

City of Burlingame

Environmental Review, Lot Merger, Design Review, Conditional Use Permit for Tandem Parking and Use of Mechanical Parking Stackers, and Condominium Permit for a New 6-Story, 90-Unit Residential Condominium Building.

Address: 1814-1820 Ogden Drive

Meeting Date: January 25, 2021

Request: Application for Environmental Review, Lot Merger, Design Review, Conditional Use Permit for Tandem Parking and Use of Mechanical Parking Stackers, and Condominium Permit for a New 6-Story, 90-Unit Residential Condominium Building.

Applicant and Architect: Levy Design Partners

APN: 025-121-110 & 025-110-120

Property Owner: DPT 1820 Ogden Drive LLC and 1814 Ogden LLC & Patel Family Trust

General Plan: North Burlingame Mixed Use

Zoning: NBMU (North Burlingame Mixed-Use)

Lot Area: 0.76 acres (33,336 SF)

Adjacent Development: Residential Condominiums, Senior Assisted Living, Apartments

Current Use: Office

Proposed Use: Residential Condominium Building

Allowable Use: Multi-Family Residential

Environmental Review: Environmental review of this project is required by the California Environmental Quality Act (CEQA). Based on the proposed project, it is anticipated that the project qualifies for an exemption under CEQA Guidelines Section 15332, as a Class 32 urban infill development. Section 15332 of the 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.

The applicant has provided several background technical studies required for preparation of the CEQA document. The City will be entering into a contract with an environmental consultant to prepare and document the analysis, findings, and determination that the proposed project will have been reviewed and in compliance with the CEQA, pursuant to Section 15332 of the *2016 CEQA Statute and Guidelines*. The scope of work will include analysis of potential transportation/traffic, noise, and air quality impacts. If it is determined, through the

analysis process, that additional CEQA review is required (such as an Initial Study), the scope of work will be revised accordingly.

General Plan and North Burlingame Mixed Use (NBMU) Zone Interim Standards: In January 2019, the City adopted a new General Plan and certified the Environmental Impact Report (EIR). The new General Plan includes higher densities and mixed-use zoning designations in the north end of Burlingame.

The North Burlingame Mixed Use (NBMU) zoning. The proposed project is located within the North Burlingame Mixed Use (NBMU) zone. The purpose of the NBMU Zone is to implement the General Plan North Burlingame Mixed Use designation by providing a distinct, defining area at the City's north gateway on El Camino Real, with housing and complementary commercial and office uses at urban-level intensities, and that takes advantage of the adjacent multimodal transit center. This transit-oriented development district accommodates housing at progressively higher densities based on the level of community benefits provided, with the goal of ensuring that new development adds value for all in the City.

Project Summary: The project site is composed of two separate parcels on the east side of Ogden Drive between Garden Drive and Trousdale Drive, toward the south end of the block closest to Trousdale Drive. The site at 1814 Ogden Drive currently contains a one-story office building, and 1820 Ogden Drive contains a three-story office building, with parking on the ground floor and two floors of office uses above, consisting primarily of medical offices. The combined site will total 33,336 SF. Immediately north (left) of the project site is a four-story, residential 45-unit condominium building that was constructed in 2012. On the south (right) side is the four-story, Sunrise Senior Living Facility. Across the street (west) of the project site, are two to four-story apartment buildings. The Millbrae Caltrain station is located 0.45 miles east, across El Camino and the BART station (Millbrae multimodal station) is located just beyond the Caltrain station, just over a half a mile (0.60 miles) from the project site.

The applicant is proposing to demolish the existing buildings, merge the two parcels into one parcel and construct a new 6-story, 90-unit residential condominium building. The project would include 20 studio units (22% of total units), 15 one-bedroom units (17%) and 55 two-bedroom units (61%) totaling 82,748 net square feet (124,719 gross square feet including the parking levels & lobby). Five units (5% of total units) would be below market rate (BMR) for low income households that do not exceed 80% of the average median income (AMI). The studio units would range in size from 377 to 442 square feet, the one-bedroom units would range from 67 to 744 square feet, and the two-bedroom units would range from 1,348 square feet to 1,488 square feet.

The overall height would be approximately 72 feet to the top of the parapet and 76 feet to the top of the elevator/stair penthouses. The project would provide a total of 145 on-site parking spaces located in two levels of parking, one at grade and one below grade; 44 of the 145 spaces would be provided in a tandem configuration and 66 parking spaces would be provided in puzzle stackers. Code Section 25.40.50 (D) allows the use of parking stackers or mechanical systems with approval of a Conditional Use Permit; tandem parking is proposed and is considered to be a similar alternative to the mechanical parking with approval of a Conditional Use Permit.

