



City of Burlingame

BURLINGAME CITY HALL
501 PRIMROSE ROAD
BURLINGAME, CA 94010

Meeting Minutes Planning Commission

Monday, August 23, 2021

7:00 PM

Online

- e. 1549 Los Montes Drive, zoned R-1 - Application for Design Review and Hillside Area Construction Permit for a new, two-story single family dwelling, and Special Permit and Front Setback Variance for an attached garage. (Erik Chan, Bay 9 Architects, applicant and architect; Thomas Lo, property owner) (136 noticed) Staff Contact: 'Amelia Kolokihakaufisi

Attachments: [1549 Los Montes Dr - Staff Report](#)
[1549 Los Montes Dr - Attachments](#)
[1549 Los Montes Dr - Plans](#)

All Commissioners have visited the project site. Planning Manager Hurin provided an overview of the staff report.

Chair Schmid opened the public hearing.

Thomas Lo, property owner and Erik Chan, designer, represented the applicant and answered questions about the application.

Public Comments:

> *There were no public comments.*

Chair Schmid closed the public hearing.

Commission Discussion/Direction:

> *The reconsideration of the design of the basic layout of the project is much better than what we saw previously. This fits with the pattern that we see in the rest of the neighborhood, with the garage tucked under on the lower side of the house with the sloping hillside. I can make the findings for the variance.*

> *I would ask that the applicant reconsider crafting the variance because the exceptional circumstance is not just the block average with the neighborhood, but also that the property line is set so far back from the edge of the street. The typical front setback is contemplated for the most common condition that we have in our neighborhoods and often times, that's street edge, curb, planter strip, sidewalk and then ultimately, property line. In this case, we don't have that typical condition, so there's some support in that regard for the variance.*

> *I'm glad that the applicant is willing to reconsider the placement of the western bed tree.*

> *My concern for the roof deck is not just the size, but there's a sliding door that actually accesses the roof deck, not just from the master bedroom but also from the landing at the front stairs. In other words, it's not just a bedroom deck, it could become a party deck that's overlooking a neighboring house, it could be a real nuisance. I think they need to pull the roof deck back by two-thirds of what it is now and it would still present itself as a nice opportunity for a viewing deck and still be away from that edge of the house. The deck towards the front, off the master bedroom is well-placed because that affords some nice views from that side of the house.*

> *In regard to the project moving forward, I don't think we have any choice but to require story poles.*

Unfortunately, the property owners are going to have to find a way, if they want this project to happen, to get those story poles installed so we and the neighbors can see what the potential impact of this project will be. The project can move forward with some of the revisions we have discussed and with the direction of the story poles.

> I can appreciate the roof deck, but I also appreciate the point of the neighbors and at the very least, the deck needs to be planned out a little bit more. Just throwing a railing up there doesn't really do it. There needs to be some consideration to what kind of buffers might be in place that we would ask of other buildings that have roof decks, whether that consists of some sort of planting or how you layout the furniture. There needs to be some conscious effort to design that space.

> I really like the design and where it has come. That's why we are actually asking a lot of questions because it's different than what we typically get for a lot of our neighborhoods. The detailing is important to make sure that the vision comes out correctly. Just the very point of sloping the flat roofs, that's really going to change the way the fascia trims look, how things get executed and how drainage is handled. More effort needs to be put into understanding those areas, so that we are not coming back much later saying, it's a whole different design now that you have figured out how to drain it and support it. Getting the structure and the drainage in there and figuring those pieces out are going to have some impacts on the way this lot gets used. I'm encouraging this project to move forward, but I also want to see a bit more design and documentation when it comes back to us next time.

> We can make sufficient findings for a special permit for an attached garage. It's a common pattern, if not a pattern for the neighborhood.

Commissioner Terrones made a motion, seconded by Chair Schmid, to place the item on the Regular Action Calendar when the story poles have been installed and the plans have been revised as directed. The motion carried by the following vote:

Aye: 6 - Comaroto, Terrones, Tse, Gaul, Schmid, and Larios

Absent: 1 - Loftis

1549 Los Montes Drive

Response to planning commission recommendations/comments

Story poles required

Story poles have been erected and certified by our licensed civil engineer, Cliff Bechtel

Revise Variance findings to include setback of property line from sidewalk and edge of street

A note was added to the variance application explaining that the site's property line is set back far from the street edge, which is atypical. If the property line were at the street edge, our proposed garage front would be set back over 40'

Reduce size of deck

The roof deck space was reduced to 195 sq.ft. pr 13'x15'.

Provide privacy screening/planting on deck; layout furniture

A seating arrangement around a fire pit is now shown. Planters are shown on the street facing side for screening

Remove access to deck from stairs, orient to have access from bedroom only

The door at the stair landing has been replaced with a window, blocking access to the roof deck.

Reconsider placement of Western Redbud tree at the front

The Western Redbud has been removed from the down-hill side yard.

3D renderings need to be aligned and consistent with the plans; clarify drafting details (e.g. chimney alignment)

The 3D model was edited so that the renderings are in alignment with the 2D plan and elevation drawings. Chimney errors in the drawings have been corrected and new details for the façade have been added to the section sheet.

Show how downspouts/drainage will be incorporated into the roof

Downspouts and gutters are now shown on the roof plan and elevations.

RECEIVED

SEP 30 2021

CITY OF BURLINGAME
CDD-PLANNING DIV.



RECEIVED

SEP 30 2021

CITY OF BURLINGAME
CDD-PLANNING DIV.

**CITY OF BURLINGAME
VARIANCE APPLICATION**

The Planning Commission is required by law to make findings as defined by the City's Ordinance (Code Section 25.54.020 a-d). Your answers to the following questions can assist the Planning Commission in making the decision as to whether the findings can be made for your request. Please type or write neatly in ink. Refer to the back of this form for assistance with these questions.

