

City of Burlingame

New 8-story, 311-unit Residential Apartment Development

Item No. 8b
Regular Action Item

Address: 1766 El Camino Real

Meeting Date: June 13, 2022

Request: Application for Design Review, State Density Bonus, and Approval of Community Benefits for development under Tier 3 development standards for a new 8-story, 311-unit residential apartment development.

Applicant: Carmel Partners

APN: 025-161-110

Property Owner: Certosa Inc., Mario Muzzi

Lot Area: 1.70 acres (74,168 SF)

Architect: TCA Architects

Zoning: NBMU (North Burlingame Mixed-Use)

General Plan: North Burlingame Mixed Use

Adjacent Development: Police Department, Office Buildings, Convalescent Hospital, Vacant Parcel

Current Use: Vacant (formerly Office/Art Museum)

Proposed Use: Residential Apartment Development

Allowable Use: Multi-Unit Residential

Note: This application was submitted prior to January 5, 2022, the effective date of the new Zoning Ordinance, and therefore was reviewed under the previous Zoning Code (see NBMU District and Density Bonus Regulations, Chapters 25.40 and 25.63, respectively, in separate attachments).

Background: The Planning Commission approved entitlements for the subject property on August 24, 2020 which included a Mitigated Negative Declaration, Design Review, Development under Tier 3 development standards with Community Benefits, Conditional Use Permit for mechanical parking stackers and Zoning Code Amendment to reduce the office parking ratio for a new 7-story, mixed-use building with retail, office and 60 residential units with below grade parking. Due to the requested Zoning Code Amendment, the project required City Council review and was approved by City Council on November 2, 2020. The property owner has since revisited the approved mixed-use project, and while he is still currently the owner, he is working on selling the property to Carmel Partners (current applicant).

The revised project is for an entirely residential development. Because this revised residential project is substantially different than the previously approved mixed-use project, both in terms of the use of the property and the building footprint and envelope, a new application was required along with an entirely new environmental review. The previous proposal required a Mitigated Negative Declaration since it included a Zoning Code Amendment and therefore eliminated the option of any CEQA exemptions. Because the proposed project is entirely residential, with no code amendments requested, the revised project now qualifies for a Class 32 CEQA Infill Exemption (detailed below).

Environmental Review: Environmental review of this project is required by the California Environmental Quality Act (CEQA). Section 15332 of the CEQA Guidelines is intended to promote in-fill development within urbanized areas. This class consists of in-fill projects which are consistent with local general plan and zoning requirements. This class is not intended to be applied to projects which would result in significant impacts on endangered, rare, or threatened species, traffic, noise, air quality, water quality, utilities, and public services. Application of this exemption, as all categorical exemptions, is limited by the exceptions described in Section 15300.2 of the CEQA Guidelines. Section 15332 states:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.

- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality (see technical studies in appendices of CEQA document).
- (e) The site can be adequately served by all required utilities and public services.

On the basis of the evidence provided in the analysis, it was determined the project is eligible for a Class 32 categorical exemption, in accordance with Section 15332, Infill Development Projects, of the CEQA Guidelines (see attached CEQA Class 32 Infill Exemption prepared by ICF, dated June 2022). Based on City of Burlingame threshold criteria, no additional substantial adverse impacts beyond those discussed in the analysis are anticipated. Because the project meets the criteria for categorically exempt infill development projects, and because it would not have a significant effect on the environment, this analysis finds that a Notice of Exemption may be prepared for the Project. No further review is needed.

Project Summary: The project site is a corner property located at the southeastern corner of El Camino Real and Trousdale Drive. The site totals 1.7 acres and contains a vacant two-story mixed-use building, a portion of which was formerly occupied by the Peninsula Museum of Art. The site is accessed from three sides: from the frontage road along El Camino Real, from Trousdale Drive, and through a portion of the lot that fronts on California Drive. This 66-foot wide portion of the property wraps around the back of the Police Department site and connects directly to California Drive. Adjacent to the subject property, to the east, is the Burlingame Police Department, to the south is an office building, across the street to the north is a vacant parcel and a convalescent hospital, directly across El Camino to the west is the Peninsula Hospital, and across El Camino to the northwest is the Burlingame Shopping Plaza.

The applicant is proposing construction of a new 8-story, 311-unit residential apartment building. The project would include two and a half levels of below grade parking, with parking entrances along both California Drive and along the frontage road on the El Camino Real side. The ground floor would include 11,344 SF of amenity spaces along with the loading area, trash storage, leasing office, and outdoor courtyard areas. There would also be 25 residential units on the ground floor level. The second floor contains 1,212 SF of co-working space with an additional 1,432 SF of amenity space on the eighth floor. Due to the downslope of the lot from El Camino Real to California Drive, with an approximately 12'-6" difference in elevation, the ground floor units on El Camino Real are above the garage (on the second floor) along the California Drive elevation. The seven floors above would contain the remaining 286 units. The total floor area would be 505,184 SF, with the leasable residential area totaling 291,966 SF. The overall height would be 88'-8" to the top of the parapet on Trousdale Drive, where the maximum allowed height under Tier 3 standards is nine stories/100'-0". The project would provide a total of 319 on-site parking spaces located in two and a half levels of below grade parking.

The project would include 37 studio units (11.9% of total units), 137 one-bedroom units (44%), 120 two-bedroom units (38.6%), and 17 three-bedroom units (5.5%). 22 units (9% of total units allowed under Tier 3 – before the State Density Bonus) would be below market rate (BMR) for very low income households that do not exceed 50% of the average median income (AMI). The average unit size would be 939 SF with studio units ranging in size from 613 to 743 SF, one-bedroom units ranging from 659 to 980 SF, two-bedroom units ranging from 1,072 to 1,374 SF, and three-bedroom units ranging from 1,502 to 1,520 SF.

The NBMU zoning includes "tiered" development standards requiring community benefits to be included in projects in order to achieve the highest residential densities and building heights. The applicant has elected to develop consistent with "Tier 3" development standards, which is the highest tier. Projects using Tier 3 standards shall provide at least three community benefits (see Community Benefits section in staff report for additional information). Planning staff has determined that the proposed project complies with the Tier 3 development standards, however Planning Commission approval is required.

