City of Burlingame

Environmental Review, Commercial Design Review, and Special Permits

Item No. 10e
Design Review Study

Address: 1499 Bayshore Highway / 825 Mahler Road **Meeting Date:** May 22, 2023

Request: Application for Environmental Review, Commercial Design Review, Special Permits for building height and development under Tier 3 for a new, 8-story research and development building with a 7-story parking structure.

Applicant and Property Owner: King 1499 Bayshore Owner LLC **APN:** 026-322-150 & 026-320-050
Architect: DGA, Inc. **Zoning:** I-I (Innovative Industrial)
General Plan: Innovation Industrial **Lot Area:** 129,306 SF (2.97 acres)
Adjacent Development: Office and light industrial buildings, Mills Creek

Current Use: Office, Commercial and Light Industrial
Proposed Use: Office/Research & Development
Allowable Use: Office, including research and development office with associated laboratories.

Background: On September 23, 2019, the Planning Commission approved an application on the subject property for a Lot Merger, Environmental Review, Commercial Design Review and Conditional Use Permits for the construction of a hotel and restaurant. This application was for a new, 11-story, 404-room hotel and a 3,000 square foot restaurant with a separate parking structure. There were no extensions to this approval and no budling permits filed, therefore the approval of these entitlements expired on October 4, 2020**.**

Environmental Review: ICF was the original CEQA consultant that prepared the CEQA document for the hotel, a Mitigated Negative Declaration (MND). For this reason, ICF has been selected to prepare the CEQA document for the proposed life science development at 1499 Bayshore Highway. However, a new CEQA document is required to be prepared because the proposed project is substantially different from the previously proposed hotel project. In addition, there are significant changes in development patterns in Burlingame since 2019 with the adoption of the 2020 General Plan, as well as changes to CEQA statute and case law. City staff is currently working with the ICF to determine the appropriate CEQA document for this new project.

Project Summary: The subject property is located at 1499 Bayshore Highway, with frontage along Bayshore Highway and Mahler Road. Currently the site includes two separate parcels, 1499 Bayshore Highway and 825 Mahler Road, that would need to be merged for the project. The two sites contain a total of three existing buildings that would be demolished. A segment of the “Bay Trail” is located across Bayshore High and beyond the trail is the mouth of Mills Creek leading into the San Francisco Bay. To the east of the project site is Mills Creek and beyond the creek is a single-story industrial building; to the south is a single-story industrial building; and to the west are single-story commercial buildings. Within the vicinity of the project site there are various multi-story buildings that include office, commercial and hospitality uses.

The combined project site would measure 2.97 acres in size (1499 Bayshore Highway and 825 Mahler Road). The proposed project consists of a new, eight-story office/research and development (office/R&D) building at the front of the site and an open parking garage with seven levels at the back of the site (along Mahler Road). The proposed building would be approximately 304,354 SF (not including the penthouse). The proposed floor area ratio (FAR) for the site would be 2.35 (2.75 FAR or 355,591 SF is the maximum allowed).

This application is for an office/R&D building (life science use) that is not tenant specific. However, the building is being constructed to accommodate a life science use with larger floor to ceiling heights (16’-0”). The project has been designed to anticipate a life science use with 60% lab and 40% office. The ground floor includes the lobby, a 3,200 SF café, loading dock, trash room, mechanical equipment room and three tenant spaces with

those specific uses to be determined by future users; likely these spaces would be conference, training or meeting rooms or other amenity uses for tenants.

The overall height of the proposed life science budling would be 151'-7" to the top of the roof screening, and 136'-7" to the highest parapet. This is the height as measured from the average top of curb elevation along Bayshore Highway per Code Section 25.30.040(A)(1). Staff would note that the requirements under C.S. 25.12.050 related to sea level rise resiliency, the base flood elevation (BFE) for this site is required to be 13 feet (based on Map of Future Conditions adopted by City Council). Therefore, the proposed finished floor of the ground (first) floor level where the lobby and café are located would be 13 feet. As part of this project the site is being raised approximately 5.5 feet from the existing average elevation of about 8 to 13 feet (as part of the sea level rise requirements).

