

City of Burlingame

Design Review and Special Permits

Item No. 9d
Regular Action Item

Address: 1033 Cortez Avenue

Meeting Date: November 12, 2024

Request: Application for Design Review and Special Permits for plate height and second floor deck for a new, two-story single-unit dwelling and Special Permit for Side Setback for a new detached garage.

Architect and Applicant: Elaine Lee, Elaine Lee Design

APN: 026-166-040

Property Owner: Raymond Wong

Lot Area: 6,000 SF

General Plan: Low Density Residential

Zoning: R-1

Project Description: The subject property is an interior lot that contains an existing split-level single-unit dwelling with an attached one-car garage. Sanchez Creek runs along the left side property line and then through the rear corner of the lot. The applicant is proposing to demolish all structures on the site and build a new, two-story single-unit dwelling with a detached one-car garage. The project proposes a total floor area of 3,304 SF (0.55 FAR) where 3,304 SF (0.55 FAR) is the maximum allowed (includes 87 SF front porch exemption).

The applicant is requesting a Special Permit for the second floor plate height in bedroom #1 at the rear of the house (8'-7" proposed where 8'-0" is the maximum allowed). The applicant is also requesting a Special Permit for a second floor deck at the rear of the house. Due to the slope on the lot, only a portion of the deck at the rear of the house is considered to be on the second floor (61 SF proposed). A Special Permit is required for any second story balcony and is limited to 75 SF in area.

The proposed detached garage is located within the rear 30 to 40 percent of the lot. Therefore, a Special Permit is required for the proposed detached garage to be exempt from the side setback requirements along the right side of the lot (1'-6" proposed where 4'-0" is required) (Code Section 25.10.035).

There would be a total of four bedrooms in the proposed main dwelling. Two parking spaces, one of which must be covered, are required for a four-bedroom house. The new detached one-car garage measures 10'-1" x 20'-5" (clear interior dimensions) and provides the required covered parking; one uncovered parking space (9' x 18') is provided in the driveway. All other Zoning Code requirements have been met.

The site contains two existing landscape trees at the rear yard, one of which (a 70-inch diameter Coast Live Oak) is of protected-size. Based on the proposed floor area, three landscape trees are required on-site. The proposed landscape plan includes retaining the two existing landscape trees and planting three new landscape trees, including one new 24-inch box landscape tree (Western Redbud), one new 15-gallon landscape tree (Coral Bark Maple), and one other landscape tree (to be determined by Parks Division). Therefore, the project complies with the Urban Reforestation Ordinance requirements. There is one street tree (18-inch diameter Southern Magnolia) at the front of the house that is proposed to be removed due to a poor health rating, based on the arborist report prepared by Kielty Arborist Services LLC, dated October 31, 2023 and revised September 6, 2024. A new street tree is proposed to be planted in the same location and the tree species would be selected by the Parks Division.

The applicant is requesting the following applications:

- Design Review for a new, two-story single-unit dwelling with a detached garage (C.S. 25.68.020(C)(1)(a));
- Special Permit for second floor plate height (8'-7" proposed where 8'-0" is the maximum allowed) (C.S. 25.10.035 (6));

- Special Permit for second floor deck (61 SF proposed where up to 75 SF is allowed with a Special Permit) (C.S. 25.10.035(7)); and
- Special Permit for a detached garage to be exempt from setback restrictions when located within the rear 30 to 40 percent of the lot (C.S. 25.10.035 (5)).

1033 Cortez Avenue**Lot Area:** 6,000 SF**Plans date stamped:** October 22, 2024

	PROPOSED	ALLOWED/REQUIRED
Front Setbacks (1st floor): (2nd floor):	18'-10" 24'-4"	18'-10" (block average) 20'-0"
Side Setbacks (left): (right):	4'-10" 10'-0"	4'-0" 4'-0"
Rear Setbacks (1st flr): (2nd flr):	53'-8" 51'-8"	15'-0" 20'-0"
Lot Coverage:	2,067 SF 34.5%	2,400 SF 40%
FAR:	3,304 SF 0.55 FAR	3,304 SF ¹ 0.55 FAR
# of bedrooms:	4	---
Off-Street Parking:	1 covered (10'-1" x 20'-5" clear interior) 1 uncovered (9' x 18')	1 covered (10'-0" x 18'-0") 1 uncovered (9' x 18')
Plate Heights (1st flr): (2nd flr):	9'-0" 8'-7" ²	9'-0" 8'-0"
Building Height:	29'-0"	30'-0"
Declining Height Envelope:	complies	C.S. 25.10.55(A)(1)
Second Floor Balcony:	61 SF ³	75 SF

¹ (0.32 x 6,000 SF) + 1,100 SF + 284 SF = 3,304 SF (0.55 FAR)

² Special Permit requested for second floor plate height.

³ Special Permit requested for a second floor deck.

Summary of Proposed Exterior Materials:

- **Windows:** aluminum clad wood
- **Doors:** wood entry door
- **Siding:** combination of stucco and shiplap siding
- **Roof:** composition shingles and standing seam metal

- **Other:** steel railing

Staff Comments: None.

Design Review Study Meeting: At the Planning Commission Design Review Study meeting on October 15, 2024, the Commission had several comments and suggestions regarding this project and voted to place this item on the Regular Action Calendar when all information has been submitted and reviewed by the Planning Division (see attached October 15, 2024 Planning Commission Minutes).

The applicant submitted a response letter, dated October 22, 2024, and revised plans, date stamped October 22, 2024, to address the Planning Commission's comments and suggestions. Please refer to the applicant's letter for a detailed list of the changes made to the project (see attachments).