- a. ***Describe the exceptional or extraordinary circumstances or conditions applicable to your property which do not apply to other properties in this area.***

The allowed residence setback is the average of actual building setbacks of Los Montes Street neighbors- 27'. We are seeking a garage front setback variance to 27' so the garage front can align with the rest of the front of the residence. This appears a reasonable request as a garage placed 35' back would appear mis-aligned with the rest of the house. Also, pushing the basement garage back an extra 8 feet would require an extraordinary amount of added excavation.

- b. ***Explain why the variance request is necessary for the preservation and enjoyment of a substantial property right and what unreasonable property loss or unnecessary hardship might result from the denial of the application.***

The 27' (average to neighbors) building setback allowance is designed to give a property owners similar building rights at their neighbors, many who have existing garages at or near the 27' average setback. Allowing the 27' garage setback for the Lo residence provides fair and equal rights as other garage owners on the street. **Also, the property line on this lot is set far back from the street edge, where typical property lines exist in Burlingame. As noted in the site plan, if the property line were at street edge, our proposed garage front would be set back over 40'**

- c. ***Explain why the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity or to public health, safety, general welfare or convenience.***

Matching the residence and garage setbacks of existing neighbors should not have negative impacts on the existing property or surrounding properties, but provide a harmonious integration with the community. Pushing the garage setback to 35' would give the residence a top heavy look that is not common in the neighborhood.

- d. ***How will the proposed project be compatible with the aesthetics, mass, bulk and character of the existing and potential uses on adjoining properties in the general vicinity?***

Allowing a 27' setback for the garage would make the proposed project more harmonious with adjoining properties in the vicinity by matching the average setback of structures and garages in the neighborhood. It would help maintain a similar mass and bulk to surrounding homes.

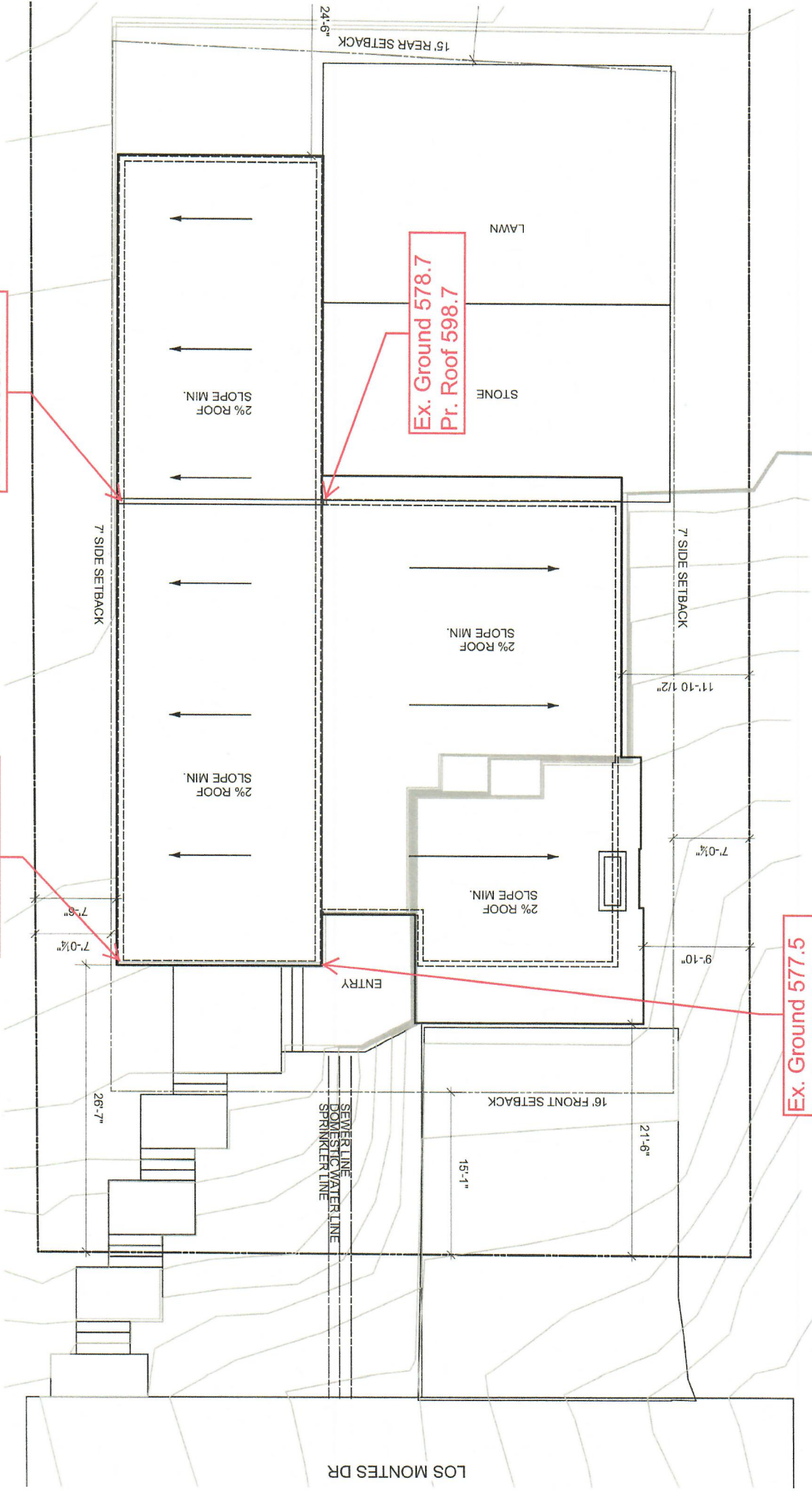
Ex. Ground 578.7
Pr. Roof 598.7

Ex. Ground 577.5
Pr. Roof 598.7

Ex. Ground 578.7
Pr. Roof 598.7

Ex. Ground 577.5
Pr. Roof 598.7

EXHIBIT A
NOT TO SCALE



LOS MONTES DR

CITY OF BURLINGAME

City Hall – 501 Primrose Road
Burlingame, California 94010-3997



COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division
PH: (650) 558-7250
FAX: (650) 696-3790

Date: 10-1-21
Project Address: 1549 Los Montes Dr, Burlingame
Assessor's Parcel No.: 027-014-060
Owner's Name: Thomas Lo and Candice Tang

This is to certify that on 9/30/21 (date), the story poles located on the above-referenced site were installed or inspected by the undersigned, and found to be in conformance with the design, height, and location shown on the plans, elevations, and the attached story pole plan. Poles erected for second story element only.

