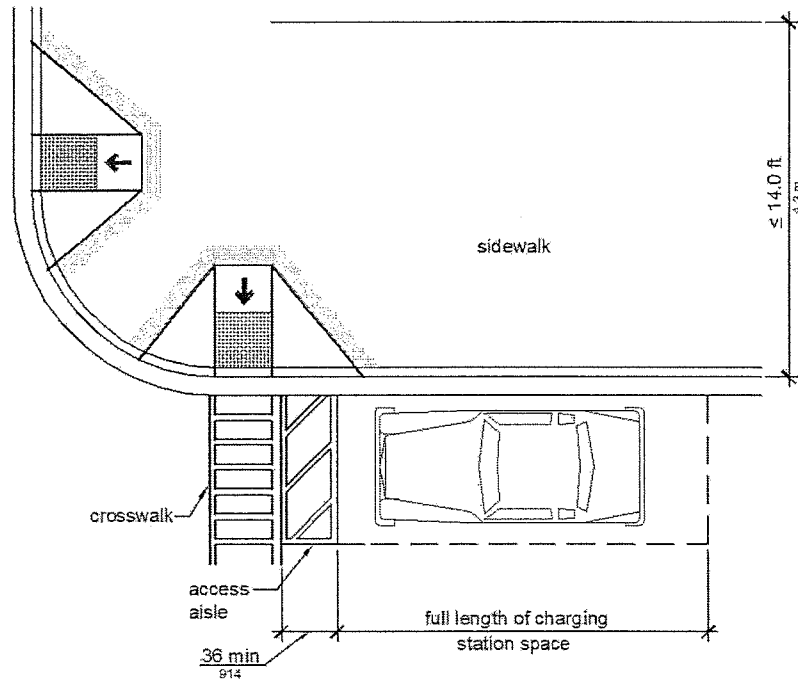


Figure EVG-813.2.2 Parallel Electric Vehicle Charging Stations at Narrow Sidewalks

An access aisle with a direct connection to the adjacent sidewalk is not required where the width of the adjacent sidewalk or the available right-of-way is less than or equal to 14.0 feet (4.3 m). When an access aisle is not provided, the Electric Vehicle Charging Stations spaces shall be located at the end of the block face to the maximum extent feasible.

ADVISORY: EVG-813.2.2 Narrow Sidewalks. At parallel electric vehicle charging stations vehicle lifts or ramps can be deployed on an 8.0 feet (2.4 m) wide sidewalk if there are no obstructions.

EVG-813.3 Perpendicular or Angled Electric Vehicle Charging Stations

Where perpendicular or angled electric vehicle charging stations are provided, an access aisle 8.0 feet (2.4 m) wide minimum shall be provided at street level the full length of the electric vehicle charging station space and shall connect to a pedestrian access route. The access aisle shall comply with EVG-812.3 and shall be marked so as to discourage parking in the access aisle. Two electric vehicles charging stations or one electric vehicle charging stations and one accessible parking space shall be permitted to share a common access aisle.

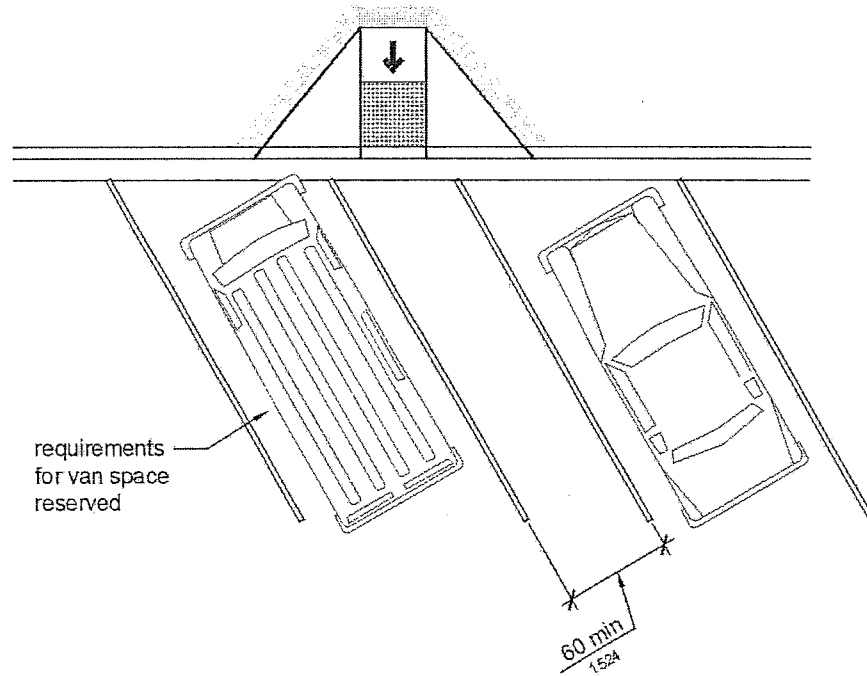


Figure EVG-813.3 Perpendicular or Angled Electric Vehicle Charging Stations

ADVISORY: EVG-813.3 Perpendicular or Angled Electric Vehicle Charging Stations Spaces. Perpendicular and angled parking spaces permit the deployment of a van side-lift or ramp.

EVG-813.4 Curb Ramps or Blended Transitions

Curb ramps or blended transitions shall connect the access aisle to the pedestrian access route. Curb ramps shall not be located within the access aisle.

ADVISORY: EVG-813.4 Curb Ramps or Blended Transitions. At parallel electric vehicle charging stations spaces, curb ramps and blended transitions should be located so that a van side-lift or ramp can be deployed to the sidewalk and the vehicle occupant can transfer to a wheelchair or scooter. Electric vehicle charging station spaces at the end of the block face can be served by curb ramps or blended transitions at the pedestrian street crossing.

EVG-813.5 Marking

On-street electric vehicle charging station spaces may be marked with Electric Vehicle Charging Only Lettering in compliance with EVG-812.2.2 Electric Vehicle Charging Only Lettering.

EVG-814 Electric Vehicle Charging Station Equipment

EVG-814.1 Electric Vehicle Charging Station Equipment

Equipment pedestals and pay stations that serve electric vehicle charging stations shall comply with EVG-814.1.

EVG-814.1.1 Location

Equipment pedestals and pay stations shall comply with EVG-814.1.1.

EVG-814.1.1.1 Parallel Locations

At parallel electric vehicle charging station spaces, equipment pedestals and pay stations shall be on the immediately adjacent sidewalk or ground surface and located 36 inches maximum from the head end or foot end of the projected length of the space.

EVG-814.1.1.2 Perpendicular or Angled Locations

At perpendicular or angled Electric Vehicle Charging Station spaces, equipment pedestals and pay stations shall be located on the immediately adjacent sidewalk or ground surface at the head end within the projected width of the electric vehicle charging station space.

EXCEPTION: For alterations at existing facilities when an accessible route or general circulation path is not provided adjacent to the head end of the space or access aisle, the equipment pedestal and pay station may be located within the projected width of the access aisle 36 inches maximum from the head end of the space.

ADVISORY: EVG-814.1.1 Location. Locating equipment pedestals and pay stations at the head or foot of the electric vehicle charging station permits deployment of a van side-lift or ramp or the vehicle occupant to transfer to a wheelchair or scooter.

EVG-814.1.2 Charging Station Equipment Operable Parts

Operable parts and charging cord stowage locations shall comply with 11B-309 Operable Parts.

EVG-814.2 Displays and Information

Displays and information shall be visible from a point located 3.3 feet (1.0 m) maximum above the center of the clear floor or ground space in front of the equipment pedestal and pay station.

EVG-814.3. Charging Station Equipment Clear Floor Space

Clear floor space at electric vehicle charging stations shall comply with 11B-305 Clear Floor Space and shall be centered on the display and information side of the electric vehicle charging station equipment.

Related 2013 California Building Code Chapter 11B Accessibility Regulations

2013 CBC Path of Travel Provisions for Alterations

11B-202.4 Path of Travel Requirements in Alterations, Additions and Structural Repairs

When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided. The primary accessible path of travel shall include:

1. A primary entrance to the building or facility,
2. Toilet and bathing facilities serving the area,
3. Drinking fountains serving the area,
4. Public telephones serving the area, and
5. Signs.

EXCEPTIONS:

1. Residential dwelling units shall comply with 11B-233.3.4.2.
2. If the following elements of a path of travel have been constructed or altered in compliance with the accessibility requirements of the 2010 California Building Code, it shall not be required to retrofit such elements to reflect the incremental changes in this code solely because of an alteration to an area served by those elements of the path of travel:
 1. A primary entrance to the building or facility,
 2. Toilet and bathing facilities serving the area,
 3. Drinking fountains serving the area,
 4. Public telephones serving the area, and
 5. Signs.
3. Additions or alterations to meet accessibility requirements consisting of one or more of the following items shall be limited to the actual scope of work of the project and shall not be required to comply with 11B-202.4:
 1. Altering one building entrance.
 2. Altering one existing toilet facility.

3. Altering existing elevators.
 4. Altering existing steps.
 5. Altering existing handrails.
4. Alterations solely for the purpose of barrier removal undertaken pursuant to the requirements of the Americans with Disabilities Act (Public Law 101-336, 28 C.F.R., Section 36.304) or the accessibility requirements of this code as those requirements or regulations now exist or are hereafter amended consisting of one or more of the following items shall be limited to the actual scope of work of the project and shall not be required to comply with 11B-202.4:
1. Installing ramps.
 2. Making curb cuts in sidewalks and entrance.
 3. Repositioning shelves.
 4. Rearranging tables, chairs, vending machines, display racks, and other furniture.
 5. Repositioning telephones.
 6. Adding raised markings on elevator control buttons.
 7. Installing flashing alarm lights.
 8. Widening doors.
 9. Installing offset hinges to widen doorways.
 10. Eliminating a turnstile or providing an alternative accessible route.
 11. Installing accessible door hardware.
 12. Installing grab bars in toilet stalls.
 13. Rearranging toilet partitions to increase maneuvering space.
 14. Insulating lavatory pipes under sinks to prevent burns.
 15. Installing a raised toilet seat.
 16. Installing a full-length bathroom mirror.

17. Repositioning the paper towel dispenser in a bathroom.
 18. Creating designated accessible parking spaces.
 19. Removing high-pile, low-density carpeting.
5. Alterations of existing parking lots by resurfacing and/or restriping shall be limited to the actual scope of work of the project and shall not be required to comply with 11B-202.4.
 6. The addition or replacement of signs and/or identification devices shall be limited to the actual scope of work of the project and shall not be required to comply with 11B-202.4.
 7. Projects consisting only of heating, ventilation, air conditioning, reroofing, electrical work not involving placement of switches and receptacles, cosmetic work that does not affect items regulated by this code, such as painting, equipment not considered to be a part of the architecture of the building or area, such as computer terminals and office equipment shall not be required to comply with 11B-202.4. unless they affect the usability of the building or facility.
 8. When the adjusted construction cost is less than or equal to the current valuation threshold, as defined in Chapter 2, Section 202, the cost of compliance with 11B-202.4 shall be limited to 20 percent of the adjusted construction cost of alterations, structural repairs or additions. When the cost of full compliance with 11B-202.4 would exceed 20 percent, compliance shall be provided to the greatest extent possible without exceeding 20 percent.

