



City of Burlingame

BURLINGAME CITY HALL
501 PRIMROSE ROAD
BURLINGAME, CA 94010

Meeting Minutes Planning Commission

Monday, May 22, 2023

7:00 PM

Council Chambers/Online

- e. 1499 Bayshore Highway/825 Mahler Road, zoned I-I - Application for Commercial Design Review, Special Permits for building height and development under Tier 3 for a new 8-story research and development building with a 7-story parking structure. (King 1499 Bayshore Owner LLC, applicant and property owner; DGA, Inc. architect) (58 noticed) Staff Contact: Catherine Keylon

All Commissioners have visited the project site. Senior Planner Keylon provided an overview of the staff report.

Chair Pfaff opened the public hearing.

Peter Banzhar, Jacob Peterson and Mark Posnick represented the applicant and answered questions regarding the application.

Public Comments:

> Public comment sent via email by Leslie Flint: Dear Planning Commissioners, I am speaking on behalf of Sequoia Audubon Society, the San Mateo County Chapter of the National Audubon Society. You have heard me comment several times in the past year about the importance of bird safe building practices, especially as they apply to glass and lighting design. However, I'd like to comment tonight on the height of this building and garage, and the specific location. This building is totally out of place in this location right next to Mills Creek and across the street from the Shorebird Preserve. As currently planned, the height of this office/life science building is 151 feet; over two times the allowable building height in this location. Even the planned garage exceeds the allowable 65' height. This building and garage will negatively impact the creek and the preserve. The overly high building will adversely cast shadows over the creek and the lovely little bit of open space created where Mills Creek empties into the Bay. It is also worth noting that biolabs are often in use 24/7. Light cast at night will impact migratory birds and the value of the open space as a shorebird preserve. Mills Creek on the west side of Bayshore could definitely benefit from an upgrade; the planned plaza and walkway would be an improvement but with that brings increased traffic which would likely result in a loss of wildlife using the creek and the Preserve which would be an undesirable outcome. Steps to mitigate this would be highly recommended. Thank you for your consideration.

> Public comment sent via email by Athan Rebelos: I noticed that page 30, figure 8 of the plans includes "Mills Creek Public Trail & Overlook". I am delighted to see this in the plans. I would like to be assured that, at a minimum, it will be included as a condition and completed as presented. I would ask to consider in the development of the "Mills Creek Public Trail and Overlook" the potential for a future pedestrian and bike trail along the creek, perhaps passing under the 101 freeway, connecting Rollins Road to the Shorebird Sanctuary, directly across the road from 1499 Bayshore. I also would like to see an obvious pedestrian and bike transition between the "Mills Creek Public Trail", the building's plaza, and the shorebird sanctuary across Bayshore. Landscaping, traffic calming (on Bayshore between the plaza and the sanctuary), pedestrian lighting, decorative crosswalks, and signage are some enhancements that come to mind. Last, prominent public art should be a condition, not an option.

Chair Pfaff closed the public hearing.

Commission Discussion/Direction:

- > *To make the plaza truly a public benefit there's got to be something for the public to do other than to sit there. Consider making the café or an outsourced food service accessible to the public and engaging it both outside and inside as a benefit to make the plaza worthwhile. Otherwise, the plaza will just be tenant-use too.*
- > *The grand stair by the northeast corner of the property, at Bayshore Highway and Mahler Road, will be a great location for a visual identity; it could be an art or something that is designed on the building itself to accentuate that corner. Consider providing something of a human scale to this corner that will feel more welcoming to a pedestrian and delineate arrival.*
- > *I agree about the café needing to be accessible to the public if we are having this nice community benefit space outside. There needs to be something to give to those who arrive and use that space to enjoy themselves; something to drink, a retail, something that will make it more active while they view the bird sanctuary.*
- > *Some areas overlooking Mills Creek will be a great location to provide educational pieces for pedestrians; a nice plaque like what we have on the Burlingame Point east shoreline.*
- > *There are a lot of people who walk the bay trails, we need something to invigorate this area.*
- > *Right now, there is not a whole lot of things to walk to at the other end of Mahler Road. Because of developments like this and others, that is changing and there are a lot more things to do in the bay trail and it is becoming more popular. I like the other street frontages, especially the plaza and the forward-thinking on the public trail. The sidewalks on Mahler Road could be more comfortable for pedestrians to use, to get past this property to other properties. A six feet wide sidewalk works most of the time but when traffic starts to increase, suddenly it feels cramped, especially since it is sloped in this area. Consider to be more flexible with the sidewalk width and give a little extra breathing room for pedestrians who are egressing around the property. It can help improve the project and the way it connects to the bay trail and other properties around the area.*
- > *I am pleased that the garage is not too much favoring people who are coming in via a car. For those arriving by bike, or pedestrians, you are not sacrificing access for auto users for other modes of transportation.*
- > *Consider adding more barriers between the parking garage and the sidewalk, whether that is moving the wall further away, adding more trees or a combination of both, that would be a big improvement. Understandably, there are not a lot of views from that perspective, but when you are walking from east to west past the garage to get to the building, it will be very noticeable when there is a giant concrete garage that you must walk past through all the time. That will make a huge difference to everyone who walks past this on both sides of the street and hopefully, more people will do that soon.*
- > *I do appreciate how intentional and specific all the layouts are and all the additional constraints that have come up from proximity to Mills Creek and the flood plain. I don't think it will be worth sacrificing the really cool public trail for a little bit of extra space from the sidewalk because it is great how forward thinking this is for other developers to pull off from. But just in case, you may rethink the parking requirements; a narrow garage might work. I understand that there's already interest in landscaping to buffer that to begin with.*
- > *I liked the idea of prioritizing the most used things towards the front. Do everything that you can to encourage the spaces that are closest to the windows being the most active, because seeing people in there is also very enticing.*
- > *The plaza, as a public amenity, is great in part because of the BCDC setback it creates a real plaza. In some projects that we've seen they're just tiny and they don't represent a public amenity to me. The raised plaza is also great as it overlooks the bay. I'll reinforce what my fellow commissioners and former Commissioner Gaul on a restaurant or a café. Consider a bigger amenity than a cafe or a coffee shop, something that people can come visit from all over to go to and create a magnet for that type of development. The size of the plaza and the grand staircase would dictate at least two, if not three, public arts so we should be more specific about how many you're going to do and where you're going to do it.*
- > *I really like the project. We have some opportunities here that I don't want to miss. Maybe we don't see them right now but consider developing the overlook by the creek. Overall, I like what you've done. It*

is just so pretty out there, consider putting as many trees and greenery as you can. I like the project and can see making an argument for the Special Permit as well.

> I really like the site layout, the plaza amenity, the landscape is working pretty well and how the site is developing. The building is really efficient but I'm not feeling any design to it. It's got very minimal movement; it's very square and vertical. The penthouse can be an opportunity to do something fun rather than just shielding mechanical equipment. As you said, it's following Mahler Road but it's not really doing much else. The observation decks are okay but still very efficient and not putting a lot of design into them. I would like to see the design get to the next level. It is understandable that a lot of these developments just get massing in the early stages. Currently, it's a lot of fairly flat glass.

> I would agree to have a bigger café. There are restaurants around that are being displaced and then don't necessarily have a place to come back in here. If all we do is focus on the offices and the R&D and don't focus on the ground floor amenities, this is going to become downtown San Francisco with nowhere to go. The Financial District was somewhere you didn't want to go because there wasn't anything there but office buildings. If we create just an office situation down there, people aren't going to go there. It is a huge opportunity to make it appealing for people to visit.

> The programming is working great. I don't have an issue with the size and the layout of the garage, that all works. I appreciate that you're taking an active role in trying to keep the number of parking spaces manageable because it's very easy to end up at four parking spaces per thousand square feet and have a half a side of parking. I'd also like to see a little bit more go into the design of the building to try and make it more fun to be there.

> It's a wonderful presentation, thanks for all the thought that's been put into the project so far and for welcoming our comments. I agree with my fellow commissioner about the design or shape of the building. Right now, it has some articulation that's basically dictated by setbacks and street frontage, but there could be something really creative that can come out of another round of design development; whether it's materials or some kind of visual interest at that northeast corner. There was a project that came before us that was very different initially, very efficient and just didn't have a lot of pizzazz. Then we made some comments for them to consider, and they came with something beautiful and symbolic. It was a nice second round of design process and there is an opportunity here to do that. I support the height of the building. The purpose for the building's great, there's been a lot of thought put here. It just needs a little bit more on the design development side, architecturally.

> Overall, I'm thrilled with the project. It really elevates this area of town. With a lot of these life science developments, it certainly adds a pizzazz to that area. I agree with regards to the design of the building, it doesn't bother me, but it also doesn't wow me. It doesn't have to be a wow factor but, maybe to their point, a little bit more interest in the building itself. More importantly, that ground floor non-tenant specific building frightens me a little bit. No one knows the potential of the economy and we're approving a lot of square footage on this Bayshore area. The worst thing that could happen would be to have a ghost town. If we have the public amenity on the ground floor, you still get the citizens of Burlingame to use it, which is important.

> I know that you're stuck in between a rock and a hard place with the development of the Old Bayshore Highway, but I do think it's critical that the access from the bay trail to the site is elevated and enhanced. A little bit of thought should even go into the bay trail side of things. The bay trail there is nice, it's very minimalistic and there's not a whole lot more you do. Suggest adding a bench seat with a lamp or an interpretive piece that blends in with the with the site itself. It is important because people don't generally go on that side of Old Bayshore Highway and Mahler Road on a random walk. Whereas, they are on the other side all the time. You're going to get tenants from this building and the hotel occupants walking along this area. It's a beautiful design here. I really like the trail and the elevated view of the shorebird sanctuary, but I fear that it would get lost in the fact that most people don't naturally walk to a big office building and say, "hey let's sit there for a while and look at birds," which is a good thing to do but it's not natural. The enhancement of how to get from the east side of the street to the west side is critical and that could all be solved with a little bit more retail/restaurant available to the public. To my fellow commissioners' points, if there are things happening downstairs, you're going to be excited to go see what's going on even if it's just people sitting and reading or drinking coffee in the window. I'm very much in favor of the project. I echo the point of the attention to detail and the care here is really good, certainly something that other building groups could look at as a template for future developments.

> I do agree with my fellow commissioners. It is minimal, but I really liked the very slight angle that goes along with the street. It's not huge, not trivial to build and it's quite nice. Consider adding screening materials, something interesting on one of the balconies of the parking structure to tie it all together with the main building. My fellow commissioner mentioned another project site where the breakthrough with that one really was it felt almost like a veil had been lifted because they made a commitment to the bottom, they have substantial columns, and the ground landscaping was kind of all interwoven together. It just opened the whole thing up and made it look like a different project and it really wasn't, it made such a difference.

> I did want to thank you for having a big commitment to the landscaping. You've done a great job with dedication to future trees and hope they get in there with all the city's planned development too.

> The south facade of this building feels like there is a ton of attention to the experience of people who are using it as tenants and as citizens. It's great, I like that. The north side of the facade has an average amount of attention to the pedestrian experience, it is appropriate because there's a focal point on the south side that's supposed to be the difference. Additional care could be taken in, not just to draw people to the building but also to make people glad the building's there and it's part of their walk as opposed to an empty lot with the chain link fence.

This item will return on the Regular Action Calendar, as it includes environmental review.

April 8th, 2024

City of Burlingame
Catherine Keylon, Senior Planner
PLANNING Division
501 Primrose Road
Burlingame, CA 94010

Project: King Street Properties / Helios
1499 Old Bayshore Highway
Burlingame, CA 94010

RE: City of Burlingame – Planning Review

Dear Catherine,

The following letter responds to the Planning Commission comments received at the May 2023 Study Session, feedback received from community outreach, and feedback received from the Design Review Board of the Bay Conservation and Development Commission (“BCDC”). Team responses are in bolded blue text.

Please contact me if you have any questions.

Sincerely,

Peter Banzhaf
Principal
Helios Real Estate Partners

Sonia Taneja
Managing Director
King Street Properties

cc: Andrew Moore – King Street Properties
Jamie Choy – King Street Properties
Brian Cason – Helios Real Estate Partners
Neal DeRidder – DGA
Mark Posnick – DGA
Jacob Petersen – Petersen Studios
Maggie Morrow – Petersen Studios
Tim Heffernam – BKF Engineers

Public Comment:

1. Public comment sent via email by Leslie Flint: Dear Planning Commissioners, I am speaking on behalf of Sequoia Audubon Society, the San Mateo County Chapter of the National Audubon Society. You have heard me comment several times in the past year about the importance of bird safe building practices, especially as they apply to glass and lighting design. However, I'd like to comment tonight on the height of this building and garage, and the specific location. This building is totally out of place in this location right next to Mills Creek and across the street from the Shorebird Preserve. As currently planned, the height of this office/life science building is 151 feet; over two times the allowable building height in this location. Even the planned garage exceeds the allowable 65' height. This building and garage will negatively impact the creek and the preserve. The overly high building will adversely cast shadows over the creek and the lovely little bit of open space created where Mills Creek empties into the Bay. It is also worth noting that biolabs are often in use 24/7. Light cast at night will impact migratory birds and the value of the open space as a shorebird preserve. Mills Creek on the west side of Bayshore could definitely benefit from an upgrade; the planned plaza and walkway would be an improvement but with that brings increased traffic which would likely result in a loss of wildlife using the creek and the Preserve which would be an undesirable outcome. Steps to mitigate this would be highly recommended. Thank you for your consideration.

The Project is aligned with the principles of the City's General Plan in the Innovation Industrial zoning district where greater development intensities are encouraged by redeveloping underutilized properties up to a floor area ratio ("FAR") of 2.75 through the implementation of three community benefits. The larger FAR can only be achieved with structures that are taller than 65 feet. Zoning allows for structures to be taller than 65 feet with a Special Permit.

The Project is only seeking an FAR of 2.35 and has four proposed community benefits including providing generous public open space along Mills Creek, several highly visible public art pieces, a new public trail that ties into the existing Bay Trail network, and sea level rise infrastructure improvements.

At 151 feet tall, the Project fits the context of the existing neighborhood seamlessly. Several existing structures along Bayshore Highway and Airport Boulevard are already 130 to 165 feet tall and future projects are programmed to be over 200 feet tall.

Bird safety was designed throughout the Project from its inception. Fritted glass has been implemented within the curtainwall system, and deliberate breaks are made in the building's massing at the ground plane and elevation that faces the shorebird sanctuary. The Project also acquired a 2nd parcel of land at 825 Mahler road in order to rotate the structure to increase the amount of public space and minimize the amount of building frontage along Bayshore Highway. This configuration results in +25% less frontage towards the bird sanctuary when compared to the previously approved hotel in this location.

2. Public comment sent via email by Athan Rebelos: I noticed that page 30, figure 8 of the plans includes "Mills Creek Public Trail & Overlook". I am delighted to see this in the plans. I would like to be assured that, at a minimum, it will be included as a condition and completed as presented. I would ask to consider in the development of the "Mills Creek Public Trail and Overlook" the potential for a future pedestrian and bike trail along the creek, perhaps passing under the 101 freeway, connecting Rollins Road to the Shorebird Sanctuary, directly across the road from 1499 Bayshore. I also would like to see an obvious pedestrian and bike transition between the "Mills Creek Public Trail", the building's plaza, and the shorebird sanctuary across Bayshore. Landscaping, traffic calming (on Bayshore between the plaza and the sanctuary), pedestrian lighting, decorative crosswalks, and signage are some enhancements that come to mind. Last, prominent public art should be a condition, not an option.

