

City of Burlingame

Public Hearing and Action on Final EIR and Proposed Project for
Development of a New 290-Unit Multiple Family Residential Project

Item No. 8a
Regular Action

Address: 1008-1028 Carolan Ave. & 1007-1025 Rollins Road

Meeting Date: May 26, 2015

Request: Final Environmental Impact Report (FEIR) for development of a new 290-unit multiple family residential project on a 5.40 acre site. The proposed project consists of 268 apartment units in two 5-story buildings, and 22 two-story townhome condominiums in four buildings. Applications include Design Review, Vesting Tentative and Final Map to merge and subdivide the existing four parcels, Condominium Permit and Tentative Condominium Map to establish the 22 townhomes, Conditional Use Permits for the multiple family residential use and for building height for the two apartment buildings with heights up to 61'-6" tall, Special Permits for a driveway within the required 20-foot setback along the southerly property line and to allow a building 34'-4" in height for the condominium structures where a special permit is required for buildings between 30 feet and 36 feet in height, Demolition Permit Exception, and Fence Height Exception.

Applicant: SummerHill Apartment Communities

APN: 026-240-290, -340, -360 & -370

Property Owners: Stucker Family Trust (APNs 026-240-340, -360 & -370)

Oscar F. Person Testamentary Trust (APN 026-240-290)

General Plan: Commercial Uses (*Carolan Rollins Commercial Area*)

Housing Element: Listed on Housing Sites Inventory

Lot Area: 235,030 SF (5.40 Acres)

Zoning: C-2/R-4 Overlay

Adjacent Development: Multiple-Family Residential and Single Family Residential

Project Summary: An application has been submitted for development of a new multiple-family residential development consisting of 268 apartment units in two buildings ranging from four to five stories in height, and 22 two-story townhome condominiums to be located on the south side of the site. The four- to five-story apartment buildings would be located on the north side of the site.

Based on the most recent plans submitted dated May 20, 2015, planning staff has identified the following applications required for this project:

- Design Review;
- Vesting Tentative and Final Map to merge and subdivide the existing four parcels;
- Condominium Permit to establish the 22 townhomes;
- Conditional Use Permits for the multiple family residential use and for building height for the two apartment buildings of up to 61'-6" feet tall, where buildings over 35' tall (up to 75') require a conditional use permit;
- Special Permits for a driveway within the required 20-foot setback along the south property line and to allow a 34'-4" building height for the condominium structures where a special permit is required for buildings between 30 feet and 36 feet in height;
- Demolition Permit Exception; and
- Fence Height Exception

The townhome portion of the project is proposed to have six (6) two-bedroom units, eight (8) three bedroom units, and eight (8) units with 3+ bedrooms with a room that could either be used as an additional bedroom or a den/office space.

The apartment portion of the project is proposed to have a mix of 1-, 2- and 3-bedroom units. The following table shows a breakdown of the number of bedrooms and average unit size for the apartment units:

TABLE 1 – Apartment Bedroom Count and Average Size

APARTMENTS			
Unit Type	Average Size	Count	Mix
1 Bedroom	792 SF	149	56%
2 Bedroom	1,120 SF	111	41%
3 Bedroom	1,396 SF	8	3%
	<i>958 Average Overall</i>	268	100%

The project proposes a total of 524 parking spaces. The apartment portion of the project includes 466 parking spaces, with 430 spaces in a semi-subterranean garage for residents, and an additional 27 spaces available for guests. The townhome condominium portion of the project will provide 58 parking spaces, 52 of which will be provided in private garages, and 6 additional parking spaces for residents and guests.

The apartment portion of the project also includes a central courtyard above the parking garage with amenities for residents. Amenities include a pool and spa, lounge seating, fireplaces, outdoor kitchens, landscaping, and tables and chairs. The apartment buildings will further include a club room, a fitness studio, and a “work share” meeting space for both residents and community groups. The project also includes a leasing center on site. In addition, there will be walking paths, gardening beds, and a dog walk area and washing station.

The project also proposes to provide four electrical vehicle (EV) charging stations at build-out, with preparation for an additional ten EV charging stations in the future. In addition all townhome garages would be set up for future installation of EV charging stations. There will also be ten guest bicycle parking spaces and a bike repair station.

The space between the apartment buildings and the townhomes will include a tree-lined public pedestrian paseo with landscaped areas and seating, which will provide a walking connection between Carolan Avenue and Rollins Road. The paseo will be a public pedestrian access easement, open to public access through the site.

Project Site and Zoning Code Requirements: The project site is bounded by Carolan Avenue and the Caltrain right-of-way to the west, Rollins Road to the east, the 510-unit Northpark Apartments to the north, and a single family residential neighborhood to the south. The site is currently occupied by automobile sales, repair and rental facilities.

Table 1 – 1008-1028 Carolan Avenue & 1007-1025 Rollins Road

Lot Area: 235,030 SF (5.40 Acres) **Plans date stamped:** November 5, 2014

	PROPOSED	ALLOWED/REQUIRED
Use	Multi-Family Residential Use ¹	Multiple Family Residential Use requires a Conditional Use Permit
SETBACKS		
Front	20'-0"	15'-0" or block average (28'-8") Or as shown on approved subdivision map – Vesting Tentative Map for the project proposes to establish a 20' front setback along Carolan Avenue

¹ Conditional Use Permit for Multiple Family Residential Use within the Carolan/Rollins Commercial Area – R-4 Overlay Zone (CS 25.031.065)

	PROPOSED	ALLOWED/REQUIRED
Left Side Ground flr:		
(1 st flr):	19'-4" minimum	7'-0"
(2 nd flr):	17'-5"	8'-0"
(3 rd flr):	17'-5"	9'-0"
(4 th flr):	18'-5"	10'-0"
	19'-6"	11'-0"
Right Side (1st flr):	31'-11"	20'-0"
(2 nd flr):	29'-10"	20'-0"
	Driveway proposed within 20' setback ²	Special Permit req'd for driveway within 20' setback
Rear (Rollins Rd) Ground flr:	20'-0"	20'-0"
(1 st flr):	20'-0"	20'-0"
(2 nd flr):	20'-0"	20'-0"
(3 rd flr):	21'-1"	20'-0"
(4 th flr):	26'-10"	20'-0"
HEIGHT & LOT COVERAGE		
	PROPOSED	ALLOWED/REQUIRED
Lot Coverage:	117,366 SF 49.93%	117,515 SF 50%
Height: Apartment Buildings:	61'-6" ³	Heights over 35'-0" require conditional use permit (up to a maximum of 75'-0")
Height: Townhome Buildings:	34'-4" ⁴	Heights between 30' and 36' require special permit
OFF-STREET PARKING		
	PROPOSED	ALLOWED/REQUIRED
Number of Parking Spaces:	Apartments: 466 parking spaces Townhomes: 58 parking spaces Total: 524 parking spaces	Apartments: 149 one-bdr x 1.5 = 223.5 111 two-bdr x 2.0 = 222.0 <u>8 three-bdr x 2.5 = 20.0</u> Total = 466 spaces Townhomes: 6 two-bdr x 2.0 = 12.0 9 three-bdr x 2.5 = 22.5 8 four-bdr x 2.5 = 20.0 <u>Guest Parking Spaces = 3.0</u> Total = 58.0 Grand Total = 524 spaces

² Special Permit required for vehicular circulation within the 20-foot setback along the southerly property line (CS 25.31.065(b)(1)).

³ Conditional Use Permit required for 61'-6" building height where a conditional use permit is required for heights over 35'-0" up to a maximum of 75'-0"

⁴ Special Permit for a structure between 30'-0" and 36'-0" within 100 feet of the southerly property line (34'-4" proposed) CS 25.31.065(a)(1).

	PROPOSED	ALLOWED/REQUIRED
Number of Compact Spaces:	Apartments: 144 compact spaces Townhomes: 8 compact spaces Total: 152 compact spaces (29%)	262 compact spaces (50% of spaces may be compact as incentive for affordable units)
Clear Back-up Space:	24'-0"*	24'-0" or all spaces can be exited in three maneuvers or less
Parking Space Dimensions:	Standard spaces = 9' x 20' (10' x 20' next to wall) Compact spaces = 8' x 17'	Standard spaces = 9' x 20' Compact spaces = 8' x 17'
Covered Spaces:	514 spaces	419 (80% must be covered)
Driveway Width:	20'-0"	Parking areas with more than 30 vehicle spaces shall have two 12'-0" wide driveways or one 18'-0" wide driveway
LANDSCAPING AND OPEN SPACE		
	PROPOSED	ALLOWED/REQUIRED
Front Setback Landscaping:	69.76% (4870 SF)	50% (3495 SF)
<i>Private and Common Open Space – for Condominium Townhomes only</i>		
Private Open Space:	80 SF to 177 SF/unit	75 SF per unit
Common Open Space: SF Landscaped:	7,602 SF 4,061 SF (60.5% of total)	2200 SF 1100 SF (50% of required)

General Plan and Zoning: The Burlingame General Plan designates this site for Commercial Uses. In 2002, the Housing Element identified this property as also having the potential to be a housing site, noting that it is located between two residential areas and within proximity to transit. In 2009, an amendment to the text of the General Plan was adopted by the City Council which added the following language to describe the Carolan Rollins Road Commercial Area, which encompasses the project site.

