



PROJECT LOCATION
150 Park Road (Parking Lot F)

City of Burlingame

*Design Review and Density Bonus Incentives
for a New 132-Unit Workforce and Senior Apartment Development*

**Item No. 8g
Regular Action Item**

Address: 150 Park Road (Parking Lot F)

Meeting Date: December 10, 2018

Request: Application for Design Review and Density Bonus Incentives for construction of a new five story, 132-unit affordable workforce and senior apartment development.

Applicant: Chris Grant, The Pacific Companies

APN: 029-224-270

Property Owner: City of Burlingame

Lot Area: 36,750 SF

Architect: Pacific West Architecture

General Plan: Howard Avenue Mixed Use District/R-4 Incentive District

Zoning: HMU (Howard Mixed Use) and R-4 Incentive District Subarea

Adjacent Development: Multifamily Residential and Commercial Uses

Current Use: Public Parking Lot (Lot F)

Proposed Use: 132-unit workforce and senior apartment development.

Allowable Use: HMU: Retail, personal services, hotels, grocery stores/markets, financial institutions; and multifamily residential and offices above the first floor
R-4: Multifamily, duplex, and single family residential uses.

Environmental Review: Section 15332 of the California Environmental Quality Act (CEQA) Guidelines is intended to promote in-fill development within urbanized areas. This class consists of in-fill projects which are consistent with local general plan and zoning requirements. This class is not intended to be applied to projects which would result in significant impacts on endangered, rare, or threatened species, traffic, noise, air quality, water quality, utilities, and public services. Application of this exemption, as all categorical exemptions, is limited by the exceptions described in Section 15300.2 of the CEQA Guidelines. Section 15332 states:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

On the basis of the evidence provided in the analysis, it was determined the project is eligible for a Class 32 categorical exemption, in accordance with Section 15332, Infill Development Projects, of the CEQA Guidelines (see attached CEQA Class 32 Infill Exemption prepared by ICF, dated December 2018). Based on City of Burlingame threshold criteria, no additional substantial adverse impacts beyond those discussed in the analysis are anticipated. Because the project meets the criteria for categorically exempt infill development projects, and because it would not have a significant effect on the environment, this analysis finds that a Notice of Exemption may be prepared for the Project. No further review is needed.

Background: In 2010 the Burlingame City Council adopted the *Burlingame Downtown Specific Plan*. The culmination of a multi-year community planning process, the Plan provides a framework for sustaining the existing success of the downtown and accommodating new opportunities.

One aspect of the Downtown Specific Plan is a focus on better use of parking facilities downtown, particularly the twenty City-owned surface parking lots. The plan encourages parking lots to be converted to different uses over time, such as housing, open space, and additional parking. Choices about uses are guided by what will most benefit the downtown area.

Consistent with the *Downtown Specific Plan*, the City Council has expressed an interest in expanding the housing options available in Burlingame, including the provision of more affordable housing options, a category of housing that is minimally represented amongst the existing housing stock within the community. Extremely high property values and rental rates for housing within the Bay Area Region and particularly on the San Francisco Peninsula have escalated dramatically in recent years, forcing many who have enjoyed the quality of life in Burlingame to leave due to the ever-increasing costs of housing in the community.

Likewise, as parking is important to Downtown businesses and residents alike, the City Council has been evaluating options for improving parking in the downtown area. This includes accommodating demand by using the land more efficiently with decked or structured parking.

Most communities in San Mateo County are encouraging development of new housing near public transit, updating downtown planning policies and exploring new sources of funding. In Burlingame the City Council is pursuing the utilization of two city-owned downtown parking lots, Parking Lots F and N, to create new affordable housing and a new parking structure. The housing part of this development is being referred to as the "Village at Burlingame." The proposed development of Parking Lots F and N is intended to respond to these objectives with:

- new housing units to support the community, including housing for seniors and for people working in the community;
- additional, conveniently-located parking for use by downtown businesses and residents alike;
- additional open space to be enjoyed by both current and new residents.

Although the purpose of the design review action meeting is only to review and discuss the proposed design of the project and not the number or type of units, staff thought it would be helpful to include this background information so that the Planning Commission has a full understanding of the context for the proposed project.

Project Summary: In December 2014 the City of Burlingame distributed a Request for Proposals seeking qualified developers interested in partnering with the City to develop City-owned Parking Lots F and N with affordable housing. The City Council's Downtown Specific Plan Implementation Subcommittee reviewed the proposals and provided recommendations for the City Council to consider. After several public hearings, the City Council selected The Pacific Companies as its preferred developer at its regular meeting of July 6, 2015.

The project site consists of one parcel which extends from Park Road to Lorton Avenue (see attached aerial). It is currently owned by the City of Burlingame and contains Parking Lot F, a public parking lot with 97 stalls. The majority of the site (200 feet wide x 150 deep) has 200 feet of frontage on Park Road and is zoned HMU (Howard Mixed Use District); the remaining portion of the site (45 feet wide x 150 feet deep) has 45 feet of frontage on Lorton Avenue and is zoned R-4 (within the R-4 Incentive District Subarea). For the proposed project, the Park Road frontage is considered the front of the lot.

The site is bordered by one and two-story commercial buildings to the north along Howard Avenue, a six-story multifamily residential building to the south along Park Road, Parking Lot G and two-story multifamily residential buildings to the west across the street on Park Road, and two and three-story multifamily residential buildings to the east along Lorton Avenue.

The proposed project consists of decommissioning the existing public parking lot (Parking Lot F) and constructing a new, 5-story 132-unit affordable workforce and senior apartment development. The existing 97 parking stalls that would be displaced would be provided in a proposed parking garage on Parking Lot N (see Item 8h, 160 Lorton Avenue).

The broad intent is for the units to be rented by people working in Burlingame, and Burlingame seniors. Prospective residents must fall within the income limits and pass typical tenant background checks. To the full degree allowed by fair housing regulations, Burlingame residents and/or workers will receive preference for selection. It is intended that the proposed project has a mix of families and ages.