The project will construct a public trail along its entire Mills Creek frontage to draw the activity of the Bay Trail inland along the Mills Creek corridor and encourage visitors to enjoy the tidal creek. Trail improvements include three overlooks with interpretive panels, multiple seating areas, and

pedestrian lighting. Trail improvements will support daily recreation and allow for a variety of ways for the public to interact with their physical and natural surroundings. The public trail and overlooks are part of community benefits CB#13 and CB#1.

Public art (CB#4) will be integrated around the property and is highly visible from the public realm. The project team is committed to work with regional artists for these pieces.

The Project supports the idea of daylighting Mills Creek and extending the trail; however, expansion of the Mills Creek trail past the 1499 Bayshore property is dependent on future property development and is not part of this Project. Enhanced signage and wayfinding and a widened crosswalk with ladder bars have been proposed at the Old Bayshore Highway intersection in order to prioritize pedestrian crossings from the Bay Trail to the site.

Planning Commission Study Session

3. To make the plaza truly a public benefit there has got to be something for the public to do other than to sit there. Consider making the café or an outsourced food service accessible to the public and engaging it both outside and inside as a benefit to make the plaza worthwhile. Otherwise, the plaza will just be tenant-use too.

The Project provides an oversized, south facing public plaza of 6,900 square feet with abundant programming, lush landscaping, variety of seating, and vistas over Mills Creek and the Shorebird Sanctuary. The public plaza is an important link between the new Mills Creek trail and the pathway to the Bay Trail. The new Mills Creek trail and public plaza will have six public bicycle racks. The Project's parking structure includes eight public parking spaces at the grade of the new trail. The public will be encouraged to park their bicycle/vehicle at the Project and walk down the new trail to the public plaza and Bay Trail.

The trail will include three overlooks with interpretive panels, multiple seating areas, and pedestrian lighting. Trail improvements will support daily recreation and allow for a variety of ways for the public to interact with their physical and natural surroundings.

Public art will be positioned adjacent to the plaza, where it can be experienced and appreciated by the public. While the character and materiality of the art has not finalized, the Project is committed to selecting regional artists who will create a site-specific work that responds to the shoreline site and context.

The Project understands the desire to bring food services to the plaza. The Project's service and emergency vehicle route has been designed to accommodate food truck or catering access directly adjacent to the public plaza.

4. The grand stair by the northeast corner of the property, at Bayshore Highway and Mahler Road, will be a great location for a visual identity; it could be an art or something that is designed on the building itself to accentuate that corner. Consider providing something of a human scale to this corner that will feel more welcoming to a pedestrian and delineate arrival.

In order to emphasize pedestrian arrival at the northwest corner of the site, several site elements have been refined. The Grand Stair has been realigned to allow for greater visibility from the pedestrian approach to the site. A public art location has been selected adjacent to the stair where it is most visible to pedestrians and motorists at the adjacent intersection and the Bay Trail. Enhanced signage and wayfinding and a widened crosswalk with ladder bars have been proposed at the Old Bayshore Highway intersection in order to prioritize pedestrian crossings from the Bay Trail to the site.

5. I agree about the café needing to be accessible to the public if we are having this nice community benefit space outside. There needs to be something to give to those who arrive and use that space to enjoy

themselves; something to drink, a retail, something that will make it more active while they view the bird sanctuary.

Please see response to comment 3.

6. Some areas overlooking Mills Creek will be a great location to provide educational pieces for pedestrians: a nice plaque like what we have on the Burlingame Point east shoreline.

Please see response to comment 2.

7. There are a lot of people who walk the bay trails, we need something to invigorate this area.

The Project includes a new approximately 400 foot long Mills Creek public trail that will connect new public parking spaces and public bicycle spaces to the Bay Trail.

8. Right now, there is not a whole lot of things to walk to at the other end of Mahler Road. Because of developments like this and others, that is changing and there are a lot more things to do in the bay trail and it is becoming more popular. I like the other street frontages, especially the plaza and the forward-thinking on the public trail. The sidewalks on Mahler Road could be more comfortable for pedestrians to use, to get past this property to other properties. A six feet wide sidewalk works most of the time but when traffic starts to increase, suddenly it feels cramped, especially since it is sloped in this area. Consider to be more flexible with the sidewalk width and give a little extra breathing room for pedestrians who are egressing around the property. It can help improve the project and the way it connects to the bay trail and other properties around the area.

The existing streetscape at Old Bayshore Highway and Mahler Road consists of a 4 foot 6 inch wide concrete sidewalk directly adjacent to the curb. The Project's proposed streetscape at this location widens the sidewalk to 6 feet along Mahler Road and adds a planting strip with lighting. The Project incorporates the new Bayshore Highway Improvement Plans with a planting strip at Old Bayshore Highway to provide a buffer between pedestrians and vehicular traffic and includes street trees and new street lighting. The project team is working in collaboration with City Staff to ensure that the design standards of this new Bayshore Highway can be fully realized.

9. I am pleased that the garage is not too much favoring people who are coming in via a car. For those arriving by bike, or pedestrians, you are not sacrificing access for auto users for other modes of transportation.

The garage has been programmed in such a manner to include multiple entry points and multiple vertical transportation, while maintaining a double loaded drive aisle. There are dedicated bike parking stalls in the garage and eight public parking spaces. The configuration of the garage allows for the garage to park 2 parking spaces per 1,000 square feet in only six levels.

10. Consider adding more barriers between the parking garage and the sidewalk, whether that is moving the wall further away, adding more trees or a combination of both, that would be a big improvement. Understandably, there are not a lot of views from that perspective, but when you are walking from east to west past the garage to get to the building, it will be very noticeable when there is a giant concrete garage that you must walk past through all the time. That will make a huge difference to everyone who walks past this on both sides of the street and hopefully, more people will do that soon.

Please see response to comment 8.

11. I do appreciate how intentional and specific all the layouts are and all the additional constraints that have come up from proximity to Mills Creek and the flood plain. I do not think it will be worth sacrificing the really cool public trail for a little bit of extra space from the sidewalk because it is great how forward thinking this is for other developers to pull off from. But just in case, you may rethink the parking requirements: a

narrow garage might work. I understand that there's already interest in landscaping to buffer that to begin with.

Please see response to comment 8.

12. I liked the idea of prioritizing the most used things towards the front. Do everything that you can to encourage the spaces that are closest to the windows being the most active, because seeing people in there is also very enticing.

While the building's interior programming has not been fully designed, the Project locates all back of house and loading towards the access driveway to deliberately maintain an activated frontage along Bayshore Highway.

13. The plaza, as a public amenity, is great in part because of the BCDC setback it creates a real plaza. In some projects that we have seen they are just tiny, and they do not represent a public amenity to me. The raised plaza is also great as it overlooks the bay. I will reinforce what my fellow commissioners and former Commissioner Gaul on a restaurant or a café. Consider a bigger amenity than a cafe or a coffee shop, something that people can come visit from all over to go to and create a magnet for that type of development. The size of the plaza and the grand staircase would dictate at least two, if not three, public arts so we should be more specific about how many you are going to do and where you are going to do it.

Please see response to comment 3.

14. I really like the project. We have some opportunities here that I do not want to miss. Maybe we do not see them right now but consider developing the overlook by the creek. Overall, I like what you have done. It is just so pretty out there, consider putting as many trees and greenery as you can. I like the project and can see making an argument for the Special Permit as well.

The Project is committed to creating a project that is sensitive to its environmental and social context. Outdoor spaces frame views to the Bay, Shorebird Sanctuary, and Mills Creek, while integrating shade and wind-shelter from proposed trees. The landscape design more than doubles the number of trees on site and greatly increases the planted area on site. The three overlooks are an integral part of the Public Trail design and provide opportunities for daily users to view Mills Creek tidal ecology.

15. I really like the site layout, the plaza amenity, the landscape is working pretty well and how the site is developing. The building is really efficient, but I am not feeling any design to it. It has got very minimal movement: it is very square and vertical. The penthouse can be an opportunity to do something fun rather than just shielding mechanical equipment. As you said, it is following Mahler Road, but it is not really doing much else. The observation decks are okay but still very efficient and not putting a lot of design into them. I would like to see the design get to the next level. It is understandable that a lot of these developments just get massing in the early stages. Currently, it is a lot of fairly flat glass.

The building form is articulated at several different scales. At a macro level, the design keeps the efficiency of stacked floor plates while avoiding a resulting "rectangular box" by putting a deliberate bend in the building. This avoids a rigid rectangular shape and ensures that light will interact differently with angled portions of the building and provide a more dynamic appearance. Also, at a large macro-scale the equipment screen is set back from the building edge and another material introduced to add interest and texture.

When looking at the building closer in, one can see how the offsets are carved out of the base of the building and at the balconies along the most prominent elevation. This articulation, especially at a pedestrian level, helps to bring the facade down to a more human scale and adds interest and movement. Individuals will have an opportunity to interact with the building by walking around the columns that protrude away from the façade at the ground level.

Zooming in a little more, the painted steel channels break up the exterior plane of glass into deliberate smaller forms. These deep channels will provide a shadow line and a textural change at every floor level. Also, at this micro level, differing glazing transparency and color will further avoid the impression of a monolithic wall of glass.

16. I would agree to have a bigger café. There are restaurants around that are being displaced and then do not necessarily have a place to come back in here. If all we do is focus on the offices and the R&D and do not focus on the ground floor amenities, this is going to become downtown San Francisco with nowhere to go. The Financial District was somewhere you did not want to go because there was not anything there but office buildings. If we create just an office situation down there, people are not going to go there. It is a huge opportunity to make it appealing for people to visit.

Please see response to comment 3.

17. The programming is working great. I do not have an issue with the size and the layout of the garage, that all works. I appreciate that you are taking an active role in trying to keep the number of parking spaces manageable because it's very easy to end up at four parking spaces per thousand square feet and have a half a side of parking. I would also like to see a little bit more go into the design of the building to try and make it more fun to be there.

Please see response to comment 15.

18. It is a wonderful presentation, thanks for all the thought that has been put into the project so far and for welcoming our comments. I agree with my fellow commissioner about the design or shape of the building. Right now, it has some articulation that is basically dictated by setbacks and street frontage, but there could be something really creative that can come out of another round of design development; whether it's materials or some kind of visual interest at that northeast corner. There was a project that came before us that was very different initially, very efficient and just didn't have a lot of pizzazz. Then we made some comments for them to consider, and they came with something beautiful and symbolic. It was nice second round of design process and there is an opportunity here to do that. I support the height of the building. The purpose for the building's great, there's been a lot of thought put here. It just needs a little bit more on the design development side, architecturally.

Please see response to comment 15.

19. Overall, I'm thrilled with the project. It really elevates this area of town. With a lot of these life science developments, it certainly adds a pizzazz to that area. I agree with regards to the design of the building, it doesn't bother me, but it also doesn't wow me. It doesn't have to be a wow factor but, maybe to them point, a little bit more interest in the building itself. More importantly, that ground floor non-tenant specific building frightens me a little bit. No one knows the potential of the economy and we're approving a lot of square footage on this Bayshore area. The worst thing that could happen would be to have a ghost town. If we have the public amenity on the ground floor, you still get the citizens of Burlingame to use it, which is important.

Please see response to comments 15 and 3.

20. I know that you're stuck in between a rock and a hard place with the development of the Old Bayshore Highway, but I do think it's critical that the access from the bay trail to the site is elevated and enhanced. A little bit of thought should even go into the bay trail side of things. The bay trail there is nice, it's very minimalistic and there's not a whole lot more you do. Suggest adding a bench seat with a lamp or an interpretive piece that blends in with the site itself. It is important because people don't generally go on that side of Old Bayshore Highway and Mahler Road on a random walk. Whereas, they are on the other side all the time. You're going to get tenants from this building and the hotel occupants walking along this area. It's a beautiful design here. I really like the trail and the elevated view of the shorebird sanctuary, but I fear that it would get lost in the fact that most people don't naturally walk to a big office building and say, "hey let's sit there for a while and look at birds," which is a good thing to do but it's not natural. The

enhancement of how to get from the east side of the street to the west side is critical and that could all be solved with a little bit more retail/restaurant available to the public. To my fellow commissioners' points, if there are things happening downstairs, you're going to be excited to go see what's going on even if it's just people sitting and reading or drinking coffee in the window. I'm very much in favor of the project. I echo the point of the attention to detail and the care here is really good, certainly something that other building groups could look at as a template for future developments.

The Project team believes there is an opportunity to foster a stronger connection between the Project and the Bay Trail and is open to working with the City to provide concepts for better connection across Old Bayshore Highway.

21. I do agree with my fellow commissioners. It is minimal, but I really liked the very slight angle that goes along with the street. It's not huge, not trivial to build and it's quite nice. Consider adding screening materials, something interesting on one of the balconies of the parking structure to tie it all together with the main building. My fellow commissioner mentioned another project site where the breakthrough with that one really was it felt almost like a veil had been lifted because they made a commitment to the bottom, they have substantial columns, and the ground landscaping was kind of all interwoven together. It just opened the whole thing up and made it look like a different project and it really wasn't, it made such a difference.

Please see response to comment 15.

22. I did want to thank you for having a big commitment to the landscaping. You've done a great job with dedication to future trees and hope they get in there with all the city's planned development too.

Thank you for the feedback.

23. The south facade of this building feels like there is a ton of attention to the experience of people who are using it as tenants and as citizens. It's great, I like that. The north side of the facade has an average amount of attention to the pedestrian experience, it is appropriate because there's a focal point on the south side that's supposed to be the difference. Additional care could be taken in, not just to draw people to the building but also to make people glad the building's there and it's part of their walk as opposed to an empty lot with the chain link fence.

Please see response to comment 15.

Specific Project Modifications

- *Overlook at Mills Creek Trail Terminus:* Per the recommendation of the BCDC DRB, a 3rd overlook with interpretive programming has been added to the terminus of the new Mills Creek Public Trail at the southwest edge of the site. This design refinement accommodates the emergency vehicle access, while focusing on the public activation, and daily use of the space. The patterning of two paving types along the Mills Creek Public Trail reduces the perceptual scale of emergency vehicle access area, while allowing for required fire access.
- *Terrace at Bayshore Highway:* A new terrace, activated with movable furnishings, has been added at the Bayshore Highway frontage adjacent to the building. The terrace can be accessed via the public plaza and provides shelter from the sun and wind, with views to the Shorebird Sanctuary and the San Francisco Bay. This terrace adds an additional viewing platform for the public and helps activate the ground floor of the building facing the street.
- *Plaza Staircase:* The plaza stair has been reshaped into a wider wedge that opens to the streetscape. This modification results in a more inviting entry into the plaza and increased visibility to the plaza from Old Bayshore Highway and the Bay Trail.