The NBMU zoning includes "tiered" development standards requiring community benefits to be included in projects in order to achieve the highest residential densities and building heights. The applicant has elected to develop consistent with "Tier 3" standards, which is the highest tier. Projects using Tier 3 standards shall provide at least three community benefits (see Community Benefits section in staff report for additional information). Planning staff has determined that the proposed project complies with the Tier 3 development standards.

The following applications are requested for this project:

- Environmental Review in accordance with CEQA;

- Lot Merger and Tentative Map for Condominiums;
- Design Review for construction of a new 6-story, 90-unit residential condominium development (C.S. 25.40.020);
- Conditional Use Permit for tandem parking and use of mechanical puzzle stackers (C.S. 25.40.050)(D);
- Approval of Community Benefits Bonuses for a Tier 3 project (C.S. 25.40.030(B)(3); and
- Condominium Permit for 90-unit residential condominium development (C.S. 26.30.020).

The following table provides a summary of the project's compliance with the NBMU Zoning Standards.

1814-1820 Ogden Drive

Lot Area: 33,336 SF (0.76 acres)

Plans date stamped: December 7, 2020

	Proposed	Tier 3 Projects Maximum Allowed/ Minimum Required
Density – Residential Units:	117 du/ac ¹ 90 units	140 du/ac 107 units
Building Height:	6 stories 72'-1" to top of parapet 76' to top of penthouses	7 stories 75'-0"
Front Setback:	15'-0"	0' – 10' (with at least 40 % of structure located at streetscape frontage line per Table 25.40-3)
Side Setback:	10'-0"	10'-0"
Rear Setback:	15'-0"	15'-0"
Lot Coverage:	70.7% 23,583 SF	80% 26,669 SF

¹ Tier 3 project requested (C.S. 25.40.030(B)(3))

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1814-1820 Ogden Drive

<p>Open Space and Landscaping:</p>	<p>COMMON</p> <p>3,275 SF – plaza 3,324 SF – rear yard <u>3,250 SF – podium</u> 9,849 SF – total common open space</p> <p>PRIVATE</p> <p>51 units with 50+ SF of private open space = 2,550 SF total private open space</p> <p>39 units with 100+ SF of private open space = 3,900 SF total private open space <u>6,450 SF total private open space</u></p> <p>TOTAL = 16,299 SF COMBINED COMMON/PRIVATE OPEN SPACE</p>	<p>12,000 SF total required (100 SF per unit)</p>
<p>Landscape Coverage:</p>	<p>17% of site 5,669 SF</p>	<p>10% of site 3,333 SF</p>
<p>Public Plaza:</p>	<p>3,275 SF</p>	<p>2,000 SF</p>
<p>Number of Parking Spaces:</p>	<p>145 spaces² (66 puzzle / 44 tandem)</p> <p><u>Basement Level</u> 19 Unistall (includes 5 EV & Clean Air) 42 Tandem * 61 spaces</p> <p><u>First Level</u> 66 puzzle stackers* 7 ADA (includes 1 EV) 9 Unistall 2 Tandem 84 spaces</p>	<p>20 - Studio units x 1.0 = 20 spaces 15 - 1 bdr units x 1.0 = 15 spaces <u>55 - 2 bdr units x 1.5 = 82.5 spaces</u> Total - 117.5 spaces</p> <p>TOTAL 118 SPACES REQUIRED</p>
<p>Parking Stall Dimensions:</p>	<p>8'-6" x 17'-0"</p>	<p>8'-6" x 17'-0"</p>
<p>Aisle Dimensions:</p>	<p>20'- 24'-0"</p>	<p>24'-0" for 90-degree parking</p>

² Code Section 25.40.050(D) requires approval of a Conditional Use Permit for utilization of stackers or mechanical systems in the NBMU zone; tandem parking is consider an equivalent.

1814-1820 Ogden Drive

Driveway Width:	21'-0" off of Ogden Drive 20'-0" entrance ramp	Parking areas with more than 30 vehicle spaces shall have two 12'-0" wide driveways or one 18'-0" wide driveway
Bicycle Parking:	50 spaces in garage (20 –basement level) (30-ground level) 6 guest – in plaza	45 resident (0.5 spaces/unit) 5 guest (0.05 spaces/unit)
Electric Vehicle Charging Stalls:	6 spaces (5% of all spaces)	6 spaces (5% of all spaces)

Staff Comments: See attached.

