

**Millbrae Serra Station Responses Supporting “ASKS”
Exceeding MSASP TOD Baseline Development Standards**

‘Asks’ above the MSASP TOD Baseline:

May 24 2017

- 1. Allow Millbrae Serra Station (MSS) to place one building on each of three adjoining parcels:**
[Each of the three buildings will share garage access and use of unbundled garage parking easements, be connected by a common roadway access easement use over all three parcels that provides public use of the California Drive extension adjoining the MSS site. They are to be considered as one master planned project (for FAR, density, parking and publicly accessible open space purposes) that may be completed in separate phases.]

Reasons to support ASK 1: The MSASP supports the MSS development of a master planned, TOD mixed-use project. These often need to be built in phases or broken into large parcels when resulting parcels share basic easements, such as a common roadway and access ways to unbundled garage space for all occupants, and each parcel provides a mix of uses. For example, Building R1 has residential, retail (possibly live-work) and paid parking; R2 has residential and paid parking; and C1 has office, retail and paid parking. See Table 5.1 on page 5.2 of the MSASP listing all these as permitted TOD mixed uses. Furthermore, there is nothing in the MSASP to suggest that a master planned, TOD mixed-use project cannot be built in phases or broken into large parcels.

MSASP Section 4 Plan Concepts and Policies in:

Page 4.2 Policy 4.1 states: “Transit-Oriented Development (TOD)

The Specific Plan envisions a wide variety of uses in areas closest to the Millbrae BART/Caltrain Station (Millbrae Station), including the current BART parking lots, that take advantage of station proximity. Transit-Oriented Development (TOD) is a compact, walkable, high-density mixed-use residential and commercial area located within one-quarter to one-half mile of a transit station, incorporating features to encourage transit use throughout the day such as a mix of uses, high-quality pedestrian and bicycle access, narrow streets, and reduced parking requirements. Development for this area includes land use types such as residential, office, hotel, and ground-floor retail. The Specific Plan promotes the integration of these uses on individual sites and within single projects. All new development will prioritize access to transit. The integration of residential and employment uses will ensure that there is activity in the station area during the day and in the evenings.” (Emphasis added.) MSS is a single, master planned project with all three phases to be built over a shared but unbundled, three level underground parking garage that is not required to be used by any tenant and will be paid for hourly, daily, monthly or annually not only by the residents, occupants, and invitees of the three parcels, but by transit users and members of the general public, as permitted under the MSASP for TOD projects.

Policy 4.8 states in:

Page 4.19. “P-LU 10. Promote Class A office development near the station and along Adrian Road to take advantage of its proximity to Highway 101, transit, and new residential development. (Emphasis added.) We do this in building C1.

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Page 4.19. “P-LU 11. Encourage land assemblage to create parcels that are attractive to mixed use and office development.” (Emphasis added.) By the MSS project’s assemblage of 20 subdivision parcels and 3 other legal parcels into only 3 parcels it meets this policy.

2. **Allow MSS building to increase density over MSASP allowances:**
 - a. **Allow MSS Project’s Residential Dwelling Units density to increase to 125.8 units per acre** (Note: 80 Residents per acre is allowed in MSASP Baseline).
 - b. **Allow MSS Project’s FAR to increase to 5.61** (Note: 2.5 FAR is allowed in MSASP TOD Baseline).

