

**12.14.15 PC Meeting
Item #8b
1509 El Camino Real
Page 1 of 6**

*COMMUNICATION RECEIVED
AFTER PREPARATION
OF STAFF REPORT*

RECEIVED
DEC 14 2015
CITY OF BURLINGAME
CDD – PLANNING DIV.

From: Mark Haberecht [mailto:-----]
Sent: Sunday, December 13, 2015 10:08 PM
To: GRP-Planning Commissioners; CD/PLG-Hurin, Ruben; CD/PLG-Meeker, William; ATTY-Kane, Kathleen
Cc: GRP-Council
Subject: Haberecht Response to MND, 1505 El Camino Real (Part II)

The following correspondences are hereby incorporated into the public record of 1509 El Camino Real and its successors and assigns.

These correspondences provide sufficient evidence as to the traffic, parking and safety issues surrounding Lincoln School and Ray Park.

Attached is also a correspondence from the CA DF&W to Ann Wallach, stating the likely need for a Streamed Alteration Agreement (evidence of which has not been provided by the City or the Developer).

12.14.15 PC Meeting
Received After Attachment
8b - 1509 El Camino Real
"unknown.jpg"

--- On Fri, 5/8/13, Suzanne DeLeon <Suzanne.DeLeon@wildlife.ca.gov> wrote:

From: Suzanne DeLeon <Suzanne.DeLeon@wildlife.ca.gov>
Subject: Re: Streambed Alteration
To: "Ann Wallach" <annrossw@aol.net>
Date: Friday, March 8, 2013, 4:46 PM

Hello,

Thank you for the information. I am the Environmental Scientist for San Mateo County and review projects for compliance with our Streambed Alteration Agreements. Unfortunately your pictures did not come through with the email so I wasn't able to see them. There seems to be two issues here: 1. the material going into the creek from behind the retaining wall and 2. the potential repair of the retaining wall. It wasn't clear if the applicant proposed #2 on the application to the City. And if they didn't, then that could be why they stated no work would occur in the creek.

The Applicant should address the issue of the undercutting of the retaining wall. Sedimentation into the creek resulting from a failed development can be a violation of the Fish and Game Code. Any work that occurs on the bed, bank or channel of the creek needs to be reviewed by CDFW and the applicant should notify the CDFW with a Notice of Lake and Streambed Alteration Agreement. Once CDFW reviews the Notice then we can make the determination if a Streambed Alteration Agreement is required. Usually, the cities and counties I work with tell the Applicant to contact CDFW if work will be conducted anywhere near a creek, however, I have not received any such communication for this site.

Please contact me if you have any other questions. Thank you,
Suzanne

Suzanne DeLeon

Environmental Scientist

Bay Delta Region

7329 Silverado Trail

Napa, CA 94558

suzanne.deleon@wildlife.ca.gov

12.14.15 PC Meeting
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"August 30 eight thirty am.JPG"



12.14.15 PC Meeting
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"August 30 eight thirty am (1).JPG"



12.14.15 PC Meeting
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"Jan 31 two-thirty pm.JPG"



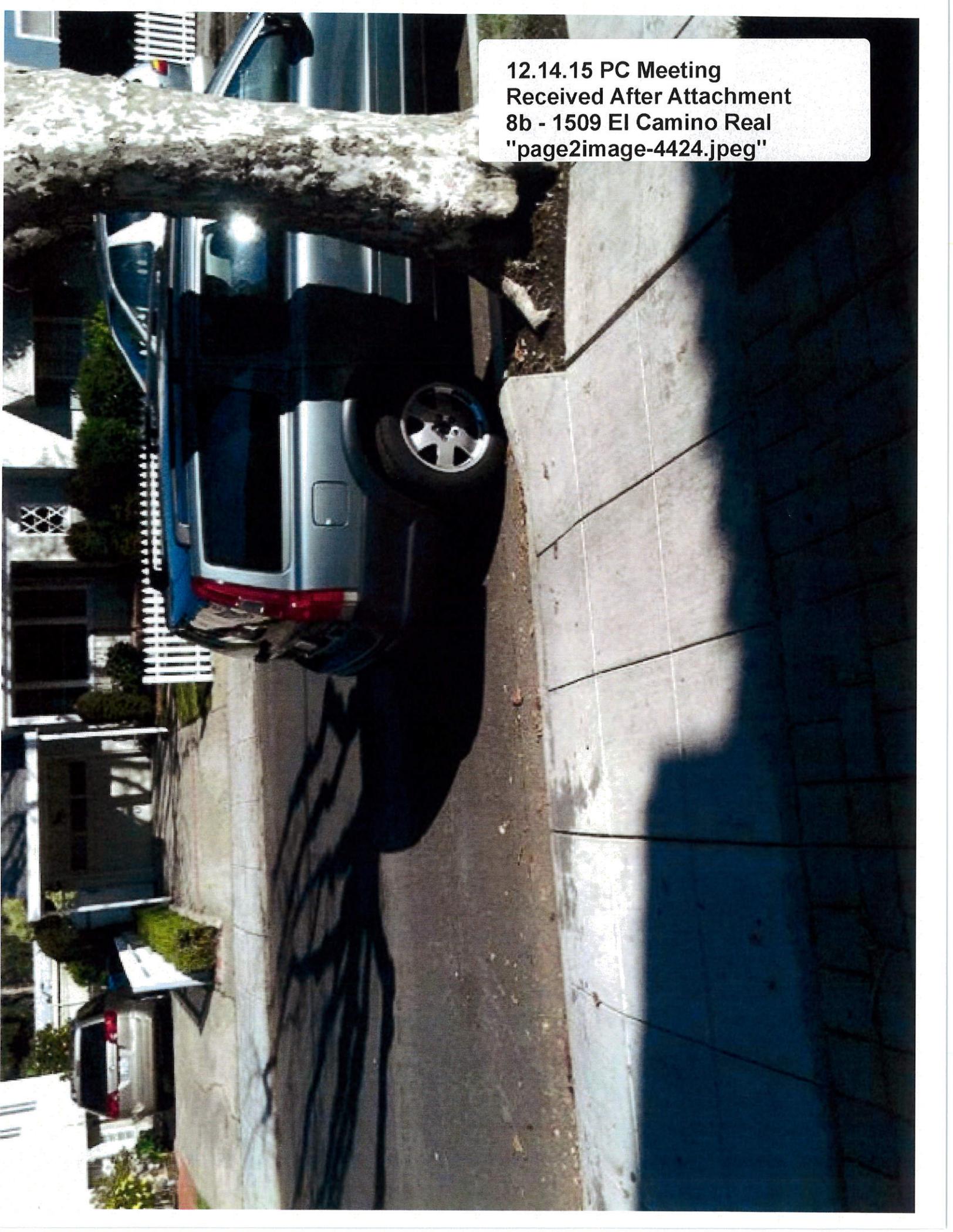
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"March 14 six-forty pm.JPG"



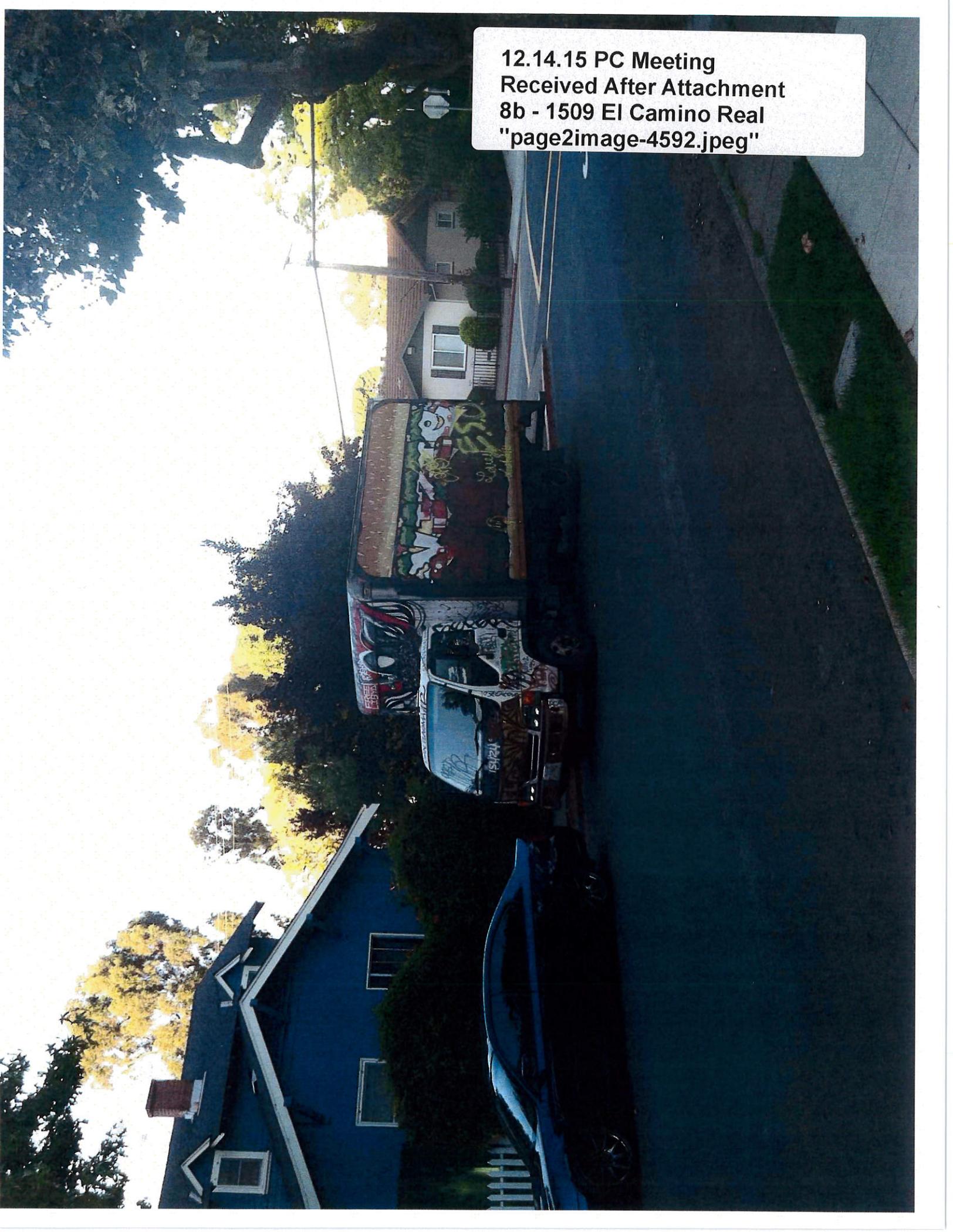
12.14.15 PC Meeting
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8b - 1509 El Camino Real
"My driveway, Sunday afternoon
in June.JPG"



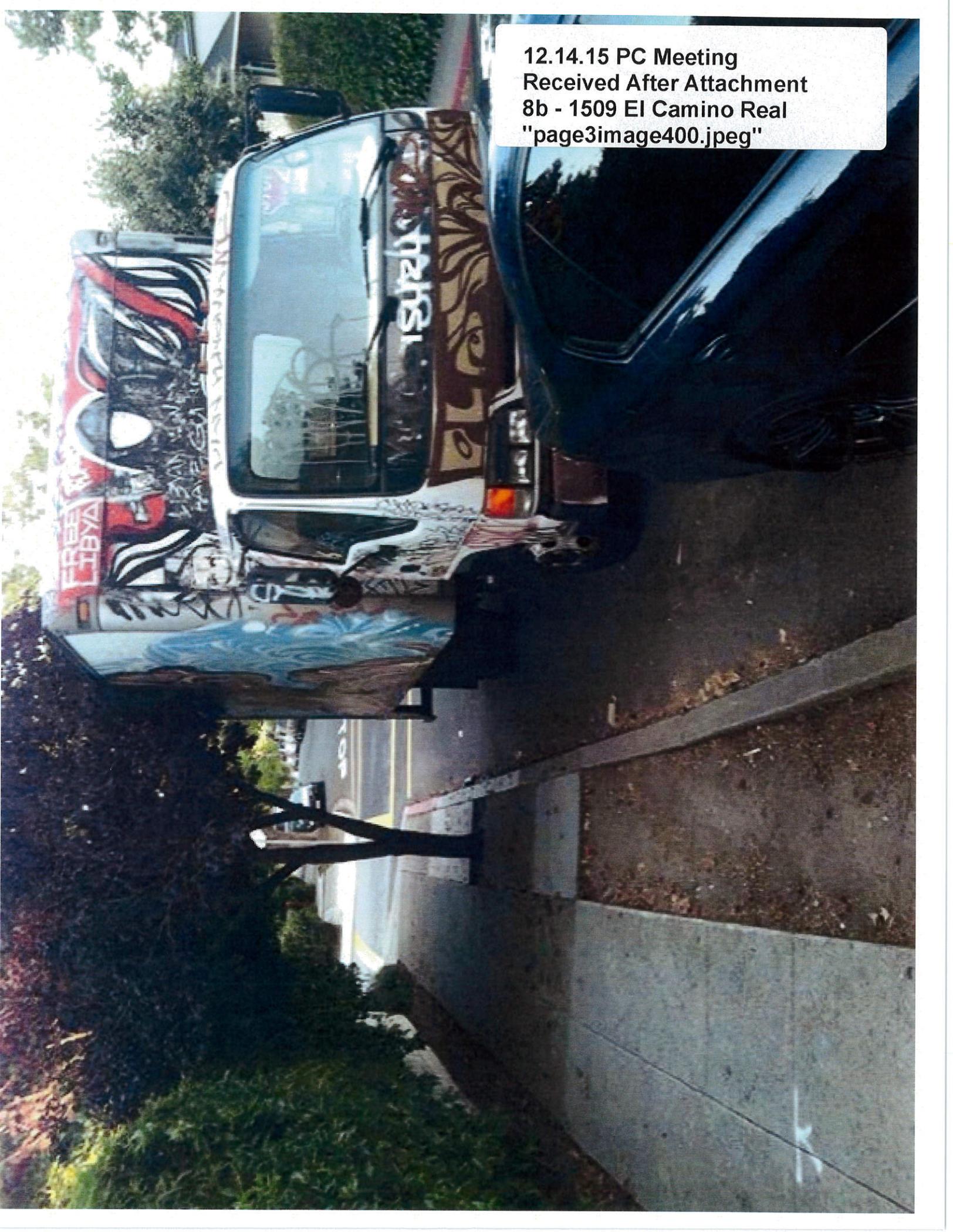
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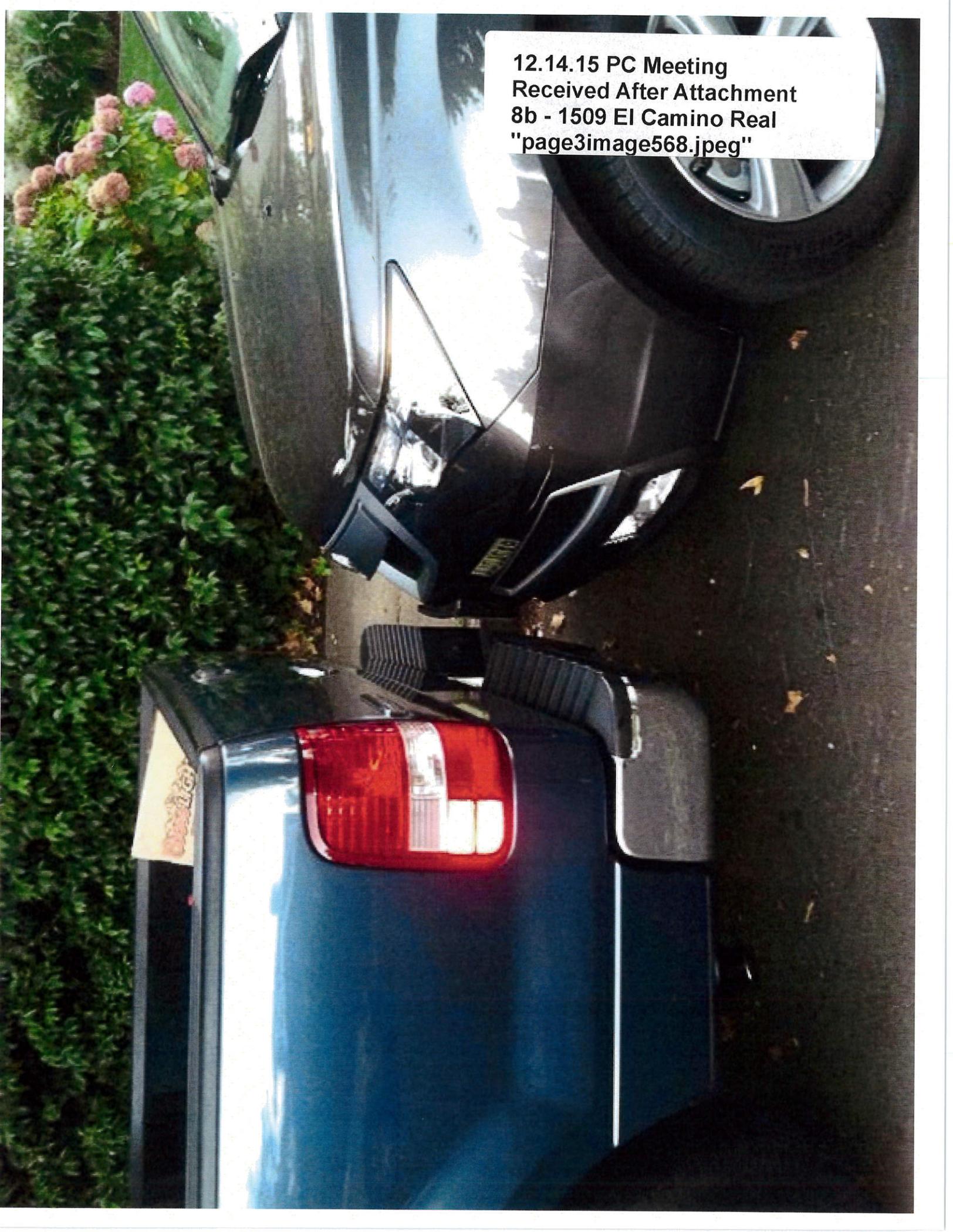
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12.14.15 PC Meeting
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"page3image568.jpeg"



**City of Burlingame
Parks & Recreation Department**

850 Burlingame Avenue, Burlingame, California 94010-2899
Parks Division Telephone 650.558.7330
Fax: 650.696.7216 * Email: GBorba@Burlingame.org

February 21, 2013

Mr. Pat Fellowes
1008 Laurel Street
San Carlos, CA 94070

RE: REQUEST FOR REMOVAL OF SIX PROTECTED SIZED TREES (5 DEODAR CEDAR TREES AND 1 BUNYA-BUNYA TREE) @ 1509 EL CAMINO REAL - BURLINGAME

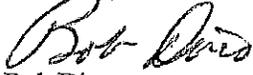
It has recently been brought to our attention that the abovementioned trees which you have applied to the City for a removal permit, are situated on an R-3 zoned parcel. My initial determination as stated in my letter to you dated May 11, 2011, was based on the redevelopment of properties located in R-1 Zones as addressed in the Urban Reforestation ordinance, section 11.06.060(c), which provides for issuance of a tree removal permit where trees are located within the footprint of a proposed project. This section, however, applied to projects which are ONLY in R-1 zones. It does not apply to projects located in other zoning districts of the City.

Accordingly, based on this information, and after further review with the City Attorney, the Protected Tree Removal permit placed on hold in our office is hereby rescinded as it was issued in error. Your reapplication for the tree removal request will be required.

For your convenience, I have enclosed a Protected Tree Removal application, and a copy of the Urban Reforestation ordinance. Please complete the application and return to our office in the envelope provided. You may also submit documentation supporting the request for removal based on health and structure of the trees, and/or based on the proposed development of the property.

Our office may be contacted at (650) 558-7330 if you should have any questions.

Sincerely,



Bob Disco
Parks Supervisor/City Arborist

bd/kh

CC: Gus Guinan, City Attorney
William Meeker, Community Development Director

Enclosures: Protected Tree Removal Permit Application &
Urban Reforestation and Tree Protection Ordinance
Letter dated May 11, 2011

City of Burlingame
Parks & Recreation Department

850 Burlingame Avenue, Burlingame, California 94010-2899
Parks Division Telephone (650) 558-7330
Fax: (650) 696-7216 * Email: parks@burlingame.org

May 11, 2011

Mr. Pat Fellowes
1008 Laurel Street
San Carlos, CA 94070

**RE: REQUEST FOR REMOVAL OF SIX PROTECTED SIZED TREES (5 DEODAR CEDAR TREES
AND 1 BUNYA-BUNYA TREE @ 1509 EL CAMINO REAL - BURLINGAME**

I reviewed your request for the removal of the above mentioned trees on the property at the above address. Subject to the provisions and in accordance with Burlingame Municipal Code chapter 11.06, I intend to issue a permit to remove the 6 protected sized trees, once the building and landscape plans have been approved and permits for construction have been issued:

- 1) The six protected sized trees will fall within the footprint of the proposed project.
- 2) Though the trees were listed in the independent arborist report to be in "poor or very poor" condition, none of these trees pose an immediate hazard.
- 3) *Six 24-inch box size landscape trees* (no fruit or nut trees) will be required as replacement trees as defined in Section 11.06.090 and should be included on the landscape plan submitted for the project.

If you are in agreement with these conditions, please sign the enclosed permit and return in the self addressed envelope by May 25, 2011. The permit will be held in our office until the conditions as stated are met.

Adjacent property owner(s) as the addresses listed below are also receiving notification of this decision. Appeals to this decision or any of its conditions or findings, must be filed in writing to our office by *May 25, 2011* provided in Section 11.06.080 of the *Urban Reforestation and Tree Protection Ordinance (Burlingame Municipal Code Chapter 11.06)*.

Our office may be contacted at (650) 558-7330 if you should have any questions.

Sincerely,



Bob Disco
Parks Supervisor

bd/kh

CC: Property Owner
1516 Balboa Avenue
Burlingame, CA 94010

Property Owner
1520 Balboa Avenue
Burlingame, CA 94010

Property Owner
1518 Albemarle Way
Burlingame, CA 94010



Edmund G. Brown, Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

February 22, 2013

RECEIVED

Ruben Hurin
City of Burlingame
501 Primrose Road
Burlingame, CA 94010

FEB 27 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

Subject: 1509 El Camino Real
SCH#: 2013012056

Dear Ruben Hurin:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 21, 2013, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures

cc: Resources Agency
1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2013012056
Project Title 1509 El Camino Real
Lead Agency Burlingame, City of

Type MND Mitigated Negative Declaration
Description The project would demolish an existing 11-unit residential apartment complex and construct a new 15-unit residential condominium complex with at-grade parking for 32 vehicles. The proposed building would include three floors of residential use, a rooftop common area and a parking garage. The project also includes a merger of two lots, which includes a request for approval of Rezoning (from R-2 to R-3) and General Plan Amendment (from Medium Density to Medium High Density) for one of the lots.

Lead Agency Contact

Name Ruben Hurin
Agency City of Burlingame
Phone 650 558 7256 **Fax**
email
Address 501 Primrose Road
City Burlingame **State** CA **Zip** 94010

Project Location

County San Mateo
City Burlingame
Region
Lat / Long 37° 35' 21.7" N / 122° 22' 32.5" W
Cross Streets El Camino Real and Adeline Drive
Parcel No. 026-011-010 & 025-228-130
Township **Range** **Section** **Base**

Proximity to:

Highways Hwy 82
Airports San Francisco Int'l
Railways Caltrain
Waterways Mills Creek
Schools Lincoln ES
Land Use Medium High Density Residential / R-3 and Medium Density Residential / R-2

Project Issues Aesthetic/Visual; Air Quality; Biological Resources; Geologic/Seismic; Noise; Recreation/Parks; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Water Quality; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 3; Office of Historic Preservation; Department of Parks and Recreation; San Francisco Bay Conservation and Development Commission; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 4; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control; Native American Heritage Commission

Date Received 01/23/2013 **Start of Review** 01/23/2013 **End of Review** 02/21/2013

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN, Jr., Governor

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-6053
FAX (510) 286-5559
TTY 711

21928
2/21/13
P



*Flex your power!
Be energy efficient!*

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FEB 21 2013

February 21, 2013

STATE CLEARING HOUSE

SM082283
SM-82-15.1
SCH#2013012056

Mr. Ruben Hurin
Community Development Department
City of Burlingame
501 Primrose Lane
Burlingame, CA 94010

Dear Mr. Hurin:

1509 EL CAMINO REAL PROJECT - MITIGATED NEGATIVE DECLARATION

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the 1509 El Camino Real project. The following comments are based on the Mitigated Negative Declaration (MND). As the lead agency, the City of Burlingame (City) is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy. Since an encroachment permit is required for work in the state right of way (ROW), and Caltrans will not issue a permit until our concerns are adequately addressed, we strongly recommend that the City work with both the applicant and Caltrans to ensure that our concerns are resolved during the California Environmental Quality Act (CEQA) process, and in any case prior to submittal of a permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

Pedestrian Safety

1. The sidewalk improvements along El Camino Real should remain continuously level across the driveway with the driveway apron adjacent to the sidewalk. This will effectively slow turning vehicles, creating a safer environment for pedestrians.
2. Per the Caltrans Design Information Bulletin 82-04, "Pedestrian Accessibility Guidelines for Highway Project," the sidewalk needs to have at least 4 feet of clear unobstructed width and have no more than a 2% cross slope, including at driveways. The web link is included for your convenience: <http://www.dot.ca.gov/hq/opd/dib/dibprg.htm>

Mr. Ruben Hurin/City of Burlingame
February 21, 2013
Page 2

Cultural Resources

Should project-related ground disturbing activities take place as part of this project within the state ROW and there is an inadvertent archaeological or burial discovery, in compliance with CEQA, PRC 5024.5, and the Caltrans Standard Environmental Reference (SER) Volume 2 (<http://www.dot.ca.gov/ser/vol2/vol2.htm>), all construction within 50 feet of the find shall cease. The Caltrans District 4 Cultural Resource Study Office shall be immediately contacted at (510) 286-6336. A staff archaeologist will evaluate the finds within one business day after contact. Archaeological resources may consist of, but are not limited to, dark, friable soils, charcoal, obsidian or chert flakes, grinding bowls, shell fragments, or deposits of bone, glass, metal, ceramics, or wood.

Encroachment Permit

Please be advised that work that encroaches onto the state ROW requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans, clearly indicating state ROW, must be submitted to: Office of Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures will be incorporated into the construction plans during the encroachment permit process. See the following website link for more information: <http://www.dot.ca.gov/hq/trafficops/development/permits/>

Please feel free to call or email Sandra Finegan at (510) 622-1644 or sandra_finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,



ERIK ALM, AICP
District Branch Chief
Local Development – Intergovernmental Review

c: State Clearinghouse



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

February 26, 2013

Ruben Hurin
City of Burlingame
501 Primrose Road
Burlingame, CA 94010

Subject: 1509 El Camino Real
SCH#: 2013012056

Dear Ruben Hurin:

The enclosed comment (s) on your Mitigated Negative Declaration was (were) received by the State Clearinghouse after the end of the state review period, which closed on February 21, 2013. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2013012056) when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

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MAR - 4 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.



State of California — The Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 Bay Delta Region
 7329 Silverado Trail
 Napa, CA 94558
 (707) 944-5500
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
 CHARLTON H. BONHAM, Director



late
 2/21/13
 c

February 21, 2013

RECEIVED
 FEB 25 2013
 STATE CLEARING HOUSE

Mr. Ruben Hurin
 City of Burlingame
 501 Primrose Road
 Burlingame, CA 94010

Dear Mr. Hurin:

Subject: 1509 El Camino Real, Initial Study/Mitigated Negative Declaration,
 SCH # 2013012056, Mills Creek, City of Burlingame, San Mateo County

This letter is intended to provide comments regarding the biological resource impacts from the 1509 El Camino Real project as described in the Initial Study/Mitigated Negative Declaration (IS/MND). The California Department of Fish and Wildlife (CDFW) is providing comments as a Trustee Agency and Responsible Agency pursuant to the California Environmental Quality Act (CEQA) Sections 15386 and 15381 respectively. As trustee for the State's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of the fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species for the benefit and use by the people of California. As a Responsible Agency, CDFW will have discretionary approval authority over the project by issuing a Lake and Streambed Alteration Agreement (LSAA) and potentially a California Endangered Species Permit (CESA) Permit.

Project Description

The project consists of demolishing an existing 11-unit residential apartment complex and constructing a new 15-unit condominium complex. The complex will be a four-story building with an at-grade garage including 32 ground-level parking spaces, walkways, a driveway and landscaping. Other project activities include a shared recreation space with a bocce court, paved walkways, and landscaping which will abut Mills Creek. Seven trees are proposed to be removed to construct the project. The project footprint will be approximately six feet from top-of-bank of Mills Creek (setback of six feet).

Biological Resources

Due to the high biological value and physical functions provided by riparian areas, the biological impacts that may occur from construction of the recreation area within the riparian habitat and construction of the condominium complex within six feet (proposed setback distance) from the riparian habitat of Mills Creek should be fully analyzed in the IS/MND. Construction in the riparian zone would reduce the overall habitat value of the stream zone, decrease the biological integrity and function of the riparian corridor and impact the long-term viability of the riparian corridor and stream habitat. This, in turn may impact aquatic and terrestrial species dependent upon Mills Creek and its riparian habitat. Although this is

a highly urbanized site, there are natural areas up and downstream of this site that support aquatic and wildlife habitat. New development within the riparian zone may reduce the habitat quality by increasing sedimentation and pollution into Mills Creek and the loss of trees will increase solar radiation, reduce the prey base and potentially modify the nutrients that establish the basis of the food chain. Non-native vegetation planted by new property owners could become established and potentially out-compete the native riparian vegetation which would further impact the stream and riparian corridor. CDFW recommends the stream setback be increased to minimize the project's impacts on the stream, riparian habitat, and fish and wildlife resources that utilize those habitats. CDFW is available to assist in the assessment of a suitable setback distance.

The IS/MND states seven trees will be removed but does not provide mitigation for the loss of habitat provided by these trees. CDFW recommends that all trees removed or impacted as a result of project activities be replaced to mitigate for the permanent net-loss of canopy cover and habitat. A mitigation, monitoring, and reporting plan (Plan) should be prepared and provided to CDFW and be presented in sufficient detail for CDFW to thoroughly evaluate. The Plan should include the species of the replacement trees, quantity, size and location of the replacement trees to be planted. Generally, replacement trees should be of adequate size and number at maturity to reflect the character and size of trees removed. Replacement trees shall be native species adapted to the lighting, soil and hydrological conditions at the replanting site. If replanting within the immediate work area is infeasible due to slope steepness or other physical constraints, replacement trees may be planted at an alternate location along the stream corridor. All plants or trees should be monitored and maintained as necessary for eight to ten years and should have at least an 80% survival rate and sufficient cover that would equal or exceed the coverage lost. If the success criteria aren't being met, additional practices such as re-planting, removing non-native invasive plants, or additional watering, should be conducted to achieve the success criteria goals.

The light and glare of night lighting is only analyzed for aesthetic impacts. CDFW recommends that the biological resource impact assessment include an analysis of the increased night lighting and glare on biological resources including rodents, mammals, owls, bats, insects and birds. Night light and glare can affect insect behavior which can change insectivore feeding behavior, including bats. Night lighting can affect raptor and owl foraging and hunting behavior and disrupt birds' natural sleep and flight patterns, deter them from established foraging areas, and affect their breeding cycles. Mills Creek riparian area may support bats and trees surrounding the area support raptor and potentially owl nesting.

