

# City of Burlingame

*Design Review Amendment*

Item No. 8c  
Regular Action Item

**Address:** 1556 Cypress Avenue

**Meeting Date:** July 11, 2022

**Request:** Application for Amendment to Design Review for as-built changes to a previously approved first and second story addition to an existing single-unit dwelling and new detached garage.

**Applicant and Designer:** Tim Raduenz, Form+One

**APN:** 028-295-080

**Property Owners:** Kasey and Bill Schuh

**Lot Area:** 7,500 SF

**General Plan:** Low Density Residential

**Zoning:** R-1

**Environmental Review Status:** The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301 (e)(2), which states that additions to existing structures are exempt from environmental review, provided the addition will not result in an increase of more than 10,000 SF in areas where all public services and facilities are available and the area in which the project is located is not environmentally sensitive.

**Staff Comments:** This project was originally approved prior to January 5, 2022, the effective date of the new Zoning Ordinance, and therefore was reviewed under the previous Zoning Code.

**History and Background:** An application for Design Review for a first and second story addition to an existing single-unit dwelling and new detached garage at 1556 Cypress Avenue, zoned R-1, was approved by the Planning Commission on October 28, 2019 (see attached October 28, 2019 Planning Commission Meeting Minutes). A building permit was issued in June 2020. Construction is complete except for a final inspection approval from the Building and Planning Divisions.

Planning staff was contacted to perform a final inspection for the project in July 2021 and during this inspection, a number of as-built revisions were noted. Staff prepared an FYI for Commission review at the November 22, 2021 meeting where the applicant was requesting approval of as-built changes. The Planning Commission called this FYI up for review and requested that this project be reviewed as a Design Review Amendment at a public hearing (see attached November 22, 2021 Planning Commission Meeting Minutes). The Commission noted that none of the changes were acceptable and that the project seems to be a stripped-down version of what was previously approved.

**Amendment to Design Review Action Hearing #1:** At the first Regular Action meeting on December 13, 2021 for the proposed amendment, the applicant requested approval of several as-built changes. The Commission did not approve the as-built changes and voted to continue the project with direction that it be brought back for review once their concerns had been addressed (see attached December 13, 2021 Planning Commission Minutes). Below is a summary of the concerns noted by the Commission:

- Return with a proposal that works with the as-built changes;
- Character and details are missing;
- Corbels were a nice touch and detail;
- Box area over the arched entry is missing detail, needs something to provide scale.

**Amendment to Design Review Action Hearing #2:** To address the Commission's concerns noted at the December 13, 2021 meeting, the applicant submitted revised plans, date stamped March 7, 2022 and a letter of explanation, dated March 9, 2022 (see attached). At the second Regular Action meeting on March 14, 2022, the Commission did not approve the as-built changes proposed and voted to continue the project with direction that it be brought back for review once their concerns had been addressed (see attached March 14, 2022 Planning Commission Minutes).

To address the Commission's concerns, the applicant submitted revised plans (dates stamped June 22, 2022) and a response letter, dated June 22, 2022 (see attached).

The following request is required for the proposed as-built revisions to the approved design:

- Amendment to Design Review for as-built changes to a previously approved first and second story addition to an existing single-unit dwelling and new detached garage (C.S. 25.57.010(a)(2)).

**Description of Previously Approved Project:** The approved project included a first floor addition at the front of the house and rebuilding and enlarging the second floor. The existing detached garage was replaced with a new 461 SF detached garage in the same location on the lot. The house and detached garage totals 3,873 SF (0.52 FAR) where 3,900 SF (0.52 FAR) is the maximum allowed.

With this application, the number of bedrooms decreased from five to four (first floor office does not qualify as a bedroom because one of its wall is open by more than 50%). Two off-street parking spaces, one of which must be covered, are required for a four-bedroom house. The detached garage provides two covered parking spaces (20'-1" x 20'-1" clear interior dimensions) and an uncovered parking space (9' x 20') is provided in the driveway leading to the garage.

The following application was approved by the Planning Commission on October 28, 2019:

- Design Review for a first and second story addition to an existing single-unt dwelling and new detached garage (C.S. 25.57.010(a)(2)).