Carolan Rollins Commercial Area. *When the General Plan was first adopted in 1969, the entire area south of Broadway to Toyon, between Carolan Avenue and Rollins Road was designated for service and special sales uses, and was zoned M-1. In 1963, the site of North Park Apartments (south of Cadillac Way) was rezoned to the R-4 zone district, and in 1972, North Park Apartments were built. This left a pocket of M-1 zoned property between North Park Apartments and the residential area along Toyon Drive.*

In 1992, this property was rezoned from M-1 to the C-2 zone district. The uses at the time were similar to those which exist today (automobile dealers and repair facilities). These uses are permitted in the C-2 zone district, and it was felt that C-2 zoning would allow uses which were more compatible with the surrounding residential areas.

Since this area is surrounded by residential uses, it would also be appropriate for residential development. In order to provide a transition between the higher density residential area to the north and the single family residential development along Toyon Drive, special setback and height standards should be considered adjacent to the single family homes.

In 2009, the zoning code was also amended to establish the Carolan/Rollins Commercial Area – R-4 Overlay Zone, which encompasses this property. The R-4 overlay zone takes into account the proximity of the single family neighborhood to the south along Toyon Avenue by establishing special height and setback requirements along the property line adjoining the adjacent neighborhood. The zoning establishes a 30-foot base height within 100 feet of the southerly property line, with the opportunity for heights between 30 and 36 feet upon approval of a special permit. The overlay zone also establishes a twenty-foot setback line along the southerly boundary of the site, and requires a special permit to allow vehicular access within this twenty foot setback. The applicant has applied for special permits to allow a maximum 34'-4" building height for the townhomes, and to allow a controlled access driveway to serve the 22 townhomes adjacent to the southerly property line.

Housing Element: This site is listed on the Housing Sites Inventory in the 2015-2023 Housing Element adopted by the City Council on January 5, 2015. Because the application was submitted in March, 2014, it is subject to the programs, policies and adopted implementing zoning of the current 2009-2014 Housing Element. New policies and programs proposed by the 2015-2023 Housing Element update would not apply to this project because they were not yet in place when the application was submitted.

Front Setback: Code Section 25.29.075 (a) indicates that the front setback shall be fifteen feet or block average, provided that the setback line delineated on any approved subdivision map shall supersede any provision of this chapter. Section 25.29.050(f) indicates that the Planning Commission and the City Council may, in the considerations and acceptance of any tentative or final map submitted pursuant to the provisions of the Subdivision Map Act, approve or accept any such tentative or final map wherein one or more lots or parcels of land do not conform to all of the provisions of Chapter 25.34, when the planning commission and the city council find that by reason of exceptional or extraordinary circumstances the approval or acceptance of such maps will not adversely affect the comprehensive zoning plan of the city.

The Vesting Tentative Map for the project proposes to establish a 20-foot front setback on Carolan Avenue. The proposed setback line is consistent with the character of the Carolan Avenue neighborhood, and the Planning Commission and/or Council may incorporate the appropriate findings into their actions on the Vesting Tentative Parcel Map and the project.

Moderate-Income Units: As a community benefit, the applicant is proposing to include 29 moderate-income units to respond to the community's goals for providing housing affordable to a range of households. In San Mateo County, the "Moderate Income" category is defined as households earning between 81%-120% of San Mateo County Area Median Income (AMI), which in 2014 corresponded to up to \$86,500 for a single-person household or \$123,600 for a family of four. The applicant is proposing that the moderate-income units be comprised of 22 one-bedroom units, 6 two-bedroom units, and one three-bedroom unit. They are proposed to be spread throughout the two buildings and are similar size and layout to the other apartment units.

As part of the arrangement, the applicant is proposing an increase in the number of compact spaces (152 compact spaces are proposed, representing 29% of the spaces) as an incentive for providing the moderate-income units. Without the incentive, the number of compact spaces allowed is 20% of the spaces (104 spaces).

Work Share Community Access Space: As a part of the project application the applicant is also proposing to offer the work share space in the apartment building to be available for community use by local community organizations (refer to attached letter from SummerHill Apartment Communities dated February 5, 2015 regarding Carolan Avenue – Rollins Road "Work Share" space). The space for this use is about 1,200 square feet and located at the ground floor of the apartment building. The space would include the following design elements and amenities: collaboration work tables and chairs; seating area; conference room with audio-visual screen and white board; copy nook to include an area for printing; under-counter refrigerator and wet bar sink; a meeting lab for private work space or small private meeting room; unisex restroom; café vending service; speakers for background music; Wi-Fi; and will be disabled accessible.

The applicant is proposing that if the City is interested in this program, SummerHill Apartment Communities and the City would enter into a Use Agreement to formalize the following "Work Share" proposal:

Hours of Availability to Community Groups

- 6:00p.m. to 9:00p.m. Monday-Thursday (breakdown/clean-up permitted until 9:30 p.m.).

Eligible Community Group Users

- Group A – City of Burlingame, Burlingame Elementary School District, Burlingame High School sponsored meetings.
- Group B – Burlingame non-profit groups or organizations (including, but not limited to, AYSO, BGS, BYBA, SMUHSD, Scouts, etc.) that are compatible with a residential setting.

Management/Use Terms

- Maximum number of people - estimate 30 (subject to final space plan design).
- No charge for Group A. Use fee for Group B would be same as Burlingame Recreation Center Social Room fee, updated annually.
- Reserve up to 21 days in advance, minimum of 72 hours' notice required; \$750 security deposit required.
- Property management would coordinate reservations, payment and fobs during business hours; access provided via fob outside of business hours and property management secures after use.
- Users must provide insurance certificate naming property, owner and management as additional insured for use.
- Parking in guest parking area of garage and on street. Parking is currently permitted on west (train track) side of Carolan until 10 p.m.
- No parties or alcohol use permitted; meetings only. Users to adhere to same code of conduct as residents.
- Property management can alter interior design and amenities at their discretion over time.
- Review program after first 90 days and then annually with property owner, management, and Community Development Director.

Public Facilities Impact Fee: The purpose of public facilities impact fee 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 290-unit multiple family residential development and providing a credit of \$378,111.00 for the existing 90,720 SF automobile repair, rental and sales facilities which will be removed, the required public facilities impact fee for this development project is \$1,227,619.00 (see table below). One-half of the public facilities impact fees payment (\$613,809.50) will be required prior to issuance of a building permit; and the second half of the payment will be required before the final framing inspection.

Service Area	Proposed Multifamily Project 290 Units (fee calculated per dwelling unit)	Existing Automobile Uses 90,720 SF (fee calculated per 1000 SF)
General Facilities & Equipment	\$1636 x 290 = \$474,440.00	\$640 x 90.72 = \$58,060.80
Libraries	\$1415 x 290 = \$410,350.00	Not applicable
Police	\$259 x 290 = \$75,110.00	\$102 x 90.72 = \$9,253.44
Parks and Recreation	\$350 x 290 = \$101,500.00	\$118 x 90.72 = \$10,704.96

Streets and Traffic	\$1105 x 290 = \$320,450.00	\$1,810 x 90.72 = \$164,203.20
Fire	\$381 x 290 = \$110,490.00	\$248 x 90.72 = \$22,498.56
Storm Drainage	\$391 x 290 = \$113,390.00	\$442 x 90.72 = \$113,390.00
Subtotal	\$1,605,730.00	\$378,111.00
Total	\$1,605,730.00 <u>\$ 378,111.00 (credit for existing automobile uses)</u> \$1,227,619.00	

School Impact Fees: Based on the unit mix, the school impact fees due would be approximately \$1,020,000 with \$613,000 to Burlingame School District and \$407,000 to San Mateo Union High School District. The applicant anticipates paying the fees about 20-24 months in advance of new students enrolling. Enrollment is anticipated to be gradual, as the lease-up period for the project would take approximately one year.

Staff Comments from City Departments: The application has been reviewed by the Chief Building Official, Parks Supervisor, City Engineer, and Fire Marshal. Comment sheets from each are included in the attachments to this staff report.

June 23, 2014 Planning Commission Design Review Study Session and March 9, 2015 Planning Commission Environmental Review Comment Session: On June 23, 2014, the Planning Commission held a Design Review Study session, and made comments on the project, and on March 9, 2015 the Planning Commission held an Environmental Review Comment Session on the Draft Environmental Impact Report. The applicant's project design team has made further refinements to the plans based on the comments made in the Design Review Study Session, the Environmental Review Comment Session, and through further community outreach.

