

Greg Xiong
Anacapa REI, LLC
4546 El Camino Real, #226
Los Altos, CA 94022
650-796-1086
gregxiong@wavechollc.com

To: Catherine Keylon
Senior Planner
City of Burlingame
Community Development Department, Planning Division
Tel. 650-558-7252
ckeylon@burlingame.org

RECEIVED

MAR - 8 2019

CITY OF BURLINGAME
CDD-PLANNING DIV.

RE: 1431 El Camino Real, Burlingame, CA

Dear Ms. Catherine Keylon,

We are the owner/applicant of above referenced 6-unit condominium building project. We acquired this property in mid of 2018, which was a few months after the entitlement was approved. As new owner, we intended to carry on the entitlement, and work on construction drawings so we may apply for building permit, and eventually build out the project. However, it got delayed in the last six months or so. First, we had considered to acquire another similar project in the city of Burlingame so we may apply for building permits for both together, yet it did not work out our way, and caused some delay to this project. Secondly, we would like to work with the architect firm on file, but we got some difficulty in selecting many other professional consultants, and it further delayed the project activities.

We got notice from you that entitlement will expire by 3/8/2019. Thank you for letting us know in time! We hereby write to apply for an extension of the entitlement - We've filled out the application and will comply with other requirements including fee payment. We will greatly appreciate the Planning Commission will grant us the extension. Please do not hesitate to contact us if you need any further information.

Sincerely yours,


Greg Xiong



PLANNING APPLICATION

COMMUNITY DEVELOPMENT DEPARTMENT—PLANNING DIVISION

501 PRIMROSE ROAD, 2ND FLOOR, BURLINGAME, CA 94010-3997

TEL: 650.558.7250 | FAX: 650.696.3790 | E-MAIL: PLANNINGDEPT@BURLINGAME.ORG

PROJECT INFORMATION

1431 El Camino Real

PROJECT ADDRESS

ASSESSOR'S PARCEL # (APN)

R3
ZONING

PROJECT DESCRIPTION

Extension of a previously approved Mitigated Neg Dec, Condo Permit, Design Review and Parking Variance for new 6-unit condo bldg

APPLICANT INFORMATION

ANACAPA REI, LLC

PROPERTY OWNER NAME

650-250-9307

PHONE

GREG KIONG

APPLICANT NAME (IF DIFFERENT FROM PROPERTY OWNER)

650-796-1086

PHONE

Levy Design Architecture

ARCHITECT/DESIGNER

415-777-0561

PHONE

29317

BURLINGAME BUSINESS LICENSE #

4546 El Camino Real, #226, LOS ALTOS, CA 94022

ADDRESS

SUSANXIONG@wavechallc.com

E-MAIL

4546 El Camino Real, #226, LOS ALTOS, CA 94022

ADDRESS

gregkiong@wavechallc.com

E-MAIL

90 South Park, San Francisco 94107

ADDRESS

toby@levydesignpartners.com

E-MAIL

AFFIDAVIT OF OWNERSHIP

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION GIVEN HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature]
APPLICANT'S SIGNATURE (IF DIFFERENT FROM PROPERTY OWNER)

3/7/19
DATE

I AM AWARE OF THE PROPOSED APPLICATION AND HEREBY AUTHORIZE THE ABOVE APPLICANT TO SUBMIT THIS APPLICATION TO THE PLANNING COMMISSION/DIVISION.

[Signature]
PROPERTY OWNER'S SIGNATURE

3-7-2019
DATE

AUTHORIZATION TO REPRODUCE PLANS

I HEREBY GRANT THE CITY OF BURLINGAME THE AUTHORITY TO REPRODUCE UPON REQUEST AND/OR POST PLANS SUBMITTED WITH THIS APPLICATION ON THE CITY'S WEBSITE AS PART OF THE PLANNING APPROVAL PROCESS AND WAIVE ANY CLAIMS AGAINST THE CITY ARISING OUT OF OR RELATED TO SUCH ACTION

(INITIALS OF ARCHITECT/DESIGNER)