Reason to Support ASK 2: The MSS project meets the intent of the MSASP to provide a Transit Oriented, high rise, high density residential and mixed-use project located on Site One. In the spirit of the MSASP, we filed an application in 2013 that proposed a 153,701 square foot master planned site for the construction of 500 residential units and over 300,000 square feet of offices in high rise structures with a 5.75 FAR. It was this plan that was used as the basis for MSASP and its CEQA analysis as the EIR’s Preferred Alternative for Site One. Our additional density above the 2.5 FAR baseline makes this TOD at Site One economically feasible by underwriting the desired affordable units, absorbing the significant costs associated with undergrounding and unbundling of all the project’s parking and making it available for the public use, leveraging the ability to provide over 31,851 square feet of new California Drive roadway and funding the development of the extension of California Drive from El Camino to Linden Avenue that provides El Camino traffic an alternate route to avoid crossing Millbrae Avenue and El Camino. These improvements include: a \$3 million-dollar replacement of the existing storm drain that the City may otherwise have to pay to build, bike path access, new and added bike stalls and bus drop-off at the BART/CalTrain station, a Galleria that accommodates BART/CalTrain users access to and from the Station, and establishes an iconic and state of the art, unified master planned TOD project that will put Millbrae on the map as an unparalleled, TOD, multi-modal transit center. By allowing the greater density, the City will double the baseline’s tax revenue to the City and its schools, which will transform the Millbrae Station Area by bringing vitality and significant new economic contributions to the City and its existing businesses and citizens. It is an opportunity for the City to double the number of the project’s affordable units.

Allowing this density increase is consistent with the following MSASP policies:

Section 1.6 ADMINISTRATION

Page 1.10 “ADJUSTMENTS TO THE DEVELOPMENT STANDARDS In order to create the most beneficial outcome, a certain amount of flexibility is needed to respond to shifts in market demand and changes in construction practices. When needed, submittals for minor adjustments to development standards as shown in Table 5-2 (up to a 10 percent increase) shall be made to the City of Millbrae, and determinations shall be made at the administrative level by the Community Development Director.”

Section 1.6 of the MSASP allows 10% increases for all the conditions listed and footnoted in Table 5-2 of the MSASP. The street walls' 10 foot set-back in Section 5.11 and the 45 degree

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transition (i.e., set-back) in Section 5.15 are both subject to the Height and Maximum FAR and Density in Table 5-2 because both "height limits and set-backs" are specifically referenced under footnote item [6] and can be included in making any 10% increases under 1.6 of the MSASP without any need to amend the MSASP. This is exactly why Section 1.6 was provided, and we ask it be applied to the MSS project.

“Minor adjustments that pertain to building height increases within the maximum height range of 108 to 121 feet are also subject to compatibility and consistency determination with the Airport Land Use Compatibility Plan (ALUCP).” We are within these permitted MSASP heights.

Land Use

Page 4.8, “P-LU 3. Encourage residential mixed-use development with ground-floor retail spaces facing El Camino Real that support transit and downtown businesses.” We do this with the building on R1.

“Urban Design”

Page 4.10 “P-UD 1. Allow for more intensive and taller development in the immediate vicinity of the Millbrae Station as a means to bring vitality to the area and increase transit ridership.” We do this with the buildings on R1, R2 and C1.

Page 4.10 “P-UD 2. Require building heights of new development to comply with FAA standards and the San Francisco International Airport Land Use Compatibility Plan.” We do this with the buildings on R1, R2 and C1.

Page 4.20 “P-UD 9. Create gateway features at the intersections of Victoria/El Camino Real,...to enhance the identity of Millbrae and the Plan Area. Gateway features include special architectural elements like corner towers, special intersection paving, signage, enhanced lighting, and corner development setbacks for open space. Ensure that new development buildings located at the three gateway intersections provide such features.” This is what we have done with the R1 building’s El Camino and the northerly California Drive frontages. We do this with the buildings on R1 (El Camino), R2 (Millbrae Avenue Overpass) and C1 (Millbrae Avenue Overpass).

Page 4.20 “P-UD 13. Ensure new buildings that can be seen from Highway 101 include a visually pleasing building envelope and signage.” Given the height of the BART station canopy and the BART station 5 story parking garage, the only way to “Ensure new buildings that can be seen from Highway 101” is to build structures that extend 2 or 3 stories above the effective 7-8 story block both these existing BART structures present to visibility of the MSS buildings from 101. This is what we have done with the R2 and C1 buildings heights.

