

# City of Burlingame

*New Mixed Use Commercial/Residential Development*

**Item No. 8e**  
**Regular Action Item**

**Address:** 1214-1220 Donnelly Avenue

**Meeting Date:** August 10, 2020

**Request:** Application for Mitigated Negative Declaration, Amendment to the Downtown Specific Plan and Zoning Code to allow a multi-family residential use, Conditional Use Permit for building height, Condominium Permit and Lot Merger for construction of a new three-story, 14-unit mixed use commercial/residential development.

**Applicant:** John Britton

**Architect:** Gary Gee Architects, Inc.

**Property Owner:** Britton Trust

**General Plan:** Burlingame Downtown Specific Plan: Donnelly Avenue Area

**Adjacent Development:** Public parking lot, retail and multifamily residential.

**APN:** 029-151-150, -160 and -170

**Lot Area:** 15,706 SF (combined lots)

**Zoning:** DAC

**Design Review Study Meeting (October 28, 2019):** On October 28, 2019, the Planning Commission held a design review study meeting to review changes made to the proposed project. Please refer to the attached October 28, 2019 Planning Commission Minutes for a complete list of comments and concerns expressed by the Planning Commission.

The architect submitted a response letter, dated July 7, 2020, and revised plans, date stamped July 9, 2020, to address the Commission's comments. Please refer to the applicant's letter for a detailed discussion of the changes made to the project since the design review study meeting.

**Environmental Scoping and Design Review Study Meeting (October 9, 2018):** On October 9, 2018, the Planning Commission held an environmental scoping and design review study meeting to review the proposed project. Please refer to the attached October 9, 2018 Planning Commission Minutes for a complete list of comments and concerns expressed by the Planning Commission and the public.

The architect submitted a response letter dated October 22, 2019, and revised plans and materials packet date stamped October 15, 2019, to address the Commission's comments. Please refer to the applicant's letter for a detailed discussion of the changes made to the project since the initial design review study meeting.

**Background:** On November 23, 2013, a fire destroyed the existing structure at 1218 Donnelly Avenue (containing two residential units). In February of 2015, a demolition permit was issued to demolish the existing building at 1218 Donnelly Avenue, as well as an existing single story building (containing one residential unit) at the rear of the site. The fire also spread to a portion of the building at 1214 Donnelly Avenue (previously containing residential and office uses). The structures at 1220 Donnelly Avenue (containing three residential units in the front building and one residential unit in the rear building) were not damaged by the fire.

The structure at 1214 Donnelly Avenue (referred to as the "Gates House") was identified as a potentially historic property in the Draft Inventory of Historic Places prepared in conjunction with the Burlingame Downtown Specific Plan. A Historic Resource Evaluation was prepared for this property, which concluded that 1214 Donnelly Avenue was not architecturally significant, but that it was eligible for individual listing on the California Register of Historical Resources under Criterion 1 (Events) for its association with early settlement patterns in the town of Burlingame, and Criterion 2 (Persons) for its association with original owner and long-time occupant George W. Gates (the third stationmaster for the Burlingame railroad station).

The structure at 1214 Donnelly Avenue remained vacant and exposed to the elements since the date of the fire, though the site was secured with a fence as required by the City. Concerned with the damage the building sustained from the fire and exposure to the elements for several years, the property owner contacted the Community Development Department to explore the possibility of demolishing the structure in advance of a new development being approved for the site.

Based on the Chief Building Official's assessment of the condition of the structure, and his finding that the structure was substandard, unsafe, contained evidence of illicit activities, and could not be reasonably rebuilt, issuance of a Demolition Permit was warranted in order to mitigate the impacts upon the public health and safety. A Demolition Permit was issued in May 2018 and the structure was demolished shortly thereafter.

As noted in the Initial Study/Mitigated Negative Declaration prepared for the project (attached), because the Gates House was demolished in 2018, there are no longer any potentially historic resources on the project site and therefore there were no mitigations to require any commemoration of either early settlement patterns in the town or of George W. Gates on the site. At this time, the applicant has declined to include a commemoration of either early settlement patterns in the town or of George W. Gates, as the environmental review did not identify it as a mitigation.

**Project Summary:** The project site is located midblock on Donnelly Avenue between Primrose Road and Lorton Avenue. The project site consists of three separate lots (1214, 1218 and 1220 Donnelly Avenue) which would be combined into one lot for the proposed project. The site is surrounded by multifamily residential buildings to the north, retail buildings and parking lots to the south, public parking lots to the west and retail buildings to the east.

The proposal includes construction of a new three-story mixed use commercial/residential development consisting of a commercial use on the ground floor and 14 residential condominium units on the second and third floors. All existing buildings remaining on the lots would be demolished to build the proposed development. Parking for 23 vehicles will be provided in an enclosed garage located behind the commercial space.

The ground floor will consist of approximately 4,704 SF of commercial space, which can be configured as one or two tenant spaces with storefront entrances on Donnelly Avenue. The ground floor will also contain an entry court and lobby providing pedestrian access to the residential units on the second and third floors. The remainder of the ground floor will contain rooms for utilities, resident bicycle storage, trash/recycling containers and general storage.

The second and third floors will contain 12, 2-bedroom units and 2, 1-bedroom units for a total of 14 residential units. Each unit will contain a living/dining area, kitchen, one or two bathrooms, laundry closet and one or two bedrooms. The residential units range from 528 SF to 1,040 SF in area, with an average unit size of 913 SF. In the zoning districts within the Downtown Specific Plan, the average maximum unit size permitted is 1,250 SF. The common open space required for the residential units is provided on the podium level (second floor) above the garage at the rear of the site.

The following applications required for this project:

- Amendment to the Downtown Specific Plan (Donnelly Avenue Area) and Donnelly Avenue Commercial (DAC) District to allow residential use above the first floor on properties located north of Donnelly Avenue that have sole frontage on Donnelly Avenue;
- Design Review for construction of a new three-story, mixed use commercial/residential building with at-grade parking (C.S. 25.36.045, 25.57.010 (c)(1) and Chapter 5 of the Downtown Specific Plan);
- Conditional Use Permit for building height (43'-10" to top of parapet and 54'-3" to top of stairway enclosure proposed, where a Conditional Use Permit is required for any building exceed 35'-0"; 55'-0" maximum building height allowed) (C.S. 25.36.055);
- Condominium Permit for 14 residential condominium units (each unit to be privately owned) (C.S. 26.30.020); and
- Lot Merger to combine three existing lots (1214, 1218 and 1220 Donnelly Avenue) into one lot.

**Design Review:** Design Review is required for new mixed use building pursuant to Code Sections 25.36.045 and 25.57.010 (c) (1). Design Review was instituted for commercial projects in 2001 with the adoption of the Commercial Design Guidebook. The project is located within the boundaries of the *Burlingame Downtown Specific Plan* and therefore subject to Chapter 5 of the Downtown Specific Plan (Design & Character). Section 5.2 (pages 5-3 through 5-12) provides design guidelines specifically for commercial and mixed use areas within the Downtown Specific Plan area. Section 5.4 (pages 5-22 through 5-26) provides more general design guidelines that apply to all areas of the downtown. The relevant pages of the plan have been included as an attachment for convenience of commissioners.

The proposed exterior facades will consist of a variety of materials including cement plaster siding (smooth steel troweled finish), Hardie "Reveal" panel system and trim (along blind wall on east elevation), smooth lap siding and exposed concrete or concrete block at the blind walls, decorative metal guardrails, decorative foam relief panels, and metal clad wood windows with simulated true divided lites on the upper floor residential units. The ground floor treatment will include aluminum window sashes, painted wood entry doors, canvas awnings and a painted metal garage door. The upper edge of the building will consist of varying architectural elements, including Spanish barrel clay roof tiles with foam eave brackets/corbels, a wood trellis along the front façade, and articulated parapets with ornamental metal trim. Details of the architectural elements are provided on sheet A3.1a, as well as in the materials binder (separate attachment).

**Building Height:** The Donnelly Avenue Commercial District states that no building shall exceed a height of 55'-0" and that a Conditional Use Permit is required for any building which exceeds 35'-0" in height. As measured from average top of curb level, the proposed height will be 43'-10" to the top of the building parapet and 54'-3" to the top of the stairway enclosure (the stair enclosure on the roof extends more than 10'-0" above the top of parapet and therefore is counted as part of the building height).

**Off-Street Parking:** The proposed project consists of 4,704 SF of commercial space on the ground floor and 14 residential units on the second and third floors. Retail, personal service and food establishment uses located on the ground floor within the parking sector of the Burlingame Downtown Specific Plan are exempt from vehicle parking requirements as set forth in code section 25.70.090 (a). The subject property is located within the parking sector; therefore no additional off-street parking is required for the proposed commercial use on the ground floor. The commercial tenant has not yet been determined.

Off-street parking is required for the residential units on the upper floors. For residential uses within the Downtown Specific Plan, the proposed project is required to provide 20 parking spaces for the residents of the units (1.5 spaces for each two-bedroom unit and 1 space for each 1-bedroom unit) and an area for a service/delivery vehicle, for a total of 21 parking spaces. There is no guest parking required on-site for properties located within the Downtown Specific Plan. The at-grade garage, located behind the commercial space, provides a total of 23 parking spaces (21 spaces in a puzzle stacker, one disabled-accessible space and one service/delivery vehicle space). Access to the garage would be from Donnelly Avenue by way of an 18'-0" wide driveway at the west end of the property.

Twenty-one parking spaces would be provided by way of a puzzle car stacker system. A puzzle stacker is a mechanical parking option that provides independent access to all cars parked on the system. The puzzle stacker to be installed is a KlausTrendVario 4200 (see attached specifications) and is able to accommodate passenger cars and medium size vans and SUVs.

The Municipal Code does not include specifications for parking lift systems, so the City currently does not have a standard mechanism for review and approval. However, as a policy the Downtown Specific Plan encourages "creative approaches" to providing on-site parking including vehicle puzzle stackers. Puzzle stackers could be considered "creative approaches" to providing the required on-site parking, and therefore be consistent with the Downtown Specific Plan. To date, the City has approved several commercial and residential projects with parking lift systems including puzzle stackers.

**Common and Private Open Space:** There is a total of 2,695 SF (192.5 SF/unit) of common open space proposed for the residential condominium units where 1,400 SF (100 SF/unit) is required. The common open space is provided on the podium level at the rear of the building. Of the required common open space, a minimum of 50% must be in soft landscaping (700 SF); 710 SF of the provided common open space is proposed to be landscaped and therefore is in compliance. There is 87 SF to 338 SF in private open space per unit (75 SF/unit is the minimum required) provided in balconies.

**Landscaping:** Proposed landscaping throughout the site is shown on the Planting Plans (see sheets L1.1 through L2.2). A variety of plants and shrubs are proposed along the front of the building, as well as on the podium level at the rear of the building within the common open space. Permeable and brick pavers along the building frontage provide walkways to the commercial and residential components of the building and seating areas for the ground floor commercial spaces.

Four existing trees, located at the front of the property at 1214 Donnelly Avenue, are proposed to be removed. One of the three trees, a 20-inch diameter Brisbane box, qualifies as a protected size tree. The applicant will be required to apply for and obtain a Protected Tree Removal Permit from the Parks Division in order to remove this tree. The applicant provided a Tree Survey, prepared by SBCA Tree Consulting and dated April 1, 2016, to identify the trees within the project property that are subject to the City's Reforestation Ordinance (see attached). The survey provides tree protection measures for the existing street tree which was to remain at the time the survey was prepared. However, in consultation with the City Arborist it was determined that this street tree should be replaced (see below).

There is one existing street tree, a Sycamore/London plane tree, along Donnelly Avenue in front of the project property. The Parks Division is requiring that this existing street tree be replaced by five new 36-inch box street trees to achieve uniformity along the project frontage (see Planting Plan, sheet L1.1).

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**Table 1 - Compliance with DAC Regulations**

Lot Area: 15,706 SF

Plans date stamped: July 9, 2020

	<b>Proposed</b>	<b>Allowed/Required</b>
<b>Land Use:</b>	4,704 SF commercial space on ground floor 14 residential units on upper floors <sup>1</sup>	commercial use allowed as a permitted use
<b>Lot Size:</b>	15,706 SF (combined)	5,000 SF minimum
<b>Street Frontage:</b>	146.94 feet	50'-0" minimum
<b>Setbacks and Build-to-line: Front (Donnelly Avenue):</b>	varies from 3'-5" to 11'-11"  75% of the of building is located within 10' of the front property line)	no minimum required  at least 60% of building must be located at front property line or no more than 10' from the front property line)
<b>Left Side Setback:</b>	0'-0"	no minimum required
<b>Right Side Setback:</b>	0'-0"	no minimum required
<b>Rear Setback:</b>	0'-0"	no minimum required
<b>Building Height:</b>	43'-10" to top of parapet <sup>2</sup> 54'-3" to top of stair enclosure <sup>2</sup>	55'-0" maximum >35'-0" with CUP
<b>Ground Floor Ceiling Height:</b>	15'-0"	15'-0" minimum
<b>Off-Street Parking:</b>	21 spaces in puzzle stacker 1 disabled-accessible space <u>1 service/delivery space</u> 23 spaces	12, 2 bdrm units x 1.5 = 18 spaces 2, 1 bdrm units x 1 = 2 spaces <u>service/delivery space = 1</u> 21 spaces
<b>Private Open Space:</b>	87 SF – 338 SF/unit	75 SF per unit
<b>Common Open Space: SF Landscaped:</b>	2,695 SF 710 SF (50.7% of required)	1,400 SF 700 SF (50% of required)

<sup>1</sup> Amendment to the Downtown Specific Plan (Donnelly Avenue) and Donnelly Avenue Commercial District to allow residential use above the first floor on properties located north of Donnelly Avenue that have sole frontage on Donnelly Avenue

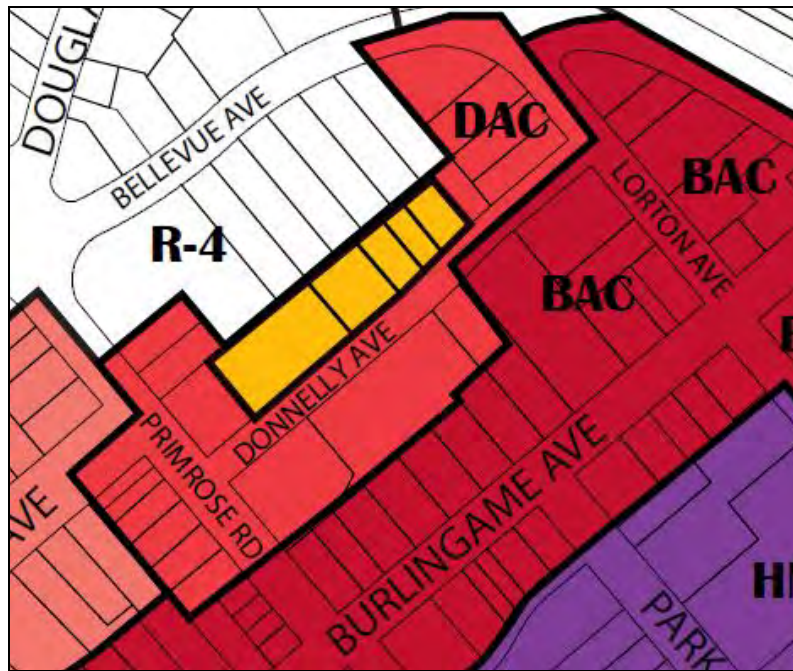
<sup>2</sup> Conditional Use Permit for building height (43'-10" to top of parapet and 54'-3" to top of stairway enclosure proposed, where a Conditional Use Permit is required for any building exceed 35'-0").

**General Plan and Zoning:** The General Plan designates the site as *Downtown Specific Plan*. In 2010 the City Council adopted the Burlingame Downtown Specific Plan, which serves as an element of the General Plan. Within the Downtown Specific Plan, the site is located in the Donnelly Avenue Area and is described as follows:

*The Donnelly Avenue area consists of properties on either side of Donnelly Avenue between Primrose Road and Lorton Avenue. Ground floor retail use is allowed but not required. Existing residential uses may remain and be improved, but new residential uses are not allowed.*

Currently, the Donnelly Avenue Area within the Downtown Specific Plan and the Donnelly Avenue Commercial (DAC) zoning regulations do not permit residential uses of any type.

With this application, the applicant is requesting that the Planning Commission consider amending the Downtown Specific Plan (Donnelly Avenue Area) and DAC zoning regulations to allow residential use above the first floor, only on those properties within the DAC zone that lie north of Donnelly Avenue that have sole frontage on Donnelly Avenue (see highlighted properties in the map below). This would include the project site (three lots) and two public parking lots. One rationale for this rather limited amendment is that the Donnelly Avenue facing properties are adjacent to primarily multifamily residential land uses to the rear on the north side of that block (facing Bellevue Avenue), and as such would be compatible with the adjacent residential uses. The property at 1210-1212 Donnelly Avenue was not included because based on its substandard lot size (4,132 SF) and lot width (41.29'), it would be difficult to develop the site with a mixed use residential building given that parking for residential uses is required to be provided onsite (whereas commercial and office uses are either exempt or may be provided through payment of in-lieu fees).



The Downtown Specific Plan includes various Goals and Policies to guide growth and development in Downtown Burlingame. The proposed mixed use development, which includes residential units above ground floor commercial space, is consistent with Policy LU-6.1, which encourages allowing housing in the Howard Avenue area as well as on the periphery of Downtown. The table on the following pages shows how the proposed project meets these Goals and Policies.

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GOAL/POLICY	PROJECT PROPOSED
<b>Goal LU-3:</b> Ensure sensitive transitions between the existing adjacent residential areas and the downtown area.	The proposed three-story mixed use commercial/residential development provides a sensitive transition between the commercial Downtown area and residential neighborhood to the north.
<b>Goal LU-6:</b> Promote diversity in housing type and affordability within the Downtown area.	The proposed mixed use development provides housing within the Downtown area in a mix of 1 and 2-bedroom units.
<b>Goal LU-6.1:</b> Allow housing in the Howard Avenue area as well as on the periphery.	The proposed mixed use development, located on the periphery of the Downtown area, includes residential units above ground floor commercial space.
<b>Policy P-1.2:</b> Devote less land for parking Downtown while accommodating increased demand by using the land more efficiently with decked or underground parking.	Less land is devoted for parking by using a puzzle car stacker system.
<b>Policy P-1.3:</b> Conceal parking areas through the use of attractively designed above- or below-ground parking structures.	The parking for the project does not dominate the street frontage and has been concealed by locating it behind the ground floor building façade with one driveway access to the garage.
<b>Policy C-2.6:</b> Consider the needs of pedestrian, bicycles, and people with disabilities.	Secured bicycle storage for commercial and residential tenants is provided on the ground floor.
<b>Policy S-1.3:</b> Streetscapes should reflect Burlingame's destination as a "tree city." Trees should be planted throughout the downtown as an integral part of the streetscape, and mature streets trees should be persevered whenever possible.	An existing street tree, a Sycamore/London plane tree, will be replaced with five new 36-inch box street trees to achieve uniformity along the project frontage, as required by the Parks Division.
<b>Policy D-1.1</b> Ensure that new construction fits into the context and scale of the existing downtown.	The project is consistent with the diverse architectural styles of existing commercial and residential buildings in the area characterized by simple massing, an articulated façade with windows, entry doors and awnings on the ground floor, and articulated walls and fenestration on the upper floors, including covered balconies, substantial recesses and varied architectural features throughout the building; the project mediates between existing buildings in the area ranging from one to three stories in height and a six-story office building at the corner of Donnelly Avenue and Primrose Road, is well articulated, and embraces the street and the pedestrian realm. The building is characterized by a single contemporary architectural style and its design fits the site and is compatible with the surrounding development by exhibiting thoughtful massing, character and pedestrian scale, and successfully creates a good transition between the existing commercial neighborhood and the residential neighborhood to the north with well-articulated massing and a variety of architectural elements and textures.



GOAL/POLICY	PROJECT PROPOSED
<p><b>Policy D-1.2:</b> Require design review for all new downtown buildings and for changes to existing downtown buildings, and integrate historic review into the design review process.</p> <p><b>Policy D-3.1:</b> Ensure that new development is appropriate to Burlingame with respect to size and design.</p> <p><b>Policy D-3.2:</b> Evaluate development in the Downtown Area that is proposed to be taller than surrounding structures (i.e. over 40 feet) for potential to create new shadows or shade on public and/or quasi-public open spaces and major pedestrian routes.</p>	<p>The proposed project is subject to the design review process.</p>

**Affordable (Below-Market Rate) Units:** The City's previous Inclusionary Housing Ordinance has been replaced by a Density Bonus Ordinance consistent with State Law. The Density Bonus Ordinance is discretionary, and projects are not obligated to provide affordable units unless they seek to utilize development standard incentives offered by the ordinance. The applicant has not chosen to apply any of the development standard incentives offered by the Density Bonus Ordinance and therefore is not providing any affordable units as part of the project.

**Commercial and Residential Linkage Fees:** Commercial linkage fees are required for those projects that contain more than 5,000 SF of commercial space. Because the proposed project contains 4,704 SF of commercial space, payment of the commercial linkage fees are not required for this project.

Since this application was deemed complete prior to adoption of the residential linkage fees, payment of these fees are not required for this project.

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

Based on the proposed mixed use commercial/residential development (4,704 SF of commercial space and 14 residential units) and providing a credit for the existing 9,500 SF of office and seven residential units, payment of the public facilities impact fee is not required since the amount for the proposed project was calculated to be less than the amount for the existing uses.

**Environmental Review:** On October 9, 2019 the Planning Commission held an Environmental Scoping meeting where staff requested the Planning Commission to provide comments on any potential environmental effects to be considered in the CEQA document. An Initial Study/Mitigated Negative Declaration (IS/MND) for the project was prepared and determined that there were no environmental impacts that were identified that could not be mitigated to less than significant levels.

The 30-day public review period occurred from May 15, 2020 to June 15, 2020 and no comments were received. Based on the environmental analysis, it was determined that the proposed project would have no adverse



environmental impacts on the environment in the areas of agriculture and forestry services, energy, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population/housing, public services, recreation, transportation and wildfire. Although the environmental analysis did find that the project could have a significant effect in the areas of aesthetics, air quality, biological resources, cultural resources, geology/soils, hazards and hazardous materials, noise, tribal cultural resources, and utilities and service systems, mitigations measures were identified to reduce adverse impacts to acceptable levels.

The Initial Study/Mitigated Negative Declaration (ND-607P) is attached for reference. The mitigation measures in the Initial Study/ Mitigated Negative Declaration have been incorporated into the recommended conditions of approval (in italics).

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

***Suggested Findings for Mitigated Negative Declaration:*** In accordance with CEQA Guidelines Section 15183, the environmental analysis in the Initial Study was conducted to determine if there were any project-specific effects that are peculiar to the project or its site. Based on the environmental analysis, it was determined that the proposed project would have no adverse environmental impacts on the environment in the areas of agriculture and forestry services, energy, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population/housing, public services, recreation, transportation and wildfire. Although the environmental analysis did find that the project could have a significant effect in the areas of aesthetics, air quality, biological resources, cultural resources, geology/soils, hazards and hazardous materials, noise, tribal cultural resources, and utilities and service systems, mitigations measures were identified to reduce adverse impacts to acceptable levels. Therefore, based on the Initial Study there will be no significant environmental effects as a result of this project.

**Findings for Amendment to the Downtown Specific Plan (Donnelly Avenue) and Donnelly Avenue Commercial (DAC) District:** In acting on the request to amend the Downtown Specific Plan and DAC District zoning regulations to allow residential use above the first floor, only on those properties within the DAC zone that lie north of Donnelly Avenue that have sole frontage on Donnelly Avenue, the Planning Commission should state the reasons such action is appropriate. The Commission must state why the changes are consistent with the policies of the General Plan, in particular the Land Use Element of the General Plan, and the DAC Zoning District.

***Suggested Findings for Amendment to the Downtown Specific Plan (Donnelly Avenue) and Donnelly Avenue Commercial (DAC) District:*** That the proposed mixed use development, which includes residential units above ground floor commercial space, is consistent with Policy LU-6.1, which encourages allowing housing in the Howard Avenue area as well as on the periphery of Downtown; that the Donnelly Avenue facing properties are adjacent to primarily multifamily residential land uses to the rear on the north side of that block (facing Bellevue Avenue), and as such would be compatible with the adjacent residential uses. For these reasons, the Amendment to the Downtown Specific Plan (Donnelly Avenue) and Donnelly Avenue Commercial District may be found to be consistent with the policies of the Land Use Element of the General Plan and DAC Zoning District.

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

- (1) Support of the pattern of diverse architectural styles that characterize the city's commercial, industrial and mixed use areas; and

- (2) Respect and promotion of pedestrian activity by placement of buildings to maximize commercial use of the street frontage, off-street public spaces, and by locating parking so that it does not dominate street frontages; and
- (3) On visually prominent and gateway sites, whether the design fits the site and is compatible with the surrounding development; and
- (4) Compatibility of the architecture with the mass, bulk, scale, and existing materials of existing development and compatibility with transitions where changes in land use occur nearby; and
- (5) Architectural design consistency by using a single architectural style on the site that is consistent among primary elements of the structure, restores or retains existing or significant original architectural features, and is compatible in mass and bulk with other structures in the immediate area; and
- (6) Provision of site features such as fencing, landscaping, and pedestrian circulation that enriches the existing opportunities of the commercial neighborhood.