For additional information, please contact me at 650-333-0103 (phone no.)

[Redacted Signature Area]

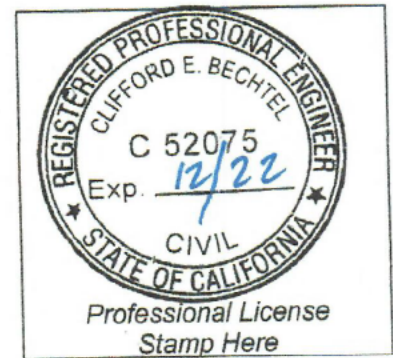
Signature *✓*

Clifford Bechtel

Name (printed or typed)

Civil Engineer

Title



From: Gemmy Tsai [REDACTED]
Sent: Monday, October 4, 2021 10:22 AM
To: CD/PLG-Amelia Kolokihakaufisi <ameliak@burlingame.org>
Subject: Re: Regarding 1549 Los Montes Dr Remodel

Hi there,

I wanted to let you know that we have viewed the story poles for this project from my house [REDACTED] and the view blockages seem minimal. Thank you to the owner of the house for putting the story poles up, and we are comfortable with the project proceeding.

Gemmy & Karen Tsai

**08.23.21 pc meeting
#9e
1549 Los Montes Drive
Page 1 of 2**

Craig and Shan Hou


August 21, 2021

VIA EMAIL

Burlingame Planning Commission
501 Primrose Road, 2nd Fl
Burlingame, CA 94010

Re: 1549 Los Montes Drive, Burlingame

Dear Commissioners,

We received the notice regarding the design review and special permit application for the new two-story dwelling at 1549 Los Montes Drive. We appreciate the applicants' new proposed design compared to the original design submitted in November 2020. Specifically, we acknowledge the reduced building mass of the proposed dwelling, especially on the north-west side, in order to avoid blockage of our solar panels.

However, after reviewing the plan posted on the Planning Department's website, we still have concerns about the proposed project. Since 1549 Los Montes is situated at a higher elevation than our home, we are concerned about the following items:

1. The proposed wrap-around balcony/roof deck on top of the living room will allow individuals to look directly into our house and entire yard. In order to maintain our privacy, albeit reduced privacy, we respectfully ask the balcony to be restricted to the front of the 2nd floor bedroom.
2. Currently two windows of 1549 Los Montes directly face our side yard. The new proposed plan has two sets of sliding doors and one large window on the 2nd floor. Once again, we ask the applicant to consider reducing the number of windows and use regular height windows.
3. We request story poles to show the relative height of the new proposed structure in relation to our house.

**COMMUNICATION
RECEIVED AFTER
PREPARATION OF
STAFF REPORT**

**RECEIVED
08.23.21
PLANNING DIVISION**

4. A western redbud tree is proposed to be planted on the north-west side of the property. At maturity, western redbuds can reach up to 15 feet in height. Since it will be planted at a higher elevation from us, we would like to make sure the mature tree would not obstruct our solar panels during the winter months when the sun is lower in the southern sky. We would like clarification about this tree's placement relative to our property, house, and solar panels, again in order to prevent blockage of our solar panels by the proposed tree.
5. It appears that a significant amount of excavation will be required for the proposed garage. We would like to ensure stability of the slope and appropriate water run-off from uphill of our property during construction and after completion.
6. Finally, the design plans do not show the existing structure in comparison to the proposed building. So, it is very difficult to gauge the location and scale of the new proposed structure relative to our house.

In conclusion, the proposed design is aesthetically-appealing and will blend nicely into the immediate neighborhood. We respectfully request the Planning Commission consider the above items when deliberating on the proposed project at 1549 Los Montes Drive.

Sincerely,

Craig and Shan Hou


**08.23.21 pc meeting
#9e
1549 Los Montes Drive
Page 2 of 2**



City of Burlingame

BURLINGAME CITY HALL
501 PRIMROSE ROAD
BURLINGAME, CA 94010

Meeting Minutes Planning Commission

Monday, November 9, 2020

7:00 PM

Online

- a. 1549 Los Montes Drive, zoned R-1 - Application for Design Review, Hillside Area Construction Permit, and Special Permit for attached garage for a first and second story addition and substantial construction to an existing single family dwelling. (Angelina Chuong, applicant and designer; Thomas Lo, property owner) (106 noticed) Staff Contact: 'Amelia Kolokihakaufisi

Attachments: [1549 Los Montes Dr - Staff Report](#)
[1549 Los Montes Dr - Attachments](#)
[1549 Los Montes Dr - Plans](#)

All Commissioners have visited the project site. There were no ex-parte communications to report.

Planning Manager Hurin provided an overview of the staff report.

Questions of staff:

> *There were no questions of staff.*

Chair Tse opened the public hearing.

Angelina Chuong, represented the applicant with property owners Thomas and Candace Lo.