The applicant's design team has submitted the attached letter dated May 19, 2015 to respond to the comments made (refer to attached letter). The applicant previously submitted a response letter dated February 20, 2015, which is also attached for reference. The letter responds to a number of issues including:

- Mass, Size and Height
- Setbacks from the Toyon Neighborhood, Northpark Apartments, Carolan Avenue, and Rollins Road
- Vinyl Windows
- Landscape Design
- Community Outreach

Draft Environmental Impact Report (EIR): The Draft EIR for the project was released on February 6, 2015 for a 45-day public review and comment period. An updated Notice of Completion was released on February 13, 2015 to include additional documents in the appendices. The 45-day Public Comment period was extended through April 3, 2015. On March 9, 2015, the Planning Commission held a public hearing to obtain comments on the Draft Environmental Impact Report. Comments were received on the Draft EIR both in writing and at the Planning Commission hearing. A Response to Comments document (Final EIR) has been prepared and was released on May 15, 2015. This document includes and responds to all the written comments and those made at the March 9, 2015 Planning Commission hearing. Together, the Draft EIR and the Response to Comments document comprise the Final EIR for the project.

Draft EIR – Summary of Potential Significant Impacts and Mitigation Measures: The Draft EIR analyzes the impacts of the proposed development at 1008 – 1028 Carolan Avenue and 1007 – 1025 Rollins Road. The following table contains a brief summary of the potential significant environmental impacts of the project identified and discussed within the text of the EIR, and the mitigation measures proposed to avoid or reduce those impacts. The issues identified in the Draft EIR as having potential significant impacts are:

- Noise (Exterior and interior noise and construction noise);
- Air Quality (Construction emissions and air pollutants);
- Biological Resources (nesting birds and raptors);
- Cultural Resources (buried cultural resources);
- Hazardous Materials (soil and groundwater contamination); and
- Geology (undocumented fill).

It should be noted that all of the above identified potential significant impacts can be reduced to less than significant levels through implementation of the mitigation measures identified in the table below.

Impact	Mitigation Measures
Noise	
<p>Impact NOI-1: The proposed residences and Central Courtyard would be exposed to exterior and interior noise levels greater than the City’s General Plan noise goals of 60 dBA CNEL and 45 dBA CNEL, respectively.</p> <p>Less Than Significant Impact with Mitigation Incorporated</p>	<p>MM NOI-1.1: The proposed project includes a six-foot tall, acoustical glass fence at the opening of the central courtyard along the northern boundary of the project site to shield the outdoor use area from traffic noise along Carolan Avenue. The total length of the proposed fence would be approximately 45.5 feet, stretching from unit 2A to unit 1G, with approximately 3.5 feet used as an access gate.</p> <p>The proposed fence shall be continuous from grade to top, with no cracks or gaps, and have a minimum surface density of three pounds per square foot [e.g., one-inch thick marine-grade plywood, ½-inch laminated glass, concrete masonry units (CMU)]. A fence height of six feet would be sufficient for reducing noise levels to 60 dBA CNEL or less. The fence height shall be measured relative to the elevation of the central courtyard.</p> <p>MM NOI-1.2: At the time of final site design, a qualified acoustical consultant shall review the final site plan, building elevations, and floor plans prior to issuance of a building permit and project construction to calculate expected interior noise levels. Specific acoustical analyses shall be completed to confirm that the final site design results in interior noise levels reduced to 45 dBA CNEL or lower for all floors in each building on the project site. Buildings on the project site would need sound-rated construction methods and building facade treatments to maintain interior noise levels at or below acceptable levels. These treatments could include, but are not limited to, sound-rated windows and doors, sound-rated wall constructions, acoustical caulking, and protected ventilation openings. Implementation of these measures will result in reductions of at least 33 dBA CNEL in interior noise levels nearest US 101 having the worst-case noise exposure, which will achieve resulting interior noise levels of 45 dBA CNEL or less at the units. Similarly, interior noise levels within the remaining units have a relatively lower future noise exposures will also be maintained at or below 45 dBA CNEL with the implementation of these measures.</p> <p>The specific determination of what noise insulation treatments are necessary shall be conducted on a unit-</p>

Impact	Mitigation Measures
	<p>by-unit basis during final design of the project. Results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City along with the building plans and approved design prior to issuance of a building permit.</p> <p>MM NOI-1.3: Building sound insulation requirements shall include the provision of forced-air mechanical ventilation for all perimeter residential units so that windows could be kept closed at the occupant's discretion to control noise.</p>
<p>Impact NOI-2: Construction of the proposed project would result in a significant, though temporary, noise impact at nearby residences.</p> <p>Less Than Significant Impact with Mitigation Incorporated</p>	<p>MM NOI-2.1: The project shall implement the following standard construction best management practices during all phases of construction:</p> <ul style="list-style-type: none"> • Construction activities shall be limited to the daytime hours between 7:00 AM and 7:00 PM, Monday through Friday, between 9:00 AM and 6:00 PM on Saturdays, and between 10:00 AM and 6:00 PM on Sundays and holidays (per Chapter 18.07.110 of the City of Burlingame Municipal Code). • Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. • Unnecessary idling of internal combustion engines shall be strictly prohibited. • Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by five dBA. • Utilize "quiet" air compressors and other stationary noise sources where technology exists. • Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site. • The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. • Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator

Impact	Mitigation Measures
	at the construction site and include in it the notice sent to neighbors regarding the construction schedule.
Air Quality	
<p>Impact AIR-1: The project would generate significant dust during construction activities that would affect nearby sensitive receptors, if best management practices are not implemented.</p> <p>Less Than Significant Impact with Mitigation Incorporated</p>	<p>MM AIR-1.1: The project shall implement the following standard BAAQMD dust control measures during all phases of construction on the project site:</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • 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 power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). • All roadways, driveways, and 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. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes [as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations (CCR)]. Clear signage shall be provided for construction workers at all access points. • 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. • A publicly visible sign shall be posted with the telephone number and person to contact at the City of Burlingame regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Bay Area Air Quality Management Air District's phone number shall also be visible to ensure compliance with applicable regulations.
<p>Impact AIR-2: Construction of the proposed project would result in significant health risks to nearby sensitive receptors from DPM emissions unless mitigated.</p> <p>Less Than Significant Impact with Mitigation Incorporated</p>	<p>MM AIR-2.1: All diesel-powered off-road equipment larger than 50 horsepower and operating at the site for more than two days continuously shall meet US EPA particulate matter emission standards for Tier 2 engines or equivalent.</p> <p>MM AIR-2.2: All portable pieces of construction equipment (i.e., air compressors, cement mixers,</p>

Impact	Mitigation Measures
	<p>concrete/industrial saws, generators, and welders) shall meet US EPA particulate matter emissions standards for Tier 4 engines or equivalent.</p> <p>MM AIR-2.3: Avoid staging diesel-powered equipment within 100 feet of adjacent residences.</p>
<p>Impact AIR-3: Pollutant emissions from US 101 and Caltrain would pose significant health risk impacts to proposed residences on the ground floor and podium-level located nearest the freeway and rail lines unless mitigated.</p> <p>Less Than Significant Impact with Mitigation Incorporated</p> <p>Please note that if the Caltrain Peninsula Corridor Electrification Project is approved and implemented as currently proposed, the health risk from locomotives on the Caltrain rail line would be less than significant and mitigation is not required for health risk impacts from the rail line (refer to <i>Section 4.0 Cumulative Impacts</i>), though the below mitigation would still be required to reduce health risk impacts from US 101 to a less than significant level.</p>	<p>MM AIR-3.1: Install air filtration for residential units that have predicted cancer risks in excess of 10 in one million or PM2.5 concentrations above 0.3 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) from either US 101 or the Caltrain rail line. Air filtration devices shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors, a ventilation system shall meet the following minimal design standards (Department of Public Health, City and County of San Francisco, 2008):</p> <ul style="list-style-type: none"> • A MERV13 or higher rating; • At least one air exchanges(s) per hour of fresh outside filtered air; and • At least four air exchange(s) per hour recirculation. <p>Alternately, at the approval of the City, equivalent control technology may be used if it is shown by a qualified air quality consultant or heating, ventilation, and air conditioning (HVAC) engineer that it would reduce risk below significance thresholds.</p> <p>MM AIR-3.2: Require an ongoing maintenance plan for the buildings' HVAC air filtration system. Recognizing that emissions from air pollution sources are decreasing, the maintenance period shall last as long as significant excess cancer risk or annual PM2.5 exposures are predicted. Subsequent studies shall be conducted by an air quality expert approved by the City to identify the ongoing need for the filtered ventilation systems as future information becomes available.</p> <p>MM AIR-3.3: Ensure that the lease agreement and other property documents (e.g., CC&Rs):</p> <ul style="list-style-type: none"> • Require cleaning, maintenance, and monitoring of the affected units for air flow leaks; • Include assurance that new owners and tenants are provided information on the ventilation system; and • Include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed. <p>MM AIR-3.4: Require that, prior to building occupancy, an authorized air pollutant consultant or HVAC engineer verify the installation of all necessary measures to reduce toxic air contaminant (TAC) exposure.</p>

