

Section 5

Oral Comments and Responses

5.1 INTRODUCTION

Oral comments on the Draft Environmental Impact Report (EIR) were made at one hearing before the City of Burlingame Planning Commission and are reproduced in this section. Discrete comments from the transcripts of the public hearing are denoted in the margin by a vertical line and are numbered. Oral comments presented at the Planning Commission public hearing are denoted with an alpha-numerical system that identifies the environmental issue being discussed. For example, LU-1 denotes the first comment referring to the issue of Land Use and Planning. The following two letter codes are used to identify the environmental issues discussed at the Planning Commission public hearing:

- LU – Land Use and Planning
- GN – General Comments
- PD – Project Description
- RW – Parks and Recreational Wind Effects
- UT – Utilities and Service Systems
- HY – Hydrology and Water Quality
- CC – Climate Change
- AQ – Air Quality
- TR – Transportation
- MM – Mitigation Measures

Many responses in this section refer to the Master Response (see Section 3, Master Response, of this document) and Staff-Initiated Changes (see Section 6, Revisions to the Draft EIR, of this document).

5.2 RESPONSES TO PUBLIC HEARING COMMENTS

Minutes from the public hearing are reproduced beginning on the next page, followed by responses to the comments.



CITY OF BURLINGAME PLANNING COMMISSION

APPROVED MINUTES

Monday, January 9, 2012 – 7:00 p.m.
City Council Chambers – 501 Primrose Road
Burlingame, California

I. CALL TO ORDER

Chair Yie called the January 9, 2012, regular meeting of the Planning Commission to order at 7:00 p.m.

II. ROLL CALL

Present: Commissioners Auran, Lindstrom, Terrones, Vistica (arrived at 7:10 p.m.), Gaul and Yie

Absent: Commissioner Cauchi

Staff Present: Community Development Director, William Meeker; Planning Manager Brooks; and City Attorney, Gus Guinan

III. MINUTES

Commissioner Terrones moved, seconded by Commissioner Auran to approve the minutes of the December 12, 2011 regular meeting of the Planning Commission, with the following change:

- *Page 7, Agenda Item No. 5 (2508 Easton Drive), under applicant comments, fifth bullet add "second story" before plate height, sixth bullet, add synthetic before stone over foam;*
- *Page 7, Agenda Item No. 5 (2508 Easton Drive), under Commission comments, eighth bullet, replace "looks" with "is drawn to look";*
- *Page 10, Agenda Item No. 6 (2509 Easton Drive), under Commission comments, second bullet, replace 24' with 24" and add "not" before "scabbed on", fourth bullet, add "do not lead flashing mounted on top of tile"*
- *Page 14, Commissioners Reports, second bullet, add "in order to increase sidewalk width" after parallel parking, and third bullet, add "but that is not being proposed" after Burlingame Avenue.*

Motion passed 5-0-2-0 (Commissioners Cauchi and Vistica absent).

IV. APPROVAL OF AGENDA

There were no changes to the agenda. It was noted that a three-minute time limit will be imposed upon speakers on the two major items on the agenda.

V. FROM THE FLOOR

Pat Giorni, 1445 Balboa Avenue; spoke:

- Asked why there is parking on El Camino Real adjacent to the hospital property – initially it was designated a red-zone. It is now a traffic hazard.
 - Was fine to use as employee parking during construction.
 - Parking should be provided on the property.
 - Cannot charge for parking on the hospital property without seeking City approval following a public hearing.
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VI. STUDY ITEMS

There were no study items for review.

VII. ACTION ITEMS

Consent Calendar – *Items on the Consent Calendar are considered to be routine. They are acted on simultaneously unless separate discussion and/or action is requested by the applicant, a member of the public or a Commissioner prior to the time the Commission votes on the motion to adopt.*

There were no Consent Calendar items.

VIII. REGULAR ACTION ITEMS**1. WIRELESS COMMUNICATIONS ORDINANCE – STAFF CONTACTS: WILLIAM MEEKER AND GUS GUINAN**

Community Development Director Meeker presented a summary of the staff report, dated January 9, 2012. City Attorney Guinan reviewed changes to the draft ordinance that have been made in light of discussions with citizens and industry representatives since the release of the staff report.

Questions of staff:

- Are there requirements that can be imposed upon co-located facilities? (Guinan – yes; time, place and manner requirements may be imposed.)
- With respect to co-location – has it been concluded that placement of a wireless communication facility on a utility pole constitutes co-location? (Guinan – it has been resolved. The definition of co-location in the ordinance speaks to co-locating with another existing wireless communication facility.)
- Is there some effort on the industry side to push to say that installations in the public right-of-way are not subject to discretionary review? (Guinan – looking at entitlements on a continuum, there are discretionary permits and ministerial permits; time, place and manner fall somewhere within that continuum. The ordinance addresses time, place and manner review, a less stringent review standard as part of the conditional use permit process.)
- Not every application will automatically require third-party review. If an application is coming before the Planning Commission, would the Director have the ability to refer the matter to a third-party reviewer? (Guinan – there would be some applications where it would be clear that a third-party review would not be required. However, there will be some circumstances where the question will arise about whether another location could be proposed – this could prompt a third-party review. Would attempt to identify those instances early in the process given federal and State time limits for processing the applications. Meeker – indicated that staff would attempt to identify such instances as early as possible.)
- The community prefers utility poles to be behind properties or underground – the whereas' do not include a statement of this preference; it should be pointed out.
- Is there a distinction between a utility pole and a light pole? (Guinan – yes; a definition may be added if desired.)
- Noted that Draft 4 of the ordinance did not include design guidelines. Would like to review the design guidelines in Draft 5 and provide commentary by the end of the week? (Guinan – that would be acceptable.)
- Asked about the cessation of use provisions? (Guinan – the ordinance reflects the agreement of the groups involved.)

- Can the Commission discuss the hierarchy of the installation locations? (Guinan – this was the subject of much discussion.)
- Why is non-residential installation a preference over a co-located facility within a residential zone? (Guinan – if something can be installed upon a non-residential property and can be of a stealth design, this could be preferred.)
- Noted that there may be more opportunity to camouflage installations within a hillside area. (Guinan – felt that this may be true and could provide improved coverage – open to any changes to that provision.)
- Hillside installations could be on a pole that could be more visible from other areas given the location and line-of-sight factors. Not certain if this should be changed.
- Can noticing on the City web-site be provided? (Meeker – indicated that it would be preferable to have a consistent form of noticing for all entitlements, not something different for this type of use. Guinan – confirmed that a comprehensive review of noticing in the future.)

Chair Yie opened the public hearing.

