

City of Burlingame

Environmental Scoping for a Proposed 10-Unit Residential Condominium

Item No. 6a
Environmental Scoping

Address: 1509 El Camino Real

Meeting Date: April 27, 2015

Request: Environmental Scoping for construction of a new three-story, 10-unit residential condominium with at-grade parking.

Applicant and Property Owner: 1509 El Camino LLC

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

Designer/Engineer: PPA Development Inc./Rodrigo Santos

Lot Area: 19,432 SF

General Plan: Medium Density and Medium High Density Residential

Zoning: R-2 and R-3

Adjacent Development: Retail commercial, multi-family, duplex and single-family dwellings

Current Use: 11-unit apartment complex in three separate buildings.

Proposed Use: 10-unit residential condominium building.

Allowable Use: Multiple-family, duplex, and single-family dwellings.

Environmental Scoping: Environmental review is required for this project because the project exceeds four residential units (10 units proposed), and therefore does not qualify for an exemption from CEQA (California Environmental Quality Act). The Planning Commission held an environmental scoping meeting for this project as it was initially proposed on July 9, 2012. The Initial Study for the proposed project was prepared with the assistance of Michael Brandman Associates (now First Carbon Solutions). Based on the Initial Study, a Mitigated Negative Declaration was prepared for review by the Planning Commission. The Mitigated Negative Declaration identified issues that were "less than significant with mitigation incorporation" in the areas of aesthetics, air quality, biological resource, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise and recreation. This Initial Study is attached for reference.

As the project has been reduced in size from the initial submittal, the Initial Study for the environmental document needs to be revised to reflect the current proposal. As part of revising the Initial Study to reflect the reduced project, staff is requesting that the Planning Commission comment on any potential environmental effects which you feel should be investigated, in addition to those listed above. The City has entered into a contract with First Carbon Solutions to prepare the environmental document for this project. The issues identified by the Commission will be incorporated into the Initial Study for the project.

Planning Commission Action: The Planning Commission should review the proposed project and the areas of potential significant environmental effects. The Commission should add any additional effects of the project that they anticipate might be potentially significant. The areas of investigation for environmental evaluation as defined by CEQA are listed on the attached sheet for your reference. This meeting is not a hearing to consider approval of the project, nor is it the time to discuss the merits of the project.

Study Meeting (March 23, 2015): On March 23, 2015, the Planning Commission held study meeting to review the revised project. Please refer to the attached March 23, 2015 Planning Commission Minutes for a complete list of comments and concerns expressed by the Planning Commission and public. Planning staff would note that there were no changes made to the project since the study meeting.

Project Summary (based on revised project): The applicant is proposing a new, three-story, 10-unit residential condominium building with at-grade parking at 1509 El Camino Real, zoned R-2 and R-3. Each of the ten condominium units will contain an entry, living and dining rooms, kitchen and laundry facilities. The project site consists of two separate lots, which would be combined into one lot for the proposed project. One lot contains an 11-unit apartment complex, comprised of two, two-story buildings and one, three-story building and is zoned R-3 (multi-family residential). The other lot contains a portion of Mills Creek and is zoned R-2 (duplex). The proposed lot combination requires applications for Rezoning for a portion of the lot from R-2 to

R-3 and General Plan Amendment for a portion of the site from Medium Density to Medium High Density. The site is surrounded by Mills Creek to the north, a one-story commercial building to the south, single family dwellings to the west and El Camino Real to the east. The existing apartment complex would be demolished to build the proposed 15-unit residential condominium building.

The following applications are required:

- Environmental Review for the proposed 10-unit residential condominium building;
- General Plan Amendment of a portion of the site from Medium Density to Medium High Density Residential;
- Rezoning of a portion of the site from R-2 to R-3;
- Condominium Permit for construction of a new three-story, 10-unit residential condominium building (Code Section 26.30.020); and
- Lot Combination to combine Lot 4 Block 51 Easton Addition Burlingame No. 5 and portion of Lot 3 Block 1 lying southeasterly of center line of Mills Creek Ray Park.

