

# City of Burlingame

Design Review, Special Permit, and Variances

Item No. 8b  
Regular Action Item

**Address:** 1617 Chapin Avenue

**Meeting Date:** October 12, 2021

**Request:** Application for Design Review, Special Permit for attached garage, and Front and Side Setback Variances for a new attached garage addition to an existing single family dwelling.

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

**APN:** 028-284-060

**Property Owners:** Debbie and Karl Bakhtiari

**Lot Area:** 19,732 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)(1) of the CEQA Guidelines, which states that additions to existing structures are exempt from environmental review, provided the addition will not result in an increase of more than 50% of the floor area of the structures before the addition.

**Background:** The subject property is located within the Burlingame Park No. 3 subdivision. Based upon documents that were submitted to the Planning Division by a Burlingame property owner in 2009, it was indicated that the entire Burlingame Park No. 2, Burlingame Park No. 3, Burlingame Heights, and Glenwood Park subdivisions may have historical characteristics that would indicate that properties within this area could be potentially eligible for listing on the National or California Register of Historical Places. Therefore, for any property located within these subdivisions, a Historic Resource Evaluation must be prepared prior to any significant development project being proposed to assess whether the existing structure(s) could be potentially eligible for listing on the National or California Register of Historical Places.

A Historic Resource Evaluation was prepared for this property by Page & Turnbull, Inc., dated May 22, 2020 (attached). The results of the evaluation concluded that 1617 Chapin Avenue is eligible for individual listing in both the National Register under Criterion C and the California Register of Historical Resources under Criterion 3 (Architecture). The evaluation notes that "the residence has several features that are indicative of the Mediterranean Revival Style." When the building was built, it "was featured in multiple architectural periodicals...and the publicity around this building was significant."

Page & Turnbull prepared an analysis of the potential impacts of the addition as originally proposed under the Secretary of the Interior's *Secretary of the Interior's Standards for Rehabilitation* and pursuant to CEQA, dated August 23, 2021 (see attached Proposed Project Analysis). The analysis notes that "all proposed work will be undertaken at the northwest corner of the building and will include alterations to the primary (west) and north facades of the building's non-historic addition." The results of the analysis concluded that "the proposed project was evaluated according to the *Secretary of the Interior's Standards for Rehabilitation* and was determined to fully comply with all ten *Standards for Rehabilitation*. The building will continue to retain its historic integrity and will remain eligible for listing on a local, state, or national register. Therefore, the proposed project has been determined to comply with the *Standards* and will not create a significant adverse impact on the historic resource as defined by CEQA."

The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15331, which states that projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995) are exempt from environmental review.

Staff notes that since the Secretary of Interior's Standards specifically include "additions" in the definition of rehabilitation, the use of Exemption Category 15331 is applicable to the proposed project. "Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. The Rehabilitation Standards acknowledge the need to alter or add to a historic building to meet continuing or new uses while retaining the building's historic character."

**Project Description:** The subject property is an interior lot that contains an existing two-story single family dwelling with an attached garage. Currently, the entrance to the existing two-car attached garage faces the left side property line. The applicant is proposing to relocate the garage doors so that they face the street and enlarge the existing two-car attached garage by adding one additional covered parking space (Special Permit required for the attached garage addition). There is no other work proposed to the main dwelling. The proposed house would increase in total floor area from 7,117 SF (0.36 FAR) to 7,363 SF (0.37 FAR) where 7,414 SF (0.38 FAR) is the maximum allowed.

In addition to the Design Review and Special Permit applications, the applicant is requesting a Front Setback Variance (22'-6" proposed where 25'-0" is required for staggered garage doors) and Side Setback Variance (1'-3" proposed where 7'-0" is required) for the attached garage addition. Staff would note that a Front Setback Variance is not required for the relocated doors in the existing garage since the location of the garage wall facing the front property line is not being altered.

The existing house contains seven bedrooms (there is no increase in the number of bedrooms with this application). Three parking spaces, two of which must be covered, are required on site. Two covered parking spaces are provided in the existing attached garage to be retained (21'-1" wide x 22'-4" deep clear interior dimensions) and one uncovered parking space (9' x 20') is provided in the driveway. The proposed garage addition would provide one additional covered parking space (11'-11½" x 19'-6" clear interior dimensions). Staff would note that the new covered parking space length is short by six inches, however a Parking Variance is not required since this is an extra parking space. The project is in compliance with off-street parking requirements.

The applicant is requesting the following applications:

- Design Review for an attached garage (C.S. 25.57.010 (a)(6));
- Special Permit for an attached garage (C.S. 25.26.035(a));
- Front Setback Variance for an attached garage addition (22'-6" proposed where 25'-0" is required) (C.S. 25.26.072 (b)(2)(B)); and
- Left Side Setback Variance for an attached garage addition (1'-3" proposed where 7'-0" is required) (C.S. 25.26.072(c)(1)).