Design Review: The materials proposed for the exterior of the building include cement plaster, metal panels, horizontal composite siding, composite board panels (rain screen) and exposed concrete columns. The building would also include aluminum windows, aluminum storefront glazing, aluminum sunshades and architectural projections. Balconies throughout the building would be enclosed with glass railing. Please refer to the rendering and building elevations on sheets A3.0 through A3.2 for additional information.

The purpose of this design review study meeting is to provide initial comments on design elements as they relate to the proposed project. 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.

Community Benefits: To provide an incentive for development, and in partnership with the City to provide community benefits that would not otherwise be created, the Planning Commission may grant increased FAR, density, and/or height in return for provision of specific community benefits, if doing so is in the City’s interest

and would help implement the General Plan and further, if these benefits cannot be realized without granting increased FAR, height, and/or density. The NBMU zoning includes “tiered” development standards requiring community benefits to be included in projects in order to achieve the highest residential densities and building heights.

The developer has elected to develop this project consistent with Tier 3 development standards. The Planning Commission approval is required for Tier 3 projects if it is determined that the project includes at least three community benefits; at least one of the community benefits must be an affordable and workforce housing objective. The developer is proposing to provide the following three community benefits (a minimum of three are required):

- Affordable Housing – Section 25.40.030(B)(4)(a)(i) - The project would include 5% (5 units) below-market rate units for affordable low income households (80% of San Mateo County’s Area Median Income (AMI)) for 55 years. The 2021 San Mateo County Income Limits have not yet been released, so we will reference the 2020 San Mateo County Income Limits; for low income is a maximum of \$97,440 for a single-person household, a maximum of \$111,360 for a two-person household, a maximum of \$125,280 for a three-person household, and maximum of \$139,200 for a four-person household (see attached San Mateo County 2020 income limits).
- Public Plaza Beyond Minimum – Section 25.40.030(B)(4)(c) - The project includes an approximately 3,275 square-foot publicly accessible plaza, well in excess of the 2,000 square-foot minimum. The public plaza would include trees, landscaping, seat walls and planters, trash and recycling receptacles, lighting and bike racks. The space would be owned, operated and maintained by the developer or property manager.
- Zero Net Energy - Section 25.40.030(B)(4)(l) – The code provides a community benefit option for the project to provide one hundred (100) percent of the total building energy load, measured as kilowatt per square foot, through solar panels, wind turbines, or other renewable sources. The applicant will be providing a memorandum of their commitment to provide 100% of total building energy load (net zero) through an arrangement of providing power to the entire building via Peninsula Clean Energy’s (PCE) ECO 100 program. The ECO 100 program through PCE is an opt-up program option that uses 100% renewable energy.

Landscaping: Proposed landscaping throughout the site is shown on the Landscape Plans (sheets L1.1 through L3.3). The NBMU zoning standards require that for Tier 3 projects that 10% of the site be landscaped. In addition, the NBMU zoning requires that at least 60% of the required front and street side setbacks be landscaped to provide a transitions to the sidewalk. The project proposes 17% site landscaping with 60% landscaping in the front setback and therefore complies with the landscaping requirements. Landscaping is provided throughout the site, including in the public plaza, along the sides within the 10-foot setback, at the rear and on the podium open space.

The proposed project includes seven (7) new trees with four (4) 24-inch box Crape Myrtle trees and three (3) 24-inch box Indian Hawthorne trees along Ogden Drive. In addition, the planters in the public plaza along Ogden Drive and on the podium open space would also include trees and shrubs as detailed in the planting list on sheets L3.1, L 3.2 and L3.3.

Off-Street Parking: Parking requirements are based on the number of bedrooms proposed per unit for the residential portion of the project. The NBMU zoning standards, Code Section 25.40.050, provides reduced residential parking standards given the proximity of this zoning district to the Millbrae multimodal transit station. In the NBMU District, the minimum parking requirement is 1 space for each studio or one-bedroom unit and 1.5 spaces for each two-bedroom unit; no guest parking is required. The proposed project includes 20 studio units, 15 one-bedroom units and 55 two-bedroom units, and therefore requires a total of 118 spaces for the proposed condominium building.

The project would meet the on-site parking requirement with a total of 145 on-site parking spaces provided, 44 of which are provided in a tandem configuration and 66 of which are to be provided in the form of mechanical puzzle stackers. Zoning Code Section 25.08.647 defines tandem parking as the parking of one vehicle behind another. The application for entitlements includes a request for a Conditional Use Permit for approval of the tandem parking configuration and for the use of mechanical puzzle stacker parking that is proposed for this project to meet the on-site parking requirement. Code Section 25.40.50 (D) allows the use of parking stackers or mechanical systems with approval of a Conditional Use Permit; tandem parking is proposed as well and is also considered to be a similar alternative to mechanical parking with approval of a Conditional Use Permit.

