

# San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600  
State of California | Gavin Newsom – Governor | [info@bcdc.ca.gov](mailto:info@bcdc.ca.gov) | [www.bcdc.ca.gov](http://www.bcdc.ca.gov)

December 22, 2023

**TO:** Design Review Board Members

**FROM:** Lawrence J. Goldzband, Executive Director (415-352-3653; [larry.goldzband@bcdc.ca.gov](mailto:larry.goldzband@bcdc.ca.gov))  
Ashley Tomerlin, Senior Bay Dev. Analyst (415-352-3657; [ashley.tomerlin@bcdc.ca.gov](mailto:ashley.tomerlin@bcdc.ca.gov))

**SUBJECT: Draft Summary of the November 6, 2023, BCDC Design Review Board Meeting**

***Due to technical difficulties with the audio system at the meeting site, there was no audio for online attendees nor audio recording for the first 45 minutes of the hybrid meeting. The recording does not include audio for Agenda Items 1-3. These items are summarized below.***

1. **Call to Order and Meeting Procedure Review.** Design Review Board (DRB) Chair Jacinta McCann called the hybrid meeting to order on Zoom, at approximately 5:00 p.m.

a. **DRB Board Members.** Chair Jacinta McCann, Bob Battalio, Kristen Hall, Tom Leader, Gary Strang, and Stefan Pellegrini were present in person.

b. **BCDC Staff.** Ashley Tomerlin, Yuriko Jewett, Katharine Pan, and Jessica Finkel were present in person. Harriet Ross was present on Zoom.

c. **Project Proponents.** Peter Banzhaf (Helios Real Estate Partners) and Maggie Morrow (Petersen Studios) were present in person. Jacob Petersen (Petersen Studios), Jamie Choy (King Street Properties), and Neal DeRidder (DGA) were present on Zoom.

2. **Approval of DRB Meeting Summaries for August 7, 2023, and September 11, 2023**

a. **August 7, 2023, Meeting Summary.** The meeting summary reflected the Board's discussion of two projects, the 1301 Shoreway Life Sciences Development Project and the San Leandro Shoreline Development Project. Gary Strang moved to approve the meeting summary with no edits. Tom Leader seconded the motion.

b. **September 11, 2023, Meeting Summary.** The meeting summary reflected the Board's discussion of the India Basin Shoreline Park Redevelopment Project. Gary Strang requested that it be clarified that there was more consensus on the size and geometry of the lawn. Everyone liked the bold shape but questioned the transitions at the edges and that perhaps more lawn area could be switched to native planting. In addition, Chair McCann requested that the phrase "or example" be corrected to "for example" on page 8. Gary Strang moved to approve the meeting summary with these edits. Kristen Hall seconded the motion.



**DRB MEETING SUMMARY  
November 6, 2023**

c. Chair McCann expressed appreciation for the meeting summaries and commented they provided the appropriate level of detail.

3. **Staff Update.** Ashley Tomerlin provided updates on 1) the passage of SB 272, which requires BCDC to develop guidelines by the end of 2024 for local governments to use as they develop subregional adaptation plans along the San Francisco Bay shoreline, and 2) public access closures associated with the Asia Pacific Economic Conference, scheduled to take place in San Francisco November 11-17, 2023. Finally, the next DRB Meeting is scheduled for Monday, December 11 and will be a review of the final stage of the Wind River Development in Alameda

4. **Public Comment for Items Not on the Agenda.** There was no public comment.