**Suggested Findings for Design Review:** The project may be found to be compatible with the requirements of the City's criteria for design review based on the following:

- that the project is consistent with the diverse architectural styles of existing residential and commercial buildings in the area characterized by simple massing, an articulated façade with windows, entry doors and awnings on the ground floor, and articulated walls and fenestration on the upper floors, including covered balconies, substantial recesses and varied architectural features throughout the building; the project mediates between existing buildings in the area ranging from one to three stories in height and a six-story office building at the corner of Donnelly Avenue and Primrose Road, is well articulated, and embraces the street and the pedestrian realm;
- that the architectural style is compatible with adjacent neighborhoods and the City as a whole, and that human scale is provided at the street level by incorporating several entry elements and canvas awnings along the front of the building, and on the upper levels individual balconies provide residential scale and character;
- that parking for the project does not dominate the street frontage because the garage has been located behind the ground floor building façade with one driveway access to the garage measuring 18 feet in width, or 12.2% of the frontage along Primrose Road;
- that the building is characterized by a single contemporary architectural style and its design fits the site and is compatible with the surrounding development by exhibiting thoughtful massing, character and pedestrian scale, and successfully creates a good transition between the existing commercial neighborhood and the residential neighborhood to the north with well-articulated massing and a variety of architectural elements, textures and colors;
- that the building is compatible with the mass, bulk, scale, and existing materials of existing development in that the exterior building materials include cement plaster siding (smooth steel troweled finish), Hardie "Reveal" panel system and trim (along blind wall on east elevation), smooth lap siding and exposed concrete or concrete block at the blind walls, decorative metal guardrails, decorative foam relief panels, and metal clad wood windows with simulated true divided lites on the upper floor residential units; aluminum window sashes, painted wood entry doors, canvas awnings and a painted metal garage door on the ground floor; and varying architectural elements, including Spanish barrel clay roof tiles with foam eave brackets/corbels, a wood trellis along the front façade, and articulated parapets with ornamental metal trim along the upper portion of the building; and

- that site features such as low stucco walls and entry gates, a variety of landscaping and hardscape along the front of the building, and pedestrian circulation will enrich the existing opportunities of the commercial neighborhood.

**Findings for a Conditional Use Permit:** In order to grant a Conditional Use Permit for building height, the Planning Commission must find that the following conditions exist on the property (Code Section 25.52.020, a-c):

- (a) The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience;
- (b) The proposed use will be located and conducted in a manner in accord with the Burlingame general plan and the purposes of this title;
- (c) The planning commission may impose such reasonable conditions or restrictions as it deems necessary to secure the purposes of this title and to assure operation of the use in a manner compatible with the aesthetics, mass, bulk and character of existing and potential uses on adjoining properties in the general vicinity.

**Suggested Findings for a Conditional Use Permit:** The project may be found to be compatible with the requirements of the City's criteria for design review based on the following:

- that the proposed three-story building, measuring 43'-10" to the top of the building parapet and 54'-3" to the top of the stairway enclosure, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience, since it is well articulated with substantial recesses and will be compatible with buildings in the area that are one to six stories in height;
- that the proposed mixed use commercial/residential use will be located and conducted in a manner in accord with the Burlingame general plan and the purposes of this title;
- that reasonable conditions are proposed to assure operation of the use in a manner compatible with the aesthetics, mass, bulk and character of existing and potential uses on adjoining properties in the general vicinity.

**Criteria for Permitting a Condominium:** The following condominium standards shall apply to all land and structures proposed as a part of a condominium project and shall be evaluated and processed pursuant to the procedural requirements set forth for conditional use permits in Title 25 of this code. No condominium project or portion thereof shall be approved or conditionally approved in whole or in part unless the planning commission, or city council upon appeal or review, has reviewed the following on the basis of their effect on:

- (a) Sound community planning; the economic, ecological, social and aesthetic qualities of the community; and on public health, safety and general welfare;
- (b) The overall impact on schools, parks, utilities, neighborhoods, streets, traffic, parking and other community facilities and resources; and
- (c) Conformity with the general plan and density permitted by zoning regulations.

***Suggested Findings for Permitting a Condominium:***

- that the 14-unit mixed use commercial/residential development is compatible with the surrounding development by exhibiting thoughtful massing, character and pedestrian scale, and successfully creates a good transition between the existing commercial buildings in the neighborhood and the residential neighborhood to the north, and will not have a significant impact on public health, safety and general welfare;
- that based on the environmental analysis, it was determined that the proposed project would have no adverse environmental impacts (with mitigations for utilities) on schools, parks, utilities, neighborhoods, streets, traffic, parking and other community facilities and resources; and
- that this application includes a request for Amendment to the Downtown Specific Plan (Donnelly Avenue Area) to allow residential use above the first floor.

**Planning Commission Action:** The Planning Commission should hold a public hearing. Affirmative action to recommend the following items should be taken separately by resolution including the conditions representing mitigation for the Mitigated Negative Declaration (in italics below) and any conditions from the staff report and/or that the commissioners may add. The reasons for any action should be clearly stated.

1. Mitigated Negative Declaration.
2. Amendment to the Downtown Specific Plan (Donnelly Avenue Area) and Donnelly Avenue Commercial District to allow residential use above the first floor on properties located north of Donnelly Avenue that have sole frontage on Donnelly Avenue.
3. Design Review.
4. Conditional Use Permit for building height.
5. Condominium Permit.
6. Lot Merger.

Since the City Council is the final decision-making body regarding the request for Amendment to the Downtown Specific Plan and Donnelly Avenue Commercial District, the Planning Commission's action should be in the form of a recommendation to the City Council, since the entire application will be forwarded to the City Council for consideration.

Please note that the conditions below include mitigation measures taken from the Mitigated Negative Declaration/Initial Study (shown in italics). If the Commission determines that these conditions do not adequately address any potential significant impacts on the environment, then an Environmental Impact Report would need to be prepared for this project. The mitigations will be recorded with the property and constitute the mitigation monitoring plan for this project. At the public hearing the following mitigation measures and conditions should be considered:

Please note that the conditions below include mitigation measures taken from the Mitigated Negative Declaration/Initial Study (shown in italics). If the Commission determines that these conditions do not adequately address any potential significant impacts on the environment, then an Environmental Impact Report would need to be prepared for this project. The mitigations will be recorded with the property and constitute the mitigation monitoring plan for this project. At the public hearing the following mitigation measures and conditions should be considered:

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped July 9, 2020, sheets A0.0 through A4.3, C-1 through C-3 and L1.1 through L2.2;
2. that prior to issuance of a building permit for construction of the project, the project construction plans shall be modified to include a cover sheet listing all conditions of approval adopted by the Planning Commission, or City Council on appeal; which shall remain a part of all sets of approved plans throughout the construction process. Compliance with all conditions of approval is required; the conditions of approval shall not be modified or changed without the approval of the Planning Commission, or City Council on appeal;
3. that prior to issuance of a building permit, 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;
4. that any changes to the size or envelope of the building, which would include expanding the footprint or floor area of the structure, replacing or relocating windows or changing the roof height or pitch, shall be subject to Planning Commission review (FYI or amendment to be determined by Planning staff);
5. that the final inspection shall be completed and a certificate of occupancy issued before the close of escrow on the sale of each unit;
6. 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;
7. that a Klaus TrendVario 4200 parking lift system, or an equivalent parking lift system, shall be installed, with the following conditions:
  - a. the parking lifts shall be properly illuminated to provide safety for easy loading and unloading, while not causing excessive glare.
  - b. signage shall be installed explaining the proper use of the lifts and emergency contact information for lift maintenance or problems.
  - c. the final design of the parking lifts shall be subject to the review and approval of the Community Development Director.
8. that if the City determines that the structure interferes with City communications in the City, the property owner shall permit public safety communications equipment and a wireless access point for City communications to be located on the structure in a location to be agreed upon by the City and the property owner. The applicant shall provide an electrical supply source for use by the equipment. The applicant shall permit authorized representatives of the City to gain access to the equipment location for purposes of installation, maintenance, adjustment, and repair upon reasonable notice to the property owner or owner's successor in interest. This access and location agreement shall be recorded in terms that convey the intent and meaning of this condition;
9. that all construction shall abide by the construction hours established in the Municipal Code;

10. that the project applicant and its construction contractor(s) shall develop a construction management plan for review and approval by the City of Burlingame. The plan must include at least the following items and requirements to reduce, to the maximum extent feasible, traffic and parking congestion during construction:
  - a. A construction parking plan to provide worker parking off site and generally off neighborhood streets, with shuttles or other transportation as needed to transport workers to the site;
  - b. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes;
  - c. Identification of haul routes for movement of construction vehicles that would minimize impacts on motor vehicular, bicycle and pedestrian traffic, circulation and safety, and specifically to minimize impacts to the greatest extent possible on streets in the project area;
  - d. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures would occur;
  - e. Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project applicant; and
  - f. Designation of a readily available contact person for construction activities who would be responsible for responding to any local complaints regarding traffic or parking. This coordinator would determine the cause of the complaint and, where necessary, would implement reasonable measures to correct the problem.
11. 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;
12. that the applicant shall submit a Construction Noise Control Plan. This plan would include measures such as:
  - Using smaller equipment with lower horsepower or reducing the hourly utilization rate of equipment used on the site to reduce noise levels at 50 feet to the allowable level.
  - Locating construction equipment as far as feasible from noise-sensitive uses.
  - Requiring that all construction equipment powered by gasoline or diesel engines have sound control devices that are at least as effective as those originally provided by the manufacturer and that all equipment be operated and maintained to minimize noise generation.
  - Prohibiting gasoline or diesel engines from having unmuffled exhaust systems.
  - Not idling inactive construction equipment for prolonged periods (i.e., more than 5 minutes).
  - Constructing a solid plywood barrier around the construction site and adjacent to operational businesses, residences, or other noise-sensitive land uses.
  - Using temporary noise control blanket barriers.
  - Monitoring the effectiveness of noise attenuation measures by taking noise measurements.
  - Using “quiet” gasoline-powered compressors or electrically powered compressors and electric rather than gasoline- or diesel-powered forklifts for small lifting.

13. 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;
14. 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;
15. that storage of construction materials and equipment on the street or in the public right-of-way shall be prohibited;
16. that if construction is done during the wet season (October 1 through April 30), that prior to October 1 the developer shall implement a winterization program to minimize the potential for erosion and polluted runoff by inspecting, maintaining and cleaning all soil erosion and sediment control prior to, during, and immediately after each storm even; stabilizing disturbed soils throughout temporary or permanent seeding, mulching matting, or tarping; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels and other chemicals;
17. 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;
18. that this project shall comply with the state-mandated water conservation program, and a complete Irrigation Water Management and Conservation Plan together with complete landscape and irrigation plans shall be provided at the time of building permit application;
19. 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;
20. that this proposal shall comply with all the requirements of the Tree Protection and Reforestation Ordinance adopted by the City of Burlingame in 1993 and enforced by the Parks Department; complete landscape and irrigation plans shall be submitted at the time of building permit application and the street trees will be protected during construction as required by the City Arborist;
21. that the applicant shall coordinate with the City of Burlingame Parks Division regarding the planting of five (5) street trees along Donnelly Avenue;
22. 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;
23. that demolition or removal of the existing structures and any grading or earth moving on the site shall not occur until a building permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
24. that the applicant shall comply with Ordinance 1503, the City of Burlingame Storm Water Management and Discharge Control Ordinance;
25. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, as amended by the City of Burlingame;
26. that this project shall comply with Ordinance No. 1477, Exterior Illumination Ordinance;



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

27. that prior to scheduling the foundation inspection a licensed surveyor shall locate the property corners, set the building envelope;
28. 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 Building Division;
29. that prior to scheduling the framing inspection, the project architect, engineer or other licensed professional shall provide architectural certification that the architectural details such as window locations and bays are built as shown on the approved plans; if there is no licensed professional involved in the project, the property owner or contractor shall provide the certification under penalty of perjury. Certifications shall be submitted to the Building Division;
30. 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;
31. that the maximum elevation to the top roof parapet shall not exceed elevation 143.90', as measured from the average elevation at the top of the curb along Donnelly Avenue (100.34') for a maximum height not to exceed 43'-10" to the top of the parapet; the garage finished floor elevation shall be elevation 100.34'; the top of each floor and final roof ridge shall be surveyed by a licensed surveyor who shall provide certification of that height to the Building Division; 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;

***The following conditions of approval are from Downtown Specific Plan:***

32. the project sponsor shall implement all appropriate control measures from the most currently adopted air quality plan at the time of project construction;
33. the project sponsor shall implement the following Greenhouse Gas reduction measures during construction activities:
  - a. Alternative-Fueled (e.g., biodiesel, electric) construction vehicles/equipment shall make up at least 15 percent of the fleet.
  - b. Use at least 10 percent local building materials.
  - c. Recycle at least 50 percent of construction waste or demolition materials.
34. the project sponsor shall provide adequate secure bicycle parking in the plan area at a minimum ratio of 1 bicycle spot for every 20 vehicle spots;
35. the condominium management shall post and update information on alternate modes of transportation for the area (i.e. bus/shuttle schedules and stop locations, maps);
36. the project sponsor shall incorporate commercial energy efficiency measures such that energy efficiency is increased to 15% beyond 2008 title 24 standards for electricity and natural gas;

37. the project sponsor shall incorporate recycling measures and incentives such that a solid waste diversion rate of 75% is achieved upon occupation of each phase of plan development;
38. the project sponsor shall incorporate residential water efficiency measures such that water consumption is decreased by a minimum of 10 percent over current standard water demand factors;
39. that construction shall avoid the March 15 through August 31 avian nesting period to the extent feasible, as determined by staff. If it is not feasible to avoid the nesting period, a survey for nesting birds shall be conducted by a qualified wildlife biologist no earlier than 7 days prior to construction. The area surveyed shall include all clearing/construction areas, as well as areas within 250 ft. of the boundaries of these areas, or as otherwise determined by the biologist. In the event that an active nest is discovered, clearing/construction shall be postponed within 250 ft. of the nest, until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts;
40. that for projects within the Plan Area that require excavation, a Phase I Environmental Site Assessment (and Phase II sampling, where appropriate) would be required. If the Phase I Environmental Site Assessment determines that remediation is required, the project sponsor would be required to implement all remediation and abatement work in accordance with the requirements of the Department of Toxic Substances Control (DTSC), Regional Water Quality Control Board (RWQCB), or other jurisdictional agency;
41. the following practices 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:
    - Use heavy-duty mufflers for stationary equipment and barriers around particularly noisy areas of the site or around the entire site; - Use shields, impervious fences, or other physical sound barriers to inhibit transmission of noise to sensitive receptors;
    - Locate stationary equipment to minimize noise impacts on the community; and
    - 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.
42. the project sponsor shall incorporate the following practice into the construction documents to be implemented by construction contractors: The project sponsor shall require that loaded trucks and other vibration-generating equipment avoid areas of the project site that are located near existing residential uses to the maximum extent compatible with project construction goals;
43. that if the project increases sewer flows to the sanitary sewer system, the project sponsor shall coordinate with the City Engineer to determine if improvements to public sanitary sewer infrastructure are needed. If improvements are needed, the following shall apply:
  - that prior to issuance of a building permit, the project sponsor shall develop a plan to facilitate sanitary sewer improvements. The plan shall include a schedule for implementing sanitary sewer

upgrades that would occur within the development site and/or contribution of a fair share fee toward those improvements, as determined by the City Engineer. The plan shall be reviewed by the City Engineer.

44. that prior to issuance of a building permit, the development plans shall be reviewed by the Fire Marshal to determine if fire flow requirements would be met given the requirements of the proposed project, and the size of the existing water main(s). If the Fire Marshal determines improvements are needed for fire protection services, then the following shall apply:
  - that prior to issuance of a building permit the project sponsor shall be required to provide a plan to supply adequate water supply for fire suppression to the project site, consistent with the Fire Marshal's requirements. The plan shall be reviewed by the Fire Marshal. The project sponsor shall be responsible for implementation of the plan including installation of new water mains, and/or incorporation of fire water storage tanks and booster pumps into the building design, or other measures as determined by the Fire Marshal.
45. that if evidence of an archeological site or other suspected cultural resource as defined by CEQA Guidelines 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 Archeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC;
46. that 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; and
47. that if human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City of Burlingame and the 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 sponsor shall implement approved mitigation, to be verified by the City of Burlingame, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

**Mitigation Measures from Initial Study****Aesthetics**

48. The project developer shall install low-profile, low-intensity lighting directed downward to minimize light and glare. Exterior lighting shall be low mounted, downward casting, and shielded. In general, the light footprint shall not extend beyond the periphery the property. Implementation of exterior lighting fixtures on all buildings shall also comply with the standard California Building Code (Title 24, Building Energy Efficiency Standards) to reduce the lateral spreading of light to surrounding uses, consistent with City Municipal Code 18.16.030 that requires that all new exterior lighting for residential developments be designed and located so that the cone of light and/or glare from the light element is kept entirely on the property or below the top of any fence, edge or wall. In addition, lighting fixtures would not be located more than nine feet above adjacent grade or required landing; walls or portions of walls would not be floodlit; and only shielded light fixtures which focus light downward would be used, except for illuminated street numbers required by the fire department.

**Air Quality**

49. During any construction period ground disturbance, the applicant shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less-than-significant level. Additional measures are identified to reduce construction equipment exhaust emissions. The contractor shall implement the following BMPs that are required of all projects:
- a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
  - b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
  - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
  - d. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
  - e. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - f. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 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.
  - g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
  - h. Post a publicly visible sign with the telephone number and person to contact at the 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.
50. The project shall develop a plan demonstrating that the off-road equipment used on site to construct the project would achieve a fleet-wide average 20- percent reduction in DPM exhaust emissions or greater. One feasible plan to achieve this reduction would include the following:
- a. All diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more

than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 3 engines that include CARB- certified Level 3 Diesel Particulate Filters (DPF)12 or equivalent. Alternatively, equipment that meets U.S. EPA Tier 4 standards for particulate matter or the use of equipment that includes electric or alternatively-fueled equipment (i.e., non- diesel) would meet this requirement.

### **Biological Resources**

51. Activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 31) if feasible. If construction will commence during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than 7 days prior to initiation of ground disturbance and vegetation removal. The nesting bird pre-construction survey shall be conducted within the disturbance footprint and a 300-foot buffer for raptors and 150-foot buffer for passerines where access can be authorized. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in San Mateo County.

If nests are found, an avoidance buffer (which is dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.

### **Cultural Resources**

52. In the event Native American or other archaeological resources are encountered during construction, work shall be halted within 100 feet of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations.

If an archaeological site is encountered in any stage of development, a qualified archeologist will be consulted to determine whether the resource qualifies as an historical resource or a unique archaeological resource. In the event that it does qualify, the archaeologist will prepare a research design and archaeological data recovery plan to be implemented prior to or during site construction. The archaeologist shall also prepare a written report of the finding, file it with the appropriate agency, and arrange for curation of recovered materials.

53. In the event that human remains are discovered during project construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The county coroner shall be informed to evaluate the nature of the remains. If the remains are determined to be of Native American origin, the Lead Agency shall work with the Native American Heritage Commission and the applicant to develop an agreement for treating or disposing of the human remains.

**Geology and Soils**

54. *Project design and construction shall adhere to Title 18, Chapter 18.28 of the City Municipal Code, and demonstrate compliance with all design standards applicable to the California Building Code Zone 4 would ensure maximum practicable protection available to users of the buildings and associated infrastructure.*
55. *Foundations of the project will be reinforced to tolerate differential soil movement. The project may be supported on a reinforced concrete mat foundation bearing on a properly prepared and compacted soil subgrade and a non-expansive fill section. Alternately, the project may be supported on a conventional spread footing foundation bearing on stiff native soils. Implementation of a reinforced foundation would reduce the potential for damage caused by liquefaction.*
56. *Project design and construction, including excavation activities, shall comply with Chapter 33 of the CBC, which specifies the safety requirement to be fulfilled for site work. This would include prevention of subsidence and pavement or foundations caused by dewatering.*
57. *The applicant shall prepare a monitoring program to determine the effects of construction on nearby improvements, including the monitoring of cracking and vertical movement of adjacent structures, and nearby streets, sidewalks, utilities, and other improvements. As necessary, inclinometers or other instrumentation shall be installed as part of the shoring system to closely monitor lateral movement. The program shall include a pre-construction survey including photographs and installation of monitoring points for existing site improvements.*
58. *A discovery of a paleontological specimen during any phase of the project shall result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal), as determined by a professional paleontologist, shall be implemented to mitigate the impact.*

**Hazards and Hazardous Materials**

59. *The contractor shall comply with Title 8, California Code of Regulations/Occupational Safety and Health Administration requirements that cover construction work where an employee may be exposed to lead. This includes the proper removal and disposal of peeling paint, and appropriate sampling of painted building surfaces for lead prior to disturbance of the paint and disposal of the paint or painted materials.*
60. *The applicant shall contract a Certified Asbestos Consultant to conduct an asbestos survey prior to disturbing potential asbestos containing building materials and following the Consultant's recommendations for proper handling and disposal.*
61. *Workers handling demolition and renovation activities at the project site will be trained in the safe handling and disposal of any containments with which they are handling or disposing of on the project site.*

**Noise**

62. *Prior to the issuance of building permits, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the City's 60 dBA daytime and 50 dBA nighttime requirements at the property lines of surrounding noise sensitive uses. Section 5.2.5.8 of the City of Burlingame DSP includes a provision for rooftop equipment:*

*Mixed-use buildings with a residential component should exhibit rooflines and architectural character consistent with the Downtown commercial character. Rooftop equipment shall be concealed from view and/or integrated within the architecture of the building and screened for noise.*

*A qualified acoustical consultant shall be retained to review mechanical noise as these systems are selected to determine specific noise reduction measures necessary to reduce noise to comply with the City's noise level requirements. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers, such as enclosures and parapet walls, to block the line-of-sight between the noise source and the nearest receptors.*

63. *As required under Section 9.9.20 of the City of Burlingame DSP, loaded truck and other vibration-generating equipment shall avoid areas of the project site that are located near existing residential uses to the maximum extent possible to still meet construction goals. Additionally, the following measures would be implemented during construction:*
- a. Operating equipment on the construction site shall be placed as far as possible from vibration-sensitive receptors.*
  - b. Smaller equipment shall be used to the extent feasible to minimize vibration levels below the limits.*
  - c. Use of vibratory rollers, tampers, and impact tools near sensitive areas shall be avoided to the extent feasible.*
  - d. Neighbors within 500 feet of the construction site shall be notified of the construction schedule and that there could be noticeable vibration levels during project construction activities.*
  - e. If heavy construction is proposed within 12 feet of commercial structures and/or 18 feet of residential structures, a construction vibration-monitoring plan shall be implemented prior to, during, and after vibration generating construction activities located within these setbacks. All plan tasks shall be undertaken under the direction of a licensed Professional Structural Engineer in the State of California and be in accordance with industry accepted standard methods. The construction vibration monitoring plan should be implemented to include the following tasks:*
  - f. The contractor shall conduct a photo survey, elevation survey, and crack monitoring survey for structures located within 25 feet of construction. Surveys shall be performed prior to and after completion of vibration generating construction activities located within 25 feet of the structure. The surveys shall include internal and external crack monitoring in the structure, settlement, and distress, and shall document the condition of the foundation, walls and other structural elements in the interior and exterior of the structure.*
  - g. The contractor shall conduct a post-survey on the structure where either monitoring has indicated high levels or complaints of damage. Make appropriate repairs in accordance with the Secretary of the Interior's Standards where damage has occurred as a result of construction activities.*
  - h. The contractor shall designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.*
  - i. The results of any vibration monitoring shall be summarized and submitted in a report shortly after substantial completion of each phase identified in the project schedule. The report will include a description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that*



*exceeded vibration limits will be included together with proper documentation supporting any such claims.*

### **Utilities and Service Systems**

64. *The project sponsor shall coordinate with the City Engineer to improve the public sanitary sewer infrastructure. Prior to issuance of a building permit, project sponsors shall develop a plan to facilitate sanitary sewer improvements. The plan shall include a schedule for implementing sanitary sewer upgrades that would occur within the development site and/or contribution of a fair share fee toward those improvements, as determined by the City Engineer. The plan shall be reviewed by the City Engineer.*
65. *Prior to issuance of a building permit, development plans for projects proposed in the Plan Area, shall be reviewed by the Fire Marshal to determine if fire flow requirements would be met given the requirements of the proposed project, and the size of the existing water main(s). If the Fire Marshal determines improvements are needed for fire protection services, the project sponsor shall be required to provide a plan to supply adequate water supply for fire suppression to the project site, consistent with the Fire Marshal's requirements. The plan shall be reviewed by the Fire Marshal. The project sponsor shall be responsible for implementation of the plan including installation of new water mains, and/or incorporation of fire water storage tanks and booster pumps into the building design, or other measures as determined by the Fire Marshal.*

Ruben Hurin  
Planning Manager

- c. John Britton, applicant  
Gary Gee Architects, Inc., architect

### **Attachments:**

Applicant's Response Letter, dated July 7, 2020  
October 28, 019 Planning Commission Minutes  
October 9, 2018 Planning Commission Minutes  
Applicant's Response Letter, dated October 22, 2019  
Letter Submitted by Jennifer Pfaff, dated October 9, 2018  
Application to the Planning Commission  
Letters of Explanation, dated March 8, 2016 and April 11, 2016  
Conditional Use Permit Application  
Klaus TrendVario 4200 Specifications  
Tree Survey, prepared by SBCA Tree Consulting, dated April 1, 2016  
Downtown Specific Plan Applicable Design Guidelines  
Planning Commission Resolutions (Proposed)  
Notice of Public Hearing – Mailed July 31, 2020  
Area Map

### **Separate Attachments:**

Mitigated Negative Declaration/Initial Study and Appendices, dated June 2020  
Mitigation, Monitoring and Reporting Program (MMRP), dated June 2020  
Materials Binder



Architecture/Planning/Interiors

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July 7, 2020

Mr. Ruben Hurin, Planner  
Planning Division/Community Development  
City of Burlingame  
501 Primrose Road, 2nd Floor  
Burlingame, CA 94010

RE: 1214 Donnelly Avenue  
Burlingame, CA APN: 029-151-150, -160 and -170

Dear Mr. Hurin:

RECEIVED

JUL - 9 2020

CITY OF BURLINGAME  
CDD-PLANNING DIV.

