



**PROJECT LOCATION**  
250 California Drive

# City of Burlingame

*Commercial Design Review and Conditional Use Permits for a  
New Mixed Use Office Building*

**Item No. 8d  
Regular Action Item**

**Address:** 250 California Drive

**Meeting Date:** March 12, 2018

**Request:** Application for Commercial Design Review and Conditional Use Permits for office use in a portion of the ground floor and building height for construction of a new, four-story mixed use office building (retail and office).

**Applicant and Property Owner:** 20 Hobart LLC

**APN:** 029-213-010

**Architect:** MBH Architects

**Lot Area:** 11,515 SF (0.26 acres)

**General Plan:** Service and Special Sales - Downtown Specific Plan (California Drive Mixed Use District)

**Zoning:** CAR (California Drive Auto Row)

**Adjacent Development:** Printing services, retail, restaurants and Burlingame Caltrain Station.

**Current Use:** Automobile sales lot (Ocean Honda).

**Proposed Use:** Four-story mixed use office building; retail and office on the ground floor and office on upper three floors.

**Allowable Use:** Permitted uses include automobile sales and service, retail sales of automobile parts/accessories, government agencies and office and multifamily residential uses above the first floor. Conditional uses include office uses on the ground floor, hotels and retail, personal services and business services other than those related to automobile sales or service.

**Environmental Review Status:** The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15332, In-Fill Development Projects, which consists of projects characterized as in-fill development meeting the conditions described below (see pages 10-12 for additional information).

- (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.

**Project Summary:** The project site is located at the corner of California Drive, South Lane and West Lane and has a parcel address of 226 California Drive; with this application the address will be changed to 250 California Drive. The existing site consists of a paved parking lot and is currently used as a vehicle display area by a nearby automobile dealership (Ocean Honda). The proposed development is on a project site of 11,515 SF (0.26 acres) and is surrounded by urban uses, including one and two-story commercial buildings across the railroad tracks and East Lane to the north, multi-story commercial buildings across California Drive to the south, a one-story commercial building to the east, and the Burlingame Train Station across South Lane to the west.

The applicant is proposing to construct a new four-story mixed use office building (retail and office) with below-grade parking in an automated parking system. The mixed use office building totals 45,000 SF which consists of retail and office uses, lobby areas, storage and mechanical rooms in the basement, vehicle entrance areas into the automated parking system, enclosed stairways and elevators, and covered roof decks on the fourth floor. The proposed building will contain 5,387 SF of retail space on the ground floor and 28,458 SF of office space on the ground floor and in the three floors above. The proposal also includes 1,037 SF of roof deck areas at the front and rear of the building on the fourth floor.

The CAR District Regulations state that retail sales of automobile parts and accessories are permitted (Code Section 25.38.020 (d)). Retail sales other than those related to automobile sales or service are only allowed with approval of a Conditional Use Permit (Code Section 25.38.030 (a) and (c)). A retail tenant has not yet been determined. If the future retail tenant is not related to automobile sales and service, an application for a Conditional Use Permit will be required to be submitted at that time.

The CAR District Regulations state that office uses above the first floor are permitted (Code Section 25.38.020 (f) (2)). Office uses on the ground floor are only allowed with approval of a Conditional Use Permit (Code Sections 25.38.030 (a) and (b)). The ground floor office space (720 SF) will be occupied by the Burlingame Historical Society and will also have storage space in the basement. The office space on the second through fourth floors have been designed as a shell to be able to accommodate either a single tenant or multiple tenants. Tenants for the office spaces have not yet been determined.

In order to grant a Conditional Use Permit for the proposed office space on the ground floor, the Planning Commission must find that the following conditions exist on the property (Code Section 25.52.020, a-c):

- (a) The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience;
- (b) The proposed use will be located and conducted in a manner in accord with the Burlingame general plan and the purposes of this title;
- (c) The planning commission may impose such reasonable conditions or restrictions as it deems necessary to secure the purposes of this title and to assure operation of the use in a manner compatible with the aesthetics, mass, bulk and character of existing and potential uses on adjoining properties in the general vicinity.

Parking for the building will be provided in a below-grade automated parking system, accessed from West Lane. The proposed parking system allows vehicles to enter and exit the site off West Lane (see Off-Street Parking section for additional information).

The following applications are required for this project:

- Commercial Design Review for a new, four-story mixed use office building (retail and office) (Code Sections 25.38.045 and 25.57.010(c) (1));
- Conditional Use Permit for office use in a portion of the ground floor (Code Section 25.38.030 (a)); and
- Conditional Use Permit for building height exceeding 35'-0" in height (55'-0" proposed where 55'-0" is the maximum allowed building height) (Code Section 25.38.030 (h)).

**Design Study Meeting (February 12, 2018):** At the Planning Commission design review study meeting on February 12, 2018, the Commission requested that the applicant consider their comments/suggestions on the proposed design and voted to place this item on the regular action calendar (February 12, 2018 Planning Commission Minutes attached). Please refer to the applicant's letter and revised plans, dated February 27, 2018, for responses to the Planning Commission's comments and suggestions.

The Commission asked if the Department of Public Works (DPW) would be analyzing the need for crosswalk improvements based on the proposed project. In their project review comments, DPW did not require crosswalk improvements. In discussing this issue with DPW, they note that crosswalk improvements would not be warranted at this time since there is an existing crosswalk with flashing signs on California Drive at the south end of the site. In addition, signalized intersections exist at the corner of California Drive/Burlingame Avenue and California Drive/Howard Avenue, located one-half block away from the site.