- *Grand Stair:* The angle of the grand stair has been rotated slightly toward Old Bayshore Highway for greater visibility from the Bay Trail, crosswalk, and intersection. Enhanced address signage and wayfinding signage has been added.
- *Streetscape:* The Old Bayshore Highway streetscape and street profile have been revised to conform to the existing curb location and incorporate the planting buffer and streetscape trees shown in the previous submittal. The May 2023 drawings integrated the curb alignment shown in the Old Bayshore Highway Feasibility Study. This change makes the project flexible to accommodate a road diet as suggested by the Old Bayshore Highway Feasibility Study or a continuation of the existing road width as recently contemplated by City Staff.
- *Crosswalk Bars:* An expanded crosswalk with ladder bars is included at the intersection of Old Bayshore and Mahler Road in order to visibly enhance the connection between the Bay Trail at the Shorebird Sanctuary and 1499 Bayshore. The project previously requested to have a mid-block crossing directly to the Bay Trail at the plaza staircase. However, that design feature was determined to not be feasible by City Staff due its proximity to existing and new pedestrian crossings contemplated in the Old Bayshore Highway Feasibility Study.
- *Sidewalk Seating:* Two seating platforms have been integrated at the back of sidewalk along Old Bayshore Highway, providing a visual and experiential connection from the Public Trail and Plaza to the Bay Trail Connection and enhancing the human scale of the streetscape in front of the project.
- *Art Locations:* Proposed locations for public art have been selected and noted on plans. The two art locations are positioned where they can be experienced and appreciated from publicly accessible areas of the project and the Public ROW.
- *Vine Screen at Garage:* A vine screen has been added to the garage frontage along the Mills Creek public trail. The garage vine screen will be complementary with the vine screen at the generator enclosure wall and will soften the garage edge at the Mills Creek trail terminus and newly proposed overlook.
- *Façade Adjustments:* Glass defined. Wood slat materials added to underside of overhangs, Removal of two single exterior doors and landing at NE corner of building. Added exterior patio to east end of building on ground floor for new viewing deck.
- *Stormwater Drainage:* Stormwater drainage adjusted to accommodate surface stormwater of public streets at garage and along Old Bayshore Highway.



PLANNING APPLICATION

COMMUNITY DEVELOPMENT DEPARTMENT—PLANNING DIVISION

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

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

PROJECT INFORMATION

1499 Old Bayshore Hwy

026-322-150 & 026-322-050

Innovation/Industrial (I/I)

PROJECT ADDRESS

ASSESSOR'S PARCEL # (APN)

ZONING

PROJECT DESCRIPTION

Project site includes 1499 Old Bayshore Hwy and 825 Mahler Rd. Both lots have existing buildings that will be removed. The 1499 lot includes two existing 2-story office buildings with surface parking and minimal interior landscaping. The 825 lot includes a single existing concrete tilt-up warehouse building with surface parking and minimal interior landscaping. The new proposed development includes an eight-story lab/office building and an open parking garage with seven levels. The main entry to the office building will be off Mahler street with a dedicated on-site vehicular drop-off lane. Garage entry and exit will be off Mahler Road. Loading, Service, and Fire Lane access is provided between the two structures and accessed off Mahler Road. An extensive public outdoor plaza is proposed on the southern side of the office building along Mills Creek. The project is sited across from a Shorebird Sanctuary and a pedestrian crossing is proposed at Old Bayshore Hwy to connect with the existing Bay Trail.

APPLICANT INFORMATION

King 1499 Bayshore Owner LLC

PROPERTY OWNER NAME **APPLICANT?**

PHONE

E-MAIL

DGA, Inc.

1720 8th Street, Sacramento, CA, 95811

ARCHITECT/DESIGNER **APPLICANT?**

ADDRESS

916-441-6800 x510

MPosnick@DGA-MV.com

PHONE

E-MAIL

BURLINGAME BUSINESS LICENSE # 930559

AFFIDAVIT OF OWNERSHIP

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

APPLICANT'S SIGNATURE (IF DIFFERENT FROM PROPERTY OWNER)

DATE

I AM A _____ APPLICANT AND HEREBY AUTHORIZE THE ABOVE APPLICANT TO SUBMIT THIS APPLICATION TO THE PLANNING DIVISION.

PROPE

9/2/2022

DATE

AUTHORIZATION TO REPRODUCE PLANS

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

(INITIALS OF ARCHITECT/DESIGNER)

STAFF USE ONLY

APPLICATION TYPE

- ACCESSORY DWELLING UNIT (ADU)
- VARIANCE (VAR)
- CONDITIONAL USE PERMIT (CUP)
- WIRELESS
- DESIGN REVIEW (DSR)
- FENCE EXCEPTION
- HILLSIDE AREA CONSTRUCTION PERMIT
- OTHER: _____
- MINOR MODIFICATION
- SPECIAL PERMIT (SP)

DATE RECEIVED:



STAFF USE ONLY



COMMERCIAL APPLICATION

PLANNING COMMISSION APPLICATION SUPPLEMENTAL FORM

1. Proposed use of the site Lab/Office tenants with accessory cafe use.
2. Days and hours of operation Monday - Friday from 8:00 AM to 5:00 PM
3. Number of trucks/service vehicles to be parked at site (by type) No trucks or service vehicles permanently parked on site.
Commercial truck deliveries (UPS, FedEx etc.), trash removal, material deliveries for lab services etc. are expected.
4. Current and projected maximum number of employees (including owner) at this location:

Hours of Operation	At Opening/Existing		In 2 Years		In 5 Years	
	Before 5:00 pm	After 5:00 pm	Before 5:00 pm	After 5:00 pm	Before 5:00 pm	After 5:00 pm
Weekdays Full-time	315	32	468	45	594	59
Part-time	135	0	198	0	252	0
Weekends Full-time	0	0	0	0	0	0
Part time	32	4	45	4	63	6

5. Current and projected maximum number of visitors/customers who may come to the site:

Hours of Operation	At Opening/Existing		In 2 Years		In 5 Years	
	Before 5:00 pm	After 5:00 pm	Before 5:00 pm	After 5:00 pm	Before 5:00 pm	After 5:00 pm
Weekdays	12	2	15	4	18	5
Weekends	0	0	0	0	0	0

6. What is the maximum number of people expected on site at any one time (include owner, employees and visitors/customers): 900
7. Where do/will the owner and employees park? Parking provided in on-site garage
8. Where do/will the customers/visitors park? Parking provided in on-site garage
9. Present or most recent use of site Commercial businesses
10. List other tenants on property, their number of employees, hours of operation (attach a list if more room is needed) N/A; no other tenants on property.



CITY OF BURLINGAME SPECIAL PERMIT APPLICATION

The Planning Commission is required by law to make findings as defined by the City's Ordinance (Code Section 25.50). Your answers to the following questions can assist the Planning Commission in making the decision as to whether the findings can be made for your request. Please type or write neatly in ink. Refer to the back of this form for assistance with these questions.

Special Permit for heights greater than 65 feet in an Industrial Zone

- 1. Explain why the blend of mass, scale and dominant structural characteristics of the new construction or addition are consistent with the existing structure's design and with the existing street and neighborhood.***

A recent Burlingame Zoning Ordinance Update allows for heights over 65 feet in an Innovation Industrial district via the Special Permit process. The mass and scale of the proposed project is consistent with the new zoning and other pending proposals in this redeveloping district. The proposed building height is below the height limits imposed by the San Francisco International airport. Canopies and setback portions of the building at the Mahler street entrance and the proposed public courtyard provide pedestrian-scale two story elements to help reduce the apparent building height at street level. Extensive landscaping along the office building's frontages and a large public outdoor courtyard also serve to connect the building to the neighborhood at street level. The proposed development addresses both flooding and sea level rise and improves the embankment conditions along Mills Creek. The public plaza will provide an arrival point and services for Bay trail users. This public amenity will connect the development to the community and help meet the developments goal of being a good neighbor.

- 2. Explain how the variety of roof line, facade, exterior finish materials and elevations of the proposed new structure or addition are consistent with the existing structure, street and neighborhood.***

The project is located within a redeveloping district. The development proposes a contemporary curtain wall facade that will utilize high-performance glazing to provide acoustic comfort to its users, meet Energy Code requirements and also accommodate bird safety measures. Vertical curtain wall mullion extensions are proposed to provide shading as well as add variety and interest to the facades. Ground level building setbacks along the Mahler frontage and at the public courtyard serve to reduce the building to more comfortable pedestrian scales at the approaches to the building and indicate building entry points. A rooftop screen will serve to shield views of rooftop mechanical equipment from future high-rise neighbors. The character of the building is consistent in terms of size, density and materials to similar contemporary developments in the surrounding urban area and we believe meets the goals of the Zoning Ordinance Update.

- 3. How will the proposed project be consistent with the residential design guidelines adopted by the city (C.S. 25.57)?***

Not applicable. No residential uses proposed.

- 4. Explain how the removal of any trees located within the footprint of any new structure or addition is necessary and is consistent with the city's reforestation requirements. What mitigation is proposed for the removal of any trees? Explain why this mitigation is appropriate.***

The entire site is being raised an average of 5.5' to accommodate the building finish floor elevation at 13', per City requirements, and to provide flood protection and sea level rise resiliency along Mills Creek, per BCDC requirements. This raising of the site will generally require the removal of all existing trees (fewer than 10). The proposed plan includes approximately 20 new on-site trees (replacement trees) that will expand and diversify the City of Burlingame's Urban Forest. Street tree quantities and types along Old Bayshore Highway shall be in accordance with the City's final proposed corridor improvements. Approximately 11 new street trees are proposed along the Mahler Street frontage. All proposed trees will be installed at a 36" box size.

↓ See over for explanation of above questions.

SPECIAL.PERMIT.APP.FORM



CITY OF BURLINGAME SPECIAL PERMIT APPLICATION

The Planning Commission is required by law to make findings as defined by the City's Ordinance (Code Section 25.50). Your answers to the following questions can assist the Planning Commission in making the decision as to whether the findings can be made for your request. Please type or write neatly in ink. Refer to the back of this form for assistance with these questions.

Special Permit for FAR increase to 2.75 (Tier 3 Community Benefits).

- 1. Explain why the blend of mass, scale and dominant structural characteristics of the new construction or addition are consistent with the existing structure's design and with the existing street and neighborhood.**

A recent Burlingame Zoning Ordinance Update increased allowable Floor Area Ratios for office and research/development projects fronting Old Bayshore Highway in the Innovation Industrial district. The mass and scale of the proposed project is consistent with the new zoning and other pending proposals in this redeveloping district. Extensive landscaping along the office building's frontages and a large public outdoor courtyard serve to connect the building to the neighborhood at street level. The proposed development addresses both flooding and sea level rise and improves the embankment conditions along Mills Creek. The public plaza will provide an arrival point and services for Bay trail users. This public amenity will connect the development to the community and help meet the developments goal of being a good neighbor.

- 2. Explain how the variety of roof line, facade, exterior finish materials and elevations of the proposed new structure or addition are consistent with the existing structure, street and neighborhood.**

The project is located within a redeveloping district. The development proposes a contemporary curtain wall facade that will utilize high-performance glazing to provide acoustic comfort to its users, meet Energy Code requirements and also accommodate bird safety measures. Vertical curtain wall mullion extensions are proposed to provide shading as well as add variety and interest to the facades. Ground level building setbacks along the Mahler frontage and at the public courtyard serve to reduce the building to more comfortable pedestrian scales at the approaches to the building and indicate building entry points. A rooftop screen will serve to shield views of rooftop mechanical equipment from future high-rise neighbors. The character of the building is consistent in terms of size, density and materials to similar contemporary developments in the surrounding urban area and we believe meets the goals of the Zoning Ordinance Update.

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Not applicable. No residential uses proposed.

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↓ See over for explanation of above questions.

SPECIAL.PERMIT.APP.FORM

1499 BAYSHORE COMMUNITY BENEFITS

MARCH 17, 2023

PROJECT VISION

1499 Bayshore is envisioned as a robust community destination that leverages unique connections to Burlingame's Shorebird Sanctuary, Mills Creek and the Bay Trail to expand and activate Burlingame's Public Shoreline.

COMMUNITY BENEFITS

- PUBLIC PLAZA OVERLOOKING THE SHOREBIRD SANCTUARY (CB #1)
- MILLS CREEK PUBLIC TRAIL (CB #13)
- MILLS CREEK SEA LEVEL RISE INFRASTRUCTURE (CB #12)
- PUBLIC ART (CB #4)

KEY

- Mills Creek Public Trail
- Connection to Bay Trail
- Overlook

MAHLER ROAD



CB#4
PUBLIC ART
POTENTIAL LOCATION 3

CB#1
PUBLIC PLAZA
6,900 SF

CB#4
PUBLIC ART
POTENTIAL LOCATION 1

CB#4
PUBLIC ART
POTENTIAL LOCATION 2

CB#12
SEA LEVEL RISE INFRASTRUCTURE

CB#13
MILLS CREEK PUBLIC TRAIL
400+ LF

SHOREBIRD
SANCTUARY

BAY TRAIL

OLD BAYSHORE HWY

MILLS CREEK

MEAN HIGH WATER

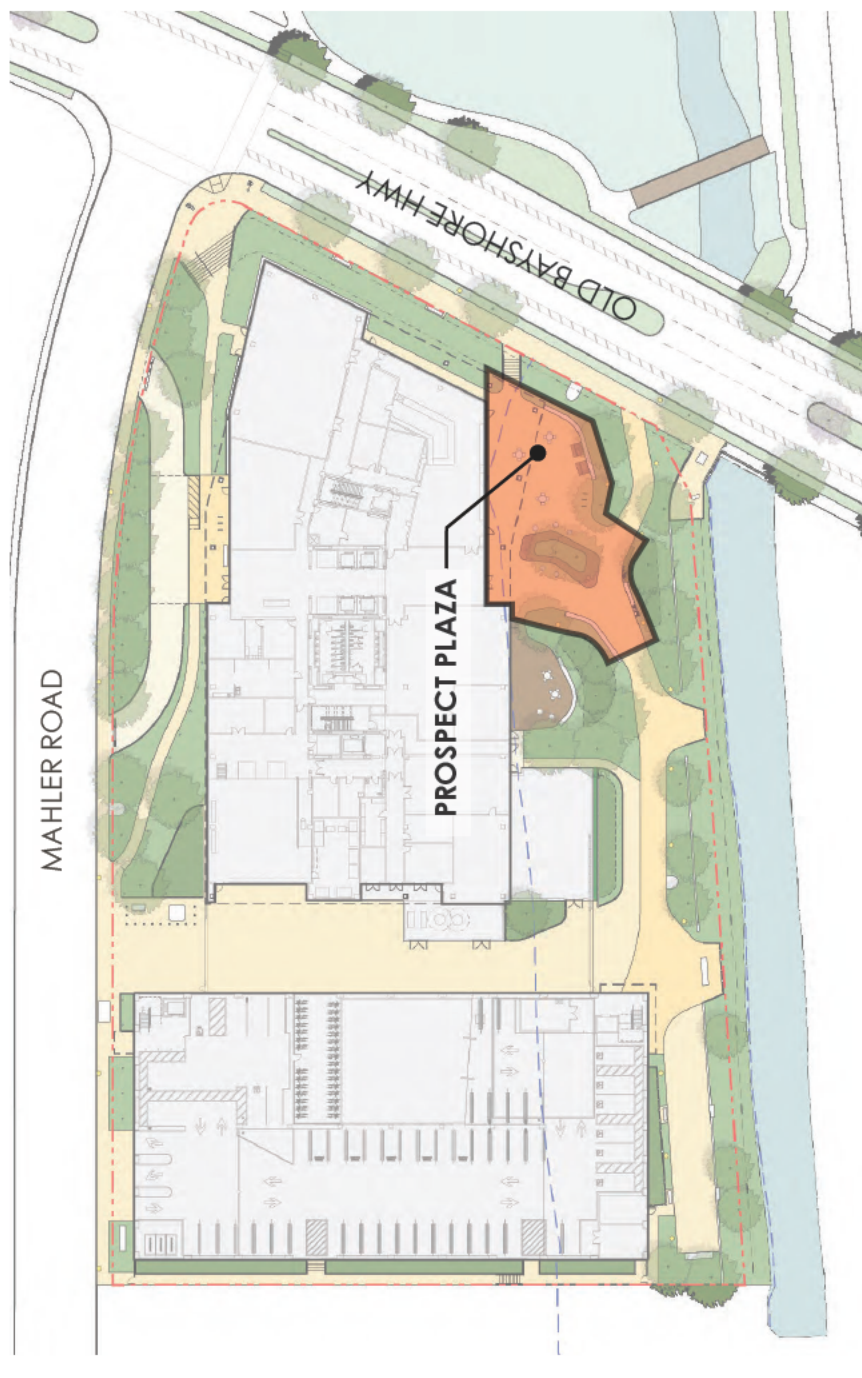


Public Plaza Overlooking The Shorebird Sanctuary

The Prospect Plaza at 1499 Bayshore creates a dramatic community destination with expansive views across Burlingame's Shorebird Sanctuary and the Bay. The plaza is perched over 3 feet above the street and Bay Trail to enact the goals of the Burlingame Climate Action Plan and amplify views to the Bay. Binocular viewsopes and interpretive panels foster enjoyment of the unique urban habitat and wildlife, while stairs and a sloped walk connect the plaza directly to Bayshore Highway's streetscape activity. The south-facing, wind sheltered plaza provides a much-needed respite from persistent shoreline winds and invites year-round recreation.

