

City of Burlingame

Amendment to Design Review and Condominium Permit

Item No. 8e
Action Item

Address: 1433 Floribunda Avenue

Meeting Date: May 11, 2015

Request: Application for Amendment to Design Review and Condominium Permit for proposed changes to a previously approved 10-unit residential condominium project.

Applicant: Samir Sharma

APN: 029-112-050

Property Owner: Iris2 LLC

Lot Area: 9,515 SF

Architect: Levy Design Partners

General Plan: High Density Residential

Zoning: R-3

Burlingame Downtown Specific Plan (R-3 Base District)

Adjacent Development: Multifamily Residential

Environmental Review Status: The proposed revised project falls within the scope of the previously adopted Mitigated Negative Declaration prepared for the project (ND-569-P).

History and Proposed Amendment: An application for a Mitigated Negative Declaration, Condominium Permit, Design Review, Parking Variance and Tentative Condominium Map for construction of a new four-story, 10-unit residential condominium at 1433 Floribunda Avenue was approved by the Planning Commission on February 24, 2014 (see attached February 24, 2014 Planning Commission Meeting Minutes). The applicant recently submitted for a building permit; however a permit has not yet been issued.

The applicant is now requesting an Amendment to Design Review and Condominium Permit for approval of a variety of exterior changes along all four sides of the building, as well as changes to the landscaping along the right side property line. The applicant submitted letters dated February 19 and March 13, 2015, accompanied by proposed plans, date stamped March 6, 2015, to explain in detail the proposed changes to the previously approved Design Review project.

The Planning Commission reviewed these changes as an FYI item on the March 23, 2015 Planning Commission meeting, but did not accept them, expressing concerns with the changes to the landscaping along the right side property line. As a result, the changes are now being brought forward for review by the Planning Commission as a regular action item.

The applicant notes that due to a change to the location of the basement wall, the landscape strip along the right side property line was reduced from 3'-0" to 1'-6" in width. Along with required shoring for the basement wall, there is not enough room for an adequate landscape strip. In addition, there will also be 6-inch storm water sewer pipe located 12 to 24 inches below grade at this location. As a result, the evergreen shrubs between the first five trees along the right side property line will be eliminated and the trees previously proposed to be planted in the ground will need to be planted in containers.

The FYI application reviewed by the Planning Commission in March included replacing the previously proposed 24-inch box Fern Pine trees along the right side property line with 24-inch box Sweet Olive trees (*Osmanthus fragrans*). Planning staff requested that the City Arborist comment on the proposed changes to the landscaping. In his memo dated April 10, 2015, the City Arborist notes that the Sweet Olive tree (*Osmanthus fragrans*) would not be considered a tree (it is a shrub) and would provide only limited screening for the adjacent building. Given the modification to the basement wall, the City Arborist recommends using columnar shaped tree species along the fence such as Columnar Red Maple (*Acer rubrum 'columnare'*), *Carpinus* or other suitable trees as replacements. The City Arborist also recommends changing the previously approved Crape Myrtle trees in the rear yard from multi-stem to single-stem. He also notes that he will require the Crape Myrtle trees be changed to a larger variety to compensate for the loss in the urban canopy from removal of the Oak trees.

Based on the City Arborists' recommendations, the applicant submitted a revised Landscape Plan to show Columnar Red Maple (*Acer rubrum 'columnare'*) trees along the right side property line and single-stem Crape Myrtle trees in the rear yard (see sheet L3.1, date stamped April 30, 2015). In a subsequent memo dated May 6, 2015, the City Arborist notes that he will require that the Columnar Red Maple trees be planted in 48-inch box containers to promote optimal growth of new trees. In containers, these trees have a growth height of 15 to 20 feet and 8 to 10 feet wide.

The applicant is requesting the following application:

- Amendment to Design Review and Condominium Permit for proposed changes to a previously approved 10-unit residential condominium project.

