

City of Burlingame

Commercial Design Review, Mitigated Negative Declaration, for a New four-Story Commercial Building

Address: 225 California Avenue

Meeting Date: March 14, 2016

Request: Design Review for an application for Environmental Review and Commercial Design Review, for a new 4-story commercial building.

Applicant: DLC 225 California

APN: 029-211-080

Architect: MBH Architects

Property Owners: DLC 225 California

General Plan: Service and Special Sales- Downtown Specific Plan (Howard Mixed Use Area)

Lot Area: 17,500 (0.40 Acres)

Zoning: HMU (Howard Mixed Use Area)

Adjacent Development: Restaurant, office, retail, personal service, auto sales, residential

Current Use: Retail (215 California Drive) and Vacant (217 and 231-33 California Drive)

Proposed Use: 4- Story Commercial Building (retail/office)

Allowable Use: Retail, Personal Services, Business Services, Hotels, Grocery Store and Markets, Financial Institutions, Multi-family Residential, Office, Travel Agencies, Government Agencies.

Project Summary: The subject property is located at 225 California Drive, however the property frontage is oriented to Highland Avenue (a one-way street with traffic flowing south-bound). Hatch Lane (a one-way thoroughfare with traffic flowing south-bound) runs behind the property parallel to Highland Avenue. The site is currently occupied by a commercial building, most of which is vacant. One storefront in the building (215 California Drive) is occupied by a door and window retail business. Across California Drive to the east are an automotive dealership and a row of retail and service businesses, adjacent to the south is a two-story office building and adjacent and to the north is a two-story building with a restaurant and residential units. A small City-owned green space and a sandwich shop are situated in the space between California Drive and Highland Avenue, in front of the property.

The applicant proposes to construct a new four-story commercial building. The proposed building will contain approximately 1,820 SF of retail space on the ground floor and approximately 43,235 SF of office space on the three floors above. The rooftop is utility oriented with equipment and space to accommodate photovoltaic solar panels. The building height proposed is 55'-0" to the top of the roof, 59'-0" to the edge of roof screening for solar panels and mechanical equipment, and 65'-0" to the roof of the elevator shafts.

The building would have at-grade parking located behind the lobby and retail space on the ground floor, with access from Highland Avenue (both entering and exiting). The ground level includes 23 parking spaces (three accessible spaces, two car share spaces, five compact spaces and 13 standard spaces). In addition, there would be three levels of below-grade parking, accessed through the same driveway from Highland Avenue, for a total of 130 on-site vehicle parking spaces. The G1 level includes 35 parking spaces, including two accessible spaces, five compact spaces and 28 standard spaces. Levels G2 and G3 include 36 parking spaces each, including five compact spaces and 31 standard spaces each. Hatch Lane serves the utility aspects of the building (trash, bicycle locker and electrical transformer access) but does not accommodate vehicle access.

The retail space would be accessible from Highland Avenue. The lobby for accessing the upper floor office spaces would also be from Highland Avenue. The office space floors have been designed as a shell to be able to accommodate either a single tenant or multiple tenants.

The following application is requested for this project:

- Commercial Design Review (Code Section 25.57.010(c)).

The original application also included a request for a Special Permit to allow a parapet to exceed the height limit by 4'-0". However at a prior Planning Commission Design Review Study meeting, the Commission indicated that the parapet was serving as a roof screen for the roof solar panels per C.S. 25.08.340, so the Special Permit request has been withdrawn from the application.

Table 1 below provides a comparison of the proposed project (including earlier versions) to the Howard Mixed Use (MMU) development standards.

Table 1 – 225 California Drive

Lot Area: 17,500 SF (0.40 Acres)