- Prospect Plaza is nearly 7,000 SF
- Ample plaza seating and planting near the public streets
- South facing to capture sunlight and protection from prevailing winds
- Enhanced paving
- Architectural shade and tree shade
- Inviting pedestrian-scale night lighting
- Signage with hours of operation
- Public Bike Parking
- Trash and Recycle Receptacles
- Binocular Viewsopes and Interpretive Panels

Community Benefit #1



View to Prospect Plaza with Shorebird Sanctuary Beyond

Public Plaza Overlooking The Shorebird Sanctuary

Concept Imagery CB#1

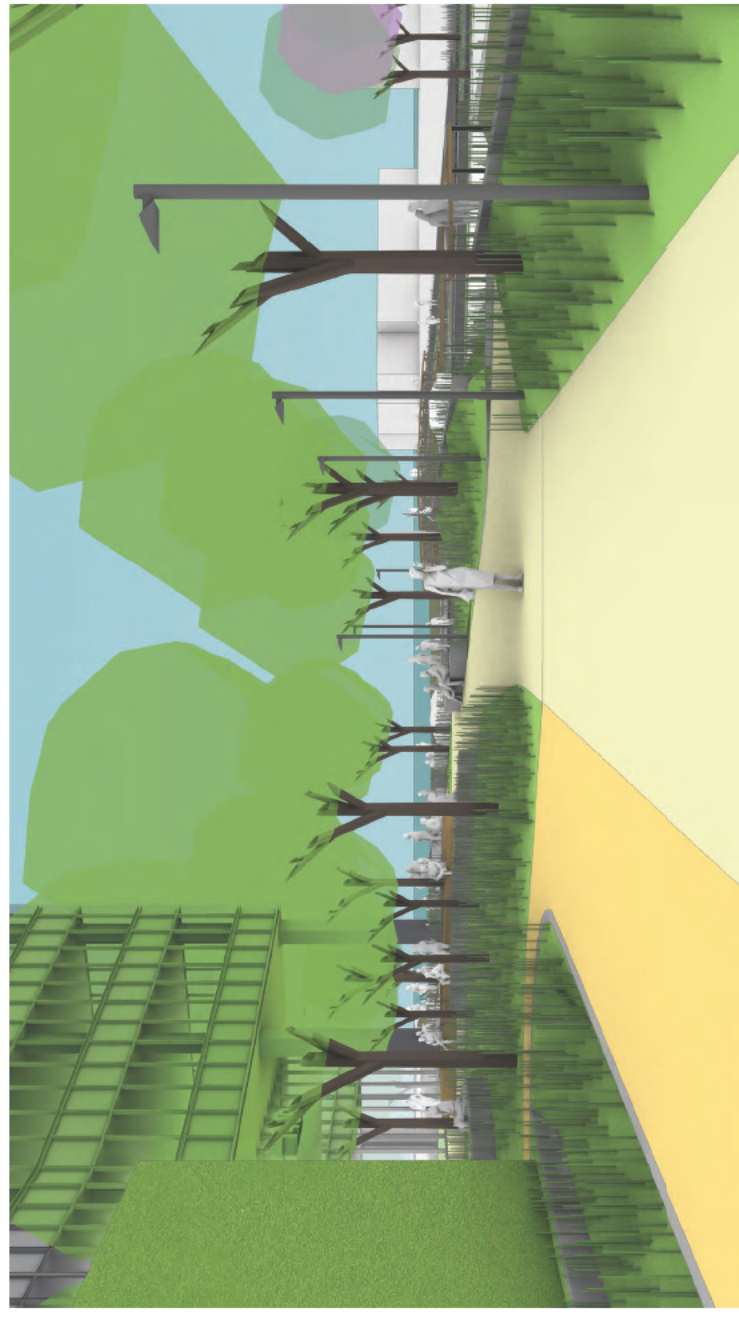
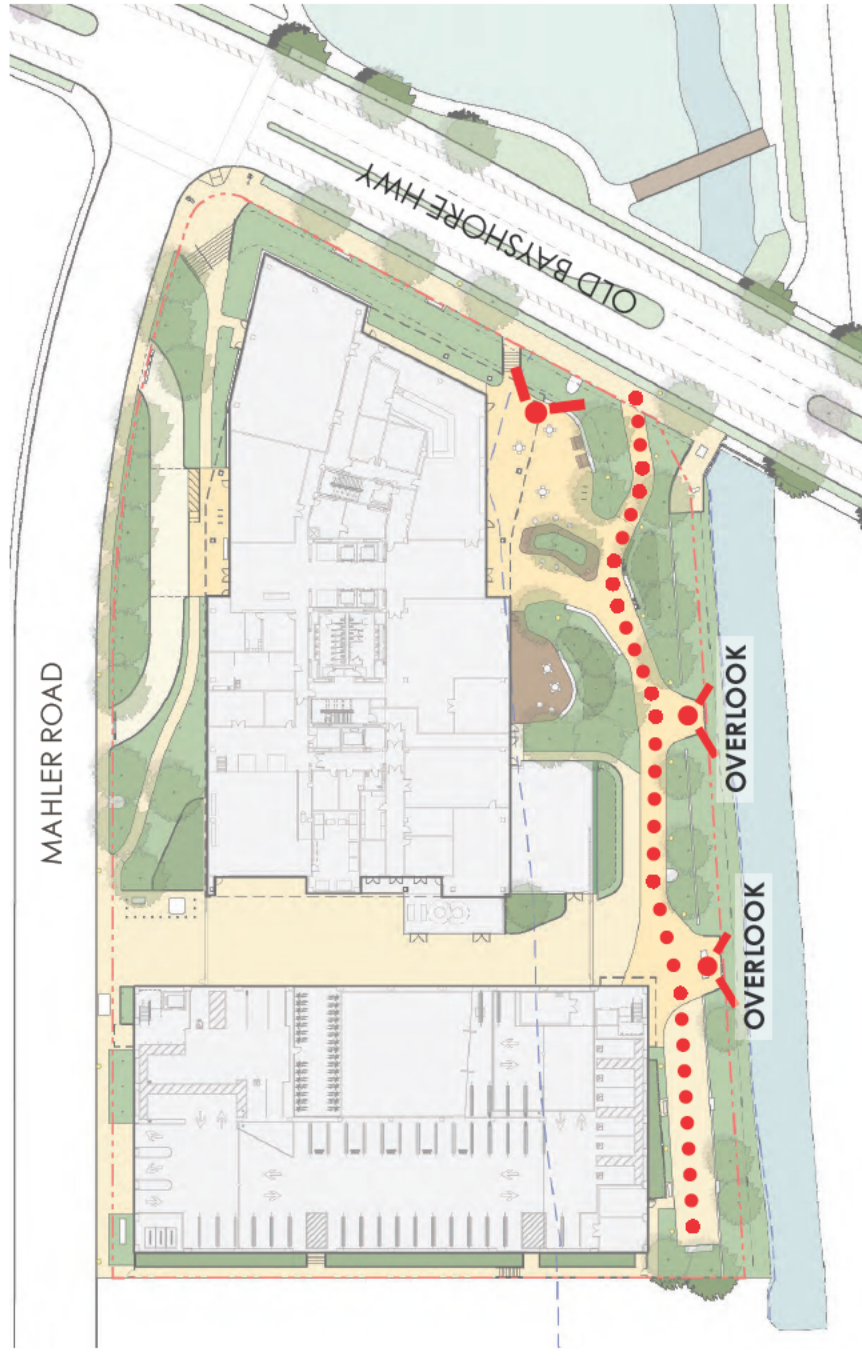


Mills Creek Public Trail

Community Benefit #13

1499 Bayshore is located at the outfall of Mills Creek into The Shorebird Sanctuary and the Bay. The project will construct a public trail along its entire Mills Creek frontage to draw the activity of the Bay Trail inland along the Mills Creek corridor and encourage visitors to enjoy this tidal creek. Trail improvements include two overlooks with interpretive panels, multiple seating areas, and pedestrian lighting. Trail improvements will support daily recreation while passively conveying the ecological importance of urban creeks.

- Over 400 linear feet of Public Trail improvements
- Multiple Seating Opportunities
- Native-focused plantings and shade trees along trail
- Two Overlooks with interpretive panels
- Interpretive content: Creek Ecology, Water Quality, Burlingame Watershed Map
- Connection to Bay Trail
- Inviting Night Lighting
- Dog Bag Dispenser and Trash & Recycle Receptacles



View to Bay and Overlook from Mills Creek Public Trail

Mills Creek Public Trail

Concept Imagery CB#13

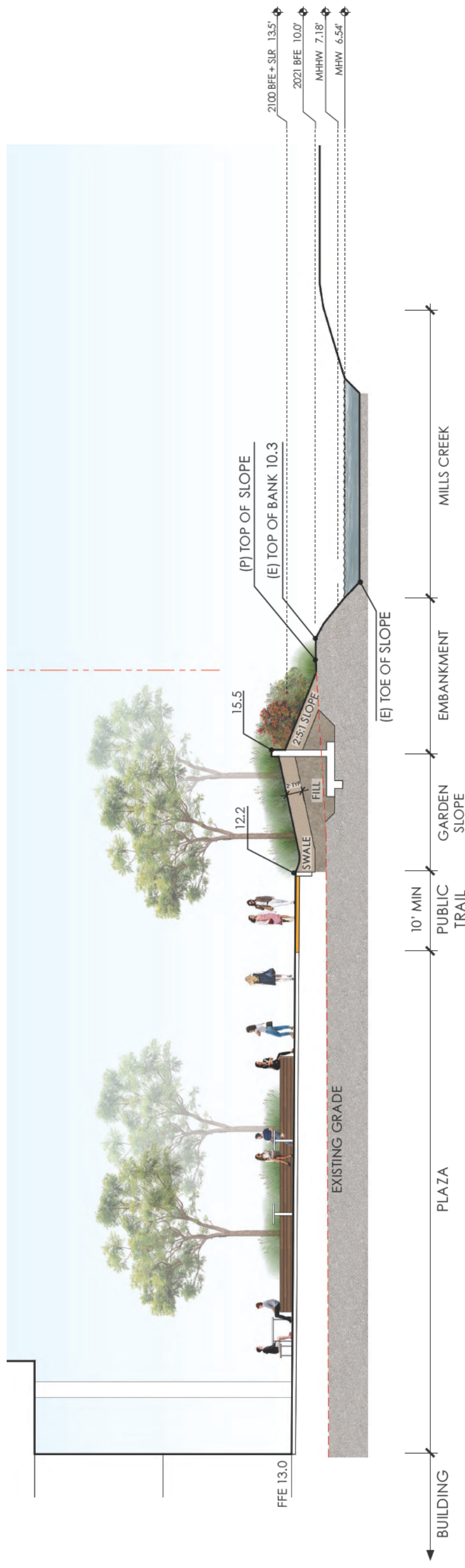
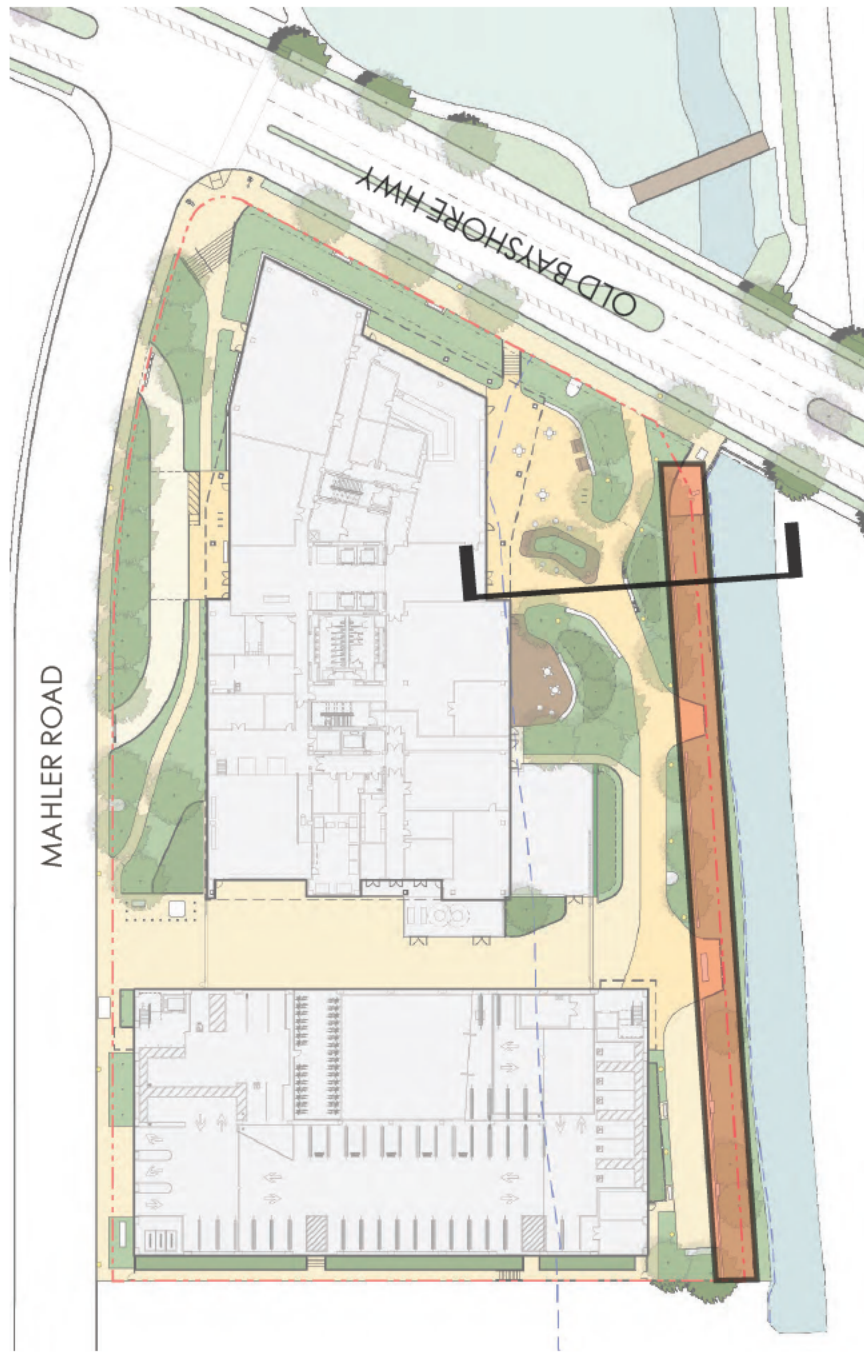


Mills Creek Sea Level Rise Infrastructure

Community Benefit #12

A new earthen embankment with an interior concrete floodwall will significantly enhance sea level rise resilience along the Mills Creek Corridor. Mills Creek is tidal along the project frontage and subject to flooding from the Bay. The project site is being raised to an average plinth elevation of 13' from an existing average elevation of +/- 8' (NAVD88) to provide flood protection for the building and site for several decades. The Mills Creek shoreline protection will be constructed to a higher elevation of 15'-6" to accommodate sea level rise through end of century. The project's initial investment in end-of-century shoreline protection exceeds BCDC's requirements of demonstrated adaptability through end-of-century.