The project proposes a total of 639 off-street parking spaces that would be located in the detached parking structure at the rear of the lot. Garage entry and exit would be off Mahler Road. The main entry to the life science building would be off Mahler Road as well with a dedicated on-site vehicular drop-off lane. Loading, service, and fire lane access is provided between the two structures and accessed off Mahler Road. The parking garage would include 54 spaces with electric vehicle (EV) charging stations and another 65 spaces would be EV ready. Of the 639 spaces there would be 110 compact spaces. The project includes a bicycle storage room in the garage structure that would accommodate 60 bicycles. There would also be an additional 12 short term bicycle parking spaces provided outside both in the front of the building along Mahler Road and at the rear of the budling towards Bayshore Highway, facing Mills Creek.

For properties fronting on Bayshore Highway, the base allowable FAR in the I-I zoning district for office/research & development is 0.75 FAR. This zoning district provides an opportunity for an increased FAR in return for specific community benefits, with Planning Commission approval through a tiered zoning structure. The applicant is requesting development under Tier 3, which requires a minimum of three (3) community benefits to allow for a 2.35 FAR. The applicant is offering four (4) community benefits as provided in Code Section 25.12.040(C), which include the following:

1. Public Plaza – development of a 6,900 SF public plaza fronting on Bayshore Highway.

2. Sea Level Rise Infrastructure – the construction sea level rise infrastructures along Mills Creek.

3. Public Art – the project includes three potential locations for the placement of public artwork.

4. Flexible Significant Community Benefit / Mills Creek Public Trail - constructing a approximately 400 linear feet public trail along the Mils Creek frontage on the south side of the project.

The following applications are required for this project:

- Commercial Design Review (Code Sections 25.12.090 and 25.68.020(C)(3)(a));

- Special Permit for building height greater than 65 feet for properties fronting on Bayshore Highway (151'-7" / 76'-11" proposed) (Code Sections 25.12.030, Table 25.12-2 and 25.78.060(A)(2));

- Special Permit for Community Benefits for increased Floor Area Ratio for a Tier 3 project (2.35 FAR proposed where 2.75 FAR is the maximum allowed) (Code Sections 25.12.030, Table 25.12-2, 25.12.040(C), and 25.78.070(A)); and

- Tentative Parcel Map for lot combination of two lots (1499 Bayshore Highway and 825 Mahler Road).

The following table provides a summary of the project's compliance with the I-I District development standards (C.S. 25.12.020 and Table 25.12-2).

1499 Bayshore Highway
Lot Area: 129,306 SF (2.97 acres) **Plans date stamped:** May 10, 2023

	Proposed	**Allowed/Required**
Use and Floor Area Ratio:	Life Science – research & development 2.35 FAR [1] (304,354 SF) (w/o penthouse per C.S. 25.30.060(D)(2)(g))	Life Science – research & development 2.75 FAR (355,591 SF)
Lot Size:	129,306 SF	10,000 SF
Frontage:	288 feet (Bayshore Hwy)	50 feet
SETBACKS:		
Front R&D Building		
Front (Bayshore Hwy):	17'-0"	10'-0"
Left Side - Exterior: (Mahler Rd)	38'-9"	10'-0"
Right Side – Interior:	54'-2"	10'-0"
Rear:	180'-0"	10'-0"
Rear Garage Structure		
Front (Bayshore Hwy):	271'-0"	10'-0"
Right Side - Interior: ***Left Side - Exterior: (Mahler)***	35'-6" 9'-8"	10'-0"
Rear:	12'-0"	10'-0"
Edge Conditions (minimum):	N/A	10'-0" – 1st story 15'-0" – upper stories (applies to any portion of the property that is adjacent to any portion of property developed with residential uses)

[1] Special Permit for Development under Tier 3 for increased Floor Area Ratio up to 2.75 FAR – with inclusions of at least three Community Benefits (Code Section 25.12.040).