When the adjusted construction cost exceeds the current valuation threshold, as defined in Chapter 2, Section 202, and the enforcing agency determines the cost of compliance with 11B-202.4 is an unreasonable hardship, as defined in Chapter 2, Section 202, full compliance with 11B-202.4 shall not be required. Compliance shall be provided by equivalent facilitation or to the greatest extent possible without creating an unreasonable hardship; but in no case shall the cost of compliance be less than 20 percent of the adjusted construction cost of alterations, structural repairs or additions. The details of the finding of unreasonable hardship shall be recorded and entered into the files of the enforcing agency and shall be subject to Chapter 1, Section 1.9.1.5, Special Conditions for Persons with Disabilities Requiring Appeals Action Ratification.

For the purposes of this exception, the adjusted construction cost of alterations, structural repairs or additions shall not include the cost of alterations to path of travel elements required to comply with 11B-202.4.

In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access in the following order:

1. An accessible entrance;
2. An accessible route to the altered area;
3. At least one accessible restroom for each sex;
4. Accessible telephones;
5. Accessible drinking fountains; and
6. When possible, additional accessible elements such as parking, storage and alarms.

If an area has been altered without providing an accessible path of travel to that area, and subsequent alterations of that area or a different area on the same path of travel are undertaken within three years of the original alteration, the total cost of alterations to the areas on that path of travel during the preceding three-year period shall be considered in determining whether the cost of making that path of travel accessible is disproportionate.

9. Certain types of privately funded, multistory buildings and facilities were formerly exempt from accessibility requirements above and below the first floor under this code, but as of, April 1, 1994, are no longer exempt due to more restrictive provisions in the federal Americans with Disabilities Act. In alteration projects involving buildings and facilities previously approved and built without elevators, areas above and below the ground floor are subject to the 20-percent disproportionality provisions described in Exception 8, above, even if the value of the project exceeds the valuation threshold in Exception 8. The types of buildings and facilities are:

1. Office buildings and passenger vehicle service stations of three stories or more and 3,000 or more square feet (279 m²) per floor.
2. Offices of physicians and surgeons.
3. Shopping centers.
4. Other buildings and facilities three stories or more and 3,000 or more square feet (279 m²) per floor if a reasonable portion of services sought and used by the public is available on the accessible level.

For the general privately funded multistory building exception applicable to new construction and alterations, see Division 11B-206.2.3, Exception 1.

The elevator exception set forth in this section does not obviate or limit in any way the obligation to comply with the other accessibility requirements in this code. For example, floors above or below the accessible ground floor must meet the requirements of this section except for elevator service. If toilet or bathing facilities are provided on a level not served by an elevator, then toilet or bathing facilities must be provided on the accessible ground floor.

2013 CBC reference from EVG-814.1.2 Electric Vehicle Charging Stations Pedestals and Pay Stations

11B-309 Operable Parts

11B-309.1 General

Operable parts shall comply with 11B-309.

11B-309.2 Clear Floor Space

A clear floor or ground space complying with 11B-305 shall be provided.

11B-309.3 Height

Operable parts shall be placed within one or more of the reach ranges specified in 11B-308.

11B-309.4 Operation

Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5 pounds (22.2 N) maximum.

EXCEPTION: Gas pump nozzles shall not be required to provide operable parts that have an activating force of 5 pounds (22.2 N) maximum.

Reference from 11B-309 Operable Parts to 11B-305 Clear Floor or Ground Space

11B-305 Clear Floor or Ground Space

11B-305.1 General

Clear floor or ground space shall comply with 11B-305.

11B-305.2 Floor or Ground Surfaces

Floor or ground surfaces of a clear floor or ground space shall comply with 11B-302. Changes in level are not permitted.

EXCEPTION: Slopes not steeper than 1:48 shall be permitted.

11B-305.3 Size

The clear floor or ground space shall be 30 inches (762 mm) minimum by 48 inches (1219 mm) minimum.

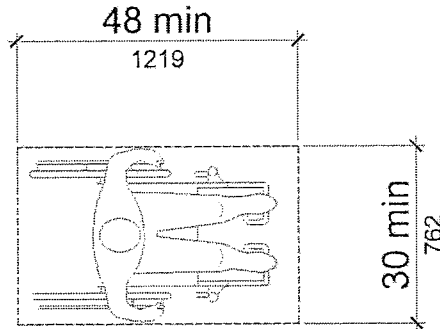


Figure 11B-305.3
Clear Floor or Ground Space

11B-305.4 Knee and Toe Clearance

Unless otherwise specified, clear floor or ground space shall be permitted to include knee and toe clearance complying with 11B-306.

11B-305.5 Position

Unless otherwise specified, clear floor or ground space shall be positioned for either forward or parallel approach to an element.

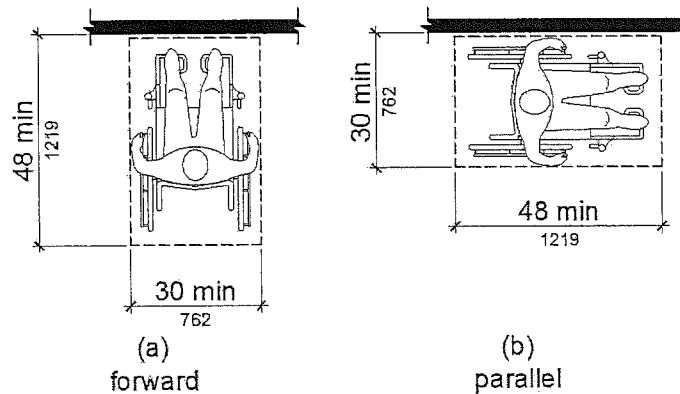


Figure 11B-305.5
Position of Clear Floor or Ground Space

11B-305.6 Approach

One full unobstructed side of the clear floor or ground space shall adjoin an accessible route or adjoin another clear floor or ground space.

Reference from 11B-305 Clear Floor or Ground Space to 11B-302 Floor or Ground Surfaces

11B-302 Floor or Ground Surfaces

11B-302.1 General

Floor and ground surfaces shall be stable, firm, and slip resistant and shall comply with 11B-302.

EXCEPTIONS: 1. Within . . .

11B-302.3 Openings

Openings in floor or ground surfaces shall not allow passage of a sphere more than ½ inch (12.7 mm) diameter except as allowed in 11B-407.4.3, 11B-409.4.3, 11B-410.4, 11B-810.5.3 and 11B-810.10. Elongated openings shall be placed so that the long dimension is perpendicular to the dominant direction of travel.

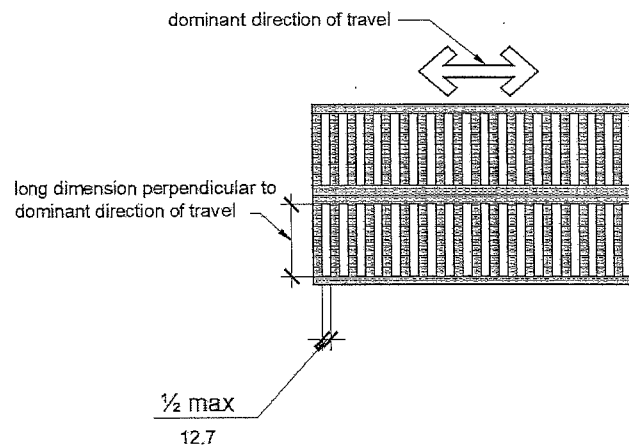


Figure 11B-302.3
Elongated Openings in Floor or Ground Surfaces

Reference from 11B-707 Automatic Teller Machine, and Fare Machines and Point-of-Sale Devices

11B-707.1 General.

Automatic teller machines and fare machines shall comply with 11B-707.

Project Comments

To: City Engineer
 (650) 558-7230

Chief Building Official
 (650) 558-7260

City Arborist
 (650) 558-7254

Recycling Specialist
 (650) 558-7271

Fire Marshal
 (650) 558-7600

NPDES Coordinator
 (650) 342-3727

City Attorney

From: Planning Staff

Subject: Request for application for Environmental Review, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3 and Condominium Permit for construction of a new three-story, 10-unit residential condominium at 1509 El Camino Real, zoned R-2 and R-3, APN: 026-011-010 and 025-228-130

Staff Review:

1. No further comments

Reviewed by: B Disco

Date: 2/11/15

Project Comments

To: City Engineer
 (650) 558-7230

Chief Building Official
 (650) 558-7260

City Arborist
 (650) 558-7254

Recycling Specialist
 (650) 558-7271

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Staff Review:

1. No protected size tree scheduled for removal during project.
2. Tree protection note on plans for Bunya Bunya tree.
- ③ Protect all other trees on site during all phases of construction. - add note on plans.
- ④ Replace 3 new 24" box Magnolia's on ECR with 3 24" box Princeton Elms.
- ⑤ Water Conservation in Landscape Ordinance checklist required (attached)

Reviewed by: BD

Date: 1/27/15

Project Comments

To:

<input type="checkbox"/> City Engineer (650) 558-7230	<input type="checkbox"/> Recycling Specialist (650) 558-7271
<input type="checkbox"/> Chief Building Official (650) 558-7260	<input type="checkbox"/> Fire Marshal (650) 558-7600
<input checked="" type="checkbox"/> City Arborist (650) 558-7254	<input type="checkbox"/> NPDES Coordinator (650) 342-3727
	<input type="checkbox"/> City Attorney

From: Planning Staff

Subject: Request for application for Environmental Review, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3 and Condominium Permit for construction of a new three-story, 10-unit residential condominium at **1509 El Camino Real, zoned R-2 and R-3, APN: 026-011-010 and 025-228-130**

Staff Review:

- ① A Landscape Plan was not provided in the plan set. Please provide a complete Landscape Plan containing the following:
 - Tree Protection
 - Proposed tree removals
 - Plant legend
- ② Provide arborist report for proposed project.
3. Irrigation Plan will be required at time of Building Permit submittal.

Reviewed by: B Disco

Date: 8/29/14

Project Comments

To:

<input type="radio"/> City Engineer (650) 558-7230	<input type="radio"/> Recycling Specialist (650) 558-7271
<input type="radio"/> Chief Building Official (650) 558-7260	<input checked="" type="radio"/> Fire Department (650) 558-7600
<input type="radio"/> City Arborist (650) 558-7254	<input type="radio"/> NPDES Coordinator (650) 342-3727
	<input type="radio"/> City Attorney

From: Planning Staff

Subject: Request for application for Environmental Review, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3 and Condominium Permit for construction of a new three-story, 10-unit residential condominium at **1509 El Camino Real, zoned R-2 and R-3, APN: 026-011-010 and 025-228-130**

Staff Review:

1. Occupancy use classification for garage is S-2, not S-3 as indicated.
2. The fire sprinkler system shall be electronically monitored for fire flow and control valves consistent with the Burlingame Municipal Code. A separate permit shall be obtained from the Central County Fire Department prior to installation.
3. Elevator car shall be sized to accommodate an ambulance stretcher of 24" x 84".