Commission Questions/Comments:

> *Is the declining height envelope issue the reason why the second floor steps in 1'-2" along the right-hand side at the front elevation? (Chuong: Yes.) How is that area above the first floor going to be roofed? The house steps in on the second floor. (Chuong: It will be recessed 1'-2" from the first floor wall.) What would the roofing be over that? (Chuong: It's a flat area, but with a slope to drain water. We're using standing seam metal.) I can't see that working.*

> *On the landscape plan, in the rear where the existing garage is being removed, there's a note that says "regrade existing concrete driveway/garage for smooth transition from the street at 15% grade or less on work." What is that area in the rear yard intended for? (Chuong: Owner have three young kids and they want to have some yard space, so we want to keep it as an existing concrete slab at the back for a playground for the kids.) Is the driveway going to remain along that side and the garage out front? (Chuong: No. The driveway is going to be more lined up with the proposed garage.) The existing driveway is noted on the new landscape plan and erosion control plan as concrete. Is that going to remain as a concrete area? (Chuong: Yes.) What's the purpose for that area? (Chuong: To cut down the construction cost. If we have to remove all of the existing concrete, it probably will add much more cost to the project.)*

> *Had the same concern about the concrete. On the new site plan, it looks like your landscaping back there is at the 15 foot setback line. Then on your new landscaping and erosion control plan, you shown existing lawn and the hedge is closer to the fence. Which one is correct? (Chuong: It's more detailed on the landscaping plan.) So sheet A-1.2 would be the correct one? (Chuong: Yes. It's more detailed, that is the correct sheet.) Your hedge is shown at the edge of your concrete slab on sheet A-1.1. On your new erosion control plan, sheet A-1.2, it looks like the hedge is five feet off the back fence. It's an existing*

lawn and after visiting the site, saw that it's not much of a lawn. (Chuong: We are going with sheet A-1.2.) The plans should be corrected that so that they are consistent.

> Will the new CMU block wall and column on the new front elevation have the same graphic below the horizontal tiles? (Chuong: Yes, we're going to provide a new horizontal tile. Below that is the CMU to match with the existing.) Do you have a horizontal tile picked out? (Chuong: No, not yet.)

> Have you identified the material for your window? In the staff report, it says "unknown." (Chuong: We are considering using a dark color anodized aluminum windows.) So it will be an aluminum window? (Chuong: Yes.)

> What will be your roofing material? (Chuong: For the roofing material, we're using standing seam metal.) What about on the flat roof of the second floor? (Chuong: It would be the same roofing material.) Not familiar with using that material on a flat roof, will that work? (Chuong: For the flat roof, no one is using tile and gravel anymore. The neighborhood predominantly has pitched roofs. We tried to cut down the height of the proposed house so we designed it as a flat roof.) The concern is it will be visible from the neighborhood up above. (Chuong: Yes. We already picked standing seam metal, but can consider your suggestions about the flat roof material.) Don't believe standing seam metal is going to work. (Chuong: The roof will have a slight slope on it, it's not completely flat.)

> Understand that a lot of houses overlook each other in the hillside area. In looking at a couple of your windows at the right side elevation, they're in the bathroom and most of those windows on the second floor are not really view windows. Wondering if you have considered using smaller windows that are higher up so that you still get the light, but don't necessarily have the view looking down into the neighbor's yard. That may be a way to consider compromising with them on the view issue. (Chuong: Definitely. We also received the email from the planner regarding concerns expressed from the adjacent property. We can make that window smaller and place it higher which won't look down into the neighbor.) Sometimes you want the light to come in, not necessarily try to look out, and the five-foot high windows on the side elevations are a nice way to accomplish that and minimize the issues with neighbors. (Chuong: I'll take that advice.)

> It's not clear from your landscape plan if the existing trees that the neighbor to the right was concerned about are to be retained? (Chuong: Most of the trees will be retained. We're removing one tree for our proposed project. I believe the neighbor may have misunderstood that we will be removing all of the trees.) Would suggest updating the landscape plan to reflect the existing trees to remain. It would be clear for everyone reading the plans. (Chuong: Okay.)

> Did you do a sun pattern study in terms of the shadows cast from the building? (Chuong: Yes, we did. We went there at different times. The adjacent property has solar panels facing the rear of the house to take advantage of the sun exposure. Even with our second story, we don't see that we'll have any shadow cast onto their existing solar panels. We have pictures taken and I can email them to the Planning Commission.) We can start with that to get a better understanding on how the sun pattern is cast against the neighbor's property.

> In addition to the comments that were brought up about the windows, there seems to be a scattered pattern of windows on the left elevation. The windows don't seem to be aligned with each other or have any particular pattern. There's also a number of different sizes of windows. Can you take a look at that? (Chuong: Will definitely work a little bit more on it to see if we can come up with a more lined up window pattern.) Maybe a more regular pattern or size of windows would be helpful as well. (Chuong: Okay.)

> On the front elevation, the second story has a nine-foot plate height and the area above the garage is the master bedroom, correct? (Chuong: Yes.) With the nine-foot plate height, the roof is built another two feet above. Is the ceiling height in that bedroom 11 feet? (Chuong: No. We're trying to design some different elevation heights on the front facade. The ceiling height is the same because we don't want to have a flat roof from the street. We're also putting a square box with no architectural detail to show the different elements there.)

> On the front elevation it notes a glass guardrail. I read it as there will be horizontal elements, but it's a glass guardrail and you don't know what the tile will be yet? (Chuong: We don't know yet, I haven't picked one.)

> On the right side elevation, understand that the upper floor is set back from the lower floor by 1'-2". The upper floor is called out as smooth stucco. What's the finish for the lower floor? (Chuong: It's also an existing stucco.) So you are proposing to leave the existing stucco? (Chuong: For the lower floor, yes.)

Would have expected to see some sort of resolution of the small roof that you described as a standing seam roof over that 1'-2" setback, but seeing no resolution of that roof edge, you need to look at that more closely. Don't know if you've given it any thought. (Chuong: We'll provide more details on the right side elevation.)