**Commercial Design Review:** Commercial Design Review is required for new commercial buildings pursuant to Code Sections 25.38.045 and 25.57.010 (c) (1). Design Review was instituted for commercial projects in 2001 with the adoption of the Commercial Design Guidebook. The project is located within the boundaries of the *Burlingame Downtown Special Plan* and therefore subject to Chapter 5 of the Downtown Specific Plan (Design & Character). Section 5.2 (pages 5-2 through 5-12) provides design guidelines specifically for commercial and mixed use areas within the Downtown Specific Plan area. Section 5.4 (pages 5-22 through 5-27) provides more general design guidelines that apply to all areas of the downtown. The relevant pages of the plan have been included as an attachment for convenience of commissioners.

The proposed exterior facades consist of brick veneer and an aluminum and glass window wall system, anchored by a slate stone base. The California Drive and South Lane facades will contain brushed stainless steel entry doors, while the rear of the building along West Lane will contain roll-up doors with perforated metal panels or aluminum metal panels. Metal canopies are proposed over entries to the building on the ground floor at the front and rear of the building. Two roof deck areas on the fourth floor will be covered by metal brise soleil awnings (an architectural feature of a building that reduces heat gain within that building by deflecting sunlight). A metal cap reveal is proposed along the top edge of the building. A materials board will be available at the meeting.

The proposed project includes two roof deck areas located on the fourth floor totaling 1,037 SF (405 SF along California Drive and 632 SF along West Lane).

A total of nine new, 24-inch box street trees (four along California Drive and five along South Lane) are proposed to be installed as part of the project. The proposed Planting Plan indicates the trees would be Trident Maple (*Acer Buergerianum*).

The following design review criteria for commercial development projects are outlined in the zoning code:

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.

**Severn Lodge Dairy Wallscape and Burlingame Railroad Station:** The subject property is immediately adjacent to a building at 220 California Drive, which features a prominent painted advertisement mural across its west facade, facing the subject property. This mural, identified as the Severn Lodge Daily Wallscape, is a circa 1917 advertisement for the Severn Lodge Dairy and the Dairy Delivery Company. In 1925-1926, a building was constructed on the subject property, effectively blocking the Wallscape from public view. In June 2000, this building was demolished, making the mural visible for the first time in almost 75 years. In 2003, the Burlingame Historical Society restored and repainted the mural. In 2004, the Severn Lodge Dairy Wallscape was designated California Point of Historical Interest and subsequently listed on the California Register of Historical Resources.

The subject property is also located directly across South Lane from the Burlingame Railroad Station. The 1894 Mission Revival style train depot is listed on the National Register of Historic Places and is a designated California Historic Landmark.

A Historic Memorandum was prepared for this property by Page & Turnbull, Inc., dated August 7, 2017 (attached). The purpose of the Memorandum was to provide a historic background of the subject property and the Wallscape, outline the regulatory framework, and provide a summary of the steps the developer has taken to respect and incorporate the Wallscape into the design of the proposed project. The Memorandum also comments on the project design and its compatibility with the Burlingame Train Station.

The Memorandum notes that "In December 2016, Page & Turnbull inquired with staff at the California Office of Historic Preservation (OHP) about the regulatory framework surrounding California Points of Historical Interest and potential environmental reviews. These discussions revealed that projects which have the potential to impact designated California Points of Historical Interest are not subject to any additional environmental review at the state level. As such, OHP will not conduct any design review or analysis of the proposed project at 250 California Drive and its potential impacts to the Severn Dairy Lodge Wallscape. However, the Severn Dairy Lodge Wallscape at 220 California Drive does qualify as a cultural resource for the purposes of the CEQA, with review at the local level." Given that the proposed project has been designed to preserve, highlight, and enhance public access to the Wallscape (see description below), the City can find that the proposed project does not cause a substantial adverse change in the significance of the Wallscape, and therefore not subject to any additional environmental review.

With regards to preserving and incorporating the Wallscape into the project, the Memorandum notes that "In January, Page & Turnbull provided the developer with a series of design recommendations and ways to minimize the impact of the proposed project on the Severn Lodge Dairy Wallscape. Since that time, the developer has worked with the President of the Burlingame Historical Society on ways to preserve the mural and allow the public to experience it. In addition to designing the building around the Severn Lodge Dairy Wallscape, the developer has included it as a key design feature of the building itself. The Severn Lodge Dairy Wallscape can be seen from every floor of the office building, and a courtyard on the first floor has been created to provide a 14'-7" by 62'-1" publicly accessible outdoor space in front of the Severn Lodge Dairy Wallscape. The courtyard has been designed with new hardscape and landscape to compliment the mural. In an effort to ensure that the Severn Lodge Dairy Wallscape can be seen from the street and as soon as one enters the building, glass has been added throughout the building's first floor to look directly at the mural."

The proposed application includes the Burlingame Historical Society occupying a portion of the ground floor space adjacent to the courtyard and Wallscape. The location of their office and common lobby area will provide opportunities for the public to experience the Wallscape.

Regarding its impacts on the Burlingame Train Station, the Memorandum notes that “Although the subject property is separated from the train station by South Lane and the likelihood of potential impacts to the cultural resource are inherently reduced, Page & Turnbull suggested some strategies to increase compatibility and decrease the impact on the setting of the train station. Taking these into account, the developer has proposed an architectural style that does not try to mimic the Burlingame Railroad Station, but uses a selection of textured materials, complimentary colors, depth, and articulation in an effort to create a compatible design. The scale and height of the building have been reduced on all four sides of the proposed project, including the light-well for the Severn Lodge Dairy Wallscape, balconies at both the California Drive and West Lane frontages, and a step back on the fourth floor of the frontage facing the train station.”

**Building Height:** The maximum building height allowed in the CAR District is 55'-0". However, a Conditional Use Permit is required for any building or structure which exceeds 35'-0" in height. As measured to the top of the roof ridge, the proposed four-story building is 55'-0" in height. A request for a Conditional Use Permit for building height has been submitted by the applicant.

With the proposed covered roof deck areas along the California Drive and West Lane building facades, the massing and height of the building at these locations transition from three stories (45'-0" in height) to four stories (55'-0" in height). Please refer to the rendering, floor plans and building elevations.

