



City of Burlingame

BURLINGAME CITY HALL
501 PRIMROSE ROAD
BURLINGAME, CA 94010

Meeting Minutes Planning Commission

Monday, August 22, 2022

7:00 PM

Online

On September 16, 2021, Governor Newsom signed into law AB 361, which allows a local agency to meet remotely when:

- 1. The local agency holds a meeting during a declared state of emergency;*
- 2. State or local health officials have imposed or recommended measures to promote social distancing; and*
- 3. Legislative bodies declare the need to meet remotely due to present imminent risks to the health or safety of attendees.*

On August 15, 2022 the City Council adopted Resolution Number 099-2022 stating that the City Council and Commissions will continue to meet remotely for at least thirty days for the following reasons:

- 1. There is still a declared state of emergency;*
- 2. The State recommends that individuals in public spaces maintain social distancing and wear masks; and*
- 3. The City can't maintain social distancing requirements for the public, staff, Councilmembers, and Commissioners in their meeting spaces.*

Pursuant to Resolution Number 099-2022, the City Council Chambers will not be open to the public for the August 22, 2022 Planning Commission Meeting.

Members of the public may view the meeting by logging on to the Zoom meeting listed below. Additionally, the meeting will be streamed live on YouTube and uploaded to the City's website after the meeting.

Members of the public may provide written comments by email to publiccomment@burlingame.org.

Emailed comments should include the specific agenda item on which you are commenting, or note that your comment concerns an item that is not on the agenda or is on the consent agenda. The length of the emailed comment should be commensurate with the three minutes customarily allowed for verbal comments, which is approximately 250-300 words. To ensure your comment is received and read to the Planning Commission for the appropriate agenda item, please submit your email no later than 5:00 p.m. on August 22, 2022. The City will make every effort to read emails received after that time, but cannot guarantee such emails will read into the record. Any emails received after the 5:00 p.m. deadline which are not read into the record will be provided to the Planning Commission after the meeting.

To Join the Zoom Meeting:**To access by computer:****Go to www.zoom.us/join****Meeting ID: 816 1801 2426****Passcode: 082306****To access by phone:****Dial 1-346-248-7799****Meeting ID: 816 1801 2426****Passcode: 082306****1. CALL TO ORDER**

The meeting was called to order at 7:01 p.m. Staff in attendance: Community Development Director Kevin Gardiner, Planning Manager Ruben Hurin, Senior Planner Catherine Keylon, and Assistant City Attorney Scott Spansail.

2. ROLL CALL

Present 7 - Comaroto, Gaul, Horan, Lowenthal, Pfaff, Schmid, and Tse

3. APPROVAL OF MINUTES**a. Draft August 8, 2022 Planning Commission Meeting Minutes**

Attachments: [Draft August 8, 2022 Planning Commission Meeting Minutes](#)

Commissioner Comaroto made a motion, seconded by Commissioner Tse, to approve the meeting minutes. The motion carried by the following vote:

Aye: 7 - Comaroto, Gaul, Horan, Lowenthal, Pfaff, Schmid, and Tse

4. APPROVAL OF AGENDA

There were no changes to the agenda.

5. PUBLIC COMMENTS, NON-AGENDA

> *Public Comment by Anthony: My name is Anthony and I have been a carpenter in the Bay Area for 27 years, and 23 with the United Brotherhood of Carpenters Local 22 in San Francisco. I'm here to talk about what is best not only for construction workers but for Burlingame. Local hire, local hire keeps the jobs and money in the community you serve and provides a living wage. This allows our local construction workers the ability to prosper here in Burlingame. Healthcare, not just for one but for the entire family a family as a whole. This includes vision and dental care as well. These are all things I've enjoyed for so many years as a union carpenter. I would kindly ask the commissioners please consider adopting a requirement for all proposed developments, the Bay Area standard area carpenter wages provide healthcare coverage and a commitment to hire local carpenters including apprentices and developers and general contractors will do the right thing and pay standard wages on their own. With your leadership, we can send a message to all these developers and contractors that Burlingame will not stand for the exploitation of carpenters and apprentices so they can increase their profits. Thank you for your time and consideration.*

> *Public Comment by Steven Goodale: My name is Steven Goodale and I'm a member of the Sierra Club Sustainable Land Use Committee. I'm speaking on bioscience and biosafety levels and providing slides from the Sustainable Committee because the agencies and labs are hazardous. Biosafety is highly regulated for workers but cities are ultimately responsible for the protection of their residents and the environment. Agents or the raw materials in bio science labs and DNA and -- so on. They can be hazardous to neighborhoods and they represent the less -- they represent the level of risk posed to lab workers and neighborhoods and the environment and BS1 is the lowest threat which are life-threatening diseases with no known cures and Ebola. Given the risk inherent with working with raw materials, the agents, zoning is used to isolate lab from neighborhoods and BS2 above are zoned industrial and commercial use. Considerations need to be given to lab workers as well as the community and the environment in the events of accidents, disaster or building failure. This should be a key component of the environmental impact review process. This is particularly important if proposed developments are in proximity to neighborhoods or degrade the ecosystems and risk of disruption from sea level and ground level rises high, and the good rule of thumb is outright prohibit BS3 and 4. When evaluating a site for consideration, should consider flooding such as sea level rise, ground water rise and storm levels, community, such as if it's near neighborhoods, transit hubs and shopping malls and the environment including waterways, areas under tidal influence and sensitive habitats and authority should require applicants to include the following plans of documentation as a part of the requirements and the proposed biosafety levels, biological risk assessment, the range of pathogens and agents used at the site and the emergency protocol for the labs and the surrounding environment and neighborhoods. Applicants should provide a monitoring and verification program incorporating a rigorous and routine assessment for any error of water or noise pollution and waste materials generated by the facility. Additionally, cities should adopt into their approval processes that any changes to the established biosafety level must first be approved by the City Council as it may trigger a new CEQA evaluation and it must be updated in the development agreement. In the case of a speculative development, require the developers include the allowed BSL in the entitlements and in the EIR and require each tentative or owner provide all BSL documents before a lease purchase is approved. Thank you very much.*

