

Letters – Public Agencies & Residents

- Comments Submitted by Agencies on Notice of Preparation of Draft EIR
 - C/CAG, July 13, 2020
 - Native American Heritage Commission, July 13, 2020
 - Department of Fish and Wildlife, August 4, 2020
 - Department of Transportation, August 10, 2020

- Letters of Concern from Residents
 - G. Velez, August 17, 2019
 - G. Velez, November 13, 2019
 - G. Velez, January 4, 2020
 - C. Voytan November 11, 2019
 - J.H. Fullen, dated January 10, 2021

C/CAG

CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY

Atherton • Belmont • Brisbane • Burlingame • Colma • Daly City • East Palo Alto • Foster City • Half Moon Bay • Hillsborough • Menlo Park • Millbrae • Pacifica • Portola Valley • Redwood City • San Bruno • San Carlos • San Mateo • San Mateo County • South San Francisco • Woodside

July 13, 2020

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

RE: C/CAG Airport Land Use Committee Staff Comments - Notice of Preparation for the Proposed 1868 - 1870 Ogden Drive Project in Burlingame.

Dear Ms. Keylon,

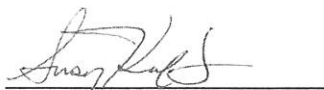
In response to your notice on the above matter, C/CAG Airport Land Use Committee staff offers the following input for your consideration:

- The project site is located within Area B of the Airport Influence Area (AIA) boundary for San Francisco International Airport. Accordingly, the DEIR should discuss potential impacts related to the noise, height/airspace protection, safety and overflight compatibility criteria and policies contained in the 2012 Comprehensive Airport Land Use Compatibility Plan for the Environs of San Francisco International Airport (SFO ALUCP).

Please also note that since the City of Burlingame has not submitted its Zoning Ordinance to the ALUC for consistency review to ensure compatibility with the 2012 SFO ALUCP, in accordance with SFO ALUCP Policy GP-10-1, the project will be subject to formal review by the C/CAG Airport Land Use Committee (ALUC) and C/CAG, acting as the Airport Land Use Commission, for a determination of consistency with the SFO ALUCP prior to local agency action on the project.

Thank you for the opportunity to review and comment on this NOP. If you have any questions, please contact me at kkalkin@smcgov.org.

Sincerely,



Susy Kalkin
ALUC Staff



NATIVE AMERICAN HERITAGE COMMISSION

July 13, 2020

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

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[Vacant]

EXECUTIVE SECRETARY
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Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: 2020070230, 1868 Ogden Drive Project, San Mateo County

Dear Ms. Keylon:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:

A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
- c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
- e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
- f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,



Nancy Gonzalez-Lopez
Cultural Resources Analyst

cc: State Clearinghouse



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



August 4, 2020

Ms. Catherine Keylon, Senior Planner
City of Burlingame
Planning Division
501 Primrose Road
Burlingame, CA 94010
ckeylon@burlingame.org

Subject: 1868 Ogden Drive Project, Notice of Preparation, SCH No. 2020070230,
City of Burlingame, San Mateo County

Dear Ms. Keylon:

California Department of Fish and Wildlife (CDFW) personnel have reviewed the Notice of Preparation (NOP) for the 1868 Ogden Drive Project (Project). CDFW is submitting comments on the NOP to inform the City of Burlingame, as the Lead Agency, of our concerns regarding potentially significant impacts to biological resources associated with the proposed Project.

CDFW is a Trustee Agency with responsibility under the California Environmental Quality Act (CEQA; Pub. Resources Code, § 21000 et seq.) pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources (e.g., biological resources). CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), the Native Plant Protection Act, the Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

PROJECT LOCATION

The Project is located on a single parcel located on the east side of Ogden Drive at the cross streets of Ogden Drive and Murchison Drive in northern Burlingame, San Mateo County.

The Project site is bounded by urban development, which includes office buildings, parking lots, a residential apartment building, and Mills High School.

PROJECT DESCRIPTION

The proposed Project includes the removal of all existing infrastructure and features within the Project site, including a one-story office building, to construct a six-story residential building with 120 residential units and a 150-parking space parking structure.

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COMMENTS

CDFW offers the following comments and recommendations to assist the City of Burlingame in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on biological resources.

COMMENT 1: Artificial Lighting

Issue: The Project could increase artificial lighting. Artificial lighting often results in light pollution, which has the potential to significantly and adversely affect biological resources.

Evidence the impact would be significant: Night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication (e.g., bird song; Miller 2006), determining when to begin foraging (Stone et al. 2009), behavior thermoregulation (Beiswenger 1977), and migration (Longcore and Rich 2004). Aquatic species can also be affected, for example, salmonids migration can be slowed or stopped by the presence of artificial lighting (Tabor et al. 2004, Nightingale et al. 2006).

