



# City of Burlingame

BURLINGAME CITY HALL  
501 PRIMROSE ROAD  
BURLINGAME, CA 94010

## Meeting Minutes Planning Commission

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Monday, September 27, 2021

7:00 PM

Online

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### 1. CALL TO ORDER

*The meeting was called to order at 7:02 p.m. Staff in attendance: Community Development Director Kevin Gardiner, Planning Manager Ruben Hurin, Associate Planner 'Amelia Kolokihakaufisi, and Assistant City Attorney Scott Spansail.*

### 2. ROLL CALL

**Present** 6 - Terrones, Tse, Gaul, Loftis, Schmid, and Larios

**Absent** 1 - Comaroto

### 3. APPROVAL OF MINUTES

#### a. Draft August 23, 2021 Planning Commission Meeting Minutes

**Attachments:** [Draft August 23, 2021 Planning Commission Meeting Minutes](#)

**Commissioner Terrones made a motion, seconded by Commissioner Larios, to approve the meeting minutes. The motion carried by the following vote:**

**Aye:** 5 - Terrones, Tse, Gaul, Schmid, and Larios

**Absent:** 1 - Comaroto

**Recused:** 1 - Loftis

### 4. APPROVAL OF AGENDA

*Planning Manager Hurin noted that Item 8d - 1204 El Camino Real has been continued to the October 12, 2021 meeting due to an error in the public hearing noticing for the item.*

### 5. PUBLIC COMMENTS, NON-AGENDA

*There were no Public Comments.*

### 6. STUDY ITEMS

*There were no Study Items.*

### 7. CONSENT CALENDAR

- #### a.
- 1347 Montero Avenue, zoned R-1 - Application for Design Review and Special Permit for building height for a first and second story addition to an existing single family dwelling. This project is Categorically Exempt from review pursuant to the California Environmental

Quality Act (CEQA), per Section 15301(e)(1) of the CEQA Guidelines. (Randy Grange, TRG Architects, Inc., applicant and architect; Anita Tandon and Sujit Chakravarthy, property owners) (120 noticed) Staff Contact: 'Amelia Kolokihakaufisi

**Attachments:** [1347 Montero Ave - Staff Report](#)

[1347 Montero Ave - Attachments](#)

[1347 Montero Ave - Plans](#)

**A motion was made by Vice-Chair Loftis, seconded by Commissioner Larios, to approve the Consent Calendar. The motion carried by the following vote:**

**Aye:** 6 - Terrones, Tse, Gaul, Loftis, Schmid, and Larios

**Absent:** 1 - Comaroto

## 8. REGULAR ACTION ITEMS

- a. 164 Pepper Avenue, zoned R-1 - Application for Design Review for a new, two-story single family dwelling and detached garage. The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15303 (a) of the CEQA Guidelines. (James Chu, applicant and designer; Kieran Woods, property owner) (92 noticed) Staff Contact: Erika Lewit

**Attachments:** [164 Pepper Ave - Staff Report](#)

[164 Pepper Ave - Attachments](#)

[164 Pepper Ave - Plans](#)

*All Commissioners have visited the project site. Commissioner Schmid was recused from this item because he lives within 500 feet of the subject property. Commissioner Loftis noted that he was not present at the design review study meeting for the project, but did watch the video and visited the site. Associate Planner Kolokihakaufisi provided an overview of the staff report.*

*Acting Chair Loftis opened the public hearing.*

*James Chu, designer, represented the applicant and answered questions about the application.*

*Public Comments:*

> *There were no public comments.*

*Acting Chair Loftis closed the public hearing.*

*Commission Discussion/Direction:*

> *Recommends revisiting the landscape plan to extend the boxwood hedge along the left side property line to the front of the property to help with landscape screening along that side of the house.*

> *The architect did a nice job in addressing our comments. The front and the right side elevations have been improved. The view from the stairwell window is now a little bit reduced, so it's not looking at the roof of the adjacent garage or accessory structure on the property to the left. It looks great and this project is ready to be approved.*

> *The project is quite nice. The changes that were made were improvements and it was good before; well done.*

Commissioner Terrones made a motion, seconded by Commissioner Tse, to approve the application, with the following added condition:

> that prior to issuance of a building permit, a revised landscape plan showing the boxwood hedge along the left side property line extended towards the front of the house shall be resubmitted for staff review and final approval;

The motion carried by the following vote:

**Aye:** 5 - Terrones, Tse, Gaul, Loftis, and Larios

**Absent:** 1 - Comaroto

**Recused:** 1 - Schmid

- b. 1814-1820 Ogden Drive, zoned NBMU - Application for Environmental Review, Lot Merger, Design Review, Conditional Use Permit for tandem parking and use of parking stackers, and Condominium Permit for a new 6-Story, 90-Unit condominium building. The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15183 of the CEQA Guidelines. (DPT 1820 Ogden Drive LLC & 1814 Ogden LLC & Patel Family Trust, applicants and property owners; Levy Design Partners, architect) (245 noticed) Staff Contact: Catherine Keylon

**Attachments:** [1814-1820 Ogden Dr - Staff Report](#)  
[1814-1820 Ogden Dr - Attachments](#)  
[1814-1820 Ogden Dr - Plans](#)  
[1814-1820 Ogden Dr - 15183 CEQA Document](#)  
[Appendix A - Transportation Demand Management Plan \(TDM\)](#)  
[Appendix B - Supporting Air Quality and Greenhouse Gas Information](#)  
[Appendix C - Supporting Biological Information](#)  
[Appendix D - Supporting Historic Information](#)  
[Appendix E - Supporting Archaeological Resources Information](#)  
[Appendix F - Supporting Noise Information](#)  
[Appendix G - Traffic Impact Analysis \(TIA\)](#)  
[1814-1820 Ogden Dr - MMRP](#)

*All Commissioners have visited the project site. Commissioner Terrones was not present at the environmental scoping and design review study meeting for the project, but did watch the video, took notes and visited the project site. Senior Planner Keylon provided an overview of the staff report.*