Public comments:

William Sexton, 2540 Valdivia Way; Robert Jystad, 207 East Broadway, Long Beach, CA, representing Extenet Systems; Marsha Lee, 1468 Benito Avenue ; Tom Miller, 2785 Mitchell Drive, Bldg. 9, Walnut Creek, CA, representing Verizon Wireless; Charnel James, 2715 Albany Avenue; Jane Whang, 505 Montgomery St., #800, San Francisco, representing T-Mobile; Shiyama Clunie, 1300 Marsh Road, representing AT&T; Michael Brownrigg, 1524 Columbus Avenue; Mark Wilson, 1613 Ray Drive; Pat Giorni, 1445 Balboa Avenue; spoke:

- Provided photos of a proposed installation near his home.
- Understands the delicacy of the situation – but the City needs to get it right.
- The installation proposed would negatively impact his view and the value of his home.
- Unfortunate that litigation became necessary – the City Council unfortunately chose not to accept the exemption language suggested by the City Attorney.
- Extenet is willing to continue to work cooperatively to achieve an acceptable approach for its DAS system.
- Want to make it clear that Extenet doesn't feel it should be subject to the new ordinance with its current applications.
- How would the review of a facility in the public right-of-way be different from any other location?
- Agrees with the Chair's comments regarding the integration of facilities into non-residential uses – it is much easier to facilitate stealth design in such instances.
- Agrees with possibly providing opportunities for facilities within the hillside areas.
- Thanked staff and all involved for the work on the ordinance.
- The ordinance provides applicants with a clear process and design criteria for wireless services while maintaining the beauty of Burlingame.
- The Working Group worked within a very limited timeframe to develop the ordinance – all wireless telecommunications facilities were invited, but only one participated from the outset.
- Feels the residents have been fair, and the ordinance represents the best efforts.
- Referenced written comments from Paul Albritton regarding "use review"; when an installation is in the right-of-way it is a use by right, but this doesn't prevent a design review process. This can easily be revised.
- Also discussed the meaning of "in detail" as referred in the application requirements.
- Felt that on page 7 – 9, 11 and 6 refer to "use permit" issue is not use, is a design issue.
- Whether or not there is a significant gap is subjective and may not be something a third-party can determine.

- Reiterated comments from T-Mobile letter regarding ordinance.
- Appreciates the efforts of the community, but feels there are still serious concerns to be resolved.
- Doesn't feel the treatment of facilities within rights-of-way are consistent with State law – time, place and manner restrictions must be applied equally to all utilities within rights-of-way. Should be subject to an encroachment rather than use permit. At most, should be an administrative use permit.
- Asked the City to delay voting on the matter.
- Wants to be certain that AT&T continues to have a good working relationship with the community.
- Continue to have concerns regarding the short periods of time to provide input regarding the various incarnations of the ordinance – makes it difficult to respond.
- Ask that there be no vote on the ordinance this evening, but provide time for the industry to provide an effective response to the ordinance. Referred John Di Bene letters. (Commissioner – asked if any of the latest revisions have addressed industry concerns?) Noted some changes have been made, but there continues to be some conflicts. Concerned about undergrounding requirements and third-party review requirements.
- Praised the residents and industry representatives that were involved.
- Each party comes at the issue from the technologic area within which they typically work – are attempting to create a one-size-fits-all approach.
- The Commission needs to determine if the current draft of the ordinance is “close enough” to permit the matter to be placed before the City Council.
- The City has taken appropriate elements of the ordinance from other communities' ordinances.
- Wrestles with the plethora of boxes that may begin to appear on utility poles – can be a very visible impact upon the community.
- The draft ordinance represents a collaborative approach with much thought.
- There have been a lot of compromises made.
- There have been excellent contributions made by industry representatives.
- The urgent timeframe is necessitated due to the likely proliferation of new installations.
- Claims that the ordinance is being rushed are wrong.
- Needs to be forwarded to the City Council.
- It is the City's right to reserve some ability to review of these installations – the ordinance seeks to preserve local zoning control of the City.
- The urgency of moving forward is related to the limited term of the moratorium.
- The longer that the City takes could impact the outcome of the pending lawsuit.
- Suggested it is now time to take the item to the City Council.

There were no further public comments and the public hearing was closed.

Additional Commission comments:

- The ordinance is a living document that can be adjusted over time.
- What is in front of the Commission is a well thought-out document that covers as much as can be covered.
- Would like to move forward.
- What is the risk in delaying action on the item? (Guinan – Noted that cities cannot exercise its land-use authority to prevent installation of communications facilities – the moratorium effectively halts action on such applications. Noted that a short-term moratorium is temporary in nature and likely does not violate the intent of the Telecommunications Act. The moratorium provides the opportunity to craft regulations that can preserve community character. The current moratorium has been in place for four to five months. Have been operating under the understanding that the moratorium will expire on January 17, 2012. If regulations are not in place, it could be problematic, but this is unknown. The extension of the moratorium again could generate further litigation.)

Commissioner Gaul moved to recommend approval of Draft 5 of the proposed ordinance, as presented by City Attorney Guinan.

The motion was seconded by Commissioner Auran.

Discussion of motion:

- Still concerned whether or not a third party review would be of value given the likely inability to obtain proprietary information.

Chair Yie called for a voice vote on the motion to approve. The motion passed 6-0-1-0 (Commissioner Cauchi absent). The Planning Commission's action is advisory and not appealable. This item concluded at 8:26 p.m.

Meeker noted that the matter will be considered by the City Council at a duly noticed public hearing scheduled for Tuesday, January 17, 2012 at 7:00 p.m. in the City Council Chamber – all comments raised by the Commission and public will also be passed along the City Council as part of the staff report. Guinan noted that the matter will be introduced by the City Council – additionally, the Council will be asked to consider adoption of the ordinance as an “urgency” item.

- 2. 300 AIRPORT BOULEVARD, ZONED APN/APS – PUBLIC COMMENT ON THE DRAFT ENVIRONMENTAL IMPACT REPORT PREPARED FOR AN APPLICATION FOR DEVELOPMENT OF A NEW OFFICE/LIFE SCIENCE CAMPUS ON AN 18.13 ACRE SITE. THE PROPOSED PROJECT CONSISTS OF 767,000 SF OF NEW USES INCLUDING OFFICE SPACE OR LIFE SCIENCE USES (AT LEAST 689,810 SF), RETAIL USES (UP TO 18,030 SF), AND FOOD SERVICES (UP TO 22,160 SF) LOCATED IN FOUR BUILDINGS (5, 7 AND 8-STORY BUILDINGS TOTALING 730,000 SF), A 2-STORY AMENITIES BUILDING (37,000 SF) AND A 5-LEVEL PARKING STRUCTURE. APPLICATIONS INCLUDE AMENDMENTS TO THE BAYFRONT SPECIFIC PLAN TO INCREASE THE ALLOWABLE FLOOR AREA RATIO FROM 0.60 FAR TO 1.0 FAR, REZONING OF A SMALL PORTION OF THE SITE FROM APS TO APN, AMENDMENTS TO THE ZONING AND SIGN CODES TO CHANGE DEVELOPMENT STANDARDS, CONDITIONAL USE PERMIT FOR DAY CARE USE AND COMMERCIAL DESIGN REVIEW. (C. THOMAS GILMAN, DES ARCHITECTS + ENGINEERS, APPLICANT AND ARCHITECT; 350 BEACH ROAD LLC, PROPERTY OWNER) STAFF CONTACTS: MAUREEN BROOKS AND RUBEN HURIN**
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Reference staff report dated January 9, 2012, with attachments. Planning Manager Brooks presented the report, reviewed criteria and staff comments.

Questions of staff:

- Questioned the scope of the proposed rezoning and the zoning changes. (Brooks – noted that the rezoning affects a limited portion of the property, but the changes to the regulations will apply to the entire district. Meeker – noted that the purpose of the hearing is to provide commentary on the draft EIR, not to evaluate the project – the discussion should be focused in this manner.)
- Noted that the affect on wind was evaluated pursuant to the findings established by the prior application. How is the performance of the project being tested; in a wind-tunnel? (Brooks – note criteria and wind studies were performed as part of the last project – wind tunnel testing has occurred with this project.)

Chair Yie opened the public hearing.

Sean Jeffries, Millennium Partners and Tom Gilman, DES Architects; represented the applicant.