The ground floor contains a lobby, community space and mechanical rooms to house the buildings' generator, transformer, electrical equipment, fire riser, and refuse storage. The applicant notes that the community space will be a common space available solely for use by residents of the building for residential purposes (recreational activities, birthday parties, gatherings, etc.). The applicant notes that this space would not be available for rent by outside groups or community members.

The majority of the building contains five levels of residential units above a partially below grade parking garage. The front portion of the building, above the ground floor space, contains four levels of residential units. The proposed apartment development would contain 78 workforce housing units (3 studios, 53 one-bedroom units and 22 two-bedroom units) and 54 senior apartment units (49 one-bedroom units and 5 two-bedroom units). The average unit size of the entire project is 647 SF.

A total of 144 parking spaces are provided on-site in a partially above grade and below grade parking garage. 137 parking spaces are provided in a puzzle stacker system and 7 independent disabled-accessible spaces are provided within the parking garage. All vehicles would enter and exit the project through a driveway entrance on Park Road.

The proposed project would provide wall mounted bicycle storage within the parking garage for 20 bicycles (see floor plan on sheet A3.1). This is not currently required under the zoning code, however storage based on a ratio of 1 bicycle for every 20 vehicles (or 8 bicycles in this case) is recommended in the Downtown Specific Plan.

Code Section 25.33.020 allows multifamily residential uses, with an average maximum unit size of 1,250 SF as a permitted use; the average unit size for the proposed development is 647 SF. Staff would note that apartment projects are not required to provide common open space or private open spaces, as is required for condominium developments. However, common spaces for residents and visitors, including an enclosed entry, lobby, community space (described above) and interior courtyard are provided on the ground floor and above the parking garage. In addition, some units would have decks or balconies. Lastly, an open park amenity will be provided within the 45' x 150' portion of lot at the rear of the site along Lorton Avenue (see 'Landscaping' on page 5).

In summary, the following applications are requested for this project:

- Design Review for construction of a new five story, 132-unit affordable workforce and senior apartment development (C.S. 25.33.045 and Chapter 5 of the Downtown Specific Plan);
- Density Bonus Incentives for building height, right side setback and ground floor use to facilitate affordable housing (Code Section 25.63); and
- Lot Merger to combine Lots 14, 15, 16, and southeasterly 45 feet of Lot 8 of Block 7, Town of Burlingame Map No. 1 Subdivision, and Lot 17 of Block 7, Polo Field Subdivision.

Design Review Study Meeting: At the Planning Commission Design Review Study meeting on February 26, 2018, the Commission noted several comments and concerns with the project and voted to place this item on the Regular Action Calendar (see attached February 26, 2018 Planning Commission Minutes). Please refer to the attached meeting minutes for a complete list of comments/concerns expressed by the Planning Commission.

The applicant submitted revised plans, date stamped December 5, 2018, to address the Planning Commission's comments and concerns. Please refer to the applicant's letters dated November 30, 2018, for a detailed summary of the changes made to the project and responses to the Planning Commission's concerns and comments.

Design Review: Design Review is required for new residential buildings pursuant to C.S. 25.33.045 and is subject to Chapter 5 of the Downtown Specific Plan (Design & Character). Section 5.2 (pages 5-2 through 5-16) provides design guidelines specifically for mixed-use areas within the Downtown Specific Plan area, including developments on public parking lots. Section 5.3 (pages 5-17 through 5-21) provides design guidelines specifically for residential projects within the Downtown Specific Plan area. Because this is a 100% residential project, the Design standards for residential areas are generally most applicable in this case and can be found in Section 5.3 (pages 5-17 through 5-21) of the Downtown Specific Plan. Section 5.4 (pages 5-22 through 5-27) provides more general design guidelines that apply to all areas of the downtown, including residential and mixed use areas. These applicable sections of the Design and Character chapters of the Downtown Specific Plan have been attached for reference.

The materials proposed for the exterior of the building include stucco walls and roof cornices, horizontal lap siding (fiber cement), metal fascia and railings, and wood trellises at balconies. Vinyl windows with grids between-the-glass (bronze color) with Hardie board trim are proposed throughout the building; an aluminum storefront window system and awnings are proposed at the ground level along Park Road. The base of the building will be concrete. The building entrance will be identified with a diamond pattern tile. Please refer to the building elevations on sheets A4.1 and A4.2, color elevations and materials on sheets A7.1 through A7.4, and perspective renderings on sheets A10.1 and A10.6 for additional information.

Off-Street Parking: Parking requirements are based on the number of bedrooms proposed per unit. Zoning Code Section 25.70.032 provides reduced residential parking standards specific to properties located within the boundaries of the Downtown Specific Plan. In the Howard Avenue Mixed Use District, the minimum parking requirement is 1 space for each studio unit or one-bedroom unit and 1.5 spaces for each two-bedroom unit. The proposed project includes 3 studio units, 102 one-bedroom units and 27 two-bedroom units. Therefore, the zoning code requires a total of 146 off-street parking spaces where 144 parking spaces are proposed.

However, based on State of California Government Code Title 7, Division 1, Chapter 4.3 – Density Bonuses and Other Incentives, if a development includes the maximum percentage of low-income or very low income units (20% required; 90% proposed), is located within one-half mile of a major transit stop and there is unobstructed access to the major transit stop from the development, then, upon the request of the developer, a city cannot not impose a vehicular parking ratio that exceeds 0.5 spaces per bedroom. The proposed project meets these minimum criteria. Based on a total of 159 bedrooms proposed by the project, a 0.5 space per bedroom ratio would correspond to 80 parking spaces. The 144 spaces proposed for the project significantly exceeds the density bonus off-street parking provisions.