1/22/2015: All comments/requirements addressed + satisfied.

- J. Parenti

Christine Reed

8/29/14

Project Comments

To:

<input type="radio"/> City Engineer (650) 558-7230	<input type="radio"/> Recycling Specialist (650) 558-7271
<input type="radio"/> Chief Building Official (650) 558-7260	<input checked="" type="radio"/> Fire Department (650) 558-7600
<input type="radio"/> City Arborist (650) 558-7254	<input type="radio"/> NPDES Coordinator (650) 342-3727
	<input type="radio"/> City Attorney

From: Planning Staff

Subject: Request for application for Environmental Review, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3 and Condominium Permit for construction of a new three-story, 10-unit residential condominium at **1509 El Camino Real, zoned R-2 and R-3, APN: 026-011-010 and 025-228-130**

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Christine Reed

8/29/14

Project Comments

To:

<input checked="" type="checkbox"/> City Engineer (650) 558-7230	<input type="checkbox"/> Recycling Specialist (650) 558-7271
<input type="checkbox"/> Chief Building Official (650) 558-7260	<input type="checkbox"/> Fire Marshal (650) 558-7600
<input type="checkbox"/> City Arborist (650) 558-7254	<input type="checkbox"/> NPDES Coordinator (650) 342-3727
	<input type="checkbox"/> City Attorney

From: Planning Staff

Subject: Request for application for Environmental Review, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3 and Condominium Permit for construction of a new three-story, 10-unit residential condominium at **1509 El Camino Real, zoned R-2 and R-3, APN: 026-011-010 and 025-228-130**

Staff Review:

Previous comments from 11/17/2011 still apply.

Reviewed by: V V

Date: 9/12/2014

Project Comments

Date: September 20, 2011

To:

<input checked="" type="checkbox"/> City Engineer (650) 558-7230	<input type="checkbox"/> Recycling Specialist (650) 558-7271
<input type="checkbox"/> Chief Building Official (650) 558-7260	<input type="checkbox"/> Fire Marshal (650) 558-7600
<input type="checkbox"/> City Arborist (650) 558-7254	<input type="checkbox"/> NPDES Coordinator (650) 342-3727
	<input type="checkbox"/> City Attorney

From: Planning Staff

Subject: Request for application for Environmental Review, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3, Condominium Permit and Variance for building height for construction of a new four-story, 15-unit residential condominium at **1509 El Camino Real, zoned R-2 and R-3, APN: 026-011-010 and 025-228-130**

Staff Review:

Responses to previous comments are acceptable at this time. Applicant is advised to contact the California Department of Transportation (Caltrans) regarding the proposed fronting improvements. Applicant will be required to provide an encroachment permit from Caltrans prior to Building permit issuance.

The storm water plan details, such as the pipe sizing, inlet dimensions, will be required prior to the Building permit issuance. Water calculations and sanitary sewer analysis will also be required prior to Building permit issuance.

Reviewed by: V V

Date: 11/17/2011

Project Comments

Date: June 20, 2011

To:

<input checked="" type="checkbox"/> City Engineer (650) 558-7230	<input type="checkbox"/> Recycling Specialist (650) 558-7271
<input type="checkbox"/> Chief Building Official (650) 558-7260	<input type="checkbox"/> Fire Marshal (650) 558-7600
<input type="checkbox"/> City Arborist (650) 558-7254	<input type="checkbox"/> NPDES Coordinator (650) 342-3727
	<input type="checkbox"/> City Attorney

From: Planning Staff

Subject: Request for application for Environmental Review, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3, Condominium Permit and Variance for building height for construction of a new four-story, 15-unit residential condominium at **1509 El Camino Real, zoned R-2 and R-3, APN: 026-011-010 and 025-228-130**

Staff Review: June 20, 2011

1. See attached.

Reviewed by: V V

Date: 7/08/2011

MEMORANDUM

TO: COMMUNITY DEVELOPMENT DEPARTMENT

FROM: PUBLIC WORKS DEPARTMENT

DATE: JULY 8, 2011

RE: (STUDY) CONDOMINIUM PERMIT FOR 15 UNITS, TENTATIVE CONDOMINIUM MAP AND TENTATIVE AND FINAL PARCEL MAP FOR LOT COMBINATION PURPOSE - RESUBDIVISION OF PORTION OF LOT 3, BLOCK 1, MAP OF RAY PARK SUBDIVISION AND LOT 4, BLOCK 51, MAP OF EASTON ADDITION NO. 5 SUBDIVISION - 1509 EL CAMINO REAL

Comments for the development are as follows;

1. Show proposed drainage system and indicate that all roof and site drainage to go towards El Camino Real or the storm drain system. Show drainage design including route of piping from drainage inlets and direction of flow.
2. Since proposed development is adjacent to the creek, the hundred year storm limit line shall be delineated on the project plans. In addition, hydrologic and hydraulic calculations by a licensed engineer shall be submitted to confirm this limit line. Provide copy of the "Creebank Repair Plan" by Kavanagh Engineering as indicated on sheet C1 to City. Any work in close proximity to the creek will require written approval and permit from the Department of Fish and Game and the Regional Water Quality Control Board.
3. State Department of Transportation (Caltrans) does not always approve pumping storm drainage back up into El Camino Real unless it already drains there. Confirm prior to issuance of any Building Permit that the proposed drainage system meets with their approval.
4. A sanitary sewer analysis for the project is required to show the projected flows generated by the project and the existing capacity of the sewer system to which the projected will be connected. The analysis should include the peak flows of the project as well as the existing peak flows in the sewer system. The existing pipe shall also be videotaped to evaluate the existing condition and identified any section in need of repair.
5. All utilities to this site must be installed underground. Any transformers needed for this site must be installed underground or behind the front setback on this site.
6. Indicate that new sidewalk, driveway, curb and gutter fronting this site shall be designed by a civil engineer, approved by the City Engineer, and installed by this development.

7. All irrigation systems and planting shall follow City's water conservation guidelines.
8. All fire system work shall conform to the City's current procedures for underground water systems. The Water Department shall be contacted at (650) 558-7670 to confirm water meter sizes. The development shall submit calculations to show the amount of water required. If the existing system is inadequate, the development shall, at its costs, install the appropriate size water lines as required by the City Engineer.
9. All on site catch basins and drainage inlets shall be stencilled. All catch basins shall be protected during construction so no debris will be dumped into them. The City will provide a stencil.
10. Sewer backwater protection certification is required. Contact Public Works – Engineering Division at (650) 558-7230 for additional information.
11. Show at-grade parking slab elevations. Maximum slope in any parking space is 5%. Show drainage pattern.
12. Individual unit climate controls as well as separate shutoffs for gas, electric and water are required.
13. A lot combination map shall be filed prior to issuance of the Building Permit. A condominium map application also needs to be submitted along with the lot combination map application.
14. The CCR's for this map must be approved by the City Attorney and conform to all approval conditions and City Codes.

Name

Project Comments

To:

<input type="radio"/> City Engineer (650) 558-7230	<input type="radio"/> Recycling Specialist (650) 558-7271
<input type="radio"/> Chief Building Official (650) 558-7260	<input type="radio"/> Fire Marshal (650) 558-7600
<input type="radio"/> City Arborist (650) 558-7254	<input checked="" type="radio"/> NPDES Coordinator (650) 342-3727
	<input type="radio"/> City Attorney

From: Planning Staff

Subject: Request for application for Environmental Review, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3 and Condominium Permit for construction of a new three-story, 10-unit residential condominium at **1509 El Camino Real, zoned R-2 and R-3, APN: 026-011-010 and 025-228-130**

Staff Review:

1. Project proponent submitted a completed stormwater checklist and verified applicability of C.3.i requirements (s). Proponent submitted and proposed several site design measures to comply with the C.3.i.
2. Previous comments shall be addressed during the building permit issuance.

Please contact Kiley Kinnon, Stormwater Coordinator, for assistance at:
(650) 342-3727.

Reviewed by: KJK/EJ

Date: 01/21/15

Stormwater Checklist for Small Projects

Municipal Regional Stormwater Permit (MRP)
Order No. R2-2009-0074 ; Order No. R2-2011-0083
NPDES No. CAS612008

City of Burlingame
Office of Environmental Compliance
1103 Airport Blvd., Burlingame, CA 94010
650.342.3727/office
650.342.3712/fax

Complete this form for individual single family home projects of any size, other projects that create and/or replace less than 10,000 square feet of impervious surface, and projects in the following categories that create and/or replace less than 5,000 square feet of impervious surface: restaurants, retail gasoline outlets, auto service facilities¹, and parking lots (stand-alone or part of another use).

A. Project Information

- A.1 Project Name: New Condominiums
- A.2 Project Address: 1509 El Camino Real
- A.3 Project APN: _____

B. Select Appropriate Site Design Measures

B.1 Does the project create and/or replace 2,500 square feet or more of impervious surface²? Yes No

- If yes, and the project will receive final discretionary approval on or after December 1, 2012, the project must include one of Site Design Measures a through f.³ Fact sheets regarding site design measures a through f may be downloaded at http://www.flowstobay.org/bs_new_development.php#flyers.
- If no, or the project will receive final discretionary approval before December 1, 2012, the project is encouraged to implement site design measures⁴, which may be required at municipality discretion. Consult with municipal staff about requirements for your project.

B.2 Is the site design measure included in the project plans?

Yes	No	Plan Sheet No.	
<input type="checkbox"/>	<input checked="" type="checkbox"/>		a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	C-3	b. Direct roof runoff onto vegetated areas
<input checked="" type="checkbox"/>	<input type="checkbox"/>	C-2	c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
<input type="checkbox"/>	<input checked="" type="checkbox"/>		d. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	C-2	e. Construct sidewalks, walkways, and/or patios with permeable surfaces
<input checked="" type="checkbox"/>	<input type="checkbox"/>	C-2	f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces
<input type="checkbox"/>	<input checked="" type="checkbox"/>		g. Minimize land disturbance and impervious surface (especially parking lots).
<input type="checkbox"/>	<input checked="" type="checkbox"/>		h. Maximize permeability by clustering development and preserving open space.
<input type="checkbox"/>	<input checked="" type="checkbox"/>		i. Use micro-detention, including distributed landscape-based detention.
<input type="checkbox"/>	<input checked="" type="checkbox"/>		j. Protect sensitive areas, including wetland and riparian areas, and minimize changes to the natural topography.
<input type="checkbox"/>	<input checked="" type="checkbox"/>		k. Self-treating area (see Section 4.2 of the C.3 Technical Guidance)
<input type="checkbox"/>	<input checked="" type="checkbox"/>		l. Self-retaining area (see Section 4.3 of the C.3 Technical Guidance)
<input type="checkbox"/>	<input checked="" type="checkbox"/>		m. Plant or preserve interceptor trees (Section 4.1, C.3 Technical Guidance)

¹ See Standard Industrial Classification (SIC) codes [here](#).

² Complete the C.3/C.6 Development Review Checklist if the project is not an individual single family home, and it creates and/or replaces 10,000 square feet or more of impervious surface, or if it is a restaurant, retail gasoline outlet, auto service facility, or parking lot project that creates and/or replaces 5,000 square feet or more of impervious surface.