	Proposed	Allowed/Required
BUILDING ENVELOPE:		
Lot Coverage:	56% 72,506 SF	70% 90,514 SF
Height:	151'-7" - Main R&D Bldg (top of roof screening) 76'-11" – Garage	65'-0" [2] Special Permit required for heights exceeding this limit
OFF-STREET PARKING:		
Number of Parking Spaces:	ADA: 23 spaces (10 EV) Compact: 110 spaces Standard 387 spaces EV: 54 spaces EVRS*: 65 spaces **639 total spaces** * 174 spaces short if bldg. used as 100% office than the minimum required (assuming all office use w/no TDM or with TDM then only 11 spaces short of min code requirement) Parking Counts by Floor Lvl 1 Pkg: 81 Lvl 2 Pkg: 91 Lvl 3 Pkg: 101 Lvl 4 Pkg: 101 Lvl 5 Pkg: 101 Lvl 6 Pkg: 99 Lvl 7 Pkg: 65 TOTAL 639 spaces	L3 - L8 – 33,331 SF x 6 = 199,986 SF L2 - 30,233 SF L1 - Leasable Space 13,648 SF **Total SF: 243,867 SF*** 40% office (325) + 60% lab (146): **471 spaces** ALL - **Office: 813 spaces** (1:300 SF ratio) OR ALL - **Lab/R&D: 244 spaces** (1:1,000 SF ratio) **813 SPACES REQUIRED (all office)** **or** **244 (all lab) SPACES REQUIRED** **or** **471 (60/40 split) SPACES REQUIRED** **(dependent upon use)** If TDM is provided 20% reduction can be applied* **WITH TDM** 650 SPACES (all office) / OR 195 SPACES (all lab) / OR 377 (60/40 split) REQUIRED

[2] Special Permit for building height (151.6' proposed where more than 65'-0" requires a Special Permit) (Code Section 25.12.030).

	Proposed	Allowed/Required
Size of Spaces:	8.5’ x 17’ (standard - 387) 8’ x 17’ (compact – 110 (17.2%))	8.5’ x 17’ (standard) 8’ x 17’ (compact) (128 allowed – up to 20% of spaces over 20)
Back-Up Aisle:	26’-0”	24’-0”
Bicycle parking:	60 inside bike parking spaces (in parking building) 12 - short term bike spaces	Per CalGreen Building Code
Driveway width:	10’ wide into/out of garage min.	Two,12’ wide driveways or one,18’ wide driveway
Driveway slope:	2.08 - 4.51% driveway slopes	Slopes > 15% require approval by the Dept of Public Works
Shared Parking:	N/A all parking on-site/no shared parking	C.S. 25.40.050(A)
Heat Island Reduction:	N/A (no surface parking)	At least 50% of surface parking area shall be shaded by durable, permanent shad structures, trees or other approach
LANDSCAPING:		
Landscape buffer:	N/A Pkg garage / no surface pkg	Minimum 5’ landscape buffer where surface parking lot abuts a public street
Total Site Landscaping:	27.4% of site 35,418 SF (Planting 24,857 SF) (Enhanced Hardscape 10,561 SF)	15% of total site area 19,395 SF
Landscaping in parking area:	N/A Pkg garage / no surface pkg	10% parking area 1,629 SF

General Plan: In January 2019, the City adopted a new General Plan and certified the Environmental Impact Report (EIR). The General Plan designates this site as Innovation Industrial. The Innovation Industrial (I-I) designation applies to two areas: the southern two-thirds of the Rollins Road corridor and the Inner Bayshore area. These districts function well as light industrial and logistics centers, with complementary commercial businesses. Establishment of indoor recreation facilities should be minimized to maintain properties for more jobs-intense enterprises and to avoid land use conflicts. Creative and design-related businesses are encouraged to diversify the mix. Permitted uses include commercial and light industrial uses, creative industry businesses, design businesses, limited indoor sports and recreation, and wholesale uses. In the Inner Bayshore area, additional permitted uses include hospitality uses accommodated within the Bayfront Commercial designation.

A General Plan Amendment was adopted in 2021 to amend the Innovation Industrial (I-I) Land Use Development Standards to specify up to 2.75 FAR for office/research and development uses fronting on Bayshore Highway. Because the project is an Office/R&D development, it is consistent with the land use designation.

