

San Francisco Bay Conservation and Development Commission

455 Golden Gate Avenue, Suite 10600, San Francisco, California 94102 tel 415 352 3600 fax 415 352 3606

June 1, 2018

TO: Design Review Board Members
FROM: Lawrence J. Goldzband, Executive Director (415/352-3653; larry.goldzband@bcdc.ca.gov)
Andrea Gaffney, Bay Design Analyst (415/352-3643; andrea.gaffney@bcdc.ca.gov)
SUBJECT: Draft Minutes of the May 7, 2018, BCDC Design Review Board Meeting

1. **Call to Order and Safety Announcement.** Design Review Board (Board) Chair Karen Alschuler called the meeting to order at the Bay Area Metro Center, 375 Beale Street, Yerba Buena Room, First Floor, San Francisco, California, at approximately 5:30 p.m., and asked everyone to introduce themselves.

Other Board members in attendance included Board Vice Chair Gary Strang and Board Members Tom Leader, Jacinta McCann, and Stefan Pellegrini. BCDC staff in attendance included Rebecca Coates-Maloon, Andrea Gaffney, and Brad McCrea. The presenters were Andrew Davies (EKN Development Group LLC), Ryan Doone (HKS Architects, Inc.), and Kevin Gardner, City of Burlingame. Public comment via email was submitted by Laura Thompson (San Francisco Bay Trail).

Andrea Gaffney, BCDC Bay Design Analyst, reviewed the safety protocols, meeting protocols, and meeting agenda.

Ms. Gaffney stated there are two projects scheduled for every DRB meeting through November, not including projects seen earlier this year that will return for further review.

The Commission will hear the Caltrans Public Access Piers, Mission Rock, and phase two of the South Bay Salt Ponds at the June 21st meeting.

The Oyster Point Development was approved by the Commission.

2. **Report of Chief of Permits.** No report was made at this meeting.

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DRB MINUTES
May 7, 2018

3. **Approval of Draft Minutes for April 9, 2018, Meeting.** Mr. Leader referred to the 8th paragraph on page 9 and asked to change his comment “something piazza-like with a baptistry well at the base of the stack” to “a focal point at the base of the stack.”

Ms. McCann referred to number twelve under Circulation on page twelve and asked to change “the bicycle circulation plan is very clear” to “design a clear bicycle circulation plan.”

MOTION: Mr. Leader moved approval of the Minutes for the April 9, 2018, San Francisco Bay Conservation and Development Commission Design Review Board meeting as revised, seconded by Ms. McCann.

VOTE: The motion carried with a vote of 5-0-0 with Board Chair Alschuler, Board Vice Chair Strang, and Board Members Leader, McCann, and Pellegrini voting approval with no abstentions.

4. **Hotel Development at 1499 Old Bayshore Highway, Burlingame, San Mateo County (First Pre-Application Review).** The Board held their first pre-application review of a proposal by the EKN Development Group LLC to redevelop a 2.19-acre site bounded by Old Bayshore Highway to the east, Mahler Road to the north, existing industrial buildings to the west, and the tidally-influenced Mills Creek to the south. The City of Burlingame Shorebird Sanctuary and the San Francisco Bay Trail are located across Old Bayshore Highway from the project site. The proposed project would include a 12-story dual-flag hotel with 404 rooms, a 4-story parking structure, and a restaurant. Public access improvements include an open space and public seating area, and other public amenities.

a. **Staff Presentation.** Rebecca Coates-Maloon, BCDC Coastal Program Analyst, introduced the project and summarized the issues in the staff report including whether the project:

- (1) Provides sufficient opportunities for public access on the site.
- (2) Provides waterfront activities for a wide variety of users and creates a “sense of place,” which would be unique and enjoyable.
- (3) Designs public access areas in a manner that “feels public” and makes the shoreline enjoyable to the greatest number of people.
- (4) Provides the best opportunity to enhance shoreline public access and enhances views of the Bay and Mills Creek in the vicinity of the project site.
- (5) Designs the Mills Creek open space and public seating area to be compatible with a creek side public access corridor should one be developed in the future.
- (6) Minimizes adverse impacts to wildlife, including along Mills Creek and at the bird sanctuary opposite Old Bayshore Highway.