Code Section 25.08.340 specifies that building height is measured from the average top of curb and to the highest edge of a gable, hip or shed roof or top of parapet. The building height limit applies to ninety-five (95) percent of the total roof surface; the remaining five (5) percent may include projections up to ten (10) feet above top of parapet for enclosing elevators, mechanical penthouses, solar structures, antennas or other equipment.

As noted above, the proposed height of the building is 55'-0" and the project proposes a 4'-2" parapet (noted as roof screen on plans). The parapet serves as a solar structure roof screen/enclosure for purposes of the height measurement, as solar panels are intended to be mounted on the rooftop of the building and would be screened by the parapet/roof screen element. As a roof screen element, it is excluded from the building height measurement.

In order to grant a Conditional Use Permit for building height, the Planning Commission must find that the following conditions exist on the property (Code Section 25.52.020, a-c):

- (a) The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience;
- (b) The proposed use will be located and conducted in a manner in accord with the Burlingame general plan and the purposes of this title;
- (c) The planning commission may impose such reasonable conditions or restrictions as it deems necessary to secure the purposes of this title and to assure operation of the use in a manner compatible with the aesthetics, mass, bulk and character of existing and potential uses on adjoining properties in the general vicinity.

**Off-Street Parking:** The proposed project consists of 5,387 SF of retail on the ground floor and 28,458 SF of office on the first through fourth floors. Off-street parking is required for the proposed retail and office uses in the building. Based on the 1:400 GSF parking ratio for retail uses and 1:300 GSF parking ratio for office uses, a total of 109 off-street parking spaces are required. A total of 98 parking spaces are provided on-site in an automated puzzle parking system. This represents balance of 11 parking spaces.

Land Use section 3.6.1 of the Downtown Specific Plan allows that in instances where uses proposed are not exempt from providing parking, in-lieu fees may be paid instead of providing parking on-site where there is expansion, intensification, or construction of new buildings. In this case, the proposed mixed use office building is not exempt from providing parking since it is not located within the parking sector. The applicant notes that the parking in-lieu fees will be paid for the balance of spaces required for the proposed project. A Parking Variance is not required, as the payment of in-lieu fees is provided as an option through the Downtown Specific Plan for projects within the parking sector. Currently, the fee is \$52,467.57 per parking space. The parking in-lieu fee for the proposed project is \$577,143.27 (11 spaces x \$52,467.57).

The applicant is proposing to install an automated puzzle parking system manufactured by 5BY2, an independent supplier of automated parking garages (see attached specifications). As shown on the East-West Building Section, sheet A3.2.1, the system consists of three levels and extends 26'-1" below grade (31'-0" to bottom of car lift pit). Drivers will enter in one of two parking bays, located at the rear of the building off West Lane. The driver then exits the vehicle and walks to the adjacent lobby (Lobby 2) to retrieve a ticket from the parking kiosk. The system will not activate until the driver is outside of the vehicle and retrieves a parking ticket. Some customers may have an app on their smart phone, which can communicate to the parking system in lieu of a ticket or fob key. The system employs a turntable at each entry bay so that it rotates the vehicle so that it may exit in a forward direction. The applicant notes that queuing of parking and retrieving vehicles takes approximately 90 seconds.

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

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**250 California Drive**

**Lot Area:** 11,515 SF (0.26 acres)

**Plans date stamped:** February 27, 2018

|   | <b>PROPOSED</b>   | <b>ALLOWED/REQUIRED</b>   |
|---|---|---|
| <b>Use:</b>                                 | Retail on ground floor (retail business not determined)<br>(5,387 SF)<br><br>Office on ground floor and on upper three floors <sup>1</sup><br>(28,458 SF) | Permitted Uses: Retail uses related to automobile sales and service and office uses above the ground floor<br><br>Conditional Uses: Retail uses not related to automobile sales and service and office uses on the ground floor |
| <b>SETBACKS</b>                             |   |   |
| <b>Front Build-To Line (California Dr):</b> | 77% of front wall of the ground floor is located at front property line   | No minimum required; at least 60% of front wall of the ground floor must be located at front property line  |
| <b>Left Side (South Ln):</b>                | 0'-0"   | No minimum required   |
| <b>Right Side (Interior):</b>               | 1'-6"   |   |
| <b>Rear (West Lane):</b>                    | 0'-0"   | No minimum required   |
| <b>BUILDING ENVELOPE:</b>                   |   |   |
| <b>Ground Floor Ceiling Height:</b>         | 15'-0"  | 15'-0"  |
| <b>Building Height:</b>                     | 55'-0" <sup>3</sup>   | 55'-0"<br>(CUP required if building exceeds 35'-0")   |
| <b>OFF-STREET PARKING</b>                   |   |   |
| <b>Off-Street Parking:</b>                  | 98 spaces provided in automated puzzle parking system <sup>2</sup>  | Office - 1 space per 300 GSF<br>Retail - 1 space per 400 GSF<br><br>Office: 28,458 SF/300 GSF ratio<br><u>Retail: 5,387 SF/400 GSF ratio</u><br><b>Total = 109 spaces</b>   |
| <b>Driveway Width:</b>                      | 20'-0" driveway width (shared driveway with 226 Lorton Avenue)  | Parking areas with not more than 30 vehicle spaces shall have a minimum driveway width of 12'-0"  |

<sup>1</sup> Conditional Use Permit Use Permit for office use in a portion of the ground floor.

<sup>2</sup> Conditional Use Permit for building height exceeding 35'-0" in height (55'-0" proposed where 55'-0" is the maximum allowed building height).

<sup>3</sup> Parking in-lieu fee, in the amount of \$577,143.27 (11 spaces x \$52,467.57), will be submitted in-lieu of providing 11 off-street parking spaces.