*Chair Schmid opened the public hearing.*

*Toby Levy, designer, and Gary Black and Jocelyn Lee, traffic consultants, represented the applicant and answered questions about the application.*

*Public Comments:*

> *Public comment submitted via email by Gloria J. Thompson: I previously submitted observations regarding the plans for 1814-1820 Ogden Drive on January 4th of this year. As I've stated in my previous list of concerns, I have been a resident in said area for now 20 years and moved here in 2001. I have been*

content with my living situation in this 1950s apartment building neighborhood. With the Sunrise Living Facility and condominiums at 1838 Trousdale Drive, a parking situation has risen which I addressed in my formal letter to you. Now, additional structures are in the planning stages, those at 1868-1870 Ogden Drive and now 1814-1820 Ogden Drive with a change in the North Burlingame Mixed Use zoning standards, which are favorable to the City's needs, but not to the immediate area where the structures might be built. Little to no consideration has been made from what I have read in your reports to the residents already living here. The structures will not be in alignment with those on west Ogden Drive which are mainly 3-story buildings. There is a tranquil feeling the area and that will change with the tall, planned structures with 7 and 6 stories. Right now, I can look out of my dining room window and get a glimpse of Mount Diablo. I can see blue sky from my window and that will change drastically. The report mentions that a public plaza is planned to enliven Ogden Drive. I do not understand the necessity to do that and the atmosphere here is fine. The plaza will mean perhaps having people here who might not live in the area and who might require street parking. The parking areas will provide 45 spaces for bicycles. During the time I have lived here, I rarely see anyone riding a bicycle to work. I would challenge the need for so many bicycle spaces. Affordable and workforce housing are required as part of the Tier 3 plan. The requirement is that the income should be 80% of the San Mateo County median income which is \$138,500. That would mean that the interested parties would need to earn at least \$100,899. That figure doesn't seem realistic. Some retired persons living on a pension would not qualify. While I appreciate the opportunity to express my concerns about new structures being planned in the area, realistically, I do not foresee any change in the extensive planning has already been made. The number of stories will not be reduced as they meet the North Burlingame mixed-use standards. Street parking will still be a concern no matter how many spaces are provided in the building and the number of spaces provided per unit probably does not match the reality of persons per unit actually having a vehicle. When I was reading the extensive report, I came across a comment that struck me. When I looked for it again in order to cite its location, I couldn't find it. But it basically says that the proposed structure would benefit all. I respectfully disagree. I will miss seeing the blue sky.

> Public comment submitted via email by Maria L. Ross: I'm not in favor to build a six-story 90-unit condominium building. Thank you.

> Public comment submitted via email by Jesse Saysong: I would like to say I'm not in favor of development of the project site at 1814-1820 Ogden Drive zoned North Burlingame Mixed Use. We're four people in an apartment and we disagree. Thank you so much.

> Public comment submitted via email by Rachel (last name not provided): I would like to know when the building at 1820 Ogden Drive is going to be torn down, approximately. I work in the building and live in the neighborhood.

> Public comment submitted via email by Michael Yep: I oppose the projected project at 1814-1820 Ogden Dr. I live next door to the project at 1838 Ogden Dr. I think the ideal height and number of condos are 4 floors and 45 units. We don't need a public space. Burlingame represents to me quality and quiet neighborhoods. 90 units is too much. The proposed project at 1868-1870 had 6 floors and 90 units. Our quiet neighborhood would be destroyed.

> Charles Boyson: I'm very concerned about this project. There is no parking available for guests, for the existing traffic and existing residents right now. Second, the amount of additional cars that can be put on Ogden Drive, where are we looking at the need for additional street or traffic lights both at the intersection of Ogden Drive and Trousdale Drive and at Ogden Drive and Murchison Drive? At Murchison Drive and Ogden Drive, you have the high school and you have 1868-1870 El Camino Real with so many additional units. This is going to be a traffic nightmare. You have more guest parking for bikes and like the first commenter who was read, I have yet to see anybody riding their bikes to the Millbrae transit center. We have politics here trumping logic. If this is approved, this Planning Commission is throwing this neighborhood under the bus. There are other ways to do this. There are other ways to make these regulatory compliance requirements. I'm also concerned with the Sunrise property, there was no completion bond available, and due to an economic collapse that property was unfinished for seven years. It stood as a steel structure. That resulted in significant construction issues. To this day, that building has problems with water. Is there any completion bond for these structures at all? Because we have yet to see the pandemic, economic fallout that is bound to happen as aid has dried up. We're already seeing some issues with the interconnected economic financial system that we're in. I'm absolutely shocked by this

effort to push through this project and come up with excuses that are at best, just a glossing over of the real issues of parking. There is no parking. We have four or five individuals in one unit, which is going to happen, I don't know where these people are going to park. We've got to do something different here. If you need more buildings, you got to start looking at these two or three unit buildings and come up with some creative ideas and something that works for everybody and clearly, this is not. Thank you.

Chair Schmid closed the public hearing.

*Commission Discussion/Direction:*

> When it's a public offering, the City needs to really understand what we're trying to achieve by inviting these public plazas and especially the burdens that we're placing on those who develop these public plazas. There's clearly public benefit, but the switch could get flipped pretty quickly if you're not careful. It's a great thing that's happening here, it looks good and I'm glad the public space is there.

> This is a well-crafted project. It should move forward. I know there's going to be impacts on the neighborhood, the neighborhood is evolving. Globally speaking, we're in a situation where we have State housing demands supported by housing laws that we are obligated to adhere and recognize. We have regional housing requirements throughout the area that need to be met. Burlingame itself has a housing obligation that we're required to recognize and meet. Our efforts here are to make for well-planned and thoughtful housing projects as we can, but we have an obligation to consider these projects and we have an obligation to consider additional housing in our communities. If there is a way for the people of the State of California to find some mechanism for population reduction, then I'd be glad to hear it. Until and unless we find that, we can't implement different policies. We have to move forward with some kind of policy that meets the demands and recognizes our obligations. Well-crafted projects like this are the ones that we have to consider and we put together a General Plan as a community that considers where we want to consider additional housing projects, this is one of those areas. I'm accepting of the environmental assessment in terms of the mitigation and can make the findings for the conditional use permit for the alternative parking design, and that the project is well-designed. From a design review standpoint, I can accept the project as proposed.