(7) Provides safe and convenient pedestrian access across Old Bayshore Highway between the project site and the Bay Trail.

(8) Includes connections between the various public areas (Mills Creek open space, public seating area, sidewalks and crosswalk to Bay Trail, etc.) that are designed appropriately to connect people to and along the shoreline.

(9) Designs the valet drive aisle and emergency vehicle lane to be compatible with the Mills Creek open space and public seating area.

(10) Sites and designs the hotel and parking structure to minimize potential view impacts from the shoreline, and designs the proposed drive aisles, public seating area, and landscape features to maximize views to and along the Bay and Mills Creek.

(11) Appropriately designs the public areas to be resilient and adaptive to sea level rise.

Ms. Coates-Maldoon showed a video of the project site. She noted that the square footage listed in the Staff Report for the hotel and parking structure reflects building square footage. She stated the shoreline band, including both the portion along Mills Creek and the Bay, is approximately 36 percent of the project site. The built-up area within the shoreline band is approximately 58 percent of the shoreline band.

b. **Project Presentation.** Andrew Davies, EKN Development Group LLC, introduced the project team. He provided an overview, with a slide presentation, of the proposed building and parking structure and discussed the opportunities for public access throughout the site.

c. **Board Questions.** Following the presentation, the Board asked a series of questions:

Ms. Alschuler asked what the city of Burlingame has planned. Kevin Gardiner, Planning Manager, City of Burlingame, stated the primary land uses in this part of Burlingame are hotels, offices, and restaurants. There are two tiers of development: a base tier and a secondary tier where projects can request increased density or height. The proposed project is part of the secondary tier.

Mr. Pellegrini asked if there are plans for the Old Bayshore Highway. Mr. Gardiner stated, although the plan needs to be updated for this area, which would include roadway design, the city currently has been looking only at land use.

Ms. Alschuler asked if the sidewalk will be redone next to the new facility. Mr. Gardiner stated the Public Works Department will meet the minimum requirements for ADA access.

Ms. Alschuler asked if there are any plans for the Shorebird Sanctuary. Mr. Gardiner stated the idea is to enhance its access to the San Francisco Bay Trail. A long-term goal of the city is to close the gaps in the Bay Trail and make improvements where it is deficient.

Ms. McCann asked about public transportation and mobility to the area. Mr. Gardiner stated the area is better served by transit than it appears. There is a SamTrans bus line that runs from San Francisco to Hillsdale Mall in San Mateo and through the airport. Also, Caltrain operates a number of shuttles. More transportation demand management will be necessary as the area builds up.

Mr. Leader asked if the road has heavy traffic and if it is safe to cross without a light. Mr. Gardiner stated it is not high volume but it is wide enough to make it dangerous to jaywalk.

Ms. Alschuler asked if there are plans to reopen Mills Creek in the greenway or parkway or park plans for the city. The city policy is for each property to develop a creek frontage.

Mr. Leader stated it looks like the future trail extension along the creek will not happen until far into the future. Mr. Gardiner agreed. He stated the challenge that each piece of Mills Creek and the Bay Trail is owned separately. The longer-term goal is for those pieces to connect. As each project is developed, it will contribute to the big picture.

Mr. Leader asked if the proposed project is required to build a segment of the Bay Trail. Ms. Gaffney stated it is not.

Ms. Alschuler added that typically developments do. Ms. Gaffney stated each project needs to achieve maximum feasible access consistent with the project, which typically does include a piece of the Bay Trail but it is not a requirement. The city requires a view corridor along the creek. Between the view corridor and the easement along the creek, it is conducive to a future creek side access that could be a connector trail to the Bay Trail. It would not be an official part of the Bay Trail but it will be a connector.