STAFF USE ONLY

APPLICATION TYPE

- | | |
|--|---|
| <input type="checkbox"/> ACCESSORY DWELLING UNIT (ADU) | <input type="checkbox"/> VARIANCE (VAR) |
| <input type="checkbox"/> CONDITIONAL USE PERMIT (CUP) | <input type="checkbox"/> WIRELESS |
| <input type="checkbox"/> DESIGN REVIEW (DSR) | <input type="checkbox"/> FENCE EXCEPTION |
| <input type="checkbox"/> HILLSIDE AREA CONSTRUCTION PERMIT | <input checked="" type="checkbox"/> OTHER: <u>Extension</u> |
| <input type="checkbox"/> MINOR MODIFICATION | |
| <input type="checkbox"/> SPECIAL PERMIT (SP) | |

DATE RECEIVED:

RECEIVED

MAR - 8 2019

CITY OF BURLINGAME
CDD-PLANNING DIV.

STAFF USE ONLY



City of Burlingame

BURLINGAME CITY HALL
501 PRIMROSE ROAD
BURLINGAME, CA 94010

Meeting Minutes Planning Commission

Monday, February 12, 2018

7:00 PM

Council Chambers

- a. 1431 El Camino Real , zoned R-3 - Application for Environmental Review, Condominium Permit, Design Review, and Parking Variance for the use of mechanical parking lifts for a new 3-story, 6-unit condominium building (Levy Design Partners, applicant and architect; GGH Investment LLC, property owner) (71 noticed) Staff Contact: Catherine Keylon

All Commissioners had visited the property. There were no ex-parte communications to report.

Senior Planner Keylon provided an overview of the staff report.

Questions of Staff:

> *Clarified that a parking variance is requested because the property lies outside of the Downtown Specific Plan Area. (Keylon: confirmed this fact; policies within the Downtown Specific Plan area permit the lifts to be considered without a variance.)*

Chair Gum opened the public hearing

Toby Levy and Bruce Chen represented the applicant.

Commission Questions/Comments:

- > *May be difficult to grow grass within the median strip; what does the applicant suggest? (Chen: noted that grass is not proposed, low ground-cover is proposed.)*
- > *What is the makeup of the existing units on the property? (Grace: two, two-bedroom, one bath units and two, one-bedroom, one bath units.)*
- > *Could the project be developed without the garage? (Levy: wanted an enclosed garage as it is nicer to look at.)*
- > *How will delivery vehicles access the property? (Levy: there are adequate turnaround areas.)*
- > *Asked about the noise generated by the garage doors? (Levy: referenced other cities' evaluations that show that the noise studies prepared by the provider are accurate.)*

Public Comments:

There were no public comments.

Chair Gum closed the public hearing.

Commission Discussion:

- > *The project has been thoroughly vetted. Comfortable with the findings of the Mitigated Negative Declaration.*
- > *The site constraints make it difficult to replicate the development that exists on the property currently without losing units. The project will replace and minimally increase the number of units on the property. Other areas near the location are permitted to use car-stackers for parking.*
- > *The building is similar in scale and massing as well as finishing to other projects in the area. The*

project is approvable.

- > *Confirmed that the variance approval will run with the property.*
- > *The density proposed is well within the density permitted under the General Plan.*

Commissioner Sargent made a motion, seconded by Commissioner Loftis, to approve the application. Chair Gum called for a voice vote, and the motion carried by the following vote:

Aye: 9 - Gum, Gum, Gaul, Gaul, Terrones, Sargent, Loftis, Kelly, and Comaroto

RESOLUTION APPROVING CATEGORICAL EXEMPTION AND ONE YEAR PERMIT EXTENSION

RESOLVED, by the Planning Commission of the City of Burlingame that:

WHEREAS, a Categorical Exemption has been prepared and application has been made for a One Year Extension of a previously approved application for Mitigated Negative Declaration, Condominium Permit, Design Review and Parking Variance for the use of mechanical parking lifts and Tentative Condominium Map for construction of a new 3-story, 6-unit condominium building at 1431 El Camino Real, Zoned R-3, Ancapa Rei LLC, property owner, APN: 026-013-110;