The following applications are requested for this project:

- Design Review for construction of a new 8-story, 311-unit residential apartment development with below grade parking (C.S. 25.40.020);
- Density Bonus for 72 additional units over the density permitted for Tier 3 development (C.S. 25.63.020(a)(2));
- Density Bonus to allow waivers to development standards to facilitate the provision of affordable housing; request for waivers for lot coverage standard, open space standard, side and rear setback standards, and use of compact parking spaces and dimension; and
- Approval of Community Benefits Bonuses for a Tier 3 development (C.S. 25.40.030(B)(3)).

The following table provides a summary of the project’s compliance with the NBMU Zoning Standards.

1766 El Camino Real

Lot Area: 74,168 SF (1.70 acres)

Plans date stamped: June 2, 2022

	Proposed	Tier 3 Projects Maximum Allowed/ Minimum Required
<i>Density - Residential Units:</i>	183 du/ac ¹ 311 units	140 du/ac 239 units
<i>Building Height:</i>	8 stories 88'-8" to top of parapet on Trousdale Dr 85'-10" to top of parapet on California Dr	9 stories 100'-0"
<i>Lot Coverage:</i>	87.8% ► Waiver ² 65,157 SF	80% 59,381 SF

¹ State Density Bonus utilized – because 9% (22) very low income units are proposed, the project qualifies for a 30% density bonus for a total of 311 units (239 units + 72 units = 311 units). See detailed discussion on pages 12 and 13).

² Waiver requested for lot coverage under State Density Bonus (C.S. 25.63.050).

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	Proposed	Tier 3 Projects Maximum Allowed/ Minimum Required
Open Space - Landscaping:	<p><u>PRIVATE</u> 12,207 SF total private open space (apprx. 39.25 SF/unit) - ► Waiver³</p> <p><u>COMMON</u> Courtyard A – 4,536 SF Courtyard B – 5,536 SF Stormwater Garden – 1,850 SF Roof Deck A – 613 SF Roof Deck B – 646 SF Open space (w/in fire lane) – 337 SF 13,518 SF – total common open space</p> <p>25,725 SF TOTAL COMBINED OPEN SPACE (PRIVATE/COMMON) / 311= 82.71 SF / UNIT</p>	<p>100 SF per unit = 600 SF Min dimensions of open space: - Private: 5 ft. deep, 8 ft. wide - Common: 15 ft. in any direction may be private, common or both</p> <hr/> <p style="text-align: center;">10% (7,422 SF) of the entire site See 25.40.040</p>
Setbacks		
Front (El Camino Real)	<p>B3: 6'-6" (below grade) B1/B2: 5'-0" (below grade) Level 1: 6'-5" Level 2: 6'-5" Level 3: 6'-5" Levels 4-7: 6'-5"</p>	0' to 10' for the first 35'
Side –South (California Dr portion)	<p>B3: N/A B2: 2'-0" B1/Grade: 0'-0" ► Waiver⁴ Level 1: 10'-8" Level 2: 10'-8" Level 3: 10'-8" Levels 4-7: 10'-8"</p>	10'-0"

³ Waiver requested for open space under State Density Bonus (C.S. 25.63.050).

⁴ Waivers requested for side and rear setbacks under State Density Bonus (C.S. 25.63.050).

	Proposed	Tier 3 Projects Maximum Allowed/ Minimum Required
<p>Side – Street (exterior - Trowsdale Dr) B3: 123'-4" (below grade) B1/B2: 6'-10" (below grade) Level 1: 5'-0" ► Waiver⁴ Level 2: 5'-0" ► Waiver⁴ Level 3: 5'-0" ► Waiver⁴ Levels 4-7: 5'-0" ► Waiver⁴</p> <p>(interior – abutting PD) B3: 124'-8" (below grade) B2: 2'-3" (below grade) B1: 2'-3" (>30" above grade) ► Waiver⁴ Level 1: 15'-6" Level 2: 15'-6" Level 3: 15'-6" Levels 4-7: 15'-6"</p> <p>(interior - ECR portion) B3: 79'-2" (below grade) B2: 2'-0" (below grade) B1: 2'-0" (>30" above grade) ► Waiver⁴ Level 1: 10'-0" Level 2: 10'-0" Level 3: 10'-0" Levels 4-7: 10'-0"</p>		<p>0' to 10' at least 60% of the structure located at the streetscape frontage line per Table 25.40-3 Exterior – Trowsdale Drive</p> <p>10'-0" – Interior</p> <p>10'-0" - Interior</p>
<p>Rear: (California portion) B3: N/A B2: 17'-0" (below grade) B1/Grade: 11'-4"- ground floor ► Waiver⁴ Level 1: 8'-11" ► Waiver⁴ Level 2: 8'-11" ► Waiver⁴ Level 3: 8'-11" ► Waiver⁴ Levels 4-7: 8'-11" ► Waiver⁴</p>		<p>15'-0"</p>

⁴ Waivers requested for side and rear setbacks under State Density Bonus (C.S. 25.63.050).

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	Proposed	Tier 3 Projects Maximum Allowed/ Minimum Required
Off-Street Parking		
Number of Parking Spaces:	<p>319 spaces</p> <p>(49 compact spaces – 15.3%) (33 EV ready – 10%) (8 - ADA spaces)</p> <p><u>B3 Level</u> 17 spaces (includes 2 compact)</p> <p><u>B2 Level</u> 169 spaces (includes 16 EV, 26 compact)</p> <p><u>B1 Level</u> 133 spaces (includes 16 EV, 8 ADA, 21 compact)</p>	<p style="text-align: center;">Residential:</p> <p>37 - Studio x 1.0 = 37 spaces 137 - 1-bdr units x 1.0 = 137 spaces 120 - 2-bdr units x 1.5 = 180 spaces <u>17 - 3 bdr units x 2 = 34 spaces</u> Total - 388 spaces</p> <p style="text-align: center;">TOTAL 388 SPACES REQUIRED (guest parking not required)</p> <p style="text-align: center;">-----</p> <p style="text-align: center;">TDM allowed reduction 388 x 20% = 77.6 =</p> <p style="text-align: center;">311 SPACES REQUIRED WITH TDM REDUCTION (20%)</p>
Parking Stall Dimensions:	<p style="text-align: center;">8'-6" x 17'-0"</p> <p>Compact spaces (49 or 15.3%) – 8'-0" x 16'-0" ► Waiver ⁵</p>	8'-6" x 17'-0"
Aisle Dimensions:	24'-0"	24'-0" for 90-degree parking
Driveway Width:	<p style="text-align: center;">18'-0" on ECR</p> <p>18'-0" to 22'-0" on California Dr.</p>	Parking areas with more than 30 vehicle spaces shall have two 12'-0" wide driveways or one 18'-0" wide driveway
Bicycle Parking:	<p>16 bike parking spaces (8 racks) along ECR/Trousdale</p> <p style="text-align: center;">-----</p> <p>156 resident bike parking Provided on B1/B2</p>	<p>16 guest (0.05 spaces/unit)</p> <p>156 resident spaces (0.5 spaces/unit)</p>
Electric Vehicle Charging Stalls:	<p style="text-align: center;">32 spaces (10.0% of all spaces)</p>	<p style="text-align: center;">16 spaces (5% of all spaces)</p>

⁵ Waiver requested for compact parking space dimensions under the State Density Bonus (C.S. 25.63.050).