Project Description (based on original approval): The project included construction of a new, four-story, 10-unit residential condominium building with below-grade parking at 1433 Floribunda Avenue, zoned R-3. The project site currently contains five residential units in two detached buildings, which would be demolished to build the proposed 10-unit residential condominium building. The existing buildings were not identified on the Draft Inventory of Historic Resources of the Burlingame Downtown Specific Plan. The site is bordered by a two-story multifamily building to the west and three-story multifamily buildings to the north, south and east.

The building will contain ten residential units in four floors and a below-grade parking garage. Each of the ten condominium units will contain an entry, living and dining areas, kitchen, two bedrooms, bathrooms and a space for a washer/dryer. The average unit size proposed is 1,125 SF (1,250 SF average maximum unit size permitted). Bicycle parking and an area for trash receptacles is provided in the below-grade garage. The following applications were approved by the Planning Commission on February 24, 2014:

- Mitigated Negative Declaration, a determination that with mitigation measures there are no significant environmental effects as a result of this project;
- Design Review for the proposed design of the new residential condominium (C.S. 25.28.045 and 25.57.010, and Chapter 5 of the Downtown Specific Plan);
- Condominium Permit for a new, four-story, 10-unit residential condominium building (C.S. 26.30.020); and
- Parking Variance for required off-street parking spaces provided in parking lifts (C.S. 25.70.010 and 25.70.020).

Materials for the exterior of the building include stucco, stone veneer, metal panels, cement panels and cement board siding, composite wood at the balconies and an aluminum fascia along the roof edge. Aluminum clad wood windows and doors are used throughout the building. Steel structural posts are located at the front of the building. The overall height of the building is 46'-0" above average top of curb level where 46'-0" is the maximum allowed (using the Inclusionary Zoning incentive).

The code requires 15 parking spaces for the residents of the units (1.5 spaces for each two-bedroom unit) and an area for on-site deliveries, for a total of 16 parking spaces. There is no guest parking required on-site for properties located within the Downtown Specific Plan. The below-grade garage provides a total of 16 parking spaces (15 resident spaces and one service vehicle space). Four of the required parking spaces are provided by way of parking lifts located at the rear of the garage (parking lifts provide four parking spaces above four ground spaces). Access to the proposed below-grade garage is from Floribunda Avenue by way of a driveway at the east end of the property.

There is a total of 1,117 SF (111.7 SF/unit) of common open space for the condominium project where 1,000 SF (100 SF/unit) is required. Of the required common open space, a minimum of 50% must be in soft landscaping (500 SF); 581 SF of the provided common open space is landscaped and therefore is in compliance. There is 79 SF to 358 SF in private open space per unit (75 SF/unit is the minimum required) provided in balconies and at grade. There is 52% (423 SF) landscaping in the front yard where 50% (403 SF) is the minimum required. The project meets all other zoning code and condominium permit requirements.

The site has been fully developed and used for residential uses since at least 1907. The proposed project site is currently covered by several buildings and paved areas, with several small areas of landscaping. There are a number of large trees on or adjacent to the property, including two oak trees (9-inch and 11-inch diameter) along the left side property line, and two oak trees (32-inch and 34-inch in diameter) along the right side property line. The project includes removing four existing oak trees and transplanting the existing palm tree closer to the front of the lot, if feasible.

An arborist report prepared by Ralph Osterling Consultants, Inc., dated May 16, 2013, notes that the two larger oak trees are in fair condition and that "past pruning for existing building clearances on the subject property and on the adjacent property have resulted in off-balance crowns and have restricted rooting areas." The arborist report recommends that with the proposed development these oak trees should be removed.

The existing 32-inch and 34-inch diameter oak trees meet the definition of a protected-size tree in the Burlingame Urban Reforestation and Tree Protection Ordinance. In his memo dated August 30, 2013, the City Arborist notes that a Tree Removal Permit will be required from the City of Burlingame to remove these trees. The existing 9-inch and 11-inch oak trees are not protected size and may be removed without a permit.