³ See MRP Provision C.3.i.

⁴ See MRP Provision C.3.a.i.(5).

Stormwater Checklist for Small Projects

C. Select appropriate source controls (Encouraged for all projects; may be required at municipal discretion. Consult municipal staff.⁵)

Are these features in project?		Features that require source control measures	Source control measures (Refer to Local Source Control List for detailed requirements)	Is source control measure included in project plans?		
Yes	No			Yes	No	Plan Sheet No.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Storm Drain	<ul style="list-style-type: none"> Mark on-site inlets with the words "No Dumping! Flows to Bay" or equivalent. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Floor Drains	<ul style="list-style-type: none"> Plumb interior floor drains to sanitary sewer [or prohibit]. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parking garage	<ul style="list-style-type: none"> Plumb interior parking garage floor drains to sanitary sewer.^a 	<input checked="" type="checkbox"/>	<input type="checkbox"/>	C-3
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Landscaping	<ul style="list-style-type: none"> Retain existing vegetation as practicable. Select diverse species appropriate to the site. Include plants that are pest- and/or disease-resistant, drought-tolerant, and/or attract beneficial insects. Minimize use of pesticides and quick-release fertilizers. Use efficient irrigation system; design to minimize runoff. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pool/Spa/Fountain	<ul style="list-style-type: none"> Provide connection to the sanitary sewer to facilitate draining.^a 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Food Service Equipment (non-residential)	<p>Provide sink or other area for equipment cleaning, which is:</p> <ul style="list-style-type: none"> Connected to a grease interceptor prior to sanitary sewer discharge.⁶ Large enough for the largest mat or piece of equipment to be cleaned. Indoors or in an outdoor roofed area designed to prevent stormwater run-on and run-off, and signed to require equipment washing in this area. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Refuse Areas	<ul style="list-style-type: none"> Provide a roofed and enclosed area for dumpsters, recycling containers, etc., designed to prevent stormwater run-on and runoff. Connect any drains in or beneath dumpsters, compactors, and tallow bin areas serving food service facilities to the sanitary sewer.⁶ 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outdoor Process Activities ⁷	<ul style="list-style-type: none"> Perform process activities either indoors or in roofed outdoor area, designed to prevent stormwater run-on and runoff, and to drain to the sanitary sewer.⁶ 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outdoor Equipment/Materials Storage	<ul style="list-style-type: none"> Cover the area or design to avoid pollutant contact with stormwater runoff. Locate area only on paved and contained areas. Roof storage areas that will contain non-hazardous liquids, drain to sanitary sewer⁶, and contain by berms or similar. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Vehicle/Equipment Cleaning	<ul style="list-style-type: none"> Roofed, pave and berm wash area to prevent stormwater run-on and runoff, plumb to the sanitary sewer⁶, and sign as a designated wash area. Commercial car wash facilities shall discharge to the sanitary sewer.⁶ 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Vehicle/Equipment Repair and Maintenance	<ul style="list-style-type: none"> Designate repair/maintenance area indoors, or an outdoors area designed to prevent stormwater run-on and runoff and provide secondary containment. Do not install drains in the secondary containment areas. No floor drains unless pretreated prior to discharge to the sanitary sewer.⁶ Connect containers or sinks used for parts cleaning to the sanitary sewer.⁶ 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fuel Dispensing Areas	<ul style="list-style-type: none"> Fueling areas shall have impermeable surface that is a) minimally graded to prevent ponding and b) separated from the rest of the site by a grade break. Canopy shall extend at least 10 ft in each direction from each pump and drain away from fueling area. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Loading Docks	<ul style="list-style-type: none"> Cover and/or grade to minimize run-on to and runoff from the loading area. Position downspouts to direct stormwater away from the loading area. Drain water from loading dock areas to the sanitary sewer.⁵ Install door skirts between the trailers and the building. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fire Sprinklers	<ul style="list-style-type: none"> Design for discharge of fire sprinkler test water to landscape or sanitary sewer^a 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Miscellaneous Drain or Wash Water	<ul style="list-style-type: none"> Drain condensate of air conditioning units to landscaping. Large air conditioning units may connect to the sanitary sewer.⁶ Roof drains shall drain to unpaved area where practicable Drain boiler drain lines, roof top equipment, all washwater to sanitary sewer⁶. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Architectural Copper	<ul style="list-style-type: none"> Drain rinse water to landscaping, discharge to sanitary sewer⁶, or collect and dispose properly offsite. See flyer "Requirements for Architectural Copper." 	<input type="checkbox"/>	<input type="checkbox"/>	

⁵ See MRP Provision C.3.a.(7)

⁶ Any connection to the sanitary sewer system is subject to sanitary district approval.

⁷ Businesses that may have outdoor process activities/equipment include machine shops, auto repair, industries with pretreatment facilities

Stormwater Checklist for Small Projects

D. Implement construction Best Management Practices (BMPs) (Required for all projects.)

Yes No

D.1 Is the site a "High Priority Site"? (Municipal staff will make this determination, if the answer is yes, the project will be referred to construction site inspection staff for monthly stormwater inspections during the wet season, October 1 through April 30.)

- "High Priority Sites" are sites that require a grading permit, are adjacent to a creek, or are otherwise high priority for stormwater protection during construction per MRP Provision C.6.e ii(2).

D.2 All projects require appropriate stormwater BMPs during construction, indicate which BMPs are included in the project, below.

Yes	No	Best Management Practice (BMP)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Attach the San Mateo Countywide Water Pollution Prevention Program's construction BMP plan sheet to project plans and require contractor to implement the applicable BMPs on the plan sheet.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Temporary erosion controls to stabilize all denuded areas until permanent erosion controls are established
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Delineate with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Provide notes, specifications, or attachments describing the following: <ul style="list-style-type: none"> • Construction, operation and maintenance of erosion and sediment controls, include inspection frequency; • Methods and schedule for grading, excavation, filling, clearing of vegetation, and storage and disposal of excavated or cleared material; • Specifications for vegetative cover & mulch, include methods and schedules for planting and fertilization; • Provisions for temporary and/or permanent irrigation.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Perform clearing and earth moving activities only during dry weather
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Use sediment controls or filtration to remove sediment when dewatering and obtain all necessary permits
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Protect all storm drain inlets in vicinity of site using sediment controls such as berms, fiber rolls, or filters.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Trap sediment on-site, using BMPs such as sediment basins or traps, earthen dikes or berms, silt fences, check dams, soil blankets or mats, covers for soil stock piles, etc.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Divert on-site runoff around exposed areas; divert off-site runoff around the site (e.g., swales and dikes).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Limit construction access routes and stabilize designated access points.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	No cleaning, fueling, or maintaining vehicles on-site, except in a designated area where washwater is contained and treated.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Store, handle, and dispose of construction materials/wastes properly to prevent contact with stormwater.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contractor shall train and provide instruction to all employees/subcontractors re: construction BMPs.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Control and prevent the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, washwater or sediments, rinse water from architectural copper, and non-stormwater discharges to storm drains and watercourses.

Name of applicant completing the form: Alan Price

Signature: [Signature] Date: 1-6-15

E. Comments (for municipal staff use only):

OK - CHECKLIST REVIEWED BY KILLY KINNON AND
EVA JUSTIMBASTE ON 01/21/14.

F. NOTES (for municipal staff use only):

Section A Notes: _____
 Section B Notes: _____
 Section C Notes: _____
 Section D Notes: _____

Project Comments

To:

<input type="checkbox"/> City Engineer (650) 558-7230	<input type="checkbox"/> Recycling Specialist (650) 558-7271
<input type="checkbox"/> Chief Building Official (650) 558-7260	<input type="checkbox"/> Fire Marshal (650) 558-7600
<input type="checkbox"/> City Arborist (650) 558-7254	<input type="checkbox"/> NPDES Coordinator (650) 342-3727
	<input type="checkbox"/> City Attorney

From: Planning Staff

Subject: Request for application for Environmental Review, General Plan Amendment, Rezoning of a portion of the site from R-2 to R-3 and Condominium Permit for construction of a new three-story, 10-unit residential condominium at **1509 El Camino Real, zoned R-2 and R-3, APN: 026-011-010 and 025-228-130**

Staff Review:

- 1 This project may need to comply with the Low Impact Development (LID) requirements under the Municipal Regional Permit (MRP), C.3 Provisions, which became effective on December 1, 2011. Please complete and sign the attached C.3 Regulated Projects Checklist to determine if the project creates and/or replaces more than 10,000 sq.ft. of impervious surface. This Checklist and other information is available at: http://flowstobay.org/bs_new_development.php.
- 2 Stormwater requirements are required to be implemented at stand-alone single family home projects that create and/or replace 2,500 sq.ft. or more of impervious surface. These requirements are in addition to any City requirements. To determine if this project is subject to those requirements complete and return the attached "Stormwater Checklist for Small Projects." For additional information about these requirements please refer to the attached flyer "New Stormwater Control Requirements Effective 12/1/12" and by visiting the San Mateo County Stormwater Pollution Prevention Program (SMCWPPP) website at: <http://flowstobay.org/newdevelopment>

3) Any construction project in the City, regardless of size, shall comply with the City's NPDES (stormwater) permit to prevent stormwater pollution from construction activities. Project proponent shall ensure all contractors implement appropriate and effective BMPs during all phases of construction, including demolition. When submitting plans for a building permit include a list of construction BMPs as project notes on a separate full size plan sheet, preferably 2' x 3' or larger. Electronic file is available for download at:

<http://flowstobay.org/construction>

4) Best Management Practices (BMPs) requirements apply on any projects using architectural copper. To learn what these requirements are, see attached flyer "Requirements for Architectural Copper." Electronic file is available for download at:

<http://flowstobay.org/newdevelopment>

For assistance please contact Eva J. at 650-342-3727

Reviewed by: SD *SD*

Date: 8/27/14

C.3 Regulated Projects Checklist
Municipal Regional Stormwater Permit (MRP)
Stormwater Controls for Development Projects

CITY OF BURLINGAME – OFFICE OF ENVIRONMENTAL COMPLIANCE
1103 AIRPORT BLVD
650-342-3727
FAX 650-342-3712

I. Applicability of C.3 and C.6 Stormwater Requirements

I.A. Enter Project Data (For "C.3 Regulated Projects," data will be reported in the municipality's stormwater Annual Report.)

I.A.1 Project Name: New Condominiums

I.A.2 Project Address (include cross street): 1509 El Camino Real

I.A.3 Project APN: _____ I.A.4 Project Watershed: _____

I.A.5 Applicant Name: _____

I.A.6 Applicant Address: _____

I.A.7 Applicant Phone: _____ Applicant Email Address: _____

I.A.8 Development type: Residential Commercial Industrial Mixed-Use Street/Road Other, specify: _____
 'Redevelopment' as defined by MRP: creating, adding and/or replacing _____ Exterior existing impervious surface on a site where past development has occurred¹
 'Special land use categories' as defined by MRP: (1) auto service facilities², (2) retail gasoline outlets, (3) restaurants², (4) uncovered parking area (stand-alone or part of a larger project)

I.A.9 Project Description³: New condominiums, walks, driveway, and associated flatwork
 (Also note and past or future phases of the project.)