Attached are one-half size architectural drawings 32 sheets dated 6-17-20 on revised sheets.  
This letter is to outline the design changes to the proposed mixed-use building:

**1. DONNELLY AVENUE: ORNAMENTAL METAL PROJECTIONS BETWEEN COMMERCIAL STOREFRONT WINDOWS**

- A. These ornamental metal projections reinforce the commercial base of the building and add more detail to the first floor cement plaster wall.
- B. The awnings and metal projections strengthen the look of the commercial first floor base of the building with three dimensional elements projecting out from the cement plaster wall.
- C. These ornamental metal projections can also serve as signs or decorative banners projecting out from the building.

**2. DONNELLY AVENUE: DECORATIVE CLAY SPOUTS INSERTED AT THE SECOND AND THIRD FLOOR BALCONIES**

- A. Several decorative non-functional clay spouts have been inserted at the second and third floor balconies.
- B. The addition of these spouts provides detail and visual interests to the balconies walls.
- C. These balcony walls no longer look blank without any details or elements.

**3. DONNELLY AVENUE: BREAK-UP MASSING OF BUILDINGS**

- A. The central bay massing color was changed to include an earth tone color. This change in color further differentiates the central massing of the building and adds to creating an image of separated buildings.

**4. NORTH REAR WALL DESIGN REVISIONS**

- A. The 3'-6" high deck wall has been removed and replaced with an open metal railing.
- B. Cement plaster expansion joints have been inserted to break up the plaster wall.
- C. The second floor rear open terrace landscape planters against the north property line wall were removed.

- D. Our office field photographed the north property line conditions and found existing landscaping and a tree adjacent to the northwest and northeast adjoining properties.
- E. Architectural drawing sheet A3.2 East Elevation shows the large bamboo plants against the northeast fence at approximately 22 feet in height with an existing 6'-3" high fence to remain.
- F. Architectural drawing sheet A3.4 West Elevation shows the large ivy planting over the roof of the existing building and over the city owned parking lot cyclone fence.
- G. There is a tree against the northwest corner of the property that is approximately 32 feet in height.
- H. Architectural drawing sheet A3.3 North Elevation shows the 22 foot high bamboo tree at the northeast corner, fence at north property line, 55 foot wide one-story carport and existing ivy landscaping and 32 foot high tree at the northwest corner.
- I. Because there is already existing landscaping, carports and fencing along the property line of the adjoining properties, the height of this wall is screened by these conditions.

#### 5. CONCLUSIONS OF DESIGN REVISIONS

- The design changes to the Donnelly Avenue façade have strengthen the appearance of the first floor commercial presence and use.
- The addition of the metal projections at the first floor between the commercial storefront windows further add building detail and three dimensional projections to the awning at this base of the building.
- The addition of the clay spouts add visual interests and detail to the cement plaster balcony walls at the second and third floors.
- The removal of the terrace planters and 3'-6" high wall and replacing them with a metal railing has lower the profile of the north rear wall.
- The adjoining north, northeast and northwest properties existing landscaping, fence and carport on the adjoining north properties further screen the garage level north wall.

Very truly yours,



Gary Gee, AIA

cc: John Britton





# City of Burlingame

BURLINGAME CITY HALL  
501 PRIMROSE ROAD  
BURLINGAME, CA 94010

## Meeting Minutes Planning Commission

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Monday, October 28, 2019

7:00 PM

Council Chambers

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- d. 1214-1220 Donnelly Avenue, zoned DAC - Design Review Study for an Application for Environmental Review, Amendment to the Downtown Specific Plan and Zoning Code to allow a multi-family residential use, Conditional Use Permit for building height, Condominium Permit and Lot Merger for construction of a new three-story, 14-unit mixed use commercial/residential building (John Britton, applicant; Britton Trust, property owner; Gary Gee Architects, Inc., architect;) (182 noticed) Staff Contact: Ruben Hurin

Attachments: [1214-1220 Donnelly Ave - Staff Report](#)  
[1214-1220 Donnelly Ave - Attachments](#)  
[1214-1220 Donnelly Ave - Materials Binder](#)  
[1214-1220 Donnelly Ave - Plans](#)

*All Commissioners had visited the project site. There were no ex-parte communications to report.*

*Planning Manager Hurin provided an overview of the staff report.*

> *There were no questions of staff.*

*Chair Comaroto opened the public hearing.*

*Gary Gee and Mark Hudak, represented the applicant.*

*Commission Questions/Comments:*

- > *Is Hardie plank proposed on the east elevation because of the existing building that's there? (Gee: Correct. Haven't been able to approach the owner and have been reluctant to put scaffolding on the roof because of liability, so we thought of using the 4x8 Hardie panels, want to keep reveals as thin as possible.)*
- > *Wouldn't you need to get on the roof to install the panels? (Gee: Think we're going to try and put the panels on the finished walls and then raise them.)*
- > *Appreciate the lightwells on the west elevation. Have you thought about putting a clear story window in the bedrooms? This would let light in and give the blank walls relief, don't think there are any plans to develop that public parking lot. (Gee: We can look into that, will need to check with the fire department about their requirements for property line windows.)*
- > *Like the project and think it's great to be developing this downtown, but front elevation seems heavier and bulkier than previous design. On front elevation, could you look at adding recesses in those plastered facades along the left side of the building, above and below the arched openings.*
- > *Like the project the way it sits generally, think it's quieted down and more definitive in terms of its style. Mentioned Casa Baywood as an iconic piece of architecture, this has that simplicity to it and substantive architecture, but had similar reaction to some of the blank pieces.*
- > *Recall that there was concern with the inserted pots because there's the issue of who is going to maintain them and are they going to be dead plants or dirt. Think there's a possibility for some simple articulation, maybe something over that one large blank element or maybe it's just a simple opening in the*

railings up on that third floor where you had the inserted pots before. (Gee: Blade signs hung off wrought iron brackets were taken out.)

> Think showing the signs could help, helps with the identity for the commercial spaces and gives articulation.

> Would suggest doing something at least along that third floor balcony, something there to help with the blankness.

> Think you have something dynamic in the garage entry, the playful sculpted opening piece offsets the blankness you have in the facade above the garage entry.

> In support of what you're doing on the east and west elevations, the addition of the light well really helps.

> Should revisit a few parts and pieces, think it can happen in step with this project moving forward, not requiring wholesale revisions that's going to have us reconsider the environmental assessment.

> Did you look at moving away from the rear property line to get some planting area? Proposing an 18-foot tall wall against the back property line. (Gee: Originally when we worked with civil engineer on the stormwater management plan, planters at rear were designated for that use. May be able to remove some of the planters, so height of wall would be reduced by 4 feet.)

> Asking if you could move the building so you have enough room to plant something in the ground. The thought of having an 18-foot high blank wall against your property line is not very nice. Wondered if there was a way to reconfigure the parking so you can shift the wall in to get 18 inches or a couple of feet to plant against the property line, between the wall and the property line. There may be fluff in the parking garage that would allow you to do that. (Gee: Think we're using a 25-foot backup for the 90-degree parking, may be able to get a four inch planning strip there.)

> Green screen is not reliable, you'll see a lot of metal grid systems with no green on them, sometimes they work really well and sometimes they don't, but it seems to me that something ought to happen against that wall, uneasy about approving a project that puts a harsh back wall against another property.

> Concerned about people standing in the gathering space and looking down from 18-feet into the backyards and back windows of residences, think a tree like a Lombardy Poplar would go a long way toward relieving the harshness and hiding the people on the roof looking down into the backyards.

> Concerned about large blank wall on the east elevation, we're going to see that wall for many years, it's going to be really impactful. Something other than a big, blank painted 4 x 8 gridded wall should be considered there.

> We have had some success with other developers working with the Historical Society. Agree with Russ Cohen's letter, would be a real miss if all we got was an 8.5 x 11 plaque. It's unfortunate what happened with this property, so we have to do something to capture what we have lost. We've had real success, whether it's a mural or something that identifies this property as somehow connecting back to what it used to be. (Gee: In terms of murals, we have done that before too, sometimes the murals can be done in a shrink wrap material that can be taken off later and serviced.)

> Project has developed nicely, good enhancements have made to the design.

> Because building has one finish, one color across the majority of the exterior of this building, should consider some kind of a horizontal break, whether it's a change in color, some change of material, or something to create a little bit more of a pedestrian level experience for this fairly tall structure on a narrow street. Think a horizontal break across that lower level, at that commercial level would help.

> Stair tower looks like it could also benefit from some added detail and embellishment, perhaps some windows, looks like there's opportunity for some added decoration or architectural treatment. (Gee: Those windows have been recessed and they have a round top on them too. In some of the more traditional towers, including bell towers and mission towers, they have recessed windows that are deep and don't have many fussy details. There's something that may can be enhanced. Looking at it as a single plane it may look simple, but if you look at it as a two or three-plane element, there are things happening on each side as a composition.)

> Want to see something outside the windows in stair tower, perhaps a wrought iron detail or Juliette balcony, it's the tallest part of the development and at the street level. Could also look at enlarging the windows.

Public Comments:

*Jennifer Pfaff: Really care about the way the Downtown Specific Plan was carried through. Liked the previous design, appreciate the suggestion for added embellishment in blank areas. In favor of the direction staff gave regarding parcels chosen to be included in rezoning because it's such a narrow street, to include those properties only facing Donnelly Avenue, keeps intact main street which is Lorton Avenue, the old retail zone. A few years ago, we weren't looking at parking being provided in vehicle stacking systems, limits on parking limited the size of projects, so buildings weren't going to be 55 or 60 feet tall because there was no parking that could be accommodated there. Now, we're looking at different types of projects with vehicle stackers. Concerned that that there is no rear setback requirement. While this project is set back from the rear property line, at least the housing portion of it is, it doesn't mean the next project will be. Density bonus allows more density for a benefit, like a reduced setback, if you don't have a setback that you're dealing with, there is nothing you have to trade. Think we need to be carefully looking at rear setback requirements with this amendment moving forward.*

*Chair Comaroto closed the public hearing.*

*Commission Discussion/Direction:*

- > Appreciate the quieting down of the project. Easier to peel project back to its bare minimum and add things back that makes sense; don't disagree with many of the comments that it's the final solution, it's some where in the middle. Think it's probably closer to this end than to the other end because typically good urban buildings are pretty quiet. Appreciate the changes made to the project.*
- > Concerned with 18-foot wall along rear of site, would have problems supporting that without some sort of mitigation. Seems too late to have a setback now, but it's certainly not too late to mitigate the proposed infringement on the neighbors.*
- > Like suggestion that you use that large blank wall on east elevation to address the concerns noted by the Historical Society.*
- > Renderings make the stair tower look much larger than it looks in the elevations, seems much narrower on the building elevations than it appears on the rendering, may be a perspective issue. Stair tower is a nice element, still seems very blocky, but that may be a trick of the perspective. In support of the project and like where the project is going with vibrant retail on the ground floor and residential above, think we need both.*
- > Think it would help if there's a way to bring in that rear wall and create planting along there, don't think that's a substantive change that couldn't happen in parallel with the project moving forward.*
- > In regards to the architecture, like where it has gone. Feel for the architect in that we provided direction to strip everything away and he did that, think it's a function of being consistent with the type of architecture that it is now, and just adding a few details that really make it sing.*
- > Agree that there's something about that stair tower that's quiet and substantive, that element is reminiscent of the Casa Baywood architecture. Think maybe some additional articulation can happen there, but don't think it should go too far because that gives nice relief, particularly with the roof form and the way it goes up and over on that side elevation. Think it is very simple and looking at that side, with the stepped arched windows, it reminds me of that Spanish Revival style that is very substantive and has that sort of tower element with a few simple windows that look out, which I think is the way it should be to give relief to the rest of the plane where you want to have balconies and windows.*
- > Like the direction the architecture was going and think the environmental assessment could and should move forward. Don't have an issue with the rest of the entitlements moving forward.*
- > In regards to the Special Permit for height, it's not a 54-foot building, it's more of a 43-foot building because the only element at 54 feet is the stair tower, which we noted is a narrow piece. Think it's a nice piece of articulation for what is still just a 3-story building, and about 43 feet tall. Think this project in this location would be good for our downtown area, and good for Donnelly Avenue.*
- > Think that revisions can move forward with some articulation of the building itself in terms of how it approaches the neighbor.*
- > In regards to the overlook to the neighbors, think it's important to note that because they've worked in the planters on that second floor area in the open space, there are a few spaces where you can get to*

*that guardrail, but there's a lot of spaces, particularly where the benches are, where you have planters separating you from that wall that overlooks the neighbors. Think with articulation on that back facade and getting plantings in that area would work better.*

*> Maybe the whole wall doesn't need to step in, but perhaps some three foot by three foot cut-outs with some vertical element can be planted and grown there to break it up.*

*> Think something needs to be done on the big blank walls on both the east and west elevations.*

*> Look at addressing mass on stair tower by making the windows slightly larger, or adding grids to provide some detail.*

**There is no motion for this item. The application will return for action once the environmental review has been completed.**





# City of Burlingame

BURLINGAME CITY HALL  
501 PRIMROSE ROAD  
BURLINGAME, CA 94010

## Meeting Minutes Planning Commission

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Tuesday, October 9, 2018

7:00 PM

Council Chambers

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- c. 1214-1220 Donnelly Avenue, zoned DAC - Environmental Scoping and Design Review Study for an Application for Environmental Review, Amendment to the Downtown Specific Plan and Zoning Code to allow a multi-family residential use, Design Review, Conditional Use Permit for building height, Condominium Permit and Lot Merger for construction of a new three-story, 14-unit mixed use commercial/residential building (John Britton, applicant; Britton Trust, property owner; Gary Gee Architects, Inc., architect;) (317 noticed) Staff Contact: Ruben Hurin

*All Commissioners had visited the project site. There were no ex-parte communications to report.*

*Planning Manager Hurin provided an overview of the staff report.*

- In looking at the DAC zoning district and the proposed rezoning, why wouldn't we allow for residential uses above the first floor on the other properties in this area? (Hurin: Thought was to maintain the primary retail uses along the Lorton Avenue and Primrose Road frontages. Staff considered inner block as a starting point, but could consider extending the area if the Planning Commission provides that direction.)*
- A mixed use project on one of those properties would still have a retail/commercial use on the ground floor, but could allow for some additional residential units above the first floor in the downtown area if the area were extended to include the corner lots.*
- Have now seen several applications with automated puzzle stackers and lifts. Have any been built yet? (Hurin: Yes, have been installed in the commercial building at 240 Lorton Avenue and the multifamily residential building at 1225 Floribunda Avenue.)*

*Chair Gaul opened the public hearing.*

*Gary Gee, project architect, and Mark Hudak, represented the applicant.*

*Commission Questions/Comments:*

- Is the driveway into garage required to be 18 feet wide? (Gee: Code requires a minimum driveway width of 18 feet wide. We are proposing 25'-6" because we have a walkway for the second means of egress.)*
- Is the driveway width required to be 18 feet wide for parking areas with less than 30 cars? (Hurin: 18 foot wide driveway is the minimum required for parking areas with more than 30 vehicles; the minimum driveway width for parking areas with less than 30 vehicles is 12 feet.)*
- Since 18 foot wide driveway is not required, could revisit reducing driveway width to get more retail frontage.*
- How will trash and recycling work? Assuming commercial spaces would take their garbage out through the garage and take containers to the trash/recycling room in the garage, is that correct? (Gee: That is correct. Tenant on left side can use the means of egress corridor.)*
- Residential units would bring garbage down into the garage, correct? (Gee: Yes, that is correct.)*
- Is there a way to enliven the stairway entry? There is an ornamental arched door into the stairway, but perhaps add sidelights or windows into the first floor landing. Trying to find a way to encourage people to use stairs instead of the elevator. If door was more attractive and one felt more comfortable with*

*sidelights and windows into the stairwell, it would make people excited and comfortable to use stairs because it wouldn't feel like a utility stair. (Gee: See what you're saying; area was getting crowded with utility rooms, bicycle parking, and stairs to rear required by Fire Dept., so was trying to keep stairs and elevator in certain locations.)*

- Like direction project is going in terms of architecture, but it feels a little southwest. With the ornamental tiles, false overflow drains, and canvas awnings, it doesn't have the timber loggias typically seen on Spanish style buildings. (Gee: Unique to have a mixed use building facing south, so you can have overhanging and upper patios; there is a certain richness with the colors and fabric, wanted to give building character with different colored canvas awnings.)*

- With the buildings' exposure to strong morning east light, are you confident canvas will hold up? (Gee: Will not be using a classic canvas awning, will be talking to canvas consultant to find right material to hold up to the elements.)*

- If third floor patios had tiled-roof timbered loggias, might be more Spanish revival. But also like the dynamic of flexibility of patios being able to be open to the sky with the canvas awning. (Gee: Open patios also help massing drop at the front of the building because building is set back. Is more of a hacienda style at the top of building rather than mission style, but has details on the lower portion of the building. Was focusing on how dynamic we can make the pedestrian level work with the storefronts.)*

- What material will be used for spandrel panels under glazing in recess adjacent to stairway? (Gee: Looking at using cementitious covered dense foam panels, looks like wood, could do a wood pattern type of panel.)*

- For awnings on third floor, can you explain how you would take them off and put them back on? (Gee: Can be fastened with metal rings or similar system to make it easy to install and remove.)*

- Have you considered using a mechanical system for the awnings? (Gee: Concerned with exposure to elements for the mechanical system.)*

- Concerned with using Hardie siding along sides of building and the flatness of those elevations. (Gee: Can install stucco on left side wall, but Cal/OSHA requires scaffolding which would encroach onto the City's public parking lot; feel it would be difficult to obtain City's permission. On other projects, have installed flat, smooth lap Hardie siding before walls are stood up. Can be done on both side walls.)*

- On a project like this, will be necessary to work with all adjacent property owners.*

- Concerned about rear wall, appears to be 18 feet tall up against a 6 foot tall fence. Something needs to be done to articulate the rear wall, step it back, and make it more attractive and less impactful on neighbors. (Gee: 18 feet wall height includes a 3'-6" tall planter at outer edge of wall.)*

- How was this design chosen? Don't see a precedent in Downtown Burlingame. (Gee: One building that influenced design is the Burlingame Train Station, which is more of an adobe style. Have adobe features in proposed building with curved walls and deep, recessed windows. Don't want to copy a building or style. Want to take elements of a building and put it in an interpretation here. Client wanted to design a building with richness and elegance.*

- Have you seen letter from Russ Cohen? (Hudak: Yes, worked with the Historical Society to save some aspects of the building and will continue to work with the Historical Society to come up with an appropriate way to memorialize The Gates House.)*

- Hudak: This is somewhat a dead area in the downtown commercial zone because of the presence of City parking lots immediately to the left of the building and across the street. So need to have something lively and attractive in order to get the area activated. Instead of requesting a zoning change, could have proposed a traditional mixed use building with retail at ground level and office above, but were encouraged to do housing, believe it's justified and worth it. Think that the inclusion of residential portion is consistent with the way in which the Downtown Specific Plan is evolving; Downtown Specific Plan initially envisioned residential on the periphery, but City Council has wanted to bring residential uses very close to Burlingame Avenue, which is reflected in recently approved projects; think this project is consistent with that. Only a portion of the block is affected with the rezoning because the City controls the two parking lots, so won't have more residential above the first floor unless the City decides to redevelop those lots. However, might be a good idea to extend rezoning further to other sites.*

- How far back is third floor set back at front? (Gee: 8 feet.)*

*Public Comments:*

- *Speaker (no name provided): Very little has been said about destruction of another historic building on that street, sad to see that we're losing a lot of history. Was really heartbreaking to see what happened to the Gates House, was left to rot and be destroyed without having a public hearing. Concerned about request to amend the Downtown Specific Plan. There is good reason why you don't want to mix residential with entertainment uses. Should adhere to uses allowed in Downtown Specific Plan.*

- *Jennifer Pfaff: Reason why more buildings are not being saved is because we don't have many policies in place that are realistic for developers or owners of historical properties to share some advantage of having a historical property. When worked on Downtown Specific Plan there was a thought about where we wanted to have housing, specifically not in the core, not on Lorton or Burlingame Avenues, or Primrose Road. Reason was to keep historic core intact, because once you open it up to residential, the only way to develop those is by merging lots and demolishing buildings. Goal was to keep downtown uncongested and to mainly focus on Howard Avenue and south of Howard Avenue. This street is somewhat problematic because it has two dead ends, it was a service street from its origin, is very congested and very hard to get in and out of. Agree with letter from Mark Hudak that we did not at the time consider what a 55 foot tall building would do in a narrow area like this. Commend architect on design of proposed project compared to original schematic designs. Appreciate comments from Mr. Hudak about working with the Historical Society throughout the process and acknowledging the history of the street and the Gates House.*

*Agree with allowing housing on section that abuts residential uses behind, makes sense and there is logic to it. However, allowed building height should be reduced from 55 to 45 feet, allowed by a conditional use permit. Also would like to see a 20-foot rear setback to reduce impacts on residents to rear of site. Concerned that a 55-foot tall building can be built with no rear setback requirement. Need to look at full picture, including building height and setbacks expected from an R-3 or R-4 zoned lot.*

- *Alex Podell: Family developed 1218 Burlingame Avenue, which includes Pottery Barn and Banana Republic. Project looks great, in favor of allowing residential and mixed use projects in downtown. Requests that there be construction management plan and a condition that prohibits construction workers from parking on their parking lot.*

*Chair Gaul closed the public hearing.*

*Commission Discussion:*

- *What is allowed under the current zoning? (Hurin: Typical uses allowed in the DAC zoning district include retail stores, personal services businesses, food establishments and offices. There are no side or rear setback requirements; at least 60% of the first floor front wall of the building is required to be at or within 10 feet of the front property line.)*
- *The amendment to the zoning request is only to allow residential uses in this area, not change the development standards, such as building height and setbacks, correct? (Hurin: Yes, request is to allow residential uses above the first floor. However, the speaker under public comments is requesting that you also consider reducing the maximum allowed building height and increase the rear setback requirement.)*
- *If this were only a residential project, would there still be no side and rear setback requirement? (Hurin: Yes, that would be correct in the DAC zoning district.)*
- *Love the idea of mixed use on this site.*
- *Appreciate exuberance of the architecture. However, feels like architecture is trying too hard, there is too much of everything.*
- *Building itself doesn't do a good job at being an urban neighbor, there's a lot about the building that says "look at me". Good urban architecture is much more laid back than what is proposed, it tends to fade into the background.*
- *Feels like there are too many points of failure on the project; one example are the embedded pots and how landscaping in them will be maintained.*

- Find metal ironwork to be pale and feels spindly.
- Concerned about canvas, will flap in wind and fray and will not be replaced once it's taken down. At some points, awnings at commercial and residential portions of the building will be a disaster.
- Project has lots of details that are so specific that it can't be any other possible way. It's too much like Disneyland and Santa Barbara. Burlingame is neither of these. What's beautiful about the town is that it's honest, and this project is trying too hard to fit in.
- Uses are good and ground floor retail will be good for that street.
- Design needs to crank itself back some, don't see this building in Burlingame, it's just trying too hard. Building feels like you're pasting things onto it.
- Design is so highly specific, that it feels like it's forcing itself on the community, should be more reserved.
- In support of amendment to Downtown Specific Plan and DAC zoning district as proposed, don't think it should extend to the entire frontage along Donnelly Avenue. Would feel boxed in if there were taller buildings on corners.
- Design is overstated and overbearing, needs to be toned down.
- Concerned about west and east elevations, more so with the west elevation abutting public parking lot. Will be prominent face of the building, needs to be looked at again.
- Excited by this project, great place for mixed use project, fits in well and is a nice transition between the downtown and residential districts.
- Rear setbacks help transition into existing multifamily residential to rear.
- Like design, is supportable as proposed.
- Understand construction limitations at side property lines. However, design of blind walls needs to be addressed, particularly with the wall next to the parking lot. This wall will be highly visible, as proposed doesn't fit in.
- Agree that zoning amendment should only apply to the central portion of the street.
- Details are a bit too southwest.
- Feel like design was recycled for use here.
- Not quite sure how this design fits here in light of the historical building that existed on the site.
- Also am concerned with the left side wall that abuts the parking lot, will be very visible as you come up the street from Primrose Road, design needs to be revisited.
- This is a thoughtful design with regards to the overall program and floor plans.
- Like that you've addressed s-curve in street and how you've set back the front face of the building.
- Like overall design, but am concerned about maintenance of canvas awnings.
- In support of changes to plan to allow residential use above ground floor.
- Like width of driveway as proposed, allows more comfortable space for vehicles entering and existing the garage, would not want to see it reduced.
- Accept logic that amendment should be focused on lots that abut existing residential use to north.
- Excited about project and mixed use nature, agree with comments that design needs more restraint.
- Encourage looking at Casa Baywood on El Camino Real in San Mateo, not overly done in terms of details, has some timber loggias, and feels substantive. Feels like simple Spanish Revival building that we've seen.
- Architect should have license to do some interpretations, doesn't need to look like it came out of the 1920's in terms of Spanish Revival. But if design leads to the building feeling busy, then perhaps detailing needs to be revisited.
- Appreciate that building has been stepped back at the rear, has almost 20 feet of relief where it's 18 feet in height abutting the adjacent property.
- Typical to have blank walls abutting an adjacent property line, but doesn't mean they have to be entirely stark and blank, can have some relief, detail or texturing. Should revisit what can be done to these walls.
- Concerned about 18 foot tall blank wall at the rear property line abutting residential properties.
- There are two simple solutions for side walls, if upper floors were stepped in could place scaffolding on first floor of building; secondly you could work with the City to lease a portion or entire parking lot for use during construction. Both walls need to have some articulation that would carry design of building all the way around; don't see buildings built up against this building in the future.

