



*Community Development Department*  
**PLANNING COMMISSION STAFF REPORT**

<b>APPLICATION FOR AMENDMENT TO CONDITIONS OF APPROVAL #6 (RETAIL AND FOOD SERVICE PROVISIONS) AND #21 (TRANSPORTATION DEMAND MANAGEMENT PROVISIONS) OF A PREVIOUSLY APPROVED OFFICE/LIFE SCIENCE DEVELOPMENT (“BURLINGAME POINT”)</b>	Meeting Date: August 13, 2018
	ACTION ITEM
	Item No: 8(b)

<b>PROPERTY ADDRESS:</b> 300 Airport Boulevard	<b>APN:</b> 026-350-130
<b>APPLICANT/ARCHITECT/DESIGNER:</b> Genzon Investment Group (Applicant), Gensler (Architect)	
<b>PROPERTY OWNER:</b> Burlingame Point LLC	
<b>GENERAL PLAN/ZONING:</b> Commercial Uses: Office Use; Bayfront Specific Plan Anza Point Area; Anza Point North (APN) Zoning	<b>LOT AREA:</b> 18.13 AC

**PROJECT DESCRIPTION**

Burlingame Point is a proposed office/life science campus consisting of four office buildings and an amenities building with a total of 767,000 square feet of floor area on an 18.13 acre site located at 300 Airport Boulevard. The application was approved by the City Council on June 18, 2012.

The project consists of two 5-story buildings, one 7-story building, one 8-story building and a 2-story amenities building. Parking will be provided in a five-story parking structure, in a podium level parking area below the four office buildings, and in smaller parking lots scattered throughout the site. Airport Boulevard will be realigned through the project site. The project also includes public access improvements along the San Francisco Bay frontage and along Sanchez Channel. The site is currently vacant, and formerly contained the Burlingame Drive-In Theater, which was demolished about fifteen years ago.

On August 22, 2016 the Planning Commission reviewed and approved a Design Review Amendment application and Environmental Impact Report (EIR) Addendum to allow design refinements to the previously approved project. The revisions to the design included adjustments to building locations and footprints, changes to building forms and architectural treatments, and refinements to the configuration of amenities and open spaces.

On November 27, 2017 the Planning Commission approved a Design Review Amendment to allow removal of the private rooftop terraces on two of the four office buildings to provide additional space for rooftop mechanical equipment.

**REQUEST FOR AMENDMENTS TO CONDITIONS OF APPROVAL**

The applicant is seeking approval of amendments of the Conditions of Approval to accommodate anticipated specifications of a single tenant for the project. Please refer to the letter from the applicant, dated August 2, 2018 (attached).



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There would be no significant changes to the physical design of the buildings. The amendments are particular to the use and allocation of the food service and retail uses, and to the Transportation Demand Management (TDM) provisions, in both instances to better match the operational characteristics of a single-tenant user. Although the amendments do not involve the design of the project, technically the amendment would be a *Commercial Design Review Amendment* because the conditions of approval are situated within the Commercial Design Review permit.

The amendments to the conditions of approval would not preclude occupation by multiple tenants, either at completion of the project or in the future. While the amendments are intended to address the anticipated operational characteristics of a single-tenant user, the existing provisions for a multiple-tenant scenario would continue to remain in the conditions of approval for that circumstance.

Requested Modification to Condition #6: The applicant requests provisions be added to Condition #6 to accommodate the anticipated food and services characteristics of a single-tenant scenario. Please refer to the letter from the applicant, dated August 2, 2018 (attached) for a discussion of the request.

Condition #6 currently reads as follows:

*that the project shall include approximately 6,655 square feet of retail use and 19,750 square feet of food service use that may be located in buildings B1, B2 and the amenities building, and Developer shall use its best commercial efforts to lease this space for retail or food service, including recreation-related uses such as bike rentals, and interactive educational space, as the case may be, for two years following issuance of the final certificate of occupancy for each building. Thereafter, any change to the use of the space designated for retail, recreation-related or food service use shall be reviewed and approved by the Planning Commission using the process set out in Municipal Code Sections 25.16.040 through 25.16.085, using the conditional use permit findings as the standard of review;*

Should the Planning Commission be agreeable to the applicant’s request for provisions to accommodate a single-tenant scenario, the existing text would remain and text to the effect of the following could be added to the condition:

*Notwithstanding the above requirements, which are applicable in the event the project is occupied by multiple tenants, if the entire project is leased to a single tenant, then that tenant shall provide a minimum of approximately 26,400 square feet of food service uses, and other convenience goods and services, to its employees and invited guests which may be located in buildings B1, B2, or the amenities building. In addition to this space, the project shall use its best commercial efforts to provide a minimum of 1,600*



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square feet of space in buildings B1 or B2 (facing the shoreline) for public-serving amenities, which may include food/beverage service and other retail services to serve recreational users of the Bay Trail and members of the public. Such public amenities are encouraged to be provided and open for business on days and times when substantial use along the shoreline is anticipated, including weekends and holidays, and are required to provide restrooms accessible to the public. If after two years of operation the tenant has evidence that the demand for the public amenities is so limited as to justify discontinuing such services, it may request a change of use. Any significant change of use of the public amenity space or request to discontinue services shall be reviewed and approved by the Planning Commission.

As noted in the applicant letter, and in the suggested wording for the condition of approval above, in a single-tenant scenario the applicant is proposing a minimum of 800 square feet of space in each of buildings B1 and B2 (facing the shoreline) for public-serving amenities (for a total of 1,600 square feet), which may include food/beverage service and other retail services to serve recreational users of the Bay Trail and members of the public. For reference, 800 square feet is comparable to the “ready-to-eat food shop” category in the Burlingame Zoning Code (Code Section 25.08.550-1). Examples of establishments classified as ready-to-eat food shops include Jougert Bar at 1115 Burlingame Avenue (951 square feet), and the recently approved Tuna Kahuna at 1117 Burlingame Avenue (810 square feet).

While the applicant has proposed two 800 square foot spaces in separate buildings, the suggested wording of the condition is broader in that it would not preclude a single, larger 1,600 square foot space. For reference, a 1,600 square foot space would be slightly larger than Peet’s Coffee & Tea at 1241 Burlingame Avenue (1,205 square feet) or Phliz Coffee at 305 Primrose Road (1,375 square feet).

Requested Modification to Condition #21: The applicant requests modifications to Condition #21 to allow greater flexibility in the selection of Transportation Demand Management (TDM) components, provided overall trip-reduction performance meets or exceeds those specified in the original approval. Given the evolving nature of TDM since the original program for the project was approved in 2011 and into the future, an amendment could be beneficial for either a single- or multiple-tenant scenario provided the originally intended trip-reduction targets are met (or exceeded).

Condition #21 currently reads as follows:

*that the property owner shall comply with the Transportation Demand Management Program prepared by Fehr and Peers for 350 Beach Road, LLC dated April 6, 2011 including the following measures:*



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- a. *Secure Bicycle Storage: Secure, indoor bicycle storage for at least 26 bicycles shall be provided in a lobby or garage level room within each of the four office buildings. In addition, bicycle racks for up to 50 bicycles will be located outside of Buildings #1 or #4.*
- b. *Showers and Changing Rooms: Shower facilities with changing rooms shall be provided throughout the site, with access available to all employees. Shower facilities (two men's and two women's) and changing rooms (one men's and one women's) shall be provided in each of the four office buildings, the amenities center shall include 12 showers and two changing rooms.*
- c. *Shuttle Service: Coordinate with the Peninsula Commuter Alliance to add two stops within the project site to the existing commuter shuttle from the Millbrae Intermodal Station. The shuttle provides 10-minute headways during peak periods.*
- d. *Carpool Parking: Provide 15 preferential parking spaces for carpools at each of the four office buildings.*
- e. *Vanpool Parking: Provide two preferential parking spaces for vanpools at each of the four office buildings.*
- f. *Commute Assistance Center:*
  - 1) *Provide an on-site one-stop shopping for transit and commute alternatives information.*
  - 2) *Provide a part-time on-site TDM coordinator available to assist building tenants with trip planning.*
- g. *Employees' Surveys: The TDM coordinator shall develop and administer two surveys per year to examine TDM program participation and best practices.*
- h. *Video Conferencing Center: One video conferencing center of approximately 8500 sf shall be installed for use by the tenants of the facility.*
- i. *On-Site Amenities/Accommodations: On-site amenities, including banking, retail, delivery dry cleaning, exercise facilities, child care center, delivery pharmacy and food service shall be provided at the project site to encourage people to stay on site during the work day;*
- j. *On-Site Bicycles for Employee Use• Bicycles shall be provided at each office building. Employees will have access to bicycles during breaks for personal or business use.*
- k. *Child Care Services: Child care center service shall be provided on site;*
- l. *Guaranteed Ride Home Program: Employees will have access to the Guaranteed Ride Home (GRH) program administered by the Peninsula Congestion Relief Alliance (Alliance) for emergencies. The program provides vouchers for taxicabs or rental cars for this purpose.*