Materials proposed for the exterior of the building include cement plaster siding, Spanish clay tile roofing, wood windows with simulated true divided lites, metal railings, decorative wrought iron scroll pieces, awnings over selected windows and doors and knee braces at roof extensions. The overall height of the building, as measured to the tower element at the front, right corner of the building, is proposed at 44'-6" above average top of curb level where 55'-0" is the maximum allowed (a Conditional Use Permit is required for any building or structure which is more than thirty-five (35) feet in height; up to 46'-0" is allowed without a Conditional Use Permit using the Inclusionary Zoning incentive). The majority of the building measures 35'-6" above average top of curb.

Off-Street Parking: Two one-bedroom units, two two-bedroom units and six three-bedroom units are proposed. The code requires 22 parking spaces for the residents of the units, two guest parking spaces and one service vehicle parking space, for a total of 25 on-site parking spaces. The proposed project provides 22 parking spaces for the residents, five guest parking spaces and one service vehicle space, for a total of 28 parking spaces (three more parking spaces than the required minimum for this project). The service vehicle parking space is provided in the circular driveway at the front of the site. Access to the at-grade garage would be from El Camino Real by way of a circular driveway.

Common and Private Open Space: The total common open space proposed for the condominium project is 2,936 SF (293 SF/unit), which far exceeds the minimum requirement of 1000 SF (100 SF/unit). Of the minimum required common open space, 50% must be in soft landscaping (minimum of 500 SF of soft landscaping required); 1,165 SF within the common open space is proposed to be landscaped and therefore is in compliance. There is 75 SF to 172 SF in private open space per unit (75 SF/unit is the minimum required) provided in balconies. The applicant is proposing 50.1% (852 SF) landscaping in the front yard where 50% (850 SF) is the minimum required. The project meets all other zoning code and condominium permit requirements.

Landscaping: The existing site contains a total of seven protected sized trees. They include five Deodar Cedar trees (17.3, 17.5, 17.6, 18.5 inches in diameter) and a Bunya-Bunya tree (42 inches in diameter) at the southeast corner of the site and an Elm tree (22 inches in diameter) at the northeast corner of the site. With this project, one of the protected sized trees on the subject property, a 17.3-inch diameter Deodar Cedar tree, located at the southeast corner of the lot would be removed for construction of the building. An application for a Protected Tree Removal permit to remove this tree will be required from the Parks Division. A Tree

Assessment Report prepared by Ralph Osterling Consultants, dated February 22, 2011 is also attached for reference (updated on October 30, 2014).

There are also several existing trees located within the top of bank along Mills Creek; the applicant notes that no trees along Mills Creek will be removed. The existing three Black Acacia trees located within the 10 foot wide alley behind this property will also remain. Any required protection measures trees to remain will need to be installed prior to construction.

Proposed landscaping includes various species of trees (24-inch box), shrubs and small plantings throughout the site (see Landscape Plans, sheets L-1 through L-4). The Planting Plan on sheet L-2 notes that 14 new 24-inch box size trees will be planted throughout the site.

Inclusionary Zoning: At the time this project was submitted, it was subject to Inclusionary Zoning regulations which require that an affordable unit be included with any residential projects with four or more units. The 10-unit proposal requires one affordable unit. The applicant is proposing that Unit 201, a one-bedroom unit on the second floor will be the affordable unit.

The inclusionary zoning ordinance allows the applicant to apply up to two of three incentives offered including increasing the building height (up to 46'-0" without a conditional use permit), reducing the common open space by up to 50% or 200 SF (whichever is greater), or increasing the number of compact parking stalls. The applicant is using the incentive to increase the number of compact parking spaces. The applicant is proposing 14 of the 28 parking spaces (50%) to be compact size (8' x 17'). The applicant is also using the incentive to increase the building height without a conditional use permit (44'-6" building height proposed). Based on this proposal, the affordable unit must be maintained at a rate affordable to moderate-income households for a period of 10 years.