3. **Allow MSS buildings to exceed the MSASP Buildable Envelope and project beyond setback, both above and below ground:**
 - a. **Above Ground (beyond setback into public access easement) projections on California Drive and Serra Avenue.**

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- i. Allow MSS buildings to exceed the setbacks and buildable envelope with up to a maximum of 5’-0” to 8’-0” projections for bldg. R-1, 3’-0” to 9’-4” projections for bldg. R-2, and 2’-7” to 8’-5” projections for bldg. C-2 of enclosed, FAR increasing, building volume that extends over trees, over the sidewalk and the public right of way. These projections begin at the 3rd floor for both the office and residential buildings on all building edges along the California Ave extension (both the northern residentially zoned edge and the eastern railroad edge of the site).

See table below quantifying the projections: The projections increase floor area within the units and thus increase the Project’s FAR from 5.40 to 5.61.

Combined, the office and residential projections would exceed the total buildable interior envelope volume by 12,078 sq. ft. See submittal sheet G1.04A Building Extension over Setback.

	Without Projection			With an up to 8' Projection			
	FAR	Total Bldg (SqFt)	Exceeds Property Setback (SqFt)	FAR	Total Bldg (SqFt)	Overall buildable volume exceedance of setback (SqFt)	Area projection over sidewalk (SqFt)
Overall Project	5.4	828,369	0	5.61	849,406	12,078	2,016
C-1 Building		282,800	0		290,140	3,345	496
R-2 Building		391,887	0		401,349	6,210	972
R-1 Building		153,682	0		157,917	3,562	548

Reasons to support ASK 3.a.i: Allow MSS buildings to project over the public access easement on California Drive and the tree line because the projection occurs from the 3rd floor to the 9th floor. This projection is a minimum of 25’ above sidewalk.

Allowing such an exception is consistent with the following MSASP policies:

Section 1.6 ADMINISTRATION

Page 1.10 “ADJUSTMENTS TO THE DEVELOPMENT STANDARDS In order to create the most beneficial outcome, a certain amount of flexibility is needed to respond to shifts in market demand and changes in construction practices. When needed, submittals for minor adjustments to development standards as shown in Table 5-2 (up to a 10 percent increase) shall be made to the City of Millbrae, and determinations shall be made at the administrative level by the Community Development Director.”

Section 1.6 of the MSASP allows 10% increases for all the conditions listed and footnoted in Table 5-2 of the MSASP. The street walls' 10 foot set-back in Section 5.11 and the 45 degree

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transition (i.e., set-back) in Section 5.15 are both subject to the Height and Maximum FAR and Density in Table 5-2 because both "height limits and set-backs" are specifically referenced under footnote item [6] and can be included in making any 10% increases under 1.6 of the MSASP without any need to amend the MSASP. This is exactly why Section 1.6 was provided, and we ask it be applied to the MSS project.

“Minor adjustments that pertain to building height increases within the maximum height range of 108 to 121 feet are also subject to compatibility and consistency determination with the Airport Land Use Compatibility Plan (ALUCP).” We are within these permitted MSASP heights.

- ii. Allow a street wall height of up to 110 feet (residential) and 111 feet (office). (MSASP TOD Baseline allows 100’ vertical within 600’ linear of transit.)

	Linear Ft of Exceedance of Street Wall Height
Overall Project	TBD
C-1 Building	228’-6”
R-2 Building	388’ 7”
R-1 Building	262’ – 5”

Reasons to support ASK 3.a.ii: The residential building street wall heights are within the maximum height range of 108 to 121 feet and consistent with the SFO ALUCP height limits. The street wall is articulated and modulated with balconies and bay windows which create a horizontal zone at approximately 82’ high with the upper floors setback from this line about 5’-0” to 6’-0”.

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Section 1.6 of the MSASP allows 10% increases for all the conditions listed and footnoted in Table 5-2 of the MSASP. The street walls' 10 foot set-back in Section 5.11 and the 45 degree transition (i.e., set-back) in Section 5.15 are both subject to the Height and Maximum FAR and Density in Table 5-2 because both "height limits and set-backs" are specifically referenced under footnote item [6] and can be included in making any 10% increases under 1.6 of the MSASP without any need to amend the MSASP. This is exactly why Section 1.6 was provided, and we ask it be applied to the MSS project.