> What has happened to the floor of the deck that's overhanging toward the front edge? Is it a drafting error? There's no thickness to it. On the front elevation, it shows as a fascia but it doesn't turn the corner and there's no structure holding that deck up. It would be acceptable to use a thick sheet metal, but you're not going to do that and that's not indicated on the front. There's a lack of resolution from the front facade to that right-hand facade that needs to be addressed. (Chuong: We're proposing a cantilever at the front of the second floor. It's my mistake showing the thickness of the cantilever that extends out.)

> On the front elevation, the upper floor shows a smooth stucco, but on the other elevation it looks like horizontal siding. Is it flush with the smooth stucco or is there a separation between the two? (Chuong: There is a separation.) What is the separation? (Chuong: The corner finish metal material.) It looks like continuous horizontal panel siding abutting the smooth stucco below. (Chuong: I will need to show more detail.) The left side elevation calls out "new hard trowel stucco", so you're putting new stucco over there because you're adding to the second floor. Is that the reason you have new stucco on that side, but existing stucco on the other side? (Chuong: Yes.)

> Can you confirm that the deck you have off the back is 310 square feet? (Chuong: It's not really a deck, it's a second floor cantilever cover. It's about 6' x 11'.)

> In looking at the floor plan, it seems like there's plenty of space to align the upper floor with the lower floor in order to comply with the setback and the declining height envelope requirements. It looks like the interior space is generous and you would save yourself a lot of trouble. (Chuong: Are you saying we can align them up with the existing first level? That's what we originally proposed, to line up with the existing first floor. It was suggested by the planner that we're not meeting the required side setback. We have it flush with the bottom level.) I meant it the other way around, but realized that you are trying to save cost and not rebuild the right wall. The idea was to demolish the existing right wall so you can align the upper floor with the lower floor on the same plain and meet the declining height envelope.

Public Comments:

> Jill Shen: I'm the neighbor on Los Altos Drive and my backyard abuts the property. This is the first time we learned about this project. We're interested in knowing what the proposed building height is. We heard something about solar panels, will they be added on top of the roof? I wonder if there can be a marker or something put up so we have an idea of how high the elevation is. I am concerned about my backyard privacy and also if it will impact our view to the bay.

Chair Tse closed the public hearing.

Commission Discussion/Direction:

> It seems pretty typical that when we have a number of questions and concerns about a design, that this project might be a good candidate for review by a design review consultant. But based on comments of the neighbors, both in the hearing here and through email, I am concerned about whether we're going to be able to make the findings for the Hillside Area Construction Permit with potential view blockage of houses behind on Los Altos Drive. Not sure which direction to take because we recommend that they go to a design review consultant, they make changes to the design of the second story house, and then story poles are put up. It is clear that's going to be needed here. If we can't make the findings for a second story then all the work with the design review consultant makes no sense. Am interested to hear what other comments my fellow commissioners have. This is a good candidate for design review consultant in any case.

> In agreement with my fellow commissioner. It seems like it's a waste of time and money, potentially, to put up story poles for something that needs as much design work as this project needs. The drawings don't inspire confidence. There's a certain lack of order to the facades and there's a lack of legibility to the modernist architecture. You've got to understand how the parts and pieces relate to each other and right

now this feels like a couple of boxes slamming together. Then you've got the potential view blockage problem. Not sure where to start on how to unravel this either.

> Agree with my fellow commissioners. This project should go to a design review consultant. Maybe the consultant can look at what type of home will not impact the neighbor's view because that's going to be an important factor, rather than putting up story poles that are costly. The consultant should understand that there is a concern about the neighbor's view.

> Agree that the story poles need to be installed first. In looking at what they're trying to accomplish with the square footage that they're trying to add, not sure the volume is going to change substantially. Agree there are some benefits from the design review consultant in helping with materials, transitions and really trying to help the modern architecture work. In looking at the elevations, there are materials that don't turn the corners and it feels like we're not trying to design the 3D box, but really just a modernist facade with a stucco box. It's a good idea to send this to the design review consultant, but would hate to waste that if the story poles don't even allow for a second story solution like we saw on one of our previous projects. So, would suggest that the story poles be installed and at least give the neighbors the opportunity to see what an additional nine feet on top of the existing structure looks like. The photo from one house didn't necessarily suggest that it was going to block a view. Didn't see any information from the house directly behind, so we don't have a lot to go on.

> Agree with what's been said by my fellow commissioners. However, the obligation and associated cost fall ultimately to the applicant and the property owner. It's up to them to decide how they want to move forward. If they want to continue to pursue a second floor addition as they've proposed, they just have to accept the consequences that if they work their way through the design review consulting and still decide that's the direction they want to pursue, the story poles are going to have to get erected and it can torpedo the application in terms of our ability to approve that type of an addition. Don't want to suggest a particular sequence other than, agreeing that the project should go through the design review consulting process. We have the five criteria for the design guidelines to consider.

> In terms of the style, a modern home can fit in this area. There's several that are like this on that particular block. Don't see an issue there and with the parking pattern. If they want to have an attached garage, there's that pattern in the neighborhood. The problem that it is creating for them is they're putting the garage on the uphill side of the house. Many of the houses in that neighborhood have the garage tucked under, maybe half a level, on the downhill side of that front facade. Don't see that there's an issue with an attached garage meeting the parking pattern of the neighborhood.

> Having difficulties with the style, mass and bulk criteria because as we've been saying, things are poorly resolved and poorly detailed. It doesn't seem to be a consistent or well thought out modern piece of architecture as we see elsewhere in the neighborhood. In terms of criteria four, interface with structures on adjacent properties, this is out of character with the pattern of the rest of the neighborhood. There appear to be two-story houses, but they're not. They are split level houses with a garage tucked on a lower floor with what essentially is a one-story house above. This one is an aberration relative to that pattern, which brings us to the Hillside Area Construction Permit which will make it difficult to approve. But we won't see that until the story poles are erected. If the applicant wants to avail themselves of that opportunity, they have to erect the story poles. In terms of criteria five, the landscaping, I can't tell if it's appropriate for the scale because the plans are inconsistent and poorly drawn. Agree with the idea of sending this to design review consulting and the fact that we're going to need to have story poles erected before this comes back for action.