> This is a great project. I love the massing, the vertical and horizontal lines and how it works with adjacent buildings. It has a very humble massing for a six-story building and it's going to look great. As my fellow commissioner mentioned, it's crucial for us to meet as a City our housing obligations, but even more crucial to meet the housing obligations of the people of Burlingame. This allows families to come in, to have more neighbors and our City to thrive. So, I see all the findings here are present and would like to see this project move forward.

> I have one comment about the community benefits. I'm really ecstatic of the fact that one of the community benefits is the zero net energy. That is very important and crucial with the climate crisis going on right now. But what is a little perplexing to me is the plaza itself, just because of what I think the plaza should look like and what the definition is. It seems like we are being consistent and adhering to what we have from the City's standpoint, so on that note, I'm totally fine with it. But I would like to look at that in the future before all these other projects start doing plazas and we need to have a discussion about that. Otherwise, this project is absolutely great. 90 units, very much welcome in our community. I can make all the findings here.

> I don't think it is ours to stop projects. It is ours to help steward them through process and try to make them the best that we can within our community. When we talk about affordability, it doesn't happen if we go with a lower density on this project site. If we don't go six stories, we don't get 90 units. If we don't do the 90 units, we're not going to get the five affordable units and we won't get more housing which is the State mandate right now. The project team has done a good job of adding more parking than required. If you look at the staff report, based on the criteria, they would be required to have 95 spaces and here they are providing 145 spaces. So, it's not that they're doing the absolute minimum and trying to do no parking. They're trying to do a good job and recognize that there will be some units that will have more cars than others. Hopefully, this does not add to the parking problem that's already there that's caused by other projects that don't have the required parking. I can make the findings. I feel it's a well-designed and well-crafted project. I don't have any concerns with the parking, the tandem and the stackers, that is a

good solution to try and the community benefits are there for us. So, I would like to see the project move forward as well.

> I tend to agree with the neighbors that are going to be impacted by the parking and all the traffic. I know there have been studies, although we only get the result of it in the initial study. We don't actually get to see the study or I haven't seen the study myself. But with the school there, I do have some concerns about that traffic especially right at school time at 8:00 am and 3:00 pm in the afternoon. I don't know if they've been evaluated in a traffic study. I'm still a little leery about it. We find out about these things after the fact. I'm not saying we shouldn't be building more housing. As it has been stated previously, that's a State mandate here. Although with all the ADUs and the additional housing that we're building, I think we're probably doing very well. So, I do have some concerns about that traffic that's going to be there and it's going to impact that neighborhood. I had spoken about it before, I know there's a new Water Management Plan, although we have not yet seen it. The conclusion that they came to was it would be fine, but I would like to see the Water Management Plan. I understand, we can't read absolutely everything and we have to rely on some of the people that make some of these decisions for us and we have to go along with that, but at the same time, I would like to have that information available to us at some point. Overall, it's a good looking project. But again, I do have some concerns about the traffic. They've done a good job with the parking. I'm more concerned about coming in and out than having parking spaces.

> (Keylon: I just wanted to respond to the commissioner's concern and note that the transportation impact analysis was done by Hexagon Transportation. We do have a representative from Hexagon in attendance and is available to answer any questions, specifically about that intersection. I can say that given the use of the existing two buildings that are currently occupying the site and the change to residential resulted in 56 fewer daily trips, based upon the TIA. As far as that intersection goes, I would have to defer to the Hexagon, if we can bring them in because they are available. They did take a look at the Ogden Drive and Trousdale Drive intersection and with the project that currently is a Level of Service C at that intersection and there were no changes to the delay at that intersection. I know you mentioned a specific time of day and obviously I would say when school is starting or getting out, Hexagon that can probably answer your questions a little bit in more depth than I could.)

> I was going to make a couple of points that have already been made. There are 145 parking spaces here. I'm not sure how many will be enough, but the science says this is enough. I would also like to hear the consultant speak about the traffic and the science there says the traffic will be enough. The point that my fellow commissioners made earlier is an important one. If somebody can figure out how to control the growing population of California, then by all means figure that out, but I don't see it happening. That's not the way the world works. Given that we can't do anything about it, then we have to deal with the facts in front of us. There has to be a place for folks to live and we need to be smart about the projects that we shepherd through and all we can do is follow the science.

**Vice-Chair Loftis made a motion, seconded by Commissioner Tse, to approve the application and recommend approval of the Lot Merger and Tentative Condominium Map to City Council. The motion carried by the following vote:**

**Aye:** 6 - Terrones, Tse, Gaul, Loftis, Schmid, and Larios

**Absent:** 1 - Comaroto

- c. 1208 Burlingame Avenue, zoned BAC - Application for Conditional Use Permit for a full service food establishment in an existing commercial building. The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301 (a) of the CEQA Guidelines. (Laurent Pellet, Maison Alyzee, applicant; Ken Hayes, architect; Green Banker LLC, property owner) (66 noticed) Staff Contact: Ruben Hurin

**Attachments:** [1208 Burlingame Ave - Staff Report](#)  
[1208 Burlingame Ave - Attachments](#)  
[1208 Burlingame Ave - Plans](#)

*All Commissioners have visited the project site. Planning Manager Hurin provided an overview of the staff report.*

*Chair Schmid opened the public hearing.*

*Laurent Pellet represented the applicant and answered questions about the application.*

*Public Comments:*

*> Jennifer Pfaff: I just wanted to welcome you here. We have a great community and this is really very exciting. So good luck and you're moving into a really beautiful building architecturally, it's beautiful. We welcome you.*