- Provided a project overview and “fly-through” perspective of the proposal.

Public comments:

Jane Cormier, Boardsports, 1603 Coyote Point Drive, and Rebecca Geffert, Boardsports, 1200 Clay Street #8, San Francisco, William Robberson, 1230 Clay St. #203, San Francisco, San Francisco Board Sailing Association; Sam Devine, 1210 6th Avenue, San Francisco; Erik Rogind, 755 Lakeview Way, Emerald Hills; Anna Shimko, Sedgwick LLP, 333 Bush, San Francisco; David Perziwski, 2432 Borax Drive; Kip Zygarewicz, 2 Bayswater Avenue; David Fennel, 500 Airport Boulevard; Na Trinh, 1104 Chula Vista #A; Pat Giorni, 1445 Balboa Avenue; Tom ?; Jim Karanza; Brian Schwartz; Jeff Lyman, Mountain View; spoke:

- Provided a document for the Commission.
- Have a very unique site in the Bay Area – there are only four areas in the U. S. where there is beach access to wind-surfers. Two of these areas are in the Bay Area.
- Disputes the “less than significant” impact finding upon wind flow – the wind tunnel testing cannot measure turbulence.
- Referenced information on turbulence used by the wind turbine industry for height of turbines based on turbulence created by structures, noted that the same height turbulence data is the standard used to access windsurfing teaching locations.
- Study notes that the best winds are a mile off-shore – their customers are restricted to areas closer to shore within the impact area.
- RW-1 ▪ Turbulence will extend beyond the area noted. If the undeveloped area is allowed greater heights, will render the wind-surfing area obsolete.
- Have only looked at half of the equation.
- Cannot measure turbulence well with the methods used.
- In other areas where tall buildings have been built, wind-surfing has been cut-off. This is one of the last areas that is beginner friendly.
- Commissioner – how long has your business been in the area? Speaker – Has operated the Boardsports concession since 2007.
- Commissioner – were they aware of the plan that was in place for the area? Speaker – yes, thought the buildings would have been configured differently. Need to be responsible and limit development to what was initially endorsed in the plan.
- The Board Sailing Association has worked with San Mateo County to secure improvements to Coyote Point.
- Main concerns relate to the quality of the wind. The plan amendments proposed to increase floor area ratio and height make the amendments a big discussion point in the draft EIR.
- The wind-tunnel methods cannot reflect what the turbulence effects are – the analysis was based upon a 1.0 FAR.
- LU-1 ▪ If a project is proposed with a 0.6 FAR, are confident that the plan would be less impactful.
- The time spent with the developer was useful – agree that the existing conditions were quite accurate.
- The significance of a 1.0 FAR needs to be acknowledged.
- RW-2 ▪ Getting in and out of the wind-surfing area is difficult as it is – the rendering shown to the Commission is not reflective of where wind-surfers would normally be.
- If the project is implemented, it will be a difficult location to launch a wind-surfing rig.
- Many other areas are only accessible by boat.
- Urged the Commission to not destroy one of the greatest natural resources in the area; the natural winds in the area.
- This is one of the unique wind-surfing locations in the country if not the world.
- Is a good location for short-board sailing.

<p>RW-2 Cont'd</p>	<p>Could have a significant difference in wind-speed in the area with the proposed buildings. Hasn't heard any discussion of the orientation of the buildings and their impact upon the winds through the area.</p>
<p>GN-1</p>	<p>Orient the buildings in respect to the wind. Limit the buildings to two to three stories.</p>
<p>PD-1</p>	<p>Representing New Town Hotel, the owners of the property across the street from the site, adjacent to the Bay. The draft EIR appropriately assesses impact of development on her clients property and Fisherman's Park. Will provide a detailed letter with comments. Feels the draft EIR thoroughly and adequately addresses impacts.</p>
<p>UT-1</p>	<p>With respect to Airport Boulevard, the street provides the sole access to her client's property. Access to the adjacent property and Fisherman's Park must remain open during construction and access to Fisherman's Park must continue to be provided.</p>
<p>HY-1</p>	<p>The right-of-way that will no longer be used for Airport Boulevard should remain "public". Need to look at mitigation measures related to the pump station and the Amphlett/Poplar intersection to determine how they apply to the 350 Airport Boulevard property.</p>
<p>RW-3</p>	<p>Issue of sea-level rise is an impact of the environment on project not an impact of the project, recent studies may indicate that sea level rise will not be as drastic as noted in the draft EIR. Coyote Point is desirable because of its very long shoreline. This makes it easy for beginner wind-surfers to use the shoreline to get back to the launch point.</p>
<p>PD-2</p>	<p>Changes to winds in the area will discourage beginning wind-surfers. Is dismayed that the developer is seeking amendments to the Bayfront Specific Plan.</p>
<p>TR-1</p>	<p>Attempts to improve the City's tax-base should be sensitive to the environment.</p>
<p>RW-4</p>	<p>The re-routing of Airport Boulevard will be an inconvenience to persons that travel through the area. Is also a wind-surfer, learned to wind-surf at Coyote Point, it is an asset for wind-surfers.</p>
<p>LU-2</p>	<p>Endorses earlier comments regarding the adequacy of the wind studies, need to take into account turbulence.</p>
<p>GN-2</p>	<p>Urged the developer to resubmit a plan consistent with the Bayfront Plan. Concerned that many of the large developments along the Bay remain vacant. Many of the buildings in the area are empty – why are we attempting to be "South San Francisco II" – setting up another office building is not the best approach.</p>
<p>TR-2</p>	<p>Redwood City really outreached to the community for the salt-flats project – encouraged greater outreach. There is a huge shift in the demographics in Burlingame – there may be a better use of the area. Is a scientist – there are many empty spaces within the Peninsula. It would be difficult for Burlingame to compete with other areas with built infrastructure.</p>
<p>TR-3</p>	<p>Traffic will be much greater in the area and will make it difficult for people to move in and out of the area. Is heartened that the developer paid attention to comments made during the scoping period regarding the need to accommodate bicyclists.</p>
<p>TR-4</p>	<p>Distinctions should be made between recreational and commuter bicycle facilities. Not certain a study of bicycle traffic in the area was done. SF2G (San Francisco to Google) uses Coyote Point as a route to commute to Google. Doesn't see a bike lane on Airport Boulevard; though the description notes such. Is not a Class II bicycle lane, but actually a Class III bicycle route.</p>
<p>RW-5</p>	<p>Noted the need for better separation between bicycles and vehicles. Should be no on-street parking, it does not act as pedestrian barrier, all parking demand should be met on campus. Referenced points in her memo submitted to the Planning Commission. The wind-surfers have a point. The area is a world-class wind-surfing area. Large buildings will adversely impact viability of the area.</p>

- RW-5 ↑
- Cont'd
- More wind shadows from buildings will push wind-surfers further out into the Bay.
- Endorsed other’s points regarding wind.
- Coyote Point is a unique spot. People that kite-board and wind-surf both appreciate the area.