WHEREAS, said matters were heard by the Planning Commission of the City of Burlingame on April 8, 2019, at which time it reviewed and considered the staff report and all other written materials and testimony presented at said hearing;

NOW, THEREFORE, it is RESOLVED and DETERMINED by this Planning Commission that:

1. The proposed project is covered by Mitigated Negative Declaration 598-P, approved February 12, 2018.
2. Said One Year Extension for Mitigated Negative Declaration, Condominium Permit, Design Review and Parking Variance are approved subject to the conditions set forth in Exhibit "A" attached hereto. Findings for such Mitigated Negative Declaration, Condominium Permit, Design Review and Parking Variance are set forth in the staff report, minutes, and recording of said meetings.
3. It is further directed that a certified copy of this resolution be recorded in the official records of the County of San Mateo.

Chairman

I, _____, Secretary of the Planning Commission of the City of Burlingame, do hereby certify that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission held on the 8th day of April, 2019, by the following vote:

Secretary

EXHIBIT "A"

Conditions of Approval for One Year Permit Extension
1431 El Camino Real
Effective **April 18, 2019**
Page 1

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped March 8, 2019, sheets A0.0 through A5.3;
2. 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 \$5,537.00, made payable to the City of Burlingame and submitted to the Planning Department;
3. that prior to scheduling the final framing inspection for the condominium building, the applicant shall pay the second half of the Public Facilities Impact fee in the amount of \$5,537.00, made payable to the City of Burlingame and submitted to the Planning Department;
4. parking lifts, three (3) Klaus 2061-190 and three (3) Klaus 2061-200, or an equivalent parking lifts, shall be installed in the garage of each residential unit, with the following conditions:
 - a. that the interior clearance height of the garages shall be at least 13'-3"0, measured from floor to ceiling- as show on sheet A4.1 of the plans, in order to permit the parking of sport utility vehicles on the parking lifts;
 - b. the parking lifts shall be properly illuminated to provide safety for easy loading and unloading, while not causing excessive glare.
 - c. signage shall be installed in each garage explaining the proper use of the lifts and emergency contact information for lift maintenance or problems.
 - d. the final design of the parking lifts shall be subject to the review and approval of the Community Development Director.
5. 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;
6. that the applicant shall apply for a tentative and final condominium map with the Public Works, Engineering Division for processing in conformance with the Subdivision Map Act;
7. that the applicant shall apply for an encroachment permit from the Department of Transportation for any work proposed in the state right-of-way;
8. that the applicant shall coordinate with Caltrans and a licensed arborist to replant the existing elm tree within the Caltrans right-of-way in front of the subject property a few feet to the south (left) in order to accommodate the new driveway location in accordance with the SOIS Action Plan and the ESA Action Plan;

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1431 El Camino Real
Effective **April 18, 2019**