Impact	Mitigation Measures
	<p>MM AIR-3.5: The type of MERV-rated filtration required to be installed as part of the ventilation system in the residential building shall be as follows:</p> <ul style="list-style-type: none"> • A minimum of MERV13 shall be installed unless the increased cancer risk can be demonstrated to be less than 10 in one million; and • MERV16 filtration shall be utilized for areas where the increased cancer risk is greater than 20.0 in one million for unmitigated cancer risks. <p>Note that PM2.5 concentrations at all sensitive receptor locations across the site would also be reduced to a level of less than significant by using MERV13 and MERV16 filters necessary to mitigate excess cancer risk.</p>
Biological Resources	
<p>Impact BIO-1: Development of the project would impact nesting birds and raptors, if present on-site or in the immediate vicinity.</p> <p>Less Than Significant Impact with Mitigation Incorporated</p>	<p>MM BIO-1.1: <u>Avoidance and Inhibit Nesting.</u> Construction and tree removal/pruning activities shall be scheduled to avoid the nesting season to the extent feasible. If feasible, tree removal and/or pruning shall be completed before the start of the nesting season to help preclude nesting. The nesting season for most birds and raptors in the San Francisco Bay area extends from 1 February through 31 August.</p> <p>MM BIO-1.2: <u>Preconstruction Survey(s).</u> If it is not possible to schedule construction activities between 1 September and 31 January then a qualified ornithologist shall conduct a preconstruction survey to identify active bird nests that may be disturbed during project construction. This survey shall be completed no more than seven (7) days prior to the initiation of demolition/construction activities (including tree removal and pruning). During this survey, the ornithologist shall inspect all trees and other possible nesting habitats in and immediately adjacent to the construction areas for nests.</p> <p>If the survey does not identify any nesting birds that would be affected by construction activities, no further mitigation is required.</p> <p>If an active nest is found sufficiently close to work areas to be disturbed by these activities, the ornithologist (in consultation with the CDFW) shall designate a construction-free buffer zone (typically 300 feet for raptors and 100 feet for non-raptors) to be established around the nest to ensure that no nests of species protected by the FMBTA and California Fish and Game Code will be disturbed during construction activities. The buffer shall remain in place until a qualified ornithologist has determined that the nest is no longer active.</p> <p>MM BIO-1.3: <u>Reporting.</u> A final report on nesting birds and raptors, including survey methodology, survey</p>

Impact	Mitigation Measures
	<p>date(s), map of identified active nests (if any), and protection measures (if required), shall be submitted to the Planning Manager and be completed to the satisfaction of the Community Development Director prior to the start of grading.</p>
Cultural Resources	
<p>Impact CUL-1: Construction of proposed project would result in significant impacts to archaeological resources, unique paleontological resources/sites, unique geologic features, or human remains, if present on-site.</p> <p>Less Than Significant Impact with Mitigation Incorporated</p>	<p>MM CUL-1.1: <u>Unique Paleontological and/or Geologic Features and Reporting.</u> Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City Planning Manager notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. The identified mitigation measures shall be implemented. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is carried out. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.</p> <p>MM CUL-1.2: <u>Undiscovered Cultural Resources.</u> A testing program to assess the potential presence or absence of undiscovered cultural resources shall be implemented by a qualified archaeologist after all buildings and other materials obscuring the ground surface have been removed, but before any construction related grading or trenching, in order to search for possible buried archaeological resources.</p> <p>In the event archaeological deposits are discovered, work shall be halted within a sensitivity zone to be determined by the archaeologist. The archaeologist shall prepare a plan for evaluation of the resource to the California Register and submit the plan to the City's Planning Manager for review and approval prior to any construction related earthmoving within the identified zone of archaeological sensitivity. The plan shall also include appropriate recommendations regarding the significance of the find and the appropriate mitigation. The identified mitigation shall be implemented and can take the form of limited data retrieval through hand excavation coupled with continued archaeological monitoring inside of the archaeologically sensitive zone to ensure that significant data and materials are recorded and/or removed for analysis. Monitoring also serves to identify and thus limit damage to human remains and associated grave goods.</p> <p>MM CUL-1.3: <u>Human Remains.</u> Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction, there shall be no further excavation</p>

Impact	Mitigation Measures
	<p>or disturbance of the site within a 100-foot radius of the remains or any nearby area reasonably suspected to overlie adjacent remains. The San Mateo County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.</p> <p>MM CUL-1.4: <u>Report of Archaeological Resources.</u> If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City’s Planning Manager prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.</p>
Hazardous Materials	
<p>Impact HAZ-1: Construction workers and future residences could be exposed to contaminated soils and groundwater located on-site.</p> <p>Less Than Significant Impact with Mitigation Incorporated</p>	<p>MM HAZ-1.1: Thirty-two above ground lifts were noted in the auto servicing areas of CalBay Collision, Anchor Auto Body & Detailing, Hyundai of Burlingame, Chilton Auto Body, Topline Automobile, and Cammisa Motor Car Company. Seven below ground lifts were observed inside the auto servicing area of CalBay Collision. Two above-ground auto lifts, two capped grouted lifts and six former lifts were noted at Chilton auto body. The existing lifts shall be removed in accordance with local regulations. Selective sampling shall also be conducted to confirm that residual contamination, if present, does not exceed residential ESLs and RSLs.</p> <p>MM HAZ-1.2: A Health and Safety Plan (HSP) shall be developed to establish appropriate protocols for working in contaminated materials. Workers conducting Site investigation and earthwork activities in areas of contamination shall complete a 40-hour HAZWOPER training course (29 CFR 1910.120 I), including respirator and personal protective equipment training. Each contractor will be responsible for the health and safety of their employees as well as for compliance with all applicable federal, state, and local laws and guidelines. This document shall be provided to the City and the oversight agency prior to issuance of demolition and grading permits.</p> <p>MM HAZ-1.3: A Ground Water Management Plan shall be prepared to evaluate water quality and</p>

Impact	Mitigation Measures
	<p>discharge/disposal alternatives; the pumped water shall not be used for on-site dust control or any other on-site use. If long-term dewatering is required, the means and methods to extract, treat and dispose of ground water also shall be presented.</p> <p>MM HAZ-1.4: Some components encountered as part of the building demolition waste stream may contain hazardous materials. Universal wastes, lubrication fluids, CFCs, and HCFC's shall be removed before structural demolition begins. Materials that may result in possible risk to human health and the environment when improperly managed include lamps, thermostats, and light switches containing mercury; batteries from exit signs, emergency lights, and smoke alarms; lighting ballasts which contain PCBs; and lead pipes and roof vent flashings. Demolition waste such as fluorescent lamps, PCB ballasts, lead acid batteries, mercury thermostats, and lead flashings have special case-by-case requirements for generation, storage, transportation, and disposal. Before disposing of any demolition waste, the Owner, Developer and Demolition Contractor shall determine if the waste is hazardous and shall ensure proper disposal of waste materials.</p> <p>MM HAZ-1.5: Significant quantities of asphalt concrete (AC) grindings, aggregate base (AB), and Portland Cement Concrete (PCC) will be generated during demolition activities. AC/AB grindings shall not be reused beneath building areas.</p> <p>MM HAZ-1.6: During demolition and construction activities, contaminated material may be encountered. A Soil Management Plan (SMP), prepared by ENGEO, establishing management practices for handling contaminated soil, groundwater, or other materials for the site has been approved by the San Mateo County Environmental Health Department. The SMP (refer to Appendix H) includes the following protocols and safety measures:</p> <ul style="list-style-type: none"> • ENGEO will provide full-time observation services during demolition and grading activities. Soils encountered across the entire property will be observed for discoloration/staining or olfactory evidence of contaminant impacts, with particular attention given to the location of identified soil impacts. In the event unforeseen environmental conditions, such as those listed above, are encountered during demolition and pre-grading work, the site SMP shall be implemented. • Once the buildings on-site have been demolished and the debris removed from the site, the soil beneath the buildings in the area of the planned underground parking structure will be characterized for removal to