Commission comments:

- TR-5
- With respect to the Transportation Demand Management (TDM) plan; is there a specific location that people walking to the site will come from? (Fehr and Peers – is based upon empirical data from other similar projects. Usually around ¼ to ½ mile of the site.)
- Would there be a substantial difference in TDM if a significant number of employees worked for a single employer – is there a difference in terms of management if it doesn’t develop as a campus? (Fehr and Peers – easier to manage with a single tenant, but there is a sea of change in how carpooling occurs due to social media and other resources.)
- TR-6
- With respect to bicycles, there is a reference in the TDM to South San Francisco, is this incorrect? (Fehr and Peers – this is a typographical error.)
- Concerned that the Broadway station doesn’t receive service Monday through Friday; also concerned about reductions in service at the Burlingame Avenue station as well. Was it assumed that there would be stops at both locations? (Fehr and Peers – shuttle bus would available station, would primarily focus on the Millbrae intermodal station which also has BART and bus service.)
- LU-3
- Concerned that there may be a lost opportunity to get people out of their cars if there are CalTrain service reductions in Burlingame.
- TR-7
- Table S45 – looking at the comparison of the different alternatives, under land use, cumulative impacts, why is the existing zoning alternative “less than significant” impact; and yet there no impact with the project in this category? (Atkins – the project proposes to change the land use designation and will be in compliance once these changes occur.) The table implies that there would be impacts if the zoning changes occur. (Atkins – will need to review this section to determine why this is the case.)
- AQ-1
- There is an increase in VMT (vehicle miles traveled) – is disingenuous stating that the project is in close proximity to housing and that impacts are similar to those for the existing zoning alternative with less floor area. Are the VMTs increased based upon travel to the site? (Atkins – yes.)
- TR-8
- With respect to air-quality, “significant unavoidable” impacts are noted – the project is significantly worse with the project? (Atkins – explained how the overall impact of the project is determined.) You would think there would be more of a significant unavoidable impact. (Atkins – there aren’t gradients within each of the categories.)
- TR-8
- Could increases in traffic and potential ridership potentially impact CalTrain’s decisions regarding service levels? (Atkins – not certain if this would impact decisions, but this is only speculation. Assumed that shuttles would service all train stations within the area. Service changes would change the focus of the shuttles.)

There were no further public comments and the public hearing was closed.

Additional Commission comments:

- MM-1 I
- CC-1
- GN-3 I
- TR-9
- TR-10 I
- PD-3
- Doesn’t feel that there is adequate mitigation of traffic and air quality impacts.
- Concerned about conflicts with the Climate Action Plan and proposed changes to the adopted specific plan.
- Hesitant to go forward with the project with the heights and square footages proposed. The draft EIR clearly states that there will be problems at the interchanges – need to pay attention to how traffic enters and exits the area.
- Doesn’t feel that expectations of transit use are realistic.
- Concerned that the retail square footages are referenced as “up to” what if it turns out to be a

- strictly office development.
- GN-4 ■ Concerned about the financial feasibility of the project – what if the project is not completely developed.
- Supportive of development of the Anza Point area, but still concerned about the extent of changes that are being proposed to accommodate the proposed project. These are not “eleventh hour” concerns. Doesn’t feel that anything has really changed.
- CC-2 ■ Are now seeing what the true impacts of the type of development will really be – feels the findings of the draft EIR are sound, but feels that the changes to the Plan and the focus of the development are increasing VMT to and from the area – VMT cannot be further reduced – there are also increases in greenhouse gas and potential climate change.
- TR-11 ■ Large employers are required to provide incentives for reducing vehicle trips.
- CC-3 ■ The project will violate the City’s Climate Action Plan.
- The City Council will need to consider adoption of a statement of overriding considerations in order to get past non-compliance with the Climate Action Plan.
- PD-4 ■ Were very concerned with impacts based upon a project of 500,000 square feet; the current project is much greater in size at 750,000 square feet.
- The Bayfront Specific Plan was fairly recently adopted, why should the Plan be revised. What is the benefit to the community.
- LU-4 ■ There is still a lot of commentary needed on the design review aspects of the project.
- Concerned that by allowing an FAR increase for this project site, the change will also be allowed on the adjacent site that is not part of the application.

No action is required at this time. The comments made by the public and Commissioners will be addressed in the Response to Comments document to be prepared as a part of the Final Environmental Impact Report for the project.

IX. DESIGN REVIEW STUDY ITEMS

3. 712 BAYSWATER AVENUE, ZONED R-1 – APPLICATION FOR DESIGN REVIEW FOR A FIRST AND SECOND STORY ADDITION TO AN EXISTING SINGLE FAMILY DWELLING (MARK BUCCIARELLI, BAUKUNST, APPLICANT AND ARCHITECT; AND NEC HOLDINGS LLC, PROPERTY OWNER) STAFF CONTACT: RUBEN HURIN

Reference staff report dated January 9, 2012, with attachments. Community Development Director Meeker briefly presented the project description.

Questions of staff:

- Some of the elevations are missing in the set of plans provided. (Meeker – appear to be missing in the file copy as well.)

Chair Yie opened the public comment period.

Mark Bucciarelli, 58 Fairlawn Avenue, Daly City; represented the applicant.

Commission comments:

- Perhaps consider divided light windows, the windows on the front are tall and don't feel residential.
- Two-story element on front looks plain, consider adding an attic vent or wood material along top.
- Is missing some scale and detail.

- Consider wrapping the brick wainscoting on the two-story stucco element on the left side elevation, as well as divided lights.
- Will there be trim around the windows – could be helpful to add wood trim? (Bucciarelli – will consider.)
- Consider breaking up the fascia on the front with some secondary trim.
- Windows on front are a little too regular, might want to consider a larger window with two smaller side windows.
- With respect to the chimney – consider installing a false chimney to provide detailing even though a direct-vent chimney will be installed. Would rather see this element remain rather than being removed.
- Not certain if the fiberglass window is what is generally accepted – typically seeking wood windows with aluminum cladding.
- The seamless gutters are prone to damage, may wish to reconsider using galvanized metal.
- Understands the concern about spending the money to install a false chimney, but there is still a need to balance the composition.
- Very attractive columns proposed at front – perhaps provide two columns on each side of the porch.
- Reduce the apparent height of the expanse of stucco on the second floor – perhaps consider a vent or wood siding at gable. (Bucciarelli – was wishing to create a vaulted ceiling within the interior).
- Provide more details regarding the structure, make sure similar details as mentioned are included on the elevations not included in sets of plans.
- Determine the approach to be used for the chimney element.
- Break up the stairwell element in some manner, where two windows are shown at top of stairwell, could fit three across.
- The bathroom/powder room area adjacent to bedroom one could be handled better so it won't have so many jogs.
- The two story element on the left elevation to the left of the bump-out – is there a way to carry a bit of roof or trim through the area to break it up?

Public comments:

- None.

There were no other comments from the floor and the public hearing was closed.

Commissioner Terrones made a motion to place the item on the Regular Action Calendar when complete.

This motion was seconded by Commissioner Vistica.

Discussion of motion:

- None.

Chair Yie called for a vote on the motion to place this item on the Consent Calendar when plans have been revised as directed. The motion passed on a voice vote 6-0-1-0 (Commissioner Cauchi absent). The Planning Commission's action is advisory and not appealable. This item concluded at 10:35 p.m.

- 4. 2828 HILLSIDE DRIVE, ZONED R-1 – APPLICATION FOR DESIGN REVIEW, HILLSIDE AREA CONSTRUCTION PERMIT AND VARIANCES FOR HEIGHT AND REAR SETBACK FOR A NEW, TWO-STORY, SINGLE FAMILY DWELLING (GEURSE CONCEPTUAL DESIGN, APPLICANT AND DESIGNER; AND RUSS MASLENKO, PROPERTY OWNER) STAFF CONTACT: ERICA STROHMEIER**

Reference staff report dated January 9, 2012, with attachments. Community Development Director Meeker briefly presented the project description. There were no questions of staff.