*Chair Schmid closed the public hearing.*

*Commission Discussion/Direction:*

*> It's very easy to make the findings required for the conditional use permit, including that the proposed food establishment will not be detrimental to the City's objective of promoting pedestrian oriented retail activity in this commercial district and it's in compliance with the General Plan.*

**Vice-Chair Loftis made a motion, seconded by Commissioner Terrones, to approve the application. The motion carried by the following vote:**

**Aye:** 6 - Terrones, Tse, Gaul, Loftis, Schmid, and Larios

**Absent:** 1 - Comaroto

- d.** 1204 El Camino Real, zoned C-1, Broadway Commercial Area - Application for Commercial Design Review for exterior facade changes to an existing commercial building and Parking Variance for a change in use from automobile repair shop to retail and personal service uses. The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301 (a) of the CEQA Guidelines.(1480 Broadway Properties LLC , property owner; Suheil Shatara, Shatara Architecture Inc., architect and applicant) (85 noticed) Staff Contact: Ruben Hurin

**Attachments:** [1204 El Camino Real - Staff Report](#)  
[1204 El Camino Real - Attachments](#)  
[1204 El Camino Real - Plans](#)  
[1204 El Camino Real - Encroachment Permit Plans](#)

*This item was continued to the October 12, 2021 meeting due to an error in the public hearing noticing for the item.*

## **9. DESIGN REVIEW STUDY**

- a.** 1120 Summer Avenue, zoned R-1 - Application for Design Review and Special Permit for declining height envelope for a first and second story addition to an existing single

family dwelling. (Richard Terrones, Dreiling Terrones Architecture, applicant and architect; Mark and Catherine Intrieri, property owners) (138 noticed) Staff Contact: Erika Lewit

**Attachments:** [1120 Summer Ave - Staff Report](#)

[1120 Summer Ave - Attachments](#)

[1120 Summer Ave - Plans](#)

*All Commissioners have visited the project site. Commissioner Terrones was recused from this item because he is the architect for this project. Associate Planner Kolokihakaufisi provided an overview of the staff report.*

*Chair Schmid opened the public hearing.*

*Julie-Ann Nepomuceno, architect, and Mark Intrieri, property owner, represented the applicant.*

**Public Comments:**

> *Public comment sent via e-mail by James Pennuto and Claudia Steenberg, 1116 Summer Avenue: Why are they asking for a Special Permit for declining height envelope, what does that mean? And how does that effect our home at 1116 Summer Ave-next door? Privacy concerns - height overlooking our property; proximity of overwhelming structure - 30' high!; reduced day light in our house and higher electric bills. Elimination of another single-story, single-family Bungalow - upgraded by the previous owner and improved upon by the current owner and rented out for above market rate, \$5,500 a month! - not bad income. For a 1920's home the building is in sound condition. We need to keep these buildings as they are for a saner, less frantic, less intense lifestyle for those who wish to live a simpler life in an ever more complicated and greedier environment. What bothers us the most is that the owner(s) do not live in the neighborhood. They seek to capitalize on our block with no local connection to our local neighborhood. It is a blatant carpet-bagging operation sanctioned by the city and state to gain financially at the expense of the powerless. The homeowners living in our neighborhood who want to improve their living space is more acceptable and welcoming than any speculative outsider looking for a fast return on their investment. These speculators ultimately drive up the cost of land. It is our desire not to replace the existing white picket fence because it provides an open feel as opposed to a 7-foot solid wall of wood. Also, it is desired to keep the remaining solid fence as is with no additional trellis topping. Before destruction or modification of the existing structures, contractor/sub-contractors must abide by California Code of Regulations, Title 8, Section 1532.1. LEAD. A notice shall be posted on the premises, an Abatement of Lead Hazards Notification to inform the neighbors that work is being conducted to abate lead-based paint or lead hazards in or on the structures.*

> *Public comment sent via e-mail by Pete Scopazzi: I live on Summer Avenue. Have since 1994. Resident of Burlingame since 1977. The small quaint town of Burlingame is turning into an over populated ugly city. Now on our little street yet another two-story home is being built. It seems all of you rubber stamp "approve" on just about anything these days. There are many new huge ugly apartments going up. New ugly business buildings going up. There used to be a time when you were all very strict about building up and out and all over. Those days are gone. There is nothing I can do or say because the zoning laws are on your side. So build, build, build. In short, my wife and I are totally against the new build at 1120 Summer Ave. Please don't respond. I just want to voice my displeasure with the decision to approve this build and all of the other monstrosities that you're allowing to be built.*

> *Public comment sent via e-mail by Jennifer: I think this is a really gorgeous project. Well done.*

> *(Intrieri: I have to take offense, unfortunately, to the analogy to the carpet-bagging quality of this project. Some of you know me, some of you perhaps don't. My family is deeply embedded in this community and served on the Burlingame school board for 12 years. We remain embedded and committed to this community, so we're not profiteering. We're trying to build a better family home for people who want to come to Burlingame and also which I can pass down to my kids. Thank you.)*

> *(Nepomuceno: I wanted to add that the project does include a new ADU. The existing unit did not have*



a kitchen and so, there will be an additional unit available on this site for rental. And of course, after this project is approved, it will go to the Planning Division and be built fully in accordance with the building code.)

Chair Schmid closed the public hearing.

*Commission Discussion/Direction:*

> It's a very nice little project. I understand there's a lot of heat surrounding it. It's a beautiful project. One of the things it does that many, several projects around town have done very successfully is the slope away from the road as opposed to a frontal gable facing the road. It has a huge impact on the projects addressed to the street and its apparent mass. If you look around town at many of those projects, we have seen several of them executed successfully. This project does a good job of nestling into the neighborhood. It's a very well-crafted project and it's a nice little house. This will be a nice bigger house in my view.

> The second story addition has been so nicely crafted, it's very modest. You almost don't feel that there's a second story on the home. I like how that's been treated. I also wanted to respond to the commenter from the public. This house is not a complete reconstruction tear down. It's actually been very carefully planned around an existing floor plan and expanded along the back, and of course upstairs for a second story addition. It's very nicely designed; it will be a nice addition to the area.