Mr. Strang asked if the crosswalk is necessary at Mahler Road or if it could be moved to the south rather than having two crosswalks close to each other. Mr. Gardiner stated it is something that needs further study. Ms. Coates-Maldoon stated Mahler Road is signalized. The painted crosswalks that are unsignalized south of the project are related to another hotel project.

Ms. McCann asked if the outdoor covered seating areas are serviced by a restaurant or purely public seating. Mr. Davies stated it is purely public seating.

Mr. Strang asked for more detail about the valet parking aisle on the southeast corner. Mr. Davies pointed to locations on a presentation slide showing the path a vehicle would take to check in at the valet station and the valet entrance to the parking garage.

Mr. Pellegrini asked if left turns would be possible out of the valet drive aisle. Mr. Davies stated the city prohibits a left turn at that location.

Ms. McCann asked if the design includes conference facilities and events where significant numbers of individuals might use the valet parking. Mr. Davies stated the design only includes small meeting rooms.

Ms. Alschuler referred to Slide 10 and stated the valet drive aisle, walking path, and public seating area would be inundated during sea level rise. Mr. Davies stated the caveat to that is the mean high water is currently at 683; it would be at 791 at 2050, and 858 in 2100. It would only be inundated as a temporary condition in a 100-year flood.

Mr. Strang asked if the steep bank in Slide 10 is riprap. Mr. Davies stated it has yet to be surveyed to show the slope of the bank.

Mr. Strang stated it would be interesting to see the existing grade on the presentation slide.

Mr. Pellegrini stated the south elevation of the parking garage appeared open but the renderings make it appear closed. Mr. Davies stated it will be open.

Mr. Pellegrini asked if the project proponents have looked at shadow studies and the quality of the public space along the northern side during the day. Mr. Davies stated a shadow study was conducted as part of the initial study. It was provided as a separate exhibit in the meeting packet. He showed slides of the shadow study with the area depicted at different times and seasons.

Ms. Alschuler asked if issues related to the Shorebird Sanctuary and birds in the area have been studied. Mr. Davies stated a habitat study was part of the initial study.

Mr. Leader asked if new planting is being added to the creek outside the property line. Mr. Davies stated no plantings will be added to the creek.

Mr. Leader asked if the project proponents are confident in the stability of the steep slope in the creek area. Mr. Davies stated the building will include significant piles.

Mr. Leader asked if there will be any improvements within the geogrid corridor. Mr. Davies stated the geogrid paving, trees, and shrubs will be added to that area.

Ms. Alschuler asked if the path and space for individuals to walk on is all potentially vehicular. Mr. Davies stated it will be for emergency vehicles only for the building and parking structure.

Ms. Alschuler asked how the proximity to the Bay and Shorebird Sanctuary influenced the design. Ryan Doone, HKS Architects, Inc., stated the proximity to the Shorebird Sanctuary is special. The site is unique; it is the only site on the inland side of Old Bayshore Highway that is open to the Bay. A number of massing studies were done to see how to best take advantage of that. There were a number of factors that played into it. The L-shaped building maximizes the views to the Shorebird Sanctuary, the San Francisco International Airport, and the San Francisco skyline.

d. **Public Hearing.** Ms. Gaffney read the written public comment submitted by Laura Thompson, Planner, San Francisco Bay Trail. Ms. Thompson requested that the Board consider requiring public access improvements offsite as a condition of approval for the development to close a longstanding gap in the Bay Trail that is located within a quarter mile of the development site.

Ms. Pellegrini asked if Ms. Thompson was referring to the same gap location shown in the introductory presentation. Ms. Gaffney pointed to gap locations on a presentation slide.