Chair Yie opened the public comment period.

Jesse Geurse, represented the applicant.

Commission comments:

- Expressed concern that the beautifully designed house is obscured by the garage. (Geurse – the owners wish to preserve their privacy and preserve part of the existing foundation, also have great view of bay from back yard, want to preserve).
- Might be drawing irregularities – noted that front door looks out of scale and missing grids on turret windows. (Geurse – this is an error.)
- Concerned about the appearance of the shed roof area. (Geurse – this would be a recessed shed dormer to allow additional light to flood the interior.)
- Is the shed dormer sitting on a standing-seam metal roof? (Geurse – yes.)
- Seems like the metal roof should be below the ridge-line. (Geurse – noted that there is a “hatching” issue on the element.)
- Clarified that the metal roof material should extend up the ridge-line.
- Complimented the design, is handsome.
- Concurred that the retention of the garage detracts from the curb-appeal of the home. (Geurse – noted that the existing pool impacts the siting of the structure. Are also preserving the foundation of the existing structure near the pool – removing it may impact the stability of the pool.)
- Could place the garage elsewhere, or do another treatment of the garage that improves its appeal.
- Encouraged conferring with the engineer to determine if it is really feasible to retain portions of the foundation.
- What will the basement be used for – why an eight-foot height? (Geurse – storage or a recreation room.)
- The garage appears to be re-roofed recently – likes the cupola; could consider design treatments that could make it look more like a carriage house (e.g. carriage doors, etc.)
- Provide details of landscaping of the site to show pervious and impervious surfaces – would like to see more pervious pavers such as sand set.
- Should require story poles for the project, particularly since it is in the hillside area. There could be some impact on neighbors.
- With respect to the special permit, there may be justification since the site is up-sloping.
- Needs to have a higher plate height - makes sense to provide a basement that is usable – support for the special permit.
- Clarified that there is no bathroom in the basement; perhaps it could be considered.
- Concerned about the discharge of stormwater – where does it discharge? (Geurse – will drain to the street and will not require a sump pump.)

Public comments:

- None.

There were no other comments from the floor and the public hearing was closed.

Commissioner Terrones made a motion to place the item on the Consent Calendar when plans complete and story poles are installed.

This motion was seconded by Commissioner Auran.

Discussion of motion:

- None.

Chair Yie called for a vote on the motion to place this item on the Consent Calendar when plans have been revised as directed and story poles installed. The motion passed on a voice vote 6-0-1-0 (Commissioner Cauchi absent). The Planning Commission's action is advisory and not appealable. This item concluded at 10:55 p.m.

X. COMMISSIONERS' REPORTS

There were no Commissioner's Reports.

XI. DIRECTOR'S REPORT

Commission Communications:

- None.

Actions from Regular City Council meeting of January 3, 2012:

- None.

XII. ADJOURNMENT

Chair Yie adjourned the meeting at 10:56 p.m.

Respectfully submitted,

Tim Auran, Secretary

Hearing Responses

LU-1 An analysis of the Project at the existing permitted zoning is included in Section 5, Project Alternatives, of the Draft EIR as the Existing Zoning Alternative. As shown in Table 5-1, page 5-3 of the Draft EIR, the Existing Zoning Alternative would allow construction at the 300 Airport Boulevard Site of up to 473,725 square feet (which is up to 0.6 FAR). The analysis of the Existing Zoning Alternative, compared to the Project, is included on pages 5-18 through 5-41 of the Draft EIR. In addition, Table 5-9, starting on page 5-56, summarizes the comparison of impacts. As shown, the Existing Zoning Alternative would still result in impacts similar to the 300 Airport Boulevard Project. The main difference between the Project and the alternative is that the Existing Zoning Alternative would reduce the significant and unavoidable air quality impacts related to compliance with the 2010 Clean Air Plan and operational air pollutant emissions.

The impacts of the Existing Zoning Alternative on wind conditions are analyzed on page 5-38 through 5-39 of the Draft EIR. As stated, development of the 300 Airport Boulevard Site under the Existing Zoning Alternative would result in a wind shadow effect over the Bay adjacent to the eastern edge of the Project Site. These effects would be comparable to the wind effects experienced under the 300 Airport Boulevard Project despite the proposed Project's greater building heights, because the buildings proposed for the 300 Airport Boulevard Site are further from the water and present less resistance due to greater spacing and sleekness of design, which compensates for the difference in height between the Existing Zoning Alternative and the 300 Airport Boulevard Project (between 30 to 50 feet under the Existing Zoning Alternative rather than 97 to 144 feet under the Proposed Project). As discussed in Section 3.11, Parks and Wind Effects on Recreation, of the Draft EIR, the 300 Airport Boulevard Project would not result in substantial adverse effects to windsurfing resources in the Project area; therefore, it was determined that the 300 Airport Boulevard Project would result in less-than-significant wind effects to recreational resources. Because the Existing Zoning Alternative would have comparable wind impacts to those under the Project, the Existing Zoning Alternative would also have a less-than-significant effect on nearby recreational resources. Since the Project as proposed would have a less-than-significant impact on wind conditions, CEQA does not require consideration of an alternative that further reduces wind the impacts.

For clarity, Draft EIR text on page 5-38, last paragraph, is revised as follows:

Wind Effects. Development of the 300 Airport Boulevard Site under the Existing Zoning Alternative would result in a wind shadow effect over the Bay adjacent to the eastern edge of the Project Site. ~~However, the winds in this area would be comparably affected.~~ These effects would be comparable to the wind effects experienced under the 300 Airport Boulevard Project despite the proposed Project's greater building heights, because the buildings proposed for

the 300 Airport Boulevard Site are further from the water and present less resistance due to greater spacing and sleekness of design, which compensates for the difference in height between the Existing Zoning Alternative and the 300 Airport Boulevard Project (between 30 to 50 feet under the Existing Zoning Alternative rather than 97 to 144 feet under the Proposed Project). ~~However, the winds in this area would be less affected than under the 300 Airport Boulevard Project because the buildings would be between 30 to 50 feet under the Existing Zoning Alternative rather than 97 to 144 feet. The 300 Airport Boulevard Project would not result in substantial adverse effects to windsurfing resources in the Project area; and therefore, it was determined that the 300 Airport Boulevard Project would result in a less-than-significant impact to windsurfing recreational resources. Because the Existing Zoning Alternative would have comparable wind impacts to those under the Project, the Existing Zoning Alternative would also have a less-than-significant effect on nearby recreational resources. Because the Existing Zoning Alternative would result in buildings with less height and bulk, the effect on wind speeds would be minimized and this alternative would also have a less than significant effect on nearby windsurfing recreational resources.~~ (LTS)

For a further discussion of the relative wind impacts as a result of the Project and the Existing Zoning Alternative, please refer to the Master Response in Section 3, Master Response, of this Final EIR.

LU-2 As explained starting on page 3.2-28 of the Draft EIR, proposed development of the 300 Airport Boulevard Site would exceed the maximum allowable floor area, height, setbacks and not meet minimum parking provisions as permitted or required under the Burlingame Municipal Code Anza Point North (APN) zoning regulations. Therefore, the 300 Airport Boulevard Project would conflict with the existing Municipal Code zoning. However, as explained in detail starting on page 3.2-28 of the Draft EIR, the Project Sponsor is requesting several amendments to the Zoning Code regarding floor area, height, setbacks, and parking regulations. The revisions proposed would allow the 300 Airport Boulevard Project to be consistent with the Zoning Code.