> I really appreciate that they are saving the older house and keeping it. It's going to help this addition blend into the neighborhood in that you're not scraping it and starting over. I always like to see if one can work around an old house and they have done a good job doing that.

> I'm going to tackle the declining height envelope. When I first saw that, I was a little concerned too. I'm always trying to be cognizant of how our second story additions and homes address their neighbors. I don't think that anybody wants a big monster home overlooking their property either. When you look at this only in two dimensions, and you only look at the front elevation, it would seem they totally encroached the declining height envelope. But when you think about this in three dimensions, and how well the roof line springs off the first floor and not the second floor, there's very little of the volume of this house that's actually breaking the declining height envelope. One of the challenges when we make these regulations is that we can't make one regulation fit every situation. We've had many of these where the house has a roof that goes from front to back and you're not going to chop it to make the declining height envelope work. The architecture works best the way it is done. It addresses a very nice volume to this house and like the other commissioners have noted, it actually isn't as big as one might think. The way that the second story addition has been designed, it will blend in. It is much lower and it's not a two-story wall up against the neighbors. I can appreciate the effort put into this one and hope that when it's completed, it will fit into the neighborhood as nicely as I expect it. With that, I would like to see this project move forward as well.

**Vice-Chair Loftis made a motion, seconded by Commissioner Tse, to place the item on the Consent Calendar. The motion carried by the following vote:**

**Aye:** 5 - Tse, Gaul, Loftis, Schmid, and Larios

**Absent:** 1 - Comaroto

**Recused:** 1 - Terrones

- b.** 2701 Hillside Drive, zoned R-1 - Application for Design Review and Special Permit for building height for a new, two-story single family dwelling and detached garage. (Alain and Ming Huang, applicants and property owners; James Chu, Chu Design Associates, designer) (117 noticed) Staff Contact: 'Amelia Kolokihakaufisi

**Attachments:** [2701 Hillside Dr - Staff Report](#)  
[2701 Hillside Dr - Attachments](#)  
[2701 Hillside Dr - Plans](#)

*All Commissioners have visited the project site. Associate Planner Kolokihakaufisi provided an overview of the staff report.*

*Chair Schmid opened the public hearing.*

*James Chu, designer, represented the applicant and answered questions about the application.*

*Public Comments:*

> *There were no public comments.*

*Chair Schmid closed the public hearing.*

*Commission Discussion/Direction:*

> *Roofing material is noted as natural cedar shake. Based on the metal attic vents and the style of the house, consider using slate or a different material with a higher relief, such as a Presidential Shake Shingle product. I would like to hear from the other commissioners, but a cedar shake roof doesn't seem to fit this house.*

> *The cedar shake roof seems a little off relative to the rest of the architecture. It could work with a high profile composition roof, something besides the shake would be more appropriate.*

> *Recommends using landscaping to cover the access doors located underneath the stairway located at the Hillside Drive elevation. It's a good looking building, but when you have a corner lot, you have two fronts that you need to design. That's the only part in that elevation that looks like it might be out of place and needs additional street screening.*

> *The house is developed very nicely. On the Benito Avenue side you show some railings and balustrades, that same detail can be used to shape the front of the patio on Hillside Drive. That will help to shield the access doors as well as potentially give an area of transition between the patios to the landscaping.*

> *Suggest coordinating with the neighbor regarding window and view corridors so they're given a chance to review the project before the next meeting.*

> *Make sure that the exterior light fixtures meet the lighting regulations for the city and the cone of light is kept within the property.*

> *The architecture seems to fit in nicely for various reasons with the Hillside Drive neighborhood. The way that it climbs up the slope with the roof that reaches down to the first floor on the front along Benito Avenue is nice and the portico offers a nice formal entry; the balustrades seem that they're creeping their way down to the street. It makes for nice architecture on the corner. It has a similar feel and scale to the existing house, but a more humble garage which is a nice touch versus what's there. It's a nice project and should move forward to action.*

**Vice-Chair Loftis made a motion, seconded by Commissioner Terrones, to place the item on the Regular Action Calendar when plans have been revised as directed. The motion carried by the following vote:**

**Aye:** 6 - Terrones, Tse, Gaul, Loftis, Schmid, and Larios

**Absent:** 1 - Comaroto

- c.** 2752 Summit Drive, zoned R-1 - Application for Design Review, Hillside Area Construction Permit, and Special Permit for an attached garage for a new, two-story

single family dwelling and attached garage. (Michael Kuperman, applicant and property owner; Stepan Berlov, designer) (75 noticed) Staff Contact: 'Amelia Kolokihakaufisi

**Attachments:** [2752 Summit Dr - Staff Report](#)

[2752 Summit Dr - Attachments](#)

[2752 Summit Dr - Plans](#)

*All Commissioners have visited the project site. Associate Planner Kolokohakaufisi provided an overview of the staff report.*

*Chair Schmid opened the public hearing.*

*Michael Kuperman, property owner and Stepan Berlov, designer, represented the applicant and answered questions about the application.*

*Public Comments:*

*> Dr. Dennis Ngai: I'm a neighbor. I love walking on Summit Drive and climbing up the hill to see the wonderful view of the beautiful houses. How tall is the house? Is it going to block the view when we're walking up the hill? I just want to make sure we can still enjoy the view when walking up the hill. Also, I want to know how long the construction will be because my days off are during weekdays. I want to know how much time I'm going to lose listening to the hammering and the bulldozing. My parents had the same problem in Millbrae and it was two years of listening to hammering; I couldn't relax and it was horrible for me. I hope the house doesn't block the wonderful valley view we have. (Chair Schmid: I'm not sure that we can respond to that at this point. But if you want to contact the Planning Division, they can give you a bit more information about hours and the construction rules that are applicable.)*

*Chair Schmid closed the public hearing.*

*Commission Discussion/Direction:*

*> The revisions are nicely done. The project nestles into the site very similarly to the existing structure. This is vastly improved over what we saw previously. I'm in favor of the project in terms of design review considerations.*