> *Public Comment by Brian Shields: My name is Brian Shields and I'm a field representative from Local 22, covering San Mateo County. I wanted to take this time as Anthony spoke on earlier to talk about the need for labor standards. Labor standards that will lead your residents into better paying jobs, be there for their kids, be able to show up financially with healthcare, wages and apprenticeship. Without a way forward through apprentice, most tradesmen are left in the dust. So, the accountability of having labor standards in Burlingame will keep developers and contractors, it will keep them honest. It will provide good paying jobs for your community.*

> *Public Comment by Gita Dev: Steve Goodale spoke before me from the Sierra Club and gave a quick overview about the different levels of biosafety for the different types of labs that are envisioned in Burlingame and in other cities. The reason that the Sierra Club is bringing this up is because biotech licenses is blossoming all over the bay, all over our peninsula and one of the things we realize is that while labs are very tightly restricted in terms of, very tightly governed in terms of safety for their workers, there really is not a good mechanism from the safety of the environment or neighborhood. So I would like to request that this item be agendaized for a future meeting because Burlingame is hoping to go in big time for biotech and life sciences. So, we should know that there's a certain amount of transparency in what developers are planning to do when they build speculative buildings or not speculative buildings as to what level of safety we need to plan for the environment and for the neighborhood. I feel this is a very important issue for the whole of the Bayfront and the whole of the industrial area as we're rezoning it in Burlingame. that's our request. We are happy to provide a lot of information and research background, so that when the Planning Commission and staff, when the Council makes decisions on biotech that we do it with the knowledge of what we need, what we need to do as a community in order to make sure that the environment and the residents are safe. Thank you.*

6. STUDY ITEMS

There were no Study Items.

7. CONSENT CALENDAR

There were no Consent Calendar items.

8. REGULAR ACTION ITEMS

- a. 2313 Ray Drive, zoned R-1 - Application for Design Review and Hillside Area Construction Permit for a first and second story addition to an existing single-unit dwelling. This project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301(e)(1) of the CEQA Guidelines. (Jeff Alan Gard, applicant and architect; Ronan McConnell and Michele McKenna, property owners) (104 noticed) Staff Contact: 'Amelia Kolokihakaufisi

Attachments: [2313 Ray Dr - Staff Report](#)

[2313 Ray Dr - Attachments](#)

[2313 Ray Dr - Renderings](#)

[2313 Ray Dr - Plans](#)

All Commissioners have visited the project site. Senior Planner Keylon provided an overview of the staff report.

Chair Gaul opened the public hearing.

Jeff Alan Gard, designer, represented the applicant and answered questions regarding the project.

Public Comments:

> There were no public comments.

Chair Gaul closed the public hearing.

Commission Discussion/Direction:

> I like the project. The 3D rendering is helpful. I wish we could see it a little bit more because we didn't get it in our packet, so it's hard to evaluate it on screen. I hope that you actually do find a way to incorporate another tree further down the hill because it will provide shade in that back area. It's a good project.

> It looks really nice. It would have been nice to have the rendering with our packet. It looks lovely, good job. I would love to see another tree incorporated somewhere in there.

> I too, wanted to say that I like the design. It's not even discernible from the street, the addition is towards the rear and it's nicely tied into the rest of house. I also appreciate the renderings that were submitted.

Commissioner Tse made a motion, seconded by Commissioner Schmid, to approve the application. The motion carried by the following vote:

Aye: 7 - Comaroto, Gaul, Horan, Lowenthal, Pfaff, Schmid, and Tse

9. DESIGN REVIEW STUDY

- a. 1669/1699 Bayshore Highway and 810/821 Malcolm Road, zoned I-I: Second Review of Application for Environmental Review, Commercial Design Review, Special Permits for Building Height and for Community Benefits for Increased FAR, Parking Variance, and Tentative Parcel Map for a new research and development campus in one seven-story building, one eight-story building, and a parking garage. (King Bayshore Owner LLC, Peter Banzhaf, applicant and property owner; Perkins and Will, Derek Johnson, architect) (64 noticed) Staff Contact: Erika Lewit

Attachments: [1669-1699 Bayshore Hwy & 810-821 Malcolm Rd - Staff Report](#)
[1669-1699 Bayshore Hwy & 810-821 Malcolm Rd - Attachments](#)
[1669-1699 Bayshore Hwy & 810-821 Malcolm Rd - Community Benefits](#)
[1669-1699 Bayshore Hwy & 810-821 Malcolm Rd - TDM Plan](#)
[1669-1699 Bayshore Hwy & 810-821 Malcolm Rd - Plans](#)

All Commissioners have visited the project site. Commissioner Horan had an ex-parte communication with Peter Banzhaf to discuss the design of the project. Community Development Director Gardiner provided an overview of the staff report.