I.A.10 Total Area of Site: 0.45 acres
 Total Area of land disturbed during construction (include clearing, grading, excavating and stockpile area: 0.37 acres.

I.B. Is the project a "C.3 Regulated Project" per MRP Provision C.3.b?

I.B.1 Enter the amount of impervious surface⁴ created and/or replaced by the project (if the total amount is 5,000 sq.ft. or more):

Table of Impervious and Pervious Surfaces

Type of Impervious Surface	a	b	c	d
	Pre-Project Impervious Surface (sq.ft.)	Existing Impervious Surface to be Replaced ⁶ (sq.ft.)	New Impervious Surface to be Created ⁶ (sq.ft.)	Post-project landscaping (sq.ft.), if applicable
Roof area(s) – excluding any portion of the roof that is vegetated ("green roof")	5344	3770	790	N/A
Impervious ⁴ sidewalks, patios, paths, driveways	9346	5,253	25	
Impervious ⁴ uncovered parking ⁵				
Streets (public)				
Streets (private)				
Totals:	1,4690	9,023	815	
Area of Existing Impervious Surface NOT replaced			N/A	
Total New Impervious Surface (sum of totals for columns b and c):		9,838		

¹ Roadway projects that replace existing impervious surface are subject to C.3 requirements only if one or more lanes of travel are added.
² See Standard Industrial Classification (SIC) codes [here](#)
³ Project description examples: 5-story office building, industrial warehouse, residential with five 4-story buildings for 200 condominiums, etc.
⁴ Per the MRP, pavement that meets the following definition of pervious pavement is NOT an impervious surface. Pervious pavement is defined as pavement that stores and infiltrates rainfall at a rate equal to immediately surrounding unpaved, landscaped areas, or that stores and infiltrates the rainfall runoff volume described in Provision C.3.d.
⁵ Uncovered parking includes top level of a parking structure.
⁶ "Replace" means to install new impervious surface where existing impervious surface is removed. "Construct" means to install new impervious surface where there is currently no impervious surface.

I.B. Is the project a "C.3 Regulated Project" per MRP Provision C.3.b? (continued)

	Yes	No	NA
I.B.2 In Item I.B.1, does the Total New Impervious Surface equal 10,000 sq.ft. or more? <i>If YES, skip to Item I.B.5 and check "Yes." If NO, continue to Item I.B.3.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I.B.3 Does the Item I.B.1 Total New Impervious Surface equal 5,000 sq.ft. or more, but less than 10,000 sq.ft.? <i>If YES, continue to Item I.B.4. If NO, skip to Item I.B.5 and check "No."</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.B.4 Is the project a "Special Land Use Category" per Item I.A.8? For uncovered parking, check YES only if there is 5,000 sq.ft or more uncovered parking. <i>If NO, go to Item I.B.5 and check "No." If YES, go to Item I.B.5 and check "Yes."</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I.B.5 Is the project a C.3 Regulated Project? <i>If YES, skip to Item I.B.6; if NO, continue to Item I.C.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I.B.6 Does the total amount of Replaced impervious surface equal 50 percent or more of the Pre-Project Impervious Surface? <i>If YES, site design, source control and treatment requirements apply to the whole site; if NO, these requirements apply only to the impervious surface created and/or replaced.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I.C. Projects that are NOT C.3 Regulated Projects

If you answered NO to Item I.B.5, or the project creates/replaces less than 5,000 sq. ft. of impervious surface, then the project is NOT a C.3 Regulated Project, and stormwater treatment is not required, BUT the municipality may determine that source controls and site design measures are required. Skip to Section II.

I.D. Projects that ARE C.3 Regulated Projects

If you answered YES to Item I.B.5, then the project is a C.3 Regulated Project. The project must include appropriate site design measures and source controls AND hydraulically-sized stormwater treatment measures. Hydromodification management may also be required; refer to Section II to make this determination. If final discretionary approval was granted on or after **DECEMBER 1, 2011**, Low Impact Development (LID) requirements apply, except for "Special Projects." See Section II.

I.E. Identify C.6 Construction-Phase Stormwater Requirements

	Yes	No
I.E.1 Does the project disturb 1.0 acre (43,560 sq.ft.) or more of land? (See Item I.A.10). <i>If Yes, obtain coverage under the state's Construction General Permit at https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp. Submit to the municipality a copy of your Notice of Intent and Storm Water Pollution Prevention Plan (SWPPP) before a grading or building permit is issued.</i>	<input type="checkbox"/>	<input type="checkbox"/>
I.E.2 Is the site as a "High Priority Site" that disturbs less than 1.0 acre (43,560 sq.ft.) of land? (Municipal staff will make this determination.) <ul style="list-style-type: none"> ▪ "High Priority Sites" are sites that require a grading permit, are adjacent to a creek, or are otherwise high priority for stormwater protection during construction (see MRP Provision C.6.e.ii(2)) 	<input type="checkbox"/>	<input type="checkbox"/>

NOTE TO APPLICANT: All projects require appropriate stormwater best management practices (BMPs) during construction. Refer to the Section II to identify appropriate construction BMPs.

NOTE TO MUNICIPAL STAFF: If the answer is "Yes" to either question in Section E, refer this project to construction site inspection staff to be added to their list of projects that require stormwater inspections at least monthly during the wet season (October 1 through April 30).

II. Implementation of Stormwater Requirements

II.A. Complete the appropriate sections for the project. For non-C.3 Regulated Projects, Sections II.B, II.C, and II.D apply. For C.3 Regulated Projects, all sections of Section II apply.

II.B. **Select Appropriate Site Design Measures** (Required for C.3 Regulated Projects; all other projects are encouraged to implement site design measures, which may be required at municipality discretion. Starting December 1, 2012, projects that create and/or replace 2,500 – 10,000 sq.ft. of impervious surface, and stand-alone single family homes that create/replace 2,500 sq.ft. or more of impervious surface, must include one of Site Design Measures a through f.⁷ Consult with municipal staff about requirements for your project.)

II.B.1 Is the site design measure included in the project plans?

Yes	No	Plan Sheet No.	
<input type="checkbox"/>	<input checked="" type="checkbox"/>		a. Direct roof runoff into cisterns or rain barrels and use rainwater for irrigation or other non-potable use.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	C-3	b. Direct roof runoff onto vegetated areas.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	C-2	c. Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
<input type="checkbox"/>	<input checked="" type="checkbox"/>		d. Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	C-2	e. Construct sidewalks, walkways, and/or patios with permeable surfaces.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	C-2	f. Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.
<input type="checkbox"/>	<input checked="" type="checkbox"/>		g. Minimize land disturbance and impervious surface (especially parking lots).
<input type="checkbox"/>	<input checked="" type="checkbox"/>		h. Maximize permeability by clustering development and preserving open space.
<input type="checkbox"/>	<input checked="" type="checkbox"/>		i. Use micro-detention, including distributed landscape-based detention.
<input type="checkbox"/>	<input checked="" type="checkbox"/>		j. Protect sensitive areas, including wetland and riparian areas, and minimize changes to the natural topography.
<input type="checkbox"/>	<input checked="" type="checkbox"/>		k. Self-treating area (see Section 4.2 of the C.3 Technical Guidance)
<input type="checkbox"/>	<input checked="" type="checkbox"/>		l. Self-retaining area (see Section 4.3 of the C.3 Technical Guidance)
<input type="checkbox"/>	<input checked="" type="checkbox"/>		m. Plant or preserve interceptor trees (Section 4.1, C.3 Technical Guidance)

⁷ See MRP Provision C.3.a.i(6) for non-C.3 Regulated Projects, C.3.c.i(2)(a) for Regulated Projects, C.3.i for projects that create/replace 2,500 to 10,000 sq.ft. of impervious surface and stand-alone single family homes that create/replace 2,500 sq.ft. or more of impervious surface.

II.C. Select appropriate source controls (Applies to C.3 Regulated Projects; encouraged for other projects. Consult municipal staff.⁸)

Are these features in project?		Features that require source control measures	Source control measures (Refer to Local Source Control List for detailed requirements)	Is source control measure included in project plans?		
Yes	No			Yes	No	Plan Sheet No.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Storm Drain	Mark on-site inlets with the words "No Dumping! Flows to Bay" or equivalent.	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Floor Drains	Plumb interior floor drains to sanitary sewer ⁹ [or prohibit].	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Parking garage	Plumb interior parking garage floor drains to sanitary sewer. ³	<input checked="" type="checkbox"/>	<input type="checkbox"/>	C-3
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Landscaping	<ul style="list-style-type: none"> ▪ Retain existing vegetation as practicable. ▪ Select diverse species appropriate to the site. Include plants that are pest- and/or disease-resistant, drought-tolerant, and/or attract beneficial insects. ▪ Minimize use of pesticides and quick-release fertilizers. ▪ Use efficient irrigation system; design to minimize runoff. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Pool/Spa/Fountain	Provide connection to the sanitary sewer to facilitate draining. ³	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Food Service Equipment (non-residential)	Provide sink or other area for equipment cleaning, which is: <ul style="list-style-type: none"> ▪ Connected to a grease interceptor prior to sanitary sewer discharge.³ ▪ Large enough for the largest mat or piece of equipment to be cleaned. ▪ Indoors or in an outdoor roofed area designed to prevent stormwater run-on and run-off, and signed to require equipment washing in this area. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Refuse Areas	<ul style="list-style-type: none"> ▪ Provide a roofed and enclosed area for dumpsters, recycling containers, etc., designed to prevent stormwater run-on and runoff. ▪ Connect any drains in or beneath dumpsters, compactors,³ and tallow bin areas serving food service facilities to the sanitary sewer.³ 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outdoor Process Activities ¹⁰	Perform process activities either indoors or in roofed outdoor area, designed to prevent stormwater run-on and runoff, and to drain to the sanitary sewer. ³	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Outdoor Equipment/Materials Storage	<ul style="list-style-type: none"> ▪ Cover the area or design to avoid pollutant contact with stormwater runoff. ▪ Locate area only on paved and contained areas. ▪ Roof storage areas that will contain non-hazardous liquids, drain to sanitary sewer⁸, and contain by berms or similar. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Vehicle/Equipment Cleaning	<ul style="list-style-type: none"> ▪ Roofed, pave and berm wash area to prevent stormwater run-on and runoff, plumb to the sanitary sewer³, and sign as a designated wash area. ▪ Commercial car wash facilities shall discharge to the sanitary sewer.³ 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Vehicle/Equipment Repair and Maintenance	<ul style="list-style-type: none"> ▪ Designate repair/maintenance area indoors, or an outdoors area designed to prevent stormwater run-on and runoff and provide secondary containment. Do not install drains in the secondary containment areas. ▪ No floor drains unless pretreated prior to discharge to the sanitary sewer.³ ▪ Connect containers or sinks used for parts cleaning to the sanitary sewer.³ 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fuel Dispensing Areas	<ul style="list-style-type: none"> ▪ Fueling areas shall have impermeable surface that is a) minimally graded to prevent ponding and b) separated from the rest of the site by a grade break. ▪ Canopy shall extend at least 10 ft in each direction from each pump and drain away from fueling area. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Loading Docks	<ul style="list-style-type: none"> ▪ Cover and/or grade to minimize run-on to and runoff from the loading area. ▪ Position downspouts to direct stormwater away from the loading area. ▪ Drain water from loading dock areas to the sanitary sewer.³ ▪ Install door skirts between the trailers and the building. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Fire Sprinklers	Design for discharge of fire sprinkler test water to landscape or sanitary sewer. ³	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Miscellaneous Drain or Wash Water	<ul style="list-style-type: none"> ▪ Drain condensate of air conditioning units to landscaping. Large air conditioning units may connect to the sanitary sewer.³ ▪ Roof drains shall drain to unpaved area where practicable. ▪ Drain boiler drain lines, roof top equipment, all washwater to sanitary sewer³. 	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Architectural Copper	<ul style="list-style-type: none"> ▪ Drain rinse water to landscaping, discharge to sanitary sewer³, or collect and dispose properly offsite. See flyer "Requirements for Architectural Copper." 	<input type="checkbox"/>	<input type="checkbox"/>	

⁸ See MRP Provision C.3.a.i(7) for non-C.3 Regulated Projects and Provision C.3.c.i(1) for C.3 Regulated Projects.