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Table 1 – 1509 El Camino Real

Lot Area: 19,432 SF

Plans date stamped: January 28, 2015

		CURRENT PROPOSAL (PREVIOUS)	ALLOWED/REQUIRED
Front Setback:	Garage:	22'-0" (21'-5")	20'-0"
	Second:	22'-0" (21'-5")	20'-0"
	Third:	22'-0" (21'-5")	20'-0"
	Fourth:	4 th floor eliminated (21'-5")	20'-0"
Side Setback (R):	Garage:	10'-7" to 34'-7" (16'-2")	7'-0"
	Second:	10'-7" to 34'-7" (16'-2")	8'-0"
	Third:	10'-7" to 34'-7" (16'-2")	9'-0"
	Fourth:	4 th floor eliminated (16'-2")	10'-0"
Side Setback (L):	Garage:	11'-6" (10'-0")	7'-0"
	Second:	10'-0" (8'-5")	8'-0"
	Third:	10'-0" (10'-0")	9'-0"
	Fourth:	4 th floor eliminated (10'-0")	10'-0"
Rear Setback:	Garage:	15'-6" (15'-6")	15'-0"
	Second:	15'-6" (15'-6")	15'-0"
	Third:	20'-7" (20'-6")	20'-0"
	Fourth:	4 th floor eliminated (20'-6")	20'-0"
Lot Coverage:		48.9% - 9509 SF (50% - 9712 SF)	50% - 9,716 SF
Building Height:		44'-6" (55'-0")	55'-0" maximum; 46'-0" allowed using Inclusionary Zoning incentive

Table continued on next page.

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Plans date stamped: January 28, 2015

	CURRENT PROPOSAL (PREVIOUS)	ALLOWED/REQUIRED
Off Street Parking:	<u>Current Proposal</u>	<u>Current Required</u>
	<p>22 spaces for residents</p> <p>5 guest spaces 1 service vehicle space (in driveway) 28 total spaces</p> <p>96% covered 14 compact spaces</p>	<p>1, 1 bdrm unit x 1.5 = 3 spaces 2, 2 bdrm units x 2 = 4 spaces <u>6, 3 bdrm units x 2.5 = 15 spaces</u> 22 spaces for residents</p> <p>2 guest spaces 1 service vehicle space 25 total spaces</p> <p>80% must be covered 14 compact spaces allowed by Inclusionary Zoning incentive</p>
	<u>Previous Proposal</u>	<u>Previous Required</u>
	<p>29 spaces for residents</p> <p>2 guest spaces 1 service vehicle space (in driveway) 32 total spaces</p> <p>91% covered 16 compact spaces</p>	<p>12, 2 bdrm units x 2 = 24 spaces <u>3, 1 bdrm units x 1.5 = 4.5 spaces</u> 29 spaces for residents</p> <p>2 guest spaces 1 service vehicle space 32 total spaces</p> <p>80% must be covered 16 compact spaces allowed by Inclusionary Zoning incentive</p>
Front Setback Landscaping:	50.1% - 852 SF (54% - 920 SF)	50% - 850 SF
Private Open Space:	75 - 176 SF/unit (75 - 185 SF/unit)	75 SF per unit
Common Open Space: SF Landscaped:	<p>2936 SF 1165 SF or 116% of required (3297 SF) (1492 SF or 99% of required)</p>	<p>1000 SF 500 SF or 50% of required (1500 SF) (750 SF or 50% of required)</p>

Staff Comments: See attached comments from the Building, Parks, Engineering, Fire and Stormwater Divisions. Several letters of concern submitted by the public for the proposed three-story, 10-unit condominium, are attached for review. Letters of concern submitted by the public for the previously proposed four-story, 15-unit condominium will be available on the City’s website under ‘Planning Commission’.