**General Plan/Specific Plan:** The *Burlingame General Plan* designates this site for Service and Special Sales. In 2010 the City Council adopted the *Burlingame Downtown Specific Plan* (amended in 2011), which serves as an element of the General Plan. The subject property is located within the boundaries of the planning area for the Downtown Specific Plan, specifically in the California Drive Mixed Use District. The California Drive Mixed Use District is described as follows:

*The Auto Row area is the area along California Drive between Burlingame and Peninsula Avenues. Automobile-related uses dominate in this area. Auto showrooms, hotel or retail uses are permitted on the ground floor, and housing, offices or hotel uses can be allowed on upper floors. Non-auto uses should be carefully considered to ensure compatibility with the area's traditional focus on automobile businesses; retail, personal and business services, and hotels require a conditional use permit, as do commercial uses greater than 5,000 square feet.*

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

| GOAL/POLICY  | PROJECT PROPOSED  |
|--|---|
| <b>Policy LU-2.3:</b> In Auto Row allow mixed-uses that introduce residential/commercial development, encourage the retention of the auto dealer uses on Auto Row, and create appropriate transitions to adjacent uses.                              | Mixed office building proposed (retail and office) in Auto Row. Creates appropriate transition between Auto Row and retail, office and restaurant uses in area. |
| <b>Policy P-1.1:</b> Encourage the use of “alternative” vehicle types with ample bicycle parking and free parking for electric cars.   | Bicycle storage provided in basement.   |
| <b>Policy P-1.2:</b> Devote less land for parking Downtown while accommodating increased demand by using the land more efficiently with decked or underground parking.   | There is no at-grade parking proposed with this project; all parking is provided in an underground automated puzzle parking system.                             |
| <b>Policy P-1.3:</b> Conceal parking areas through the use of attractively designed above- or below-ground parking structures.   | Below-grade parking is concealed under the proposed building.   |
| <b>Policy P-2.1:</b> Explore creative parking solutions including parking pricing strategies.  | 98-car automated puzzle parking system is provided.   |
| <b>Policy C-2.6:</b> Consider the needs of pedestrian, bicycles, and people with disabilities.   | Building contains an elevator and a disable-accessible parking space is provided on-site.   |
| <b>Policy S-1.1:</b> Improve the safety of streetscapes through better lighting, repair of curbs and gutters, universal design/ADA compliance, and other measures.   | The project includes replacing the existing sidewalk, curb and gutter along all three frontages; improvements will comply with ADA requirements.                |
| <b>Policy S-1.3:</b> Streetscapes should reflect Burlingame’s destination as a “tree city.” Trees should be planted throughout the downtown as an integral part of the streetscape, and mature streets trees should be persevered whenever possible. | A total of nine new 24-inch box size street trees (Trident Maple) will be planted along the California Drive and South Lane frontages.                          |

| GOAL/POLICY   | PROJECT PROPOSED  |
|---|---|
| <b>Policy S-1.7:</b> Require new developments and major remodel projects to include pedestrian-oriented retail design treatments on all exposed elevations.                             | Exposed ground level building facades consist of windows, entry doors and canopies, which provide a connection between pedestrians and the retail and office spaces.  |
| <b>Policy D-1.1:</b> Ensure that new construction fits into the context and scale of the existing downtown.   | Proposed building is compatible with existing buildings and buildings currently under construction.   |
| <b>Policy D-1.2:</b> Require design review for all new downtown buildings and for changes to existing downtown buildings, and integrate historic review into the design review process. | Proposed building is subject to Design Review; design of the proposed building incorporates the Severn Lodge Dairy Wallscape and does not try to mimic the Burlingame Railroad Station, but uses a selection of textured materials, complimentary colors, depth, and articulation in an effort to create a compatible design. |
| <b>Policy D-3.1:</b> Ensure that new development is appropriate to Burlingame with respect to size and design.  | Building does not exceed the maximum allowed building height; project is subject to design review.  |
| <b>Policy D-4.1:</b> Encourage buildings to be built out to the sidewalk, with doors and windows facing the sidewalk to create a lively pedestrian environment.                         | Building is built out to the sidewalk with doors and windows facing the sidewalk.   |
| <b>Policy D-4.2:</b> Corner buildings should have interest along both street elevations, such as doors, windows, and awnings on both the front and side building faces.                 | Proposed building has doors and windows along all three frontage and canopies along the California Drive and West Lane frontages.   |
| <b>Policy I-2.1:</b> Consider including solar (photovoltaic) panels and/or small wind turbines on top of parking lots/structures.   | Project includes solar panels on the rooftop of the building.   |
| <b>Policy I-3.1:</b> Coordinate undergrounding activities with phasing of streetscape improvements.   | Existing above ground utility poles and electrical lines along West Lane will be undergrounded.   |

**Staff Comments:** Comments from the Building, Engineering, Fire, Parks, and Stormwater Divisions are attached.

**Public Facilities Impact Fee:** The purpose of public facilities impact fee 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 mixed use office building (retail and office), the required public facilities impact fee for this development project is **\$390,466.10**. One-half of the public facilities impact fees payment will be required prior to issuance of a building permit issuance; the second half of the payment will be required before the final framing inspection.

**Commercial Linkage Fee:** The purpose of commercial linkage fee is to:

- (a) Encourage the development and availability of housing affordable to a broad range of households with varying income levels within the City as mandated by State law, California Government Code Section 65580 and following.
- (b) Offset the demand for affordable housing that is created by new development and mitigate environmental and other impacts that accompany new commercial development by protecting the economic diversity of the City's housing stock; reducing traffic, transit and related air quality impacts; promoting jobs/housing balance; and reducing the demands placed on transportation infrastructure in the region.
- (c) Promote the City's policy to provide an adequate number of affordable housing units to the City's housing stock in proportion to the existing or projected need in the community, as identified by the Housing Element.
- (d) Support the Housing Element goal of providing housing opportunities for those who work in Burlingame.
- (e) Support the Housing Element goal of achieving increased affordability of housing.
- (f) Support the Housing Element policy of developing of a variety of housing types that are affordable to very low and extremely low income households.
- (g) Support the Housing Element goal of preserving residential character by encouraging maintenance, improvement and rehabilitation of the City's neighborhoods and housing stock.