Plans date stamped: January 21, 2016

| | ORIGINAL PROPOSAL JUNE 4, 2016 | REVISED PROPOSAL SEPTEMBER 17, 2015 | CURRENT PROPOSAL JANUARY 21, 2016 | ALLOWED/REQUIRED | |
|-----------------------------------|--|--|--|---|---|
| Use | Office – 44,460 SF Retail Uses – 1,750 SF | Office – 43,235 SF Retail Uses – 1,820 SF | Office – 43,235 SF Retail Uses – 1,820 SF | Office Use – Permitted C.S. 25.33.020(i)(1) Retail Use – Permitted C.S. 25.33.020(a) | |
| SETBACKS | | | | | |
| Front: (Highland Road) | 0'-0" | 0'-0" | 0'-0" | None Required | |
| Side (interior): | 2'-6" | 2'-6" | 2'-6" | None Required | |
| Rear: (Hatch Lane) | 0'-0" | 0'-0" | 0'-0" | None Required | |
| BUILDING ENVELOPE: | | | | | |
| Lot Coverage: | 17,500 SF 100% | 17,500 SF 100% | 17,500 SF 100% | None Required | |
| Height: | 55'-0" ¹ 65'-0" (includes parapet/guardrail and architectural feature) | 55'-0" ¹ 59'-0" (includes parapet/roof screen) | 55'-0" | 55'-0" | |
| OFF-STREET PARKING: | | | | | |
| Number of Parking Spaces: | 124 spaces ² | | 130 spaces ³ | | Office - 1 space / 300 SF Retail - None Required Office: Ground floor 710 SF Second floor 14,240 SF Third floor 14,240 SF Fourth floor 14,045 SF 43,235 SF/300 = 145 spaces Retail: 1,820 SF = 0 spaces Car share credit = 10% <u>(145 x 0.1 = 15)</u> Sub-total 145 – 15 = Grand Total = 130 |
| | Standard | 91 | Standard | 104 | |
| | ADA | 5 | ADA | 5 | |
| | Stacker | 22 | Stacker | 0 | |
| | Tandem | 6 | Tandem | 0 | |
| | Total | 124 | Car share | 1 | |
| | | | Compact | 20 | |
| | | Total | 130 | | |
| | | Car share | 2 | | |
| | | Compact | 20 | | |
| | | Total | 130 | | |

| | ORIGINAL PROPOSAL JUNE 4, 2016 | REVISED PROPOSAL SEPTEMBER 17, 2015 | CURRENT PROPOSAL JANUARY 21, 2016 | ALLOWED/REQUIRED |
|---|---|--|--|--|
| Drive Aisle/ Clear Back-up Space: | 24'-0" | 24'-0" | 24'-0" | 24'-0" aisle for 90° parking or exit in 3 maneuvers or less |
| Parking Space Dimensions: | Standard spaces = 9' x 18' Tandem spaces = 9' x 37'-5" | Standard spaces = 8'-6" x 18' Compact spaces = 8' x 17' | Standard spaces = 8'-6" x 18' Compact spaces = 8' x 17' | Standard spaces = 8'-6" x 18' Compact spaces = 8' x 17' |
| Driveway Width: | 18'-4" driveway width- Highland Avenue entrance | 18'-4" driveway width- Highland Avenue entrance | 18'-4" driveway width- Highland Avenue entrance | Parking areas with more than 30 vehicle spaces shall have a minimum driveway width of 18'-0" |
| OTHER: | | | | |
| Minimum Ground Floor Ceiling Height: | 15'-0" | 15'-0" | 15'-0" | 15'-0" |

- 1 Special Permit required for architectural features in excess of the maximum height, which does not extend more than ten feet above maximum height limit and does not occupy more than ten percent of roof area (C.S. 25.33.070). With revision of project for removal of architectural feature and inclusion of roof screen the special permit request has been withdrawn.
- 2 Parking variance requested for 124 on-site parking spaces where 149 on-site parking spaces are required. With revision of project and inclusion of car sharing facility, the parking variance request has been withdrawn.
- 3 Project utilizes the incentive for car sharing as provided for in the Downtown Specific Plan (Page 3-12), reducing the required spaces by up to 10% (equates to 15 spaces for project).

July 13, 2015 Study Meeting: On July 13, 2015 the Planning Commission held an environmental scoping meeting and design review study meeting for the proposed project. The commission had several comments at that meeting. Please refer to the attached minutes for the complete overview. A brief summary is provided below:

- The canopy makes the building seem like a five-story building
- Building needs to fit into the area
- Retail space needs to support the street
- Need to consider relationship with Hatch Lane
- Concerns over parking compliance and variance findings
- Vehicular access should be reconsidered

The applicant submitted a response letter, revised plans and renderings date stamped September 17, 2015, to respond to the Planning Commission’s comments.