Impact	Mitigation Measures
	<p>the appropriate landfill. The findings from this study will be used to begin to quantify the soil for the various disposal options prior to beginning the excavation. Refer to the SMP in Appendix H for a full methodology on soil characterization.</p> <ul style="list-style-type: none"> Primarily, visual and olfactory evidence will be used to screen for contaminated soil; however, a photo-ionization detector (PID) will also be used to further screen soils for potential contaminants, as well as ambient air during excavation work. The specific locations of air monitoring will be field-adjusted based on potential access and safety limitations, but will generally include within the excavation area, along with the perimeter of the excavation. PID readings will generally be taken at least every hour and whenever suspect material is encountered. Refer to Appendix H for a complete methodology of the PID screenings. <p>With regard to ambient air screening, any PID reading for volatile organics that is 10 ppm above background for more than three minutes will result in a stop work order. Background shall be determined at the beginning of the day prior to excavation activities. Work shall not continue until PID readings have attenuated below the action level.</p> <p>The PID will provide real-time data on the presence of potentially hazardous compounds to provide for proper selection of Personnel Protection Equipment (PPE). The initial PPE will be Level D (modified) which includes safety glasses, hard hat, steel-toed boots, gloves, hearing protection, and high visibility vests. In the unlikely event significant unforeseen environmental conditions are discovered, work shall stop and San Mateo County Environmental Health will be contacted.</p> <p>A primary and backup PID unit will be maintained onsite for the duration of fieldwork. Each unit will be fully charged and calibrated daily.</p> <p>Work activities shall be conducted Monday through Friday between 7:00 AM and 6:00 PM. Excavation will be performed using a combination of scrapers, backhoes, track-mounted excavators and/or loaders. The contractor will adhere to OSHA guidelines. If excavations require shoring, it will be provided by the contractor.</p> <ul style="list-style-type: none"> The development will include an engineered cut of up to six (6) to nine (9) feet below the ground surface in the northern portion of the site for the construction of the underground parking. Prior to beginning the excavation, the soil in the planned excavation area will be characterized to determine the appropriate disposal options and to allow for excavation and off-haul without first stockpiling on site.

Impact	Mitigation Measures
	<p>A PID will be used to screen soils during the excavation. Also, if soils exhibiting evidence of environmental impact (e.g., odor or staining) are identified at the proposed margins or bottom of the excavation, the excavation shall be advanced to a greater depth and/or lateral dimension as appropriate until impacted soils exhibiting evidence of impact have been removed.</p> <p>Impacted soils, if encountered, will be stockpiled onsite. To prevent potential impacts to underlying soils or surfaces, stockpiles shall be placed on 10-milimeter (mil) plastic sheeting, as appropriate. The soil stockpiles shall be covered with 10-mil plastic sheeting and secured to prevent dust or runoff during storm events. Appropriate dust control and stormwater best management practices (BMPs) shall be implemented during the soil mitigation activities.</p> <p>The soil stockpiles shall be profiled for landfill disposal in general accordance with the "CAL-EPA Department of Toxic Substances Control (DTSC) Information Advisory – Clean Imported Fill Material" document. The specific laboratory profile will be determined prior to excavation activities; however, it is anticipated that as a minimum, the stockpile samples will be analyzed for Total Petroleum Hydrocarbons as diesel and motor oil with silica gel cleanup (EPA 8015) and CAM 17 metals (EPA 6010B).</p> <ul style="list-style-type: none"> • Where impacted soils are encountered and removed, verification samples shall be collected from the resulting excavations. Sample areas exhibiting levels (see list below) in excess of the corresponding screening levels will be excavated an additional 12 inches vertically and laterally, with subsequent confirmation sampling. This process shall continue until all concentrations are below the applicable screening levels. <p>Discrete soil samples shall be recovered from the center of 20 by 20 foot excavation grids identified with soil impact for laboratory testing (minimum one base sample per excavation). Sample grids exhibiting COPCs in excess of the corresponding residential ESLs will be excavated an additional twelve inches vertically with subsequent confirmation sampling. A minimum of one sample shall be recovered for each sidewall on a 20 lineal foot basis. Sidewall samples shall be recovered from the mid-point of the sidewall on a three vertical foot interval. This process shall continue until the laboratory testing shows that the soil left in place is below the corresponding ESLs. If groundwater is encountered within any remedial excavation, a grab water sample will be recovered in addition to the base sample(s). Refer to Appendix H for a full methodology of the verification sampling.</p> <p>It is anticipated that following soil stockpiling and</p>

Impact	Mitigation Measures
	<p>characterization of impacted materials, these soil materials will be transported to an appropriate landfill facility. Prior to off-site disposal, soils shall be sampled and characterized. A minimum of one stockpile sample will be collected. As necessary, one sample per 250 cubic yards of stockpile volume will be collected.</p> <p>MM HAZ-1.7: Upon completion of the soil excavation, confirmation sampling and backfill, a final report documenting work for submittal to the County of San Mateo Environmental Health Department. The report will include details regarding soil excavation, sampling, and landfill disposal documentation.</p> <p>MM HAZ-1.8: A permit may be required for facility closure (i.e., demolition, removal, or abandonment) of any facility or portion of a facility (e.g., lab) where hazardous materials are used or stored. The Property Owner and/or Developer shall contact the Fire Department and San Mateo County Environmental Health Department to determine facility closure requirements prior to building demolition.</p> <p>MM HAZ-1.9: Due to the age of the on-site structures, building materials may contain asbestos. Because demolition of the buildings is planned, an asbestos survey is required by local authorities and/or National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. NESHAP guidelines require the removal of potentially friable asbestos containing building materials prior to building demolition or renovation that may disturb these materials.</p> <p>MM HAZ-1.10: The Consumer Product Safety Commission banned the use of lead as an additive in paint in 1978. Based on the age of the buildings, lead-based paint may be present. Because demolition is planned, the removal of lead-based paint is not required if it is bonded to the building materials. However, if the lead-based paint is flaking, peeling, or blistering, it shall be removed prior to demolition. In either case, applicable OSHA regulations must be followed; these include requirements for worker training, air monitoring and dust control, among others. Any debris or soil containing lead must be disposed appropriately.</p>
Geology	
<p>Impact GEO-1: The presence of undocumented fill and expansive soils on-site would damage future buildings and improvements on-site unless mitigations are incorporated.</p>	<p>MM GEO-1.1: The project shall be designed and constructed in conformance with the recommendations in the design-level geotechnical report prepared for the project and peer review (see Appendix I), which includes the removal and replacement of undocumented fill with engineered fill; measures addressing construction dewatering, hydrostatic uplift, and building waterproofing; and seismic design standards.</p>

In accordance with the requirements of the California Environmental Quality Act (CEQA), the Final EIR (FEIR) was subject to the following notices and public reviews:

Notice of Preparation to Office of Planning and Research for SCH #2014062050	June 16, 2014
Planning Commission Scoping Session for Environmental Impact Report	June 23, 2014
Notice of Availability and Completion of Draft EIR	February 6, 2015, extended to February 13, 2015
Public Comment Hearing on Draft EIR	March 9, 2015
End of 45-day review period for Draft EIR	April 3, 2015
Response to Comments document (Final EIR) made available to public	May 15, 2015

Final EIR – Response to Comments Document: The environmental consultant has prepared the Final EIR for the project (refer to attached *Carolan Avenue/Rollins Road Residential Development Project Final EIR dated May 15, 2015*), which consists of responses to the comments received during the comment period, and revisions to the text of the Draft EIR based on the comments received. The Final EIR prepared for the Carolan/Rollins Road Development Project contains a detailed summary of the comments received during the comment period and the responses to these comments.

Request for an Early Demolition Permit: Section 18.07.065 Section 303.1 of the Uniform Administrative Code as adopted by the City of Burlingame states that demolition permits will only be issued after all approvals are granted for the overall project for which the demolition is intended, and will only be issued simultaneously with the construction permits for the project. However this would conflict with project Mitigation Measure (MM) HAZ-1.7 states *upon completion of the soil excavation, confirmation sampling and backfill, a final report documenting the work performed shall be submitted to the County of San Mateo Environmental Health Department for review and approval prior to the issuance of a building permit. The report will include details regarding soil excavation, sampling, and landfill disposal documentation.*

Exceptions are permitted pursuant to Section c.1-4 including if special circumstances exist that warrant early demolition. In conjunction with the project application and requested approvals, the applicant has submitted a request to the Community Development Director that special circumstances exist to warrant early demolition and grading and requests that the City of Burlingame issue demolition and grading permits in advance of a building permit. Demolition and grading permits will be required to implement MM HAZ-1.1 through MM HAZ-1.6 in order to prepare the required report to comply with MM HAZ-1.7. Prior to issuance of the demolition and grading permits, the applicant will provide evidence that we are having plans prepared for the project for which the demolition is intended.

The applicant has submitted a letter to the Community Development Director requesting early demolition under special circumstances. The request has been incorporated into the suggested conditions of approval as Condition #12.

REQUIRED FINDINGS

Some of the actions associated with the project have specific findings associated with them. These findings are explained below.