*> I can make the findings ultimately for the attached garage because there is precedence in the neighborhood. It would be almost impossible to have a detached garage down a sloping driveway and rear yard.*

*> The only issue is the Hillside Area Construction Permit. I would like to have the story poles erected to understand how much of the house pokes up above the existing, whether it is below or at the height of the existing structure, so the neighbor can see the view issues.*

*> It's important we do our due diligence and require that story poles be installed, although we've been told that it's the same height or lower but higher in a couple of spots. It would be nice for everyone to see where that is and how that actually works.*

*> In looking at this new design, I can appreciate the size reduction, the materials and the effort that has gone into this conversation to come to this solution, and can appreciate all the effort that was put into it. It looks like it will largely fit into the same box, but it's a good due diligence for the neighborhood to be able to know that as well, so that the public sees it, not just those of us who can read the print. So I think that's a good idea to install story poles. I'd like to see the project move forward and I agree with the findings on the special permit for the attached garage.*

**Commissioner Terrones made a motion, seconded by Chair Schmid, to place the item on the Regular Action Calendar when plans have been revised as directed. The motion carried by the following vote:**

**Aye:** 6 - Terrones, Tse, Gaul, Loftis, Schmid, and Larios

**Absent:** 1 - Comaroto

- d. 2312 Hillside Drive, zoned R-1 - Application for Design Review and Special Permits for declining height envelope and detached garage length for a new, two-story single family dwelling and detached garage. (Diebel and Company, applicant and architect; Susan Shao and Wei Zhu, property owners) (112 noticed) Staff Contact: Catherine Keylon

**Attachments:** [2312 Hillside Dr - Staff Report](#)

[2312 Hillside Dr - Attachments](#)

[2312 Hillside Dr - Plans](#)

*All Commissioners have visited the project site. Planning Manager Hurin provided an overview of the staff report.*

*Chair Schmid opened the public hearing.*

*Gary Diebel, architect, represented the applicant and answered questions about the application.*

*Public Comments:*

*> There were no public comments.*

*Chair Schmid closed the public hearing.*

*Commission Discussion/Direction:*

*> I like the way that you have the single-story portion of the living room and office towards the front of the house that reaches out to the street. It's nicely sculpted with some of the Spanish revival details. In looking at the special permit for declining height envelope, revisit the left-hand side of the house to see how you might break down the massing or add articulation to these vertical two-story lines, walls and surfaces. That elevation is going to be at its closest point about five feet from the neighboring fence. The neighbor on that side is close to their side yard and you're going to have two masses of house abutting each other. Something needs to happen along this side to give a better scale.*

*> This is a very nicely formed and shaped house with some very interesting articulation, very nice styling. Consider introducing another material at that turret-shaped area, it looks to be stone or some other material. It's not facing the street but you'll see that from the backyard. It might be some other areas where that can be introduced. There's a lot of interest and dynamics going around all four sides of the house which is nice and it seems like that can add extra richness to the styling of the home.*

*> You have introduced wrought iron details here and there with balconies, consider introducing a little more of such details around the house. The elevations are drawn nicely and it could be the flatness that comes from the rendering, but it seems it is calling out for more detail.*

*> This is a beautiful home. I would like to see more details on the elevations. It can be the rendering, but it needs more articulation. The chimney doesn't stick out from the front or from the right side of the house. Recommend looking at a terracotta cap like a Santa Barbara Spanish style revival chimney or something that gives you more detail and facade. That could help you add a little more detail on the left side elevation. That chimney looks really plain.*

*> The roof material is specified as clay tile. Please provide us with a manufacturer's cut sheet. My only fear is that this would be a repeat of what happened to the house to the right. We had a nightmare with it a few years back, they started with a clay tile roof that really wasn't what was on the plan. Let us know what tile you'll be using on there, we don't need an actual sample; a cut sheet will suffice.*

*> This is a nice project. There are lots of light fixtures outside of this house and I want to make sure*

that they comply with the local regulations. They're all depicted as identical and I'm not sure how you would keep the cone of light within the property for the second story balcony light fixture. Make sure they all comply.

> I'm struggling a little bit to find the reason to accept the special permit for declining height envelope. The left side elevation could look better if the second floor went in, even if the roof stayed, giving it a pronounced overhang; there is an opportunity there. Maybe it's a 3D look versus the 2D elevation, but I'm not seeing the declining height envelope exception yet. I understand you want the square footage, you want to make the program work. It's a nice looking program, but I'd also like to see that we are able to comply with the declining height envelope. That would be something to look at before the next round.

> I just wanted to echo a couple of things about the detailing. Typically in Spanish houses, you see a lot of wood outriggers or window trims in a heavy timber type, or you have inset tiles or vents that are terracotta. This house could use a lot of that type of detailing. The chimney is very square. At the front, you have that decorative wing wall. I have seen in Spanish homes the stucco on the chimney molded into something a little more artistic than a square box. The detailing will be necessary on this. It's very close, but it needs some of those finer details put in there.

**Commissioner Terrones made a motion, seconded by Commissioner Larios, to place the item on the Regular Action Calendar when plans have been revised as directed. The motion carried by the following vote:**

**Aye:** 6 - Terrones, Tse, Gaul, Loftis, Schmid, and Larios

**Absent:** 1 - Comaroto

- e. 1221-1251 Whitehorn Way, zoned RR - Application for Commercial Design Review and Landscape Variance for a new commercial building. (Michael Nilmeyer, Nilmeyer/Nilmeyer Associates, architect; Kevin Cullinane, applicant, Whitehorn LLP property owner) (34 noticed) Staff Contact: Erika Lewit

**Attachments:** [1221-1251 Whitehorn Way - Staff Report](#)  
[1221-1251 Whitehorn Way - Attachments](#)  
[1221-1251 Whitehorn Way - Plans](#)

All Commissioners have visited the project site. Commissioner Gaul noted that he spoke with a property owner across from this building on Whitehorn Way. Planning Manager Hurin provided an overview of the staff report.