⁹ Any connection to the sanitary sewer system is subject to sanitary district approval.

¹⁰ Businesses that may have outdoor process activities/equipment include machine shops, auto repair, industries with pretreatment facilities.

II.D. Implement construction Best Management Practices (BMPs) (Applies to all projects).

Yes	No	Best Management Practice (BMP)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Attach the San Mateo Countywide Water Pollution Prevention Program's construction BMP plan sheet to project plans and require contractor to implement the applicable BMPs on the plan sheet.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Temporary erosion controls to stabilize all denuded areas until permanent erosion controls are established.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Delineate with field markers clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Provide notes, specifications, or attachments describing the following: <ul style="list-style-type: none"> ▪ Construction, operation and maintenance of erosion and sediment controls, include inspection frequency; ▪ Methods and schedule for grading, excavation, filling, clearing of vegetation, and storage and disposal of excavated or cleared material; ▪ Specifications for vegetative cover & mulch, include methods and schedules for planting and fertilization; ▪ Provisions for temporary and/or permanent irrigation.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Perform clearing and earth moving activities only during dry weather.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Use sediment controls or filtration to remove sediment when dewatering and obtain all necessary permits.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Protect all storm drain inlets in vicinity of site using sediment controls such as berms, fiber rolls, or filters.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Trap sediment on-site, using BMPs such as sediment basins or traps, earthen dikes or berms, silt fences, check dams, soil blankets or mats, covers for soil stock piles, etc.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Divert on-site runoff around exposed areas; divert off-site runoff around the site (e.g., swales and dikes).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching, or other measures as appropriate.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Limit construction access routes and stabilize designated access points.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	No cleaning, fueling, or maintaining vehicles on-site, except in a designated area where washwater is contained and treated.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Store, handle, and dispose of construction materials/wastes properly to prevent contact with stormwater.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contractor shall train and provide instruction to all employees/subcontractors re: construction BMPs.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Control and prevent the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, washwater or sediments, rinse water from architectural copper, and non-stormwater discharges to storm drains and watercourses.

PROJECTS THAT ARE NOT C.3 REGULATED PROJECTS STOP HERE!

II.E. Feasibility/Infeasibility of Infiltration and Rainwater Harvesting/Use (Applies to C.3 Regulated Projects ONLY)

Except for some Special Projects, C.3 Regulated Projects must include low impact development (LID) treatment measures. LID treatment measures are rainwater harvesting, infiltration, evapotranspiration, and biotreatment (i.e., landscape-based treatment with special soils). Biotreatment is allowed ONLY if it is infeasible to treat the amount of runoff specified in Provision C.3.d with rainwater harvesting, infiltration, and evapotranspiration.

	Yes	No	N/A
II.E.1 Is this project a "Special Project"? (See Appendix J of the C.3 Technical Guidance for criteria.)			
➤ If No, continue to Item II.E.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ If Yes, or if there is potential that the project MAY be a Special Project, complete the Special Projects Worksheet.			
II.E.2 Infiltration Potential. Based on site-specific soil report ¹¹ , do site soils either:			
a. Have a saturated hydraulic conductivity (Ksat) <u>less</u> than 1.6 inches/hour, or, if the Ksat rate is not available,			
b. Consist of Type C or D soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
➤ If Yes, continue to II.E.3.			
➤ If No, complete the Infiltration Feasibility Worksheet. If infiltration of the C.3.d amount of runoff is found to be feasible, skip to II.E.8; if infiltration is found to be infeasible, continue to II.E.3.			

¹¹ If no site-specific soil report is available, refer to soil hydraulic conductivity maps in C.3 Technical Guidance Appendix I.

II.E.3 Recycled Water. Check the box if the project is installing and using a recycled water plumbing system for non-potable water use.

- The project is installing a recycled water plumbing system, and the installation of a second non-potable water system for harvested rainwater is impractical, and considered infeasible due to cost considerations.

➤ If you checked this box, there is no need for further evaluation of rainwater harvesting. Skip to II.E.9.

II.E.4 Potential Rainwater Capture Area

- a. Refer to the Table of Impervious and Pervious Surfaces in the C.3 and C.6 Data Collection Form, and enter the total square footage of impervious surface that will be replaced and/or created by the project. _____ Sq. ft.
- b. If I.B.6 indicates that 50% or more of the existing impervious surface will be replaced with new impervious surface, then add any existing impervious surface that will remain in place to the amount in II.E.4.a. _____ Sq. ft.
- c. Convert the amount in Item II.E.4.b from square feet to acres (divide by 43,560). If II.E.4.b is not applicable, convert the amount in II.E.4.a from square feet to acres. This is the project's Potential Rainwater Capture Area, in acres. _____ Acres

II.E.5 Landscape Irrigation: Feasibility of Rainwater Harvesting and Use

- a. Enter area of onsite landscaping. _____ Acres
- b. Multiply the Potential Rainwater Capture Area (the amount in II.E.4.c) times 3.2. _____ Acres
- c. Is the amount in II.E.5.a (onsite landscaping) LESS than the amount in II.E.5.b (the product of 3.2 times the size of the Potential Rainwater Capture Area)¹²? Yes No
 - If Yes, continue.
 - If No, it may be possible to meet the treatment requirements by directing runoff from impervious areas to self-retaining areas (see Section 4.3 of the C.3 Technical Guidance). If not, refer to Table 11 and the curves in Appendix F of the LID Feasibility Report to evaluate feasibility of harvesting and using the C.3.d amount of runoff for irrigation. Skip to II.E.7.

II.E.6 Indoor Non-Potable Uses: Feasibility of Rainwater Harvesting and Use (check the box for the applicable project type, then fill in the requested information and answer the question):¹³

- a. Residential Project
 - i. Number of dwelling units (total post-project): _____ Units
 - ii. Divide the amount in (i) by Potential Rainwater Capture Area (II.E.4.c): _____ Du/ac
 - iii. Is the amount in (ii) LESS than 124? Yes No
- b. Commercial Project
 - i. Floor area (total interior post-project square footage): _____ Sq.ft.
 - ii. Divide the amount in (i) by Potential Rainwater Capture Area (II.E.4.c): _____ Sq.ft./ac
 - iii. Is the amount in (ii) LESS than 84,000? Yes No
- c. School Project
 - i. Floor area (total interior post-project square footage): _____ Sq.ft.
 - ii. Divide the amount in (i) by Potential Rainwater Capture Area (II.E.4.c): _____ Sq.ft./ac
 - iii. Is the amount in (ii) LESS than 27,000? Yes No

¹² Landscape areas must be contiguous and within the same Drainage Management Area to irrigate with harvested rainwater via gravity flow.

¹³ Rainwater harvested for indoor use is typically used for toilet/urinal flushing, industrial processes, or other non-potable uses.

II.E.6 Indoor Non-Potable Uses: Feasibility of Rainwater Harvesting and Use (continued)

- d. Industrial Project
 - i. Estimated demand for non-potable water (gallons/day): _____ Gal.
 - ii. Is the amount in (i) LESS than 2,900? Yes No

- e. Mixed-Use Residential/Commercial Project¹⁴

	Residential	Commercial
i. Number of residential dwelling units and commercial floor area:	_____ Units	_____ Sq.ft.
ii. Percentage of total interior post-project floor area serving each activity:	_____ %	_____ %
iii. Prorated Potential Rainwater Capture Area per activity (multiply amount in II.E.4.c by the percentages in [ii]):	_____ Acres	_____ Acres
iv. Prorated project demand per impervious area (divide the amounts in [i] by the amounts in [iii]):	_____ Du/ac	_____ Sq.ft/ac
v. Is the amount in (iv) in the residential column <u>less</u> than 124, AND is the amount in the commercial column <u>less</u> than 84,000?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

- If you checked "Yes" for the above question for the applicable project type, rainwater harvesting for indoor use is considered *infeasible*, unless the project includes one or more buildings that each have an individual roof area of 10,000 sq. ft. or more, in which case further analysis is needed. Complete Sections II.E.5 and II.E.6 of this form for each such building, then continue to II.E.7.
- If you checked "No" for the question applicable to the type of project, rainwater harvesting for indoor use may be *feasible*. Complete the Rainwater Harvesting Feasibility Worksheet, and then continue to II.E.7.

II.E.7 Identify and Attach Additional Feasibility Analyses

If further analysis is conducted based on results in II.E.1, II.E.2, II.E.5, or II.E.6, indicate the analysis that is conducted and attach the applicable form or other documentation (check all that apply):

- Special Projects Worksheet (if required in II.E.1)
- Infiltration Feasibility Worksheet (if required in II.E.2)
- Rainwater Harvesting and Use Feasibility Worksheet (if required in II.E.5 or II.E.6), completed for:
 - The entire project
 - Individual building(s), if applicable, describe: _____
- Evaluation of the feasibility of harvesting and using the C.3.d amount of runoff for irrigation, based on Table 11 and the curves in Appendix F of the LID Feasibility Report (if required in II.E.5).
- Evaluation of the feasibility of harvesting and using the C.3.d amount of runoff for non-potable industrial use, based on the curves in Appendix F of the LID Feasibility Report (if required in II.E.6.d).

II.E.8 Finding of Infiltration Feasibility/Infeasibility

Infiltration of the C.3.d amount of runoff is infeasible if any of the following conditions apply (check all that apply):

- The "Yes" box was checked for Item II.E.2.
- Completion of the Infiltration Feasibility Worksheet resulted in a finding that infiltration of the C.3.d amount of runoff is infeasible.
 - Based on the above evaluation, infiltration of the C.3.d amount of runoff is (check one):
 - Infeasible
 - Feasible

¹⁴ For a mixed-use project involving activities other than residential and commercial activities, follow the steps for residential/commercial mixed-use projects. Prorate the Potential Rainwater Capture Area for each activity based on the percentage of the project serving each activity.

