



# City of Burlingame

BURLINGAME CITY HALL  
501 PRIMROSE ROAD  
BURLINGAME, CA 94010

## Meeting Minutes - Final Planning Commission

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Monday, July 25, 2016

7:00 PM

Council Chambers

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- c. 1509 El Camino Real, zoned R-2 and R-3 - Application for Mitigated Negative Declaration, General Plan Amendment, Rezoning, Condominium Permit, Fence Exception, Tentative Condominium Map, and Tentative and Final Parcel Map for Lot Combination for a new three-story, 11-unit residential condominium with at-grade parking (1509 El Camino LLC, applicant and property owner; Rodrigo Santos, engineer) (199 noticed) Staff Contact: Ruben Hurin

**Attachments:** [Staff Report](#)  
[Supplemental Memo](#)  
[Project Plans](#)  
[Attachments1](#)  
[Attachments2a](#)  
[Attachments2b](#)  
[Attachments2c](#)  
[Attachments2d](#)  
[Attachments2e](#)  
[Revised Initial Study/Mitigated Negative Declaration](#)  
[Revised IS/MND Appendices](#)  
[Responses to Comments & Errata](#)  
[Mitigation Monitoring and Reporting Program](#)  
[Initial Study/Mitigated Negative Declaration for Previous 15-Unit Project](#)  
[Public Comments for Previous 15-Unit Project](#)

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

*Senior Planner Hurin provided an overview of the staff report.*

*Questions of staff:*

> *Requested clarification regarding the recommendation to the City Council. (Meeker - responded that since the application includes requests for a General Plan Amendment and a Rezoning, those requests must be considered by the City Council as the City's legislative body. As has historically been the case with similar applications, the entire project will be taken to the City Council for action.)*

> *With respect to the traffic sensitivity study; why was the intersection at El Camino and Trousdale selected? How is this information related to the impacts at the closer intersection at El Camino and Ray? Feels that the further away the intersection that is studied is located, the less relevant it may be to the discussion. (Hurin - this was the intersection where information was available.)*

*Chair Loftis opened the public hearing.*

*Pat Fellowes represented the applicant.*

*Commission comments/questions:*

- > Have the revised plans been shared with the neighbors? (Fellowes - yes.)*
- > What unit has been selected as the below market rate unit - appears to be the smallest unit on the lowest floor? Would the applicant consider using another, larger unit? (Fellowes - hasn't considered using a two-bedroom unit, would prefer retaining the one-bedroom unit as the affordable unit.)*
- > On the rendering, there are two trees shown to be between the two segments of the driveway, but the landscape plan only shows one tree; which is correct? (Fellowes - will use the information in the landscape plan, plus there are some existing trees that will remain in place as well.)*
- > Will the HVAC equipment be visible from the street? (Fellowes - no, the parapet is 42-inches high, the equipment is 36-inches high.)*
- > Appears that there are only ten storage lockers for bicycles; where is the eleventh storage unit located? (Fellowes - it is located within the building. Most people prefer to lock their bicycles in front of their cars in the garage.)*
- > Recalls that a Commissioner had requested some sort of feature above the garage entry; what is planned at that location? (Fellowes - the entry will include a detailed metal gate.)*
- > With respect to the lot combination; does the applicant have copies of the records of property transfer for the parcel? (Fellowes - has seen a deed earlier in the project's history. At some point in the past the property was deeded to the owner of 1509 El Camino Real. Disingenuous that a neighbor is representing that he doesn't have a right to the property. Could find the deed.)*
- > Noted that some units have bathtubs and some only have showers; is this intentional? (Fellowes - will hone in on these details as the plans are developed for construction. Some must only be showers due to ADA requirements.)*
- > Clarified that the developer is responsible for correcting the soil erosion at the creek. (Fellowes - yes.)*
- > With respect to Unit 201 (affordable unit), would a twenty year term be considered rather than ten years? (Fellowes - no.)*

*Public comments:*

*Patricia Gray - Spoke against the demolition of the homes that are on the property currently. People in the existing units will be put out of their existing "affordable" units and will be forced to move out of the City. Will they be able to commute to their jobs? The City is becoming a ghetto for the rich. Concerned that the present problems with parking and traffic will be exacerbated. Fears the larger cars will be parked on nearby streets due to the number of compact parking spaces. There is a problem with overcrowding in the local school that will be increased by approval of this project. Is not the City's responsibility to facilitate the developers profit. Referenced a citizens' petition opposed to the project.*

*Pat Giorni - Referenced research that she performed relative to the deeds for the property; this information was included in correspondence to the Commission. The City must perform due diligence on the title for the property before considering approval of the project. Has been a lot of correspondence in opposition to the project that will assist when the project is challenged in court. The condition of the Bunya Bunya tree has improved in recent years.*

*Mark Haberecht - Though there has been improvement to the project design, it is still too large for the neighborhood. It has insufficient parking and as proposed will have a cumulative effect upon the neighborhood and the environment. The developer must provide evidence of the title to the property to support the lot merger. The lot merger appears to conflict with City restrictions on lot combinations to allow increased development. The El Camino/Trousdale intersection lies in a commercial area. The information in the study uses ITE standards that are not adequate for this case. Feels that the findings of the analysis are ridiculous. The project will attract families. Parking is a big issue in the neighborhood. Preparation of an Environmental Impact Report should be required due to the cumulative impacts. The cause of sinkhole needs to be investigated. The Department of Fish and Game has*

received the project for review and has not yet responded.