Staff Comments: Given the location of the subject property being immediately adjacent to the Burlingame Police Department and the height of the proposed building, there could be potential impacts to the Police Department's essential communications equipment (proposed building may cause interference). Staff is working with the applicant, the Burlingame Police Department, and their communications consultant to address this issue. Additional research and review of solutions to this situation are currently underway. The applicant is aware of this issue and will be coordinating with staff. The following conditions of approval have been added in order to adequately address issues with the structure interfering with the essential communications equipment of the Police Department located at 1111 Trousdale Drive, some or all of the following solutions, as determined by the City, shall be required:

- that the Project shall allow the City to relocate and/or construct communications equipment on the Project site; and/or
- that the Project shall require the installation of temporary communications equipment or other systems to be installed within the Police Station, on the Police Station property, or on the project site to ensure there are no interruptions in Burlingame Police communications during the construction phase as the proposed building is framed and constructed; and/or
- that the Project shall require the installation of new communications equipment or other systems to be installed within the Police Station or on the Police Station property to ensure there are no interruptions in Burlingame Police communications following completion of the project.
- the property owner shall be responsible for all actual costs associated with the Communications Equipment, including the City's costs to design the Communications Equipment and any reasonable project management costs (collectively, the "Communications Equipment Costs").

The condition of approval requires that the applicant be responsible for the cost of the design and construction of any of the potential solutions noted with a not to exceed amount included. All new communications systems needed would be required to comply with applicable zoning regulations. In addition, minor accessory structures and equipment, particularly antennae, are exempt from CEQA under Class 1, Class 3, and Class 11 categorical exemptions. The new communications equipment that may be installed during and after Project construction, including any equipment needed temporarily for construction, would be considered such minor accessory structures and/or equipment. As such, the installation of temporary and/or permanent communications equipment located at either the Project building or the Police Station are exempt from CEQA.

March 28, 2022 Planning Commission Design Review Study Meeting: This project was first reviewed by the Planning Commission for Environmental Scoping and Design Review Study on March 28, 2022 (see attached March 28, 2022 Planning Commission Minutes). The Planning Commission received three letters of support from various organizations in the Bay Area (Bay Area Council, Housing Action Coalition, and Greenbelt Alliance) and two letters of concern from residents (Manito Velasco and Sarah Cheyette). The resident concerns included:

- Shadow impacts;
- Traffic;
- Parking;
- Loss of privacy; and
- Pedestrian safety, specifically at Trousdale Drive and El Camino Real.

The Planning Commission provided comments related to the items to be studied as part of the environmental review, however the majority of the discussion centered on the design of the proposed project. Staff has provided an overview of the Planning Commission comments below:

- Explore bulb out at El Camino Real and Trousdale Drive;

- Revisit the ground for experience; there is randomness with varying heights, amenity space feels too big, windows are floor to ceiling wall, seems like you're in a fishbowl; work to create pedestrian interest in scale; need to give the building more grounding;
- Concern with impact on townhomes, would like to see a more in-depth shadow study for the impact on these neighbors;
- Consider swapping the open space on the south side to the back portion where the dogleg abuts the townhouses to help reduce impacts to these residents;
- Trying so hard but has gone overboard; way too much going on with this design, not against the structure but façade needs to be simplified and elegant; keep the facades simple;
- Change in color doesn't help legibility on façade; a lot of color variations, is confusing;
- More graphic than architectural details, feels frenetic;
- Massing is good but doesn't hold together well, needs to find fine line with articulation;
- Plans are highly illegible except with modeling;
- No hierarchy between the levels with the structure, too many materials; and
- Elevations are flat, texture would be helpful, needs work.

After considering the comments from the March 28, 2022 Design Review study meeting, the applicant revised the project design as reflected on the plans date stamped June 2, 2022 (see attached response letter submitted by the applicant, dated May 31, 2022). The revisions are summarized as follows:

- Massing articulation page added (A0.12);
- Renderings and exterior elevations revised per Design Review comments (A0.13-A0.21)
 - reflects updated and simplified design that is more consistent around the building;
 - removes the color blocking and graphic moves;
 - corner is enhanced with a warm-tone upgraded façade material that is a resilient wood-looking material;
 - wood material is offset from the plane of the primary facades to create a simple reveal.
- Resident bicycle parking added on levels B1 and B2 (A1.3);
- Garage ramp off El Camino Real has been updated (A1.4 and A 1.5);
- Garden courtyard design has been updated (L-5);
- Property line section and ornamental fence images added to show grade differences and landscaping mitigation to address privacy concerns (L-9);
- Traffic improvements exhibit added (C6.0) includes pedestrian safety with striped bulb-outs at the northeast and southeast corner of Trousdale Drive and the El Camino Real frontage that reduce the 86-foot long unprotected crosswalk into two segments of 22-foot lanes and one 6-foot striped refuge median;
 - High visibility crosswalk striping added;
 - Striped bulb-outs added at corners in conjunction with green plastic traffic posts; and
 - 6-foot wide striped median with raised plastic delineators added.
- Ground floor canopy height reduced to enhance pedestrian experience;
- Landscaping added to ground floor to enhance pedestrian experience;
- Shadow study provided on sheet A0.8; shadows cast northward; abutting residential townhouses are south of project site and would not be impacted; and
- Community outreach summary report provided.