September 28, 2015 Study Meeting: On September 28, 2015 the Planning Commission held a follow-up design review study meeting for the proposed project to consider the revisions that had been made to the design in response to the Commission’s comments.. Please refer to the attached minutes for the complete overview. A brief summary is provided below:

- Parapet is actually a roof screen for solar panels;
- Useful to have renderings from other locations;
- Cornice detail should be substantial; and
- Resolve the color of the glass;

The applicant submitted revised plans and renderings date stamped January 21, 2016, to respond to the Planning Commission's comments. Most notably the revised proposal depicts the use of clear glass; provides flashing in between the adjacent buildings to eliminate gaps; provides an additional car share space; enlarges the traffic island at Highland Avenue and California Drive to further discourage illegal turning movements at that intersection; and specifies that the stucco on the building would be hand-troweled finished.

Environmental Review: The July 13, 2015 Planning Commission meeting included environmental scoping as well as design review. An Initial Study (IS) was prepared by Circlepoint environmental consultants. Based on the Initial Study (IS), a Mitigated Negative Declaration (MND) has been prepared for review by the Planning Commission. As presented the Mitigated Negative Declaration identified issues that were "less than significant with mitigation incorporation" in the areas of aesthetics, air quality, cultural resources, geology/soils, hazards/hazardous materials, noise, traffic and utilities. Based upon the mitigation measures identified in the Initial Study, it has been determined that the proposed project can be addressed by a Mitigated Negative Declaration since the Initial Study did not identify any adverse impacts which could not be reduced to acceptable levels by mitigation (please refer to the attached Initial Study/Mitigated Negative Declaration No. 588-P). The mitigation measures in the Initial Study have been incorporated into the recommended conditions of approval (in italics).

The Mitigated Negative Declaration was circulated for public review on February 22, 2016, and the required 20-day public review period concluded on March 14, 2016. Two comment letters were received since the September 28, 2015 study meeting (attached); both letters primarily addressed the proposed project rather than the environmental review, however one of the letters mentions concerns with the capacity of Highland Avenue to accommodate the anticipated traffic volume. Potential traffic impacts were studied in the Traffic Impact Analysis and mitigations are provided in the project design and mitigation measures. The traffic analysis modeled projected trip generation and levels of service based on the project footprint. The traffic engineers determined that intersections would continue to operate at acceptable levels of service (of LOS C or better) during peak periods. Additionally, the traffic engineers determined that the entrance and exit to the parking garage on Highland Avenue would not cause any safety or operational concerns and would conform to City design standards. The analysis also noted that the project site is several hundred feet from Burlingame Caltrain Station and near Samtrans public transit; therefore, new occupants of the building would have access to such transit-oriented options.

Design Review: Design Review is required for new commercial buildings pursuant to C.S. 25.57.010(c)(1). Design Review was instituted for commercial projects in 2001 with the adoption of the Commercial Design Guidebook. While there was already a design review study session for this project on July 13, 2015 the applicant requested a second study meeting to get additional feedback on the revised project from the Planning Commission while the CEQA document for this project was being prepared.

The subject property is located within the boundaries of the Downtown Special Plan therefore in addition to the guidelines provided in the Commercial Design Guidebook, there are design recommendations provided in Chapter 5.0 of the Downtown Specific Plan that apply to the proposed project.

General Plan and Zoning: The *Burlingame General Plan* designates this site for Service and Special Sales. In 2010 the City Council adopted the *Burlingame Downtown Specific Plan*, which serves as an element of the General Plan. The subject property is located within the boundaries of the planning area for the Downtown Specific Plan, specifically in the Howard Avenue Mixed Use Area. The Plan describes the Howard Avenue Mixed Use Area as follows:

The Howard Avenue Area is the area to the south of Burlingame Avenue and consists of a mix of uses, including retail and office along Howard Avenue, and multifamily residential uses between Howard and Peninsula Avenues. Burlingame Avenue and Howard Avenue together form the "Burlingame commercial" area. Ground floor retail use is encouraged, and housing is allowed on the upper levels above commercial uses. The interceding side streets—Lorton

Avenue, Park Road, Primrose Road and Highland Avenue—will act as connector streets with the commercial uses along those streets strengthening the relationship between Burlingame Avenue and Howard Avenue.