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- m. Transportation Action Plan: The TDM coordinator shall work with the Alliance to create a Transportation Action Plan for each tenant.*
- n. Transportation Management Association: If the office park has multiple tenants, each tenant shall provide a representative to form a Transportation Management Association and be a liaison to the TDM Coordinator.*
- o. Coordination of Transportation Demand Management Programs: The TDM coordinator shall coordinate with other TDM programs with existing developments/employers in the surrounding area.*
- p. Subsidy for Transit Tickets: Employers shall offer subsidies to employees to compensate them for the cost of transit tickets.*
- q. Electric Vehicle Stations: The applicant shall provide plug-in stations for electric vehicles.*
- r. House Car for Employee Use: Each building will provide employees with access to a "house car" for use during the day.*

Should the Planning Commission be agreeable to the applicant’s request for provisions to allow flexibility in the specific elements of the TDM program, the list of the various elements would remain but the first paragraph of the condition could be replaced with text to the effect of the following:

*that the Property Owner, in the event the Property is leased to multiple tenants, or the tenant in the event that the entire Property is leased to a sole tenant, shall implement a comprehensive transportation demand management (TDM) program to the satisfaction of the Community Development Director in order to achieve the same or greater peak hour trip reductions as the TDM Program prepared by Fehr and Peers for 350 Beach Road, LLC dated April 5, 2011. Such TDM Program may include measures such as:*

**Commercial Design Review:** Although the amendments do not involve the design of the project, technically the amendment would be a *Commercial Design Review Amendment* because the conditions of approval are situated within the Commercial Design Review permit.

**Design Review Criteria:** For reference, 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;



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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.

**Environmental Review Status:** The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301 (a) of the CEQA Guidelines, which states that interior or exterior alterations to existing structures are exempt from environmental review. In this instance, the approved project is considered an existing structure for purposes of CEQA. An Environmental Impact Report (EIR) was prepared for the initial approval in 2012, and an EIR Addendum was prepared for the Design Review Amendment approved in 2016. The proposed amendments to the Conditions of Approval would be consistent with the analyses contained in the EIR and EIR Addendum.

**PLANNING COMMISSION ACTION**

The Planning Commission should hold a public hearing. Affirmative action should be by resolution and include findings for accepting the Amendment to the Conditions of Approval contained in the Commercial Design Review Permit. The reasons for any action should be clearly stated for the record.

The proposed Conditions of Approval are unchanged from those approved by the Planning Commission on November 27, 2017 except for an amendment to Condition of Approval #6 to address the allocation of the food service and convenience uses, and to Condition of Approval #21 to address Transportation Demand Management (TDM) provisions (edits shown in [tracked changes](#)).

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



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1. that the project shall be built as shown on the plans submitted to the Planning Division and date stamped July 29, 2016, Sheets: COVER SHEET; 1 GENERAL PROJECT INFORMATION; 2 SITE PLAN; 3 B1 CONSTRUCTION PLAN; 4 LANDSCAPE SITE SECTIONS - EAST CAMPUS; 5 LANDSCAPE SITE SECTIONS - WEST CAMPUS; 6 L1 CONSTRUCTION PLAN - BUILDING 01; 7 L3 CONSTRUCTION PLAN - BUILDING 01; 8 ROOF CONSTRUCTION PLAN - BUILDING 01; 9 L1 CONSTRUCTION PLAN - BUILDING 02; 10 L3 CONSTRUCTION PLAN - BUILDING 02; 11 ROOF CONSTRUCTION PLAN - BUILDING 02; 12 L1 CONSTRUCTION PLAN - BUILDING 03; 13 L3 CONSTRUCTION PLAN - BUILDING 03; 14 L5 CONSTRUCTION PLAN - BUILDING 03; 15 ROOF CONSTRUCTION PLAN - BUILDING 03; 16 L1 CONSTRUCTION PLAN - BUILDING 04; 17 L3 CONSTRUCTION PLAN - BUILDING 04; 18 L5 CONSTRUCTION PLAN - BUILDING 04; 19 ROOF CONSTRUCTION PLAN - BUILDING 04; 20 EXTERIOR ELEVATIONS - BUILDING 01; 21 EXTERIOR ELEVATIONS - BUILDING 01; 22 EXTERIOR ELEVATIONS - BUILDING 02; 23 EXTERIOR ELEVATIONS - BUILDING 02; 24 EXTERIOR ELEVATIONS - BUILDING 03; 25 EXTERIOR ELEVATIONS - BUILDING 03; 26 EXTERIOR ELEVATIONS - BUILDING 03; 27 EXTERIOR ELEVATIONS - BUILDING 03; 28 EXTERIOR ELEVATIONS - BUILDING 04; 29 EXTERIOR ELEVATIONS - BUILDING 04; 30 EXTERIOR ELEVATIONS - BUILDING 04; 31 EXTERIOR ELEVATIONS - BUILDING 04; 32 BUILDING SECTIONS - BUILDING 01 & 02; 33 BUILDING SECTIONS - BUILDING 03; 34 BUILDING SECTIONS - BUILDING 03; 35 BUILDING SECTIONS - BUILDING 04; 36 BUILDING SECTIONS - BUILDING 04; 37 L1 CONSTRUCTION PLAN – GARAGE; 38 EXTERIOR ELEVATIONS - BUILDING 05 GARAGE; 39 EXTERIOR ELEVATIONS - BUILDING 05 GARAGE; 40 BUILDING SECTION – GARAGE; 41 L1 CONSTRUCTION PLAN - AMENITY BUILDING; 42 L2 CONSTRUCTION PLAN - AMENITY BUILDING; 43 ROOF CONSTRUCTION PLAN - AMENITY BUILDING; 44 EXTERIOR ELEVATIONS - AMENITY BUILDING; 45 OVERALL GRADING PLAN; 46 OVERALL UTILITY PLAN; with amendments to Buildings 3 and 4 as indicated on plans submitted to the Planning Division and date stamped October 5, 2017.
  
2. that prior to building permit issuance the applicant shall return to the Planning Commission with the following FYIs:
  - a. a complete landscape plan indicating size, species, quantities and locations of all plantings; and
  - b. analysis of compliance with Complete Streets provisions;
  
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 project shall include installation and maintenance of the Bay Trail and Sanchez Channel improvements as shown in the submitted plans and shall obtain approval from the Bay Conservation and Development Commission (BCDC) for the work within BCDC jurisdiction;



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6. that the project shall include approximately 6,655 square feet of retail use and 19,750 square feet of food service use that may be located in buildings B1, B2 ~~and~~ or the amenities building, and Developer shall use its best commercial efforts to lease this space for retail or food service, including recreation-related uses such as bike rentals, and interactive educational space, as the case may be, for two years following issuance of the final certificate of occupancy for each building. Thereafter, any change to the use of the space designated for retail, recreation-related or food service use shall be reviewed and approved by the Planning Commission using the process set out in Municipal Code Sections 25.16.040 through 25.16.085, using the conditional use permit findings as the standard of review.

Notwithstanding the above requirements, which are applicable in the event the project is occupied by multiple tenants, if the entire project is leased to a single tenant, then that tenant shall provide a minimum of approximately 26,400 square feet of food service uses, and other convenience goods and services, to its employees and invited guests which may be located in buildings B1, B2, or the amenities building. In addition to this space, the project shall use its best commercial efforts to provide a minimum of 1600 square feet of space in buildings B1 or B2 (facing the shoreline) for public-serving amenities, which may include food/beverage service and other retail services to serve recreational users of the Bay Trail and members of the public. Such public amenities are encouraged to be provided and open for business on days and times when substantial use along the shoreline is anticipated, including weekends and holidays, and are required to provide restrooms accessible to the public. If after two years of operation the tenant has evidence that the demand for the public amenities is so limited as to justify discontinuing such services, it may request a change of use. Any significant change of use of the public amenity space or request to discontinue services shall be reviewed and approved by the Planning Commission.