5. **1499 Bayshore Project (First Pre-Application Review).** The project involves redeveloping an approximately 384-foot-long portion of the shoreline along Mills Creek with a new 8-story Life Science/Research and Development (R&D) building and a freestanding 7-story parking garage. The project proposal includes an approximately 7,000-square-foot public plaza and a new, approximately 400-linear-foot public trail. The project would also include new shoreline protection infrastructure along Mills Creek consisting of a concrete floodwall constructed within a vegetated embankment. Public amenities would include new fixed and movable seating and tables, bicycle parking, public shore parking, trash and recycling receptacles, lighting, planting areas, interpretive panels, public art, and binoculars to enhance views of the nearby Shorebird Sanctuary and the Bay.

a. **Staff Presentation.** Jessica Finkel provided a staff introduction to the project site and context.

b. **Board Clarifying Questions following staff presentation.** Gary Strang asked if there is a larger plan for this part of Burlingame driving the high number of life science campuses along the San Mateo waterfront, noting that low-lying area is problematic in terms of flooding and soils. He and Jacinta McCann noted that having the broader context would help inform the Board's thinking as it reviews projects in this area. The project team explained that zoning changes increased the allowable floor area ratio for R&D buildings, making these projects viable.

c. **Project Presentation.** Peter Banzhaf, representing the project owner King 1499 Bayshore Owner LLC, and Maggie Morrow, designer with Petersen Studio, provided an overview of the project with a slide presentation. The presentation focused on existing site conditions, the site history and differences from a previous proposal for the site reviewed by the Board, and a detailed description of the proposed project design.

d. **Public Comment.** There was no public comment on the project.

e. **Board Clarifying Questions following project presentation**

- (1) Bob Battalio asked whether the project team has discussed the project with OneShoreline and/or the City, particularly with respect to the proposed flood barrier on the creek side of the creek setback and whether it will provide enough space to accommodate additional water from precipitation or high tides.

- (2) Bob Battalio noted that the elevation of Old Bayshore Highway is low and asked whether the project team has considered potential flooding pathways other than the creek, like floodwaters overtopping the road.
- (3) Bob Battalio asked whether the project team has considered issues with groundwater, rainfall runoff, or a combination of the two, noting that the elevation on the north side of the site is only +7 feet NAVD88.
- (4) Kristen Hall requested clarification as to which entrances to the various spaces are envisioned as primary vs. secondary entrances as well more detail about how the tenant spaces would be entered at the front. The project team explained that most employees and visitors to the building would likely exit the parking garage and enter the building lobby on the Mills Creek side because it would be a level grade in that location. Employees and visitors would also be able to enter the building via the pedestrian path that slopes upward from the garage to the lobby. The drop-off area along Mahler Road is intended to be for short-term access, e.g., package deliveries or ride-hailing services. The public would park in the public shore spaces, exit the parking garage on the Mills Creek side, and walk through the plaza towards the Bay Trail. Coming from the Bay Trail, the public would use the crosswalk at Mahler Road and follow the sidewalk along Old Bayshore Highway until they reach the plaza.
- (5) Kristen Hall asked what types of tenants are expected and how the project team envisioned the ground floor spaces working. The project team said that the ground floor could be used as an auditorium with amphitheater seating or for meeting rooms, but that it will depend on the future tenant(s), which have not been identified yet.
- (6) Kristen Hall asked whether the project would make improvements beyond the property line facing the creek. The project team stated that the scope of work ends at the property line.
- (7) Kristen Hall asked whether the City of Burlingame has any plans to raise Old Bayshore Highway. The project team stated that they were not sure but noted that it is a long stretch of road at very low elevation and that such a project would require additional study by the City.
- (8) Tom Leader requested clarification about the fire access route. The project team explained that the fire access route would terminate in a hammer head turnaround along the Mills Creek Trail. The project team stated that they worked with the local fire marshal to design the access route and maximize access along Mills Creek without adding a full road.
- (9) Tom Leader asked whether the entire length of the proposed hammer head was necessary. The project team stated that the entire length is required for the fire lane.
- (10) Stefan Pellegrini requested clarification as to the inland extent of BCDC's jurisdiction along Mills Creek and whether there is potential for extending the public access area along Mills Creek in the future. With respect to BCDC's

jurisdiction, staff stated that it would depend on a staff determination as to how far inland the creek is tidally influenced. The project team explained that from a developer's perspective, the trail is unlikely to be extended in the near term because the relatively small parcels in this area make it challenging to assemble a sufficiently large property to redevelop, and properties that are not along the west side of Old Bayshore Highway cannot benefit from the floor area ratio density allowance under recent zoning changes. The project team further noted that Mills Creek is culverted beginning just west of the property and that there is currently no enjoyable walking path in this area because of its industrial nature.

