

# City of Burlingame

*Design Review and Special Permit*

**Item No. 8a**  
**Regular Action Item**

**Address:** 720 Newhall Road

**Meeting Date:** October 24, 2022

**Request:** Application for Design Review and Special Permit for first story plate height for a first and second story addition to an existing single-unit dwelling and new detached garage.

**Applicant and Architect:** Carlos Rojas, TRG Architecture + Interior Design

**APN:** 028-142-290

**Property Owners:** John and Kimberley Ohlund

**Lot Area:** 8,213 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) 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 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.

**Project Description:** The subject property is an interior lot with an existing one-story, single-unit dwelling and detached garage. The proposed project includes a new basement, first and second story additions, and replacing an existing detached garage with a new detached garage. With this application, the floor area would increase from 2,566 SF (0.31 FAR) to 4,128 SF (0.50 FAR) where 4,128 SF (0.50 FAR) is the maximum allowed (includes covered porch and basement exemptions).

With this application, the number of bedrooms in the main dwelling would increase from 4 to 5 (office qualifies as a potential bedroom). Three parking spaces, two of which must be covered, are required on-site for the main dwelling. Two covered spaces (20' x 20', clear interior dimensions) are provided in the new detached garage; one uncovered parking space (9' x 18') is provided in the driveway. Therefore, the project complies with off-street parking requirements. All other Zoning Code requirements have been met.

The existing first floor contains a 9'-0" plate height. The applicant is requesting a Special Permit for a 10'-9" plate height on the first floor at the rear of the house (where 9'-0" is the maximum allowed) (C.S. 25.10.035 (6)).

The proposed project includes an 890 SF basement which consists of game room, storage room, and a mechanical room. Because the top of the finished floor above the basement is less than 2'-0" above existing grade, 700 SF of the basement area is exempt from floor area (600 SF basement exemption and 100 SF lower floor exemptions applied).

The applicant is requesting the following applications:

- Design Review for a first and second story addition to an existing single-unit dwelling and new detached garage (C.S. 25.68.020(C)(1)(b)); and
- Special Permit for first story plate height (10'-9" first story plate height proposed where 9'-0" is the maximum allowed) (C.S. 25.10.035(6)).

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**720 Newhall Road****Lot Area:** 8,213 SF**Plans date stamped:** September 29, 2022

|   | EXISTING   | PROPOSED   | ALLOWED/REQUIRED   |
|---|--|--|--|
| <b>Front Setbacks</b><br>(1 <sup>st</sup> flr):<br>(2 <sup>nd</sup> flr):   | 35'-1"<br>-  | 39'-4" (to front porch)<br>39'-4"                                    | 15'-0"<br>20'-0"   |
| <b>Side Setbacks</b><br>(left, 1 <sup>st</sup> flr):<br>(2 <sup>nd</sup> flr):<br>(right, 1 <sup>st</sup> flr):<br>(2 <sup>nd</sup> flr): | 3'-1"<br>-<br>15'-10"<br>-                                   | no change<br>8'-7"<br>12'-5"<br>10'-8"                               | 4'-0"<br>4'-0"<br>4'-0"<br>4'-0"                                   |
| <b>Rear Setbacks</b><br>(1 <sup>st</sup> flr):<br>(2 <sup>nd</sup> flr):  | 36'-9"<br>-  | 60'-4"<br>64'-9"   | 15'-0"<br>20'-0"   |
| <b>Lot Coverage:</b>  | 2,566 SF<br>31%  | 2,560 SF<br>31%  | 3,285 SF<br>40%  |
| <b>FAR:</b>   | 2,566 SF<br>0.31 FAR   | 4,128 SF<br>0.50 FAR   | 4,128 SF <sup>1</sup><br>0.50 FAR                                  |
| <b># of bedrooms:</b>   | 4  | 5  | ---  |
| <b>Off Street Parking:</b>  | 2 covered<br>(to be demolished)<br>1 uncovered<br>(9' x 18') | 2 covered<br>(20' x 20' clear interior)<br>1 uncovered<br>(9' x 18') | 2 covered<br>(18'x18' clear interior)<br>1 uncovered<br>(9' x 18') |
| <b>Building Height:</b>   | 20'-6"   | 28'-8"   | 30'-0"   |
| <b>Plate Height</b><br>(1 <sup>st</sup> flr):<br>(2 <sup>nd</sup> flr):   | 8'-0"<br>-   | 10'-9" <sup>2</sup><br>8'-0"   | 9'-0"<br>8'-0"   |
| <b>Declining Height Envelope:</b>   | complies   | complies   | C.S. 25.10.055   |

<sup>1</sup> (0.32 x 8,213 SF) + 1,100 SF + 400 SF = 4,128 SF (0.50 FAR)<sup>2</sup> Special Permit required for 10'-9" first floor plate height.**Summary of Proposed Exterior Materials:**

- **Windows:** aluminum clad wood windows
- **Doors:** stained wood front entry door
- **Siding:** painted horizontal siding
- **Roof:** composition shingle
- **Other:** stone steps and front porch, painted wood beam, trims, column and railings.

**Staff Comments:** None.

**Design Review Study Meeting:** At the Planning Commission Design Review Study meeting on September 12, 2022, 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 12, 2022 Planning Commission Minutes).

The applicant submitted a response letter, dated September 27, 2022 and October 12, 2022, and revised plans date stamped September 29, 2022, to address the Planning Commission's comments. Please refer to the applicant's letter for a detailed list of the changes made to the project in response to the Commission's comments.

**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 first and second story addition to the existing 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, with the exception of the first story plate height for which Special Permit is being requested; the proposed style of the house will blend with the existing neighborhood based on the proposed massing and variety of exterior building materials; the proposed architectural details, such as the covered front porch, aluminum clad wood windows and horizontal siding complement the architectural style of the house and is compatible with the existing 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 and declining height envelope 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:** Any decision to approve a Special Permit application in the R-1 zoning district pursuant to Chapter 25.78 shall be supported by written findings. In making such determination, the following findings shall be made:

1. 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 well-defined character of the street and neighborhood;
2. The variety of roof line, façade, exterior finish materials, and elevations of the proposed new structure or addition are consistent with the existing structure, street, and neighborhood;
3. The proposed project is consistent with the residential design guidelines adopted by the City; and
4. 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 that the mitigation for the removal that is proposed is consistent with established City policies and practices.

***Suggested Findings for a Special Permit (Plate Height):***

1. The blend of mass, scale, and dominant structural characteristics of the first and second story addition are consistent with the character of the street and neighborhood which consists of two-story single-unit dwellings in a variety of architectural styles and massing; the 10'-9" first floor plate height at the rear is slightly taller than allowed by right (additional 1'-9" per floor).
2. The variety of roof line, façade, exterior finish materials, and elevations of the proposed first and second story addition are consistent with the existing street and neighborhood in that the hip and gable roof configurations and pitches, horizontal siding and porch columns are consistent with those architectural features found on existing structures in the neighborhood.
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.

**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 29, 2022, sheets A1.0 through A4.1, and 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 (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;
12. 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
13. 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.

Fazia Ali  
Assistant Planner

c. Carlos Rojas, applicant and architect  
John and Kimberley Ohlund, property owners

Attachments:

September 12, 2022 Planning Commission Minutes  
Applicant Response Letters, dated September 27, 2022 and October 12, 2022  
Letter from neighbor via email, received September 29, 2022  
Application to the Planning Commission  
Special Permit Application  
Planning Commission Resolution (Proposed)  
Notice of Public Hearing – Mailed October 14, 2022  
Area Map