7. that the following items agreed to by the applicant shall be included as a part of the project:
- a. Drinking fountains shall be provided as a part of the Bay Trail improvements, and shall include ground-level spouts for dogs.
  - b. The educational nodes provided within the Bay Trail improvements shall include interactive features such as binocular/telescope stands and pictographic educational elements regarding local flora, fauna, marine and wind phenomena.
  - c. The Sanchez Channel open space shall include an area for active use (e.g. frisbee or catch);
8. that the conditions of the Chief Building Official's February 7, 2012 memo shall be met, which includes the following comments:
- a. an application for a building permit for this project received after December 31, 2013 must comply with the 2013 California Building Codes and adopted City of Burlingame Ordinances unless specific land use provisions for the project were approved by the City of Burlingame prior to 5:00 p.m. on December 31, 2013. If the Planning Commission has approved the project then the building permit application for that project may use the provisions found in the 2010 California Building Codes including all amendments as adopted in Ordinance 1856 2010. This project must comply with the City of Burlingame Green Building Ordinance in effect at the time of building permit applications.



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- 1) On the plans specify that this project will comply with the 2010 California Building Codes (CBC) which will be employed by the City of Burlingame beginning January 1, 2011.
- 2) Comply with the City of Burlingame Green Building Ordinance in effect at the time of Planning Commission approval for this project.
- 3) Anyone who is doing business in the City must have a current City of Burlingame business license.
- 4) Provide fully dimensioned plans.
- 5) Indicate on the plans that all work shall be conducted within the limits of the City's Noise Ordinance. See City of Burlingame Ordinance Municipal Code, Section 13.04.100 for details.
- 6) Specify on the plans that this project will comply with the 2008 California Energy Efficiency Standards or standards in effect at the time of building permit application. Note: All projects for which a building permit application is received on or after January 1, 2010 must comply with the 2008 California Energy Efficiency Standards. Go to <http://www.enerov.ca.gov/file24/2008standards/> for publications and details.
- 7) Indicate on the plans that all roofing systems will comply with Cool Roof requirements of the 2008 California Energy Code. 2008 CEC §151 (f) 12. The 2008 Residential and Non-Residential Compliance Manuals are available on line at <http://www.energyc.camovititle24/2008standardst>.
- 8) Show the distances from all exterior walls to property lines or to assumed property lines.
- 9) Show the dimensions to adjacent structures.
- 10) Obtain a survey of the property lines.
- 11) Indicate on the plans that, at the time of Building Permit application, plans and engineering will be submitted for shoring as required by 2010 CRC, or applicable Building Code, regarding the protection of adjacent property and as required by OSHA. On the plans, indicate that the following will be addressed:
  - a. The walls of the proposed basement shall be properly shored, prior to construction activity. This excavation may need temporary shoring. A competent contractor shall be consulted for recommendations and design of shoring scheme for the excavation. The recommended design type of shoring shall be approved by the engineer of record or soils engineer prior to usage.
  - b. All appropriate guidelines of OSHA shall be incorporated into the shoring design by the contractor. Where space permits, temporary construction slopes may be utilized in lieu of shoring. Maximum allowable vertical cut for the subject project will be five (5) feet. Beyond that horizontal benches of 5 feet wide will be required. Temporary shores shall not exceed 1 to 1 (horizontal to vertical). In



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some areas due to high moisture content / water table, flatter slopes will be required which will be recommended by the soils engineer in the field.

- c. If shoring is required, specify on the plans whose sole responsibility it is to design and provide adequate shoring, bracing, formwork, etc. as required for the protection of life and property during construction of the building.
  - d. Shoring and bracing shall remain in place until floors, roof, and wall sheathing have been entirely constructed.
  - e. Shoring plans shall be wet-stamped and signed by the engineer-of-record and submitted to the city for review prior to construction. If applicable, include surcharge loads from adjacent structures that are within the zone of influence (45 degree wedge up the slope from the base of the retaining wall) and / or driveway surcharge loads.
- 12) Indicate on the plans that an OSHA permit will be obtained for the shoring\* at the excavation in the basement per CAL / OSHA requirements. See the Cal / OSHA handbook at: [http://www.ca-osha.com/pdfpubs/osha\\_userguide.pdf](http://www.ca-osha.com/pdfpubs/osha_userguide.pdf). \*Construction Safety Orders : Chapter 4, Subchapter 4, Article 6 , Section 1541.1.
  - 13) Indicate on the plans that a Grading Permit, if required, will be obtained from the Department of Public Works.
  - 14) Provide guardrails at all landings. NOTE: All landings more than 30" in height at any point are considered in calculating the allowable lot coverage. Consult the Planning Department for details if your project entails landings more than 30" in height.
  - 15) Provide handrails at all stairs where there are four or more risers.
  - 16) Provide lighting at all exterior landings.
  - 17) Prior to applying for a Building Permit the applicant must obtain an address for each structure on the site, acceptable to the Fire Marshal, from the Engineering Department. Note: The correct address must be referenced on all pages of the plans.
  - 18) On your plans provide a table that includes the following:
    - a. Occupancy group for each area of the building
    - b. Type of construction
    - c. Allowable area
    - d. Proposed area
    - e. Allowable height
    - f. Proposed height
    - g. Proposed fire separation distances
    - h. Exterior wall and opening protection
      - i. Allowable



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ii. Proposed

i. Indicate sprinklered or non-sprinklered

- 19) Illustrate compliance with the minimum plumbing fixture requirements described in the 2010 California Plumbing Code, Chapter 4, Table 4-1 Minimum Plumbing Facilities and Table A - Occupant Load Factor.
- 20) Show compliance with all accessibility regulations found in the 2010 CBC for commercial buildings including:
  - a. Accessible paths of travel
  - b. A level landing must be provided on each side of the door at all required entrances and exits.
  - c. Accessible countertops
  - d. Accessible bathrooms
  - e. Accessible parking
- 21) Per CEO 3003.5, all structures four or more stories in height must have at least one elevator that can accommodate a stretcher. See the referenced code section for dimensions (80" x 54") and other details.
- 22) Provide an exit plan showing the paths of travel
- 23) In Assembly occupancies specify aisle widths that comply with Section 1025.9.
- 24) Specify the total number of parking spaces on site
- 25) All NEW non-residential buildings must comply with the requirements of AB-2176 Sec. 42911 (c) [2003 — 2004 Montanez) as follows:
  - a. Space for recycling must be a part of the project design in new buildings.
  - b. A building permit will not be issued unless details are shown on the project plans incorporating adequate storage for collecting and loading recycled materials.
- 26) Include with your Building Division plan check submittal a complete underground fire sprinkler plan. Contact the Burlingame Water Division at 650-558-7660 for details regarding the water system or Central County Fire for sprinkler details.
- 27) Sewer connection fees must be paid prior to issuing the building permit.

9. that the conditions of the NPDES Coordinators February 8, 2012 memo shall be met, which includes the following comments:



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- a. The project will need to comply with additional and new Low Impact Development (LID) requirements under the Municipal Regional Permit, C.3 Provisions, which became effective on December 11, 2011. For details and technical guidance on these C.3 requirements visit the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP) at <http://www.flowstobay.orianas.new.development.php>.
- b. The following C.3 forms/worksheets have been updated and project proponents will need to use and submit these forms as part of the final construction documents and associated building permits:
  - 1) NPDES Permit Impervious Surface Data Collection Worksheet\*
  - 2) C.3 and C.6 Development Review Checklist\*.

\*both forms are available for download at <http://www.flowstobay.orcebs.new.development.php>.

c. When submitting plans for a building permit include a list of construction stormwater pollution prevention Best Management Practices (BMPs) as project notes and include them as a separate full size plan sheet, preferably 2' x 3' or larger. Project proponents may use the attached Construction Best Management Practices (BMPs) plan sheet to comply with this requirement. Electronic file is available for download at <http://www.flowstobay.org/bs.construction.php> (scroll about half-way down the page and click on Construction BMP Plan Sheet).

- 10. that the conditions of the Parks Supervisor's February 6, 2012 memo shall be met, which includes the following comments:
  - a. Submit a Landscape Project Application to the Parks Division in compliance with the Water Conservation in Landscape Ordinance.
  - b. New trees in the Airport Boulevard islands shall be *Platanus acerfolia* 'Columbia'.
  
- 11. that the conditions of the Fire Marshal's April 26, 2010 memo shall be met, which includes the following comments:
  - a. All *buildings shall* be equipped with fire alarms, fire sprinklers and standpipes where required by the California Fire Code and the Burlingame Municipal Code.
  - b. Fire Flow and Fire Hydrants shall conform to Appendix B and C of the International Fire Code 2006 Edition.
  - c. Fire apparatus access shall be provided for all buildings in accordance with §503 of the International Fire Code.
  - d. Fire Control Room as required by the California Building Code shall be placed to the exterior of the building with exterior access. Rooms shall be positioned facing fire apparatus access. This requirement may negate exterior remote annunciators and key boxes intended to house HMIS/HMMP as required for Burlingame Municipal Code.