Recommendations to minimize significant impacts: CDFW recommends eliminating all non-essential artificial lighting. If artificial lighting is necessary, CDFW recommends avoiding or limiting the use of artificial lights during the hours of dawn and dusk, when many wildlife species are most active. CDFW also recommends that outdoor lighting be shielded, cast downward, and does not spill over onto other properties or upwards into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>).

COMMENT 2: Exterior Windows

Issue: The glass used for exterior building windows could result in bird collisions, which can cause bird injury and mortality.

Evidence the impact would be significant: Birds, typically, do not see clear or reflective glass, and can collide with glass (e.g., windows) that reflect surrounding landscape and/or habitat features (Klem and Saenger 2013, Sheppard 2019). When birds collide with glass, they can be injured or killed. In the United States, the estimated annual bird mortality is between 365-988 million birds (Loss et al. 2014).

Recommendations to minimize significant impacts: CDFW recommends incorporating visual signals or cues to exterior windows to prevent bird collisions. Visual signals or cues include, but are not limited to, patterns to break up reflective areas, external window films and coverings, ultraviolet patterned glass, and screens. For best practices on how to reduce bird collisions with windows, please go to the United States

Ms. Catherine Keylon
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Fish and Wildlife Service's website for Buildings and Glass
(<https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/collisions/buildings-and-glass.php>).

COMMENT 3: Nesting Birds

Issue: Project construction could result in disturbance of nesting birds.

Evidence the impact would be significant: Noise can impact bird behavior by masking signals used for bird communication, mating, and hunting (Bottalico et al. 2015). Birds hearing can also be damaged from noise and impair the ability of birds to find or attract a mate and prevent parents from hearing calling young (Ortega 2012).

Recommendations to minimize significant impacts: If ground-disturbing or vegetation-disturbing activities occur during the bird breeding season (February through early-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of Fish and Game Codes.

To evaluate and avoid for potential impacts to nesting bird species, CDFW recommends incorporating the following mitigation measures into the Project's draft Environmental Impact Report, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 1: Nesting Bird Surveys

To maximize the probability that nests are detected, CDFW recommends that a qualified avian biologist conduct pre-Project activity nesting bird surveys no more than seven days prior to the start of ground or vegetation disturbance and if there is a lapse of four days or more between construction, CDFW recommends that nesting bird surveys cover a sufficient area around the Project area to identify nests and determine their status. A sufficient area means any area potentially affected by the Project.

During nesting bird surveys, CDFW recommends that a qualified avian biologist establish behavioral baseline of all identified nests. During Project activities, CDFW recommends having the qualified avian biologist continuously monitor nests to detect behavioral changes resulting from Project activities. If behavioral changes occur, CDFW recommends stopping the activity, that is causing the behavioral change, and consulting with a qualified avian biologist on additional avoidance and minimization measures.

Recommended Mitigation Measure 2: Nesting Bird Buffers

During Project activities, if continuous monitoring of nests by a qualified avian biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of

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250 feet around active nests of non-listed bird species and a 1,000-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified avian biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the Project area would be concealed from a nest site by topography. CDFW recommends that a qualified avian biologist advise and support any variance from these buffers.

FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code section 711.4; Pub. Resources Code, section 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

Thank you for the opportunity to comment on the Project's NOP. If you have any questions regarding this letter or for further coordination with CDFW, please contact Ms. Monica Oey, Environmental Scientist at (707) 428-2088 or monica.oey@wildlife.ca.gov; or Ms. Randi Adair, Senior Environmental Scientist (Supervisory), at randi.adair@wildlife.ca.gov.

Sincerely,

DocuSigned by:

BE74D4C93C604EA...
Gregg Erickson
Regional Manager
Bay Delta Region

cc: State Clearinghouse

REFERENCES

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August 4, 2020
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DEPARTMENT OF TRANSPORTATION

DISTRICT 4
OFFICE OF TRANSIT AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D
OAKLAND, CA 94623-0660
PHONE (510) 286-5528
TTY 711
www.dot.ca.gov



*Making Conservation
a California Way of Life.*

August 10, 2020

SCH #2020070230
GTS # 04-SM-2020-0326
GTS ID: 19952
SM/82/15.74

Catherine Keylon, Senior Planner
City of Burlingame
Planning Division
501 Primrose Rd
Burlingame, CA 94010

1868, 1870 Ogden Drive – Notice of Preparation (NOP)

Dear Catherine Keylon:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the 1868, 1870 Ogden Drive Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the July 2020 NOP.

Project Understanding

The proposed project would demolish current site features. The project would include construction of a six-story, 69-foot-high residential building with 120 residential units and with 150 parking spaces located at two levels (one below-grade and one at-grade). The residential units would include 35 studio units, 30 one-bedroom units, and 55 two-bedroom units. Six of these residential units would be below market rate (BMR) units. The project would include 150 parking tandem spaces and 81 bicycle parking spaces for residents and 12 bicycle parking spaces for guests. Access to the site is from State Route (SR)- 82, approximately 0.3 miles from proposed project site.