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- iii. Allow MSS buildings to exceed the buildable envelope with no transition set-back for single family R1 zoned home at 500 Hemlock to permit a uniform residential building height at that corner across from the California Drive extension. (MSASP requires a 45-degree angle set-back for the R1 and R2 MSS).

Reasons to support ASK 3.a.iii: In addition to the loss of units and residential area (see chart below) as a result of the 45-degree set-back angle applied to R-2, the resulting “terracing” of the R-2 upper 5 levels creates many negative structural and mechanical impacts on the building, including alignment of vertical shafts, vent pipes as well as structural column transfers and increased waterproofing conditions at the extended series of terraces. The misalignment of these building systems would translate through all levels of the building thus compromising many of the unit layouts. In addition, there will be a significant number of additional roof penetrations conditioning and limiting the useable area for the roof garden on top of the R1 building. Given the existing designs articulation, there is no significant aesthetic benefit at over 80’ up. Finally, the loss and reduced size of these premium units with the best views to San Francisco and the North Bay will result in a significant loss of potential revenue that will affect financial feasibility. See figures below.

AREA / UNIT IMPACT OF 45 DEGREE PLANE ON BUILDINGS R1 & R2				
BUILDING R2				
LEVEL	AREA LOST (GFA)	UNITS LOST	PRIOR UNIT MIX*	ADJUSTED UNIT MIX*
GR	-	-		
2	-	-		
3	-	-		
4	-	-		
5	-	-		
6	942	-	1 - 1BR; 3 - 2BR Units	3 - 1BR; 1 - 2BR Units
7	1,698	-	1 - 1BR; 3 - 2BR Units	3 - 1BR; 1 - 2BR Units
8	2,455	2	1 - 1BR; 3 - 2BR Units	1 - 1BR; 1 - 2BR Units
9	3,210	2	1 - 1BR; 3 - 2BR Units	1 - 1BR; 1 - 2BR Units
10	3,210	2	1 - 1BR; 3 - 2BR Units	1 - 1BR; 1 - 2BR Units
TOTALS:	11,515	6		
* UNIT MIX AT NORTH END, COLS. 1 - 4				
BUILDING R1				
LEVEL	AREA LOST (GFA)	UNITS LOST	PRIOR UNIT MIX**	ADJUSTED UNIT MIX**
10	100	-	1 - 2BR	1 - 2BR
TOTALS:	100	-		
** UNIT MIX AT NORTHEAST END, COLS. F/1				

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Page 4.6 “Policy 4.2 RETAIN AND ENHANCE GATEWAY STREETS Millbrae Avenue and El Camino Real will continue to be the primary vehicular circulation routes as the Specific Plan is implemented. These two corridors provide the first visual impression to people coming from Highway 101 or from the south via Burlingame to Millbrae. As such, they should be attractive streets, fronted by well-designed buildings. The Specific Plan identifies three key locations that require special gateway treatments: one on Millbrae Avenue and two on El Camino Real, as shown in Figure 4-2. The Specific Plan requires new development at these locations to create a visually pleasing gateway image, featuring special architectural elements like corner towers, unique landscaping treatments, special intersection paving, signage, corner development setbacks for open space, or other approaches. (Emphasis added.) MSS is one of these locations.

Page 4.6 “Policy 4.2 TRANSITION TO SURROUNDING AREAS The scale and design of buildings should be in harmony with their surroundings. While buildings immediately next to the station will be relatively tall, buildings in the peripheral areas will need to transition in height in order to ensure an appropriate relationship to adjacent buildings.” (Emphasis added.) We are immediately next to the station.

b. Below Ground (under setback into public access easement) projections on California Drive, Serra Avenue and Linden Avenue.

- i. Since MSS is to continue to own and maintain the fee simple interest in the new extensions of California Drive and Serra Avenue subject only to the City’s surface rights-of-way and utility easements below the vehicular street grade, allow

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buildings' parking garages to extend under and beyond the setback into the privately owned subsurface below public right of way grade and use that area below the sidewalk for parking and storage by up to 8 feet under the California sidewalk and up to 17 feet under Serra Avenue. (MSASP requires a setback of 10 feet from edge of sidewalk curb along California Drive.)