- *Like bringing retail use to this area, would help to expand downtown shopping area.*
- *Concerned with architectural style, struggling with how this fits in. Massing is right and building steps back nicely, but don't think the style fits in with downtown area based on the design guidelines.*

*As a Design Review Study/Environmental Scoping item, there is no action from the Planning Commission. The application will return as an Action Item with the environmental review at a later date.*



Architecture/Planning/Interiors

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October 22, 2019

Mr. Ruben Hurin, Planner  
Planning Division/Community Development  
City of Burlingame  
501 Primrose Road, 2nd Floor  
Burlingame, CA 94010

RE: 1214 Donnelly Avenue  
Burlingame, CA  
APN: 029-151-150, -160 and -170

Dear Mr. Hurin:

RECEIVED

OCT 22 2019

CITY OF BURLINGAME  
CDD-PLANNING DIV.

This letter is to outline the design changes to the proposed mixed-use building:

1. **STAIR TOWER ENTRY DOOR HAS MORE DETAIL**
  - A. The previous drawings did not clearly indicate this door and its details. This door on Sheets A2.1, A3.1 and detail #9 on A3.1a now shows the "applied 3/4" raised painted decorated relief on the door face.
2. **REMOVE CANVAS AWNINGS AT THIRD LEVEL, CLAY POT PLANTERS AND CLAY DECORATIVE OVERFLOW SPOUTS**
  - A. The canvas awnings at the third level decks and windows have been removed. See Sheets A3.1, A3.1a and A3.3.
  - B. All integral clay pot planters have been removed from all building walls. See Sheets A3.1, A3.1a and A3.3.
  - C. All clay decorative overflow spouts have been removed. See Sheets A3.1, A3.1a and A3.3.
3. **ALL PAINTED METAL DECK RAILINGS ARE VERTICALLY ORIENTED WITH A HORIZONTAL CAP RAIL**

All the painted metal deck railings previously not having a horizontal cap rail were change to include such a cap rail. See Sheets A3.1, A3.1a and A3.3.
4. **RESIDENTIAL ENTRY AT STREET IS NOW A RECTANGULAR ARCHWAY WITH A PAINTED METAL GATE**
  - A. The previous curved archway at the residential street entry has been removed.
  - B. A new rectangular archway with a metal gate has been located at the residential sidewalk entry area. See Sheets A2.1, A3.1 and A3.1a.
  - C. This new rectangular archway entry is 1'-10" deep in depth.
  - D. The new metal gate pattern at the residential sideway entry and recessed utility patio now complement the deck metal rails.

5. **EAST PROPERTY LINE WALL NOW HAS A PAINTED 4'X 8' CEMENT PANEL FINISH**
  - A. The east property line wall finish is now James Hardie "Reveal" panel system and trim. See Sheet A3.2
  - B. The expansion joints are now visible on the east property line wall.
  - C. This cement panel system complements the cement plaster finish at the street and rear facades.
6. **WEST PROPERTY LINE WALL NOW HAS A RECESSED LIGHT WELL AND CEMENT PLASTER FINISH**
  - A. A 2'6"x 12' recessed light well is now located at the west property line wall.
  - B. This light well divides the massing along the west property line wall and creates visual interests to this side of the building. See Sheet A2.2, A2.3, A2.4 and A3.4.
  - C. The west property line wall is now finished with cement plaster. This material complements the same material used at the front and rear facades.
7. **COMMERCIAL WINDOW AWNINGS NOW HAS HORIZONTAL TRIM WITH PASTEL COLOR**
  - A. The projecting commercial picture window awnings now have a horizontal trim and pastel color. The previous curved trim and stripped contracting colors have been removed. See Sheet A3.1 and A3.1a.
8. **A NEW MATERIALS BINDER WAS SUBMITTED WITH THE UPDATED ARCHITECTURAL DRAWINGS**
  - A. A revised materials binder was submitted with the revised architectural drawings to reflect all the changes outlined in this letter.
9. **A HISTORIC PLAQUE DESIGN WILL BE SUBMITTED**
  - A. Attached is our proposed historical interpretive plaque to be located at the southeast corner of the building attached to the stormwater transition box cement plaster wall. Our office is now consulting with a sign maker as to the materials and mounting of a historic plaque. The sign making company shop drawing will be submitted shortly.

Very truly yours,

Gary Gee, AIA

cc: John Britton



Comments with regard to 1214-1220 Donnelly:

OCT - 9 2018

INCLUDE HISTORIC NOD TO STORY OF DONNELLY AVENUE

CITY OF BURLINGAME  
CDD-PLANNING DIV.

- As some of you may be aware, the George W. Gates family home and the other two adjacent properties in question represent the last of a handful of homes that were moved to Donnelly Avenue, formerly an unpaved service road leading to John Donnelly's home, a century ago to make room for the developing Burlingame Avenue commercial district.

My duty and privilege as representing the education-based, Burlingame Historical Society is to make sure for the public record that whatever is developed on these parcels includes a meaningful nod to the Donnelly Avenue area's history and to the Gates family for their contributions to this city's development. We do have some ideas, but time and scope this evening are inadequate for this kind of detailed discussion.

ZONING:

- I want to acknowledge the effort made from Kevin and Bill regarding the scope and limits of the area amendment being proposed; I think the boundaries have been thoughtfully conceived to avoid "spot zoning" and there is method and logic used in aligning the proposed residential zoning with like-zoning of the R4 parcels to the rear, facing Bellevue, while also keeping the retail emphasis of the 300 block of Lorton intact.

- Mark Hudak, Richard Terrones, and I were all part of the Advisory Board that worked for nearly 3 years to create the DSAP. As a point of reference, the emphasis for residential zoning was to keep it out of the core, so as to prevent congestion in the retail zone; in particular the residential development would be emphasized on Howard Avenue and south of Howard.

Donnelly has continues to maintain remnants of its original anatomy as a service road, and has limited throughput on both ends. I am in agreement that it does not make sense to allow heights of 55', technically up to 65,' as currently in our code, in this area. Nobody who was on the advisory, nor Council, could have foreseen a decade ago that theoretical parking requirements for maximum heights could one day be achieved without digging out a big hole, but instead with the development of puzzle and automated parking mechanisms.

So the once hard to achieve, built out heights are frequently becoming a reality. For some areas including this one, this is not appropriate.

Remember that whatever is ultimately decided regarding the amendment will apply not only to this project, but to the other parcels to the west included in this amendment. Furthermore, if this applicant for whatever reason, decides to sell these undeveloped parcels, a future owner could built them out to 55ft. potentially without any design review, because of the new residential streamlining regulations from the State. That is why we have to be so careful making a thoughtful amendment that does not cherry pick, but considers all aspects that may negatively impact neighbors on Bellevue.

So, I would suggest adding to the proposed amendment verbiage that includes a reduction in height for all uses, from 55ft cup, to 45ft -- similar to other areas of transition within the downtown specific area plan.

In addition to height, a typical R3 and R4 parcel development traditionally respects a 15 ft. rear setback for the first two floors, and a 20 ft. rear setback for any additional floors. This has been a time tested respectful setback over many decades.

In this regard, Mr. Gee's podium roof garden on top of the parking garage, though 18 ft. above neighboring properties, is set back generously, and in fact at 19'7" is a mere 5 " short of the typical R-4 required setback of 20ft.

So I ask, why not include the same 20 ft. rear setback requirement that is in keeping with the residential properties to the rear. If office were developed adjacent existing residential, it, too, should maintain the setback so that adjacent residences have breathing room.

In short, my suggestion for this particular zoning amendment --with an eye to the future where there is little design control on residential properties, is to add more teeth by reducing the maximum allowable height to 45 ft. with a CUP, and include rear setbacks consistent with R-3 and R-4 development standards.

Similar amendments have been made in the Bayswater Mixed Use area where disparate zoning has caused friction between neighbors. Why not be proactive in this case?

Jennifer Pfaff

Oct. 9, 2018    Item 9c Study item 1214-1220 Donnelly



# APPLICATION TO THE PLANNING COMMISSION

05-08-16

## Type of application:

- ☐ Design Review ☐ Variance ☐ Parcel #: 029-151-150, 160, 170  
☒ Conditional Use Permit ☐ Special Permit ☐ Zoning / Other: \_\_\_\_\_

PROJECT ADDRESS: 1214 DONNELLY AVENUE

## APPLICANT

Name: JOHN BRITTON

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

## PROPERTY OWNER

Name: BRITTON TRUST

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

## ARCHITECT/DESIGNER

Name: GARY GEE ARCHITECTS, INC.

Address: 98 BRADY ST.

City/State/Zip: SAN FRANCISCO, CA 94103

Phone: 415.863.8881

E-mail: gg@garygee.com

Burlingame Business License #: 28678

## Authorization to Reproduce Project 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 actions. \_\_\_\_\_ (Initials of Architect/Designer)

PROJECT DESCRIPTION: DEMOLISH EXISTING FIRE DAMAGE BUILDINGS. ERECT NEW MIXED-USE BUILDING. GROUND FLOOR RETAIL/COMMERCIAL, SECOND AND THIRD FLOORS FOURTEEN (14) RESIDENTIAL UNITS

AFFIDAVIT/SIGNATURE  
best of my knowledge

Applicant's signature

I am aware of the  
Commission.

Property owner's

I certify that the information given herein is true and correct to the

Date: 5/13/2016

I authorize the applicant to submit this application to the Planning

Date: 5/13/2016

Date submitted: 5.16.16



Architecture/Planning/Interiors

98 Brady Street, #8 San Francisco, CA 94103-1239

Tel: 415/863-8881 Fax: 415/863-8879 www.garygee.com

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**MAY 16 2016**

March 8, 2016

**CITY OF BURLINGAME  
CDD-PLANNING DIV.**

**1214 DONNELLY AVENUE PROJECT LETTER OF EXPLANATION**

**EXISTING CONDITIONS:**

The existing site is three (3) parcels with three (3) separate structures. There was a fire that damaged the two (2) east structures. The center building at 1214 Donnelly Avenue was demolished due to the extensive fire damage.

The project sponsor plans to demolish the remaining two wood frame two-story office buildings and build one mixed-use building.

**PROPOSED NEW BUILDING:**

The proposed new mixed-use building will have ground floor commercial or retail use with second and third floor residential units. There will be twelve (12) two-bedroom two bath and two (2) one bedroom one bath residential units.

There are twenty-four (24) parking spaces on the ground floor grade located in the rear of the site. One (1) surface ADA parking space and twenty-three (23) mechanical lift parking system spaces.

The ground floor commercial spaces have not been pre-leased and their uses are undetermined. There are 15 foot ceilings in these commercial spaces.

There is a 2,712 Sq.Ft. common area open deck for the residential units on the second floor at the rear of the building. All residential units have attached decks and have access to this second floor common open space area.

**BUILDING DESIGN:**

The design elements of the building capture the Spanish style architecture and design similar to the Burlingame train station and other traditional Spanish style buildings commonly associated with a pedestrian shopping "Paseo". The street façade is vertically divided into smaller modules to reduce the building massing at the street façade. Various windows sizes are designed to enhance the pedestrian experience along the street façade and create smaller window proportions at the upper two (2) floors. Cement plaster walls with plaster trim molding and clay tile roof accent the larger visible finishes on the building.

# CARR McCLELLAN

Mark D. Hudak

Direct Phone: (650) 696-2573  
mhudak@carr-mcclellan.com

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CITY OF BURLINGAME  
CDD-PLANNING DIV.

April 11, 2016

Kevin Gardiner  
Planning Manager  
City of Burlingame  
501 Primrose Road  
Burlingame, CA 94010

Re: Redevelopment of 1214-1220 Donnelly Avenue

Dear Mr. Gardiner:

Our office is working with John Britton on the redevelopment of the fire-damaged properties at 1214-1220 Donnelly Avenue.

These properties are located within the area covered by the Downtown Specific Plan and in the Donnelly Avenue Commercial District. Prior to the fire, the properties had a mix of office and residential uses.

The applicant is proposing to merge the three existing lots and build a single new building, with retail on the first floor and two levels of residential units above. The project would have Code-compliant parking on-site.

Under the current zoning regime (Burlingame Municipal Code Chapter 25.36), the ground floor retail use is permitted but the residential use is not. We believe that a mixed use project with residential units above the first floor would be consistent with the goals of the Downtown Specific Plan and would be appropriate on this side of Donnelly Avenue. Accordingly, John is requesting an amendment to the General Plan and Chapter 25.36 to allow this type of development on the Northwest side of Donnelly Avenue.

The factors that would justify this zoning change include:

1. Historic use of the Properties. Prior to the fire, these properties included residential units above the first floor. The units co-existed with other uses nearby including retail shops, personal service, food establishments, and offices.
2. Consistency With Downtown Specific Plan Goals. One of the primary objectives of the Downtown Specific Plan is to encourage new residential units

April 11, 2016  
Kevin Gardiner

within easy walking distance of the core retail areas along the Burlingame Avenue corridor. The hope was that the additional residents would support the retail and restaurant uses along the Avenue without adding too much traffic. This goal is incorporated in Land Use Goal LU-6 (allowing residential uses along Howard Avenue and peripheral areas).

The proposed units will be within easy walking distance of the restaurants and shops on Lorton Avenue, Primrose Road, and Burlingame Avenue as well as public facilities such as the train station and the library. This is an ideal location for residential uses.

3. Transition to R-4 Zone. The 1300 block of Bellevue Avenue backs up to the Northwest side of Donnelly Avenue and is zoned R-4 (multi-family residential). The predominant use is two- and three-story residential buildings that look over the rear boundaries of the properties along Donnelly.

Under current zoning, a mixed use retail and office building in the Donnelly Avenue District could be as high as 55 feet with a conditional use permit, per Section 25.36.055. Such a building would loom over the existing residential buildings on Bellevue. In contrast, a three-story mixed use building with retail and residential would be very compatible with the Bellevue buildings and provide a good buffer between those uses and the more intense uses that could develop elsewhere in the commercial area.

The simplest method for implementing a zoning change would be a residential overlay for properties fronting on the Northwest side of Donnelly Avenue. This would affect a limited number of properties (including the City's own parking lots) and would not involve other properties within the Donnelly Avenue District that do not share the same characteristics as this subarea. The office building at 350 Primrose may be subject to this overlay, but as a practical matter, it is unlikely to be redeveloped in the foreseeable future.

John and I would be happy to meet with you to discuss the benefits of this request and alternatives for implementing it if the Planning Commission agrees with the general approach. In the meantime, please contact me if you have any questions or need further information.

April 11, 2016  
Kevin Gardiner

8: 1



Mark D. Hudak

MDH:mh  
cc: Client

04050-00001\iManage\7320491.1



## CITY OF BURLINGAME CONDITIONAL USE PERMIT APPLICATION

The Planning Commission is required by law to make findings as defined by the City's Ordinance (Code Section 25.52.020). Your answers to the following questions can assist the Planning Commission in making the decision as to whether the findings can be made for your request. Please type or write neatly in ink. Refer to the back of this form for assistance with these questions.

- 1. Explain why the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity or to public health, safety, general welfare or convenience.***

See attached.

- 2. How will the proposed use be located and conducted in accordance with the Burlingame General Plan and Zoning Ordinance?***

See attached.

- 3. How will the proposed project be compatible with the aesthetics, mass, bulk and character of the existing and potential uses on adjoining properties in the general vicinity?***

See attached.



1. Explain why the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity or to public health, safety, general welfare or convenience.

The current height limit for this site is 55 feet. The height of the proposed new building will be 40'-10" to the roof plane and 54'-2" to the roof of the stair penthouse (see sheet A3.1). Any proposed building exceeding 35' in height requires a Conditional Use Application.

A. Public Health

The proposed building height will not have any impact to public health. The additional 5'-10" roof height above 35' does not create a health hazard to the existing site or adjacent properties.

B. Public Safety

The proposed additional building height of 5'-10" above 35' does not create any public safety issues to the existing site or adjacent properties. The additional building height does not create any hazards to attract or generate crime or increase demand on the city public safety services.

C. General Welfare

The additional proposed building height of 5'-10" above the 35' allows a new mixed-use building which will provide ground floor commercial street activity on Donnelly Avenue and provide fourteen (14) new housing units within walking distance to the downtown shopping area and public transit system. These types of uses contribute to the general welfare of the city and create a vibrant pedestrian friendly environment in the downtown area.

D. Convenience

The proposed additional building height of 5'-10" above 35' allows a more efficient mixed-use building to be located at this site with ground floor commercial use and two (2) floors of residential uses above. The ground floor commercial uses enhances the pedestrian shopping of the downtown commercial activities, and the upper floor residential uses allows residents to live and shop within the downtown shopping district without using their cars for transportation. Many of the local shopping services will serve the residents of this new building.

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**2. How will the proposed use be located and conducted in accordance with the Burlingame General Plan and Zoning Ordinance?**

The zoning for this site is DAC (Donnelly Avenue Commercial). The general plan designation is for offices.

The proposed building height of 5'-10" above 35' complies with the DAC zoning for this site by providing ground floor commercial/retail use. This type of use enhances the commercial/retail/restaurant types of uses concentrated around the central Burlingame downtown neighborhood. The proposed mixed-use building will allow both ground floor commercial activity and upper floor residential uses to co-exist in a centrally located downtown site. Although the general plan designation is for offices, this type of use needs to be updated and does reflect the most optimal mixed-use designation that is ideal for this neighborhood block. Allowing a mixed-use at this will create new housing opportunities above the ground floor commercial/retail uses. This type of zoning will encourage residents to live and work within the downtown area without use of a personal car. Residents living in the downtown area also bring evening pedestrian traffic to the sidewalks and enhance the downtown living experience.

**3. How will the proposed project be compatible with the aesthetics, mass, bulk and character of the existing and potential uses on adjoining properties in the general vicinity?**

A. *The proposed project will be sensitive to the existing adjacent east building and the pedestrian oriented businesses along the Donnelly and Lorton Avenue street frontages.*

1. The proposed building additional building height of 5'-10" above the 35' will complement the existing Donnelly Avenue block face and adjacent structures. The new building height is concentrated towards the Donnelly Avenue façade. The ground floor has 100% lot coverage to enclose the off-street parking and emphasize the ground floor pedestrian oriented commercial use. The upper two (2) residential stories are located towards the Donnelly Avenue façade with 19' and 25' rear yards from the north property line.
2. The Donnelly Avenue façade is setback at the northeast and southeast building corners to soften the massing at each end of the building along the street façade. This massing is setback to give building relief at the street face and soften the intersection of the new building adjacent to the northeast commercial building.
3. The building façade is divided into three (3) horizontal layers.
  - a. The ground floor commercial space has a 15' ceiling. There are large windows to enhance the commercial/retail exposure to the street façade and bring visual interests to the Donnelly Avenue pedestrian oriented experience.

- b. The second residential level has deep set south facing decks at the street elevation. These deep set decks create massing relief for the Donnelly Avenue façade and soften the building mass at the street face. Larger decks without overhead covers appear at the southeast and southwest corners of the street façade. This further reduces the mass at the Donnelly Avenue street façade.
    - c. The third residential level, which is the portion of the new building above 35', has been setback at different modules to create outdoor decks. There are sloping clay tile roofs to add roofline character to the building. The setback decks and sloping roofs lower the street massing profile of the building and create visual variety and interests.
  - 4. There is a City of Burlingame public parking lot on the adjacent southwest lot that occupies 100% of the lot. The proposed building area above 35' in height has been setback at the northwest and southwest corners. This creates another massing setback at the front and rear of the building corners adjacent to the city parking lot, thus reducing the building massing appearance from the city parking lot. The southwest property line will have no window openings.
- B. *The proposed building will create a higher and more diverse use on the existing site.*
  - 1. The new building replaces underutilized existing residential buildings. The new ground floor commercial and upper residential floors will strengthen the ground floor pedestrian oriented commercial presence and increase visual variety to this site and along the Donnelly Avenue street frontage.
- C. *The new building design embraces a Spanish style structure.*
  - 1. The proposed building emulates the historical outdoor shopping "Paseo" commonly seen on State Street in Santa Barbara. These intimate Paseo buildings have high ground floor commercial/retail spaces with individual entries. Second floor offices are located on the second floor with smaller scaled windows. Any third floor spaces are setback with sloped clay tile roofs to reduce the building profile and height, and create outdoor decks overlooking the shopping street or interior block Paseo walkway. The proposed new building incorporates many of these detailed elements.

- 1. Explain why the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity or to public health, safety, general welfare or convenience.**

The proposed new building will have the following primary uses:

- A. *Commercial/Retail on the ground floor.*

This type of use will be a continuation of the existing uses along the Donnelly and Lorton Avenues. These adjacent streets have commercial and retail frontages whose business cater to local residents and persons who work in the downtown area.

- B. *Residential use on the second and third floors.*

This type of use allows people to live and work in downtown Burlingame. Residents of this building will patronize the downtown Burlingame businesses both during the day and evening hours. This creates a more efficient living environment for a population living, working and patronizing businesses in the central business district.

- C. *This is a new mixed-use building.*

The proposed building offers a mixed-use profile for persons whom may not need a vehicle to commute to work since it offers both an ideal location for residents whom wish to live, work and experience a downtown environment.

- D. *Fully Sprinkle New Building.*

The proposed new building will be fully sprinkle and have an automatic alarm system installed.

- E. *Commercial and Residential uses contain inside the proposed new building.*

All proposed uses are enclosed within the building and no major outdoor activity is proposed. These types of proposed uses will not have any detrimental or injurious to adjacent properties, improvements, public health, safety and general welfare or convenience.

- 2. How will the proposed use be located and conducted in accordance with the Burlingame General Plan and Zoning Ordinance?**

The proposed uses comply with the intention of the Burlingame General Plan and Zoning Ordinance by allowing the ground floor commercial/retail and as a primary use. The Burlingame Zoning Ordinance will need to be modified to allow residential use in the "DAC" of the Burlingame Downtown Specific Plan Zoning District. This modification will create a mixed-use zoning. Mixed-use zoning in Downtown Burlingame will create new housing opportunities above the ground floor commercial/retail use. This type of zoning will encourage residents to live and work within the downtown area without use of a personal car. Residents living in the downtown area also bring evening pedestrian traffic to the sidewalks and enhance the downtown living experience.

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**3. How will the proposed project be compatible with the aesthetics, mass, bulk and character of the existing and potential uses on adjoining properties in the general vicinity?**

*A. The proposed project will be sensitive to the existing adjacent east building and the pedestrian oriented businesses along the Donnelly and Lorton Avenue street frontages.*

1. The proposed building façade is set back at the northeast and southwest building corners to soften the massing at each end of the building along the street façade. This massing is modulated to give the building relief at the street face and soften the intersection of the new building against the adjacent northeast commercial building.
2. The building façade is divided into three (3) horizontal layers.
  - a. The ground floor commercial space has a 15' ceiling. There are large windows to enhance the commercial/retail exposure to the street façade and bring visual interests to the Donnelly Avenue pedestrian oriented experience.
  - b. The second and third residential levels have been setback at different modules to create outdoor patios and decks. There are sloping clay tile roofs to add roofline character to the building. The recessed decks and sloping roofs lower the street massing profile of the building and create visual variety and interest.
3. There is a City of Burlingame public parking lot on the adjacent southwest lot. The southwest property line wall will have architectural features and no window openings.
4. The proposed building has located a common area deck on the second floor rear property line area. This creates another massing setback at the rear of the building along with the setback at the front of the building. These massing setbacks allow the building façade to continue from the front and rear facades along the setback walls. This creates more property line wall façade elements and building details to be expressed.

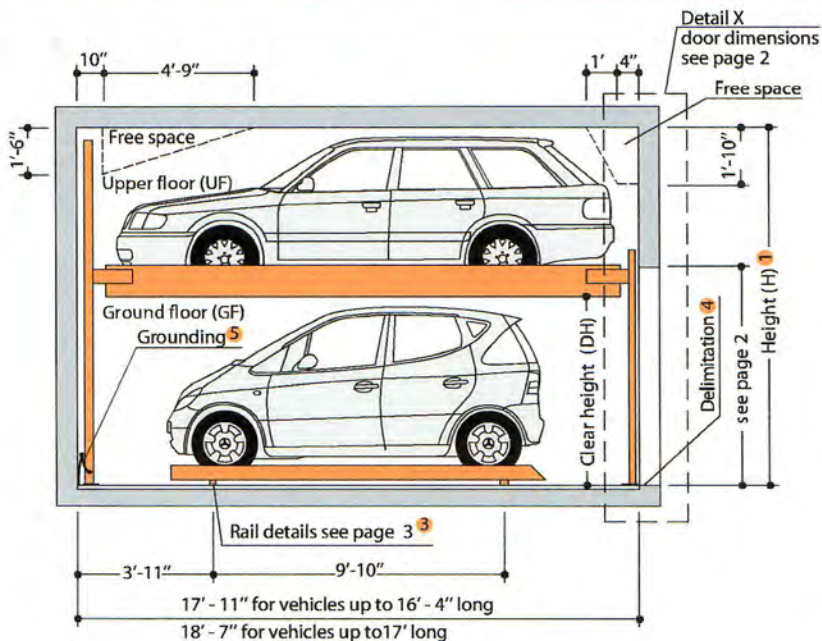
*B. The proposed building will create a higher and more diverse use on the existing site.*

1. The new building replaces underutilized existing residential buildings that were converted to commercial uses. The new uses will provide a more efficient building use and a variety of new uses to this site and along the Donnelly Avenue commercial street frontage.

