



GENERAL PLAN REFERRAL

August 27, 2020

Case No.: 2020-007379GPR
Block/Lot No.: N/A – 1 and 45 Adrian Court Burlingame, CA 94010
Project Sponsor: SHAC Adrian Court Apartments LLC
Applicant: Nile Ledbetter – (650) 821-7742
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San Francisco International Airport
P.O. Box 8097
San Francisco, CA 94128
Staff Contact: Danielle Ngo – (628) 652-7591
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Recommended By: Rich Hillis
Rich Hillis, Director of Planning

Recommendation: Finding the project, on balance, is **in conformity** with the General Plan

Project Description

The property owner, SHAC Adrian Court Apartments LLC, proposes building a 265-unit mixed-use project at 1 Adrian Court and 45 Adrian Court in Burlingame, CA, in San Mateo County. This proposed project is partially located inside the 65-decibel Community Noise Equivalent Level (CNEL) contour for San Francisco International Airport (SFO). Subsequently, the property owner is proposing to grant an avigation easement to the City and County of San Francisco (CCSF), as the proprietor of SFO. This proposed avigation easement is a requirement of the Airport Land Use Compatibility Plan (ALUCP) for SFO, Policy NP-3: Grant of Avigation Easement.

Under the avigation easement, the property owner would grant a perpetual easement to CCSF, allowing for the passage of aircraft and the right to cause noise and other incidental effects of aircraft operations to and from SFO. The property owner would further waive its right to legal action against CCSF for these impacts. The covenants and agreements in the avigation easement would run with the land in perpetuity and bind any grantee, heir, agent, successor, or assign of the property owner who acquires any estate or interest in or right to use property, for the benefit of CCSF, and its agents, successors, and assigns.

The ALUCP addresses issues related to compatibility between airport operations and proposed new land use development, considering noise impacts, safety of persons on the ground and in flight, height restrictions/airspace protection, and overflight notification. The development plans comply with ALUCP to make the proposed project compatible with aircraft noise in accordance with California Code of Regulations, Title 21, Section 5014. This includes insulating all habitable rooms to an interior CNEL of 45 decibels or lower.

The San Mateo County Airport Land Use Commission conditionally approved the proposed project pending this avigation easement, per Policy NP-3 of ALUCP. The policy reads, “Thus, [the San Mateo County Airport Land Use Commission] shall condition its approval of proposed development upon the owner of the subject property granting an avigation easement to the City and County of San Francisco, as the proprietor of SFO”.

Since the proposed project is within the 65 decibel CNEL, SFO requests this General Plan Referral to be granted the avigation easements from the project sponsor.

Environmental Review

The City of Burlingame determined that the proposed development is categorically exempt under CEQA Guidelines Section 15332 on 9/25/2019. The proposed avigation easement would not be defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

General Plan Compliance and Basis for Recommendation

As described below, the proposed avigation easement to CCSF is consistent with the Eight Priority Policies of Planning Code Section 101.1 and is, on balance, in conformity with the Objectives and Policies of the General Plan.

Note: General Plan Objectives are shown in **BOLD UPPER CASE** font; Policies are in **Bold** font; staff comments are in *italic* font.

ENVIRONMENTAL PROTECTION ELEMENT

OBJECTIVE 10

MINIMIZE THE IMPACT OF NOISE ON AFFECTED AREAS.

Policy 10.2

Promote the incorporation of noise insulation materials in new construction.

The project will provide noise insulation and acoustic treatments per ALUCP to reduce the impacts of airport operations on indoor noise levels, to create an interior CNEL of 45 decibels or lower.

OBJECTIVE 11

PROMOTE LAND USES THAT ARE COMPATIBLE WITH VARIOUS TRANSPORTATION NOISE LEVELS.

Policy 11.1

Discourage new uses in areas in which the noise level exceeds the noise compatibility guidelines for that use.

Policy 11.2

Consider the relocation to more appropriate areas of those land uses which need more quiet and cannot be effectively insulated from noise in their present location, as well as those land uses which are noisy and are presently in noise-sensitive areas.

The proposed project complies with ALUCP, which addresses issues related to compatibility between airport operations and proposed new land use developments. The ALUCP considers noise impacts, safety of persons on the ground and in flight, height restrictions/airspace protection, and overflight notification. The proposed project's development plans mitigate against noise in accordance with California Code of Regulations, Title 21, Section 5014.

TRANSPORTATION ELEMENT**OBJECTIVE 2**

USE THE TRANSPORTATION SYSTEM AS A MEANS FOR GUIDING DEVELOPMENT AND IMPROVING THE ENVIRONMENT.

Policy 2.2

Reduce pollution, noise and energy consumption.

The proposed project complies with ALUCP to mitigate against noise pollution from SFO operations. It will provide noise insulation and acoustic treatments to reduce noise intrusion and improve the quality of life of affected residents.

OBJECTIVE 5

SUPPORT AND ENHANCE THE ROLE OF SAN FRANCISCO AS A MAJOR DESTINATION AND DEPARTURE POINT FOR TRAVELERS MAKING INTERSTATE, NATIONAL AND INTERNATIONAL TRIPS

Policy 5.1

Support and accommodate the expansion of San Francisco International Airport, while balancing this expansion with the protection of the quality of life in the communities that surround the Airport.

The proposed aviation easements would allow SFO to conduct passage of aircraft and the right to cause noise and other incidental effects of aircraft operations to and from SFO. This allows SFO to continue to serve its function as a travel hub between the City and other areas.