Request for Special Permit: The maximum building height allowed by right in the I-I District with properties that have frontage on Bayshore Highway is 65 feet. Code Section 25.12.030, Table 25.12-2 and 25.78.060(A)(2) allow properties fronting on Bayshore Highway to exceed 65 feet in height with a Special Permit. The applicant is requesting a Special Permit for the office/R&D building which would have an overall building height of 151.6', as measured from the average top of curb elevation along Bayshore Highway to the top of the rooftop screening; 136.58' is the maximum height as measured from average top curb to the top of the building parapet. The height of the detached parking structure would be 76.92' above average top of curb.

On the rooftop, the proposed project would include a boiler room, pump room, elevator control room, electrical room, tenant equipment area, and elevator penthouse/overrun. These utilities would be located toward the center of the building and would occupy approximately 29.6% of the rooftop surface. A 15'-0" tall corrugated perforated metal panel (silver/gray color) roof screening (as shown on sheet A.008) would surround the exterior perimeter of the combined utilities. The building height, as measured from the average top of curb along Bayshore Highway to the top of the roof screening would be 151.6'; please refer to the attached Special Permit Application completed by the applicant.

The project must also comply with Federal Aviation Administration (FAA) standards and the applicant is working on their application for a "Determination of No Hazard to Air Navigation". This approval will be required prior to building permit issuance and this will be a conditions of approval.

Request for Special Permit for Community Benefits for Increased FAR under Tier 3/Community Benefits: The I-I zoning standards includes "tiered" development standards requiring community benefits to be included in projects in order to achieve the highest FAR. To provide an incentive for development, and in partnership with the City to provide community benefits that would not otherwise be created, the Planning Commission may grant increased FAR in return for provision of specific community benefits, if doing so is in the City's interest and would help implement the General Plan and further, if these benefits cannot be realized without granting increased FAR. A maximum FAR of 0.75 is permitted in the I-I Zoning District. However, the FAR may be increased to 2.75 under the Zoning Code for Office/R&D uses with frontage on Bayshore Highway with a Special Permit, if the project includes Tier 3 Community Benefits for increased FAR (Code Sections 25.12.040(C) and 25.78.070(A)). The applicant is proposing an FAR of 2.35 (2.75 FAR is the maximum allowed).

The developer is requesting approval to develop this property consistent with Tier 3 development standards. Planning Commission approval is required for Tier 3 projects if it is determined that the project includes at least three (3) community benefits. These benefits are intended to provide public benefits in excess of the City's normal requirements that would improve the quality of life of employees, residents, and/or visitors, or assist the City in implementing an approved plan or policy. The developer is proposing to provide the following four (4) community benefits (minimum of three (3) are required):

- Public Plaza – Section 25.12.040(C)(1). – The applicant is proposing a public plaza as one of their community benefits under the Tier 3 development (6,900 SF proposed where 5,000 SF is the minimum required). The plaza would be located in the southeast corner of the site. Due to the site improvements, the plaza would sit about three feet above Bayshore Highway with a view of the Bay Trail and the Shorebird Sanctuary across the street to the east. The plaza would have enhanced paving and would include seating and planting areas with stairs and a sloped walkway that would provide direct connections from the plaza to Bayshore Highway. This area would provide short term bicycle parking, binocular viewscopes and interpretive panels, with trash and recycling receptacles.

- Public Art – Section 25.12.040(C)(4). - The project includes the integration of up to three public art installments. Given the prominent shoreline location, the applicant is proposing to work with local/regional public artist(s) to prepare site-specific works that would respond to the shoreline site and context. There have been three potential site locations identified where the art could be experienced and appreciated from publicly accessible areas; including from the public plaza, along the Mills Creek trail (see benefit #13 below), and/or the intersection of the Bayshore Highway and Mahler Road.