For a comprehensive response and discussion of all comment from the March 28, 2022 Design Review Study meeting, including a detailed summary of the changes to the plans, please reference the applicant's response letter, dated May 31, 2022 (attached) and revised plans date stamped June 2, 2022.

General Plan and North Burlingame Mixed Use (NBMU) Zoning Standards: In January 2019, the City adopted a new General Plan and certified the Environmental Impact Report (EIR). The North Burlingame Mixed Use (NBMU) zoning implements the General Plan mixed-use zoning with increased densities given the proximity to Burlingame Plaza and the Millbrae multimodal transit station. The purpose of the NBMU zone is to implement the General Plan North Burlingame Mixed Use designation by providing a distinct, defining area at the City's north gateway on El Camino Real, with housing and complementary commercial and office uses at urban-level intensities, and that takes advantage of the adjacent multimodal transit center. This transit-oriented development district accommodates housing at progressively higher densities based on the level of community benefits provided, with the goal of ensuring that new development adds value for all in the City.

The NBMU zoning was approved by C/CAG's Airport Land Use Committee. The maximum building heights in the NBMU zone are also required to comply with Airspace Protection Policies AP-1 through AP-4 of the Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (ALUCP). This includes determining the need to file Form 7460-1, Notice of Proposed Construction or Alteration, with the Federal Aviation Administration (FAA) for any proposed project that would exceed the FAA notification heights, as shown approximately on ALUCP Exhibit IV-10 and complying with FAA Aeronautical Study Findings. It also includes complying with the maximum compatible building height, which includes all parapets, elevator overruns, etc. of a building, as noted in ALUCP policy AP-3 and depicted in Exhibits IV-17 and IV-18 of the ALUCP. The applicant has already filed a Form 7460-1 and received a FAA Determination of No Hazard to Air Navigation. However, because the FAA approval letters have a limited duration, prior to building permit issuance the applicant will need to provide current FAA Determination of No Hazard to Air Navigation prior to building permit issuance.

Community Benefits: To provide an incentive for development, and in partnership with the City to provide community benefits that would not otherwise be created, the Planning Commission may grant increased FAR, density, and/or height in return for provision of specific community benefits, if doing so is in the City's interest and would help implement the General Plan and further, if these benefits cannot be realized without granting increased FAR, height, and/or density. The NBMU zoning standards includes "tiered" development standards requiring community benefits to be included in projects in order to achieve the highest residential densities and building heights.

The developer is requesting approval to develop this property consistent with Tier 3 development standards. The Planning Commission approval is required for Tier 3 projects if it is determined that the project includes at least three community benefits; one of the community benefits must be an affordable and workforce housing objective. The developer is proposing to provide the following three community benefits (a minimum of three are required):

- Affordable Housing – Section 25.40.030(B)(4)(A)(i) - The project would include 9% (based on 239 units – the Tier 3 maximum before State Density Bonus) or 22 units as below-market rate units for affordable very low income households (50% of San Mateo County's Area Median Income (AMI)) for 55 years. San Mateo County's 2022 Area Median Income is \$166,000 (four-person household). The 2022 San Mateo County Income Limits for very low income is a maximum of \$65,250 for a single-person household, a maximum of \$74,600 for a two-person household, a maximum of \$83,900 for a three-person household, and maximum of \$93,200 for a four-person household (see attached San Mateo County 2022 income limits).

- Off-Site Streetscape Improvements – Section 25.40.030(B)(4)(D) - The project includes providing off-site streetscape improvements along the frontage of the vacant parcel across the street to the north of the subject property located at 1810 El Camino Real. The applicant is proposing bicycle, pedestrian, and landscaping improvements along this frontage which serves as a direct pedestrian connection to the Millbrae Multimodal Station for people walking from the proposed project site, from the residential neighborhoods to the south, as well as for employees in the surrounding areas. Please refer to Sheet L-3/L-8 of the landscape plans for details and images provided on page 2 of the applicant's project summary dated May 31, 2022 (attached).

In addition, since the first review of this project, additional off-site improvements have been added with a bulb-out at the east leg of the El Camino Real Frontage Road at the intersection of Trousdale Drive. The existing unsignalized crosswalk (north/south) is approximately 87 feet long. The project has been revised to include high-visibility crosswalk striping, with striped bulb-outs at the northeast and southeast corners in conjunction with green plastic traffic posts (US Reflector Model K71 or equal). These improvements include a six-foot wide striped median with raised plastic delineators. For vehicular traffic, these improvements will both improve visibility of the crossing and narrow the vehicular lanes of the roadway, causing motorists to slow down and be more conscious of pedestrians crossing. For pedestrians, these improvements will shorten the crossing from one 87-foot long unprotected crossing into two 22-foot crossing with one six-foot striped median for pedestrian refuge in the middle.

- Mode Split - Section 25.40.030(B)(4)(H) – The project includes a Transportation Demand Management (TDM) Plan that would include measures such as bicycle resources (storage, maps), employing a transportation coordinator, assistance with on-site ride matching and carpools, providing on-site amenities to reduce trips (fitness center, charging stations, recreation space), and high-bandwidth internet connection to encourage telecommuting.

Landscaping: Proposed landscaping throughout the site is shown on the Landscape Plans (sheets L-1 through L-9). The NBMU zoning standards require that for Tier 3 projects, 10% of the site be landscaped and at least 60% of the required front and street side setbacks be landscaped to provide transitions to the sidewalk. The project proposes 10.2% total site landscaping, with 62% landscaping within the required front setback along El Camino Real and 60% landscaping within the required side setbacks along Trousdale Drive. Therefore, the project complies with the landscaping requirements. Landscaping is provided in the pool courtyard (grade level on El Camino Real), in the garden courtyard (grade level on the south side), and in the stormwater garden at the rear, interior property line.

The zoning standards for the NBMU zone are intentionally prescriptive in order to create the streetscape design visualized for this zone. These requirements include such things as a minimum of a 5-foot planter zone on street facing sides, a 10-foot minimum (public) walk zone, and a minimum of 10 feet of landscape buffer for parking spaces abutting a street.

The proposed project includes six (6) new street trees along the El Camino Real frontage and two (2) new street trees along Trousdale Drive. The street trees would be located within tree wells and would include 24-inch box size Red Oaks and Autumn Glory Ginkgos. In addition, the planters in the courtyards, along El Camino Real and Trousdale Drive, would also include trees and shrubs as detailed in the planting list on sheet L-7.