> Would ask the applicant look carefully at the submittal requirements, we need to have half size plans, these are 11' by 17". Hate to pick at that, but it's what made it difficult to try to discern first floor and second floor alignments when we're looking at plans that aren't to scale.

> Quite obviously, story poles are going to be required. It's in the hillside area, it's a second story and there will be an impact on some views somewhere. Don't see why we shouldn't request the story poles.

> On a practical note, in walking around the property I saw that it's in poor shape as reinforced by the owner. The first thing they should do is have an engineer come out and look at the structure to tell them if there's anything useful there. To my fellow commissioner's point, the garage would serve them better on the other side of the property and you can design around that. Would scrape this house and start all over, you're going to come up with a better design. You can accommodate the neighbors, work with the sight lines, and make something you'll be happier with. Your cost will be the same because the house that

you've got right there is going to be destroyed by the time you try to re-engineer it and build a second story.

> Agree with my fellow commissioners that we absolutely want to see story poles be erected, it will benefit the neighbors to see those put up. Also recommend that this project be referred to a design review consultant. Agree with what my fellow commissioner stated that on paper it can look like you're saving costs because you're aligning walls, keeping windows and maintaining finishes on a home. But in reality under construction, all of that will be torn apart. Then you'll be addressing other issues especially for an older home that hasn't been well maintained. It could cost you more than just starting from scratch, building more efficiently, coming up with a new plan that works well from a massing and layout perspective and in terms of spatial use.

> Had the same exact comment about the scope of the project and whether it made more sense to start over or save the existing building.

Commissioner Sargent made a motion, seconded by Commissioner Loftis, to refer the application to a design review consultant and directed that story poles be installed.

> If in the revised design, let's say they avail themselves of the existing driveway and the house pushes over to one side or the other and beyond the volume of the existing house, but the ridge height still doesn't align, then the neighbors still are asking why aren't story poles being erected. Would we be prepared to act on that at that point?

> Take to heart in terms of not necessarily requiring that story poles be erected per se. As a comment on the motion and maybe this is to the applicant as a caution when this comes back for action, if story poles aren't erected because you think you're not exceeding the existing height, the project might be continued because we might require story poles at that point. Don't think we should necessarily restrict ourselves to not requiring story poles in the future.

The motion carried by the following vote:

Aye: 7 - Sargent, Comaroto, Terrones, Tse, Gaul, Loftis, and Schmid



PLANNING APPLICATION
COMMUNITY DEVELOPMENT DEPARTMENT—PLANNING DIVISION
 501 PRIMROSE ROAD, 2ND FLOOR, BURLINGAME, CA 94010-3997
 TEL: 650.558.7250 | FAX: 650.696.3790 | E-MAIL: PLANNINGDEPT@BURLINGAME.ORG

PROJECT INFORMATION

1549 LOS MONTES DRIVE
PROJECT ADDRESS

027-014-060
ASSESSOR'S PARCEL # (APN)

R-1 HILLSIDE AREA
ZONING

PROJECT DESCRIPTION

A new 5 bedroom 5.5 bath home replacing an existing ear-down house. The residence is 3,741 sq.ft. on a 8,294 sq.ft. lot. FAR allowed is 3,754 sq.ft. A majority of living space is on the main 1st floor level. 2 bedrooms sit on the upper level and a garage is tucked below the living room on the lower part of the sloped lot. The new plan has a very organized modern open layout featuring large glass panels. Stucco is the predominate exterior material.

APPLICANT INFORMATION

Thomas Lo
PROPERTY OWNER NAME APPLICANT?

[Redacted]
PHONE

[Redacted]
ADDRESS

Erik Chan - Bay 9 Architects
ARCHITECT/DESIGNER APPLICANT?

22 El Camino Moraga, Orinda Ca 94563
ADDRESS

935.787.8716
PHONE

erikchan2@gmail.com
E-MAIL

BURLINGAME BUSINESS LICENSE #

FOR PROJECT REFUNDS - Please provide an address to which to all refund checks will be mailed to:

Thomas Lo
NAME

905 Helen Drive, Millbrae, Ca 94030
ADDRESS

AFFIDAVIT OF OWNERSHIP

I HEREBY CERTIFY THAT THE INFORMATION GIVEN HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Redacted]
APPLICANT'S SIGNATURE

3-30-21
DATE

I AM AWARE OF THE CITY OF BURLINGAME PLANNING COMMISSION'S POLICY AND I AM REQUESTING THE ABOVE APPLICANT TO SUBMIT THIS APPLICATION TO THE PLANNING COMMISSION.

[Redacted]
PROPERTY OWNER SIGNATURE

4-5-21
DATE

AUTHORIZATION

I HEREBY GRANT PERMISSION TO THE CITY OF BURLINGAME UPON REQUEST AND/OR POST PLANS SUBMITTED WITH THIS APPLICATION TO PROCEED WITH THE PLANNING PROCESS AND WAIVE ANY CLAIMS AGAINST THE CITY ARISING OUT OF OR RELATED TO SUCH ACTION.

EL (INITIALS OF ARCHITECT/DESIGNER)

STAFF USE ONLY

APPLICATION TYPE

ACCESSORY DWELLING UNIT (ADU) VARIANCE (VAR)

CONDITIONAL USE PERMIT (CUP) WIRELESS

DESIGN REVIEW (DSR) FENCE EXCEPTION

HILLSIDE AREA CONSTRUCTION PERMIT OTHER _____

MINOR MODIFICATION

SPECIAL PERMIT (SP)

RECEIVED

APR - 6 2021

CITY OF BURLINGAME
 CDD-PLANNING DIV.