Chair Gaul opened the public hearing.

Peter Banzhaf, Rene Bihan and Peter Pfau, represented the applicant and answered questions regarding the project.

Public Comments:

> *Public Comment by Geta Dev: Good Evening, Commissioners. I really appreciate the questions raised. This is an extremely distinct project, I compliment the team and the thoughtfulness that has gone into this project. I do have a few questions, similar to what the commission was asking. One of the questions relates to lighting. I see that HG Harvey has been involved in the skin of the building and that it will be treated glass. For bird safe design, treated glass is one of the options. Less glass is really the best option so that the birds can actually see the building and they don't see a reflection. Even with a treated glass at this location they will tend to see the reflections very clearly. Given that, I am wondering, is there anything more that you can do in trying to make it less of a transparent reflective box? This building is in fact taller than the Marriot hotel that is behind, so lighting at night will be really important. If there is a way to turn the lights off after certain times at night so that the glare onto the bay is not a big issue. It is not like a hotel room, obviously it is a huge sheet of transparent glass box. If we can consider something about turning the lights down in the evening, turning them off at a certain time at night and during times when there is migration of birds that would really help. I noticed that there is a café and this is a life and sciences building with a lot of laboratories in it. Based on the bio safety level presentation that was given earlier, I wonder if we can include in the entitlements what levels of bio safety will be accommodated in this building. We know that if you go into bio safety, it has very infectious diseases like HIV, flu and so forth. But if you go to BSL-3, these are airborne diseases like plague, tuberculosis, anthrax, Covid. So, it will be really good if the entitlements include this in the interest of transparency, particularly since we are having the public in the café right there. Thank you.*

> *Public Comment by Peter Joseph Comaroto: Overall, I think this is a really cool project for the Bayshore. As I was listening and looked at the plans, I have a couple of questions and comments. One of them being the retail space, it's been talked about that the space will be activated for the public. With only 6,000 sf for the café, that basically is a Starbucks, assuming that Starbucks are about 1,500 sf to 2,000 sf. I don't know how much activation that would necessarily deal with the public. Along with that, just making sure that the space is open on the weekends for the bikers and the families who do decide to*

walk over there near the Bayshore. Another comment is for the depth of the loading bay and getting the drivers in and out of the loading docks more efficiently. It looked a little bit short in the way they were backing up in the last few pages of the plans. The whole idea of where the structure is coming from and this may be a question for city staff, with the two-lane highway from Broadway and even from Millbrae Avenue coming in with the trucks that will create a lot of extra traffic. So thinking about how the infrastructure should be improved in that area to focus on providing a more efficient way in and out especially with all the demand and supply coming online with the office space over on the Bayshore. I like the idea of the bike racks, I know that the minimum is pretty low even if we are really trying to activate the space, maybe add another bike rack. The last thing, I know that we did talk about activating this for the public but an overall comment about limiting access of the public from the office and industrial space. This is probably more of a security issue and what that necessarily looks like. I know that this will go through entitlements but thinking about if there will be full time staff there to keep the place safe. Not only for the community but keep them out of the office and industrial part and not allow them wandering into places that they shouldn't be. Overall, it is a really great project. I am happy that we have life science and other bigger companies coming into Burlingame. I think that is good for all of us and the community in general. Just want to make sure that some of these small things are talked about.

> Public comment sent via email by Doug Bojack: Dear Planning Commission Staff, please provide the following comment for Design Review Study item 9a, 1669/1699 Bayshore Highway: I commend the Commission on focusing on the Bay Trail connection, increased wayfinding to and from the Bay Trail, and the opportunity for a mural to enliven the street-level façade during its previous discussion of this project. I also agree that a publicly-accessible conference room at the base of a commercial office building is not likely to produce much of a community benefit, and want to point out that an essentially corporate café is unlikely to provide much of a community benefit outside of the eventual tenant's employees, nor is the proposed community plaza likely to act as much more than a breezeway connecting the parking garage with the north parcel. In addition to these project features, I urge the City to commit the developer to funding off-site streetscape improvements through code section 25.12.040(C)(5) to help turn Bayshore Highway into a complete street. Addressing active transportation connectivity is especially important since the development is a six-minute bicycle ride from the Millbrae BART and future high-speed rail station. I would also like to see a much greater number of secure bicycle parking spaces included as a community benefit, up from the roughly 50 proposed, as well as a general reduction from the nearly 1,000 proposed car storage spots. In total, these community benefits would advance the City Council's transportation and sustainability priorities and would help the emerging life sciences development cluster in the area prioritize walking and bicycling around the eventual campus groupings. Thank you.