Open Space Requirements: The NBMU zoning standards require that the project provide 100 SF of open space for each residential unit. Areas that can count towards the open space requirement include private open spaces (e.g., patios or balconies) that are a minimum of 5' x 8' in dimension, common open spaces (e.g., yards, dog parks, courtyards), and public open spaces (e.g., plazas or paseos) that area at least 15 feet in any

direction. The code does provide the flexibility to allow this requirement to be met in the form of private open space, common open space, or both.

The project proposes a total of 12,207 SF of private open space and 13,518 SF of common open space, for a total of 25,725 SF of combined open spaces where 31,100 SF is the minimum open space required. The project would result in 82.71 SF of open space per unit, where the code requires a minimum of 100 SF per of open space per unit. The open space totals are detailed on Sheet A0.9.

The applicant is requesting a waiver under the State Density Bonus for the open space requirements for 82.71 SF per unit where 100 SF per unit is required.

Off-Street Parking: Parking requirements are based on the number of bedrooms proposed per unit. The NBMU zoning standards, Section 25.40.050, provides reduced residential parking standards given the proximity of this zone to the Millbrae Multimodal Transit Station. In the NBMU District, the minimum parking requirement is 1 space for each studio and one-bedroom unit, 1.5 spaces for each two-bedroom unit, and 2 spaces for each unit containing 3 or more bedrooms; no guest parking is required. The proposed project includes 37 studio units, 137 one-bedroom units, 120 two-bedroom units, and 17 three-bedroom units and therefore the project requires a total of 388 spaces.

The project would provide a total of 319 spaces, where the code requires 311 spaces with a 20% reduction applied for including of a Transportation Demand Management (TDM) plan (388 off-street spaces w/o TDM). The General Plan Update and NBMU zoning provide for a 20% parking reduction for projects that utilize a Transportation Demand Management (TDM) Plan per Section 25.40.030(B)(4)(h), provided the project includes a permanent mobility mode shift towards alternative transportation of 25% or greater for building occupants through the TDM program. The applicant intends to implement a TDM program per the Hexagon Transportation Consultants proposed TDM program, with the required mode shift under the NBMU community benefits criteria.

Of the 319 parking spaces proposed, 15.3% (49) spaces would be compact measuring 8'-0" x 16'-0" (8'-0" x 17'-0" minimum required). The applicant is requesting a waiver under the State Density Bonus to use compact spaces and for compact space dimension (compact spaces are not allowed in this zoning district if a single 8'-6" x 17'-0" dimension stall is used for the project). All of the remaining spaces meet the code required parking space dimensions allowed in the NBMU of 8'-6" x 17'-0". The NBMU zoning requires that 5% of all parking spaces (16 spaces) be prepared for EV charging equipment; the proposed project complies with this requirements with 32 EV spaces (10.0%) included on-site.

The site would have three driveway access points. The on-site parking would be provided in two and a half levels of below grade parking, with two access points: a driveway along El Camino Real and a driveway along California Drive. A loading dock would be accessed from Trousdale Drive adjacent to a fire lane access that would also be located along Trousdale Drive.

The first level of below grade parking would include 133 spaces, including a mix of electric vehicle (EV), disabled-accessible, and compact spaces. The second level of below grade parking would include 169 spaces consisting of 16 EV spaces and 26 compact spaces. The lowest level of below grade parking would provide 17 spaces.

The NBMU zoning standards require 0.5 bicycle parking spaces per unit for residents (156 spaces) and 0.05 spaces per unit (16 spaces) of bicycle parking for guest bicycles. The project would provide racks for 16 guest bicycles at the front of the building on El Camino Real and along the Trousdale Drive frontage. The resident bicycle parking would be provided in two storage rooms located in the parking garage on levels B1 and B2.

Density Bonus and Waivers - Affordable (Below Market Rate) Units: This application includes a request to utilize the Density Bonus Ordinance, consistent with the provisions set forth in Government Code Sections 65915 through 65919, which is the State Density Bonus Law. The proposed project includes 22 (9% of 239 units – maximum allowed under Tier 3) of the total units as very low-income units. In San Mateo County the “Very Low Income” category is defined as households with an income that is 50% of “Area Median Income” (AMI). The San Mateo County 2022 Median Income is \$166,000 (four-person household). The 2022 San Mateo County AMI for very low income is \$65,250 for a single-person household, \$74,600 for a two-person household, \$83,900 for a three-person household, and \$93,200 for a four-person household.

The City’s Density Bonus ordinance requires restricting affordable units for 55 years (conditions of approval have been added). Consistent with the State Density Bonus Law and the City’s Density Bonus ordinance, the applicant proposes to provide twenty-two (22) below-market rate units for very low income households making 50% of San Mateo County’s AMI in order to obtain a density bonus of 30% or 72 additional units, over the density permitted for Tier 3 developments. The calculation of the density bonus is as follows:

- Applicant is requesting a 30% density increase based on State Density Bonus and Chapter 25.63 with 9% (22 units) for Very Low Income Households (50% AMI).
 - 20% bonus for 5% very low + 2.5% density increase allows a 10% increase in BMR units
 $4\% \times 2.5 = 10\%$ density bonus on top of the 20% allowed for very low income
 - 140 du/ac allowed = 239 units
 $239 \text{ units} \times 30\% = 71.7 = 72 \text{ units (30\% bonus)}$
 - $239 + 72 = \mathbf{311 \text{ units proposed (with 30\% density bonus allowed under State Law)}}$
- According to the Density Bonus Ordinance, Code Section 25.63.020 (a)(1), the City shall grant a twenty (20) percent density bonus when an applicant for a development of five (5) or more dwelling units seeks and agrees to construct at least five (5) percent of the total dwelling units of the development as restricted affordable units affordable to very low income households. For each one (1) percent increase in the percentage of restricted very low income units, a development will receive an additional two and one-half (2.5) percent density bonus up to thirty-five (35) percent of the maximum residential density. To qualify for a density bonus of 30%, the applicant is proposing to designate 9% of the units (twenty two units) as below-market rate units for very low income households making 50% of San Mateo County’s AMI.