The applicant is proposing to use a puzzle car stacker system by CityLift (Model No. 3LPWP) and is able to accommodate passenger cars, minivans and medium-size SUVs (see attached specifications and sheet A12.2). A total of 137 parking spaces are provided by the puzzle stackers; 7 independent disabled-accessible spaces are provided within the garage. An area for on-site deliveries is not required for apartment buildings and there is no guest parking required on-site for properties located within the Downtown Specific Plan area.

As shown on sheet A6.1, the puzzle stacker system is partially above and below grade, extending approximately 15'-6" below grade. The proposed puzzle stacker system accommodates three vehicles stacked vertically and provides independent access to all cars parked on the system (one empty slot required for each unit). All vehicles would enter and exit the project through a driveway entrance on Park Road.

The Municipal Code does not include specifications for parking lifts or automated parking systems, so the City currently does not have a standard mechanism for review and approval. However, as a policy the Downtown Specific Plan encourages "creative approaches" to providing on-site parking including automated parking systems. The parking system could each be considered within the scope of "creative approaches" to providing the required on-site parking. To date, the City has approved several commercial and residential projects with parking lifts.

Landscaping: The project site is currently covered primarily by a paved public parking lot, with several small areas of landscaping at the entrance to the parking lot along Park Road.

There would be one protected size Cypress tree proposed for removal located along the rear property line. The tree trunk appears to be partially located on the subject property and the adjacent property at 137 Lorton Avenue. Planning staff would note that California Civil Code Section 834 states: "Trees, whose trunks stand partly on the land of two or more conterminous owners, belong to them in common." Therefore, the City, applicant and property owner at 137 Lorton Avenue will need to provide consent to remove this tree at the time an application for a tree removal permit is submitted to the Parks Division.

There are no landscaping requirements in the HMU District. However, landscaping is proposed throughout the site and is shown on the Landscape Plans (sheets L1 through L4). A total of 11 small scale trees would be planted along the sides of the building on the upper level and within the center courtyard. A variety of groundcovers, vines, shrubs and perennials are proposed along the front of the building and at select locations on the first and second levels.

The project site contains a park area, which consists of the 45' x 150' portion of lot at the rear of the site off Lorton Avenue. Improvements previously proposed in the park area included soft landscaping (groundcover, vines, shrubs, perennials and trees), decorative paving and patios, raised planters, seating, a children's playground and two shade structures. Based on input received from the Planning Commission, City Council and the Parks and Recreation Division, and because the park area will be turned over to the City for maintenance after its built, the concept for the park area has changed to be a passive park. The passive park would contain trees, meandering paths, boulders, seating areas, etc. The design and landscaping for the passive park will be determined and coordinated with the City (see Condition of Approval #2). The applicant will be responsible for preparing the plans, obtaining the necessary permits and constructing the passive park before it is turned over to the City.

There are three Magnolia trees along Park Road in front of the project site, one of which will be removed and replaced with two new Magnolia trees. Therefore there will be a total of four street trees in front of the project site. 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 with the right-of-way pursuant to the Burlingame Municipal Code Chapter 11.04, Street Trees. There are no existing street trees in front of the subject property along Lorton Avenue and none are proposed to be planted here.

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150 Park Road (Parking Lot F)

Lot Area: 36,750 SF

Plans date stamped: December 5, 2018

	PROPOSED	ALLOWED/REQUIRED
USE		
Use:	132-unit workforce and senior apartment development with 647 SF average unit size; community space available only to residents on ground floor ¹	Multifamily residential with 1,250 average maximum unit size; residential allowed above the ground floor
SETBACKS		
Front (Park Rd) (1st flr): (2nd flr): (3rd flr): (4th flr): (5th flr):	0'-0" to 3'-7 ¹ / ₈ " 0'-0" to 6'-5 ³ / ₄ " 0'-0" to 10'-8" 0'-0" to 10'-8" 0'-0" to 17'-4"	No minimum required
Left Side: (1st flr): (2nd flr): (3rd flr): (4th flr): (5th flr):	3'-4" 3'-4" to 10'-0" 3'-4" to 10'-0" 3'-4" to 10'-0" 5'-3 ¹ / ₈ " to 10'-0" 10'-0" to 14'-0"	No minimum required
Right Side (1st flr): (2nd flr): (3rd flr): (4th flr): (5th flr):	3'-4" ² 3'-4" to 10'-0" ² 3'-4" to 10'-0" ² 3'-4" to 10'-0" ² 3'-4" to 10'-0" ²	7'-0" 8'-0" 9'-0" 10'-0" 11'-0"
Rear: (Garage): (1st flr): (2nd flr): (3rd flr): (4th flr): (5th flr):	3'-4" 8'-6" to 11'-0" (0'-0" to planter) 8'-6" to 11'-0" 8'-6" to 11'-0" 8'-6" to 12'-6" 8'-6" to 12'-6"	No minimum required
BUILDING ENVELOPE:		
Ground Floor Ceiling:	15'-0"	15'-0"
Building Height:	60'-0" ³	55'-0" (rooftop enclosures allowed to extend additional 10')

¹ Density bonus incentive for ground floor use (C.S. 25.63.040 (b)).

² Density bonus incentive for right side setback (C.S. 25.63.040 (b)).

³ Density bonus incentive for building height (C.S. 25.63.040 (b)).

Table continued on next page.

	PROPOSED	ALLOWED/REQUIRED
OFF-STREET PARKING		
Off-Street Parking:	144 spaces (137 spaces provided in automated puzzle parking system + 7 disabled-accessible spaces)	<u>159 bedrooms x 0.5 = 80</u> 80 spaces by California State Government Code 3, studio units x 1 = 3 spaces 102, 1-bdrm units x 1 = 102 spaces <u>27, 2-bdrm units x 1.5 = 41 spaces</u> 146 spaces by Zoning Code

Staff Comments: Several letters/emails concerning the project were received and are attached for review.

Planning staff would note that State of California Government Code Section 65589.5 limits the ability of municipalities to deny a multifamily residential project that complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application is determined to be complete.