Parking and Trip Generation: The zoning code requires one parking space for each 300 SF of office space and the Downtown Specific Plan requires no parking for ground-floor retail space for properties located within the parking sector (Figure 3-3). This standard is the same throughout the city. The Downtown Specific Plan reduced parking ratios for residential projects within the planning area to reflect the proximity to transit and services downtown, however the plan did not adopt reduced standards for office uses. Instead, the plan offered options such as shared parking between complementary uses, and reductions for projects with a car share program.

While the City's Municipal Code does not include specifications for the provision of car sharing, the applicant proposes to include a car sharing facility on-site in accordance with the provision in the Downtown Specific Plan (Downtown Specific Plan page 3-12). The provision specifies: *On-site parking requirements may be reduced by up to 10% (as determined by the Community Development Director) for developments with at least one car share facility provided on-site. The car share program would require recorded easements which must be maintained indefinitely and cannot be modified without the City's consent.*

Car sharing allows people to rent vehicles for a short period time, generally for a few hours or even a fraction of an hour. Zipcar is one of the more familiar commercial car share providers, but there are a variety of providers offering the service, and some companies choose to operate their own car sharing in the form of fleet or "pool" vehicles. In general, car sharing is one of many tools in a Transportation Demand Management (TDM) strategy that cities use to reduce the impacts on the region's transportation system. Car sharing can reduce private automobile ownership, reduce vehicle miles traveled (VMT) and help encourage the use of transit because there would be reliable transportation available once someone gets off the transit system. For example, office employees may be more likely to utilize transit for their commute if they know a car would be available for midday errands.

Utilizing the provision in the Downtown Specific Plan, the applicant proposes 130 on-site parking spaces, representing a 10 percent reduction from the total of 145 on-site parking spaces that would otherwise be required per the zoning code. Of the 130 spaces, there would be 103 standard spaces, five accessible spaces, 20 compact spaces and two car share spaces. All vehicles would enter and exit via Highland Avenue.

As further information, the applicant has submitted a revised Transportation Impact Analysis (TIA) for the proposed project which includes a parking analysis. This analysis, prepared by Abrams Associates, is attached. In summary the TIA indicates that due to the project location being near transit and services, the number of trips generated would be expected to be reduced by 15% when compared to standard Institute of Transportation Engineers (ITE) trip generation rates (ITE Trip Generation Manual, 9th Edition). The TIA used ITE's Parking Generation Manual, 4th Edition, and when compared to the City' parking requirements the study indicates that the project would generate a demand for 94 spaces where the City's Zoning Code requires 145 spaces.

The TIA also notes the project will provide bicycle parking spaces, and is within close proximity to Caltrain and SamTrans services. The closest existing Zipcar car sharing facility is located at 888 N. San Mateo Drive, approximately 0.4 miles from the subject property.

Street Trees: Four new street trees are proposed to be installed as part of the project. The proposed planting plan indicates the trees would be *Quercus coccinea* (scarlet oak). In conducting public outreach for the project, the applicant received a suggestion to replace the scarlet oak trees as specified on the plans with *Ginkgo biloba* (columnar maidenhair) trees. The applicant consulted the City Arborist, who upon further consideration specified *Acer rubrum* (red maple) for this project. The arborist's recommendation is based on the scale of the tree in relation to the height of the proposed building, the relatively fast growth rate of the tree, and the

compatibility of the tree in relation to other street trees in the vicinity. The specification of *Acer rubrum* trees has been included as a recommended condition of approval.

Public Impact Fees: The purpose of public impact fees is to provide funding for necessary maintenance and improvements created by development projects. In imposing such fees, cities must necessarily establish a “nexus” between the fee and the impact of a proposed development. Based upon the proposed size of the project, the public impact fees for the project total \$375,513.99, based upon the following breakdown:

| Service Area | Commercial/Retail 1,820 SF (fee calculated per 1000 SF) | Office 43,235 SF (fee calculated per 1000 SF) | Existing retail Use 13,730 SF (fee calculated per 1000 SF) |
|--------------------------------|--|---|--|
| General Facilities & Equipment | \$640 x 1.820 = \$1,164.80 | \$930 x 22.295 = \$40,208.55 | \$(640) x 13.730 = \$(8,787.20) |
| Libraries | Not applicable | Not applicable | Not applicable |
| Police | \$102 x 1.820 = \$185.64 | \$147 x 22.295= \$6,355.55 | \$(102) x 13.730 = \$(1,400.46) |
| Parks and Recreation | \$118 x 1.820 = \$214.76 | \$172 x 22.295= \$7,436.42 | \$(118) x 13.730 = \$(1,620.14) |
| Streets and Traffic | \$1810 x 1.820 = \$3,294.20 | \$7,285 x 22.295= \$314,966.98 | \$(1810) x 13.730 = \$(24,851.30) |
| Fire | \$248 x 1.820 = \$451.36 | \$360 x 22.295= \$15,564.60 | \$(248) x 13.730 = \$(3,405.04) |
| Storm Drainage | \$442 x 1.820 = \$804.44 | \$717 x 22.295= \$30,999.50 | \$(442) x 13.730 = \$(6,068.66) |
| Subtotal | \$6,115.20 | \$415,531.59 | \$(46,132.80) |
| Total | \$421,646.79 \$ (46,132.80) (credit for existing retail use) \$375,513.99 | | |

This fee is required to be paid in full prior to issuance of a building permit.

Public Comment Letters: Three letters from members of the public have been received since the September 28, 2015 Planning Commission study meeting. In addition to the two letters received during the public comment period for the environmental review, a letter addressing the project was received in November. All three letters are included as attachments.

Staff Comments: See attached comments from the staff on the proposal.

Findings for a Mitigated Negative Declaration: For CEQA requirements the Planning Commission must review and approve the Mitigated Negative Declaration, finding that on the basis of the Initial Study and any comments received in writing or at the public hearing that there is no substantial evidence that the project will have a significant (negative) effect on the environment.

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

1. Support of the pattern of diverse architectural styles that characterize the city’s commercial areas;
2. Respect and promotion of pedestrian activity by placement of buildings to maximize commercial use of the street frontage, off-street public spaces, and by locating parking so that it does not dominate street frontages;
3. On visually prominent and gateway sites, whether the design fits the site and is compatible with the surrounding development;

4. Compatibility of the architecture with the mass, bulk, scale, and existing materials of existing development and compatibility with transitions where changes in land use occur nearby;
5. Architectural design consistency by using a single architectural style on the site that is consistent among primary elements of the structure, restores or retains existing or significant original architectural features, and is compatible in mass and bulk with other structure in the immediate area; and
6. Provision of site features such as fencing, landscaping, and pedestrian circulation that enriches the existing opportunities of the commercial neighborhood.

Planning Commission Action: The Planning Commission should hold a public hearing. Affirmative action should be by resolution and include findings for accepting the environmental document (Mitigated Negative Declaration), and Commercial Design Review. The reasons for any action should be clearly stated for the record.

Please note that the conditions below include mitigation measures taken from the IS/MND (shown in italics). If the Commission determines that these conditions do not adequately address any potential significant impacts on the environment, then an Environmental Impact Report would need to be prepared for this project. The mitigations will be placed on the building permit as well as recorded with the property and constitute the mitigation monitoring plan for this project.

At the public hearing the following mitigation measures and conditions should be considered:

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped January 21, 2016, Sheets A0.0 through A4.2, L-1.0 through L-4.0 and land survey and materials sheets; with the amendment that the four street trees shown on Sheet L-2.0 shall be specified as 'Acer rubrum' (red maple) rather than 'Quercus coccinea' (scarlet oak).
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 shall not exceed elevation 86.32' for a maximum height of 55'-0", and that the top of each floor and final roof ridge shall be surveyed and approved by the City Engineer as the framing proceeds and prior to final framing and roofing inspections. The ground floor finished floor shall be elevation 31.32'; second floor finished floor shall be elevation 48.32'; third floor finished floor shall be elevation 60.65', fourth floor finished floor shall be elevation 72.98', and the roof level shall be elevation 86.32'. The top of the roof screen shall be elevation 90.32' and the top of the elevator and stair shaft shall be elevation 96.32'. Should any framing exceed the stated elevation at any point it shall be removed or adjusted so that the final height of the structure with roof shall not exceed the maximum height shown on the approved plans;
6. that the project shall include at least two dedicated off-street, car share parking spaces with the

following requirements:

- a. the owner or designee shall record an easement for the car share spaces the car share spaces and said car shares spaces shall be maintained in perpetuity and cannot be modified without the City's consent;
 - b. the car share spaces shall be clearly labeled both with painted in-ground signage as well as eye-level signage;
 - c. the car share spaces shall be accessible to tenants of the building and at the discretion of the building owner may also be available to non-tenant subscribers from outside the building;
 - d. the dimensions of the car share spaces shall be in accordance with requirements set forth in the Zoning Code for off-street parking spaces.
7. that the on-site parking spaces (excluding the car share spaces) shall be used only for the tenants and visitors of the commercial/retail and office facilities on this site and shall not be leased or rented for storage of automobiles or goods either by individuals or businesses not on this site or by other businesses for off-site parking;
 8. that the conditions of the Building Division's September 18, 2015, June 4, 2015 and April 29, 2015 memos; the Engineering Division's February 12, 2016, October 16, 2015, July 2, 2015 and April 23, 2015 memos; the Parks Division's February 6, 2016, September 30, 2015 and May 8, 2015 memos; the Fire Division's February 22, 2016, September 21, 2015, June 9, 2015 and May 19, 2015 memos; and the Stormwater Division's February 9, 2016, September 24, 2015, June 9, 2015 and April 27, 2015 memos shall be met;
 9. 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 \$187,756.99, made payable to the City of Burlingame and submitted to the Planning Division;
 10. 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 \$187,756.99., made payable to the City of Burlingame and submitted to the Planning Division;
 11. 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;
 12. 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;
 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;

The following five (5) conditions shall be met during the Building Inspection process prior to the inspections noted in each condition:

17. that prior to scheduling the foundation inspection a licensed surveyor shall locate the property corners, set the building envelope;
18. that prior to the underfloor frame inspection the surveyor shall certify the first floor elevation of the new structure;
19. 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;
20. that prior to scheduling the roof deck inspection, a licensed surveyor shall shoot the height of the roof parapet and provide certification of that height to the Building Division;
21. that prior to final inspection, Planning Division staff will inspect and note compliance of the architectural details (trim materials, window type, etc.) to verify that the project has been built according to the approved Planning and Building plans;

Mitigation Measures from Initial Study

Aesthetics

22. *The project developer shall install low-profile, low-intensity lighting directed downward to minimize light and glare. Exterior lighting shall be low mounted, downward casting, and shielded. In general, the light footprint shall not extend beyond the periphery of each property. Implementation of exterior lighting fixtures on all buildings shall also comply with the standard California Building Code (Title 24, Building Energy Efficiency Standards) to reduce the lateral spreading of light to surrounding uses, consistent with Burlingame Municipal Code Section 18.16.030 that requires that all new exterior lighting for commercial developments be designed and located so that the cone of light and/or glare from the light element is kept entirely on the property or below the top of any fence, edge or wall.*

Air Quality

23. *The contractor shall implement the following best management practices:*
 - a. *All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.*
 - b. *All haul trucks transporting soil, sand, or other loose material off-site shall be covered.*
 - c. *All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
 - d. *All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.*

- e. *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.*
- f. *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.*
- g. *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.*
- h. *Post a publicly visible sign with the telephone number and person to contact at the City of Burlingame regarding dust complaints. This person shall respond and take corrective action within 48 hours. Bay Area Air Quality Management District (BAAQMD) phone number shall also be visible to ensure compliance with applicable regulations.*

Cultural Resources

- 24. *In the event archaeological resources are encountered during construction, work will be halted within 100 feet of the discovered materials and workers will avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. If an archaeological site is encountered in any stage of development, a qualified archeologist shall be consulted to determine whether the resource qualifies as an historical resource or a unique archaeological resource. In the event that it does qualify, the archaeologist shall prepare a research design and archaeological data recovery plan to be implemented prior to or during site construction. The archaeologist shall also prepare a written report of the finding, file it with the appropriate agency, and arrange for curation of recovered materials.*
- 25. *A discovery of a paleontological specimen during any phase of the project shall result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal), as determined by a professional paleontologist, shall be implemented to mitigate the impact.*
- 26. *In the event that human remains are discovered during project construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The county coroner shall be informed to evaluate the nature of the remains. If the remains are determined to be of Native American origin, the Lead Agency shall work with the Native American Heritage Commission and the applicant to develop an agreement for treating or disposing of the human remains.*

Geology and Soils

- 27. *Project design and construction shall adhere to Title 18, Chapter 18.28 of the Burlingame Municipal Code, and demonstrate compliance with all design standards applicable to the California Building Code Zone 4 would ensure maximum practicable protection available to users of the buildings and associated infrastructure.*
- 28. *Project design and construction, including excavation activities, shall comply with Chapter 33 of the*

CBC, which specifies the safety requirement to be fulfilled for site work. This would include prevention of subsidence and pavement or foundations caused by dewatering.