Percentage of very low income units: $22 \text{ units} \div 239 \text{ units} = 9.2\%$

Percentage of very low income units greater than 5%: $9.2\% - 5\% = 4.2\%$

Density Bonus Units Permitted: $20\% + (4\% \times 2.5) = 30\%$

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An applicant may also request a waiver of development standards. For a waiver request, the applicant needs to demonstrate that the standards being requested to be waived would otherwise physically prevent the project from being built at the permitted density. There is no limit on the number of development standard waivers that may be requested or granted.

The applicant is requesting the following waivers/modifications of the following development standards:

State Density Bonus Waivers Requested:

1	Lot Coverage	87.8% lot coverage proposed 80% lot coverage is maximum allowed
2	Open Space	82.71 SF per unit proposed 100 SF per unit is required
3	Setbacks – Side and Rear	See zoning metrics table above
4	Parking (compact spaces)	49 spaces with 8'-0" x 16'-0" dimensions (8'-6" x 17'-0" min. required)

Development / Impact Fees:

Public Facilities Impact Fees

The purpose of public facilities impact fees is to provide funding for necessary maintenance and improvements created by development projects. Public facilities impact fees are based on the uses, the number of dwelling units, and the amount of square footage to be located on the property after completion of the development project. New development that, through demolition or conversion, will eliminate existing development is entitled to a fee credit offset if the existing development is a lawful use under this title, including a nonconforming use.

Based on the proposed 311-unit apartment development, the required public facilities impact fees for this development project are estimated to be \$1,027,948.00 (includes a credit of \$350,404.00 for the existing uses located on the property). Payment will be required prior to the final inspection.

North Burlingame/ Rollins Road Development Fee

Development fees for projects in the North Burlingame/Rollins Road Specific Plan are subject to the following fees: \$0.66 per SF multifamily and \$0.83 per SF for other uses. New development that, through demolition or conversion, will eliminate existing development is entitled to a fee credit offset for the existing development. The fees are calculated based on the fee schedule in effect *at the time the building permit is issued*, with half of the fees required at permit issuance and half due prior to the framing inspection. The North Burlingame/Rollins Road Development fee is estimated to be \$295,878.79 (includes a credit of \$28,272.29 for the existing uses located on the property).

Residential Linkage Fees

The City Council adopted Residential Linkage Fees on April 1, 2019. The proposed project is subject to the fees based on the formula set forth in Code Section 25.82 which sets the fees based on the dwelling units per acre, with different rates for prevailing wage and non-prevailing wage for labor used for the construction of the project. In this case, the rate would be \$25 per SF with prevailing wage (\$30 per SF without prevailing wage) for 71 du/ac or more.

However, because the project would include 9% of the units as very low income BMR units, as per C.S. 25.82.070(a), the fee is not required as the units would be provided on-site. The code states that if a project mitigates affordable housing impacts through the construction of afford units on site with a guarantee of

affordability for a period of 55 years, then the impacts of residential development on the need for affordable housing shall be deemed mitigated. The applicant is proposing 9% of the residential units as very low income BMR units, therefore the Planning Commission may approve the provision of affordable units on site, consistent with the requirements set forth in subsection (b), as part of the review of the project, which would eliminate the requirement to pay the Residential Linkage Fee as 22 (9%) very low income BMR units would be provided on-site.

Design Review: The criteria for design review in mixed-use districts is detailed in Code Section 25.57.030 (g) and requires the proposed project to be reviewed by the Planning Commission for the following considerations:

- 1) Support of the pattern of diverse architectural styles that characterize the city's commercial, industrial and mixed-use areas; and
- 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; and
- 3) On visually prominent and gateway sites, whether the design fits the site and is compatible with the surrounding development; and
- 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; and
- 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 structures 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.

Suggested Findings for Design Review:

- That the proposed project supports the pattern of diverse architectural styles that characterize the City's mixed-use area with the use of a variety of materials including composite wood panels, dark brick base materials, light brick on the upper levels, with stucco and metal and glass railings. This gateway property includes a corner feature piece that is enhanced with composite wood panels that sets apart this focal corner from the rest of the building. The building has massing that steps down with roof decks and is well articulated throughout. The façades are broken into various heights and steps to provide visual relief and interest.
- That the design respects and promotes pedestrian activity by providing a ground floor with pronounced canopy and lush landscaping. The parking is not dominant on the façades as it is located behind the elevations and below grade. New street trees, planters, and amenities create activity along the route to the nearby transit opportunities, with multiple enhancements being development both on and off-site to improve safety.
- That on this visually prominent, gateway site the building has been designed with roof decks at El Camino Real and California Drive with an urban design that compliments both the new and old architectural fabric in the surrounding area;

- That the building is compatible with the mass, bulk, scale, and existing materials of existing development in that the exterior building materials include canopies, aluminum storefront windows, wood composite panels, light and dark brick, and a variety of colored stucco finishes; and
- That site features such as fencing, landscaping, and pedestrian circulation as well as off-site improvements to enrich the existing opportunities of the neighborhood.

For the reasons above the project may be found to be compatible with the requirements of the City's mixed-use design review criteria.

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. Affirmative action should be taken separately by resolution and include ***findings for Design Review, Density Bonus with waivers and Community Benefits*** supporting the Planning Commission's decision. 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 June 2, 2022, sheets A0.1 through A5.4, sheets L-1 through L-9, and C1.0 through C6.0;
2. that prior to issuance of a building permit for construction of the project, the project construction plans shall be modified to include a cover sheet listing all conditions of approval adopted by the Planning Commission, or City Council on appeal; which shall remain a part of all sets of approved plans throughout the construction process. Compliance with all conditions of approval is required; the conditions of approval shall not be modified or changed without the approval of the Planning Commission, or City Council on appeal;
3. 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 (FYI or amendment to be determined by Planning staff);
4. the Project is located next to the Burlingame Police Department located at 1111 Trousdale Drive, and may potentially interfere with the Police Department's existing public safety communications equipment. If deemed necessary by the City and at the City's sole discretion, the City will design upgraded and/or new communications equipment to be located solely on Police Department property, on both Police Department property and the Project site, or solely at the Project Site. This equipment may include wireless access points, antennae, and any other equipment or structure required for continued Police Department communications, including upgrades to existing communications equipment or structures located on Police Department property (collectively, the "Communications Equipment"). Property owner shall permit any of the Communications Equipment to be placed on the roof of the new Project structure as may be required by the City's design and as shown on the Project roof plans, sheet A1.10. Property owner shall be responsible for all actual costs associated with the Communications Equipment, including the City's costs to design the Communications Equipment and any reasonable project management costs (collectively, the "Communications Equipment Costs"). Property owner is responsible for all actual Communications Equipment Costs, except that in no event shall the property owner's obligation to pay Communications Equipment Costs exceed \$450,000. The City shall be obligated to pay any Communications Equipment Costs exceeding \$450,000. Payment of the Communication Equipment Costs shall be made in full to the City prior to issuance of a building permit for the Project unless alternative timing for payment is permitted by the City in its sole discretion. If any Communications Equipment will be located on the Project site, the property owner shall provide the