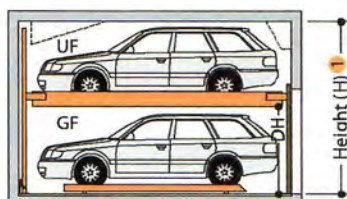
*C. The new building design embraces a Spanish style structure.*

1. The proposed building emulates the historical outdoor shopping "Paseo" commonly seen on State Street in Santa Barbara. These intimate Paseo buildings have high ground floor commercial/retail spaces with individual entries. Second floor spaces will have smaller scaled windows. Any third floor spaces are setback with sloped clay tile roofs to reduce the building profile and height, and create outdoor decks overlooking the shopping street or interior block Paseo walkway. The proposed new building incorporates many of these detailed elements.

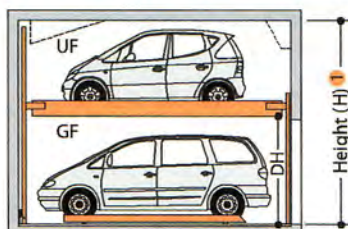
## Standard Type 4200 formally called the P210



## Compact Type 4200



## Exclusive Type 4200



## Notes

- 1 If height H is larger, vehicles with the maximum height specified for the GF can be parked on the UF, otherwise there will be free space available on the ceiling.
- 2 In order to meet the minimum finished dimensions the tolerances specified must be met, they may be up to 1" greater than specified.
- 3 Tolerances for the evenness of the floor must be strictly complied with.
- 4 On the version without door, a 4" wide yellow-black markings compliant to ISO 3864 must be applied by the customer to the edge of the platform in the access area to mark the danger zone in compliance with DIN EN 14 010
- 5 Potential equalization from foundation grounding connection to system (provided by the customer).
- 6 Maximum load of 5,720 lbs optional.

## General notes

If sprinklers are required make sure to provide the necessary free spaces during the planning stage.

Product Data  
TrendVario

4200

Loadable  
up to 5,720 lbs  
Single parking spaces can also  
be upgraded to handle heavier  
loads at a later date!

Number of parking spaces:  
min. 3 to max. 29 vehicles

## Dimensions: 2

All space requirements are minimum  
finished dimensions. Tolerances for space  
requirements +1" - 0"

Type	DH*	H
4200	5' - 3"	10' - 10"
4200	5' - 8"	11' - 4"
4200	5' - 11"	12' - 2"
4200	6' - 1"	12' - 6"
4200	6' - 11"	13' - 4"
4200	7' - 1"	14' - 5"

\* = without car

## Suitable for:

Standard passenger car, station wagon/  
Van. Height and length according  
to contour.

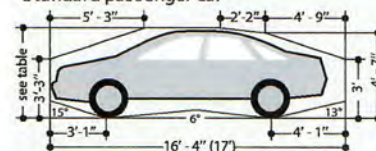
Type	DH	H	car height	
			UF	GF
4200	5' - 3"	10' - 10"	4' - 11"	4' - 11"
4200	5' - 8"	11' - 4"	4' - 11"	5' - 5"
4200	5' - 11"	12' - 2"	5' - 7"	5' - 7"
4200	6' - 1"	12' - 6"	5' - 9"	5' - 9"
4200	6' - 11"	13' - 4"	5' - 9"	6' - 7"
4200	7' - 1"	14' - 5"	6' - 9"	6' - 9"

width 6' - 3"

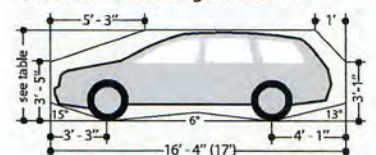
weight 6 max. 4400/5720 lbs

wheel load max. 1100/1430 lbs

## Standard passenger car



## Standard station wagon/ Van/ SUV\*\*



Standard passenger car, station wagon /  
Van/ SUV are vehicles without any sports  
options such as spoilers, low-profile tyres etc.

\*\* = Make sure to observe the weights and dimensions!

**KLAUS**  
multiparking

Klaus Multiparking GmbH  
2170 Dwight Way  
Berkeley, CA 94705

Phone 925-284-2092

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E-Mail sales@parklift.com

Internet www.parklift.com

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MAY 16 2016

CITY OF BURLINGAME  
CDD-PLANNING DIV.

1214 Donnelly Avenue  
Burlingame, CA





## Design Guide

Cars Parked	Number of bays	Usable Platform Width			Grid Width		Overall width		
		cm	ft	inches	cm	ft	cm	ft	inches
		Small Platforms							
3	2	230	7.55	90 9/16	250	8.20	520	17.06	204 12/16
5	3	230	7.55	90 9/16	250	8.20	770	25.26	303 2/16
7	4	230	7.55	90 9/16	250	8.20	1020	33.46	401 9/16
9	5	230	7.55	90 9/16	250	8.20	1270	41.67	500
11	6	230	7.55	90 9/16	250	8.20	1520	49.87	598 7/16
13	7	230	7.55	90 9/16	250	8.20	1770	58.07	696 14/16
15	8	230	7.55	90 9/16	250	8.20	2020	66.27	795 4/16
17	9	230	7.55	90 9/16	250	8.20	2270	74.48	893 11/16
19	10	230	7.55	90 9/16	250	8.20	2520	82.68	992 2/16
21	11	230	7.55	90 9/16	250	8.20	2770	90.88	1090 9/16
23	12	230	7.55	90 9/16	250	8.20	3020	99.08	1189
25	13	230	7.55	90 9/16	250	8.20	3270	107.28	1287 6/16
27	14	230	7.55	90 9/16	250	8.20	3520	115.49	1385 13/16
29	15	230	7.55	90 9/16	250	8.20	3770	123.69	1484 4/16
		Medium Platforms							
3	2	240	7.87	94 8/16	260	8.53	540	17.72	212 10/16
5	3	240	7.87	94 8/16	260	8.53	800	26.25	314 15/16
7	4	240	7.87	94 8/16	260	8.53	1060	34.78	417 5/16
9	5	240	7.87	94 8/16	260	8.53	1320	43.31	519 11/16
11	6	240	7.87	94 8/16	260	8.53	1580	51.84	622 1/16
13	7	240	7.87	94 8/16	260	8.53	1840	60.37	724 7/16
15	8	240	7.87	94 8/16	260	8.53	2100	68.90	826 12/16
17	9	240	7.87	94 8/16	260	8.53	2360	77.43	929 2/16
19	10	240	7.87	94 8/16	260	8.53	2620	85.96	1031 8/16
21	11	240	7.87	94 8/16	260	8.53	2880	94.49	1133 14/16
23	12	240	7.87	94 8/16	260	8.53	3140	103.02	1236 4/16
25	13	240	7.87	94 8/16	260	8.53	3400	111.55	1338 9/16
27	14	240	7.87	94 8/16	260	8.53	3660	120.08	1440 15/16
29	15	240	7.87	94 8/16	260	8.53	3920	128.61	1543 5/16
		Large Platforms							
3	2	250	8.20	98 7/16	270	8.86	560	18.37	220 8/16
5	3	250	8.20	98 7/16	270	8.86	830	27.23	326 12/16
7	4	250	8.20	98 7/16	270	8.86	1100	36.09	433 1/16
9	5	250	8.20	98 7/16	270	8.86	1370	44.95	539 6/16
11	6	250	8.20	98 7/16	270	8.86	1640	53.81	645 11/16
13	7	250	8.20	98 7/16	270	8.86	1910	62.66	751 15/16



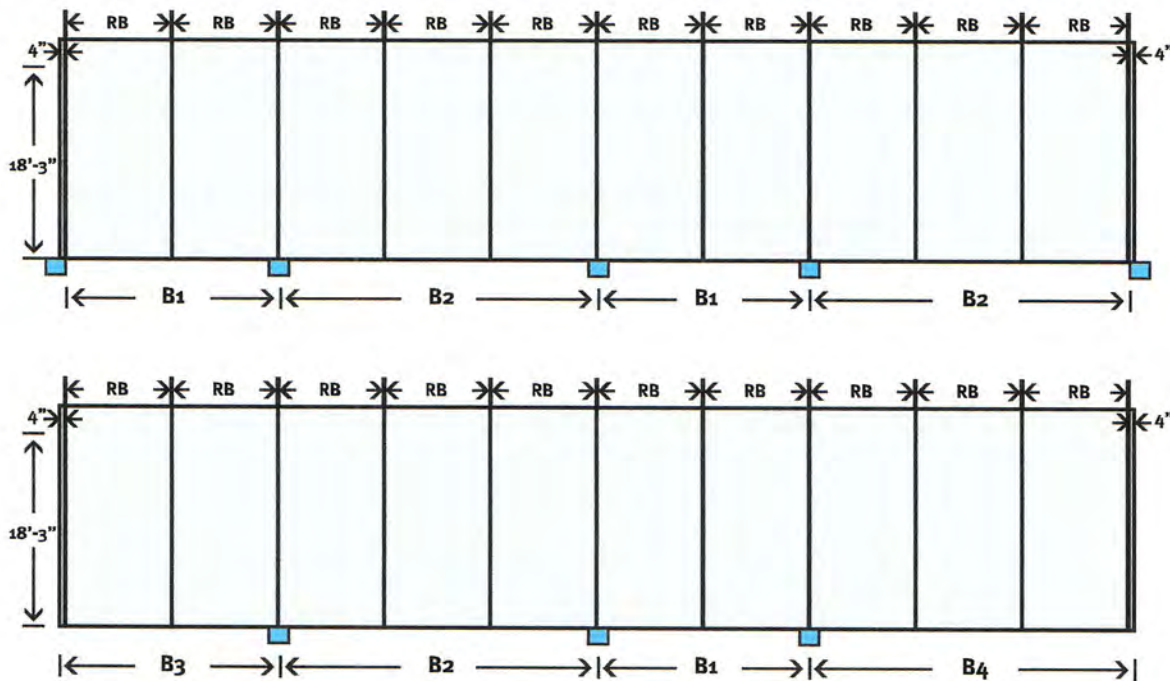
# KLAUS

## multiparking

15	8	250	8.20	98 7/16	270	8.86	2180	71.52	858 4/16
17	9	250	8.20	98 7/16	270	8.86	2450	80.38	964 9/16
19	10	250	8.20	98 7/16	270	8.86	2720	89.24	1070 14/16
21	11	250	8.20	98 7/16	270	8.86	2990	98.10	1177 3/16
23	12	250	8.20	98 7/16	270	8.86	3260	106.96	1283 7/16
25	13	250	8.20	98 7/16	270	8.86	3530	115.81	1389 12/16
27	14	250	8.20	98 7/16	270	8.86	3800	124.67	1496 1/16
29	15	250	8.20	98 7/16	270	8.86	4070	133.53	1602 6/16

### ALLOWABLE COLUMN SPACING

Use for preliminary layout. Prior to finalizing design contact Klaus for a job specific layout drawing.



Clear Platform	RB	Max Column Width	B1	B2	B3	B4
230	8'-2-1/2"	8"	16' - 5"	24' - 7"	16' - 9"	24' - 11"
240	8'-6-3/8"	16"	17' - 1"	25' - 7"	17' - 5"	25' - 11"
250	8'-10-3/8"	24"	17' - 9"	26' - 7"	18' - 1"	26' - 11"

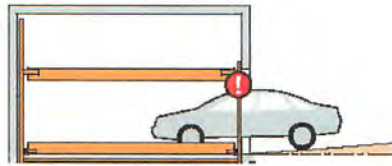
The column widths shown are the maximum width's allowed for each model. The columns may be spaced every two or three bays or a combination of every two or every three bays. On the ends of the machine the column is optional if there is a concrete wall present. Otherwise the end columns should be offset so that their edge lines up with the last platforms outside RB dimension line shown above in order to allow better access to the end platforms. Please note that the machine requires an additional 4 inches at each end beyond the RB grid dimensions.



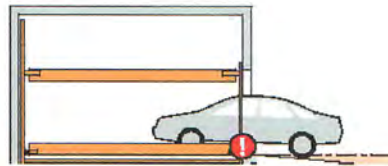
## APPROACH



The illustrated maximum approach angles must not be exceeded. Exceeding these slopes will cause maneuvering problems and will restrict car sizes on the parking system.

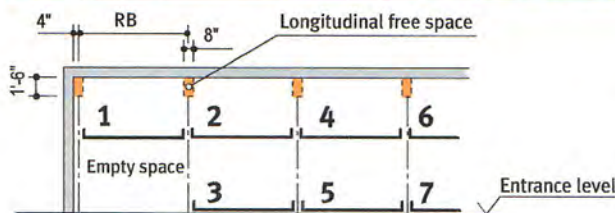


Maximum descending slope of 3%



Maximum ascending slope of 5%

## LONGITUDINAL FREE SPACE; STANDARD PARKING SPACE NUMBERS; DENOMINATION



### Moving direction

Upper floor

Ground floor

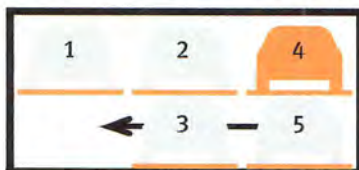


Descending to entrance level (standard: Hold-to-run-device)

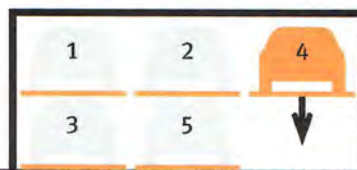
Transverse repositioning

## FUNCTION OF THE PARKING AUTOMAT

e.g. for parking space No. 4: Check first that all doors are closed, then select No. 4 on operating panel.



For driving the vehicle off platform No. 4 the ground floor parking platforms are shifted to the left.



The empty space is now below the vehicle which shall be driven off the platform. The platform No. 4 will be lowered.



The vehicle on platform No. 4 can now be driven off the platform.

## RECESSED RAIL SYSTEM

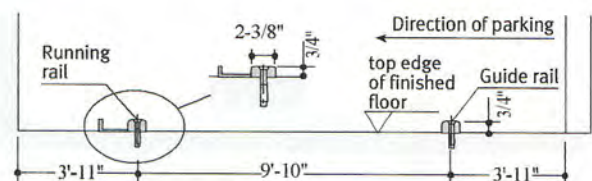
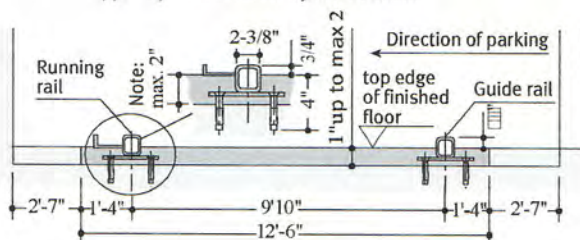
Dependent upon the structural conditions of the garage, several different options are available for installation of the rails:

**When executing the carriageway, according to raw bottom floor combined with a cement screed or**  
**When executing the carriageway with recesses for the rails:**

- The set-up of the rails amounts to 1" (height of floor screed 1-1/2")
- After the rails have eventually been laid, the area under the rails must be topped up with concrete by the customer

### Exact evenness of the carriageway:

- When exact evenness of the carriageway has successfully been accomplished, the rails may be dowelled onto it





## GENERAL DISCRIPTION

The Klaus Automat P210 provides independent access to all cars parked on the system. Each individual parking bay must be accessible from the drive aisle. The drive aisle shall comply with local regulations, but is typically 24' wide. The parking spaces are arranged on two levels. The upper level parking spaces move vertically. The lower parking spaces move horizontally (left and right) to allow upper level cars to come up or down to driveway level and be driven off the platforms. The lower level of the machine includes one less car than the upper to enable the lower cars to move left and right to create the vacant space. Consequently, a unit of three parking spaces ( 1 on the ground floor , 2 on the upper floor) is the smallest unit available for this parking system and can go up to 15 lifts or 29 cars for the larger units.

## TECHNICAL DATA

### RANGE OF APPLICATION

This parking system is suitable for self parking by owners, renters, regular employees or anyone that can be trained on the system. The public may not park on this system without a valet.

### ENVIRONMENTAL CONDITIONS

Environmental conditions for the systems: Temperature range 14° to 104° F. The system must be installed indoors. If lifting or lowering times are specified, they refer to an environmental temperature of 72° F and with system set up directly next to the hydraulic unit. At lower temperatures or with longer hydraulic lines, these times increase.

### DOORS AND CONTROL SYSTEMS

The machine comes standard with manual doors and 2 keys per parking space. The key is inserted into a user control box centrally placed on the system. Electric doors are available. Infrared control transmitters are available.

### SPACE NUMBERING

Standard space numbering is left to right with the empty space located in the first bay on the left. The empty space can be moved to another bay or even outside the normal machine if needed. The numbering sequence planned will be shown on the shop drawings and approved by the client.

### SPRINKLER SYSTEM

The sprinklers may be mounted at the front and rear of each level if needed.

### ELECTRICAL REQUIREMENTS AND HYDRAULIC UNIT

The hydraulic power unit is normally installed against the back wall on a metal bracket with rubber sound insulation. It consists of an electric motor, hydraulic motor and hydraulic oil reservoir in one unit. The hydraulic oil is biodegradable and environmentally friendly. The motor is a 3 phase 208 volt, 4.0 KW. It is possible to use single phase power if needed. The power unit has a pressure gage and a pressure relief valve.

### CORROSION PROTECTION

The platforms are galvanized and the steel framing members are powder coated. The platforms should be cleaned annually to maximize their life.

### SERVICE

To maintain safe and reliable operation of the machine, it must be serviced twice per year.

### WARRANTY

To machine has a complete one year parts and labor warranty. Klaus provides extended warranties.

### SOUND CONTROL

Numerous sound control features are standard. The hydraulic power unit is mounted on rubber pads. Steel hydraulic lines are mounted with rubber pipe supports. A rubber hose isolates the power unit from the steel hydraulic lines.

Sound tests at the front of the machine show about 67dB to 69dB (A weighting) noise levels (speech at 1 foot is 68db).

In multifamily podium construction, normally no special construction for sound is performed. For residential or wood frame construction, placement of the power unit is critical. Klaus designers will assist with power unit placement and other sound issues.

### STRUCTURAL

The machine has steel framing and is anchor bolted to the concrete garage slab with wedge anchors. The framework consists of steel columns and beams on a grid pattern. The machines steel columns are connected to the building at the rear wall and to a steel tube at the front of the machine. The tube steel is typically 10" x 10" and also provides seismic bracing as well as support for the gates. This tube steel and associated concrete columns are supplied and installed by the customer. Please refer to the Automat P210 Bracing Details drawing and Merkle engineering report for details.

The platforms for the upper and lower cars consist of steel platforms that ride up and down the steel columns. The platforms for the cars at the driveway level run left-right on steel rails.

The upper and lower platforms are constructed with two steel side members, three steel cross members, ribbed steel platform material which runs from side member to side member and one wheel stop. The platform is solid and does not allow oil or water to drip onto the lower cars.

The lifting mechanism for the upper platforms consists of a hydraulic cylinder which raises the rear of the platform. The front of the platform is raised via a chain which runs on chain sprockets. There are safety switches that stop the machine in the event the chain goes loose for any reason. The platforms are suspended at the 4 corners and are guided along the front support columns.

The lower platforms are moved via an electric motor located on each platform. The motor drives a sprocket that runs along a chain at grade level. The platform runs on steel guide rails and can be moved manually without power by releasing the brake on the electric motor.

The machine includes several safety devices which include chain monitoring systems, and safety locks for the upper platforms. When a user is inside the machine all platforms are mechanically protected against lowering.

## SCOPE OF WORK CLARIFICATIONS

1. The pit and surrounding walls, columns and beams to provide support for the machine are provided by the customer.
2. All pit drainage is provided by the customer.
3. General lighting in the garage is provided by the customer. Klaus will supply lighting within the machine. The lighting will be connected to the machine control box and will be activated when the doors are open.
4. Klaus will supply design assistance and will confirm in writing that the proposed machine will fit in the space provided.

5. Klaus will prepare shop drawings showing the location of all components.
6. The customer must close off the left and right sides of the machine with a wall or fence. The fence must be 8' high and the lower 5 feet must have no openings greater than 1/2" inch.
7. The customer must provide a 30 amp 3 phase 208V (or 240V single phase) circuit and fused disconnect for each machine and power must be available before installation begins.
8. Klaus provides all control wiring and conduit.

### WE RESERVE THE RIGHT TO CHANGE THIS SPECIFICATION WITHOUT FURTHER NOTICE

The Klaus company reserves the right in the course of technical progress to use newer or other technologies, sytems, processes, procedures or standards in the fulfillment of their obligations other than those originally offered provided the customer derives no disadvantage from their doing so.

# *SBCA TREE CONSULTING*

*Steve Batchelder, Consulting Arborist*

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**Calif. Contractor Lic. (C-27) 533675**

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**E-mail: [steve@sbcatree.com](mailto:steve@sbcatree.com)**

Date: April 1, 2016

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To: John Britton

[REDACTED]

[REDACTED]

[REDACTED]

Subject: Tree Survey for Development Project

Location: 1214 Donnelly Ave., Burlingame

PARCELS: 029-151-150, 029-151-160, 029-151-170

Assignment: Arborists were requested to identify trees within the parcels that are subject to City of Burlingame Tree Ordinance.

*Arborist Qualifications: Arborists Steve Batchelder and Molly Batchelder are both certified as arborists by the International Society of Arboriculture (ISA).*

## **Introduction**

The following arborist report provides information regarding two Protected Trees associated with a development permit. One is located on a parcel designated to be developed. The other is a City street tree.

## **Appendix material**

Appendix 1: Tree Location Map

Appendix 2. Tree Protection Guidelines

## **Summary**

The City street tree, a London Plane (*Platanus x hispanica* syn. *Platanus x acerifolia*) located in the sidewalk in front of parcel 029-151-150, will be protected during construction activities.

Only one tree, located within parcel 029-151-150 where the structure is located, qualifies as a City Protected Tree. This tree is proposed for removal to accommodate the site development plans.

Three additional trees identified on the site did not qualify as protected trees.

## City of Burlingame Tree Ordinance

(f) "Protected tree" means:

- (1) Any tree with a circumference of forty-eight (48) inches or more when measured fifty-four (54) inches above natural grade; or
- (2) A tree or stand of trees so designated by the city council based upon findings that it is unique and of importance to the public due to its unusual appearance, location, historical significance or other factor; or
- (3) A stand of trees in which the director has determined each tree is dependent upon the others for survival.

## Tree Descriptions

1. City Street Tree – London Plane (*Platanus x hispanica*)  
DBH<sup>1</sup> – 21.5"  
Health – Fair to Good.  
Structure – Good  
This tree will require protection during site demolition and construction activities.  
See: *Tree Protection Guidelines in Appendix 2.*
2. Site Tree – Brisbane Box (*Lophostemon confertus*)  
DBH – 20"  
Health – Good  
Structure – Fair to Good, multi branching  
Spread – 35'  
This tree will be removed to accommodate the project design.

## Recommendations

Pre-Demolition and Pre-Construction Meetings – Critical to the success of any tree protection plan is informing the contractors of the requirements. All tree protection measures must be in place prior to the beginning of activities.

Submitted by:



Steve Batchelder, Consulting Arborist  
ISA Certified Arborist WE 228A  
CaUFC Certified Urban Forester #138  
Calif. Contractor Lic. (C-27) 533675

---

<sup>1</sup> DBH – Diameter at Breast Height or measured at 4.5' above soil grade





## Photo Supplement

**Photo 1.** Photo to the right shows the 20 inch diameter Brisbane Box tree #2. This tree will be removed to accommodate the proposed development project.



**Photo 2.** Photo to the right shows the City street tree #1 that will require protection during the proposed construction project. Tree protection requires that the current fencing and sidewalk remain in place for the duration of the project. The lower 10 feet of the tree will require protection from mechanical injury.





**Photo 3.** Photo to the right shows the two African Fern Pines (*Afrocarpus gracilior*). The trees have diameters of 4" and 5" and do not qualify as protected trees.



**Photo 4.** Photo shows the Japanese Maple tree that will also be removed. The tree has a diameter of 8.5" when measured at 2' above soil grade, also not a protected tree.



**End**







## Tree Preservation Guidelines

The tree protection is for the City of Burlingame owned London Plane tree located in the sidewalk in front of 1214 Donnelly Avenue. The focus of the tree protection will be the following:

1. Pre-Construction Meeting - Contractors must attend a pre-construction meeting with project arborist with all tree protection measures inspected and approved.
2. Fencing Remains in Place - Current fencing along the sidewalk is to remain in place for the duration of the project.
3. Excavation within (RPZ)<sup>1</sup> - All excavation, trenching or sidewalk repairs within 22 feet of the London Plane tree shall be under the direct supervision of project arborist.
4. Preliminary Investigation and Root Pruning - Excavation along the property boundary, immediately behind the sidewalk is to be preceded by exploratory excavation (hand, air spade or Ditchwitch) with any necessary root pruning undertaken prior to the use of equipment.

### PRE-CONSTRUCTION ACTIVITIES

These activities should be undertaken prior to initiation of construction activity. In addition to modifications to the project design to reduce tree impacts, all steps that improve the health of trees prior to construction will greatly improve the chance of survival.

Timing of Root Loss – Root loss that occurs in late fall season is preferable to cutting tree roots in the spring. Pruning activities are best undertaken in mid to late summer or winter. Pruning both the canopy and roots at the same time should be avoided if possible.

Design – The design must be consistent with the requirements of the trees. Where possible, the project design should allow for roots to occupy the soil behind the sidewalk. Graphic description showing under sidewalk pavement treatments have been provided in appendices. Such treatments allow tree roots to access the available soil with minimal potential for sidewalk pavement displacement.