- Sea Level Rise (SLR) Infrastructure - Section 25.12.040(C)(12). – The project includes improvements that would enhance long-term shoreline SLR resilience. The occupied building levels would have a minimum elevation of 13 feet. This elevation is based on the "Map of Future Conditions" adopted by Burlingame's City Council and is intended to provide sea level rise resilience through end of century. Mills Creek outfalls into the Shorebird Sanctuary across the street on the east side of Bayshore Highway and then into the Bay. The improvements along Mills Creek also include a new earthen embankment with an interior concrete flood wall to enhance the SLR resilience. This shoreline (@Mills Creek) protection would be constructed to a higher elevation of 15'-6" to accommodate SLR through end of century, which exceeds BCDC's requirements which only require that it demonstrate adaptability only to the end of century elevations. A section detailing these improvements is provided on Sheets L701-L704.

- Flexible Significant Community Benefit / Mills Creek Public Trail – Section 25.12.040(C)(13). - The project is located adjacent to Mills Creek and the project includes constructing a public trail along the Mils Creek frontage on the south side of the project. Trail improvements include over 400 linear feet that would include eating areas, native focused planting and shade trees with two overlooks with interpretive panels (creek ecology, water quality and Burlingame watershed map). The trail would also be improved with night lighting and dog bag dispensers, as well as more trash and recycling receptacles (in addition to those in the plaza).

Please refer to the attached Special Permit Application completed by the applicant for development under the Tier 3 standards. In addition to the Special Permit, the applicant has provided detailed visual and written overview for the proposed Community Benefits with a legend map and detailed sheets with graphics provided for each of the offered benefits (see attachment).

Off-Street Parking/Transportation Demand Management (TDM) Plan: With the proposed project, there would be a total of 304,354 SF of life science uses on the site. C.S. 25.40.020(A)(7)(a) states that parking calculations shall be based on occupied (or leasable) areas and areas generally not occupied such as lobbies, hallways, stairways, break rooms, rest rooms and utility rooms are not included toward the parking square footage calculation. Based on this code section a total of 243,867 SF was used for the parking calculations. In addition, the 4,000 SF of space shown on the roof plan and called out as "penthouse" on Sheet A.006 for utilities was not counted toward the parking calculations as per the noted code section above.

Code Section 25.40.030 requires 1 space per 300 SF for office uses and 1 space per 1,000 SF of laboratory/R&D. The applicant has noted that they would be a life science use with 60% devoted to lab space and 40% devoted to office space for the life science tenant. This split would result in a total of 471 required off-street parking spaces. The applicant is proposing to provide 639 on-site parking spaces which meets the code required parking.

The parking garage would include 54 spaces with electric vehicle (EV) charging stations and another 65 spaces would be EV ready. Of the 639 spaces there would be 110 compact spaces. The project includes a bicycle storage room in the garage structure that would accommodate 60 bicycles. There would also be an additional 12 short term bicycle parking spaces provided outside both in the front of the building along Mahler Road and at the rear of the budling towards Bayshore Highway, facing Mills Creek.

The required off-street parking may be reduced by 20% through implementation of a Transportation Demand Management (TDM) Plan per the City's Climate Action Plan policies and the Transportation Demand Management Chapter 25.43, which requires a TDM for any nonresidential development of 10,000 SF or more.

The applicant has not provided a TDM Plan, however they have noted that this document is currently being prepared and will be submitted for review upon completion. With the TDM reductions applied the proposed project would require 377 parking spaces (with 60/40 split).

The TDM Program is a component of the City/County Association of Governments of San Mateo County (C/CAG) Congestion Management Program (CMP) which provides guidelines for analyzing the impact of land use decisions made by municipalities in San Mateo County. C/CAG TDM Policy requires that local jurisdictions implement specific measures to reduce SOV trips of all new developments that are expected to generate at least 100 average daily trips (ADT). C/CAG requires applicable projects to submit a TDM checklist, which outlines required TDM measures and strategies for different project sizes and uses and monitor the program effectiveness beginning with a tenant travel survey two years after project occupancy. This is in addition to the reporting requirements prescribed in the City's TDM regulations (Chapter 25.43).