Certification of EIR: The lead agency is required to certify that the Environmental Impact Report has been completed in compliance with CEQA Guidelines, that the Final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the Final EIR prior to approving the project. The lead agency must also independently review and analyze the EIR and find that the report reflects the independent judgment of the lead agency.

CEQA Findings: CEQA Code Section 15091 requires that should an agency choose to approve a project for which an EIR has been certified which identifies one or more significant effects of the project, the agency shall

make one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. These findings would need to be supported by substantial evidence in the record. In the case of this project, there are no significant effects identified for the project which cannot be reduced to less than significant levels through implementation of the mitigation measures identified above. Therefore, the CEQA findings listed in Code Section 15091 do not apply to this project. In addition, since no significant and unavoidable impacts have been identified, a Statement of Overriding Considerations is not required.

Findings for Design Review: Design Review is required for the proposed project. Design Review was instituted for all multiple family residential projects when the zoning code was updated in 2010 to implement the Downtown Specific Plan and the 2009-2014 Housing Element. Although this site is not within the Downtown Specific Plan area and there are no design guidelines adopted for multiple family residential projects that are not within a specific plan area, the following criteria for multiple family projects are outlined in the zoning code (Code Section 25.57.030 f):

1. Compatibility with the existing character of the neighborhood;
2. Respect the mass and fine scale of adjacent buildings even when using different architectural styles;
3. Maintain the tradition of architectural diversity, but with human scale regardless of the architectural style used; and
4. Incorporate quality materials and thoughtful design which will last into the future.

Findings for Vesting Tentative and Final Map to merge and subdivide the existing four parcels: In order to approve a tentative parcel map, the Planning Commission and City Council must find that the proposed parcel map, together with the provisions for its design and improvement, is consistent with the Burlingame General Plan and consistent with the provisions of the Subdivision Map Act, and that the site is physically suited for the proposed type and density of development.

Criteria for Permitting a Residential Condominium to establish the 22 townhomes: 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 the Burlingame Municipal 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.

Findings for Conditional Use Permits: In order to grant Conditional Use Permits for the multiple family residential use and for building height for the two apartment buildings of up to 61' – 6" tall, where buildings over 35' tall (up to 75') require a conditional use permit, the Planning Commission must find that the following conditions exist on the property (Code Sections 25.52.020 a-c):

- (a) The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience;
- (b) The proposed use will be located and conducted in a manner in accord with the Burlingame General Plan and the purposes of this title;
- (c) The Planning Commission may impose such reasonable conditions or restrictions as it deems necessary to secure the purposes of this title and to assure operation of the use in a manner

compatible with the aesthetics, mass, bulk and character of existing and potential uses on adjoining properties in the general vicinity.

Findings for a Special Permit: In order to grant a Special Permit for a driveway within the required 20-foot setback along the south property line and to allow a 34' – 4" building height for the condominium structures where a special permit is required for buildings between 30 feet and 36 feet in height, the Planning Commission must find that the following apply (Code Section 25.51.020 a-d):

- (a) The blend of mass, scale and dominant structural characteristics of the new construction are consistent with the existing street and neighborhood;
- (b) The variety of roof line, facade, exterior finish materials and elevations of the proposed new structure is consistent with the street and neighborhood;
- (c) *The proposed project is consistent with the residential design guidelines adopted by the city; and*
- (d) Removal of any trees located within the footprint of any is necessary and is consistent with the city's reforestation requirements, and the mitigation for the removal that is proposed is appropriate.

Staff notes that 25.51.020 c refers to *residential design guidelines adopted by the city*. However as noted above, there are no design guidelines adopted for multiple family residential projects that are not within a specific plan area. Instead, the findings for Design Review criteria for multifamily residential projects as outlined in Code Section 25.57.030 f may serve as a reference.

Findings for a Fence Height Exception: Based on input received from adjacent Toyon Drive property owners, the applicant has revised the proposed 7-foot high wood fence design to a 7-foot high concrete precast panel wall design, subject to being granted a fence height exception. The existing 8-foot concrete block wall adjacent to 1008, 1010 and a portion of 1016 Toyon Drive would remain in place, subject to confirming its structural integrity. A precast wall is proposed in order to use a pier foundation and avoid impacts to existing trees. The applicant submitted a letter dated May 13, 2015 outlining the request for fence design exception (attached).

Per Code Section 25.78.050, fences of a greater height than permitted may be approved upon presentation of a petition by the applicant. The applicant must make sufficient showing:

- (a) That there are exceptional circumstances;
- (b) That there is no public hazard;
- (c) That neighboring properties will not be materially damaged;
- (d) That the regulations cause unnecessary hardship upon the petitioner

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 and within the Environmental Impact Report prepared for the project. Affirmative action should be taken by resolution and include findings for the certification of the Final EIR and CEQA findings. The reasons for any action should be clearly stated for the record. Please note that the conditions below include conditions and mitigation measures taken from the staff report and/or that commissioners may add.

At the public hearing the following conditions and mitigation measures should be considered. The mitigation measures shown below are taken from the Environmental Impact Report prepared for the project.

CONDITIONS:

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped November 5, 2014, sheets A0.0 through A5.4, L1.1 through L6.1, and TM 1.0 through TM 8.1;
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 building, which would include changing or adding exterior walls or parapet walls, shall require an amendment to this permit;
4. that any changes to building materials, exterior finishes, windows, architectural features, roof height or pitch, and amount or type of hardscape materials shall be subject to Planning Division or Planning Commission review (FYI or amendment to be determined by Planning staff);
5. that the maximum elevation at the top of the roof ridge shall not exceed elevation 61'-6" as measured from the average elevation at the top of the curb along Carolan Avenue (9'-6"), 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. Should any framing exceed the stated elevation 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;
6. that the project shall include the following Transportation Demand Management Measures as proposed in the project description provided by the applicant dated July 11, 2014:
 - a. Four electric vehicle charging stations
 - b. Preparation for ten additional electric vehicle charging stations for apartments
 - c. Preparation for electric vehicle charging outlet in all townhome garages
 - d. Provision for two-car-sharing vehicle spaces (e.g., Zipcar)
 - e. 134 secure guest bicycle parking spaces
 - f. Bike repair station
 - g. Tenant web portal for carpooling
 - h. Business center and conference room for telecommuting.
7. that the conditions of the Building Division's June 13, 2014, May 14, 2014 and March 20, 2014 memos, the Park's Division's May 25, 2014 memo, , the Engineering Division's June 19, 2014 memo, and the Fire Division's June 16, 2014 and March 24, 2014 memos shall be met;
8. that prior to issuance of a building permit for the project, the applicant shall pay the first half of the public facilities impact fee in the amount of \$613,809.50, made payable to the City of Burlingame and submitted to the Planning Division;
9. that prior to scheduling the final framing inspection, the applicant shall pay the second half of the public facilities impact fee in the amount of \$613,809.50, made payable to the City of Burlingame and submitted to the Planning Division;
10. 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;

11. 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, except as provided under Condition of Approval #12 and/or unless applicant produces evidence, to the satisfaction of the Community Development Director, that special circumstances exist to warrant early demolition, in accordance with the provisions of Burlingame Municipal Code Chapter 18.07.065;
12. that early demolition and grading permits shall be issued in advance of a building permit to implement MM HAZ-1.1 through MM HAZ-1.6 in order to prepare the required report to comply with MM HAZ-1.7. Prior to issuance of the demolition and grading permits, the applicant will provide evidence that it is having plans prepared for the project for which the demolition is intended;
13. 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;
14. that storage of construction materials and equipment on the street or in the public right-of-way shall be prohibited;
15. that the applicant shall comply with Ordinance 1503, the City of Burlingame Storm Water Management and Discharge Control Ordinance;
16. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, 2013 Edition, as amended by the City of Burlingame;
17. that all construction shall abide by the construction hours established in the municipal code;
18. that this project shall comply with Ordinance No. 1477, Exterior Illumination Ordinance;
19. 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.
20. that a construction traffic management plan shall be submitted to the City for approval prior to the issuance of a demolition permit which addresses: (1) construction vehicle and delivery routes to and from the project site, including streets providing the safest access and having the least impact on existing traffic, and (2) additional traffic control such as signals, warning signs or flaggers to facilitate vehicular and pedestrian movement during construction activities.

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

21. that prior to scheduling the foundation inspection a licensed surveyor shall locate the property corners, set the building envelope;
22. 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;
23. 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;
24. 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 Environmental Impact Report:

25. **MM NOI-1.1:** The proposed project includes a six-foot tall, acoustical glass fence at the opening of the central courtyard along the northern boundary of the project site to shield the outdoor use area from traffic noise along Carolan Avenue. The total length of the proposed fence would be approximately 45.5 feet, stretching from unit 2A to unit 1G, with approximately 3.5 feet used as an access gate.