Planning Code Section 101 Findings

Planning Code Section 101.1 establishes Eight Priority Policies and requires review of discretionary approvals and permits for consistency with said policies. The Project is found to be consistent with the Eight Priority Policies as set forth in Planning Code Section 101.1 for the following reasons:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The Project would not have a negative effect on existing neighborhood-serving retail uses and will not have a negative effect on opportunities for resident employment in and ownership of neighborhood-serving retail, in either San Francisco County or San Mateo County.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The Project would not have a negative effect on housing or neighborhood character in San Francisco County. However, it will allow for the development of additional housing units in San Mateo County.

3. That the City's supply of affordable housing be preserved and enhanced;

The Project would not have an adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The Project would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking in San Francisco County. The traffic impacts of the proposed development in San Mateo County will be or have been evaluated by San Mateo County.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The Project would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired for San Francisco County.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The Project would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The Project would not have an adverse effect on the City's Landmarks and historic buildings.

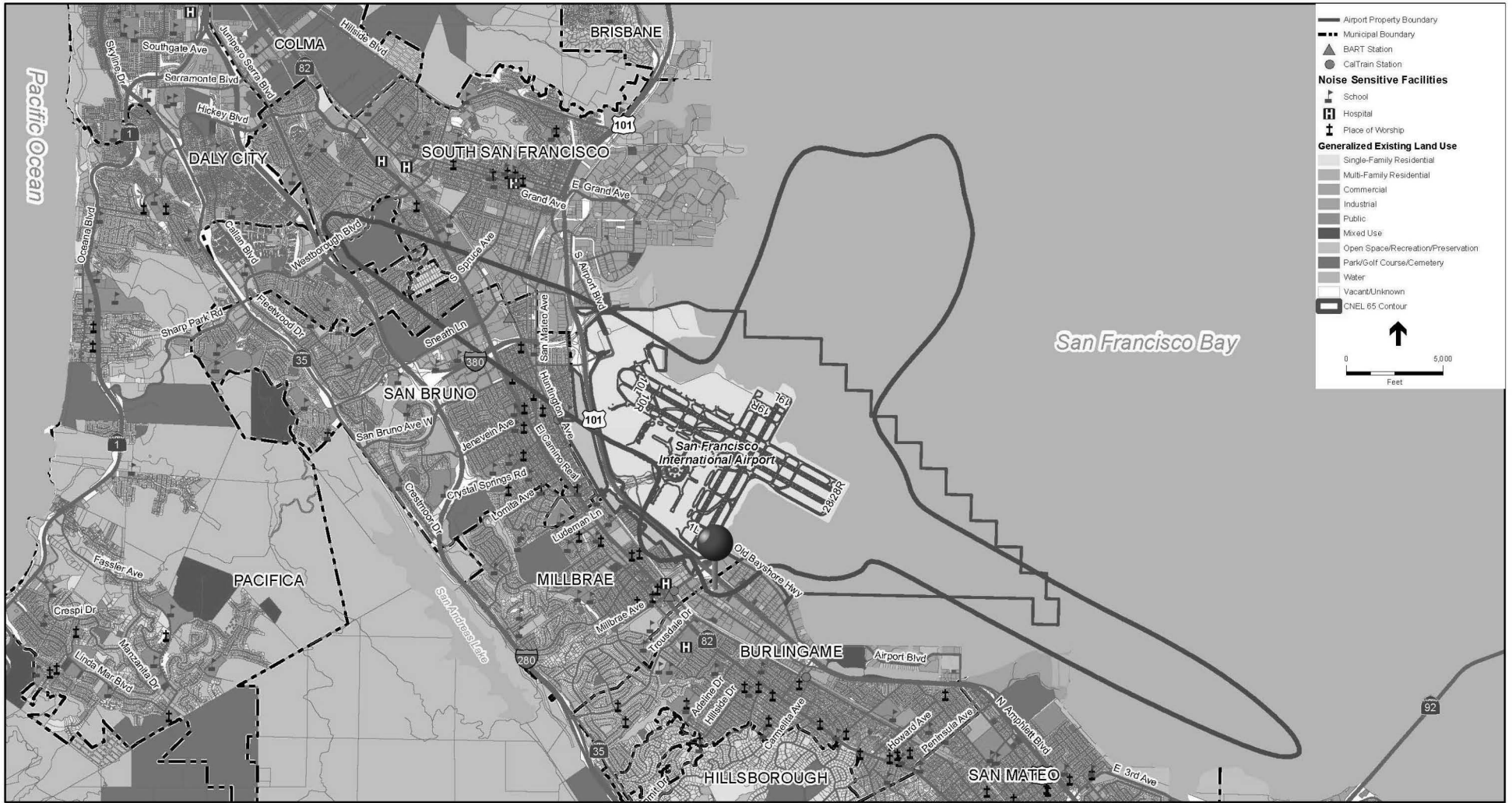
8. That our parks and open space and their access to sunlight and vistas be protected from development;

The Project would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

Recommendation: Finding the project, on balance, is in conformity with the General Plan



Attachments:

Map of the Project Site with the SFO 2019 CNEL 65 db Noise Contour



SOURCE: ESRI, 2014; San Mateo County Planning and Building Department; 2014; ESA, 2018 and 2019

SFO 2019 Fourth Quarter CNEL Contour

	1 and 45 Adrian Court Burlingame, California
	CNEL 65 Contour