Design Review Criteria: The criteria for design review as established in Ordinance No. 2000 adopted by the City Council on December 6, 2021 are outlined as follows:

1. Consistency with any applicable design guidelines;
2. Compatibility of the architectural style with that of the existing character of the neighborhood;
3. Respect for the parking and garage patterns in the neighborhood;
4. Architectural style and consistency and mass and bulk of structures, including accessory structures;
5. Interface of the proposed structure with the structures on adjacent properties;
6. Landscaping and its proportion to mass and bulk of structural components; and
7. In the case of an addition, compatibility with the architectural style and character of the existing structure as remodeled.

Required Findings for Design Review: Any decision to approve a Major Design Review application shall be supported by written findings addressing the criteria set forth in Chapter 25.68. In making such determination, the following findings shall be made:

1. The project is consistent with the General Plan and is in compliance with all applicable provisions of Title 25, all applicable design guidelines, all other City ordinances and regulations, and most specifically, the standards established in the Design Review Criteria above, as applicable.
2. The project will be constructed on a parcel that is adequate in shape, size, topography, and other circumstances to accommodate the proposed development; and
3. The project is designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property.

Suggested Findings for Design Review:

1. The proposed new single-unit dwelling is consistent with the General Plan designation of Low Density Residential and is in compliance with all applicable provisions of Title 25; the proposed dwelling is consistent with the design guidelines; that the mass and bulk of the proposed structure is in scale with the lot and in relation to neighboring properties, and that architectural details, such as the wood entry door, aluminum clad wood windows, stucco and shiplap siding, hip and gable roofs, are compatible with the character of the neighborhood.
2. The project will be constructed on a parcel that is adequate in shape, size, topography, and other circumstances to accommodate the proposed development as shown on the proposed plans.
3. The project is designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring property because the

project complies with setback, lot coverage, floor area ratio, building height, declining height envelope, and off-street parking requirements.

For these reasons, the project may be found to be compatible with the requirements of the City's design review criteria.

Required Findings for a Special Permit: In order to grant a Special Permit, the Planning Commission must find that the following conditions exist on the property (Code Section 25.51.020 a-d):

- (a) 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;
- (b) 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;
- (c) the proposed project is consistent with the residential design guidelines adopted by the city; and
- (d) 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, and the mitigation for the removal that is proposed is appropriate.

Suggested Special Permit Findings (Plate Height):

- 1. The blend of mass, scale, and dominant structural characteristics of the house, with the predominant plate height of 8'-0" for the second floor, are consistent with the character of the street and neighborhood which consists of one and two-story single-unit dwellings in a variety of architectural styles, massing and plate heights and is appropriate proportionality on this interior lot. Only the rear bedroom with a 8'-7" plate height varies from the 8'-0" plate height and is located at the rear of the house and not visible from the street.
- 2. The variety of roof lines, façade, exterior finish materials, and elevations of the house are consistent with the existing street and neighborhood; the 8'-7" plate height at the rear projection provides visual interest to the rear elevation; the modification to the plate height in this location is integrated well into the design and adds articulation; and
- 3. The proposed project is consistent with the residential design guidelines adopted by the City in that the proposed structure is compatible with the requirements of the City's design review criteria as noted above.

Suggested Findings for a Special Permit (Second Floor Deck):

- 1. The blend of mass, scale, and dominant structural characteristics of the proposed second floor deck are consistent with the proposed dwelling, that the portion of the deck that is considered to be a second floor deck (61 SF) is within the maximum deck size allowed (75 SF) and is integrated well with the overall design style.
- 2. The variety of façade, exterior finish materials, and elevations of the proposed second floor deck are consistent with the existing structure.
- 3. The proposed project is consistent with the residential design guidelines adopted by the City in that the proposed structure is compatible with the requirements of the City's design review criteria as noted above.

For these reasons, the project may be found to be compatible with the requirements of the City's Special

Permit criteria.

Suggested Special Permit Findings (Side Setback for a detached garage):

1. The blend of mass, scale, and dominant structural characteristics of the detached garage is consistent with the character of the street and neighborhood which consists of one and two-story single-unit dwellings in a variety of architectural styles and massing with attached and detached garages and is appropriate proportionality on this interior lot.
2. The new detached garage still has a deep setback from the front of the lot and is located behind the main dwelling so that it does not have a presence on the street. The detached garage is integrated into the design of the new dwelling with its matching materials and roof design to cohesively tie into the front façade.
3. The proposed project is consistent with the residential design guidelines adopted by the City in that the proposed structure is compatible with the requirements of the City's design review criteria as noted above.

Planning Commission Action: The Planning Commission should conduct a public hearing on the application, and consider public testimony and the analysis contained within the staff report. Action should include specific findings supporting the Planning Commission's decision, and should be affirmed by resolution of the Planning Commission. The reasons for any action should be stated clearly for the record. At the public hearing the following conditions should be considered:

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped October 22, 2024, sheets A0 through A6, sheet T1-T3, and sheet L1;
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 (level of review 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;
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.

‘Amelia Kolokihakaufisi
Associate Planner

- c. Elaine Lee, Elaine Lee Design, applicant and architect
Raymond Wong, property owner

Attachments:

October 15, 2024 Planning Commission Minutes
Applicant’s Response Letter to Planning Commission, dated October 22, 2024
Neighbor Letter of Support
Letter of Explanation
Special Permit Applications
Arborist Report prepared by Kielty Arborists Services LLC, dated Oct. 31, 2023, revised Sep. 6, 2024
Planning Commission Resolution (proposed)
Area Map