Ms. McCann asked if there is a concept plan for the section that is being developed for the completion of the Bay Trail. Ms. Gaffney stated the SFO Tech Center Project will present at a Board meeting in the fall. It has a public access plan that is a piece of the shoreline that bridges over East End Creek and continues for a portion but does not complete the gap.

e. **Board Discussion.** The Board responded to questions from the staff report as follows:

(1) **Design of the Proposed Public Access**

(a) Given the proposed intensity of use of the site and anticipated increase in demand for public access, does the proposed project design provide sufficient opportunities for public access on the site?

Ms. Alschuler stated the Board does not feel there is sufficient public access on the site with the current design.

Mr. Strang suggested focusing on the Mills Creek side. It has the potential for future connection. There are many issues on the creek that could be addressed. The way that the design maxes out the site is aggressive. Although it is clever, putting the ADA in the set-back area and then sharing with pedestrians makes sense. He stated the need to think about the geogrid and fire lane on the top of a steep, mushy slope, and how that relates to valet parking interrupting the experience for visitors - the public open space faces onto the creek but at the same time is cut off by the valet parking.

Mr. Strang stated in terms of the geogrid, it is hard to get lawn to grow on a fire lane. Some pave path would be necessary to go through the fire lane to get the pedestrian connection to work. The geogrid and the lawn sit on top of an engineered base for a fire lane so there are three to four inches of soil to grow the grass in. In this Mediterranean climate with nine months dry, it is hard to keep it irrigated. He stated he has never seen a successful installation of that.

Mr. Strang questioned how inviting the public outdoor space is, given that the main public outdoor space faces onto the valet drive aisle, which might be heavily used at times, and then backs up to the windows, where potentially high-end food service is going on but does not offer food service to the seating area.

Ms. McCann stated there is a distinction in the questions between the section of appealing access and the provision of functional access. This is definitely functional access, although it is unclear whether individuals would see this as an inviting place to walk into. Project proponents tried to incorporate measures to make it greener. Whether they function or not is another question.

Ms. McCann questioned the size of the garage and asked if it is being short-sighted to build it out so close to the property line if, in five years' time, automated and connected vehicles might be more in play, when individuals' behaviors may have changed in terms of vehicle usage, and when the clientele for this hotel may be coming from the airport. Who knows how much real use of the parking garage will occur? What if 20 percent of the stores were not being used? She suggested stepping the garage back to capture something great and create something that would be a terrific experience from both perceptual and functional standpoints.

Ms. Alschuler stated, historically, developers have stayed away from the 100-foot shoreline band. The BCDC supports building public amenities into the 100-foot band to encourage the public to visit, feel comfortable and safe, and enjoy the natural areas of the Bay. The open view to the parking garage in the tributary band along Mills Creek will never satisfy that requirement. She stated the need to be more respectful of creeks around the Bay. She suggested reorienting the building, moving it back, and including a pathway and a driveway.

Ms. McCann stated this is a time of great change in terms of what should be built for parking. She suggested building 20 percent less parking in Phase 1 and, if it is determined that more parking is required, adding it in a future phase. Improving the public space along the creek will add value for hotel guests and the general public.

Ms. Alschuler stated there is also a wildlife value in pulling the structures back because Mills Creek runs from the Shorebird Sanctuary, past the proposed project, and up into the hills.

Ms. McCann stated the project proponents have done a good job trying to make a more public edge by adding tables and chairs. She suggested enhancing it with more casual seating. She stated she liked having the public zone there but the space is tight.

Mr. Leader stated the design has gone too far in maximizing the benefit of the hotel while the creek receives nothing. He suggested finding ways to add space next to the creek that is usable for the public and to add something that will benefit the creek environment next to the creek. It would make a difference to provide a space where the hotel staff and guests could go next to the creek, and to improve the creek environment where the public can connect to the creek instead of falling off the edge. The creek side does not provide a stable edge for a fire lane as it is, especially when flooded. It is not fair, if it is a public space, to force visitors and guests to walk across the valet entrance to the parking garage with cars going in and out.

Mr. Leader stated the seating along the creek is not public seating; it seems more intended to be café seating for the restaurant, although it is nice to have it there.