9. that the applicant shall implement tree protection measures for the (second) elm tree that currently exists within the planter strip in front of the subject property that will be retained as part of this project in accordance with the SOIS Action Plan and the ESA Action Plan (see appendices of the IS/MND);
10. that documentation with exhibits that show detailed project construction plans including work on the driveway, sidewalk adjacent to the two elm trees in the planter strip, and a description of any other ground-disturbing work within 100-feet of the matures trees shall be submitted to the Department of Transportation for review and approval of an encroachment permit. The documentation should describe efforts to avoid affecting the trees and if avoidance is impossible, efforts to lessen the impact on the trees must be described and shall be in accordance with the SOIS Action Plan and the ESA Action Plan (see appendices of the IS/MND);
11. that the maximum elevation at the top of the roof ridge shall not exceed elevation 49.75' as measured from the average elevation at the top of the curb along El Camino Real (14.75') for a maximum height of 35'-0", and that the top of each floor and final roof ridge shall be surveyed and approved by the City Engineer as the framing proceeds and prior to final framing and roofing inspections. The garage/first floor finished floor elevation shall be elevation 16.86'; second floor finished floor shall be elevation 29.58'; third floor finished floor shall be elevation 39.91'. 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;
12. that any changes to the size or envelope of the building, which would include expanding the footprint or floor area of the structure, replacing or relocating windows or changing the roof height or pitch, shall be subject to Planning Commission review;
13. that the conditions of the Building Division memos dated February 27, 2017 and October 3, 2016; Parks Division memos dated October 5, 2016; the Engineering Division memos dated February 24, 2017 and October 7, 2016; the Fire Division memos dated October 12, 2016; and the Stormwater Division memos dated November 14, 2016 shall be met;
14. that storage of construction materials and equipment on the street or in the public right-of-way shall be prohibited;
15. that the 'service vehicle stall' shall be marked on the service parking space and designated on the final map and plans, this stall shall not be assigned to any unit, but shall be owned and maintained by the condominium association, and the service vehicle stall shall always be accessible for parking and not be separately enclosed or used for resident storage;
16. that the Covenants Conditions and Restrictions (CC&Rs) for the condominium project shall require that the service vehicle stall shall be reserved for service vehicles or guests only and shall not be used by condominium residents;
17. that the final inspection shall be completed and a certificate of occupancy issued before the close of escrow on the sale of each unit;

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

EXHIBIT "A"

Conditions of Approval for One Year Permit Extension

1431 El Camino Real

Effective **April 18, 2019**

28. that trash enclosures and dumpster areas shall be covered and protected from roof and surface drainage and that if water cannot be diverted from these areas, a self-contained drainage system shall be provided that discharges to an interceptor;
29. that this project shall comply with Ordinance 1845, the City of Burlingame Water Conservation in Landscaping Regulations, and complete landscape and irrigation plans shall be provided at the time of building permit application;
30. that all site catch basins and drainage inlets flowing to the bay shall be stenciled. All catch basins shall be protected during construction to prevent debris from entering;
31. that all new utility connections to serve the site, and which are affected by the development, shall be installed to meet current code standards and local capacities of the collection and distribution systems shall be increased at the developer's expense if necessary;
32. that all utilities to this site shall be installed underground. Any transformers needed for this site shall be installed underground or behind the front setback on this site;
33. that sewer laterals from the site to the public sewer main shall be checked and shall be replaced to city standards as required by the development;
34. that all abandoned utilities and hookups shall be removed;
35. that all drainage (including water from the below grade parking garage) on site shall be required to be collected and pumped to the street as determined by the Public Works Department;
36. that demolition of the existing structures and any grading or earth moving on the site shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
37. that the applicant shall install fire sprinklers and a fire alarm system monitored by an approved central station prior to the final inspection for building permit;
38. that all construction shall abide by the construction hours established in the Municipal Code;
39. that the applicant shall comply with Ordinance 1645, the City of Burlingame Recycling and Waste Reduction Ordinance, and shall submit a waste reduction plan and recycling deposit for demolition and new construction, before receiving a demolition permit;
40. that this project shall comply with Ordinance No. 1477, Exterior Illumination Ordinance; and
41. that the project shall be required to comply with all the standards of the California Building and Fire Codes, in effect at time of building permit issuance, as amended by the City of Burlingame.

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Conditions of Approval for One Year Permit Extension
1431 El Camino Real
Effective April 18, 2019

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

42. that prior to scheduling the foundation inspection a licensed surveyor shall locate the property corners, set the building envelope;
43. 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;
44. 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;
45. 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 ***Cultural Resources***

46. *Unanticipated Discovery of Archaeological Resources. All construction crew members shall be alerted to the potential to encounter sensitive archaeological material. In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether additional study is warranted. Prehistoric archaeological deposits may be indicated by the presence of discolored or dark soil, fire-affected material, concentrations of fragmented or whole marine shell, burned or complete bone, non-local lithic materials, or a characteristic observed to be atypical of the surrounding area. Common prehistoric artifacts may include modified or battered lithic materials; lithic or bone tools that appeared to have been used for chopping, drilling, or grinding; projectile points; fired clay ceramics or non-functional items; and other items. Historic-age deposits are often indicated by the presence of glass bottles and shards, ceramic material, building or domestic refuse, ferrous metal, or old features such as concrete foundations or privies. Depending on the significance of the find under CEQA (14 CCR 15064.5[f]; Public Resources Code Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery, may be warranted.*
47. *Unanticipated Discovery of Human Remains. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the county coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the county*