Designate Tree Root Protection Zone–The tree Root Protection Zone (RPZ) designates an area surrounding a tree or grouping of trees that is to be fenced off from all access until designated by a certified arborist. The RPZ is commonly defined as one (1) foot radial distance for every one (1) inch in tree diameter (DBH).

Arborist can modify the RPZ distance from the base of the tree based upon site conditions and the level of root presence. An arborist should monitor all grading and trenching activity that is within twice the distance of the RPZ.

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<sup>1</sup> RPZ is the tree root protection zone. Determined to be one radial foot from the base of the tree for every one inch in tree diameter (DBH).





Tree Root Protection Zone Fencing – In this situation, the current fencing will suffice as long as it remains in place for 22 feet to either side of the tree. Until decisions are finalized regarding excavation activities occurring within the project site and 22 feet from the London Plane tree, soil protections must be in place as the area cannot be saved.

Root Protection and Root Pruning – Root protection measures must be in place prior to the beginning of construction activities. This includes the use of mulch, trenching plates and/or plywood to reduce construction related soil compaction.

Necessary root pruning is best accomplished prior to the beginning of construction activities and preferably in the late fall season. After being exposed by hand or air excavation, roots are pruned under arborist supervision. Construction activities are then free to occur outside of the root pruning boundary.

Supplemental Irrigation – Arborist will designate supplemental irrigation based upon the level of root loss, soil conditions, tree health and time of year.

Mulching – Use of four to six inches of organic mulch (wood chips are best) on soil surface will reduce soil compaction and evaporative soil moisture loss. Recommended material is wood chips generated from tree trimming. Fresh redwood, incense cedar and walnut chips are not acceptable, nor is palm generated mulch.

Pruning – No pruning is likely to be required. All pruning must comply with ANSI A300 Pruning Standards. Pruning must be minimized, particularly when root loss occurs. Pruning prior to construction should include: Necessary Clearance Pruning, Deadwood Removal and Safety Pruning.

## **TREE PROTECTION DURING CONSTRUCTION**

The level of arborist monitoring of the project can be quite variable, depending upon the degree of encroachment into root systems and the early levels of contractor compliance with the tree protection guidelines.

Pre-Construction Meeting with all Construction Personnel – It is important that construction crew understands the tree protection requirements. All personnel working on site should be provided an orientation to tree preservation measures and rules by the arborist assigned to monitor tree preservation.

Observe Fenced RPZ – This area is off limits to all personnel, equipment, materials storage, or any other activities. Fencing may be relocated only under arborist supervision.

## **WORK ACTIVITIES OCCURING WITHIN THE DESIGNATED RPZ**

Arborist Supervision – All activities occurring inside of the designated RPZ must be approved and an arborist must be present to supervise tree protection and root pruning activities. In addition to root pruning within the project limits it includes sidewalk replacement or repair.



Trunk and Scaffold Protection – To protect the base of the tree from mechanical injury, the trunk is protected up to 10 feet. Protection can be vertical boards strapped to the outer side of the tree and wrapped with orange plastic construction fencing or use of straw waddles likewise wrapped with orange plastic fencing.

Soil Moisture Control – If root pruning must occur, supplemental irrigation is required. Open trenches with exposed roots require minimum three layers of damp burlap or other acceptable covering at all times. Project arborist will determine the amount of supplemental watering required.

Required Method of Trenching Within Critical Root Zone – Carefully hand excavation or tunneling shall be the accepted method for installing underground utilities. The Air Spade can also be used much more efficiently when a large amount of such trenching must be undertaken. Arborist is to supervise any such activity.

## **POST CONSTRUCTION MITIGATION**

Arborist is to certify that the tree has been protected and cared for during the course of construction activities.

Monitoring Tree Health – Regular visual inspection of trees will aid in assessing where further mitigation is required. Tree decline should be recorded and referenced against pre-construction health assessment. Leaf and stem insects and fungal pathogens are a sign of poor tree health (low energy reserves).

Monitoring of Soil Moisture – It is important that significant changes in soil moisture levels within tree root zones be identified early, prior to visible evidence of tree decline. Moisture should be monitored by visual inspection using a soil probe or through the use of tensiometers placed at key locations. Supplemental irrigation is best provided during middle and late spring. In cases where trees have suffered root loss, supplemental irrigation will be required for a number of years in the area where roots were severed.

Mitigation of Soil Compaction – The level and depth of soil compaction must be assessed and mitigated as necessary. Mitigation of soil compaction in areas where roots are present must minimize root loss. Tools most suitable to mitigate soil compaction are the water jet or air spade.

Pest Management Program – Healthy trees do not generally have serious pest problems. Stressed trees are attractive hosts to pathogens, which can contribute to decline and eventual death. Pest management is prescribed when monitoring indicates a need and tree health is marginal.

**END**



and doors at ground level. Architecture should include the type of well-crafted architectural details that are common to Burlingame, and convey that architectural heritage in terms of material, color, proportion, window type, and overall composition.

Commercial and mixed use development projects in the Downtown Specific Plan area are subject to the City of Burlingame's *Commercial Design Guidebook*. In addition, the following recommendations apply specifically to Downtown development:

## 5.2.1 PEDESTRIAN USE AND CHARACTER

### 5.2.1.1 Entrances

Commercial entrances should be recessed from the façade, creating a small alcove. This establishes a more definitive sense of entry and affords an alternative view of merchandise in the display windows. Existing recessed entries should be retained.

The doors of a commercial storefront typically contain large glass panels with vertical proportions that present a visual connection to the streetscape. Storefronts should continue to exhibit this pattern, whether a new project or the re-use of an existing space.

### 5.2.1.2 Ground-Level Corner Uses

High activity-generating uses are especially encouraged at the Burlingame Avenue and Howard Avenue intersections with side streets. Store façades along side streets should be designed to help entice pedestrians onto the side streets. To achieve this, the façades should include windows and continuation of the architectural details from the main storefront extending across the side street façade. Entries to elevator lobbies should not be located at these intersections where they would serve to diminish pedestrian activity at these highly visible locations.



FIGURE 5-3: Commercial entrances should be recessed from the façade, creating a small alcove.

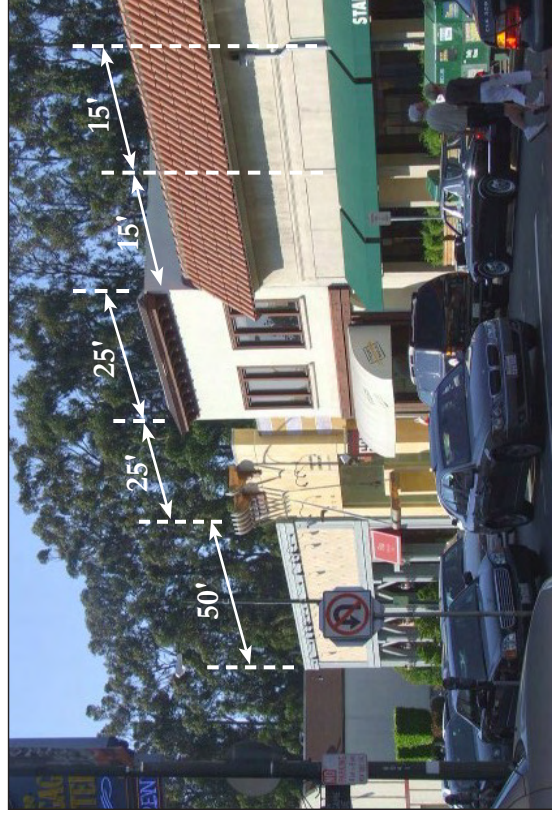


FIGURE 5-4: Corner parcels are encouraged to incorporate special features such as rounded or cut corners, special corner entrances, display windows, corner roof features, etc. but should avoid monumentally-scaled elements such as towers.





**FIGURE 5-5:** Particular attention should be given to craftsmanship and detailing within the pedestrian's range of touch and view.



**FIGURE 5-6:** Downtown Burlingame is characterized by relatively narrow building increments, predominantly 15 to 50 feet in width.

### 5.2.1.3 Ground Level Treatment

The unique community character created by the mixture of building ages and architectural styles should be maintained. All street-frontage establishments should provide primary access directly to the street.

Particular attention should be given to craftsmanship and detailing within the pedestrian's range of touch and view. For instance, the use of special storefront detailing and façade ornamentation such as planters, flower boxes, and special materials can reinforce the pedestrian nature of the street.

To ensure ease in caring for landscaping, major remodels and new projects should provide outdoor water spigots and electric sockets. When businesses have access to water, they can more easily care for their plants and trees, and keep the streets cleaned as well.

### 5.2.1.4 Site Access

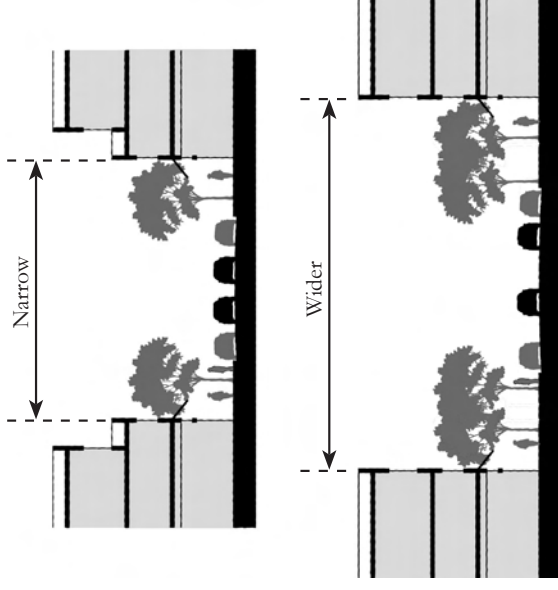
Curb cuts are prohibited on Burlingame Avenue and should be avoided to the extent feasible on Howard Avenue and California Drive. Any on-site parking garage should be accessed in a safe, attractive manner and should not significantly detract from pedestrian flow, nor interfere with the orderly flow of traffic on public streets and within parking lots. Where possible, parking garage access should be from the side streets or alleys. In some cases, access to on-site parking could be provided from city-owned parking lots.

## 5.2.2 ARCHITECTURAL COMPATIBILITY

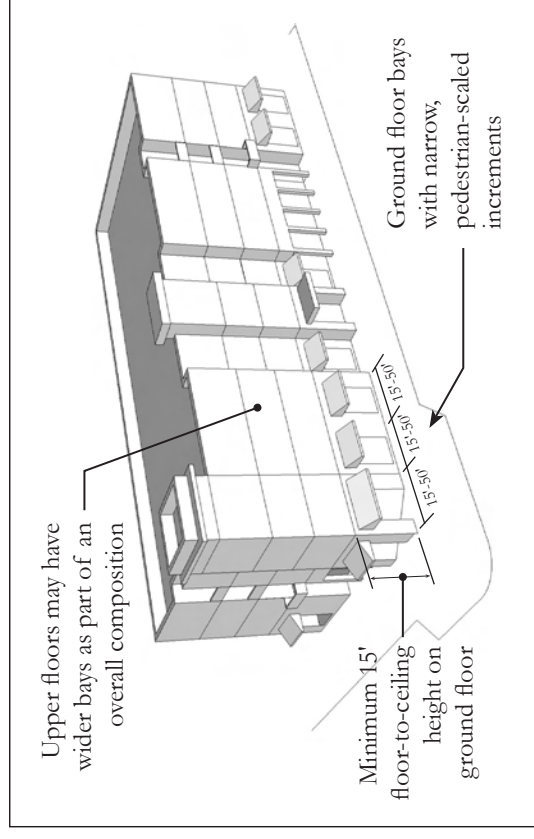
### 5.2.2.1 Building Scale

Table 3-2 in Chapter 3 specifies basic building standards such as setbacks and height. Beyond conforming to the basic building mass, new development should preserve the rhythm and fine-grained pedestrian scale of existing buildings within the commercial districts by respecting the relatively narrow building increments, which typically range from 15 feet to no more than 50 feet in width. To be consistent with the existing character of Downtown Burlingame, to provide a welcoming retail environment, and to accommodate a range of potential uses over the lifetime of the building, first floors should have a floor to finished ceiling height of at least 15 feet.

New development should also be sensitive to the human scale of Downtown with sensitivity to building height. Buildings should not overwhelm the pedestrian experience on the street and should account for the relationship between building height and street width. Where building mass and height might overwhelm the pedestrian experience on the street, design strategies such as upper floor setbacks and articulated building mass should be considered to ensure comfortable human scale.



**FIGURE 5-7: Buildings** should not overwhelm the pedestrian experience on the street and should account for the relationship between building height and street width.

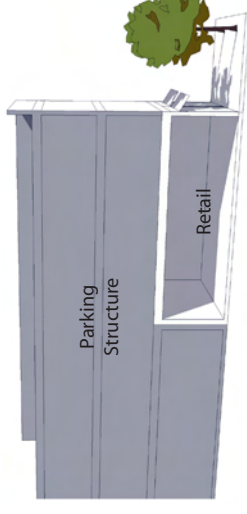


**FIGURE 5-8: Building scale** should preserve the rhythm and fine-grained pedestrian character of downtown, particularly at the pedestrian level.

**FIGURE 5-9: ON-SITE STRUCTURED PARKING IN COMMERCIAL AND MIXED USE AREAS****A. Wrapped on Ground Level**

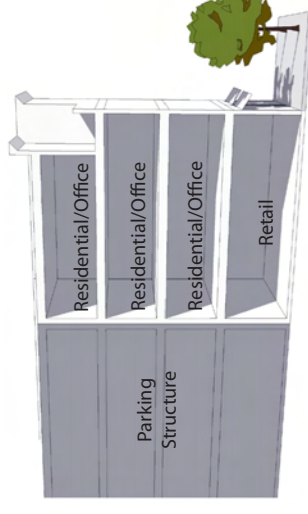
An above-ground parking structure where non-parking uses such as retail spaces are integrated into the ground level of the building along the street frontage of the parcel. The parking structure may be exposed to the building street frontage on upper levels, with appropriate design and screening.

**Application:** Municipal parking structure.

**B. Wrapped on All Levels**

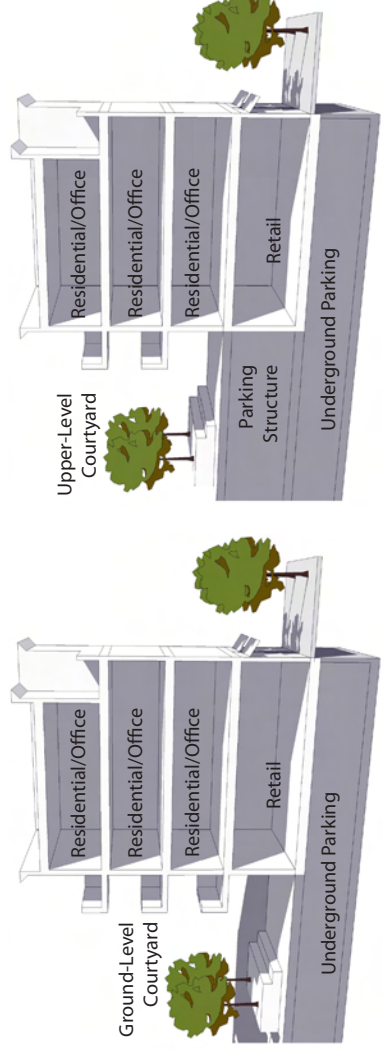
An above-ground parking structure where non-parking uses are integrated into the building along the entire street frontage of the parcel on all levels of the building. The parking structure is totally hidden behind a "liner building" of non-parking uses.

**Application:** Projects with relatively large amount of parking provided on-site. Typically requires a relatively large site to accommodate the parking structure and liner building.

**C. Underground**

A parking structure that is fully submerged underground and is not visible from the street. Depending on amount of parking provided, may also include a level of at-grade parking hidden behind non-parking uses such as retail.

**Application:** Can be suitable for projects on relatively small sites, as well as larger sites. Could also be combined with in-lieu arrangement, where some parking is provided on-site (such as for residential uses) and other parking is provided off-site in a municipal facility through in-lieu fees.





#### 5.2.2.2 On-Site Structured Parking

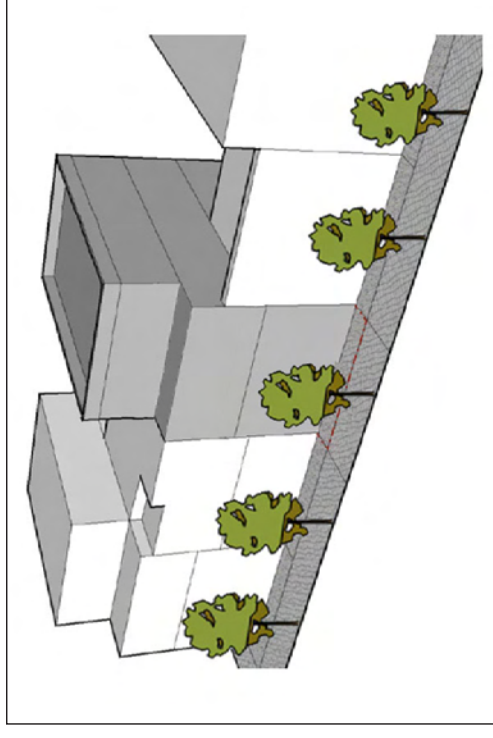
Given the density and premium land values Downtown, new projects will likely provide on-site parking in enclosed garage structures or underground. However, the parking should not overwhelm the character of the project or detract from the pedestrian environment. Ground level enclosed parking should be fronted or wrapped with actively occupied spaces such as storefronts and lobbies. Access to parking shall be designed so that it is not prominent and ties into the adjacent architectural style.

#### 5.2.2.3 Upper-Story Setbacks – Burlingame Avenue Frontages

While the height limit allowed by conditional use permit is 55 feet on Burlingame Avenue, many existing buildings and in particular, many buildings with historic character, have façades of a smaller scale. New buildings and building additions should reinforce the historic pattern with heights and setbacks oriented to the many two- and three-story buildings. Where neighboring buildings are three stories or lower in height, newer taller buildings should consider matching lower façades to those of adjoining lower buildings and setting upper floors back at least 10 feet from the lower façade.

#### 5.2.2.4 Myrtle Road Mixed Use Area

The unique mix of residential and commercial uses in the Myrtle Road Mixed Use area offers an opportunity to create a niche district with its own style distinct from other parts of downtown. Recognizing the varied auto-related commercial character of the area, new development and redevelopment projects within the Myrtle Road Mixed Use Area should be encouraged to feature a blend of both commercial and residential design features. Design features could include corrugated metal roofs and sidings, simple multi-paned metal rimmed windows, and recycled "green" building materials. Buildings may even draw inspiration from the style of utilitarian buildings found in such mixed use districts such as sheds and quonset huts. The creation of this commercial, live/work identity for the Myrtle Road area will allow it to be a unique subarea of Downtown Burlingame that accommodates infill while respecting existing uses.



**FIGURE 5-10:** Where neighboring buildings are three stories or lower in height, newer taller buildings should consider matching lower façades to those of adjoining lower buildings with upper floors set back.



**FIGURE 5-11:** Design features such as corrugated metal roofs and sidings, simple multi-paned metal rimmed windows, and recycled "green" building materials can maintain the existing varied character of the Myrtle Road Mixed Use Area.

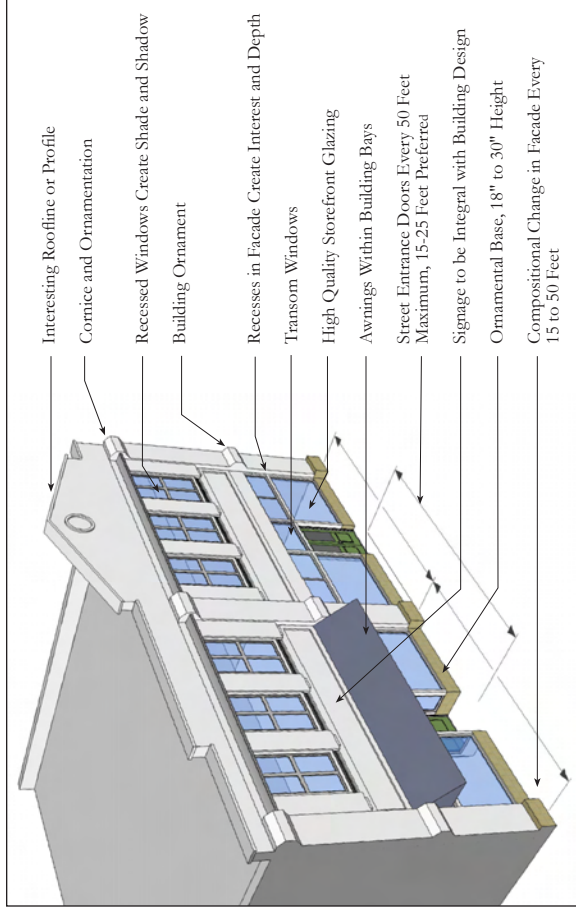
## 5.2.3 ARCHITECTURAL DESIGN CONSISTENCY

### 5.2.3.1 Facade Design

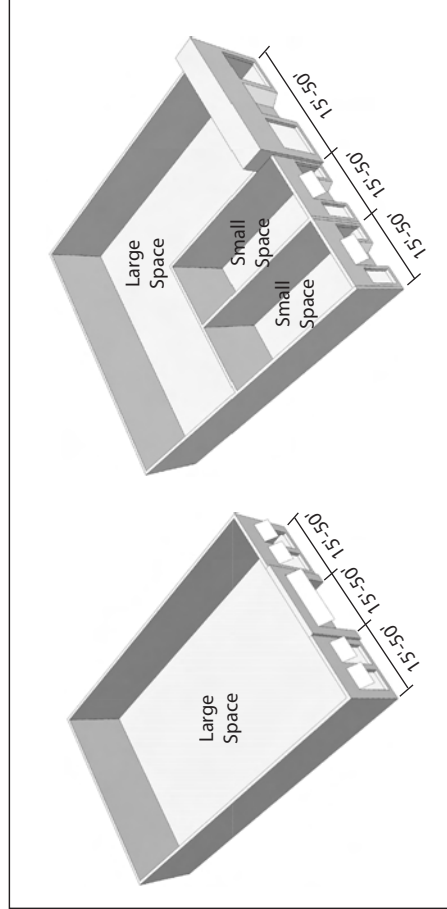
To maintain the present scale and character of buildings in Downtown, large uninterrupted expanses of horizontal and vertical wall surface should be avoided. Building façades should respond to the relatively narrow increments of development (15 to 50 feet) with variation in fenestration, building materials and/or building planes. Facades should have generous reveals such as inset doorways and windows. Doors, windows, and details should be in keeping with pedestrian scale, as opposed to a monumental scale that is out of proportion to the surrounding context. Design details should be authentic and have purpose, rather than being applied or strictly decorative. Facades should have a variation of both positive space (massing) and negative space (plazas, inset doorways and windows).

Facades on both new and rehabilitated buildings should include the elements that make up a complete storefront including doors, display windows, bulkheads, signage areas and awnings. New buildings need not mimic an “historic” architectural style (and in fact should avoid imitation that results in caricatures) but should include a level of architectural detailing and quality of materials that complements existing buildings. Where older existing buildings are renovated, preservation of existing architectural details and materials is encouraged.

Even if separate businesses function within the same building, the overall design of the façade should be consistent. Individual businesses should not break the basic lines, material and concept of the façade. Storefronts can be demarcated from each other within the same building by subtle variations in the color or pattern of surfaces of doors, tiling, signage or entries. Corner parcels are encouraged to incorporate features such as rounded or cut corners, corner entrances, display windows, corner roof features, wrap-around awnings/overhangs, blade signs, etc.



**FIGURE 5-12: Facades on both new and rehabilitated buildings should include the elements that make up a complete storefront including doors, display windows, bulkheads, signage areas and awnings.**



**FIGURE 5-13: Even if separate businesses function within the same building, the overall design of the façade should be consistent. Individual businesses should not break the basic lines, material and concept of the façade.**



### 5.2.3.2 Windows

#### *General*

Windows are important for providing "eyes on the street" and enlivening streetscapes. Building walls should be punctuated by well-proportioned openings that provide relief, detail and variation on the façade. Windows should be inset from the building wall to create shade and shadow detail. The use of high-quality window products that contribute to the richness and detail of the façade is encouraged. Reflective glass is considered an undesirable material because of its tendency to create uncomfortable glare conditions and a forbidding appearance. The use of materials that are reflected in the historic architecture present in the Downtown area is encouraged.

#### *Display Windows*

Display windows should be designed to enliven the street and provide pedestrian views into the interior of the storefront. Size, division and shape of display windows should maintain the established rhythm of the streetscape. Glass used in the display windows should be clear so it is possible to see inside, and display cases that block views into stores are strongly discouraged. Noticably tinted glazing is discouraged and mirrored/reflective glass is not permitted.

### 5.2.3.3 Awnings

Awnings should be designed to be decorative, complementary to the overall façade design, and provide effective weather and sun protection. The placement of awnings should relate to the major architectural elements of the façade, avoiding covering any transom windows or architectural elements such as belt courses, decorative trim and similar features. The position of awnings should also relate to the pedestrian and provide a sense of shelter, with awnings situated to correspond to the tops of doorways and scale of pedestrians rather than high up on the façade with a monumental scale. Separate awnings should be used over individual storefront bays as defined by the columns or pilasters rather than placing a continuous awning across the



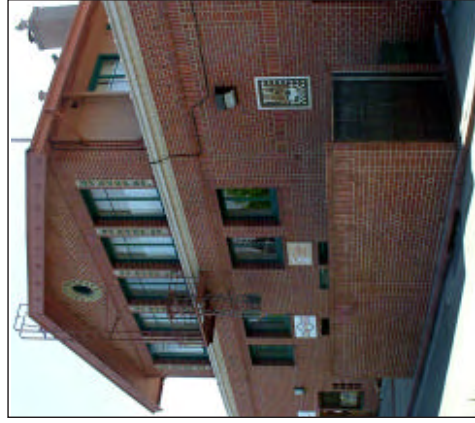
**FIGURE 5-14:** Size, division and shape of display windows should maintain the established rhythm of the streetscape



**FIGURE 5-15:** Awnings should be designed to be decorative, complementary to the overall façade design, and provide effective weather and sun protection.