DATE RECEIVED:

STAFF USE ONLY

SPECIAL PERMIT APPLICATION

Planning response for 1549 Los Montes Dr in Burlingame.

The Planning Commission is required by law to make findings as defined by the City's Ordinance (Code Section 25.50). Your answers to the following questions can assist the Planning Commission in making the decision as to whether the findings can be made for your request. Please type or write neatly in ink. Refer to the back of this form for assistance with these questions.

1. Explain why the blend of mass, scale and dominant structural

characteristics of the new construction or addition are consistent with the existing structure's design and with the existing street and neighborhood.

The two story building blocks that form the new residence are consistent in scale, size and shape to neighboring homes in Burlingame. The residential wing of the home relates to many of the traditional homes built generally in the 1950s. The more open living spaces of the project feature column and beam structure that is characteristic of contemporary modern and newly remodeled Burlingame homes.

The placement of the garage in a dugout (basement like) position lessens any shadowing on the downhill neighbor to the right. The two story section above grade is placed on the upper portion of the site to minimize shadowing of the neighbors as the left hand sits above our house and home site. Given that we are consistent with the one and two story massing of the neighborhood, we have minimized the effect of mass and bulk, landscaping, sunlight/shade, views on neighboring properties.

2. Explain how the variety of roof line, facade, exterior finish materials and elevations of the proposed new structure or addition are consistent with the existing structure, street and neighborhood.

Our project seems to continue a trend to remodel or replace existing homes with a new modern style home influenced by the midcentury modern style introduced to San Mateo over a half century ago. Our modern style seems to be popular with younger home owners who enjoy floor to ceiling glass walls to enhance the views.

The strong horizontal roof planes are characteristic of a contemporary modern California style that is common among new and remodeled homes in Burlingame. Below the roof planes, we feature large window walls that are also characteristic of new modern projects nearby. Much of our look is inspired by mid-century modern Eichler styled homes common in some peninsula communities. There does seem to be compatibility of our home style with the architectural style with that of the existing character of the neighborhood. The next door neighbor has a similar modern style with large windows and simple modern detailing.

3. How will the proposed project be consistent with the residential design guidelines adopted by the city?

The new home design is consistent with other single family dwellings in the area and the City Design Review Guidelines. It complies with all zoning requirement except for the front garage setback which we are requesting a variance or special permit. We are asking that the garage be in alignment with the front setback average of existing neighbors. Placement of the garage on the lower portion of the lot pays respect to the parking and garage patterns in the neighborhood.

Architectural style and mass and bulk of structure resemble other homes in the neighborhood. Landscaping and its proportion to mass and bulk of structural components also resemble other new and remodeled homes with their draught tolerant planning choice.

4. Explain how the removal of any trees located within the footprint of any new structure or addition is necessary and is consistent with the city's reforestation requirements. What mitigation is proposed for the removal of any trees? Explain why this mitigation is appropriate.

One tree will be removed as it stands within the building footprint of the newly proposed plan. We plan to plant 3 additional trees so that there is a net gain of trees 2 on the lot after project completion. The 5 total proposed trees exceed the minimum requirement of 4 trees.



CITY OF BURLINGAME VARIANCE APPLICATION

The Planning Commission is required by law to make findings as defined by the City's Ordinance (Code Section 25.54.020 a-d). Your answers to the following questions can assist the Planning Commission in making the decision as to whether the findings can be made for your request. Please type or write neatly in ink. Refer to the back of this form for assistance with these questions.

- a. ***Describe the exceptional or extraordinary circumstances or conditions applicable to your property which do not apply to other properties in this area.***

The allowed residence setback is the average of actual building setbacks of Los Montes Street neighbors- 27'. We are seeking a garage front setback variance to 27' so the garage front can align with the rest of the front of the residence. This appears a reasonable request as a garage placed 35' back would appear mis-aligned with the rest of the house. Also, pushing the basement garage back an extra 8 feet would require an extraordinary amount of added excavation.

- b. ***Explain why the variance request is necessary for the preservation and enjoyment of a substantial property right and what unreasonable property loss or unnecessary hardship might result from the denial of the application.***

The 27' (average to neighbors) building setback allowance is designed to give a property owners similar building rights at their neighbors, many who have existing garages at or near the 27' average setback. Allowing the 27' garage setback for the Lo residence provides fair and equal rights as other garage owners on the street.

- c. ***Explain why the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity or to public health, safety, general welfare or convenience.***

Matching the residence and garage setbacks of existing neighbors should not have negative impacts on the existing property or surrounding properties, but provide a harmonious integration with the community. Pushing the garage setback to 35' would give the residence a top heavy look that is not common in the neighborhood.

- d. ***How will the proposed project be compatible with the aesthetics, mass, bulk and character of the existing and potential uses on adjoining properties in the general vicinity?***

Allowing a 27' setback for the garage would make the proposed project more harmonious with adjoining properties in the vicinity by matching the average setback of structures and garages in the neighborhood. It would help maintain a similar mass and bulk to surrounding homes.

CD/PLG-Amelia Kolokihakaufisi

From: Gemmy Tsai <[REDACTED]>
Sent: Tuesday, August 17, 2021 10:13 PM
To: CD/PLG-Amelia Kolokihakaufisi; Public Comment
Subject: Regarding 1549 Los Montes Dr Remodel

Follow Up Flag: Follow up
Flag Status: Flagged

Hi there,

I am a resident at [REDACTED] one of the houses behind this property in question. When this project was brought to the planning commission back in late 2020, I expressed my concerns around view blockage from our 2nd floor and attached photos. I remain concerned with the view blockage and I'd like to request the installation of story poles to understand view blockage issues. Thank you.