Travel Demand Analysis

Please note that a travel demand analysis that provides a Vehicle Miles Traveled (VMT) analysis will be required as part of the California Environmental Quality Act

(CEQA) process.) With the enactment of Senate Bill (SB) 743, Caltrans is focusing on transportation infrastructure that supports smart growth and efficient development to ensure alignment with State policies using efficient development patterns, innovative travel demand reduction strategies, multimodal improvements, and VMT as the primary transportation impact metric. The travel demand analysis should include:

- VMT analysis pursuant to the Office of Planning and Research's Guidelines. Projects that result in automobile VMT per capita above the threshold of significance for existing (i.e. baseline) city-wide or regional values for similar land use types may indicate a significant impact. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.
- A schematic illustration of walking, biking and auto conditions at the project site and study area roadways. Potential safety issues for all road users should be identified and fully mitigated.
- The project's primary and secondary effects on pedestrians, bicycles, travelers with disabilities and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.

Additionally, please clarify whether the project is located in a Transit Priority Area. As well, please provide the Floor Area Ratio of the project.

Vehicle Trip Reduction

From Caltrans' *Smart Mobility 2010: A Call to Action for the New Decade*, the project site is identified as **Place Type 2a: Close-in Centers** where location efficiency factors, such as community design, and regional accessibility are moderately strong. Given the place, type and size of the project, it should include a robust Transportation Demand Management (TDM) Program to reduce VMT and greenhouse gas emissions. Such measures are critical to facilitating efficient site access. The measures listed below can promote smart mobility and reduce regional VMT.

- Project design to encourage walking, bicycling and transit access;

- Transit and trip planning resources such as a commute information kiosk;
- Ten percent vehicle parking reductions;
- Charging stations and designated parking spaces for electric vehicles;
- Carpool and clean-fuel parking spaces;
- Designated parking spaces for a car share program;
- Unbundled parking;
- Secured bicycle storage facilities;
- Bicycle route mapping resources;
- Bicycle repair facilities;
- Participation/Formation in/of a Transportation Management Association (TMA) in partnership with other developments in the area; and
- Aggressive trip reduction targets with Lead Agency monitoring and enforcement.

Transportation Demand Management programs should be documented with annual monitoring reports by a TDM coordinator to demonstrate effectiveness. If the project does not achieve the VMT reduction goals, the reports should also include next steps to take in order to achieve those targets. Also, reducing parking supply can encourage active forms of transportation, reduce regional VMT, and lessen future transportation impacts on State facilities.

For additional TDM options, please refer to the Federal Highway Administration's *Integrating Demand Management into the Transportation Planning Process: A Desk Reference* (Chapter 8). The reference is available online at: <http://www.ops.fhwa.dot.gov/publications/fhwahop12035/fhwahop12035.pdf>.

Multimodal, Bicycle and Pedestrian Planning

The project's primary and secondary effects on pedestrians, bicyclists, travelers with disabilities, and transit users should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access for pedestrians and bicyclists to transit facilities must be maintained. The proposed project exhibits strong locational connections to bicycle and transit networks, including Caltrain, bicycle trails, and connections to major employment centers. The inclusion of well-marked, well-connected bicycle/pedestrian facilities can encourage mode shift here. These smart growth approaches, given the project location and adequate TDM measures, should be consistent with MTC's Regional Transportation Plan/SCS and would help meet Caltrans Strategic Management Plan targets.

Transportation Impact Fees

The City of Burlingame should identify project-generated travel demand and estimate the costs of transit and active transportation improvements necessitated by the proposed project; viable funding sources such as the City's existing development and/or transportation impact fee programs should also be identified. We encourage a sufficient allocation of fair share contributions toward multimodal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT.

Lead Agency

As the Lead Agency, the City of Burlingame is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Laurel Sears at laurel.sears@dot.ca.gov. Additionally, for future notifications and requests for review of new projects, please contact LDIGR-D4@dot.ca.gov.

Sincerely,



Mark Leong
District Branch Chief
Local Development - Intergovernmental Review

cc: State Clearinghouse

**11.12.19 Meeting
Item 9C
1868-1870 Ogden Drive
Page 1 of 1**

*COMMUNICATION RECEIVED
AFTER PREPARATION
OF STAFF REPORT*

RECEIVED
AUG 20 2019
CITY OF BURLINGAME
CDD – PLANNING DIV.

From: Gloria [REDACTED] [bcglobal.net]
Sent: Saturday, August 17, 2019 2:34 PM
To: GRP-Planning Commissioners <PlanningCommissioners@burlingame.org>
Subject: New Condos Proposed in Burlingame

To Whom It May Concern:

I just became aware of the condo project after reading an article in the Daily Journal and finding an architect's rendering online.