In accordance with the City's requirements, each lot developed with a multifamily residential use is required to provide a minimum of one 24-inch box-size minimum non-fruit trees for every 2,000 SF of lot coverage. Based on the proposed project, a total of four landscape trees are required on site. Four, 24-inch box Fireglow Japanese Maple trees (*Acer Palmatum "Fireglow"*) in the rear yard and twelve, 24-inch box Fern Pine trees (*Podocarpus gracilior*) trees along the right side property line will be planted on-site (sixteen new trees on site proposed, where a minimum of four landscape trees are required). Two new Red Maple street trees (*Acer Rubrum 'October Glory'*), will be planted as part of the project.

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1433 Floribunda Avenue

Lot Area: 9,515 SF

	Proposed	Allowed/Required
Front (1st flr):	16'-4"	16'-4" (block average)
(2nd flr):	16'-4"	
(3rd flr):	16'-4"	
(4th flr):	16'-4"	
Left Side (1st flr):	8'-0"	5'-0"
(2nd flr):	8'-0"	6'-0"
(3rd flr):	8'-0"	7'-0"
(4th flr):	8'-0"	8'-0"
Right Side (1st flr):	7'-3"	5'-0"
(2nd flr):	7'-3"	6'-0"
(3rd flr):	7'-3"	7'-0"
(4th flr):	8'-0"	8'-0"
Rear (1st flr):	20'-11"	20'-0"
(2nd flr):	20'-6"	20'-0"
(3rd flr):	20'-6"	20'-0"
(4th flr):	20'-6"	20'-0"
Lot Coverage:	4,731 SF 49.7%	4,758 SF 50%
Building Height:	46'-0"	46'-0" with inclusionary zoning incentive
Off-Street Parking:	15 spaces for residents (4 spaces provided in parking lifts) ¹ 1 service vehicle space 16 total spaces 100% covered	10, 2 bdrm units x 1.5 = 15 spaces 1 service vehicle space required No guest parking required 16 total spaces 80% must be covered
Front Setback Landscaping:	52% (423 SF)	50% (406 SF)
Private Open Space:	79 SF – 358 SF/unit	75 SF per unit
Common Open Space: SF Landscaped:	1,117 SF 581 SF (52% of required)	1000 SF 500 SF (50% of required)

¹ Parking Variance approved for required off-street parking spaces provided in parking lifts.

Staff Comments: See attached memos from the City Arborist, dated April 10 and May 6, 2015.

Design Review Criteria: The criteria for Commercial Design Review as established in Ordinance No. 1652 adopted by the Council on April 16, 2001 are outlined as follows:

1. Support of the pattern of diverse architectural styles that characterize the city's commercial areas;
2. Respect and promotion of pedestrian activity by placement of buildings to maximize commercial use of the street frontage, off-street public spaces, and by locating parking so that it does not dominate street frontages;
3. On visually prominent and gateway sites, whether the design fits the site and is compatible with the surrounding development;
4. Compatibility of the architecture with the mass, bulk, scale, and existing materials of existing development and compatibility with transitions where changes in land use occur nearby;
5. Architectural design consistency by using a single architectural style on the site that is consistent among primary elements of the structure, restores or retains existing or significant original architectural features, and is compatible in mass and bulk with other structure in the immediate area; and
6. Provision of site features such as fencing, landscaping, and pedestrian circulation that enriches the existing opportunities of the commercial neighborhood.

Criteria for Permitting a Residential Condominium: The following condominium standards shall apply to all land and structures proposed as a part of a condominium project and shall be evaluated and processed pursuant to the procedural requirements set forth for conditional use permits in Title 25 of this code. No condominium project or portion thereof shall be approved or conditionally approved in whole or in part unless the planning commission, or city council upon appeal or review, has reviewed the following on the basis of their effect on:

- (a) Sound community planning; the economic, ecological, social and aesthetic qualities of the community; and on public health, safety and general welfare;
- (b) The overall impact on schools, parks, utilities, neighborhoods, streets, traffic, parking and other community facilities and resources; and
- (c) Conformity with the general plan and density permitted by zoning regulations.