Lake and Streambed Alteration

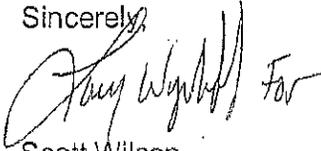
Please be advised that for any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of Mills Creek, CDFW will require an LSAA, pursuant to Section 1600 et seq. of the Fish and Game Code. Issuance of an LSAA is subject to CEQA. CDFW, as a Responsible Agency under CEQA, will consider the environmental document for the project. The IS/MND states the project footprint and associated construction disturbance area is designed to remain at least six

Mr. Ruben Hurin
February 21, 2013
Page 3

feet from the top-of-bank of Mills Creek; however, the project description states other construction activities for the recreation area will abut Mills Creek. The IS/MND should fully identify the potential impacts the project will have on the riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the LSAA. To obtain information about the LSAA notification process, please access our website at <http://www.wildlife.ca.gov/habcon/1600/>; or to request a notification package, contact the regional Lake and Streambed Alteration Program at (707) 944-5520.

If you have any questions, please contact Ms. Suzanne DeLeon, Environmental Scientist, at (831) 440-9433; or Ms. Randi Adair, Senior Environmental Scientist, at (707) 944-5596.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Wilson" with a stylized flourish at the end.

Scott Wilson
Acting Regional Manager
Bay Delta Region

cc: State Clearinghouse

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
P. O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-6053
FAX (510) 286-5559
TTY 711



*Flex your power!
Be energy efficient!*

February 21, 2013

SM082283
SM-82-15.1
SCH#2013012056

Mr. Ruben Hurin
Community Development Department
City of Burlingame
501 Primrose Lane
Burlingame, CA 94010

Dear Mr. Hurin:

1509 EL CAMINO REAL PROJECT – MITIGATED NEGATIVE DECLARATION

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"Caltrans improves mobility across California"

FEB 27 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

Mr. Ruben Hurin/City of Burlingame

February 21, 2013

Page 2

Cultural Resources

Should project-related ground disturbing activities take place as part of this project within the state ROW and there is an inadvertent archaeological or burial discovery, in compliance with CEQA, PRC 5024.5, and the Caltrans Standard Environmental Reference (SER) Volume 2 (<http://www.dot.ca.gov/ser/vol2/vol2.htm>), all construction within 50 feet of the find shall cease. The Caltrans District 4 Cultural Resource Study Office shall be immediately contacted at (510) 286-6336. A staff archaeologist will evaluate the finds within one business day after contact. Archaeological resources may consist of, but are not limited to, dark, friable soils, charcoal, obsidian or chert flakes, grinding bowls, shell fragments, or deposits of bone, glass, metal, ceramics, or wood.

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Please feel free to call or email Sandra Finegan at (510) 622-1644 or sandra_finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,



ERIK ALM, AICP
District Branch Chief
Local Development – Intergovernmental Review

c: State Clearinghouse



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
(707) 944-5500
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



February 21, 2013

RECEIVED

FEB 25 2013

Mr. Ruben Hurin
City of Burlingame
501 Primrose Road
Burlingame, CA 94010

CITY OF BURLINGAME
ODD-PLANNING DIV.

Dear Mr. Hurin:

Subject: 1509 El Camino Real, Initial Study/Mitigated Negative Declaration,
SCH # 2013012056, Mills Creek, City of Burlingame, San Mateo County

This letter is intended to provide comments regarding the biological resource impacts from the 1509 El Camino Real project as described in the Initial Study/Mitigated Negative Declaration (IS/MND). The California Department of Fish and Wildlife (CDFW) is providing comments as a Trustee Agency and Responsible Agency pursuant to the California Environmental Quality Act (CEQA) Sections 15386 and 15381 respectively. As trustee for the State's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of the fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species for the benefit and use by the people of California. As a Responsible Agency, CDFW will have discretionary approval authority over the project by issuing a Lake and Streambed Alteration Agreement (LSAA) and potentially a California Endangered Species Permit (CESA) Permit.

Project Description

The project consists of demolishing an existing 11-unit residential apartment complex and constructing a new 15-unit condominium complex. The complex will be a four-story building with an at-grade garage including 32 ground-level parking spaces, walkways, a driveway and landscaping. Other project activities include a shared recreation space with a bocce court, paved walkways, and landscaping which will abut Mills Creek. Seven trees are proposed to be removed to construct the project. The project footprint will be approximately six feet from top-of-bank of Mills Creek (setback of six feet).

Biological Resources

Due to the high biological value and physical functions provided by riparian areas, the biological impacts that may occur from construction of the recreation area within the riparian habitat and construction of the condominium complex within six feet (proposed setback distance) from the riparian habitat of Mills Creek should be fully analyzed in the IS/MND. Construction in the riparian zone would reduce the overall habitat value of the stream zone, decrease the biological integrity and function of the riparian corridor and impact the long-term viability of the riparian corridor and stream habitat. This, in turn may impact aquatic and terrestrial species dependent upon Mills Creek and its riparian habitat. Although this is

Conserving California's Wildlife Since 1870

a highly urbanized site, there are natural areas up and downstream of this site that support aquatic and wildlife habitat. New development within the riparian zone may reduce the habitat quality by increasing sedimentation and pollution into Mills Creek and the loss of trees will increase solar radiation, reduce the prey base and potentially modify the nutrients that establish the basis of the food chain. Non-native vegetation planted by new property owners could become established and potentially out-compete the native riparian vegetation which would further impact the stream and riparian corridor. CDFW recommends the stream setback be increased to minimize the project's impacts on the stream, riparian habitat, and fish and wildlife resources that utilize those habitats. CDFW is available to assist in the assessment of a suitable setback distance.

The IS/MND states seven trees will be removed but does not provide mitigation for the loss of habitat provided by these trees. CDFW recommends that all trees removed or impacted as a result of project activities be replaced to mitigate for the permanent net-loss of canopy cover and habitat. A mitigation, monitoring, and reporting plan (Plan) should be prepared and provided to CDFW and be presented in sufficient detail for CDFW to thoroughly evaluate. The Plan should include the species of the replacement trees, quantity, size and location of the replacement trees to be planted. Generally, replacement trees should be of adequate size and number at maturity to reflect the character and size of trees removed. Replacement trees shall be native species adapted to the lighting, soil and hydrological conditions at the replanting site. If replanting within the immediate work area is infeasible due to slope steepness or other physical constraints, replacement trees may be planted at an alternate location along the stream corridor. All plants or trees should be monitored and maintained as necessary for eight to ten years and should have at least an 80% survival rate and sufficient cover that would equal or exceed the coverage lost. If the success criteria aren't being met, additional practices such as re-planting, removing non-native invasive plants, or additional watering, should be conducted to achieve the success criteria goals.

The light and glare of night lighting is only analyzed for aesthetic impacts. CDFW recommends that the biological resource impact assessment include an analysis of the increased night lighting and glare on biological resources including rodents, mammals, owls, bats, insects and birds. Night light and glare can affect insect behavior which can change insectivore feeding behavior, including bats. Night lighting can affect raptor and owl foraging and hunting behavior and disrupt birds' natural sleep and flight patterns, deter them from established foraging areas, and affect their breeding cycles. Mills Creek riparian area may support bats and trees surrounding the area support raptor and potentially owl nesting.

Lake and Streambed Alteration

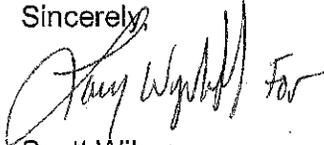
Please be advised that for any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of Mills Creek, CDFW will require an LSAA, pursuant to Section 1600 et seq. of the Fish and Game Code. Issuance of an LSAA is subject to CEQA. CDFW, as a Responsible Agency under CEQA, will consider the environmental document for the project. The IS/MND states the project footprint and associated construction disturbance area is designed to remain at least six

Mr. Ruben Hurin
February 21, 2013
Page 3

feet from the top-of-bank of Mills Creek; however, the project description states other construction activities for the recreation area will abut Mills Creek. The IS/MND should fully identify the potential impacts the project will have on the riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the LSAA. To obtain information about the LSAA notification process, please access our website at <http://www.wildlife.ca.gov/habcon/1600/>; or to request a notification package, contact the regional Lake and Streambed Alteration Program at (707) 944-5520.

If you have any questions, please contact Ms. Suzanne DeLeon, Environmental Scientist, at (831) 440-9433; or Ms. Randi Adair, Senior Environmental Scientist, at (707) 944-5596.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Wilson" followed by a stylized flourish.

Scott Wilson
Acting Regional Manager
Bay Delta Region

cc: State Clearinghouse

Dear Members of the Planning Commission of the city of Burlingame,

I am writing to you out of concern for the Burlingame residents who live at 1509 El Camino Real. There is a proposal before you to demolish the buildings on that site and evict the current tenants. These Burlingame residents will have to leave their home town due to the lack housing for people with low or moderate incomes. Property and rents in Burlingame are beyond the reach of the current residents. Eleven units of moderately priced apartments will be destroyed and fifteen expensive condos will be built under the proposal before you now. There is no shortage of housing for the wealthy. There are three large buildings of newly constructed condos just north of this site in Millbrae that are not selling as expected.

The developer of the condos will be given benefits for providing two below market value units. This is fraudulent and immoral. The developer will provide two units and destroy eleven, and REDUCE the number of moderate units by nine. The developer deserves no special benefits or relaxing of the housing code for providing the two units.

This proposal has been said to be a green proposal because it will increase population density in all ready developed areas and not develop rural areas. This 'green' designation will be nullified by the land fill required for the demolished apartment buildings and the use of more materials and energy to build the condos. Add to that the removal of large trees makes calling this project 'green' ludicrous.

I think the city of Burlingame should have more concerns for our present residents than for the profit motives of an out of town developer. I hope that you reject this proposal.

RECEIVED

FEB 14 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

Sincerely,



1616 Adeline Drive
Burlingame

*Paul and Ann Wallach
1524 Balboa Way
Burlingame, CA 94010*

February 18, 2013

Planning Commission
501 Primrose Road
Burlingame, CA

RECEIVED

FEB 19 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

Re: 1509 El Camino Real Development and Mills Creek

The Creek

Concern about the impact on Mills Creek by proposed development at 1509 El Camino Real has been voiced several times before the Commission. Nevertheless, neither Commission response nor the initial Mitigated Negative Environmental Impact Report adequately addresses this issue.

Flooding

In February 1998, during a not particularly heavy rainfall, the bank at 1509 El Camino Real collapsed and sent a significant amount of material into the creek: driveway paving, fencing and its supports, concrete, small trees, and assorted rubble. The creek clogged, flow was blocked, and water rose until it flooded our property and that of 1509 El Camino Real. It was only due to the swift efforts of tenants, private citizens, and fire department personnel that flow eventually was restored and the water receded. But not before six inches of water covered 1509 ECR carports and our property, rapidly approaching our home (please see video). Without that swift action, other nearby properties also would have flooded.

To our recollection, a year or so passed before, at the direction of Fish and Game and the City of Burlingame, a retaining wall was finally built in the area of the collapse. It spans less than half the length of the creek bank. That retaining wall is now in need of repair, as it and other parts of the bank are being undercut and in some places are seriously insufficient. In addition, there is no indication of what type of footing supports the retaining wall.

The track record for maintenance and for making the most of this natural area has not been good. In 2007 the developer, Mr. Fellowes, who had owned this property for several years, admitted to the Commission that he had never walked the creek to inspect its banks. To any objective observer it is clear that this area has not been adequately maintained. Its aesthetic potential has been completely ignored. It is a mess.

Groundwater and Liquefaction

The latest report from ABAG indicates that 1509 El Camino Real sits in an area that is highly susceptible to liquefaction in the event of an earthquake, particularly one along the San Andreas Fault, less than a mile distant. The developer's answer to this hazard is to set the building on piers. Groundwater is prevalent in this area. Bore holes found water at 7 feet and at 12 feet. How will groundwater be prevented from collecting around and under these piers? Will sumps be used to drain this and other groundwater? The developer's current plans call for all drainage to be directed to the box culvert which sends Mills Creek under El Camino Real. This culvert is maintained by CalTrans, and has always been an issue of concern and contention, as maintenance is minimal at best. The dimension of this box culvert is 8 feet by 13 feet. The dimension of the creek upstream is greater than this. Besides normal creek volume, several storm drains enter into it from Balboa Way and Albemarle Avenue. In some seasons, the culvert is filled with a large amount of silt and debris, which decreases its size. Under these circumstances, will it be adequate to handle added drainage?

The newest USGS quake hazard report states that liquefaction "may cause buildings to settle and move downslope or toward stream banks." So, while piers may prevent building slippage during a quake, what of all the other materials which will be added to this property?

Although this area has been removed from 100 year flood hazard maps, the Mitigated NEIR does not adequately address potentials for flooding specific to 1509 El Camino Real. We who live on the creek, who have experienced its swift and vigorous flow during storms, and who regularly inspect and maintain its banks, have a more accurate experience of what it takes to prevent disaster.

The initial Mitigated NEIR does not adequately address any of the above.

Rezoning of Creek Area

Many concerns have been raised about rezoning the portion of the lot which includes the south half of the creek. We do think that it is disingenuous to present the argument for this rezoning as mere tidying up of bookkeeping, when its sole purpose is to enhance developer profit. In its wisdom, when subdividing the Ray "Cloud" (Park), and Easton Addition blocks, Burlingame decided to allocate an R-2 designation to both sides of the creek at this location. The thinking around this decision appears to be lost to history; nevertheless, it should be respected. This petition should be denied.

Sincerely,

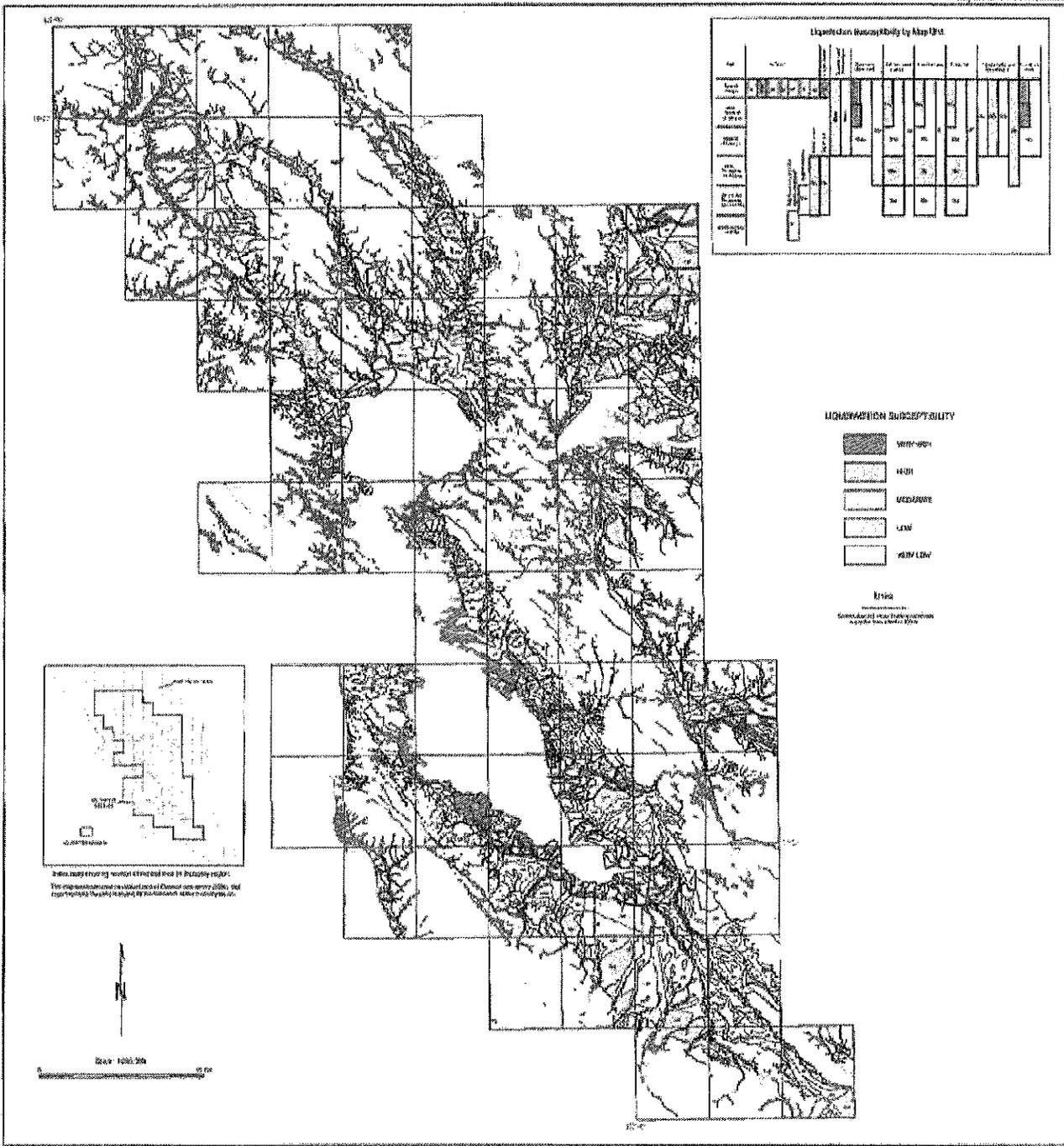

Ann and Paul Wallach
1524 Balboa Way

encl: Maps (ABAG and USGS)
Images of bank
Architectural drawing of current creek bank support
Two minute Video of 1998 flooding

<http://earthquake.usgs.gov/regional/nca/qmap/>



Creek bed is 8-9 feet below bottom of bridge



MAPS OF QUATERNARY DEPOSITS AND LIQUEFACTION SUSCEPTIBILITY IN THE CENTRAL SAN FRANCISCO BAY REGION, CALIFORNIA

LIQUEFACTION SUSCEPTIBILITY

compiled by
Robert G. Wilber, Edith L. Kinsman, Janet M. Reeves, Cyril M. Wagoner, Richard D. Koshka, and Carolyn R. Rankin
digital database by
Cyd M. Wagoner, Dennis L. Foster and Kathleen D. Gier



San Andreas-Peninsula Earthquake - Magnitude 7.2



Liquefaction Hazard Map

Liquefaction Hazard Level

-  High
-  Moderate
-  Moderately Low
-  Low
-  Major Roads
-  Local Roads

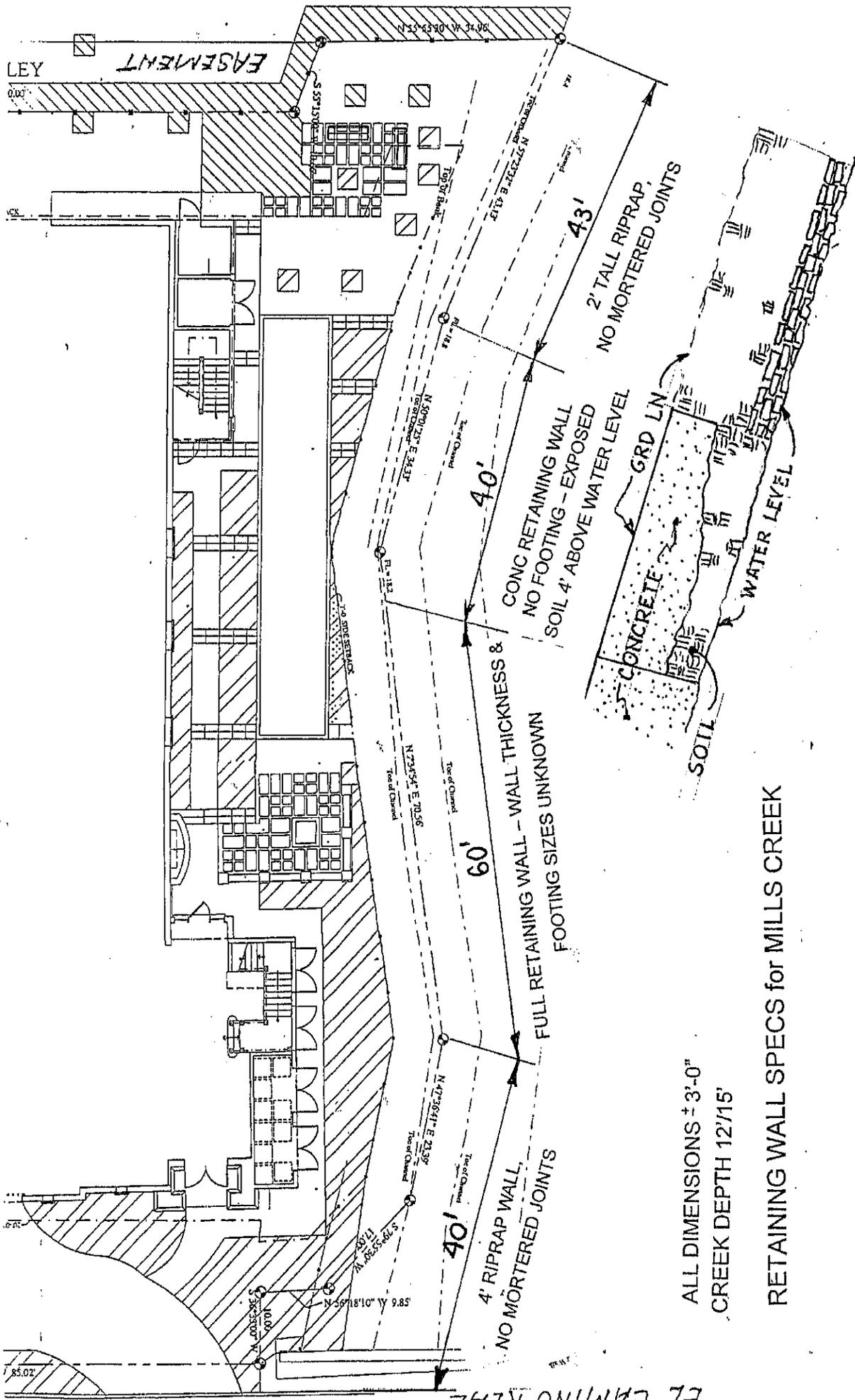


Scale: 1 inch = 0.55 miles

This map is intended for planning use only and is not intended to be site-specific. Rather, it depicts the general hazard level of a neighborhood and the relative hazard levels from community to community. Hazard levels are less likely to be accurate if your neighborhood is on or near the border between two zones. This information is not a substitute for a site-specific investigation by a licensed professional.

This map is available at <http://quake.abag.ca.gov>

Source:
ABAG, 2001



ALL DIMENSIONS ± 3'-0"
 CREEK DEPTH 12'/15'

RETAINING WALL SPECS FOR MILLS CREEK

FL CAMPING AREA



February 18, 2013

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To the Planning Commission

FEB 19 2013

1509 El Camino Real – The Trees

CITY OF BURLINGAME
CDD-PLANNING DIV.

Not so many years ago there was a grove of at least eleven mature trees on the south side of 1509 El Camino Real. Today, six remain. If this project is approved, there will be none. The developer has talked about one of the trees, the Bunya Bunya, being a hazard because of the large seeds it drops. I do think the concern would make more sense if tenants were not allowed to sit under the tree (please see attachment).

If one happens to be looking for an El Camino address anywhere else on the Peninsula, one has to be alert to the borders of each town. They all look the same. Only familiarity with landmarks can help distinguish them. One always knows when one is in Burlingame.

What makes Burlingame special has happened part by design and foresight, and part by just dumb luck. If anomalous structures are permitted to be built in its neighborhoods, Burlingame slowly will lose its character. Those who have chosen to live here know they have paid a premium to do so. It won't be long before they realize they have not gotten their money's worth.

Trees are a value to our community and to individual property owners, as well as to people who visit our town.

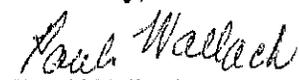
Missing from the initial Mitigated Negative Environmental Impact Report are the sociological and environmental impacts of this project on residents of north Easton Addition, Ray Park, and by extension, larger Burlingame. This is an omission which should be rectified.

Specifically missing from Mitigated NEIR

The underground mass of a tree (the roots) is generally equal to the mass of the tree above ground. When a tree is felled, the mass below dies. These dead tree roots attract termites. As noted on Page 2 of Ordinance No. 1856-2010, termites are particular hazard in our area. When a colony of termites grows too large, it sprouts wings and flies into neighboring sources of wood. This should be of concern to everyone who lives in Burlingame.

The initial Mitigated Negative Environmental Impact study *omitted* this hazard in its study. Please ensure that it is addressed.

Sincerely,


Paul Wallach
1524 Balboa Way
Att.



Ann Ross Wallach
1524 Balboa Way
Burlingame, CA 94010

February 18, 2013

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Burlingame Planning Commission
501 Primrose Rd.
Burlingame, CA

FEB 19 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

Re: 1509 El Camino Real Project

The Planning Commission response to citizen concerns that this project will be a source of new noise in the neighborhood has been insufficient thus far. In addition, the initial Mitigated Negative Environmental Report on this topic is incomplete.

Air Handler Units

The initial Mitigated Negative Environmental Impact Report addressed the potential for noise from fifteen air handler units to be located at the rear portion of the roof at 1509 El Camino Real. In order to estimate this noise, the sound engineer used the noise from four such units in operation on the roof of one of the developer's other properties. One observation was that they could be heard over the noise along El Camino Real. He extrapolated from these four to predict noise generated by fifteen such units. I question how the noise of four could accurately predict noise from fifteen. And I also hold suspect the fact that this study was done on another of the developer's properties. This section of the Mitigated Negative Environmental Impact Report is *incomplete and potentially inaccurate*.

Rooftop Party Room:

The initial Mitigated Negative Environmental Impact Report did not address potential noise from the rooftop socializing space.

This is a serious *omission*; there could be any combination of fifteen families socializing in that space, with or without guests, with the lights, the music, the conversations and laughter that usually accompanies such activities, all within 100 feet of the bedrooms of several homes. The prospect of this space is dismaying, disheartening and downright frightening.

At present, much is in the abstract. But imagine, if you will, that a new family moves next door to your home. And the family includes, for sake of argument, a couple of teenage boys. And as their belongings are unloaded you notice a set of drums, a keyboard and a couple of electric guitars. Rock band wannabees. Now, imagine fifteen new families moving onto your street, but not strung out along each side, instead concentrated in one relatively small area.

An open air space has been provided for these fifteen families to socialize, complete with kitchen and bathroom. And you would have absolutely no say about what happens in that space. Would this enhance or detract from your peace and your enjoyment of your own property?

Mr. Fellowes reports that he has had no complaints about a party room on the roof of another of his properties. He also characterizes residents as older, as frequent travelers, and for the most part absent. I believe *more objective reports* than those of Mr. Fellowes are in order, as well as a realistic evaluation of how the two sites differ in significant ways. As an example, he cites a building which is adjacent to a major commercial area with nighttime activities, whereas 1509 ECR is surrounded on three sides by a bedroom community. Traffic on El Camino becomes very light after dark and the small commercial businesses on the south side are closed at night.

Bocce Court

Everything that I have already indicated applies to the project's bocce court. This is another source of noise which hasn't been addressed by either the Commission or the Mitigated NEIR.

All of these are inducements to enhance sale ability of Mr. Fellowes' project and his profit. Whatever happened to the sentiments expressed by the earlier Commission, which told him that the Commission was "not in the business of maximizing developer profit?" And since when did residents' peace of mind get into the business of maximizing a developer's profit? In addition, I cannot imagine a scenario where all of the above will maximize the sale ability of, or profit from my home.

In its evaluation of noise, the initial Mitigated Negative Environmental Impact Report *omitted* the topics of the rooftop socializing space and bocce court completely, and therefore this section of the report is *incomplete*. Please see attachment with excerpts from noise section of initial Mitigated NEIR. Note that a decibel spike was attributed to loud conversation of a building resident. What about the noise level from fifteen, twenty, thirty or more residents on the roof or at the bocce court?

I would characterize the entire document as more "boiler plate" than factual and realistic. And specifically, the noise topic needs to be revisited.

Sincerely



Ann Wallach
1524 Balboa Way

att: Excerpt from Mitigated Negative Impact Report

To assist in modeling future noise associated with the proposed rooftop-mounted heating, ventilation, and air-conditioning (HVAC) system, an additional measurement was taken between 1402 hours and 1417 hours on Wednesday, October 24, 2012 at an HVAC system located on the roof of an existing residential condominium building at 1226 El Camino Real. During this measurement, noise from the HVAC system was barely audible over the traffic noise from El Camino Real and construction/maintenance-related noise. Maximum noise levels recorded at the HVAC location were attributable to intermittent loud conversations by condo residents and overhead aircraft. The average (L_{eq}) noise level is more representative of the noise from the HVAC system (see exhibits in appendices for photos of HVAC noise monitoring).

The results of the noise level measurements are provided below in Table 5.

Table 5: Existing Noise Level Measurements

Site Location	Description	dBA L_{eq}	dBA L_{MAX}	dBA L_{MIN}
Site 1	Located in front yard of the property, northeast side, along El Camino Real	68.6	85.7	49.2
Site 2	Located on southeast side of property, near fencing in patio/yard area. 15 feet from fencing	57.9	72.2	46.3
Site 3	Located northwest side of property, near drive/parkway. Located 15 feet from fence.	57.5	69.2	45.4
Site 4	Located along southwestern side of property, in patio area. 15 feet from complex	44.3	51.5	40.1
Roof of Complex at 1226 El Camino Real	Bank of nine HVAC units on the roof located on the west side of the complex, shielded by 5 foot parapet and roofing on three of the four sides. 4 units were running at time readings were taken. Monitor was located 15 feet below the ledge* and a distance of 20 feet, approximately 25 feet from the elevated source.	55.9	72.7	48.7
Notes: * Readings were taken 15-feet below the ledge because the area was fenced-in and inaccessible. In addition, the readings were taken as close to the sources as possible without sources being shielded. Source: City of Burlingame, 2012.				

- a) **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Less Than Significant Impact. According to General Plan Noise Element Table 4-2, Outdoor Noise Level Planning Criteria on page N-27, the acceptable noise level for Public, Quasi Public, and Residential Land Uses (sensitive uses) is up to 60 dBA community noise equivalent level (CNEL). The interior noise level standard is 45 dBA CNEL in any habitable room, with windows closed.

CD/PLG-Hurin, Ruben

From: CD/PLG-Meeker, William
Sent: Tuesday, February 19, 2013 8:59 AM
To: David Cauchi (dcauchi@kiddermathews.com); 'Jeanne Davis'; Michael Gaul; Richard Sargent (rich@sargentconstruction.com); Richard Terrones; Sandra Yie; Tim Auran
Cc: CD/PLG-Hurin, Ruben
Subject: FW: 1509 El Camino

FYI... More to come.

William Meeker, Director
Community Development Department
501 Primrose Road – Second Floor
Burlingame, California 94010-3997

E-Mail: wmeeker@burlingame.org
Web: www.burlingame.org
PH: (650) 558-7255
FAX: (650) 696-3790

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FEB 19 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

-----Original Message-----

From: Don Crosatto [<mailto:dcrosatto@icloud.com>]
Sent: Monday, February 18, 2013 9:35 PM
To: GRP-Planning Commissioners
Subject: 1509 El Camino

I was born in Peninsula Hospital and have lived in North Burlingame most of my life. I've seen quite a few changes. My father has lived here for 86 years and has seen many more. While we can't preserve the town just as we remember it, neither should we throw away what makes it special in order to make a few bucks.

At one time, the corridor of trees covered El Camino from San Mateo to San Bruno. While San Bruno and Millbrae are nice enough, you can instantly tell when you leave Burlingame and enter Millbrae. Trees are a huge part of what makes this community so distinctive (and supports higher property values). The proponents of this project will object that we are only talking about five trees out of hundreds on El Camino. But where do you draw the line? How do you say NO to the next developer who wants a four story project that would remove eight trees?

The simple truth is, you can't. If El Camino had been undeveloped until recently, some of the uglier buildings there now would never have been approved. The proposed development is in the wrong place at the wrong time. Please vote No.

Sincerely,

Don and Paula Crosatto
1444 Bernal Ave.

CD/PLG-Hurin, Ruben

From: CD/PLG-Meeker, William
Sent: Tuesday, February 19, 2013 8:59 AM
To: David Cauchi (dcauchi@kiddermathews.com); 'Jeanne Davis'; Michael Gaul; Richard Sargent (rich@sargentconstruction.com); Richard Terrones; Sandra Yie; Tim Auran
Cc: CD/PLG-Hurin, Ruben
Subject: FW: Proposed development at 1509 El Camino Real

FYI...