I have lived in the same neighborhood of the proposed site for almost 20 years and during that time, because of new construction, have seen the street parking dwindle. This phenomena began with the construction of the Sunrise Living facility. While there is underground parking on the site, employees are not allowed to use it. They must park on the street. It continued with the condos that were built at 1838 Ogden Dr. which is also a project of Mr. Lo. The structure does have two floors of underground parking but street parking continued to dwindle. Now with this new project, I suspect that the parking dilemma will increase.

I do not share your enthusiasm for the project. In addition to the parking dilemma, the structure does not fit in with the current height of most of the apartment buildings in this area which are three stories. Mr. Lo's first set of condominiums are four stories and now this proposed structure will be six stories blocking the view of those living on the third floor in surrounding buildings.

An additional point to mention is that of the planned 120 units, only six will be set aside at an affordable rate. Does that mean that the rest will be priced out of a middle class range?

Mention was made of a ground floor reserved for community gatherings. This is a quiet, residential area. Your plan would draw strangers to the site. I also question where they would park as there is little to none on the street. Any spaces that would be used would be taken from the local residents. I feel that community gatherings would be more successful at locations like the public library. I am also unclear as to the use of the public plaza to be built at the front of the building. I am sure that possible residents who would buy a unit near the public plaza would not appreciate the noise that might be generated from the activities. Again, I do not understand the reasoning behind the concept.

It is unfortunate that a recent amendment of the Burlingame master planning document loosened development regulations in certain portions of the city, specifically this area.

Have there been any town hall meetings regarding the above project as there have been with the Wellness Community of the Peninsula Health Care District? They are listening to the residents and have made changes due to their concerns. If not, I encourage you to do so.

Respectfully submitted,
Gloria Velez
Burlingame Resident

From: [CD/PLG-Ruben Hurin](#)
To: [CD/PLG-Catherine Keylon](#)
Cc: [CD/PLG-Kevin Gardiner](#)
Subject: FW: New Condos Proposed in Burlingame
Date: Tuesday, August 20, 2019 8:27:15 AM

Catherine,

Please add email below to 1868 Ogden Drive file and include when project is reviewed by PC.

Thanks,

Ruben

Ruben Hurin

Planning Manager
City of Burlingame
Community Development Department – Planning Division
Tel. 650.558.7256 | rhurin@burlingame.org

From: Gloria Velez [<mailto:gloriajvelez@sbcglobal.net>]
Sent: Saturday, August 17, 2019 2:34 PM
To: GRP-Planning Commissioners <PlanningCommissioners@burlingame.org>
Subject: New Condos Proposed in Burlingame

To Whom It May Concern:

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Have there been any town hall meetings regarding the above project as there have been with the Wellness Community of the Peninsula Health Care District? They are listening to the residents and have made changes due to their concerns. If not, I encourage you to do so.

Respectfully submitted,
Gloria Velez
Burlingame Resident

From: Gloria Velez
To: CD/PLG-Catherine Keylon
Subject: Housing projects in N. Burlingame
Date: Monday, January 4, 2021 5:57:24 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello, Ms. Keylon. Toward the beginning last year I had read an article from the Daily Journal regarding a housing project to be built on Ogden Drive in Burlingame. I became quite concerned as it is going to affect my neighborhood. I was able to have a conversation with you about my concerns and even sent you a letter outlining those concerns to be presented to the planning commission. My name is Gloria Thompson de Velez.

You can probably imagine that if I had concerns then, they have doubled with the news in the Daily Journal article of mid December 2020. Two additional properties will be purchased. That will be a total of 120 condominiums at the 1868 Ogden location and 210 units (apartments or condominiums???) between the 1820 and 1814 Ogden properties. The total is 330 units.

As you well know, the area directly across the street on Ogden and Sequoia which runs parallel to Ogden is a quiet residential area with apartments, condominiums and single family dwellings. When the proposed structures are built, the dynamic of the area will change dramatically for the worse for the current residents. Currently, there is little to no parking at night and only a few spaces open during the day. Some of those spaces are used by employees of the two assisted living facilities in the area (on-site parking is not allowed) as well as residents of the 1848 condominiums. The parking available at the 1848 address does not seem to be enough.

Plans are in progress for a community center at the 1868 location. Where will visitors park for the events? Residents might not be in agreement with the fact that there will be strangers milling about.

Even though parking will be built into the structures, it will not be enough. If both parents plus an adult senior or student have cars, the spaces will dwindle.

If residents plan on using Caltrains or BART, they will, no doubt, walk to those means of transportation leaving their cars behind possibly in the street.

While the city of Burlingame seems to be pleased with the proposed plans to offer more housing in the area, I would like to know what the specific benefits would be to current residents? Currently, none come to mind.

I have lived in this area for close to 20 years and do not welcome the abovementioned changes.

I would appreciate a response to my question regarding what the specific benefits would be to current residents.