- (11) Stefan Pellegrini asked whether the project team has explored the possibility of providing vertical public access such as a viewpoint on top of the garage, noting the Board discussed this idea when it reviewed the previous proposal for the site. The project team stated that they would study that option.
- (12) Gary Strang asked what the white box located in the shoreline band between the fire access route and the garden deck on the site plan represents and whether it is an indoor space. The project team stated that it is a generator enclosure. They explained that they studied other potential locations but chose this one due to several constraints, including not being able to locate it in or on top of the building because the vibration could impact lab equipment and that it would be unsightly on top of the garage. They determined that this location would be the least visually impactful while also allowing for an art wall and a screen wall.
- (13) Stefan Pellegrini asked whether the project studied any benefit to creating more floodplain for the creek rather than raising the finished floor elevation to +13 NAVD88. The project team stated that they did not study that question.
- (14) Jacinta McCann asked what the workforce in the building is expected to be and how that relates to the plans for approximately 600 parking spaces. The project team explained that the number of parking spaces is based on a ratio of 2 parking spots for every 1,000 square feet, which ends up being about 500 square feet per occupant. They further stated that life science users do not require a lot of space, so the general rule of thumb is approximately 450 SF per occupant.
- (15) Jacinta McCann asked whether the project would include a cafeteria. The project team explained that they are exploring options for a café as well as an auditorium to determine what type of amenity would be most attractive to future tenants and have yet to identify an operator. The project team has reached out to local restaurants to see what would complement the existing neighborhood dining options, which are mostly fast casual dining establishments.
- (16) Jacinta McCann asked if access to the garage would be controlled through security gates or other measures. The project team stated that this would depend on the needs of future tenants, but that if security gates were installed, the first floor and the public shore parking spaces would be located before the gates to allow for public access. More secure parking would be located higher up in the garage.

(17) Jacinta McCann asked if there is a signage plan. The project team stated that they have not designed the signage yet and indicated they plan to work with staff on this going forward.

f. **Board Discussion.** The Board discussed how the project responds to the seven objectives for public access found in the Public Access Design Guidelines, provided feedback on the proposed public access improvements with respond to the Commission's policies on sea level rise and environmental justice and social equity, and addressed the staff questions listed below.

**(1) The seven objectives for public access are:**

- i. Make public access PUBLIC.
- ii. Make public access USABLE.
- iii. Provide, maintain, and enhance VISUAL ACCESS to the Bay and shoreline.
- iv. Maintain and enhance the VISUAL QUALITY of the Bay, shoreline, and adjacent developments.
- v. Provide CONNECTIONS to and CONTINUITY along the shoreline.
- vi. Take advantage of the BAY SETTING.
- vii. Ensure that public access is COMPATIBLE WITH WILDLIFE through siting, design, and management strategies.

**(2) Staff also has the following specific questions for the Board's consideration**

- i. Is the current terminus of the Mill Creek Trail designed in a way that creates an inviting, usable space for the public?
- ii. Is the ground floor designed and programmed to activate and invite use of the public access area?
- iii. Is there adequate pedestrian connection to the Bay Trail and shoreline?
- iv. Are amenities and furnishings appropriately sited to maximize public use? Does the Board have any recommendations on the quantity, type, and siting of amenities?

**g. Summary of Key Issues and Board Comments**

**(1) Overall Site Plan**

- i. The Board expressed appreciation for the design and felt it was much improved over the prior proposal for the site. They applauded the acquisition of the adjacent parcel, which made additional moves possible.
- ii. Gary Strang expressed concern that a large portion of the garage would be located within the shoreline band.
- iii. Kristen Hall agreed noting that the DRB frequently sees parking garages extending into the shoreline band. She stated that while a shorter garage would be appreciated, it appears that the garage is as small as it can be. A

minimum of 2 spaces per 1,000 square feet is relatively low. She suggested making the garage more of a destination, like a viewing terrace, would be appealing to balance the fact that so much of the garage is in the shoreline band.