The proposed fence shall be continuous from grade to top, with no cracks or gaps, and have a minimum surface density of three pounds per square feet [e.g., one-inch thick marine-grade plywood, ½-inch laminated glass, concrete masonry units (CMU)]. A fence height of six feet would be sufficient for reducing noise levels to 60 dBA CNEL or less. The fence height shall be measured relative to the elevation of the central courtyard.

26. **MM NOI-1.2:** At the time of final site design, a qualified acoustical consultant shall review the final site plan, building elevations, and floor plans prior to issuance of a building permit and project construction to calculate expected interior noise levels. Specific acoustical analyses shall be completed to confirm that the final site design results in interior noise levels reduced to 45 dBA CNEL or lower for all floors in each building on the project site. Buildings on the project site would need sound-rated construction methods and building facade treatments to maintain interior noise levels at or below acceptable levels. These treatments could include, but are not limited to, sound-rated windows and doors, sound-rated wall constructions, acoustical caulking, and protected ventilation openings. Implementation of these measures will result in reductions of at least 33 dBA CNEL in interior noise levels nearest US 101 having the worst-case noise exposure, which will achieve resulting interior noise levels of 45 dBA CNEL or less at the units. Similarly, interior noise levels within the remaining units have a relatively lower future noise exposures will also be maintained at or below 45 dBA CNEL with the implementation of these measures.

The specific determination of what noise insulation treatments are necessary shall be conducted on a unit-by-unit basis during final design of the project. Results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City along with the building plans and approved design prior to issuance of a building permit.

27. **MM NOI-1.3:** Building sound insulation requirements shall include the provision of forced-air mechanical ventilation for all perimeter residential units so that windows could be kept closed at the occupant's discretion to control noise.

MM NOI-2.1: The project shall implement the following standard construction best management practices during all phases of construction:

- Construction activities shall be limited to the daytime hours between 7:00 AM and 7:00 PM, Monday through Friday, between 9:00 AM and 6:00 PM on Saturdays, and between 10:00 AM and 6:00 PM on Sundays and holidays (per Chapter 18.07.110 of the City of Burlingame Municipal Code).
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Unnecessary idling of internal combustion engines shall be strictly prohibited.
- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses. Temporary noise barriers could reduce construction noise levels by five dBA.
- Utilize "quiet" air compressors and other stationary noise sources where technology exists.
- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.

- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

Air Quality

28. **MM AIR-1.1:** The project shall implement the following standard BAAQMD dust control measures during all phases of construction on the project site:
- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - 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 power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
 - All roadways, driveways, and 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.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes [as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Code of Regulations (CCR)]. Clear signage shall be provided for construction workers at all access points.
 - 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.
A publicly visible sign shall be posted with the telephone number and person to contact at the City of Burlingame regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Bay Area Air Quality Management Air District's phone number shall also be visible to ensure compliance with applicable regulations
29. **MM AIR-2.1:** All diesel-powered off-road equipment larger than 50 horsepower and operating at the site for more than two days continuously shall meet US EPA particulate matter emission standards for Tier 2 engines or equivalent.
30. **MM AIR-2.2:** All portable pieces of construction equipment (i.e., air compressors, cement mixers, concrete/industrial saws, generators, and welders) shall meet US EPA particulate matter emissions standards for Tier 4 engines or equivalent.
31. **MM AIR-2.3:** Avoid staging diesel-powered equipment within 100 feet of adjacent residences.
32. **MM AIR-3.1:** Install air filtration for residential units that have predicted cancer risks in excess of 10 in one million or PM_{2.5} concentrations above 0.3 micrograms per cubic meter (µg/m³) from either US 101 or the Caltrain rail line. Air filtration devices shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors, a ventilation system shall meet the following minimal design standards (Department of Public Health, City and County of San Francisco, 2008):
- A MERV13 or higher rating;

- At least one air exchanges(s) per hour of fresh outside filtered air; and
- At least four air exchange(s) per hour recirculation.

Alternately, at the approval of the City, equivalent control technology may be used if it is shown by a qualified air quality consultant or heating, ventilation, and air conditioning (HVAC) engineer that it would reduce risk below significance thresholds.

33. **MM AIR-3.2:** Require an ongoing maintenance plan for the buildings' HVAC air filtration system. Recognizing that emissions from air pollution sources are decreasing, the maintenance period shall last as long as significant excess cancer risk or annual PM2.5 exposures are predicted. Subsequent studies shall be conducted by an air quality expert approved by the City to identify the ongoing need for the filtered ventilation systems as future information becomes available.
34. **MM AIR-3.3:** Ensure that the lease agreement and other property documents (e.g., CC&Rs):
- Require cleaning, maintenance, and monitoring of the affected units for air flow leaks;
 - Include assurance that new owners and tenants are provided information on the ventilation system; and
 - Include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.
35. **MM AIR-3.4:** Require that, prior to building occupancy, an authorized air pollutant consultant or HVAC engineer verify the installation of all necessary measures to reduce toxic air contaminant (TAC) exposure.
36. **MM AIR-3.5:** The type of MERV-rated filtration required to be installed as part of the ventilation system in the residential building shall be as follows:
- A minimum of MERV13 shall be installed unless the increased cancer risk can be demonstrated to be less than 10 in one million; and
 - MERV16 filtration shall be utilized for areas where the increased cancer risk is greater than 20.0 in one million for unmitigated cancer risks.
 - Note that PM2.5 concentrations at all sensitive receptor locations across the site would also be reduced to a level of less than significant by using MERV13 and MERV16 filters necessary to mitigate excess cancer risk.

Biological Resources

37. **MM BIO-1.1: Avoidance and Inhibit Nesting.** Construction and tree removal/pruning activities shall be scheduled to avoid the nesting season to the extent feasible. If feasible, tree removal and/or pruning shall be completed before the start of the nesting season to help preclude nesting. The nesting season for most birds and raptors in the San Francisco Bay area extends from 1 February through 31 August.
38. **MM BIO-1.2: Preconstruction Survey(s).** If it is not possible to schedule construction activities between 1 September and 31 January then a qualified ornithologist shall conduct a preconstruction survey to identify active bird nests that may be disturbed during project construction. This survey shall be completed no more than seven (7) days prior to the initiation of demolition/construction activities (including tree removal and pruning). During this survey, the ornithologist shall inspect all trees and other possible nesting habitats in and immediately adjacent to the construction areas for nests.

If the survey does not identify any nesting birds that would be affected by construction activities, no further mitigation is required.

If an active nest is found sufficiently close to work areas to be disturbed by these activities, the

ornithologist (in consultation with the CDFW) shall designate a construction-free buffer zone (typically 300 feet for raptors and 100 feet for non-raptors) to be established around the nest to ensure that no nests of species protected by the FMBTA and California Fish and Game Code will be disturbed during construction activities. The buffer shall remain in place until a qualified ornithologist has determined that the nest is no longer active.

39. **MM BIO-1.3: Reporting.** A final report on nesting birds and raptors, including survey methodology, survey date(s), map of identified active nests (if any), and protection measures (if required), shall be submitted to the Planning Manager and be completed to the satisfaction of the Community Development Director prior to the start of grading.

Cultural Resources

40. **MM CUL-1.1: Unique Paleontological and/or Geologic Features and Reporting.** Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City Planning Manager notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. The identified mitigation measures shall be implemented. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is carried out. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.
41. **MM CUL-1.2: Undiscovered Cultural Resources.** A testing program to assess the potential presence or absence of undiscovered cultural resources shall be implemented by a qualified archaeologist after all buildings and other materials obscuring the ground surface have been removed, but before any construction related grading or trenching, in order to search for possible buried archaeological resources.

In the event archaeological deposits are discovered, work shall be halted within a sensitivity zone to be determined by the archaeologist. The archaeologist shall prepare a plan for evaluation of the resource to the California Register and submit the plan to the City's Planning Manager for review and approval prior to any construction related earthmoving within the identified zone of archaeological sensitivity. The plan shall also include appropriate recommendations regarding the significance of the find and the appropriate mitigation. The identified mitigation shall be implemented and can take the form of limited data retrieval through hand excavation coupled with continued archaeological monitoring inside of the archaeologically sensitive zone to ensure that significant data and materials are recorded and/or removed for analysis. Monitoring also serves to identify and thus limit damage to human remains and associated grave goods.

42. **MM CUL-1.3: Human Remains.** Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site within a 100-foot radius of the remains or any nearby area reasonably suspected to overlie adjacent remains. The San Mateo County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.
43. **MM CUL-1.4: Report of Archaeological Resources.** If archaeological resources are identified, a final report summarizing the discovery of cultural materials shall be submitted to the City's Planning Manager prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented and its results, including a description of the monitoring and testing

program, a list of the resources found and conclusion, and a description of the disposition/curation of the resources.