**FIGURE 5-16:** Rear and side facades that are visible from the public realm should exhibit sophisticated levels of design and materials of a quality similar to front facades. Buildings facing public parking lots are strongly encouraged to have rear entrances in addition to their principal street entrances.



**FIGURE 5-17:** Service facilities such as trash enclosures and mechanical equipment should be screened with enclosures and devices consistent with the building architecture in form, material and detail.

building frontage. Backlit awnings that visually appear as large light sources will not be permitted.

### 5.2.3.3 Materials

Building materials should be richly detailed to provide visual interest; reference should be made to materials used in notable examples of historic Downtown architecture. Metal siding and large expanses of stucco or wood siding are also to be avoided, except in the Myrtle Mixed Use area. Roofing materials and accenting features such as canopies, cornices, and tile accents should also offer color variation.

Character and richness in Downtown can be enhanced from the incorporation of details and ornamentation into the design of the buildings. These elements can include elements that have been traditionally used such as cornices, brackets or moldings.

### 5.2.3.4 Rear and Side Facades

Because the side streets and alleys in Downtown are highly visible and are used for both pedestrian access and vehicular access, rear and side facades that are visible from the public realm should exhibit sophisticated levels of design and materials. Rear and side facades of existing buildings should be improved with design features and quality materials where possible. Buildings should have windows and doors oriented to the alleys and side streets. Entry doors, garage doors and windows should be attractive and durable. Where buildings abut public parking lots, they are strongly encouraged to have rear entrances in addition to their principal street entrances. Rear facades may look like the back of a building, but still be pleasant and inviting.

Service facilities such as trash enclosures and mechanical equipment should be screened with enclosures and devices consistent with the building architecture in form, material and detail. Roofs and trellises are recommended for screening views from above. Whenever possible, trash and recycling enclosures should be consolidated and designed to serve several adjacent businesses provided they do not become over-



sized or too ungainly. Care should be taken to ensure refuse areas do not become noxious or smelly.

Where security devices are desired or warranted, designs should be artistic with decorative grillwork that enhances the overall building design. Alley areas should be well lit but should be designed so they are attractive and do not adversely impact adjacent properties and detract from the ambiance of Downtown.

## 5.2.4 SITE DESIGN AND AMENITIES

### 5.2.4.1 Building Coverage

In order to create well-defined street spaces consistent with the scale of Downtown Burlingame, side yards are generally discouraged in favor of contiguous building façades along the street. However, narrow mid-block pedestrian passages that encourage through-block pedestrian circulation and/or arcaded spaces that create wider sidewalk areas for cafés, etc. are encouraged.

### 5.2.4.2 Open Space

Private open space within Downtown is not intended to provide recreational or large landscaped areas, since this is a more urban environment. However, open space is an important element and should be used to articulate building forms, promote access to light and fresh air, and maintain privacy for Downtown residents.

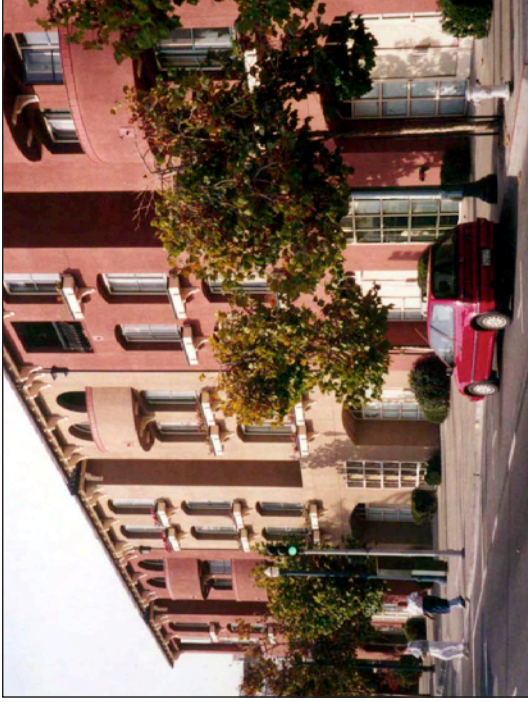
In residential mixed-use developments, most open space should be used to provide attractive amenities for residents, including interior courtyards and perimeter landscaping. Balconies and rooftop terraces are encouraged. Commercial development should typically have less open space in order to maintain a direct pedestrian relationship and continuous storefront streetscape. Entry alcoves, courtyards, and employee open space are examples. Open space for nonresidential projects should provide a visual amenity for the development and an attractive buffer to adjacent residential uses where applicable.



**FIGURE 5-18:** Open spaces such as retail plazas and outdoor seating areas should be located at building entries, or along or near well-traveled pedestrian routes to encourage frequent and spontaneous use.



**FIGURE 5-19:** In residential mixed-use developments, most open space should be used to provide attractive amenities for residents, including interior courtyards and perimeter landscaping.



**FIGURE 5-20:** To reinforce the Downtown commercial character of Downtown Burlingame, mixed-use buildings with a residential component shall conform to the setback standards for commercial projects.

Open spaces such as retail plazas and outdoor seating areas should be located at building entries, or along or near well-traveled pedestrian routes to encourage frequent and spontaneous use. Amenities should be functional as well as visually appealing, with seating, tables, canopies and covering trellises. Plazas and open spaces should be generously landscaped with trees, planters and vines. Permeable paving and/or creative site planning elements such as rain gardens are encouraged to alleviate the impacts of paved areas on drainage.

Low walls may be used to screen service and mechanical areas, create spatial definition and to provide seating. Low walls should be designed of quality materials that are complementary to the architecture of the primary structure(s) on the property.

## 5.2.5 RESIDENTIAL MIXED-USE DEVELOPMENTS WITHIN COMMERCIAL AREAS

### 5.2.5.1 Setbacks

To reinforce the Downtown commercial character of Downtown Burlingame, mixed-use buildings with a residential component shall conform to the setback standards for commercial projects (outlined in Table 3-1 in Chapter 3). The Community Development Director may allow increased side and rear setbacks to enhance the residential portion of a mixed-use project provided the setbacks do not detract from the commercial storefront character of the Downtown district. Setbacks and overall building form should maintain the human scale of Downtown and be in keeping with the character of the surroundings, with emphasis on maintaining an active street edge and sidewalk boundary.

### 5.2.5.2 Noise and Ground Vibrations

Projects with a residential component on California Drive should be designed to minimize noise impacts on residents from the Caltrain

## 5.4 ADDITIONAL DESIGN STANDARDS FOR ALL AREAS OF DOWNTOWN

### 5.4.1 LAND USE TRANSITIONS

Where appropriate, when new projects are built adjacent to existing lower-scale residential development, care shall be taken to respect the scale and privacy of adjacent properties.

#### 5.4.1.1 Massing and Scale Transitions

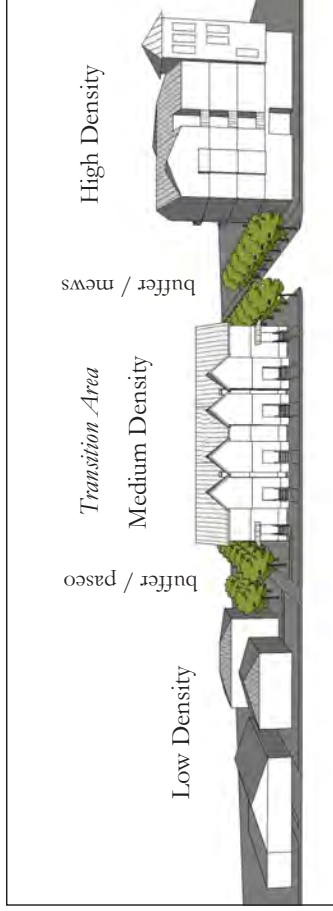
Transitions of development intensity from higher density development building types to lower can be done through different building sizes or massing treatments that are compatible with the lower intensity surrounding uses. Massing and orientation of new buildings should respect the massing of neighboring structures by varying the massing within a project, stepping back upper stories, reducing mass by composition of solids and voids, and varying sizes of elements to transition to smaller scale buildings.

#### 5.4.1.2 Privacy

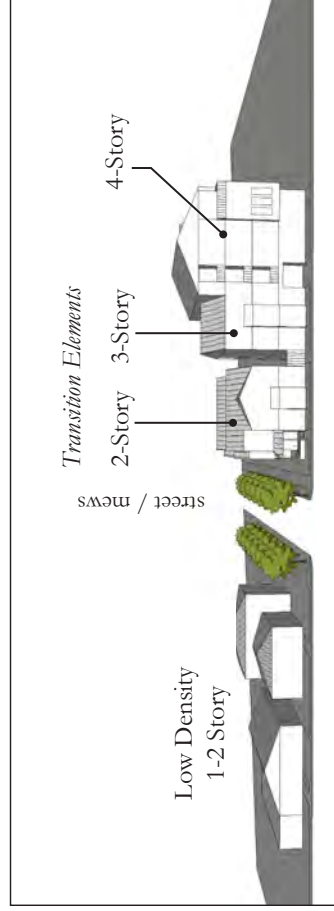
Privacy of neighboring structures should be maintained with windows and upper floor balconies positioned so they minimize views into neighboring properties, minimizing sight lines into and from neighboring properties, and limiting sun and shade impacts on abutting properties.

#### 5.4.1.3 Boundaries

Where appropriate, when different land uses or building scales are adjacent, boundaries should be established by providing pedestrian paseos and mews to create separation, rather than walls or fences.

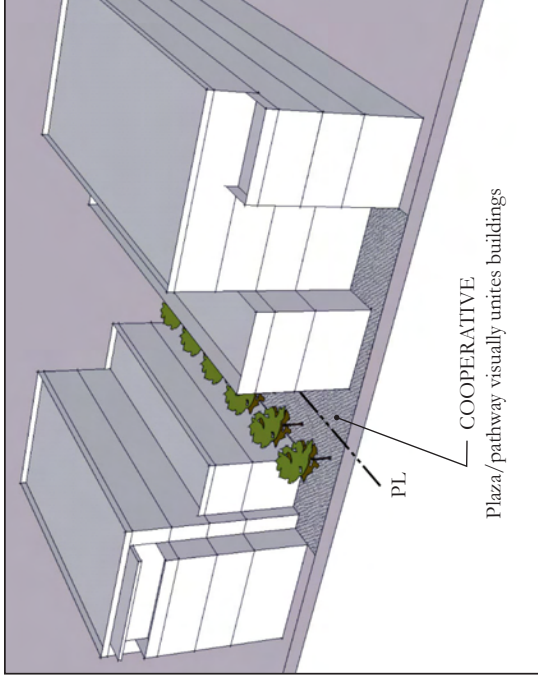
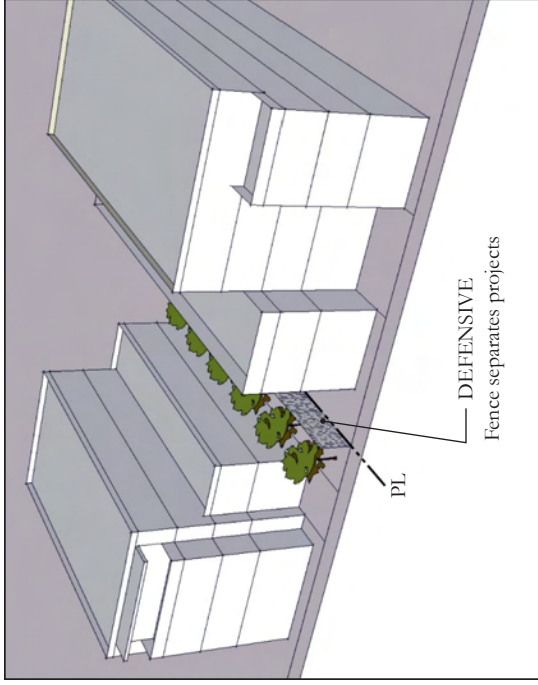


**FIGURE 5-36:** Transitions of development intensity from higher density development building types to lower can be done through building types or treatments that are compatible with the lower intensity surrounding uses. Boundaries can be established by providing pedestrian paseos and mews to create separation, rather than walls or fences.



**FIGURE 5-37:** Transitions can also be made by stepping massing down within a project, with lower building elements providing a buffer between taller elements and adjacent lower-density development.





**FIGURE 5-38:** Following a cooperative, rather than defensive design approach for the spaces between buildings results in a more coherent downtown feel, as opposed to a collection of unrelated projects.



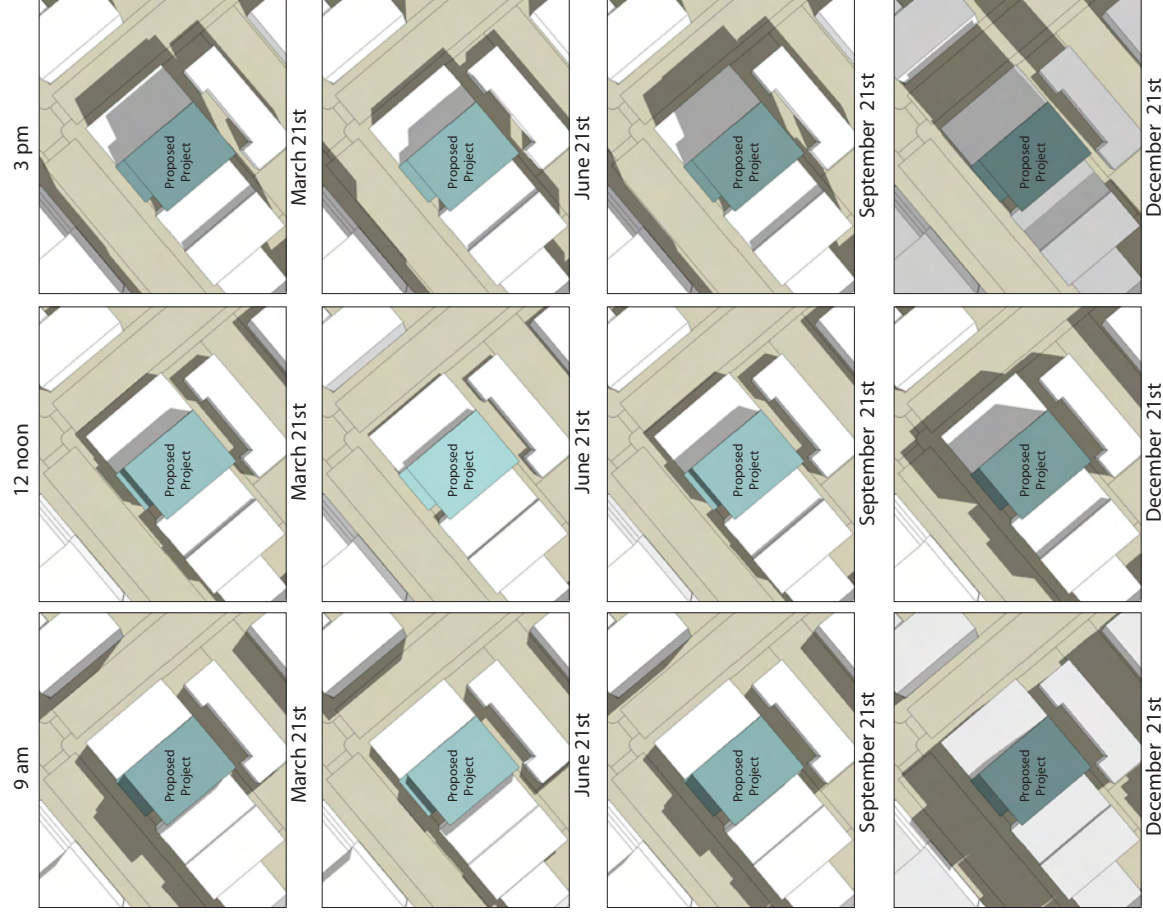
**FIGURE 5-39:** Example of two different land use intensities joined with a common paseo pathway.

## 5.4.2

**SHADOW IMPACTS**

Every building invariably casts some shadows on adjoining parcels, public streets, and/or open spaces. However, as the design of a project is developed, consideration should be given to the potential shading impacts on surroundings. Site plans, massing, and building design should respond to potential shading issues, minimizing shading impacts where they would be undesirable, or conversely maximizing shading where it is desired.

As part of the design review process, development in the Specific Plan Area that is proposed to be taller than existing surrounding structures should be evaluated for potential to create new shadows/shade on public and/or quasi-public open spaces and major pedestrian routes. At a minimum, shadow diagrams should be prepared for 9 AM, 12 noon, and 3 PM on March 21st, June 21st, September 21st, and December 21st (approximately corresponding to the solstices and equinoxes) to identify extreme conditions and trends. If warranted, diagrams could also be prepared for key dates or times of day — for example, whether a sidewalk or public space would be shaded at lunchtime during warmer months.



**FIGURE 5-40:** Sample shadow analysis shows the range of shading conditions through the year.

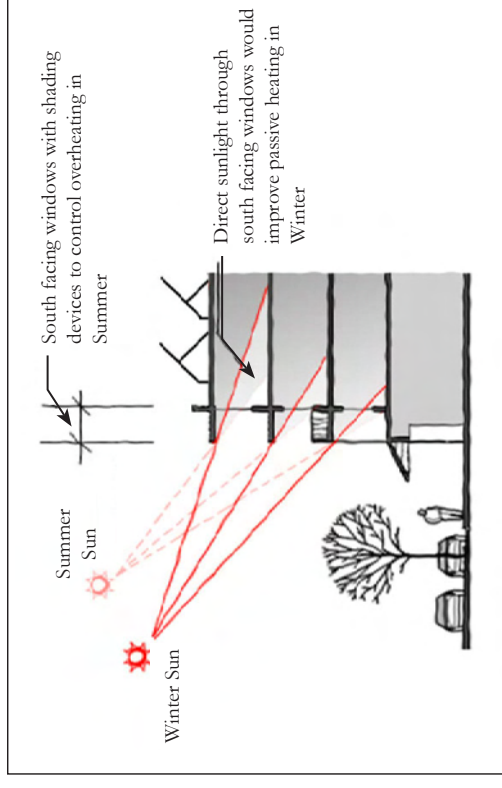
### 5.4.3

#### SUSTAINABILITY AND GREEN BUILDING DESIGN

Project design and materials to achieve sustainability and green building design should be incorporated into projects. Green building design considers the environment during design and construction and aims for compatibility with the local environment: to protect, respect and benefit from it. In general, sustainable buildings are energy efficient, water conserving, durable and nontoxic, with high-quality spaces and high recycled content materials. The following considerations should be included in site and building design:

- Resilient, durable, sustainable materials and finishes.
- Flexibility over time, to allow for re-use and adaptation.
- Optimize building orientation for heat gain, shading, daylighting, and natural ventilation.
- Design landscaping to create comfortable micro-climates and reduce heat island effects.
- Design for easy pedestrian, bicycle, and transit access, and provide on-site bicycle parking.
- Maximize on-site stormwater management through landscaping and permeable pavement.
- On flat roofs, utilize cool/white roofs to minimize heat gain.
- Design lighting, plumbing, and equipment for efficient energy use.
- Create healthy indoor environments.
- Pursue adaptive re-use of an existing building or portion of a building as an alternative to demolition and rebuilding.
- Use creativity and innovation to build more sustainable environments. One example is establishing gardens with edible fruits, vegetables or other plants as part of project open space, or providing garden plots to residents for urban agriculture.

To reduce carbon footprint, new projects are encouraged to follow the standards and guidelines of the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, developed by the U.S. Green Building Council (USGBC), and pursue LEED certification if appropriate.



**FIGURE 5-41: Use of shading devices to control solar loads in summer and gain passive heat in winter.**



**FIGURE 5-42: Minimize stormwater runoff to impermeable areas with landscaping, green roofs, and rain gardens when possible.**



## 5.4.4

**LANDSCAPE TREES**

The City of Burlingame has a long history of proactive tree planting and proper tree care. From the late 1800's when trees were planted along El Camino Real and Easton Drive to the current day, Burlingame has enjoyed the many benefits trees provide to an urban area.

Burlingame's longtime commitment to trees is evidenced by recognition as a "Tree City USA" for 30 consecutive years. This is the longest streak in the County, 5th longest in the State and one of the longest in the Country for receiving this award.

In Downtown Burlingame, trees include street trees lining sidewalks and roadways (typically within the public right-of-way), as well as trees on private property in settings such as landscaped setback areas, courtyards, and roof gardens.

Chapter 4: Streetscapes & Open Space) provides guidance for street trees within the public right-of-way. Landscape trees on private property have equal importance as part of the "urban forest," in contributing environmental and aesthetic benefits to downtown. Trees are important for their beauty, shade and coolness, economic benefits, and role in reducing energy use, pollution, and noise.

The City of Burlingame has an Urban Forest Management Plan that includes policies and management practices for both city and private trees. Maintaining existing trees is a priority, and large trees on private property are protected by City Ordinance. Any tree with a circumference of 48 inches or more when measured 54 inches above the ground is a "Protected Tree." A permit is required to remove or heavily prune a protected tree.

Consistent with Burlingame's status as "Tree City USA," new projects are required to incorporate trees into landscape and private open space plans. Property owners should consult the Burlingame Urban Forest Management Plan for design considerations, planting techniques, and maintenance guidance.



**FIGURE 5-43:** Consistent with Burlingame's status as "Tree City USA," new projects are required to incorporate trees into landscape and private open space plans.

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BURLINGAME  
RECOMMENDING A FINDING THAT THERE IS NO SUBSTANTIAL EVIDENCE THAT THE  
APPROVAL OF A REQUEST FOR AMENDMENT TO THE DOWNTOWN SPECIFIC PLAN  
(DONNELLY AVENUE AREA) AND DONNELLY AVENUE COMMERCIAL DISTRICT,  
DESIGN REVIEW, CONDITIONAL USE PERMIT, CONDOMINIUM PERMIT AND LOT  
MERGER FOR A NEW THREE-STORY, 14-UNIT MIXED USE COMMERCIAL/RESIDENTIAL  
DEVELOPMENT AT 1214-1220 DONNELLY AVENUE WILL HAVE A SIGNIFICANT EFFECT  
ON THE ENVIRONMENT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(CEQA) PURSUANT TO ARTICLE 6 OF THE CEQA GUIDELINES**

THE PLANNING COMMISSION OF THE CITY OF BURLINGAME hereby finds as follows:

Section 1. On the basis of the Initial Study and the documents submitted and reviewed, and comments received and addressed by this commission, it is hereby found that there is no substantial evidence that the project set forth above will have a significant effect on the environment, and a Mitigated Negative Declaration, per Mitigated Negative Declaration ND-607-P, is hereby approved.

Section 2. It is further directed that a certified copy of this resolution be recorded in the official records of the County of San Mateo.

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Chair

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 10<sup>th</sup> day of August, 2020 by the following vote:

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Secretary

## **RESOLUTION NO.**

### **RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BURLINGAME RECOMMENDING APPROVAL OF APPLICATIONS FOR AMENDMENT TO THE DOWNTOWN SPECIFIC PLAN (DONNELLY AVENUE AREA) AND DONNELLY AVENUE COMMERCIAL DISTRICT, DESIGN REVIEW, CONDITIONAL USE PERMIT, CONDOMINIUM PERMIT AND LOT MERGER FOR A NEW THREE-STORY, 14-UNIT MIXED USE COMMERCIAL/RESIDENTIAL DEVELOPMENT AT 1214-1220 DONNELLY AVENUE (ASSESSOR PARCEL NOS: 029-151-150, 029-151-160 AND 029-151-170)**

WHEREAS, on May 16, 2016, John Britton filed an application with the City of Burlingame Community Development Department – Planning Division requesting approval of the following requests:

- Amendment to the Downtown Specific Plan (Donnelly Avenue Area) and Donnelly Avenue Commercial (DAC) District to allow residential use above the first floor on properties located north of Donnelly Avenue that have sole frontage on Donnelly Avenue;
- Design Review for construction of a new three-story, mixed use commercial/residential building with at-grade parking (C.S. 25.36.045, 25.57.010 (c)(1) and Chapter 5 of the Downtown Specific Plan);
- Conditional Use Permit for building height (43'-10" to top of parapet and 54'-3" to top of stairway enclosure proposed, where a Conditional Use Permit is required for any building exceed 35'-0"; 55'-0" maximum building height allowed) (C.S. 25.36.055);
- Condominium Permit for 14 residential condominium units (each unit to be privately owned) (C.S. 26.30.020); and
- Lot Merger to combine three existing lots (1214, 1218 and 1220 Donnelly Avenue) into one lot; and

WHEREAS, on October 9, 2018 the Planning Commission conducted a duly noticed public hearing (environmental scoping session and design review study meeting) to review a 14-unit mixed use commercial/residential development and to identify subjects to be analyzed in the project Initial Study/Mitigated Negative Declaration (IS/MND). At that time direction was provided to the applicant regarding issues to be addressed in the project IS/MND; and

WHEREAS, on October 28, 2019 the Planning Commission conducted a duly noticed public hearing (design review study meeting) to review changes made to the project in response to the Planning Commission's direction and comments previously provided to the applicant; and

WHEREAS, an IS/MND was prepared to analyze project impacts; said IS/MND was circulated for public review and comment commencing on May 15, 2020 and concluding on June 15, 2020; and

Following consideration of all information contained in the August 10, 2020 staff report to the Planning Commission regarding the project, all written correspondence, and all public comments received at the public hearing, the Commission recommends approval of the new 14-unit mixed use commercial/residential development based on the following findings regarding the project entitlements:

## RESOLUTION NO.

### Amendment to the Downtown Specific Plan and Donnelly Avenue Commercial District Findings:

- That the proposed mixed use development, which includes residential units above ground floor commercial space, is consistent with Policy LU-6.1, which encourages allowing housing in the Howard Avenue area as well as on the periphery of Downtown; that the Donnelly Avenue facing properties are adjacent to primarily multifamily residential land uses to the rear on the north side of that block (facing Bellevue Avenue), and as such would be compatible with the adjacent residential uses. For these reasons, the Amendment to the Downtown Specific Plan (Donnelly Avenue) and Donnelly Avenue Commercial District may be found to be consistent with the policies of the Land Use Element of the General Plan and DAC Zoning District.