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- e. Please see Burlingame Municipal Code specific to Addressing Requirements and Key Boxes associated with Hazardous Materials.
- f. The fire department shall request HMIS/HMIP in accordance with the California Fire Code. All inventory lists shall at minimum indicate the hazardous material class and quantities consistent with Table 2703.1.1(1), Title 24 CFC classes and units (i.e.: pounds, gallons, cubic feet at NTP, etc.).
- g. Space shall be provided within each Highrise for installation of a repeater/receiver antenna and supporting equipment for City Communications. An electrical supply source shall be provided at the antenna/equipment location. Reasonable access shall be provided to City staff contractors for installation of necessary telephone lines and for purposes of installation, maintenance, adjustment and repair of the antenna/equipment.

12. that the conditions of the Public Works Department, Engineering Division's May 8, 2012 memo shall be met, which includes the following comments:

- a. With City approval, the Developer proposes to construct a new, realigned Airport Boulevard through the Project and to construct Bay Trail and Bay frontage improvements in the City's right-of-way easement of the original Airport Boulevard. Developer understands that the underlying fee of the original Airport Boulevard ROW, from the existing Sanchez Chanel Bridge East to Fisherman's Park and South from Fisherman's Park to Beach Road, is owned by the State of California, State Lands Commission and that the City only holds a ROW easement over same. Developer shall give the State Lands Commission written notice of its development plans and specifically, notice of the proposed improvements to be constructed in the ROW of the original Airport Boulevard alignment, within ten (10) days of the Planning Commission's recommendation of the Project to the City Council. At any time, should State Lands have any concerns over said improvements, object to any aspect of the proposed improvements or initiate any type of administrative or judicial action in regard to these proposed improvements, Developer shall hold harmless, defend and indemnify the City, its officers, agents and employees from any and all fees (including attorneys' fees), damages, fines or any other costs of any kind related to such objections, claims or actions.

Additionally, the Developer shall obtain letters of no objection to the proposed realignment of Airport Boulevard from all utility companies. The Project Developer shall relocate all existing utilities from within the existing Airport Boulevard roadway to the proposed realigned Airport Boulevard roadway to the satisfaction of the City Engineer and affected utility companies.

- b. The developer shall prepare necessary engineering drawings and construction documents to construct the Sanchez Channel Bridge widening as identified in the existing BCDC permit to provide the necessary width for pedestrian, bicyclist and vehicular access along Airport Boulevard. The developer shall complete construction of these improvements at his/her expense These drawings shall be approved by the City Engineer as part of the Building Permit process.



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- c. The developer shall be responsible to meet all San Francisco Bay Conservation and Development Commission (BCDC) requirements for the project and provide the City with documentation of all approvals by BCDC for all work within 100 feet of the shoreline band along the San Francisco Bay and Sanchez drainage channel.
- d. The developer shall enter into a Site Maintenance Agreement with the City for maintenance of all landscape, sidewalk, medians, and stormwater improvements as well as roadway improvements that do not conform to city standards, such as the proposed roadway intersections. The Site Maintenance Agreement shall be executed prior to the issuance of the Building permit.
- e. All traffic improvements, including but not limited to traffic signals, pedestrian countdown signals, pedestrian audible signals, signal interconnection hardware, street lights, signage, street markings, etc., shall be approved by the City Engineer and installed at the property owner's expense. The proposed streetlights must conform to current standards which require Beta LED's or equivalent. The developer shall submit and obtain approval of the required engineering drawings and specifications for all public improvements as part of the building permit process.
- f. The project shall reimburse to the City the operation, maintenance and energy costs of the proposed traffic signals. The City will maintain the newly proposed traffic signal operations. The operation cost of the traffic signal will be adjusted annually by the City based on prevailing costs. The electricity costs will be based on direct billing by PG & E.
- g. The developer shall provide at his/her expense shoreline access, adequate erosion protection and site amenities to the standards established by the City and BCDC.
- h. The Bay and drainage channel shorelines located on this property will require stabilization improvements to provide flood protection for the public access trail and bridge. All shoreline and drainage channel slope protection measures, need to be reviewed and approved by the City Engineer.
- i. The public and facility users shall be safely provided for and protected from the flooding of the site in the event of a disaster. This includes a storm or an earthquake which coincides with a maximum high tide and possible breaching of Sanchez Channel and/or Airport Boulevard levees. The property owner shall employ a qualified engineer to analyze the seismic stability of the Sanchez Channel and Airport Boulevard levees and identify protection against possible earthquake or storm event. The property owner shall submit the structural and seismic stability analysis to the City Engineer for review and approval. If the analysis indicates that improvements are necessary along the project site to provide stability for an event, such improvements shall be installed as approved by the City Engineer prior to occupancy of the first building.
- j. The developer shall be required to incorporate the following measures into project design in order to reduce the potential impacts of flooding:
  - 1) Necessary tide gates shall be installed in the storm drain system on the project site to prevent high water from back flowing into the site during flood periods;



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- 2) Adequate drainage and pump facilities, including a sound-baffled backup power supply, shall be provided in the parking area to prevent water ponding in excess of ten (10) inches in the event of a 100-year flood;
  - 3) Storm drainage facilities shall be designed to accommodate any future settlement of the site, levees and other fill along the site perimeter;
  - 4) A flood contingency plan shall be developed to provide guidelines for management of vehicles in the event of flooding of the parking area; and
  - 5) On-site improvements shall be designed to provide 100-year flood protection. All emergency equipment, generators, controls, and motors shall be located above the 100-year flood elevation.
- k. The developer shall install a six-inch diameter recycled water main with the roadway improvements. This six-inch line shall extend from the existing Sanchez Channel Bridge east to the other end of the new roadway alignment near Beach Road. Initially the line shall be connected to the City water main and serve as the service connection for irrigation. This line and the irrigation system shall convert to a recycled water line once it becomes available. These improvements shall be done at the property owner's cost and shall be completed in concurrence with the roadway improvements.
- l. The project developer shall implement and maintain an appropriate Transportation Demand Management measures in accordance with the San Mateo County Congestion Plan to reduce the number of trips generated by this project.
- m. Detailed grading and drainage plans shall be submitted by the project developer for review by the City Engineer at the time of applying for a building permit.
- n. The project shall comply with the City's NPDES permit requirement to prevent storm water pollution during and after the construction. In addition, the project developer shall provide all documentation relating to compliance with the Regional Municipal Permit from the State of California Water Resources Board.
- o. It is possible that this project may require approvals and permits from the U.S. Army Corp of Engineers, Department of Fish and Game, and the California Regional Water Quality Control Board. The applicant must provide written records of contacting the above agencies demonstrating that a permit has been obtained or is not required.
- p. All street improvements plans shall be submitted to the City for review and approval. These improvements include but are not limited to sanitary sewer mains and laterals; water mains and services; storm drain mains and inlets; street structural sections, soils report, etc. Hydrologic and hydraulic calculations are required for all designs associated with the new road alignment. The road structural section shall be designed to a traffic index of minimum 12.0 and shall withstand vertical displacement due to natural subsurface settlement. The structural section shall be designed for a 20-year life based on recommendations of a professional geotechnical engineer and accompanying soils report.



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- q. The project developer shall perform necessary engineering studies to determine the required capacity and improvements to the system to be approved by the City Engineer. At the City's discretion, the sanitary sewer improvements shall be routed along Airport Boulevard to an existing pump station, thence along Airport Boulevard to the Wastewater Treatment Plant. The sanitary sewer system improvements shall be designed and constructed to accommodate the fully built-out conditions of the project and adjacent properties.
  - r. The project shall abandon the existing potable water main located within existing alignment of Airport Boulevard from Fisherman's Park to Beach Road. The project shall evaluate the existing condition of the water main. If necessary and at the City's discretion, the project shall design and construct a new potable water main system along the newly proposed Airport Boulevard from Beach Road to the Sanchez Channel as well as the replace the existing potable water main segment from Sanchez Channel to Fisherman's Park.
  - s. The project shall install purple piping in buildings for future reclaimed water use in building applications.
13. that early demolition, mass excavation, grading, shoring and foundation permits, including permits for installation of indicator/production piles, may be issued in advance of a building permit provided that prior to issuance of such permits, the applicant has submitted construction plans for the project to the Building Division, or has provided evidence that it is having such plans prepared for the project for which the demolition or grading work is intended. Further, building construction permits shall be submitted and received in accordance with the progress of the work which will occur in phases. Permits that may be submitted individually for application may include, but are not limited to, indicator/production piles, mass excavation, shoring, grading, foundations, superstructure, architecture MEP, fire protection, fire alarm, curtain wall, and so forth, subject to the consent of the City's Building Official and the Fire Marshal. Building Permit phasing and scheduling shall be arranged with the Project Applicant and the Community Development Department – Building Division, such that the work can proceed in an orderly fashion as one continuous phase of construction;
  14. 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;
  15. Exterior lighting for the project would be designed to meet the requirements of Burlingame Municipal Code Section 18.16.030 (pertaining to light spillage off site in commercial or residential areas), the California Energy Commission, and the Illuminating Engineering Society of North America for illumination levels. Compliance with these performance standards would minimize the dispersion of light in a manner that reduces the glow or aurora effect to acceptable and allowable levels. In addition, the project area already contains numerous sources of exterior lighting, and is not adjacent to uses that would be sensitive to light spillover.
  16. that the applicant shall comply with Ordinance 1503, the City of Burlingame Storm Water Management and Discharge Control Ordinance;