Hazardous Materials

44. **MM HAZ-1.1:** Thirty-two above ground lifts were noted in the auto servicing areas of CalBay Collision, Anchor Auto Body & Detailing, Hyundai of Burlingame, Chilton Auto Body, Topline Automobile, and Cammisa Motor Car Company. Seven below ground lifts were observed inside the auto servicing area of CalBay Collision. Two above-ground auto lifts, two capped grouted lifts and six former lifts were noted at Chilton auto body. The existing lifts shall be removed in accordance with local regulations. Selective sampling shall also be conducted to confirm that residual contamination, if present, does not exceed residential ESLs and RSLs.
45. **MM HAZ-1.2:** A Health and Safety Plan (HSP) shall be developed to establish appropriate protocols for working in contaminated materials. Workers conducting Site investigation and earthwork activities in areas of contamination shall complete a 40-hour HAZWOPER training course (29 CFR 1910.120 I), including respirator and personal protective equipment training. Each contractor will be responsible for the health and safety of their employees as well as for compliance with all applicable federal, state, and local laws and guidelines. This document shall be provided to the City and the oversight agency prior to issuance of demolition and grading permits.
46. **MM HAZ-1.3:** A Ground Water Management Plan shall be prepared to evaluate water quality and discharge/disposal alternatives; the pumped water shall not be used for on-site dust control or any other on-site use. If long-term dewatering is required, the means and methods to extract, treat and dispose of ground water also shall be presented.
47. **MM HAZ-1.4:** Some components encountered as part of the building demolition waste stream may contain hazardous materials. Universal wastes, lubrication fluids, CFCs, and HCFC's shall be removed before structural demolition begins. Materials that may result in possible risk to human health and the environment when improperly managed include lamps, thermostats, and light switches containing mercury; batteries from exit signs, emergency lights, and smoke alarms; lighting ballasts which contain PCBs; and lead pipes and roof vent flashings. Demolition waste such as fluorescent lamps, PCB ballasts, lead acid batteries, mercury thermostats, and lead flashings have special case-by-case requirements for generation, storage, transportation, and disposal. Before disposing of any demolition waste, the Owner, Developer and Demolition Contractor shall determine if the waste is hazardous and shall ensure proper disposal of waste materials.
48. **MM HAZ-1.5:** Significant quantities of asphalt concrete (AC) grindings, aggregate base (AB), and Portland Cement Concrete (PCC) will be generated during demolition activities. AC/AB grindings shall not be reused beneath building areas.
49. **MM HAZ-1.6:** During demolition and construction activities, contaminated material may be encountered. A Soil Management Plan (SMP), prepared by ENGeo, establishing management practices for handling contaminated soil, groundwater, or other materials for the site has been approved by the San Mateo County Environmental Health Department. The SMP (refer to Appendix H) includes the following protocols and safety measures:
 - ENGeo will provide full-time observation services during demolition and grading activities. Soils encountered across the entire property will be observed for discoloration/staining or olfactory evidence of contaminant impacts, with particular attention given to the location of identified soil impacts. In the event unforeseen environmental conditions, such as those listed above, are encountered during demolition and pre-grading work, the site SMP shall be implemented.
 - Once the buildings on-site have been demolished and the debris removed from the site, the soil beneath the buildings in the area of the planned underground parking structure will be characterized for removal to the appropriate landfill. The findings from this study will be used to begin to quantify the soil

for the various disposal options prior to beginning the excavation. Refer to the SMP in Appendix H for a full methodology on soil characterization.

- Primarily, visual and olfactory evidence will be used to screen for contaminated soil; however, a photo-ionization detector (PID) will also be used to further screen soils for potential contaminants, as well as ambient air during excavation work. The specific locations of air monitoring will be field-adjusted based on potential access and safety limitations, but will generally include within the excavation area, along with the perimeter of the excavation. PID readings will generally be taken at least every hour and whenever suspect material is encountered. Refer to Appendix H for a complete methodology of the PID screenings.

With regard to ambient air screening, any PID reading for volatile organics that is 10 ppm above background for more than three minutes will result in a stop work order. Background shall be determined at the beginning of the day prior to excavation activities. Work shall not continue until PID readings have attenuated below the action level.

The PID will provide real-time data on the presence of potentially hazardous compounds to provide for proper selection of Personnel Protection Equipment (PPE). The initial PPE will be Level D (modified) which includes safety glasses, hard hat, steel-toed boots, gloves, hearing protection, and high visibility vests. In the unlikely event significant unforeseen environmental conditions are discovered, work shall stop and San Mateo County Environmental Health will be contacted.

A primary and backup PID unit will be maintained onsite for the duration of fieldwork. Each unit will be fully charged and calibrated daily.

Work activities shall be conducted Monday through Friday between 7:00 AM and 6:00 PM. Excavation will be performed using a combination of scrapers, backhoes, track-mounted excavators and/or loaders. The contractor will adhere to OSHA guidelines. If excavations require shoring, it will be provided by the contractor.

- The development will include an engineered cut of up to six (6) to nine (9) feet below the ground surface in the northern portion of the site for the construction of the underground parking. Prior to beginning the excavation, the soil in the planned excavation area will be characterized to determine the appropriate disposal options and to allow for excavation and off-haul without first stockpiling on site.

A PID will be used to screen soils during the excavation. Also, if soils exhibiting evidence of environmental impact (e.g., odor or staining) are identified at the proposed margins or bottom of the excavation, the excavation shall be advanced to a greater depth and/or lateral dimension as appropriate until impacted soils exhibiting evidence of impact have been removed.

50. **MM HAZ-1.7:** Upon completion of the soil excavation, confirmation sampling and backfill, a final report documenting work for submittal to the County of San Mateo Environmental Health Department. The report will include details regarding soil excavation, sampling, and landfill disposal documentation.
51. **MM HAZ-1.8:** A permit may be required for facility closure (i.e., demolition, removal, or abandonment) of any facility or portion of a facility (e.g., lab) where hazardous materials are used or stored. The Property Owner and/or Developer shall contact the Fire Department and San Mateo County Environmental Health Department to determine facility closure requirements prior to building demolition.
52. **MM HAZ-1.9:** Due to the age of the on-site structures, building materials may contain asbestos. Because demolition of the buildings is planned, an asbestos survey is required by local authorities and/or National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. NESHAP guidelines require the removal of potentially friable asbestos containing building materials prior to building demolition or renovation that may disturb these materials.
53. **MM HAZ-1.10:** The Consumer Product Safety Commission banned the use of lead as an additive in paint in 1978. Based on the age of the buildings, lead-based paint may be present. Because demolition

is planned, the removal of lead-based paint is not required if it is bonded to the building materials. However, if the lead-based paint is flaking, peeling, or blistering, it shall be removed prior to demolition. In either case, applicable OSHA regulations must be followed; these include requirements for worker training, air monitoring and dust control, among others. Any debris or soil containing lead must be disposed appropriately.

Geology

1. **MM GEO-1.1:** The project shall be designed and constructed in conformance with the recommendations in the design-level geotechnical report prepared for the project and peer review (see Appendix I), which includes the removal and replacement of undocumented fill with engineered fill; measures addressing construction dewatering, hydrostatic uplift, and building waterproofing; and seismic design standards.

Maureen Brooks
Project Manager

- c: Elaine Breeze, SummerHill Apartment Communities, applicant
Alex Seidel, Seidel Architects, architect

Attachments:

"The California Environmental Quality Act" prepared by David J. Powers and Associates
Application to the Planning Commission
Environmental Information Form, submitted by the applicant
Letter to the Planning Commission, submitted by the applicant May 19, 2015
Letter to the Planning Commission, submitted by the applicant February 20, 2015
Description of the Carolan Avenue – Rollins Road "Work Share" Space
Revised Landscaping and Fence Design letter, submitted by the applicant May 13, 2015
Project Process, Neighborhood Meetings, and Community Participation summary submitted by the applicant
Letter from Seidel Architects summarizing changes to project
Letter from Guzzardo Partnership summarizing changes to landscape design
Project Description (revised May 20, 2015), submitted by the applicant
Conditional Use Permit Application
Special Permit Application
Letter requesting Early Demolition under Special Circumstances
Sheets A2.1.1 through A2.4, Affordable Unit Designation Plan
Applicant Response to June 23, 2014 Planning Commission Comments
Staff Comments
Notice of Availability of Draft EIR and Notice of Completion of DEIR – Mailed & Published February 6, 2015
Updated Notice of Completion mailed February 13, 2015
Notice of Public Hearing – Mailed and Published February 27, 2015
Second Notice of Public Hearing – Mailed and Published May 15, 2015
Letter of Support submitted by Ms. Marianne Saucedo, 925 Larkspur Drive
Aerial Photo

Submitted Separately:

Draft Environmental Impact Report – Carolan Avenue/Rollins Road Residential Development Project dated February 2015 (SCH# 2014062050)
Final Environmental Impact Report – Carolan Avenue/Rollins Road Residential Development Project dated May 15, 2015
Planning Commission Resolutions