**1617 Chapin Avenue**

**Lot Area:** 19,732 SF

**Plans date stamped:** September 30, 2021

	EXISTING	PROPOSED	ALLOWED/REQUIRED
<b>SETBACKS</b>			
<b>Front (1st flr):</b> <b>(2nd flr):</b> <b>(attached garage):</b>	17'-4" 17'-4" 19'-6"	no change no change 22'-6" <sup>1</sup>	15'-0" or block average 20'-0" or block average 25'-0" for staggered garage doors
<b>Side (left):</b> <b>(right):</b>	11'-0" 72'-6"	1'-3" (to garage) <sup>2</sup> no change	7'-0" 7'-0"
<b>Rear (1st flr):</b> <b>(2nd flr):</b>	70'-0" 70'-0"	no change no change	15'-0" 20'-0"
<b>Lot Coverage:</b>	3,642 SF 18.5%	3,888 SF 19.7%	7,893 SF 40%

	EXISTING	PROPOSED	ALLOWED/REQUIRED
<b>FAR:</b>	7,117 SF 0.36 FAR	7,363 SF 0.37 FAR	7,414 SF <sup>3</sup> 0.38 FAR
<b># of bedrooms:</b>	7	no change	---
<b>Off-Street Parking:</b>	2 covered (22'-2" x 20'-6" clear interior)  1 uncovered (9' x 20')	3 covered (21'-1" x 22'-4" + 11'-11½" x 19'-6" clear interior)  1 uncovered (9' x 20')	2 covered (20' x 20' clear interior)  1 uncovered (9' x 20')
<b>Building Height:</b>	29'-1 ½" above grade	17'-6" above grade	30'-0"

<sup>1</sup> Front Setback Variance required.

<sup>2</sup> Side Setback Variance required.

<sup>3</sup> (0.32 x 19,732) + 1,100 SF = 7,414 SF (0.38 FAR)

**Summary of Proposed Exterior Materials:**

- **Garage Door:** Wood.
- **Siding:** Stucco.
- **Roof:** Clay tile.

**Staff Comments:** None

**Design Review Study Meeting:** At the Planning Commission Design Review Study meeting on September 13, 2021, the Commission had several 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 September 13, 2021 Planning Commission Minutes).

The following is a summary of the Commission’s comments/suggestions from the Design Review Study meeting:

- Proposed project enhances design of the house as viewed from the street;
- Concerned about three garage doors interfacing with the street, distinguish two doors that are together from the third door;
- Design needs more detailing, awning or trellis over doors; and
- Landscape area on the left side could be developed more, provide masking from the street with landscaping.

The applicant submitted a response letter (see attachments), dated September 22, 2021, and revised plans, date stamped September 30, 2021, to address the Planning Commission’s comments.

**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 architectural style, mass and bulk of the proposed design with the existing trellis and vines to remain above the garage doors mitigates the interface of the three garage doors with the street and that the added landscaping will complement the site and the rest of the existing structure and is compatible with the character of the neighborhood and that the architectural elements of the proposed structure are placed so that the structure respects the interface with the structures on adjacent properties. For these reasons, the project may be found to be compatible with the requirements of the City's five 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 (Attached Garage):** That there is an existing garage that is attached to the house; that the proposed attached garage addition is consistent with the garage pattern in the neighborhood, which consists of attached garages; and that the proposed design of the garage is integrated well into the proposed structure. For these reasons, the project may be found to be compatible with the design review and special permit criteria listed above.

**Required Findings for Variance:** In order to grant a variance the Planning Commission must find that the following conditions exist on the property (Code Section 25.54.020 a-d):

- (a) there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the same district;
- (b) the granting of the application is necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship;
- (c) the granting of the application will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience; and
- (d) that the use of the property will be compatible with the aesthetics, mass, bulk and character of existing and potential uses of properties in the general vicinity.

**Suggested Variance Findings:** That the proposed attached garage is set back from the edge of the street by 31'-10" and is set back from the existing attached garage by 3'-0"; that the proposed left side setback (1'-3") does not eliminate access to the rest of the property; that the extraordinary circumstance is that the right side of the lot is not buildable without removing protected size trees or altering the historic elements of the structure therefore the addition is limited to the left side of the lot and structure; that the proposed configuration of the parking will improve visibility between the street and is safer than the current configuration of the parking from the existing garage where exiting on to the street is difficult; that the use is therefore compatible with surrounding properties and will not be detrimental to the public health, safety, general welfare or convenience of properties in the general vicinity. For these reasons, the project may be found to be compatible with the variance 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 September 30, 2021, sheets T1.0, GN, CG, SW, FAR, sheet 1 topographic survey, A1.0, A1.1, AR, PH, AB2.0 through A3.3, A5.0, ME2.0 and ME3.0;
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;
11. 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; and
12. 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, Form One, applicant and designer

Attachments:

September 13, 2021 Planning Commission Minutes  
Applicant's Response Letter, dated September 22, 2021  
dated September 13, 2021  
Application to the Planning Commission  
Special Permit Application  
Variance Application  
Outreach Letter to Neighbors  
Neighbor Letters of Support  
Planning Commission Resolution (proposed)  
Notice of Public Hearing – Mailed October 1, 2021  
Area Map

Separate Attachments:

Proposed Project Analysis, prepared by Page & Turnbull, Inc., dated August 23, 2021  
Historical Resource Evaluation, prepared by Page & Turnbull, Inc., dated May 22, 2020