William Meeker, Director
Community Development Department
501 Primrose Road – Second Floor
Burlingame, California 94010-3997

E-Mail: wmeeker@burlingame.org
Web: www.burlingame.org
PH: (650) 558-7255
FAX: (650) 696-3790



From: Habelt [<mailto:habeltfamily@gmail.com>]
Sent: Sunday, February 17, 2013 9:32 AM
To: GRP-Planning Commissioners
Subject: Proposed development at 1509 El Camino Real

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FEB 19 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

Dear Planning Commission:

We are writing to express our deep concerns about the proposed development referenced above.

The size and scope of this project is totally out of character for the neighborhood. Not even on El Camino are other projects this tall. This is not a commercial area, it is a residential area.

While I am not against a developer earning a profit on his endeavors, I do object to a developer profiting at the expense of all the surrounding homeowners losing property value. There are probably 10 or more homeowners who would directly lose property value (not to mention privacy) due to a huge development peering down at their yards and porches. The purpose of a development should enhance the community, not the opposite.

I also understand that many cities need to incorporate "infill" or high-density housing near urban transit centers. However, this project is about a mile from the transit center of Bart/CalTrain, so I do not believe it falls into the relevant category.

In reviewing the plans, it appears that the developer is planning for everyone to drive compact cars. I am not sure that California is at that point for a long while, certainly I have not observed this in Burlingame. In fact, I don't even see storage areas for things like bicycles on the plan, outside of perhaps the balconies? My experience of living on Balboa Ave for a dozen years is that we experience lots of overflow parking, both from Adeline Plaza employees as well as current El Camino apartments/condos with insufficient parking garages.

Finally, I have already written to the City regarding the trees on this lot. These trees mark the entrance to Burlingame for me, "City of Trees". It is not clear on the plans how these will be protected. It would be a shame to lose these, so many have already been cut along El Camino.

Thank you for your attention to this.

Konrad & Christina Habelt
Homeowners of 1509 Balboa Ave

CD/PLG-Hurin, Ruben

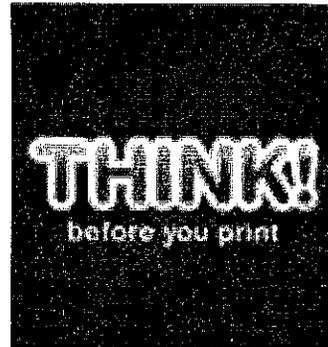
From: CD/PLG-Meeker, William
Sent: Tuesday, February 19, 2013 9:00 AM
To: David Cauchi (dcauchi@kiddermathews.com); 'Jeanne Davis'; Michael Gaul; Richard Sargent (rich@sargentconstruction.com); Richard Terrones; Sandra Yie; Tim Auran
Cc: CD/PLG-Hurin, Ruben
Subject: FW: Oppose current scale of new condo on El Camino near Adeline

FYI...



William Meeker, Director
Community Development Department
501 Primrose Road – Second Floor
Burlingame, California 94010-3997

E-Mail: wmeeker@burlingame.org
Web: www.burlingame.org
PH: (650) 558-7255
FAX: (650) 696-3790



From: gilmore.carolehall@comcast.net [mailto:gilmore.carolehall@comcast.net]
Sent: Saturday, February 16, 2013 11:22 AM
To: GRP-Planning Commissioners
Subject: Oppose current scale of new condo on El Camino near Adeline

RECEIVED

FEB 19 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

Hello,

I'm the daughter of Jeannie Gilmore, former Beautification Commissioner for many years. I do not approve of any project which includes cutting down multiple mature trees, nor any building so tall that it obscures the sun of neighbors. If some company wants to make huge profits while damaging the views, sunlight, trees, and increasing traffic of neighbors (thereby lowering those property values) then it is a BAD DESIGN which must NOT be allowed to permanently blight Burlingame property values in that specific area.

Furthermore, it's already difficult for renters and condo owners located on El Camino to merge into traffic: They want to head out, or back out, but flowing traffic makes it difficult. Finally, when the light turns yellow, there may be so many cars slowing down that they are blocked yet again! To increase traffic in the already crowded area of Adeline and El Camino by adding multiple family dwellings which are way too tall – ruining the site lines of existing neighbors, and ruining the profile of the neighborhood from street views -- is unacceptable.

Any on the Planning Commission who think this plan is acceptable need to be removed from their posts! Please, please point out all the problems and request that a NEW DESIGN be submitted which will:

- Create more open space, less building walls on this lot
- Reduce the height of the building drastically
- Reduce traffic congestion by reducing both the total population of new residents plus reducing number of cars trying to exit to El Camino; they should have multiple in/out driveways, with a main driveway exiting onto Adeline.

If commercial builders claim they can't make a "decent profit" after scaling down this hideous design, then inform them that their project is just not feasible AT THIS LOCATION. Let them try building a single family home on this site: This home would be near Ray Park, near Lunardi's shopping area + the hospital; near freeways and BART, also walking distance to Burlingame Village Park, and at the outskirts of a quiet and lovely neighborhood. Neighbors would welcome a lovely new home in this area, rather than multiple family dwellings.

Regards,
Carole Hall Gilmore (Burlingame Resident)

CD/PLG-Hurin, Ruben

From: CD/PLG-Meeker, William
Sent: Tuesday, February 19, 2013 12:59 PM
To: David Cauchi (dcauchi@kiddermathews.com); 'Jeanne Davis'; Michael Gaul; Richard Sargent (rich@sargentconstruction.com); Richard Terrones; Sandra Yie; Tim Auran
Cc: CD/PLG-Hurin, Ruben
Subject: FW: 1509 El Camino Real Condo Project - Preferrably, no.

FYI...

William Meeker, Director
Community Development Department
501 Primrose Road – Second Floor
Burlingame, California 94010-3997

E-Mail: wmeeker@burlingame.org
Web: www.burlingame.org
PH: (650) 558-7255
FAX: (650) 696-3790

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FEB 19 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

-----Original Message-----

From: Patrick Nagle [<mailto:wpnagle@aol.com>]
Sent: Tuesday, February 19, 2013 12:10 PM
To: GRP-Planning Commissioners
Cc: Patrick Nagle
Subject: 1509 El Camino Real Condo Project - Preferrably, no.

Please add my name to the petition AGAINST the 1509 El Camino Real Condo Project. I live at 1317 Balboa Avenue, Burlingame 94010. I grew up in Burlingame and attended Our Lady of the Angels in my youth.

Thanks,

Patrick Nagle
1317 Balboa Ave, Burlingame, CA 94010
AGAINST the Condo development project.

CD/PLG-Hurin, Ruben

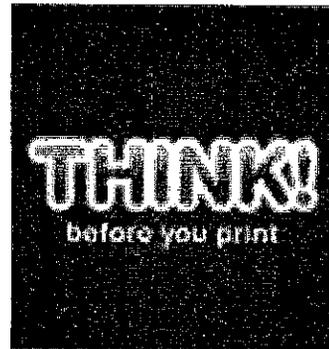
From: CD/PLG-Meeker, William
Sent: Tuesday, February 19, 2013 2:54 PM
To: David Cauchi (dcauchi@kiddermathews.com); 'Jeanne Davis'; Michael Gaul; Richard Sargent (rich@sargentconstruction.com); Richard Terrones; Sandra Yie; Tim Auran
Cc: CD/PLG-Hurin, Ruben
Subject: FW: Oppose 4 story Condo at Adeline / El Camino

FYI...



William Meeker, Director
Community Development Department
501 Primrose Road – Second Floor
Burlingame, California 94010-3997

E-Mail: wmeeker@burlingame.org
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From: James Wald [<mailto:pasta@yahoo.com>]
Sent: Tuesday, February 19, 2013 2:52 PM
To: GRP-Planning Commissioners
Subject: Oppose 4 story Condo at Adeline / El Camino

Hello,
I just want to urge you to oppose the 4 story condo complex in northern Burlingame at Adeline Dr. 3 stories should be sufficient in keeping with the look of the neighborhood. Also, why will trees have to be destroyed to build this structure? Certainly, there must be an architect who can incorporate the trees, especially the old ones, into the new building.

Thank you for reading this.

Sincerely,

James Wald
Burlingame resident

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FEB 19 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

February 19, 2013

Planning Commission, City of Burlingame
City Hall
501 Primrose Road
Burlingame, CA 94010

Re: **Proposed Development at 1509 El Camino Real, Burlingame**

Dear Planning Commissioners:

We have major concerns to the above-referenced project and vehemently object to it proceeding as currently proposed. We are against any variance being given to allow any additional height or size. We object to heritage trees being destroyed. Our City is quickly loosing the ambience it has always been known for.

When entering Burlingame from the north, after passing the Burlingame Plaza area and the hospital you quickly notice that the area transforms into what Burlingame stands for, a beautiful residential area lined with trees. Even the existing apartment buildings in the area fit in. The corner of Adeline and El Camino has a 2 story apartment building with below street level parking - that building does not protrude into the sky anywhere like the proposed, much to tall, development would. The proposed development is simply **too large and too tall.**

Parking is already inadequate and a big problem in the area with an always busy park and school in very close proximity. A development of this size would make the parking problem intolerable for the area residents.

We also are concerned about any removal of trees. Burlingame is quickly loosing its "City of Trees" look. The beautiful views that the neighborhood has always enjoyed will be lost - replaced by a giant, much too large, structure.

We trust that the City and its Commissions will think about the tax paying residents when making any decisions on this matter. More importantly, think about maintaining what Burlingame is all about, a beautiful residential community - not one full of monster developments. **This development needs to be scaled back.**

Respectfully,



William G. Cerna, Jr.
1457 Balboa Avenue
Burlingame, CA 94010



Donna Lema-Cerna

cc: City Council

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FEB 20 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

Date: February 16, 2013

To: City Planning Commissioners

CC: City Council

From: Gabriel Dalporto

Subject: Opposition to 1509 El Camino Real Construction Project

Dear Planning Commissioners,

I am writing to strongly oppose the building proposed at 1509 El Camino Real. I have lived in Burlingame for the past 6 years. Last year, I decide to invest further in the community by spending \$1.8MM to purchase a new home and by opening an office on Burlingame Avenue that employs 25 highly paid, highly skilled professionals. I did so because of the charm and character of Burlingame. This project will materially change the character and vibe of the area.

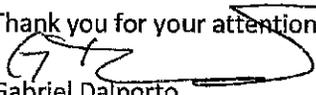
I would like to emphasize that I am not opposed to development on this site, but this specific proposal is going to have serious negative impacts on the community.

My objections are based on several points:

- First and by far the most important is that the proposed construction is massive and way too high. A five story building on El Camino is almost without precedence, and will substantially change the interaction between the apartments on El Camino and the neighboring residential area. This monolith will tower over the neighborhood, and be visible from my porch 1.5 blocks away. It will also be visible much deeper into the neighborhood than my house. That will have an immediate and negative impact on the community and property values. Nobody wants to purchase a \$2MM house with a humongous apartment building visible from their porches and windows. Imagine the massive destruction in property value from the existing community that this development will create.
- The size of the development will cause traffic congestion. The intersection of El Camino and Adeline is already highly congested.
- The size of the development and associated visitors will cause major parking issues. Balboa is already tightly packed with cars from the other apartment complexes. This will cause material inconvenience to the existing home owners in our neighborhood.

There is a really simple solution to all of these major issues. Just make it a 3 story building, consistent with other buildings on El Camino. Under this solution, like other apartments, it will not be visible from the neighborhood. It will not change the fundamental character of Burlingame. And it will lessen the parking and traffic issues.

Thank you for your attention to this serious matter.


Gabriel Dalporto
1453 Balboa Avenue
Burlingame, CA 94010
650.477.2724

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FEB 20 2013

CITY OF BURLINGAME
ODD-PLANNING DIV.

Date: February 16, 2013

To: City Planning Commissioners

CC: Burlingame City Council

From: Deva Dalporto

Subject: Opposition to 1509 El Camino Real Construction Project

Dear Planning Commissioners,

I am writing to oppose the building proposed at 1509 El Camino Real. I am not opposed to development on the site, but believe the building proposed is far too tall and large and will alter the character of El Camino and Burlingame. I am concerned about the impact such a project will have on the Easton Addition neighborhood and on my property value. The scaffolding they have erected is visible from my home blocks away and is a large eyesore from the top floor of my home. I am also very concerned about the rumored removal of 100+ year old trees. As the "City of Trees" I would hope Burlingame will live up to its name and protect our natural resources.

I strongly urge you to reconsider this project and downsize it's height considerably so that it is in alignment with the other structures on El Camino and protects the character, house values and charm of Burlingame.

Thank You



Deva Dalporto
1453 Balboa Avenue
Burlingame, CA 94010
650.477.2724

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FEB 20 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

Audet & Partners, LLP
Attorneys-at-Law

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FEB 20 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

February 20, 2013

Via Email, Facsimile Transmission and U.S. Mail

650-696-3790 (fax)

RHurin@Burlingame.org

Council@Burlingame.org

PlanningCommissioners@Burlingame.org

Burlingame Planning Commission
501 Primrose Road
Burlingame, CA 94010-3997

Attention: Rubin Hurin

RE: 1509 El Camino (Proposed) Project

As a resident of Burlingame, California, and a homeowner near the proposed project, on behalf of myself and my family, I have reviewed the Negative Mitigated Declaration ("NMD"), and believe that the NMD contains a number of inaccuracies and conclusions that are unsupported factually and legally. As such, the Project must be rejected as currently proposed.

The 1509 El Camino Project requires issuance of a EIR, not a mitigation report. First and foremost, consistent with CEQA Guidelines (section 15064), an EIR is required for this project, due to the controversial nature of the project. The failure to mandate a EIR, as opposed to a Negative Declaration, as was done here, violates these Guidelines, and other provisions of CEQA. The current NMD in fails to properly make full public disclosures of the project and fails to provide

“alternatives”, as otherwise required under CEQA. Failure to issue a EIR in light of the circumstances of the project requires a rejection of the project as currently proposed. *See*, California Public Resources Codes, section 2100, *et seq.* Accordingly, on this grounds alone, the Commission cannot approve of this Project and approval of the project based on the current NMD will be subject to potential litigation under CEQA.

The NMD contains factual and legal errors, and as such, the project cannot be legally approved by Commission (or the City Council).

For the record, I note that the time frame for responding to the NMD is too short, fails to provide sufficient due process to interested parties, especially in view of the fact that a transcript of the prior hearing has yet to be available publicly. Accordingly, I and other residents request more time to respond, and to otherwise supplement the record, regarding this Project. In the meantime, in light of the errors in the report, the Planning Commission cannot approve of this Project at this time. Among other issues, I note the following:

1. The NMD fails to comply with guidelines and restrictions on Building Projects along El Camino in Burlingame. The Planning Commission's own permit guidelines limit condo/apartment buildings to a maximum of 2 to 3 floors. The NMD simply ignores Planning Commission rules and restrictions. The NMD improperly grants additional floors (ie, two) in 'exchange' for two below market price units. The NMD, for reasons unexplained, improperly approves of the additional floors in exchange for the two "below market units" that are set aside by the developer. The law does not allow for such an exchange, especially, where, as here, no units in that area are above three floors and most houses are one and two story single family homes

2. The NMD's reference to 'urban context' along El Camino is factually unsupported with respect to the area in which the project is located. The pictures submitted with the NMD themselves establish that the entire two block area along that stretch of El Camino is one/two story single housing units. The massive new project is two extra stories when compared to the other structures along that

stretch of El Camino. The approval of this Project will allow for other developers to seek similar four/five story projects and once this is approved, others will argue for allowing similar structures. Indeed, the NMD's reference to the "urban context" reveals an unfortunate bias in favor of development at the price of character and charm otherwise found in most areas along El Camino. Indeed, driving south on El Camino at the start of the area after the hospital if anything is currently an oasis of trees, and one/two level homes. Approving this four level building would start the trend of degrading the current charm and rural feel that makes Burlingame unique and inviting.

3. The NMD fails to in fact take into account the protected status of the trees that will be destroyed if the project is approved by this commission. The NMD essentially relies on the fact that a permit was issued to remove the protected trees, pending "Project" approval. The NMD then argues that because the permits have been issued, the tree removal issue is rendered moot. This is legally incorrect. *First*, the tree removal permitting process was not done in accordance with appropriate notice and citizen review or appeal process. See Municipal Code Section 11.06.060 (c). *Second*, the fact that the permit was issued does not render the full consideration of the environmental impact of removal of protected trees moot. Yet, the NMD implies that because the permit was issued, full consideration of all issues relevant to tree removal need not be addressed by the NMD. However, the tree permit was clearly issued with the assumption that the tree issue would be considered in any future EIR or, here, Mitigation Report. Again, the tree removal was allowed only after full consideration of all issues, including whether the trees could be removed consistent with Burlingame Guidelines and Burlingame General Policy (an issue not considered in issuing the permit). Had the permit been issued without any conditions, the permit would have so indicated. For the Commission here to simply approve the tree removal on the assumption that the permit was unconditional is contrary to the record. *Third*, the tree removal, especially of the protected trees, is inconsistent with Burlingame's General Plan, and contrary to the overall esthetic character of the

street and the neighborhood. See 1969 General Plan and Burlingame's municipal code (section 11.6).

4. The NMD fails to address what changes have been made to the project to override this same previously rejected plan of 2007. The NMD mentions, but fails to address directly, why the current plan, which is for additional floors and more space, should be approved at this time when a smaller project was rejected in 2007. Failure of the NMD to discuss, in detail, why the larger, more recent project should be approved when the 2007 plan for a smaller project was rejected, is a fatal flaw in the report. Indeed, for the Commission to now adopt this plan would likely mean that, any project rejected by a different panel will later be subject to approval over the passage of a short time. It is the burden of the developer to show why the prior rejected plan should be approved at this time, and further for the developer to establish why a larger plan should be accepted. The NMD fails to establish that the burden has been met by the developer.

5. The NMD fails to address the issue of the displacement of the current residents. The new, 14 unit place will displace long time residents of Burlingame, and ruin the fabric of that neighborhood with 'new' high end expensive condo units. The NMD essentially indicates that units can be found in Burlingame, but fails to actually provide proof that these middle income long time tenants have any accommodations once the current place is demolished. No plans have been proposed to deal with these residents, many of whom appear to have limited economic means, but who clearly are part of what makes Burlingame a mixed and diverse community. These issues are not considered and simply overlooked in the NMD. No evidence has been submitted regarding how these long time tenants will be able to stay in Burlingame, or what opportunities the developer has offered to these tenants. Failure to consider the impact on these residents may actually invite potential litigation over the civil rights of these residents, as clearly the replacement tenants will be of a higher economic status given the market value of said new units.

6. The NMD fails to reflect prior Guidelines, the Burlingame General Plan, and currently in place Codes. Among other issues, the NMD fails to reference a number of prior guidelines and/or recommendations issued by prior Planning Commissions and/or City Council and/or reports issued for or by said entities. For example, the NMD fails to reference the City of Burlingame Housing Element Report for 2009-2014, including concerns raised in draft reports and community input for said Element Report. The Element Report references the fact that Burlingame is forcing out certain economic strata families, such as those currently living in the 11 units that will be razed along with the protect trees, if the Commission approves this Project. The Element Report also references the need to protect the character of existing residential neighborhoods, and, *inter alia*, ‘Maintain rental opportunities by discouraging conversion of affordable rental units to condominiums.’ See Table VI, Element Report. The NMD here, submitted to this Commission, fails to incorporate or otherwise comply with prior reports, guidelines and even city Codes.

7. The NMD fails to accurately reflect the “aesthetic” impact of the four story development. CEQA Guidelines require that *any* negative impact on “aesthetics” is deemed a “significant environmental impact under CEQA. Yet, the NMD fails to properly consider the negative impact on aesthetics or to otherwise consider mitigation requirements. The removal of protected trees, and the four story structure itself, is, *per se*, a significant impact on aesthetics. See, Burlingame General Plan (multi family units should be 2 to 3 stories in height).

In light of the above (and in conjunction with the issues raised by others to the Commission), it is respectfully submitted that:

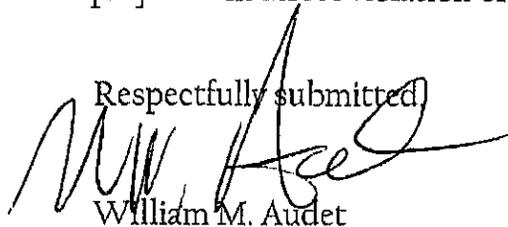
1. Failure to require an EIR was an abuse of discretion. The Project, as currently proposed, has a significant effect on the environment, as defined by California Code.

2. Acceptance of the NMD is an abuse of discretion.
3. Granting the amendment to allow for medium high density is an abuse of discretion.
4. Rezoning the property to R-3 is an abuse of discretion
5. Issuance of conditional use permit as requested would be an abuse of discretion.
6. Granting lot combination in the current format is an abuse of discretion.

Accordingly, any action by this Commission except to reject the current proposed project, is an abuse of discretion and subject to appropriate court challenge on a host of grounds, including the above. The Commission is the watchdog for the community, and to rubber stamp the project, as currently proposed, is to abdicate the Commission's obligation to carefully consider developments of this nature. The Project is out of character with the area, with that stretch of El Camino and only contributes to the urban encroachment of Burlingame. Failure to require that modifications be made to the proposed project would be an abuse of discretion, as the current project, involving rezoning, removal of protected trees, displacement of a dozen families, without any significant benefit, is an abuse of discretion.

In addition to abuse of discretion noted above, if the Project is adopted, in whole or part, by the Commission or the City Council, then the Commission and/or the City has failed to act in the manner required by law and failed to properly describe, analyze, mitigate and find alternatives for significant and potentially significant impacts on the environment in the NMD. Furthermore, as noted above, failure to require a EIR for this project is in direct violation of CEQA.

Respectfully submitted,



William M. Audet

February 20, 2013

RECEIVED

To: Burlingame Planning Commission Members
Cc: Burlingame City Council, Burlingame Planning Department

FEB 20 2013

Members of the Planning Commission,

CITY OF BURLINGAME
CDD-PLANNING DIV.

Subsequent to the Jan 28, 2013 Planning Commission hearing on the proposed project at 1509 El Camino Real, I had a chance to review the Initial Study/Negative Mitigated Declaration ("IS/NMD" or "NMD") documents prepared by the Burlingame Planning Department as well as CEQA guidelines for ascertaining whether a Negative Mitigated Declaration has appropriately addressed all the relevant environmental impacts of this project.

I do not believe that the threshold for a Mitigated Negative Declaration has been met per CEQA guidelines and the IS/MND cannot stand as a basis for CEQA compliance. CEQA requires a "fair argument" test as an effective determination whether there is sufficient evidence to support a fair argument that the proposed project may have significant environmental impacts. There exist numerous fair arguments that the proposed 1509 El Camino Project will have a substantial effect on the environment. Therefore I am providing evidence supporting the following:

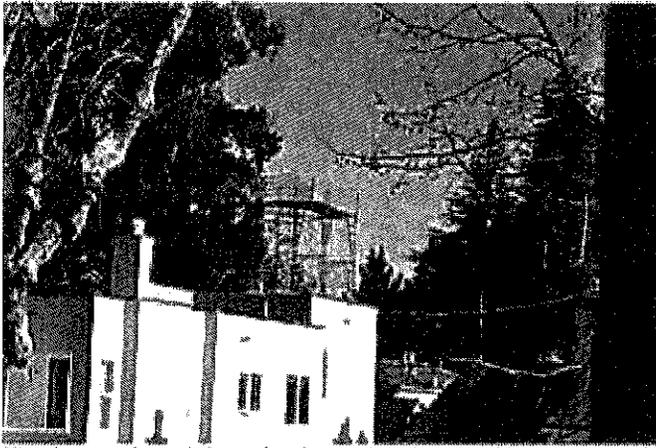
- That the IS/MNG omitted several potentially significant environmental impacts;
- Several of the environmental impacts identified and deemed to be "sufficiently mitigated" by the City of Burlingame Planning Dept. do not appear to be sufficiently mitigated when using a fair argument and reasonable person standard in evaluating the body of evidence.

I request that a more comprehensive full Environmental Impact Report be conducted incorporating all environmental issues for which there exist fair arguments identified by the community in the categories discussed below: I) Aesthetics; II) Land Use/Planning; III) Biological Resources--Trees and Tree Ordinance; IV) Transportation/Traffic/Parking; V) Other items with potential environmental significance (creek retaining wall repair/erosion remediation, population/housing, noise, earthquake safety).

Furthermore, due to the material deficiencies of the IS/NMD, I request that the Commission deny the adoption of the MND and deny without prejudice approval of the 1509 El Camino project as currently proposed.

I. Aesthetics

- The NMD asserts that the performed visual simulations demonstrate that the mature landscaping along Mills Creek and the rear of the building shield the structure from the surrounding residential neighborhoods and the project would not degrade the visual character of the site and its surroundings. With the story poles/scaffolding now up, the proposed project would substantially degrade the visual character of the neighborhood, including the view from my front window (see below), where the view of the trees and sky have been replaced with an unscreened building that lacks proper articulation on the rear elevation and completely sticks out vs the 1 ½ story homes across the street.



View from my front window (taken from an SLR Camera, with no zoom and shows exactly what the human eye would see).

- NMD Report states that character of project area is largely composed of man made features. In Contrast the Planning Commission in 2007 (when reviewing a prior application that was withdrawn for the property) stated that the groves of trees surrounding the property defined its character and that any project should pay respect to that character and preserve the trees. There is no observable difference as to what defined the current property now vs 2007.
- Project visual simulations have only taken a few views from angles that are fairly favorable to the project; Visual simulations of the building looking south on El Camino Real and across the street on El Camino real do not depict any the "before" pictures and are misleading. As one can see below, the visual character of this section of El Camino Real is also substantially altered by the project.

Before:



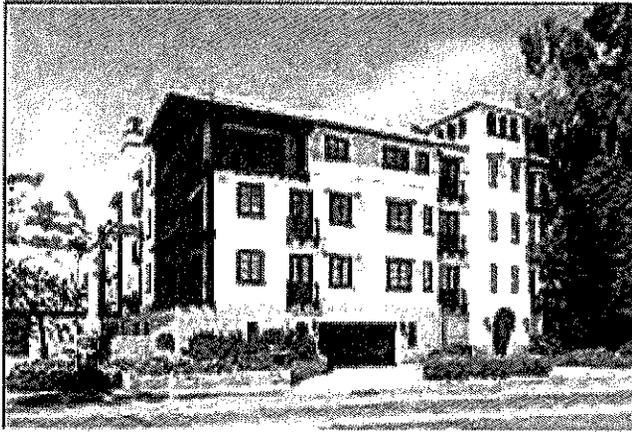
After:



Before:



After:



- There are legal precedents establishing the importance of aesthetics in an environmental review. In a court case addressing the meaning of “aesthetic effects”, *Quail Botanical Gardens Foundation, Inc. v. City of Encinitas* (29 Cal.App.4th 1597, 30 Cal.App.4th 935C) the court addressed the issue of whether an impact upon view is a significant impact under CEQA. The court found that “the CEQA Guidelines essentially establish a rebuttable presumption that any substantial, negative aesthetic effect is to be considered a significant environmental impact for CEQA purposes.” The court further concluded “it is inherent in the meaning of the word ‘aesthetic’ that any substantial, negative effect of a project on view and other features of beauty could constitute a ‘significant’ environmental impact under CEQA.”

- Taken together the evidence above depicts a significant visual and aesthetic environmental impact, contrary to the NMD’s assertion of a less than significant impact.

II. Land Use and Planning

- The IS/NMD did not acknowledge the 2007 Planning Commission concerns with respect to the zoning, land use and planning circumstances under which a previous application for a smaller 3-story project was deemed “unapprovable” at the time (project was withdrawn by the applicant). While it is recognized that the current project is *de novo* application vs the 2007 proposal, the land use and planning facts and circumstances taken into consideration by the Commission in 2007 do not appear to have changed in 2013. These circumstances include limitations on the subject property with respect to neighborhood transitions, environmental impact on neighbors, size/massing, height in rear of property, retaining the tree groves on the property that define its character. The fact that the 2007 Planning Commission brought up land use and planning concerns for a prior project constitutes a fair argument these are environmentally significant and should be addressed by a more comprehensive EIR and would have greater weight in assessing the current proposal given it is larger, taller, and more massive.

- The NMD states that the proposed project is “in line with the more urban context of El Camino Real.” While this is true for the southern portions of ECR within Burlingame’s boundaries, a reasonable person would conclude that the project completely stands out vs every other existing multi-family building within the visual vicinity of the proposed project, which are 2-3 stories in stature and include both homes and apartments/condos.

- The single family homes across the street (all 2 story), which are a key component of the visual environment, would be dwarfed by a height factor of 2x-3x the size of the proposed building.

- The Burlingame General Plan states that multi-family development should be "2-3" stories in height but may be higher if "appropriate." With the proposed project however, the context of the surrounding neighborhoods and other multi-family buildings within the El Camino Real visual vicinity would argue for an "appropriate" height of 2-3 stories vs the proposed project's 4-5.

- The existing site is currently defined by trees, not by a man-made structure (as claimed by the NMD). With the proposed development, the site would unequivocally be defined by a man-made structure and not be reflective of the City of Burlingame General Plan's goal of using trees of "appropriate size and character as a design framework to enhance a sense of identity."

- The NMD report effectively "segments" subject property as only part El Camino Real neighborhood, as it does not describe any potential impacts to the Easton/Ray Park neighborhoods including Balboa/Adeline traffic, parking, Lincoln school (recently expanded, higher enrollment), Ray Park activities (which occur 6 days of the week). One Planning Commissioner during the January 2013 meeting acknowledged the project is actually part of three neighborhoods: El Camino, Easton Addition, and Ray Park.

- Dozens of residents of from different neighborhoods in Burlingame and Hillsborough signed a circulated petition opposing the project; This acknowledges that the scope and character of the proposed project would sufficiently alter the visual landscape of El Camino Real, Easton Addition, and Ray Park in a way that affects several communities beyond the minimum notification ascertained as the relevant area by the Burlingame Planning Dept.

- The justification in rezoning the R2 part of the subject property to R3 relies upon the history as described by Mr. Fellowes in the IS/NMG and public testimony and is purported to be an "oversight," "mistake", or "clean-up item" associated with the transfer of title of the R2 portion of the subject property that was once was part of an adjacent R2 property off of Albermarle. A transaction resulting in a title change should not automatically mean that the R2 portion of the subject property needs to be rezoned, particularly because it wouldn't make sense to build an R3 structure on that property, as it mostly contains a creek and tree groves. The only real reason the R2 portion of the property needs to be "cleaned up" per the developer is to build a larger building. The City of Burlingame Planning Department should conduct a thorough analysis of the reasons/intent of why the R2 portion of the property was zoned as R2 and not subsequently changed thereafter.

- In Mr. Fellowes' request for rezoning, he presents Land Use Maps to assert his R2 to R3 zoning arguments. Land Use maps cannot be relied upon for any zoning decisions; Platt maps need to be used instead, which were not part of the IS/MND.

- I brought up reasonable objections to the subject property's land use and planning in both the 2012 and 2013 Planning Commission meetings, with respect to neighborhood transitions, project design and planning violating Burlingame's own Architectural and Design guidelines, size/scale, parking/traffic (July 9 2012, Jan 28 2013 Planning

Commission meeting minutes). In my email and verbal comments to the Planning Commission,

- My email to the Planning Commission prior to the January 2013 meeting is attached as Appendix A

III. Biological Resources: Trees & Tree Ordinance

- The NMD report implies that Bunya-Bunya is excluded from being considered part of the "Tunnel of Trees" / El Camino Real "Scenic Highway" that have a special protected status in the city of Burlingame. However, a reasonable person in observing the tree would clearly see that the branches/foliage is part of the El Camino Real "Tunnel"/"Canopy" right along with the Eucalyptus (which do have protected Tunnel of Trees/Scenic Highway status) and the tree is within 50 feet of El Camino Real. Therefore, the Bunya-Bunya tree should enjoy the same protected status as the Eucalyptus.