Planning Commission Action: The Planning Commission should conduct a public hearing on the application, and consider public testimony and the analysis contained within the staff report. Action should include specific findings supporting the Planning Commission's decision, and should be affirmed by resolution of the Planning Commission. The reasons for any action should be stated clearly for the record. At the public hearing the following conditions should be considered:

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped March 6, 2015, sheets A0.0 through A4.1, L1.2 and L1.3 and date stamped April 30, 2015, sheet L3.1;
2. that during construction, the applicant shall provide fencing (with a fabric screen or mesh) around the project site to ensure that all construction equipment, materials and debris is kept on site;
3. that if determined to be feasible, the existing palm tree shall be relocated to the northwest corner of the site; the palm relocation, planting and maintenance specifications shall be followed as outlined in the arborist report prepared by Ralph Osterling Consultants, Inc., dated May 16, 2013;

4. that a Protected Tree Removal Permit shall be required from the Parks Division for removal of any tree on the property with a circumference of 48 inches or larger when measured fifty-four (54) inches above natural grade;
5. that this proposal shall comply with all the requirements of the Tree Protection and Reforestation Ordinance adopted by the City of Burlingame in 1993 and enforced by the Parks Department; complete landscape and irrigation plans shall be submitted at the time of building permit application;
6. that the maximum elevation at the top of the roof ridge shall not exceed elevation 71.55' as measured from the average elevation at the top of the curb along Floribunda Avenue (25.55') for a maximum height of 46'-0", and that the top of each floor and final roof ridge shall be surveyed and approved by the City Engineer as the framing proceeds and prior to final framing and roofing inspections. The garage floor finished floor elevation shall be elevation 13.38'; first floor finished floor shall be elevation 26.38'; second floor finished floor shall be elevation 37.38'; third floor finished floor shall be elevation 48.38'; fourth floor finished floor shall be elevation 59.38'. Should any framing exceed the stated elevation at any point it shall be removed or adjusted so that the final height of the structure with roof shall not exceed the maximum height shown on the approved plans;
7. that any changes to the size or envelope of the building, which would include expanding the footprint or floor area of the structure, replacing or relocating windows or changing the roof height or pitch, shall be subject to Planning Commission review;
8. that the conditions of the Building Division memos dated October 25, 2013; August 16, 2013; June 12, 2013; February 26, 2013; the Parks Division memos dated May 6, 2015, April 10, 2015, October 31, 2013; August 14, 2013; June 17, 2013; March 11, 2013; the Engineering Division memos dated November 12, 2013; August 29, 2013; July 11, 2013; March 19, 2013; the Fire Division memos dated October 23, 2013; February 25, 2013; and the Stormwater Division memos dated November 1, 2013; June 11, 2013; February 21, 2103 shall be met;
9. that storage of construction materials and equipment on the street or in the public right-of-way shall be prohibited;
10. that prior to issuance of a building permit for the project, the applicant shall enter into an agreement with the City to establish the affordability of the one (1) below market rate unit required as a part of this project; the applicant shall also submit a below market rate housing plan which shall describe in detail the applicant's proposal for meeting the inclusionary housing requirements as required by Chapter 25.63 of the Burlingame Municipal Code; the applicant shall enter into an agreement with a third-party non-profit organization approved by the City to administer the program;
11. that the 'service vehicle stall' shall be marked on the service parking space and designated on the final map and plans, this stall shall not be assigned to any unit, but shall be owned and maintained by the condominium association, and the service vehicle stall shall always be accessible for parking and not be separately enclosed or used for resident storage;
12. that the Covenants Conditions and Restrictions (CC&Rs) for the condominium project shall require that the service vehicle stall shall be reserved for service vehicles or guests only and shall not be used by condominium residents;
13. that the final inspection shall be completed and a certificate of occupancy issued before the close of escrow on the sale of each unit;