EXHIBIT "A"

Conditions of Approval for One Year Permit Extension 1431 El Camino Real Effective April 18, 2019

coroner has determined, within 2 working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete his/her inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

48. *Unanticipated Discovery of Paleontological Resources. Paleontological resources are limited, nonrenewable resources of scientific, cultural, or educational value and are afforded protection under state laws and regulations (CEQA). Paleontological resources are explicitly afforded protection by CEQA, specifically in Section V(c) of CEQA Guidelines Appendix G, the Environmental Checklist Form, which addresses the potential for adverse impacts to "unique paleontological resource[s] or site[s] or ... unique geological feature[s]" (14 CCR 15000 et seq.). Further, CEQA provides that, generally, a resource shall be considered "historically significant" if it has yielded or may be likely to yield information important in prehistory (14 CCR 15064.5[a][3][D]). In the event that paleontological resources (silicified shell, bone, or other features) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified paleontologist can evaluate the significance of the find. This analysis shall comply with guidelines and significance criteria specified by the Society of Vertebrate Paleontology. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery, may be warranted.*

Noise

49. *The project sponsor shall retain a qualified acoustical engineer to prepare an acoustical study in accordance with State Title 24 requirements. The acoustical study shall identify methods of design and construction to comply with the applicable portions of the California Building Code Title 24 to achieve an indoor noise level of 45 A-weighted decibel community noise equivalent level or less from traffic noise sources.*
50. *All construction equipment shall use available noise-suppression devices and properly maintained mufflers. All internal combustion engines used on the project site shall be equipped with the type of muffler recommended by the vehicle manufacturer. In addition, all equipment shall be maintained in a good mechanical condition to minimize noise created by a faulty or poorly maintained engine, drive train, or other component.*
51. *During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receptors and as far as possible from the boundary of sensitive receptors.*
52. *Pursuant to the City of Burlingame Municipal Code, the applicant shall limit construction activities to between 8 a.m. and 7 p.m. Mondays through Fridays, and Saturdays between 9 a.m. and 6 p.m.*



CITY OF BURLINGAME
COMMUNITY DEVELOPMENT DEPARTMENT
501 PRIMROSE ROAD
BURLINGAME, CA 94010
PH: (650) 558-7250 • FAX: (650) 696-3790
www.burlingame.org

Site: 1431 EL CAMINO REAL

The City of Burlingame Planning Commission announces the following public hearing on **MONDAY, APRIL 8, 2019 at 7:00 P.M.** in the City Hall Council Chambers, 501 Primrose Road, Burlingame, CA:

Application for a One Year Permit Extension for a previously approved application for a Mitigated Negative Declaration, Condominium Permit, Design Review, and Parking Variance for the use of mechanical parking lifts for a new 3-story, 6-unit condominium building at **1431 EL CAMINO REAL** zoned R-3. APN 026-013-110

Mailed: March 29, 2019

(Please refer to other side)

**PUBLIC HEARING
NOTICE**

**CITY OF BURLINGAME
501 PRIMROSE RD
BURLINGAME, CA 94010-4706**

City of Burlingame

A copy of the application and plans for this project may be reviewed prior to the meeting at the Community Development Department at 501 Primrose Road, Burlingame, California.

If you challenge the subject application(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in the notice or in written correspondence delivered to the city at or prior to the public hearing.

Property owners who receive this notice are responsible for informing their tenants about this notice.

For additional information, please call (650) 558-7250. Thank you.

Kevin Gardiner, AICP
Community Development Director

PUBLIC HEARING NOTICE

(Please refer to other side)



1431 El Camino Real, R-3