- The NMD does not indicate any potential historical significance of the Bunya-Bunya tree. I contacted The Burlingame Historical Society about information about Bunya trees in the area (an email exchange with Jennifer Pfaaf 2/11/2013, attached as Appendix B). It turns out that the tree is likely to be in excess of 100 years old and may be one of the few surviving examples of Bunyas in the area. Most of the Bunyas planted by Mills were torn down as part of the Trousdale/Murchison developments in the 1950s/60s. It is known that Mills imported many exotic species and the tree residing on the Easton side may have been an offshoot of a seed of another Bunya or part of a grove. Therefore, the tree has potentially significant environmental/historical impact that warrants further investigation.

- It is inconsistent that the Black Acacias on/near the property remain, but the unique, rare, 100-150+ yr old Bunya-Bunya tree that defines the property gets torn down.

- The tree grove to the left of the subject property slated to be removed (adjacent to Adeline Market plaza), effectively shields the subject property from this Commercial Zone. Removing that tree grove would remove the shield and result in a massive frontage on El Camino Real (Adeline market plus the proposed project) that would not be broken up by any natural or scenic features. Should the commercial area of Adeline market get further developed in the future (vacant gas station property or replacement of Adeline market plaza), there exists the potential for even a greater frontage/height that would increase the imbalance of the Northwest corner of El Camino Real and vis-à-vis the Adeline Apartments and the houses and trees across the street. Therefore the **cumulative environmental impacts** of the tree removal and implications for future development should be identified and considered to be environmentally significant.

- There is substantive evidence that the tree removal permit for the 6 trees in the grove to the left of the property (including the Bunya-Bunya tree) was prospectively issued without allowing for due process appeal by residents to the City Council. By agreeing to conditionally issue the permit "once the project was approved", the City Arborist precluded neighborhood residents to appeal the decision separate from the overall project (Letter from Pat Giorni to the Burlingame Park & Rec department). With such an important natural resource as a tree grove so close to El Camino Real, the permitting and project approval decisions should be separated and due process granted to citizens to potentially appeal the tree permitting decision, per Burlingame's municipal

code.

- Fellowes' in correspondence about the tree permit, wrote that "the neighbors" felt the Bunya-Bunya tree cones were a safety issue. In my own discussions with neighbors, it appears that we can identify only one complaint that was made the by the owner Adeline market plaza (a cone fell and damaged a portion of the roof). None of the surrounding neighbors, based on my discussions, believe that the Bunya pine cones are an issue. One neighbor's complaint should not serve as an extrapolation of the beliefs of all neighbors, as is implied by Mr. Fellowes' application for the tree removal permit (use of the plural word "neighbors" in describing complaints about the cones).

- If the Bunya cones are in fact a safety issue, the NMD report should have identified a possible mitigant to falling cones would be to trim the cones much like the City of Burlingame trims tree branches each year (In fact the Bunya cones ones only appear once every few years, so maintenance should not be an issue).

- The Environmental Consultant report states that several of the trees are in "poor to very poor condition". This contradicts the City Arborist's handwritten comments with respect to the permit that in his opinion none of the trees pose an immediate threat. There are also differing conclusions as to the health of the trees: Consultant states many are not healthy, while Arborist says they are.

IV. Transportation/Parking/Traffic

- Absent from the NMD is any acknowledgement of parking difficulties in the area and the potential effects of more street parking due to the project doubling the number of bedrooms (and therefore vehicles). Parking and Traffic issues have been a part of the public discourse for years and brought up in the past by safety commissions for Lincoln School and the July 2012 and January 2013 Planning Commission meetings on the project.

- No mention in the NMD was made about vehicles that may find it difficult to turn left from the property onto El Camino (heading North) and what the alternative/"safer" route would be: right turn from property onto El Camino, Right on Adeline, Right on Balboa, Right on Ray, Left on El Camino (heading north). This subjects the increased number of vehicles on the property to 6 school crossing points (3 with no traffic light) (El Camino/Adeline, Balboa/Adeline, Balboa easement from Albermarle, Balboa/Ray, Ray/El Camino, and El Camino/Ray-left turn to head north). To the extent that any identified pedestrian/school crossing safety issues are not properly acknowledged, addressed, or sufficiently mitigated, this exposes the City of Burlingame to potential liability issues should an unfortunate accident occur. **This is why I believe that it is essential that a City of Burlingame Traffic Engineer perform a real world study with realistic factors/assumptions on the true number of trips likely to be generated.**

- The conclusion of the project generating only of two additional trips during peak am hours and 11 fewer trips during PM hours was generated according to the NMD, by the Traffic Consultant applying a generic fitted curve equation from "Residential Condominium/Townhouse: guide published by the Institute of Transportation Engineers in Trip Generation, 8th edition, 2008". No regional roadway analysis was performed and the traffic study says nothing about the special circumstances of the neighborhood (expanded School, number of school crossings, parking difficulties, narrow streets where

two cars oftentimes cannot pass each other, space for trash collection requirements on the street, Ray Park activities).

- A reasonable person standard applied to the Project would indicate that the traffic study conclusion is fundamentally flawed: The number of bedrooms will be doubled, the number of cars will more than likely double, couples/families will more likely be dual income (vs current modest income profile of existing tenants), more families will likely live in the unit (children require school/activity/doctors trips, etc) and despite all this, conclusion is reached that there would be only 2 trips generated more in the am and fewer 11 trips in the pm vs what is currently assumed.

- Mr. Fellowes in his discussion about existing property parking for the 2007 application, stated there were 23-24 vehicles that parked at the current property, which has a total of 12 bedrooms. This is a ratio of 1.9x-2.0x vehicles per bedroom and 2.2 vehicles per unit. Applying these ratios to the new project, would imply the need for 45 parking spaces based on number of bedrooms (26 bedrooms x 1.9 cars) and 33 spaces based on # of units (15 units x 2.2). Either way, based on what's already been purported by Mr. Fellowes to be representative number of vehicles at the current property when applied to the new property means that there is not enough parking space in the building, which further means that vehicles will be parking on surrounding streets.

- The project as currently proposed has no storage spaces other than the closets contained within each condo unit. Anyone who has lived in a high density condo (including myself) recognizes the need for storage space for large items. If there is no space for such items, it is highly likely that large items, including bikes, will either be on balconies (visual environmental impact), or in garage parking spaces, which means that vehicles would have to park in the already impacted areas of Balboa/Adeline.

- With half of the project parking spaces designated as compact, only 50% of the spots will be able to fit SUVs. Residents who have two SUVs will have to park on the adjacent streets, which are already significantly parking constrained.

- Per neighbor communiqués with the Parks and Recreation Dept, Ray Park activities go on for approximately 9 months of the year beginning in February and running through the 2nd of November (Girls Softball, Summer Camp, Fall Ball, Soccer). During this timeframe, activities run Monday-Friday from 3-5 pm and Saturdays from 9am-5pm, with some events occurring on Sundays. The recreational activities and associated traffic and parking issues in the Ray Park/Easton Addition neighborhood is a significant environmental issue with respect to Parking/Traffic and should have been addressed in the IS/NMD.

- There are no proposed bike storage racks in the proposed project plans. The lack of bicycle storage racks means that the bikes would highly likely be stored on balconies (visual environmental impact) or in parking spaces, thereby increasing the potential for parking on streets parallel and perpendicular to El Camino Real

V. Other Factors That May Result in Environmental Impacts:

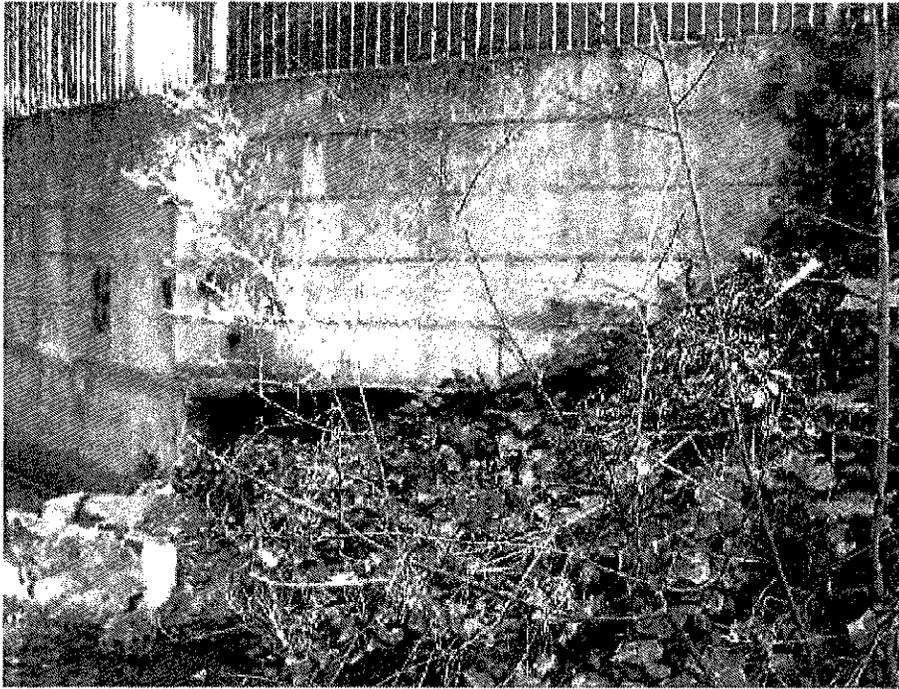
The following factors identified present partial evidence contrary to some of the conclusions of the IS/NMD and I believe warrant further investigation to ascertain that the factors are not environmentally significant or if environmentally significant, can be

sufficiently mitigated.

Geology and Soils/Erosion: 1998 Mills Creek Bank Wall Failure

- Regardless of whether the proposed project is developed, there is a retaining wall that was built in the late 90s in response to part of the creek bank collapsing that is in need of repair (per Ann and Paul Wallach, 1524 Balboa).
- This raises the question should there be a repeat of a flood and subsequent creek collapse as occurred in 1998, there could be an adverse effect on the property and possibly endanger residents.
- While the Geotechnical Evaluation states that the project's building loads would be below the creek bed, it makes no mention of the potential impact of driving piles/piers into the ground and that impact on the deteriorating integrity of the bank walls.
- The Geotechnical Evaluation report also suggests that the property owner address the erosion and retaining wall *"where the upstream end of the concrete wall has been eroded, we recommend that this area be repaired by the placement of natural stone rip-rap. We recommend the eroded area be exposed and lined with filter fabric. The void may be filled with ¾ inch drain rock, but the exterior face of the drain rock should be protected by natural stones...Alternatively, rock filled gabion baskets may be used to protect the backfilled hoses....the configuration of the stone/gabion placement should conform as nearly as possible with the natural bends in the creek to avoid energy concentration."*
- Repairing the Creek Bank wall and erosion should be undertaken regardless of project approval as this is a potential safety issue.
- Pictures of the failing wall follow:

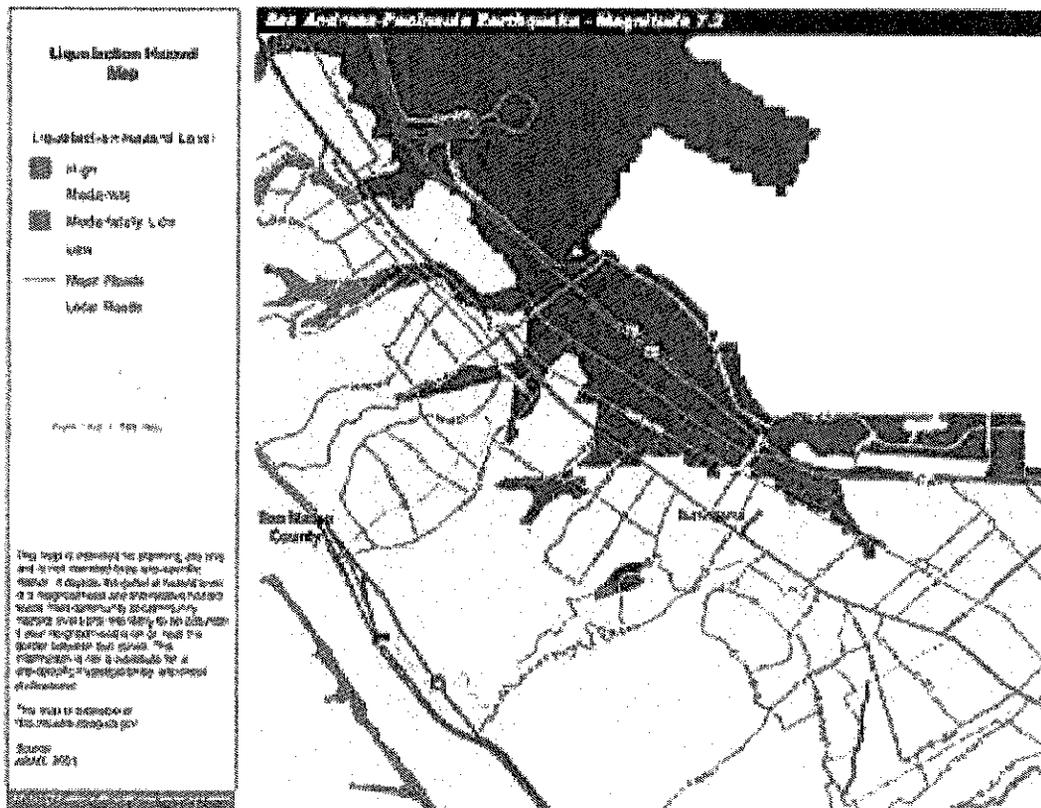




- **Population/Housing:** While the proposed project includes two reduced cost housing units, the project would displace the current renting tenants, who appear to be of relatively modest income. During the January 28, 2013 Planning Commission meeting, one of the tenants spoke up and asked if this was the proper forum to ask for assistance with regard to any programs that were available to help him relocate. Additional information should be sought in terms of the current rental rates at the property, whether tenants receive any federal or state benefits, whether there are similarly priced rentals within the City of Burlingame, and whether the property owner has received any Federal or State incentives (e.g reduced interest rate mortgage) for the current site. If in fact the tenants are found to be of lower income, displacing them would be contrary to Burlingame's housing element plan in terms of increasing housing resources (both ownership and rental) to those with lower incomes.
- **Environmental/Noise:** The proposed project will have 15 rooftop Air Conditioning compressors and a roof-top garden area for residents to gather. To ascertain the potential noise level of the proposed A/C units, sound measurements were performed at one of Fellowes' other properties (1226 El Camino Real). While the noise levels were not deemed significant, a similar conclusion was also drawn for the proposed project that the potential noise would likely be minimal and was derived from extrapolation of sound measurements of 4 A/C units running at the 1226 El Camino Property (out of 9 total), which is not necessarily representative of 15 units running simultaneously. Also, the proposed project's location and surrounds are different (primarily trees), and is located in an area with high levels Airport, Train, BART, Ray Park activity noise that is likely greater than the 1226 El Camino Real property. A simulation or calculation should examine the cumulative impacts of 15 A/C units, Airport, Train/BART, as well as potential rooftop garden noise from gatherings. Also a potentially helpful mitigation measure would be the use of ultra-quiet units to minimize any impacts on neighbors.
- **Geology/Soils/Liquefaction:** The NMD states that potential liquefaction would less than significant impact on the project, relying upon GeoForensics 2007 property soils study and the interactive Association of Bay Area Governments Liquefaction Susceptibility map available in 2007 (where subject site is identified as having a

moderate susceptibility to liquefaction) However analysis of the Interactive Maps published by the USGS (updated in 2011), indicate that in two shaking scenarios (San Andreas Peninsula 7.2 magnitude, and San Andreas 1906, 7.9 magnitude) the subject property would be highly susceptible to liquefaction and hence liquefaction risk is potentially environmentally significant issue. The GeoForensics 2007 property analysis (which in part relied on USGS survey data that was subsequently updated in 2011) may conflict with new information that the USGS survey found to re-cast their maps in 2011 to indicate high liquefaction susceptibility in San Andreas Fault shaking scenarios (this was an area previously believed to be of low liquefaction susceptibility according to the older USGS maps). The Project construction should address the potential for high-risk liquefaction and whether the building construction as currently proposed fully incorporates this information; the mitigating factor cited by the Environmental Consultant is an assessment that a conservative construction technique is being used, however it is difficult for the public to ascertain whether this is sufficient for the San Andreas shaking scenarios (this may be more of a clarification item for the public).

Charts below indicate that subject property would be in "High" Liquefaction Hazard scenario.





The items discussed above are by no means a full, comprehensive evaluation of all the potential environmental impacts of the proposed project. As a member of the community with limited time to evaluate the entire scope of information available to properly assess this project, I reserve the right to provide any further evidence of potential environmental impacts via public hearings or written letters.

Thank you for your time and consideration,

/s/ Mark Haberecht

Mark Haberecht
 1505 Balboa Ave
 Burlingame, CA 94010

APPENDIX A

From: Mark <mhabs@comcast.net>
Date: January 27, 2013 10:24:36 PM PST
To: rhurin@burlingame.org, michaelwgaul@gmail.com, tim@timauran.com, rt@cssanf.com,
planningcommissioners@burlingame.org, sandrayle@gmail.com, achou@burlingame.org
Subject: 1509 El Camino Real Project Proposal Feedback - Burlingame Planning
Commission 1/28/2013

To the Planning Commission members, Ruben Hurin, Burlingame Traffic Engineer

I am providing feedback for the proposed re-zoning associated with the 1509 El Camino Real condo project. I am addressing the following:

- 1) The parking situation on Balboa Ave in the transition neighborhood of Easton, Ray Park, and Lincoln School
- 2) Proposals from the July 9, 2012 meeting by the Planning Commission for the project that have not taken place (no story poles).
- 3) How the concerns raised by the Planning Commission in July 2007 for a smaller project on 1509 El Camino no longer appear to be concerns for the current Project.
- 4) How the current proposed project does not conform to the Architectural Guidelines and suggestions on the City of Burlingame's website for Residential and Commercial property.

1) As I brought up during the July 9, 2012 Planning Commission meeting on the proposed project, there is unanimous agreement in the neighborhood that the parking situation on Balboa needs to be rectified.

The proposed project, while technically in conformity with the rules governing parking spaces for multiple dwelling units, does not take into account the special circumstances of Balboa Ave, where a greater demand for street parking and more traffic will be untenable. The special circumstances are as follows: a) Girl's Softball/Fall Ball creates very high demand for parking on weekends/Fall Ball week nights; b) Lincoln School administration recognizes there is a severe traffic/parking problem, don't think they would view this project favorably (their feedback should be solicited); c) There is parking from Adeline Market (several of proprietors park on Balboa and Adeline); d) the apartments on El Camino only have one assigned space per unit hence there is significant overflow onto Balboa; e) Balboa/Adeline is one of the busiest residential intersections in all of Burlingame (including pedestrians, bikes, automobiles); f) The proximity to Bart/key bus lines/ taxi locations results in long-term overnight parking for those who don't want to pay Bart station fares. Actually several neighbors have witnessed cars parking and drivers hopping on with their luggage onto cabs and buses headed for the airport.

It has been communicated in the past from the property owner and a planning commission that a "similar" condo building was built at 1226 El Camino has been a resounding success with regard to the parking situation in that neighborhood. However, I don't believe that property is subject to most of the conditions #1-6 listed above, i.e. the two cannot be compared and 1509 El Camino faces a neighborhood with special circumstances. I also used to live at 530 El Camino Real (a newer condo which had roughly one space per bedroom), and there was never enough parking. Point being that the developer's own anecdote on his other building may be a unique situation that was not seen in my old building. This info can be verified with on-site property management at 530 El Camino.

I believe one of the potential solutions is to re-introduce permitted overnight parking (used to be the case several years ago), as this neighborhood is more akin to Burlingame Park (which does have permitted parking). There seems to be much more city official attention spent in the middle parts of Burlingame/Burlingame park vs the northern part lining El Camino). A prime example of this was when our driveway was blocked by a violating car, the parking enforcement officer took over 45 mins to get to our house, and I understand why, because he was driving one of the Burlingame parking "golf carts" across El Camino to get to us.

Another way to address it with the proposed project would be a "one space per bedroom"

policy. In single family homes that often have 5 bedrooms, there are usually five spaces (2 garage, 3 driveway). Why wouldn't this apply for multi-family units, especially in this special circumstance neighborhood? Do those who own condos typically own fewer cars than those who own houses?

I also began to take pictures of the parking problem and violations that occur on a daily basis (and my neighbors can attest to many many more examples). Please find the following pictures that exemplify the kinds of things we see every day: a) Station wagon blocking access to our driveway, Burlingame parking had to be contacted; b) Truck covered in Graffiti that was partially parked in fire zone; c) our vehicle blocked in by truck in front of it.

<<Attached Pictures>>

2) Planning Commission Recommendation for Story Poles was not followed. From the July 9 2012 Meeting:

"Require that story poles be installed to assist in an assessment of the effectiveness of the existing trees in screening the property from the adjacent low-density neighborhood. (Meeker -- confirmed that this is within the purview of the Commission) Provide the rear, the north and the sides. Fellowes -- Could be problematic.)"

--To my and several of my neighbors knowledge, this was not done, or the story poles weren't there long enough. While we recognize the expense involved in mounting story poles, it is an expense that the developer should be willing to bear, as the economic profit of not having to build underground can effectively more than 'pay' for this if project gets developed.

3) In 2007, a smaller project by the same applicant, with underground parking was deemed by several Planning Commission as "unapprovable" on July 23, 2007 and the developer withdrew the application. I look back at the reasons for not approving, and those conditions not only haven't changed, but they are even worse now when looking at the project (now larger). This begs questions: 1) have the principles of the basis of rejection of the initial proposal changed 2) if yes, how and why?, 3) if no, then why is a larger project with more potential issues being proposed in defiance of the initial rejection?

Quotes from the 2007 meeting vs. today's proposal:

2007: "If the project moves forward, rear two units need to be reduced to two-stories; the design should respect transitions to adjacent neighborhoods. Additional work needs to be done on the massing".

Today: Its now a 4 story project that is taller, has 5 more units (15 vs 10), eliminated underground parking, pays less respect to transitions to adjacent neighborhoods, and is more massive. The process of re-zoning from R2 to R3 flies in the face of paying "respect to transitions" by eliminating a transition.

2007: "Maximizing the developer's profit is not a reason for the Commission to approve a project."

Today: Moving from taking parking garage underground and 3 stories to a mostly above-ground project with 4 stories and with more units actually further maximizes developer's profit vs the 2007 proposal.

2007: " The project presents a rather pedestrian approach to Spanish architecture; the design

will look "tatty" eventually; Spanish Architecture does not lend itself to a 3-story building."

Today: While the design of the new project may look better vs 2007, does Spanish Architecture now lend itself to a 4-story building?

2007: "Concerned regarding removal of fir trees on lot. The City of Burlingame values trees. The existing trees should remain."

"Retain some portion of the existing trees on the site; tree preservation is a community value."

"The site can be identified by the existing trees; the new project should retain the same atmosphere on the site that currently exists."

Today: Proposal includes removal of several trees, which in turn exacerbates privacy situation.

4) I have spent some time looking at key elements of the Burlingame Residential and Commercial Architectural/Development suggestions. The proposed project actually violates most of the critical guiding principles that help Burlingame retain its character. While the proposed project may be technically allowed via being within compliance of Burlingame codes as any other multi-family building, qualitatively it doesn't. Here are some quotes from both guides (my comments in Bold type):

"A building should be distinct in order to add richness to the neighborhood fabric. However, it should not simply scream at the neighboring buildings for attention."

"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."

"Design buildings to be appropriate to the use envisioned while maintaining general compatibility with the neighborhood. Allow the use to determine the appearance as well as the neighborhood context."

"Create human scale buildings no matter what style is used"

"Sites which are surrounded by open space such as the railroad or a park site have greater importance since they can be seen by the community from a greater distance"

"On visually prominent sites, the building has an important responsibility for defining the character of the surrounding neighborhood. Projects on such sites should clearly respond to the street and to the adjacent architecture"

--On the 6 points above, this proposed project in being taller vs nearly every other building on El Camino Real and towering over everything else in north burlingame residential areas, completely screams for attention, is not compatible with transitions, doesn't maintain compatibility vs what exists today, 55 feet tall is not "human scale" (nor is 45 feet, ex the 'tower'), and this site should have greater importance in terms of respecting the community given it can be seen from Ray Park/Lincoln School. 30 feet is the max for the buildings south of Adeline.

"Buildings on gateway sites should be especially harmonized with other buildings that form the gateway"

"Gateway sites do not justify monumental buildings. Human scale is important here as everywhere. Gateway sites do justify a high level of refinement in architectural design and detail. Design Professionals should consider buildings as important parts of a larger community."

--The North Burlingame residential area south of the hospital is a "Gateway Site" to residential neighborhoods and where the Eucalyptus and Elm trees lining El Camino begin

In earnest. This proposed project, due to its mass, scale, height, is a monumental building.

"Respect for the parking and garage patterns in the existing neighborhood."

The proposed project has no respect for the parking and garage patterns in the existing neighborhood. In fact, the proposed project only acknowledges what is "minimally required" according to code vs the special circumstances of the neighborhood (see points in #1 above on Parking).

"The patterns in most Burlingame neighborhoods serve to achieve a human scale. This supports the health and comfort of the neighborhood by enhancing the sense of ownership and control residents have over their environment. It makes our neighborhoods seem like friendly, human places."

"Managing mass and bulk should not be considered a cosmetic exercise. It should be embodied in the actual design of the building and should occur in conjunction with good interior planning."

"Homeowner privacy is achieved by sensitive placement of buildings and landscaping and by the ways building components are orchestrated to support separation at property lines. These elements can also minimize noise, further insulating occupants to promote a sense of privacy."

--The fact that the size/mass of building coupled with the violation of privacy by having units look into the backyard of residences and the fact that the proposal has an "outdoor gathering garden" actually has reduces the comfort of the neighborhood by detracting a sense of ownership and control that residents have over their environment. In terms of property values, which is the most quantifiable measure of health, comfort, environmental control, this project detracts from the values of the surrounding houses (while the project, if built enhances the developer's value) Essentially the project is an economic transfer of wealth from existing homeowners in the neighborhood to the developer.

--Additionally, trees being removed, outdoor gathering garden (potential noise), and the noise/pollution of more vehicles, and greater traffic, detracts significantly from privacy.

In summary, it's hard for the neighborhood to see what is different in terms of the principles that caused the Commission to reject a smaller, less massive project 2007 and how both the 2007 and today's project are in line with Burlingame's Architectural/Development guidelines (actually seem to violate them on every major point).

Thank you for your time and consideration,

Mark Haberecht
1505 Balboa Ave

APPENDIX B

From: Jennifer Plaff <jjpt@pacbell.net>
Subject: Bunya Bunya trees
Date: February 11, 2013 4:08:21 PM PST
To: mhabs@comcast.net

Dear Mark,

Thank you for your inquiry.

We do not know of any historical significance to the planting of the bunya bunya trees in the area. However, it is known that the Mills Estate, was once home to many exotic trees and plants from around the world (all destroyed when Trousdale and Murchison developed the area in the 50s and 60s) The area where the bunya bunya tree is located, however, is across the creek from the original boundaries of the Mills Estate, and was therefore part of the Easton subdivisions. How it got there is anyone's guess--though it has been there for a very long time.

If you are concerned about the tree, I would highly recommend that you contact the Parks Dept. City of Burlingame, 650 Burlingame Avenue, c/o Margaret Glomsfad, by letter expressing your opinion about the heritage trees' value to this community.

Sorry we cannot advise you further, but generally, the Parks Dept. is very receptive to letters and comments. I would also make sure the Council members get a copy of whatever you write.

Sincerely yours,

Jennifer Plaff

RECEIVED

FEB 20 2013

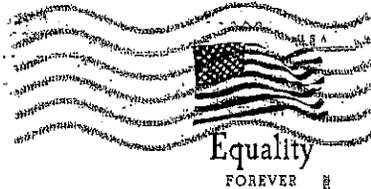
CITY OF BURLINGAME
CDD-PLANNING DIV.



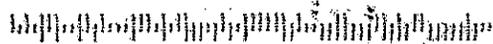
Allen Menicucci
1529 Albemarle Way
Burlingame CA 94010

SAN FRANCISCO CA 940

19 FEB 2013 PM 21



PLANNING DEPT.
Burlingame City Hall
501 Primrose Rd.
Burlingame Calif
94010



A personal note ...

It would be to your
advantage to read
article concerning Millbrook
condo's, when 1509
Ed Camris comes up to
vote in or out, I
am a real concerned
Burlington 44 year resident
and yes it will effect the
street I live on. (Alberville)
(over)

A personal note ...

And Please

Have Developer Show
Sketch of Where Parkway
is going to be for

JJ Carr's
on El Camino or
Elsewhere.

**BETTER TV MAY
HELP CHILDREN**
HEALTH PAGE 17



CLIMATE CONUNDRUM
NEW STUDIES FIND THERE ARE MORE BIG BLIZZARDS BUT LESS SNOW
OVERALL EACH YEAR
NATION PAGE 5



**PLAYOFFS
ARE HERE**
SPORTS PAGE 11

THE DAILY JOURNAL

Leading local news coverage on the Peninsula

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Alleged shoddy construction brings lawsuits

Legal action brought against developers of Millbrae condominiums for variety of issues

By Heather Murtagh
DAILY JOURNAL STAFF

Two Millbrae condominium developers with units between \$599,000 to \$1.28 million recently faced lawsuits over shoddy construction that includes severe structural issues, water damage and cracking — and although city

inspectors signed off on the projects, they are immune from legal action.

The two developments each have more than 100 units along El Camino Real — 88 Broadway and Park Broadway. With Peninsula housing demand growing, land at a premium and a regional goal of transit-oriented multi-unit develop-

ment, such housing is becoming more popular but can lead to a series of legal tangles once problems are revealed in time. While one group was able to reach a settlement, mediation continues for the other. But there may be a trend in the need to seek lawsuits.

Building up comes with different challenges than single-family with that construction.

Millbrae officials declined to comment on the requirements of building inspectors. Neighboring cities also declined to comment about the requirements of their inspectors. Experts say the challenge appears to be the inability to really watch over every detail on

See DEFECT, Page 18

DEFECT

Continued from page 1

such large projects. Ultimately, California law puts the need to fix problems to the developer. Developers are also given a chance to address the issues under California law and must be invited to mediation before legal proceedings can really begin. Mediation has become a clearly defined process.

Generally, these sorts of cases have a set path.

"When all is said and done, the issues in most of our cases can be simplified as follows. This is a complex, construction defect case. The developer is strictly liable. The subcontractors owe indemnity. What are the problems? What are the most cost-effective ways to repair the problems? How do we fund the repair?" wrote special master mediator William Nagle in a September article for the American Bar Association about the mediation process.

But getting to that point took time for one of the owners who bought into Park Broadway. The Park Broadway condos, located at 1388 Broadway and 1331-1371 El Camino Real, features 109 units — 13 live/work lofts and 96 residential spaces. Residents listed problems with construction which were concealed by temporary repairs in a 20-page suit filed in November 2011 against Millbrae Town Plaza, L.P., Silverstone Communities LLC and

Timeline for home/condo defect lawsuits

<p>California law outlines how long an owner has to bring up home and condo defects.</p> <p>One year</p> <ul style="list-style-type: none"> Noise from original occupancy of adjacent unit Plumb and finish warranty Irrigation and drainage Manufactured products <p>Two years</p> <ul style="list-style-type: none"> Decay of untreated wood posts Landscaping system Dryer ducts <p>Four years</p> <ul style="list-style-type: none"> Plumbing and sewer Electrical Cracks in exterior hardscape, pathways, driveways, landscape side walls, sidewalks and patio Corrosion of steel fences <p>Five years</p> <ul style="list-style-type: none"> Deterioration of building surfaces due to paint or stain <p>10 years</p> <ul style="list-style-type: none"> All other defects or violation of building standards Air conditioning in living spaces Balconies and balcony systems Ceramic tile and tile backing 	<p>California law outlines how long an owner has to bring up home and condo defects.</p> <ul style="list-style-type: none"> Decks and deck systems Doors Exterior stairs and stair systems Exterior stucco, siding, walls, framing, finishes and fixtures Fire protection Foundation systems and slabs Foundations, load bearing components, slabs and underlayment Hardscape, paths, patios, irrigation systems, landscape systems and drainage systems Heating Plumbing lines, sewer lines and utility lines Retaining and site walls, associated drainage systems Roofing materials Roofs, roofing systems, chimney caps and ventilation Shower and bath enclosures Soils and engineered retaining walls Structure Windows, patio doors, deck doors and related system <p><i>*Source: "Home and Condo Defects: A Consumer Guide to Faulty Construction" by Thomas E. Miller, Rachel M. Miller and Matthew T. Miller of The Miller Law Firm.</i></p>
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up the stucco or around windows, there can be very dangerous conditions like mold and dry rot. It is just not something that an owner or a board could know absent the important level of testing," said Rachel Miller, senior partner with The Miller Law Firm.