Thank you for your attention to this matter.

Gloria J. Thompson de Velez
415-XXXXXXXXXX

11.12.19 Meeting
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1868-1870 Ogden Drive
Page 1 of 2

*COMMUNICATION RECEIVED
AFTER PREPARATION
OF STAFF REPORT*

RECEIVED
NOV 12 2019
CITY OF BURLINGAME
CDD – PLANNING DIV.

From: Chuck Voytan [REDACTED]
Sent: Monday, November 11, 2019 3:25 PM
To: Burlingame Planning Dept <planningdept@burlingame.org>; CD/PLG-Catherine Keylon <ckeylon@burlingame.org>
Subject: Please include this in the record for the planning meeting on Nov. 12 2019

Design Review Study 025-121-190
1868-1870 Ogden Drive

This project would result in significant impacts to traffic and noise. Therefore an exemption under CEQA Guidelines Section 15332 is questionable

No mention is made as to the independence of the environmental consultant who will prepare and document the analysis, findings and determination that the proposed project will be in compliance. Despite the hiring authority vested with the city, if that consultant has had material dealings with the Applicant and Architect and/or property owner, independence is tainted. It would be preferable if the consultant were hired outside of the immediate business areas of both the Applicant/Architect and/or property owner.

The General Plan adopted in 2019 is flawed in its conclusion that higher densities and mixed use zoning designation in the north end of Burlingame are appropriate.

It's not clear who the consultant team is. Is it the applicant / architect? It's apparent that staff have not had the required time to prepare the Zoning Ordinance Update based on a flawed General Plan adopted in 2019. Staff needs to update the zoning ordinance, independently.

Despite the proximity of the Millbrae multimodal station, there are no defined bike paths from and to the station. There are no traffic lights at Murchison and Ogden nor at Trousdale and Ogden to deal with the increased traffic. In the event of a local disaster, traffic would come to a grid lock.

There is no specific instance cited in the document supporting how tandem parking has been considered a similar alternative to mechanical parking.

Despite meeting Tier 3 standards, the absence of available parking on Ogden for guests of existing residences significantly detracts from community benefits. What good is a cultural Arts Space if there is no parking available?

The document does not address whether the 6 new Crape Myrtle trees are drought tolerant.

One hundred and fifty spaces is not enough parking and is based on an **interim** zoning standard. Realistically, one could expect 2 cars for a two bedroom unit . Where are guests going to park as there is no requirement for guest parking? At a minimum, 175 parking spaces are needed. Where are the additional 27 cars going park on Ogden as there is no more parking available?

Guest bicycles are allocated space whereas guest cars are not. That is simply not realistic despite an interim ordinance. There is no study cited as to the number of bicycles travelling on Ogden per day.

There is no indication as to what the credit offset would be and under what circumstances.

Six units are going to waive a 3 million dollar linkage fee. That's not a bad return on investment (ROI) for the development; however, 6 units will do little to address the housing crisis in the Bay Area.

There is no parking on Ogden; nor is there room for an additional 27 cars parked on the street.

Unless the City of Burlingame enforces residential parking permits, provides for defined parking spaces on Ogden and furnishes street lights at both Ogden / Trousdale and Ogden / Murchison, the impact will be negative on existing condominium owners.

Charles Voytan

From: John Henry Fullen
To: CD/PLG-Catherine Keylon
Subject: 1868 - 1870 Ogden Drive
Date: Sunday, January 10, 2021 9:02:12 PM

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Ms. Keylon,

As a resident of the neighborhood living at 1█ Garden Dr, Burlingame, CA 94010, I would like to offer full support for the proposed 1868-1870 condo development. I appreciate the efforts of the City to add more housing, especially in walking distance from BART / CalTrain.

I would only urge the City to encourage the developer to add additional units, since 6 floors is woefully inadequate given the location near mass transit.

In addition, it might be an opportunity to partner with the San Mateo High School District to provide attainable housing to the teachers at Mills High School. The cultural arts space could benefit with strong ties with Mills High School as well.

Again, as a neighbor of the development and resident of Burlingame, I fully support the proposed development. We are certainly in the midst of a severe housing crisis, and it hurts to see so many homeless, even living in cars near our apartment. Even though I realize it is an unlikely outcome, I hope that there is still a possibility to add 2 or 3 more floors of units.

If you have any questions, please feel free to contact me.

Also, if there is anything I can do as a volunteer or advocate for more housing in our area, please let me know if I can be of service.

Best regards,

John Fullen
Mobile: 415-█

Staff Comments



Project Comments – Planning Application

Project Address: 1870 (1868) Ogden Drive, zoned NBMU, APN: 025-121-190

Description: Request for Design Review and Condominium Permit for 120 new residential units.