- ii. Allow building parking garages to extend beyond the public right of way under the publicly owned subsurface to use area below the sidewalk for parking and storage of up to 2 feet 6 inches under the Linden Ave sidewalk. (MSASP requires a setback of 0-ft on Linden Avenue.)

Reasons to support ASK 3.b.i and 3.b.ii: By allowing the MSS Project to construct in the airspace at a height of 19'-7" from finished grade for bldg. C-1, 19'-6" from finished grade for bldg. R-1, and approximately 23' from finished grade for bldg. R-2. and below the sidewalk grade (at a minimum depth of 10' on California Drive in front of R-2, a depth of 12' in front of C-1, a depth of 19' on Serra Ave, and a depth of 14' under Linden Ave), MSS can take advantage of the *entire 153,701 square foot site that constitutes TOD1*. *By way of background, to accommodate the BART Station in 1999, our 50-foot Railroad Avenue roadway access and a portion of Linden Avenue were condemned. In 2015, we were asked to provide an additional up to 28 feet of our property's eastern frontage to widen the extension of California Drive across from the BART station. Then, the MSS use of set-back areas was negotiated with City staff as consideration for the City's use of 31,852 sq. ft. of the MSS site to provide the widening and extension of California Drive with the understanding that MSS would remain owners of the fee title and be allowed to use the set-back along California Drive and 3,603 sq. ft. of Serra Avenue in exchange for the MSS land being used for public purposes on the surface and public utility access below grade. MSS further agreed to make the roadway improvements for the extension of all California Drive in exchange for these uses within the set-backs. As set forth in the Development Agreement, the City will have the responsibility for any ongoing maintenance of the extension of California Drive and MSS will reserve the right to the pro rata recovery for any improvement costs MSS incurs for the extension of California Drive improvements from the other Site One properties as they develop.*

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Section 1.6 of the MSASP allows 10% increases for all the conditions listed and footnoted in Table 5-2 of the MSASP. The Height and Maximum FAR and Density in Table 5-2 applies because both "height limits and set-backs" are specifically referenced under footnote item [6]

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and can be included in making any 10% increases under 1.6 of the MSASP without any need to amend the MSASP. This is exactly why Section 1.6 was provided, and we ask it be applied to the MSS project.

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Page 4.6 “Policy 4.2 RETAIN AND ENHANCE GATEWAY STREETS Millbrae Avenue and El Camino Real will continue to be the primary vehicular circulation routes as the Specific Plan is implemented. These two corridors provide the first visual impression to people coming from Highway 101 or from the south via Burlingame to Millbrae. As such, they should be attractive streets, fronted by well-designed buildings. The Specific Plan identifies three key locations that require special gateway treatments: one on Millbrae Avenue and two on El Camino Real, as shown in Figure 4-2. The Specific Plan requires new development at these locations to create a visually pleasing gateway image, featuring special architectural elements like corner towers, unique landscaping treatments, special intersection paving, signage, corner development setbacks for open space, or other approaches. (Emphasis added.) MSS is one of these locations.

- 4. Allow MSS Project to meet the walk zone requirements for California Drive Standards for a total 6-ft total sidewalk width along the northern side and allow for a tree zone modification for the planting strip in-lieu of street trees along the northern side of California Drive and BART frontage on the east.**
 - a. Allow a ‘Walk Zone’ width along the northern side of California Drive to be 6-ft on compliance with Figure 5.3 and Table 5.3, of the MSASP California Drive Standards.**
 - b. Allow for ‘Tree Zone’ along the northern and eastern side of California Ave (from the newly signaled corner to El Camino to the BART Station) to be a 1-ft planting strip of shrubs instead of a 3-ft tree zone as required by MSASP California Drive Standards. (MSASP requires trees on both sides of the new California Drive extension). (Note: Land on east side of California Ave is owned by BART).**

Reasons to support ASK 4.a and 4.b: Requesting a planting strip instead of street trees due to BKF engineers note that the minimum required utility offset from tree roots is 10’.