Affordable (Below-Market Rate) Units/Density Bonus Incentives: The City’s previous Inclusionary Housing Ordinance has been replaced by a Density Bonus Ordinance consistent with State Law. The Density Bonus Ordinance is discretionary, and projects are not obligated to provide affordable units unless they seek to utilize development standard incentives offered by the ordinance. Code Section 25.63.040 (b) allows up to three development incentives for projects with 30% of the total units offered to those that qualify as low-income earners.¹ The applicant is proposing to include 90% (120 of the 132 total units) to be affordable offered at the low-income level. Table 1 summarizes the Area Median Income (AMI) for the workforce and senior units.

TABLE 1 – AMI DISTRIBUTION

	Workforce			Senior			Total
	Studio	1Br	2Br	Studio	1Br	2Br	
50% AMI	1	4	1	0	5	1	12
60% AMI	1	41	18	0	44	4	108
110% AMI	1	8	2	0	0	0	11
Manager			1				1
	3	53	22	0	49	5	132

¹ By government definition, “Low-income” means a household with an income that is 80% of “Area Median Income” (AMI). The 2018 San Mateo County AMI is \$82,900 for a single-person household, \$94,700 for a two-person household, \$106,550 for a three-person household, and \$118,400 for a four-person household.

Therefore, under C.S. 25.63.040 (b) the project is eligible for up to three incentives received in the form of the following requests submitted by the applicant:

- **Building Height:** The project application includes a density bonus incentive for building height (C.S. 25.63.040 (b)). The HMU District Regulations allow for a maximum building height of 55'-0" (Code Section 25.33.055). With this application, the proposed building height as measured to the top of the building cornice is 60'-0". The stair and elevator enclosures are exempt from the building height requirement since they do not exceed 10'-0" in height above the parapet and do not take up more than 5% of the roof area.
- **Right Side Setback:** The project application includes a density bonus incentive to apply the general HMU zoning district setback requirement along the right side property line (C.S. 25.63.040 (b)). There is no minimum side setback required under the general HMU District regulations.

The HMU District regulations require that R-3 side setback standards (Section 25.28.075) shall apply to property line(s) with an existing residential use on the abutting property. In this case, the R-3 side setback standards apply along the right side property line since an existing multifamily residential use abuts this property line. In addition, the minimum side setback for a structure is required to be increased by one foot for each story above the first story (Code Section 25.28.075 (e)).

With this application, the proposed right side setback is 3'-4" on the first floor and varies from 3'-4" to 10'-0" on the upper four levels. Based on the width of the lot, the first floor would otherwise be required to be setback a minimum of 7'-0" and an additional 1'-0" for each floor above the first floor (8'-0" on second floor, 9'-0" on third floor, 10'-0" on fourth floor and 11'-0" on fifth floor).

The adjacent six-story multifamily residential building to the south (110 Park Road) is located approximately 50 feet away from the property line. The ramp to the underground parking garage, gazebo, open patio and pool are located between the property line and the existing building.

- **Use on Ground Floor:** The project application includes a density bonus incentive to not provide a commercial use on the ground floor. The HMU District Regulations allow multifamily residential uses above the first floor and commercial uses on the ground floor (Code Section 25.33.020 (i) (2)). With this application, there is no commercial use proposed on the ground floor. Instead, proposed uses on the ground floor are associated with the residential use and include a lobby, community space and mechanical rooms to house the buildings' generator, transformer, electrical equipment, fire riser, and refuse storage. The community space will be a common space available solely for use by residents of the building for residential purposes (recreational activities, birthday parties, gatherings, etc.).

The Downtown Specific Plan and corresponding zoning do not provide for specific density limits (dwelling units per acre); therefore, a number of bonus units is not applicable. However, because the proposed project includes 90% of the units to be offered to low-income households, under C.S. 25.63 the project is eligible for concessions received in building form of which in practice would allow the project to reach a higher density than what would have been able to under the regular development standards.

Remediation: The site contains an existing soil vapor treatment system to treat a commingled plume from multiple offsite sources. The applicant will be working with the City and its consultants on the status of the remediation. The analysis contained within the CEQA Class 32 Infill Exemption notes that contaminated groundwater is present beneath Lot F, consisting of a commingled plume from multiple offsite sources. This plume includes contaminants present in the soil above the plume, but the contaminants are only in vapor form in the shallower soils. The presence of a soil vapor treatment system onsite is presumably responsible for eliminating their continued presence in the shallow soils.

The shallow soil sampling for contaminants indicates no adverse impact exists on the Lot N property and only a limited adverse impact on the Lot F property. The Project would install a sub-slab vapor barrier at Lot F and possibly a positive ventilation system in order to protect indoor air quality. The vapor barrier would be required to meet performance criteria to prevent exposure at the proposed residences. Groundwater encountered during construction would be handled and disposed of in accordance with a management plan that would be reviewed by the City and local authorities, as appropriate. The handling and disposal of any contaminated soil and groundwater would be in compliance with the regulations of the appropriate oversight agencies and the statutes governing such work.

In addition, all residential subgrade structures would be elevated to above the seasonal high water table, in accordance with standard conditions of approval in the Downtown Specific Plan. All non-residential subgrade structures would be flood-proofed and anchored, in accordance with floodplain development requirements. Prior to receiving a building permit or other construction-related permit, final design would be approved by the Burlingame Department of Public Works.