From: Martin Quan
Public Works Engineering

Please address the following comments at this time; provide a written response and revised plans with your resubmittal:

- ~~1. Please show the typical dimension for the standard and ADA parking spaces.~~
- ~~2. Please dimension the width and show vertical slope of the driveway ramps. Please provide a cross section ramp profile with vertical curve.~~
- ~~3. Vehicle backup distances shall be 24' minimum.~~
- ~~4. The proposed street trees are placed on top of the underground electrical. Please revise to prevent this underground conflict.~~
- ~~5. Please explain the drainage pattern around the property toward the south east corner. No storm runoff is allowed to be directed to the adjacent property owners.~~
6. Please update the Civil and some of the rendering architectural drawings as they still show the street trees proposed in the public right-of-way.
7. Please confirm there are no encroachments beyond the property line.
8. The back of the driveway/sidewalk approach shall be at least 12" above the flow line of the frontage curb in the street to prevent overflow of stormwater from the street into private property.
9. Please provide cross section views of the sidewalk surrounding the project site with dimensions.
10. Please show proposed street lighting to meeting residential usage. Minimum of 0.4 to 0.6 footcandles.
11. Please provide a preliminary title report for review.
12. Please provide lighting details for the proposed open space and pathways.

The following comments do not need to be addressed now, but you should be aware of them as they will need to be addressed at time of building permit submittal.

1. Based on the scope of work, this is a "Type IV" project that requires a Stormwater Construction Pollution Prevention Permit. This permit is required prior to issuance of a Building Permit. An initial field inspection is required prior to the start of any construction (on private property or in the public right-of-way).
2. A traffic, sewer, water, and storm drain study will be required for this project. Any impacts generated as the result of the project will be required to upsize or contribute its prorated share of the impact to upgrade the existing infrastructure.
3. A stormwater maintenance agreement shall be recorded with the County for all c3 treatment measures. This agreement must be recorded prior to building permit signoff.
4. If the units are to be sold, a subdivision map is required and must be recorded prior to the issuance of the building permit.

5. Please provide a letter from Recology indicating that the proposed trash room size is sufficient to service the building. Onsite pickup is required by Recology.
6. Developer must CCTV the sewer main from manhole to manhole between the new service connections.
7. Please submit an erosion control plan along with Building Permit plan review. This plan shall include, but not limited to, delineation of area of work, show primary and secondary erosion control measures, protection of creek or storm drain inlets, perimeter controls, protections for construction access points, and sediment control measures.
8. Insert the 'Best Management Practices', updated June 2014, construction sheet into the plans set. A copy can be found at <http://www.flowstobay.org/sites/default/files/Countywide%20Program%20BMP%20Plan%20Sheet-June%202014%20Update.pdf#overlay-context=brochures> or <http://www.flowstobay.org/brochures> then click "construction bmp plan sheet"
9. All water lines connections to city water mains for services or fire line protection are to be installed per city standard procedures and material specifications. Contact the city Water department for connection fees. If required, all fire services and services 2" and over will be installed by builder. All underground fire service connections shall be submitted as separate Underground Fire Service permit for review and approval.
10. All utilities must be undergrounded for this project. Private transformer must located on private property.
11. Subgrade parking is shown to be constructed up to the property line. If excavation method is by means of tie-backs, a shoring and tieback agreement is required for any encroachment into the City's right-of-way.

Reviewed By: Martin Quan
650-558-7245

Date: 10/30/19



Project Comments – Planning Application

Project Address: 1870 (1868) Ogden Drive, zoned NBMU, APN: 025-121-190

Description: Request for Design Review and Condominium Permit for 120 new residential units.

From: Bob Disco
Parks Division

Please address the following comments at this time; provide a written response and revised plans with your resubmittal:

1. Protected Tree Removal Permit required for removal of tree #14.
2. Proposed Street trees must meet the requirements of the North Burlingame Specific Plan and be either *Acer rubrum*, Chinese Pistache, or *Platanus acerfolia* 'columbia'

The following comments do not need to be addressed now, but you should be aware of them as they will need to be addressed at time of building permit submittal.

Reviewed By: BD
650.558.7333

Date: 10.16.19



Project Comments – Planning Application

Project Address: 1870 (1868) Ogden Drive, zoned NBMU, APN: 025-121-190

Description: Request for Design Review and Condominium Permit for 120 new residential units.

From: Rick Caro III
Building Division

Please address the following comments at this time; provide a written response and revised plans with your resubmittal:

No comment at this time

The following comments do not need to be addressed now, but you should be aware of them as they will need to be addressed at time of building permit submittal.