Based on the proposed mixed use retail/office building, the required commercial linkage fee for this development project is **\$683,675.00**. The commercial linkage fee shall be paid in full prior to the issuance of the first building permit for the commercial development project.

**Environmental Review Status:** The proposed project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15332, In-Fill Development Projects, which consists of projects characterized as in-fill development meeting the conditions described below.

- (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.
  - *The Burlingame General Plan designates this site for Service and Special Sales. In 2010 the City Council adopted the Burlingame Downtown Specific Plan (amended in 2011), which serves as an element of the General Plan. The subject property is located within the boundaries of the planning area for the Downtown Specific Plan, specifically in the California Drive Mixed Use District. The California Drive Mixed Use District is described as follows:*

*The Auto Row area is the area along California Drive between Burlingame and Peninsula Avenues. Automobile-related uses dominate in this area. Auto showrooms, hotel or retail uses are permitted on the ground floor, and housing, offices or hotel uses can be allowed on upper floors. Non-auto uses should be carefully considered to ensure compatibility with the area's traditional focus on automobile businesses; retail, personal and business services, and hotels require a conditional use permit, as do commercial uses greater than 5,000 square feet.*

*Furthermore, the proposed project complies with all applicable zoning regulations, including building height, setbacks and build-to lines, ground floor ceiling heights, and off-street parking (with payment of parking in-lieu fee).*

- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- *The proposed development is on a project site of 0.26 acres and is surrounded by urban uses, including one and two-story commercial buildings across the railroad tracks and East Lane to the north, multi-story commercial buildings across California Drive to the south, a one-story commercial building to the east, and the Burlingame Train Station across South Lane to the west.*
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- *The project site is located in an urban area and is surrounded by commercial development. The project site is completely developed with a paved parking area and is currently used as a vehicle display area by an automotive dealership. There are no large or significant trees, riparian habitat or other sensitive plant communities on the project site. There are no creeks or wetlands present on the project site.*
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- *A Mitigated Negative Declaration was prepared for the Downtown Specific Plan, which analyzed potential impacts of new infill development and included standard conditions of approval to mitigate potential environmental impacts from projects. The proposed project is located within the Downtown Specific Plan and conforms with development assumptions incorporated into the Initial Study and Mitigated Negative Declaration prepared for the Downtown Specific Plan. With incorporation of these standard conditions of approval, the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

Traffic: Based on the ITE's Trip Generation 9th Edition, the existing automobile sales site generates 371 total daily vehicle trips and the proposed project would generate 544 total daily trips, resulting in approximately 173 net new daily vehicle trips. Based on the proposed office and retail uses, the project would result in 27 net new AM peak hour trips and 32 PM net new peak hour trips.

The Congestion Management Program (CMP) requires a traffic impact analysis when a project would result in 100 or more peak hour trips. Since the project would generate 27 net new AM peak hour trips and 32 PM net new peak hour trips, a detailed traffic impact analysis to show conformity to the CMP is not required. The project would not result in a conflict with any other adopted plan, ordinance, or policy related to the effectiveness of the circulation system.

Traffic impacts from the full implementation of the Downtown Specific Plan, which includes the proposed development on the project site, were evaluated when the Downtown Plan was approved in 2010. The full build-out of the Downtown Specific Plan would add substantially to delays at three study area intersections located at California Drive/Howard Avenue/Highland Avenue, California Drive/Peninsula Avenue and California Drive/Lorton Avenue. As identified in the Downtown Specific Plan Initial Study, Mitigation Measures F-1 through F-3 would reduce the delays at these intersections to less-than-significant levels by year 2030. Since the proposed project is only contributing 27 net new AM peak hour trips and 32 PM net new peak hour trips, traffic impacts as a result of the project would be less than significant.

Noise: The area surrounding the project site has been developed with structures for 75-100 years. Since the use of the site will be primarily office, the proposed project will not significantly increase the existing ambient noise levels. The proposed project will be required to comply with current construction standards, including use sound-rated construction materials established in the California Green Building Standards Code, which will provide noise attenuation.

Construction of the proposed office building will not require pile driving or other significant vibration causing construction activity. The project does not include any permanent operational activity that would result in excessive or perceptible vibration. Standard conditions of approval from the Downtown Specific Plan to be added will ensure that temporary construction noise impacts will be reduced to less than significant levels.

Air quality: The proposed application is for a mixed use office building to replace an existing automobile sales lot. The site is within walking distance of countywide bus and rail services. The site is zoned for commercial/office development and with proper adherence to regional air quality requirements during construction and standard conditions of approval from the Downtown Specific Plan, the proposed project will not create any deterioration in the air quality or climate, locally or regionally.

Water quality: This project is a commercial infill development project and it is not located adjacent to a waterway. Currently, the entire site is impervious, consisting of paving throughout the site. The proposed project's footprint would cover the majority of the site.

Development of the proposed project would require compliance with the City of Burlingame Municipal Code which requires that all storm drain systems shall be designed to remove stormwater from the area at a maximum rainfall intensity of 1 inch per hour and that lots shall be graded to provide stormwater removal at this rainfall rate. A grading permit would be required and runoff from the project site would be evaluated for its potential to cause erosion.

Any construction project in the City, regardless of size, will need to comply with the city's stormwater National Pollutant Discharge Elimination System permit to prevent construction activity stormwater pollution. A condition of approval will be included which requires that all contractors implement appropriate and effective Best Management Practices during all phases of construction, including demolition.

- (e) The site can be adequately served by all required utilities and public services.
- The project site is located in an urban area and is surrounded by commercial development which is served by utility and public services. The existing paved parking area will be replaced with a four-story building on the same lot and can be adequately served by required utility and public services.