> Public comment sent via email by Athan Rebelos: Hi, I want to let you know that I'm excited about the new development along Bayshore Highway. I am excited about the public plaza, the public art, and the publicly accessible ground floor amenities. I am particularly enthusiastic about the proposed cafe or bistro, although I strongly encourage that we consider more of a full-service restaurant and bar on the site. Unfortunately, several excellent restaurants and bars in the area will be displaced by other construction projects throughout Burlingame. I want to point my comments to Community Benefits, CB6. First, I would like to see more than a crosswalk. I like to see pedestrian scale lighting and wide sidewalks along Bayshore Highway, flashing beacons at the crosswalk, and for the developer to submit a proposed plan to encourage bicycles with protected bicycle facilities. Finally, I strongly encourage a method for enhanced shuttle service between the facility, the Caltrain Stations, Broadway and Burlingame Avenue. Thank you.

Chair Gaul closed the public hearing.

Commission Discussion/Direction:

> Thank you for your presentation, it is very informative and nice to see. I'm very interested in the off-site infrastructure that you are doing, notably the access to the Bay Trail, I think that is fantastic. The Bay Trail is maintained by nonprofit organizations and I appreciate the access point but you're going to put more population on to the Bay Trail, which is very dear to the city of Burlingame and residents. Please

provide any investigations or data if you have looked into investments into the Bay Trail.

> Consider adding other food amenities because people are going to be there and want to go have lunch. The places out there are packed at lunch time. If it was available nearby, including this ground floor cafe which is really nicely done, I don't think you can go wrong by having a little more.

> Recommends to explore an opportunity to provide for some public parking in the parking structure. It would be important because there's been some comment about the parking in the area already on the street and anything would be helpful. We would encourage people to ride their bikes or walk out there but if you can find a place for some public parking, it would help this project and help the public benefit because it seems to be the key element of this project.

> I wanted to thank the team for doing quite a bit of work since the last time we saw this. When I saw it last, there were quite a few things that I was concerned about. You guys heard us and came back with a really successful presentation of the information and addressing many of our concerns. I was particularly concerned with the civil engineering aspect and how the street goes down because it seems a little steep now, but looking at the civil drawings and how you attach that crosswalk between the two buildings, it's actually going to work well. So, I'm happy that that was looked at and considered.

> The cafe concept without having a full restaurant there is actually a good idea. There's quite a few ways that you can bring food in without actually having all the kitchen equipment, serving full meals and being able to handle all the people that are there. I have been in many large buildings where we've built in kitchens and cafes and they are difficult to run. It's a lot of added stress on to the building people, by having it offsite and being able to bring it in, you'll still be able to manage a good opportunity. Also, in combination with the food trucks, you'll have an opportunity to do more than just one kind of food or cafe food.

> It was mentioned earlier that parking on the street was difficult and we are looking to take a few more of those public spaces away, it looks like. More than dedicating and looking at the programming, if your parking isn't fully utilized by the tenants, that you have an opportunity to allow for public parking to happen programmatically and not say you can't because of the way it's designed. So, it's just a look. But it's a great looking project and I'm looking forward to it and like to see it move forward.

> It is a nice project. There are little things that can be tweaked. One of the things I would like to bring up, possibly to staff as well, is the lighting. I don't know if staff has looked at this, but it would be nice to have a lighting plan for the Bayside so we can keep lighting similar throughout with all these new projects that are coming to the Bayfront, for pedestrian lighting especially. For all these new projects, they don't have to look the same but that they are similar and that we can all feel safe out there when walking around especially on the Bay Trail at night. Some of these European countries have some beautiful lights, so that people are walking on the shores and just take a look at the lighting, what we need out there as a city, which will activate it for everyone involved. I'm also very cautious about the traffic. We're going to see a lot more traffic especially with all these new projects and I'd like to see more safety issues addressed with the pedestrians and crosswalks. If we can have staff look at the safety issues with bikes and flashing lights so cars, and bikes as well, know when to stop.

> I agree with my fellow commissioners. I do want to thank you, you did a stellar job. It looks like you looked at everything and it's going in the right direction. I'm out of sorts with the public comments regarding the bird issue as well as the biohazards, it's not my expertise and I don't know if we should just let it go. I'm not really sure how this is supposed to work. It may depend on the tenant but some of these issues are really quite important. Honestly, I haven't thought about the biohazard issues, BSL-3 the two public speakers mentioned, I don't know if that's our place or the City Council to direct but I think it's important. I did want to acknowledge that as well as the complete street comments by the recent speaker and agree that we definitely need to pay attention there because people just get zipping along and the area generally would be really great with the development.

> It's not a must do but it is a request on your tree assessment. You did an absolutely gorgeous landscape and it's layered and it has a lot of variation and type and scale. It's beautiful and you have nice specimen trees, however on your tree removal plan, there are five Mexican fan palms that were rated as high and very good condition and that happens to be trees that your landscaper probably knows are very readily transplanted and you don't plan to have those on your site. I understand that, although I have recently seen the same trees planted all over San Francisco and Mission Bay developments, it looks very cool and really similar but since those are on sidewalk, it would be really nice if you would offer them to

palm companies or other developers. I remember as an aside a number of years ago, there was some development in Burlingame where many of the same palms and many dozens were offered up and given to Millbrae, I think that's their street tree now. They have beautiful Mexican fan palms that came from elsewhere and they take forever to grow to that height and these are in good condition. It would be really nice, since they are accessible on the sidewalk, to offer them up to a company or sell them. But good job, thank you.