electrical supply source for use by any such Communications Equipment and shall enter into an access and location agreement with the City which, among other things, permits authorized representatives of the City to gain access to the Communications Equipment location for purposes of construction, installation, maintenance, adjustment, and repair upon reasonable notice to the property owner or owner's successor in interest. This access and location agreement shall be recorded prior to building permit issuance and shall include terms that convey the intent and meaning of this condition;

5. that prior to issuance of a building permit for the project, the project applicant shall pay the first half of the North Burlingame/Rollins Road Development Fee in the amount of \$147,939.40, made payable to the City of Burlingame and submitted to the Planning Division;
6. that prior to scheduling the final framing inspection, the project applicant shall pay the second half of the North Burlingame/Rollins Road Development Fee in the amount of \$147,939.40, made payable to the City of Burlingame and submitted to the Planning Division;
7. that prior to final inspection or the date the certificate of occupancy is issued, whichever occurs first, the project applicant shall pay the Public Impact Fees in the amount of \$1,027,948.00 in full, payable to the City of Burlingame and submitted to the Planning Division;
8. that the project shall be constructed in accordance with the "Request for Alternate Materials or Methods of Construction" agreement between the applicant (or any future owner) and Central County Fire Department dated March 30, 2022, which requires the following added condition: 1) that all residential unit and their adjoining corridors shall be equipped with residential fast response sprinkler heads;
9. that the project shall include twenty-two (22) affordable units to households of "Very Low Income" category, as defined as earning a maximum of 50% of the San Mateo County Area Median Income; the City Manager shall be authorized to execute an agreement with the applicant and the applicant shall enter into an agreement for the administration of the renting or leasing of the affordable units prior to issuance of a building or construction permit for the project;
10. that the required affordable dwelling units shall be constructed concurrently with market-rate units;
11. that the twenty-two (22) moderate income restricted affordable units shall remain restricted and affordable to the designated income group for a minimum period of fifty-five (55) years (or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program);
12. that the twenty-two (22) restricted affordable units shall be built on-site and be dispersed within the development. The number of bedrooms of the restricted affordable units shall be equivalent to the bedroom mix and average sizes of the non-restricted units in the development; except that the applicant may include a higher proportion of restricted affordable units with more bedrooms. The design and construction of the affordable dwelling units shall be consistent with the design, unit layout, and construction of the total project development in terms of appearance, exterior construction materials, and unit layout;
13. that the applicant shall enter into a regulatory agreement with the City; the terms of this agreement shall be approved as to form by the City Attorney's Office, and reviewed and revised as appropriate by the reviewing City official; this agreement will be a form provided by the City, and will include the following terms:
 - (a) The affordability of very low, lower, and moderate income housing shall be assured in a manner consistent with Government Code Section 65915(c)(1);

- (b) An equity sharing agreement pursuant to Government Code Section 65915(c)(2);
 - (c) The location, dwelling unit sizes, rental cost, and number of bedrooms of the affordable units;
 - (d) A description of any bonuses and incentives, if any, provided by the City; and
 - (e) Any other terms as required to ensure implementation and compliance with this section, and the applicable sections of the density bonus law;
14. that the above noted regulatory agreement regarding the twenty-two (22) restricted affordable units shall be binding on all future owners and successors in interest; the agreement is hereby a condition of all development approvals and shall be fully executed and recorded prior to the issuance of any building or construction permit for the project;
 15. that the project shall include the Transportation Demand Management Measures as proposed in the Transportation Demand Management Plan, prepared by Hexagon Transportation Consultants, Inc., dated December 7, 2021;
 16. that a TDM annual report shall be prepared by a qualified, independent consultant and paid for by the owner and submitted to the City of Burlingame annually; with the initial, or baseline, commute survey report to be conducted and submitted one (1) year after the granting of a certificate of occupancy for 75 percent or more of the project and annually after that;
 17. that the TDM annual report shall provide information about the level of alternative mode-uses and in the event a 25 percent reduction in peak-hour vehicle trips and reduction in overall parking demand is not met, the report shall explain how and why the goal has not been reached; in such a circumstance the annual report shall identify a work plan, to be approved by the City of Burlingame, which describes additional or alternative measures for implementation that would be necessary to enhance the TDM program to attain the TDM goal of 25 percent mode split;
 18. that the City may consider whether the owner has made a good faith effort to meet the TDM goals and may allow the owner a six-month "grace period" to implement additional TDM measures to achieve the 25 percent vehicle trip reduction;
 19. that prior to the issuance of building permits, a covenant agreement shall be recorded office with the San Mateo County Assessor and Recorder's Office to provide constructive notice to all future owners of the property of any ongoing programmatic requirements that discloses the required Transportation Demand Management (TDM) provisions and any conditions of approval related herein to compliance and reporting for the TDM;
 20. that prior to issuance of a building permit, the applicant shall prepare and submit to the Department of Public Works – Engineering Division a sanitary sewer analysis that assesses the impact of this project to determine if the additional sewage flows can be accommodated by the existing sewer line. If the analysis results in a determination that the existing sewer line requires upgrading, the applicant shall perform the necessary upgrades as determined by the Engineering Division;
 21. that in the event that groundwater, or other subsurface contaminants, are encountered during excavation, grading, or any other demolition/construction activities at the project site, the contractor shall stop work immediately and contact the San Mateo County Environmental Health's Groundwater Protection Program (GPP) for consultation and if deemed necessary by that agency, prepare a Construction Risk Management Plan for their approval prior to commencement of construction work on the project site;

22. prior to issuance of a building permit, the project sponsor shall verify that the December 29, 2021, FAA Determination of No Hazard to Air Navigation for the project is still current and has not expired and if expired a new FAA Determination of No Hazard to Air Navigation shall be submitted to the City of Burlingame prior to building permit issuance;
23. that all new development shall be required to comply with the real estate disclosure requirements of State law and General Plan as outlined in Policy IP-1 of the SFO ALUCP. The following statement must be included in the notice of intention to offer the property for sale or lease:

“Notice of Airport in Vicinity

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase or lease and determine whether they are acceptable to you.”;

24. that the applicant shall submit a Construction Noise Control Plan. This plan would include measures such as:
- Using smaller equipment with lower horsepower or reducing the hourly utilization rate of equipment used on the site to reduce noise levels at 50 feet to the allowable level.
 - Locating construction equipment as far as feasible from noise-sensitive uses.
 - Requiring that all construction equipment powered by gasoline or diesel engines have sound control devices that are at least as effective as those originally provided by the manufacturer and that all equipment be operated and maintained to minimize noise generation.
 - Prohibiting gasoline or diesel engines from having unmuffled exhaust systems.
 - Not idling inactive construction equipment for prolonged periods (i.e., more than 5 minutes).
 - Using “quiet” gasoline-powered compressors or electrically powered compressors and electric rather than gasoline- or diesel-powered forklifts for small lifting.
25. that all off-road diesel-powered equipment used during construction is equipped with U.S. Environmental Protection Agency (EPA) Tier 4 “final” engines;
26. that all construction shall abide by the construction hours in the City of Burlingame Municipal Code;
27. 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;
28. that storage of construction materials and equipment on the street or in the public right-of-way shall be prohibited;
29. that the applicant shall prepare a construction staging and traffic control plan for the duration of construction for review and acceptance by the City Engineer prior to the issuance of a building permit; the construction staging plan shall include construction equipment parking, construction employee parking, timing and duration of various phases of construction and construction operations hours; the staging plan shall address public safety and shall ensure that worker's vehicles and construction equipment shall not be parked in public parking areas with exceptions for construction parking along the street frontages of the project site;
30. that the project applicant and its construction contractor(s) shall develop a construction management plan for review and approval by the City of Burlingame. The plan must include at least the following

items and requirements to reduce, to the maximum extent feasible, traffic and parking congestion during construction:

- a. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes;
 - b. Identification of haul routes for movement of construction vehicles that would minimize impacts on motor vehicular, bicycle and pedestrian traffic, circulation and safety, and specifically to minimize impacts to the greatest extent possible on streets in the project area;
 - c. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures would occur;
 - d. Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project applicant; and
 - e. Designation of a readily available contact person for construction activities who would be responsible for responding to any local complaints regarding traffic or parking. This coordinator would determine the cause of the complaint and, where necessary, would implement reasonable measures to correct the problem.
31. 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;
32. that if construction is done during the wet season (October 1 through April 30), that prior to October 1 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;
33. 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;
34. that this project shall comply with the state-mandated water conservation program, and a complete Irrigation Water Management and Conservation Plan together with complete landscape and irrigation plans shall be provided at the time of building permit application;
35. 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;
36. 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 and the street trees will be protected during construction as required by the City Arborist;

37. that project approvals shall be conditioned upon installation of an emergency generator to power the sump pump system; and the sump pump shall be redundant in all mechanical and electrical aspects (i.e., dual pumps, controls, level sensors, etc.). Emergency generators shall be housed so that they meet the City's noise requirement;
38. that a Protected Tree Removal Permit shall be required from the City of Burlingame Parks Division to remove any existing protected size trees on the subject property and that the project shall comply with the Tree Protection and Reforestation Ordinance adopted by the City of Burlingame and enforced by the Parks Department; complete landscape and irrigation plans shall be submitted at the time of building permit application and the street trees will be protected during construction as required by the City Arborist;
39. that the project shall comply with the Construction and Demolition Debris Recycling Ordinance which requires affected demolition, new construction and alteration projects to submit a Waste Reduction plan and meet recycling requirements; any partial or full demolition of a structure, interior or exterior, shall require a demolition permit;
40. that demolition or removal of the existing structures and any grading or earth moving on the site shall not occur until a building permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
41. that the applicant shall comply with Ordinance 1503, the City of Burlingame Storm Water Management and Discharge Control Ordinance;
42. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, as amended by the City of Burlingame;
43. that this project shall comply with Ordinance No. 1477, Exterior Illumination Ordinance;
44. 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;

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

45. that prior to scheduling the foundation inspection a licensed surveyor shall locate the property corners, set the building envelope;
46. 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 Division;
47. 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;
48. 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;

Catherine Keylon
Senior Planner

- c. Greg Pasquali, Carmel Partners, applicant
Certosa, Inc. c/o Mario Muzzi, property owners
TCA Architects, architect

Attachments:

March 28, 2022 Planning Commission Minutes

Applicant's Response Letter, dated May 31, 2022 (including)

- Summary of changes to project
- Community Outreach Report
- Materials (also see with plans separate materials board provided)

Application to the Planning Commission

Letter of Explanation - Project Description / Density Bonus and Community Benefits Summary, dated (Revised) May 31, 2022

Environmental Informational Form

Climate Action Plan (CAP) Consistency Checklist for New Development

San Mateo County Income Limits 2022

Alternative Means of Protection application, Central County Fire Department, dated March 14, 2022

- Summary of Alternate Means

FAA – Determination of No Hazard to Air Navigation, dated December 29, 2021

Community letters:

- Bay Area Council, dated March 25, 2022
- Housing Action Coalition, dated March 25, 2022
- Greenbelt Alliance, dated March 28, 2022
- Manito Velasco, dated March 28 and March 31, 2022
- Sarah Cheyette, dated April 5, 2022

Planning Commission Resolution (Proposed)

Notice of Public Hearing – Mailed June 3, 2022

Area Map

Separate Attachments:

NBMU District Regulations from previous Zoning Code (Chapter 25.40)

Density Bonus Regulations from previous Zoning Code (Chapter 25.63)

CEQA Class 32 Infill Exemption prepared by ICF, dated June 2022

Appendices – thumb drive in back sleeve of CEQA document

- Appendix A Transportation Impact Analysis
- Appendix B Tree Report
- Appendix C Phase I ESA and Focused Phase II Subsurface Environmental Investigation
- Appendix D Technical Biological Report
- Appendix E Supporting Noise Information
- Appendix F Air Quality Assessment
- Appendix G Historic Architecture Evaluation Report