- Over 400 linear feet of Mills Creek Sea Level Rise Infrastructure
- Planted Embankment is softer and greener solution than riprap or exposed wall
- Top of flood wall elevation 15'-6" provides flood protection through 2100
- Minimal adaptation of wall required at two overlooks after mid-century

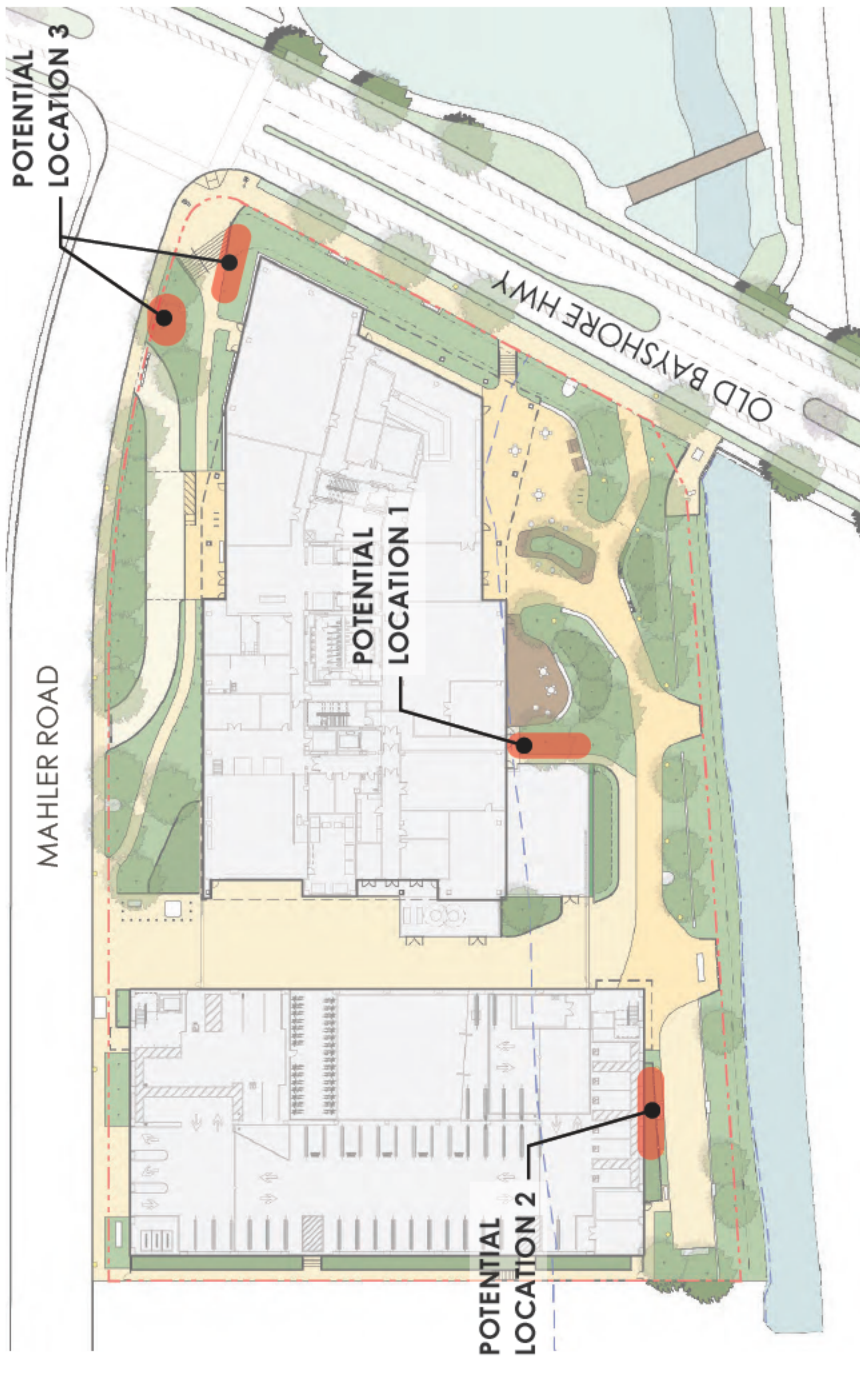


Public Art

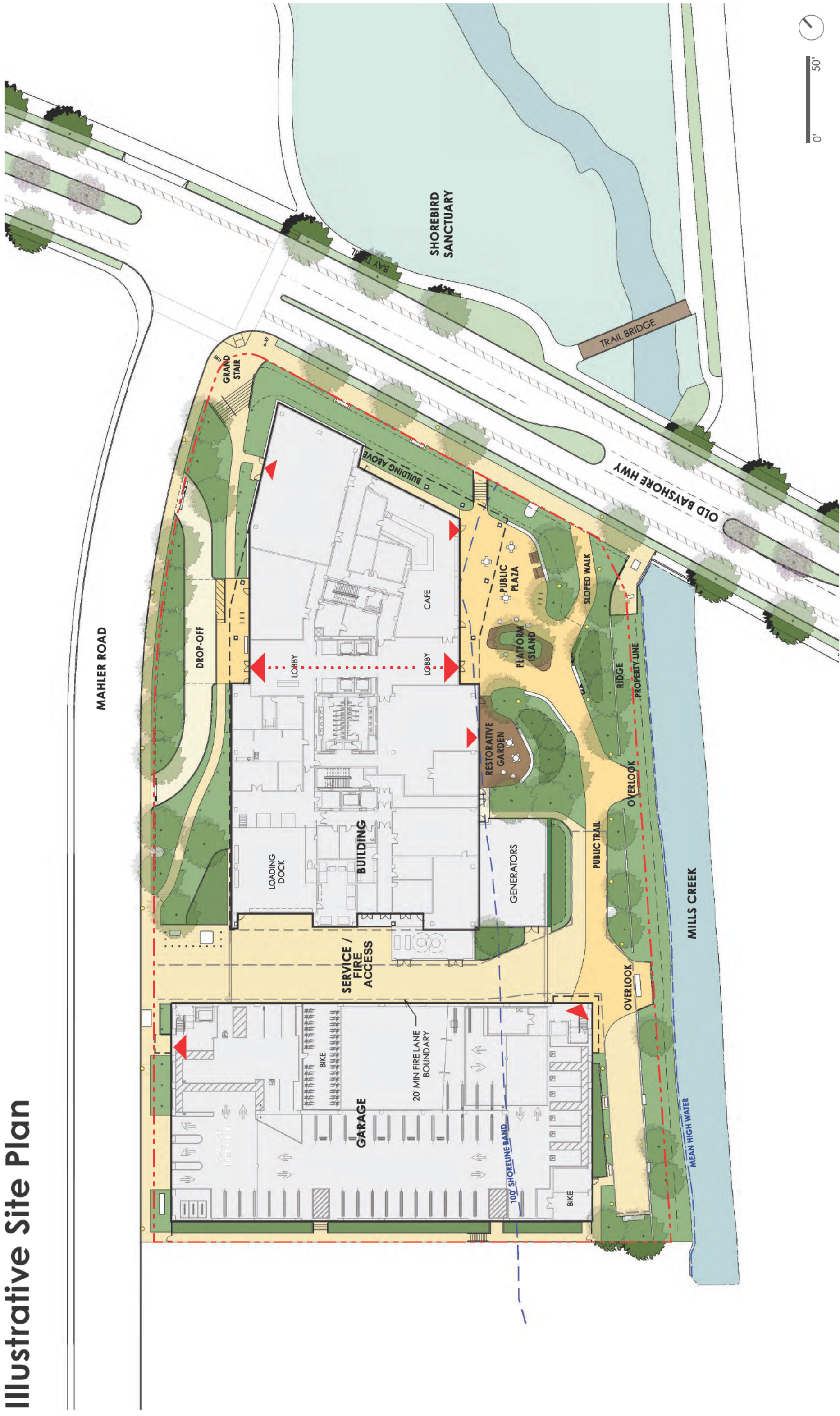
Community Benefit #4

Public art will be integrated in one or more locations to enhance the character and public experience of this prominent shoreline project. Local or regional public artist(s) will be selected to prepare site-specific works that respond to the shoreline site and context. While the character and materiality of the art is not finalized, we are committed to positioning the art where it can be experienced and appreciated from publicly accessible areas of the project. Potential art locations include Prospect Plaza, along the newly constructed Mills Creek Trail, and the intersection of Bayshore Highway and Mahler Road.

- Site-specific work of art created by regional artist(s)
- Three potential locations for siting artwork allows for flexibility of art work
- Potential art works could be wall-mounted murals, mosaics or sculpture set within planting



Illustrative Site Plan





ENVIRONMENTAL INFORMATION FORM

(to be completed by applicant at the start of the project or the RFP process)

GENERAL INFORMATION

Project Address: 1499 Old Bayshore Hwy Assessor's Parcel Number: 026-322-150 & 026-322-050
Applicant Name: King 1499 Bayshore Owner LLC Property Owner Name: King 1499 Bayshore Owner LLC
Address: [REDACTED] Address: [REDACTED]
City/State/Zip: [REDACTED] City/State/Zip: [REDACTED]
Phone: [REDACTED] Phone: [REDACTED]

Permit applications required for this project (special permit, variance, subdivision map, parcel map, condominium permit, building permit, etc.): Commercial Application, EIR, Special permit, Building Permit

Related permits, applications and approvals required for this project by City, Regional, State and Federal Agencies: BCDC Design Review, FAA

SITE INFORMATION

Site size: 2.97 Acres and 129,306 Square Feet Existing Zoning: Innovation/Industrial (I/I)
Existing use(s) of property: Commercial
Total Number of Existing Parking Spaces¹: 170 Number of Compact Spaces¹: 0
Number of Existing Structures and Total Square Footage of Each: 1499 OBH: 2 Structures. Bldg 1 = 25,610 SF. Bldg 2 = 32,460 SF. 825 Mahler: 1 Structure at 5,991 SF. Total of 3 Structures and 64,061 SF.
Will any structures be demolished for this project? Yes No
Size and use of structures to be demolished: All existing structures to be demolished. Total of 3 Structures and 64,061 SF.
Number and size of existing trees on site²: _____
Will any of the existing trees be removed? Yes No
If Yes, list number, size and type of trees to be removed: 4 street trees on Mahler, 1 tree on the site interior, 2 trees along Mills Creek to be removed.
Are there any natural or man-made water channels which run through or adjacent to the site?
 Yes No If Yes, where? Mills Creek runs along the SE boundary of the site

Describe in general the existing surrounding land uses to the:

¹ City of Burlingame minimum standard parking space size is 9'x20'. The minimum size for compact parking spaces is 8'x17'. Refer to City of Burlingame Zoning Ordinance C.S. 25.70 for parking requirements for particular uses.

² Refer to the City of Burlingame's Urban Reforestation and Tree Protection Ordinance (C.S. 11.06) for tree removal permit and tree planting requirements.

North Shorebird Sanctuary on opposite side of Old Bayshore Highway
South Mills Creek, Commercial, small business
East Commercial, small business
West Commercial, small business

PROPOSED PROJECT

Project Description: _____

Project site includes 1499 Old Bayshore Hwy and 825 Mahler Rd. Both lots have existing buildings that will be removed. The 1499 lot includes two existing 2-story office buildings with surface parking and minimal interior landscaping. The 825 lot includes a single existing concrete tilt-up warehouse building with surface parking and minimal interior landscaping. The new proposed development includes an eight-story lab/office building and an open parking garage with seven levels. The main entry to the office building will be off Mahler street with a dedicated on-site vehicular drop-off lane. Garage entry and exit will be off Mahler Road. Loading, Service, and Fire Lane access is provided between the two structures and accessed off Mahler Road. An extensive public outdoor plaza is proposed on the southern side of the office building along Mills Creek. The project is sited across from a Shorebird Sanctuary and a pedestrian crossing is proposed at Old Bayshore Hwy to connect with the existing Bay Trail.

Residential Projects: N/A No Residential Uses

Number of Dwelling Units: _____

Size of Unit(s): _____

Household size (number of persons per unit) expected: _____

Commercial/Industrial Projects:

Type and square footage of each use: 315,200 SF of Laboratory/Office use (future tenants) including accessory cafe use.

Estimated number of employees per shift: 315

Will the project involve the use, disposal or emission of potentially hazardous materials (including petroleum products)? X Yes _____ No

If Yes, please describe: Possible use of incidental chemicals by future Research & Development laboratory tenants. Quantities within limits allowed by CBC. The project will also have on site diesel generators for back up power.

Institutional Projects (public facilities, hospitals, schools): N/A No Institutional Uses

Major function of facility: _____

Estimated number of employees per shift: _____

Estimated Occupancy: _____

For all Projects:

Flood Hazard: Is this site within a special flood hazard area? Zone AE 10' Yes _____ No

Land Use: If the project involves a conditional use permit, variance or rezoning application, please explain why the applications are required³: Special Permit required for building height over 65' in I/I zone fronting Old Bayshore Hwy.

Building gross square footage: Existing: 64,061 SF. Proposed: 315,200 SF.

³ Please fill out and submit the appropriate application form (variance special permit, etc.)

Number of floors of construction: Existing: 2 Proposed: 8

Traffic/Circulation: Standard and compact off-street parking spaces provided:

Existing: Standard	<u>170</u>	Proposed: Standard	<u>537</u>
Compact	<u>0</u>	Compact	<u>108</u>
Total	<u>170</u>	Total	<u>645</u>

Grading: Amount of dirt/fill material being moved (check one):

 0-500 cubic yards X 5,000-20,000 cubic yards
 500-5,000 cubic yards Over 20,000 cubic yards(indicate amount)

Note: If fill is being placed over existing bay fill, provide engineering reports which show the effect of the new fill on the underlying bay mud.

Storm water runoff: Indicate area of site to be covered with impervious surfaces (parking lot paving, etc.): 105,324 PROPOSED, 120,299 EXISTING

Is the area with impervious surfaces less than 200 feet away from a wetland, stream, lagoon or bay?
 X Yes No

Noise: Describe noise sources and timing of activity generated by your project during construction: General construction noise: trucks, tools, equipment, generators during working hours of 7 AM to 3 PM.

Noise sources generated during operation of facility: Roof mounted air handling equipment and exhaust fans. Emergency power generator testing as required.

Vibration: Will the proposal cause vibration that may affect adjacent properties? Describe any potential sources of vibration: Possible vibrations from Earth moving equipment typical for a project of this type. Flood elevations require site to be raised on a substantial amount of fill. Any pilings will be auger-cast to avoid vibration issues.