**Design Review Criteria:** The criteria for Commercial Design Review as established in Ordinance No. 1652 adopted by the Council on April 16, 2001 are outlined as follows:

1. Support of the pattern of diverse architectural styles that characterize the city's commercial areas;
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;
3. On visually prominent and gateway sites, whether the design fits the site and is compatible with the surrounding development;

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;
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 structure in the immediate area; and
6. Provision of site features such as fencing, landscaping, and pedestrian circulation that enriches the existing opportunities of the commercial neighborhood.

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

- that the proposal consisting of brick veneer, an aluminum and glass window wall system, a slate stone base, brushed stainless steel entry doors on the California Drive and South Lane facades, roll-up doors with perforated metal panels or aluminum metal panels along West Lane, metal canopies over entries to the building on the ground floor at the front and rear of the building, metal brise soleil awnings above the deck areas on the fourth floor, and a metal cap reveal along the top edge of the building is consistent with the pattern of diverse architectural styles that characterize the city's commercial areas;
- that the proposed storefront, consisting primarily of an aluminum and glass system recessed at various points along the building façade and a metal canopy at the main entry to the building, and concealing the parking garage by locating it below grade and placing the vehicle entry to the garage at the rear of the building, promotes pedestrian activity by allowing views directly into the retail business;
- that the proposed building is consistent with the architectural style and mass and bulk with other structures by using a variety of materials including brick veneer with recessed brick elements throughout the building, an aluminum and glass window wall system, a slate stone base, metal canopies on the ground floor at the front and rear of the building, metal brise soleil awnings above the deck areas on the fourth floor, and a metal cap reveal along the top edge of the building; and
- that the proposal is consistent with the design guidelines established in Chapter 5 of the Downtown Specific Plan (Design & Character).

**Required Findings for a Conditional Use Permit:** In order to grant a Conditional Use Permit for building height, the Planning Commission must find that the following conditions exist on the property (Code Section 25.52.020 a-c):

- (a) the proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience;
- (b) the proposed use will be located and conducted in a manner in accord with the Burlingame general plan and the purposes of this title;
- (c) the Planning Commission may impose such reasonable conditions or restrictions as it deems necessary to secure the purposes of this title and to assure operation of the use in a manner compatible with the aesthetics, mass, bulk and character of existing and potential uses on adjoining properties in the general vicinity.

**Suggested Findings for a Conditional Use Permit for Building Height:** The project may be found to be compatible with the requirements of the Conditional Use Permit criteria based on the following:

- that since the proposed building does not exceed the maximum allowed building height of 55'-0" (55'-0" proposed to the top of roof ridge), the massing and height of the building along the fourth floor transitions from three stories (45'-0" in height) to four stories (55'-0" in height), and will comply with the California Building and Uniform Fire Codes, the proposal will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience;
- that since the proposal meets the Goals and Policies of the Downtown Specific Plan to guide growth and development in Downtown Burlingame, the use will be in compliance with the general plan for the area; and
- that conditions of approval have been suggested for consideration to assure that the proposal is compatible with the aesthetics, mass, bulk and character of existing and potential uses on adjoining properties in the general vicinity.

**Suggested Findings for a Conditional Use Permit for Office Use in a Portion of the Ground Floor:** The project may be found to be compatible with the requirements of the Conditional Use Permit criteria based on the following:

- that since the proposed office use on the ground floor makes up a minor portion of the ground floor space (7%), will be occupied by the Burlingame Historical Society which will provide a community benefit, will promote pedestrian activity by enhancing the public's experience in viewing the Severn Lodge Dairy Wallscape, will be compatible with office uses on the upper floors of the building and with other existing offices uses in the vicinity, and improvements will comply with the California Building and Uniform Fire Codes, the office use on the ground floor will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience;
- that since the proposal meets the Goals and Policies of the Downtown Specific Plan to guide growth and development in Downtown Burlingame, will allow mixed-uses in the Auto Row that introduce residential/commercial development, will create appropriate transitions to adjacent uses, the use will be in compliance with the general plan for the area; and
- that conditions of approval have been suggested for consideration to assure that the proposal is compatible with the aesthetics, mass, bulk and character of existing and potential uses on adjoining properties in the general vicinity.

**Planning Commission Action:** The Planning Commission should conduct a public hearing on the application, and consider public testimony and the analysis contained within the staff report. Action should include specific findings supporting the Planning Commission's decision, and should be affirmed by resolution of the Planning Commission. The reasons for any action should be stated clearly for the record. At the public hearing the following conditions should be considered:

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped February 27, 2018, sheets A0.0.0 through A9.2.1, ALTA, C-4, L1.01 and L2.01;
2. that any changes to the size or envelope of building, which would include changing or adding exterior walls or parapet walls, shall require an amendment to this permit;