- iv. Tom Leader stated that even though the garage and generator extend into the shoreline band, there is value in how they frame the public space.
- v. Gary Strang commented that the lighting plan is appreciated, but there seems to be a lot of lighting on the plaza side and towards the wildlife area, and it's important to balance safety and habitat protection.

## **(2) Sea Level Rise Resilience and Flood Capacity**

- i. Bob Battalio stated that the layout and the setback from the creek are positive, but the team should do a more detailed analysis of the flood potential given the low site elevation and the multiple flood sources and pathways. The sea level rise criteria at mid-century are a little low given the design life of the project, which will likely extend beyond mid-century. For example, if you have higher tides in the future and there is a storm, where would the water go? What happens when the groundwater rises a few feet? It seems like there is enough space to incorporate some features to address this in the future if not initially.
- ii. Gary Strang commented that based on the maps that staff showed, the site seems guaranteed to flood at mid-century, and if you think of a 100-year flood as more of a 10-year flood, there may be more risk involved. It is important to balance risks with other tradeoffs, which with the acquisition of the adjacent parcel is better than the previous proposal. The use here is office and not housing. If the owner goes in eyes open with the risk for flooding, then the proposal is more palatable.
- iii. Bob Battalio recommended the project team take on the exercise to see if more flood capacity could be programmed. There might be some opportunities to program some vertical capacity and flood storage onsite that may enhance the sustainability of the site, for example.
- iv. Gary Strang appreciated that the project is addressing the 100-year flood by raising the walls but is concerned that as designed the water will come in from all sides.
- v. Jacinta McCann stated that the design is strong, and that the building orientation and placement of elements is exciting. She appreciates that the design recognizes the specialness of the creek. It would be nice to see Mills Creek during a big storm to see how flooding alters the scale of the creek. She also echoed board members' comments regarding flooding and whether onsite flood storage would be a benefit.

- vi. Gary Strang expressed concern for how the project will address sea level rise. It is a fundamental component to the site design. As the design progresses, any significant moves to accommodate the change in elevation will alter the transitions to the front door, stairs, driveway etc. and change the project. He stated that it will be interesting to see how flooding will be addressed as the project is built out and occupied given that sea level rise projections could be optimistic. The lifespan of the building may be much shorter than anticipated.

### **(3) Activation and Programming**

- i. Tom Leader suggested that the site feature a café or some sort of program that is publicly activating. It would be key to the success of the public access area.
- ii. Jacinta McCann stated that the vertical differential from the street to the site may contribute to the space reading as private and uninviting. There needs to be a draw for the public to make the climb up worthwhile and suggests that public art may achieve that. Inviting people in should be considered when developing site signage. Without a mid-block crossing, coming into the site is not intuitive and the idea of putting signage on the Bay Trail to lead people here is compelling. There is a great opportunity for people to enjoy Mills Creek and views to the Bay.
- iii. Jacinta McCann commented that the two overlooks are a great move, one could imagine employees going out there to enjoy some amenities after work. She emphasized activation and programming that serves employees and the public. Providing elements in the plaza to draw people in such as communal tables, BBQs, elements that can bring people to the space. How can you make this as appealing to a prospective tenant as possible, and part of that is having employees experience the site, grab a coffee etc. She mentioned that the EVA of the site reminds her of how successful Levi Plaza has been with bringing in the food trucks a few days a week which has been a real benefit.
- iv. Tom Leader asked if there could be additional site amenities such as fitness programming. He noted that if the ground floor could be a café or offer a spin class for example, fitness programming would help bring a diversity of use to the shoreline.
- v. Jacinta McCann noted that while the ground floor uses are still to be determined, she encourages exploring a use that is more public serving than an auditorium.
- vi. Tom Leader agreed that activation of the ground floor should be public facing, and not a tenant-oriented space. The challenge will be the timing for a tenant to be identified and a leasing plan in place.

- vii. Jacinta McCann suggested that the project team provide more detail on amenities and furnishings, but understands this element often comes with further development of the design with staff.