### Design Review Findings:

- That the project is consistent with the diverse architectural styles of existing residential and commercial buildings in the area characterized by simple massing, an articulated façade with windows, entry doors and awnings on the ground floor, and articulated walls and fenestration on the upper floors, including covered balconies, substantial recesses and varied architectural features throughout the building; the project mediates between existing buildings in the area ranging from one to three stories in height and a six-story office building at the corner of Donnelly Avenue and Primrose Road, is well articulated, and embraces the street and the pedestrian realm;
- That the architectural style is compatible with adjacent neighborhoods and the City as a whole, and that human scale is provided at the street level by incorporating several entry elements and canvas awnings along the front of the building, and on the upper levels individual balconies provide residential scale and character;
- That parking for the project does not dominate the street frontage because the garage has been located behind the ground floor building façade with one driveway access to the garage measuring 18 feet in width, or 12.2% of the frontage along Primrose Road;
- That the building is characterized by a single contemporary architectural style and its design fits the site and is compatible with the surrounding development by exhibiting thoughtful massing, character and pedestrian scale, and successfully creates a good transition between the existing commercial neighborhood and the residential neighborhood to the north with well-articulated massing and a variety of architectural elements, textures and colors;
- That the building is compatible with the mass, bulk, scale, and existing materials of existing development in that the exterior building materials include cement plaster siding (smooth steel troweled finish), Hardie “Reveal” panel system and trim (along blind wall on east elevation), smooth lap siding and exposed concrete or concrete block at the blind walls, decorative metal guardrails, decorative foam relief panels, and metal clad wood windows with simulated true divided lites on the upper floor residential units; aluminum window sashes, painted wood entry doors, canvas awnings and a painted metal garage door on the ground floor; and varying architectural elements, including Spanish barrel clay roof tiles with foam eave brackets/corbels, a wood trellis along the front façade, and articulated parapets with ornamental metal trim along the upper portion of the building; and

## **RESOLUTION NO.**

- That site features such as low stucco walls and entry gates, a variety of landscaping and hardscape along the front of the building, and pedestrian circulation will enrich the existing opportunities of the commercial neighborhood.

### Conditional Use Permit Findings

- That the proposed three-story building, measuring 43'-10" to the top of the building parapet and 54'-3" to the top of the stairway enclosure, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience, since it is well articulated with substantial recesses and will be compatible with buildings in the area that are one to six stories in height;
- That the proposed mixed use commercial/residential use will be located and conducted in a manner in accord with the Burlingame general plan and the purposes of this title; and
- That reasonable conditions are proposed to assure operation of the use in a manner compatible with the aesthetics, mass, bulk and character of existing and potential uses on adjoining properties in the general vicinity.

### Condominium Permit Findings:

- That the 14-unit mixed use commercial/residential development is compatible with the surrounding development by exhibiting thoughtful massing, character and pedestrian scale, and successfully creates a good transition between the existing commercial buildings in the neighborhood and the residential neighborhood to the north, and will not have a significant impact on public health, safety and general welfare;
- That based on the environmental analysis, it was determined that the proposed project would have no adverse environmental impacts (with mitigations for utilities) on schools, parks, utilities, neighborhoods, streets, traffic, parking and other community facilities and resources; and
- That this application includes a request for Amendment to the Downtown Specific Plan (Donnelly Avenue Area) to allow residential use above the first floor.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Burlingame, that the applications for Amendment to the Downtown Specific Plan and Donnelly Avenue Commercial District to allow a multi-family residential use, Conditional Use Permit for building height, Condominium Permit and Lot Merger are hereby granted, subject to the following conditions:

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped July 9, 2020, sheets A0.0 through A4.3, C-1 through C-3 and L1.1 through L2.2;
2. that prior to issuance of a building permit for construction of the project, the project construction plans shall be modified to include a cover sheet listing all conditions of approval adopted by the Planning Commission, or City Council on appeal; which shall remain a part of all sets of approved plans throughout the construction process. Compliance with all conditions of approval is required; the conditions of approval shall not be modified or changed without the approval of the Planning Commission, or City Council on appeal;

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3. that prior to issuance of a building permit, 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;
4. that any changes to the size or envelope of the building, which would include expanding the footprint or floor area of the structure, replacing or relocating windows or changing the roof height or pitch, shall be subject to Planning Commission review (FYI or amendment to be determined by Planning staff);
5. that the final inspection shall be completed and a certificate of occupancy issued before the close of escrow on the sale of each unit;
6. 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;
7. that a Klaus TrendVario 4200 parking lift system, or an equivalent parking lift system, shall be installed, with the following conditions:
  - a. the parking lifts shall be properly illuminated to provide safety for easy loading and unloading, while not causing excessive glare.
  - b. signage shall be installed explaining the proper use of the lifts and emergency contact information for lift maintenance or problems.
  - c. the final design of the parking lifts shall be subject to the review and approval of the Community Development Director.
8. *that if the City determines that the structure interferes with City communications in the City, the property owner shall permit public safety communications equipment and a wireless access point for City communications to be located on the structure in a location to be agreed upon by the City and the property owner. The applicant shall provide an electrical supply source for use by the equipment. The applicant shall permit authorized representatives of the City to gain access to the equipment location for purposes of installation, maintenance, adjustment, and repair upon reasonable notice to the property owner or owner's successor in interest. This access and location agreement shall be recorded in terms that convey the intent and meaning of this condition;*
9. that all construction shall abide by the construction hours established in the Municipal Code;
10. that the project applicant and its construction contractor(s) shall develop a construction management plan for review and approval by the City of Burlingame. The plan must include at least the following items and requirements to reduce, to the maximum extent feasible, traffic and parking congestion during construction:
  - a. A construction parking plan to provide worker parking off site and generally off neighborhood streets, with shuttles or other transportation as needed to transport workers to the site;

## RESOLUTION NO.

- b. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes;
  - c. Identification of haul routes for movement of construction vehicles that would minimize impacts on motor vehicular, bicycle and pedestrian traffic, circulation and safety, and specifically to minimize impacts to the greatest extent possible on streets in the project area;
  - d. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures would occur;
  - e. Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project applicant; and
  - f. Designation of a readily available contact person for construction activities who would be responsible for responding to any local complaints regarding traffic or parking. This coordinator would determine the cause of the complaint and, where necessary, would implement reasonable measures to correct the problem.
11. 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;
12. that the applicant shall submit a Construction Noise Control Plan. This plan would include measures such as:
- Using smaller equipment with lower horsepower or reducing the hourly utilization rate of equipment used on the site to reduce noise levels at 50 feet to the allowable level.
  - Locating construction equipment as far as feasible from noise-sensitive uses.
  - Requiring that all construction equipment powered by gasoline or diesel engines have sound control devices that are at least as effective as those originally provided by the manufacturer and that all equipment be operated and maintained to minimize noise generation.
  - Prohibiting gasoline or diesel engines from having unmuffled exhaust systems.
  - Not idling inactive construction equipment for prolonged periods (i.e., more than 5 minutes).
  - Constructing a solid plywood barrier around the construction site and adjacent to operational businesses, residences, or other noise-sensitive land uses.
  - Using temporary noise control blanket barriers.
  - Monitoring the effectiveness of noise attenuation measures by taking noise measurements.
  - Using “quiet” gasoline-powered compressors or electrically powered compressors and electric rather than gasoline- or diesel-powered forklifts for small lifting.



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13. 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;
14. 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;
15. that storage of construction materials and equipment on the street or in the public right-of-way shall be prohibited;
16. that if construction is done during the wet season (October 1 through April 30), that prior to October 1 the developer shall implement a winterization program to minimize the potential for erosion and polluted runoff by inspecting, maintaining and cleaning all soil erosion and sediment control prior to, during, and immediately after each storm even; stabilizing disturbed soils throughout temporary or permanent seeding, mulching matting, or tarping; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels and other chemicals;
17. 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;
18. that this project shall comply with the state-mandated water conservation program, and a complete Irrigation Water Management and Conservation Plan together with complete landscape and irrigation plans shall be provided at the time of building permit application;
19. 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;
20. that this proposal shall comply with all the requirements of the Tree Protection and Reforestation Ordinance adopted by the City of Burlingame in 1993 and enforced by the Parks Department; complete landscape and irrigation plans shall be submitted at the time of building permit application and the street trees will be protected during construction as required by the City Arborist;
21. that the applicant shall coordinate with the City of Burlingame Parks Division regarding the planting of five (5) street trees along Donnelly Avenue;
22. 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;
23. that demolition or removal of the existing structures and any grading or earth moving on the site shall not occur until a building permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
24. that the applicant shall comply with Ordinance 1503, the City of Burlingame Storm Water Management and Discharge Control Ordinance;

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25. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, as amended by the City of Burlingame;
26. that this project shall comply with Ordinance No. 1477, Exterior Illumination Ordinance;

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

27. that prior to scheduling the foundation inspection a licensed surveyor shall locate the property corners, set the building envelope;
28. 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 Building Division;
29. that prior to scheduling the framing inspection, the project architect, engineer or other licensed professional shall provide architectural certification that the architectural details such as window locations and bays are built as shown on the approved plans; if there is no licensed professional involved in the project, the property owner or contractor shall provide the certification under penalty of perjury. Certifications shall be submitted to the Building Division;
30. 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;
31. that the maximum elevation to the top roof parapet shall not exceed elevation 143.90', as measured from the average elevation at the top of the curb along Donnelly Avenue (100.34') for a maximum height not to exceed 43'-10" to the top of the parapet; the garage finished floor elevation shall be elevation 100.34'; the top of each floor and final roof ridge shall be surveyed by a licensed surveyor who shall provide certification of that height to the Building Division; 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;

***The following conditions of approval are from Downtown Specific Plan:***

32. the project sponsor shall implement all appropriate control measures from the most currently adopted air quality plan at the time of project construction;
33. the project sponsor shall implement the following Greenhouse Gas reduction measures during construction activities:
  - a. Alternative-Fueled (e.g., biodiesel, electric) construction vehicles/equipment shall make up at least 15 percent of the fleet.
  - b. Use at least 10 percent local building materials.
  - c. Recycle at least 50 percent of construction waste or demolition materials.
34. the project sponsor shall provide adequate secure bicycle parking in the plan area at a minimum ratio of 1 bicycle spot for every 20 vehicle spots;

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35. the condominium management shall post and update information on alternate modes of transportation for the area (i.e. bus/shuttle schedules and stop locations, maps);
36. the project sponsor shall incorporate commercial energy efficiency measures such that energy efficiency is increased to 15% beyond 2008 title 24 standards for electricity and natural gas;
37. the project sponsor shall incorporate recycling measures and incentives such that a solid waste diversion rate of 75% is achieved upon occupation of each phase of plan development;
38. the project sponsor shall incorporate residential water efficiency measures such that water consumption is decreased by a minimum of 10 percent over current standard water demand factors;
39. that construction shall avoid the March 15 through August 31 avian nesting period to the extent feasible, as determined by staff. If it is not feasible to avoid the nesting period, a survey for nesting birds shall be conducted by a qualified wildlife biologist no earlier than 7 days prior to construction. The area surveyed shall include all clearing/construction areas, as well as areas within 250 ft. of the boundaries of these areas, or as otherwise determined by the biologist. In the event that an active nest is discovered, clearing/construction shall be postponed within 250 ft. of the nest, until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts;
40. that for projects within the Plan Area that require excavation, a Phase I Environmental Site Assessment (and Phase II sampling, where appropriate) would be required. If the Phase I Environmental Site Assessment determines that remediation is required, the project sponsor would be required to implement all remediation and abatement work in accordance with the requirements of the Department of Toxic Substances Control (DTSC), Regional Water Quality Control Board (RWQCB), or other jurisdictional agency;
41. the following practices 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:
    - Use heavy-duty mufflers for stationary equipment and barriers around particularly noisy areas of the site or around the entire site; - Use shields, impervious fences, or other physical sound barriers to inhibit transmission of noise to sensitive receptors;
    - Locate stationary equipment to minimize noise impacts on the community; and
    - 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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42. the project sponsor shall incorporate the following practice into the construction documents to be implemented by construction contractors: The project sponsor shall require that loaded trucks and other vibration-generating equipment avoid areas of the project site that are located near existing residential uses to the maximum extent compatible with project construction goals;
43. that if the project increases sewer flows to the sanitary sewer system, the project sponsor shall coordinate with the City Engineer to determine if improvements to public sanitary sewer infrastructure are needed. If improvements are needed, the following shall apply:
  - that prior to issuance of a building permit, the project sponsor shall develop a plan to facilitate sanitary sewer improvements. The plan shall include a schedule for implementing sanitary sewer upgrades that would occur within the development site and/or contribution of a fair share fee toward those improvements, as determined by the City Engineer. The plan shall be reviewed by the City Engineer.
44. that prior to issuance of a building permit, the development plans shall be reviewed by the Fire Marshal to determine if fire flow requirements would be met given the requirements of the proposed project, and the size of the existing water main(s). If the Fire Marshal determines improvements are needed for fire protection services, then the following shall apply:
  - that prior to issuance of a building permit the project sponsor shall be required to provide a plan to supply adequate water supply for fire suppression to the project site, consistent with the Fire Marshal's requirements. The plan shall be reviewed by the Fire Marshal. The project sponsor shall be responsible for implementation of the plan including installation of new water mains, and/or incorporation of fire water storage tanks and booster pumps into the building design, or other measures as determined by the Fire Marshal.
45. that if evidence of an archeological site or other suspected cultural resource as defined by CEQA Guidelines 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 Archeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC;
46. that 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

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sponsor shall be responsible for implementing any additional mitigation measures prescribed by the paleontologist and approved by the City; and

47. that if human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City of Burlingame and the 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 sponsor shall implement approved mitigation, to be verified by the City of Burlingame, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

### **Mitigation Measures from Initial Study**

#### **Aesthetics**

48. *The project developer shall install low-profile, low-intensity lighting directed downward to minimize light and glare. Exterior lighting shall be low mounted, downward casting, and shielded. In general, the light footprint shall not extend beyond the periphery the property. Implementation of exterior lighting fixtures on all buildings shall also comply with the standard California Building Code (Title 24, Building Energy Efficiency Standards) to reduce the lateral spreading of light to surrounding uses, consistent with City Municipal Code 18.16.030 that requires that all new exterior lighting for residential developments be designed and located so that the cone of light and/or glare from the light element is kept entirely on the property or below the top of any fence, edge or wall. In addition, lighting fixtures would not be located more than nine feet above adjacent grade or required landing; walls or portions of walls would not be floodlit; and only shielded light fixtures which focus light downward would be used, except for illuminated street numbers required by the fire department.*

#### **Air Quality**

49. *During any construction period ground disturbance, the applicant shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less-than-significant level. Additional measures are identified to reduce construction equipment exhaust emissions. The contractor shall implement the following BMPs that are required of all projects:*
  - a. *All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.*
  - b. *All haul trucks transporting soil, sand, or other loose material off-site shall be covered.*



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- c. *All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.*
  - d. *All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).*
  - e. *All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.*
  - f. *Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 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.*
  - g. *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.*
  - h. *Post a publicly visible sign with the telephone number and person to contact at the 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.*
50. *The project shall develop a plan demonstrating that the off-road equipment used on site to construct the project would achieve a fleet-wide average 20- percent reduction in DPM exhaust emissions or greater. One feasible plan to achieve this reduction would include the following:*
- a. *All diesel-powered off-road equipment, larger than 25 horsepower, operating on the site for more than two days continuously shall, at a minimum, meet U.S. EPA particulate matter emissions standards for Tier 3 engines that include CARB-certified Level 3 Diesel Particulate Filters (DPF)12 or equivalent. Alternatively, equipment that meets U.S. EPA Tier 4 standards for particulate matter or the use of equipment that includes electric or alternatively-fueled equipment (i.e., non- diesel) would meet this requirement.*

### **Biological Resources**

51. *Activities related to the project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 31) if feasible. If construction will commence during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than 7 days prior to initiation of ground disturbance and vegetation removal. The nesting bird pre-construction survey shall be conducted within the disturbance footprint and a 300-foot buffer for raptors and 150-foot buffer for passerines where access can be authorized. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in San Mateo County.*

*If nests are found, an avoidance buffer (which is dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the avian biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.*

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### **Cultural Resources**

52. *In the event Native American or other archaeological resources are encountered during construction, work shall be halted within 100 feet of the discovered materials and workers shall avoid altering the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations.*

*If an archaeological site is encountered in any stage of development, a qualified archeologist will be consulted to determine whether the resource qualifies as an historical resource or a unique archaeological resource. In the event that it does qualify, the archaeologist will prepare a research design and archaeological data recovery plan to be implemented prior to or during site construction. The archaeologist shall also prepare a written report of the finding, file it with the appropriate agency, and arrange for curation of recovered materials.*

53. *In the event that human remains are discovered during project construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The county coroner shall be informed to evaluate the nature of the remains. If the remains are determined to be of Native American origin, the Lead Agency shall work with the Native American Heritage Commission and the applicant to develop an agreement for treating or disposing of the human remains.*

### **Geology and Soils**

54. *Project design and construction shall adhere to Title 18, Chapter 18.28 of the City Municipal Code, and demonstrate compliance with all design standards applicable to the California Building Code Zone 4 would ensure maximum practicable protection available to users of the buildings and associated infrastructure.*
55. *Foundations of the project will be reinforced to tolerate differential soil movement. The project may be supported on a reinforced concrete mat foundation bearing on a properly prepared and compacted soil subgrade and a non-expansive fill section. Alternately, the project may be supported on a conventional spread footing foundation bearing on stiff native soils. Implementation of a reinforced foundation would reduce the potential for damage caused by liquefaction.*
56. *Project design and construction, including excavation activities, shall comply with Chapter 33 of the CBC, which specifies the safety requirement to be fulfilled for site work. This would include prevention of subsidence and pavement or foundations caused by dewatering.*
57. *The applicant shall prepare a monitoring program to determine the effects of construction on nearby improvements, including the monitoring of cracking and vertical movement of adjacent structures, and nearby streets, sidewalks, utilities, and other improvements. As necessary, inclinometers or other instrumentation shall be installed as part of the shoring system to closely monitor lateral movement. The program shall include a pre-construction survey including photographs and installation of monitoring points for existing site improvements.*
58. *A discovery of a paleontological specimen during any phase of the project shall result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or*

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*further action (e.g., resource removal), as determined by a professional paleontologist, shall be implemented to mitigate the impact.*

### **Hazards and Hazardous Materials**

59. *The contractor shall comply with Title 8, California Code of Regulations/Occupational Safety and Health Administration requirements that cover construction work where an employee may be exposed to lead. This includes the proper removal and disposal of peeling paint, and appropriate sampling of painted building surfaces for lead prior to disturbance of the paint and disposal of the paint or painted materials.*
60. *The applicant shall contract a Certified Asbestos Consultant to conduct an asbestos survey prior to disturbing potential asbestos containing building materials and following the Consultant's recommendations for proper handling and disposal.*
61. *Workers handling demolition and renovation activities at the project site will be trained in the safe handling and disposal of any containments with which they are handling or disposing of on the project site.*

### **Noise**

62. *Prior to the issuance of building permits, mechanical equipment shall be selected and designed to reduce impacts on surrounding uses to meet the City's 60 dBA daytime and 50 dBA nighttime requirements at the property lines of surrounding noise sensitive uses. Section 5.2.5.8 of the City of Burlingame DSP includes a provision for rooftop equipment:*

*Mixed-use buildings with a residential component should exhibit rooflines and architectural character consistent with the Downtown commercial character. Rooftop equipment shall be concealed from view and/or integrated within the architecture of the building and screened for noise.*

*A qualified acoustical consultant shall be retained to review mechanical noise as these systems are selected to determine specific noise reduction measures necessary to reduce noise to comply with the City's noise level requirements. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and/or installation of noise barriers, such as enclosures and parapet walls, to block the line-of-sight between the noise source and the nearest receptors.*

63. *As required under Section 9.9.20 of the City of Burlingame DSP, loaded truck and other vibration-generating equipment shall avoid areas of the project site that are located near existing residential uses to the maximum extent possible to still meet construction goals. Additionally, the following measures would be implemented during construction:*
  - a. *Operating equipment on the construction site shall be placed as far as possible from vibration-sensitive receptors.*
  - b. *Smaller equipment shall be used to the extent feasible to minimize vibration levels below the limits.*
  - c. *Use of vibratory rollers, tampers, and impact tools near sensitive areas shall be avoided to the extent feasible.*

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- d. *Neighbors within 500 feet of the construction site shall be notified of the construction schedule and that there could be noticeable vibration levels during project construction activities.*
- e. *If heavy construction is proposed within 12 feet of commercial structures and/or 18 feet of residential structures, a construction vibration-monitoring plan shall be implemented prior to, during, and after vibration generating construction activities located within these setbacks. All plan tasks shall be undertaken under the direction of a licensed Professional Structural Engineer in the State of California and be in accordance with industry accepted standard methods. The construction vibration monitoring plan should be implemented to include the following tasks:*
- f. *The contractor shall conduct a photo survey, elevation survey, and crack monitoring survey for structures located within 25 feet of construction. Surveys shall be performed prior to and after completion of vibration generating construction activities located within 25 feet of the structure. The surveys shall include internal and external crack monitoring in the structure, settlement, and distress, and shall document the condition of the foundation, walls and other structural elements in the interior and exterior of the structure.*
- g. *The contractor shall conduct a post-survey on the structure where either monitoring has indicated high levels or complaints of damage. Make appropriate repairs in accordance with the Secretary of the Interior's Standards where damage has occurred as a result of construction activities.*
- h. *The contractor shall designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.*
- i. *The results of any vibration monitoring shall be summarized and submitted in a report shortly after substantial completion of each phase identified in the project schedule. The report will include a description of measurement methods, equipment used, calibration certificates, and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that exceeded vibration limits will be included together with proper documentation supporting any such claims.*

### **Utilities and Service Systems**

- 64. *The project sponsor shall coordinate with the City Engineer to improve the public sanitary sewer infrastructure. Prior to issuance of a building permit, project sponsors shall develop a plan to facilitate sanitary sewer improvements. The plan shall include a schedule for implementing sanitary sewer upgrades that would occur within the development site and/or contribution of a fair share fee toward those improvements, as determined by the City Engineer. The plan shall be reviewed by the City Engineer.*
- 65. *Prior to issuance of a building permit, development plans for projects proposed in the Plan Area, shall be reviewed by the Fire Marshal to determine if fire flow requirements would be met given the requirements of the proposed project, and the size of the existing water main(s). If the Fire Marshal determines improvements are needed for fire protection services, the project sponsor shall be required to provide a plan to supply adequate water supply for fire suppression to the project site, consistent with the Fire Marshal's requirements. The plan shall be reviewed by the Fire Marshal. The project sponsor shall*

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*be responsible for implementation of the plan including installation of new water mains, and/or incorporation of fire water storage tanks and booster pumps into the building design, or other measures as determined by the Fire Marshal.*

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Chair

I, \_\_\_\_\_, Secretary of the Burlingame Planning Commission, do hereby certify that the foregoing resolution was adopted at a regular meeting of the Planning Commission held on the 10<sup>th</sup> day of August, 2020 by the following vote:

AYES:

NOES:

ABSENT:

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Secretary





CITY OF BURLINGAME  
COMMUNITY DEVELOPMENT DEPARTMENT  
501 PRIMROSE ROAD  
BURLINGAME, CA 94010  
PH: (650) 558-7250  
[www.burlingame.org](http://www.burlingame.org)

**Project Site: 1214-1220 Donnelly Ave., zoned DAC**

The City of Burlingame Planning Commission announces the following virtual public hearing via Zoom **on Monday, August 10, 2020 at 7:00 P.M.** You may access the meeting online at [www.zoom.us/join](http://www.zoom.us/join) or by phone at (669) 900-6833:

Meeting ID: 816 4866 0897

Password: 006217

**Description:** Application for Mitigated Negative Declaration, Design Review, Amendment to the Downtown Specific Plan and Zoning Code to allow a multi-family residential use, Conditional Use Permit for building height, Condominium Permit and Lot Merger for construction of a new three-story, 14-unit mixed use commercial/residential building.

Members of the public may provide written comments by email to: [publiccomment@burlingame.org](mailto:publiccomment@burlingame.org).

Mailed: July 31, 2020

*(Please refer to other side)*

**PUBLIC HEARING  
NOTICE**

**City of Burlingame - Public Hearing Notice**

If you have any questions about this application or would like to schedule an appointment to view a hard copy of the application and plans, please send an email to [planningdept@burlingame.org](mailto:planningdept@burlingame.org) or call (650) 558-7250.

Individuals who require special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed, should contact the Planning Division at [planningdept@burlingame.org](mailto:planningdept@burlingame.org) or (650) 558-7250 by 10 am on the day of the meeting.

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.

Kevin Gardiner, AICP  
Community Development Director

*(Please refer to other side)*

**1214-1220 DONNELLY AVENUE**  
**500' Radius – 3 parcels**  
**APNs 029.151.150, .160, and .170**