3. that any changes to building materials, exterior finishes, windows, architectural features, roof height or pitch, and amount or type of hardscape materials shall be subject to Planning Division or Planning Commission review (FYI or amendment to be determined by Planning staff);
4. that the maximum elevation at the top of the roof screen shall not exceed elevation 89.24', and that the maximum elevation at the top of the roof ridge shall not exceed elevation 85.22' for a maximum height of 55'-0", and that the top of each floor and final roof ridge and top of roof screen shall be surveyed and approved by the City Engineer as the framing proceeds and prior to final framing and roofing inspections. The main lobby finished floor shall be elevation 31.0'; the second floor finished floor shall be elevation 46.92'; the third floor finished floor shall be elevation 59.22', and the fourth floor finished floor shall be elevation 71.52'. Should any framing exceed the stated elevation at any point it shall be removed or adjusted so that the final height of the structure with roof shall not exceed the maximum height shown on the approved plans;
5. that the on-site parking spaces shall be used only for the tenants and visitors of the office and retail facilities on this site and shall not be leased or rented for storage of automobiles or goods either by individuals or businesses not on this site or by other businesses for off-site parking;
6. that prior to issuance of a building permit for the project, the applicant shall pay the parking in-lieu fee in the amount of \$577,143.27, made payable to the City of Burlingame and submitted to the Planning Division;
7. that prior to issuance of a building permit for the project, the applicant shall pay the commercial linkage fee in the amount of \$683,675.00, made payable to the City of Burlingame and submitted to the Planning Division;
8. that prior to issuance of a building permit for the project, the applicant shall pay the first half of the public facilities impact fee in the amount of \$195,233.05, made payable to the City of Burlingame and submitted to the Planning Division;
9. that prior to scheduling the final framing inspection, the applicant shall pay the second half of the public facilities impact fee in the amount of \$195,233.05, made payable to the City of Burlingame and submitted to the Planning Division;
10. that during construction, the applicant shall provide fencing (with a fabric screen or mesh) around the project site to ensure that all construction equipment, materials and debris is kept on site;
11. that storage of construction materials and equipment on the street or in the public right-of-way without an encroachment permit shall be prohibited;
12. that the conditions of the Building Division's September 20, 2017 and July 13, 2017 memos, the Engineering Division's January 11, 2018, November 17, 2017, September 25, 2017 and July 28, 2017 memos, the Fire Division's October 4, 2017 and August 14, 2017 memos, the Parks Division's September 27, 2017 and July 25, 2017 memos, and the Stormwater Division's September 27, 2017 and July 20, 2017 memos shall be met;
13. that prior to issuance of a building permit for construction of the project, the project construction plans shall be modified to include a cover sheet listing all conditions of approval adopted by the Planning Commission, or City Council on appeal; which shall remain a part of all sets of approved plans throughout the construction process. Compliance with all conditions of approval is required; the conditions of approval shall not be modified or changed without the approval of the Planning Commission, or City Council on appeal;

14. that demolition or removal of the existing structures and any grading or earth moving on the site shall not occur until a building permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
15. that the project shall comply with the Construction and Demolition Debris Recycling Ordinance which requires affected demolition, new construction and alteration projects to submit a Waste Reduction plan and meet recycling requirements; any partial or full demolition of a structure, interior or exterior, shall require a demolition permit;
16. that the applicant shall comply with Ordinance 1503, the City of Burlingame Storm Water Management and Discharge Control Ordinance;
17. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, 2016 Edition, as amended by the City of Burlingame;

**THE FOLLOWING CONDITIONS SHALL BE MET DURING THE BUILDING INSPECTION PROCESS PRIOR TO THE INSPECTIONS NOTED IN EACH CONDITION:**

18. that prior to scheduling the foundation inspection, a licensed surveyor shall locate the property corners, set the building footprint and certify the first floor elevation of the new structure(s) based on the elevation at the top of the form boards per the approved plans; this survey shall be accepted by the City Engineer;
19. that prior to scheduling the framing inspection the project architect or residential designer, or another architect or residential design professional, shall provide an architectural certification that the architectural details shown in the approved design which should be evident at framing, such as window locations and bays, are built as shown on the approved plans; architectural certification documenting framing compliance with approved design shall be submitted to the Building Division before the final framing inspection shall be scheduled;
20. that prior to scheduling the roof deck inspection, a licensed surveyor shall shoot the height of the roof ridge and provide certification of that height to the Building Division; and
21. that prior to final inspection, Planning Division staff will inspect and note compliance of the architectural details (trim materials, window type, etc.) to verify that the project has been built according to the approved Planning and Building plans.

**THE FOLLOWING CONDITIONS OF APPROVAL ARE FROM DOWNTOWN SPECIFIC PLAN:**

22. the project sponsor shall prepare a Geotechnical Study identifying the depth to the seasonal high water table at the project site. No permanent groundwater dewatering would be allowed. Instead, all residential uses must be elevated to above the seasonal high water table and all areas for non-residential uses shall be flood-proofed and anchored, in accordance with floodplain development requirements, to the design depth as recommended by geotechnical engineer. Final design shall be prepared by a qualified professional engineer and approved by the Burlingame Department of Public Works prior to receiving a building permit;
23. the project sponsor shall implement all appropriate control measures from the most currently adopted air quality plan at the time of project construction;

24. the project sponsor shall ensure implementation of the following mitigation measures during project construction, in accordance with BAAQMD standard mitigation requirements:
  - a. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day or as necessary.
  - b. All haul trucks transporting soil, sand, or other loose material offsite shall be covered or otherwise loaded consistent with California Vehicle Code Section 23114.
  - c. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry sweeping is prohibited.
  - d. All vehicle speeds on unpaved roads shall be limited to 15 mph.
  - e. All roadways, driveways, sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
  - f. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
  - g. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
  - h. Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
25. the project sponsor shall implement the following Greenhouse Gas reduction measures during construction activities:
  - a. Alternative-Fueled (e.g., biodiesel, electric) construction vehicles/equipment shall make up at least 15 percent of the fleet.
  - b. Use at least 10 percent local building materials.
  - c. Recycle at least 50 percent of construction waste or demolition materials.
26. the project sponsor shall provide adequate secure bicycle parking in the plan area at a minimum ratio of 1 bicycle spot for every 20 vehicle spots;
27. that employers shall post and update information on alternate modes of transportation for the area (i.e. bus/shuttle schedules and stop locations, maps);
28. the project sponsor shall incorporate commercial energy efficiency measures such that energy efficiency is increased to 15% beyond 2008 title 24 standards for electricity and natural gas;
29. the project sponsor shall incorporate recycling measures and incentives such that a solid waste diversion rate of 75% is achieved upon occupation of each phase of plan development;