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On Friday, May 12, 2017 at a meeting that included City Staff, Cyrus Kianpour, Colette Meunier, Khee Lim, Steve Fitzsimons(WTrans) (the City’s Traffic Consultants), Gary Black(Hexagon) (the project’s Traffic Consultant), Tom Kuhn (CCMWest) and Roland Haga (BKF)there was a consensus between the traffic engineers, Steve Fitzsimons and Gary Black, that traffic counts included in the MSASP Environmental Impact Report (EIR) did not justify a need for a dedicated right turn lane onto El Camino Real north-bound. Based on this consensus, the new section being proposed for the east/west leg of California Drive includes a 50-foot right-of-way width composed of two traffic lanes, two Class II bicycle lanes, and sidewalks on both sides.

Sidewalks proposed on either side of California would be consistent with Figure 5-3, Table 5-3, in the approved MSASP. The sidewalk on the north side of California Drive is unspecified in Figure 5-3 and would maintain the minimum 6-ft width required. A “Tree Zone” is not proposed on the north side of California Drive due to conflicts with the large (4 foot by 11 foot) below grade storm drain box culvert which is incorporated into the project to convey the bulk of the City’s storm water. A 10-ft setback for depth, from the storm drain structure is recommended for major plants this creates a conflict with planting street trees above the structure. In lieu of street trees on the north side, a 1-ft wide planting strip is proposed along the edge of a retaining wall/fence which would separate the project from the adjacent Taco Bell and Hemlock Avenue neighbors. This strip would be reserved for planting of vines or other vegetation ideally suited for screening the fence/wall. A 3-ft Tree Zone is proposed along the project (South) side of California. The above configuration will maintain the minimum 6-ft and 7-ft wide walk zones on north and project sides of California, respectively, and would be consistent with the Streetscape Standards for California Drive, as outlined in the MSASP, Table 7-8. In addition, the existing sidewalk along the east side of California Drive adjacent to the CalTrain and BART Station platform varies from 8-feet to 22-feet wide, portion of the existing platform is covered by structure. No street trees are proposed along the east side of California Drive and CalTrain and BART Station platform due to conflicts with existing BART Property, CalTrain and BART Station platform improvements, underground utilities, i.e. storm drainage box culvert, sanitary sewer, existing underground communication system (fiber), as well as proposed extension of additional bicycle storage to the north of the CalTrain and BART Station platform.

The two travel lanes along California Drive are proposed at 11-feet wide with one in each direction. Class II bicycle lanes are proposed at 5-feet wide in each direction. Combined, the traffic lane/bicycle lanes’ gross width of 16 feet each way would be greater than the one lane requirement of 14-feet wide, as mentioned by Steve Fitzsimons, WTrans, during the same meeting.

This new proposed California Street section meets the intent of the 2016 MSASP, for travel lanes, Class II bicycle lanes and sidewalk widths. Given the limited developable width of our site along the El Camino frontage taking any additional space for ROW would reduce the retail use at grade, impact parking and the residential units’ size. In relocating and rebuilding the existing storm drain that takes storm water from much of Millbrae’s west side (from Taylor Boulevard to Millbrae Avenue), we have removed a significant burden for the City within our ROW at no cost to the City. Any City change of the lumber yard use under the MSASP or any City initiated rerouting of the storm drain would have to be done, based on a recorded agreement with the prior owners of the lumber yard property, at the City’s sole cost upon the demand of the property owner. This storm drain relocation alone is estimated cost MSS over \$3 Million.

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In addition, we have learned that 1) the residents of the homes on Hemlock that adjoin the northerly sidewalk would prefer that there be no sidewalk on that side of the street to maintain privacy, reduce noise and ease transition between the two neighborhoods, and 2) that the City is considering the possible placement of a bike/skate/pedestrian pathway be located behind the Hemlock Avenue homes in an existing ROW that could be developed with an almost level grade to connect with the bike lanes from the BART station plat form with the east side of Hillcrest. Should the City want that alternative, we would be prepared to fund it as a Community Benefit and a pro-rata offset of park fees.