Gemmy Tsai
[REDACTED]

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

**RESOLUTION APPROVING CATEGORICAL EXEMPTION, DESIGN REVIEW,
HILLSIDE AREA CONSTRUCTION PERMIT, SPECIAL PERMIT, AND VARIANCE**

RESOLVED, by the Planning Commission of the City of Burlingame that:

WHEREAS, a Categorical Exemption has been prepared and application has been made for Design Review and Hillside Area Construction Permit for a new, two-story single family dwelling, and Special Permit and Front Setback Variance for an attached garage at 1549 Los Montes Drive, Zoned R-1, Thomas Lo, property owner, APN: 027-014-060;

WHEREAS, said matters were heard by the Planning Commission of the City of Burlingame on October 12, 2021, at which time it reviewed and considered the staff report and all other written materials and testimony presented at said hearing;

NOW, THEREFORE, it is RESOLVED and DETERMINED by this Planning Commission that:

1. On the basis of the Initial Study and the documents submitted and reviewed, and comments received and addressed by this Commission, it is hereby found that there is no substantial evidence that the project set forth above will have a significant effect on the environment, and categorical exemption, per CEQA Section 15303 (a) of the CEQA Guidelines, which states that construction of a limited number of new, small facilities or structures, including one single-family residence, or a second dwelling unit in a residential zone, is exempt from environmental review. In urbanized areas, this exemption may be applied to the construction or conversion of up to three (3) single-family residences as part of a project, is hereby approved.
2. Said Design Review, Hillside Area Construction Permit, Special Permit, and Variance are approved subject to the conditions set forth in Exhibit "A" attached hereto. Findings for such Design Review, Hillside Area Construction Permit, Special Permit, and Variance are set forth in the staff report, minutes, and recording of said meeting.
3. It is further directed that a certified copy of this resolution be recorded in the official records of the County of San Mateo.

Chairperson

I, _____, Secretary of the Planning Commission of the City of Burlingame, do hereby certify that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission held on the 12th day of October, 2021 by the following vote:

Secretary

EXHIBIT "A"

Conditions of Approval for Categorical Exemption, Design Review, Hillside Area Construction Permit, Special Permit, and Variance

1549 Los Montes Drive

Effective **October 22, 2021**

Page 1

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped September 30, 2021, sheets A-1 through A-5.0, L1 and topographic survey plan;
2. that any changes to building materials, exterior finishes, windows, architectural features, roof height or pitch, and amount or type of hardscape materials shall be subject to Planning Division or Planning Commission review (FYI or amendment to be determined by Planning staff);
3. that any changes to the size or envelope of the basement, first or second floors, or garage, which would include adding or enlarging a dormer(s), shall require an amendment to this permit;
4. that any recycling containers, debris boxes or dumpsters for the construction project shall be placed upon the private property, if feasible, as determined by the Community Development Director;
5. that demolition for removal of the existing structures and any grading or earth moving on the site shall not occur until a building permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
6. that prior to issuance of a building permit for construction of the project, the project construction plans shall be modified to include a cover sheet listing all conditions of approval adopted by the Planning Commission, or City Council on appeal; which shall remain a part of all sets of approved plans throughout the construction process. Compliance with all conditions of approval is required; the conditions of approval shall not be modified or changed without the approval of the Planning Commission, or City Council on appeal;
7. that all air ducts, plumbing vents, and flues shall be combined, where possible, to a single termination and installed on the portions of the roof not visible from the street; and that these venting details shall be included and approved in the construction plans before a Building permit is issued;
8. that the project shall comply with the Construction and Demolition Debris Recycling Ordinance which requires affected demolition, new construction and alteration projects to submit a Waste Reduction plan and meet recycling requirements; any partial or full demolition of a structure, interior or exterior, shall require a demolition permit;
9. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, in effect at time of building permit submittal, as amended by the City of Burlingame;

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

10. that prior to scheduling the framing inspection the applicant shall provide a certification by the project architect or residential designer, or another architect or residential design professional, that demonstrates that the project falls at or below the maximum approved floor area ratio for the property;

EXHIBIT "A"

Conditions of Approval for Categorical Exemption, Design Review, Hillside Area Construction Permit, Special Permit, and Variance

1549 Los Montes Drive

Effective **October 22, 2021**

Page 2

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



CITY OF BURLINGAME
COMMUNITY DEVELOPMENT DEPARTMENT
501 PRIMROSE ROAD
BURLINGAME, CA 94010
PH: (650) 558-7250
www.burlingame.org

Project Site: 1549 Los Montes Drive, zoned R-1

The City of Burlingame Planning Commission announces the following virtual public hearing via Zoom on **Tuesday, October 12, 2021 at 7:00 P.M.** You may access the meeting online at www.zoom.us/join or by phone at (346) 248-7799:

Webinar ID: 835 4435 5120	Passcode: 803754
---------------------------	------------------

Description: Application for Design Review and Hillside Area Construction Permit for a new, two-story single family dwelling, and Special Permit and Front Setback Variance for an attached garage.

Members of the public may provide written comments by email to: publiccomment@burlingame.org.

Mailed: October 1, 2021

(Please refer to other side)

**PUBLIC HEARING
NOTICE**

City of Burlingame - Public Hearing Notice

If you have any questions about this application or would like to schedule an appointment to view a hard copy of the application and plans, please send an email to planningdept@burlingame.org or call (650) 558-7250.

Individuals who require special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed, should contact the Planning Division at planningdept@burlingame.org or (650) 558-7250 by 10 am on the day of the meeting.

If you challenge the subject application(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in the notice or in written correspondence delivered to the city at or prior to the public hearing.

Property owners who receive this notice are responsible for informing their tenants about this notice.

Kevin Gardiner, AICP
Community Development Director

(Please refer to other side)

1549 Los Montes Drive
300' noticing
APN #: 027-014-060