14. that the developer shall provide to the initial purchaser of each unit and to the board of directors of the condominium association, an owner purchaser manual which shall contain the name and address of all contractors who performed work on the project, copies of all warranties or guarantees of appliances and fixtures and the estimated life expectancy of all depreciable component parts of the property, including but not limited to the roof, painting, common area carpets, drapes and furniture;
15. that the trash receptacles, furnaces, and water heaters shall be shown in a legal compartment outside the required parking and landscaping and in conformance with zoning and California Building and Fire Code requirements before a building permit is issued;
16. that any security gate system across the driveway shall be installed a minimum 20'-0' back from the front property line;
17. that the guest entrance gate shall include an intercom system connected to each dwelling which allows residents to communicate with guests and to provide guest access to the parking area by pushing a button inside their units;
18. that prior to underfloor frame inspection the surveyor shall certify the first floor elevation of the new structure(s) and the various surveys shall be accepted by the City Engineer;
19. that all runoff created during construction and future discharge from the site shall be required to meet National Pollution Discharge Elimination System (NPDES) standards;
20. that the applicant shall submit an erosion and sedimentation control plan describing BMPs (Best Management Practices) to be used to prevent soil, dirt and debris from entering the storm drain system; the plan shall include a site plan showing the property lines, existing and proposed topography and slope; areas to be disturbed, locations of cut/fill and soil storage/disposal areas; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourse or sensitive areas on-site or immediately downstream of a project; and designated construction access routes, staging areas and washout areas;
21. that methods and procedures such as sediment basins or traps, silt fences, straw bale dikes, storm drain inlet protection such as soil blanket or mats, and covers for soil stock piles to stabilize denuded areas shall be installed to maintain temporary erosion controls and sediment control continuously until permanent erosion controls have been established;
22. that construction access routes shall be limited in order to prevent the tracking of dirt onto the public right-of-way, clean off-site paved areas and sidewalks using dry sweeping methods;
23. that if construction is done during the wet season (October 15 through April 15), that prior to October 15 the developer shall implement a winterization program to minimize the potential for erosion and polluted runoff by inspecting, maintaining and cleaning all soil erosion and sediment control prior to, during, and immediately after each storm even; stabilizing disturbed soils throughout temporary or permanent seeding, mulching matting, or tarping; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels and other chemicals;
24. that common landscape areas shall be designed to reduce excess irrigation run-off, promote surface filtration and minimize the use of fertilizers, herbicides and pesticides;
25. that trash enclosures and dumpster areas shall be covered and protected from roof and surface drainage and that if water cannot be diverted from these areas, a self-contained drainage system shall be provided that discharges to an interceptor;

26. that this project shall comply with Ordinance 1845, the City of Burlingame Water Conservation in Landscaping Regulations, and complete landscape and irrigation plans shall be provided at the time of building permit application;
27. that all site catch basins and drainage inlets flowing to the bay shall be stenciled. All catch basins shall be protected during construction to prevent debris from entering;
28. that all new utility connections to serve the site, and which are affected by the development, shall be installed to meet current code standards and local capacities of the collection and distribution systems shall be increased at the developer's expense if necessary;
29. that all utilities to this site shall be installed underground. Any transformers needed for this site shall be installed underground or behind the front setback on this site;
30. that sewer laterals from the site to the public sewer main shall be checked and shall be replaced to city standards as required by the development;
31. that all abandoned utilities and hookups shall be removed;
32. that all drainage (including water from the below grade parking garage) on site shall be required to be collected and pumped to the street as determined by the Public Works Department;
33. that demolition of the existing structures and any grading or earth moving on the site shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
34. that the applicant shall install fire sprinklers and a fire alarm system monitored by an approved central station prior to the final inspection for building permit;
35. that all construction shall abide by the construction hours established in the Municipal Code;
36. that the applicant shall comply with Ordinance 1645, the City of Burlingame Recycling and Waste Reduction Ordinance, and shall submit a waste reduction plan and recycling deposit for demolition and new construction, before receiving a demolition permit;
37. that this project shall comply with Ordinance No. 1477, Exterior Illumination Ordinance; and
38. that the project shall be required to comply with all the standards of the California Building and Fire Codes, in effect at time of building permit issuance, as amended by the City of Burlingame.