Exterior Lighting: Please describe any proposed exterior lighting of the facility⁴: Typical site, building and egress lighting. Any code required lighting.

Water: Expected amount of water usage:

Domestic	<u> </u> gal/day	Peak use	<u> </u> gal/min
Commercial	<u>20,547</u> gal/day	Peak use	<u>280</u> gal/min
Expected fire flow demand	<u>1,000 GPM for 2 HRS</u> gal/min		

As per the C.3 regulations set forth by the California Regional Water Quality Control Board, please respond to the following questions:

1. Would the proposed project result in an increase in pollutant discharges to receiving waters?
No, the site will be designed in accordance with San Mateo County C.3 guidelines. Runoff from impervious surfaces will be treated before discharging to the city's storm drainage system.
2. Would the proposed project result in significant alteration of receiving water quality during or following construction?
No, the site will be designed in accordance with San Mateo County C.3 guidelines. The project will be subject to the Construction General Permit and will manage runoff accordingly during construction.

⁴ Refer to City of Burlingame Exterior Illumination Ordinance (No. 1477) regarding requirements which limit exterior illumination in both residential and commercial zones.

3. Would the proposed project result in increased impervious surfaces and associated increased runoff? The existing lots are primarily covered with surface parking outside of the building footprints. The proposed development will decrease the amount of impervious surface.

4. Would the proposed project create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates volumes? Runoff will be controlled by detention systems designed to control peak flow rates within jurisdictional limits. This will be an improvement over the uncontrolled surface flow currently on site.

5. Would the proposed project result in increased erosion in its watershed? No, the project will incorporate on-site detention and flow control to avoid erosion.

6. Is the project tributary to an already impaired water body, as listed on the Clean Water Action Section 303(d) list? If so will it result in an increase in any pollutant for which the water body is already impaired? Lower SF Bay is on the 303d list. It's shore is located on the opposite side of the Old Bayshore Highway from the project site. The proposed development will not contribute to any increase of pollutants for which the Bay is listed.

7. Would the proposed project have a potential significant environmental impact on surface water quality, to marine, fresh, or wetland waters? No, the site will be designed in accordance with San Mateo County C.3 guidelines. Runoff from impervious surfaces will be treated before discharging to the city's storm drainage system.

8. Would the proposed project have a potentially significant adverse impact on ground water quality? No pollutants are expected to leach from the site and no impacts on ground water quality is expected.

9. Will the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses? None expected.

10. Will the project impact aquatic, wetland, or riparian habitat? No, Mills Creek will be protected during construction and the waterways embankment will be improved as a result of proposed work.

Sewer: Expected daily sewer discharge 20,547 GPD Average
Source of wastewater discharge on site (i.e. restrooms, restaurants, laboratory, material processing, etc.) Restrooms, sinks, laboratories, Mechanical equipment.

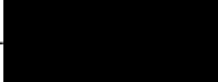
General:

Are the following items applicable to the project or its effects? Provide attachment to explain nature of all items checked 'yes'.

	Yes	No
Change in existing features of any bays, tidelands, beaches, or hills, or substantial alteration of ground contours.	_____	_____X_____
Change in scenic views or vistas from existing residential areas or public lands or roads.	_____	_____X_____
Change in pattern, scale or character of general area of project. <small>Project is in a newly rezoned area that encourages density and scale represented in the proposed design.</small>	_____X_____	_____
Significant amounts of solid waste or litter. <small>Typical amount of waste generated by a project of this size.</small>	_____X_____	_____
Change in dust, ash, smoke fumes or odors in vicinity.	_____	_____X_____
Change in bay, lagoon, stream, channel or groundwater quality or quantity, or alteration of existing drainage patterns.	_____	_____X_____
Substantial change in existing noise or vibration levels in the vicinity (during construction and/or during operation).	_____	_____X_____
Site on filled land or on slope of 10 % or more. <small>Fill required to raise site above flood elevation.</small>	_____X_____	_____
Use or disposal of potentially hazardous materials, such as toxic substances, flammable materials or explosives. <small>Minor amounts typical for research and development and laboratory buildings and diesel generators for back up power</small>	_____X_____	_____
Substantial change in demand for municipal services (police, fire water, sewage) <small>Typical services required for a project of this size. Represents an increase over lower density existing uses.</small>	_____X_____	_____
Substantial increase in fossil fuel consumption (oil, natural gas, etc.).	_____	_____X_____
Relationship to a larger project or series of projects.	_____	_____X_____

CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date 9/2/2022 Signature 

No



City of Burlingame Climate Action Plan Consistency Checklist for New Development

The purpose of this Checklist is to ensure that development projects comply with Burlingame’s 2030 Climate Action Plan Update (CAP) and may be eligible for streamlining the greenhouse gas (GHG) analysis for California Environmental Quality Act (CEQA) review.

The Checklist applies to projects 10,000 sq. ft. and larger and/or six units or more. To be considered consistent with Burlingame’s CAP, projects must comply with the land use designations in Burlingame’s General Plan and implement at minimum the required CAP measures listed in the Checklist. Projects may then rely on the City’s CAP and related environmental review for the impact analysis of GHG emissions, as allowable under CEQA.

The Checklist contains measures from the CAP that pertain to new development. Each measure is noted as either required or voluntary. Required measures are mandated by local or state ordinances. The voluntary measures represent goals of the City and projects are encouraged to address them.

Proposed project that require a General Plan amendment or rezoning and/or do not address the required measures may have to prepare a project-specific GHG analysis and identify appropriate mitigation measures.

Burlingame’s Climate Action Plan: <https://www.burlingame.org/departments/sustainability/>

Burlingame’s General Plan: <https://www.burlingame.org/departments/planning/>

Burlingame’s Reach Codes: www.burlingame.org/reachcode

For questions regarding this Checklist or the CAP, please contact Sigalle Michael, Sustainability Coordinator at smichael@burlingame.org

Contact Information

Project Name: 1499 Old Bayshore Highway

Property Address: 1499 Old Bayshore Highway, Burlingame, CA 94010

If a consultant was used to complete this checklist, please provide their contact information:

Consultant Name & Company: DGA, Mark Posnick

Consultant Phone & Email: 916-441-6800 x510 mposnick@dga-mv.com

Project Information

Proposed land use (residential, commercial, industrial, mixed use, or other): Commercial lab/office

Brief project description: One eight-story office building and one 7-level parking garage.

Project size (sq. ft. and/or unit size): 315,200 GSF

Is the proposed project seeking a General Plan amendment or rezoning? Yes No

If yes, briefly explain why: _____

Climate Action Plan Measure	Project Compliance
REQUIRED MEASURES	
<p>Green Building Practices and Standards (CAP Measure 11): Support, enforce, and expedite green building practices and standards.</p> <p>Burlingame’s reach codes: www.burlingame.org/reachcode</p>	<p>Required Measure Does the project comply with the City’s green building requirements in the reach codes? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Will the project request any exceptions? If so, briefly explain.</p>
<p>Alternatively-Powered Residential Water Heaters (CAP Measure 15): Support transition from traditional to solar and electrically powered water heaters.</p> <p>Burlingame’s reach codes: www.burlingame.org/reachcode</p>	<p>Required Measure Does the project include a solar or electrically powered water heater as required in the reach code?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Solar Power (CAP Measure 14): Encourage installation of photovoltaic systems.</p> <p>Burlingame’s reach codes: www.burlingame.org/reachcode</p>	<p>Required Measure Does the project include a photovoltaic system as required by CALGreen and/or the City’s reach code?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>Electric Vehicle Infrastructure and Initiatives (CAP Measure 6): Support the electric vehicle (EV) network by incentivizing use of EVs and installations of charging stations.</p> <p>Burlingame’s reach codes: www.burlingame.org/reachcode</p>	<p>Required Measure Does the project comply with the City’s EV charging requirements in the reach code? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>List total number and type of EV chargers to be installed: 65 Level 2 EVCS 65 EV READY (Level 1 Min)</p>
<p>Zero Waste (CAP Measure 18): Reduce organic and recyclable materials going to the landfill and achieve the City’s diversion goals.</p>	<p>Required Measure Does the project include facilities for collecting recycling and composting?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe any composting and recycling strategies used in the project :</p> <p>Separate streams for collection and disposal of trash, recyclables and compost.</p>

<p>Transportation Demand Management (TDM) (CAP Measure 2): The City shall require new multi-unit residential developments of 10 units or more and commercial developments of 10,000 sq. ft. or more to incorporate TDM strategies that reduce trip generation rates below the standard rate published in the latest Institute of Transportation Engineers (ITE) Trip Generation Manual (10th edition), or other reputable source. TDM measures may include but are not limited to: shuttles, carpool, transit incentives, and car and/or bike share programs. Residential projects of 100 units or more and commercial projects of 100,000 sq. ft. or more shall have a designated TDM coordinator and provide a report to city staff annually on the effectiveness of the TDM plan.</p> <ul style="list-style-type: none"> ▪ GreenTRIP: http://www.transformca.org/landing-page/greentrip ▪ City/County Association of Governments of San Mateo County, http://ccag.ca.gov/programs/transportation-programs/transportation-demand-management/ <p>City of San Francisco TDM Tool, https://sfplanning.org/resource/transportation-demand-management-tdm-tool</p>	<p>1. Will the project have a TDM program that meets the 20% reduction in trip generation rates when compared to standard ITE trip generation rates?</p> <p>X <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>2. Briefly describe the project's TDM Plan: A separate TDM Plan has been submitted.</p> <p>Access to C/CAG shuttle Caltrain - Burlingame and Millbrae Stations BART - Millbrae Station SMTA bus line Transportation coordinator by tenants Bike storage, showers and lockers.</p>
<p>Parking Pricing, Parking Requirements, and Creative Parking Approaches (CAP Measure 7): Implement parking reduction strategies including, but not limited to, parking lifts, shared parking, and unbundling of parking costs.</p>	<p>Required Measure</p> <p>Does the project meet the parking requirements in the zoning code or TDM plan as applicable?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p> <p>Describe any parking reduction strategies used in the project:</p>
VOLUNTARY MEASURES	
<p>Peninsula Clean Energy ECO100 (CAP Measure 13): Increase enrollment in PCE's standard option, ECOplus, for 100% GHG free energy; or PCE's premium option, ECO100 for 100% renewable energy.</p> <p>https://www.peninsulacleanenergy.com/opt-up/</p>	<p>Voluntary Measure</p> <p>Will the project enroll in PCE? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Which PCE option, ECOplus or ECO100?</p> <p>Option TBD.</p>

<p>Complete Streets (CAP Measure 3): Develop a network of complete streets that support pedestrian and bicycle accessibility.</p>	<p><u>Voluntary Measure</u> Does the project include on-site pedestrian, transit, or cycling improvements, such as enclosed bike storage or employee showers?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p> <p>What is the project's walkscore (www.walkscore.com)? 42</p> <p>Describe any pedestrian/bicycle friendly measures used in the project:</p> <p>Long and short term bike storage provided along with showers and lockers. Access to Bay trail with site amenities such as seating, landscaping and shade.</p>
<p>Burlingame Shuttle Service (CAP Measure 8): Increase awareness and use of local shuttles.</p> <p>Burlingame shuttle map: https://www.burlingame.org/departments/sustainability/shuttles.php</p>	<p><u>Voluntary Measure</u> Is the project located near a shuttle station?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>How will shuttle information be distributed to occupants?</p> <p>To be provided by tenant's transportation coordinator.</p>
<p>Water Conservation for New Residential Developments (CAP Measure 17): Implement water conservation elements beyond CALGreen requirements, such as efficient landscaping and Energy Star rated appliances.</p> <p>Water Conservation Resources, https://www.burlingame.org/departments/public_works/water_conservation/index.php</p>	<p><u>Voluntary Measure</u> Does the project use Energy Star® rated dishwashers and clothes washers or go beyond CALGreen?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p> <p>Describe any water conservation elements in the project:</p> <p>Drought tolerant landscaping and low-water irrigation systems as required.</p>
<p>Construction Best Management Practices (CAP Measure 10): Require projects to implement the Air District's Best Practices for Construction; and use electrically-powered construction equipment as available and feasible.</p>	<p><u>Voluntary Measure</u> Will the project use any electric off-road construction equipment?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, describe what electric construction equipment will be used:</p> <p>Lifts, small vehicles where available.</p>

Increase the Public Tree Population (CAP Measure 20):

Increase the number of trees in Burlingame.

Voluntary Measure

Will the project be adding new trees? Yes No NA

How many trees will be planted in the public right-of-way (like sidewalks)?

How many trees will be planted on private property?

Trees in public ROW

Street tree quantities and types along Old Bayshore Highway shall be in accordance with the City's final proposed corridor improvements. Approximately 11 new street trees are proposed along the Mahler Street frontage. All proposed trees will be installed at a 36" box size.

Trees on private property

The proposed plan includes approximately 20 new on-site trees that will expand and diversify the City of Burlingame's Urban Forest.

Subject: FW: Planning Commission 5/22 Mtg. Item 10e

From: Athanasios Rebelos <[_____](#)>
Sent: Monday, May 22, 2023 1:59 PM
To: Public Comment <publiccomment@burlingame.org>
Subject: Planning Commission 5/22 Mtg. Item 10e

Hi,

Regarding item 10e, 1499 Bayshore.

I noticed that page 30, figure 8 of the plans includes "Mills Creek Public Trail & Overlook". I am delighted to see this in the plans, and I would like to be assured that, at a minimum, it will be included as a condition and completed as presented. I would ask to consider in the development of the "Mills Creek Public Trail and Overlook" the potential for a future pedestrian and bike trail along the creek, perhaps passing under the 101, connecting Rollins Road to the Shorebird Sanctuary, directly across the road from 1499 Bayshore.

I also would like to see an obvious pedestrian and bike transition between the "Mills Creek Public Trail", the building's plaza, and the shorebird sanctuary across Bayshore. Landscaping, traffic calming (on Bayshore between the plaza and the sanctuary), pedestrian lighting, decorative crosswalks, and signage are some enhancements that come to mind.

Last, prominent public art should be a condition, not an option.

Athan Rebelos
Burlingame

This email is from an external source. Please take caution when clicking links or opening attachments. When in doubt, contact your IT Department

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BURLINGAME FINDING THAT THERE IS NO SUBSTANTIAL EVIDENCE THAT THE APPROVAL OF A REQUEST FOR COMMERCIAL DESIGN REVIEW, SPECIAL PERMITS FOR BUILDING HEIGHT AND DEVELOPMENT UNDER TIER 3, AND A VESTING TENTATIVE MAP FOR A NEW, 8-STORY RESEARCH AND DEVELOPMENT BUILDING WITH A 7-STORY PARKING STRUCTURE AT 1499 OLD BAYSHORE HIGHWAY AND 825 MAHLER ROAD WILL HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO ARTICLE 6 OF THE CEQA GUIDELINES (ASSESSOR PARCEL NOS: 026-322-150 & 026-322-050)

WHEREAS, on September 12, 2022, King 1499 Bayshore Owner LLC (“applicant”) filed an application with the City of Burlingame Community Development Department – Planning Division (“City”) requesting approval of the following requests:

- Environmental Review pursuant to CEQA Guidelines;
- Commercial Design Review (Code Sections 25.12.090 and 25.68.020(C)(3)(a));
- Special Permit for building height greater than 65’-0” for properties fronting on Old Bayshore Highway (Code Sections 25.12.030, Table 25.12-2 and 25.78.060(A)(2));
- Special Permit for Community Benefits for increased Floor Area Ratio for a Tier 3 project (Code Sections 25.12.030, Table 25.12-2, 25.12.040(C), and 25.78.070(A)); and
- Vesting Tentative Parcel Map for lot combination of two lots (1499 Old Bayshore Highway and 825 Mahler Road).