General Plan/Specific Plan: The existing *Burlingame General Plan* designates the main portion of the site as Shopping and Service and the rear portion of the site as High Density Residential. In 2010 the City Council adopted the *Burlingame Downtown Specific Plan* (with amendments in 2014, 2015, 2016, and 2017), which serves as an element of the General Plan. The subject property is located within the boundaries of the planning area for the Downtown Specific Plan; the majority of the site is in the Howard Avenue Mixed Use District and the remaining portion of the site is in the R-4 Incentive District. The Plan describes the Howard Avenue Mixed Use District and R-4 Incentive District as follows:

The Howard Avenue Area is the area to the south of Burlingame Avenue and consists of a mix of uses, including retail and office along Howard Avenue, and multifamily residential uses between Howard and Peninsula Avenues. Burlingame Avenue and Howard Avenue together form the “Burlingame commercial” area. Ground floor retail use is encouraged, and housing is allowed on the upper levels above commercial uses. The interceding side streets - Lorton Avenue, Park Road, Primrose Road and Highland Avenue - will act as connector streets with the commercial uses along those streets strengthening the relationship between Burlingame Avenue and Howard Avenue.

The R-4 Incentive District consists of lands in the southern portion of Downtown, on either side of Bayswater Avenue between Highland Avenue and Park Road. The land uses for this area are predominantly higher density multifamily residential. The development standards for this district provide incentives to encourage high density residential uses. In addition to residential uses, small corner retail stores serving local residents would be allowed.

The Downtown Specific Plan includes various Goals and Policies to guide growth and development in Downtown Burlingame. The table below shows how the proposed project meets these Goals and Policies.

GOAL/POLICY	PROJECT PROPOSED
<p>Goal LU-3: Ensure sensitive transitions between the existing adjacent residential areas and the downtown area.</p>	<p>The proposed affordable housing development includes as a five-story building which provides a sensitive transition between new development and the existing adjacent six-story multi-family development to the south and the downtown commercial area to the north.</p>
<p>Policy LU-5.2: Promote public/private partnerships for redevelopment of City-owned properties.</p>	<p>The proposed affordable housing development is proposed to be built on a City-owned public parking lot.</p>

GOAL/POLICY	PROJECT PROPOSED
<p>Goal LU-6: Promote diversity in housing type and affordability within the Downtown area.</p>	<p>The proposed affordable housing development would contain 78 workforce housing units and 54 senior apartment units. The applicant is proposing to include 90% (120 of the 132 total units) to be affordable offered at the low-income level.</p>
<p>Policy P-1.2: Devote less land for parking Downtown while accommodating increased demand by using the land more efficiently with decked or underground parking.</p>	<p>Less land is devoted for parking by using a puzzle car stacker system, located partially above and below grade.</p>
<p>Policy P-1.3: Conceal parking areas through the use of attractively designed above- or below-ground parking structures.</p>	<p>The parking for the project does not dominate the street frontage and has been concealed by locating it behind the ground floor building façade with one driveway access to the garage; parking garage is located partially below and above grade.</p>
<p>Policy P-1.4: Provide incentives for joint ventures between the City and developers for new development that includes public parking facilities. Policy P-2.3: Consider the sale or joint development of some parking lots for development and use the proceeds for development of new parking facilities.</p>	<p>The developer is partnering with the City to develop City-owned Parking Lots F & N with affordable housing on Lot F and a public parking garage on Lot N.</p>
<p>Policy C-2.6: Consider the needs of pedestrian, bicycles, and people with disabilities.</p>	<p>Storage for 20 bicycles is provided in the below grade garage.</p>
<p>Policy S-1.3: Streetscapes should reflect Burlingame’s destination as a “tree city.” Trees should be planted throughout the downtown as an integral part of the streetscape, and mature streets trees should be persevered whenever possible.</p>	<p>There are three Magnolia trees along Park Road in front of the project site, one of which will be removed and replaced with two new Magnolia trees. Therefore there will be a total of four street trees in front of the project site.</p>
<p>Goal OS-2: Create small areas of relief, such as pocket parks. Policy OS-2: Provide additional green open space in Downtown, including walkways and seating areas.</p>	<p>The project site contains a park area, which consists of the 45’ x 150’ portion of lot at the rear of the site off Lorton Avenue. The passive park will contain trees, meandering paths, boulders, seating areas, etc. The design and landscaping for the passive park will be determined and coordinated with the City.</p>
<p>Policy D-1.1 Ensure that new construction fits into the context and scale of the existing downtown.</p>	<p>The building is consistent with the diverse architectural styles of existing residential and commercial buildings in the area characterized by simple massing, an articulated aluminum storefront and awnings on the ground floor, and articulated walls and repetitive fenestration on the upper floors; the project mediates between existing buildings in the area ranging from one to six stories in height to create a continuous mixed-use residential neighborhood, is well articulated, and embraces the street and the pedestrian realm.</p>

GOAL/POLICY	PROJECT PROPOSED
	<p>The building is characterized by a single contemporary architectural style and its design fits the site and is compatible with the surrounding development by exhibiting thoughtful massing, character and pedestrian scale, and successfully creates a good transition between the existing residential and commercial buildings in the neighborhood with well-articulated massing and a variety of exterior sidings, textures and colors.</p>
<p>Policy D-1.2: Require design review for all new downtown buildings and for changes to existing downtown buildings, and integrate historic review into the design review process.</p> <p>Policy D-3.1: Ensure that new development is appropriate to Burlingame with respect to size and design.</p> <p>Policy D-3.2: Evaluate development in the Downtown Area that is proposed to be taller than surrounding structures (i.e. over 40 feet) for potential to create new shadows or shade on public and/or quasi-public open spaces and major pedestrian routes.</p>	<p>The proposed project is subject to the design review process.</p>
<p>Policy D-4.1: Encourage buildings to be built out to the sidewalk, with doors and windows facing the sidewalk to create a lively pedestrian environment.</p>	<p>The proposed building is built to the sidewalk with doors and windows facing the sidewalk.</p>

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

Based on the proposed 132-unit multifamily dwelling apartment development, the required public facilities impact fee for this development project is \$730,884.00. One-half of the public facilities impact fees payment will be required before the final framing inspection; the second half of the payment will be required prior to the issuance of a certificate of occupancy.