> I wholeheartedly agree with my fellow commissioners. A great presentation, very thoughtful and helpful to understand the vision. I also think it fits very well in that area. The scale and the sizing fits within the other buildings there and it will be an attractive set of buildings when people are flying into the Bay and of course on the Bay Trail. I also like the community improvements they are doing. I do agree that a 4,000 square foot cafe really doesn't do much for me. It would be nice if they can do more. I don't quite understand the ventilation and things like that that they are complaining about because a biotech building has more ventilation than a standard building so it doesn't quite register of that request or that description. It would be nice to see a little more there especially when you have such a vast community plaza planned. It's really all going to be maintained by food trucks, which there is no way we can require food trucks to come. Maybe we can ask for some sort of permit provision that they are going to guarantee certain permits, I don't know how that would work, but how are we going to require food trucks to go there? I'm really concerned about the Bay Trail. We're going to look at life science along the Bay Trail. Two projects are in the agenda tonight and many more to come. You're talking about a significant population influx on the Bay Trail especially when we're adding pedestrian crossings, bike racks and things like that, the Bay Trail is going to get a lot of work. I don't know the financial well-being of the Bay Trail project in the nonprofits but I do feel like we should obligate some of these developers to do more than build a crosswalk. The Bay Trail needs improvements, certainly the project we're going to be looking at after this is adding to the Bay Trail, but again they don't have any proposal to add to the Bay Trail project in any physical way. I don't know how you do that and I'm certainly open to ideas there. That's where my biggest concern is, on the Bay Trail and those kind of community inputs.

> I concur with all my commissioners and a wonderful collection of comments that everyone has brought to the table here. I, too, want to commend the team on a wonderful design that has been very carefully and thoughtfully considered of our comments from our last go around. The development of the design has improved greatly and there's a lot of care to it. I really do like the street level podium and how it separates itself from the upper levels of the buildings and does create that pedestrian scale for those who will be utilizing the public plaza and the spaces around. That's been nicely achieved. Very beautiful landscape design. I also appreciate the attention to one of our comments from the last meeting about the location of the ADA ramp and how that was potentially a dangerous position for those who are not ADA users, skateboarders and others so I appreciate the attention that you put to that and relocating the ramp. I do have some concerns about parking, public access parking especially with community space that can accommodate up to one hundred people. I believe it is in multiple groups and adding up to one hundred. If one would use the spaces for a community event or conference and they are not regular employees in these buildings, where would all these people park? They certainly are not going to all ride their bicycles here, some may, but we would have to think through the program carefully if this is really going to be a successful community space. Attention to parking needs to be addressed.

> I, too, am questioning why we can't have one or more kitchens and a restaurant type space here or a variety of cafes and other kind of food and beverage type outlets to support what, hopefully, is a very burgeoning public plaza to give people a variety of foods and types of treats to enjoy and use of space. I don't feel confident that we can rely on a food truck system to make this happen. Something that's thought through now and built into the space would make this a much more successful program. But otherwise, thank you very much for a wonderful design and I, too, look forward to seeing this come to fruition.

> Parking and the restaurant are the two main concerns I have.

> I'm going to echo that. The food trucks are a good way to mitigate some of that if we can guarantee that but I don't know that's going to happen. I know that restaurants will work out there. Prepared food could work but made to order things would be a good option as well. It doesn't have to be a bigger space. It could be another one and give people options like when you get a bunch of food trucks together, people like it because they have a few things to choose from. So if you have a few cafes it could help out. To the

parking issue, you have to have a place for the public to park especially if we're going to have public meeting spaces there and if people want to have lunch if they like it as a food opportunity.

> Gardiner: I did want to add information about the streetscape because I know there were a number of comments. As I am listening to the comments, I've been thinking about whether it would make sense to mention that there's a Bayshore Highway beautification project that Public Works has been working on which has standards for trees, sidewalks and lighting, things like that. I realize the Planning Commission hasn't seen that in a formal way, so perhaps that's something we can put on the upcoming agenda. I can't promise. I have to talk to Public Works and see if that could be arranged. Given that it's a common thread through the various projects on the Bayfront and some of them will be building those improvements so they are consistent with the plan as the applicant alluded to. It's a little trickier on the Bay Trail, because it is mostly on private property. There are some segments on public property which the city is able to control a little better. For example, if you're somebody wanting to coordinate a lighting standard on the Bay Trail, you need to get the cooperation of the different property owners along the way. It's not impossible, but it's a unique situation in Burlingame and that's also why we have the stop and start pattern in the Bay Trail as we are filling in the gaps but it is all private property.

> Would this be something that my fellow commissioner had brought up, that maybe these developers can put some money in a bucket where we can put some lighting because that would be much more advantageous for everyone throughout. So just a thought. Maybe if we can look if these developers are doing some big projects and we can do some funds and get an idea of what that might look like if the private ownership might be interested in doing something like that.