Mr. Strang stated under the fire lane at the blue-dotted line in the presentation slide is the stormwater catchment area. That is a load on the soil there, too. He suggested putting a retaining wall there and possibly putting the tank inside the garage.

Ms. Alschuler stated this project provides an opportunity to do something as a great example for the rest of the life of the creek.

Mr. Leader referred to Ms. Alschuler's earlier question about what the public is getting out of this project. He stated it is an open question at this point.

Ms. Alschuler stated she asked but only heard about maximizing the value to the hotel of being on the Shorebird Sanctuary but not what the project will contribute to the public realm, which is why the 100-foot band is there.

(b) Would the proposed design for the Mills Creek open space and public seating area provide waterfront activities for a wide variety of users, and create a "sense of place," which would be unique and enjoyable?

Ms. Alschuler stated there is barely a connection there with the current design. There is a public gesture at the corner but there needs to be more - something that hotel guests and the public would use.

(c) Are the public access areas designed in a manner that "feels public" and makes the shoreline enjoyable to the greatest number of people?

Ms. Alschuler stated the current design does not feel public.

(d) Does the proposed Mills Creek open space and public seating area provide the best opportunity to enhance shoreline public access and enhance views of the Bay and Mills Creek in the vicinity of the project site? Are there additions and/or alternative improvements and locations that should be considered?

Ms. Alschuler stated the idea of a public corner in the current design is not executed in a way to enhance shoreline public access or to enhance the views. She suggested asking for a crossing to the Shorebird Sanctuary across Old Bayshore Highway, perhaps by fitting two lights together. There should be an ability to circulate there.

Mr. Pellegrini stated, if thinking about offsite improvements or improvements to the Old Bayshore Highway that would come in with this project, then an additional southern crosswalk would be valuable. There is a huge portion of the site that is within the shoreline jurisdiction, but the entire roadway, as well, is fronting the park. If the Old Bayshore Highway was thought of as a system and there is an opportunity for many individuals to be encouraged to come off of city streets and come into the Bay, this becomes an important location.

Mr. Pellegrini stated, if a hotel is going to happen here, he suggested the funding of initial improvements to start to put that in the proper direction, and then maybe something that the city can pick up on. If the parking demand will reduce, then the traffic demand will also reduce on this portion of the highway. He suggested including prioritized bus stops in this location, considering if four travel lanes are necessary, and maybe putting in a bicycle track along Old Bayshore Highway.

Ms. Alschuler stated it is a great location for a test project.

Mr. Pellegrini stated some of that may be out of the purveyance of this project, but it is important.

(e) Is the design of the Mills Creek open space and public seating area compatible with a creek side public access corridor should one be developed in the future?

(f) Have the project and its public access improvements been designed to minimize adverse impacts to wildlife, including along Mills Creek and at the bird sanctuary opposite Old Bayshore Highway?

Ms. Alschuler stated nothing has been done in the current design that would be attractive to wildlife. It would benefit the wildlife to pull the buildings back.

Mr. Pellegrini asked if BCDC staff uses the Audubon Society's guidelines for bird-safe buildings when looking at projects. Ms. Gaffney stated staff generally asks the Audubon Society to comment on projects. Mr. McCrea stated the Site Assessment and Environmental Impact Report contain information on impacts to wildlife.

Mr. Pellegrini asked if the architect sees the need to increase the space for the plantings close to the shoreline as the Base Flood Elevation rises because more of the creek bed will be subject to salt water incursion. He asked if a traditional landscape layer will be created higher up the bank where the freshwater plants can migrate. Mr. Doone stated the bank is so steep that there is little chance of biodiversity or the migration of saltwater to freshwater species. It would help to ease the slope, add stability, and introduce native plants.

Ms. Alschuler suggested giving the area 40 feet instead of 20 feet and including both a walking path and a road.

Mr. Strang agreed. He stated the slope could be laid back with shallow areas where the landscape can retreat.

