

City of Burlingame
*Design Review, Special Permit, and
Hillside Area Construction Permit*

Item No. 8b
Regular Action Item

Address: 2752 Summit Drive

Meeting Date: October 25, 2021

Request: Application for Design Review, Hillside Area Construction Permit, and Special Permit for attached garage for a new, two-story single family dwelling and attached garage.

Applicant and Property Owner: Michael Kuperman

APN: 027-221-210

Designer: Stepan Berlov

Lot Area: 12,505 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 15303 (a), which states that construction of a limited number of new, small facilities or structures including one single family residence or a second dwelling unit in a residential zone is exempt from environmental review. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

History: An application for Design Review, Hillside Area Construction Permit, and Special Permits for attached garage and declining height envelope for a new, two-story single family dwelling and attached garage at 2752 Summit Drive was denied without prejudice by the Planning Commission on July 12, 2021. Please refer to the attached Study and Regular Action meeting minutes for more detailed information and reasons the project was denied without prejudice (July 12, 2021 and March 22, 2021 Planning Commission Minutes attached).

The applicant has resubmitted the proposed project to address the concerns and suggestions previously expressed by the Commission. Because substantial changes were made to both the design and siting of the buildings, the application was brought to the Commission as a Design Review study item on September 27, 2021.

Project Description: The subject property is an interior lot. The applicant is proposing to demolish an existing one-story single family dwelling with an attached garage and build a new, two-story single family dwelling and attached garage. The proposed house and garage would have a total floor area of 4,796 SF (0.38 FAR) where 5,102 SF (0.41 FAR) is the maximum allowed.

The subject property is located in the Hillside Area and Code Section 25.61.020 of the Burlingame Municipal Code states that no new structure or any addition to all or a portion of an existing structure shall be constructed within the affected area without a Hillside Area Construction Permit. In addition, it states that review by the Planning Commission shall be based upon the obstruction by the construction of the existing distant views of nearby properties. Emphasis shall be given to the obstruction of distant views from habitable areas within a dwelling unit.

The new single family dwelling would contain four bedrooms. Two parking spaces, one of which must be covered, are required on-site. Two covered parking spaces would be provided in the attached garage (21'-11" x 22'-11" clear interior dimensions); one uncovered parking space (9' x 20') would be provided in the driveway. Therefore, the project is in compliance with off-street parking requirements. All other Zoning Code requirements have been met.

The applicant is requesting the following applications:

- Design Review for a new, two-story single family dwelling and attached garage (C.S. 25.57.010 (a)(1) and C.S. 25.57.010 (a)(6));
- Hillside Area Construction Permit for a new, two-story single family dwelling (C.S. 25.61.020); and
- Special Permit for an attached garage (C.S. 25.26.035 (a)).

2752 Summit Drive**Lot Area:** 12,505 SF**Plans date stamped:** September 16 and October 4, 2021

	PREVIOUSLY DENIED 6/30/21 PLANS	PROPOSED	ALLOWED/REQUIRED
SETBACKS			
Front (1st flr): (2nd flr):	32'-5" 32'-5"	33'-0" n/a	32'-1" (block average) 32'-1" (block average)
Side (left): (right):	8'-6" 8'-7"	8'-6" 8'-0"	7'-0" 7'-0"
Rear (1st flr): (2nd flr):	50'-5" 55'-6"	50'-5" 49'-2"	15'-0" 20'-0"
Lot Coverage:	3,070 SF 24.6%	2,938 SF 23.5%	5,002 SF 40%
FAR:	5,020 SF 0.40 FAR	4,796 SF 0.38 FAR	5,102 SF ¹ 0.41 FAR
# of bedrooms:	5	4	---
Off-Street Parking:	2 covered (23'-10" x 22'-11" clear interior) 1 uncovered (9' x 20')	2 covered (21'-11" x 22'-11" clear interior) 1 uncovered (9' x 20')	1 covered (10' x 20') 1 uncovered (9' x 20')
Building Height:	12'-11"	2'-8" ²	20'-0"
DH Envelope:	encroachment along both sides ³	complies	C.S. 25.26.035