29. *The applicant shall prepare a monitoring program to determine the effects of construction on nearby improvements, including the monitoring of cracking and vertical movement of adjacent structures, and nearby streets, sidewalks, utilities, and other improvements. As necessary, inclinometers or other instrumentation shall be installed as part of the shoring system to closely monitor lateral movement. The program shall include a precondition survey including photographs and installation of monitoring points for existing site improvements.*

Hazards and Hazardous Materials

30. *The contractor shall comply with Title 8, California Code of Regulations/Occupational Safety and Health (OSHA) requirements that cover construction work where an employee may be exposed to lead. This includes the proper removal and disposal of peeling paint, and appropriate sampling of painted building surfaces for lead prior to disturbance of the paint and disposal of the paint or painted materials.*
31. *The applicant shall contract a Certified Asbestos Consultant to conduct an asbestos survey prior to disturbing potential asbestos containing building materials and shall implement the Consultant's recommendations for proper handling and disposal.*
32. *The applicant shall prepare, and submit, a Soils Management Plan (SMP) to the San Mateo County Health Department for approval, prior to the issuance of a building permit. The SMP will address the possibility of encountering subsurface contaminants, including groundwater, during construction activities, and the measures for identifying, handling, and disposing of subsurface contaminants. The SMP shall be submitted to the City prior to issuance of a building permit.*
33. *The contractor shall ensure the appropriate handling, storing, and sampling of any soil to be removed from the subject property, as per the SMP, so as to eliminate potential health and safety risks to the public, including construction workers.*
34. *In the event that groundwater, or other subsurface contaminants, are encountered during excavation, grading, or any other demolition/construction activities at the project site, the contractor shall ensure that the procedure for evaluating, handling, storing, testing, and disposing of contaminated groundwater is implemented, as per the SMP.*
35. *Workers handling demolition and renovation activities at the project site shall be trained in the safe handling and disposal of any containments with which they are handling or disposing of on the project site.*

Noise

36. *The contractor shall ensure that the interior noise levels are maintained at or below 50 dBA Leq (1-hr). Treatments would include, but are not limited to, sound-rated wall and window constructions, acoustical caulking, protected ventilation openings, etc. The specific determination of what noise insulation treatments are necessary shall be conducted on a room-by-room 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.*
37. *The contractor shall install forced-air mechanical ventilation, as determined by the local building official, for all exterior-facing rooms of the office building so that windows can be kept closed at the*

occupant's discretion to control interior noise and achieve the interior noise standards.

38. *The use of typical vibration-generating construction equipment, such as hoe rams, dozers, and drills, shall be prohibited within 10 feet of any adjacent commercial building. The use of heavy vibration-generating construction equipment, such as vibratory rollers or clam shovel drops, within 25 feet of any adjacent commercial/residential building shall be prohibited as well; or*

Alternatively, a construction vibration monitoring plan shall be implemented to document conditions prior to, during, and after vibration generating construction activities. All plan tasks shall be undertaken under the direction of a licensed Professional Structural Engineer in the State of California or other qualified persons as determined by the City and be in accordance with industry-accepted standard methods. The construction vibration monitoring plan shall be implemented to include the following tasks:

- *Identification of the sensitivity of nearby structures to groundborne vibration. Vibration limits shall be applied to all vibration-sensitive structures located within 50 feet of the project site.*
- *Performance of a photo survey, elevation survey, and crack monitoring survey for each structure within 50 feet of construction activities identified as sources of high vibration levels. Surveys shall be performed prior to any construction activity, in regular interval during construction and after project completion and shall include internal and external crack monitoring in structures, settlement, and distress and shall document the condition of foundations, walls and other structural elements in the interior and exterior of said structures.*
- *Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels approached the limits.*
- *At a minimum, vibration monitoring shall be conducted during demolition, excavation, and foundation construction. Monitoring results may indicate the need for more or less intensive measurements.*
- *If vibration levels approach limits, suspend vibratory construction activities or methods and implement contingencies to either lower vibration levels or secure the affected structures.*
- *Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.*
- *Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or provide compensation where damage has occurred as a result of construction activities.*