The following Development Table provides information for the previously approved project; there are no changes to these items with the proposed amendment application.

**1556 Cypress Avenue**

**Lot Area: 7,500 SF**

	EXISTING	PROPOSED	ALLOWED/REQUIRED
<b>SETBACKS</b>			
<b>Front (1st flr):</b> <b>(2nd flr):</b>	19'-6" 42'-6"	29'-10" 39'-8"	20'-6" (block average) 20'-6" (block average)
<b>Side (left):</b> <b>(right):</b>	10'-3" 4'-1"	No change 4'-1"	4'-0" 4'-0"
<b>Rear (1st flr):</b> <b>(2nd flr):</b>	64'-10" 70'-5"	63'-4" 61'-10"	15'-0" 20'-0"
<b>Lot Coverage:</b>	2,330 SF 31.1%	2,543 SF 33.9%	3,000 SF 40%
<b>FAR:</b>	3,031 SF 0.40 FAR	3,873 SF 0.52 FAR	3,900 SF <sup>1</sup> 0.52 FAR
<b># of bedrooms:</b>	5	4	---
<b>Off-Street Parking:</b>	2 covered (18'-4" x 18'-4" clear interior) 1 uncovered (9' x 20')	2 covered (20'-1" x 20'-1" clear interior) 1 uncovered (9' x 20')	1 covered (10' x 20') 1 uncovered (9' x 20')
<b>Building Height:</b>	25'-5"	29'-11"	30'-0"

	EXISTING	PROPOSED	ALLOWED/REQUIRED
<b>DH Envelope:</b>	not applicable	complies using window enclosure exception along right side of house (CS 25.26.075 (b)(2))	CS 25.26.075

<sup>1</sup>  $(0.32 \times 7,500 \text{ SF}) + 1,100 \text{ SF} + 400 \text{ SF} = 3,900 \text{ SF} (0.52 \text{ FAR})$

**Staff Comments:** None.

**Design Review Criteria:** The criteria for design review as established in Ordinance No. 1591 adopted by the Council on April 20, 1998 are outlined as follows:

1. Compatibility of the architectural style with that of the existing character of the neighborhood;
2. Respect for the parking and garage patterns in the neighborhood;
3. Architectural style and mass and bulk of structure;
4. Interface of the proposed structure with the structures on adjacent properties; and
5. Landscaping and its proportion to mass and bulk of structural components.

**Suggested Findings for Design Review:** That the as-built changes to the architectural details are similar in style so that the overall design of the site is cohesive; that the as-built changes are not structural so that the building envelope, mass and bulk of the house are consistent with the previously approved project; and that the as-built changes match the existing architecture of the existing house and is compatible with the character of other homes in the neighborhood. For these reasons, the project may be found to be compatible with the requirements of the City’s five design review criteria.

**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 June 22, 2022, sheets T1.0, A1.0 through A5.0, and A9.0;
2. that the 64 SF (6’-9” x 9’-5”) uncovered balcony (second floor) at the rear of the house shall not be covered, unless covering or enclosing this area does not exceed the maximum allowed floor area ratio (FAR) or there is approval of a Variance for exceeding the maximum allowed FAR;
3. 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);
4. 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;
5. 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;
6. 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;
7. 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;

8. 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;
9. 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;
10. 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:**

11. 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;
12. 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;
13. 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;
14. 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
15. 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. Tim Raduenz, applicant and designer

Attachments:

March 14, 2022 Planning Commission Minutes  
Applicant's Response Letter to the Planning Commission, dated June 22, 2022  
December 13, 2021 Planning Commission Minutes  
Letter of Explanation, dated March 9, 2022  
Letters of Support  
November 22, 2021 and October 28, 2019 Planning Commission Minutes  
Applicant's Letter to the Planning Commission, dated November 3, 2021

Application to the Planning Commission  
Planning Commission Resolution (Proposed)  
Notice of Public Hearing – Mailed July 1, 2022  
Area Map

Separate Attachments:

Historical Resource Evaluation conducted by Page & Turnbull, Inc., dated July 16, 2019