The proposed project is expected to have an impact on vehicle miles traveled (VMT) based on the Transportation Impact Analysis (TIA) prepared by Kittleson & Associates, dated May 2023, which is currently under review by the City's traffic engineer. However, that impact would be reduced to less-than-significant levels with implementation of the TDM Plan. As required by Burlingame Municipal Code Chapter 25.43, the proposed project would implement a TDM Plan to encourage sustainable modes of transportation and reduce vehicle trips and vehicle miles traveled (VMT) to and from the site. The proposed project would benefit from the allowed 20% parking reduction and the TDM Plan will provide implementation measures to encourage alternative forms of transportation and to reduce the parking demand. Specific TDM measures will be described in greater detail in the TDM Plan to be submitted. In summary they include measures such as Bicycle Facilities, Ridesharing Program, Carsharing Program, Subsidized or Discounted transit passes, or Employer-Sponsored Vanpool.

Staff would note that the TIA will evaluate the project's traffic impacts to the surrounding transportation system pursuant to requirements under CEQA, with the exception of the level of service (LOS) study that was included in the report. This data is used to determine impacts on City infrastructure but not used to determine impacts under CEQA.

Landscaping: Landscaping proposed is shown on the landscape plans, sheets L001 through L801. The project would remove four existing protected sized trees which would require a Tree Removal Permit. There are 15 unprotected trees proposed for removal as well. There would be 35 new 24-inch and 36-inch box size trees planted throughout the site. The landscape plan includes new tree species such as Zelkova, Purple Robe Locust, Monterey Cypress, Western Cottonwood, and Toyon in the proposed plaza area and London Plane trees along Bayshore Highway.

Landscaping would be provided throughout the project site, including in the plaza area, along the Mills Creek Trail, and around the perimeters of the proposed building and parking lot. The proposed on-site landscaping area would total approximately 35,418 SF or 27.4% site coverage. The I-I District development standards require that 15% (19,395 SF) of the site be landscaped with the project exceeding this requirement by over 12%.

Bay Conservation and Development Commission (BCDC): Based on the location of the project adjacent to Mills Creek, which flows into San Francisco Bay, the project also requires review and approval from the San Francisco Bay Conservation and Development Commission (BCDC). Evidence of final approval by the BCDC Board will be required to be provided to the City prior to building permit issuance.

Design Review: Design Review is required for new commercial buildings pursuant to Code Sections 25.12.090 and 25.68.020(C)(3). Design Review was instituted for commercial projects in 2001 with the adoption of the Commercial Design Guidebook. Design Principles for the Innovation Industrial District are detailed in Code Section 25.12.070 and requires the proposed project to be reviewed by the Planning Commission for the following considerations:

A. Design Intent. The overall design intent of the I-I zoning district is to provide for an eclectic mix of commercial and light industrial development that has an industrial and contemporary look in terms of

materials used, architectural styles, and building forms.

B. Building Design. Recognizing the varied commercial and industrial character of the area, new development and redevelopment projects shall feature modern industrial design features.

C. Art and Murals. Use of murals, artwork, sculptures, special paving, and fountains are encouraged to be incorporated into building design to provide interest and excitement to the district.

D. Orientation. The main building of a development shall be oriented to face a public street. Building frontages shall be generally parallel to streets. At least one primary entrance to a ground-floor use shall face the adjacent street right-of-way. Business and reception areas shall face public access to buildings.

E. Ground Floor Transparency. At least 25 percent of the exterior walls on the ground floor facing the street shall include windows, doors, or other openings.

F. Building Articulation. Each side of buildings shall have a uniform approach to design and detail. Articulation of building and structural elements, including windows, entries, and bays shall be achieved. Design features such as canopies, trellis, and grillwork shall be designed as part of the building's composition of design elements. A variety of materials should be used to articulate building elements, such as the base, the ground floor, and upper floors, if any.

G. Streetscape. Landscaping along the street shall provide an attractive streetscape by screening parking areas from the public street and ensuring a pleasant pedestrian environment.

H. Compatibility. The design of new infill development shall respect, complement, and be compatible with the scale, style, theme, and design of surrounding buildings.

I. Location of Parking. Any surface parking facilities shall be located to the side or rear of any proposed project unless no other feasible location exists.

J. Creekside Open Space. New buildings on parcels adjacent to Mills Creek and Easton Creek, where possible, shall incorporate outdoor open space and trail network components into their site planning, particularly on those parts of sites that face a creek.