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

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

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

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

- that the project is consistent with the diverse architectural styles of existing residential and commercial buildings in the area characterized by simple massing, an articulated aluminum storefront and awnings on the ground floor, and articulated walls and repetitive fenestration on the upper floors; the project mediates between existing buildings in the area ranging from one to six stories in height to create a continuous mixed-use residential neighborhood, is well articulated, and embraces the street and the pedestrian realm;
- that the architectural style blends traditional and contemporary design elements to be compatible with adjacent neighborhoods and the City as a whole, and that human scale is provided at the street level consisting of a front entry element and community space at the front of the building, and on the upper levels individual balconies with wooden trellises and sun shades provide residential scale and character;
- that parking for the project does not dominate the street frontage because the garage has been located behind the ground floor building façade with one driveway access to the garage measuring 18 feet in width, or 9% of the frontage along Park Road;
- that on this visually prominent site, the building is characterized by a single contemporary architectural style and its design fits the site and is compatible with the surrounding development by exhibiting thoughtful massing, character and pedestrian scale, and successfully creates a good transition between the existing residential and commercial buildings in the neighborhood with well-articulated massing and a variety of exterior sidings, textures and colors;
- that the building is compatible with the mass, bulk, scale, and existing materials of existing development in that the exterior building materials include a mix of stucco and horizontal siding, balconies with metal handrails and wood trellises and aluminum sun shades throughout the building. The ground floor along the Park Road façade includes a concrete base, and an aluminum storefront system with metal awnings and a tile building entry; and
- that site features such as fencing, landscaping, and pedestrian circulation to be provided in the passive park will enrich the existing opportunities of the commercial neighborhood.

Planning Commission Action: The Planning Commission should hold a public hearing on the application and consider public testimony and the analysis contained within the staff report. Affirmative action should be by resolution and include findings for Design Review, Density Bonus Incentives and Lot Merger. The reasons for any action should be clearly stated for the record. At the public hearing the following conditions should be considered:

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped December 5, 2018, sheets T1.2, C1.1 through C1.3, L1 through L4, and A1.1 through A12.7;
2. that no entitlements are complete or may vest until the project sponsor enters into any required final agreements with the City and has consent from the City Council as to the mechanism for the transfer of property rights and any other required legal agreements or actions required to acquire the rights to build the project as specified in the plans date stamped December 5, 2018;
3. that the affordable housing development shall contain 78 workforce housing rental units (3 studios, 53 one-bedroom units and 22 two-bedroom units) and 54 senior apartment rental units (49 one-bedroom units and 5 two-bedroom units) and shall consist of the following:
 - 6 workforce rental units targeted to households earning up to 50% Area Median Income (AMI)
 - 60 workforce rental units targeted to households earning up to 60% AMI
 - 11 workforce rental units targeted to households earning up to 110% AMI
 - 6 rental units targeted to seniors earning up to 50% AMI
 - 48 rental units targeted to seniors earning up to 60% AMI
 - 1 manager rental unit (workforce)
4. the applicant shall enter into an agreement for the administration of the renting or leasing of the affordable units at least 120 days before the final inspection;
5. that the applicant shall enter into a regulatory agreement with the City; the terms of this agreement shall be approved as to form by the City Attorney's Office, and reviewed and revised as appropriate by the reviewing City official; this agreement will be a form provided by the City, and will include the following terms:
 - (a) The affordability of very low, low, and moderate income housing shall be assured in a manner consistent with Government Code Section 65915(c)(1);
 - (b) An equity sharing agreement pursuant to Government Code Section 65915(c)(2) if units are converted to for sale units in the future;
 - (c) The location, dwelling unit sizes, rental cost, and number of bedrooms of the affordable units;
 - (d) A description of any bonuses and incentives, if any, provided by the City; and
 - (e) Any other terms as required to ensure implementation and compliance with this section, and the applicable sections of the density bonus law;
6. that prior to issuance of a building permit, the project applicant shall coordinate with the City to design the passive park located in the 45' x 150' portion of lot at the rear of the site off Lorton Avenue. The passive park should contain elements such as landscape trees (species and size to be determined by the City), meandering paths, boulders, seating areas, etc. The project applicant shall be responsible for preparing the plans, obtaining all necessary permits and constructing the passive park;

7. that the project applicant and its construction contractor(s) shall develop a construction management plan for review and approval by the City of Burlingame. The plan must include at least the following items and requirements to reduce, to the maximum extent feasible, traffic and parking congestion during construction:
 - a. A construction parking plan to provide worker parking off site and generally off neighborhood streets, with shuttles or other transportation as needed to transport workers to the site;
 - b. A set of comprehensive traffic control measures, including scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs if required, lane closure procedures, signs, cones for drivers, and designated construction access routes;
 - c. Identification of haul routes for movement of construction vehicles that would minimize impacts on motor vehicular, bicycle and pedestrian traffic, circulation and safety, and specifically to minimize impacts to the greatest extent possible on streets in the project area;
 - d. Notification procedures for adjacent property owners and public safety personnel regarding when major deliveries, detours, and lane closures would occur;
 - e. Provisions for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul trucks can be identified and corrected by the project applicant; and
 - f. Designation of a readily available contact person for construction activities who would be responsible for responding to any local complaints regarding traffic or parking. This coordinator would determine the cause of the complaint and, where necessary, would implement reasonable measures to correct the problem.
8. that prior to issuance of a building permit, the applicant shall apply for a tentative and final map to merger the parcels with the Public Works, Engineering Division for processing in conformance with the Subdivision Map Act;
9. that prior to issuance of a building permit for construction of the project, the project construction plans shall be modified to include a cover sheet listing all conditions of approval adopted by the Planning Commission, or City Council on appeal; which shall remain a part of all sets of approved plans throughout the construction process. Compliance with all conditions of approval is required; the conditions of approval shall not be modified or changed without the approval of the Planning Commission, or City Council on appeal;
10. that any changes to the size or envelope of the building, which would include expanding the footprint or floor area of the structure, replacing or relocating windows or changing the roof height or pitch, shall be subject to Planning Commission review (FYI or amendment to be determined by Planning staff);
11. that prior to the final framing inspection, the applicant shall pay the first half of the public facilities impact fee in the amount of \$365,442.00, made payable to the City of Burlingame and submitted to the Planning Division;
12. that prior to issuance of a certificate of occupancy, the applicant shall pay the second half of the public facilities impact fee in the amount of \$365,442.00, made payable to the City of Burlingame and submitted to the Planning Division;