WHEREAS, the City has determined the Project is subject to the environmental review requirements of the California Environmental Quality Act (“CEQA”) and its implementing guidelines (“CEQA Guidelines”); and

WHEREAS, the City retained ICF Jones & Stokes, Inc., an independent environmental consultant to prepare Initial Study/Mitigated Negative Declaration (IS/MND); and

WHEREAS, on January 10, 2024, the City released the IS/MND for a 30-day public review and comment period (ended February 9, 2024) in accordance with the requirements of the CEQA Guidelines; and

WHEREAS, the IS/MND concluded that the potentially significant environmental effects of the project in the areas of Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Noise, Transportation, Tribal Cultural Resources, and Utilities and Service Systems could all be mitigated to less-than-significant levels; and

WHEREAS, the City finds that the Project does not require further environmental review pursuant to Article 6 of the CEQA Guidelines Section; and

RESOLUTION NO. _____

WHEREAS, the Planning Commission held a duly noticed public hearing on April 8, 2024, to consider and receive public testimony on the project, including the proposed CEQA determination at issue.

NOW, THEREFORE, BE IT RESOLVED THAT the Planning Commission hereby finds and resolves as follows:

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

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

Chair

I, _____, Secretary of the Planning Commission of the City of Burlingame, do hereby certify that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission held on the 8th day of April, 2024 by the following vote:

Secretary

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BURLINGAME
APPROVING AN APPLICATION FOR COMMERCIAL DESIGN AND SPECIAL PERMITS
FOR HEIGHT AND DEVELOPMENT UNDER TIER 3/COMMUNITY BENEFITS AND
RECOMMENDING A VESTING TENTATIVE MAP FOR A NEW, 8-STORY RESEARCH AND
DEVELOPMENT BUILDING WITH A 7-STORY PARKING STRUCTURE AT
1499 OLD BAYSHORE HIGHWAY / 825 MAHLER ROAD
(ASSESSOR PARCEL NOS: 026-322-150 & 026-322-050)**

WHEREAS, on September 12, 2022, King 1499 Bayshore Owner LLC (“applicant”) filed an application with the City of Burlingame Community Development Department– Planning Division (“City”) requesting approval of the following requests:

- Environmental Review pursuant to CEQA Guidelines;
- Commercial Design Review (Code Sections 25.12.090 and 25.68.020(C)(3)(a));
- Special Permit for building height greater than 65’-0” for properties fronting on Old Bayshore Highway (Code Sections 25.12.030, Table 25.12-2 and 25.78.060(A)(2));
- Special Permit for Community Benefits for increased Floor Area Ratio for a Tier 3 project (Code Sections 25.12.030, Table 25.12-2, 25.12.040(C), and 25.78.070(A)); and
- Vesting Tentative Parcel Map for lot combination of two lots (1499 Old Bayshore Highway and 825 Mahler Road).

WHEREAS, on May 22, 2023, the Planning Commission conducted duly noticed public hearing to review the proposed 8-story research and development building with 7-story parking structure. At that time the Planning Commission requested additional information and direction was provided to the applicant regarding design modifications; and

WHEREAS, ICF Jones & Stokes, Inc. was the consultant selected to prepare the environmental review of the application, and they prepared an Initial Study /Mitigated Negative Declaration (IS/MND) per Article 6 of the California Environmental Quality Act (CEQA) Guidelines which circulated for the required 30-day public review and comment period from January 10, 2024 through February 9, 2024; and

WHEREAS, following consideration of all information contained in the April 8, 2024 staff report to the Planning Commission regarding the project, all written correspondence, and all public comments received at the public hearing, the Planning Commission grants approval of the project entitlements and recommends approval of the Vesting Tentative Parcel Map for a new, 8-story research and development building with a 7-story parking structure based on the following findings:

Design Review Findings:

- That the proposed project is consistent with the General Plan designation of I-I zoning for parcels fronting on Old Bayshore Highway. That the proposed buildings and parking garage have a contemporary commercial architectural style, featuring vision glass spandrel with shadowbox, metal panel reveals, precast concrete spandrel and infill panels, ribbon window walls, and perforated metal mechanical penthouse screens with a non- reflective finish that is in compliance with all applicable provisions of Title 25, with the exception of the Special Permit for Building

RESOLUTION NO. _____

Height and for Community Benefits for Increased Floor Area Ratio for a Tier 3 Project; that the project will be replacing two dated structures that underutilized the site and will provide a modern architectural style on this prominent corner location.

- That as shown on the development table and on the proposed plans, the project will be constructed on a parcel that is adequate in shape, size, and topography to accommodate the proposed development.
- That the proposed project respects and promotes pedestrian activity in this district with the overall site design that enhances the interface with Mills Creek on the south side and with the parking structure tucked at the rear of the site with the entrance located on the Mahler Road side;
- That the project is designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property in that the proposed project will encourage pedestrian activity through improvements to the sidewalk and streetscape on Old Bayshore Highway with a corner (grand) stairway that announces the building at the center of the corner. These improvements include a new public plaza at the rear of the building, along Old Bayshore Highway with inviting lighting and landscaping, and a public trail from Old Bayshore Highway onto the site adjacent to Mills Creek. A continuous pedestrian path through the southern property of the site would follow Mills Creek with two overlooks along the trail.
- That the proposed on-site landscaping and off-site improvements, including the planting of 35 new trees will enhance this site that fronts on Mill Creek and is prominently viewed from Old Bayshore Highway. That the proposed project would significantly improve the pedestrian experience along Old Bayshore Highway and would provide new amenities and enhance shoreline resilience to and protection from sea-level rise.

Special Permit Findings – Building Height:

- That while the proposed 8-story building at 151'-7" in height and 7-story garage at 76'-11" in height are a modification to the 65'-0" height limit, the proposed project has been designed to respect and preserve the character of the Bayfront neighborhood in that the project site is located in the vicinity other new buildings that would exceed the baseline height; the project has been designed with a large plaza and is well suited for this corner location; overall the height is in context with surrounding buildings.
- That the proposed project will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience, since it is well articulated and includes high quality materials and will be compatible with buildings in the area that range in height; the proposed modification will allow additional height and result in a higher intensity office/research and development use that will allow the development to occur on a smaller footprint, which opens space for the development of larger public amenities around the site with the public plaza and publicly accessible spaces that will be created with the trail extension along Mills Creek. The additional height will be consistent with the existing character of the Bayfront development; that the proposed height of the building is consistent with the goals and policies of the Burlingame General Plan.

Special Permit Findings – Increased Floor Area Ratio with Approval of Community Benefits:

- That the proposed modification to standards respects and preserves the character of the neighborhood in which the project is located because the Tier 3 development for this project with

RESOLUTION NO. _____

increased floor area ratio (FAR) facilitates a design that accommodates greater open space and public improvements on-site; the proposed FAR is appropriate for this site given the site width and depth; the community benefits proposed improve the pedestrian experience along Old Bayshore Highway and enhance shoreline resilience to and protection from sea-level rise and therefore respect and preserve the character of the neighborhood in which the project is located.

- That the proposed project will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience because the 3.0 FAR is not anticipated to have any significant adverse impact on the environmental on surrounding properties sanitation, air quality, sewer or stormwater discharge, or water supply, and all public safety requirements will be addressed. The proposed development has been designed in compliance with all required setbacks and includes landscape buffers and pedestrian amenities that complement the building design.
- That the proposed height of the buildings and the additional development capacity, with a Tier 3 development at 2.35 FAR where 2.75 FAR is the maximum allowed is consistent with General Plan goals and policies.

Vesting Tentative Parcel Map Findings:

- That the proposed vesting tentative map, together with the provisions for its design and improvement, is consistent with the Burlingame General Plan and consistent with the provisions of the Subdivision Map Act, and that the site is physically suited for the proposed type and density of development in that it provides a commercial development in an area identified as suitable for such use in the Zoning Code and General Plan, provides vehicular and pedestrian circulation to serve the project, and is consistent with required development standards.

WHEREAS, said matters were heard by the Planning Commission of the City of Burlingame on April 8, 2024, at which time it reviewed and considered the staff report and all other written materials and testimony presented at said hearing;

NOW, THEREFORE, IT IS RESOLVED AND DETERMINED BY THIS PLANNING COMMISSION THAT:

Section 1. Said Commercial Design Review, Special Permits, and Vesting Tentative Parcel Map are approved subject to the conditions set forth in Exhibit "A" attached hereto. Findings for such Commercial Design Review, Special Permits, and Vesting Tentative Parcel Map are set forth in the staff report, minutes, and recording of said meeting.

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

Chair

I, _____, Secretary of the Planning Commission of the City of Burlingame, do hereby certify that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission held on the 8th day of April, 2024, by the following vote:

Secretary

EXHIBIT "A"

Conditions of Approval for Commercial Design Review, Special Permits & Vesting Tentative Map
1499 Old Bayshore Highway / 825 Mahler Road
Effective April 18, 2024
Page 1

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped March 20, 2024 sheets G.001,G.002, C1.0 through C6.1, L001 through L801, A.001 through A.013, PA2 through PA16, and E-001 through E-004-3 ;
2. the project is conditionally approved by Public Works subject to the approval of the parcel map and abandonment of easements both of which must be approved prior to submittal of the building permit;
3. that prior to issuance of a building permit for construction of the project, the project construction plans shall be modified to include a cover sheet listing all conditions of approval adopted by the Planning Commission; which shall remain a part of all sets of approved plans throughout the construction process. Compliance with all conditions of approval is required; the conditions of approval shall not be modified or changed without the approval of the Planning Commission, or City Council on appeal;
4. that any changes to the size or envelope of building, which would include changing or adding exterior walls or parapet walls, or changes to building materials, exterior finishes, windows, architectural features, roof height, and amount or type of hardscape materials shall be subject to Planning Division or Planning Commission review (FYI or amendment to be determined by Planning staff);
5. that construction of the foundation systems for the building and parking garage shall not include pile driving;
6. that the conditions of the Building Division's October 24, 2022 memo, the Fire Division's March 29, 2023 memo, the Engineering Division's April 15, 2023 memo, the Parks Division's April 13, 2023 memo, and the Stormwater Division's April 7, 2023 memo shall be met;
7. that prior to issuance of a building permit for the project, the applicant shall pay in full the commercial linkage fee (final fee amount to be calculated based on the fee schedule in effect at the time the building permit is issued), made payable to the City of Burlingame and submitted to the Planning Division; fees shall be payable to the City of Burlingame and submitted to the Planning Division;
8. that prior to issuance of a building permit for the project, the applicant shall pay in full the Public Facilities Impact Fee (final fee amount to be calculated based on the fee schedule in effect at the time the building permit is issued), made payable to the City of Burlingame and submitted to the Planning Division; fees shall be payable to the City of Burlingame and submitted to the Planning Division;
9. that the Project will be required to contribute their pro rata share of the remaining streetscape elements within the project frontage to the median consistent with the Old Bayshore Highway Streetscape Improvement Plan;
10. that the project design measures outlined in the Water Supply Assessment, dated July 2023, prepared by EKI Environment & Water Inc., shall be included on the plans submitted

EXHIBIT "A"

Conditions of Approval for Commercial Design Review, Special Permits & Vesting Tentative Map
1499 Old Bayshore Highway / 825 Mahler Road
Effective April 18, 2024
Page 2

- to the Building Division; including installing purple piping in the frontage of the project site for future recycled water usage; implementing the Prescriptive Compliance Option of the Model Water Efficient Landscaping Ordinance (MWELo - see California Code of Regulations Title 23, Chapter 2.7, Appendix D); installing 100% WaterSense labeled products, as available; and Under Leadership in Energy and Environmental Design (LEED) certification, incorporate a minimum of four points under the Water Efficiency credit category;
11. that the project shall include the Transportation Demand Management Measures as proposed in the Transportation Demand Management Plan, prepared by Kittleson & Associates, dated June 19, 2023;
 12. that a TDM annual report shall be prepared by a qualified professional and submitted to the City of Burlingame annually; with the initial, or baseline, commute survey report to be conducted and submitted one (1) year after the granting of a certificate of occupancy for 75 percent or more of the project and annually after that;
 13. that the TDM annual report shall provide information about the level of alternative mode-uses and in the event a 20 percent reduction in trip generation compared to the standard rate estimated by the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition) is not achieved, the report shall explain how and why the goal has not been reached; in such a circumstance the annual report shall identify a work plan, to be approved by the City of Burlingame, which describes additional or alternative measures for implementation that would be necessary to enhance the TDM program to attain the TDM goal of 20 percent reduction in trip generation;
 14. that the City may consider whether the employer/tenant has made a good faith effort to meet the TDM goals and may allow the owner a six-month "grace period" to implement additional TDM measures to achieve the 20 percent vehicle trip reduction;
 15. that prior to the issuance of a certificate of occupancy, a covenant agreement shall be recorded office with the San Mateo County Assessor and Recorder's Office to provide constructive notice to all future owners of the property of any ongoing programmatic requirements that discloses the required Transportation Demand Management (TDM) provisions and any conditions of approval related herein to compliance and reporting for the TDM;
 16. that if the project will utilize shuttles under the jurisdiction of the Peninsula Traffic Congestion Relief Alliance (Commute.org), the employer/tenant shall coordinate with Alliance staff;
 17. that prior to issuance of a building permit for vertical construction, the project sponsor shall verify that the November 28, 2023, FAA Determination of No Hazard to Air Navigation for the project is still current and has not expired (May 28, 2025) and if expired, a new FAA Determination of No Hazard to Air Navigation shall be submitted to the City of Burlingame prior to building permit issuance for vertical construction;

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18. that the applicant shall provide evidence of project approval for all Bay Trail improvement from the Bay Conservation and Development Commission (BCDC) prior to building permit issuance;
19. that a Protected Tree Removal Permit shall be required from the City of Burlingame Parks Division to remove any existing protected size trees on the subject property and that the project shall comply with the Tree Protection and Reforestation Ordinance adopted by the City of Burlingame and enforced by the Parks Department; complete landscape and irrigation plans shall be submitted at the time of building permit application for vertical construction and the street trees will be protected during construction as required by the City Arborist;
20. that the applicant shall install shoreline infrastructure to the full elevation specified in the City of Burlingame Map of Future Conditions. However, in-lieu of installing shoreline infrastructure to the full elevation specified in the City of Burlingame Map of Future Conditions, the applicant may do both of the following:
 - (a) install shoreline infrastructure to an elevation equal to the FEMA Coastal BFE + 3.0 feet that is FEMA-certified (conforming to Title 44, Section 65.10 of the Code of Federal Regulations); and
 - (b) dedicate a Public Use Easement to the City and/or the San Mateo County Flood and Sea Level Rise Resiliency District (District) across the 100-foot shoreline band to accommodate the full elevation of required shoreline infrastructure improvements which easement expressly allows the City and/or District to install such improvements within the Public Use Easement. Any Public Use Easement must be reviewed and approved by the City and the District prior to recordation, which approval shall not be unreasonably withheld.
21. that prior to issuance of a building permit for the superstructure, the applicant shall execute an agreement with the City identifying the landowner's ongoing maintenance obligations for the shoreline infrastructure approved as part of the development, per the plans submitted to the Planning Division date stamped March 20, 2024;
22. that if the City determines that the structure interferes with City communications in the City, the property owner shall permit public safety communications equipment and a wireless access point for City communications to be located on the structure in a location to be agreed upon by the City and the property owner. The applicant shall provide an electrical supply source for use by the equipment. The applicant shall permit authorized representatives of the City to gain access to the equipment location for purposes of installation, maintenance, adjustment, and repair upon reasonable notice to the property owner or owner's successor in interest. This access and location agreement shall be recorded in terms that convey the intent and meaning of this condition;