¹ (0.32 x 12,505 SF) + 1,100 SF = 5,102 SF (0.41 FAR)² House is located on downward slope, much of which is below the top of curb level.³ Special Permit required for declining height envelope along the right and left sides of the house.**Summary of Proposed Exterior Materials:**

- **Windows:** aluminum clad wood with true divided lites
- **Doors:** aluminum clad wood, bronze framed garage door with glass lights
- **Siding:** wood, stone veneer, metal panels
- **Roof:** metal roof

Please also see attachments for examples of proposed exterior materials.

Staff Comments: Sheet A1.1 of the plans was revised to address project comments from the Engineering and Fire Divisions. No changes were made to the architectural design of the building.

Design Review Study Meeting: At the Planning Commission Design Review Study meeting on September 27, 2021, the Commission liked the revisions made to the 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 27, 2021 Planning Commission Minutes).

Summary of the Commission's comments:

- Revisions are nicely done, project nestles in to site very similar to existing structure.
- Vastly improved, in favor of project in terms of Design Review and can make findings for attached garage.
- Appreciate size reduction and materials and effort gone in to come to a solution.
- Story poles required for Hillside Area Construction Permit.

As noted above, the Commission directed that story poles be installed in order to review potential view blockage. Story poles were installed as directed (see attached story pole certification and story pole plan).

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 new house (featuring a variety of materials metal panels, stucco and wood siding, aluminum clad wood doors, and aluminum clad wood windows with true divided lites) is compatible with the character of the neighborhood and that the windows and architectural elements of the proposed structure are placed so that the structure respects the interface with the structures on adjacent properties; that the proposed materials provides visual interest on all elevations and the architectural elements of the modern style structure compliments the neighborhood; and that the proposed project includes an attached garage, which is consistent with the garage patterns within the neighborhood. 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 Hillside Area Construction Permit: Review of a Hillside Area Construction Permit by the Planning Commission shall be based upon obstruction by construction of the existing distant views of nearby properties. Emphasis shall be given to the obstruction of distant views from habitable areas within a dwelling unit (Code Sec. 25.61.060).

Suggested Findings for Hillside Area Construction Permit: That the site is located on a sloping lot, which slopes downward from front to rear by more than forty feet, with the new house nestled in with a similar footprint and envelope as the existing house and with mature trees along the rear property line and proposed landscaping along both side property lines screening the subject property; that the front elevation interface with the street still appears as a single-story house and therefore the surrounding properties will not be impacted by the proposed new construction; and that the two-story portion of house is located along the lowest portion of the site therefore would minimize any impacts on long distant views. For these reasons, the project does not obstruct distant views from habitable areas with nearby dwelling units and therefore the project may be found to be compatible with hillside area construction permit criteria.

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 Findings for Design Review and Special Permit (attached garage): That the proposed attached garage 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 and is not visible from the street (garage door faces side property line). For these reasons, the project may be found to be compatible with the design review and special permit criteria listed 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 September 16, 2021, sheets A0.0 through A6.2, L1.2, L1.4, and L1.5 through L1.9 and revised sheet A1.1, date stamped October 4, 2021;
- 2. that the existing pine tree at the rear, right side of the lot shall remain and shall be protected during construction;
- 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. Michael Kuperman, applicant and property owner

Attachments:

September 27, 2021 Planning Commission Minutes
Story Pole Plan, dated September 13, 2021
Story Pole Certification, dated October 15, 2021
Neighbor Letter of Support, dated September 26, 2021
July 12, 2021 Planning Commission Minutes
March 22, 2021 Planning Commission Minutes
Application to the Planning Commission
Special Permit Application for attached garage
Proposed Exterior Materials
Neighbor Letter of Support, dated September 22, 2021
Planning Commission Resolution (proposed)
Notice of Public Hearing – Mailed October 15, 2021
Area Map