Planning staff would note that zoning amendments were adopted for the R-3 Zoning District, Design Review and Off-Street Parking on September 19, 2011 and became effective on October 19, 2011. However, since this application was filed in June 2011 and prior to adoption of the zoning amendments, it is not subject to the new regulations.

Ruben Hurin
Senior Planner

c. Pat Fellowes, applicant

Attachments:

March 23, 2015 Planning Commission Minutes
Applicant's Response Letter, dated March 10, 2015
January 28, 2015 Planning Commission Minutes
July 9, 2012 Planning Commission Minutes
Parcel Map of Subject Properties
July 23, 2007 Planning Commission Minutes
Application to the Planning Commission (revised in July 2014)
Request for General Plan Amendment and Rezoning
Photographs of Neighborhood
Protected Tree Removal Permit Information & Tree Assessment Report
Letters of Concern Submitted by the Public for 10-Unit Condominium Proposal
Staff Comments
Notice of Public Hearing – Mailed April 17, 2015
Aerial Photo

Separate Attachment:

Letter from Department of Transportation, dated February 21, 2013
Letter from Department of Fish and Wildlife, dated February 21, 2013
Initial Study and Mitigated Negative Declaration, dated January 23, 2013

ENVIRONMENTAL CHECKLIST FROM APPENDIX G OF THE CEQA GUIDELINES

AESTHETICS. Would the project:

- Have a substantial adverse effect on a scenic vista?
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- Substantially degrade the existing visual character or quality of the site and its surroundings?
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

AGRICULTURAL RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- Conflict with existing zoning for agricultural use, or a Williamson Act contract?
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- Conflict with or obstruct implementation of the applicable air quality plan?
- Violate any air quality standard or contribute to an existing or projected air quality violation?
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- Expose sensitive receptors to substantial pollutant concentrations?
- Create objectionable odors affecting a substantial number of people?

BIOLOGICAL RESOURCES. Would the project:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- Have a substantial or adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- Interfere substantially with the movement of any native or resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

CULTURAL RESOURCES. Would the project:

- Cause a substantial adverse change in the significance of an historical resource as defined in '15064.5?
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?
- Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?
- Disturb any human remains, including those interred outside of formal cemeteries?

GEOLOGY AND SOILS. Would the project:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - a) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
 - b) Strong seismic ground shaking?
 - c) Seismic-related ground failure, including liquefaction?
 - d) Landslides?
- Result in substantial soil erosion or loss of topsoil?
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (2001), creating substantial risks to life or property?
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

HAZARDS AND HAZARDOUS MATERIALS. Would the project:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?
- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

HYDROLOGY AND WATER QUALITY. Would the project:

- Violate any water quality standards or waste discharge requirements?
- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- Otherwise substantially degrade water quality?
- Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

- Place within a 100-year flood hazard area structures which would impede or redirect flood flows?
- Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?
- Inundation by seiche, tsunami, or mudflow?

LAND USE AND PLANNING. Would the project:

- Physically divide an established community?
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?
- Conflict with any applicable habitat conservation plan or natural community conservation plan?

MINERAL RESOURCES. Would the project:

- Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- 2b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

NOISE. Would the project result in:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

POPULATION AND HOUSING. Would the project:

- Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?
- Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

PUBLIC SERVICES. Would the project:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
 - a) Fire protection?
 - b) Police protection?
 - c) Schools?
 - d) Parks?
 - e) Other public facilities?

RECREATION.

- Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

TRANSPORTATION/TRAFFIC. Would the project:

- Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- Result in inadequate emergency access?
- Result in inadequate parking capacity?
- Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

UTILITIES AND SERVICE SYSTEMS. Would the project:

- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- Comply with federal, state, and local statutes and regulations related to solid waste?

MANDATORY FINDINGS OF SIGNIFICANCE.

- Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?
- Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?