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23. that the project shall comply with the Construction and Demolition Debris Recycling Ordinance which requires affected demolition, new construction and alteration projects to submit a Waste Reduction Plan and meet recycling requirements; any partial or full demolition of a structure, interior or exterior, shall require a demolition permit;
24. that demolition or removal of the existing structures and any grading or earth moving on the site shall not occur until a site work permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
25. that during construction, the applicant shall provide fencing (with a fabric screen or mesh) around the project site to ensure that all construction equipment, materials and debris is kept on site;
26. that storage of construction materials and equipment on the street or in the public right-of-way shall be prohibited;
27. that construction access routes shall be limited in order to prevent the tracking of dirt onto the public right-of-way, clean off-site paved areas and sidewalks using dry sweeping methods;
28. that the applicant shall prepare a construction staging and traffic control plan for the duration of construction for review and acceptance by the City Engineer prior to the issuance of a building permit for vertical construction; the construction staging plan shall include construction equipment parking, construction employee parking, timing and duration of various phases of construction and construction operations hours; the staging plan shall address public safety and shall ensure that worker's vehicles and construction equipment shall not be parked in public parking areas with exceptions for construction parking along the street frontages of the project site;
29. that the project applicant and its construction contractor(s) shall develop a construction management plan for review and approval by the City of Burlingame. The plan must include at least the following items and requirements to reduce, to the maximum extent feasible, traffic and parking congestion during construction:
 - a. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes;
 - b. Identification of haul routes for movement of construction vehicles that would minimize impacts on motor vehicular, bicycle and pedestrian traffic, circulation and safety, and specifically to minimize impacts to the greatest extent possible on streets in the project area;
 - c. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures would occur;

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- d. Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project applicant; and
 - e. Designation of a readily available contact person for construction activities who would be responsible for responding to any local complaints regarding traffic or parking. This coordinator would determine the cause of the complaint and, where necessary, would implement reasonable measures to correct the problem.
30. that if construction is done during the wet season (October 1 through April 30), that prior to construction during the wet season the developer shall implement a winterization program to minimize the potential for erosion and polluted runoff by inspecting, maintaining and cleaning all soil erosion and sediment control prior to, during, and immediately after each storm even; stabilizing disturbed soils throughout temporary or permanent seeding, mulching matting, or tarping; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels and other chemicals;
31. that trash enclosures and dumpster areas shall be covered and protected from roof and surface drainage and that if water cannot be diverted from these areas, a self-contained drainage system shall be provided that discharges to an interceptor;
32. that this project shall comply with the state-mandated water conservation program, and a complete Irrigation Water Management and Conservation Plan together with complete landscape and irrigation plans shall be provided at the time of building permit application for vertical construction;
33. that all site catch basins and drainage inlets flowing to the bay shall be stenciled. All catch basins shall be protected during construction to prevent debris from entering;
34. that the applicant shall comply with Ordinance 1503, the City of Burlingame Storm Water Management and Discharge Control Ordinance;
35. that this project shall comply with Ordinance No. 1477, Exterior Illumination Ordinance;
36. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, as amended by the City of Burlingame;

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

- 37. that prior to scheduling the foundation inspection a licensed surveyor shall locate the property corners, set the building envelope;
- 38. that prior to the underfloor frame inspection the surveyor shall certify the first floor elevation of the new structure;

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39. that prior to scheduling the framing inspection, the project architect, engineer or other licensed professional shall provide architectural certification that the architectural details such as window locations and bays are built as shown on the approved plans; if there is no licensed professional involved in the project, the property owner or contractor shall provide the certification under penalty of perjury. Certifications shall be submitted to the Building Division;
40. that prior to scheduling the roof deck inspection, a licensed surveyor shall shoot the height of the roof ridge and provide certification of that height to the Building Division;
41. that prior to final inspection, Planning Division staff will inspect and note compliance of the architectural details (trim materials, window type, etc.) to verify that the project has been built according to the approved Planning and Building plans;

The following conditions of approval are mitigation measures from the Mitigated Negative Declaration prepared for the project:

42. **Implementation of BAAQMD Basic Best Management Practices for Construction-Related Fugitive Dust Emissions.** The Project applicant shall require their contractors, as a condition of contracts (e.g., standard specifications), to reduce construction-related fugitive dust emissions by implementing BAAQMD's basic best management practices, including the following measures.
 - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
 - All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
 - Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
 - Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

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The Project applicant shall submit evidence of compliance to the City prior to grading permit issuance;

43. **Use Clean Diesel-Powered or Electric Equipment during Construction to Control Construction-Related Emissions.** The Project applicant shall ensure that all off-road diesel-powered equipment greater than 50 horsepower used during construction shall be equipped with EPA-approved Tier 4 Final engines or cleaner to reduce PM2.5 and PM10 exhaust emissions. The construction contractor shall submit evidence of the use of EPA-approved Tier 4 Final engines or cleaner to the City prior to the commencement of Project construction activities;
44. **Lighting Impact Reduction Measures.** The following measures shall be implemented to reduce spillover of lighting into, or glare/increased luminance perceived by animals using Mills Creek, the Shorebird Sanctuary, and the Bay, as well as adverse effects of lighting on migratory birds:
- Through a combination of proper fixture selection, low mounting height, glare shielding, and orientation/aiming of light fixtures, the design team shall actively control undesirable spill light towards sensitive habitat areas. All exterior lighting shall be fully shielded to block illumination from shining outward towards Mills Creek, the Shorebird Sanctuary, and the Bay, and to prevent the lit portions of these fixtures (i.e., the lamps) from being visible to fish, birds, or mammals in the water or mudflats in these adjacent areas. Limited uplighting may apply to select building facade areas and landscape features that are at least 50 feet from the high tide line along the Bay and at least 35 feet from the high tide line along Mills Creek. These up light fixtures shall incorporate glare shields and strategic aiming to control undesirable spill light; shall incorporate timeclock control to turn off uplighting from 10pm until the next evening; and shall use 40-Watt maximum lamps to minimize light output.
 - The Project shall demonstrate, initially via computer calculations and via field measurements following Project construction, that the increase in illumination from all exterior site and façade lighting shall not exceed 0.1 footcandles as measured on the surface of the water of Mills Creek, the Shorebird Sanctuary, and the Bay.
 - Except as indicated in the previous bullet (and the exceptions for public streets), fixtures shall comply with lighting zone LZ-2, Moderate Ambient, as recommended by the International Dark-Sky Association (2011) for light commercial business districts and high-density or mixed-use residential districts. The allowed total initial luminaire lumens for the project site is 2.5 lumens per square foot of hardscape, and the backlight-up light-glare rating for individual fixtures shall not exceed B3 or G2, as follows. B3: 2,500 lumens high (60–80 degrees), 5,000 lumens mid (30–60 degrees), 2,500 lumens low (0–30 degrees). G2: 225 lumens (forward/back light 80–90 degrees), 5,000 lumens (forward 60–80 degrees), 1,000 lumens (back light 60–80 degrees asymmetrical fixtures), 5,000 lumens (back light 60–80 degrees quadrilateral symmetrical fixtures).
 - Lighting for public streets, roadways, highways, and traffic signage lighting, including lighting for driveway entrances occurring in the public right-of-way, shall be excluded from these backlight-up light-glare rating limitations to support public safety and proper illumination of public streets.

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- Exterior lighting shall be minimized in accordance with recommendations from the International Dark-Sky Association (2011) from midnight until dawn, at a minimum, except as needed for safety and City code compliance.
- Spillage of lighting from building interiors shall be minimized using occupancy sensors, dimmers, or other mechanisms from midnight until dawn, at a minimum, during bird migration seasons (February–May and August–November). If desired, this measure may be voluntarily implemented year-round;

45. **Nesting Bird Avoidance.**

A) Seasonal Avoidance. To the extent feasible, tree removal, demolition, and the start of construction activities shall be scheduled to avoid the nesting season. If such activities take place outside the nesting season, all impacts on nesting birds protected under the MBTA and California Fish and Game Code shall be avoided through adherence of B, C, and D of this mitigation measure. The nesting season for most birds in San Mateo County extends from February 1 through August 31;

B) Preconstruction/Pre-Disturbance Surveys. If it is not possible to schedule construction activities between September 1 and January 31, then preconstruction surveys for nesting birds shall be conducted by a qualified biologist to ensure that no nests of migratory birds will be disturbed during project implementation. These surveys shall be conducted no more than 7 days prior to the initiation of tree removal, demolition, ground disturbance, or construction activities for each construction phase. During this survey, the biologist shall inspect all trees and other potential nesting habitats (e.g., trees, shrubs, buildings, and the ground) in and immediately adjacent to the impact areas for migratory bird nests.

C) Buffers. If an active nest is found within areas that would be disturbed by project activities, the ornithologist shall determine the extent of a construction-free buffer zone to be established around the nest (typically 300 feet for raptors and 100 feet for other species), to ensure that no nests of species protected by the MBTA and California Fish and Game Code shall be disturbed during project implementation.

D) Inhibition of Nesting. If construction activities will not be initiated until after the start of the nesting season, all potential nesting substrates (e.g., bushes, trees, grasses, and other vegetation) that are scheduled to be removed by the Project may be removed prior to the start of the nesting season (e.g., prior to February 1). This will preclude the initiation of nests in this vegetation and prevent the potential delay of the Project due to the presence of active nests in these substrates;

46. **Unanticipated Discovery Protocol:** Should unknown precontact or historic-period archaeological materials such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic-period artifacts such as glass, metal, wood, brick, or structural remnants are encountered during Project construction activities; the construction contractor shall halt construction within 50 feet of the find and immediately notify the City. Construction activities shall be redirected and a qualified archaeologist, in consultation with the City, shall: (1) evaluate the archaeological deposit to determine if it meets the CEQA definition of a historical or unique archaeological resource, and (2) make recommendations about the treatment of the deposit, as warranted. If the deposit does

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meet the CEQA definition of a historical or unique archaeological resource then it shall be avoided to the extent feasible by project construction activities. If avoidance is not feasible, then adverse effects to the deposit shall be mitigated as specified in CEQA Guidelines Section 15126.4(b) (for historic resources) or CEQA Section 21083.2 (for unique archaeological resources). This mitigation may include a thorough recording of the resource on DPR Form 523 records, or archaeological data recovery excavation. If data recovery excavation is warranted, CEQA Guidelines Section 15126.4(b)(3)(C), which requires a data recovery plan prior to data recovery excavation, shall be followed. If the significant identified resources are unique archaeological resources, mitigation of these resources shall be subject to the limitations on mitigation measures for archaeological resources identified in CEQA Sections 21083.2(c) through 21083.2(f);

47. **Stop Work in Case of Discovery of Paleontological Resources.** Discovery of a paleontological specimen during any phase of the Project shall result in work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal), as determined by the professional paleontologist, shall be implemented to mitigate the impact prior to the continuation of work;
48. **Construction Noise Control Plan to Reduce Noise from Project Construction.** To reduce potential noise effects resulting from Project construction, a Construction Noise Control Plan shall be developed to ensure feasible construction noise control measures are implemented to reduce construction noise at nearby sensitive land uses. The Construction Noise Control Plan, to be developed by the Project applicant, would include certain noise reduction measures, such as the following:
- Using smaller equipment with lower horsepower when working near noise-sensitive land uses or reducing the hourly utilization rate of equipment used on the site.
 - Locating construction equipment and equipment staging areas as far as feasible from noise-sensitive uses.
 - Locating stationary construction equipment, such as generators or pumps, as far as feasible from noise-sensitive land uses.
 - Requiring that all construction equipment powered by gasoline or diesel engines have sound control devices that are at least as effective as those originally provided by the manufacturer and that all equipment be operated and maintained to minimize noise generation.
 - Prohibiting gasoline or diesel engines from having unmuffled exhaust systems.
 - Not idling inactive construction equipment for prolonged periods (i.e., more than 5 minutes).
 - Constructing a solid plywood barrier around the construction site and adjacent to nearby noise-sensitive land uses.
 - Using temporary noise control blankets or barriers along the project construction fence;
49. **Reduce Noise from Project Mechanical Equipment.** To reduce potential noise effects resulting from Project mechanical equipment, including heating, cooling, and ventilation equipment as well as project emergency generators, an operational equipment noise analysis

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shall be prepared (once final makes, models and design features of associated equipment are selected) to confirm actual noise levels of project-specific equipment will comply with applicable local noise standards. The analysis shall be conducted prior to the issuance of building permits and shall be prepared by persons qualified in acoustical analysis and/or engineering and shall demonstrate with reasonable certainty that the mechanical equipment selected for the project will not result in an exceedance of the applicable City noise standards of 50 dBA L_{eq} during nighttime hours and 60 dBA L_{eq} during daytime hours.

Options to reduce noise from mechanical equipment include the following.

- Enclosing equipment in mechanical equipment rooms.
- Shielding equipment with mechanical screens, walls or barriers at least as tall as the equipment.
- Selecting quieter equipment and/or emergency generator models.
- Incorporating weather enclosures and/or exhaust silencers or filters into emergency generator design.

All recommendations from the acoustical analysis necessary to ensure that noise sources meet the above standards shall be incorporated into the building design and operations;

50. **Traffic Control Plan.** Prior to issuance of grading and building permits, the applicant shall submit a traffic control plan to the City. The traffic control plan shall include the following requirements: Truck drivers shall be notified of and required to use the most direct route between the site and U.S. 101, as determined by the City Engineering Department; all site ingress and egress shall occur only at the main driveways to the Project site; specifically designated travel routes for large vehicles shall be monitored and controlled by flaggers; warning signs, indicating frequent truck entry and exit points, shall be posted on adjacent roadways, if requested; and any debris or mud on nearby streets caused by trucks shall be monitored daily, which may require instituting a street cleaning program; and
51. **Contribute to Water Conservation Programs under the City's Development Offset Program.** Per the Development Offset Program, the Project sponsor shall contribute to funding of water conservation programs to offset the Project's contribution to the City's water demand overage.



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

**Project Site: 1499 Old Bayshore Highway/
825 Mahler Road, zoned I-1**

The City of Burlingame Planning Commission announces the following public hearing **on Monday, April 8, 2024 at 7:00 P.M.** You may attend the meeting in person at City Hall (501 Primrose Rd) or virtually via Zoom at www.zoom.us/join or by dialing 1-699-444-9171. For Zoom meeting access information, visit www.burlingame.org/pcmeetings.

Description: Application for Commercial Design Review, Special Permits for building height and development under Tier 3 with a Vesting Tentative Parcel Map for a new 8-story research and development building with a 7-story parking structure.

Members of the public may speak in person at the meeting or provide comments by email to publiccomment@burlingame.org.
Mailed: March 29, 2024

(Please refer to other side)

**PUBLIC HEARING
NOTICE**

City of Burlingame - Public Hearing Notice

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

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

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

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

Kevin Gardiner, AICP
Community Development Director

(Please refer to other side)

1499 Bayshore Highway/825 Mahler Road
500' noticing
APNs: 026-322-150 & 026-322-050