Mr. Strang stated the Old Bayshore Highway is important and should be given breathing room. He suggested detailing a section through there at the next presentation to help the Board better understand how the street section works. He referred to Slide 11, the arrival court and outdoor dining area. He stated the trees need some space, and it would be nice to have some room between the back of the sidewalk and the restaurant. It is difficult to see how wide the sidewalk is on the slide.

Mr. Pellegrini agreed that there is an opportunity to provide more breathing room at the garage and the southern elevation facing the creek and what can happen on the building side in terms of public rooms or amenities that might be facing that. There is an opportunity for public art or a green wall, if there will be a garage program, to make the side of the building an interesting backdrop and amenity. There is an opportunity for this project to set an example for further redevelopments.

Mr. Pellegrini stated all that is parking lot today drains into the creek. There is an enormous amount of runoff that will be eliminated through this project. There is an opportunity to improve the water quality in this location that should be showcased with landscape to tell that part of the story.

(2) Physical and Visual Connections

(a) Does the project provide safe and convenient pedestrian access across Old Bayshore Highway between the project site and the Bay Trail? Would an additional pedestrian crosswalk on Old Bayshore Highway at Mills Creek improve access to and along the shoreline of the Bay and the Creek?

Ms. Alschuler suggested recommending a second crossing where it is safe. Board members agreed.

(b) Are the connections between the various public areas (Mills Creek open space, public seating area, sidewalks and crosswalk to Bay Trail, etc.) designed appropriately to connect people to and along the shoreline?

(c) Are the valet drive aisle and emergency vehicle lane compatible with the Mills Creek open space and public seating area, or could the experience be improved?

(d) Have the hotel and parking structure been sited and designed to minimize potential view impacts from the shoreline? Are the proposed drive aisles, public seating area, and landscape features designed to maximize views to and along the Bay and Mills Creek?

(3) Sea Level Rise

(a) Are the public areas appropriately designed to be resilient and adaptive to sea level rise?

Mr. Strang stated the elevation of the garage along the creek is worth thinking about and understanding what that experience is like in the creek corridor. He asked if the parking garage floors can be repurposed for some commercial use later if the demand for parking is not there.

Ms. Alschuler stated the Board suggestions come under an umbrella of opportunity and responsibility for being on this site. The Board would like to see the recognition of the importance of this site in greater public access and amenities with a better open space design. Thirty-six percent of the site is within the 100-foot band and too much of that is parking lot.

Ms. McCann suggested including some type of layback on the slope, an Environmental Vulnerability Assessment, and opportunities for individuals to sit and enjoy the space. She suggested softening the façade with climbing plants or art.

Mr. Leader suggested thinking of some way that individuals do not have to walk across the valet garage entry to access this public space.

Ms. Alschuler stated, if the design of the corner is turned and the shape of the hotel food service is changed, it would be a wonderful idea that this is an observed corner and that individuals coming across or starting down the creek will have the opportunity to enjoy a place to gather and look out onto an inviting public space. She suggested not closing off the corner.

Mr. Pellegrini stated he can imagine the Bay Trail in the lower right-hand corner of the presentation slide coming across a new high-quality pedestrian crossing and continuing with some similar width across the southern portion of the property that would all happen outside of the valet drive aisle and emergency vehicle access locations.

f. **Applicant Response.** Mr. Davies responded positively to the Board's discussion and suggestions. He stated the Board hit on many subjects that the design team has been struggling with. This pinch point has been the topic of hours of discussion on what to do, and the crossing has been a topic of discussion among the design team and the city. He stated the project team will take the Board's comments into consideration and will come up with an improved design.

g. **Board Summary and Conclusions.** The Board did not summarize their conclusions.(Please refer to the Board Questions and Discussion.)

The Board would like to see this project again.

5. **Adjournment.** There being no further business, Ms. Alschuler adjourned the meeting at approximately 7:30 p.m.