II.E.9 Finding of Rainwater Harvesting and Use Feasibility/Infeasibility

Harvesting and use of the C.3.d amount of runoff is infeasible if any of the following apply (check all that apply):

- The project will have a recycled water system for non-potable use (II.E.3).
- Only the "Yes" boxes were checked for Items II.E.5 and II.E.6.
- Completion of the Rainwater Harvesting and Use Feasibility Worksheet resulted in a finding that harvesting and use of the C.3.d amount of runoff is infeasible.
- Evaluation of the feasibility of harvesting and using the C.3.d amount of runoff for irrigation, based on Table 11 and the curves in Appendix F of the LID Feasibility Report, resulted in a finding of infeasibility.
- Evaluation of the feasibility of harvesting and using the C.3.d amount of runoff for non-potable industrial use, based on the curves in Appendix F of the LID Feasibility Report, resulted in a finding of infeasibility.
 - *Based on the above evaluation, harvesting and using the C.3.d amount of runoff is (check one):*
 - Infeasible Feasible

II.E.10. Use of Biotreatment

If findings of infeasibility are made in both II.E.8 (Infiltration) and II.E.9 (Rainwater Harvesting and Use), then the applicant may use appropriately designed bioretention facilities for compliance with C.3 treatment requirements.

➤ *Applicants using biotreatment are encouraged to maximize infiltration of stormwater if site conditions allow.*

II.F. Stormwater Treatment Measures (Applies to C.3 Regulated Projects)

II.F.1 Check the applicable box and indicate the treatment measures to be included in the project.

Yes	No											
<input type="checkbox"/>	<input type="checkbox"/>	Is the project a Special Project ? If yes, consult with municipal staff about the need to prepare a discussion of the feasibility and infeasibility of 100% LID treatment. Indicate the type of non-LID treatment to be used, the hydraulic sizing method ¹⁵ , and percentage of the amount of runoff specified in Provision C.3.d that is treated: <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;"><u>Non-LID Treatment</u></td> <td style="width: 33%;"><u>Hydraulic sizing method¹⁵</u></td> <td style="width: 33%;"><u>% of C.3.d amount of runoff treated</u></td> </tr> <tr> <td><input type="checkbox"/> Media filter</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Tree well filter</td> <td></td> <td></td> </tr> </table>	<u>Non-LID Treatment</u>	<u>Hydraulic sizing method¹⁵</u>	<u>% of C.3.d amount of runoff treated</u>	<input type="checkbox"/> Media filter			<input type="checkbox"/> Tree well filter			
<u>Non-LID Treatment</u>	<u>Hydraulic sizing method¹⁵</u>	<u>% of C.3.d amount of runoff treated</u>										
<input type="checkbox"/> Media filter												
<input type="checkbox"/> Tree well filter												
<input type="checkbox"/>	<input type="checkbox"/>	Is it infeasible to treat the C.3.d amount of runoff using either infiltration or rainwater harvesting/use (see II.E.8 and II.E.9)? If yes, indicate the biotreatment measures to be used, and the hydraulic sizing method: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;"><u>Biotreatment Measures</u></td> <td style="width: 40%;"><u>Hydraulic sizing method¹⁵</u></td> </tr> <tr> <td><input type="checkbox"/> Bioretention area</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Flow-through planter</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Other (specify): _____</td> <td></td> </tr> </table>	<u>Biotreatment Measures</u>	<u>Hydraulic sizing method¹⁵</u>	<input type="checkbox"/> Bioretention area		<input type="checkbox"/> Flow-through planter		<input type="checkbox"/> Other (specify): _____			
<u>Biotreatment Measures</u>	<u>Hydraulic sizing method¹⁵</u>											
<input type="checkbox"/> Bioretention area												
<input type="checkbox"/> Flow-through planter												
<input type="checkbox"/> Other (specify): _____												
<input type="checkbox"/>	<input type="checkbox"/>	Is it feasible to treat the C.3.d amount of runoff using either infiltration or rainwater harvesting/use (see II.E.8 and II.E.9)? If yes, indicate the non-biotreatment LID measures to be used, and hydraulic sizing method: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><u>LID Treatment Measure (non-biotreatment)</u></td> <td style="width: 50%;"><u>Hydraulic sizing method¹⁵</u></td> </tr> <tr> <td><input type="checkbox"/> Rainwater harvesting and use</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Bioinfiltration¹⁶</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Infiltration trench</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Other (specify): _____</td> <td></td> </tr> </table>	<u>LID Treatment Measure (non-biotreatment)</u>	<u>Hydraulic sizing method¹⁵</u>	<input type="checkbox"/> Rainwater harvesting and use		<input type="checkbox"/> Bioinfiltration ¹⁶		<input type="checkbox"/> Infiltration trench		<input type="checkbox"/> Other (specify): _____	
<u>LID Treatment Measure (non-biotreatment)</u>	<u>Hydraulic sizing method¹⁵</u>											
<input type="checkbox"/> Rainwater harvesting and use												
<input type="checkbox"/> Bioinfiltration ¹⁶												
<input type="checkbox"/> Infiltration trench												
<input type="checkbox"/> Other (specify): _____												

II.F.2 Alternative Certification (to be completed by municipal staff): Was the treatment system sizing and design reviewed by a qualified third-party professional that is not a member of the project team or agency staff?

Yes No Name of Reviewer _____

¹⁵ Indicate which of the following Provision C.3.d.i hydraulic sizing methods were used. Volume based approaches: 1(a) Urban Runoff Quality Management approach, or 1(b) 80% capture approach (recommended volume-based approach). Flow-based approaches: 2(a) 10% of 50-year peak flow approach, 2(b) Percentile rainfall intensity approach, or 2(c) 0.2-Inch-per-hour intensity approach (recommended flow-based approach). If a combination flow and volume design basis was used, indicate which flow-based and volume-based criteria were used.

¹⁶ See Section 6.1 of the C.3 Technical Guidance for conditions in which bioretention areas provide bioinfiltration.

II.G. Is the project a Hydromodification Management¹⁷ (HM) Project? (Complete this section for C.3 Regulated Projects)

- II.G.1 Does the project create and/or replace 1 acre (43,560 sq. ft.) or more of impervious surface? (Refer to Item I.B.1.)
 - Yes. Continue to Item II.G.2.
 - No. Skip to Item II.G.5 and check "No."
- II.G.2 Is the total impervious area increased over the pre-project condition? (Refer to Item I.B.1.)
 - Yes. Continue to Item II.G.3.
 - No. The project is NOT required to incorporate HM measures. Skip to Item II.G.5 and check "No."
- II.G.3 Is the site located in an HM Control Area per the HM Control Areas map (Appendix H of the C.3 Technical Guidance)?
 - Yes. Skip to Item G.5 and check "Yes."
 - No. Attach map, indicating project location. Skip to Item G.5 and check "No."
 - Further analysis required. Continue to Item G.4.
- II.G.4 Has an engineer or qualified environmental professional determined that runoff from the project flows only through a hardened channel or enclosed pipe along its entire length before emptying into a waterway in the exempt area?
 - Yes. Attach signed statement by qualified professional. Go to Item G.5 and check "No."
 - No. Go to Item G.5 and check "Yes."
- II.G.5 Is the project a Hydromodification Management Project?
 - Yes. The project is subject to HM requirements in Provision C.3.g of the Municipal Regional Stormwater Permit.
 - No. The project is EXEMPT from HM requirements.

➤ If the project is subject to the HM requirements, incorporate in the project flow duration stormwater control measures designed such that post-project stormwater discharge rates and durations match pre-project discharge rates and durations. The Bay Area Hydrology Model (BAHM) has been developed to size flow duration controls. See www.bayareahydrology.com. Guidance is provided in Chapter 7 of the C.3 Technical Guidance.

Name of applicant completing the form: _____

Signature: _____ Date: _____

II.H. Confirm Operations and Maintenance (O&M) Submittals (for municipal staff use only):

- II.H.1 Stormwater Treatment Measure and/HM Control Owner or Operator's Information:
 - Name: _____
 - Address: _____
 - Phone: _____ Email: _____

➤ Applicant must call for inspection and receive inspection within 45 days of installation of treatment measures and/or hydromodification management controls.

The following questions apply to C.3 Regulated Projects and Hydromodification Management Projects.

	Yes	No	N/A
II.H.1 Was maintenance plan submitted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
II.H.2 Was maintenance plan approved?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
II.H.3 Was maintenance agreement submitted? (Date executed: _____)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

➤ Attach the executed maintenance agreement as an appendix to this checklist.

¹⁷ Hydromodification is the modification of a stream's hydrograph, caused in general by increases in flows and durations that result when land is developed (made more impervious). The effects of hydromodification include, but are not limited to, increased bed and bank erosion, loss of habitat, increased sediment transport and deposition, and increased flooding. Hydromodification management control measures are designed to reduce these effects.

III. Incorporate HM Controls (if required)

Are the applicable items in Plans?

Yes	No	NA	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Site plans with pre- and post-project impervious surface areas, surface flow directions of entire site, locations of flow duration controls and site design measures per HM site design requirement
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Soils report or other site-specific document showing soil types at all parts of site
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If project uses the Bay Area Hydrology Model (BAHM), a list of model inputs.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If project uses custom modeling, a summary of the modeling calculations with corresponding graph showing curve matching (existing, post-project, and post-project with HM controls curves), goodness of fit, and (allowable) low flow rate.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If project uses the Impracticability Provision, a listing of all applicable costs and a brief description of the alternative HM project (name, location, date of start up, entity responsible for maintenance).
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the project uses alternatives to the default BAHM approach or settings, a written description and rationale.

IV. Annual Operations and Maintenance (O&M) Submittals (for municipal staff use only):

For C.3 Regulated Projects and Hydromodification Management Projects, indicate the dates on which the Applicant submitted annual reports for project O&M: _____

V. Comments (for municipal staff use only):

VI. NOTES (for municipal staff use only):

Section I Notes: _____
 Section II Notes: _____
 Section III Notes: _____
 Section IV Notes: _____
 Section V Notes: _____

VII. Project Close-Out (for municipal staff use only):

	Yes	No	NA
VII.1 Were final Conditions of Approval met?	<input type="checkbox"/>	<input type="checkbox"/>	
VII.2 Was initial inspection of the completed treatment/HM measure(s) conducted? (Date of inspection: _____)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VII.3 Was maintenance plan submitted? (Date executed: _____)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VII.4 Was project information provided to staff responsible for O&M verification inspections? (Date provided to inspection staff: _____)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VII. Project Close-Out (Continued -- for municipal staff use only):

Name of staff confirming project is closed out: _____

Signature: _____ Date: _____

Name of O&M staff receiving information: _____

Signature: _____ Date: _____

Appendices

Appendix A: O&M Agreement

Appendix B: O&M Annual Report Form



SAN MATEO COUNTYWIDE

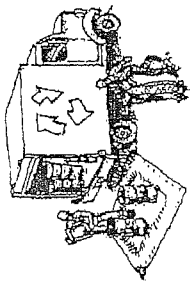
Water Pollution Prevention Program

Clean Water. Healthy Community.

Construction Best Management Practices (BMPs)

Construction projects are required to implement the stormwater best management practices (BMP) on this page, as they apply to your project, all year long.