> Gardiner: That's certainly an initiative. We can't promise, but there has been interest among property owners to start developing more consistent standards, even things like trash cans and things like that. So, it is a discussion that is floating around, but it does require a level of coordination that a typical public works project wouldn't have, not to say it's impossible, but just wanted to let you know how it worked.

This application will return on the Regular Action Calendar, as it includes environmental review.

- b. 1200-1340 Bayshore Highway, zoned BFC - Environmental Scoping to solicit input on a Notice of Preparation (NOP) for an Environmental Impact Report (EIR) for redevelopment of a 12 acre site with three, 11-story life science/office buildings totaling 1.46 million square feet with two, 10-story parking structures each with two levels of below grade parking. (DivcoWest, Burlingame Venture LLC, applicant and property owner; WRNS Studio, architect) (31 noticed) Staff Contact: Kelly Beggs/Catherine Keylon

Attachments: [1200-1340 Bayshore Hwy - Staff Report](#)
[1200-1340 Bayshore Hwy - Attachments](#)
[1200-1340 Bayshore Hwy - Plans - Part 1](#)
[1200-1340 Bayshore Hwy - Plans - Part 2](#)
[1200-1340 Bayshore Hwy - Plans - Part 3](#)

All Commissioners have visited the project site. Senior Planner Keylon provided an overview of the staff report.

Chair Gaul opened the public hearing.

Seth Bland and Virginia Calkins, represented the applicant and answered questions regarding the project.

Public Comments:

> Leslie Flint: I'm a member of Sequoia Audubon Society which is the San Mateo County chapter of the National Audubon Society. We have approximately 1,400 members in San Mateo County. I wanted to speak about two issues; one is dealing with bird safety building practices. I wanted to mention that there are 136 species of birds that have been documented along the Bay Trail in Burlingame. Most during the winter months and during the spring and fall migration. It's to be noted that birds attempt to reach shelter,

food and migratory paths through reflected glass and it has been shown that over 100 million birds die annually from striking buildings with reflective transparent materials that cause collisions. I'm looking at the plans for these buildings and you do have a plan for treated and untreated glass on the surfaces. However, it wasn't exactly clear what the proportions would be. And so, it would be important to perhaps engage a qualified ornithologist to help you figure out how best to achieve bird friendly design as Burlingame's General Plan has indicated. One of the agencies that Burlingame has suggested to other developers look at as guidance is the San Francisco's bird safe standards and they require no more than ten percent of untreated glazing beginning at the grade and upwards for 60 feet. This project seems to have a lot more than ten percent glass but it's not clear how much so, it would be good to have that defined. I would also like to see more stringent requirements for those areas facing the Bay and Easton Creek. The second is lighting. I know you've talked about lighting in the last project you've discussed but it's important for birds because they are attracted to light at night. I did notice you did indicate downward facing lighting on the outside of the building which is good, but we would encourage you to have this building lights out program from dusk or 10:00 p.m. to dawn, having window blinds in areas requiring light at night and motion sensors to light only areas being actively used at night. Those are my suggestions and I encourage you to take a look at whatever cities in the bay area have done for bird safe building practices. Thank you.

> Geta Dev: Good evening, I'm with the Sierra Club Loma Prieta chapter. I also wanted to bring up some impacts that I hope the EIR can look into. These might be a bit unusual, but from the aesthetic point of view, I would like to be reassured about the parking garages that are blocking views of the Bay. I'm wondering if there's something that can be done to make them not as offensive as they might end up being? I don't think when we envisioned additional buildings along the Bayfront that we envisioned multi-story parking garages. So I'm wondering if there's a way the parking garages can be treated so they present more green surfaces, that they are not lit at night and they only light up when somebody moves through them. It also brings up the issue of complete streets and bike lanes. This is yet another example of why it is important that Bayshore become a complete street for all the buildings that are going to go up along here. Another item I would like to bring up once again is the BSL levels. There are safety issues in the biological section, these are extremely sensitive habitats along the Bay. In the event of liquefaction and seismic events, this is all on uncompacted bay fill, the building structures can fail and certainly the buried infrastructure can fail. If we have BSL-3 where we have extremely infectious airborne diseases such as anthrax for example. If the systems were to fail and we don't have positive pressure, then these are extremely important emergencies that we need to plan for. Therefore, once again, transparency for the biosafety levels of the laboratories that are incorporated is really important for all of us. The third item is the trees. From an environmental point of view, for the bird safety, it's important not to have trees along the Bayfront where predators can perch while birds are feeding. So I just urge you in your landscape design to look at the environmental impact of putting all those trees along the waterfront. And lastly, I'm somewhat concerned, I realized you have talked to the Sierra Club about the one hundred foot setback and I'm concerned I don't really see the extent of the ecotone levies on the bay shore side of the levies, so I'm wondering about the natural adaptation. Thank you.

> Public comment sent via email by Jane: Burlingame resident for 35 years. EGADS!! No, No, No to the proposed development of 1.5 million square feet of new building at the intersection of Broadway, Highway 101, and Bayshore Highway. Eleven and ten story buildings. Are you crazy to allow this to even be in review? We went thru this at the new Facebook development and it is still too big at 6 stories. Please, please, please consider our community and not the tax dollars. The City of Burlingame does not need this huge development for some of the following reasons:

Traffic, Traffic, Traffic - Broadway is already too busy and we will never be able to handle the traffic from the scale of this development.