13. that the project shall be constructed in accordance with the August 24, 2018 "Request for Alternate Materials or Methods of Construction" agreement between The Pacific Companies and Central County Fire Department which requires the following: a) the use of quick response sprinkler heads; b) provide two stairwells with full access to the roof from the residential ground floor; and c) provide a positive pressure system in these two stairwells for smoke control;
14. that during construction, the applicant shall provide fencing (with a fabric screen or mesh) around the project site to ensure that all construction equipment, materials and debris is kept on site;
15. that storage of construction materials and equipment on the street or in the public right-of-way shall be prohibited;
16. that if construction is done during the wet season (October 1 through April 30), that prior to October 1 the developer shall implement a winterization program to minimize the potential for erosion and polluted runoff by inspecting, maintaining and cleaning all soil erosion and sediment control prior to, during, and immediately after each storm even; stabilizing disturbed soils throughout temporary or permanent seeding, mulching matting, or tarping; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels and other chemicals;
17. that trash enclosures and dumpster areas shall be covered and protected from roof and surface drainage and that if water cannot be diverted from these areas, a self-contained drainage system shall be provided that discharges to an interceptor;
18. that this project shall comply with the state-mandated water conservation program, and a complete Irrigation Water Management and Conservation Plan together with complete landscape and irrigation plans shall be provided at the time of building permit application;
19. that all site catch basins and drainage inlets flowing to the bay shall be stenciled. All catch basins shall be protected during construction to prevent debris from entering;
20. that this proposal shall comply with all the requirements of the Tree Protection and Reforestation Ordinance adopted by the City of Burlingame in 1993 and enforced by the Parks Department; complete landscape and irrigation plans shall be submitted at the time of building permit application and the street trees will be protected during construction as required by the City Arborist;
21. that a Protected Tree Removal Permit shall be required from the City of Burlingame Parks Division to remove any existing protected size trees 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 and the street trees shall be protected during construction as required by the City Arborist;
22. that if there are any existing trees on adjacent properties abutting the project site that are determined to remain, the applicant shall have an arborist's report prepared which documents how the trees should be protected during construction; this report shall be reviewed and approved by the City Arborist and the contractor shall call for the City Arborist to inspect the protection measures installed before a building permit shall be issued;
23. that a certified arborist shall be on site during any grading or digging activities that take place within the designated tree protection zones, including the digging for the foundation and digging for removal or installation of any utilities; and that if at any time during the hand digging a root greater than 3 inches in diameter is encountered, the City Arborist shall be notified for further inspection;

24. that the applicant shall coordinate with the City of Burlingame Parks Division regarding the planting of at least two (2) Magnolia street trees along Park Road;
25. that project approvals shall be conditioned upon installation of an emergency generator to power the sump pump system; and the sump pump shall be redundant in all mechanical and electrical aspects (i.e., dual pumps, controls, level sensors, etc.). Emergency generators shall be housed so that they meet the City's noise requirement;
26. that prior to issuance of a building permit, the applicant shall prepare and submit to the Department of Public Works – Engineering Division a sanitary sewer analysis that assesses the impact of this project to determine if the additional sewage flows can be accommodated by the existing sewer line. If the analysis results in a determination that the existing sewer line requires upgrading, the applicant shall perform the necessary upgrades as determined by the Engineering Division;
27. 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;
28. that demolition or removal of the existing structures and any grading or earth moving on the site shall not occur until a building permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
29. that the applicant shall comply with Ordinance 1503, the City of Burlingame Storm Water Management and Discharge Control Ordinance;
30. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, 2016 Edition, as amended by the City of Burlingame;
31. that this project shall comply with Ordinance No. 1477, Exterior Illumination Ordinance;
32. 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;

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

33. that prior to scheduling the foundation inspection a licensed surveyor shall locate the property corners, set the building envelope;
34. that prior to underfloor frame inspection the surveyor shall certify the first floor elevation of the new structure(s) and the various surveys shall be accepted by the Building Division;
35. 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;
36. 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;

37. that the maximum elevation to the top roof parapet shall not exceed elevation 96.37', as measured from the average elevation at the top of the curb along Park Road (37.29') for a maximum height not to exceed 60'-0" to the top of the parapet; the garage finished floor elevation shall be elevation 28.69'; the top of each floor and final roof ridge shall be surveyed by a licensed surveyor who shall provide certification of that height to the Building Division; Should any framing exceed the stated elevation at any point it shall be removed or adjusted so that the final height of the structure with roof shall not exceed the maximum height shown on the approved plans;

The following conditions of approval are from Downtown Specific Plan:

38. that if subgrade structures are proposed, the project sponsor shall prepare a Geotechnical Study identifying the depth to the seasonal high water table at the project site. No permanent groundwater dewatering would be allowed. Instead, all residential uses must be elevated to above the seasonal high water table and all areas for non-residential uses shall be flood-proofed and anchored, in accordance with floodplain development requirements, to the design depth as recommended by geotechnical engineer. Final design shall be prepared by a qualified professional engineer and approved by the Burlingame Department;
39. the project sponsor shall implement all appropriate control measures from the most currently adopted air quality plan at the time of project construction;
40. the project sponsor shall ensure implementation of the following mitigation measures during project construction, in accordance with BAAQMD standard mitigation requirements:
 - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day or as necessary.
 - b. All haul trucks transporting soil, sand, or other loose material offsite shall be covered or otherwise loaded consistent with California Vehicle Code Section 23114.
 - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry sweeping is prohibited.
 - d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - e. All roadways, driveways, sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - f. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