K. Service and Delivery Areas. Service areas and ground-mounted equipment shall be screened from view by fences or walls that conform to the style and materials of the accompanying building(s).

Materials proposed for the exterior of the proposed building (fronting on Bayshore Highway) include: vision glass as the primary façade material with a metal horizontal band in between each floor, corrugated perforated metal paneling on the top-most level to screen all mechanical equipment and penthouses, and metal panels would clad ground floor columns, with a canopy over the entrance doors. All exterior glazing would be composed of 45% opaque glazing with shadow boxes (recessed surfaces) to variegate exterior appearances. The mullion extensions would be provided in a random pattern to break up the exterior expanses of glass. All exterior lighting would be minimized and shielded to not attract birds. The rear parking structure would have seven levels and would be constructed with a concrete moment frame - with concrete beams and columns that are open with a view into each parking levels. The structure would include details and accents with metal fins, perforated metal screens and metal canopy at the entrance.

To help better visualize the proposed project, perspectives of the proposed project are provided in the cover sheet of the plans set, with the building elevations and materials detailed on Sheets A.008 and A.009 and the parking structure elevations are provided on Sheet PA 13 and PA 14.

Public Facilities Impact Fees: The purpose of public facilities impact fees is to provide funding for necessary maintenance and improvements created by development projects. Public facilities impact fees are based on the uses and the amount of square footage to be located on the property after completion of the development project.

Based on the proposed life scient building, the estimated public facilities impact fees for this development project are approximately $2,320,275.30 and is required to be paid in full, prior to issuance of the building permit. The final fee amount will be calculated based on the fee schedule in effect at the time the building permit is issued.

Commercial Linkage Fees: Commercial Linkage Fees are based on the land use and square footage for new commercial development projects. The intent of this fee is, in summary, to offset the demand for affordable housing that is created by new development and mitigate environmental and other impacts that accompany new commercial development. These fee calculations include gross square feet of floor area, excluding enclosed parking areas. In addition, the rates vary for prevailing wage and non-prevailing wage for labor used for the construction of the project. The fees for office use are charged per square feet ($20.00 per SF if utilizing prevailing wages or $25.00 per SF if not utilizing prevailing wages). Based on the proposed life science building, the estimated Commercial Linkage Fee for this development project totals approximately $6,023,325 without prevailing wage and $4,821,860 with prevailing wage. The fee is required to be paid in full, prior to issuance of the building permit. The final fee amount will be calculated based on the fee schedule in effect at the time the building permit is issued.

Planning Commission Action: The Commission should review the design of the project for the following considerations for commercial development, as outlined in Code Section 25.68.060(E):

- Support of the pattern of diverse architectural styles in the area in which the project is located;
- Respect and promotion of pedestrian activity in commercial and mixed-use zoning districts by placement of buildings to maximize commercial use of the street frontage and by locating off- street parking areas so that they do not dominate street frontages;
- For commercial and industrial developments on visually prominent and gateway sites, whether the design fits the site and is compatible with the surrounding development;
- Compatibility of the architecture with the mass, bulk, scale, and existing materials of surrounding development and appropriate transitions to adjacent lower-intensity development and uses;
- Architectural design consistency by using a single architectural style on the site that is consistent among primary elements of the structure and restores or retains existing or significant original architectural features; and
- Provision of site features such as fencing, landscaping, and pedestrian circulation that complement on-site development and enhance the aesthetic character of district in which the development is located.

Because a CEQA document will be prepared for this project, it is important that any changes to the building envelope be made early enough in the process so that any changes are reflected in the environmental review. Subsequent changes once the CEQA process has begun may result in the need for additional studies and analysis and will require additional time for the CEQA process to accommodate the review of such changes.

Catherine Keylon
Senior Planner

c: King 1499 Bayshore Owner LLC c/o, Peter Banzhaf applicant and property owner
DGA Inc., architect

Attachments:
Application to the Planning Commission
Commercial Application
Special Permit Application (Building Height)
Special Permit Application (Tier 3 – FAR with Community Benefits Summary)
Environmental Information Form
Climate Action Plan (CAP) Consistency Checklist
Notice of Public Hearing – Mailed May 12, 2023
Area Map