#### **(4) Emergency Vehicle Access and Terminus of the Public Trail**

- i. Tom Leader suggested creating a third overlook at the end to have it feel more like a public access trail/destination while maintaining the fire clearances and feel less like a fire lane terminus. It provides a third amenity space, a public access terminus rather than a fire terminus.
- ii. Jacinta McCann observed that the terminus is a dead end at the moment, it's unlikely people would walk down to the end at the moment. There is a potential for public art here. Figuring out the hammerhead, there were some great ideas to make it not just a dead end. For staff, getting some clarification on the potential of expanding the trail in the future.
- iii. Gary Strang suggested breaking up the vehicle paving with low planting band down the middle where the vehicle base spans the planting and allows for a visual break. It's cosmetic but it does break down the visual expanse of paving. He noted that it will require additional approval from the fire department but it has been done.

#### **(5) Vertical Public Access/Viewing Platform**

- i. Stefan Pelligrini suggested providing vertical access to a viewing platform on the garage could improve public at this site. The future parallel access along Mills Creek is challenged and there's not sufficient information to understand what potential is but there was some historical discussion that the DRB had with the previous review.
- ii. Jacinta McCann echoed the idea of providing vertical public access, given the views. Providing public access via a viewing platform at the top of the garage should be explored.
- iii. Kristen Hall stated that while she does not like the generator in the shoreline band, she recognizes the value for framing the public spaces. She suggested exploring the possibility of moving the generator to the top of garage where it could be a wind shelter for a viewing platform.

#### **(6) Pedestrian Connectivity**

- i. Gary Strang noted that even though the pedestrian crossing is signalized, it doesn't have a big presence. Connecting to the marsh could be activated with paint, art, signage or some sort of signal that you are crossing over to enter this special zone. Recommends working with City for some traffic calming in this area.



- ii. Kristen Hall expressed concern about the viability of the space along Bayshore; it reads like a landscaped moat. She suggested bringing out the public edge to Bayshore more so it's not so divorced from the sidewalk, but a continuation of the sidewalk that terraces and gradually opens up to the plaza at the site.
- iii. Kristen Hall noted it's a beautiful space and will be a nice little respite. Excited about the possible road diet and encourages the city to connect this site to the Bay Trail with a midblock crossing. Raising Bayshore would soften the transitions to the new elevations on site.
- iv. Tom Leader echoed support for a terrace facing onto Bayshore and connecting the NE corner to the public plaza - it will create more connections and activation.

#### (7) **Planting and Soils**

- i. Gary Strang acknowledged the strength of the landscape concept by bringing grasses across Bayshore; it's effective in visually connecting to the marsh.
- ii. Gary Strang stated that while the planting selections are convincing but questioned specifying the Torrey Pine; he has been cautioned from using it because the mature trees have heavy pinecones.
- iii. Gary Strang observed that the creek edge is very steep, and although it is outside the property line and scope of the project, he recommends softening the bank.
- iv. Gary Strang asked if sufficient horticultural soils will be brought to the site to support successful planting; it is necessary when planting on structural soil.

The Design Review Board stated that the 1499 Bayshore Project did not need to return for another review and recommended that the project team continue working with staff to refine the project design.

**h. Project Proponent Response.** The project team thanked the Board for their thoughtful comments and noted that they have already considered many of these issues. They stated that they considered the feedback the Board provided to the previous project in developing the design. They welcomed the comments on flooding and noted that there are challenges in creating a cohesive flood control solution in this neighborhood. There are a variety of owners and a quilt of ordinances, but as residents of the area, the team is open to continue working with the city. Most of the ideas presented were not new, except for the viewing platform on the garage and the idea of creating a third overlook.

**6. BioMed Island Parkway Life Sciences Development (Second Pre-Application Review).**

Ashley Tomerlin announced that the second review of the BioMed Island Parkway Life Sciences Development was postponed until a later date to be determined.

**7. Meeting Adjournment.**

Board Member Leader moved to adjourn the meeting. Board Member Strang seconded the motion. The meeting concluded at 7:13 p.m.