Table 3.2-2, starting on page 3.2-12 of the Draft EIR, describes the environmental effects of the Project and the Bayfront Specific Plan policy conflicts. Where the environmental analysis identifies necessary mitigation measures, the analysis in Table 3.2-2 briefly describes those measures as they relate to consistency with General Plan or Bayfront Specific Plan policies. These mitigation measures and the impacts they address are more fully outlined in the relevant subsections of Section 3, Environmental Analysis, of the Draft EIR. Generally, the 300 Airport Boulevard Project would be consistent with the Specific Plan goals and policies. It should be noted that the ultimate determinations of Bayfront Specific Plan consistency can and will be made by the Planning Commission. In addition, the ultimate findings of the Bayfront Specific Plan consistency do not require that a project

be entirely consistent with each individual Bayfront Specific Plan policy. A proposed project can be generally consistent with a specific plan even though the project may not promote every applicable goal and policy. Assuming the approval of the Project, the Project would generally be consistent with the applicable policies, resulting in a less-than-significant impact.

Nonetheless, despite the proposed amendments to allow greater intensity of development within the Anza Point North (APN) zoning district, this increase in permitted development would not result in a substantially greater impact. As explained above in Response LU-1, the Existing Zoning Alternative, presented in Section 5, Project Alternatives, of the Draft EIR, analyzes a project that would not include zoning amendments. This alternative would result in similar impacts, although to a slightly lesser extent than the Project. The main difference between the Project and the alternative is that the Existing Zoning Alternative would reduce the significant and unavoidable air quality impacts related to compliance with the 2010 Clean Air Plan and operational air pollutant emissions. As such, even with a site plan consistent with the Bayfront Specific Plan, significant and unavoidable impacts would still occur.

LU-3 As explained in Section 3.2, Land Use, Plans, and Policies, of the Draft EIR, conflicts with adopted land use plans and policies are project-specific rather than cumulative issues. Therefore, this issue is not further discussed in Section 3.2 of the Draft EIR. Changes in the land use designation or zoning are not considered additive effects that when combined with other such actions would contribute to a cumulative effect, resulting in no impact.

The commentor is correct in noting that the impact conclusions between the Project, the Existing Zoning Alternative, and the Office/Hotel Alternative are inconsistent. Since the Project would have no cumulative impacts, the Existing Zoning Alternative and the Office/Hotel Alternative should also result in no cumulative impacts (rather than less than cumulative considerable impacts). As such, the following changes have been made to the Draft EIR.

The following edit is made to page S-45 of the Draft EIR, Table S-4, third line under Land Use:

**Table S-4
Comparison of Impacts among Project Alternatives for the 300 Airport Boulevard Project**

Environmental Issue	300 Airport Boulevard Project	No Project Alternative	Existing Zoning Alternative	Office/Hotel Alternative
Land Use				
Conflicts with Applicable Land Use Designations and Zoning	LTS	NI	NI	LTS
Conflicts with Bayfront Specific Plan Policies	LTS	SU	LTS	LTS
Cumulative Impacts	NI	SU	LTS NI	LTS NI

The following edit is made to page S-47 of the Draft EIR, Table S-5, third line under Land Use:

**Table S-5
Comparison of Impacts among Project Alternatives for the 350 Airport Boulevard Project**

Environmental Issue	350 Airport Boulevard Project	No Project Alternative	Existing Zoning Alternative
Land Use			
Conflicts with Applicable Land Use Designations and Zoning	LTS	NI	NI
Conflicts with Bayfront Specific Plan Policies	LTS	SU	LTS
Cumulative Impacts	NI	SU	LTS <u>NI</u>

Page 5-19 of the Draft EIR, first full paragraph, is revised as follows:

Cumulative Impacts. The Existing Zoning Alternative, in combination with other reasonably foreseeable probable future development in the area, would have a ~~less-than-significant~~ no cumulative impact on overall existing or planned land uses in the vicinity of the 300 Airport Boulevard Site. Similarly, the 300 Airport Boulevard Project would not contribute to a cumulative land use conflict. (~~LTS~~ NI)

Page 5-19 of the Draft EIR, last sentence of the second full paragraph, is revised as follows:

In addition, ~~less-than-significant~~ no cumulative impacts would occur. (~~LTS~~ NI)

Page 5-42 of the Draft EIR, second full paragraph, is revised as follows:

Cumulative Impacts. The Office/Hotel Alternative, in combination with other reasonably foreseeable probable future development in the area, would have a ~~less-than-significant~~ no cumulative impact on overall existing or planned land uses in the vicinity of the 300 Airport Boulevard Site. Similarly, the 300 Airport Boulevard Project would not contribute to a cumulative land use conflict. (~~LTS~~ NI)

The following edit is made to page 5-56 of the Draft EIR, Table 5-9, third line under Land Use:

**Table 5-9
Comparison of Impacts among Project Alternatives for the 300 Airport Boulevard Project**

Environmental Issue	300 Airport Boulevard Project	No Project Alternative	Existing Zoning Alternative	Office/Hotel Alternative
Land Use				
Conflicts with Applicable Land Use Designations and Zoning	LTS	NI	NI	LTS
Conflicts with Bayfront Specific Plan Policies	LTS	SU	LTS	LTS
Cumulative Impacts	NI	SU	LTS <u>NI</u>	LTS <u>NI</u>

The following edit is made to page 5-58 of the Draft EIR, Table 5-10, third line under Land Use:

**Table 5-10
Comparison of Impacts among Project Alternatives for the 350 Airport Boulevard Project**

Environmental Issue	350 Airport Boulevard Project	No Project Alternative	Existing Zoning Alternative
Land Use			
Conflicts with Applicable Land Use Designations and Zoning	LTS	NI	NI
Conflicts with Bayfront Specific Plan Policies	LTS	SU	LTS
Cumulative Impacts	NI	SU	LTS <u>NI</u>

LU-4 This comment is important for the public discourse on the merits of the Project and whether it is viewed as an asset to the City. However, this comment does not address the adequacy of the EIR analysis or the Project’s compliance with CEQA.

Commercial Design Review for development of a new office/life science campus is required prior to approval of the Project. Design Review by the Planning Commission will be based on the Design Guidelines for the Anza Point subarea in the Bayfront Specific Plan and the Burlingame Commercial Design Guidebook. Design review of the architecture of the proposed buildings, open spaces, streetscapes, landscaping, and bicycle/pedestrian circulation would ensure that the Project would be consistent with its surroundings and would not visually encroach on the existing development and natural features. As described in the Draft EIR, Section 2, Project Description, the increase in the FAR would be applicable to the entire APN area, including the 350 Airport Boulevard Site.

GN-1 This comment is important for the public discourse on the merits of the Project and whether it is viewed as an asset to the City. However, this comment does not address the adequacy of the EIR analysis or the Project’s compliance with CEQA. The Draft EIR was

prepared to fulfill the City's obligation under CEQA to identify the significant and potentially significant environmental impacts of the Project, regardless of the Project's merits. The commentor's letter has been received by the City of Burlingame and is included in this Final EIR as Comment 5 in Section 4, Responses to Comments.

GN-2 The commentor's concern about the use of the proposed buildings under the Project is important for the public discourse on the merits of the Project and whether it is viewed as an asset to the City. However, this comment does not address the adequacy of the EIR analysis or the Project's compliance with CEQA. The Draft EIR was prepared to fulfill the City's obligation under CEQA to identify the significant and potentially significant environmental impacts of the Project, regardless of the Project's merits.