The site would be accessed by way of a 21-foot wide two-way driveway on the southern edge of the property, along Ogden Drive. The parking would be located in two levels; one level would be at grade level within the building and one level would be below grade.

The parking spaces would all be "unistall" size at 8'-6" wide by 18'-0" deep as permitted by Code Section 25.39.040(B). The at-grade parking located at street level, behind the community room space and lobby would provide 84 parking spaces. These would include 66 puzzle stacker spaces, seven (7) disabled-accessible spaces, nine (9) independently accessible spaces and two (2) tandem spaces. The basement level would include 61 parking spaces with 42 tandem spaces and 19 unistall spaces. The NBMU zoning standards require that 5% (6 spaces) of all parking spaces be prepared for electric vehicle (EV) charging equipment; the proposed project complies with this requirement with 6 EV spaces (5%) included on-site.

The NBMU zoning standards require 0.5 bicycle parking spaces per unit for residents and 0.05 spaces per unit of bicycle parking for guest bicycle, which equates to 45 bicycle parking spaces for residents and five (5) bicycle parking spaces for guests. There would be 50 bicycle parking spaces provided for residents, with 20 bicycle parking spaces on the basement level and 30 on the ground floor level, within the building. The project also includes six (6) guest bicycle parking spaces to be provided in front of the building in the public plaza.

Development / Impact Fees:

North Burlingame/ Rollins Road Development Fee

Development fees for projects in the North Burlingame/Rollins Road Specific Plan are subject to a fee of \$0.63 per square foot for multifamily. The fees are calculated based on the fee schedule in effect *at the time the building permit is issued*, with half of the fees required at permit issuance and half due prior to the framing inspection. The North Burlingame/Rollins Road Development fee is estimated to be \$48,630.33.

Residential Linkage Fees – Not Applicable

The City Council adopted Residential Linkage Fees on April 1, 2019. The proposed project is subject to the fees based on the formula set forth in Code Section 25.82 which sets the fees based on the dwelling units per acre, with different rates for prevailing wage and non-prevailing wage for labor used for the construction of the project. However, because the project would include 5% of the units as low income BMR units, as per Code Section 25.82.070(a), the fee is not required as the units would be provided on-site. The code states that if a project mitigates affordable housing impacts through the construction of affordable units on site with a guarantee of affordability for a period of 55 years, then the impacts of residential development on the need for affordable housing shall be deemed mitigated. The applicant is proposing 5% of the residential units as low income BMR units, therefore the Planning Commission may approve the provision of affordable units on site, consistent with the requirements set forth in subsection (b), as part of the review of the project, which would eliminate the requirement to pay the Residential Linkage Fee as five (5%) low income BMR units would be provided on-site.

Public Facilities Impact Fees

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 90-unit condominium development, the required public facilities impact fees for this development project are estimated to be \$398,880.00. This however does not include a credit for the existing office uses located on the two parcels, with a one-story and a three-story office building totaling 15,735 SF, which would provide a \$47,429.70 credit. The Public Impact Fees, with the credit applied, would be \$351,450.30.

Planning Commission Action: The Planning Commission should comment on the proposed design of the project as required by Chapter 25.57 of the Zoning Ordinance, Design Review. 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.

Planning Commission Action:

1. **Environmental Scoping:** As the first discussion item, the Planning Commission should review and take public comment on the proposed project and the areas of potential environmental effects as listed in the staff report. The Commission should add any additional effects of the project that it believes should be addressed in the CEQA document. The areas of investigation for environmental evaluation as defined by CEQA are listed in the attached Initial Study Checklist for your reference.

Because a CEQA document is being prepared for this project, it is important that any changes to the building envelope be made early enough in the process so that any changes are reflected in the environmental review.

2. **Design Review Study:** As the second discussion item, the Planning Commission should comment on the design of the project as required by Chapter 25.57 of the Zoning Ordinance, Design Review. 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 consideration of the Design Review criteria provided above (page 8).

Catherine Keylon
Senior Planner

- c. Levy Design Partners, applicant and architect
DPT 1820 Ogden Drive LLC and 1814 Ogden LLC & Patel Family Trust, property owners

Attachments:

NBMU Zoning Map
Application to the Planning Commission
Project Summary, dated August 7, 2020
NBMU Project Summary Checklist
Conditional Use Permit Application - Tandem Parking and Mechanical Puzzle Stackers – C.S. 25.40.050(D)
San Mateo County Income Limits 2020
Notice of Public Hearing – Mailed January 15, 2021
Area Map