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17. that the overall height of the buildings as measured from the top of curb at Airport Boulevard (+ 14.5' elevation) to the top of the mechanical screens shall be no taller than the following heights: Buildings B1 and B2, 97.0', Building 83, 129.0', Building B4, 144.0', Parking Structure, 67.5', and Amenities Building, 49.0'; building heights shall be surveyed at the framing of each floor and at the installation of the mechanical screen and shall be reported to the Building Division as each floor is framed and accepted by the City Engineer before framing of the subsequent floor or roof commences. The elevator overruns and associated structures shall be permitted to exceed the stated height limits to the degree that such exceedance is necessitated by the Uniform Building Code in order for elevators to serve their intended purpose of providing access by persons to the rooftop terraces on the buildings. The entire building height of each structure shall be surveyed to confirm conformance with the approved plans and conditions of approval before scheduling the final framing inspection. If the building does not conform at any point in the construction process, it shall be made to conform before construction continues and any further city inspections shall be scheduled (Building Division);
  
18. that the applicant shall pay the required Bayfront Development Fee based on the square footage of the buildings and the current rate adjusted for inflation, the total fee due is calculated to be \$1,695,070.00. Per the development agreement, one-half of the fee is due at the time of issuance of the first City Building Permit for construction of a building, and one-half is due before the final framing inspection is scheduled, for each Development Phase. The fee due shall be offset by the actual costs incurred by Developer in designing, preparing, installing and constructing (a) the realignment and widening of Airport Boulevard but limited to the customary and ordinary costs for such improvements without special pedestrian treatments, and (b) the Sanchez Channel bridge widening as outlined in the Development Agreement (Planning Division);
  
19. that the applicant shall pay the required public facilities impact fees based on the square footage of the buildings, and that the Parks and Recreation fee (\$131,924.00) and the Storm Drain Fee (\$549,939.00) shall be waived, the total remaining fee due shall be \$1,102,179.00. The remaining fees shall be payable by development phase, and shall be submitted to the Planning Division prior to the issuance of the first building permit for construction of each building as follows: Building 61: \$209,802.00, Building 62: \$209,802.00, Building B3: \$293,722.80, Building B4, \$335,683.20, and Amenities Center: \$53,169.00 (Planning Division);
  
20. that the property owner shall be responsible to see that small delivery trucks or vans making periodic deliveries are on-site only during office hours; no trucks, recreation vehicles or other vehicles shall be stored or parked on site continuously throughout the day or overnight, and no parking shall be leased to tenants or any other users for any purpose,
  
21. ~~that the property owner shall comply with the Transportation Demand Management Program prepared by Fehr and Peers for 350 Beach Road, LLC dated April 6, 2011 including the following measures:~~  
that the Property Owner, in the event the Property is leased to multiple tenants, or the tenant in the event that the entire Property is leased to a sole tenant, shall implement a comprehensive transportation demand management (TDM) program to the satisfaction of the Community Development Director in order to achieve the same or greater peak hour trip reductions as the TDM



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Program prepared by Fehr and Peers for 350 Beach Road, LLC dated April 5, 2011. Such TDM Program may include measures such as:

- a. **Secure Bicycle Storage:** Secure, indoor bicycle storage for at least 26 bicycles shall be provided in a lobby or garage level room within each of the four office buildings. In addition, bicycle racks for up to 50 bicycles will be located outside of Buildings #1 or #4.
  
- h. **Showers and Changing Rooms:** Shower facilities with changing rooms shall be provided throughout the site, with access available to all employees. Shower facilities (two men's and two women's) and changing rooms (one men's and one women's) shall be provided in each of the four office buildings, the amenities center shall include 12 showers and two changing rooms.
  
- i. **Shuttle Service:** Coordinate with the Peninsula Commuter Alliance to add two stops within the project site to the existing commuter shuttle from the Millbrae Intermodal Station. The shuttle provides 10-minute headways during peak periods.
  
- j. **Carpool Parking:** Provide 15 preferential parking spaces for carpools at each of the four office buildings.
  
- k. **Vanpool Parking:** Provide two preferential parking spaces for vanpools at each of the four office buildings.
  
- l. **Commute Assistance Center:**
  - 3) Provide an on-site one-stop shopping for transit and commute alternatives information.
  - 4) Provide a part-time on-site TDM coordinator available to assist building tenants with trip planning.
  
- m. **Employees' Surveys:** The TDM coordinator shall develop and administer two surveys per year to examine TDM program participation and best practices.
  
- o. **Video Conferencing Center:** One video conferencing center of approximately 8500 sf shall be installed for use by the tenants of the facility.
  
- p. **On-Site Amenities/Accommodations:** On-site amenities, including banking, retail, delivery dry cleaning, exercise facilities, child care center, delivery pharmacy and food service shall be provided at the project site to encourage people to stay on site during the work day;
  
- q. **On-Site Bicycles for Employee Use•** Bicycles shall be provided at each office building. Employees will have access to bicycles during breaks for personal or business use.
  
- r. **Child Care Services:** Child care center service shall be provided on site;
  
- s. **Guaranteed Ride Home Program:** Employees will have access to the Guaranteed Ride Home (GRH) program administered by the Peninsula Congestion Relief Alliance (Alliance) for emergencies. The program provides vouchers for taxicabs or rental cars for this purpose.
  
- t. **Transportation Action Plan:** The TDM coordinator shall work with the Alliance to create a Transportation Action Plan for each tenant.



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- u. **Transportation Management Association:** If the office park has multiple tenants, each tenant shall provide a representative to form a Transportation Management Association and be a liaison to the TDM Coordinator.
- s. **Coordination of Transportation Demand Management Programs:** The TDM coordinator shall coordinate with other TDM programs with existing developments/employers in the surrounding area.
- t. **Subsidy for Transit Tickets:** Employers shall offer subsidies to employees to compensate them for the cost of transit tickets.
- u. **Electric Vehicle Stations:** The applicant shall provide plug-in stations for electric vehicles.
- v. **House Car for Employee Use:** Each building will provide employees with access to a "house car" for use during the day.

**THE FOLLOWING CONDITIONS SHALL BE MET DURING THE BUILDING INSPECTION PROCESS PRIOR TO THE INSPECTIONS NOTED IN EACH CONDITION:**

- 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 Department;
- 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; and
- 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:**

**Measures Applicable to 300 Airport Boulevard Project as well as future development of the 350 Airport Boulevard site:**

- 25. Amphlett Poplar Intersection: *The City of San Mateo is considering a range of potential improvements at the Amphlett Boulevard/Poplar Avenue intersection to provide sufficient capacity for existing and future traffic volume. However, a specific improvement project has not been identified at this time. The Project Sponsor, and any future project sponsor for development of the 350 Airport Boulevard site, shall negotiate an agreement with the City of San Mateo to make a fair share contribution toward the cost of improvements at this intersection for each projects respective impacts (Transportation, Planning, Public Works, City of San Mateo);*



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26. Implement Recommended Dust Control Measures. To reduce particulate matter emissions during Project excavation and construction phases, the Project contractor(s) shall comply with the dust control strategies developed by BAAQMD. The Project Sponsor shall include in all construction contracts the following requirements or measures:

- 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 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 5 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.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. (Air Quality; (Planning and Building Divisions);

27. Construction Equipment Emissions Minimization. To reduce the potential impacts resulting from Project construction activities, the Project Sponsor shall include in contract specifications a requirement for the following measures:

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to two minutes;

The Project shall develop a construction plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction Project (i.e., owned, leased, and subcontractor vehicles) would achieve a Project wide fleet-average 20 percent NOx reduction and 45 percent PM reduction compared to the most recent CARB fleet average (as specified in California Code of Regulations Article 4.8, Section 2449 General Requirements for In-Use Off-Road Diesel-Fueled Fleets). Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available;