41. the project sponsor shall implement the following Greenhouse Gas reduction measures during construction activities:
 - a. Alternative-Fueled (e.g., biodiesel, electric) construction vehicles/equipment shall make up at least 15 percent of the fleet.
 - b. Use at least 10 percent local building materials.
 - c. Recycle at least 50 percent of construction waste or demolition materials.
42. the project sponsor shall provide adequate secure bicycle parking in the plan area at a minimum ratio of 1 bicycle spot for every 20 vehicle spots;
43. the apartment management shall post and update information on alternate modes of transportation for the area (i.e. bus/shuttle schedules and stop locations, maps);
44. the project sponsor shall incorporate commercial energy efficiency measures such that energy efficiency is increased to 15% beyond 2008 title 24 standards for electricity and natural gas;
45. the project sponsor shall incorporate recycling measures and incentives such that a solid waste diversion rate of 75% is achieved upon occupation of each phase of plan development;
46. the project sponsor shall incorporate residential water efficiency measures such that water consumption is decreased by a minimum of 10 percent over current standard water demand factors;
47. that construction shall avoid the March 15 through August 31 avian nesting period to the extent feasible. If it is not feasible to avoid the nesting period, a survey for nesting birds shall be conducted by a qualified wildlife biologist no earlier than 7 days prior to construction. The area surveyed shall include all clearing/construction areas, as well as areas within 250 ft. of the boundaries of these areas, or as otherwise determined by the biologist. In the event that an active nest is discovered, clearing/construction shall be postponed within 250 ft. of the nest, until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts;
48. that for projects within the Plan Area that require excavation, a Phase I Environmental Site Assessment (and Phase II sampling, where appropriate) would be required. If the Phase I Environmental Site Assessment determines that remediation is required, the project sponsor would be required to implement all remediation and abatement work in accordance with the requirements of the Department of Toxic Substances Control (DTSC), Regional Water Quality Control Board (RWQCB), or other jurisdictional agency;
49. the following practices shall be incorporated into the construction documents to be implemented by the project contractor.
 - a. Maximize the physical separation between noise generators and noise receptors. Such separation includes, but is not limited to, the following measures:
 - Use heavy-duty mufflers for stationary equipment and barriers around particularly noisy areas of the site or around the entire site;
 - Use shields, impervious fences, or other physical sound barriers to inhibit transmission of noise to sensitive receptors;
 - Locate stationary equipment to minimize noise impacts on the community; and
 - Minimize backing movements of equipment.

- b. Use quiet construction equipment whenever possible.
 - c. Impact equipment (e.g., jack hammers and pavement breakers) shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Compressed air exhaust silencers shall be used on other equipment. Other quieter procedures, such as drilling rather than using impact equipment, shall be used whenever feasible.
50. the project sponsor shall incorporate the following practice into the construction documents to be implemented by construction contractors: The project sponsor shall require that loaded trucks and other vibration-generating equipment avoid areas of the project site that are located near existing residential uses to the maximum extent compatible with project construction goals;
51. that if the project increases sewer flows to the sanitary sewer system, the project sponsor shall coordinate with the City Engineer to determine if improvements to public sanitary sewer infrastructure are needed. If improvements are needed, the following shall apply:
- that prior to issuance of a building permit, the project sponsor shall develop a plan to facilitate sanitary sewer improvements. The plan shall include a schedule for implementing sanitary sewer upgrades that would occur within the development site and/or contribution of a fair share fee toward those improvements, as determined by the City Engineer. The plan shall be reviewed by the City Engineer.
52. that prior to issuance of a building permit, the development plans shall be reviewed by the Fire Marshal to determine if fire flow requirements would be met given the requirements of the proposed project, and the size of the existing water main(s). If the Fire Marshal determines improvements are needed for fire protection services, then the following shall apply:
- that prior to issuance of a building permit the project sponsor shall be required to provide a plan to supply adequate water supply for fire suppression to the project site, consistent with the Fire Marshal's requirements. The plan shall be reviewed by the Fire Marshal. The project sponsor shall be responsible for implementation of the plan including installation of new water mains, and/or incorporation of fire water storage tanks and booster pumps into the building design, or other measures as determined by the Fire Marshal.
53. that if evidence of an archeological site or other suspected cultural resource as defined by CEQA Guidelines Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction-related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City of Burlingame shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City of Burlingame shall consult with the archeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior's Standards for Archeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC;
54. that should a unique paleontological resource or site or unique geological feature be identified at the project construction site during any phase of construction, the project manager shall cease all construction activities at the site of the discovery and immediately notify the City of Burlingame. The project sponsor shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less-than-significant level. Work may proceed on

other parts of the project site while mitigation for paleontological resources or geologic features is carried out. The project sponsor shall be responsible for implementing any additional mitigation measures prescribed by the paleontologist and approved by the City; and

55. that if human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City of Burlingame and the County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Burlingame shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code Section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Burlingame, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

Ruben Hurin
Planning Manager

c. Chris Grant, The Pacific Companies

Attachments:

February 26, 2018 Planning Commission Minutes
Letter Summarizing Design Changes, dated November 30, 2018
Applicant's Response Letter, dated November 30, 2018
Email submitted by Jennifer Pfaff, dated February 20, 2018
Email submitted by John and Terry Meyer, dated February 23, 2018
Email submitted by Marina Franco, dated February 23, 2018
Email submitted by Greg Gurovich, dated February 24, 2018
Email submitted by Jennifer Pfaff, dated February 25, 2018
Email submitted by Bonnie Neuman, dated February 25, 2018
Application to the Planning Commission
Density Bonus Request, letter dated December 5, 2018
CityLift Specifications for Vehicle Lift System
Downtown Specific Plan Applicable Design Guidelines (reference only)
Planning Commission Resolutions (Proposed)
Notice of Public Hearing – Mailed November 30, 2018
Aerial Photo