The following four (4) conditions shall be met during the Building Inspection process prior to the inspections noted in each condition:

39. that prior to scheduling the foundation inspection a licensed surveyor shall locate the property corners, set the building envelope;
40. that prior to scheduling the framing inspection, the project architect, engineer or other licensed professional shall provide architectural certification that the architectural details such as window locations and bays are built as shown on the approved plans; if there is no licensed professional involved in the project, the property owner or contractor shall provide the certification under penalty of perjury. Certifications shall be submitted to the Building Department;
41. that prior to scheduling the roof deck inspection, a licensed surveyor shall shoot the height of the roof ridge and provide certification of that height to the Building Division;

42. that prior to final inspection, Planning Division staff will inspect and note compliance of the architectural details (trim materials, window type, etc.) to verify that the project has been built according to the approved Planning and Building plans;

Mitigation Measures from Initial Study

Aesthetics

43. The project sponsor shall be subject to the design review process to evaluate the aesthetics of the construction of a residential condominium in the Downtown Specific Plan R-3 District.

Air Quality

44. During construction, the project sponsor shall ensure implementation of the following mitigation measures during project construction, in accordance with BAAQMD standard mitigation requirements:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry sweeping is prohibited.
 - d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - e. All roadways, driveways, sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - f. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
45. The project sponsor shall implement the following GHG reduction measures during construction activities:
- a. Alternative-Fueled (e.g., biodiesel, electric) construction vehicles/equipment shall make up at least 15 percent of the fleet;
 - b. Use at least 10 percent local building materials; and
 - c. Recycle at least 50 percent of construction waste or demolition materials.

46. The project shall include a common facility for trash disposal, recycling, and composting as shown on the project plans date stamped December 30, 2013.
47. The project sponsor shall participate in all residential recycling and composting programs offered by the solid waste provider to multifamily residential customers. This shall include the composting program, currently offered as an optional service.

Biological Resources

48. The applicant shall comply with the City's on-site reforestation requirements as approved by the City Arborist.
49. Construction under the Downtown Specific Plan shall avoid the March 15 through August 31 avian nesting period to the extent feasible. If it is not feasible to avoid the nesting period, a survey for nesting birds shall be conducted by a qualified wildlife biologist no earlier than 7 days prior to construction. The area surveyed shall include all clearing/construction areas, as well as areas within 250 ft. of the boundaries of these areas, or as otherwise determined by the biologist. In the event that an active nest is discovered, clearing/construction shall be postponed within 250 ft. of the nest, until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts.

Cultural Resources

50. In the event that any prehistoric or historic subsurface cultural resources are discovered during ground disturbing activities, all work within 100 feet of the resources shall be halted and after notification, the City shall consult with a qualified archaeologist and Native American representative to assess the significance of the find. If any find is determined to be significant (CEQA Guidelines 15064.5[a][3] or as unique archaeological resources per Section 21083.2 of the California Public Resources Code), representatives of the City and a qualified archaeologist shall meet to determine the appropriate course of action. In considering any suggested mitigation proposed by the consulting archaeologist in order to mitigate impacts to historical resources or unique archaeological resources, the lead agency shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, and other considerations. If avoidance is infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for historical resources or unique archaeological resources is carried out.
51. If paleontological resources, such as fossilized bone, teeth, shell, tracks, trails, casts, molds, or impressions are discovered during ground-disturbing activities, work will stop in that area and within 100 feet of the find until a qualified paleontologist can assess the significance of the find and, if necessary, develop appropriate treatment measures in consultation with the City of Burlingame.
52. If human remains are discovered at any project construction sites during any phase of construction, all ground-disturbing activity 100 feet of the resources shall be halted and the City of Burlingame and the County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project applicant shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Burlingame shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State

law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project applicant shall implement approved mitigation, to be verified by the City of Burlingame, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

Geology and Soils

53. The project sponsor shall submit a detailed design level geotechnical investigation to the City of Burlingame Building Division for review and approval. The investigation shall include recommendations to develop foundation and design criteria in accordance with the most recent California Building Code requirements. All foundations and other improvements shall be designed by a licensed professional engineer based on site-specific soil investigations performed by a California Certified Engineering Geologist or Geotechnical Engineer. All recommendations from the engineering report shall be incorporated into the residential development design. The design shall ensure the suitability of the subsurface materials for adequately supporting the proposed structures and include appropriate mitigations to minimize the potential damage due to liquefaction.