On the other hand, mediation continues on the 88 South Broadway development. The 88 South Broadway condos went on the market in late 2006. More than 100 two-bedroom homes ranging from 1,250 to 1,800 square feet were sold from \$795,000 to \$1.28 million, according to a 2007 San Mateo County real estate study. In addition to the two-bedroom homes, the building offers a gym, community room and secure key-card access. Construction of these luxury condos is subpar, according to a 22-page lawsuit filed in January on behalf of the residential homeowners association, 88 South Broadway Association.

The construction violates building codes for residential homes, according to the lawsuit. In addition, temporary fixes were used to cover up larger problems which residents thought would be covered through the association's reserves, it reads. The nonprofit association is suing for the cost to actually make the repairs, any relocation and storage necessary during that time and any lost income from handling the case as well as legal costs.

heather@smdailyjournal.com
(650) 344-5200 ext. 105.

Delaware Limited Liability Company.

Advertisements at the time the building opened put the unit prices as starting at \$599,000 and going into the high \$800,000s.

First-time buyers, who preferred not to be named, weren't sure where to start. Luckily, problems found throughout the building were not in their exact unit but it did cause much stress and concern at first. Not all problems are easily visible. At Park Broadway, for example, mold was found inside the walls but only once the walls were open up. And, that wasn't found in all buildings.

Recently, the two sides reached a \$3.5 million settlement.

"We are incredibly grateful that the team we had in place helped us protect our owners, and our homes. We know that these funds will help restore our building to its original condition. We now can move forward knowing our homes are safe," association President Yi Wong said in a statement.

That team, which included The Miller Law Firm, needed to take time to investigate problems in order to find the real cost for fixing the issues.

"Initial visual inspections by experts are the first step. But when we look further and open

RECEIVED

FEB 8 2011

CITY OF BURLINGAME
COMMUNITY DEVELOPMENT

To the Burlingame Planning Commissioner and Planning Department

The proposed project for 1509 El Camino Real is too big for the site available to it, too big in relationship to the nearby buildings and too big for the city at the entrance into Burlingame, a city of noted for its trees. It would impose many burdens on an already highly developed part of the city, where a large city park and five schools are located. It would bring an increase in traffic and parking to an area already heavily impacted by the needs of the residents who already live in the area. The problems presented by this 15 unit condo development do not in any way appear to be mitigated such that the burdens imposed by it are resolved.

This current design is for a building 50% larger than one presented in 2007, which was withdrawn at that time by the developer after comment by the Planning Commission on its lack of compatibility with the needs of the surrounding community. The Mitigated Negative Impact Declaration, as presented and signed by the chief city planner, Ruben Hurin, declares, "I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent." I do not see where any meaningful revisions have been made, or any response to the concerns of the neighborhood and nearby residents, who have repeatedly stressed their reservations about the effects of such a large building. Almost twice as many objections provided by the public concern the extremely large size of the project. This increased size plays out in many different ways, and I will touch on some of the various aspects of this design which I feel are detrimental to the community's well-being and also that of my husband and me, who live directly behind the project.

Section 1 states, "the components of the project would be visible from El Camino Real, however existing fencing, buildings and trees obstruct views of the site to the south, east, and west." In truth, though there are large acacia trees parallel to Balboa Ave. behind three of the houses there, they do not completely block the view of this building from homes on Balboa or Albermarle. Nor are trees a permanent component of the environment, and thus cannot be counted on to effectively screen these houses from a four plus story building, one so large that a change to the General Plan for the city of Burlingame is being requested, along with rezoning of the part of the property now zoned R2, which lies along the creek portion of the lot.

The elongated profile of the building parallel to Adeline would present an overwhelming monolithic appearance, extending from a relatively small set-back from El Camino all the way back to the public alley between El Camino and Balboa. The small one-story Adeline Market complex group of small businesses – five in all – would mask only a lower portion of the building: the parking garage and part of the first story. As this is a four story building with additional height proposed for towers and other parts of the roof, that leaves a large area exposed to view, lacking even the comfort of landscaping to soften its starkness. The long strip of bamboo proposed as landscaping along the property line would mostly go unseen.

Though the length of the building is similar to the apartment house on the opposite side of Adeline, the 1509 building would be twice as high as the older, smaller building across the street, which consists of two stories over a partially sunken parking garage, one half story below grade. In addition, the smaller apartment building at Adeline is attractively landscaped with mature plants, some of which are taller than the roofline of the building. These two buildings cannot be considered to be of similar mass or height.

Residents at the end of Albermarle, with its cul-de-sac design, will experience an intrusive building adjacent to their properties, and may also experience a diminishing of their light in the morning. It seems curious to me that no light and shade study was deemed necessary. Also, the closeness of the proposed building to the creek lying between the ECR and Albermarle properties may pose an increased risk to the integrity of these nearby dwellings. There is a history of considerable damaged having been caused by the erosion of the creek in the past, as well as serious flooding on another property on Balboa.

What will people travelling on ECR – and those living opposite in their two story single family residences – see? They will see a startlingly large building, one towering over its environment, larger than the rest of the buildings along this section of ECR, until well past Broadway. It would be no doubt with dismay that residents of Burlingame would view this. They might well ask themselves, "What's next?" And they may come to the conclusion that "the next" would be an even larger structure at the corner of Adeline and ECR. Would this newer, even larger project then be rationalized as "fitting in with its neighbors", as the report has claimed for the building under consideration? One also asks oneself if the intensely developed nature along ECR in Millbrae is the direction in which Burlingame too is headed. Do we want to go in the same direction, heedless of the effect on the environment and the people living in it? This is a serious question, and one not to be made on an ad hoc basis, with only a few people involved in the process.

The ECR Corridor of Trees, designed by John McLaren, is one of the main entrances to Burlingame, and has long been valued for its beautiful trees which form a unique welcome to the city. A small but significant part of that vista is provided by the stand of trees on the Adeline side of the project, including the special Bunya-Bunya fir tree, already designated as a protected tree. It, along with five others – there were five more noted on the developers' plans when they were first drawn up, but have now gone missing, – are slated for removal so that the extremely large footprint of this building can be accommodated. It had been noted in the earlier presentation of the 2007 proposal that trees are of great value to the city. Indeed they are an invaluable resource for the well being of the planet, and should not be taken for granted, or destroyed for the profit of a few individuals.

Concerning the effects of this building on the existing visual character or quality of the site and its surroundings, the report goes on to attempt to minimize its scale by claiming that many of the buildings along ECR are of "a bulk and scale similar to the project". This is not what I see when I drive or walk down ECR. The buildings arrayed along ECR towards Broadway are typically no higher than three and a half stories, many are of two story height, and there are still some single family houses mixed in from the earlier days of the city. To claim that the 1509 ECR building would be in keeping with the "more urban context along ECR" is to ignore the gradual increase in density and use as one nears the Broadway area. As noted, the Adeline commercial area consists of a small independently owned and run market and five small store-fronts offering a range of personal services. It is a much smaller commercial area than the heavily used Broadway axis; to compare them is to deal in apples and oranges.

Broadway is a main artery leading to one of the two north-south freeways in the area as well as to one of two train stations in the city. It is five blocks in length from ECR to California Drive, and not merely a small corner located at a difficult intersection, one that has posed many problems for drivers as well as pedestrians over the 43 years that I have lived here. I personally know several people who have had serious problems with accidents at both Adeline and ECR as well as at Ray Dr. and ECR. The intersection at Broadway and ECR is straight forward and more easily managed. Also, unlike Adeline/ECR, there are five parking lots within roughly a half block's walk from Broadway in that commercial area; parking in the area of the proposed building is severely limited and has been an issue for a long time, with no easy solutions forthcoming.

A smaller three and a half story condo building of nine units, which has drawn positive comment from the commission, has been put up by the same developer at 1226 El Camino Real. It has been cited several times by them as an example of good design. It does fit in with its neighbors on ECR, being very near the corner of ECR and Broadway and immediately adjacent to an apartment or condo building of similar height, which is next to a two story car repair shop, next door to the gas station at the corner. Buildings across the street at Broadway are of similar height also. None of these buildings is higher than three and a half stories in height.

The property behind 1226 ECR, at 1225 Capuchino, appears to be a single family residence with a unit built over the garage in the back. The roof of the condo building at 1226 ECR rises approximately one and a half story above the unit over the garage. This property is one of four single family residences on the west side of Capuchino, backing on ECR. All the other buildings on that side of the street are multiple family residences, none higher than three and a half stories. Properties across the street on the east side are mostly single family residences with the exception of a two story apartment located between one of the Broadway area public parking lots and the corner building, which offers personal services, as do properties across the street at the corner. These buildings are also two stories high.

The dwellings on El Camino Real opposite 1509 ECR are one and two story residences, leading to the busy entrance of the unique Cambridge/Oxford curved streets, and thence to California Drive, the other main north-south street through the city. The two areas are not as similar as has been claimed in the declaration, and do not make useful comparisons in arguing for the acceptability of the project at 1509 ECR.

While 1226 ECR may be a workable example of a building fitting into its immediate environment in an appropriate way, it is not a good exemplar of what might be expected of 1509. Of great concern with the higher density use pattern of 1509 ECR is the increase in air pollution secondary to the presence of more vehicles, and reduction in the trees on the property, which might be expected to filter some of the exhaust. Besides the increased exposure to this pollution, loss of privacy, increased noise and light, lower property values and reduced quality of life and an increase in stress levels due to the prolonged construction period that would be involved, would be personal issues as well as community ones. 15 HVAC units on the open roof, along with the adjacent open common room on the roof top above the top story will result in great distress to local residents. As there is expected to be a higher occupancy of roughly three times as many people as presently live at the property, and will most likely include children, this common area exposed to the sky would result in heavy use, and with this use, the concomitant noise from voices and music during parties, possible toxic emissions from bar-b-ques, and more exposure to lighting from the area at night. To use four units at 1226 ECR as the Mitigated Negative Impact Declaration did as a gauge for estimating the noise level to be expected from 1509 ECR is not realistic as a real measure of the impact of the much larger structure. Nor may any meaningful comparison be made about any other aspect of the impact on its environment by 1509 ECR.

The opening at the back of the garage, directly behind my house, would permit the escape of the noise and exhaust from the 31 cars that would be using this garage, along with any additional vehicles making visits to the building. The allotment of two guest parking spaces behind the building is inadequate for the anticipated needs of these guests, some of whom will be attending gatherings on the roof. The two Handicapped spaces near the lobby are also designated as "guest parking" on some, but not all, of the plans. What if they are required for residents of the building? And where, exactly is the mysterious 32nd parking place in the entrance drive going to actually be situated? Any car parked there would block the entrance of further cars into the garage. The entrance narrows after the first part of it – it is also extremely shallow and flat, leaving little room for cars to negotiate the turn off of ECR. And where is the bike storage going to be? The use of bikes for transportation has been cited as evidence of the convenient access to transportation available for the occupants. Will they be required or forbidden to use their balconies for the bikes? Is there an area in the garage for them? None is as far as I can see. Also, as there will be an automatic gate at the front entry, a sound wall would be necessary to help dampen some of the sound that would emanate throughout the garage and ultimately out the back opening directly behind my house. People living in the building may be couples with daily commutes to work. They may have children, requiring many more trips to meet their needs, thus generating an increase in overall traffic, contrary to the conclusions drawn by the writer of the Mitigated Negative Impact Declaration.

Already our streets are grossly inadequate to the needs of the local residents for parking. People living in the apartments nearby find it a good place to put their cars when they do not have parking space of their own. Often such space is reduced by their need to store bikes or belongings in the allotted parking spaces, and they cannot find another place to store things. So their cars are "stored" on the street, reducing available parking for the residents and visitors. The parking spaces available for 1509 ECR are minimal, as there are only 11 spaces for residents regular sized cars, with 16 spaces designated compact. What are people who own larger cars and SUVs going to do? They may not find it possible to park in their own garage. People working in or visiting the Adeline Market complex also use our street for parking. Some people find it convenient to park their car on Balboa or Albermarle and take a cab to the airport.

When Ray Park, across the street and next door to Lincoln School, hosts sporting events and other activities, which occur 8 to 9 months of the year, parking is impossible at times, as is simply navigating through the crowded street. The park provides only 14 spaces, one of them designated Handicapped. It becomes so congested, especially during the summer, that local residents defer plans to entertain because they know that their guests would not be able to find any place to park their cars.

Lincoln School, adjacent to the park, has experienced a dramatic growth in recent times. People want to live nearby so that their children can go to this public school, along with BIS and Mills High School. In all, there are five schools within walking and driving distance of our area. The Easton Addition also is home to the charming and well utilized Easton Branch Library. It is one of the many treasures of this town. The marked increase in students locally is followed by the increase in drivers as well as pedestrians, whose ease of movement and safety need to be considered, as do the needs of the residents for access to the streets for their own use. It is especially intense in the morning and after school and during the evening rush hour. People are hurried and often distracted as they drive. Pedestrians and bicyclists are exposed to very dense traffic, especially in front of the entrance to Ray Park, used for access to the school.

The street in front of the park is wider than the older part of Balboa and forms a curved area as it passes in front of the park, creating a blind spot. People driving south on Balboa often speed up as they come down Balboa Way in front of the park, and are surprised when they drive around the curve and are confronted with the narrower street of Balboa Ave in front of them. Balboa Ave is made more narrow by the many cars parked on it, as its dimensions were decided when the original Easton Addition was developed, versus Balboa Way, part of the more recent development of Ray Park, which is much wider. This has resulted in many near misses, and the death recently of a large dog which was on a leash but managed to slip out between two cars ahead of his owner. I will never forget its screams as people tried to attend to it. I am confronted daily with the risk that one takes on leaving the driveway here. People coming from Adeline often drive very fast when they come around the corner and pose additional risk. Accompanying these inbuilt risk factors is the heavy use of Balboa as a throughway for the many drivers who don't want to be delayed by the light at Adeline and ECR and the heavier traffic of El Camino. Balboa is a tempting target, lying within a short block of ECR and parallel to it. This includes many commercial vehicles as well as people living in the general neighborhood. The use of Balboa in lieu of ECR and for parking continues south of Adeline as well, and poses problems for those residents also.

The point to all this is that the traffic leaving 1509 ECR will impact the flow (or lack thereof) of traffic on Adeline and Balboa, as they will be forced to travel south on ECR. If they want to go north, they will have to take Adeline to Balboa to get out to Ray, where they can turn left on ECR. The Ray/Rosedale/ECR intersection is another dangerous one, where again, many accidents over the years have occurred. If they chose to turn left onto Oxford/Cambridge, traffic will be blocked at the intersection of Adeline and ECR. A pedestrian crossing exists at the light located here, and it often slows traffic to an agonizing degree, as can cars turning in either direction from ECR. Because of the many vagaries and difficulties of the problems with our street, a parking and traffic study should have been included as part of a valid study of the environmental impact of the proposal for 1509 ECR. Several of the commissioners remarked at the most recent hearing on the need for one.

Though these remarks focus mainly on the concerns of myself and my neighbors, the larger issue with this proposal is that it will affect not only the people in the immediate area, but also all those living in our city, and beyond. One could claim that due to the problems with global warming, already identified as related to the increase of pollution secondary to human activity, it affects everyone everywhere. The relentless urbanization taking place on the Peninsula is bringing many changes, many of them deleterious to our well-being and the well-being of our planet. Our quality of life here in Burlingame is highly valued; it is why people come to live here. Much is at risk in the decision to permit the construction of this very large building, which would contribute so much to the deterioration of our environment. On talking about it with our friends and neighbors, no favorable opinions have been expressed. It is my hope that the people who are taking on the responsibility of representing the interests of the community do so in a spirit of considering what is important to all of us, and that the decision made reflects this broader view of our real needs, and not one limited to the special interests of a few. Our future as a community rests in part with what you decide to do in this situation.

Thank you for your consideration.

Samantha MacPhail
Samantha MacPhail

Archibald MacPhail
Archibald MacPhail

1516 Balboa Avenue
Burlingame
(650) 342-0350

February 20, 2013
to replace that submitted on February 19, 2013

re 1509 ECR

REC-120

Some further thoughts on the situation:

FEB 21 2013

CITY OF BURLINGAME
PROPERTY # 1509

What is to prevent the emissions from all the vehicles, from cars to buses to trucks, moving on ECR, as well as stopped at the light there, from being funneled through the garage and then onto our property and that of nearby neighbors? The typical screen type automatic door to the garage at the front would not do the job, and even a solid door would not block all these emissions, not the sounds coming from the street. And a solid door would not permit an adequate flow of air within the garage for the users thereof. Although a sound wall at the back of the property might mitigate some of the noise coming from the garage and the street, it would not give much protection from the toxic emissions from the vehicles. If the back of the garage is designed to be open, and the back of the property is bounded by a six foot wooden fence with a row of bamboo in front of it, then what is to prevent unlawful entry into the garage from that opening? There is a public alley behind the property, and it is used by members of the public at times. It is not so difficult to boost a bike or other lighter object over a six foot fence. Would the occupants feel their belongings and cars were safe?

Also, can anyone show me where the parking space that would be counted as number 30 is? We have been presented a design that purports to accommodate 32 cars plus an additional car in the entrance drive, for a total of 30 spaces available for occupants, and an unclear number of guest spaces; are the two Handicapped spaces for occupants or guests? When I examine the elevations plan I can only see 31 total spaces for cars, including guests cars.

As for the condo building at 1226 – it is a few buildings down from the corner Broadway and ECR, not adjacent to the building next to the auto repair shop that I had cited.

Thus does think in the wee hours, and in between.

Again, I thank you for your consideration.



Samantha MacPhail

2-21-13

Nina Weil
1520 Balboa Avenue
Burlingame, CA 94010
650-348-6971; nina@ninaweil.com

RECEIVED

FEB 21 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

February 12, 2013

Re: Initial Study and Mitigated Negative Declaration for residential condominiums at 1590 El Camino Real, Burlingame, CA

To the Burlingame Planning Commissioners and Planning Department:

After reviewing the MND report I would like to provide feedback with questions on many of the conclusions from the report.

In context, the report starts out by stating that the prospect is within a highly developed area with both residential and commercial use (Pg 2). I think this is rather misleading as we are primarily a residential area with R-1 and R-2 zoning, with one small, 1 story, 6 unit commercial shopping building. There are no other commercial properties in the area between Trousdale and Broadway. There are no medium high dense properties within the immediate vicinity of 1509 El Camino Real (Trousdale to Easton). The apartment house at the corner of Adeline and El Camino is 2 stories with partial underground parking.

- 1) Page 24: Substantially degrade the existing visual character or quality of the site and its surrounding. Answer: less than significant impact.

According to the report, the Burlingame General plan of 1969 states "El Camino Real is designated as a scenic highway because it is "lined with huge elms and Eucalyptus trees that form a tunnel of foliage and provide a scenic character and add to the Burlingame image."

The consultant states that "the mature landscaping along Mills Creek and along the rear of the building effectively shield the mass of the structure from surrounding residential neighborhoods. As such the project would not substantially degrade the visual character of the site and its surroundings. This impact is considered less than significant.

I live directly behind the proposed development. Over years, the acacia trees behind my property are trimmed quite frequently by PGE in order to keep branches away from the lines. In December, 2012 a significant portion of the tree was trimmed resulting in my losing a great deal of privacy and screening from the current 2 story structure. There is no way that a massive 4 story, plus roof garden building

can be screened adequately by these trees. Nor would some of my surrounding neighbors get any screening from these trees and would look directly onto this proposed building. This is quite significant to me and has a very negative impact on the site and would severely degrade the visual character of the site and surroundings.

The planning commission in a hearing in 2007 specifically asked the same developer to provide transition and not build higher than 2 stories in the rear of the development because of the visual impact. How did we get to a proposed 4 story, 55 foot high building in the rear without transition?

I am also highly concerned of potential damage that could result to the roots of these beautiful trees as a result of excavation and construction. How would they be protected? How would a new fence be built almost directly at the base of an Acacia tree? How would these trees be protected by a property owner who has completely neglected the creek and trees on his property over years?

The planning commission also denied the request to remove trees from the property in 2007. Since that time, the developer has removed many of these trees. I am confused as to how this could have been permitted, or removal will be conditionally permitted in 2012 if the building permit is issued. This is in direct contradiction to what Burlingame stands for as the City of Trees and as stated prior Burlingame's image, and in contradiction to what was asked of the property owner in 2007 by the planning commission.

- 2) Page 26 Lighting: Currently at night on the site it is very rare to see lights on at night after 10:00pm. I am very concerned about lighting that could be on all night at the rear of the garage and the proposed 2 cars parking spots, not to mention lighting from the 3 rear units with 2 additional stories and windows. This would definitely have a negative impact on the properties to the rear of the building. There is a reason for the R-2 zoning that currently exists on the adjacent lot APN 025-228-1330 which is what is the fit for the adjoining R-1 and R-2 properties so that those in R-1 and R-2 housing do not need to have lights from 55 feet buildings shining onto our properties.
- 3) Page 87: General Plan Consistency: I disagree with the conclusions that the project would be consistent with the General Plan use designation and zoning of the project site, impacts would be considered less than significant. According to the report, "The General Plan indicates that Medium High Density land use designations along El Camino Real provide a transition between higher density uses and adjoining lower density use. It does not seem appropriate to me to change the designation of the site containing the creek to R-3 zoning nor to grant a conditional use permit. Those regulations are there for a purpose. It provides transition from the R-1 and R-2 zoned properties, to the R-3 zoned property maximum height 35 feet next to R-1 and R-2 housing. The surrounding homes are R-1 zones and we would be looking at a 55 foot structure. Where is the

transition that the General Plan calls for? There does not appear to be any consideration on the part of the developer for transition, rather only to maximize every square foot possible on a combined lot. And then what prevents the neighbors on Albermarle who are zoned R-2 from combining lots and requesting rezoning to R-3 to build moderate high density units there, again impacting negatively the visual appearance of the area?

- 4) Page 91: Noise. Less than Significant Impact. The measurement done is inadequate to accurately reflect the potential noise from proposed project. The traffic alone between 7:00am and 8:30am and in the early evening between 5:00pm and 6:30pm will give totally different results. And of course, if 15 HVAC units were going at the same time, which is realistic particularly in warm periods, the results too would be quite different. The report states that maximum noise levels recorded at the HVAC location were attributable to intermittent loud conversations by condo residents and overhead aircraft. So what would the noise level be when 15 units are working simultaneously, there is heavy traffic on El Camino at peak hours, a softball game at Ray Park with kids and parents cheering, trains going by, a party on the roof, and residents conversing on their balconies, a bocci ball game going on? (Of course anyone sitting in the Zen garden would not be making noise, so no problem there).

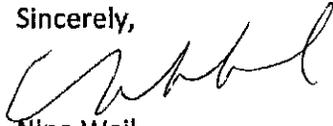
My work space is adjacent to the Zen Garden. I have worked in that space for over 5 years with rarely any noise. My work with clients requires a quiet, peaceful venue. The impact of noise would significantly impact my ability to continue to work in this space, not to mention the noise at night with my bedroom at the rear of my home directly behind proposed project. To have two outdoor parking spaces and an opening to the garage will compound the noise factor. I beg to differ with the report that there would not be a significant impact. It begs the question to whom?

- 5) Page 100: Displaced numbers of people: less than significant impact. The report states that readily available housing is available for the displaced people, because not all housing units are occupied and would therefore not require construction of available housing elsewhere. Of the 666 available units in Burlingame as of Jan. 1, 2012 (more than 1 year ago), how many units are low income units. Does the developer guarantee these displaced people comparable housing? And does it warrant conditional use permits to be granted in order to build 2 moderate units in Burlingame while losing 11 lower income units? Is this equal housing opportunity?
- 6) Page 109: Trip generation/Traffic: no impact. Considering that the project would replace 11 parking spaces with 30 parking spaces, and I would argue considerably more residents than stated throughout the report (due to an increase from 14 bedrooms to 27 bedrooms), that there would be additional traffic along Adeline and Balboa Avenue, particularly at peak hours as well as additional cars parked on the neighboring streets.

We are already considerably impacted by multiple school traffic and Lincoln school parking, Ray Park traffic and parking as well as El Camino residents using Balboa Avenue for off street parking. I have an extremely difficult time getting in and out of my driveway during school drop off and pick-up hours and when there are activities at Ray Park nine months of the year. Traffic needs to be reassessed for impact to the neighborhood.

In closing, I find many of the conclusions stated in the MND report to be erroneous, and respectfully ask the Burlingame Planning Commission to seriously question these conclusions which impact the decision making for rezoning and amendments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nina Weil', written in a cursive style.

Nina Weil
1520 Balboa Avenue
Burlingame, CA 94010

RECEIVED

FEB 21 2013

Dear Chair Gaul and Commissioners,

CITY OF BURLINGAME

I welcome the opportunity to submit comment for the Mitigated Negative Declaration prepared as the environmental scoping of the proposed project at 1509 El Camino Real. However, before speaking to individual issues, I challenge the entirety of this MND and its findings as being of premature issuance for three (3) reasons:

- This condominium project cannot be moved forward toward approval unless Council approves the merger of APN 026-011-010 (R-3) and APN 025-228-130 (R-2) which is complicated by the zoning changes that are required. Under normal circumstances an applicant can design and submit a project based on the merger of like-zoned parcels which will allow maximum buildout based on the combined square footage because there is rarely opposition to the merge.

In this specific instance, the project makes use of maximum square footage on the assumption that two (2) differently zoned parcels will become a larger R-3 zoned lot. If Council does not approve the merge with the requested zoning change, the applicant loses almost 4000 square feet which triggers an automatic downsizing of the project. If Council approves the lot merge and zoning change to R-3, there is no recourse for the public to appeal the decision except as a civil action. If Council approves the lot merge and zoning change, the project can move forward and if approved, again leaves the public with no recourse to appeal the decision except through costly civil litigation. If, on the other hand, Council denies the lot merge and zoning change, thereby denying the project application, it should do so "without prejudice" in order that the applicant can re-submit without penalty.

Due to the request for a zoning change, this entire condominium project comes under direct purview of Council to determine final approval action. The Planning Commission will not hold public hearings for other than what directly pertains to response to the MND, then will offer its recommendation and move the project forward to Council for action. There are no appeal rights to any Planning Commission action since it has been superseded by Council oversight.

If it is not too late in the process, Council might consider acting upon the parcel merge request independently of the construction proposal in order that the applicant would know in advance if any limitations trigger footprint and setback reductions, and then design accordingly. This would also allow the Planning Commission to oversee the entire proposal resulting in restoration of due process appeal rights for both the public and the applicant.

- The issuance of a protected tree removal permit, contingent upon approval of the landscape plan mitigation and the issuance of a building permit may have violated Municipal Code.

NB: Although it will be shown later that circumstances have reversed, I continue to include this comment because it may be useful information to the Consultant who might have to reassess other findings in the MND based upon the now rescinded protected tree removal permit.

The following letter was sent on February 14, 2013, to the City's arborist, Planning Commissioners, Community Development Director, Director of Parks and Recreation, Attorney, and Council:

Dear Mr. Disco,

On May 11, 2011 you notified Patrick Fellowes, 1509 El Camino Real, that a permit was issued to cut protected trees on his property that could not be acted upon until the proposed project was 1) issued a building permit; and 2) the landscape plan was approved.

Mr. Fellowes had requested the removal of trees 120 - 126 as referenced in an arbor's report written by Ralph Osterling Consultants on February 22, 2011, and identified as five (5) Deodar - Cedar, one (1) Bunya Bunya, and one (1) Spanish Fir (not protected).

I am writing because I think you may have acted prematurely with regard to the permit issuance and inadvertently violated *Municipal Code Section 11.06.060 (c) Notices and permits required for removal or work significantly affecting protected trees:*

Subject to the replacement provisions of Section 11.06.090, the director shall approve the removal of protected trees within the footprint of approved construction in the **R-1 zone**, which construction does not require a variance, **conditional use permit**, or special permit under Title 25 of this code. The notice and appeal provisions of Sections 11.06.070 and 11.06.080 shall not apply to such approvals.

The subject parcel is located in an **R-3 zone** with an application for a **conditional use permit**. Although not a lawyer, I believe that by specifically calling out an exception for R-1 zoning, the ordinance is not meant to include R-2, R-3, or R-4 zoned lots.

Further, I believe that there has been a violation of the appeal process since no appeal action was taken after receipt of the May 20, 2011 appeal letter submitted by Nina Weil. Your timely response to her appeal request on May 24, 2011 effectively denied her timely satisfaction and resulted in abrogation of any right to appeal by placing the decision with the Planning Department and the Planning Commission because the clock never stopped ticking. It was not until 1 year later that that this project came before the Planning Commission on July 9, 2012. Now there is no way for any appeal, timely or otherwise, to be made.

Owing to the complex nature of the proposal for development of the property at 1509 ECR involving parcel merge and zoning changes, usual Planning Commission processes that would normally allow an appeal to the City Council have been over-ridden to leave City Council as the sole arbiter. No one will be able to appeal anything if the project is approved because it cannot go forward as designed without the loss of the trees.

Finally, it is my firm belief that any errors that may have been committed were unintentional, but that does not diminish the responsibility and necessity to rectify the current situation in order to restore and make process whole. At this juncture, I would expect that the permit previously issued will be rescinded so that untainted procedural due process might be restored.

As of this writing, a response from the City Arborist 3 hours ago stated that "After further review with the City Attorney regarding the tree removal permit placed on hold in our office regarding the removal of 6 trees at 1509 El Camino, it has been determined that the original permit was issued in error and is void. Accordingly, the original permit will be rescinded and the applicant will be required to make reapplication. The above-mentioned trees are situated on an R-3 zoned parcel. My determination was based on the redevelopment of properties located in R-1 Zones as addressed in the Urban Reforestation Ordinance, Chapter 11.06 of the Burlingame Municipal Code. The applicant will be provided the opportunity to submit any documentation supporting the request for removal based on health and structure, and/or based on the proposed development of the property at the above address.

You will receive notification, pending reapplication for the removal of 6 trees at 1509 El Camino Real.

Aside from the obvious loss of the right to due process through appeal, what is glaringly lacking in the MND is the recognition of the unintended consequences that may occur if the City allows the removal of these trees which stand less than 50 feet from the Historically Recognized Heritage Eucalyptus Trees that line the El Camino Real. The City has fended off the attempts of Caltrans for more than 60 years to cut the trees in order to widen the State Highway. What message will be sent; what political capital will be lost if the City allows the removal of the existing grove for outright commercial interest. Anything that would weaken the City's bargaining stance may very well spell ecological disaster if the precedent is set, the door opened that would endanger the protection and reforestation of the Historic Eucalyptus.

- The current application for this project is *de novo* despite an earlier submission in 2007 that was subsequently withdrawn. Therefore, comparison of the former and current project may be considered inappropriate since the construction now proposed is significantly different. However, the Planning Commission appears to have withheld the same level of scrutiny and direction it was prepared to give in 2007 this time around for inclusion in the MND despite that both are sited on the same parcel with equal expectation of employing the maximum amount of lot square footage with the parcel merge, and there has been no change in the condition of the property in the ensuing 5 years. Perhaps this is because the project is no longer in their purview due to the zoning request that triggered oversight and action to Council.