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*All construction equipment, diesel trucks, and generators shall be equipped with Best Available Control Technology for emission reductions of NOx and PM;*

- *Use of Interim Tier 4, if applicable, or equivalent equipment for all uses where such equipment is available;*
- *Use of Tier 3 equipment with Best Available Control Technology (BACT) or alternative fuel vehicles for applications where Tier 4 Interim engines are not available;*
- *Prohibition of diesel generators for construction purposes where feasible alternative sources of power are available;*
- *All construction equipment shall be maintained in proper working condition in accordance with manufacturer's specifications;*
- *Diesel-powered construction equipment shall comply with BAAQMD requirements or meet Tier 3 or Tier 4 EPA/CARB standards; and*
- *To the extent feasible, the existing electricity infrastructure surrounding the construction sites shall be used rather than electrical generators powered by internal combustion engines. (Air Quality; Planning and Building Divisions)*

28. *Application of Low-VOC Coatings. The Project Sponsor shall use low VOC (i.e., ROG) coatings beyond the local requirements as per the BAAQMD Guideline (i.e., Regulation a Rule 3: Architectural Coatings) (Air Quality; Planning and Building Divisions);*

29. *Implement Best Management Practices to Reduce Construction Noise. The following BMPs shall be incorporated into the construction documents to be implemented by the Project contractor.*

- a. *Maximize the physical separation between noise generators and noise receptors. Such separation includes, but is not limited to, the following measures:*
  - i. *Use heavy-duty mufflers for stationary equipment and barriers around particularly noisy areas of the site or around the entire site;*
  - ii. *Use shields, impervious fences, or other physical sound bafflers to inhibit transmission of noise to sensitive receptors;*
  - iii. *Locate stationary equipment to minimize noise impacts on the community; and*
  - iv. *Minimize backing movements of equipment.*
- b. *Use quiet construction equipment whenever possible.*
- c. *Impact equipment (e.g., jack hammers and pavement breakers) shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Compressed air exhaust silencers shall be used on other equipment. Other quieter procedures, such as drilling rather than using impact equipment, shall be used whenever feasible.*



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- d. *Prohibit unnecessary idling of internal combustion engines.*
- e. *Select routes for movement of construction-related vehicles and equipment in conjunction with the Burlingame Planning Division so that noise-sensitive areas, including residences and schools, are avoided as much as possible.*
- f. *The project sponsor shall designate a "disturbance coordinator for construction activities. The coordinator would be responsible for responding to any local complaints regarding construction noise and vibration. The coordinator would determine the cause of the noise or vibration complaint and would implement reasonable measures to correct the problem. (Noise, Planning and Building Divisions);*

30. *Notify Nearby Businesses of Construction Activities that Could Affect Vibration-Sensitive Equipment.* *The Project Sponsor shall provide notification to adjacent property owners and occupants, prior to the start of construction, informing them of the estimated start date and duration of vibration-generating construction activities during site preparation, grading, and pile driving, if required. This notification shall include information warning about the potential for impacts related to vibration-sensitive equipment. The Project Sponsor shall identify a phone number for the property owners and occupants to call if they have vibration-sensitive equipment on their site. (Noise, Planning and Building Divisions);*
31. *Implement Construction BMPs to Reduce Construction Vibration.* *The Project Sponsor shall implement the following measures during construction of all Project components:*
- *To the extent feasible, construction activities that could generate high vibration levels at any identified vibration-sensitive locations shall be scheduled during times that would have the least impact on nearby land uses. This could include restricting construction activities in the areas of potential impact to the early and late hours of the work day, such as from 8:00 a.m. to 10:00 am. or 4:00 p.m. to 6:00 p.m. Monday to Friday.*
  - *Stationary sources, such as construction staging areas and temporary generators, shall be located as far from nearby vibration-sensitive receptors as possible.*
  - *Trucks shall be prohibited from idling along streets serving the construction site where vibration-sensitive equipment is located.*
  - *Avoid pile driving when possible within 100 feet of an existing structure. (Noise, Planning and Building Divisions);*
32. *Implement Alternative Pile Driving Methods.* *The Project Sponsor shall use alternative pile driving methods (e.g., drilled or steel piles) for piles driven in proximity to existing vibration receptors such that vibration levels at vibration-sensitive equipment shall not exceed 65 VdB. (Noise, Planning and Building Divisions);*
33. *Bird Nest Pre-Construction Survey.* *The Project Sponsor(s) shall retain a qualified biologist to conduct preconstruction breeding-season surveys (approximately March 15 through August 30) of*



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*the Project Site and immediate vicinity during the same calendar year that construction is planned to begin, in consultation with the CDFG as discussed below.*

*If phased construction procedures are planned for the Project, the results of the above survey shall be valid only for the season when it is conducted. A report shall be submitted to CDFG, following the completion of the bird nesting survey that includes, at a minimum, the following information:*

- *A description of methodology including dates of field visits, the names of survey personnel with resumes, and a list of references cited and persons contacted.*
- *A map showing the location(s) of any bird nests observed on the Project Site.*

*If the above survey does not identify any nesting bird species on the Project Site, no further mitigation would be required. However, should any active bird nests be located on the Project Site, the following mitigation measure shall be implemented. (Biological Resources, Planning Division);*

34. *Bird Nest Buffer Zone.* *The Project Sponsor(s), in consultation with CDFG, shall delay construction in the vicinity of active bird nest sites located on or adjacent to the Project Site during the breeding season (approximately March 15 through August 30) while the nest is occupied with adults and/or young. If active nests are identified, construction activities should not occur within 500 ft of the nest. A qualified biologist shall monitor the active nest until the young have fledged, until the biologist determines that the nest is no longer active, or if it is reasonable that construction activities are not disturbing nesting behaviors. The buffer zone shall be delineated by highly visible temporary construction fencing. (Biological Resources, Planning and Building Divisions);*
  
35. *In order to reduce significant impacts to the City's wastewater conveyance and treatment system associated with the Project, the Project Sponsor shall adhere to either of the two following mitigation measures..*
  - a. *Upgrade Pump Capacity at the Existing 399 Rollins Road Pump Station and Reduce Inflow and Infiltration within the Wastewater System.* *The Project Sponsor(s) shall contribute fair-share funds toward the upgrade of the 399 RRPS capacity, or equivalent project to increase capacity in the system, to accommodate the increased PWWF that would result from implementation of the Project. Additionally, the Project Sponsor(s) shall rehabilitate the existing wastewater system, where necessary, to reduce inflow and infiltration that contributes to PWWFs at the WWTP in an amount concomitant with increases in flows contributed by the 300 Airport Boulevard Project.*
  
  - b. *Upgrade to the Existing Airport Boulevard Conveyance System Variant to Rollins Road Pump Station Upgrade.* *The Project Sponsor(s) shall coordinate with the City of Burlingame Public Works Department to upgrade the capacity of the City's wastewater conveyance and treatment system to accommodate the increased PWWF that would result from implementation of development of the 300 and 350 Airport Boulevard Sites. Such measures could include, as necessary, installation of a new pump station within public right of way or other area near the Sanchez Channel Bridge on the Project Site, upgrade the capacity of the existing Airport Boulevard Pump Station, extension of wastewater lines across Sanchez Channel, via attachment to the Sanchez Channel Bridge, to tie into existing wastewater lines*



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*under Airport Boulevard west of the Project Site, and increasing, as required, the capacity of existing gravity lines between the Project.*

*Site and the Airport Boulevard Pump Station and existing force main between the Airport Boulevard Pump Station and the WWRP. The Project Sponsor shall construct the necessary improvements to serve the Project Site and additional properties along Airport Boulevard that would connect to this sewer line. (Utilities, Public Works Department);*

- 36. Undiscovered Cultural Resources. *If evidence of an archaeological site or other suspected cultural resource as defined by CEQA Guideline Section 15064.5, including darkened soil representing past human activity (“midden”), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction-related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City of Burlingame shall be notified. The Project Sponsor shall hire a qualified archaeologist to conduct a field investigation. The City of Burlingame shall consult with the archeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than-significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior’s Standards for Archaeological Documentation.*
  
- 37. Unique Paleontological/Geological Features. *Should a unique paleontological resource or site or unique geological feature be identified at the project construction site during any phase of construction, the Project manager shall cease all construction activities at the site of the discovery and immediately notify the City of Burlingame. The Project Sponsor shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less-than-significant level. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is carried out. The Project Sponsor shall be responsible for implementing any additional mitigation measures prescribed by the paleontologist and approved by the City.*
  