Hazards and Hazardous Materials

54. That the applicant shall install fire sprinklers and a fire alarm system monitored by an approved central station as required by the Fire Marshal prior to the final inspection for building permit.
55. That prior to demolition of the existing structures on the site, a survey shall be performed to determine if there is any presence of asbestos. The person who performs the survey must be Cal-OSHA certified. If asbestos is found, the BAAQMD (Bay Area Air Quality Management District) shall be immediately notified and the applicant shall comply with asbestos removal requirements.

Hydrology and Water Quality

56. The project applicant shall prepare and implement a storm water pollution prevention plan (SWPPP) for all construction activities at the project site. At a minimum, the SWPPP shall include the following:
- a. A construction schedule that restricts use of heavy equipment for excavation and grading activities to periods where no rain is forecasted during the wet season (October 1 thru April 30) to reduce erosion associated intense rainfall and surface runoff. The construction schedule shall indicate a timeline for earthmoving activities and stabilization of disturbed soils;
 - b. Soil stabilization techniques such as covering stockpiles, hydroseeding, or short-term biodegradable erosion control blankets;
 - c. Silt fences, compost berms, wattles or some kind of sediment control measures at downstream storm drain inlets;
 - d. Good site management practices to address proper management of construction materials and activities such as but not limited to cement, petroleum products, hazardous materials, litter/rubbish, and soil stockpile; and
 - e. The post-construction inspection of all drainage facilities and clearing of drainage structures of debris and sediment.
57. The project shall comply with Ordinance 1503, City of Burlingame Storm Water Management and Discharge Control Ordinance.

58. The project shall comply with Ordinance 1845, City of Burlingame Water Conservation in Landscape Ordinance.
59. That all surface storm water runoff created during construction and future discharge from the site shall be required to meet National Pollution Discharge Elimination System (NPDES) standards as adopted by the City of Burlingame.
60. That all construction shall be done during the hours of construction imposed by the City of Burlingame Municipal Code; these hours are between 7:00 a.m. and 7:00 p.m. on weekdays, 9:00 a.m. and 6:00 p.m. on Saturdays and 10:00 a.m. to 6:00 p.m. on Sundays. There shall be no construction on holidays.
61. To reduce daytime noise impacts due to construction, the project sponsor shall require construction contractors to implement the following measures:
 - a. Equipment and trucks used for project construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically-attenuating shields or shrouds, wherever feasible).
 - b. Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or other measures to the extent feasible.
62. That the method of construction and materials used in construction shall insure that the interior noise level within the building and inside each unit does not exceed 45 dBA in any sleeping area.

Transportation/Traffic

63. The project sponsor shall obtain approval for a Parking Variance for satisfying off-street parking requirements with parking lifts.
64. Klaus #26061-190 (or comparable) parking lifts shall be installed in the garage of each residential unit, with the following conditions:
 - a. The parking lifts shall be properly illuminated to provide safety for easy loading and unloading, while not causing excessive glare.
 - b. Sound absorption materials will be used to minimize any excessive noise from the operation of the parking lifts.
 - c. Signage shall be installed in each garage explaining the proper use of the lifts and emergency contact information for lift maintenance or problems.
 - d. The applicant shall be required to work with the manufacturer during construction to review issues related to installation of the parking lifts and to receive operational and safety training of the parking lifts.
 - e. The final design of the parking lifts shall be subject to the review and approval of the Community Development Director.
65. A minimum of sixteen (16) parking spaces shall be permanently maintained on the same lot with the building, including the spaces provided by the lifts accommodating four vehicles and the delivery vehicle space.

66. Project sponsors shall provide adequate secure bicycle parking in the Plan Area at a minimum ratio of one bicycle spot for every 20 vehicle spots.

Ruben Hurin
Senior Planner

Attachments:

Memos from City Arborist, dated April 10, 2015 and May 6, 2015
Explanation Letters from Applicant, dated February 19 and March 13, 2015
February 24, 2014, November 25, 2013 and September 9, 2013 Planning Commission Minutes
Planning Commission Resolution (Proposed)
Notice of Public Hearing – Mailed May 1, 2015
Aerial Photo