GN-3 The commentor's concern about the heights and square footages of the proposed buildings under the Project is important for the public discourse on the merits of the Project and whether it is viewed as an asset to the City. However, this comment does not address the adequacy of the EIR analysis or the Project's compliance with CEQA. The Draft EIR was prepared to fulfill the City's obligation under CEQA to identify the significant and potentially significant environmental impacts of the Project, regardless of the Project's merits.

GN-4 The commentor's concern about the financial feasibility of the Project does not address the adequacy of the EIR analysis or the Project's compliance with CEQA. Per CEQA Guidelines Section 15131, the focus of the EIR is on the physical environmental effects rather than social or economic issues, except where social or economic issues are known to have demonstrable physical impacts. Fiscal issues and community benefits from the Project are topics that will be considered by the Commission and the City Council during the decision-making process.

The commentor's concern about the "extent of changes" is important for the public discourse on the merits of the Project and whether it is viewed as an asset to the City. However, this comment does not address the adequacy of the EIR analysis or the Project's compliance with CEQA. The Draft EIR was prepared to fulfill the City's obligation under CEQA to identify the significant and potentially significant environmental impacts of the Project, regardless of the Project's merits.

PD-1 Although Airport Boulevard would be realigned under the Project, access to Fisherman's park would continue to be provided to the public. As shown in Section 2, Project Description, Figure 2-10, of the Draft EIR, a Bay Trail parking lot would be located in the northern portion of the site. From this area, Fisherman's Park would be accessible to vehicles. In addition, cyclists and pedestrians would be able to access Fisherman's Park via the Bay Trail. Nonetheless, access to Fisherman's Park may be limited during Phase 1 of construction, which would focus on the East Campus.

PD-2 The Draft EIR was prepared to fulfill the City’s obligation under CEQA to identify the significant and potentially significant environmental impacts of the Project, regardless of the Project’s merits.

As explained in Section 3.2, Land Use, Plans, and Policies, of the Draft EIR, development at the 300 Airport Boulevard would exceed the maximum allowable floor area, height, and setbacks, and not meet minimum parking provisions as permitted or required under the Burlingame Municipal Code APN zoning regulations. However, as explained in detail starting on page 3.2-28 of the Draft EIR, the Project Sponsor is requesting several amendments to the Zoning Code regarding floor area, height, setbacks, and parking regulations.

As explained on page 2-8 of the Draft EIR, amendments to the Bayfront Specific Plan would be needed for the 300 Airport Boulevard Project to meet one of its primary objectives (see page 2-4 of the Draft EIR). This objective states that the 300 Airport Boulevard Project should “develop an approximately 800,000-sf waterfront corporate campus.” Existing zoning would allow only 473,725 sf of development (compared to 767,000 sf under the 300 Airport Boulevard Project), which is significantly less than the stated objective. As such, not permitting amendments to the Bayfront Specific Plan would prohibit the desired development intensity and the overall corporate campus would be smaller in scale.

In addition, the existing zoning would not allow the buildings to exceed 30 feet in height along the Bayshore and 50 feet in height along Sanchez Channel. In order to accommodate approximately 473,725 sf of development at the 300 Airport Boulevard Site within the existing height limits, the buildings would likely have a greater footprint impact than the buildings proposed under the 300 Airport Boulevard Project. This would conflict with the objective of developing the campus “with sufficient building height and density to provide usable public open space among the buildings that connects to the improved waterfront edges of the site.” Since the building footprints would likely be larger, the open space and campus connectors between buildings would be limited.

An alternative to the Project with the existing Bayfront Specific Plan requirements is described and analyzed in Section 5, Project Alternatives, of the Draft EIR as the Existing Zoning Alternative.

PD-3 At this time, it is unknown whether the 300 Airport Boulevard Project would include life science or office uses and the extent to which these uses would include retail space and food services. As such, the worst-case scenario was presented in the Draft EIR, which mostly represented office uses only. For example, the estimated number of employees was based on the conservative scenario of only office uses, as explained on pages 2-31 through 2-32, Section 2, Project Description, of the Draft EIR. As shown in Table 2-5 on page 2-32, office uses would generate 2,433 employees, while office uses plus retail/food services

would generate 2,299 employees. Therefore, although the Project could include up to 18,030 sf of retail and up to 22,160 sf of food services, the Draft EIR considered the conservative scenario of office space only in the environmental analysis.

PD-4 Despite the proposed amendments to allow greater intensity of development within the APN zoning district, this increase in permitted development would result in two additional significant and avoidable impacts beyond those occurring as a result of the Existing Zoning Alternative. The Existing Zoning Alternative, presented in Section 5, Project Alternatives, of the Draft EIR, analyzed a project that would not include zoning amendments. This alternative would result in similar impacts, although to a slightly lesser extent, than the Project. The main difference between the Project and the alternative is that the Existing Zoning Alternative would reduce the significant and unavoidable air quality impacts related to compliance with the 2010 Clean Air Plan and operational air pollutant emissions. As such, even with a site plan consistent with the Bayfront Specific Plan, significant and unavoidable impacts would still occur.

RW-1 As discussed in Section 3.11, Parks and Wind Effects on Recreation, of the Draft EIR, implementation of the Proposed Project would have a less-than-significant effect on windsurfing and kiteboarding recreational resources. For a further discussion of wind impacts as a result of the Project, please refer to the Master Response in Section 3, Master Response, of this Final EIR.

RW-2 As discussed in Section 3.11, Parks and Wind Effects on Recreation, of the Draft EIR, information regarding the locations of the windsurfing and kiteboarding launch sites was taken from the County of San Mateo's Coyote Point Recreation Area Final Master Plan (2008). Further information regarding launching sites and sailing areas was gathered from a personal communication with Rebecca Geffert of Boardsports School and Shop, as cited on page 3.11-2 of the Draft EIR.

As discussed in Section 3.11, Parks and Wind Effects on Recreation, of the Draft EIR, implementation of the Proposed Project would have a less-than-significant effect on windsurfing and kiteboarding recreational resources. For a further discussion of wind impacts as a result of the Project, please refer to the Master Response in Section 3, Master Response, of this Final EIR.

RW-3 This comment is important for the public discourse on the merits of the Project and whether it is viewed as an asset to the City. However, this comment does not address the adequacy of the EIR analysis or the Project's compliance with CEQA. The Draft EIR was prepared to fulfill the City's obligation under CEQA to identify the significant and potentially significant environmental impacts of the Project, regardless of the Project's merits. For a further discussion of wind impacts as a result of the Project, please refer to the Master Response in Section 3, Master Response, of this Final EIR.