The results of all vibration monitoring shall be summarized and submitted in a report shortly after substantial completion of each phase identified in the project schedule. The report will include a description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration monitoring locations. An explanation of all events that exceeded vibration limits will be included together with proper documentation supporting any such claims.

39. *Mitigation Measure NOI-4:*

- *Noise-generating activities at the construction site or in areas adjacent to the construction site associated with the project in any way will be restricted to the hours of 7:00 am to 7:00 pm, Monday through Friday, and 9:00 am to 6:00 pm on Saturdays, and 10:00 am to 06:00pm on Sundays and holidays.*
- *Construct solid plywood fences around the construction site adjacent to operational businesses, residences, or other noise-sensitive land uses.*
- *A temporary noise control blanket barrier could be erected, if necessary, along building facades adjoining the construction site. This mitigation would only be necessary if conflicts occurred*

which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.

- *All internal combustion engine driven equipment will be equipped with intake and exhaust mufflers which are in good condition and appropriate for the equipment.*
- *Unnecessary idling of internal combustion engines shall be strictly prohibited.*
- *Stationary noise generating equipment (e.g., concrete crusher) will be located as far as possible from sensitive receptors, and acoustically shielded with temporary noise barriers, material stockpiles, etc. to reduce noise levels at nearby residences. The noise barriers shall provide a break in the line-of-sight between the equipment and the nearest receptors, which would result in a minimum noise reduction of 5 dBA.*
- *"Quiet" air compressors and other stationery noise sources will be utilized where technology exists. The "quiet" equipment shall be a minimum of 5 dBA lower in noise level than conventional equipment.*
- *Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.*
- *The contractor will prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. This plan shall be distributed to noise-sensitive uses within 1,200 ft of the project site.*
- *A "disturbance coordinator" will be designated, and will be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented as soon as possible. A telephone number for the disturbance coordinator shall be posted at the construction site and included in the notices sent to neighbors regarding the construction schedule. The construction contractor will log construction noise complaints, the causes of the complaints, and the measures implemented to address the complaints. The log will be provided to the City upon request.*

Transportation and Traffic

40. *Prior to issuance of grading and building permits, the project applicant shall submit a Traffic Control Plan. The requirements within the Traffic Control Plan include, but are not limited to, the following: truck drivers would be notified of and required to use the most direct route between the site and U.S. 101, as determined by the City Engineering Department; all site ingress and egress would occur only at the main driveways to the project site; specifically designated travel routes for large vehicles would be monitored and controlled by flaggers for large construction vehicle ingress and egress; warning signs indicating frequent truck entry and exit would be posted on adjacent roadways if requested; and any debris and mud on nearby streets caused by trucks would be monitored daily and may require instituting a street cleaning program. In addition, eight loads of heavy equipment being hauled to and from the site each month would be short-term and temporary.*

Utilities

41. *The applicant shall prepare a report to determine if the water and sewer main requires upsizing. This analysis will be reviewed by the City and if required, the applicant will be required to pay for their pro-rata share of the upsizing or a designated run of the line, the details of which would be determined by the Department of Public Works prior to building permit approval.*

Kevin Gardiner
Planning Manager

Sheldon S. Ah Sing
Contract Planner

- c. DLC 225 California, applicant and property owner
MBH Architects, project architect

Attachments:

Planning Commission Design Review Study Minutes - September 28, 2015

Planning Commission Environmental Scoping and Design Review Study Minutes - July 13, 2015

Application to the Planning Commission

Staff Comments

Public Correspondence:

- Jeffrey K. Eliason, November 16, 2016
- Charne Morris, February 19, 2016
- Marina Franco, March 8, 2016

Proposed Resolutions

Notice of Public Hearing – Mailed April 1, 2016

Aerial Photo

Separate Attachments:

Initial Study/Mitigated Negative Declaration and attachments, dated February 22, 2016