What has drastically altered since 2007 is the circumstance and context in which the *de novo* project has been presented. With extreme difficulty and forbearance I ask that the following consideration be taken into account as to why the Planning Commission appeared slack in its vetting of the current proposal; to wit, employment of Moore/Vistica Architects and Ralph Osterling Consultants, both being former and revered Planning Commissioners, as designer and arborist respectively for this project.

The eminent regard and elevated sentiment, especially in the case of Mr. Vistica's resignation from the Planning Commission and subsequent hospice care, may well have affected and diminished, although unwittingly, its usually-employed extraordinarily high-level analysis to compile a thoroughly comprehensive and substantive MND. Subliminally, and in a possible attempt to not victimize or cause further grief to Mr. Vistica's surviving family, the Commissioners may have avoided any personal pain that closer examination might have brought to the document.

Further comment on specific findings within the Mitigated Negative Declaration's Environmental Checklist and Environmental Evaluation:

o **Aesthetics**

I disagree with the entire analysis offered for Item 1 resulting in findings of:

a - No Impact: the Bunya Bunya as well as the Deodar Cedars trees that are contained within the grove at 1509 El Camino Real have "protected tree status" under Section 11.06.020(f) (2) of the municipal code. It meets the municipal code requirement listed in Section 11.06.020(f) (1). The issue of a removal permit may have violated Municipal Code; supra, 2nd bullet point. Although the Bunya Bunya has never been documented as having been a part of the historic Mills Estate plantings, the tree is at least as old as the documented El Camino Real Historic Register recognized Eucalyptus plantings, and stands within 50 feet of El Camino Real. Their absence will create a noticeable hole in our Tunnel of Trees, replaced with an imposing building along that entire frontage. Therefore, removal will present a Significant Impact that cannot be mitigated.

b - Less than Significant Impact: The Bunya Bunya tree is truly a unique and magnificent biological wonder, the loss of which cannot ever be mitigated. The El Camino Real trees for the 2.2 miles between Peninsula Avenue and Ray Drive are listed on the National Register of Historic Places. Their absence will create a noticeable hole in our Tunnel of Trees, replaced with an imposing building along that entire frontage. Therefore, removal will present a Significant Impact that cannot be mitigated.

c - Less than Significant Impact: The glaring omission is the lack of visual simulation and mitigation presented from the South or Left Elevation of the proposed building and the impact it would present to the south of ECR Adeline apartment buildings and to the 1400 Block of Balboa Avenue. The removal of the grove will highlight the mass, bulk and height of the proposed building because

the proposed landscape mitigation will only soften the lower 20-25 feet of the building and bring into sharp contrast that height when compared to the low-laying plaza property and single family residences that comprise the north side of that block. Unlike the maximum height 35' apartment building with landscaping to mask its North or Right Elevation windows, the 3rd and 4th storys of the proposed building will present a "wall of windows" that is not only displeasing, but will cause blinding glare to the Adeline apartment and 1400 Block of Balboa Avenue residents from sunrise through mid-day from direct reflected sunlight, further emphasizing the mass, bulk and height. Therefore, removal of the grove, along with no masking or landscape above 25' from grade will present a Significant Impact that cannot be mitigated.

d - Less than Significant with Mitigation Incorporated: At the time this document was compiled there were no story poles in order to assess impacts. There are story poles now, at the back of the property to indicate the proposed height of the structure. What those story poles do not demonstrate is what the property will look like without those trees because the poles do not extend along the sides or front. Mass, bulk and height could not be assessed without them. Only now, can a determination be made as to impact. This question deals primarily with natural and artificial light and glare. As above in (1d), there will be blinding glare to the Adeline apartment and 1400 Block of Balboa Avenue residents from sunrise through mid-day from direct reflected sunlight, as well as added night time lights from the 3rd and 4th storys. Therefore, removal of the grove, along with no masking or landscape above 25' from grade will present a Significant Impact that cannot be mitigated.

o **Biological Resources**

I disagree with the certain analysis offered for Item 4 resulting in findings of:

a, b, c, d, and f because although this analysis has to generally consider biological impacts on or surrounding the subject property, it does not address unintended consequences, especially downstream where Mills Creek daylights at Rollins Road/Edwards Court. For the sake of brevity I will include remarks that might better be directed to other categories since this Item serves as nexus. Therefore, it must be determined that Significant Impact will result until the following concerns are addressed:

Storm Water Discharge: The project will entail greater over-all impervious materials lot coverage, thereby increasing the amount of storm water runoff. There will be less absorption and percolation to the water table identified at 7' below grade. Therefore, the ground water-fed creek may suffer in provision of downstream water needs to support any wildlife and habitat where the creek daylights. This could have serious repercussion on endangered species such as

the San Francisco Garter Snake and the California Red-legged Frog which are known to be prevalent in areas all along the Bay Front. No study of this area has been undertaken since the 2006 Draft Environmental Impact Report for the Center For Compassion/SPCA.

The increased storm water runoff will increase the amount of fresh water added to the Bay. State and other studies demonstrate that the salinity of the SF Bay is decreasing with increased fresh water intrusion, much of which is attributable to property (re)development, possibly causing the decline in certain aquatic and bird populations. The runoff problem is exacerbated by the amounts of untreated pollutants in the discharge. An unfunded State mandate requires that all pollutants from vehicle brake linings, oil and gasoline spills, etc. as well as other inorganic materials be micro filtered from storm water discharge that is directed otherwise untreated to the Bay. Burlingame, and Caltrans have yet to install these micro filters. Regularly scheduled street sweeping maintenance would go a long way toward removing these pollutants, but the subject property is fronted on the El Camino Real, in Caltrans jurisdiction, where little, if any street sweeping occurs.

There is no identified location for the parcel storm water tie-in to the box culvert to discharge the runoff. Direction must be given that any above ground installation of storm water collection that includes at-grade water grates or produces any declivity must be done on the subject property, perhaps in the private driveway, and must not intrude anywhere on the Caltrans Right of Way (traffic lane or shoulder) to prevent any hazard to bicycle riders on the ECR. Although bicycle riding is not encouraged on ECR, nor is ECR a recommended bicycle route, there is no prohibition for bicycle use on that State Highway. Empirical evidence demonstrates that up to a dozen bicyclists per day use this stretch of ECR (Burlingame Pedestrian and Bicycle Usage Survey, Traffic Engineer's Office). Therefore, a dozen opportunities for mishap would occur daily as a bicyclist makes a sudden move into traffic to avoid drain grates which in a number of State and Municipal civil action suits have been determined to be a hazard to life and limb.

e – Less than Significant impact: See above, Item 1 a, b. Therefore, removal may be in violation of existing plans and policies and will present a Significant Impact that cannot be mitigated

o **Hydrology and Water Quality**

I disagree with the analysis offered for item 9 b and c resulting in findings of No Impact and Less than Significant with Mitigation Incorporated, respectively:

Given that the proposed structure will be constructed on piers that sink to an unspecified depth below the water table found at 7' below grade, there is a heightened likelihood that drainage measures, including sump pumps will be employed to prevent erosion or any other hazard to protect the integrity of those

foundation piers. If ground water is removed at regular intervals, this will lead to serious depletion of the water table, which in turn would deplete the groundwater that supplies the creek. Therefore, the ground water-fed creek may suffer in provision of downstream water needs to support any wildlife and habitat where the creek daylights. (supra, Storm Water). This concern is easily demonstrated at 1449 Balboa Avenue where drainage measurers put in place to protect the addition of a 6' below-ground room in 2005 have resulted in a no less than a 4 times a day, 365 days a year, 25 to 50+ gallons per day sump pump release of fresh ground water. The only mitigation would be to direct that freshwater discharge to Mills Creek which would be in violation of California Department of Fish and Game provisions.

o **Transportation/Traffic**

I disagree with the analysis offered for item 16 resulting in findings of No Impact and argue for the following mitigations:

a, b, f – Compliance with California Complete Streets Act – 2008 (AB 1358), enacting its Climate Action Plan to meet the requirements of AB 32, adoption of congestion management plans and other policies have underscored the City's commitment to achieve a stated goal to reduce local short-distance vehicular trips by encouraging increased bicycle usage. What is remarkably omitted from this analysis is the need to provide residential on-site secure at-grade indoor bicycle parking facilities that could include a locked cage, wall or ceiling mountings, and etc. within the garage, along with dedicated outdoor dedicated and secure guest bicycle parking facilities which might include something as simple as a bicycle rack installation.

d – Should storm drain box culvert drain gratings be installed anywhere in the Caltrans ROW a safety hazard would be produced (supra, Item 1, Storm Water Discharge).

Therefore I am opposed to any action to move to adopt the Initial Study/Mitigated Negative Declaration and respectfully request that such Action To Adopt be postponed until my comments and concerns are addressed.

Thank you for your consideration.

Respectfully submitted,

Pat Giorni
1445 Balboa Avenue
Burlingame, California 94010

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FEB 21 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

1518-20 Albemarle Way
Burlingame, Ca 94010

February 18, 2013.

Burlingame Planning Commission
501 Primrose Rad
Burlingame, Ca 94010

Re: Proposed Construction of Condominium at 1509 El Camino Real.

Dear Committee Members,

I want to begin by expressing my appreciation for your insistence that the developer, Mr. Fellowes, construct story poles before any action is taken on his proposal. I am assuming that all of you have now looked at this structure and like me, are grateful for your due diligence.

I am attaching a letter I wrote in August, 2011, addressing the concerns I had then.

After seeing the story poles and talking to many of my neighbors, I have even more concerns now and have three additional questions for you.

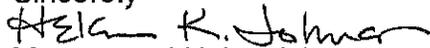
*Has there been a study on the shadows this structure will create on our lot and others? It does not seem to conform to the "building plane envelope" which Burlingame must adhere to. Our duplex is close to the creek as is Mr. Fellowe's proposed condominium. The shadows from his structure will turn a sunny interior into a cave-like dwelling and could harm the exterior vegetation. It is staggeringly out of place in an environment like ours which is a mini forest. with at least fifty trees and bushes.

*Regarding the environmental impact, have you considered the historic nature of the trees that Mr Fellowes wants to dig up?. Our trees are also mature and have roots that spread across the creek. These roots could be damaged during the construction and result in de-nuding our lot which is almost one third of an acre. Not only would it de-beautify our lot, it could turn it into a haven for termites which thrive in areas like this. w

At the meeting in August, 2011, our concerns about changing the borders on our property from R-2 to R-3 were discounted by Mr Fellowes who argued that it was a mistake that was now being rectified. While I take issue with that, I am even more concerned about precedents, a concern that was also sloughed off at the time of that meeting. I would argue that ten years ago Mr Fellowe's proposal would have been dismissed before it even got to the planning commission because of the damage to the environment and the request for a change in the zoning from R-2 to R-3. While some members of the planning commission

argued that duplexes like ours would remain R-2, Is it not reasonable to think that in ten years, the commission would be approving high rises in that stretch of El Camino? After all, If you approve Mr Fellowe's plans, Albemarle Way, which is comprised of R-1 and R2 zoning, will be book-ended by two high rise structures, the hospital on one end and Mr Fellowe's condominium on the other. It may then be considered cost-effective to create a bank of high rises along El Camino, demolishing the duplexes in the interest of commerce.

Sincerely


Marven and Helen Johnson

RECEIVED

1520 Albemarle Way
Burlingame, Ca 94010
June 29, 2011.

FEB 21 2013

Burlingame Planning Commisison
501 Primrose Road
Burlingame Ca 94010

CITY OF BURLINGAME
CDD-PLANNING DIV.

RE: Proposed construction of condominium on 1509 El Camino Real

Dear Commission members

We have noted the concerns of our neighbors in their letters to the Planning Commission in 2007 and will not replicate them, except to say that we share them. However, there are concerns that relate primarily to our property that we are compelled to draw to your attention since our concerns and those of our neighbors have been overlooked in this new proposal.

We have owned the duplex at 1518/1520 Albemarle Way since 1965. It sits on approximately 1/3 of an acre bordered by Mills creek, adjacent to the proposed condominium. The park- like quality of the setting would be totally destroyed by the construction of a four story building. However, the loss of privacy is insignificant in comparison to our concerns about the environmental impact on the creek and on our property.

In 1986, we hired a structural engineering firm to survey and assess the exterior and interior damage due to earthquake and water-related soil erosion. Work began almost immediately to shore up the creek and the right front corner of our duplex. Interior work followed, including removing the flooring in the lower level. Patios and lawns also had to be replaced. This work took many months and in today's currency, cost well over \$150,000.00. Fortunately, it was done well and we have had no further erosion on the creek nor to our building.(I don't have the paper work here from the structural engineer firm but I will fill in details when I get home) New construction by the creek could have a hugely detrimental effect on the creek and the surrounding land.

We are also concerned about the planning commission granting a waiver to the applicants for a portion of the property that is zoned R-2. In the late 60's, we applied for permission to build a one story in-law unit on our property. We were denied because it would mean changing our zoning from R-2 to R-3. We accepted this decision because we respected the strict building codes the Planning Commission enforced at the time. In fact, we moved to Burlingame because it was such a well planned community of apartments and homes with well-placed small businesses and corporations providing the kind of tax base the city required to preserve its dedication to the environment and to protecting residential areas.

If this waiver is granted for the proposed building, it could have a domino effect with others proposing similar zone changes, including ourselves. To allow a variance to one owner and not to the others who border on the property could subject the commission to a lawsuit citing preferential treatment, especially in this case, where the architect of the building is also on the planning commission. Despite the probability of him recusing himself, peer persuasion could be cited as a factor if the developer was given a permit to build.

Last but not least, we are concerned that Burlingame will lose the diversity that the current low income property has brought to the neighborhood. When my son was growing up, he was best friends with a child whose parents were new immigrants from Mexico. This child benefited greatly from his public education in Burlingame and the community benefited equally from the family's presence. The proposed condominium would displace families like this one at a time when the recession is taking its greatest toll on them (see article in N.Y. Times, July 27, 2011).

We are not opposed to the construction of new condominiums in Burlingame, especially in this case where the architectural design is excellent. But this is the wrong site for it and we urge the commission to deny the owner permission to build.

sincerely
Marven and Helen Johnson

A handwritten signature in cursive script, appearing to read "Helen Johnson".

February 20, 2013

RECEIVED

Burlingame Planning Commission
City Hall
501 Primrose Road
Burlingame, CA 94010

FEB 21 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

Subject Matter: **Project Being Considered
At 1509 El Camino Real**

Dear Burlingame Planning Commissioners:

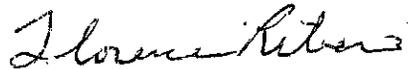
I grew up riding down the El Camino Real to visit family members on the Peninsula. When entering Burlingame from the north end it was always like entering another world - filled with beautiful trees and lovely quaint dwellings full of character. It had a special aura - it was a special place. That is why in the 60's my husband and I decided this was where we would move and raise our family. We raised 3 children and I am still here.

The northern end/Easton addition has kept much of that ambiance and aura, but is in danger of losing it. The development being proposed at 1509 El Camino Real in **no way conforms** with the area - **it is way too tall - way too big**. It is so **out of character for the area** which still has the aura of Old Burlingame, which much of the rest of the City has lost.

I **ask** that this proposed development be scaled back - three stories is **much** more than enough - and any building should be planned around the existing trees. Save our City from losing what makes it so special.

Thank you.

Yours truly,



Florence Ribero
1141 Cortez Avenue
Burlingame

Donald S. Mitchell and Yan Ma
1512 Balboa Avenue
Burlingame, CA 94010

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FEB 21 2013

February 20, 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

To: Burlingame Planning Commission Members
CC: Burlingame City Council

Re: Proposed construction of condominiums at 1509 El Camino Real and the Initial Study/Negative Mitigated Declaration ("IS/NMD" or "NMD")

We are writing to ask the commission to deny the proposed project at 1509 El Camino Real in its current form. As the story poles (which demonstrate the height, but not the full footprint of the project) show, the proposed building dwarfs other structures in the vicinity and is out of character for the neighborhood. A building of this proposed size and placement lacks the proper buffer between it and neighboring properties. This size is not appropriate for this location. The building will add noise and light pollution to the backyards of many neighbors, affect their privacy, and adversely impact the neighborhood. Despite being located on El Camino Real, this property forms a part of the Ray Park neighborhood and should conform to the character and aesthetics of Ray Park. It's reasonable to request a much lower building height near neighboring properties to limit:

- the impact of noise from building's machinery: A/C units, vents, elevator to roof top party area
- the impact of noise from open windows
- the impact of noise from the parking areas
- the impact of noise from the outdoor, rooftop party room
- the impacts of lights from windows on neighbors' backyards
- the impacts of lights from the parking areas on neighbors' backyards

The size of this building is predicated on rezoning an adjoining piece of land from R2 to R3. That land consists of a creek which is not suitable to build on. By rezoning that land and including it as part of the land for the new building, the owner is seeking a much larger building than if only the actual buildable area was taken into consideration. The proposed building height of 55 feet is over twice the height of neighboring dwellings. The height of the rear of the proposed dwelling will adversely affect the properties behind the building on Balboa Avenue. The NMD implies that the proposal will not adversely affect neighbors, but as the story poles and architect drawings show, this proposal will adversely affect the quality of life of neighbors.

February 20, 2013

Page 2

The proposal seeks the removal of trees on the property. This removal would adversely alter the aesthetics of El Camino Real, the north entrance to Burlingame, and the entrance to Ray Park and the Easton addition. The impression given to people entering Burlingame and Ray Park from El Camino Real is today one of a wooded, residential area. This new building would permanently change that.

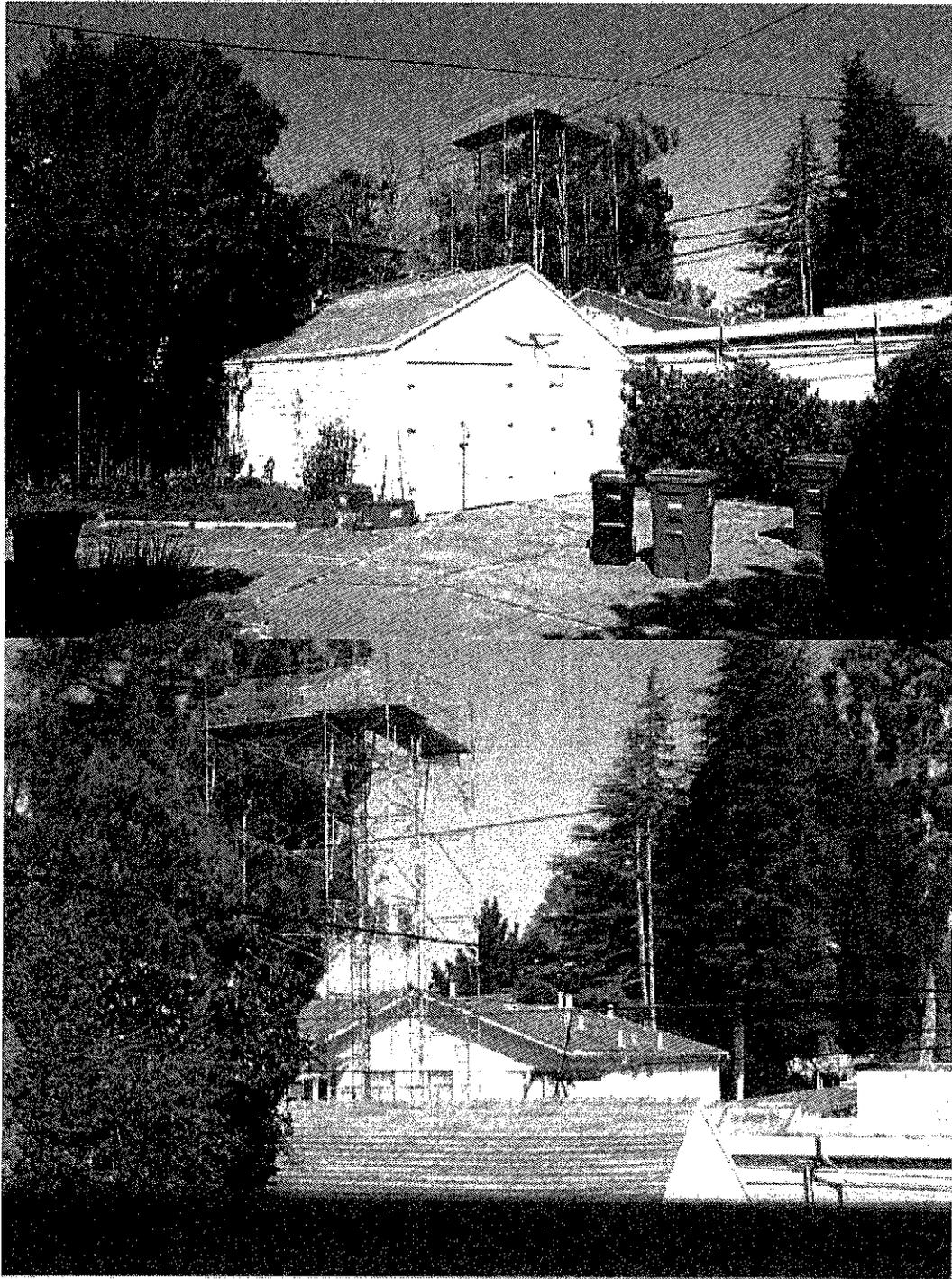
The NMD did not adequately explore parking and traffic issues. Today, parking along Balboa Avenue is not always readily available to residents in front of their homes. This is particularly burdensome on trash and recycling days when we cannot put our cans out in the street and must leave them on the curb or sidewalk. The amount of parking for the proposed building, and the limited guest parking, will surely result in more parking issues along Balboa Avenue. We believe the estimates of the amount of parking needed are wrong. We believe the proposal for so many compact spaces is out of line with what is needed.

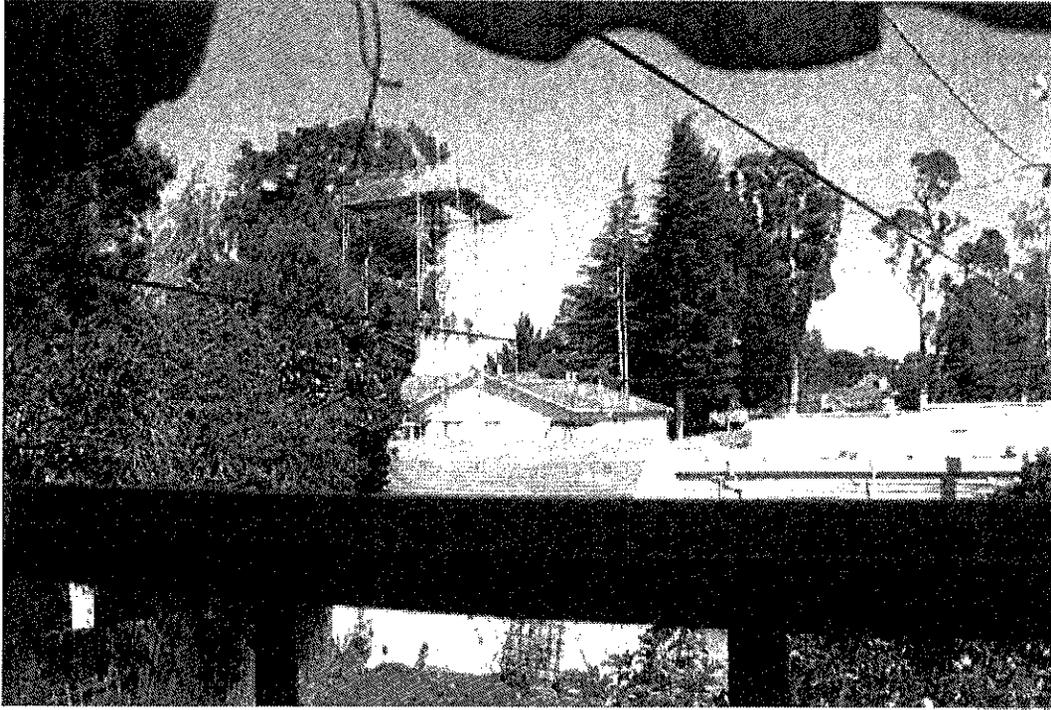
As for traffic, it's reasonable to presume that issues will arise from people turning left into 1509 El Camino Real from the north bound lanes. It's also reasonable to assume that those trying to leave 1509 and head north on El Camino Real will have difficulty making a left turn and need to instead loop around back on Balboa Avenue thus increasing the morning and evening traffic on the street. In my interpretation of the NMD, the existing traffic in the vicinity of 1509 El Camino Real was not taken into consideration. Instead, general purpose guidelines were used to approve the impact on the area. We feel this method of analysis was inappropriate for this area and this project and that more analysis is needed.

Attached are two photos of the story poles as seen from one of our bedroom windows and from our backyard. The impact of a building of this size on its neighbors is considerable.

Sincerely,

Donald S. Mitchell and Yan Ma





To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

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FEB 21 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

Print Name	Signature & Date	Address	Email or Phone
1 Dale Mazini	Dale Mazini 2/18/13	1524 Hoover Ave.	dalemazini@yahoo.com 650 343-2360
2			
3			
4			
5			
6			
7			
8			
9			
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11			
12			

February 25, 2013

Dear Members of the Burlingame Planning Commission,

I am opposed to the planned condo development at 1509 El Camino Real. I am a member of a group of concerned nearby residents who are passing around a petition in opposition to the proposed building

I have expressed my concerns over the eviction of the current residents and the removal of the many trees on the property. I think the developer does not want objections like mine to be considered, and has taken action to see that these items will not be a problem.

Nearby neighbors have taken pictures of the trees on that property over a period of several years. The number has been declining as trees are removed one by one, until now there are few left. The removal of these trees has taken place since the property was purchased by the developer.

I suspect there is a similar action being taken to reduce the number of renters so there will be few evictions needed before the project can begin. Yesterday, while passing around the petition, a man signed but said it really doesn't matter to him now. He lives at 1509 El Camino Real and has just had his rent increased by \$300.00 a month. He is moving out. He can't afford the higher rent.

While the developer may have the right to cut down the trees and raise the rents, I think this is not ethical behavior. I have a similar concern about him getting some benefits for providing two units at below market value while he is destroying eleven moderate priced apartments.

I remember a few years ago when Hillsbough was being fined by some agency for not having enough low income housing. They avoided paying the fine by listing servant's quarters in their mansions as low income housing. I think we may have a shortage of low or moderately priced housing in Burlingame and we should not demolish the apartments now at 1509 El Camino Real.

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MAR - 4 2013

CITY OF BURLINGAME
CDD-PLANNING DIV

Sincerely,

Patricia Gray
1616 Adelme Dr.

Audet & Partners, LLP
Attorneys-at-Law

221 MAIN STREET, SUITE 1460
SAN FRANCISCO, CA 94105
TELEPHONE: 415.568.2555
FACSIMILE: 415.568.2556
TOLL FREE: 800.965.1461
www.audetlaw.com

March 1, 2013

Via Email, and U.S. Mail

RHurin@Burlingame.org
Council@Burlingame.org
PlanningCommissioners@Burlingame.org

Burlingame Planning Commission
501 Primrose Road
Burlingame, CA 94010-3997

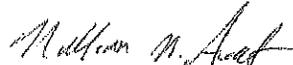
Attention: Rubin Hurin

RE: 1509 El Camino (Proposed) Project

After issuance of the NMD for the above project, the City Attorneys' office determined that the initial tree removal permit was issued in error and 'void'. I am writing to confirm that the above listed project will be subject to an entirely new application process at this point.

Furthermore, we request that this project be subject to a full EIR, and request you provide information regarding exactly what steps need to be undertaken for the issuance of an EIR, rather than a simple NMD, to be required for this project. Please provide any and all notices, decisions, hearing dates and the like to the undersigned regarding this project, a resident of Burlingame.

Respectfully submitted,


William M. Audet

cc: (via email only)
Lisa Goldman <goldman@burlingame.org>
William Meeker <wmeeker@burlingame.org>
Gus Guinan Gus <gguinan@burlingame.org>
Margaret Glomstad <mglomstad@burlingame.org>
Mark Habs <mhabs@comcast.net>

RECEIVED

MAR -1 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

March 5, 2013

Dear Planning Commission of Burlingame

I attended the City Council meeting last night because it was there was a retirement ceremony for our City Attorney and the appointment of our new City Attorney. I used the public comment part of the evening to request that these attorneys do some research on any laws that pertain to diversity of housing in a city for persons of different income levels. I have been trying to do this myself without success.

I remember that a few years ago the City of Hillsborough was threatened with a large fine for not having enough housing for low and moderate income people. Hillsborough avoided having to pay the fine by listing the rooms of live in servants as low income housing. I wanted to find out about what rules these were, and by what agencies, in hopes that these rules could prevent the eviction of the renters now living at 1509 El Camino Real.

I was informed by the mayor that the members of the planning commission could help me with this research. Are there rules that require housing for people with diverse income levels that could be used against the current plan to replace low and moderate housing with high end condominiums?

I am concerned that the current Burlingame residents who live at 1509 El Camino Real will be forced to leave their home city due to their inability to pay the ever increasing cost of housing in our city. If there is a requirement or standard that Burlingame assists in providing housing for low income people; it would be contrary to this responsibility to demolish the housing at this site.

Do you have access to studies on how many low or moderate housing units we have in Burlingame? Are these below the standard for a city of our size and population? I think we should act in such a way as to encourage people of many income ranges to live in our city. Certainly we should not be driving them out of their homes to provide more housing for wealthy people. There is no shortage of high priced condos in the immediate area that are available for people who can afford a million dollars or more for a condo.

Please consider this issue when you discuss your decision to approve, or disapprove, the proposed development at 1509 El Camino Real.

Sincerely,

Patricia Gray
1616 Adeline Dr.
Burlingame

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MAR - 7 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

CD/PLG-Hurin, Ruben

From: Ann Wallach <annrossw@att.net>
Sent: Sunday, March 10, 2013 6:19 PM
To: CD/PLG-Hurin, Ruben
Subject: Response from Dept. Fish and Wildlife

RECEIVED

MAR 11 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

--- On Fri, 3/8/13, Suzanne Deleon <Suzanne.Deleon@wildlife.ca.gov> wrote:

From: Suzanne Deleon <Suzanne.Deleon@wildlife.ca.gov>
Subject: Re: Streambed Alteration
To: "Ann Wallach" <annrossw@att.net>
Date: Friday, March 8, 2013, 4:46 PM

Hello,

Thank you for the information. I am the Environmental Scientist for San Mateo County and review projects for compliance with our Streambed Alteration Agreements. Unfortunately your pictures did not come through with the email so I wasn't able to see them. There seems to be two issues here: 1. the material going into the creek from behind the retaining wall and 2. the potential repair of the retaining wall. It wasn't clear if the applicant proposed #2 on the application to the City. And if they didn't, then that could be why they stated no work would occur in the creek.

The Applicant should address the issue of the undercutting of the retaining wall. Sedimentation into the creek resulting from a failed development can be a violation of the Fish and Game Code. Any work that occurs on the bed, bank or channel of the creek needs to be reviewed by CDFW and the applicant should notify the CDFW with a Notice of Lake and Streambed Alteration Agreement. Once CDFW reviews the Notice then we can make the determination if a Streambed Alteration Agreement is required. Usually, the cities and counties I work with tell the Applicant to contact CDFW if work will be conducted anywhere near a creek, however, I have not received any such communication for this site.

