

# City of Burlingame

Conditional Use Permit

Item No. 9e  
Regular Action Item

**Address:** 1251 California Drive

**Meeting Date:** July 11, 2022

**Request:** Application for Conditional Use Permit to convert the first floor of an existing commercial building to an eight-room hotel.

**Applicant and Architect:** Ted Catlin, Dreiling Terrones Architecture

**APN:** 026-092-040

**Property Owner:** Paul Dimech

**Lot Area:** 4,408 SF

**General Plan:** California Mixed Use

**Zoning:** CMU (California Mixed Use)

**Environmental Review Status:** This project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15303, Class I of the CEQA Guidelines, which states that the operation repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing including but not limited to (a) interior or exterior alternations involving such things as interior partitions, plumbing, and electrical conveyances, is exempt from environmental review.

**Project Description:** The site contains an existing two-story building with a 3,626 SF ground floor commercial space previously used as a dry cleaners and an existing second floor with a 1,306 SF two-bedroom residential unit. The total floor area on the site is 4,932 SF.

The existing building is setback 7'-2" from the left side property line, where there is a paved alley on that side that extends for approximately 75% of the length of the building. The existing gas meter for the subject building is in an easement located along the south side of the adjacent lot at 1255 California Drive.

The applicant is proposing tenant improvements to convert the first floor of the existing building to a boutique hotel that will have a total of eight rooms. The first floor tenant space previously occupied by a dry cleaner has been vacant for over two years.

The proposed hotel will consist of a reception lobby at the front and eight single-bed, single-bath hotel rooms located beyond the lobby. The hotel will have an indoor lounge area for guests along the left side of the building, adjacent to the existing alley open space. At a future date the alley will be improved to include planters and seating to create a patio for guests.

The hotel will be marketed primarily to airline employees from San Francisco International Airport, which is located 2.5 miles north of the project site. Most of the anticipated airline employee guests will be staying no more than 24 hours in the hotel and will not have personal vehicles. The hotel will also be available for a more general clientele of out-of-town guests, however the hotel business model anticipates that due to the proximity to the airport and the Caltrain station, as well as to the compact hotel room design, both airline and general hotel guests will be utilizing mass transit or rideshare vehicles to shuttle to the hotel from the airport for short visits between flights. The hotel business model is based on the existing use patterns of the airline employees that currently occupy the second floor apartment unit. Please see the applicant's Conditional Use Permit application for additional details about potential hotel guests.

The existing 2,620 SF dry cleaning business and associated 1,006 SF of storage area require a total of eight on-site parking spaces (1 parking space required for every 400 SF business service use and one parking space required for every 1,000 SF storage use). The existing on-site parking is non-conforming, where eight on-site parking spaces are required and no on-site parking is provided.

The proposed hotel use requires one parking space for every hotel room, for a total of eight parking spaces. Code Section 25.58.010(A) states that for any nonconformity with respect to parking spaces, the additional parking required for a change in use shall be in full compliance with parking provisions in Chapter 25.40. Because the proposed change to a hotel use requires the same total number of on-site parking spaces as the

existing business service use (eight total spaces), there is no intensification of use and no additional parking required for the proposed change in use.

No changes are proposed to the height or envelope of the existing building or to the exterior materials. No changes are proposed to the interior of the second floor residential unit. All other Zoning Code requirements have been met. The applicant is requesting the following application:

- Conditional Use Permit to convert the first floor of an existing commercial building to a hotel use (eight rooms proposed) (C.S. 25.14.020 and Table 25.14-1); in the CMU Zoning District hotels are restricted to fewer than 20 rooms.

**Staff Comments:** The proposed project complies with the required California Building and Uniform Fire Codes. The Planning Division notes that this application was brought directly to the Planning Commission as Regular Action Item since the project involves only a tenant improvement to the interior of the existing first floor and there is no intensification with respect to off-street parking. Should the Planning Commission determine that further review of the project is required, the application can be scheduled for an additional action hearing.

**Staff Comments:** Staff would note that the subject property is not on the Hazardous Waste and Substances Sites (Cortese) List. The Cortese List is a document used in providing information about the location of hazardous materials release sites. The proposed project does not include any grading or excavation for the proposed improvements (all improvements are provided above existing grade).

**Required Findings for Conditional Use Permit:** Any decision to approve a Conditional Use Permit application shall be supported by written findings addressing the criteria set forth in Chapter 25.66. In making such determination, the following findings shall be made:

- A. The proposed use is consistent with the General Plan and any applicable specific plan.
- B. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.
- C. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity.
- D. The site is physically suitable in terms of:
  - 1. Its design, location, shape, size, and operating characteristics of the proposed use to accommodate the use, and all fences, landscaping, loading, parking, spaces, walls, yards, and other features required to adjust the use with the land and uses in the neighborhood;
  - 2. Streets and highways adequate in width and pavement type to accommodate public and emergency vehicle (e.g., fire and medical) access;
  - 3. Public protection services (e.g., fire protection, police protection, etc.); and
  - 4. The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.).
- E. The measure of site suitability shall be required to ensure that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located.

**Suggested Findings for a Conditional Use Permit:** That the proposed mixed use project with a hotel use on the first floor and an existing residential use on the second floor is consistent with both the General Plan and designations of California Mixed Use zoning district; that the proposed boutique hotel with eight rooms is compatible with the adjacent Broadway Commercial Area which will provide retail and dining amenities within

walking distance for hotel guests; and that the proposed location of the hotel adjacent to a Caltrain stop encourages use of public transit so that hotel guests will not need personal vehicles or parking spaces that might create an adverse impact the surrounding zoning district. For these reasons, the project may be found to be compatible with the Conditional Use Permit 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 and date stamped July 5, 2022, sheets A0.0 through A5.2 and L2.1;
2. that any increase in the number of hotel rooms (exceeding eight rooms) shall require an amendment to the Conditional Use Permit and an evaluation of the parking based on Zoning Code requirements;
3. 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;
4. 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;
5. 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; and
6. 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.

Erika Lewit  
Senior Planner

c. Ted Catlin, Dreiling Terrones Architecture

Attachments:

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