Utilities - Where is all the water, sewer, electric, etcetera going to come from? We are in a drought and do not have enough now to meet our needs. The sewer treatment plant is at capacity and sometimes flows into the Bay. This is going to aggravate the problem.

Environmental - Impacts to the Bay and beyond with more carbon emissions, Bay pollution from all the activity, cars and people at this development. Damage to the creek flows that drain into the Bay through this site at two locations. These creeks should be opened up and expanded as environmental features not buried in the concrete.

Earthquake Impacts - This area is all landfill and we know what happened in 1989 when the Hyatt crashed into the lobby of the hotel. The area is sinking and no more development of this scope will only make it worse.

Scenic - Views will be obstructed of the Bay for many, many folks.

Community Character - The scale and scope of this development is not in keeping with the character for the City of Burlingame. It will only be a modern monstrosity that will deflect from the historic character of our community. Please do not approve this development. The City of Burlingame does not need this project now or ever! Thank you.

> *Public comment sent via email by Robert Mead: Please do not approve this project. The city of Burlingame and surrounding areas do not have available housing for the workers that would be employed there. Furthermore, this will aggravate the traffic jams on highway 101. We already have the new 500,000 sq ft Facebook development at Coyote Point to somehow accommodate. Burlingame doesn't need this. It needs to be located in an area where reasonably priced housing can be provided and the associated traffic won't be a problem. Build some housing there instead. Thank you for listening.*

> *Public comment sent via email by Mark Goan: May I start off by saying I think this is a very well designed and beneficial project for the city. One concern I have that I'd like to see the EIR address is the integration of solar/renewables. Looking at the renderings I don't see any obvious solar installation. I'd like the project to possibly consider shaded solar on the parking garages such as the city of Millbrae Alexandria life sciences campus project is having installed. I feel if we are to really embrace these projects and there benefits it is only right where possible we try and offset the demand on the electricity grid. Thanks.*

> *Public comment sent via email by Joan Renson: Greetings, I just want to voice my opinion on this huge proposed new building at the Bayfront at Broadway. I say "NO" to this building and I just have a few reasons: That area is already heavily congested and a mess at peak commute times, and this building will just put it over the top. The current infrastructure does not support this size of a building at this location. The Train Tracks at Broadway are a joke and already and I can't even imagine the traffic at lunch time if anyone from this building wants to go to lunch. Broadway can't take this kind of traffic, car or people. There are also multiple buildings proposed for that road down the street anyway. Burlingame is not geared for such fast big building development and we just don't want to lose our town to these big developers who don't care a less about the rest of us who have to live and get around here. If we already do not have enough water for the current population, we certainly do not have the extra water to accommodate this buildings needs not to mention the load this will put on our sewer system. Taking it down to 3 stories would be a much better idea for this location No, No, No, No, No and No thank you!*

> *Public comment sent via email by Athan Rebelos: As I mentioned earlier tonight, I'm excited about the new development along Bayshore Highway. My asks for this project are similar but more significant than those for item 9A. Because of its location and scale, I expect lots of engaging outdoor space. Many large-scale public arts and publicly accessible amenities for community meetings, a cafe, and a full-service restaurant - bar. This development will displace some well-known and loved Burlingame businesses, and I ask that they be provided an opportunity to reopen at this new development. This location is reachable by pedestrians and bicyclists from the Broadway Caltrain Station, the shopping and dining district, and the surrounding neighborhoods. We need attractive, pedestrian-scale lighting and wide sidewalks with shade trees along the street (uplit trees would be great). The developer should submit a proposed plan to encourage bicycles with protected bicycle facilities. Of course, I strongly encourage a method for enhanced shuttle service between the facility, the Caltrain Stations, Broadway, and Burlingame Ave. Thank you.*

> *Public comment sent via email by Nina Goodale: Thank you Commissioners for this opportunity to participate. I'm a Sierra Club Loma Prieta Chapter member involved in environmental conservation as a vital way for all to enjoy nature. It's great that the Bayfront Commercial zoning district includes as its*

purpose the enjoyment of nature and public access to the bay. In that regard, I'd like to note that the applicant met with a number of us some time ago and expressed a willingness to collaborate to protect the wetlands ecosystem by eliminating the bridge shown as Site Feature 4 in Volume 2 of the project design plans. Perhaps the fact that this bridge remains in the current project plans is simply an oversight. Therefore, it would be great to see this bridge eliminated as an essential environmental protection and conservation measure. Thanks again for your consideration and dedicated public service.