30. the project sponsor shall incorporate commercial water efficiency measures such that water consumption is decreased by a minimum of 10 percent over current standard water demand factors;
31. that construction shall avoid the March 15 through August 31 avian nesting period to the extent feasible. If it is not feasible to avoid the nesting period, a survey for nesting birds shall be conducted by a qualified wildlife biologist no earlier than 7 days prior to construction. The area surveyed shall include all clearing/construction areas, as well as areas within 250 ft. of the boundaries of these areas, or as otherwise determined by the biologist. In the event that an active nest is discovered, clearing/construction shall be postponed within 250 ft. of the nest, until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts;
32. that for projects within the Plan Area that require excavation, a Phase I Environmental Site Assessment (and Phase II sampling, where appropriate) would be required. If the Phase I Environmental Site Assessment determines that remediation is required, the project sponsor would be required to implement all remediation and abatement work in accordance with the requirements of the Department of Toxic Substances Control (DTSC), Regional Water Quality Control Board (RWQCB), or other jurisdictional agency;
33. that the following practices shall be incorporated into the construction documents to be implemented by the project contractor.
  - a. Maximize the physical separation between noise generators and noise receptors. Such separation includes, but is not limited to, the following measures:
    - Use heavy-duty mufflers for stationary equipment and barriers around particularly noisy areas of the site or around the entire site;
    - Use shields, impervious fences, or other physical sound barriers to inhibit transmission of noise to sensitive receptors;
    - Locate stationary equipment to minimize noise impacts on the community; and
    - Minimize backing movements of equipment.
  - b. Use quiet construction equipment whenever possible.
  - c. Impact equipment (e.g., jack hammers and pavement breakers) shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically-powered tools. Compressed air exhaust silencers shall be used on other equipment. Other quieter procedures, such as drilling rather than using impact equipment, shall be used whenever feasible.
34. the project sponsor shall incorporate the following practice into the construction documents to be implemented by construction contractors: The project sponsor shall require that loaded trucks and other vibration-generating equipment avoid areas of the project site that are located near existing residential uses to the maximum extent compatible with project construction goals;
35. that if the project increases sewer flows to the sanitary sewer system, the project sponsor shall coordinate with the City Engineer to determine if improvements to public sanitary sewer infrastructure are needed. If improvements are needed, the following shall apply:
  - that prior to issuance of a building permit, the project sponsor shall develop a plan to facilitate sanitary sewer improvements. The plan shall include a schedule for implementing sanitary sewer upgrades that would occur within the development site and/or contribution of a fair share fee toward those improvements, as determined by the City Engineer. The plan shall be reviewed by the City Engineer.

36. that prior to issuance of a building permit, the development plans shall be reviewed by the Fire Marshal to determine if fire flow requirements would be met given the requirements of the proposed project, and the size of the existing water main(s). If the Fire Marshal determines improvements are needed for fire protection services, then the following shall apply:
- that prior to issuance of a building permit the project sponsor shall be required to provide a plan to supply adequate water supply for fire suppression to the project site, consistent with the Fire Marshal's requirements. The plan shall be reviewed by the Fire Marshal. The project sponsor shall be responsible for implementation of the plan including installation of new water mains, and/or incorporation of fire water storage tanks and booster pumps into the building design, or other measures as determined by the Fire Marshal.
37. that if evidence of an archeological site or other suspected cultural resource as defined by CEQA Guidelines Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, worked bone, fired clay vessels, faunal bone, hearths, storage pits, or burials) is discovered during construction-related earth-moving activities, all ground-disturbing activity within 100 feet of the resources shall be halted and the City of Burlingame shall be notified. The project sponsor shall hire a qualified archaeologist to conduct a field investigation. The City of Burlingame shall consult with the archeologist to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less-than significant level through data recovery or other methods determined adequate by a qualified archaeologist and that are consistent with the Secretary of the Interior's Standards for Archeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-J) form and filed with the NWIC;
38. that should a unique paleontological resource or site or unique geological feature be identified at the project construction site during any phase of construction, the project manager shall cease all construction activities at the site of the discovery and immediately notify the City of Burlingame. The project sponsor shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less-than-significant level. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is carried out. The project sponsor shall be responsible for implementing any additional mitigation measures prescribed by the paleontologist and approved by the City; and
39. that if human remains are discovered at any project construction site during any phase of construction, all ground-disturbing activity within 100 feet of the resources shall be halted and the City of Burlingame and the County coroner shall be notified immediately, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined by the County coroner to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours, and the guidelines of the NAHC shall be adhered to in the treatment and disposition of the remains. The project sponsor shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. As necessary, the archaeologist may provide professional assistance to the Most Likely Descendant, including the excavation and removal of the human remains. The City of Burlingame shall be responsible for approval of recommended mitigation as it deems appropriate, taking account of the provisions of State law, as set forth in CEQA Guidelines section 15064.5(e) and Public Resources Code section 5097.98. The project sponsor shall implement approved mitigation, to be verified by the City of Burlingame, before the resumption of ground-disturbing activities within 100 feet of where the remains were discovered.

Ruben Hurin  
Senior Planner

- c. 20 Hobart LLC, applicant and property owner  
MBH Architects, project architect

Attachments:

February 12, 2018 Planning Commission Minutes  
Applicant's Response Letter, dated February 27, 2018  
Application to the Planning Commission  
Conditional Use Permit Applications  
Letter in Support of Proposed Project, submitted by Sean M. McAvoy, dated February 7, 2018  
Email in Support of Proposed Project, submitted by Ron Karp, dated February 9, 2018  
Email in Support of Proposed Project, submitted by Kirk Syme, dated February 15, 2018  
Letter of Support submitted by Emmett W. MacCorkle, dated January 24, 2018  
Letter of Support submitted by Sam Malouf, dated January 28, 2018  
Historic Memorandum, prepared by Page & Turnbull, dated August 7, 2017  
5BY2 Automated Parking System Product Information  
Downtown Specific Plan Applicable Design Guidelines  
Staff Comments  
Notice of Public Hearing – Mailed March 2, 2018  
Aerial Photo