- 38. Human Remains. *If human remains are discovered at any Project construction site during any phase of construction, all ground-disturbing activity 100 feet of the resources shall be halted and the City of Burlingame and the San Mateo County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California’s Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The Project Sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Burlingame shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project applicant shall implement approved mitigation, to be*



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verified by the City of Burlingame, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

**MITIGATION MEASURES APPLICABLE ONLY TO THE 300 AIRPORT BLVD. PROJECT**

39. Reduce Risk of Exposure During Construction. If the childcare center is operational during the construction of Phase 2 of the Project, one of the following shall be implemented:
- a. A Health Risk Assessment is conducted prior to commencement of construction of Phase II that demonstrates, to the satisfaction of the BAAQMD, that impacts to the children at the childcare center are less than significant during Phase II construction or specific sub phases of Phase II construction; or
  - b. Implement the following building design and operational restrictions.
    - 1. The childcare center building shall be designed such that the air intake would be located at the far eastern edge of the building with the air intake facing east.
    - 2. A MERV 15 or higher rated filter shall be installed and operated for at least the duration of construction activities. The MERV 15 or higher rated filters have the potential to remove up to 85 percent of particles of 2.5 microns or greater thereby reducing interior levels of pollutants.
    - 3. All outdoor activities at the childcare center shall be suspended while construction activities are occurring.

If implementation of this Mitigation Measure is infeasible, then the childcare center would be prohibited from operating during Phase 11 construction. (Air Quality, Building and Planning Divisions);
40. Maintenance and Testing of Generators. As part of the conditions of operation for the onsite back-up generators, all diesel emissions associated with the maintenance and testing of the generators should be conducted at such times as the daycare center is not in operation, particularly nights and weekends. (Air Quality, Building and Planning Divisions);
41. Implementation of MERV 15 Filters. The Project Sponsor shall consider implementing MERV 15 or higher rated filters for the amenities building. This would further reduce exposure of daycare students to emissions from US 101. The MERV 15 or higher rated filters have the potential to remove up to 85 percent of PM2.5 and would reduce risk while students were inside the building. (Air Quality, Building and Planning Divisions);
42. Incorporate GHG Reduction Measures for Maintenance Activities. The Project Sponsor shall provide infrastructure for the use of electric landscape equipment during landscaping activities, where feasible. (Climate Change, Planning Division and Parks Department);
43. Incorporate Trees and Vegetation into Project Design. Trees and other shade structures shall be incorporated into the Site Plan to maximize summer shade and to minimize winter shade. (Climate Change, Planning Division and Parks Department);



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44. Renewable Energy System. The 300 Airport Boulevard Project shall offset 10 percent of project electricity demand through implementation of onsite renewable energy systems or through investment in offsite alternative energy systems. (Climate Change, Planning and Building Divisions);
45. Drought Tolerant Landscaping. The 300 Airport Boulevard Project shall reduce irrigation-related water demand by a minimum of 10 percent through the implementation of drought tolerant landscaping. (Climate Change, Planning Division and Parks Department);
46. Cool Roof Material. The 300 Airport Boulevard Project shall incorporate cool-roof materials into project design to reduce electricity demand associated with building heating, ventilation, and air conditioning (HVAC) by a minimum of 7 percent. (Climate Change, Planning and Building Divisions);
47. Water Conservation Measures. The 300 Airport Boulevard Project shall implement immediate water conservation measures to reduce building water demand by 33 percent. Building water demand shall ultimately be reduced by 50 percent when the City's recycled water system is implemented. (Climate Change, Planning and Building Divisions);
48. Energy Efficiency beyond Title 24 Standards. The 300 Airport Boulevard Project shall reduce building energy demand beyond the 2005 Title 24 Standards by 26 percent (Climate Change, Planning and Building Divisions);
49. Operation Solid Waste Reduction. The 300 Airport Boulevard Project shall implement a solid waste reduction program to reduce operational solid waste by a minimum of 10 percent (Climate Change, Planning Division);
50. Utilize Alternative Fueled Vehicles and Local Building Materials. In accordance with BAAQMD BMPs, the Project Sponsor shall incorporate into the construction fleet a minimum of 15 percent of construction vehicles and equipment operated by alternative fuels. Further, the Project Sponsor shall ensure that a minimum of 10 percent of building materials are locally sourced, where feasible. (Climate Change, Planning and Building Divisions);
51. Conduct a Wetland Delineation. The Project Sponsor shall retain a qualified biologist to conduct a wetland delineation of the Project Site. This delineation shall be submitted to the Corps for verification prior to the issuance of any grading permits for the Project. If the Corps determines that the features in the Project Site are not jurisdictional, then no further mitigation would be required. (Biological Resources, Planning and Building Divisions);
52. Obtain Applicable Permits and Certifications. If the Corps determines that these features are jurisdictional, then the Project Sponsor must obtain a CWA Section 404 permit from the Corps, and a CWA Section 401 Water Quality Certification from the RWQCB prior to issuance of any grading permits for the Project. A requirement of the permits will be compensation such that there is no net loss of wetlands. This compensation requirement can be satisfied through avoidance, onsite and/or offsite construction and preservation of wetlands or by purchase of mitigation credits at an



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approved mitigation bank. At certified mitigation banks, the Corps typically requires a minimum 1:1 ratio, but may require higher ratios for certain wetland types. (Biological Resources, Planning and Building Divisions);

- 53. Provide Flood Protection up to the 100-Year Flood Event plus Sea Level Rise for Underground Structures. To protect underground structures from sea level rise flood risks, prior to approving grading and/or building permits the City shall ensure that the project design incorporates its floodplain development requirements into all applicable project features using a flood elevation of at least 7.1feet. All below-ground structures, including storm drains, sewers, equipment facilities, and others, shall be flood proofed and designed to withstand hydrostatic forces and buoyancy from water surface elevations up to 7.1 feet in elevation. Certain portions of the shoreline open space may not be protected at the ultimate level of flooding, given proposed heights. However, developed areas of the Project would be protected. For the shoreline areas, an adaptive strategy would be developed to address end-of-century conditions. (Hydrology, Building Division and Public Works Department);
  
- 54. Provide Adequate Storm Flow Conveyance Capacity for Sea Level Rise Conditions. To ensure that the storm drain system conveyance capacity is not constricted by sea level rise at the outlets, the Project Sponsor shall design the storm drain system to adequately convey stormwater runoff at outlet water surface elevations equivalent to the 100-year flood event base elevation plus sea level rise of 55 inches (water surface elevation of 11.6 feet at the outlet). Prior to receiving a grading permit, the City shall review project designs and studies for adequacy of storm flow conveyance with an outlet surface water elevation of 11.6 feet and in accordance with City design standards. The City shall prepare Conditions of Approval, where necessary, to ensure that the design criteria are met. The Project Sponsor shall incorporate applicable City Conditions of Approval into project designs, prior to receiving a grading permit. (Hydrology, Public Works Department);
  
- 55. Provide Protection of Shoreline and Flood Protection Features from Hydrodynamic Forces from Sea Level Rise Conditions. Prior to receiving a grading permit, in order to ensure that the shoreline and flood protection features associated with the proposed project provide protection under sea level rise hydrodynamic and/or hydrostatic conditions, the Project Sponsor shall prepare engineering studies to identify expected hydrodynamic forces for under storm surge conditions (at least 2 percent wave run-up) and a base flood elevation of at least 11.6 feet and hydrostatic forces from a water surface elevation of 8.1 feet (mean higher high water plus 55-inch sea level rise). For the shoreline areas, an adaptive strategy would be implemented to address end-of-century conditions.