> Public comment sent via email by Zack: Hello Commissioners, I am excited about the enhancements to the bay trail. The area is already one of my favorite parts of our city and I love the new public spaces. A few things stick out about the 1200-1340 Bayshore project: Parking; 2 10-story parking garages seems excessive for how much office space there is. I'm not sure what the standard ratio is, but this is a lot of space right next to our beautiful bay trail being used for car storage. This location is very close to Broadway station, which already has a commute.org shuttle stop from Millbrae. Maybe some of the money going towards parking can instead go towards increased service for another shuttle from Millbrae? Or perhaps they can share some parking with the nearby hotels. Bay Trail Maintenance; More people enjoying the Bay Trail is certainly a good problem, but I think it would be a small drop in the bucket for the developer to help this financially and would go a long way for our city. This project specifically is right on a patch of the bay trail with a discontinuation of the trail where some improvements could be made. Jobs/Housing Imbalance: These projects are adding a lot of high-paying jobs to our area and increasing demand for housing in an area without considering how it will affect the already-worsening housing affordability crisis. I understand we can't currently build residences on east of 101, but think we need to address housing supply as we're adding demand for housing. Thank you for your time.

Chair Gaul closed the public hearing.

Commission Discussion/Direction:

- > Study impacts on creek habitat, design to reflect and mitigate any impacts.
- > Regarding traffic, look at impacts on Broadway, consider connection to Bayside Park if that will just be on the surface or a pedestrian walkway/bridge and incorporate this into TIA.
- > Concerned about the water demand of the building. Study if we have adequate water allocation for a project of this size.
- > I would find it important to look into the liquefaction risk given that this is fill. I would like to know about the wind effect. These are really tall buildings, so the wind effect generally and then on the recreational area, a few people asked me specifically about the baseball field, how the wind patterns might or might not affect the baseball games or whatever is happening over there. I would also like to ask about the view corridor. The plans show view corridors as they look towards the Bay, I'm wondering, isn't there a study of the view from the Bay to the mountain and the opposite direction. So I would find that important because I think there's blockage there more than what we have now.
- > I see there's historical and cultural in the vicinity of Broadway, there was a Chinese fishing village, probably some Indian fishing villages there and there are documents from the county, if the applicant would like to have a reference. I think that would be important and perhaps something should be called out in your project if it goes ahead that these activities happened there. Additionally, there is a Hyatt theater and around, the building probably would no longer qualify as historic because it has been changed a lot but it should be looked into. It's cultural, it has the same importance as an architect, and it was an effort to bring some culture and activity to Burlingame in the Peninsula and sort of a trend of having something available to tourist from SFO and at the time we didn't have much around here in the way of restaurants and entertainment, so I would like that at least looked into.
- > I understand, we're not supposed to talk about parking but there's a crossover. There are 20 spots called out for Bay Trail visitors. I'm not understanding how the flow and everything will work. I don't want to go the wrong direction on that.
- > Shadow patterns. These are very large buildings and they are close to the trails that you are

completing and so I wanted to ask what those patterns are exactly during the day?

> I see that you're suggesting some benefits, which we're not talking about that right now, but it mentions that this is a phased project. So I'm curious with the things that you're planning, how does that work in a phased project, if it's taking three years to complete this, is there a way to phase it so we get some benefits, to have a real program in the case that this would only be partially realized. I don't know if that's right way to put it, but thank you for being patient with my questions.

> I would like to include, if there will be piles driven on this project or how the foundation is going to be done. I remember at the Facebook project, I got comments from the neighbors businesses about how long that had been going on, so if we can look at that.

> Gardiner: There is one thing I want to mention for the public, this will come back for design review at a later date and ultimately for action when the EIR is completed. We do want to emphasize that we're in the midst of a comment period for the EIR. That comment period ends on September 12th at 5:00 p.m. So, if people do want to submit comments related to the EIR scope, they have up until 5:00 p.m. on September 12th. Information can be found in the staff report as well as on the project page on the city's website.

> Spansail: Director Gardiner, just to add to that, this is the comment period for the NOP, the Notice of Preparation, and there will be an additional public comment period when the draft EIR comes out.

> Gardiner: Important to clarify that the EIR hasn't been produced yet.

10. COMMISSIONER'S REPORTS

There were no Commissioner's Reports.

11. DIRECTOR REPORTS

Director Gardiner mentioned that at the City Council meeting on August 15th, there was an update of the town square project and that project is moving along in the design phases. The schematic design phase has been completed and they are moving into design development. From there, the next phase is construction documents and hopefully construction. If people are curious to see the schematic design, the slides are on the web page at burlingame.org/townsquare. The commission looked at the design in a joint meeting with the City Council in 2021, and you'll see the schematic design looks very similar, just with CAD base drawings as opposed to hand drawing but the same idea of rows of trees and different activity areas and terrace seating.

12. ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

Notice: Any individuals who require special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed at the meeting, should contact Ruben Hurin, Planning Manager, by 10:00 a.m. on Monday, August 22, 2022 at rhurin@burlingame.org or (650) 558-7256. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting, the materials related to it, and your ability to comment.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for inspection via www.burlingame.org/planningcommission/agenda or by emailing the Planning Manager at rhurin@burlingame.org. If you are unable to obtain information via the City's website or through email, contact the Planning Manager at 650-558-7256.

An action by the Planning Commission is appealable to the City Council within 10 days of the Planning Commission's action on August 22, 2022. If the Planning Commission's action has not been appealed or called up for review by the Council by 5:00 p.m. on September 1, 2022, the action becomes final. In order to be effective, appeals must be in writing to the City Clerk and must be accompanied by an appeal fee of \$745.00, which includes noticing costs.