Chair Schmid opened the public hearing.

Michael Nilmeyer, architect, represented the applicant and answered questions about the application.

**Public Comments:**

> David Copello: The designer was describing all these parking spaces for his new building, but what he's failing to tell you is most of those spaces have been leased out. The buildings that are on the east side of Whitehorn Way depend on the parking spots for their employees and for the cars that they work on as storage for the automotive shops that are already there. If you remember, the space in front of Rollins Road is a "no parking" zone at 4:00 pm Monday through Saturday. So, those of us who have had the leases for those parking spots for 30 years are now being approached by management, are having our leases cancelled, and are being told we're not going to be able to park back there. He didn't bring out the fact that some businesses only have access to their property from Whitehorn Way, which have been grandfathered into those properties for over 50 years. They didn't mention that some ADA access are dependent on that back entrance. They didn't mention that most of the garbage bins and garbage services are taken care of on Whitehorn Way. When you park two cars in front of the roll-up buildings on

Rollins Road and the roll-up doors on their proposed property project, there's no longer room for a fire truck or EMS to access the buildings back there. So, it creates a public hazard for the shops that have been there for decades. Right now, there are storage units that are in those Quonset huts and they don't require employee and long-term parking all day long when employees are there. What they're proposing is going to change everything in that alley way that has been grandfathered to us who have been renting there for decades. I wanted the commission to know that the neighbors are in an uproar over this change and this really is a reduction in the freedom that we have to conduct our businesses there.

> Tony (last name not provided), 1239 Rollins Road: I've been a resident at 1239 Rollins Road for the past 30 years and also a resident of Burlingame for the past 38 years. We have been paying rent to the previous owner and now we are paying rent to the current owners of that property. So we're concerned of the impact it's going to have on our business and the business operations that we conduct back there. We currently use that area for egress as well as ingress and we use it for employee parking and our own parking. They have told us that they're going to be terminating our parking beginning November 1st of this year. We believe the termination of our parking is only so they can come into compliance with the parking that they're going to be required to have as was addressed by the letter dated June 15, 2021. It says there will be a total of 53 parking spaces provided where 53 spaces are required. They're terminating our parking so they can qualify and come into compliance. This is going to have a great impact on our business, on how we conduct business like the business I've been conducting there for 30 years. It says it is a peculiar area, it's not peculiar at all. People exit out of the Valero gas station. The road comes around, it's a one way street and many people go the wrong way on that one-way street. The other issue is that we get flooded from the roof, as that Quonset hut lets water out and they sloped it right in front of our building at 1239 Rollins Road next to the planter box and the telephone pole. You can go out there when it rains and we have water flood in, it comes from 100 feet of our building from our backdoor to the street side of that building. It has been a nightmare; we can't get in. Many times we have to trudge through the water and I have to have special matting inside so we can walk in without slipping. Our concern is that, we don't care if they want to build a building back there, but the impact it's going to have. We want you to know the impact it's going to have. It's not just me, there are others, they did not know how to attend Zoom meetings. They wanted to be in this meeting, but the impact is on that row where you see the parking on the east side of the street. Thank you for your time.

> (Nilmeier: I'd like to respond to Mr. Copello first. From my understanding, management has been addressing the issue of the spaces that are leased and that they're going to terminate the leases. But I don't have anything to do with that and I can't really address it. With respect to access to the rear of the buildings that face Rollins Road, we are not changing any of the striping along it, so there's still access to those roll up doors and the access doors on the backs of those buildings. So we're not changing that. I was under the impression that you couldn't speak during a study session, so the owners hadn't planned on being in the session. With respect to the roof drainage, we are draining the roof into the proposed landscape areas and we also have permeable pavers in the new parking area at the front of the building, so we can treat our roof runoff. There are three existing planters: one to the left when you enter from Rollins Road, one on the left where the street begins to make the turn, and one behind the first building that the commissioner inquired about earlier. Those are all raised planters. We've been discussing about removing those planters and lowering them to grade level to capture some of the roof runoff. The problem is that the planters, located where you enter off Rollins Road and the one directly up the lane from that, have two big trees in there. So we're a little hesitant, we would have to take them out and I'm not sure we want to do that. Right now, the roof run-off from the Quonset hut is untreated and it flows to the street and we plan on taking care of that roof runoff. With respect to the spaces that are being leased and a termination of those leases, I can't address that because it's not within my purview to do so. When we come back to the regular action meeting, then the ownership and the representative can address the issue of the leased spaces.)

Chair Schmid closed the public hearing.

Commission Discussion/Direction:

> I understand you have a landscaping requirement and that you're restricted at the street level. You

roughly need to provide another 5,000 square feet of landscaping. Consider looking into a green roof to help offset the landscaping requirements and the earth a little bit.

> Please provide a series of clear and understandable diagrams of the site to understand the scope of work.

> The improvement of this property from the Quonset huts that are there is a long time coming. The conditions that are being proposed in terms of the new structure and the new perpendicular parking to the roadway is a vast improvement over the few number of stalls that are available in front of the Quonset hut building as they now stand. The amount of parking being proposed is a big improvement over the existing conditions, so there is a unique circumstance here in terms of the confluence of the number of properties. The backing of the existing properties right up to the property line and the use of those adjacent parking spaces that are on this property for some 30 years, if not more. There are enough existing extraordinary conditions that would warrant a parking variance to where what is being proposed could be built and several of the spaces that are along the backside of the properties on Rollins Road can continue to operate under a lease fashion for those buildings because those people park there mostly. We have an unknown tenant that's going to come into this space and they're going to have more parking in front of their building that's there now, that could solve several of the issues. This new building fixes the drainage issues and gets rid of these dilapidated huts and improve the conditions immensely in that area. There's an opportunity for redrafting the application before this comes back for action.

> Seems to me it's also possible to put a smaller building on this site, if we knew what the site looked like. Maybe this is one of those instances where too much stuff is being put on a site. It's completely filled to the rim.