The Project Sponsor shall design shoreline and flood protection features that could accommodate hydrodynamic forces from sea level rise conditions along wherever flood protection features are identified under Mitigation Measure HY-7.1 and at shoreline protection features for stability and integrity under storm surge conditions (at least 2 percent wave run-up) and a base flood elevation of at least 11.6 feet. The Project Sponsor shall also design flood protection features for protection against hydrostatic forces from a water surface elevation of 8.1 feet (mean higher high water plus 55-inch sea level rise). The City shall review designs and associated studies for conformance with City



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*requirements and adequacy of design measures to withstand hydrodynamic and hydrostatic forces associated with the design criteria.*

*The Project Sponsor shall also design erosion protection along the shoreline set-back area for protection under storm surge conditions (at least 2 percent wave run-up) and a base flood elevation of at least 11.6 feet. The City shall review designs and associated studies for adequacy in protecting the shoreline set-back area under these conditions.*

*The City Public Works Department shall prepare Conditions of Approval, where necessary, to ensure that the design criteria are met. Prior to receiving a grading permit, the Project Sponsor shall incorporate applicable City and BCDC Conditions of Approval into project designs.*

**MITIGATION MEASURES APPLICABLE TO THE FUTURE DEVELOPMENT OF THE 350 AIRPORT BOULEVARD SITE**

- 56. Implement TDM Program as part of 350 Airport Boulevard Project. These measures could include: secure bicycle storage, showers and changing rooms, shuttle service, preferential parking for carpoolers, preferential parking for vanpoolers, commute assistance center, employees' surveys, video conferencing centers, on-site amenities accommodations, on-site bicycles for employees, child care services, guaranteed ride home program, transportation action plan, transportation management association, and coordination of TDM programs (Air Quality, Planning Division);
- 57. Implement energy efficiency measures with 350 Airport Boulevard Project. These measures could include: LEED certification or to exceed energy efficiency beyond Title 24 requirements which would further aid in reducing stationary source emissions (Air Quality; Planning and Building Divisions);
- 58. Incorporate GHG Reduction Measures for Maintenance Activities. The Project Sponsor shall provide infrastructure for the use of electric landscape equipment during landscaping activities, where feasible. (Climate Change, Planning Division and Parks Department);
- 59. Incorporate Trees and Vegetation into Project Design. Trees and other shade structures shall be incorporated into the Site Plan to maximize summer shade and to minimize winter shade. (Climate Change, Planning Division and Parks Department);
- 60. Renewable Energy System. The 350 Airport Boulevard Project shall offset 10 percent of project electricity demand through implementation of onsite renewable energy systems or through investment in offsite alternative energy systems. (Climate Change, Planning and Building Divisions);
- 61. Drought Tolerant Landscaping. The 350 Airport Boulevard Project shall reduce irrigation-related water demand by a minimum of 10 percent through the implementation of drought tolerant landscaping. (Climate Change, Planning Division and Parks Department);
- 62. Cool Roof Material. The 350 Airport Boulevard Project shall incorporate cool-roof materials into project design to reduce electricity demand associated with building heating, ventilation, and air conditioning (HVAC) by a minimum of 7 percent (Climate Change, Planning and Building Divisions);



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- 63. Water Conservation Measures. The 350 Airport Boulevard Project shall implement immediate water conservation measures to reduce building water demand by 33 percent. Building water demand shall ultimately be reduced by 50 percent when the City's recycled water system is implemented. (Climate Change, Planning and Building Divisions);
- 64. Energy Efficiency beyond Title 24 Standards. The 350 Airport Boulevard Project shall reduce building energy demand beyond the 2005 Title 24 Standards by 26 percent (Climate Change, Planning and Building Divisions);
- 65. Operation Solid Waste Reduction. The 350 Airport Boulevard Project shall implement a solid waste reduction program to reduce operational solid waste by a minimum of 10 percent. (Climate Change, Planning Division);
- 66. Implement a TDM program. The Project Sponsor shall ensure that future development of the 350 Airport Boulevard Site implement a TOM program similar to that described for the 300 Airport Boulevard Project, to reduce transportation-related GHG emissions. (Climate Change, Planning Division and Traffic Engineer);
- 67. Pursue LEED Certification. Future development of the 350 Airport Boulevard Site shall seek LEED Gold certification or equivalent for development per the recommendations of the City's Green Building Ordinance. The Project Sponsor shall submit draft LEED (or equivalent) checklists to the City Sustainability Coordinator for review and consultation. (Climate Change, Planning and Building Divisions);
- 68. Placement or Screening of HVAC Mechanical Equipment. All HVAC mechanical equipment shall be located more than 60 feet from the nearest property line. Alternatively, HVAC mechanical equipment may be installed in a noise enclosure sufficient to reduce ground-level noise levels at the nearest property boundary to 70 dBA CNEL or less. (Noise, Planning and Building Divisions);
- 69. Provide Flood Protection up to the 100-Year Flood Event plus Sea Level Rise for Underground Structures. To protect underground structures from sea level rise flood risks, prior to approving grading and/or building permits the City shall ensure that the project design incorporates its floodplain development requirements into all applicable project features using a flood elevation of at least 7.1feet. All below-ground structures, including storm drains, sewers, equipment facilities, and others, shall be flood proofed and designed to withstand hydrostatic forces and buoyancy from water surface elevations up to 7.1 feet in elevation. Certain portions of the shoreline open space may not be protected at the ultimate level of flooding, given proposed heights. However, developed areas of the Project would be protected. For the shoreline areas, an adaptive strategy would be developed to address end-of-century conditions. (Hydrology, Building Division and Public Works Department);
- 70. Provide Adequate Storm Flow Conveyance Capacity for Sea Level Rise Conditions. To ensure that the storm drain system conveyance capacity is not constricted by sea level rise at the outlets, the Project Sponsor shall design the storm drain system to adequately convey stormwater runoff at outlet water surface elevations equivalent to the 100-year flood event base elevation plus sea level



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*rise of 55 inches (water surface elevation of 11.6 feet at the outlet). Prior to receiving a grading permit, the City shall review project designs and studies for adequacy of storm flow conveyance with an outlet surface water elevation of 11.6 feet and in accordance with City design standards. The City shall prepare Conditions of Approval, where necessary, to ensure that the design criteria are met. The Project Sponsor shall incorporate applicable City Conditions of Approval into project designs, prior to receiving a grading permit (Hydrology, Public Works Department);*

71. *Provide Protection of Shoreline and Flood Protection Features from Hydrodynamic Forces from Sea Level Rise Conditions.* *Prior to receiving a grading permit, in order to ensure that the shoreline and flood protection features associated with the proposed project provide protection under sea level rise hydrodynamic and/or hydrostatic conditions, the Project Sponsor shall prepare engineering studies to identify expected hydrodynamic forces for under storm surge conditions (at least 2 percent wave run-up) and a base flood elevation of at least 11.6 feet and hydrostatic forces from a water surface elevation of 8.1 feet (mean higher high water plus 55-inch sea level rise). For the shoreline areas, an adaptive strategy would be implemented to address end-of-century conditions.*

*The Project Sponsor shall design shoreline and flood protection features that could accommodate hydrodynamic forces from sea level rise conditions along wherever flood protection features are identified under Mitigation Measure HY-7.1 and at shoreline protection features for stability and integrity under storm surge conditions (at least 2 percent wave run-up) and a base flood elevation of at least 11.6 feet. The Project Sponsor shall also design flood protection features for protection against hydrostatic forces from a water surface elevation of 8.1 feet (mean higher high water plus 55-inch sea level rise). The City shall review designs and associated studies for conformance with City requirements and adequacy of design measures to withstand hydrodynamic and hydrostatic forces associated with the design criteria.*

*The Project Sponsor shall also design erosion protection along the shoreline set-back area for protection under storm surge conditions (at least 2 percent wave run-up) and a base flood elevation of at least 11.6 feet. The City shall review designs and associated studies for adequacy in protecting the shoreline set-back area under these conditions.*

*The City Public Works Department shall prepare Conditions of Approval, where necessary, to ensure that the design criteria are met. Prior to receiving a grading permit, the Project Sponsor shall incorporate applicable City and BCDC Conditions of Approval into project designs. (Hydrology, Public Works Department);*

72. *Provide Flood Protection up to the 100-Year Flood Event plus Sea Level Rise for Above-Ground Structures.* *To protect structures and people from sea level rise risks at the 350 Airport Boulevard Site, prior to approving grading permits, the City shall ensure project design incorporates its floodplain development requirements for a flood depth of the identified 100-year flood hazard water surface elevation plus a 4.6-foot (55-inch) rise in sea level. At a minimum, the Project Site shall be graded to over 10 feet above msl and the finished floor elevation of all building finished floors shall be constructed to 14.5 feet (i.e., 2.9 feet above the 11.6-foot potential flood elevation), or as otherwise determined as grading plans are developed. (Hydrology, Public Works Department); and*



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73. Future Wind Tunnel Analysis. *To reduce potential impacts associated with future development of the 350 Airport Boulevard Site, a wind tunnel analysis shall be conducted in order to ensure that future development of the Site is designed in a way to minimize wind shadow effects at surrounding windsurfing areas. (Wind and Recreation, Planning Division).*

Prepared by: Kevin Gardiner, Community Development Director

- c. Genzon Investment Group, applicant  
 Burlingame Point LLC, property owner

Attachments:

- Applicant Letter of Explanation, dated August 2, 2018
- Application to the Planning Commission
- Proposed Resolution
- Notice of Public Hearing - Mailed August 3, 2018