- 16) On the first page of the plans specify the following: “Any hidden conditions that require work to be performed beyond the scope of the building permit issued for these plans may require further City approvals including review by the Planning Commission.” The building owner, project designer, and/or contractor must submit a Revision to the City for any work not graphically illustrated on the Job Copy of the plans prior to performing the work.
- 17) Indicate on the plans that, at the time of Building Permit application, plans and engineering will be submitted for shoring as required by 2016 CBC, Chapter 31 regarding the protection of adjacent property and as required by OSHA. On the plans, indicate that the following will be addressed:
- 18) Indicate on the plans that an OSHA permit will be obtained per CAL / OSHA requirements. See the Cal / OSHA handbook at: http://www.ca-osha.com/pdfpubs/osha_userguide.pdf
* Construction Safety Orders: Chapter 4, Subchapter 4, Article 6, Section 1541.1.
- 19) Indicate on the plans that a Grading Permit, if required, will be obtained from the Department of Public Works.

Mechanical equipment.

Note: That if a new A/C unit or mechanical equipment is going to be installed on the exterior of the building, the new equipment cannot exceed a Maximum Outdoor Noise Level (dBA) of sixty (60) dBA Daytime (7:00 a.m. – 10:00 p.m.) or fifty (50) dBA Nighttime (10:00 p.m. – 7:00 a.m.) as measured from the property line. BMC 25.58.050

- 20) Prior to applying for a Building Permit the applicant must either confirm that the address is _____ or obtain a change of address from the Engineering Department. Note: The correct address must be referenced on all pages of the plans.
- 21) Where elevators are provided in structures that are four or more stories in height at least one elevator shall be provided for Fire Department emergency access. One elevator must accommodate a stretcher that is 24" x 84". See 2016 CBC §3002.4 for elevator cab dimensions (80" x 54") and other details.
- 22) Private decks and exterior balconies must be accessible and therefore must be 60" in the shortest dimension to allow for a person in a wheelchair to turn around and exit the deck or balcony in the forward direction. Revise the plans to show decks / balconies that are at least 60" in the shortest dimension. UFAS §4.34.2 and §4.2.3
- 23) Please Note: Architects are advised to specify construction dimensions for accessible features that are below the maximum and above the minimum dimension required as construction tolerances generally do not apply to accessible features. See the *California Access Compliance Manual – Interpretive Regulation 11B-8*.
- 24) Acknowledge, that when plans are submitted for the A2 occupancy building code plan check, they will include a complete underground plumbing plan including complete details for the location of all required grease traps and city-required backwater prevention devices.
- 25) Specify an accessible path of travel from all required exits to the public right of way.
- 26) Specify a level landing, slope, and cross slope on each side of the door at all required entrances and exits. 2016 CBC §11B-302, 11B-304.2, 11B-305.2
- 27) Specify accessible countertops where service counters are provided 2016 CBC §11B-227 & 11B-904
- 28) Provide the occupant load calculations for each area within the tenant space.
- 29) Illustrate compliance with the minimum plumbing fixture requirements described in the 2016 California Plumbing Code, Chapter 4, Table 422.1 Minimum Plumbing Facilities and Table A - Occupant Load Factor.
- 30) Separate toilet facilities are required for each sex, except:
- a. Residential occupancies
 - b. Occupancies serving ten or fewer people may have a toilet facility for use by more than one person at a time, shall be permitted for use by both sexes. 2016 CPC §422.2 #2.
 - c. Business and Mercantile occupancies with a total occupant load of 50 or less, including customers and employees, one toilet facility, designed for use by no more than one person at time, shall be permitted for use by both sexes. 2016 CPC §422.2 #3.
- 31) In the A2 occupancy space indicate the location of the "Office" or area where bookkeeping and financial reconciliation will take place.
- 32) Provide a complete furniture / movable fixture plan for the tenant space.
- 33) In Assembly occupancies specify aisle widths that comply with 2016 CBC §1029.9.

- 34) Revise the plans to show that the egress from the basement area leads directly to the exit of the building or extends to the exterior of the building through an exit passageway. 2016 CBC §1024.1
- 35) All NEW non-residential buildings must comply with the requirements of AB-2176 Sec. 42911 (c) [2003 – 2004 Montanez] as follows:
- a. Space for recycling must be a part of the project design in new buildings.
 - b. A building permit will not be issued unless details are shown on the project plans incorporating adequate storage for collecting and loading recycled materials.
- 36)) Include with your Building Division plan check submittal a complete underground fire sprinkler plan. Contact the Burlingame Water Division at 650-558-7660 for details regarding the water system or Central County Fire for sprinkler details.
- 37)) Sewer connection fees must be paid prior to issuing the building permit.
- 38) A pre-construction meeting must be conducted prior to issuing the permit. After you are notified by the Building Division that your plans have been approved call 650-558-7270 to schedule the pre-construction meeting.

Reviewed By: Rick Caro III
650 558-7270

Date: October 17, 2019



Project Comments – Planning Application

Project Address: 1870 (1868) Ogden Drive, zoned NBMU, APN: 025-121-190

Description: Request for Design Review and Condominium Permit for 120 new residential units.

From: Jennifer Lee
Stormwater

Please address the following comments at this time; provide a written response and revised plans with your resubmittal:

No comments at this time.