In addition, the City's suggestion made during the same meeting for MSS to move the R-1 building 5' to the south would have the following negative impacts on the project:

- *Reduce the distance between R1 & R2 to 41'-7" from the current 46'7" thus reducing the size of the shared courtyard.*
- *Reducing the overall total landscaped, publicly accessible open space by 1,060 sf. Reducing the side yard, retail spill-out zone from 27'-0" to 22'-0" at its narrowest. This reduces the publicly accessible open space on R-1 from 23.78% of developable area to 21.01%.*
- *A potential reduction of 6 parking spaces on levels B1- B3 if entire basement is moved as well.*
- *If the basement parking remains under the sidewalk in its original position and the above-grade portion of the building is moved 5' thus creating an overlap of the structural system, there will be structural impacts such as transfer beams or longer than recommended spans to accommodate this overlap.*

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Section 1.6 of the MSASP allows 10% increases for all the conditions listed and footnoted in Table 5-2 of the MSASP. Section 5.3 and Table 5.15 are both subject to the Height and Maximum FAR and Density in Table 5-2 because both relate to "set-backs," are specifically referenced under footnote item [6] and can be included in making any 10% increases under 1.6 of the MSASP without any need to amend the MSASP. This is exactly why Section 1.6 was provided, and we ask it be applied to the MSS project.

5. Allow for the enclosed Galleria to qualify as:

a. Publicly Accessible Open Space. (MSASP states that only plazas, terraces, front courts, rooftop gardens and pocket parks qualify as publicly accessible open space).

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Exceeding MSASP TOD Baseline Development Standards**

b. As the MSASP ‘Transit Hub’ design element. (This element requires a minimum on-site dimension of 30’ public open space plaza in front of the transit station).

Reasons to support ASK 5: We ask that the 5,596 sf of the Galleria be recognized as publicly accessible open space as this it was always intended to be a public open space that provided access to and from the BART/CalTrain station. It will be open to the public for approximately eighteen hours per day from ½ hour before BART’s current schedule starts in the morning until ½ hour after BART scheduled service stops. The primary reason it is enclosed is simply to protect the public from exposure to the frequent windy conditions that exist in this location while providing an open area for the public to congregate.

- 6. Allow for 10% additional vehicular parking beyond the maximum 105% parking allowance in the MSASP.** For a total of 115.5% beyond the 100% MSASP requirement (and 110% above the 105% maximum allowed parking for the MSS building occupants’ use). This will result in 1,023 vehicular parking spaces (93+/- spaces over the maximum number allowed by the MSASP for the building occupant’s uses, not including any public parking use permitted under the MSASP).

Allowing such an exception is consistent with the following MSASP policies:

Reasons to support ASK 6. We ask that we be given 10% additional vehicular parking above the 105% maximum to allow us to provide additional public parking in an area of the City that is much underserved. All our parking is to be unbundled. The additional space will allow persons who today parking in front of the residents on Hemlock and along Millbrae Avenue to have a convenient west side garage to pay to park at when using BART or CalTrain. It will provide parking for existing Millbrae business along El Camino and downtown for their employees.

Also, since retail uses include restaurant uses and since all retail is being charge \$44 per square foot for water and sewer hook-ups of service, we should also be allowed to use the 5/1000 for count for vehicular parking for the 14,000 sf of retail. See table 5-3 in the MSASP.

On page 4.32 of the MSASP item P-CP 25 recommends planning and to implement public parking on the west side should transit parking be lost due to the development on the east side. BAR is eliminating almost 500 parking spaces on the east side of the station, our proposed Public Parking use of the excess spaces is in conformity with P-CP 25.

Table 5.1 allows Public Parking in TOD, and the excess unbundled parking spaces we propose will be available for this use since all parking is unbundled and available to the public as well as the MSS project occupants who will have a priority, but no obligation to rent parking by the hour, day week or month.