Ann Wallach - The development would increase the number of plumbing fixtures on the site and could negatively impact the wastewater lines in the area that are inadequate. The environmental analysis incorrectly states that there will be a less than significant impact; the wastewater line is too small to accommodate the additional flow. Sewage could back up into lower-lying properties. Asked that the true load and capacity of the wastewater line be evaluated prior to sending to the City Council. El Camino Real provides no curb-site parking. The parcel to be rezoned only allows additional development intensity on the primary property. Far more vehicles will be present on the property than there are parking spaces; overflow will impact the neighborhood.

Nina Weil - Appreciates the changes that have been made to the project. Remains opposed to the project due to its bulk, mass and density. Doesn't conform with the neighborhood character. The rezoning and lot combination should not be granted. Requested that preservation of the Acacia trees in the alley be added to the conditions of approval.

Questions for Environmental Consultants - Mark Spencer (W-Trans) and Janna Waligorski (First Carbon Solutions):

> Questions regarding trip generation differences between rental units versus condominium units. (Spencer - condominiums generally have a lower trip generation rates due to owner occupancy. There is no assumption built in the analysis regarding whether or not the units may be rented out by the owner of the unit. If the condominium units were all rented and this was known at the outset, then they would have been treated as apartments for analysis purposes. Owner occupied units have more stable occupancy than rentals which have a greater turnover - this leads to more stability in terms of trip generation. Trips don't generally track well to the number of bedrooms - there is no statistical correlation between bedrooms and the number of trips generated; units are a better metric.)

> How was the ECR/Trousdale intersection selected for analysis? Is it a mistake to have not gathering data from a closer intersection? (Spencer - for the sensitivity analysis, they look where there is available data and at information at major intersections. Pulled the existing traffic count from the 1600 Trousdale environmental analysis. This was the most reliable source of data. Is a busy intersection that is a reliable litmus test for traffic conditions. Looked at what it would take to create a major impact at that intersection, taking into account turning movements. Considered the worst case scenario for the sensitivity analysis. If data had existed for closer intersections, would have looked at that information, but would not likely have changed the outcome.)

> Was traffic analysis completed on a school day? (Spencer - yes.)

> Is there a stipulation regarding turning movements from the property to ECR? (Spencer - doesn't recall if this is stipulated. If there was a stipulation, would have assumed that in the analysis.)

> Did the environmental analysis cover the adequacy of potable water? Staff has verified that there is adequate water supply for all development that is on the books through 2040. (Waligorski - has not seen the most recent water supply report, but the existing water supply management plan did indicated that the supply is adequate.)

Chair Loftis closed the public hearing.

Commission discussion:

> Feels that the project does comply with General Plan policies. Feels that the findings can be made in support of the project.

> Thinks the project is approvable. There are no special requests with the exception of the fence exception.

> The information provided by the traffic engineer supports the findings of the analysis.

> The lot combination raises a question, but even if it wasn't approved the project would likely be approvable, but would likely be an inferior design.

> Thinks that the applicant's reasoning about the lot combination makes sense. Would help to have the documentation in support of the property title transfer.

- > Thanked the neighbors for all the work that they have done over the years. Also thanked the applicant for all of the concessions he has made. Is a good looking, approvable project.
- > The City Engineer will look at the adequacy of the infrastructure serving the property.
- > The lot combination provides a means of softening the design of the building; it helps the project.
- > Finds it disheartening that the assumption is that the new residents will be bad neighbors; they will actually add to the neighborhood.
- > The analysis is acceptable at a certain level.
- > Feels the project fits into the neighborhood sufficiently well.
- > The creek property will not be developed. Makes sense to allow the lot combination and the density proposed.
- > Requested that the property owner give the existing tenants priority to purchase the units.
- > Parking is the biggest problem in the City. May be time to initiate permit-only parking in the neighborhood.
- > Project complies with every regulation. Seems like a good example of the process working.
- > The project is in keeping with the type of development located to the south of the project site on El Camino Real.
- > The title of the property to be rezoned needs to be resolved.
- > The current design is much better than other designs that have appeared before the Commission previously.
- > Need to rely upon the traffic expert regarding the analysis that has been completed. Hard to argue greater impacts when comparing the same number of units.
- > In terms of the water allocation, is speaking to the City's total allocation. Just wants to confirm that the total supply can support the level of development.
- > Not certain that the residents of the existing units on the property would step up and acquire one of the new units. Is a little concerning that the developer is not willing to provide a larger affordable unit and/or provide a longer term of affordability when most other developers have done so in the past.

**Commissioner Sargent made a motion, seconded by Commissioner Bandrapalli, to forward a recommendatin for project approval to the City Council. Chair Loftis called for a voice vote, and the motion carried by the following vote:**

**Aye:** 6 - DeMartini, Loftis, Gum, Bandrapalli, Sargent, and Gaul

**Absent:** 1 - Terrones