The following comments do not need to be addressed now, but you should be aware of them as they will need to be addressed at time of building permit submittal.

- Starting June 5, 2019 all projects that involve demolition of a building will need to ensure that polychlorinated biphenyls do not enter the storm drains per Municipal Code 15.15 Managing PCBs during Building Demolition Ordinance. Project applicants must complete, sign, and return the PCBs Screening Assessment Form, electronically available at www.burlingame.org/stormwaterdevelopment. For assistance with completing the form, please review the PCBs in Priority Building Materials Applicant Package, which is also available at the website referenced above.
- The building permit application plans shall show the marking of the words “No Dumping! Flows to Bay” or equivalent on all storm drain inlets surrounding and within the project site consistent with the San Mateo Countywide Water Pollution Prevention Program’s C.3 Technical Guidance.
- Interior level parking garage floor drains shall be connected to the sanitary sewer system.
- Fire sprinkler test waster shall discharge to onsite vegetated areas, or alternatively shall be discharged to the sanitary sewer system.
- Air conditioning condensate shall drain to landscaping, or alternatively may be connected to the sanitary sewer system.
- Any construction project in the City, regardless of size, shall comply with the city’s stormwater NPDES permit to prevent stormwater pollution from construction-related activities. Project proponents shall ensure that all contractors implement appropriate and effective Best Management Practices (BMPs) during all phases of construction, including demolition. **When submitting plans for a building permit, please include the Construction BMP plan sheet.** An electronic file is available at: www.burlingame.org/stormwaterdevelopment.
- Post-construction treatment measures must be designed, installed, and hydraulically-sized to treat a specified amount of runoff. The project plan submittals shall identify the owner and maintenance party responsible for the ongoing inspection and maintenance of the post-construction stormwater treatment measures in perpetuity. **A completed, notarized Stormwater Treatment Measure Maintenance Agreement must be submitted to the City prior to the issuance of a final construction inspection.**

Reviewed By: Jennifer Lee
650-558-7381

Date: 8/9/19



Project Comments – Planning Application

Project Address: 1870 (1868) Ogden Drive, zoned NBMU, APN: 025-121-190

Description: Request for Design Review and Condominium Permit for 120 new residential units.
From: Christine Reed
Fire Dept.

Please address the following comments at this time; provide a written response and revised plans with your resubmittal:

1. The furthest point of the building from fire department access exceeds more than 150 feet in distance. Provide a fire apparatus access road within 150' of the furthest point of the building. Access road shall be at least 20' wide and 13'6" high clear. CFC 503. If seeking mitigation for lack of apparatus access, an Alternate Means of Protection application must be submitted to the Central County Fire Department for review. Application review fee will be assessed. The application form may be accessed on the Central County Fire Dept. website, www.ccfcd.org.
11-8-19 To date, no Alternate Means of Protection application has been received. Submit AMP application for review and approval.
2. A0.2a - A consistent protected exit path required once inside Exit stair #1 through the exit discharge. Depending on the construction and contents of the lobby, this may not be an acceptable path.
11-8-19 Rated construction is not detailed on this plan. This will be confirmed during building permit plan review.
3. A0.2b – Detail how exits off floors meet travel distance requirements for all units into protected stairwells. (typical comment for all upper floors)
11-8-19 Addressed.

The following comments do not need to be addressed now, but you should be aware of them as they will need to be addressed at time of building permit submittal.

1. The building shall be equipped with an approved NFPA 13 sprinkler system. The fire department connection shall be located within 5 feet of the sidewalk and not within city right-of-way.
2. Sprinkler drawings shall be submitted and approved by the Central County Fire Department prior to installation.
3. The applicant shall ensure proper drainage in accordance with the City of Burlingame Engineering Standards is available for the fire sprinkler main drain and inspector test on the building plumbing drawings. These items may drain directly to landscape or in the sewer with an air gap.
4. The fire protection underground water line shall be submitted and approved through the Burlingame Building Department prior to approval of aboveground fire sprinkler permit.
5. The front of the building shall have a Knox key box for emergency Fire Dept. access through pedestrian gates and into other common areas of the building.
6. The building shall be equipped with an approved Class I NFPA 14 Standpipe System. The standpipe system shall be submitted and approved by the Central County Fire Department prior to installation. Standpipe outlets shall be located at the intermediate floor landings of each stairwell and on roof level with required spacing.
7. A manual and automatic fire alarm system shall be installed throughout the building. The fire sprinkler system shall be electronically monitored by an approved central receiving station.
8. Approved emergency radio communication capability is required throughout the building. If building construction/layout cannot accommodate required radio communication strength, an Emergency Responder Radio System is required throughout. Permit required to be obtained through the Central County Fire Dept. prior to installation.

Reviewed By: Christine Reed
650-558-7617

Date: 11-8-19