- RW-4 As discussed in Section 3.11, Parks and Wind Effects on Recreation, of the Draft EIR, implementation of the Proposed Project would have a less-than-significant effect on windsurfing and kiteboarding recreational resources. For a further discussion of wind impacts as a result of the Project, please refer to the Master Response in Section 3, Master Response, of this Final EIR.
- RW-5 As described on page 3.11-10 and 3.11-11 of the Draft EIR, the wind study conducted for the Project determined that implementation of the Project would not substantially impair prime windsurfing and kite boarding areas or substantially impair access to or from those areas, and would not result in a significant impact to recreational windsurfing and kite boarding uses in the area. For a further discussion of wind impacts as a result of the Project, please refer to the Master Response in Section 3, Master Response, of this Final EIR.
- UT-1 Please see Response to Comment 5.18 for a discussion of project effects related to the Rollins Road Pump Station.
- HY-1 Please see Response to Comment 5.15 for a discussion of project effects related to sea level rise.
- CC-1 Please see Response to Comment 47.2 for a discussion of project compliance with the City of Burlingame's Climate Action Plan.
- CC-2 Under existing conditions the Project Site is undeveloped. As such, there are no vehicle trips associated with the Project Site. As described in Section 3.4, Transportation of the Draft EIR, implementation of the Project would increase vehicle miles traveled (VMT) over existing conditions and concomitantly would increase transportation-related greenhouse gas emissions over existing conditions. As summarized in Section 3.4, Transportation, and Section 3.6, Climate Change, of the Draft EIR, the Project would implement a Transportation Demand Management (TDM) program to reduce VMT to the extent feasible. However, even with implementation of the TDM program and other energy conservation measures such as Leadership in Energy and Environmental Design (LEED) Gold certification or equivalent, the Project would exceed the applicable threshold for operational greenhouse gas emissions, resulting in a significant impact (refer to Section 3.6, Climate Change, of the Draft EIR). It should also be noted that the freeway segments in the vicinity of the Project Site currently operate at or below level of service standards. Any develop at the Project Site that added additional peak hour vehicles would likely also result in a significant and unavoidable impact to these freeway segments.
- CC-3 As stated in CEQA Guidelines Section 15093 (b), "when the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the

record. The statement of overriding considerations shall be supported by substantial evidence in the record.” The Draft EIR determined that implementation of the Project would result in significant and unavoidable impacts related to greenhouse gas emissions as well as transportation and air quality. Therefore, in order to approve the Project, the City of Burlingame is required to adopt a statement of overriding consideration.

Please refer to Response CC-1 for more information regarding the Project’s compliance with the Climate Action Plan and revisions to the Draft EIR text.

- AQ-1 As stated on page 3.1-2 of the Draft EIR, “for each impact identified as being significant (S) or potentially significant (PS), the Draft EIR provides mitigation measures to reduce, eliminate, or avoid the negative effect. If the mitigation measures would reduce the impact to a less-than-significant (LTS) level successfully, this is stated in the EIR. If the mitigation measures would not diminish these effects to a less-than-significant level, the EIR classifies the impacts as significant unavoidable effects (SU).” There are no gradients within any of these significance determinations. The Draft EIR analyzed various scenarios for construction and operation of the Project and determined significant and unavoidable impacts related to consistency with applicable air quality plans, criteria air pollutants and ozone precursor emissions compliance during construction, as well as compliance with BAAQMD CEQA Significance Criteria regarding operational criteria air pollutants and ozone precursor emissions for the combined effect of 300 Airport Boulevard and 350 Airport Boulevard Projects. The fact that mitigation measures were unable to reduce these project-level impacts to less-than-significant levels resulted in the determination of significant and unavoidable.
- TR-1 As described in Section 2, Project Description, of the Draft EIR, changes to Airport Boulevard included in the Project would not result in a reduction in the number of lanes or a reduction in the capacity of the roadway. The section of Airport Boulevard through the 300 Airport Boulevard Site would be a transitional area between the current four-lane section to the northwest of the Project Site and the two-lane section to the southeast of the Project Site. A four-lane section through the majority of the 300 Airport Boulevard Site would merge into two lanes at the southeast corner.
- TR-2 As described in Section 3.4, Transportation, of the Draft EIR, implementation of the project would have a less-than-significant effect on all of the study intersections except for the Amphlett Boulevard/Poplar Avenue intersection in the City of San Mateo. This intersection currently operates at sub-standard condition. The addition of project-related traffic would further exacerbate conditions at the intersection. The remaining study intersections, including all study freeway ramps, would continue to operate at acceptable levels of service.

TR-3 The traffic analysis did not include a separate study of bicycle traffic in the project area. However, Section 3.4, Transportation, of the Draft EIR does include an analysis of project impacts on existing bicycle facilities, including the potential increase in bicycle use associated with the Project. The analysis determined that the Project would have a less-than-significant impact on bicycle facilities. In addition, please see response to comment 29.1.

TR-4 Please see response to comment 29.1.

TR-5 The 1% walk share estimate in the Transportation Demand Management (TDM) program is based on a review of TDM programs and employee travel surveys for comparable Bay Area sites. The TDM program also makes allowances if the anticipated mode split does not occur. The 1% of employees walking to the site could come from the Bay Trail, nearby uses such as hotels, and uses internal to the site such as the amenities center. While it would be easier to manage a TDM program under a single employer, the goals of the TDM program could be accomplished even with multiple tenants.

In response to the comment, the second sentence on page 6 of the TDM program is revised as follows:

~~South San Francisco's~~ The City of Burlingame's bikeways are classified as Class I, Class II, and Class III facilities, as follows and shown to the right:

TR-6 It is recognized that there may be changes in Caltrain service due to the potential for budget shortfalls. However, the Transportation Demand Management (TDM) program was developed based on the best available information. The shuttle bus service under the 300 Airport Boulevard Project TDM program is an extension of the Burlingame Bayside Area shuttle. This shuttle provides service to the Millbrae Intermodal station, which has both BART and Caltrain service. The shuttle is not currently proposed to serve the Burlingame Caltrain Station, so closure of that Station would not affect the TDM Program.

TR-7 As discussed in Section 5, Project Alternatives, the Existing Zoning Alternative would reduce the level of Vehicle Miles Traveled (VMT) associated with development of the site. However, implementation of the Existing Zoning Alternative would still result in an increase in VMT when compared to existing conditions.

TR-8 Caltrain uses a variety of methods in the determination of service levels in terms of station stops and schedules including ridership associated with land uses in the vicinity of the stations. Shuttle services included in the Transportation Demand Management (TDM) program would be sensitive to changes in Caltrain service. As stated in the response to comment TR-6, shuttle service from the Project Site to Caltrain would likely focus on the Millbrae intermodal station due to the presence of both Caltrain and BART service at that station.

- TR-9 Contrary to the comment, as described in Section 3.4, Transportation, of the Draft EIR, implementation of the project would have a less-than-significant effect on all of the study intersections except for the Amphlett Boulevard/Poplar Avenue intersection in the City of San Mateo. This intersection currently operates at sub-standard condition. The addition of project-related traffic would further exacerbate conditions at the intersection. The remaining study intersections, including all study freeway ramps, would continue to operate at acceptable levels of service.
- TR-10 The estimates of transit usage included in the analysis are based on standard transportation models. These models are accepted by the industry as a close approximation of actual conditions.
- TR-11 The City/County Association of Governments of San Mateo County (C/CAG) requires all developments that would generate 100 or more net new peak hour trips to implement Transportation Demand Management (TDM) measures that reduce the number of new trips. Appendix C of the Draft EIR includes the TDM program that would be implemented as part the 300 Airport Boulevard Project. The goal of the TDM program is to reduce the number of peak hour trips by 13 percent.
- MM-1 Section 3, Environmental Analysis, of the Draft EIR includes a discussion of available and feasible mitigation measures to reduce project impacts to air quality, transportation, and climate change. These impact and mitigation measures are summarized in Table S-3 in the Summary section of the Draft EIR. As shown in the table, even with implementation of all feasible mitigation measures, significant and unavoidable impacts would remain to one study intersection (Amphlett Boulevard/Poplar Avenue); a number of freeway segments, compliance with applicable air quality plans and policies; construction and operational-related air quality emissions; and the generation of greenhouse gases.

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