> There's a lot of information going on in this site plan and it's obviously a complicated scenario with the multiple buildings, multiple tenants and it is a little challenging to see these parking spaces are being attributed to this building and tenant or not. The piece that they're asking us to act upon is the demolition of these two hut buildings and the addition of the new building. It seems to be adding value to the overall lot, adding parking and some landscaping in a positive direction from where they are now. I don't know we're in that position to be demanding to where we can get our landscaping, our parking and all our other regulations for a large site, when in reality, we would like to touch just this small area. As a study item, we're not really trying to necessarily approve, but maybe suggest opportunities for a better, more productive meeting next time. We would entertain the idea of a parking variance, but it needs to come back clear to us on the new uses and that they are at least trying to make an effort to cover those new uses for parking and not make it worse by intensifying the uses. It's really hard to say where our purview stops on this because I'm not sure the leases on the parking spaces on the back are something we have control over because that's a property issue between properties and not a planning issue.

> I did not necessarily hear people say that the project was not approvable. There are extenuating circumstances that may need further clarification and an opportunity for the owner and the business part of this to weigh in on some areas. I don't know if I'm opposed to having it come back as an action item with the advice we're giving and suggesting items that should be addressed for us to be able to take action. There's a lot to talk about, but we can push them in the right direction so the next meeting is productive.

> I will have a difficult time approving the project with just a sweeping scenario where all existing leases are simply wiped away that have been in place for 30 years, if not more. There's a more amicable solution and that is a parking variance. There are enough extenuating circumstances in the type of uses, the existing configurations and shared properties and leases that warrant a parking variance. The applicant has worked with staff to look at a worst-case scenario in terms of a calculation of required parking per square footage basis, just presuming there's an automobile use with one that's 1:800 square feet versus 1:1,000 square feet for storage.

> In terms of the project, replacing the existing hut buildings with a new concrete building with the proposed design is approvable. From a design review standpoint, I can make those findings. In terms of the landscape variances and trying to squeeze the amount of landscaping into this area as necessary, with the confluence of uses and spaces, I can make the findings for the landscape variance. My fellow commissioner brought up a good point, they can do a green roof in some portions and offer some relief that would offset that variance. So, the project should come back on action when the issues have been addressed.

- > I agree with everything my fellow commissioner said with the exception of the parking variance. I think we cannot really dictate what people do with their properties. Even if we do come back with a parking variance, that doesn't guarantee the owner will do whatever he pleases with his property. With that said, a parking variance for me is a little problematic because I wouldn't like to see any of the electric vehicle capable parking spaces go away. I'm pretty happy with what I've heard today. The applicant did address what happens when drainage from rain occurs. I would like to see this project move forward and I'm all for bringing it on action.
- > I'd like to see this project move forward as well. There's been a lot of thought put into it. In terms of the parking situation, in the staff report with information taken from the application, it states there are currently several on-site parking spaces adjacent to the buildings that are leased to businesses on a month-to-month basis. It sounds like it may be more than several. So with the next go-around, I'd like to see a more complete analysis or a table that summarizes how many spaces are leased to which businesses so we can understand that breakdown of those parking spaces and how they would be applied to existing businesses, as well as for the proposed use of the four new spaces. What is an expected parking requirement for the use of those spaces and not necessarily just dictated by what our code says.
- > With automobile repair businesses especially, a lot of parking spaces can be mitigated by interior spaces, so you could count the inside of the building if you chose to do so. Any business could use that space as well. I know the contractor that works there now and they bring vehicles inside their shop all the time.
- > I would consider a parking variance if I better understood how the parking worked for all the businesses. When you step back and look at this site plan, it's not like a mall that has a lot of shared parking together now. I suggest showing a table of analysis for the parking spaces because there are all these businesses that are not on their property, but are dependent on the parking spaces there and indicate that we're not suddenly going to open up the street and say you can park on the street. Those businesses are out of luck if we don't somehow come up with a way for this to work. The parking variance is a possibility. We just need to make sure we're comfortably allowing the right quantity of parking for the amount of density of business that we've got going on there and knowing where those leases fall into place.
- > I would be in more support of a parking variance if I understood the actual breakdown of how the spaces are being used, how many are being used for the adjacent businesses, and how many potentially would be used with these four new structures.
- > To address my fellow commissioner's concern, the parking variance is a vehicle to attribute parking to the various businesses that are working in the area together as opposed to less parking. To me, I'm not going to be happy and say take out 20 spaces and we'll approve it. No, I think the spaces we're seeing are the ones they need. The question is, how does that fit into the greater community of businesses that are there and are we providing enough?

Commissioner Gaul made a motion, seconded by Commissioner Tse, to place the item on the Regular Action Calendar when plans have been revised as directed. The motion carried by the following vote:

**Aye:** 6 - Terrones, Tse, Gaul, Loftis, Schmid, and Larios

**Absent:** 1 - Comaroto

## 10. COMMISSIONER'S REPORTS

*There were no Commissioner's Reports.*

## 11. DIRECTOR REPORTS

Planning Manager Hurin reported that Governor Newsom passed into law AB361 which allows cities to continue to hold public hearings virtually on Zoom, so we will continue to do that at least through the end of this year. Planning Manager Hurin also noted that the next Planning Commission meeting will be on Tuesday, October 12th, and that staff will be bringing forward



the zoning code update for review and recommendation to City Council at that meeting.

- a. 1114 Eastmoor Road - FYI for review of requested changes to a previously approved Design Review project.

**Attachments:** [1114 Eastmoor Rd - Memorandum](#)

[1114 Eastmoor Rd - Plans](#)

- Accepted.

## 12. ADJOURNMENT

*The meeting was adjourned at 10:39 p.m.*

*Notice: An action by the Planning Commission is appealable to the City Council within 10 days of the Planning Commission's action on September 27, 2021. If the Planning Commission's action has not been appealed or called up for review by the Council by 5:00 p.m. on October 7, 2021, the action becomes final. In order to be effective, appeals must be in writing to the City Clerk and must be accompanied by an appeal fee of \$708.00, which includes noticing costs.*