Please contact me if you have any other questions. Thank you,
Suzanne

Suzanne DeLeon
Environmental Scientist
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
suzanne.deleon@wildlife.ca.gov
831.440.9433

***Please note that as of January 1, 2013 our new name is the California Department of Fish and Wildlife

(CDFW) and new department web and e-mail addresses took effect.***

Audet & Partners, LLP
Attorneys - at - Law

221 MAIN STREET, SUITE 1460
SAN FRANCISCO, CA 94105
TELEPHONE: 415.568.2555
FACSIMILE: 415.568.2556
TOLL FREE: 800.965.1461
www.audetlaw.com

March 13, 2013

Via Email, and U.S. Mail

RHurin@Burlingame.org
Council@Burlingame.org
PlanningCommissioners@Burlingame.org

Burlingame Planning Commission
501 Primrose Road
Burlingame, CA 94010-3997

Attention: Rubin Hurin

RE: 1509 El Camino (Proposed) Project

As you know, at this point, the project cannot proceed due to tree permit and other issues. In light of both the tree permit and the other issues in the record, including the petition by the community, it appears that the only legal way to proceed is for the Committee to reconsider the permit application and issue a request for an EIR (or at least request input on whether EIR or NMD is required) for this project. At this juncture, clearly, the project cannot proceed.

We have yet to hear back from you regarding the status of the project. I ask for a formal opinion on the exact status of the project.

Respectfully submitted,


William M. Audet

cc: (via email only)
Lisa Goldman <goldman@burlingame.org>
William Meeker <wmeeker@burlingame.org>
Gus Guinan Gus <gguinan@burlingame.org>
Margaret Glomstad <mglomstad@burlingame.org>
Mark Habs <mhabs@comcast.net>

RECEIVED

MAR 13 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

March 13, 2013

Dear Planning Commissioner Bill Meeker,

This letter is in regard of the projected building at 1509 El Camino Real. I spoke at a meeting of the commission in regards to the plan to remove the trees now on that property. I mentioned that we need to do all we can to prevent global warming. There are two contributing factors leading to global warming---burning fossil fuels and deforestation. We must protect the trees and begin a massive program of planting more. I requested that you reject the plan to remove the grove of trees on that site.

I am also concerned about the proposed eviction of the people now living in the apartments on the property. I wrote to you last week asking for information of possible rules to preserve diversity in the income levels of our residents. I told you that I remember when Hillsborough was charged a fine for not having any housing for people of low or moderate income. I did not receive a reply.

I did find a copy of our City of Burlingame Housing Element. It states that our city needs to encourage the construction of housing for all economic segments of our population. It further states that our city will identify Burlingame's housing needs. I have lived in Burlingame over forty years and I have seen a marked change in the income level of our residents. My husband and I bought a home here on the single salary of a truck driver. This would be impossible today. I fear that the current residents at 1509 El Camino would not be able to relocate in our city. Do you have studies that refute this statement?

While the Housing Element document states that our local government is not required to build housing; it does seem to mean that we should not destroy such housing. To evict the people living in the eleven apartments to build fifteen million dollar condos is contrary to the intention of our statement on the desired housing elements required of Burlingame as a city in the nine bay area counties (ABAG).

I have signed the petition, along with hundreds of other Burlingame residents, stating that we are opposed to the current plan for the development at 1509 El Camino Real.

Sincerely,

Patricia Gray
1616 Adelme Dr.

RECEIVED

MAR 18 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

CD/PLG-Hurin, Ruben

From: mhabs@comcast.net
Sent: Wednesday, March 13, 2013 9:23 AM
To: GRP-Planning Commissioners; CD/PLG-Hurin, Ruben; CD/PLG-Meeker, William
Cc: GRP-Council
Subject: 1509 El Camino Real Project (proposed) Petition Signatures
Attachments: 1509 ECR Petition Signatures.pdf

March 13, 2013

TO: City Of Burlingame Planning Department, City of Burlingame Planning Commission

CC: Burlingame City Council

RE: 1509 El Camino Real Project (Proposed)

In my letter to the Planning Commission dated February 20, 2013 opposing the adoption of the Initial Study/Mitigated Negative Declaration for 1509 El Camino Real, and in my verbal comments to the Burlingame City Council "From the Floor" during the March 4, 2013 City Council Meeting, I referenced a petition circulating Burlingame signed by those opposing the project as currently proposed.

Please find the attached scanned petition sheets with ~350 written signatures opposing the 1509 El Camino Real Project as currently proposed. The following signature pages reflect what have been collected by my concerned neighbors to date and indicate a strong and growing objection to the said project that spans numerous neighborhoods. As members of the community at large, we reserve the right to collect more signatures opposing the project until we receive confirmation and/or notification that the current proposed project, as described in the circulated IS/MND and in light of Tree Permit revocation, is no longer being considered by the Planning Commission.

Respectfully Submitted,

Mark Haberecht
1505 Balboa Avenue

Attachment: Petition Signature Pages

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
¹ MARION SCHOSSEE	Schossee 2/16/13	1556 Albemarle Way	650.286.4727
² Roger Huwe	Roger Huwe 2/16/13	1556 Albemarle Way	650-689-5756
³ AHAN BIANCALANA	Ahan B. 2/16/13	1558 ALBEMARLE WY.	650-245-8275
⁴ Reva Shamus	Reva Shamus 2/16/13	1541 Albemarle	650.552.9870
⁵ Martene Juscen-Long	Martene Juscen-Long 2/20/13	1372 Vancouver Ave	mjl1332 @ comcast.net
⁶ GIN-GIN WU	GIN-GIN WU 3/01/13	1528 BALBOA AVE. Burlingame, CA	
⁷ Tom Ricci	Tom Ricci 3/11/13	3340 CRESTMOOR DR	THE RICCI 15101 @ SANBRUNOCABLE.COM
⁸ BILL MEADE	W Meade 3/11/13	2510 CIPRIANI BLVD	BILL@PECK-PECK.COM
⁹ KEN HARRIS	Ken Harris 3/11/13	2365 TRENTON DR	KTHKAHUNA @ ATT.NET
¹⁰ HECTOR ESCOBAR	Hector Escobar 3/11/13	1444 HANCOCK DR	650 394 8574
¹¹ MARK HASKEL	Mark Haskel 3/11/13	76 TUCKER AVE ^{SFCA} 94134	650-207-9454
¹² Randy Rhodes	Randy Rhodes		(650) 747-0558

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 PATRICIA A. BROGAN	Patricia A Brogan 2/15/13	1921 DEVEREUX DR BURLINGAME CA 94010	McKEOWNPB@aol.com
2 JOHN A. BROGAN	John A Brogan 2/15/13	1921 DEVEREUX DR BURLINGAME CA 94010	McKEOWNPB@aol.com
3 Jim Wood	JIM (VNS) 2/15/13	1917 DEVEREUX DRIVE	WBR341633@AOL.COM
4 Kathy O'Lander	Kathy O'Lander 2/15/13	1917 Devereux Drive Burlingame	
5 FRED MORAGA	Fred Moraga 2/15/13	1916 Devereux Dr.	fredmoraga196@aol.com
6 Bill Kelly	Bill Kelly 2/15/13	1912 DEVEREUX D.	WREILLY12@comcast.net
7 Hillary Mills	Hill Mills 2/15/13	1804 Devereux Dr.	hithompson@yahoo.com
8 Janice Rhodes	Janice Rhodes 2/15/13	1924 Devereux Dr.	LEXUSELLIS@AOL.COM
9 ELLIS RHOADES	Ellis Rhoades 2/15/13	1924 Devereux Dr.	LEXUSELLIS@AOL.COM
10 GARY JOYCE	Gary Joyce 2/16/13	1535 ALBEMARLE WAY	
11 Phil Green	Phil Green 2/16/13	1554 ALBEMARLE WAY	
12 Teresa O'Connor	Teresa O'Connor 2/16/13	1554 Albemarle Way	suntreetop@hotmail.com

To the Burlingame Planning Commission:

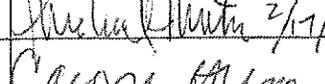
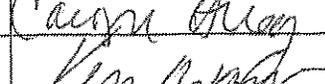
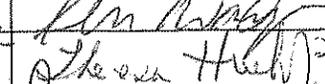
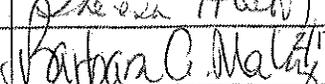
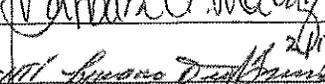
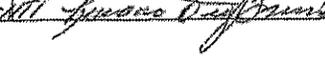
We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Zheny Gu	<i>Zheny Gu</i> 2/15/2014	1609 Albemarle Way Burlingame	650-652-9758
2 Julie Kon	<i>J Kon</i> 2-15-13	1661 Albemarle way	630-363-3219
*3 Jonathon Jonathon	<i>Jonathon</i>	— 0 —	— 16 —
4 Suzi Campbell Suzi Campbell	<i>Suzi Campbell</i> 2/15/2013	118 S Delaware St.	650-346-4596
5 Ed Migliatti	<i>Ed Migliatti</i> 2/15/2013	1553 ALBEMARLE WAY	
6 Eyad Canavati	<i>Eyad Canavati</i>	1520 Albemarle Way	Canavati37@yahoo.com
7 Rania Canavati	<i>Rania Canavati</i> 2/16/2013	1520 Albemarle Way	Rania Canavati 336/611
8 Patricia Huskett	<i>Patricia Huskett</i> 2/16/13	1518 ALBEMARLE way	Phusted+742@sbcschool.net 650-619-4742
9 Gordon Goble	<i>Gordon Goble</i> 2/16/13	1524 Albemarle Way	gordong_38@yahoo.com hotmail.com
10 Adrienne Graham	<i>Adrienne Graham</i> 2/16/13	1528 Albemarle Way	Adriennegraham184@comcast.com
11 CHRS GRAHAM	<i>Chris Graham</i> 2/16/13	1528 ALBEMARLE Way.	Chgraham7@gmail.com
12 Helen Johnson	<i>Helen Johnson</i>	1518 Albemarle	hjohnw@berkeley.edu

*Eight year old boy who desperately wanted to sign to protect the trees!

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 James Smiley	 1/17/13	2005 DEVEZEUX DR BURE	smileypeople@sbglobal.net
2 KIMBAL CLARK	 2/17/13	2019 Devezoux Dr. Bunk,	650 6970749
3 Mark de Leon	 2/17/13	2019 Rainy Dr.	557 7710225
4 EDWIN PALMIR	 2/17/13	214 RAY DR	707 72-6206
5 Louis P. Gsch	 2/17/13	1625 McDonald Way	louisp.gsch@gmail.com
6 Juan Garcia	 2/17/13	1633 McDonald Way	alvarez@ydr.com
7 MICHAEL MARTIN	 2/17/13	1900 DAVIS DR	MMICKMAIL@GMAIL.COM
8 Carolyn Way	 2/17/13	1808 DAVIS DR	carolyn.h.way@comcast.net
9 Kin Way	 2/17/13	1808 DAVIS DR	WAYKEN9@GMAIL.COM
10 THERESA HUEBNER	 2/17/13	1708 DAVIS DR	Fred999@pacbell.net
11 Barbara Malley	 2/17/13	1704 Davis Drive	barbaramalley@excite.com
12 LUCIANO DECIANOCENTI	 2/17/13	1556 BERNAL AV.	

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 ANDY HAYES	Andy Hayes 2/16/13	1510 RAY DRIVE, BURLINGAME	
2 Anson Hung	[Signature] 2/16/13	1616 Alhambra Way, Burlingame	
3 Woody Chung	[Signature] 2/16/13	1625 Alhambra Way, Burlingame	woody_chung@yahoo.com
4 Sylvia Chung	[Signature]	1625 Alhambra Way, Burlingame	Pusan Queen@yahoo.com
5 Sarah Howard	[Signature] 2/16/13	1629 Alhambra Way, Burlingame	
6 Janet Parrella	Janet Parrella 2/16/13	1604 Alhambra Way, Burlingame	
7 MICHAEL SANNIS	[Signature] 2/14/13	1541 ALHAMBRA WAY	MICHAEL.SANNIS@GMAIL.COM
8 BERTA ZIMMERMAN	[Signature] 2/16/13	1812 Devereaux Drive	BOOZER185@GMAIL.COM
9 JAMES SILVA	[Signature] 2/16/13	1928 Devereaux Dr	650 692 4964
10 Marnie Silva	Marnie Silva 2/16/13	1928 Devereaux Dr	(650) 692-4964
11 Gary Button	[Signature] 2/16/13	1925 Devereaux Dr	650 697 2591
12 George Chrisman	GEORGE CHRISMAN 2/18/13	1608 DEVEREAUX DR	650 692-4096

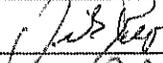
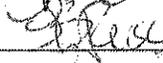
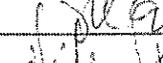
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
¹ Jo Baccelli	Jo Baccelli 2/17/13	1512 Columbus Ave	650-344-0989
² H. Klein		1516 Columbus Ave	
³ Beth Noll	ED Noll	1491 Benito Ave	
⁴ Jerome Noll	Jerome Noll	1491 Benito Ave	
⁵ JOHN ZENSIUS	John Zenius 2/17/13	1548 COLUMBUS AVE	650-342-2909
⁶ AUDREY ZENSIUS	Audrey Zenius	1548 COLUMBUS AVE	650-342-2909
⁷ Valene Brunicard	Valene Brunicard 2/14/13	2200 Adeline Dr Bgan	
⁸ Michael Brunicard	Michael Brunicard	2200 Adeline Dr Bgan	
⁹ Alexandra Kromelow	Alexandra Kromelow	2621 Adeline Dr.	alexandra@kromelow.com
¹⁰ Justin Kromelow	Justin Kromelow	2621 Adeline Dr.	Justin@kromelow.com
¹¹ ART CITRON	Arthur R Citron	1579 Columbus Ave.	
¹² ARLENE CITRON	Arlene Citron	1579 Columbus Ave.	

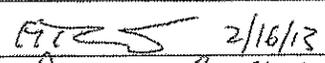
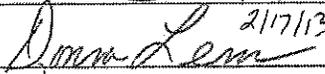
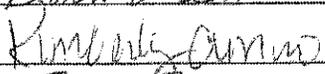
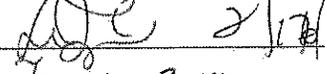
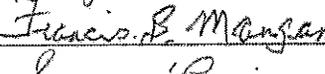
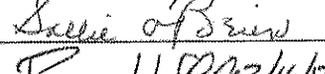
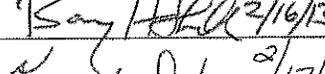
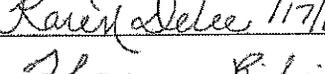
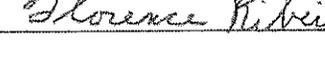
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 DIRK BAYER	 2-17-13	1050 Cowden Ave #110	(650) 380-4232
2 SIRIYA SUMMERS	 2-17-13	615 Ansel Road #201	916-204-7378
3 Terese Russell	 2-17-13	455 Chatham	650.504.2934
4 Ron Johnson	 2-17-13	1111 Douglas Ave	650-453-1974
5 Soheeb Wali		2771 Marinwood Dr	650 697 1222
6 Rosella W.		.	.
7 SARAH EPPS		1491 Oak Grove Ave	srotman@gm.!
8 Mike Schmidt		1900 Cornville #9	
9 Clare McCann	Clare McCann 2/1/13	2601 Frontera Way Blgm	650 697 0193
10 Joni Vincent	Joni Vincent	1990-48TH AVE S.F	
11 Adele Dunningan	Adele Dunningan	2425 S. Norfolk St #302	650-571-5244
12 Sally Solaro	SALLY SOLARO	616 Ansel #4 Blgm	650-376-3811

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
¹ GABRIEL DALPORTO	 2/16/13	1453 Balboa Ave	310-985 3359
² Donna Lema	 2/17/13	1457 Balboa Ave	347-4303
³ Kimberly Cimino	 2/17/13	1405 Balboa	315 3252
⁴ Bill Cerna	 2/17/13	1457 Balboa Ave	619-8314
⁵ Lucia Fieroni	 2/17/13	1472 Balboa Ave	650-38-1675
⁶ Sabrina Fieroni	 2/17/13	1472 Balboa Av	650-348-1675
⁷ Linda Ryan	 2/17/13	1532 Drake Ave	650-482 9314
⁸ Francis B. Mangan	 2/17/13	1468 BALBOA AVE	650 347-6097
⁹ Sallie O'Brien	 2/17/13	1469 Balboa Ave.	650 347-7496
¹⁰ Barry Shiller	 2/16/13	1440 Balboa Ave	650 343 5829
¹¹ Karen Delee	 2/17/13	1429 Balboa Ave	650-747-0515
¹² Florence Ribero	 2/17/13	1141 Cortez Ave	347-1545

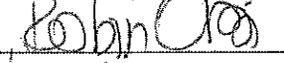
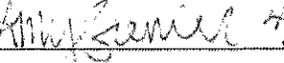
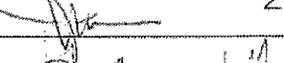
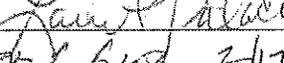
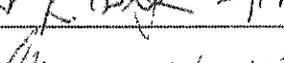
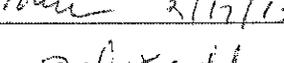
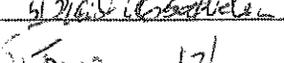
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
¹ Kathy O'Reilly	K. O'Reilly 2-15-13	1544 Albemarle Wy	Kathy999@hotmail.com
² MARY J'REILLY	Mary J. Reilly	1544 ALBEMARLE WAY	650 697 5618
³ Christina Liul	Christina Liul 2/15/13	1540 Balboa way	ckliu823@yahoo.com
⁴ Donald Mitchell	Donald Mitchell 2/15/13	1512 Balboa Ave	donaldsmitchell@yahoo.com
⁵ YAN MA	Yan Ma 2/16/13	1512 Balboa Ave	mayanp@yahoo.com
⁶ Tammy Mitchell	Tammy M. 2/16/13	1512 Balboa Ave	650-548-1724
⁷ Sophia Mitchell	Sophia M. 2/16/13	1512 Balboa Ave	650-548-1724
⁸ Changjing Lin	Changjing Lin 2/16/13	1512 Balboa AVE	650-787-8884
⁹ Thomas John Hornblower	Thomas John Hornblower 2/16/13	2100 Easton Dr.	tjhornblower@gmail.com 650-343-9852
¹⁰ Archibald MacPhail	Archibald MacPhail 2/16/13	1516 Balboa Avenue Burlingame, CA 94010	(650) 342-0350
¹¹ Patricia S. Woolf	Patricia S. Woolf 2/21/2013	1612 Easton Dr.	650-387-1887
¹² BARBARA L. LYONS	Barbara Lyons 2/21/13	80 El Camino Real, Burlingame 94010	650-740-9846

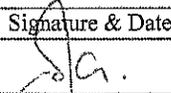
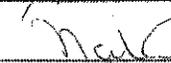
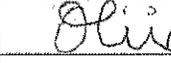
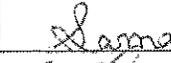
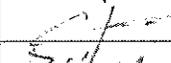
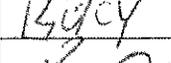
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
¹ Renee Zillman	 2/17	251 Camp... .. Ave.	1ball... ..net
² Robin Orsi	 2/17	1524 Westmoor Road	robinorsi@comcast.net
³ Amy Grenier	 2/17	575 Newlands	AMYL... ..net
⁴ Dawn Grenier	 2/17	1575 Newlands	DAWN.GRENIER@SBGGLOBAL.NET
⁵ Rourke McNamara	 2/17	33 PARK RD #4	ROURKEN@ROURKEN.COM
⁶ Jennifer McNamara	 2/17	33 PARK RD #4	JEN@ICEWALL.NET
⁷ Stephen Webb	 2/17	401 Blountfield Rd	stephenwebb79@gmail.com
⁸ Laura Palacio	 2/17	1904 DEVERAUX DR.	l.palacio@sbcglobal.net
⁹ REBECCA BERGETT	 2/17/13	216 HANNAH RD	REBEK... ..NET
¹⁰ Michael Berger	 2/17/13	216 Chauncy Rd	Mike.berger@comcast.net
¹¹ DAVID GRANBERG	 2/17	526 U ST	650 572-9962
¹² E. Jones	 17/	1432 Edgewood Rd	Eljones@Watkinsclass.com

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Michael Jones	 1/12/13	1432 Edgemoor Dr.	Michael J. Wabnitz@att.com
2 Stephen FAL	 2/17/13	1421 GALLERIA AVE	Stephen FAL@att.net
3 MARK CERREY	 2/17/13	1201 BAYSWATER BLVD	MARK@CERREY.COM
4 Olivia OYSI	 2/17/13	1524 Westmore	
5 Samantha Pizarro	 2/17/13	1904 Boulevard Dr.	650-692-1553
6 Christine Thorsteinson	 2/17/13	1549 Westmoor	650-490-4803
7 AUBREY ZAPANTA	 2/17/13	934 CHULA VISTA AVE.	650-766-7999
8 Chad Narvasa	 2/17/13	934 Chula Vista Ave	650-547-5593
9 Lucy Ballinger	 2/17/13	1251 Capuchino Ave	650-5079-4522
10 Rachel Mejia	 2/17/13	1914 Garden Br. #205	562-233-7939
11 Priann Flores	 2/17/13	1524 Redden Ave	650-465-7882
12 USA FINGER	 2/17/13	1509 El Camino Real	11501176@att.net

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Thomas J. Zuffi		1517 Balboa Av.	tomzuffi@hotmail.com
2 JOE CAIN		1110 Carmelita #2	342-9521
3 Judy Bruce		525 Crescent Ave	342-9235
4 Anne Casanzy		1316 Sanchez Ave	450-766-7979
5 Judy Sullivan		2727 Edison St SM	415-305-8583
6 Joseph R. Martin	RYAN R. MARTIN	" " "	650-280-1233
7 SHWAR PATA		" " "	650-619-6763
8 Ovi Katz		1509 Balboa Av	okatz@yahoo.com
9 Kristen Katz		"	kkatz33@yahoo.com
10 Kristen Holmstrom		1955 California Dr	californiachica@gmail.com
11 MICHAEL KATRS		240 EATON RD	310-936-1664
12 Samantha MacPhail	Samantha MacPhail	1516 Balboa Ave	sammacphail@yahoo.com

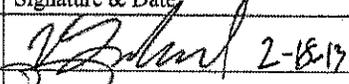
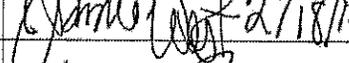
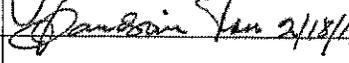
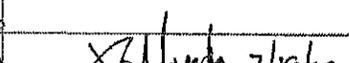
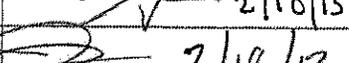
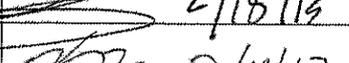
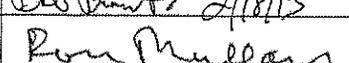
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Elaine Chesebrough	Elaine Chesebrough 2-19-13	1229 Bernal, Burlingame	650-759-1165
2 Julie Gilmanini	Julie Gilmanini	175 Glen Avlin Ln	juliegilmanini@mc.com
3 Louis Vicail	Louis Vicail	2955 Adeline	?
4 Adeline Olsen	Adeline Olsen	1380 Manzanita Pl	
5 DENTON WILLIAMS	Denton Williams	1416 DE SOTO AVE	D2WILLIAMS@SCTAHO.COM
6 DEBBIE WILLIAMS	Debbie Williams	1416 DE SOTO AVE	D2WILLIAMS@SCTAHO.COM
7 Arthur Minton	Arthur Minton 2/20/13	1177 Clavell Ln	durkston # 406 6144146
8 Miriam Loewi	Miriam Loewi 2-20-13	1605 Westmoor Rd.	mimimoch@peoplepc.com
9 Jenese Sieben	Jenese Sieben 2/20/13	1420 Montero Ave.	jenesesieben@gmail.com
10 Kyle Sieben	Kyle Sieben	1420 Montero Ave.	650.548.2407
11 Ryan Sieben	Ryan Sieben	1420 Montero Ave.	650.548.2407
12 Valerie Beffert	Val Beffert	1616 Adeline	_____

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Michael Fancher	 2-18-13	1025 Cadillac Way #210 Burlingame, CA 94010	mrmichael_@yahoo.com
2 Bill Fairweather	 2-18-13	1312 Adell Ave Burlingame CA	billfairweather@gmail.com
3 JOHN BRACK	 2/18/13	1277 CAROLWOOD AVE BURLINGAME, CA 94010	JBRACK@YAHOO.COM
4 JAMIE WEST	 2/18/13	1200 CORTAZ AVE	noreenwest@gmail.com
5 DARETAE THOMAS	 2/18/13	1527 EASTMOOR RD	(650) 652-9944
6 Jacobine Haggarty	 2/18/13	515 ARC WAY #302 1528 HOOVER AVE. Burl.	Jacqueline.haggarty@gmail.com
8 RAY SAMUD	 2/18/13	1339 CALIFORNIA DR	
9 Jennifer Pfeiffer	 2/18/13	1477 El Camino Burl. CA 94010	Jennifer Pfeiffer @sbcafbk.net
10 Kevin Nelson	 2/18/13	1654 ALBERTA WAY Burlingame CA	Kevin.Ross.Nelson@gmail.com
11 Bob Fiorito	 2/18/13	1137 HAMILTON LANE, Burl.	
12 Ron Muller	 2/18/13	2016 POPPY DR.	

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 TERESA SLANE	<i>Teresa Slane</i>	1556 BALBOA WAY.	
2 PAUL WALLACH	<i>Paul Wallach</i> 2/16/13	1524 BALBOA WAY	
3 ANN WALLACH	<i>Ann Wallach</i> 2/16/13	1524 BALBOA WAY	
4 Elba Gutierrez	<i>Elba Gutierrez</i> 2/16/13	520-Grand Ave #4 S.F.	
5 Mabel Montenegro	<i>Mabel</i> 2/16/13	520 Grand Ave #4 S.F.	
6 NINA WEIL	<i>Nina Weil</i>	1520 BALBOA AVE, NIND	
7 J. ANTONIO NIERRAS	<i>J. Antonio Nierras</i> 2/17/13	1528 Balboa Way	
8 RICARDO GARDNER	<i>Ricardo Gardner</i> 2/20/13	2255 HAMILTON AVE. SAN DIEGO, CA	
9 Dorlene J. Mariucci	<i>Dorlene J. Mariucci</i> 2/15/13	22 D. San Mateo #202, SM 2440, -650-685-5608	
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You may also contact the Commission directly at planningcommissioners@burlingame.org

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Gigi Chiu	 2/22/13	1640 Balboa, Burlingame, 94020	gchiu.mail@gmail.com
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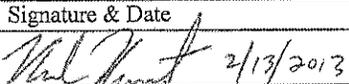
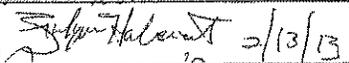
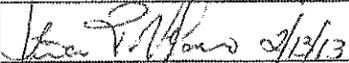
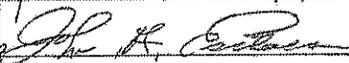
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Barbara ARENA	Barbara Arena 2-17-13	1540 Hoover Ave. ^{Burl. Ca} 94010	650-344-3579
2 James Arena	JAMES ARENA 6-16-38	1540 Hoover ave 94010	650-344-3579
3 Rosemarie Troccone	Rosemarie Troccone 2-17-13	1511 Columbus Ave. Burl. 94010	650-342-9837
4 John Troccone	John C. Troccone	1511 Columbus Avenue Burlingame, Cal	650-342-9837
5 Steven Brown	STEVEN BROWN 2-17-13	2125 HOLING DR Burl	
6 James Haggerty	JAMES HAGGERTY 2-19-13	1528 HOOPER AVE	650 201 3788
7 Jacque Haggerty	JACQUE HAGGERTY 2-19-13	1528 HOOPER AVE	650 451 2908
8 DAVID L. PLYER	David L. Plyer 2-20-13	1530 HOOPER AVE	650-342-1550
9 James L. Plyer	James L. PLYER	1530 - Hoover Ave	650-342-1550
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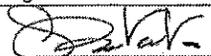
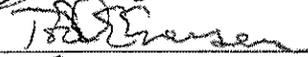
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Mark Hamberecht	 2/13/2013	1505 Balboa Ave, Burlingame	mhamb@comcast.net
2 FELYNN HAMBerecht	 2/13/13	1505 Balboa Ave Burlingame	650-218-2810
3 Lina R. Velasco	 2/13/13	1505 Balboa Ave. Burlingame	rayapasa@yahoo.com
4 John A Escobosa		1516 Adeline Dr. Burl.	650-344-7892
5 Zita W Escobosa		1516 Adeline Dr Burl.	650 344 7892
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To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
¹ ANDREA VAN VOORHIS		1501 CORTIZAWE, 94010	VANVOORHISESBCGLOBAL.NET
² Isaac Van Voorhis		1501 Cortez, 94010	ivanvoorhis@sanburkeassociates.com
³ TODD E ENERSEN		1624 McDonald Way 94010	tenersens@yahoo.com
⁴ CARMAN CHAN		1624 McDonald Way 94010	carman@yahoo.com
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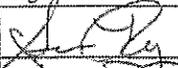
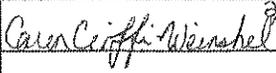
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Jeff Gobhart	<i>Jeff Gobhart</i> 2/15/13	1428 Balboa Ave Burlingame	650-344-0819
2 Michelle Riley	<i>Michelle Riley</i> 2/15/13	1428 Balboa Ave Burlingame	650 344 0819
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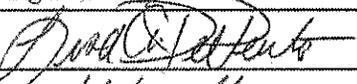
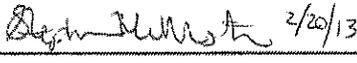
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Sue Ruman	 2/18/13	1509 Cortez Ave Burlingame, CA 94010	sruman@comcast.net
2 Douglas Ross	 2/18/13	1509 Cortez Ave Burlingame, CA 94010	douglasross@gmail.com
3 Evan Weinschel	 2/18/13	1465 Bernal Ave Burlingame, CA 94010	eweinschel@yahoo.com
4 Caren Cioffi-Weinschel	 2/18/13	1465 Bernal Ave Burlingame, CA 94010	carencioffi@gmail.com
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To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Lisa Del Puerto		1641 Westmoor Road <small>Burlingame, CA 94010</small>	mumsey cat@yahoo.com
2 SANDEEP SHROFF		1650 WESTMOOR RD.	
3 Stephanie McVicker	 2/20/13	1645 Westmoor Rd	
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1516 or 1505 Balboa

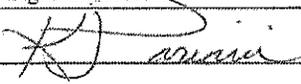
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
Deborah Hirtz	 2/17/13	1543 Vancouver Ave Burlingame CA 94010	debbiehirtz@gmail.com 650-438-6485
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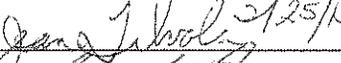
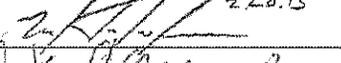
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 KATHY PARIAN		595 Dussell Rd.	650-348-1248
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To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 JEAN TALVOLA	 2/25/13	1735 Sebastian Dr	jetalvola@gmail.com
2 Richard Talvola		" " "	—
3 ZACK TALVOLA	 2.28.13	1735 Sebastian Dr	—
4 V. J. ...		77 El Camino Real	650 513-1330
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To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 TERESA HEI	<i>TH</i> 2.15.13	1453 Balboa Ave.	310-463-3783 devanicole@yahoo.com
2 TERESA HEI	<i>Teresa Hei</i>	1441 Balboa Ave	heitersa@gmail.com
3 CHARLEEN KOENIG	<i>Charleen Koenig 2/15/13</i>	2500 Adeline Blvd	CKoenig@marcupvillage.org
4 STEVE FINNIE	<i>Steve Finnie</i>	1617 Sanchez Ave	650-548-9548
5 ADRIANA FINNIE	<i>Adriana Finnie</i>	1617 Sanchez Ave	650-344-6999
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To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 WILLIAM F. SCHMID	<i>William F. Schmid</i> 2/14/13	1901 Adeline Dr. Burlingame	bill72240@aol.com
2 THOMAS E. ADDISON	<i>Thom E. Addison</i> 2/16/13	1900 Adeline Dr. Burlingame	T.Addison@sbcglobal.net
3 KATHLEEN ADDISON	<i>Kathleen Addison</i> 2-16-13	1900 Adeline Dr. Burlingame	Kathleenaddison@SBCGlobal.net
4 THOMAS P. GERAGHTY	<i>Thomas P. Geraghty</i> 2-16-13	1916 Adeline Dr. Burlingame	650-362-1991
5 THOMAS P. GERAGHTY	<i>Tom Geraghty</i> 2-16-2013	1916 Adeline Dr. Burlingame	650-544-3372
6 DENISE SCHMID	<i>Denise Schmid</i>	1901 Adeline Dr. Burlingame	denis747@aol.com
7 GERALD GRAMM	<i>Gerald Gramm</i> 2/16/13	1476 Oak Ave. Burlingame	650-347-1321
8 MARK GRAMM	<i>Mark Gramm</i>	1109 Burlingame Blvd. Burlingame	650-347-2100
9 ALAN LINDA VEED	<i>Alan Veed</i>	1800 Adeline Dr	650-343-3949
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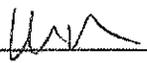
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Norm Bennett	<i>N. R. Bennett 2/24/13</i>	1112 Rosedale Ave, Burlingame	nbennett@pacbell.net
2 Sandra Bennett	<i>Sandra C. Bennett 2/24/13</i>	1112 Rosedale Ave, Burlingame	bennettsc@pacbell.net
3 Clotilde Costa	<i>Clotilde Costa 2-25/13</i>	1517 Adeline Dr., Burlingame	650-697-4279
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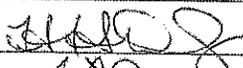
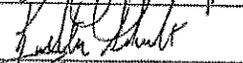
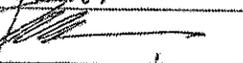
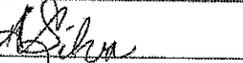
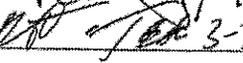
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Araet, Miller	 2/20/2012	711 Peppers Alley	408.207.4552
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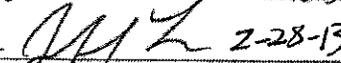
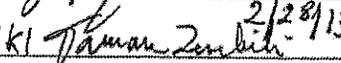
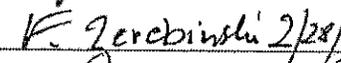
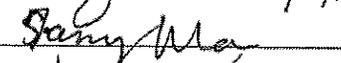
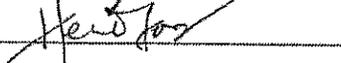
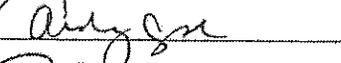
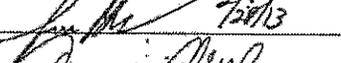
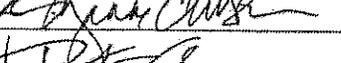
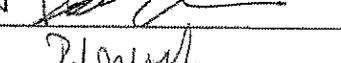
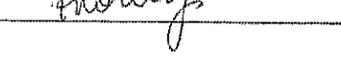
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
¹ Holly Daley		2117 Porey Dr.	650.347.0203
² KIRK ALAN PESSNER		1435 Bellevue Ave #301	650 344-7806
³ KATHY SCHMIOT		1512 Howard Ave	650 342-5020
⁴ BILL WARD WILLIAM WARD		1545 Floribunda Ave, #109	812-593-2455
⁵ John Mantos	John Mantos 2/18/2013	123 Victoria Rd.	650-401-6861
⁶ DIANE LABREDA		722 WALNUT AVE	650-579-2621
⁷ Joy Wilson	Joy Wilson 3/7/13	1741 Georgia Ave	
⁸ [Name illegible]	[Signature illegible] 7/7/13	4120 [Address illegible]	650 992-5555
⁹ DAVEBA SILVA		1584 Columbus Ave	650-342-1583
¹⁰ Hansa Ghadach	Hansa Ghadach 3/7/13	1675 Redlens Rd	
¹¹ Gary Deatherage		2025 CAENDLISA AV	347-5124
¹² ROBERT TEAL		1433 ERMENICO DR.	