Materials & Waste Management



- Non-hazardous Materials**
 - Store and cover stockpiles of sand, dirt or other construction material with tarps when rain is forecast or if not actively being used within 14 days.
 - Use (you don't increase) reclaimed water for dust control.
- Hazardous Materials**
 - Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, county, state and federal regulations.
 - Store hazardous materials and wastes in water tight containers, store in appropriate secondary containment, and cover them at the end of every work day or during wet weather or when rain is forecast.
 - Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
 - Arrange for appropriate disposal of all hazardous wastes.

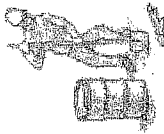
Waste Management

- Cover toxic disposal containers securely with tarps at the end of every work day and during wet weather.
- Check waste disposal containers frequently for leaks and to make sure they are not overfilled. Never hose down a dumpster on the construction site.
- Clean or replace portable toilets, and inspect them frequently for leaks and spills.
- Dispose of all wastes and debris properly. Recycle materials and wastes that can be recycled (such as asphalt, concrete, aggregate base materials, wood, gyp board, pipe, etc.)
- Dispose of liquid residues from paints, thinners, solvents, glues, and cleaning fluids as hazardous waste

Construction Entrances and Perimeter

- Establish and maintain effective perimeter controls and sanitize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tree-logging off site.
- Sweep or vacuum any street tracking immediately and secure sediment source to prevent further tracking. Never hose down streets to clean up tracking.

Equipment Management & Spill Control



- Maintenance and Parking**
 - Designate an area, lined with appropriate BMPs, for vehicle and equipment parking and storage.
 - Perform major maintenance, repair jobs, and vehicle and equipment washing off site.
 - If refueling or vehicle maintenance must be done onsite, work in a bermed area away from storm drains and over a drip pan big enough to collect fluids.
 - Recycle or dispose of fluids as hazardous waste.
 - If vehicle or equipment cleaning must be done onsite, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or surface waters.
 - Do not clean vehicle or equipment onsite using soaps, solvents, degreasers, steam cleaning equipment, etc.
- Spill Prevention and Control**
 - Keep spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
 - Inspect vehicles and equipment frequently for and repair leaks promptly. Use drip pans to catch leaks until repairs are made.
 - Clean up spills or leaks immediately and dispose of cleanup materials properly.
 - Do not hose down surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter, and/or rags).
 - Sweep up spilled dry materials immediately. Do not try to wash them away with water, or bury them.
 - Clean up spills on dirt areas by digging up and properly disposing of contaminated soil.
 - Report significant spills immediately. You are required by law to report all significant releases of hazardous materials, including oil. To report a spill: 1) Dial 911 or your local emergency response number; 2) Call the Governor's Office of Emergency Services Warning Center, (800) 852-7530 (24 hours).

Earthwork & Contaminated Soils



- Erosion Control**
 - Schedule grading and excavation work for dry weather only.
 - Stabilize all denuded areas, install and maintain temporary erosion controls (such as erosion control fabric or geotextile fiber mats) until vegetation is established.
 - Seed or plant vegetation for erosion control on slopes or where construction is not immediately planned.
- Sediment Control**
 - Protect storm drain inlets, gutters, ditches, and drainage courses with appropriate BMPs, such as gravel bags, filter rolls, berms, etc.
 - Prevent sediment from migrating offsite by installing and maintaining sediment controls, such as filter rolls, silt fences, or sediment basins.
 - Keep excavated soil on the site where it will not collect into the street.
 - Transfer excavated materials to dump trucks on the site, not in the street.
 - Contaminated Soils
 - If any of the following conditions are observed, test for contamination and consult the Regional Water Quality Control Board:
 - Unusual soil conditions, discoloration, or odor.
 - Abandoned underground tanks.
 - Abandoned wells.
 - Buried barrels, debris, or trash.

Paving/Asphalt Work

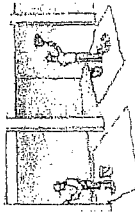


- Avoid paving and seal coating in wet weather or when rain is forecast before fresh pavement will have time to cure.
- Cover storm drain inlets and manholes when applying seal coat, tack coat, slurry seal, fog seal, etc.
- Collect and recycle or appropriately dispose of excess abrasive gravel or sand. Do NOT sweep or wash it into gutters.
- Do not use water to wash down fresh asphalt concrete pavement.

Sawcutting & Asphalt/Concrete Removal

- Completely cover or barricade storm drain inlets when saw cutting. Use filter fabric, catch basin inlet filters, or gravel bags to keep slurry out of the storm drain system.
- Shovel, absorb, or vacuum saw-cut slurry and dispose of all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- If sawcut slurry enters a catch basin, clean it up immediately.

Painting & Paint Removal



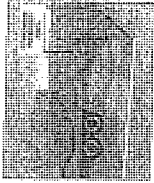
- Painting Cleanup**
 - Never clean brushes or reuse paint containers into a street, gutter, storm drain, or surface waters.
 - For water-based paints, paint our brushes to the extent possible. Rinse to the sanitary sewer once you have gained permission from the local wastewater treatment authority. Never pour paint down a drain.
 - For oil-based paints, paint our brushes to the extent possible and clean with thinner or solvent in a proper container. Filter and reuse thinners and solvents. Dispose of residue and unusable thinner/solvents as hazardous waste.
- Paint removal**
 - Chemical paint stripping residue and chips and dust from marine paints or paints containing lead or tributyltin must be disposed of as hazardous waste.
 - Paint chips and dust from non-hazardous dry stripping and sand blasting may be swept up or collected in plastic drop cloths and disposed of as trash.

Landscape Materials



- Contain stockpiled landscape materials by storing them under tarps when they are not actively being used.
- Stock erodible landscape material on pallets. Cover or store these materials when they are not actively being used or applied.
- Discontinue application of any erodible landscape material within 2 days before a forecast rain event or during wet weather.

Concrete, Grout & Mortar Application



- Store concrete, grout and mortar under cover on pallets and away from drainage storm drain.
- Wash out concrete equipment/trucks offsite or in a contained area, so there is no discharge into the underlying soil or onto surrounding areas. Let concrete harden and dispose of as garbage.
- Collect the wash water from washing expressed aggregate concrete and remove it for appropriate disposal offsite.
- Do not use water to wash down fresh asphalt concrete pavement.

Dewatering



- Effectively manage all runoff, all runoff within the site, and all runoff that discharges from the site. Divert runoff water from offsite away from all disturbed areas or otherwise ensure compliance.
- When dewatering, notify and obtain approval from the local municipality before discharging water to a street gutter or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the Engineer to determine whether testing is required and how to interpret results. Contaminated groundwater must be treated or hauled off-site for proper disposal.

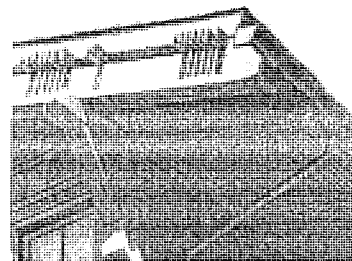
Storm drain polluters may be liable for fines of up to \$10,000 per day!

Requirements for Architectural Copper

Protect water quality during installation, cleaning, treating, and washing!

Copper from Buildings May Harm Aquatic Life

Copper can harm aquatic life in San Francisco Bay. Water that comes into contact with architectural copper may contribute to impacts, especially during installation, cleaning, treating, or washing. Patination solutions that are used to obtain the desired shade of green or brown typically contain acids. After treatment, when the copper is rinsed to remove these acids, the rinse water is a source of pollutants. Municipalities prohibit discharges to the storm drain of water used in the installation, cleaning, treating and washing of architectural copper.



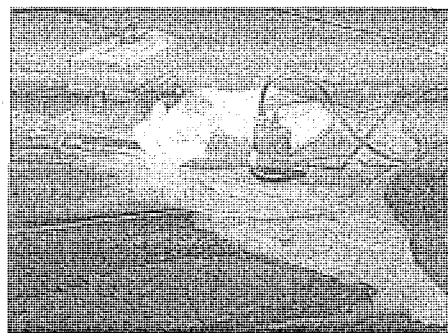
Building with copper flashing, gutter and drainpipe.

Use Best Management Practices (BMPs)

The following Best Management Practices (BMPs) must be implemented to prevent prohibited discharges to storm drains.

During Installation

- If possible, purchase copper materials that have been pre-patinated at the factory.
- If patination is done on-site, implement one or more of the following BMPs:
 - Discharge the rinse water to landscaping. Ensure that the rinse water does not flow to the street or storm drain. Block off storm drain inlet if needed.
 - Collect rinse water in a tank and pump to the sanitary sewer. Contact your local sanitary sewer agency before discharging to the sanitary sewer.
 - Collect the rinse water in a tank and haul off-site for proper disposal.
- Consider coating the copper materials with an impervious coating that prevents further corrosion and runoff. This will also maintain the desired color for a longer time, requiring less maintenance.



Storm drain inlet is blocked to prevent prohibited discharge. The water must be pumped and disposed of properly.

During Maintenance

Implement the following BMPs during routine maintenance activities, such as power washing the roof, re-patination or re-application of impervious coating:

- Block storm drain inlets as needed to prevent runoff from entering storm drains.
- Discharge the wash water to landscaping or to the sanitary sewer (with permission from the local sanitary sewer agency). If this is not an option, haul the wash water off-site for proper disposal.

Protect the Bay/Ocean and yourself!

If you are responsible for a discharge to the storm drain of non-stormwater generated by installing, cleaning, treating or washing copper architectural features, you are in violation of the municipal stormwater ordinance and may be subject to a fine.

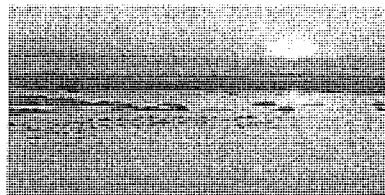


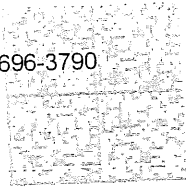
Photo credit: Don Eckhardt National Wildlife Sanctuary

Contact Information

The San Mateo Countywide Water Pollution Prevention Program lists municipal stormwater contacts at www.flowstobay.org (click on "Business", then "New Development", then "local permitting agency").



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Mailed From: 94010
US POSTAGE

Site: 1509 EL CAMINO REAL

The City of Burlingame Planning Commission announces the following public hearing **on MONDAY, APRIL 27, 2015 at 7:00 P.M.** in the City Hall Council Chambers, 501 Primrose Road, Burlingame, CA:

Environmental Scoping for a new three-story, 10-unit residential condominium with at-grade parking at **1509 EL CAMINO REAL** zoned R-2 & R-3.
APN 026-011-010

Mailed: April 17, 2015

**PUBLIC HEARING
NOTICE**

(Please refer to other side)

City of Burlingame

A copy of the application and plans for this project may be reviewed prior to the meeting at the Community Development Department at 501 Primrose Road, Burlingame, California.

If you challenge the subject application(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in the notice or in written correspondence delivered to the city at or prior to the public hearing.

Property owners who receive this notice are responsible for informing their tenants about this notice.

For additional information, please call (650) 558-7250. Thank you.

William Meeker
Community Development Director

PUBLIC HEARING NOTICE

(Please refer to other side)

R-1 & R-3



1509 El Camino Real