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Ann Manh	 2-26-13	121 Victoria Rd	amitamanh@yahoo.com
2 Jeff Lema	 2-28-13	1457 Balboa	547-4323
3 TAMARA ZEREBINSKI	 2/28/13	1460 Balboa Ave	650 343-3309
4 Fred Zerebinski	 2/28/13	1460 Balboa Ave	(650) 343 3309
5 Ma Tammy		1454 Balboa Ave	(650) 278-7768
6 Heidi Moss		1601 Adeline Dr.	650-918-2723
7 Andrej Šali		2212 Hillside Dr.	609-513-1884
8 Melissa McBurn		1653 Carmel Way	689 5363
9 SURAT PHONSOMBAT	 2/28/13	1439 Cortez	415-608-6955
10 Suzanne Armstrong		1720 HILLSIDE DR	344-1658
11 DEBBIE CARPENTIER		1720 HILLSIDE DR	650-307-0141
12 ¹ Ilorant Judge		1425 DRAKE AVE	

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Betty Foster	Betty Foster	309 Occidental	
2 Tomoko HIRATA	T. Hirata	2625 MARTINEZ DR	
3 Maureen M Lennon	Maureen M Lennon 2/25	1128 Hamilton Ln.	
4 Michael Lennon	Michael Lennon	1128 Hamilton Ln	
5 Tom Gilman	Tom Gilman	1540 COLOMBUS AVE	
6 Jack Corbin	Jack Corbin	1540 " "	
7 Shu-ching Lin	Shu-ching Lin 2/25	1128 Chula Vista Ave	
8 Andrew Woods	Andrew Woods 2/25/13	1425 Cabrillo Ave	
9 Bonnie Daughtry	Bonnie Daughtry 2/25/13	918 Chula Vista Ave	
10 Jon BIEGENZAHN	Jon B. Biegenzahn 2/25/13	1200 Carmelita Ln	
11 Rowell H. Buringame	Rowell H. Buringame	1237 Beringame Burlingame	
12 Lory Guerra	L. Guerra 2/24/13	2129 Poppy Drive	Lory Guerra Beringame Kangst2@comcast.net

650 242-2185

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Jim McKay	Jim McKay 2.21.13	1509 El Camino Real ^{Burlingame 9400} #3	(650) 342-7107
2 Christine Williams	Christine Williams	118 Bancroft Rd	
3 Nancy Parsons	Nancy Parsons	1628 Lassen Way	
4 MARGARET COMBELLACK M. Combella	Margaret Combella	1933 Garden Dr.	
5 John O'Neal	John O'Neal	1516 Drake Ave	
6 Regina O'Neal	Regina O'Neal	1516 Drake Av. Burl	650 343-6922
7 Kristine Dorella	Kristine Dorella	1505 Cortez Av. Burlingame	
8 Anna Matteucci	Anna Matteucci	1605 Albrmarle Way	
9 Larry Vierra	Larry Vierra	1456 Cortez Ave	
10 Ray T. Roberts	Ray T. Roberts	3606 Atwater	
11 ANNA BROWN	Anna Brown	9 VARDIVIA CT	
12 Carol Held	Carol Held	2000 Frousdale #301	650 652-9516

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Janelle Becerra	Janelle Becerra 2/14/13	1437 Cortez Avenue	jay@becerras.net
2 JERRY SENKIR	J. Senkir	1468 CORTEZ AVE.	JDSENKIR@ME.COM
3 MARLENE SENKIR	Marlene Senkir	1468 Cortez Ave	JDSENKIR@me.com
4 Uma Mahadew		1433 Cortez Ave	umamah1@yahoo.com
5 Joe Becerra	Joe Becerra	1437 Cortez Ave	joe@becerras.net
6 Paula Wong	Paula Wong	1434 Cortez Ave	sn0024123@stcglobal.net
7 Marilyn McDonnell	Marilyn McDonnell	1436 Cortez Ave	Marilynmb@aol.net
8 JEFF INOKUCHI	Jeff Inokuchi 2/10/2013	1440 CORTEZ AVE	j.inokuchi@stcglobal.net
9 Leslie Inokuchi	Leslie Inokuchi 2/10/13	1440 Cortez Ave	linokuchi@stcglobal.net
10 Paul Brooker	Paul E. Brooker 2/22/13	1448 Cortez Ave.	pauldeb54@aol.com
11 KIMBERLY ROSALES	Kimberly Rosales 2/24/13	1521 CORTEZ AVE	krosales@comcast.net
12 MARIYA VIERA		1456 Cortez Ave	

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
¹ Patricia Gray	<i>Pat Gray</i> 2-13-13	1616 Adeline Dr	pat1936@gmail.com
² Jon Bykoff	<i>Jon Bykoff</i> 2-13-13	1616 Adeline Dr	sheetmedlin@yahoo.com
³ Victor Bykoff	<i>Victor Bykoff</i>	1616 Adeline Dr	vicbykoff@gmail.com
⁴ Jeannie Kaufman	<i>Jeannie Kaufman</i> 2/13/13	2460 Summit Dr.	
⁵ SAL Kilic	<i>SAL</i> 02-14-13	1377 Broadway	
⁶ John Cordeiro	<i>Cordeiro</i>	1100 Paloma Ave	
⁷ Mansha Lee	<i>Mansha Lee</i>	1468 Benito Av	manshalee12@gmail.com
⁸ Lisa Elie	<i>L. Elie</i>	1448 Balboa	*
⁹ Sean Brown	<i>Sean Brown</i>	1132 Laguna	
¹⁰ CHRIS FOLEY	<i>Chris Foley</i>	1504 DAVIS DR	cefoley37@gmail.com
¹¹ Wendy Bottr	<i>Wendy Bottr</i>	2260 Forest View	
¹² Annie Chaney	<i>Annie Chaney</i>	301 Bloomfield	

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1. Rufina Sherchub	Rufina Sherchub	2822 Trousdale	650-7367
2. Mary Nappi	Mary Nappi 2/16/13	1452 Bernal Ave.	650-343-4827
3. THOMAS NAPPI	[Signature]	1452 BERNAL AVE	650-343-4827
4. ARLENE CITRON	Arlene Citron	1579 Colma Ave.	650-344-5864
5. ART CITRON	Arthur Citron	"	" " "
6. Rosemary Scanlan	[Signature]	1558 Columbus	
7. Anna Karamor	[Signature]	1595 Columbus Ave	650-348-1364
8. R. Samboran Towle	[Signature]	2200 Hillside Drive	650-342-1063
9. Susan M. Towle	Susan M Towle	2200 Hillside Drive	" " "
10. Stella Daine	Stella Daine	2309 Hale Drive	sdaine@augustcorp.com
11. David Hinckle	David Hinckle	1616 Sanchez Ave	342-6847
12. Dave Clarkson	[Signature]	10285 - California Way #66	650-302-7390

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Mrs. John Welsh	MRS. JOHN WELSH ^{MD}	1030 Chula Vista	650-315-5005
2 JOHN J. WELSH	John J. Welsh	1030 CHULA VISTA	650 315-5005
3 Beatha Dwyer	Beatha Dwyer	1253 Drake Ave	650
4 Linda Woy. N	Linda Woy. N	843 Crossway	
5 Pat Hall	Pat Hall	82 SMA 150 Dr	
6 Connie Van Niekkerken	Connie Van Niekkerken	909 Riverside	
7 Stephen Hieber	Stephen Hieber	1439 Floribunda Apt 3	307-714-2315
8 Marina Kravtsova	Marina Kravtsova	821 El Camino, #302	(650) 267-9848
9 Miles Comford	Miles Comford	2001 Carmelita Ave.	(650) 344-5301
10 LINDA LEVA	Linda Leva	817 Winchester Lewis	(650) 579-5891
11 Joseph D. Zuffi	Joseph D. Zuffi	1517 Balboa Ave	(650) 455-6976
12 Emily Cotchett	Emily Cotchett	1515 Balboa Ave	(650) 678 7249

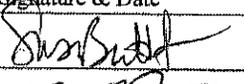
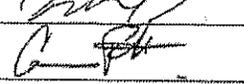
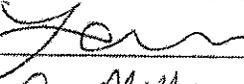
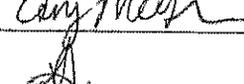
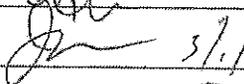
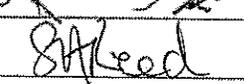
To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Taylor Brown	Taylor Brown 2/16/13	1515 Balboa Ave.	(650) 888-6407
2 WILLIAM GUERRA	William Guerra 2/16/13	1433 CABRILLO AVE	650-703-4511
3 A. D. CRAMBERLAIN	Alex Chamberlain 2/16/13	1708 DEVEREAUGH	650-259-9507
4 ART LERMAN	Art Lerman	1455 Cortez Ave	650-579-3927
5 Brooke Lerman	Brooke Lerman 2/16/13	1455 Cortez Ave	650-579-3927
6 JOHN F. M. CADIS	John F. M. Cadis 2/16/13	1523 CABRILLO AVE	
7 MARIO FORIELL	Mario Foriell 2/16/13	1604 Davis Drive	650-231-2663
8 Mary Slane	Mary Slane 2/16/13	1465 Cortez Ave	650-401-6590
9 TERESA SLANE	Teresa Slane 2/16/13	1556 Balboa	650-259-9295
10 Sue Peloquin	Susan Pellegrini 2/16/13	1472 Cortez Ave	650 685-8814
11 STEVE MONTALVO	Steve Montalvo 2-16-13	2506 POPPY DRIVE	650-348-3779
12 JENNIFER HAN	Jennifer Han 2/16/13	1770 Sequoia Ave	

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Susan Battist		1636 Marco Polo Way	SFBattist@aol.com
2 Youjung Shim		1544 Balboa Ave	youjungss@gmail.com
3 Federico Orsi		1524 Westmoor Rd	Federico.Orsi@meridianstructure.com
4 Corinne Pitre		1240 Cortez Ave.	cspitre@sbcglobal.net
5 Laurie Moore		1485 KINGSWOOD DR 94010	LDMOORE67@yahoo.com
6 Amy McHugh		20 Percheron Pl. 94010	ambhugh@yahoo.com
7 Lenny Chu		2201 Davis Dr. 94010	lnc4ka2@gmail.com
8 Joseph Bengler	 3/1	1617 Ralston Ave	JBengler@gmail.com
9 Elizabeth Sedgwick		1220 El Camino Real	lizzie@santofranmail.com
10 CONSTANCE ANDERSON		722 CAPACHINO	—
11 Sheila Keed		1112 Vancouver Ave	she-keed@sbcglobal.net
12 Laura		1345 El Camino	650 4587562

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 WILLIAM F. SCHMID	William F. Schmid 2/14/13	1901 Adeline Dr Burlingame	bill72240@aol.com
2 Thomas E. Giddison	Thomas E. Giddison 2/14/13	1900 Adeline Dr. Burlingame	T. Giddison 520-9100-1008
3 Kathleen Adelson	Kathleen Adelson 2/16/13	1500 Adeline Dr Burlingame	330-310-3000 SBC 310-3000 Adelson@adelson.com
4 Thomas P. Geraghty	Thomas P. Geraghty 2-16-2013	1916 Adeline Dr. Burlingame	650-302-1991
5 Thomas P. Geraghty	Thomas P. Geraghty 2-16-2013	1916 Adeline Dr. Burlingame	650-544-3372
6 DENISE SCHMID	Denise Schmid	1901 Adeline Dr. Burlingame	denise747@aol.com
7 GERALD GRAHAM	Gerald Graham 2/11/13	1476 Oak Ave. Burlingame	650-347-1321
8 Mark Graham	Mark Graham	1109 Bay St Burlingame	650-347-2100
9 Alex Blinder Venz	Alex Venz	1800 Adeline Dr	650-543-3949
10			
11			
12			

CD/PLG-Hurin, Ruben

From: mhabs@comcast.net
Sent: Wednesday, March 20, 2013 8:15 AM
To: CD/PLG-Hurin, Ruben; CD/PLG-Meeker, William
Cc: GRP-Planning Commissioners; GRP-Council; mhabs@comcast.net
Subject: 1509 El Camino Real Project (proposed) - Additional Petition Signatures
Attachments: 2nd Set 1509 ECR Petition Signs.pdf

March 20, 2013

TO: City Of Burlingame Planning Department
CC: City of Burlingame Planning Commission; Burlingame City Council

RE: 1509 El Camino Real Project (Proposed)

Pursuant to my letter dated 3/13/2012 (referenced below), my neighbors have collected 37 additional signatures opposing the currently proposed project at 1509 El Camino Real, bringing the total signature count opposing the proposed project to ~390. Please find the 2nd set of petition signature pages attached herein.

Respectfully submitted,

Mark Haberecht
1505 Balboa Ave.

Attachment: 2nd set of petition signature pages

From: mhabs@comcast.net
To: planningcommissioners@burlingame.org, rhurin@burlingame.org, wmeeker@burlingame.org
Cc: council@burlingame.org
Sent: Wednesday, March 13, 2013 9:23:27 AM
Subject: 1509 El Camino Real Project (proposed) Petition Signatures

March 13, 2013

TO: City Of Burlingame Planning Department, City of Burlingame Planning Commission

CC: Burlingame City Council

RE: 1509 El Camino Real Project (Proposed)

In my letter to the Planning Commission dated February 20, 2013 opposing the adoption of the Initial Study/Mitigated Negative Declaration for 1509 El Camino Real, and in my verbal comments to the Burlingame City Council "From the Floor" during the March 4, 2013 City Council Meeting, I referenced a petition circulating Burlingame signed by those opposing the project as currently proposed.

Please find the attached scanned petition sheets with ~350 written signatures opposing the 1509 El Camino Real Project as currently proposed. The following signature pages reflect what have been collected by my concerned neighbors to date and indicate a strong and growing objection to the said project that spans numerous neighborhoods. As members of the community at large, we reserve the right to collect more signatures opposing the project until we receive confirmation and/or notification that the current proposed project, as described in the circulated IS/MND and in light of Tree Permit revocation, is no longer being considered by the Planning Commission.

Respectfully Submitted,

Mark Haberecht
1505 Balboa Avenue

Attachment: Petition Signature Pages

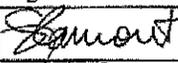
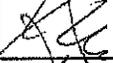
RECEIVED

MAR 20 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Steven Lamont	 14 Mar 2013	1915 Adeline Drive Burlingame	415-354-9723 steve@chezlamont.com
2 JULIE PAK	 14 Mar 2013	1915 Adeline Dr. Burlingame	415-735-0512 juliepak@gmail.com
3 Sohyun Ryu	 14 Mar 2013	1915 Adeline Drive Burlingame	415-0857-2066 hottin527@gmail.com
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To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

RECEIVED

MAR 20 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

Print Name	Signature & Date	Address	Email or Phone
1 Norma O'Connor	<i>Norma O'Connor</i> 2/26/13	2615 Hillside Drive	(650) 342-4637
2 Tom O'Connor	<i>Tom O'Connor</i> 2/23/13	411 Rollins Rd	(650) 344 4114
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You may also contact the Commission directly at planningcommissioners@burlingame.org

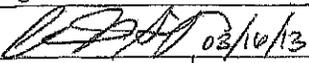
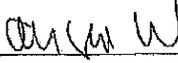
RECEIVED

MAR 20 2013

CITY OF BURLINGAME
ODD-PLANNING DIV.

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 CHRISTINE SINCH	 03/10/13	5710 N. 11th St., San Jose, CA	CSINCH@SJOE@GMAIL.COM
2 ALISSA WILKINSON		1405 CLAYMINOR BLVD. CT BURLINGAME	SEA_AHO_SAND@YAHOO.COM
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RECEIVED

MAR 20 2013

CITY OF BURLINGAME
 ODD-PLANNING DIV.

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 PFEIFFER	Ch. Pfeiffer 2-22-13	1140 Orinial Bent	game 344-8990
2 Anderson	Paul + Jean 2/22-13	1244 El Camino Real	344-7450
3 SHERYL ANDERSON	Sheryl 2/23/13	1521 Balboa Ave, Burling	Anderson, Sheryl@comcast.net
4 Kathy Cotchett	Kathy Cotchett	1515 Balboa Ave.	Kcotchett@aol.com
5 Rita Yau	Rita Yau	500 El Camino Real #215	ritarakillian@gmail.com
6 Nicole Chin	Nicole Chin	1153 San Anselmo Ave.	nchin85@gmail.com
7 Sophia Zerebinski	Sophia Zerebinski	1460 Balboa Av.	(650) 343 3309
8 Thomas R Prager	Thomas R Prager	1454 Balboa Ave.	(650) 217 9206
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RECEIVED

MAR 20 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Kim Abbott	K Abbott 3/19/13	1480 Highway Rd	fossiea94061@yahoo
2 Zach Abbott	Zach Abbott 3-19-13	1480 Highway Rd	6502201030ca
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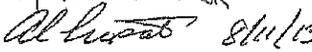
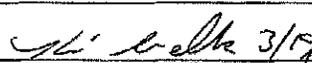
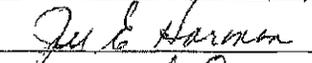
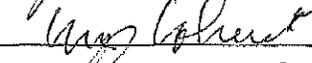
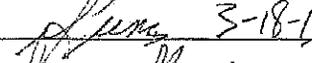
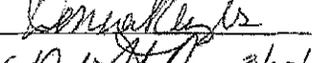
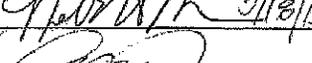
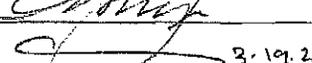
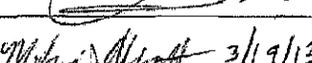
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MAR 20 2013

CITY OF BURLINGAME
 CDD-PLANNING DIV.

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Arnold Duncan	 3-11-13	1821 Park Hill Rd. #1107 94402	ARNOLD.DUNCAN@gmail.com
2 AL ROSAT	 8/11/13	490 Chancery Mt.	---
3 Kim Wells	 3/19/13	3214 Palos Verdes St.	
4 Jill Harmon	 3-18-13	935 CAJUCHANO AVE B	btbtravel@sbeglobal.net
5 Bill Cohendet	 3-18-13	1408 Hillside Cir B	
6 DEREK PRINCE	 3-18-13	1502 ADELINE DR.	650-346-6808
7 Donna Reyes	 3-18-13	1502 Adeline Dr.	650-696-1970
8 Nellie Porter	 3/18/13	1502 Adeline Dr	650 696 1970
9 Amy Williams	 3-19-2013	1502 Adeline	650 696-1970
10 SIMON G. GILBERT	 3-19-2013	1604 Davis St	650-823-4100
11 Melanie Abbott	 3/19/13	1480 Highway Rd.	melaniashina@gmail.com
12 Jason Dvora	 3/19/13	1512 Hickory	jdavora57@aol.com

You may also contact the Commission directly at planningcommissioners@ Burlingame.org

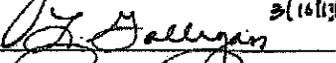
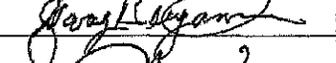
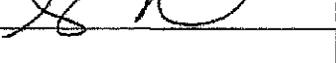
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MAR 20 2013

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

CITY OF BURLINGAME
CDD-PLANNING DIV.

Print Name	Signature & Date	Address	Email or Phone
¹ Jeanne Patterson	 3/16/13	1011 Drake Ave	patterjv@sbcglobal.net
² Linda Galligan	 3/16/13	1037 Capuchino Ave	lgalligan@burlpres.org
³ Penelope Benjamin		3015 Hillside Dr	peny65@aol.com
⁴ Gary L. Benjamin		3015 Hillside Dr	fordboy@live.com
⁵ Cheryl Jaunich		2525 Easton Dr.	cjaunich@yahoo.com
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RECEIVED

MAR 20 2013

CITY OF BURLINGAME
CDD-PLANNING DIV.

To the Burlingame Planning Commission:

We are opposed to the current plan for the development at 1509 El Camino Real.

Print Name	Signature & Date	Address	Email or Phone
1 Robert W. Lam	<i>Robert W. Lam</i>	1212 Cortez Ave	650 343 8017
2 Elizabeth Cordue	<i>Elizabeth Cordue</i>	Laguna Ave, Burlingame	(650)
3 James Cacelato	<i>James Cacelato</i>	1600 Adeline Dr -	650-375-1996
4			
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Subject: FW: 1509 El Camino Real - Staff Report.txt
FW: 1509 El Camino Real - Staff Report

From: m lee [mailto:marshaleemj@gmail.com]
Sent: Thursday, March 14, 2013 12:57 PM
To: CD/PLG-Hurin, Ruben
Subject: Re: 1509 El Camino Real - Staff Report

Hi Rubin -
Thank you for sending the open space exhibit.

I would like to provide the following comments for the file, and for inclusion in the next public hearing staff report:

The Proposed Residential Condo project, located at 1509 El Camino Real, is located at the northern entrance gateway to the City of Burlingame. The proposed project would be more suitable for the surrounding neighborhoods if it was revised to 2 stories over parking with the proposed footprint, or 3 stories over parking with a revised south side footprint that preserves the existing trees. In addition, the proposed architecture would be more in keeping with the "character of Burlingame" if it was revised to reflect the quality and style of the historic Casa Baywood apartment project located on El Camino near 3rd Ave in San Mateo.

Thank you for your attention,
Marsha Lee

CD/PLG-Hurin, Ruben

RECEIVED

From: Patricia Gray <pat.1936@gmail.com>
Sent: Thursday, March 21, 2013 7:45 PM
To: CD/PLG-Meeker, William
Cc: Private; pfellowes@sbcglobal.net
Subject: Re: UPDATE - March 21, 2013 - 1509 El Camino Real

MAR 21 2013

CITY OF BURLINGAME
CDD/PLANNING DIV.

My concern is the eviction and destruction of the moderately priced rental property. I have read the Burlingame Housing Element which states the desire to have housing for all levels of income. I think the high priced condo towers are numerous and not selling. Has Mr. Fellowes sold all the condos in his development in downtown Burlingame? Or will he now put them up to rent without adequate parking spaces---one per apartment bedroom instead of one per condo?

I am not pleased that he may get credit in some way for providing two 'below market value' condos while he has eleven rental units demolished. "Below market value' of a million dollar condo will not be something for people with moderate means. They will be forced out of their home town. The current residents at that address deserve more respect by our city officials.

There is a glut of high priced condos nearby and a shortage of moderately priced housing units in Burlingame. It is not wise to build what is not needed (and not selling) and destroy what is needed.

If Mr. Fellowes wants to remove the story poles that is fine. They are not useful because they can not be seen from El Camino. When they are put up again if he has a new proposal, I would request that the story poles be IN FRONT OF THE PROJECT and they should be tall enough to show the height of the whole building---including the elevator towers and other up thrusting structures and the kitchen and bathroom on the roof garden party area. The story poles should also show the height of the mansard roof and not stop at the ceiling height of the fourth floor. In fact the proposal as now presented is five stories and far too high for the neighborhood

I object to any plans to chop down the old trees on the property. It seems rather strange that the trees are decreasing in number as time goes by. If there is a pause before a new project is submitted, can we expect more trees to disappear?

While I am not planning to request a meeting with Mr. Fellowes, you may forward him this email if he is interested in the opinion of someone opposed to his proposal.

Patricia Gray

On Thu, Mar 21, 2013 at 5:27 PM, CD/PLG-Meeker, William <wmeeker@burlingame.org> wrote:

Today, Community Development Department staff and the City's Arborist met with the project proponent (Pat Fellowes) for the property at 1509 El Camino Real to provide the opportunity to discuss the status of the project and potential next steps. At the conclusion of our meeting it was Mr. Fellowes' desire to place the project on hold for the time being and to reach out to residents that have expressed concern regarding the project in an

effort to learn more about the objections and to work with the group to possibly revise the project in a manner that the community may support and that is still feasible for implementation from the developer's standpoint. Knowing that I would be updating all of you with this status report, Mr. Fellowes requested that I ask all of you to identify a core group of individuals with which he can meet to begin these discussions. Those wishing to participate in these discussions should make contact with Mr. Fellowes directly at the following e-mail address: pfellowes@sbcglobal.net.

In light of Mr. Fellowes' desire to take a step back and place the project on hold for the time being with the likelihood that a significantly altered project design may ultimately be presented, he has requested authorization from staff to remove the "story poles" from the property while discussions with the community are occurring. Staff concurs with the removal of the story poles at this time, with the understanding that if the project is reactivated and/or submitted in revised form, it is likely that the story poles will again need to be erected on the site.



William Meeker, Director

Community
Development Department

501 Primrose Road – Second Floor

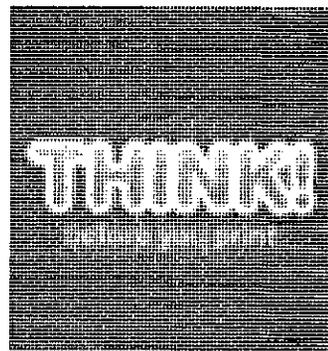
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FAX: [\(650\) 696-3790](tel:(650)696-3790)



CD/PLG-Hurin, Ruben

RECEIVED

From: mhabs@comcast.net
Sent: Friday, March 22, 2013 8:03 AM
To: CD/PLG-Meeker, William
Cc: blyonslaw@gmail.com; pat1936@gmail.com; waudet@audetlaw.com; nina@ninaweil.com; annrossw@att.net; dcrosatto@icloud.com; habeltfamily@gmail.com; gilmore carolehall; wpnagle@aol.com; pasta@yahoo.com; mhabs@comcast.net; donaldsmitchell@yahoo.com; hogorni@yahoo.com; marshaleemjl@gmail.com; sammacphail@yahoo.com; CD/PLG-Hurin, Ruben
Subject: Reply to Status of 1509 El Camino Real March 22, 2013

MAR 22 2013

CITY OF BURLINGAME
CPD-PLANNING DIV.

March 22, 2013

Dear Mr. Meeker:

Thank you for the status update on the proposed development of 1509 El Camino Real. Pursuant to my letter dated February 24, 2012 addressed to you, I re-iterate my request that copies of all public comments, reports, transcripts, minutes and communiques that were made available to Mr. Fellowes with respect to the Proposed Project at 1509 El Camino Real (as described in the Initial Study/Mitigated Negative Declaration on the said Project) be distributed to all persons copied on this email. On behalf of numerous interested persons in the community, we welcome the overture of Mr. Fellowes to engage in discussion with key community members about alternatives in the development of 1509 El Camino Real Property. With the intent of engendering the most productive discussions with Mr. Fellowes as well as ensuring full public disclosure of all potentially significant environmental impacts of potential said Property development, circulation/availability of all public comments (verbal, written, transcripts) and Agency reports (e.g. California Department of Fish and Wildlife) is very important, if not legally required, to those copied on this email.

Respectfully submitted,

Mark Haberecht
1505 Balboa Ave

CD/PLG-Hurin, Ruben

From: Barbara Lyons <blyonslaw@gmail.com>
Sent: Wednesday, March 13, 2013 5:35 PM
To: CD/PLG-Hurin, Ruben
Cc: GRP-Planning Commissioners; CD/PLG-Meeker, William
Subject: 1509 El Camino - Native American Heritage Commission

RECEIVED

MAR 13 2013

Dear Mr. Hurin:

CITY OF BURLINGAME
CDD-PLANNING DIV.

In reviewing the January 23, 2013 Initial Study and Mitigated Negative Declaration for the proposed project at 1509 El Camino Real (the "NMD"), I noted that there was no apparent follow-up with the Native American Historical Commission ("NAHC") concerning the August 12, 2012 inquiry reported on page 60 of the MND. This was surprising, given the known presence of two significant prehistoric habitation sites very close to the proposed project site.

I understand that NAHC usually responds to search requests within ten or 11 days after receiving them, and when possible responds sooner.

NAHC has informed me that if the MND is still being considered (or if it is recirculated), they will be happy to respond.

Therefore, would you please confirm whether the MND is still under consideration? If so, I request that any further action be abated until NAHC has commented.

Thank you in advance for your prompt response.

Sincerely,

Barbara L. Lyons
Attorney at Law
405 Primrose Road
Suite 202
Burlingame, CA 94010
Telephone: (650) 401-6765